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Testimony of the Adirondack Mountain Club (ADK)  
Joint Legislative Public Hearing, Environmental Conservation Portion  
2018-2019 Executive Budget Proposal  
7 February 2018

Good afternoon Chairwoman Young, Chairwoman Weinstein and honored legislators. My name is Neil Woodworth. I am the Executive Director of the Adirondack Mountain Club (ADK). Thank you for the opportunity to testify today on the Governor's Executive Budget proposal.

The Adirondack Mountain Club (ADK) is dedicated to the conservation, preservation, and responsible recreational use of the New York State Forest Preserve and other parks, wild lands, and waters vital to our members and chapters. ADK represents over 30,000 member in 27 chapters and 36 year-round staff offering programs that help people discover, play in, and protect natural places. Since its founding in 1922, The Adirondack Mountain Club has protected wild lands and waters through the work of its dedicated member volunteers and staff. ADK members enjoy hiking, canoeing, kayaking, cross-country skiing, camping, backpacking, biking, mountaineering, snowshoeing, and other "muscle-powered" outdoor activities in New York. We sponsor programs that range from teaching people to hike and paddle safely to repairing our state's peerless hiking trail network. We are advocates for responsible recreation; and protection of the Forest Preserve, state parks and other wild lands. Our priorities today are state budget funding for open space protection and for stewardship of our Adirondack and Catskill Forest Preserve and our incomparable state parks system.

**Environmental Protection Fund**

The Adirondack Mountain Club (ADK) supports Governor Andrew Cuomo's proposed \$300 million appropriation for the Environmental Protection Fund (EPF). We greatly appreciate the Legislature's strong, ongoing support of the EPF which allows us to better protect our environment, ensuring the conservation of critical resources for future generations while creating jobs and making our communities more resilient. Maintaining the \$300 million appropriation enhances the state's ability to

leverage federal, local, and private dollars, and enables communities to seize opportunities to implement programs that will make New York an attractive and healthy place for businesses to locate and for families to live.

A \$300 million EPF will allow the state to better meet current demand and implement critical programs to conserve open space and farmland, protect and improve water quality, build community resilience, sustainably revitalize waterfronts, create local parks, promote recycling, reduce waste, prevent pollution, provide community health programs, and support our zoos and botanical gardens. Capital investments made through the EPF support thousands of jobs in our state across a broad spectrum of industries, from tourism, recreation, agriculture and forest products to drinking water protection for millions of New Yorkers, and generate approximately \$40 billion in revenue every year.

Since its creation in 1993, the Senate and Assembly have provided strong, bipartisan support for the EPF. In recent budgets, as New York's economy has recovered, the Legislature has worked to provide important funding restorations to the EPF which has benefitted every county in New York State. We appreciate your work to rebuild the EPF and your recognition of the benefits it brings to our state – such as job creation, tourism opportunities, clean water and other environmental and public health protections, climate resilience, recreational access, and quality of life.

### Do Not Cut Land Acquisition and Open Space Funding

ADK is **concerned that the Governor's proposed budget cuts land acquisition and open space conservation funding by over \$6 million. New land purchases that will help our ecosystem be climate resilient are poised for state purchase.** This funding is essential for Forest Preserve and conservation easement purchases of key tracts of land across the state. **We must maintain EPF land acquisition funding. The level of land acquisition funding was \$40 million in 2016-2017.** Many of the lands important to you, have been added to the NYS 2016 Open Space Conservation Plan, and are listed subsequently as potential acquisitions in the **Governor's proposed 2019 budget.** Several examples of these exciting properties that would further conservation goals across New York State, and which illustrate the importance of ensuring an EPF Open Space/Land Conservation budget category include the following: Follesnby Park, in the Adirondacks, would add 14,600 acres to the Adirondack Forest Preserve as well as the ecologically important Follesnby Pond. Also in the Adirondacks is Whitney Park, a 36,000-acre property in Hamilton County that contains enormous outdoor recreational potential, and northern flow river corridors such as the Deer, St. Regis, Grasse, Oswegatchie, Raquette and Little. In western New York there are parcels around the Hemlock-Canadice Lakes which serve as the water supply for the City of Rochester. In the south, there is the Schunnemunk Mountain area which

includes Moodna Creek, Woodcock Mountain and the Hudson Highlands Connectivity project lands. This would protect significant habitats along Moodna Creek and help protect key areas of the Long Path. The Hudson Valley Highlands Connectivity project lands would protect a vital wildlife corridor in southern New York. In western New York lands have been identified around Cattaraugus Creek and its tributaries. The Zoar Valley Unique Area is located here and land acquisition will further help to protect it. In the Catskills important acquisitions would include additions to the Indian Head Wilderness, acquisitions of parcels on Catskill peaks with summits of 3500 feet or above, such as Balsam, Graham, and Doubletop Mountain and the Dry Brook Valley that play a critical role in the wilderness character of the area, and parcels that will protect the Peekamoose Gorge and the Upper Neversink Valley

