



**Testimony of the Adirondack Council at the
 Joint Legislative Public Hearing on the Environmental Conservation
 Portion of the Executive Budget Proposal for Fiscal Year 2019-2020**

January 23, 2019

Good afternoon Chairwoman Krueger, Chairwoman Weinstein and honored legislators. My name is Kevin Chlad, and I am the Director of Government Relations for the Adirondack Council.

The Adirondack Council is a 501 (c) 3 not-for-profit organization dedicated to ensuring the ecological integrity and wild character of the Adirondack Park. We do not accept any public funding. We envision an Adirondack Park with clean water and air, healthy and abundant wildlife and large wilderness areas, surrounded by working farms and forests and vibrant communities.

We offer the following testimony in response to the Governor’s proposed Executive Budget.

About the Adirondack Park

The Adirondack Park is a National Treasure, and we have it right here, in upstate New York. **At 6.1 million acres, it is the largest park in the contiguous United States. The Park itself is ecologically significant, in that it is the largest intact temperate deciduous forest in the entire world.** With over 2,800 lakes and ponds, and 1,500 miles of rivers that are fed by an estimated 30,000 miles of brooks and streams, the Adirondacks are an important source of clean water, a refuge for wildlife, and a sponge for greenhouse gases like carbon dioxide.

The park is a patchwork quilt of public and private lands, with slightly more than half in private ownership and the remainder consisting of ‘forever wild’ Forest Preserve lands, protected by our state’s constitution. This is the strongest conservation law in the world, and something New Yorkers take great pride in. The Adirondack Park Agency (APA), with a staff of 54 people and an 11 member board, provides oversight of the administration of the Forest Preserve, and oversees long range planning for the private lands of the Park. The Department of Environmental Conservation (DEC) is tasked with the care and custody of our Forest Preserve, and protect the public who use these lands for hunting, fishing, respite and recreation. With roughly 130,000 year-round residents in more than 100 communities, the park is a source of business and culture as well: arts, craft making, sports, hunting and fishing, farming, forestry and other entrepreneurial efforts merge with the park’s spectacular setting to create a place that is truly special.

Protecting our “Forever Wild” Forest Preserve

Thanks to recent tourism promotion efforts, more than 12 million people are visiting our Adirondack Park every year, up 2.4 million from 2001. In that time, the staffing and resources have not increased, despite this increase in use. New York State Rangers are now averaging nearly one search and rescue mission per day, often involving many Rangers at one time, when someone has an injury and needs to be carried out. While news stories have highlighted busy weekends in which Cascade Mountain in the High Peaks Wilderness hosted more than 1,000 hikers on its summit, this problem is far more widespread than a couple of hot spots in that region. While we celebrate success in the growing popularity of our Park, the impacts of this overcrowding trend are being felt, with negative impacts to wildlife and water quality, greater risk for those who visit, and a declining “wilderness character” which makes our Adirondack Park so unique.

New Yorkers own more than 2.5 million acres of Forest Preserve in the Adirondacks, equaling twice the acreage of the entire state of Delaware, and with that comes a great responsibility. With staffing shortages at the DEC, and increasing constraints on the resources that support their management efforts, the very talented and hard-working state lands staff are stretched incredibly thin. We applaud Governor Cuomo’s State of the State proposal to make New York State a premier eco-tourism destination, to address high use. A number of the Governor’s budget proposals can help achieve this goal, if approved and implemented correctly. The Governor has proposed adding five operations employees in support of “Frontier Town” at Exit 29 on the Northway. Ultimately, our New York State Rangers, land managers and planners need your help in preserving the waters and wildlands of the Park, with additional staffing, non- personal service funding and capital funding.

The Adirondack Council supports the Governor’s newly proposed \$10 billion *Green Future Fund*, and urges the legislature to dedicate \$500 million of the \$2 billion for “Parks, Public Lands, and Resiliency” to the Adirondack and Catskill Parks over its lifespan. Environmental groups and local government leaders of the Adirondacks stand together in calling upon the state to address natural resource impacts, visitor safety, and the decline of the wild character of our Park, and this dedicated funding source can accomplish those aims. In the High Peaks Wilderness alone, the Adirondack Council has identified more than 130 miles of trail in need of repair or complete redesign. These trail projects will mitigate significant erosion, sedimentation, and public health safety issues that currently exist. Funding can also support educational efforts to teach the traveling public to be safe and tread lightly.

