



**Testimony of Jeremy Cherson
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**Joint Legislative Public Hearing on SFY 2025-26 Executive Budget Proposal:
Environmental Conservation**

Thank you to the chairs and members of the Senate and Assembly committees for the opportunity to submit testimony.

Riverkeeper protects and restores the Hudson River from source to sea and safeguards drinking water supplies, through advocacy rooted in community partnerships, science and law. We envision a future in which the Hudson River, its tributaries and watershed, and the New York City drinking watershed are: restored to ecological health and balance, free-flowing, resilient, teeming with life, reliable sources of safe, clean drinking water, recovered from historic and inequitable environmental harms, safe and accessible for swimming, fishing, boating and other recreational activities and valued and stewarded by all.

I. Clean Water Infrastructure Act

Increase annual funding to \$600 million

Since 2017, this popular program has been funded at \$500 million a year, supporting critical wastewater and drinking water projects that reduce pollution into our waterways and protect drinking water quality. As climate change continues to cause unprecedented precipitation, now is not the time to slow down our progress in funding critical infrastructure for our water systems. We urge the Legislature to increase the appropriation to \$600 million to address inflationary pressures and emergent needs, including for filtration of PFAS in drinking water.

Additionally, inflation over the past few years has reduced how far public dollars go in infrastructure projects – a core argument for why New York should increase CWIA allocations to \$600 million.¹ Indeed, the purchasing power of \$500 million in 2017 would now require an investment of \$641 million to have the same impact on infrastructure investments. **Additionally, the Trump Administration just put an indefinite hold on funding through the Bipartisan Infrastructure Law and the Inflation Reduction Act, making the state’s increased allocation of funds even more pressing in this precarious moment.**²

We are pleased to see the Executive Budget include at least \$500 million because there is at minimum an estimated need of \$80 billion over 20 years of documented need for water infrastructure investment in New York, the largest in the nation - this figure was developed in 2012 before emerging contaminants, lead service line replacements and most Combined Sewer Overflow (CSO) reduction projects added a new layer of costs to water utilities and suppliers. A new comprehensive needs assessment is overdue.

Achieving the “swimmable” goal of the Clean Water Act, over 50 years after its passage, hinges on ongoing and stepped-up investments in our wastewater infrastructure. The chart below from the recently

¹ <https://apnews.com/article/inflation-us-infrastructure-projects-e89dcd5f3e623e532353f087265f9a63>

² <https://www.politico.com/news/2025/01/21/trump-fight-biden-infrastructure-money-00199796>

released 2025 Intended Use Plans published by the Environmental Facilities Corporation shows the sheer number of projects identified across the state - a whopping 544 projects with nearly \$5.8 billion in investment needs for 2025 alone and over \$7 billion in the multiyear category.

2025 CWSRF INTENDED USE PLAN ANNUAL LIST SUMMARY

Category	Total Projects	Total Estimated IUP Amount	Total Estimated 2025 Need
A	59	\$359,514,228	\$352,617,062
B	97	\$1,840,200,856	\$1,624,974,150
C	44	\$1,185,878,667	\$1,185,878,667
D	313	\$3,566,487,235	\$2,535,223,358
EC	12	\$59,843,000	\$59,843,000
E	0	\$-	\$-
G	19	\$31,030,000	\$31,030,000
Total	544	\$7,042,953,986	\$5,789,566,237

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These costs include upgrades and repairs at wastewater treatment plants—the most visible components of our wastewater infrastructure—but also for projects necessary to maintain the vast network of underground pipes and pump stations that collect and transport sewage. This infrastructure is essential for preventing water pollution, but much of it is well past its intended lifespan.

These failures mean raw or partially treated sewage leaking into our streams and rivers, and they are common during wet weather. For instance, our largest community, **New York City released a staggering 28.9 billion gallons of combined sewer overflow** into waterways in 2023 from approximately 109 discharges as reported by New York City Department of Environmental Conservation. The rest of the state **outside of NYC reports in the SFY 2023/24 with an estimated 8.8 billion gallons of combined sewer overflows.**⁴

Specifically, in December and early January the following municipalities in the Hudson River Watershed issued sewer overflow alerts through the Sewage Pollution Right to Know Act: New York City, Albany, Amsterdam, Bloomingburg, Catskill, Cohoes, Colonie, Coxsackie, Florida,, Fort Plain,, Green Island, Kingston, Hudson, Hudson Falls,, Newburgh, Palatine Bridge, Poughkeepsie, Nelliston, Rensselaer, Stillwater, Troy, Walden, Washingtonville, Watervliet, Utica and Yonkers/ Westchester County. The majority of these communities reported multiple overflows in this time period - roughly 60 sewage overflow reports in all.

