



Department of Environmental Conservation

**Testimony of
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**Before the New York State Legislature
Senate Standing Committee on Finance
Assembly Standing Committee on Ways and Means**

**Hearing on
The 2025-2026 Executive Budget Recommendations for the
Department of Environmental Conservation**

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Good morning, Chair Krueger, Chair Pretlow, Chair Hareckham, Chair Glick, and distinguished members of the Legislature, I am Sean Mahar, Interim Commissioner of the New York State Department of Environmental Conservation (DEC). Thank you for the opportunity to discuss Governor Kathy Hochul's environmental priorities for the Fiscal Year 2025-2026 proposed State Budget.

Two-thousand-twenty-four was a year of growth and change for DEC. We welcomed more than 400 new staff members while honoring the service of many long-standing employees. DEC's dedicated team consistently provided high-quality service to New Yorkers, particularly during a year of unprecedented natural disasters including historic rainstorms and flooding, the most tornadoes in a single year, and the largest wildfire in decades.

This year, DEC's diverse teams, including Environmental Conservation Police Officers, Forest Rangers, dam safety experts, and spill responders, played a crucial role in public safety and emergency response efforts statewide and nationally. This included assisting with Hurricane Helene in North Carolina, wildfires in Montana, and the ongoing deployment of 10 DEC Forest Rangers and wildland firefighters to combat the devastating wildfires in Los Angeles.

Thanks to Governor Hochul's leadership, and the partnership with the State Legislature, investments in the FY 24-25 Budget have yielded significant environmental progress and positioned DEC to respond to emergencies while continuing to advance nation-leading policies and programs to protect our water, air, and natural resources, and respond to the urgent threat of climate change. By leveraging the nearly \$1.2 billion in funding committed to date from the \$4.2 billion Clean Water, Clean Air and Green Jobs Environmental Bond Act, DEC and our State agency partners are advancing hundreds of projects across the state that are helping make our communities more resilient to climate change, improving water quality, conserving critical open spaces, enhancing recreational opportunities, protecting wildlife, and facilitating the transition to the clean energy economy of the future.

While we will soon be sharing DEC's annual report that provides greater details on these efforts, I want to share a few highlights of the incredible work our team accomplished in 2024, including:

- Promulgating regulations to implement the Freshwater Wetlands Act, which will safeguard an estimated one million additional acres of wetland habitat. DEC conducted extensive outreach to develop this rule, engaging stakeholders, developers, industry, and local governments, and is creating a workable program to balance the protection of wetlands with the need for development activities on the landscape. We will soon be releasing additional general permits to help ensure a more streamlined program for certain developments like renewable energy and affordable housing.
- Finalizing regulations to reduce emissions of two harmful pollutants – hydrofluorocarbons (HFCs) and sulfur hexafluoride (SF6) – which are extremely potent greenhouse gases. This year's State of the State helps support businesses in this transition by establishing a new grant program. This program will assist food banks and grocery stores in underserved areas with the installation of natural, low-emission refrigeration systems, ensuring compliance with new regulations and facilitating a smoother transition to more sustainable practices.
- Completing phase one of the statewide Community Air Monitoring Initiative, which collected and analyzed hyper-local air quality data in 10 disadvantaged communities across the state. The largest effort of its kind in state history was launched by the Governor in 2022 with the phase including creation of interactive "story maps" for each community that, working in partnership with communities, will shape future actions to address the findings and reduce air pollution.

- Achieving the milestone of 32 million pounds of food donated under the Food Donation and Food Scraps Recycling Law, an essential program to divert waste from landfills while feeding New Yorkers in need. Enhancements enacted in 2024 will further expand the benefits of this program.
- Establishing DEC's Office of Diversity, Inclusion, and Civil Rights, led by the first-ever Chief Diversity Officer, to help bring greater focus on diversifying the agency's workforce to better serve all New Yorkers.
- Graduating 26 new Environmental Conservation Police Officers and nine new Forest Rangers from our extensive six-month training academies, bolstering our ranks and our ability to protect New Yorkers and natural resources and enhance public safety.
- Releasing draft water quality guidance values to regulate phosphorus in New York State surface waters, a primary contributing nutrient to harmful algal blooms (HABs) and other water quality impairments.
- Investing \$42 million in the eastern Finger Lakes region and \$1.2 million to launch the Eastern Finger Lakes Coalition, to develop on-the-ground actions necessary to address the root causes of HABs and safeguard water quality.
- Delisting the Rochester Embayment Area of Concern (AOC) after decades of progress by DEC, the U.S. Environmental Protection Agency, Monroe County, and other state and federal partners to address waste and stormwater infrastructure, contaminated site remediation, and ecological restoration, leading to a remarkable recovery.
- Completing the comprehensive cleanup of the former Geneva Foundry site and neighboring properties in downtown Geneva, Ontario County, that included the removal of 94,000 tons of contaminated soil from this disadvantaged community through the State's Superfund and Brownfield Cleanup programs.
- Finalizing regulations to limit 1,4-dioxane in consumer products to protect public health and water quality and conducting multiple rounds of product testing to determine compliance with these new regulations.
- Securing conservation easements to protect 14,700 acres of Follensby Pond and the Raquette River Recreational Access in Franklin County, creating new opportunities for research and for New Yorkers to 'Get Offline and Get Outside' to enjoy the incredible Adirondack Park.
- Returning more than 1,000 acres of ancestral homelands in Central New York's Tully Valley to the Onondaga Nation, one of the largest transfers of its kind by any state to an Indigenous Nation.