The State Land Stewardship (SLS) budget line in the Environmental Protection Fund is an essential funding source which makes it possible for New Yorkers to more fully and safely enjoy our public lands and parks. SLS funding supports professional trail crews, summit stewards, Student Conservation Association work, and the construction and maintenance of the state facilities and recreational infrastructure that act as an economic driver in much of the state. We appreciate and support the Executive proposal to increase this line to \$33.7 million this year, and urge the legislature to grow this appropriation, with a dedicated subcategory for wilderness-based management. Forest Preserve lands that are classified as “Wilderness” pursuant to the Adirondack Park State Land Master Plan are largely managed using non-motorized/ non-mechanized techniques. While Wilderness stewardship can

mean that more handwork and primitive techniques are employed, the intangible rewards are priceless. New York has the largest and most pristine Wilderness areas in the Northeast, and they exemplify the spirit of our Adirondack Park.

The Governor has proposed to increase NY Works monies for DEC in this year's budget to \$55.25 million, up \$15.25 million from last year. If approved, those funds will, "improve access to State lands, rehabilitate campgrounds, and upgrade its recreational facilities, all as part of the Adventure NY program. This funding will also provide for health and safety repairs to State infrastructure, including dams, wetland restoration, State lands, and fish hatcheries. We support the continued funding of NY Works programs as a complementary effort to address the challenges of overcrowding.

Stewardship challenges extend well beyond the growing issue of overcrowding. **The 2017 NYS Ranger Report cited illegal ATV use as "the most problematic activity" taking place on state lands, continuing a trend of the last three decades. To combat this threat to clean water, wildlife, solitude and user conflict, we should seize the opportunity this year to protect our Forest Preserve lands from ATV trespass.** This would provide our Rangers and Environmental Conservation Officers with the tools they need to keep the public and our natural resources safe.

Fighting Climate Change

This is the year to make a major leap forward in the fight against climate change, and the Adirondack Council is looking forward to being your partner in making this happen. While the White House had taken major steps in the wrong direction, New York State will lead the way. The Adirondacks will offer a significant and unique contribution to New York's fight against climate change, and will stand apart from other regions of the state in that regard. Based on the conservative estimates of a 2009 greenhouse gas inventory, the forest biomass and soils of the Adirondack Park contain roughly one-quarter billion metric tons of carbon. Net sequestration rates into aboveground biomass in the Adirondack Park are roughly 600,000 metric tons of Carbon Dioxide equivalent per year. **The Adirondack Park stores 113 times as much carbon as it emits each year.**

The Adirondack Council applauds the Governor's proposal of a *Green New Deal*, and urges the legislature to ensure that this program delivers on the promise of 100 percent clean power by 2040. In delivering on this promise, details will matter. The Governor's Article VII legislation (**TED – "Climate Leadership Act" – Part X, page 240**), compels the "Climate Action Council," comprised of Agency heads and other workforce, environmental justice, and clean energy experts, to develop a "Climate Action Roadmap," which would guide our state to carbon neutrality. In this section, **"Clean Energy Sources" would be defined to include, "biofuels that are determined by the commissioner of environmental conservation to be carbon neutral."** \$200,000 in funding has also been provided to the Wood Products Development Council under the Climate Adaptation account of the Environmental Protection Fund.

Carefully managed forests can absorb and store more carbon dioxide than is produced by harvesting, processing and burning the fuel. Forest harvest levels across the Park must be balanced so that the carbon equation does not forsake harvest limits in favor of the unchecked burning of biomass. Essentially,

biomass should come from forests certified for sustainable harvesting and should result in decreased net carbon emissions, short term and long term. **Please ensure that any consideration of including biomass as clean energy source require rigorous scientific analysis and subsequent reporting to the legislature after an initial review.**

The Adirondack Park has recently experienced a dramatic uptick in clearcutting practices. **Since 2013, more than 6,500 acres of Adirondack Park Agency-defined clear-cut permits have been issued in the Park.** Currently, the Adirondack Park Agency does not consider the cumulative impacts of those clear-cuts. It should be recognized that on some limited percentage of private forest land what the Adirondack Park Agency defines as a “clear-cut” might be a smart and scientifically desirable forest management practice. It should also be recognized that large or extensive clear-cutting would have negative impacts on the wild character of the Adirondack Park. The Adirondack Park Agency should work with all stakeholders to update its definition of clear-cutting and do a cumulative impact analysis of such cutting on the wild forest character of the public and private lands in the Adirondack Park and determine and set appropriate limits.

