



**Department of  
Environmental  
Conservation**

**Testimony of**

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**Commissioner**

**New York State Department of Environmental Conservation**

**New York State Legislature**

**Senate Standing Committee on Finance**

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**Hearing:**

**The 2023-2024 Executive Budget Recommendations for the**

**Department of Environmental Conservation**

**February 14, 2023**

Good afternoon, Chair Krueger, Chair Weinstein, distinguished members of the fiscal, environmental conservation, and other legislative committees, and new Environmental Conservation Committee Chairs, Senator Pete Harckham and Assemblymember Deborah Glick.

I'm Basil Seggos, Commissioner of the New York State Department of Environmental Conservation (DEC). Thank you for the opportunity to discuss Governor Kathy Hochul's environmental priorities for the upcoming fiscal year (FY 2024).

Two-thousand-twenty-two was a consequential year for DEC and New York State. Under Governor Hochul's leadership, New York is advancing one of the nation's boldest and most ambitious climate and clean energy programs, as well as myriad policies and programs to protect our communities and natural resources.

The most significant accomplishment in 2022 is the finalization of the Climate Action Council's Scoping Plan. The Council, which I Co-Chair with New York State Energy Research and Development Authority (NYSERDA) President and CEO Doreen Harris, approved the final Scoping Plan, which outlines recommended policies and actions to help New York meet the goals of the landmark Climate Leadership and Community Protection Act. With extensive public engagement throughout 2022, including a six-month public comment period with more than 35,000 comments received and nine in-person and two virtual public hearings across the state, the Scoping Plan sets a course for New York to advance our clean energy future, support healthier communities, and combat climate change.

Bolstered by the overwhelming approval of the \$4.2 billion Clean Water, Clean Air, and Green Jobs Environmental Bond Act this past fall, the stage is set for the state to realize the economic potential of environmental and climate action. I'm proud to say Governor Hochul's Executive Budget proposal for the State Fiscal Year 2023-2024 delivers the investments and policies needed to put our plans into action and deliver real results to New Yorkers. Several highlights from 2022 that underscore our progress:

- DEC's successful Brownfield Cleanup Program, reauthorized in last year's budget and improved to further incentivize cleanups in disadvantaged communities, continued environmental restoration and economic growth across the state. In 2022, 84 new projects entered the program and DEC issued 53 Certificates of Completion for projects that will bring former blighted properties back into productive use.
- DEC responded to 9,579 hazardous material or petroleum spills, recovered more than \$21 million from parties responsible for contamination at State Superfund Sites, completed 54 solid waste landfill investigations, and inspected more than 350 dams.
- The 2022–2023 Enacted Budget also included landmark amendments to the State's Freshwater Wetlands Act that will help New York protect water quality and adapt to increased flooding and severe storms fueled by climate change, among other benefits.
- The largest of its kind, the Bay Park Conveyance Project made significant progress, reaching the halfway mark for overall construction by upgrading existing wastewater infrastructure. This project will improve the water quality and storm resiliency of Long Island's Western Bays by

moving treated water to an ocean outfall pipe more than three miles into the Atlantic.

- DEC worked with key State and local partners in the Adirondack and Catskill Forest Preserve to protect these irreplaceable resources by enhancing public education about practicing responsible recreation and managing the impacts of increased visitation.
- DEC continued to effectively manage New York's fish and wildlife resources, launched a new 'Tackle Box' fishing feature in the HuntFishNY smartphone app, and piloted opportunities to grow the ranks of the state's hunters and anglers with junior hunting and free fishing days.
- DEC helped coordinate the return of more than 1,000 acres to the Onondaga Nation, one of the largest returns of land by any state to an Indigenous Nation. DEC also established its first-ever Office of Indian Nation Affairs.
- Our Environmental Justice leadership included the launch of a community air monitoring initiative in 10 areas overburdened by environmental pollution, awarding \$3.1 million in Environmental Justice Community Impact Grants to 32 organizations, and collaborating on the State's historic \$150 million investment in the city of Mount Vernon to address its longstanding water infrastructure crisis.
- With our partners at the Department of Health, DEC continued to lead the nation in science-based actions to address emerging and legacy contaminants in our waters and the environment. To date, DEC provided more than 2,000 alternate water supplies to New Yorkers and continued to support programs that protect source waters and reduce contaminants in the environment.
- With our partners at Environmental Facilities Corporation, DEC helped announce more than \$1 billion in grants to improve water infrastructure across the state in 2022, including a record \$601 million awarded in April.
- Following enactment of the Food Donation and Food Scraps Recycling Law, more than 1.5 million pounds of food waste and food scraps were diverted from landfills, reducing climate-altering emissions, and providing food for New Yorkers in need.
- In 2022, DEC Environmental Conservation Police Officers (ECOs) responded to 26,000 calls for service for a host of environmental, natural resource, and public safety concerns. Forest Rangers conducted more than 350 search and rescue missions and helped extinguish wildfires at Minnewaska State Park and other public lands, among other enforcement duties. In December, DEC welcomed 38 new Forest Rangers and 18 ECOs who graduated from the 23<sup>rd</sup> Basic School.
- To bolster our work to fight climate change, DEC adopted regulations requiring all new passenger cars and trucks sold in the state to be zero emissions by 2035 and finalized regulations to require significant reductions in methane from oil and gas infrastructure.
- DEC also designated 31 municipalities as Certified Climate Smart Communities and awarded \$14 million to help 25 municipalities undertake projects to adapt to the impacts of climate change.

