



February 14th, 2023

TO: Senator Liz Krueger (Chair)
Senate Finance Committee

Assemblymember Helene E. Weinstein (Chair)
Assembly Ways and Means Committee

RE: 2023 Joint Legislative Budget Hearing – Ducks Unlimited Testimony

Dear Chair Krueger and Chair Weinstein,

On behalf Ducks Unlimited, we would like to thank you for the opportunity to provide written testimony during the Joint Legislative Budget Hearing. We would like to provide comment on a very specific issue related to land acquisition by state land trusts.

DU is the world leader in wetlands and waterfowl conservation and has been protecting and restoring the continent's wetlands since 1937. DU has conserved more than 58,020 acres in New York and has invested over \$45.5 million dollars into the state's landscape. We have a committed group of more than 20,000 members in New York, many of whom are waterfowl hunters, and all of whom are ardent conservationists.

Protecting and conserving land in New York is of the utmost importance for the state and its residents. Not only to meet the ambitious goals of NYS Climate Action Plan and the NYS 30x30 legislation, state agencies must protect and conserve significantly more land for outdoor recreation as well. For example, if NYS is to achieve its 30x30 target, the state and its land trust partners together will have to conserve, protect and acquire approximately 225,000 acres per year over the next eight years. In 2020 DEC acquired 5,413 acres; in 2022 the total acquired was only 4,416 acres.

DEC Real Property Staffing across the state is at an all-time low compared to 2000s where staff numbered between 55-60 and helped protect over 70,000 acres a year. The current low number of state land employees has limited the ability of DEC to effectively transfer property from partners in a timely manner. This, coupled with the Attorney General's Office policies for title insurance and closing process has meant that the DEC Realty is limiting NYS residence access to state owned public lands. As an example of processes that create legal and accounting concerns for facilitating partners, NYSDEC requires conveyance of the deed to NYS before funding will be released to the partner. This policy forces the land asset to be transferred without payment to the landowner for an indefinite timeframe until deeds are recorded and the AG approves updated title and initiates the release of funds. Land trusts of NY collectively are holding more than 95,000 acres of land for the State of NY at a value exceeding \$110 million.

The current and future landholding by New York land trusts is advanced in partnership with DEC to offer clean water, open space, recreational opportunities, climate resilience, and increase biodiversity for NY residents. Land protection goals identified by the NYS Climate Action Plan and the NYS 30x30 legislation will not be achievable until DEC Realty resolves the current staffing limitations, and the Attorney General's Office addresses issues with land transfer policies associated with title insurance and deed transfers without payment at closing. We are asking DEC, OPRHP and the Attorney General's Office to work with the land trust community to streamline the land acquisition process in NY so that lands held by land trust partners on behalf of NYS can be transferred and available to NY residents.

Sincerely,

Sarah Fleming
Director of Conservation Programs
Great Lakes/Atlantic Region
Ducks Unlimited