### **ADK Applauds Governor Cuomo's Increase in State Land Stewardship Funding**

Equally important is the over \$4 million boost proposed by Governor Cuomo for State Land Stewardship. This funding must be increased, as proposed by the Governor, to at least \$34,138 million with an increase for the Department of Environmental Conservation (DEC) consistent with DEC's responsibility of managing and protecting 4 million acres of state land plus nearly 1 million additional acres in conservation easements. This funding supports stewardship opportunities such as trail building and maintenance, and public education and safety in the Adirondack and Catskill Forest Preserve, especially the High Peaks, and in other public lands across the state. It also provides protection, through support of the Summit Steward Program, for rare habitats including the Adirondack High Peaks which are threatened by heavy visitation and climate change.

### **Combating Invasive Species**

We are pleased to see an additional increase from **last year's significant increase in funding for invasive species protection and control with a boost to \$13.3 million at a critical time in the battle against aquatic and terrestrial invasive species.** ADK hopes to see the increase in funding be used for effective AIS prevention and management strategies such as **boat washing and inspection stations.** Invasive species are spreading at rapid rate, reducing water quality, property values, and recreational opportunities along the way. New York State has enacted numerous regulations and laws that will prove vital to stopping the spread of aquatic and terrestrial invasive species, but there is still a missing link. Robust investments in public education, spread prevention, and mitigation are needed before the impacts become insurmountable. Lake associations, non-profits, and municipalities are desperate to act in the best interests of the water they protect, but lack the necessary funding to do the job. Rapid state-wide investments in boat washing stations, staffing, and training would protect native aquatic fish and plants, saving the state countless millions in lost economic sporting and recreation activity.

The state should **continue to invest in AIS spread prevention, and the successful program of watercraft decontamination, management and control activities across the Adirondack Park.** This region is the last area in New York where major water bodies remain un-infested and free of invasive species.

**The Adirondack Park's economy is particularly vulnerable to invasive species.** A study commissioned by Adirondack Park Invasive Plant Program conservatively estimated the potential impact from just 8 invasive species to be between \$468 to \$893 million loss to the Adirondack's economy. **Prevention efforts are of paramount importance and are critical to the economy, ecology and quality of life in the Adirondack Park.** Since 2000, AIS spread prevention, watercraft inspection, and education efforts have been successfully implemented by **Paul Smith's College, the Lake Champlain Basin Program, and active lake associations at many, but not all, critical boat launches across the Adirondack Park.** While these programs are effective at detecting and removing the majority of visible plant fragments, they cannot provide adequate decontamination of small-bodied organisms such as zebra mussels, Asian clam or spiny waterflea. Compared with spread prevention, the costs of directly managing infestations are high and often exceed the capacities of state action, local governments, and non-profits. Across the Adirondacks we need to **continue to build an effective AIS spread prevention and decontamination network** comprised of coordinated inspection locations and strategically located decontamination facilities.

### Hemlock Woolly Adelgid

**Moving forward additional funding will be needed to continue to combat invasive species.** Aquatic Invasive Species are not the only threat New York faces. New York faces **potential decimation of eastern hemlock (*Tsuga canadensis*) from a forest pest, hemlock woolly adelgid (*Adelges tsugae*) (HWA),<sup>1</sup>** which was discovered in the Adirondack Park in 2017 on Prospect Mountain in Lake George. HWA has already caused significant decline in the Catskill Park, and has been identified in Letchworth State Park, and Zoar Valley, and Allegany State Park.

Hemlocks are a foundation species.<sup>2</sup> Foundation species are critical species in the habitats they help create.<sup>3</sup> In the case of hemlocks they moderate stream water temperatures for trout and other animals, provide a buffer for nutrient inputs to maintain water quality, stabilize shallow soils especially in steep gorges, provide shelter for animals and plants which is especially important in winter, provide critical habitat for migrating neo-tropical birds, and provide acidic substrate for lichens.