Governor Hochul's Executive Budget proposal for FY 2023-2024 builds on these significant accomplishments from the past year and reflects her understanding of the challenges confronting New York State and advances a sound plan to address these challenges while leveraging the solutions to benefit our communities, natural resources, and economy.

To fund a sustainable and affordable future for New Yorkers, Governor Hochul's Executive Budget proposes an economy-wide Cap and Invest Program. Recommended in the Scoping Plan, the Cap and Invest Program will establish by regulation a declining cap on greenhouse gas emissions and invest the proceeds in programs that reduce emissions and maintain the competitiveness of New York's industries. To ensure the program is affordable, DEC and NYSERDA will evaluate the costs of the program under various metrics to assess its affordability and capacity to link with programs in other states.

In addition, the Executive Budget's Cap and Invest proposal includes a Climate Action Fund that would deliver auction proceeds to New Yorkers every year to mitigate potential costs. Development of the Cap and Invest program includes regulations to cap emissions to be developed through a robust stakeholder engagement process. Informal discussions with many businesses, environmental justice leaders, and environmental advocates are already underway, and DEC will release a regulatory proposal for public comment this year.

DEC looks forward to working with NYSERDA, the Legislature, and New Yorkers across the state to build this program, which would advance climate justice and prioritize investments that benefit the disadvantaged communities that have borne the brunt of environmental pollution, preventing them from being subjected to continued or increased emissions burdens.

The Governor is also proposing significant investments in proven programs that improve and protect our environment. This includes maintaining the State's Environmental Protection Fund (EPF) at a historic \$400 million. EPF investments support climate change mitigation and adaptation, promote sustainable agriculture, protect water resources, advance conservation, and enhance recreation for all New Yorkers, while helping the state leverage federal investments in similar programs. I thank the Legislature for its continued support of the EPF.

To upgrade New York's aging water infrastructure, the Executive Budget proposal builds on the State's nation-leading investments in water by providing an additional \$500 million in clean water infrastructure funding, bringing total funding since 2017 to \$5 billion. To help address the threat of emerging contaminants like per- and polyfluoroalkyl substances (PFAS) and 1,4-Dioxane, the Executive Budget proposes the Clean Up Forever Chemicals Initiative, a new grant program to help municipalities investigate and clean-up sites with emerging contaminants. Over the first year of the program, the budget provides \$60 million to support remediation efforts to reduce exposure to these chemicals and protect public health, drinking water, and the environment.

To address DEC's capital needs and facilitate access to State lands and sites, the Executive Budget proposal includes \$90 million in NY Works funding, which will be instrumental in rehabilitating campgrounds, upgrading widely used recreational facilities, and supporting critical repairs to trails, boating access sites, fish hatcheries, and more. Additionally, the Governor's proposal to make permanent the junior deer hunting pilot program to ensure the State continues to grow the next generation of safe and responsible hunters and capitalizes on the economic returns this provides.

These investments will be bolstered by the Environmental Bond Act. Work to deliver this once-in-a-generation funding opportunity is underway with an inter-agency working group identifying needs across the state and crafting program logistics, including how projects will be selected and funds will be delivered in a transparent and collaborative process, with opportunities for input and engagement to be announced in coming months.

Additional highlights from the Governor's Executive Budget include a proposal to implement the Waste Reduction and Recycling Infrastructure Act (WRRIA) to increase recycling rates, save local governments money, and protect the environment. This proposal would spur producer responsibility to manage packaging and printed paper, setting the standard for programs across the country. Solid waste is the fourth-largest contributor to greenhouse gases and establishing a circular economy that reduces these emissions is an ambitious step forward in New York's ongoing efforts to strengthen solid waste management practices.

To support these ambitious proposals, DEC's budget for the coming year recommends State Operations funding of \$560.2 million, an increase of \$66.1 million from the 2022-23 Enacted State Operations Budget, to accommodate negotiated salary increases, Bond Act support staff, and personal service and non-personal service support for new initiatives. DEC's Capital budget is \$1.955 billion, bolstered by the reappropriation of the \$4.2 billion Environmental Bond Act. Perhaps most critical, the Governor's Executive Budget Proposal increases DEC staffing to 3,322 employees, an increase of 231 from last year and the highest increase in more than decade, with reinforcements to follow in successive budget cycles.

These positions will support implementation of the Cap and Invest Program, the Bond Act, and WRRIA while strengthening DEC's capacity to meet our core functions and ever-increasing responsibilities. This investment in the Agency reflects the Governor's recognition of the urgency of the climate crisis and unwavering commitment to protecting New York's environment and ensures we are positioned to take advantage of federal funding opportunities provided by the Infrastructure Investment and Jobs Act and Inflation Reduction Act.

I am grateful to the Governor for recognizing DEC's critical role and providing us the resources necessary to exceed in our mission. Continuing to meet our core mission while advancing transformational changes across every sector of our economy is an enormous challenge, but I have no doubt DEC is up for the challenge and ready to meet the moment head-on.

Thank you again for the opportunity to provide testimony today. I look forward to working with you to capitalize on these critical investments and policies and leave a stronger and cleaner world for our children's children.