Most of these communities reporting repeated overflows have combined sewers that discharge raw sewage mixed with stormwater when it rains because their sewers were designed to carry both street runoff and sewage, leading to overflows when pipe capacity is exceeded by an influx of rainwater. The DEC’s SPDES compliance report for 2023 continues to note the impact of influx and infiltration as a significant source of discharges.

In a time of rapid intensification of climate change, when extreme storms are more common, overflows will come more frequently if the infrastructure is not upgraded and optimized continuously to handle the

³ 2025 Clean Water State Revolving Fund Intended Use Plan
<https://efc.ny.gov/system/files/documents/2024/10/final-2025-cwsrf-iup.pdf>

⁴ <https://dec.ny.gov/sites/default/files/2024-12/spdescandeanualreport.pdf>

deluges. As Riverkeeper has documented repeatedly, data show that rain causes degradation of water quality in many communities, and after extreme storms, the impacts are more severe.⁵

Riverkeeper strongly encourages the Legislature to increase funding to \$600 million annually.

II. \$500 million Environmental Protection Fund

Increase by \$100 million; \$2 million Increase for Hudson River Estuary Program & Mohawk River Basin Program

Riverkeeper is a member of the broad Clean Water & Jobs coalition that supports the Governor's proposed funding for the Environmental Protection Fund (EPF) at \$500 million. The Legislature is a strong champion of the EPF, and we urge you to continue your commitment to this important source of funding. With the Trump administration freezing conservation and adaptation funding and the 119th Congress looking at shaving funds from the Bipartisan Infrastructure Law and the Inflation Reduction Act, this is the year to go big and increase the EPF.

\$9.5 million Hudson River Estuary Program (HREP) and Mohawk River Basin Program (MRBP)

\$2 million overall increase – \$1.5 million increase for the HREP and \$500,000 increase for the MRBP

The Department of Environmental Conservation's Hudson River Estuary Program (HREP) and the Mohawk River Basin Program (MRBP) are the state's only programs dedicated to protecting the Hudson River and its watershed. Recognizing these programs as indispensable sources of technical advice, community grants, and planning expertise, **we strongly urge the Legislature to increase funding to \$9.5 million.**

According to the Hudson River Estuary Management Advisory Committee (HREMAC), great progress has been made over the last year to advance the HREP Action Agenda, yet funding gaps pose a great barrier to fulfilling the needs of the watershed.

In their 2024 annual report, HREMAC has outlined the ways that increased funding for the HREP would be used. This includes:

1. **Ensuring greater protections for fish in the estuary:** For over thirty years, HREMAC has called for the need for New York to take stronger action, in collaboration with other states and federal agencies, to reduce bycatch of Atlantic sturgeon, American shad, river herring, and other migratory species found in the estuary.
2. **Sustaining water quality and water ecosystem monitoring:** Current research conducted for ecosystem and water quality monitoring in the estuary rely solely on the Indian Point closure fund. Before this funding stream runs dry, it's essential that new, sustained, sources of funding are created to ensure the continuation of this critical data analysis work.
3. **Protecting infrastructure investments to improve water quality:** With emerging threats from Washington, D.C. on water infrastructure funding, State funding must be ramped up to meet the clean water goals outlined by the State and the City of New York, including NYC's goal to eliminate combined sewer overflows by 2060.

⁵ <https://www.riverkeeper.org/blogs/water-quality-blogs/more-than-2-billion-needed-to-fix-hudson-river-watershed-sewers/>

4. **Improving River Access:** In alignment with the Governor’s NY SWIMS initiative, increased funding for beach and swimming access will greatly benefit disadvantaged communities, while increasing tourism and economic opportunities throughout the region.
5. **Addressing new and emerging threats:** The Estuary faces a number of growing threats, such as PFAS contamination, road salt contamination, nutrient pollution, and landfill leachate dumping (in which water from landfills polluted with toxins, like PFAS, are dumped untreated into the Hudson and Mohawk Rivers), that threaten communities’ drinking water supplies and the health of our rivers. Increased funding must be provided to address these threats.

Grants awarded by the HREP greatly impact Riverkeeper’s work in advancing our mission to protect the Hudson River and its tributaries. Last year, Riverkeeper was awarded \$150,000 for our dam removal work that aims at restoring connectivity and removing barriers for Species of Greatest Conservation Need such as the American Eel and river herring. This project spans 12 Hudson River Tributaries, targeting dam removals in multiple regions. Riverkeeper also received another \$150,000 specifically towards the Kenwood Dam Removal in Rensselaer County. Finally, the \$59,543 awarded for our work on the Peekskill Hollow Brook will allow us to analyze nutrient sources and phosphorus contributions to inform drinking water quality and protection work in the region.⁶