The Adirondacks can serve as a model large scale public-private conservation landscape combating climate change. This cannot be accomplished without careful consideration of the long term impacts of new state climate policies. **We recommend the state adopt the following policies in fighting climate change and promoting renewable energy in the Adirondacks:**

1. Defend “Forever Wild” (Article XIV of our State Constitution) and intensify carbon sequestration efforts on private forests
2. Maximize energy conservation and end use efficiencies
3. Base decisions on science
4. Encourage renewable energy development through comprehensive regional, local and state planning and zoning to accelerate developments in a manner that is consistent with other land use goals.
5. Minimize visual impacts on scenic vistas, and preserve the wild forest character of the Adirondacks through careful siting. Allow the Park to provide for its own energy needs, but do not look to the Adirondacks to be a significant net exporter of energy. The Park’s economy depends on its wild character.
6. Renewable energy projects can and should deliver local economic benefits to Park residents and communities. Projects should help keep local energy costs low.
7. Mitigate environmental impacts with best available technologies. Build in flexibility to accommodate advances in science and other changes.
8. Encourage stakeholder and community participation in and benefits from clean energy and climate smart programs; support public education of renewable energy benefits.
9. In sum, individual projects and the cumulative impact of multiple projects should support and advance the protection of the ecological integrity and wild character of the Adirondacks.

Preserving Clean Water

Recent years have brought great attention to New York State's challenges with failing and degrading water treatment infrastructure, and the Governor and Legislature have responded, to the delight of environmental groups, local governments and residents. The impacts of failing wastewater systems and failing septic systems has been far reaching – from closed beaches to impaired trout streams to threatened drinking water resources. The challenges local Adirondack governments face to take on these needs are enormous from a technical and operational basis as well a fiscal basis. Small Adirondack communities host disproportionately large numbers of visitors, requiring funding that their residents cannot afford.

During these four rounds of NYS's clean water program, over \$53 million in grants have been coupled with over \$91 million of State Revolving Loan Funds low interest financing for the balance of the project costs. These loans have leveraged the capital grants and made possible for a total of \$144,964,617 in clean water and drinking water infrastructure improvement projects in the Adirondack region since 2015. Even with these grants and this financing in place, the Adirondack Council's past reports on Clean Water Infrastructure projects in the Adirondack Park coupled with updated discussions with local communities estimate at least \$100 million in additional needs for wastewater treatment plants, septic systems and drinking water facilities.

The Adirondack Council supports the continuation of the existing \$2.5 billion appropriation, as well as Governor Cuomo's commitment to an additional \$2.5 billion this year. With this new money, the Legislature should work with the Governor to:

- 1. Establish an Adirondack Clean Water Fund of \$100 million, over the life of the new \$2.5 billion commitment. This fund would be used to close the gap for Adirondack hardship communities.**
- 2. Close the gap between the cost of clean water infrastructure projects and the amount Adirondack communities can actually afford by approving legislation to remove the Environmental Facilities Corps cap on clean water grants covering no more than 25% of a project's total cost.**

Funding Science in the Adirondacks

Adirondack Lakes Survey Corporation (ALSC) was established in 1983 "to monitor changes to natural ecosystems of the Adirondack Mountains with a focus on water quality, atmospheric deposition, fish surveys, and other biological and chemical studies for the benefit of regulatory agencies and the general public." ALSC's primary goal is to undertake comprehensive surveys of Adirondack waters related to water quality and the effects of acid rain and climate change. **Data collected and analyzed by the ALSC has been, and continues to be, crucially important for the development of both State and Federal policies on emission control and air transport regulations.**

ALSC and partners propose to undertake a new survey of Adirondack waters. **Working with institutions across the Adirondack Park, this new survey would be comprised of a three-year \$6.4 million project to obtain a comprehensive understanding of the current state of Adirondack lakes with**

respect to their exposure to climate change, acidification, nutrient enrichment, invasive species, and salinization. Just as with the original Adirondack Lakes Survey, the data collected will spur new research into Adirondack ecosystems and how best to manage and protect them for decades to come.

Environmental Protection Fund

We urge the legislature to fund a \$300 million appropriation or greater for Environmental Protection Fund (EPF). The EPF is the cornerstone of capital funding for New York's environment, supporting efforts to protect open space, provide clean water, and support vibrant communities and their working farms and forests. A study by the Trust for Public Land found that for every \$1 invested by New York State in the EPF, \$7 in economic benefits are returned to communities.

