



Fiscal Year 2019/2020 Executive Budget Testimony

Joint Legislative Budget Hearing, Senate Finance and Assembly Ways & Means Committees

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Thank you Chairwoman Kruger, Chairwoman Weinstein, and members of the Senate Finance and Assembly Ways and Means committees for the opportunity to weigh in on Governor Cuomo's FY 2020/2021 Executive Budget.

Catskill Mountainkeeper's mission is to protect our region's wild lands and natural resources, support smart development to sustainably grow our economy, nurture healthy communities, and accelerate the transition to a 100% clean energy future in New York and beyond.

Testimony Overview

Given the breadth of our mission, many facets of the New York State Budget are of interest to Mountainkeeper. Our testimony covers the Climate Leadership Act, the Environmental Protection Fund, funding efforts to fight the Hemlock Woolly Adelgid, staffing at the Department of Environmental Conservation, the Plastic Bag Ban, expanding the Bottle Bill, the Offshore Drilling Ban, the wetland mapping amendments, and tackling the issue of Food Waste.

Climate Leadership Act

The climate crisis is our generation's defining issue and Catskill Mountainkeeper calls on our state leaders to do everything in their power to face the challenge head-on. If New York does it right, the challenge we face will become our greatest opportunity--the opportunity to move to a renewable energy future grounded in justice, create jobs, and mitigate the impacts of rising seas and a changing climate.

It is New York's right and duty to act on climate. Detractors and special interests will argue that regardless of what New York does, it will not be enough. Or they may say that New York can't afford to lead. These are lies. If New York State were an independent nation, it would rank as

the 12th or 13th largest economy in the world--what we do here matters. Climate policy will impact our economic policy. We have the opportunity to massively invest in renewable energy, communities, and workers while driving markets nationally, thereby making a global impact.

Further, we can't afford not to act. "The true cost of climate change is felt in our hospitals and in our lungs. The health burden of polluting energy sources is now so high, that moving to cleaner and more sustainable choices for energy supply, transport and food systems effectively pays for itself," says Dr Maria Neira, WHO Director of Public Health, Environmental and Social Determinants of Health. "When health is taken into account, climate change mitigation is an opportunity, not a cost.

Catskill Mountainkeeper wholeheartedly appreciates the Governor's work to lift up the issue by including it in his executive budget. It's also a testament to the work of the New Yorkers from Montauk to Buffalo who have fought for climate action in our state. And we certainly wouldn't be at this point in the conversation without leadership from the New York State Assembly and constant pressure from Majority Leader Stewart Cousins her colleagues in the Senate.

Governor Cuomo's budget proposal is an attempt to embrace the issue by moving energy production to carbon-free sources, and transitioning the energy sector is a big part of what must happen. But the remainder of the proposal contains some fatal flaws:

1. Its main goal is "carbon neutrality" which is very different from carbon reduction, carbon limits, or eliminating emissions, and leaves the door open for a number of false climate "solutions."
2. The Climate Leadership Act does little to identify or empower environmental justice (EJ) communities.
3. Though the Act sets a goal of reducing carbon emissions economy-wide, it sets no enforceable limits.

Carbon Neutrality is the Wrong Goal

New York needs climate policy that sets enforceable limits and drives changes that lead to greenhouse gas emission reductions and ultimately elimination. Predicating climate policy on the goal of "carbon neutrality" sends our state in the wrong direction, and leaves loopholes for ongoing greenhouse gas emissions. Further, this wrong goal could actually slow the transition we need to a renewable energy future.

Carbon neutrality implies that New York can continue to spew climate pollution and simply offset it elsewhere through sequestration or market-based cap and trade programs. This is the wrong approach.

There are carbon sequestration benefits to preserving and managing open space like the Adirondacks and the Catskills as well as preserving farmland. New York should implement policies to enhance these efforts.

But there are a number of problems with cataloguing and relying upon sequestration as a cornerstone of climate policy: first, sequestration helps address the excess carbon in the atmosphere but does not influence the real problem which is our society is simply burning too many fossil fuels. Second, it only accounts for carbon--trees and agricultural practices do not sequester methane or other greenhouse gasses and co-pollutants emitted by New York's economy. And third, it leaves open the door to a cap and trade program, which allows polluters to continue polluting. Given that many of the state's largest sources of greenhouse gasses are located in EJ communities, this allows an unjust system of oppression through pollution to continue. Obtaining emissions reduction for impacted frontline communities should be just as important as GHG reductions.