In addition to the boost the HREP gives Riverkeeper, other 2024 HREP grantees are now able to fund accessibility infrastructure along the River, environmental education exhibits and classroom programs to enhance student stewardship, the expansion of free kayak programs in NYC, and to duplicate the Living Shorelines model in other regions. This totaled an incredible \$1.8 million in grants for 26 projects in the Hudson River Watershed.⁷

Similarly on the Mohawk, a funding boost would greatly benefit the region. Current funding for the MRBP is used to advance the goals of the MRBP’s 2021-2026 Action Agenda, which outlines five main areas for protection in the Mohawk River watershed: conserving fish wildlife and habitat; water quality improvement; flood hazard risk reduction; revitalizing communities sustainably; and supporting working landscapes in the watershed.⁸

Additionally, the MRBP collaborates with municipalities and nonprofits by allocating a portion of its state funding as grants to support projects that align with the goals of MRBP’s Action Agenda. In 2023, NYS DEC awarded \$600,000 in grants that greatly impacted the watershed and local communities, which included funding for Riverkeeper’s sampling and water quality monitoring work on the Mohawk River done in collaboration with DEC, SUNY Cobleskill, and SUNY Polytechnic. This funding not only advances our water quality work in the region, but provides invaluable learning and training to the next generation of water advocates and experts.⁹ With a \$500,000 million increase to the MRBP, the state could nearly double this program’s impacts in the region.

The SFY26 Budget provides a key opportunity for the state to push even more environmental funding out the door. The success of the HREP, MRBP, and their grantees only demonstrate the great needs that are met when the state funds these essential programs. The HREP and MRBP are valuable programs where funding directly reaches communities and must be given increased funding to match increasing needs.

⁶ <https://www.governor.ny.gov/news/governor-hochul-awards-18-million-grants-26-projects-hudson-river-communities>

⁷ <https://www.governor.ny.gov/news/governor-hochul-awards-18-million-grants-26-projects-hudson-river-communities>

⁸ https://extapps.dec.ny.gov/docs/water_pdf/mohawkrbaa2021.pdf

⁹ <https://dec.ny.gov/nature/waterbodies/lakes-rivers/mohawk-river-watershed/grants>

Continued progress requires growing funding, and we urge the Legislature to support the \$2 million increase for the Hudson River Estuary and Mohawk River Basin Programs, with a \$1.5 million increase to the Hudson River Estuary Program and a \$500,000 increase in Mohawk River Basin Program funding to be included in the final budget.

Oceans and Great Lakes Initiative - \$25 Million (EPF) - Increase by 2.5 Million

The Oceans and Great Lakes Initiative supports vital scientific research and management of fisheries in New York. We anticipate that analogous funding from the federal government will be rescinded and this funding will provide a critical backstop to protect our water resources and wildlife. Increasing the allocation to the program will support ongoing research and monitoring of fish populations in the Hudson River, including the ability of state agencies to upgrade technology such as the tags used to monitor the endangered Atlantic Sturgeon. Over the years, more state programs have been requesting project funds from this line, indicating that ***the Ocean and Great Lakes Initiative is oversubscribed and warrants a \$2.5 million increase.***

Water Quality Improvement Program (EPF): Maintain at \$22.5 Million

WQIP is, along with the Water Infrastructure Improvement Act, a key source of needed grants to support community investments in wastewater infrastructure. Significant Clean Water Infrastructure Act funds are spent via the Water Quality Improvement Program, but the terms of Water Quality Improvement Program grants are more favorable to communities, typically allowing for less local match and greater state investment per project. The funds should be allocated to the greatest degree possible based on statewide needs, to ensure all communities have access to this important funding source. ***Riverkeeper supports sustaining the Water Quality Improvement Program funding at \$22.5 million.***

Source Water Assessments (EPF - WQIP): \$5 Million

The EPF is a critical funding source for implementing the Drinking Water Source Protection Program (DWSP2) which provides critical support for communities to develop drinking water source protection plans.¹⁰ Communities across the state will benefit both from new plans, which identify risks to their water supplies, and plans to mitigate or eliminate those risks. For decades, New York and its communities have been under-invested in the planning and implementation of source water protection, and we have unfortunately seen the consequences as communities face drinking water pollution and health concerns as a result. **Outside of New York City's drinking watershed, Source Water Protection costs have not been assessed statewide.** We assume that most communities do not have costs estimated, and a survey could, at this stage, highlight the need to inventory at the local level so the state can plan its investments over the coming years.

