

Testimony of Michael Burger
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Before the Joint Legislative Hearings on the New York State Budget
February 7, 2018

Chairwoman Young, Chairwoman Weinstein, Chairman O'Mara, Chairman Englebright and distinguished members of the Senate and Assembly, thank you for granting Audubon the opportunity to offer testimony on Governor Andrew Cuomo's Executive Budget proposal for State Fiscal Year 2018-2019. I am Mike Burger, the Director of Conservation and Science of Audubon New York. As a leading state program of the National Audubon Society, Audubon New York leads our network of 50,000 members, 27 local Audubon Chapters, seven sanctuaries and nature centers and our thousands of annual visitors, volunteers, and partners throughout the state. Audubon achieves its mission to protect birds and their habitats by connecting our vast and powerful network along the migratory flyways of the Americas through science, advocacy, education and on-the-ground conservation programs.

Before addressing the Governor's 2017-2018 Executive Budget proposal and Audubon New York's 2017 priorities, I would like to extend our thanks to you and your colleagues for the significant environmental accomplishments achieved in the 2017 legislative session. Through your and Governor Cuomo's leadership, New York achieved unprecedented levels of funding for our state's environment, providing critical resources to conserve open space, protect and improve water quality, upgrade aging infrastructure, prevent pollution and make New York more resilient in the face of climate change. Audubon New York looks forward to working with all of you to advance initiatives which protect New York's environment, while building off the successes of last year, in order to create a more sustainable shared environment that benefits birds, wildlife, people, and New York State's economy.

Dedicate \$300 Million to the EPF and Restore ZBGA Program Funding

The Environmental Protection Fund (EPF) has proven to be a stable funding source for essential environmental programs in robust and challenging economic conditions. An appropriation of \$300 million for the EPF for SFY 2018-19 will help New York meet its 5-year Capital Improvements Plan, and we support maintaining that level of funding in the Enacted Budget.

Within the EPF, we urge the Legislature to restore proposed cuts by the Governor of \$2.5 million to the Zoos, Botanical Gardens and Aquaria program and to restore such funding to the SFY 2017-18 level of \$15 million. The proposed funding cut would reduce the services that can be provided by organizations that operate living museums. For Audubon New York, this program provides critical funding for our educational centers, including the Montezuma Audubon Center in Savannah, the Constitution Marsh Audubon Center in Cold Spring, and Theodore Roosevelt Audubon Center in Oyster Bay.

Establish the Empire Forests for the Future Initiative

The majority of wildlife habitat in New York is privately owned. Landowners have a direct impact on conservation, especially in stewarding our state's forest resources. As identified in the New York State Forest Resource Assessment and Strategy (FRAS), new incentives are needed to incentivize private forest landowners to undertake sustainable forest management activities. Such incentives help improve the health of our forests, make them more resilient to climate change and other stressors, and provide improved habitat for forest dependent birds and other wildlife.

A high priority initiative of Audubon New York's is the Empire Forest for the Future Initiative (EFFI), a proposal in the Executive budget that would incentivize the sustainable management and conservation of privately owned forest lands - which account for 75 percent of the state's total forested property - and reduce the conversion of such lands to non-forest uses. This proposal includes modifications to the current forest tax law, a new 480-B program that will broaden the types of lands that are eligible for tax incentives, grants to help landowners implement best forest management practices, and grants to support local governments and non-profits acquire and manage community forests.

Audubon New York is part of a diverse coalition of twenty-four organizations, representing environmental, conservation, business, and forestry interests that requested the Governor include funding for the EFFI, and we are pleased that the Governor has made EFFI a budget priority. Our organizations, which are national, regional, and state-wide in our breadth, believe that this a comprehensive and forward thinking package, which will serve as a national model for preserving privately held forest lands while simultaneously boosting our forest economy. We urge the Senate and the Assembly to support this proposal and include it in the enacted State budget.

