



New York Association of Conservation Districts

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Preserving Today, Protecting Tomorrow

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Thank you Chairmen DeFrancisco and Grisanti, and Chairmen Ferrell and Sweeney, for the opportunity represent the Directors of the State's 58 Soil and Water Conservation Districts (SWCDs). My name is Judy Littrell, I am the Executive Director of the New York Association of Conservation Districts which is a nongovernmental, nonpartisan, organization who represents New York State's 58 Soil and Water Conservation Districts (SWCDs), which includes the 5 boroughs of New York City.

In New York, the SWCDs, have been authorized under State Law since April of 1940, as a result of Congress creating Districts due to the Dust Bowl of the 1930's. SWCDs serve as local natural resource management entities, are implementation based, and non-regulatory. SWCDs serve urban, suburban, rural and agricultural landowners and their communities. Soil and Water Conservation Districts (Districts,) are diverse and have unique opportunities to work in concert with a wide variety of agencies, local partner organizations, municipalities, with DEC being one of the major partners.

EPF Funding

NYACD is very pleased with the Governor's proposed \$19 million increase in funding of the EPF, to bring it up to \$153 million. We are encouraged by this action, and urge the Senate and Assembly to meet and possibly exceed the funding levels the Governor has proposed. The demand for EPF funds is apparent, and in most program areas, the demand is not being met from a funding perspective.

EPF Funding For Soil and Water Conservation Districts

The 2012 Legislative Session resulted in Governor Cuomo signing the legislation that doubled the SWCD reimbursement cap from \$30,000 to \$60,000. To fulfill this new statute, Districts require at least \$6 million in EPF funding, divided by the 58 Districts. Reimbursement and payment from the state would be made to each Conservation District under State SWCD Law Section 11a, b & c as amended in SFY 2006-2007. There are numerous supporting facts and reasons as to why increase in District funding should considered, mainly due to the ever continuing accomplishments and continuously growing demand for District services, all while being faced with tighter budgets.

SWCDs have implemented more than 1200 EPF funded projects from 2006 to 2011.

- SWCDs expedite projects in short time periods, and proven to be effective.
- SWCDs spread Program dollars fairly equally across *all* regions of New York State, from Long Island to Buffalo.
- EPF funds are leveraged by Districts, many of them working together, to attract more money for resource conservation practices from various sources, particularly, federal funds thru the Natural Resource Conservation Service (NRCS) and or various watershed sources such as Hudson River, Great Lakes, Chesapeake Bay, etc.

In 2011: (2012 figures are currently being compiled)

- Districts assisted 2,442 counties, municipalities, farmers, homeowners, and other organizations on streamside conservation projects.
- Projects for streambank stabilization to control erosion, riparian buffers to filter run-off, and shoreline protection for habitat restoration, were implemented on over 72 miles of waterways.
- 4,772 acres of wetland restoration, re-vegetation, and wildlife habitat improvements were carried out, providing for reduced sediment loading in streams, minimizing risk of flooding, and protecting water quality for drinking and recreation purposes.
- Sixty-one Watershed Management Plans were developed or updated by SWCDs across the state.
- SWCDs assisted over 2000 landowners with 1,582 Agricultural Best Management Practices.

- SWCDs provided approximately \$2.6 million in stormwater related services in 2011 through Certified Professionals in Erosion & Sediment Control employed by the Districts.
- Districts developed 28 Stormwater Management Plans and assisted 515 communities on stormwater management through infrastructure upgrades to control water runoff and erosion.
- District's provided training for 6,600 professionals through District-led stormwater workshops
- Many Districts are still recovering from flood recovery efforts of 2011, both financially, and from additional work needed to be implemented.

Ultimately, EPF dollars invested into SWCDs, will serve as economic drivers for local economies in all parts of NYS.

- **SWCDs are workforce multipliers** – investment in the Districts allow them to not only maintain the current supply of the **300 technically trained employees**, it also creates additional job opportunities to address the growing needs of water quality and natural resource projects. SWCDs work with more than 600 local businesses such as contractors, engineers, hardware supply stores, and many other businesses in their local communities, to fulfill project needs.
- **County appropriations to every SWCD have been reduced over the past 4 years, and remaining flat at lower levels, obviously due to the financial difficulties that county governments across NYS are experiencing.**

Weather, Flood Recovery and Future Natural Distasters

The recovery response by SWCDs after storms Irene and Lee was efficient and remarkable as Districts assisted 330 farms by implementing \$4.5 million in ACRF projects in just 4 months time. Even as we speak today, recovery efforts and land restoration and streambank projects continue. Also, several Districts are working with their local municipalities on Emergency Management and Flood plans for future weather events. Since ACRF monies went directly to producers, Districts did not get reimbursed for their staff time, or any other resources put into the program. Last year's increase in EPF funding amounted to about \$8000 per District to cover some of those costs, however, in most cases, it did not cover all of the costs incurred by the individual Districts, therefore, had to cover the costs of the ACRF program in-kind, which was completely a state program, with money out of their own coffers, an unintended, non budgeted for cost. We ask that this be considered when finalizing the current proposed EPF budget.

Our goal is to maintain District's capacity so as to be able to continue to deliver technical support and assistance needed to meet this type of demand for service to municipalities, agricultural and non-agricultural landowners, public and private landowners. At current funding levels, it will grow more difficult for SWCDs to continue to meet demand, as costs of doing business increase for the Districts as well, and technicians/employees will be laid off. Environmental stewardship in New York will not move forward.

In addition, if SWCDs cannot remain solvent, programs such as AEM and the Ag Non Point Source Program will not be able to be implemented. Ultimately, increased EPF dollars to the SWCDs are necessary to meet the statute of the law, and so as to carry out the SWCD law where it states to, "protect and promote the health, safety and general welfare of the people of this state".

