



**Department of
Environmental
Conservation**

**Testimony of
Basil Seggos
Commissioner**

New York State Department of Environmental Conservation

**New York State Legislature
Senate Standing Committee on Finance
Assembly Standing Committee on Ways and Means
Hearing:**

**The 2020-2021 Executive Budget Recommendations for the
Department of Environmental Conservation**

January 27, 2020

Good morning, Chairwoman Krueger, Chairwoman Weinstein, and members of the legislative, fiscal, and environmental conservation committees. I am Basil Seggos, Commissioner of the New York State Department of Environmental Conservation (DEC). Thank you for the opportunity to discuss Governor Cuomo's environmental priorities for State Fiscal Year 2020-2021.

Two-thousand-twenty marks a celebration of our 50th year as a New York State agency following our founding on the first Earth Day in 1970. In the past five decades, DEC has led the transformation of the state from its polluted past. From remediating contaminated sites through the State Superfund and Brownfield Cleanup programs, to bringing the bald eagle back from near extinction, to acquiring tens of thousands of acres of land for the Adirondack and Catskill parks, to expanding hunting and fishing opportunities, to protecting New York state waters, to making the air breathable in our cities, and working to address the undue burden of historic pollution in Environmental Justice communities across the state, we have many accomplishments to celebrate. DEC is grateful for the decades of leadership and support from our partners in the state legislature in achieving so many critical environmental milestones.

However, our work continues in earnest. As the Governor forcefully articulated in his State of the State address, the planet is facing its gravest ever threat from human-induced climate change, and our time is running out. Left unmitigated, climate change will imperil the health of our environment, natural resources, agriculture, economy, and our way of life, putting future generations at risk. With President Trump's outright denial of climate change and his administration's continued assault on federal environmental protections, our commitment to environmental leadership and combating climate change has become even more critical and pressing.

Fortunately, our response has a powerful head start. By working together over the last nine years, we have made New York a national leader in reducing greenhouse gas (GHG) emissions. The Climate Leadership and Community Protection Act (CLCPA) of 2019 has now taken us to the next level by setting the most ambitious climate targets in the nation. But as the Governor stated, it is not enough to set targets, we must deliver real results. This year's proposed budget will deliver those results with a record \$33 billion over five years in investments to boost the pace of renewable energy development in the state.

We have also made important strides to improve environmental health and advance projects that are putting people to work protecting and cleaning up our environment, including:

- Announcing the release of the final selected remedy to fully contain and treat the Navy Grumman plume;
- Proposing or adopting more than a dozen regulations to reduce harmful air emissions and improve air quality, including regulations to substantially reduce emissions from "peaking" power plants, and regulations setting individual carbon dioxide emission limits on all power plants to ensure the phase-out of the state's two remaining coal-fired power plants this year;

- Aggressively investigating and remediating PFAS contamination that has the potential to threaten New York's water supplies, while ensuring communities have access to clean water;
- Launching REDI on our northern coast, a multi-agency initiative geared towards developing sustainable solutions to fortify infrastructure and mitigate future flooding while creating jobs, protecting communities, and strengthening economies;
- Commencing the second year of the largest artificial reef expansion in state history as part an ongoing initiative to develop a stronger, more diverse marine ecosystem and provide shelter for fish and other marine life off New York's shore;
- Implementing the Governor's Long Island Shellfish Restoration Initiative to improve water quality, restore shellfish populations, and bolster the economies and resiliency of coastal communities;
- Preventing harmful algal blooms with over \$180 million over two years in watershed protection;
- Directing the plugging of 90 orphaned oil and gas wells and successfully reclaiming a total of 57.6 acres at 9 abandoned mines;
- Filing a lawsuit against the U.S. Environmental Protection Agency for issuing a "Certificate of Completion" to General Electric Company (GE) for its removal of polychlorinated biphenyls (PCBs) from the Hudson River, despite evidence that PCB concentrations remained at high levels and that GE's cleanup was not adequately protective of human health and the environment;
- Launching the "Recycle Right" campaign in January 2019 in coordination with recycling professionals in the public, private, and not-for-profit sectors to educate the public on proper recycling;
- Banning plastic bags, which takes effect March 1st of this year;
- Enabling municipalities to tackle food waste in their communities through a \$2.4 million grant program for food waste reduction, food donation, and food scraps recycling projects;
- Awarding nearly \$3 million to 22 community-based organizations that address environmental and public health concerns in Environmental Justice areas throughout New York;
- Launching a sustainable tourism initiative in the Adirondack High Peaks, including the creation of the Strategic Planning Advisory Group to examine and constructing new sustainable trails to Mt. Van Hoevenberg and Cascade Mountain; and
- Opening the Frontier Town Campground, Equestrian and Day Use Area in the Town of North Hudson, which serves as a gateway to the Adirondacks and was designed to provide accessibility to people of all ages and abilities.

This is just a snapshot of some of our accomplishments in the last year.

I am proud to say that the Governor's 2020-2021 Executive Budget Proposal promises another banner year for the environment. It builds dramatically on DEC's 50-year tradition of robust environmental protection and sets a high bar for the next 50 years.

Central to the Governor's vision for the coming year and beyond is the creation of a \$3 Billion "Restore Mother Nature" Bond Act to advance strategic investments in projects that fortify

natural habitats and prevent flooding statewide. This initiative will provide critical funding to support investments in nature-based projects to restore and protect water quality, minimize flood risk, address harmful algal blooms, and strengthen natural infrastructure to foster resilient, healthy communities. In addition, the budget includes policy changes to enhance protection of freshwater wetlands in the state by improving DEC's ability to regulate these important aquatic habitats.

To help improve waste management, the Executive Budget advances legislation to ban single use and packaging expanded polystyrene products. Building on the progress of the plastic bag ban, the Governor proposes legislation that would ban the sale, use, and distribution of expanded polystyrene single-use food containers, as well as packing peanuts, by January 1, 2022. To address other types of waste permeating our landfills, the budget also proposes legislation to create product stewardship programs for two difficult-to-manage consumer products, carpets and mattresses. In addition, the budget develops a framework through which DEC can recommend additional products to be added to a statewide takeback program.

The budget also proposes important programmatic changes to the well plugging and site reclamation program by enhancing DEC's ability to quickly and efficiently plug orphaned or abandoned wells. When left unchecked, these wells become hazardous to public health and safety and can become a source of environmental contamination.

This year's budget also continues the Governor's \$3 billion investment in clean water infrastructure projects enacted in last year's budget by allocating an additional \$500 million in grant funding for clean drinking water and wastewater infrastructure.

In addition, we propose to maintain the Environmental Protection Fund (EPF) at \$300 million. The EPF provides essential resources for open space protection and access, climate change mitigation and adaptation, environmental justice programs, farms, and recycling.

To support all these initiatives, DEC's budget for the coming year recommends State Operations appropriations of \$464.7 million—an increase of \$5 million—and a Capital Budget totaling \$7.3 billion. The budget increases DEC's staffing to 3,162 employees and provides \$55.25 million in NY Works funding for infrastructure projects across the state. This commitment will allow DEC to continue to fulfill our mission of ensuring the health, safety, and accessibility of our environment.

I look forward to working with you all in the coming year as we advance this ambitious agenda.