In the Adirondack Park hemlock is very dense especially in the south and in areas like Lake George, Keene Valley, and in much of the Lake Champlain Basin (including its far edge in the Saranac Lakes Wild Forest and the St Regis Canoe Area).<sup>4</sup> Imagine the impact to the Adirondack landscape from a severe decline of hemlock—a

highly likely scenario without a significant increase in early detection efforts (like those our members are engaged in as citizen scientists), treatment and development of bio-controls, such as the predatory beetle (*Laricobius nigrinus*),<sup>5</sup> and predatory silver flies (*Leucopis argenticollis* and *Leucopis piniperda*). We only need look to places such as the Great Smoky Mountains for an example of the devastation in store for the Adirondacks.<sup>6</sup> Closer to home, decline of hemlocks is already well underway in the Catskills.<sup>7</sup> HWA has been advancing quickly through New York State,<sup>8</sup> and now is present in the Adirondack Park. Anyone who has hiked, paddled, or driven through the Adirondack Park should realize what we will lose. If we do not act quickly, we may lose the species.<sup>9</sup>

**We applaud the Governor’s foresight in addressing the Hemlock Woolly Adelgid (HWA) threat with \$500,000 line item in the EPF for staffing at Cornell University and support for combating this pest through the work of the eight regional New York State PRISMs (Partnerships for Regional Invasive Species Management),<sup>10</sup> for supporting a lab at Cornell University to grow the predator beetles (*Laricobius nigrinus*) and silver flies (*Leucopis argenticollis* and *Leucopis piniperda*) as bio-controls for HWA.**

### Do Not Off-Load Navigation Law to EPF

ADK does not support the off-loading of the \$2 million “Navigation Law” program to the Parks and Recreation Program Account of the EPF. The state typically reimburses localities for a portion of their cost in enforcing state navigation laws (boat registrations and safety). It typically runs through the Office of Parks, Recreation, and Historic Preservation (OPRHP) budget as local government assistance. The proposed budget again attempts to transfer this expense into the EPF rather than paying for it with the General Fund.

### Other Budget Funding

#### Catskill Package: \$13,750,000 (+)

We are also asking legislators to fund **“The Catskill Package”** which includes funding to combat Hemlock Woolly Adelgid (HWA) through the “Save the Hemlocks” initiative led by Cornell University to reduce the impact of HWA on hemlock trees by developing effective bio-controls (**\$1.5 million**); Increase the budget and staffing for the NYSDEC’s Division of Lands and Forest to better manage Catskill Park. Hold annual Forest Ranger Academies to maintain and grow Ranger force to maintain **public safety (\$1 million)**; Catskills Economic Development funding line in the amount of **\$500,000 for shovel-ready access and stewardship projects** across the Catskill Park directed towards the Catskill Watershed Corporation; **\$10 million to support Catskill Park stewardship, education, improvements and infrastructure maintenance** by the NYSDEC and through:

- Continuing the Adventure NY Program;
- Supporting stewardship line in the Environmental Protection Fund
- Continuing Campground and DEC facility improvements;

- Funding Smart Growth Grants for Catskill Park communities;
- Continuing the Catskill Conservation Corps, Professional Trail Crews and Summit/Trail Stewards programs with partners;
- Implement mountain biking plan at Belleayre Mountain; and
- Feasibility study to connect Empire State Trail to Catskill Trail networks

**Carbon neutral/green infrastructure in new projects across the Catskill Park (\$500,000)**, including electric vehicle charging stations and solar panel installations at State Campgrounds, the Catskill Interpretive Center and at Belleayre Ski Center. Support continued funding of the Belleayre Ski Center Unit Management Plan for projects not related to private resort expansion. New funding (**\$250,000**) for **Catskill Park Scenic Byways** to support regional byway coordination and management efforts led the Mountain Cloves Scenic Byway and the Catskill Mountain Scenic Byway organizations.

Support for the Maurice D. Hinchey Catskill Interpretive Center as the Visitor Center for the Catskill Park and the gateway to the Catskills region with funding for new exhibits and operations by supporting the new language in the Governor's FY 2019 budget request (**Governor's Capital Projects Appropriation Bill: Page 147 - 09CC0BER**). Continue advancing NYSDEC projects (i.e., fire tower, cabin, road sign, and green infrastructure) on site.

