



Catskill Mountainkeeper's Fiscal Year 2023 Executive Budget Testimony

Joint Legislative Budget Hearing, Senate Finance and Assembly Ways and 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 Hochul's FY 2023 Executive Budget.

Catskill Mountainkeeper's mission is to protect our region's forests and wild lands; safeguard air and water; nurture healthy, equitable, and sustainable communities; empower environmental justice communities; and accelerate the transition to a 100% clean and just energy future in New York State and beyond.

Testimony Overview

Mountainkeeper's testimony today covers the funding for the Catskill Park, New York's just transition to our renewable energy future, the Environmental Protection Fund, ending subsidies to fossil fuel companies, and the Bond Act.

Funding the Catskill Park

Mountainkeeper is dedicated to protecting and enhancing the Catskill Park and Forest Preserves, the crown jewel of our region and one of the largest and most ecologically diverse natural areas in the East. The Park contains the headwaters of some of the cleanest rivers in New York State, provides pristine drinking water for millions, and is one of only 10 areas in the eastern United States that contains over 50,000 acres of wilderness.

Over the past several years, the number of visitors choosing to recreate in the Catskills has risen, driven both by pandemic-fueled desire to get out and recreate safely outdoors and trends established before the pandemic. The Park and Region is consistently featured in travel magazines and blogs as a premier destination thanks to our blend of natural and built attractions. But the Catskill Forest Preserve is managed as ‘forever wild,’ making these treasured lands and waters more susceptible to damage and deterioration than traditional parks, which rely on heavily built infrastructure to protect natural ecosystems.

As an active member of the Governor’s Catskill Advisory Group, Mountainkeeper is collaborating with partners to address the traffic, trail degradation, and public safety issues prevalent in high-use areas. And as an organization supported by tens of thousands of avid environmentalists and outdoor enthusiasts, we’re asking for your help to secure the funding that will enable the Catskills not only to address the challenges facing the park and forest preserve today, but also to build the foundation that will allow the Catskills to shine as a New York State treasure.

The Catskill Park and Forest Preserve are unique because they are managed differently from other state parks—they receive none of the state funding allocated for Parks. Instead, funding for the Catskill Park and Forest Preserve is via the New York State Department of Environmental Conservation (NYSDEC) budget and the Environmental Protection Fund (EPF).

This year’s Executive Budget lays a strong foundation for increased investment in the Catskills. We applaud Governor Hochul for, and **Mountainkeeper heartily supports** many of her proposals, including:

- **94 additional staff at NYSDEC** to implement the agency’s critically important mission to protect our state’s lands and waters;
- **increasing NYSDEC’s share of the New York Works Fund to \$90 Million;**
 - While \$90 Million represents an increase in NY Works funding over previous years, Mountainkeeper calls on the legislature to further increase this investment to at least \$100 Million.
- **\$500 Million in water infrastructure funding;**
 - Water infrastructure funding is critically important for Catskills communities, and Mountainkeeper urges the legislature to revisit how this funding is awarded. Many rural towns and villages in New York have real water infrastructure needs, but may not have the necessary resources to access the funds. The legislature should investigate whether some or all of the funding would be better allocated based on a formula-style approach. With this system, a municipality could be awarded funding based on needs, rather than the onerous application process

that currently exists and prevents environmental justice communities from accessing clean water.

- **\$ 4 Billion for the Clean Water, Clean Air, and Green Jobs Environmental Bond Act.**

However, without dedicated funding in the state budget, these investments could be spent elsewhere, again leaving the Catskills scrambling to protect and conserve the waters, lands, and communities on which we rely. Mountainkeeper calls on the legislature to add greater specificity to the Governor’s proposals, lining out where funding will be allocated for the Catskill Park and Forest Preserve.

Additionally, we are requesting **\$4.6 Million to construct Phase 1 of the Ulster & Delaware (U&D) rail trail** in a corridor that runs adjacent to New York State Forest Preserve Lands in the Town of Shandaken. Funding for Phase 1 will cover the conversion of a 2.5 mile stretch of the abandoned U&D corridor into a public recreational trail from the Belleayre Beach Day Use Area west to Highmount and the Belleayre Ski Center, including the rehabilitation and repurposing of 2 historic railroad bridges.

Finally, as a co-leader of the Catskill Park Coalition, Mountainkeeper is advancing the coalition’s priorities as our own; please see Attachment A for further detail.

Catskill Stewards

In 2021, Catskill Mountainkeeper joined together with the Catskill Center to put boots on the ground at certain high use areas through our Catskill Stewards program. Mountainkeeper posted two stewards on the trails, rotating through three popular spots on the western side of the Catskills. Our stewards interacted with visitors, sharing the principles of Leave No Trace and basic outdoor skills; helped with trail maintenance, cleanups, and invasive species management; and assisted rangers with front-country management needs.

