



**Testimony of the Adirondack Council at the  
Joint Legislative Public Hearing on the Environmental Conservation  
Portion of the Executive Budget Proposal for Fiscal Year 2020-2021**

January 27, 2020

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 Executive Budget proposal for the 2020-2021 fiscal year.

**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 is also responsible for long range planning for the Park. The Department of Environmental Conservation (DEC) is tasked with the care and custody of our Forest Preserve, and protecting 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.

## **Addressing the Overuse of Wilderness Lands**

**The State expanded tourism promotion, visitation is booming, and not all the impacts are good. More than 12 million people are visiting our Adirondack Park every year, up 2.4 million from 2001. In that time, staffing and resources to protect and manage the Park have not increased, despite this increase in use.** New York State Rangers are now averaging roughly one search and rescue mission per day, often involving many Rangers at one time, when someone has an injury or gets lost, and needs assistance in leaving the wilderness safely. While news stories have highlighted busy weekends in which Cascade Mountain in the High Peaks Wilderness hosted more than 1,400 hikers, 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. Without updated visitor management, controls and investments in infrastructure, we will continue to see degradation of our natural resources, greater risk for those who visit, and the loss of that “wilderness character” which draws people from long distances and provides such an important economic boost to the small communities of the Park.

**The *Parks 2020* Initiative has resulted in much needed improvements to our Parks system, but that money does not reach the Adirondacks or Catskills, our State’s two largest Parks.** Throngs of hikers are enjoying our mountains, and every step taken contributes to erosion. A detailed assessment found that impacts have resulted in more than 130 miles of trail in need of major repair or redesign just in the Adirondack High Peaks. The total need across the 2,000 mile plus trail system in the Adirondack and Catskill Parks is estimated to be much bigger. The limited state and partner trail crews are struggling to rebuild a mile or two of trail per year. At this pace, there is a backlog of more than 200 years of work.

The Governor recently acknowledged that there are limits to what our natural resources can withstand, and the DEC announced the establishment of a High Peaks Advisory Group to develop recommendations by June 2020, to better protect natural resources, visitor safety, and the Wilderness experience. As DEC and partners develop new recommendations to deal with this significant influx of visitors, there are 6 best management practices of Wilderness management that should serve to guide this process:

1. Develop a comprehensive plan: know how all of the parts of the plan fit together.
2. Expand outreach and educate the users about alternative hikes, conditions, how to be prepared, and how to practice “leave-no-trace” principles.
3. Develop robust Front Country Infrastructure to alleviate stress on the backcountry: Have a parking plan, restrooms, shuttle system, and trailhead stewards that interact with the user before they get on the trail.
4. Support robust Back Country Infrastructure that augments the protection of natural resources: build trails and campsites following best management practices for design and construction, provide stewardship resources for fragile ecosystems such as high use areas, wetlands or alpine summits.
5. Enforce limits for use at some times and in some places.
6. Provide the necessary funding and staffing for all state management agencies to support the wilderness management objectives of the comprehensive plan.

For the purposes of the FY2020-21 state budget, the sixth best management practice involves the work of the legislature. **We applaud the Governor's proposal for additional trail crews in his state of the state address, and inclusion of a \$3 million increase to the State Land Stewardship Line of the Environmental Protection Fund, with a \$1.2 million subcategory for an Essex County hiker shuttle system. We support the Governor's funding increase and recommend that the legislature maintain and expand this funding to ensure there is dedicated funding for Forest Preserve Wilderness protection projects to complement the shuttle system. The shuttle system will not succeed in a vacuum, and must be complemented with dedicated trail stewardship funding amongst other things.**

**EPF Stewardship funding should be dedicated to comprehensive Adirondack and Catskill Park peak use Wilderness area protection planning, trailhead, backcountry and online leave-no-trace education, field educators, trail crews, and a trial user management system including a reservation option for peak locations at peak times, as DEC currently does at select locations in both Parks.**

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 (i.e. manual labor with hand tools). 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 proposes to dedicate \$55 million in new NY Works monies for DEC once again in this year's budget. 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 and ensure people and communities see the benefits of the popularity of New York's great outdoor national treasures.

Our Adirondack Forest Rangers have long served a traditional role in protecting our natural resources and ensuring the safety of the Park's visitors through education, regular backcountry patrolling/ enforcement of environmental laws, and undertaking the rescue of lost and injured recreationists. **With the dramatic increase in visitation over the last few years, our Rangers have become overwhelmed by the strong demand placed on their stagnant staffing numbers. Most search and rescue operations occur in the Adirondacks and Catskills, and fall upon a select group of highly trained individuals that answer their call to duty no matter the time of day or weather conditions. They are overworked, often conducting multiple operations in a single weekend. This is a symptom of a much larger problem that is addressed by following the best management practices of Wilderness management, but adding more traditional Forest Ranger staffing and other DEC staff including foresters, planners and biologists is an important part of the solution.**

## **The “Restore Mother Nature” Bond Act**

Last year, the Governor and Legislature made history, passing the Climate Leadership and Community Protection Act (CLCPA), the strongest climate change legislation in the country. The CLCPA has come into existence at a critical moment in history: major storm events have wreaked havoc in the Adirondacks, including well known storms like Tropical Storm Irene (2011) and most recently the storm event that occurred on October 31, 2019, from which communities are still rebuilding.