### New York Works

ADK supports the Governor's proposal to fund DEC New York Works at \$40 million, which supports the **Adventure New York program** to improve and renovate state facilities including campgrounds. However, we are concerned that some of this funding may be used to build or install 'hut to hut' lodging and dining facilities on the lands of the Adirondack Forest Preserve. We are very concerned that these facilities would violate the Adirondack Park State Land Master Plan and the 'Forever Wild' clause of the state Constitution.

### Clean Water Infrastructure Act of 2017

ADK supports the executive budget proposal for preserving funding for the 2.5 billion Clean Water Infrastructure Act enacted in 2017 to support clean water, including to combat harmful algal blooms in Upstate New York. The essential projects covered by these funds include infrastructure for drinking water, waste water, and regional water infrastructure, land acquisition, green infrastructure, water quality improvement, replacement of lead pipes, and a study for consolidation of water systems. This funding complements projects funded from the 2015 Water Infrastructure Improvement Act.

### Empire State Trail

ADK supports the Governor's proposal for continued support of the multi-year appropriation of \$200 million for the Empire State Trail which proposes 350 new miles of trail to be constructed over a three-year period.

### New York Parks 2020 Initiative

ADK supports the \$90 million for critical infrastructure projects in New York Works capital funding to OPRHP proposed in the executive budget to support critical infrastructure projects and thus advancing the NY Parks 2020 Initiative. Part of the funding will be used to create a new State Park by investing \$15 million to transform the former Pennsylvania and Fountain Avenue landfills into a 407-acre State Park on the shores of Jamaica Bay, creating the largest State Park in all of New York City with 3.5 miles of paths and trails.

### Staffing for State Agencies

Although there are some truly great pieces of this budget, ADK remains very concerned about the impact that the implementation of a flat budget (increase of less than 2% each year) has been having on the staffing of Department of Environmental Conservation (DEC), Office of Park Recreation and Historic Preservation (OPRHP), and the Adirondack Park Agency (APA).

Although there is an increase in funding for DEC, these funds reflect spending growth from the Clean Water Infrastructure Act and other capital spending programs. There is still a large gap between the existing staff and the additional staff needed to protect the 5.1 million acres of DEC administered lands across the state, including 2.6 million acres in the Adirondack Park and nearly 300,000 acres in the Catskill Forest Preserve. Additionally, OPRHP operates our State Park system with 180 State parks and 35 historic sites, and 62 million annual visitors. Increases to OPRHP by \$12 million are proposed, but this increase reflects growth in New York Works spending to advance the NY Parks 2020 Initiative.

**The Adirondack Park Agency (APA) did not receive any increase in Governor Cuomo's proposed budget.**

Without DEC, OPRHP, and APA support, staff such as surveyors, real property attorneys, scientists, and planners are unable to accomplish the tasks necessary to use Open Space/Land Conservation funding to purchase land, classify land units, or create management plans for public use.

**We applaud the Governor's commitment to open space protection** and improved access to wildlife-related recreation in the acquisition and classification of the former Finch Pruyn Lands, the largest addition to the Adirondack Forest Preserve in a century. However, **to complete the job we must have more support for the agencies** tasked with the acquisition process and the protection and management of our state public lands.

### The Empire Forests for the Future Initiative

Seventy-five percent, or 14 million acres, of New York's forests (total state-wide is 19 million acres) are privately owned. A majority of woodland property owners are over 55, use their property as their primary residence, and

would like to keep their property forested. However, the current forest tax abatement program is underutilized with less than 25 percent of eligible owners utilizing the program.

**ADK is supportive of** the Governor's proposal which will make changes to the state's forest tax abatement program and establish forest stewardship inducements which increase eligibility by reducing required parcel size from 50 acres to 25 acres and allow for half of the property to include non-forested open-space lands and waters. This action alone could have significant carbon sequestration benefits by protecting a greater percentage of forested lands in the state. The proposal modernizes the program so that incentives are not only geared at timber production, but allows landowners to manage forests and other open spaces for wildlife habitat, carbon sequestration and climate mitigation, and water quality enhancement. The proposal also creates two new grant programs within the EPF to encourage the creation of additional Community Forests by local municipalities and not-for-profit organizations, and provides municipal and private landowners resources to sustainably steward their forests. The proposal creates a formula to ensure that local governments and school districts are reimbursed by New York State if they experience a shift of 1 percent or more due to the program.