The stewards program is an invaluable initiative that helps visitors recreate safely and protects our trails, trailheads, and waterfronts.

In 2021 the Legislature funded the stewards program through a \$100,000 line in the Aid to Localities budget, with \$50,000 split evenly between the Catskill Center and Mountainkeeper, and we thank the houses for investing in the program. This year, **Mountainkeeper calls on the Legislature to increase stewards funding to \$200,000, again split between our organization and the Catskill Center, and to continue the specific call-out for each organization in the budget.** Mountainkeeper and the Catskill Center bring a wealth of experience and place-based knowledge to this work; if a funding line were included without a call-out, it’s possible that the

dollars could go to an organization based outside the Catskills, one without local knowledge or expertise to share with those who visit.

Environmental Protection Fund

Mountainkeeper is thrilled that Governor Hochul is proposing a \$400 Million Environmental Protection Fund (EPF) and we urge the Legislature to **support an EPF of at least \$400 Million** during budget negotiations. Further, Mountainkeeper applauds the proposals to increase the cash portion of the EPF that is raised through the Real Estate Transfer Tax and Bottle Bill. It is critically important that the State Land Stewardship line in the EPF's Parks and Recreation Account remains \$50 million.

In order to ensure that a portion of the stewardship funding reaches the state's forest preserves, **Catskill Mountainkeeper calls on the legislature to: line out a \$10 Million appropriation for Adirondack Forest Preserve and Catskill Park and Forest Preserve Stewardship; direct \$5 Million of that funding to the Catskill Park and Forest Preserve; and include this funding in the Environmental Protection Fund.**

Directing funding in this manner will allow the state to implement the High Peaks and Catskills Advisory groups' strategic plans. It will help New Yorkers enjoy the Adirondacks and Catskills responsibly, supporting comprehensive planning, trail safety, and climate resiliency (trail building, maintenance, reroutes, and trail bridges), accessibility and inclusivity, educational stewards, signs and kiosks to orient visitors, and sanitation facilities.

Funding the Climate Leadership and Community Protection Act

In 2019 the Legislature passed the nation's most forward-thinking emissions reduction and climate justice law: the Climate Leadership and Community Protection Act (CLCPA). In reviewing the Executive Budget, it's become clear that it's also incumbent upon the legislature to fund the law.

There are important advances for climate in the Executive Budget, and Mountainkeeper supports each of those, including (among others): \$250 million to weatherize and electrify buildings; \$44.5 Million in the EPF for climate change programs; \$16.2 Million for Climate Smart Community Projects; \$17.5 Million for the Climate Resilient Farms Program; and allocating \$1 Billion of the \$4 Billion environmental bond act for climate-related capital projects (an allocation that, if approved, would be spent over years or decades). We applaud the New Yorkers and legislators who have advocated for this funding, and Mountainkeeper itself has enthusiastically endorsed these campaigns. **We urge the legislature to actively oversee the**

spending to ensure that at least 35% is spent in disadvantaged communities, as defined by the CLCPA.

The need for climate spending has been demonstrated not just by advocates, but by New York State itself. The Climate Action Council recently adopted the New York State Energy Research and Development Authority's (NYSERDA) estimate that we need a minimum of \$10 billion annually, with increases every year starting now to maximize the benefits and reduce climate risk. Even with the proposed and much-needed investments, the executive budget only scratches the surface of what's needed to transform our energy system and economy, and to empower communities to implement our state's hallmark climate justice law.

For the first time in decades, New York State is projecting surpluses not only this year, but in each subsequent year of the five-year plan, and allocating those dollars to reserves. While fiscal prudence is important, New York faces a much more imminent and urgent need in the climate crisis; **Mountainkeeper urges the legislature to allocate out-year surplus funding to invest \$15 Billion this year in a climate justice future.**

End Fossil Fuel Subsidies

As part of New York's work to end climate-changing pollution, **the state must stop subsidizing fossil fuels and fossil fuel development**—doing so would recapture dollars that are desperately needed in the climate fight. According to the FY2020 [Annual Report on New York State Tax Expenditures](#), **the state provides \$1.6 billion in subsidies to the fossil fuel industry.** New York should focus on shifting large-scale users away from fossil fuels first and subsidize the switch for everyday New Yorkers.

Protecting Wetlands

Swamps, fens, bogs, and wet meadows filter pollutants from our waterways, recharge New York's aquifers, protect endangered and threatened species, and absorb climate change-induced floods. With 35% lost globally since 1970, wetlands are our most threatened ecosystem, disappearing three times faster than forests.

Governor Hochul's Executive Budget proposal includes comprehensive freshwater wetlands reforms that will bring an additional one million acres of wetlands under the protection of NYSDEC by eliminating outdated regulatory maps and arbitrary permitting thresholds issued by the NYSDEC's Freshwater Wetlands Regulatory Program. Mountainkeeper applauds Governor Hochul for advancing this critical proposal and urges the legislature to support the measure in budget negotiations.

