



Catskill Mountainkeeper's Fiscal Year 2025 Executive Budget Testimony

Joint Legislative Budget Hearing, Senate Finance and Assembly Ways and Means Committees

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Thank you Chair Krueger, Chair Weinstein, Chair Harckham, Chair Glick, and members of the Senate Finance and Assembly Ways and Means committees for the opportunity to weigh in on Governor Hochul's FY 2025 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

In our testimony, Catskill Mountainkeeper covers:

- Support for a \$400 million **Environmental Protection Fund**
- Opposition to a proposed **\$25 million offload from the Environmental Protection Fund** to support staff lines at the Department of Environmental Conservation and a request to restore the EPF programs that were reduced because of this proposal
- Opposition to the executive budget's proposal to fund Forest Preserve Stewardship using **conditional "up to" language in the EPF appropriation**
- Support for \$10 million for **Catskills and Adirondack Forest Preserve stewardship**
- Request to restore to the executive budget's proposal to eliminate **funding to visitor centers operated by the Adirondack Mountain Club**
- Support for additional investment in **visitor centers in the state's Catskill and Adirondack Forest Preserves**
- Request for \$500,000 for a **Sullivan County Aquifer and Water Resources Study**
- Support for funding for **stewards programs** at the Catskill Center and Catskill Mountainkeeper

- Support for the **Peoples Climate Justice Budget and the Climate, Jobs & Justice Package**
- Request for \$1 billion investment in the **Climate Action Fund in FY 2025**
- Request to line out the **Climate Action Fund**
- Opposition to **Cap & Invest revenue** being granted, off-budget, to utilities
- Request for the Senate and Assembly to authorize the Real Property Bureau of the Office of Attorney General to use **private title** insurance as a means of achieving marketable title in state land acquisition transactions
- Support for **modernizing New York's electricity transmission** system
- Request for the Office of Renewable Energy Siting to mandate that entities applying for transmission line permits demonstrate **consultation with Native American nations and tribes** whose ancestral homelands would be affected by facilities and transmission projects
- Opposition to **widening and expanding Rt 17**

Protecting the Catskills & Funding the EPF

Mountainkeeper **strongly supports Governor Hochul's proposed \$400 million appropriation for the Environmental Protection Fund (EPF)** and urges the legislature to support this level of appropriation throughout budget negotiations. We also thank the legislature for its dedication and commitment to the EPF. Thanks to champions in both the Assembly and the Senate, the EPF stands as a beacon of impactful environmental investment, and has materially improved air quality, water quality, soil health, and community health throughout New York State.

Reject the DEC Staff Offload from the EPF

Governor Hochul's budget would allow for \$25 million EPF dollars to be used to support staff lines at the Department of Environmental Conservation (DEC), thereby reducing the amount of funding allocated to EPF projects to \$375 million, a proposal Mountainkeeper strongly opposes. DEC desperately needs additional staff to do the life-saving work of protecting New York's air, water, habitat, and community health, and we strongly support increasing DEC's operating funds to increase staff lines. However, the EPF is specifically structured to allocate funds for vital capital projects. Allowing the DEC to allocate funding for staff lines from the EPF would significantly deplete the resources available for their intended purposes, and Mountainkeeper calls on the Legislature to reject this proposal.

Stewardship in the Forest Preserves

Thanks to the legislature's leadership, the FY2023 and FY2024 EPFs each included a **line for 'Adirondack and Catskill Visitor Safety & Wilderness protection'** from the Parks & Recreation account, under the 'State Land Stewardship' line. Catskill Mountainkeeper would like to thank all of our Catskills legislators, as well as the Senate and Assembly leadership who recognized the need to invest in our state's forest preserves.

This year, the Executive included the line in her proposed EPF. We're grateful that the need for stable funding is being recognized by continuing the line each year. It's important to highlight, however, that the Executive's proposed appropriation for the line suggests funding for forest preserve stewardship programs could be a variable amount, capped at "**up to**" 8 million.

"Up to" \$8 million is very different from an \$8 million appropriation, and the conditional language undermines the stability that including the line would otherwise provide. New York State has been underinvesting in the Catskills for decades, and it's going to take dedicated investment to ensure that the Department of Environmental Conservation (DEC) has the funding to support visitors' needs and forest preserve protection. Mountainkeeper is requesting that the legislature negotiate to strike the "up to" provision, and once again allocate \$10 million to support stewardship programs in the forest preserves.

