

2022 New York Joint Legislative Budget Hearing Testimony

Environmental Conservation

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Committee Members,

Thank you for the opportunity to comment during the 2022 New York Joint Legislative Budget Hearing. My name is Nikki Ghorpade and I am the Government Affairs Manager for Ducks Unlimited. We are the world leader in wetlands and waterfowl conservation. Since our establishment in 1937, we have helped conserve 15 million acres of wetlands throughout North America, and have invested billions of dollars into the continent's landscape. In New York alone we have invested \$43.6 million to conserve 60,000 acres of wetlands and counting. I am here testifying on behalf of the nearly 20,000 members of Ducks Unlimited in the State of New York.

Ducks Unlimited is testifying today in support of Part QQ of Governor Hochul's Executive Budget that includes comprehensive freshwater wetlands reforms. If implemented, these reforms will protect nearly 1 million acres of wetlands in the state by eliminating outdated regulatory maps and arbitrary permitting thresholds. Additionally, these changes will clarify criteria for what constitutes a protected wetland in New York.

Wetlands are critical for nearly every aspect of life in New York State. These unique landscape features take many forms, including swamps, fens, bogs, wet meadows, just to name a few. Nearly every species of animal and bird in New York rely on wetlands for some part of their life cycle. In fact, wetlands provide the primary habitat for many threatened and endangered species as well as state species of concern. Waterfowl, as their name suggests, are most reliant on the myriad forms wetlands take, and are highly sensitive to even minute changes in these habitats. Though important for the flora and fauna in New York, wetlands play an even more vital role for human populations. The litany of ecosystem services provided by wetlands include erosion control, flood attenuation, sediment and pollutant control and purifying water. Additionally, wetlands are on the front line of battling the most destructive events associated with climate change like protecting coastal zones from sea level rise and absorbing storm surges. Each acre of inland wetlands can store up to 1 million gallons of water during a flooding event, and as the previous year has demonstrated, these events are occurring with an alarming frequency. Wetlands also play a critical role as one of the world's most effective carbon sinks. Wetlands provide people with an outlet to recreate. Recent years have shown a renewed push for people to get outdoors, and wetlands provide opportunities to kayak, fish, hunt and hike. All the benefits listed above have real economic impacts, and often are revenue generators for the state.

The need for these reforms is dire. Under current law with the required regulatory maps, nearly 1 million acres of wetlands that are larger than 12.4 acres lack any state level protections. These regulatory maps, which determine where protected wetlands exist, have not been updated in nearly 3 decades and were created with antiquated technology that is no longer accurate. Trying to amend the map is an extensive, time consuming and cumbersome process. Doing away with the map requirement will provide more accurate protections and alleviate unnecessary bureaucracy. Not only larger wetlands will receive new protections under these reforms. The proposed language would also clarify the criteria

DEC must use to determine if a wetland smaller than 12.4 acres also requires protection. Data such as where a wetland is located, which species of plants, animals and birds it provides habitat for and scientific classification will all factor into the DEC's process to determine a wetland's protection status. Ducks Unlimited is particularly pleased that "state species of concern" like the American Black Duck (marked 'High Priority'), will be included in this determination. Lastly, with the constant flux at the federal level surrounding wetlands protection, ensuring that state level protections are robust will insulate New York's wetlands from tumult in Washington. By doing away with the regulatory nature of these maps, and creating clear criteria, the process to determine the protection status of a wetland will be clearer for both regulators and the regulated community alike.

Having led the world in wetlands conservation since 1937 (and in New York since the 1990's), DU has witnessed key moments in conservation history. This opportunity before the legislature is a historic occasion to advance wetlands conservation by leaps and bounds and ensure future generations will benefit from actions taken today. Adopting these reforms laid out in the Governor's budget will ensure that New York State leads from the front to conserve the last, best wetland ecosystems.

Thank you again for the opportunity to speak and we appreciate the legislature's leadership on this issue.