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**2023 Joint Legislative Budget Hearing  
Environmental Conservation**

**Testimony of  
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**February 14, 2023**

**Safeguarding and Enhancing the Environment for All New Yorkers**

Thank you Senate Finance Committee Chair Krueger, Assembly Ways and Means Committee Chair Weinstein, Ranking Members Senator O'Mara and Assemblyman Ra, and members of the Joint Legislative Budget Committee, for the opportunity to present Scenic Hudson's perspective on Governor Kathy Hochul's Executive Budget Proposal for the 2023-2024 fiscal year.

Scenic Hudson preserves land and farms and creates parks that connect people with the inspirational power of the Hudson River, while fighting threats to the river and natural resources that are the foundation of the Hudson Valley's prosperity. Our work is making the Hudson Valley a model for responding to climate change – the greatest environmental threat of our time – and providing the people of the Hudson Valley with the tools and support they need to strengthen their communities.

I would like to congratulate the Legislature on last year's budget and legislative sessions. Your collective work secured historic investments in parks capital projects, clean water infrastructure, and the Environmental Protection Fund (EPF), and enabled the passage of the \$4.2 billion Clean Water, Clean Air, and Green Jobs Bond Act. The 2023-4 budget and legislative sessions present an opportunity to maintain these appropriations and implement projects, helping all communities prepare for the new climate reality and preserve natural resources on which all residents depend.

**The following are Scenic Hudson's priorities for the 2023-2024 budget and legislative sessions.**

**Environmental Protection Fund**

The EPF is New York's only dedicated capital investment program for the environment. It supports more than 100 environmental projects and initiatives that benefit every municipality, big or small. For too long, demand for these programs has far outpaced funding, and we thank the Governor and the Legislature for committing \$400 million to the EPF in last year's budget, and supporting many programs that are serving the Hudson Valley and all of New York State.

Scenic Hudson supports maintaining the EPF at \$400 million. However, we do not support offloading the cost of agency operations and staff into the EPF. We join with the New Yorkers for

Clean Water and Jobs coalition in urging the Legislature to once again reject a proposal that would divert money away from grants and programs for local communities.

We also support funding for individual line items and programs at the following levels:

- **Soil and Water Conservation Districts:** \$16 million (proposed at \$16 million)  
Much of the current work to transition farms to climate-resilient farming practices in New York State would not be possible without local Soil and Water Conservation Districts (SWCDs). SWCDs form one pillar of an information delivery system that is among the strongest in the nation and is very effective at delivering technical assistance to farmers and land managers. In particular, SWCDs in every county of the state are vital to enabling the on-the-ground application of research-informed climate-resilient farming practices. Scenic Hudson supports the Governor's forward-looking proposal to increase the funding level for SWCDs to \$16 million from last year's \$14.5 million. Increased funding is needed to further build the capacity of SWCDs in every county of the state to assist and educate farmers and land managers on the front lines of a changing climate. Scenic Hudson is working collaboratively with SWCDs in the Hudson Valley through the Northeast Carbon Alliance to promote economically productive and climate-effective healthy soils management.
- **Climate Resilient Farming Program:** \$16.75 million (proposed at \$14.75 million)  
Farmers throughout New York State have been building healthy soils by employing systems that have been used for centuries as well as innovative practices that reduce emissions, sequester carbon, protect and increase water quality, and support greater biodiversity. A restoration to last year's \$16.75 million in funding for climate resilient farming projects will support the farmers who are already using these methods and will enable many more farmers to adopt practices that reduce on-farm emissions, increase food system resiliency, and provide essential ecosystem services.
- **Farmland Protection:** \$25 million (proposed at \$21 million)  
The need to protect farmland is especially urgent in fast-growing regions of the state — such as the Capital Region and Hudson Valley — facing acute development pressure and conversion of working farms to non-agricultural uses. To keep local farms in business and meet growing demands for fresh food, the state must protect more farmland. Successfully accomplishing this requires an allocation of at least \$25 million (up from \$21 million). This increase will also allow the state to take greater advantage of upcoming matching funds from the Environmental Bond Act and federal Inflation Reduction Act. Protecting farmland and avoiding its conversion to other uses is a critical step in achieving the goals of the state's new 30x30 law and ensuring that these precious lands are available to achieve climate solutions.
- **Municipal Parks:** \$26 million (proposed at \$25 million)  
Thanks to last year's significant increase in the Grant Program for Parks, Preservation and Heritage (Municipal Parks program), the program currently provides up to \$26 million in matching grants to projects that acquire, develop, and plan municipal parks and recreational facilities. These grants empower municipal governments to work with both the state government and local organizations to build and improve the outdoor spaces that their

