

**2022 Joint Legislative Budget Hearing  
Environmental Conservation**

**Testimony of  
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**Introduction**

Thank you Senate Finance Committee Chair Krueger, Assembly Ways and Means Committee Chair Weinstein, Ranking Members Senator O'Mara and Assemblyman Ra, and members of the Joint Legislative Budget Committee, for the opportunity to present Scenic Hudson's perspective on Governor Kathy Hochul's Executive Budget Proposal for the 2022-2023 fiscal year.

Scenic Hudson preserves land and farms and creates parks that connect people with the inspirational power of the Hudson River, while fighting threats to the river and natural resources that are the foundation of the Hudson Valley's prosperity. Our work is making the Hudson Valley a model for responding to climate change – the greatest environmental threat of our time – and providing the people of the Hudson Valley with the tools and support they need to strengthen their communities.

I would like to congratulate the Legislature on a job well done last legislative session. Despite the challenges posed by the COVID-19 pandemic, your collective work secured important investments in parks capital projects, clean water infrastructure, and the Environmental Protection Fund (EPF). You also passed the Soil Health and Climate Resiliency Act with unanimous support in both houses, and recommitted to the Environmental Bond Act.

The year ahead presents many exciting environmental opportunities that are equally visionary and groundbreaking. Scenic Hudson encourages the Legislature to:

- Increase the Parks Capital Fund to \$300 million to address backlogged maintenance and new park opportunities,
- Support the Governor's proposed \$400 million Environmental Protection Fund, with particular focus on the Municipal Parks, Climate Resilient Farms, Soil and Water Conservation Districts, Open Space, Farmland Protection, Hudson Estuary Management, and Environmental Justice programs,
- Support the \$4 billion Clean Air, Clean Water and Jobs Bond Act, and
- Engage with and pass Article VII legislation related to agricultural tax credits, brownfields, the bond act, the Environmental Protection Fund and the freshwater wetlands regulatory program.

These investments and policies are necessary to advance the Climate Leadership and Community Protection Act, leverage federal funding, address environmental justice, and address public infrastructure and public health needs through win-win park and trail development projects.

## **Parks Capital Funding**

### *Increase Parks Capital Fund to \$300 million*

The Governor has proposed a \$200 million parks capital fund, representing a \$90 million increase. While this increase is welcome, we note that it is insufficient to address the current need for improvement to capital projects in our state parks system and advance new projects. We respectfully request that the Legislature increase funding for parks capital projects to \$300 million.

Examples of projects that can be advanced with \$300 million in funding:

### *Hudson Highlands Fjord Trail - \$35 million in state funds requested*

The Hudson Highlands Fjord Trail, Inc., a not-for-profit subsidiary of Scenic Hudson, is making an unprecedented private investment in New York State park infrastructure to create a 7.5 mile linear park from the Village of Cold Spring in Putnam County to the Beacon Waterfront in Dutchess County. Yet, \$35 million in state funding is necessary to achieve this goal.

This infrastructure project is necessary to address long-standing safety issues at Breakneck Ridge, one of the most popular day hikes in America and a key feature of Hudson Highlands State Park. Located on the border of Dutchess and Putnam Counties, and one hour by train from Grand Central Station, Breakneck attracts thousands of hikers throughout the year seeking the inspirational views of the Hudson River and Highlands. The popularity of the destination has come with significant safety and traffic hazards, due to the convergence of hikers parking their cars along the side of the road, which has no shoulders or designated parking areas, hundreds of Metro-North passengers streaming off trains, and through-drivers on Route 9D, a 55 MPH state highway. One hiker died when hit by a train in 2019, and automobile accidents are frequent. In addition, the current setting has almost no park and recreational facilities, relying on portable toilets; there are no trash receptacles or shelter for park rangers and volunteers offering hikers information about routes and safety measures. The existing Metro-North whistle-stop and train platform is crude and insufficient to absorb its current level of use. Finally, a NYC Department of Environmental Protection (DEP) aqueduct facility is located adjacent to the site, playing a critical role in the transport of drinking water from Catskills reservoirs to New York City, but it is currently inaccessible by vehicle for DEP staff.