As an organization supported by tens of thousands of avid environmentalists and outdoor enthusiasts, we're calling on the legislature to help secure and preserve the funding that will enable the Catskills to 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 for generations to come.

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.

Serving Visitors to the Forest Preserves

Please retain and restore funding for Forest Preserve Visitor Centers. Visitor centers address stewardship, promote communities, and provide valuable interpretation and information for visitors and locals alike in the Forest Preserve Parks. Moreover, the visitor centers exemplify successful public-private partnerships, with nonprofit entities managing the centers and significantly contributing to their operating budgets through fundraising efforts. The centers protect the Forest Preserve, keep the public safe, educate youth and the public, and highlight community assets. In the EPF, please support the following visitor centers at \$250,000 each:

Visitor Center	Senate/Assembly FY 2024 One-House	FY 2024 Final Budget	FY 2025 Exec Proposal	Request
Adirondack Mountain Club Visitor Centers	\$100,000/\$100,000	\$100,000	\$0	\$250,000
Catskills Visitor Center	\$300,000/\$200,000	\$200,000	\$200,000	\$250,000

Paul Smiths Visitor Information Center	\$225,000/\$250,000	\$250,000	\$250,000	\$250,000
SUNY ESF Adirondack Interpretive Center	\$150,000/\$250,000	\$250,000	\$250,000	\$250,000

Assessing Sullivan County’s Water Resources

A wealth of abundant surface and groundwater helped create the renowned legacy of the Catskills - an historic hospitality industry, world-class trout streams, thriving downtown main streets, and fertile farmland, not to mention the largest unfiltered public water supply system in the world. But as record low annual water levels across the country now reveal a crisis threatening irreversible harm to the American economy, Sullivan County’s prosperity is equally at risk.

We already see the impacts of water supply decline throughout the county. Town fire departments don’t have enough well water to fight house fires. E-coli outbreaks prevent swimming in beloved lakes. Months long water boil alerts harm businesses and their bottom line. Drinking-water wells of year-round residents are losing pressure and volume during summer months. Rivers that rely on snow-pack melt are increasing their reliance on groundwater. Rising temperatures resulting from a changing climate mean that gardens, farms, and forests need more water for plants to grow. And even the increasing frequency of extreme downpours won’t help as water moves too quickly across land before it can sit and soak into the aquifer below.

How much water remains in our aquifer and on the surface is critical information that county and town officials need to understand to ensure sustainable land use and development. Officials who are charged with determining where and how to build must be provided accurate data to regulate responsibly. We simply cannot use more than we have.

That’s why Catskill Mountainkeeper is calling for **\$500,000 in state funding for a water and aquifer study in Sullivan County**. This call is supported by numerous citizen groups throughout the County including Columbia Hill Neighborhood Alliance, Fallsburg Future, Scenic Swan Lake, Loch Sheldrake Advocates, Kiamesha Preservation Association. Town Supervisors, planning boards and zoning boards across the county support this as well, including the Towns of Rockland, Fallsburg, and Thompson.

The last water supply study for Sullivan County was completed in 1961, when the county’s population was 42, 193 and the study estimated that more than 600,000 visitors came to Sullivan

County during the summer, noting that at times, the summer population was estimated to average nearly 13 times the permanent population. **Since then, demographics, development patterns and draw-down have changed drastically**, requiring an update to better determine the quantity and quality of County water resources. Today, the County's year-round population is 78,948, almost doubled in six decades, and the number of wells drilled since then has also doubled if not tripled. Visitorship is up with over 20,000 year-round second homeowners, and approximately 500,000 bungalow and camp guests, with an overall estimate of 3.5 million visitors annually.

New York's and Sullivan County's water resources are at risk from development pressures and the climate crisis. Catskill Mountainkeeper requests that the state invest in this aquifer and water resources study so that decisionmakers in Sullivan County can better understand the impacts and outcomes of their actions on our ability to provide clean, fresh drinking water to our citizens.

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. For the past three years, Mountainkeeper posted stewards on the trails, rotating through four 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, 2022, and 2023 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 continue to support this funding, 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.

Supporting the People's Climate Justice Budget

The climate crisis is costing New Yorkers billions of dollars in the form of storm cleanup, hospitalizations due to heat and hazardous air, and the ongoing efforts to address and fortify infrastructure. As the Climate Action Council stated in its Scoping Plan, the cost of inaction on

climate in New York will far exceed the cost of action by over \$100 billion. And the longer we wait to act, the more expensive it becomes.

