

**Testimony of the Finger Lakes Land Trust
to the Joint Legislative Committee on Environmental Conservation**

**Senate Finance Committee Chair Liz Krueger
Assembly Ways and Means Committee Chair J. Gary Pretlow
Senate Environmental Conservation Committee Chair Pete Harckham
Assembly Environmental Conservation Committee Chair Deborah J. Glick**

January 28, 2025

Thank you for the opportunity to provide testimony on behalf of the Finger Lakes Land Trust (FLLT). The FLLT is a non-profit conservation organization that has worked with landowners and local communities to conserve more than 33,000 acres of significant open space across the Finger Lakes region and the Southern Tier. Our organization also works with partners to undertake ecological restoration projects to reduce runoff to our lakes while enhancing habitat for fish and wildlife.

The FLLT has forged strong partnerships with the Department of Environmental Conservation (DEC) as well as the Office of Parks, Recreation & Historic Preservation (OPRHP), and the Department of Agriculture & Markets. For the first two agencies, we have completed cooperative acquisition of key properties identified as priority projects in the state's Open Space Plan. The Land Trust has also received grant funding to complete projects from each of the three agencies.

In terms of Governor Hochul's proposed budget, I would first like to encourage the Senate and Assembly to consider supporting an increase for the State's Environmental Protection Fund (EPF) beyond the Governor's proposed allocation of \$400 million to \$500 million. This increase is needed to address critical issues such as the statewide impact of Harmful Algal Blooms and to keep pace with significant cost increases associated with land acquisition and construction projects related to watershed conservation and climate resilience.

The FLLT is right now proceeding with the following impactful land acquisition projects that rely on the EPF for funding:

- Skaneateles Lake watershed protection – the creation of a new public conservation area adjacent to the Village of Skaneateles will secure frontage on a key tributary to the lake while a pending addition to Bear Swamp State Forest features one of the largest wetlands in the watershed and an extensive trail system that is used by the public. Both of these acquisitions help ensure water quality within Skaneateles Lake – the unfiltered drinking water supply for Syracuse.
- Chemung River Greenbelt – the pending acquisition of a forested parcel along the river will expand public access in the Elmira area while ensuring floodplain resiliency and securing habitat for Bald Eagles and other wildlife.
- Bare Hill Unique Area additions – several pending additions to this popular state conservation area will secure steep wooded hillsides overlooking Canandaigua Lake – a site that is of special significance to the Seneca Nation.

An increase in EPF funding is needed to support these and other essential projects. The Water Quality Improvement Project program (WQIP), for example, is currently unable to meet growing needs to ensure water quality statewide. This program supports a variety of initiatives, including the protection of critical watershed lands as well as projects that mitigate stormwater runoff and address nutrient runoff from

agricultural lands. Additional funds are needed to address Harmful Algal Blooms and other threats to our drinking water supplies through these efforts.

The relatively new Forest Conservation Easements for Land Trusts program (FCELT) also needs a significant boost in funding. This program is implemented through an effective partnership between the NYSDEC and the Land Trust Alliance. Grants are made to non-profit land trusts to purchase perpetual conservation easements on privately owned forest land that plays an important role in sequestering carbon, maintaining water quality, and buffering public lands. The current funding level of \$3 million was only able to support five projects last year and there is far more demand for this program across the state. An increase to at least \$5 million is strongly recommended.

While the FLLT and other land trusts leverage these programs to achieve the state's environmental conservation goals, its efforts are impeded by the growing backlog of projects involving the state's acquisition program. The FLLT today holds 21 properties with a market value of more than \$4.7 million that are awaiting transfer to the State of New York and the Land Trust is under contract to acquire three more properties with a combined value of an additional \$1 million.

The Finger Lakes Land Trust is not alone. New York land trusts are currently holding over 100,000 acres of land that was acquired upon the request of the state with a market value of over \$150 million. For the past few years, the NYS land trust community has repeatedly asked the Governor and the Legislature to modernize the state's land acquisition process. The system is broken. In 2007, New York State purchased over 283,000 acres for parks and conservation. In 2023, the last year reported, DEC and OPRHP purchased a combined total of only 3,800 acres.

This slowdown is primarily due to three issues:

- The lack of adequate staffing at the Real Property Bureau and the Office of General Counsel at DEC and within the Real Property Bureau at the Office of the Attorney General;
- The state's current approach to property title review involves a higher standard than is typical in the private sector and does not include the acceptance of title insurance to resolve title issues.
- Streamlining of different aspects of the acquisition process is needed and could be done without compromising the integrity of the acquisition process.

Without action, this situation will only worsen with the pending release of additional acquisition funds from the 2022 Clean Water, Clean Air and Green Jobs Environmental Bond Act.

In her State of the State book, the Governor included a section called "Make Open Space Accessible for All:"

"Recognizing the need for streamlined processes, the Governor will also champion several key initiatives. These will include modernizing the use of title insurance to expedite land acquisitions, ...and reducing the financial hurdles faced by non-profit organizations in their land conservation efforts. These changes and investments will empower the state to more effectively protect our natural heritage for future generations."

Unfortunately, the proposed Executive budget failed to include significant remedies to resolve these longstanding issues. If Governor Hochul fails to fulfill her State of the State commitment in her 30-day amendments, we respectfully urge the Senate and Assembly to do so in their one-house bills.

All New Yorkers benefit from clean water, healthy foods, and easy access to outdoor open spaces. Our ability to provide these resources is increasingly challenged by climate change impacts and growing

development pressures. In order to achieve the state's conservation goals, a concerted effort is urgently needed to address the existing project backlog by resolving the title insurance, staffing, and process streamlining issues while providing additional funds for the EPF to meet growing demands upon the programs it supports.

Thanks very much for the opportunity to provide testimony here today.

Andrew Zepp
President