Development of the Hudson Highlands Fjord Trail linear park will resolve these issues; however, New York State must be a stronger financial partner for the initiative to advance. A \$35 million allocation from the Parks Capital Fund will address this need. It will transform this dangerous section of the Hudson Valley into a gateway destination, add 145 parking spaces, create a connector trail from the train station to the trailhead, new restroom facilities, seating and other amenities, a shelter for park rangers and volunteers, and a new upgraded Metro-North train station and related safety improvements. In addition, a beautiful new bridge will provide safe passage for hikers and bicyclists over the railroad tracks to the water's edge. Here, the Fjord Trail will eventually extend all the way to the village of Cold Spring to the south, while also allowing NYCDEP vehicular access to maintain its water infrastructure.

This unique public-private partnership between the State Parks Department (OPRHP) and the Hudson Highlands Fjord Trail (HHFT), a private not-for-profit subsidiary of Scenic Hudson, with partners including Metro-North, the New York City Department of Environmental Protection, Dutchess and Putnam Counties, and others, is anticipated to begin construction in the winter of 2022, at a cost of \$86 million. NYCDEP has pledged \$14 million for construction of the vehicular access bridge, leaving New York State and Scenic Hudson/HHFT to cover the remainder of the cost.

The Hudson Highlands Fjord Trail has produced a short 4.5 minute video of the proposed work that you can view here:

[https://www.dropbox.com/s/clj1xm4pdb6dm7q/211217\\_HHFT%20Walkthrough.mp4?dl=0](https://www.dropbox.com/s/clj1xm4pdb6dm7q/211217_HHFT%20Walkthrough.mp4?dl=0).

### *Harriman State Park*

State Parks in the Hudson Valley remain extremely popular destinations for park goers from New York City and surrounding areas, with Harriman State Park drawing nearly 3 million annual visitors. These visitations are welcome for the quality of life benefits they provide for visitors and the economic benefit to Hudson Valley communities, but they can only endure through sustained capital investment.

Harriman State Park is home to Lake Sebago Beach. Formerly a popular swimming destination, the lake and beach have been closed for over a decade due to damages caused by hurricanes Irene and Lee. According to an October 2021 article in the Rockland News, “the beach’s decade-long closure has resulted in overcrowding in other parts of the park, especially as locals have sought outdoor recreation to battle the effects of pandemic isolation.” New capital funds are needed to address the needs at this site and transform it into a multi-season destination for local residents, and visitors from communities in New York City, including from state mapped Environmental Justice Areas.

These two examples from the Hudson Valley tell the story of a well-established need in our state parks system. Scenic Hudson supports calls for a higher level of investment in infrastructure maintenance and improvements at these sites and others across the state.

### **The Clean Water, Clean Air and Green Jobs Environmental Bond Act**

#### *Support for the governor’s \$4 billion proposal*

Scenic Hudson supports the Governor’s proposal to increase the Environmental Bond Act to \$4 billion in the coming year. This measure will support the capital improvements and enhancements necessary to address the impacts of climate change and increased demand for recreational and environmental justice opportunities throughout the state.

Scenic Hudson requests that the additional \$1 billion proposed by the Governor be applied to Bond Act categories outlined in last year’s budget, with a particular focus on advancing the recommendations of the Climate Action Council and advancing the development of new parks and trail infrastructure projects.

Examples of initiatives that can advance through the Bond Act:

*A new state park in Kingston:* In late 2021, Scenic Hudson completed its sale of the tentatively named Hudson Cliffs State Park to the Office of Parks, Recreation and Historic Preservation. This 520-acre waterfront destination in Kingston, Ulster County, located on the 750-mile Empire State Trail, will provide residents of the city with new opportunities for recreation, exercise, and related economic development. Bond Act funding will support development of park amenities and infrastructure at the site.