As such, and as a NY Renews Steering Committee member, Catskill Mountainkeeper fully supports the Climate, Jobs, and Justice Package, and People's Climate Justice Budget.

In 2023, the legislature won a huge victory by collaborating with Governor Hochul to design and establish the Climate Action Fund (CAF). The CAF is the designated fund to capture any revenue generated from regulations established under the Climate and Community Protection Act, and each account in the fund may accept revenue from any other source as identified by the legislature. The CAF applies strong labor standards and worker protections to each dollar that flows through the fund, thereby helping to ensure that the fund's investments help make New York's transition to renewable energy more affordable and build a strong, family-sustaining workforce.

In 2025, DEC and the New York State Energy Research and Development Authority (NYSERDA) are expected to implement the New York Cap and Invest program—a market-based program designed to charge polluters for their climate emissions, and direct the revenue to the CAF. The program is expected to generate billions of dollars for climate investments.

Until that program launches and is generating revenue, New York needs to continue to invest in climate solutions. Our state needs to scale up dramatically, and ramp up the systems that will enable swift deployment of resources. We're calling on the legislature to negotiate with the governor to **include \$1 billion in the CAF in FY 2025**, and to provide greater specificity as to how the CAF dollars may be invested; we're calling on the legislature and governor to **line out the fund**. New Yorkers deserve a transparent, accountable, democratic, and on-budget system for distributing the funds across the state and investing in our communities—especially disadvantaged and marginalized communities.

The EPF is a successful example of the type of specificity we're seeking for the CAF, and we urge the legislature to take this action in FY 2025. Directing the flow of funds may become significantly more challenging once the program starts generating revenue, and the legislature must seize this opportunity to map out the state's investment plan for the CAF.

Finally, the legislature must ensure that **any and all funds generated from the Cap & Invest program, and any other revenue-generating program enacted under the CLCPA, be directed to the CAF**. As part of the Cap and Invest Pre-Proposal Outline, DEC and NYSERDA are proposing that a portion of the revenue generated through an emissions allowance auction stay with utilities. If this is allowed, the revenue generated through this aspect of the program would sidestep the CAF entirely. CAF worker protections would not apply, and the legislature would not have influence over where or how the funds are invested.

Streamlining the State Land Acquisition Process

Mountainkeeper calls on the legislature to assist in streamlining the state land acquisition process in their one-house budgets. To realize our state's conservation and climate goals and fulfill the wishes of voters who strongly supported the Bond Act as well as the EPF, the state's land acquisition program must be improved and streamlined.

Regrettably, land protection in NY has slowed in recent years. In 2022, DEC & NYS Parks acquired just 5,056 acres combined. Contrast that number to the historic average of 70,000 acres each year over the history of the EPF. One immediate step that can be taken to increase the pace of land protection is to include language in your Senate and Assembly budget proposals expressly **authorizing the Real Property Bureau of the Office of Attorney General to use private title insurance as a means of achieving marketable title.**

Such an allowance would be consistent with common real estate practice, as well as allowable practices in virtually all other state and federal land acquisition programs. New York State, however, undertakes its own review of land titles, sometimes going back one hundred years or more in an attempt to prove perfect title. This materially slows down transactions and open space conservation program implementation, depriving communities across the state of the benefits of these projects. In addition, these lengthy periods impact the public purse due to the accrual of additional holding costs while properties are being held by land trusts or other entities. Currently there are more than 100,000 acres valued at in excess of \$150 million pending transfer to the state.

Renewable Energy & Transmission Siting

Catskill Mountainkeeper supports modernizing New York's energy transmission system and the work of the Office of Renewable Energy Siting (ORES) to dramatically scale up the amount of renewable energy on the grid.

As part of the governor's proposed RAPID Act (TED Part O), ORES would stipulate that no application for a facility could be deemed complete without the applicant providing proof of consultation with the municipality(ies) where the project is proposed to be located.

Catskill Mountainkeeper is calling on the legislature and the governor to add language to Part O that also directs the applicant to provide proof of consultation with any Native American nation or tribe whose ancestral homeland would be impacted by the project.