**However, we suggest the following changes:** add a definition of open space as "private land suitable to sustain natural vegetation." Amend the definition of qualifying forest management practice so that it removes "including regeneration harvesting," and includes "forest stand improvement" under "qualifying forest management practice." Forest stand improvements must also include reforestation, habitat improvement or reforestation for wildlife Species of Greatest Conservation Need.

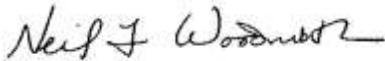
The "forest management practice plan" should be amended so that forest management practices are undertaken on a combined ten acres of land (the land does not have to be forest land) which ensures that property owners can engage in management of land that is not currently forested.

**It is very important** that §480 programs retain sustainable forest certification programs such as that of the Forest Stewardship Council.<sup>11</sup> With global meltdown underway it is essential that New York preserve its forests and forested lands and not increase climate stress on our state, our nation, and the world. We also must not risk weakening our best defense against global warming and climate change by encouraging the logging of forests for bio-fuels. We are concerned "**renewable energy development**" in this context may mean burning forests for fuel. We also hope that the phrase "**reducing unfunded mandates**" does not mean reducing sustainable practices that protect the planet.<sup>12</sup>

In summary, ADK commends the Governor in proposing a budget which maintains an historic increase to the EPF, and other important increases to capital funding for the environment. ADK appreciates your understanding of the important economic and public health benefits that environmental investments have across the state and we look forward to working with you to ensure a \$300 million EPF is included in the final budget adopted by March 31<sup>st</sup>. **We hope to also work with the Senate and Assembly to address critical staffing needs** in DEC, OPRHP, and in the Adirondack Park Agency.

Thank you for your dedication to the communities, environment, and the natural heritage of New York State.

Sincerely,



Neil F. Woodworth  
Executive Director and Counsel  
Adirondack Mountain Club, Inc.

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<sup>1</sup> <http://www.dec.ny.gov/animals/7250.html>

<sup>2</sup> <http://www.lternet.edu/research/keyfindings/foundation-species-matter>

<sup>3</sup> <http://adkinvasives.com/wp-content/uploads/2015/04/WHITMORE-Lk-Placid-28-Mar-15-1.pdf>

<sup>4</sup> <http://adkinvasives.com/wp-content/uploads/2014/03/Hemlock-Woolly-Adelgid-Adirondack-Distribution-Map.pdf>

<sup>5</sup> <https://www.nps.gov/grsm/learn/news/new-hwa-beetle.htm>

<http://www.news.cornell.edu/stories/2015/06/cornell-introduces-silver-flies-save-hemlock-forests>

<https://blogs.cornell.edu/nyschemlockinitiative/>

<sup>6</sup> <http://www.lakeplacidnews.com/page/content.detail/id/523715/Flies-could-avert-hemlock-threat-in-New-York.html?nav=5005>

<sup>7</sup>

[https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=12&ved=0CFoQFjALahUKEwiqprXP5rLHAhVIXB4KHsSmDG0&url=http%3A%2F%2Fwww.na.fs.fed.us%2Fnews%2Fstories%2FHWA-Study-FINAL-012915.pdf&ei=tzvTVepuyLh5pM2y6AY&usg=AFQjCNFRO6h3W\\_R1J2EKupOn32xQBBQLpQ&](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=12&ved=0CFoQFjALahUKEwiqprXP5rLHAhVIXB4KHsSmDG0&url=http%3A%2F%2Fwww.na.fs.fed.us%2Fnews%2Fstories%2FHWA-Study-FINAL-012915.pdf&ei=tzvTVepuyLh5pM2y6AY&usg=AFQjCNFRO6h3W_R1J2EKupOn32xQBBQLpQ&)

<sup>8</sup> <http://www.dec.ny.gov/animals/95656.html>

<sup>9</sup> <http://www.lakeplacidnews.com/page/content.detail/id/523185/A-threat-to-hemlocks.html?nav=5005>

<sup>10</sup> <http://www.dec.ny.gov/animals/47433.html>

<sup>11</sup> <https://www.fsc.org/>

<sup>12</sup> P. 62 <https://www.budget.ny.gov/pubs/archive/fy19/exec/fy19book/Environment.pdf>