This is just a snapshot of the progress DEC has made in the last year to protect and restore New York's environment. To help tell the story of these accomplishments, and the experts behind them, it was an honor to launch DEC's first podcast, "DEC Does What?!" This new tool is an example of how DEC is working to enhance communications with the people we serve by talking with the employees doing the work. Whether discussing the eclipse, mitigating climate change, cleaning up legacy pollution, or encouraging responsible recreation, listeners can tune in to learn something new and how team DEC is at the forefront of addressing the evolving environmental challenges facing the state.

The Governor's State of the State and proposed Executive Budget for FY25-26 build upon DEC's successes by providing the necessary investments and policies to help communities statewide adapt to and mitigate climate change, enhance water and air quality, and foster a thriving outdoor recreation economy. These initiatives ensure that all New Yorkers have affordable opportunities to connect with and enjoy nature.

Most notable is the Governor's unprecedented \$1 billion investment proposal in climate mitigation and resilience projects, the largest climate investment in state history, which marks a critical step towards a cleaner and more sustainable future. This landmark funding will accelerate the transition by prioritizing early investments in key areas, directly advancing projects crucial for New York's clean energy future

and maximizing the economic benefits of climate action to make progress toward the goals of the Climate Leadership and Community Protection Act. Funds will be strategically invested across agencies and economic sectors to develop infrastructure to support the next generation of renewable energy, support adaptation projects, clean transportation initiatives, thermal energy networks, and green infrastructure. In addition, the proposed Executive Budget includes the following significant investments and policies critical to DEC:

- Reauthorization of the State Superfund program, the “Inactive Hazardous Waste Disposal Site Program.” This essential program ensures the cleanup of the State’s most contaminated and challenging former industrial sites and helps put these sites back into productive economic use and must be reauthorized every 10 years. This year, the Governor and DEC have advanced changes to modernize the program to address emerging contaminants, enhance engagement with local communities, and better serve the state’s pressing economic and affordable housing development needs. To complement these enhancements, the Executive Budget proposes an increase to \$1.25 billion over 10 years for this vital program.
- In addition to the proposed \$1 billion in new spending toward the “Sustainable Future Program,” DEC will collaborate with our partners at the New York State Energy Research and Development Authority to continue the rigorous rulemaking process for a Cap-and-Invest program.
- To meet the State’s goal to conserve 30 percent of the state’s lands by 2030, the Budget includes measures that would remove burdens and help expedite the process of land acquisition for conservation purposes. Removing the requirement that conservation easement acquisitions be approved by the Office of the Attorney General (OAG) will help speed up the process, allowing more conservation easements to be approved while relieving burdens on not-for-profit land trusts acquiring land for open space purposes. DEC is also working with the OAG to streamline and modernize land acquisition through the use of title insurance in certain instances. This will also help expedite funding from the Environmental Protection Fund and Environmental Bond Act.
- To protect first responders from potential exposures to Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) and continue to remove these chemicals from products and the environment, the Governor included budget language to prohibit the sale of firefighting personal protective equipment that contain PFAS.
- To ensure access to safe and affordable drinking water for all New Yorkers, the Governor has proposed an additional \$500 million investment to support clean water infrastructure. This brings the total investment to over \$6 billion, supporting critical projects that upgrade vital infrastructure while creating jobs.
- Staff and resources were provided to set DEC up to implement the landmark Climate Superfund legislation, which shifts the financial burden of climate adaptation from taxpayers to the fossil fuel companies primarily responsible for the climate crisis. This law aligns with Governor Hochul's commitment to enhancing New York's resilience against extreme weather events, including the development of a comprehensive climate change adaptation and resilience plan

I am grateful to the Governor for recognizing the outstanding work of DEC and the commitment of additional resources and staffing for the implementation of our critical work. The Executive Budget recommends a staffing level of 3,371, including nine FTEs for the Lake George Park Commission and 3,362 for DEC. This is an increase of 58 FTEs over the 2024-25 Enacted Budget staffing level. DEC’s State Operations Budget is recommended at \$627.9 million from all funding sources. This is an increase of \$37.8 million from the 2024-25 Enacted State Operations Budget to accommodate negotiated salary increases essential for employee retention, support for critical new positions, and provide for the development of the Climate Superfund program.

Thank you for the opportunity to provide this testimony today. I look forward to continuing conversations throughout the 2025 Legislative Session and beyond. Our doors are always open.