

Written Testimony of The Trust for Public Land
Submitted to the
Joint Legislative Hearing on the Environmental Conservation Portions of the
Executive Budget Proposal for
New York State Fiscal Year 2020-2021

Hearing Date: January 27, 2019
Submission Date: February 3, 2019

My name is Carter Strickland, and I am the New York State Director for The Trust for Public Land (TPL), a national non-profit organization. On behalf of our New York supporters from every region of the state, thank you for the opportunity to submit written testimony regarding the Executive Budget Proposal for State Fiscal Year 2020-2021. The budget proposal builds on and extends New York's leadership on environmental matters, which is needed now more than ever as we continue to see attempts at the federal level to reduce conservation funding and roll back environmental protections.

TPL is a member of the We Love New York (WLNY) coalition of environmental groups, www.keepprotectingny.com, and endorses WLNY's testimony on the Environmental Protection Fund (EPF) and other environmental elements of the budget. We write separately to highlight the importance of New York State funding to the New York communities served by TPL, especially those New Yorkers who live in cities large and small across the State. So that these New Yorkers understand that they will see local benefits from the proposal for a \$3 billion environmental Bond Act, TPL suggests that the Legislature should amend the purposes of the measure to explicitly include spending for "urban parks and greenways" and to include that category as a separate item in any spending allocation provision.

The Trust for Public Land's Work for All New Yorkers

The Trust for Public Land creates parks and protects land for people, ensuring healthy, livable communities for generations to come. The Trust for Public Land works to protect the places people care about and to create close-to-home parks—particularly in and near cities, where 80 percent of Americans live. By working with local leaders and neighbors to transform places, we seek to strengthen communities, improve public health, advance equity, and address climate change. We have a well-earned reputation, built over 45 years, of creating meaningful and tangible projects to advance environmental goals for the benefit of people. Therefore, TPL speaks not just as a policy advocacy organization, but also as a pragmatic, project-driven organization that works with communities to realize their goals.

Across the country, TPL has created over 2,000 parks, preserved 3.5 million acres of open space for public use, and helped build more than 2,000 miles of trails. TPL has also raised over \$79 billion in state and local funding through ballot and legislative initiatives for open space protection, led the successful campaign for permanent authorization of the federal Land and Water Conservation Fund, and is currently leading

the fight for appropriations of numerous sources of federal funding for open space, parks, and greenways. TPL leads the national 10-Minute Walk Campaign to secure commitments to get everyone in urban America to live within a 10-minute walk of a quality park, with 280 mayors committed to this goal.

In New York, TPL has protected over 123,000 acres of land and has built over 220 parks, including 209 green community playgrounds in New York City, bringing over four million New Yorkers within a 10-minute walk of a TPL park. Our study, *The Economic Benefits of New York's Environmental Protection Fund (2012)*, found that every \$1 invested by the State of New York returns \$7 in economic value in natural resource goods and services alone. Much of our work has been funded by the EPF, including in recent years:

- Purchasing land to expand Hook Mountain State Park in Nyack, New York;
- Constructing eight playgrounds in Central Brooklyn under the State's Vital Brooklyn Initiative, with \$10.6 million in State funds, to improve public health, increase recreational opportunities, and combat increased heat and other effects from climate change;
- Engineering studies for the Long Island Greenway, a 175-mile extension of the Empire State Trail from its currently planned terminus in Manhattan to Montauk, linking together Long Island communities, parks, and trails;
- Planning and design of a rail line that has been abandoned for 60 years into New York's next great park in Central Queens, the QueensWay, www.thequeensway.org, with over \$1 million in State funds invested to date on an overall plan and conceptual design of a first phase; and
- Protecting waterfront land that is vulnerable to sea level rise and coastal surge, and converting a contaminated and derelict marina New York City's first resilient park, Heritage Park on Staten Island.

The Environmental Protection Fund is Critical for New York State Communities

New York is an environmental leader because of its progressive environmental policies to protect public health and the environment, backed by recurring, dedicated State investments in land protection, clean water, parks, and open space. That is why TPL respectfully asks that this joint committee support Governor Cuomo's budget proposal for continuing the \$300 million appropriation for the EPF, with the goal of increasing the EPF to \$500 million annually. TPL also supports the separate funding for water infrastructure that flows from the recently-passed the Clean Water Investment Act.

However, the EPF's reliable funding source for open space infrastructure would not keep pace with demand (and inflation and increased real estate prices) if it is effectively diverted into other uses. Accordingly, TPL respectfully urges this joint committee to remove certain troubling language that could allow the capital EPF to be diverted to personnel funding at agencies. TPL also suggests that the joint committee reinstate the

sub-category of EPF funds for land protection to \$33 million from the proposed cut to \$30 million in the proposed Executive Budget.

TPL does support additional operational funding for environmental agencies separate from the EPF. Operating staff positions should including funding for additional lawyers at the Real Property Bureau of the New York Attorney General's office, as staff shortages there have significantly slowed down review of state acquisitions of open space, creating a backlog of projects that has undercut state agencies' ability to spend the full EPF appropriated by the Legislature in past years.

TPL also supports the executive budget proposal for a new, separate sub-category of EPF funding for "Community Forests." This is an important program that will allow New York to better leverage federal Community Forest and Forest Legacy funds for the benefit of rural upstate communities that are suffering from economic dislocation as they transition away from resource extraction to recreational and other beneficial uses of open space. TPL has created over 30 community forests in New England and the Pacific Northwest, and those communities have seen economic, social, and health benefits. TPL is actively looking to develop community forest programs in New York State, which has only a handful of community forests and significantly less than other states on a per capita basis. The creation of a dedicated state funding source will allow TPL to work with communities across New York to leverage federal and private funds for development of these open space assets.