*Sea level rise and flood resilience:* Over the past century, the Hudson River has risen approximately 3-feet. Conservative estimates are that it will continue to rise 6-feet by the end of this century. Approximately 12,200 people live in flood-prone areas in the valley, and 13,000 acres of freshwater tidal wetlands and shallow areas that provide critical breeding habitat for birds and fish are at risk of being lost if no action is taken. Bond Act funds will help support local communities that are working to adapt local land use policies to these challenges, informed by Scenic Hudson’s online Sea Level Rise Mapping tool.

*Farmland and Hudson Valley Foodshed conservation:* The demand for fresh, local food in New York City, the Hudson Valley and around New York State remains high. Bond Act funds will support efforts to protect the land base that allows farming to thrive, enabling access to new markets and local economic growth. This effort is consistent with federal and state discussions to establish a goal of conserving 30% of open spaces by 2030 (“30 by 30”), and Scenic Hudson’s Hudson Valley Foodshed Conservation Plan.

*Climate Resilient Farming and soil health infrastructure:* Advancing regenerative agriculture and carbon farming practices are increasingly recognized as strategies to address climate change. The Legislature’s unanimous passage of the Soil Health and Climate Resiliency Act in 2021, coupled with bond act funding for related infrastructure and related categories of the Environmental Protection Fund, provide a path forward to achieving the natural resource management goals of the State’s Climate Action Council.

## **The Environmental Protection Fund**

*Support the governor’s proposal of a \$400 million appropriation*

The Legislature and the Governor have recognized the value and benefits of the Environmental Protection Fund (EPF) by maintaining a \$300 million appropriation since 2016. The EPF is one the state’s foremost mechanisms to invest in projects and initiatives that protect our natural resources for future generations while making our communities more resilient to climate change.

Scenic Hudson and its partners in the New Yorkers for Clean Water and Jobs Coalition are advocating for a plan to grow the EPF to \$500 million by 2025. This year, with demand for EPF funds at an all-time high, and the impacts of climate change and a global pandemic reaching close to home in every community across the state, we thank the Governor for her historic proposal of a \$400 million EPF and request the Legislature’s support. Scenic Hudson supports calls by environmental justice organizations to ensure that funding from the EPF is equitably distributed.

*Requests for individual EPF line items and programs*

- **Municipal Parks**

The Governor has acknowledged the need to invest in parks, trails and shared spaces through her proposed increase to the EPF program for Parks, Preservation and Heritage Grants Program (Municipal Parks) to \$26 million. Scenic Hudson requests that the legislature fund this line item at or above the proposed level. In addition:

- Included in the Governor’s budget proposal for the Municipal Parks program is a \$3.5 million allocation “to Scenic Hudson for the Westchester Riverwalk.” Scenic Hudson supports this proposal, and respectfully requests that the language be amended to read “to Scenic Hudson, **Inc.** for the Westchester Riverwalk.” [emphasis added]

Years ago, in the Village of Tarrytown, construction of the former Tappan Zee Bridge inadvertently cut off a large portion of the community from the Hudson River, and forced many local residents wishing to access surrounding services including the Tarrytown Metro-North Station by foot or bicycle onto highly-trafficked streets. Fortunately, local partners, including Scenic Hudson and the Village of Tarrytown, are rallying to reestablish public access to the waterfront by connecting two stray ends of Westchester County’s Riverwalk Trail. Filling this 0.9 mile gap will open up new opportunities for local residents to walk and bike to work, families to enjoy a stroll along the river or visit to a neighboring historic site, and visitors to spend their money on day trips. State funds in this year’s budget will complement a \$1.3 million commitment from Westchester County Executive George Latimer and the County Legislature to complete environmental review and permitting for this project. Plans are underway to raise construction costs from multiple sources including the federal Infrastructure Investment and Jobs Act.

- Also included in the Governor’s budget proposal is “\$500,000 for the Hudson Valley Trail Grants” that are helping local communities develop projects to connect with the Empire State Trail. Scenic Hudson requests that this funding be maintained.

The COVID-19 pandemic has demonstrated the necessity for municipal parks as a record 7.1 million more Americans took advantage participated in outdoor recreation in 2020 than in the year prior. The state received approximately \$90 million of applications for funding from the program last year. A study by Parks and Trails New York has found that for every dollar invested in parks infrastructure, \$5 are returned to the local economy.