**The impacts of climate change are already occurring, but it is not too late to act, protecting our homes, our infrastructure, our water quality, our safety, the Adirondacks and our economy.**

Governor Cuomo has proposed a \$3 billion “Restore Mother Nature” Bond Act, which will benefit the Adirondacks by funding projects that restore habitat and reduce flood risk including wetland, floodplain, and stream restoration and protection. The Bond Act can fund the acquisition of open space resources that provide wildlife habitat and protect water sources and right-size culverts along the Park’s incredible rivers and brooks. The Bond Act can improve water quality through wastewater infrastructure improvements and upgrades for hardship communities in the Adirondacks, and further support efforts to restore degraded portions of the Forest Preserve that have suffered under heavy public use.

**The Adirondack Council proudly supports the \$3 billion “Restore Mother Nature” Bond Act and encourages the legislature to dedicate bond act funding to water infrastructure for low-income communities, climate resiliency efforts and associated recreational infrastructure in the Adirondacks and Catskills.** This investment can aid in addressing a significant backlog of Unit Management Plan-mandated projects on Forest Preserve lands. **The Legislature should work with the Governor to offer greater detail for the allocation of these resources, with targets for spending.**

## **Fighting Climate Change**

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 five rounds of NYS's clean water program, the over \$57 million in grants have been coupled with approximately \$94 million of State Revolving Loan Funds low interest financing for the balance of the project costs. These loans have leveraged the capital and program grants making possible a total of \$151,768,213 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 appropriation of another \$500 million this year (a second installment of a \$2.5 billion commitment made last year). **With this new money, the Legislature should work with the Governor to establish supplemental grand fund of \$100 million, over the life of the new \$2.5 billion commitment. This fund should be used to close the gap for super-hardship communities in the Adirondacks and elsewhere, where small populations cannot afford the multi-million dollar loans necessary to make clean water a reality.**

## 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 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 support at least a \$300 million appropriation for the Environmental Protection Fund (EPF) as we work towards a \$500 million EPF by the year 2025. The EPF is the cornerstone of capital funding for New York's environment, supporting efforts to protect open space, provide clean water, fight climate change and support vibrant communities and their working farms and forests.

The Governor has again proposed to use the EPF for Agency staffing-related expenses, and we stand with our partners in opposing this short-sighted measure that would undermine the integrity of one of the Adirondack Park's most important funding sources.

Furthermore, the Governor has proposed to raid \$5 million in carbon allowance auction proceeds from the Regional Greenhouse Gas Initiative for the purposes of funding the Environmental Protection Fund. We strongly urge the legislature to reject this measure, as climate resiliency projects should not come at the expense of climate emission reduction efforts. These efforts should go hand in hand, not head to head.

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. 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.

## **State Land Stewardship**

**We enthusiastically support the Governor's proposed increase to the State Land Stewardship category, and ask that the legislature dedicate a subcategory to "Wilderness Preservation" projects to complement the Essex County Shuttle subcategory.** The State Land Stewardship line provides much of the capital funding that enables the management of recreational infrastructure on Forest Preserve lands in the Adirondacks and Catskills. Millions of visitors visit our two largest Parks, and while there are far greater needs than the appropriations that currently exist, the Governor's proposed increase is a meaningful step forward.

## **Invasive Species Prevention**

**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 efforts to strengthen invasive species spread prevention efforts by nonprofit entities, lake associations and local governments in the Adirondack Park. 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. We support the dedication of a new \$450k to Lake George for invasive species prevention. **To maximize benefits of the state's investment in AIS prevention, boat washing requirements should be strengthened this year.**

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.

The Governor and Legislature agreed to fund the Adirondack Diversity Initiative (ADI) in last year's budget at \$250,000. This year the Governor proposes to once again fund the ADI at \$250,000. The program recently hired Nicky Hylton-Patterson as their program director, and Nicky has hit the ground running. **To ensure the longevity and sustainability of the Park and make the Adirondacks a more welcoming and inclusive community, we and others support the \$250,000 appropriation for the ADI this year.**

## **Adirondack Park Agency (APA)**

Ten 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. **The Adirondack Council supports the \$1 million appropriation of capital funding which will assist in the renovation of their headquarters in Ray Brook, NY.** We are concerned 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 \$147 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.