It is especially important to fully fund forest acquisitions at a time when New York is taking a leadership position through the U.S. Climate Alliance to promote and adopt natural climate solutions such as forest sequestration and farmland practices to store additional carbon, as well as to meet offset demands created by the recently-passed Climate Leadership and Community Protection Act.

These state funds are critical to support future community assets that will anchor economic revitalization, promote public health, and create new recreational and tourism destinations. These include several imminent TPL projects that will dramatically improve the lives of New Yorkers in all portions of the State, such as:

- The Long Island Greenway, a 175-mile extension of the Empire State Trail running east to west from Manhattan to Montauk. We are grateful to have received a \$600,000 grant of EPF funds that will allow TPL to undertake engineering studies of the 24-mile first phase. In future years, EPF funds could be tapped for the estimated \$20 million cost of design and construction of that first segment by State Parks after it finishes the main stem of the Empire State Trail in 2020.
- Designing and building the first phase of The QueensWay for \$20 million, to implement the plan and conceptual design paid for by the State already.
- Green schoolyards to extend the State's investment in the Vital Brooklyn Initiative to other communities, by funding \$1 million per playground for

planning, design, and construction in New York City, Yonkers, and other communities.

- Acquiring additional land to protect and buffer the Long Path, Appalachian Trail, and other long-distance trails in New York.
- Acquiring a derelict property and creating a new waterfront park on the Delaware River in Callicoon, New York, for \$1-3 million.
- Working with upstate New York towns to buy and use community forests for working timber and recreational purposes, using State funds as the match to leverage federal funding.

The Proposed \$3 Billion Bond Act is an Opportunity to Invest in Transformational Projects Across New York

For the first time in a generation, New Yorkers may have the opportunity to approve a multi-billion environmental bond proposal to invest in our current needs for environmental restoration, open space, and resiliency. In this year's State-of-the-State address, Governor Cuomo proposed a \$3 billion environmental Bond Act measure. TPL supports the measure and additional funding for environmental programs. In over 40 years of working with communities and local and state governments on funding for environmental conservation, we have seen that there is strong, bi-partisan support for bond measures.

For example, our LandVote® database, www.landvote.org, of all such measures at the state and local level shows that from 1988 to 2019, of 2,758 measures proposed 2,096 or 76% passed, raising over \$80 billion for conservation. In that same time period, 71 of 87 (82%) statewide conservation measures passed, raising over \$42 billion for conservation. However, in New York during that time period, only 50% of statewide measures passed, as the 1990 Bond Act was rejected by voters by a margin of 48% for and 52% against, while the 1996 Bond Act was approved by voters by a margin of 57% for and 43% against.

That track record informs our suggestions to make this proposed bond measure clear and compelling so that it will be approved by New York voters. The submission of the Executive Budget to the Legislature last month included the following proposed language:

The creation of state debt in an amount not exceeding in the aggregate three billion dollars (\$3,000,000,000) is hereby authorized to provide moneys for the single purpose of making environmental improvements that preserve, enhance, and restore New York's natural resources and reduce the impact of climate change by funding capital projects to: restore habitat and reduce flood risk including wetland, floodplain, and stream restoration and protection, acquisition of real property, enhance shoreline protection, forest preservation, development and improvement of fish hatcheries, and removal, alteration, and right-sizing of dams, bridges, and

culverts; improve water quality through wastewater infrastructure improvements and upgrades including green infrastructure projects that reduce stormwater impacts, agricultural nutrient management, and expansion of riparian buffers; protect open space and invest in associated recreational infrastructure including land acquisition, development and improvement of park, campground, nature center, and other state recreational facilities; expand the use of renewable energy to mitigate climate change including, but not limited to, clean energy or resiliency projects; and other such projects that preserve, enhance, and restore the quality of the state's environment.

This proposed Bond Act language needs to be refined and clarified so that it is clear and compelling. Among other things, the proposed language does not make clear all of the benefits that would accrue to the urban areas where most New Yorkers live, nor does it allocate spending across programs. Those omissions mean that the proposal does not address some of the well-known criticisms of the last Bond Act measure in 1996, which was voted in by downstate and urban voters but then spent comparatively little in those areas. That would be unfortunate, as we need to invest in making resilient communities that will thrive despite projected increases in extreme heat and rainfall, and the green infrastructure parks that TPL creates are a proven solution and also enable low-carbon transportation and improved public health.

TPL suggests that the Legislature add language to make clear that “urban park development and greenways” will be supported by the bond measure, provide for an allocation of spending across programs, and also consider whether some of the proposed purposes of the bill are already being addressed by the \$5 billion dedicated by the Legislature to clean water programs in the last few years or by dedicated clean energy funding programs.

TPL looks forward to working with the Legislature as it considers this authorization language and also considers allocation of the proposed funds amongst programs so that New York voters will understand what they are voting for and why they should support the Bond Act.

Thank you again for the opportunity to submit written testimony on the proposed State Fiscal Year 2020-2021 budget. The Trust for Public Land is proud of our past record and future plans to work for the residents and communities in New York, and looks forward to continuing our close partnership with the State of New York.

For more information, please contact:

Carter Strickland
New York State Director
The Trust for Public Land
(212) 574-6868 or carter.strickland@tpl.org