- **Climate Resilient Farms, and Soil and Water Conservation Districts**

Scenic Hudson supports the Governor’s proposal of increasing funding for the Climate Resilient Farms Program to \$17.5 million, including \$500,000 for the Cornell Soil Health Program. Grants and programs funded through this account empower farmers to implement regenerative agricultural techniques that replenish soil and prevent leakage of climate change-driving compounds into the atmosphere. The program also helps to decrease greenhouse gas emissions on working farms and increase their ability to adapt to the changing climate while continuing to be economically viable.

Scenic Hudson also supports the Governor’s proposal for \$15 million to the Soil and Water Conservation Districts. This funding will support New York’s established delivery system of

technical support and education to farmers and other landowners – one of the strongest and well regarded in the nation.

Agriculture is perhaps the only sector of the state’s economy that has the potential to reduce its own emissions and offset the emissions of other sectors through climate-resilient and regenerative management techniques. Funding for both the Climate Resilient Farms grants and Soil and Water Conservation Districts are critical to implement the goals of the unanimously passed Soil Health and Climate Resiliency Act, which became law in late 2021. These funding programs will also help implement recommendations of the Agricultural and Forestry Advisory Panel to the State’s Climate Action Council.

- Update on the Hudson Valley Carbon Farming Pilot Study: This 2018 study, championed by Assemblywoman Didi Barrett, Assemblywoman Donna Lupardo, Senator Hinchey and former Senator Metzger involves 20 Hudson Valley farms of varying size and production type that are implementing regenerative farming and soil health practices and documenting their findings. The study’s progress has been routinely shared with the scientific, policy, and agricultural communities through a series of webinars co-sponsored by the NYS Department of Agriculture and Markets and Scenic Hudson. Recordings of these events, and testimonial of farmers participating in the pilot study, are available on Scenic Hudson’s YouTube channel at <https://www.youtube.com/user/scenichudson/featured>.

The Hudson Valley Carbon Farming Pilot Study, the Climate Resilient Farms program, and Soil and Water Conservation Districts are working synergistically to develop innovative strategies to address climate change and prepare for the future. This progress is helping to inform the Northeast Carbon Alliance (NECA), a network of farmers, land managers, scientists, policy experts, and other stakeholders throughout the northeast who are collaborating to advance the rapid implementation of greenhouse gas reduction and sequestration through regenerative land management. In particular, research farms within NECA are collaborating to develop standards for scientific research by implementing climate-smart practices on their farms and sharing their resulting data. The results of this research are being communicated to other farmers and policymakers, showing the benefits and helping to increase adoption of these practices nationwide. More information can be found at <https://www.northeastcarbonalliance.org/>.

- **Open Space/Land Conservation**

The Governor has proposed \$40 million for the state’s Open Space/State Land Acquisition line item in the EPF. Scenic Hudson supports this proposal and requests that the Senate and Assembly include the same number in their one-house budget proposals as part of a \$400 million EPF. This program was historically funded at \$60 million. As New York State progresses toward a \$500 million EPF, we request that the program return to these levels.

In addition, we join with the Land Trust Alliance in requesting that the LTA Conservation Partnership Grant Program be increased to \$3 million as part of a \$400 million EPF.

All New Yorkers deserve equitable access to the many benefits that open spaces and protected lands provide. Opportunities for outdoor recreation, flood and storm mitigation, drinking water protection, wildlife habitat, and places to recharge from the tolls of the COVID-19 pandemic combine with powerful benefits. These special places in the Hudson Valley help drive our \$4.4 billion annual tourism economy and keep our downtowns safe and comfortable. State funds also often match federal conservation dollars through programs like the Highlands Conservation Act. Scenic Hudson's work on these and related open space issues is informed by our Hudson Valley Conservation Strategy: <https://www.scenichudson.org/our-work/climate/hudson-valley-conservation-strategy/>.