The Problem With Cap & Trade

Greenhouse gasses are emitted alongside co-pollutants like particulate matter and air toxins when fossil fuels are burned. These co-pollutants have major public health impacts for the communities where they are emitted, so while cap & trade programs may help to reduce pollution overall, they still allow harmful emissions in the areas where the sources are located. Using carbon trading as a market mechanism to fight climate change does not mandate any carbon or co-pollutant reductions at any specific facility or location. And the polluting sources are more likely to be sited in disadvantaged communities and communities of color--those already on the front lines of the climate crisis.

The markets are not based on morals or humane priorities; we cannot rely on the markets to advance equity. For these reasons, many grassroots and community groups nationwide do not support and actively fight this type of policy.

Environmental Justice

While the Climate Leadership Act includes components to address some EJ issues, it does not direct the state to identify EJ communities or direct spending to EJ communities. New York must distribute state resources proportionally to EJ communities in order to achieve the governor's goals for climate justice. This type of policy will ensure that those communities have

the opportunity to build the renewable future that they need--one that will improve public health and create jobs.

Ratcheting Down Emissions Across New York's Economy

Governor Cuomo's proposal to eliminate carbon emissions from the energy sector is sorely needed and Catskill Mountainkeeper welcomes this policy as an important and historic first step to fighting the climate crisis in New York. The Climate Leadership Act also creates a Climate Action Council ("the Council") and tasks the Council with coming up with a roadmap to guide New York toward a goal of reducing greenhouse gas emissions to 40% below 1990 levels by 2030.

However, legislative goals are not enforceable, and New York needs enforceable greenhouse gas emissions limits in state law to direct agency action and send clear signals to the markets and businesses throughout the state.

The Climate and Community Protection Act

The Climate and Community Protection Act (CCPA) addresses all of the issues we have raised in this testimony today, and we urge the legislature to pass the bill into law. It is a true climate justice agenda for our state, includes provisions to ratchet down greenhouse gas emissions economy-wide, and builds a clean energy workforce. The Climate and Community Protection Act was developed through a process deeply grounded in the needs of communities on the frontlines of climate change, from New York City to Buffalo.

Catskill Mountainkeeper is grateful for the Assembly's leadership in championing the bill for the past three years, and the Senate majority's support for the measure. The legislature can and must send this nation-leading bill to the Governor's desk either in the budget or during the 2019 legislative session.

Protecting the Catskills

For the past number of years, the legislature has provided funding to the Catskills Park and Region. Your commitment to this funding affirms tourism opportunities, natural resource protections, clean water, public health protections, climate resilience, recreational access, job creation and quality of life for residents and visitors to the Catskill Park. Investments made in the Catskill Park support important jobs for our region across a broad spectrum of industries, from tourism, recreation, agriculture and forest products to drinking water protection for millions of New Yorkers.

The Executive Budget proposes a \$300 million **Environmental Protection Fund (EPF)**. This investment supports many activities in our park and region, and Catskill Mountainkeeper wholeheartedly supports the proposal.

Hemlock Woolly Adelgid

The Hemlock Woolly Adelgid is an invasive insect poised to decimate the hemlock stands in the Catskills, Adirondacks, Fingerlakes, and throughout the state. The adelgid is an insect from Japan that attaches itself to twigs near the base of hemlock needles—where it is hard to see—and feeds on the tree’s sap. As a result, the tree loses strength, and eventually dies. The insect threatens eastern hemlocks throughout New York State.

Governor Cuomo proposed a \$500,000 appropriation in the Environmental Protection Fund to fight this pest, but we need more to protect the hemlocks—a keystone species in the Catskills and throughout the state. Catskill Mountainkeeper is calling for a \$1.5 million investment from the EPF in the New York State Hemlock Initiative (NYSHI) to fight this pest.

NYSHI based at Cornell University, is studying two beetle species and two silver fly species for biocontrol of HWA. The NYSHI’s long-term goal is to establish multiple predator species throughout New York to manage HWA populations below a level that will cause hemlock mortality. Since HWA has been in New York since the 1980s, eradicating this pest from our forests is unlikely. Biocontrol represents a sustainable long-term management solution as HWA continues to spread on the landscape, and investing in the lab will help increase the efforts to manage the pest.