Protecting Cultural Resources and Expanding Clean Energy

As the state looks to increase the number of wind turbines, solar panels, battery storage units, and ancillary infrastructure statewide, it must recognize that doing so necessarily means increasing the number of acres of developed land. By permitting development on hitherto undeveloped, or barely developed, land the state also will be permitting land disturbances. And land disturbance, especially in sensitive areas, has the potential to impact or destroy Native Nations' cultural resources, including marked and unmarked graves and former village and hunting sites, among others.

Consultation with Native Nations must be clearly and strongly woven throughout regulations so that potential problems can be identified and addressed early in the permitting process. The best way to do this is to require consultation—with both those Nations still living on their ancestral homelands and with those that have been displaced—early in the pre-application process and throughout permitting.

We ask your help in **ensuring that the Office of Renewable Energy Siting hires an Indian Nations liaison** to facilitate consultation; provide a single point of contact for nations, developers, regulators, and others; and help guide conversation or mediate should applications or permitting plans become controversial.

Maintaining the Regional Greenhouse Gas Initiative (RGGI)

Since 2015, over \$200 million in RGGI proceeds have been transferred to the State Budget to supplant state spending on tax credits and other programs that are inconsistent with the equitable spending requirements included in the CLCPA. Unfortunately, this year's executive budget proposal diverts another \$23 million in climate funds raised through the RGGI program to the general fund. RGGI funds should support projects that help communities fight climate change, reduce air pollution, and create good green jobs. In light of the projected surplus, RGGI sweeps are not necessary at all.

We urge the Legislature to reject the Executive's proposal to transfer \$23 million to the state's General Fund. The Legislature should also reject the proposed transfer of \$5 million to the Environmental Protection Fund. These transfers only serve to supplant environmental and clean energy funding and could be otherwise used to supplement programs and initiatives benefiting disadvantaged communities.

Appendix A

Catskill Park Coalition Priorities for the SFY 2022-23:

Public Safety and Catskill Park Management -- Given the exponential growth of visitors and the subsequently increasing pressure on the Catskill Park's infrastructure, natural resources, and management, the Catskill Park Coalition calls for:

- Increased staffing at the NYSDEC's Division of Lands and Forests in Region 3 and 4 to better manage the Catskill Park and its more than 1.7 million annual visitors;
- Continued annual Forest Ranger Academies to maintain and increase Ranger staff to provide a safe experience for all who visit the Catskill Park; and
- Proper support of the newly created Catskill Park Coordinator position within the NYSDEC with adequate resources.

Environmental Protection Fund Priorities to Enhance and Protect the Catskills -- The Environmental Protection Fund should be funded at \$500 million to adequately protect New York's Environment and specifically for the responsible protection and management of natural and recreational resources in the Catskill Park. Within the EPF, the the Catskill Park Coalition calls for the following funding:

- Continued inclusion of the \$150,000 line, directed to the Catskill Center for Conservation and Development for the Maurice D. Hinchey Catskill Visitor Center's management, operations and facilities maintenance to support a world-class experience for visitors;
- Continued inclusion of the \$150,000 line, directed to the Cary Institute for Ecosystem Studies to support the Catskill Science Collaborative's research on topics of importance in the Catskills;
- Continued inclusion of the \$750,000 line directed to Cornell University for the "Save the Hemlocks" initiative to fight the invasive Hemlock Woolly Adelgid;
- Continued inclusion of funding of at least \$300,000 for Smart Growth Grants dedicated annually to help Catskill communities and nonprofits sustainably improve the Park;
- Continued inclusion of funding for continued upgrades and improvements to the state-owned Belleayre Ski Center;
- A new line containing at least \$200,000 for Catskill Stewards, directed to the Catskill Center for Conservation and Development and Catskill Mountainkeeper, to support the existing education and stewardship program to address increasing numbers of visitors across the Park; and
- At least \$10 million in stewardship funding to support Catskill Park education efforts, improvements and infrastructure maintenance in light of continued exponential visitor growth.
- Funding of \$4.3 million to construct Phase 1 of the Shandaken U&D Rail Trail, connecting the Belleayre Ski Center in Highmount to the Belleayre Lake in Big Indian.
- The Catskill Park Coalition supports the \$4 billion environmental bond act. This funding would provide additional resources to construct new and maintain existing Park infrastructure.

Supporting Local Economies -- Supporting Catskills Communities by investing in projects with direct community benefits, while at the same time addressing increasing visitor pressures is key to supporting local economies and protecting natural resources, therefore the Catskill Park Coalition calls for:

- \$500,000 to develop a swimming area at the Kenneth Wilson State Campground;
- \$250,000 to implement and construct previously approved mountain biking trail system for the Shandaken Wild Forest; and
- Implementing the recommendations of the Governor's New York Upstate Cellular Coverage Task Force to expand cellular service across the Catskill Park.