constituents enjoy. In recent years, the total amount of annual applications for this program has met or exceeded \$90 million annually. Maintaining the \$26 million appropriation from last year's budget will allow the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) to continue fulfilling many of the grants needed to improve the recreation infrastructure so critical to our state.

Last year's budget also included a much-appreciated \$3.5 million allocation for the Westchester RiverWalk, which allowed Scenic Hudson to bring the project to shovel-ready status. With state support for the project, we have begun the first steps in conducting environmental review under both the State Environmental Quality Review Act (SEQRA) and the Federal National Environmental Policy Act (NEPA). We have released an RFP seeking a consultant to conduct the review, and we anticipate having the consultant under contract to begin in March. In addition, since receiving the \$3.5 million budget allocation, Scenic Hudson received \$2.797 million in federal funding through Senator Schumer and former Representative Mondaire Jones. This congressional member item will be utilized as matching funds and will go towards the construction of the Transit Connector, an ADA-compliant path between the future RiverWalk Connection and Route 9.

- **Open Space/State Land Conservation:** \$40 million (proposed at \$37 million)  
This past December, environmental groups across the state celebrated the passage of A.5390B/S.6191A, aka 30x30. Governor Hochul's signature on the legislation set goals to conserve at least 30 percent of state land and water by 2030. If New York State is to achieve its 30x30 targets, the state and its land trust partners must work together to conserve, protect and acquire approximately 225,000 acres per year over the next eight years. We encourage the NYS Department of Environmental Conservation (DEC), OPRHP, and the Attorney General's Office to work with the land trust community to streamline the land acquisition process in New York so more land is protected for climate mitigation, biodiversity habitat, and public use. Suggested actions include hiring more real property staff at all three agencies and accepting title insurance for state-purchased properties. The state needs to ramp up conservation efforts and increase staffing in order to meet 30x30 goals, and consequently, the ambitious goals set by the NYS Climate Action Plan.

Conservation of land and water has a big role to play in achieving climate goals. In the Hudson Valley, Scenic Hudson developed the Hudson Valley Conservation Strategy (HVCS) in part to safeguard the region's resilience in the face of climate change. In all, the strategy points to approximately 760,000 acres in the 11 counties of the Hudson Valley region that represent the best potential conservation investments for achieving a resilient, functional, and productive landscape. Guided by the HVCS and our existing conservation strategies, we have conserved more than 50,000 acres, including creating or enhancing more than 65 parks, preserves, and historic sites that provide places for people to relax, enjoy recreation, and be inspired by the valley's natural beauty and heritage. In fact, we recently acquired a property directly to the north of the new Sojourner Truth State Park, which provides an opportunity to grow the park and increase urban residents' access to outdoor recreation. Maintaining funding for open space and land conservation at \$40 million will allow Scenic Hudson and our regional and statewide partners to continue conserving

New York State land that matters most.

- **Hudson River Estuary Program (HREP):** \$7.5 million (proposed at \$7.5 million)  
In 2022, funding for the HREP received a \$1 million increase to \$7.5 million, the first substantial growth for the program since its inception in 1996. We support the maintenance of last year's funding level in this year's budget, as demand for this program and a safe, accessible Hudson River necessitates an annual allocation of at least \$7.5 million. Maintaining this allocation will enable HREP staff and its partners to continue providing technical support and grants to local communities and projects committed to preserving and increasing connections to the Hudson River.
- **Conservation Partnership Program (CPP):** \$3 million (proposed at \$3 million)  
We join with the Land Trust Alliance in requesting that the CPP be maintained at \$3 million in this year's budget. The CPP is a successful public-private partnership between DEC and the Land Trust Alliance. It offers competitive grants to New York land trusts to advance local land conservation for the climate, health, and economic benefits they provide. The CPP is a model of efficiency as appropriated dollars are awarded annually in coordination with DEC, delivering tangible outcomes for communities and directly advancing New York's Open Space Plan. The program has protected more than 36,000 acres without adding to the state's management burden. With increased demand for open space, worsening climate change impacts, and growing awareness of the importance of locally led conservation in achieving a 30x30 goal, it is critical to continue funding for this program at a level of at least \$3 million.