Staff and Resources at the Department of Environmental Protection

Department of Environmental Protection (DEC) staff are critical to keep the Catskills Park and Region safe and our forests healthy. Governor Cuomo’s executive budget calls for only five additional staff at the agency, when in reality the DEC needs far more foresters, rangers, and others to manage the Catskills as the vibrant and heavily-visited place that it is. Catskill Mountainkeeper calls on the legislature to substantially increase investment in DEC and add funding for a Ranger Academy, recognizing that investing in staff means more boots on the ground to implement state policies.

Additional Catskills Funding Priorities

In addition to the priorities outlined above, Catskill Mountainkeeper calls on the legislature to include the following in the final, enacted budget:

- Continued financial support for the Maurice D. Hinchey Catskill Interpretive Center as the Visitor Center for the Catskill Park and the gateway to the Catskills region. Continue advancing NYSDEC projects (ie., fire tower, cabin, green infrastructure) on site.
- Support green infrastructure in new projects across the Catskill Park including electric vehicle charging stations and solar panel installations at State Campgrounds, the Catskill Interpretive Center and at Belleayre Ski Center (**\$500,000**)
- Continued funding of the Belleayre Ski Center Unit Management Plan for projects not related to private resort expansion
- New funding 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 (**\$250,000**)
- Catskills Economic Development funding line in the amount of **\$500,000** directed towards the Catskill Watershed Corporation for shovel-ready access and stewardship projects across the Catskill Park.

Ban the Bag

Plastic pollution poisons our environment. Governor Cuomo’s executive budget bans plastic bags, putting our state on the path to protecting wildlife and water quality while addressing an ongoing litter issue. But if New York bans single use plastic bags without putting a fee on other single use bags, we’d be bunting when we need a grand slam.

Catskill Mountainkeeper conducts roadside cleanups, and the bulk of litter we gather is plastic. Thin-film plastic bags are abundant, and they never decompose or biodegrade. Banning most single-use bags is exactly what New York needs to do. But if we do so without placing a fee on other single-use bags, we’re trading one problem for another.

The Legislature must remedy this: in order to be effective, a bag ban must be accompanied by a fee on all other single-use bags, both plastic and paper. Further, any law passed at the state level must not preempt other initiatives that are as strong or stronger as the state law.

Expand the Bottle Bill

In our roadside cleanups and out on the hiking trails, we’ve seen first-hand that while drink bottles without a five-cent deposit litter our roadways and hiking trails, we rarely find redeemable bottles. Applying the five-cent deposit to additional beverages will help prevent litter, and is exactly what the Catskills need. We applaud Governor Cuomo’s commitment to expanding our bottle redemption laws and encourage the Legislature to include the expansion in the final budget.

Tackling Food Waste

Food waste makes up 18% of our municipal solid waste stream. The vast majority of this food is disposed of in landfills where it breaks down and releases methane, a greenhouse gas that's nearly 30 times more potent than carbon dioxide in trapping heat.

Nearly one in seven New Yorkers lacks consistent access to sufficient food. In Sullivan County alone, 12% of our population is food insecure, according to Feeding America. And we are throwing away wholesome food that could instead help feed our fellow citizens in need.

New York needs policy to holistically address food issues in New York by preventing, recovering and recycling food waste. We should require the state's largest food waste generators to donate excess food and to recycle food scraps. Paired with related funding and administrative actions, such a policy will feed hungry New Yorkers, fight climate change, and generate jobs in communities around New York.

Support the Offshore Drilling Ban

The executive budget proposes an offshore drilling ban. As it is in New York's interests to limit our greenhouse gas emissions and keep fossil fuels in the ground, Catskill Mountainkeeper strongly supports this proposal and urges the state to ban all new fossil fuel infrastructure.

Amend Wetland Mapping Law

In order for these newly mapped wetlands to receive NYS protection they must go through a map amendment process, which requires public notice. Currently state law requires that 2 certified notices must go to every landowner adjacent to a wetland subject to a DEC map amendment process. (at \$6.75 a mailing) In addition, notices must go to at least 2 newspapers. This adds up to hundreds of thousands of dollars in mailing costs to the Department of Environmental Conservation--money that could be better spent. Catskill Mountainkeeper supports the governor's proposal to eliminate the certified mailing requirement.

Conclusion

Thank you so much for accepting Catskill Mountainkeeper's testimony. Please do not hesitate to reach out with any questions, wes@catskillmountainkeeper.org or 845-439-1230.