For all of these reasons and due to the diverse services provided, NYACD respectfully asks that the Legislature consider funding of the State Aid to Districts above and beyond the \$3.5 million level, to ultimately \$6 million.

Agricultural Non Point Source Grants

The Executive Budget has proposed to fund the Ag Non Point Source program at a level of \$14.2 million. While supportive of the increase, more funding is needed to meet the constant demand of the program.

- **Currently**, RFPs for Round 19 of the Ag Non Point Source Program closed in December 2012.
- **76 proposals were received, state funds requested totaled \$21,578,281.68. 296 farms were included.**
- For the past 4 grant cycles, more than \$20 million in requests for project funding are applied for.
- Current EPF funding barely meets the needs of only half of the RFPs that are submitted.
- The goal of the Ag NPS program is to support NY's diverse agricultural community in their efforts to reduce potential sources of surface and groundwater contamination while maintaining the economic viability of agricultural industry.

- Federal conservation funds distributed via NRCS (Natural Resource Conservation Service) are being drastically cut due to the federal budget deficit. These funds, that were utilized in conjunction with Ag NPS dollars, will be reduced to farmers and SWCDs, resulting in a greater financial burden to producers.
- Requests are predicted to remain high as many CAFO sized operations continue to require resources to implement Best Management Practices (BMPs), and as medium sized farms are now mandated to become CAFO compliant under the State's mandated CAFO regulations.

Ag Environmental Management Program, or AEM

AEM is viewed as the nation's premier agricultural environmental program, and includes *all* commodities of agriculture. Currently, over 12,000 farms are participating in AEM in NYS.

- AEM is statutorily a volunteer program, is proactive, and is administered and implemented by the SWCDs. The funding for AEM, comes thru the Environmental Protection Fund (EPF), thru the Ag Non Point Source Program and via the SWCDs line item, or aid to Districts, in the EPF budget.
- AEM is a critical piece in growing the agricultural industry in NYS, as it provides a framework for farms to protect and enhance the environment while maintaining economic viability.
- The AEM program is critically important in regards to New York's Watershed Implementation Plan to meet the needs of the Chesapeake TMDL. The acceptance of the WIP relied heavily upon the integrity of the AEM program and the history it has for implementing proactive BMPs to improve water quality.
- If AEM is not appropriately funded, more than 8 years of building the program, environmental stewardship and farm profitability will suffer.

Growing NY's Dairy Industry

NYACD applauds the renewed interest in growing the agricultural industry in New York State, and looks forward to seeing growth in all segments and commodities of the industry, which will increase the availability of locally produced food and open space for all New Yorkers to enjoy. New York's Soil and Water Conservation Districts look forward to being part of fostering the growth, to assist landowners by providing services and technical assistance to protect New York's environment.

If the proposed changes to the CAFO rules are approved, dairy farms will be looking to expand, resulting in increased demand for required environmental compliance. The farm businesses cannot financially take on the burden of the mandated environmental regulations, therefore, meeting the funding needs of the Ag Non Point Source Program is vital to assist in meeting the needs of the demand for milk production in the state. CAFO sized operations continue to request resources to implement Best Management Practices for mandated environmental compliance.

NYACD is respectfully asking for at least continued level funding of \$14.2 million for the Ag Non Point Source program. The program must continue to meet the needs of farm businesses who are mandated to implement water quality projects on their farms. Without such funding, the burden of these mandates will fall 100% upon the farmers, who already face financially tight margins and yet still depended upon to produce a source of locally produced food. The Ag NPS program has a NYS Health and Safety designation and as such, should be given a high priority for funding.

While SWCDs started out 70 years ago serving only agriculture, they have evolved into serving all landowners, municipalities, state agencies, and serve as educators to school children, town and county DPW employees, and contractors. Another words, Districts work in partnership with numerous entities.

One of those partnerships is the SWCD Stormwater Technical Assistance program in partnership with state and local governments, and businesses. This partnership with SWCDs, provides an economical delivery vehicle to help New York meet water quality and public safety goals.

SWCDs provide direct services to aid in voluntary compliance for municipalities, contractors and engineers. On behalf of NYSDEC Division of Water, SWCDs handle numerous complaint investigations, water pollution prevention plan reviews,

construction site inspections, and contractor certification. Because of the stormwater contractor training offered by Districts, there is an 80% compliance rate among the thousands of contractors that have been trained by this District program. Reimbursement to SWCDs for their services and funding Stormwater Control Specialists, funded by permit fees associated with the Stormwater Permit, is vital to program success and continued public health and safety.

In terms of natural gas exploration in NYS, there is a need for monitoring and agricultural mitigation expertise at the local level to respond to citizen concerns. SWCDs historically have been the local contact for landowners and agricultural producers, and have already been involved in the field with pipeline issues and agricultural mediation as well as erosion and sediment control review. SWCDs are already and will continue to be called upon if/when hydrofracking begins in NYS. Another technical area of expertise that Districts should be compensated for.

These are just some examples of the broad scope of work SWCDs are involved in. However, without increased funding of the EPF and the SWCDs, Soil and Water Conservation programs will continue to be threatened, which in turns, threatens the natural resources that our state is abundantly blessed with. Agriculture, in terms of producing locally grown foods, and enjoying beautiful natural resources, is something that all New Yorkers can enjoy and benefit from.

Ultimately, increased funding is necessary to continue to build capacity at the local level within the SWCDs, to support program goals that keep New York's waterways and land resources clean and viable which benefits local food production, tourism and recreation for all New Yorkers.

Thank you again for the opportunity to present to you today.