- **Farmland Protection Program**

The Governor has proposed \$20 million for the state's Farmland Protection Program, a \$2 million increase compared to the current year budget. Scenic Hudson supports calls by the Alliance for New York's Farmland to increase funding for this program to \$25 million, and other related budget provisions.

Protected farmland is providing New Yorkers with fresh and nutritious local food, addressing climate change by capturing carbon and protecting topsoil, and allowing farmers to access new land and pass their farm businesses to the next generation. The need for this work is especially acute in fast-growing regions of the state, such as the Hudson Valley, that are facing development pressure and conversion of working farms to non-farm uses.

Scenic Hudson is continuing its work to conserve the Hudson Valley's Foodshed while advancing this work. Updates on this work are available at <https://www.scenichudson.org/our-work/conservation/farms/>.

- **Hudson Estuary Management**

The Governor has proposed flat funding for the Hudson River Estuary Program at \$6.5 million. Scenic Hudson respectfully requests that the Legislature increase funding for this program to \$8.5 million to address emerging needs in the river and prepare for federal investment in the region.

The Hudson River Estuary Program (Estuary Program) is a unique regional partnership designed to help people of all ages and abilities protect and enjoy the Hudson River and its valley. Housed in the Department of Environmental Conservation, this non-regulatory program provides influential technical assistance and community grants to hundreds of communities and organizations from the federal dam at Troy to the Verrazano Narrows in New York City. These projects span from designing and improving recreational access to enhancing climate and water education. For additional information about the impact of the Estuary Program, please refer to NYS DEC's recent report, "The Estuary Program by the Numbers": <https://www.o-p-s.net/state-news/hudson-river-estuary-program-2021-by-the-numbers/>.

The Hudson River watershed is experiencing an increased frequency of severe storms and precipitation events. Most recently, the nation learned of the tragic impact of Hurricane Ida that

caused the loss of 43 lives across the northeast, many of whom suffered and died in their own homes during flooding. Billions have already been spent to recover from these and other storm events, yet we have an opportunity to minimize future recovery costs by making changes to local infrastructure and policies that the Hudson River Estuary Program can facilitate and support.

In addition, the federal NY-NJ Watershed Protection Act is advancing through Congress. Enhanced state funding will be needed to match \$50 million in anticipated federal resources.

### **Environmental Justice Grants**

The Governor has proposed increasing grant funds for Environmental Justice to \$13 million. Scenic Hudson supports this proposal. The program is having an important impact throughout New York State and is critical to implementing the Climate Leadership and Community Protection Act.

Scenic Hudson is an ally to environmental justice organizations and interests in the Cities of Newburgh, Poughkeepsie, and Kingston. More information about this work can be found at <https://www.scenichudson.org/our-work/building-community/>.

### **Clean Water Funding**

Scenic Hudson joins with the New Yorkers for Clean Water and Jobs coalition to ask for \$1B in new funds for the Clean Water Infrastructure Act this year's budget. We thank Governor Hochul for her proposal of \$500 million, but we know the demonstrated need across the state far exceeds that number.

### **Article VII Legislation**

Governor Hochul's budget proposal contains several Article VII bills of interest to Scenic Hudson, including:

- Enhancements of Tax Credits for Farmers,
- Enhancement of the Brownfield Opportunity Program,
- Extension and Enhancement of the Brownfield Cleanup Program,
- Financing the Clean Water, Clean Air, and Green Jobs Bond Act of 2022,
- Implementation of the Clean Water, Clean Air, and Green Jobs Bond Act of 2022,
- Increased Support to the Environmental Protection Fund from the Real Estate Transfer Tax, and
- Improvements to the Freshwater Wetlands Regulatory Program.

We will be following up with the Legislature if we have specific recommendations.

### **Conclusion**

Thank you for this opportunity to provide testimony. If you have questions about Scenic Hudson's positions or work, please contact me at (914) 489-1568 or [abicking@scenichudson.org](mailto:abicking@scenichudson.org) or my colleague Carli Fraccarolli at (607) 319-3019 or [cfraccarolli@scenichudson.org](mailto:cfraccarolli@scenichudson.org).