Supporting Capital Investments in New York's Historic Places and Outdoors

We strongly support Governor Cuomo's budget proposal to continue significant capital improvements to our world-class parks, wildlife management areas, and the Adirondack and Catskill Forest Preserves. Through the last several rounds of NY Works funding, over \$3 million has been dedicated to habitat improvements and natural resource stewardship projects that have augmented and leveraged our Audubon in the Parks initiative and advanced important conservation projects. We urge for this funding to be maintained this year, and we look forward to working with the Legislature to ensure that both agencies prioritize similar investments in protecting natural resources.

We also urge that sustainable development practices like energy efficient lighting and appliances, porous pavement, water efficient appliances, and green roofs be prioritized in the implementation of these capital improvement projects.

The state's sustained attention to preserving and enhancing our historic and green places, not only helps connect people with New York's vast cultural and natural resources, promoting healthy recreation and educational opportunities, but also strengthens local economies and creates jobs. Each of these environmental capital investments will pay dividends for New York State, as every dollar of funds invested in land and water protection generates seven dollars in economic benefits for the state.

Continue Funding for the Clean Water Infrastructure Act

As you know, few issues are as important to our health, economy, and environment, as safe, reliable clean water. Audubon New York has been advocating for increased investments in water and wastewater infrastructure, investments in drinking source water protection, and other strategies to increase the state's capacity for dealing with challenges such as combined sewer overflows, harmful algal blooms, and toxic drinking water contamination. Access to clean water is essential for the survival of wildlife, and New York's clean waterways provide the foundation for healthy ecosystems.

We are pleased that the Executive budget proposes to continue the State's \$2.5 billion investment in clean water pursuant to the Clean Water Infrastructure Act of 2017. These funds provide resources for addressing the State's sewage and drinking water needs, which are estimated at \$80 billion over the next twenty years. This funding makes an enormous difference in aiding communities that lack the resources to make these investments independently, and the support for clean water infrastructure is critical in protecting public health and the environment.

Protect the Washington County Grasslands

Washington County contains the last remaining large contiguous grasslands in eastern New York, which provides habitat for several threatened and endangered bird species, including the Short-eared Owl, the Northern Harrier, and the Upland Sandpiper. The State has been working to protect this unique area by purchasing critical habitat and seeking conservation easements from private landowners. In 2014, the State finalized its purchase of 286 acres of the Washington County Grasslands Important Bird Area, and is hoping to preserve additional acreage in the future.

We strongly support the State's efforts to protect grasslands, however, we also believe that these conservation efforts are the most successful when they have the support of any affected localities. As is the case with many upstate counties, Washington County has suffered from population loss and a shrinking economy, which has strained its municipalities' tax bases. This means that conserving additional land, and thereby reducing property revenue, will have an outsized effect on an already struggling county.

Given these impacts, we believe that it is important for the State to pay reasonable property taxes on land that is put into conservation status in the towns of Argyle, Fort Edward,

and Kingsbury. This strategy has already been employed in ten upstate counties that contain significant parcels of state-owned land, and we believe it would be appropriate to extend the policy to these three towns in Washington County. Payment of the property taxes on these parcels by the state, combined with the revenue generated by outdoor enthusiasts that visit the grasslands, will help ensure the balance between Washington County's fiscal stability and the need to protect critical habitat and wildlife.

Accordingly, we urge the Legislature to include language in their budget bills to authorize the State payment of property taxes on State-owned lands in these towns, as is otherwise proposed in A.6759 (Woerner) / S.1672 (Little), and to provide an appropriation of funds to make such payments.

Meeting the demand for environmental improvements and protecting bird species from further decline will take creativity and a commitment from all levels of government. Audubon New York once again urges the Legislature to support Governor Cuomo's proposal to maintain historic funding levels for the Environmental Protection Fund, create the Empire Forests for the Future Initiative, continue funding to enhance our state parks, and ensure that needed environmental investments are made to protect our environment, help stimulate the economy and keep New Yorkers working.

Thank you again for allowing me to testify today, and should you need any additional information, please contact me at 607-254-2441 or mburger@audubon.org.