## **Parks Capital Funding**

Scenic Hudson requests maintaining the parks capital budget at \$250 million. OPRHP has identified more than \$300 million in annual parks infrastructure projects. In 2022, legislative leaders and the Governor set a new floor for this funding at \$250 million, the largest allocation in state history. This level must be sustained — to address climate change through smart management of state parkland, site renewable energy to help state parks become carbon neutral, address the backlog of deferred maintenance, maintain the state's national leadership in connecting people to nature and outdoor recreation, and meet goals for diversity, equity, and inclusion.

In the Hudson Valley, Scenic Hudson has made tremendous progress in conserving land and creating parks by utilizing parks capital funding. In 2022, Governor Hochul announced the creation of Sojourner Truth State Park in Kingston, located on 520 acres of former industrial land that Scenic Hudson conserved in 2019. This new park, along with the Hudson Highlands Fjord Trail, a new linear park that is in progress on the east side of the Hudson River, will connect park-goers directly to parts of the Hudson Riverfront that have been inaccessible to the public for generations.

Last year, \$20 million from OPRHP's capital budget was allocated to building a new bridge over the train tracks at one of the most popular day hike destinations in the country - Breakneck Ridge. The future Breakneck Connector and Bridge will make crucial safety and access improvements. In the past year, the Environmental Review for the future Fjord Trail Breakneck Connector and Bridge has been completed and Scenic Hudson received a negative declaration. We also successfully completed the Administrative Law Judge process via the NYS Department of Transportation (DOT)

to allow the new track crossing, received a bridge height waiver from DOT, and are very near an easement agreement for Metro-North for the lands needed for the bridge. With each step in this process, we are closer to handing off the construction of the bridge to OPRHP. Construction of the bridge and Breakneck Connector is slated to begin in winter of 2023/2024, and will utilize the \$20 million from OPRHP, along with \$14 million from the NYC Department of Environmental Protection and \$20+ million from Scenic Hudson.

### **Hudson River Valley Greenway**

Scenic Hudson supports the \$114,000 increase in funding for Hudson River Valley Greenway planning and compact grants in this year's Aid to Localities budget and the maintenance of \$500,000 for Hudson River Valley Greenway Trail Grants in the EPF. \$250,000 for planning and compact grants will directly help communities to develop and implement plans, programs, and projects that will contribute to state climate resiliency and sustainability goals. The Hudson River Valley Greenway awards grants to capital improvement projects, comprehensive plans, natural resource and open space inventories and preservation projects, training and education, waterfront revitalization projects, and zoning improvements, among others. Increasing funding for projects like these achieves multiple benefits for the state and its residents, including building capacity at the local level for communities to connect with the highly popular Empire State Trail.

### **Clean Water Infrastructure Act**

Scenic Hudson joins with the New York Clean Water Coalition in asking for \$1 billion in new funds for clean water infrastructure. This funding will enable New York State to tackle longstanding and emerging threats to clean water in our state.

### **Environmental Bond Act Implementation**

We are grateful to the Governor and Legislature for their efforts over the years to craft and pass an Environmental Bond Act that will benefit all New Yorkers. The Governor's office recently released a Bond Act website that is a helpful resource to understand how the \$4.2 billion will be spent. We support Governor Hochul's Executive Budget proposal to add new state agency staff to implement the Bond Act, and we urge the Senate and assembly to support this proposal. However, we would like to reiterate that staffing should not come out of the EPF. We would also like to stress the importance of appointing someone to coordinate Bond Act spending across agencies.

### **Legislation**

- **Smart Integrative Tools for Energy Development (SITED) Act (S2956/A2888)**

This bill will require NYS to develop a Clean Energy Mapping Tool and educational programs to help communities better plan and identify viable locations for renewable energy, maximize community benefits, and effectively communicate local priorities to potential energy developers.