The cost of treating or replacing public drinking water supplies, and of treating illnesses that result from drinking contaminated water far outweigh the cost of protecting drinking water at its source. ***Riverkeeper urges the Legislature to continue allocating \$5 million for Source Water Assessments to ensure the program is utilized to its maximum potential.***

¹⁰ <https://www.dec.ny.gov/chemical/115250.html>

III. Interstate Environmental Commission (IEC) - Restore Funding -Aid to Localities – Important for NYC and Downstate Members

The Interstate Environmental Commission (IEC) is a tri-state water and air pollution control agency protecting water quality in New York, New Jersey, and Connecticut. As set forth in the funding structure of Tri-State Compact of 1936, New York State’s portion of support to the IEC should be 45 percent– and the 2024-25 budget reached this target after years of under investment. For the IEC to receive annual CWA Section 106 funding of \$900,000 from EPA Region 2, a non-federal match of \$214,051 must be provided, which the IEC is requesting be provided by its three member states. Last year, the state appropriated \$96,600 in its budget, allowing the IEC to unlock their federal match.

However, in her Executive Budget proposal , the Governor cut IEC’s appropriation to \$41,600, which, if included in the final budget, would bar the IEC from being eligible to receive \$900,000 in federal funding. **For a modest investment New York gains significant federal funding, why put that at risk?**

This funding not only supports IEC’s work, but also benefits NYS agencies through their collaborative projects with the IEC. For example, since 2017, the IEC has worked with NYSDEC to expand their water quality monitoring volunteer collaborative for waters in the New York Harbor. This program supplements NYS DEC’s work by targeting areas which are not routinely monitored by regulatory agencies and other existing monitoring programs.

In addition to its work in New York Harbor, IEC continues to expand its monitoring initiatives in the Long Island Sound watershed, including pathogen monitoring, pathogen source trackdowns, and support for citizen science. Much of this work is made possible through additional federal funding provided by the Long Island Sound office of the EPA.

State appropriations are essential to enable the IEC to receive federal funding, which supplements the important work of NYSDEC, and yields New York a significant return on its investment. We genuinely appreciate your consideration of this request and your continued support of clean water programs in New York State. **We urge you to restore funding to the IEC to \$96,600.**

VI. NY SWIMS

Continuing to promote the opening of swimming beaches along the Hudson

Providing equitable access to places to cool off will be increasingly important in the years ahead, as the Governor rightly recognizes with the New York SWIMS initiative and her expressed continued support for this program in her State of the State Address. The Hudson River – with multiple potential beach sites¹¹ and community-driven efforts to restore or develop access for swimming – can benefit from this groundbreaking effort. It will require water quality improvements in some cases, projects to boost resilience to sea-level rise in others, and provisions to protect habitat disturbance in others, which can be funded through NY SWIMS grants

The Hudson is an ideal location for new swimming beaches, as many beaches exist, but are currently closed. Reopening these beaches presents an opportunity for the State to conduct water

¹¹ https://extapps.dec.ny.gov/docs/remediation_hudson_pdf/swimhudsonfearpt.pdf

quality, habitat, and resilience work— while creating a lasting positive impact for communities. The Town of Ossining, in Senator Harckham and Assemblymember Levenberg’s districts for example, wants to reopen a public bathing beach or river pool at Louis Engel Park along the Hudson River, but like many communities, struggles to navigate the labyrinth of red tape that impedes progress. Similarly, Sleepy Hollow, in Majority Leader Stewart-Cousins and Assemblymember Shimsky’s district, is not as far along as Ossining but there is strong interest in opening a beach or river pool in their community and Riverkeeper has engaged in recent discussions with their leadership. In both cases, communities had access to beaches at these locations on the Hudson River for decades up until the middle of the 20th Century. The River Pool at Beacon, too, has identified locations in Newburgh and New Windsor that may be suitable for new beaches or river pools. The City of Kingston in Senator Hinchey and Assemblymember Shrestha’s districts is home to Kingston Point Park Beach, one of four publicly accessible beaches along the entire reach of the Hudson River, received \$3.3 million in 2024 from the NY SWIMS initiative to develop a terraced coastal resilience project to protect Kingston Point Park and access to the beach.

Riverkeeper supports continued investments in the NY SWIMS program.

Conclusion

The environmental and clean water needs throughout New York State grow each year. While Riverkeeper was relieved to see most funding levels maintained in the Governor’s Executive Budget proposal, we urge the Legislature to fight for the necessary increases to these budget items to adequately support the growing needs of the state and combat emerging threats to our environment.

There are numerous projects and programs already demonstrating the incredible impact they can achieve with increased funding, and communities statewide—across all political affiliations—are voicing their support for these measures. Clean water is one of the most universally supported and unifying issues across the country. The history of the Hudson River reminds us that when clean water is at risk, people of all backgrounds rise to defend it. For the majority of New Yorkers, clean water is non-negotiable.

By prioritizing increased investments, New York can continue to lead the nation in demonstrating an unwavering commitment to protecting what matters most. Riverkeeper is encouraged by the strong support shown by the Legislature each year, particularly the partnership of the Environmental Conservation Committees in both houses.

We thank you for your consideration and for the opportunity to submit testimony.

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