We applaud the state's continued increases in annual EPF disbursements, which demonstrate both the overwhelming demand for this funding, as well as the state's ongoing commitment to protecting our environment. As you consider the breakout of the EPF this year, we would like to draw your attention to a couple of critical programs:

Open Space Protection

For the Adirondack Park, one of the most important funding sources is the Open Space Protection funding line in the EPF. The state recently completed the acquisition of 69,000 acres of land formerly owned by The Nature Conservancy and Finch, Pruyn & Co. constituting perhaps the greatest single land purchase the state has ever made, and demonstrating the magnificent power of the EPF. **Please continue funding open space protection at robust levels, to protect water quality at its source and to increase our state's resiliency in the face of climate change.**

Protected and well-managed private lands are widespread and a critical component of the Park's ecosystem. Land Trusts around the state are keeping large landscapes whole by purchasing conservation easements, making land holding more affordable for the owner, while opening up lands to public recreation uses. Because of this, **we support the proposed \$2.5 million in funding for the Land Trust Alliance Conservation Partnership subcategory in the Open Space Account.**

Invasive Species

The Adirondack Council proposes that the Legislature increase the Executive Budget proposal of \$13.3 million for invasive species to \$16 million. This increase in funding will support the strengthening of invasive species prevention statutes that are set to expire this year. EPF funding has supported an invasive species prevention strategy in the Adirondacks in recent years, and while that effort has had success in slowing the spread of aquatic invasive species (AIS), boats continue to drive by the washing stations. **To maximize benefits of the state's investment in AIS prevention, boat washing requirements should be strengthened and made permanent this year.** Additional boat washing and inspection stations may be required to ensure that coverage for our nationally significant park is complete. The mandatory boat washing

program on Lake George serves as a shining example of the fact that a strengthened program can be implemented in an access-friendly and cost-friendly manner.

A recent study conducted by The Nature Conservancy concerning the impacts of invasive species estimated that the potential direct economic impact from only eight invasive species that were evaluated could range from \$468 to \$893 million. Spending money now will save the state countless millions of dollars in the coming decades. Our abundant water resources paired with high visitor rates put the Adirondacks at the epicenter of the aquatic invasive species epidemic.

Visitor's Interpretive Centers (VICs)

We applaud the inclusion of \$180,000 for Paul Smith's College and \$120,000 for the SUNY School of Environmental Science and Forestry, in the Governor's Executive Budget proposal, in support of their management of the Adirondack VICs. While previously owned and operated by the state, these educational institutions took over the management of these facilities at a time when the state's coffers could not support this vital resource to residents and visitors alike.

The VICs offer roughly 30 miles of trails, including more than 9 miles of interpretive nature trails, showcasing the natural beauty of the Adirondack Mountains and providing unparalleled opportunities to view, hear, photograph, and enjoy nature. Many of the trails are surfaced for easy walking, and have trail-side signs explaining natural and man-made features of the landscape. The trail systems traverse every habitat type found in the Adirondack Park (with the exception of alpine vegetation) and include extensive boardwalks through wetland ecosystems.

With more imminent financial pressures facing each of these educational institutions, the success of the VICs are once again threatened. **We urge the legislature to accept the Executive budget proposal to once again fund the Adirondack VICs in the EPF.**

Adirondack Diversity Initiative

The Adirondack Park continues to suffer from multiple countervailing forces, which, if left unchecked, could further harm regional socioeconomic and cultural development. Largely rural, white, and laced with vast pockets of poverty, the Park finds itself in a compromised position. Facing a higher than average median age (8 years older than NYS), declining school enrollment and overall population decline the future of the Park is in jeopardy.

To ensure the longevity and sustainability of the Park and make the Adirondacks a more welcoming and inclusive community, we and others are advocating for a \$250,000 appropriation for the Adirondack Diversity Initiative. Funding for this initiative would support efforts to conduct six diversity training sessions per year, grow the number of affiliate groups from twenty to thirty within two years or less, increase the visitation and diversity of visitors fivefold and conduct six presentations at local chamber of commerce meetings in the next year.

Adirondack Park Agency (APA)

Nine years ago, the APA had a staff of 72. **This year, the Agency has 54 employees and the Executive Budget does not propose to increase that number.** It is worth noting that there was a minor increase in operations funding, which is appreciated. We have real concerns that the current staff lack the necessary capacity to carry out the Agency's functions, such as long-range planning, site visits and permit reviews, community and applicant outreach and proactive enforcement of regulations. Without being able to replace critical positions, the APA will continue to face difficulties keeping up with permit timelines and will lack the resources to incentivize compliance with their regulations.

The APA is one of our smallest state agencies, but carries a mission the Legislature established as vital for the entire state – *the protection and preservation of the natural resources and wildness of the Adirondack Park.* **We request that two additional staff be added to the Adirondack Park Agency (APA), one for planning and one to enhance the rate of permit review, improve permit compliance assistance and to ensure that permit applicants receive a thorough and timely review of their proposed project.**

Olympic Regional Development Authority

The Governor has proposed an additional \$70 million for upgrades at Whiteface, Gore and Belleayre mountains, including funding for “year-round attractions.” The Adirondack Council supports this appropriation if the funding goes towards rehabilitation/ upgrade efforts that are found to comply with the “Forever Wild” provision of our State’s Constitution.