As the state looks to increase the number of wind turbines, solar panels, battery storage units, transmission, 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 will also be permitting land disturbances. And land disturbance, especially in sensitive areas, has the potential to impact or destroy Native Nations' cultural resources.

As New York embarks on the exciting work of reducing New York's harmful greenhouse gas emissions, the principle of consultation with Native Nations must be clearly and strongly woven throughout our laws and regulations so that potential problems can be identified and addressed early in the permitting process. We urge the state to require all the precautions possible to prevent a situation where a developer discovers an impediment to construction only after time, resources, and finances are invested.

The best way to do this is to require consultation with Indian Nations—both those living on their ancestral homelands and those that have been displaced—early in the pre-application process and throughout permitting. The Unmarked Burial Site Protection Act, enacted as part of the FY 2024 budget, may provide inspiration for the type of consultation framework that could guide a process between developers, nations and tribes. Mountainkeeper urges the state to work with nations and tribes to identify the best pathway to consultation and to enshrine the resulting process in regulations.

Opposing Expanding Route 17

Catskill Mountainkeeper has joined with civic and environmental groups to oppose a billion dollar plan to expand and widen New York State Route 17, making the road into a six lane superhighway. Advancing a massive highway widening project would not only fail to reduce traffic congestion, but would also run afoul of New York climate requirements to slash greenhouse gas emissions by 2050. Widening Route 17 is also inconsistent with federal transportation policies and the use of federal highway monies.

The state's plan, a relic of a bygone era, would also accelerate unsustainable rural sprawl, divert resources away from critical mass transit needs, threaten nationally significant park lands and other natural areas, and may disproportionately impact low income communities and communities of color. Mountainkeeper calls on the Legislature to stand with us to oppose this misguided proposal, and to ensure that no state funding goes to support the plan.

Conclusion

Thank you again for your time and consideration of our testimony. If you have any questions, please don't hesitate to contact Katherine Nadeau at katherine@catskillmountainkeeper.org or Kathy Nolan at kathy@catskillmountainkeeper.org.

Catskill Park Coalition Priorities for SFY 2024-2025:

Public Safety and Catskill Park Management -- Given the ongoing growth in the number of visitors, there is an increasing need for NYSDEC staff to properly address public safety and the Catskill Park's infrastructure and natural resources. As such, the Catskill Park Coalition calls for:

- Supporting the recently created Catskill Park Coordinator position within the NYSDEC with adequate financial and staffing resources;
- Staffing critical positions at the NYSDEC's Division of Lands and Forests in Regions 3 and 4 to better manage the Catskill Park and its more than 1.7 million annual visitors; and
- Running an annual Forest Ranger Academy to maintain and increase Ranger staff to provide a safe experience for all who visit the Catskill Park.

Environmental Protection Fund Priorities to Enhance and Protect the Catskills --

Critical funding for the Catskill Park is provided within the Environmental Protection Fund (EPF). The Environmental Protection Fund should be maintained at \$400 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 Catskill Park Coalition calls for the following:

- Existing Catskill Park Funding:
 - \$10 million Forest Preserve line to support Catskill and Adirondack Parks and address increasing visitor use;
 - \$250,000 line, directed to the Catskill Center for Conservation and Development for the Congressman Maurice D. Hinchey Catskills Visitor Center for operations, staffing, and programming;
 - \$200,000 line, directed to the Cary Institute for Ecosystem Studies for the Catskill Science Collaborative, which directs research on topics of importance in the Catskills;
 - \$500,000 line directed to Cornell University for the "Save the Hemlocks" initiative to fight the invasive Hemlock Woolly Adelgid with effective biocontrols;
 - At least \$300,000 for Smart Growth Grants dedicated to help Catskill communities and nonprofits sustainably improve the Park; and
 - Continued inclusion of funding for upgrades and improvements to the state-owned Belleayre Mountain Ski Center.

Supporting Local Economies -- Supporting towns, villages, and hamlets within the Catskill Park by investing in projects with direct community benefits while addressing increasing

visitor pressures is key to supporting local economies and protecting natural resources.

Therefore, the Catskill Park Coalition calls for:

- Improving cellular service across the Catskill Park – The lack of service across large portions of the Park is a public safety concern and a competitive disadvantage for local communities and businesses that cannot be discovered by visitors;
- Expanding availability of affordable housing within and adjacent to the Catskill Park; and
- Improving trail connectivity with connections to community main streets and within the existing trail network to expand recreational opportunities.