



**Department of
Environmental
Conservation**

**Testimony of
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New York State Department of Environmental Conservation**

**New York State Legislature
Senate Standing Committee on Finance
Assembly Standing Committee on Ways and Means
Hearing:**

**The 2015-16 Executive Budget Recommendations for the
Department of Environmental Conservation**

January 28, 2015

Chairman DeFrancisco, Chairman Farrell, and members of the legislative fiscal and environmental conservation committees, thank you for this opportunity to discuss Governor Cuomo's budget recommendations for the Department of Environmental Conservation (DEC) for State Fiscal Year 2015-16.

DEC accomplished a great deal during Governor Cuomo's first term, and I appreciate the strong legislative support we received. The priorities are many, including: increasing resiliency in the face of extreme weather events; improving access to DEC managed lands; preventing the introduction of invasive species; promoting economic development by remediating brownfields; streamlining and prioritizing our permitting and approval processes; and, most importantly, DEC continues to implement programs to protect public health and the environment. I'd like to highlight a few examples of our successes.

Working closely with Nassau and Suffolk counties and a broad array of stakeholders, we issued a report making a host of recommendations to improve water quality on Long Island and the natural infrastructure that protects coastal communities. In concert with that report, the Governor announced a \$383 million program to sewer four densely populated areas in Suffolk County to start to reverse the damage caused by years of uncontrolled discharges. We are pursuing additional federal funds for an ocean outfall for the Bay Park wastewater treatment plant to restore water quality and resiliency to Long Island's western bays. And two weeks ago, we released a draft ten-year Ocean Action Plan aimed at protecting New York's extraordinary ocean resources and the multi-billion dollar economy it supports.

We found creative ways to implement the Sewage Pollution Right to Know Act. It took DEC longer than some had hoped, but we did it right—in a way that is transparent, convenient and free for local governments. We also adopted one of the most stringent laws in the country to restrict the sale of ivory to help eliminate the poaching and slaughter of elephants and rhinos.

Through the Governor's NY Works program, we invested \$180 million in critical environmental capital projects such as restoring aging dams and flood control structures, rehabilitating our fish hatcheries, plugging abandoned oil and gas wells, completing municipal brownfield projects, funding Water Quality Improvement Program projects and implementing our eBusiness plan.

When I worked for Governor Mario Cuomo, he announced that the State would build a Catskill Interpretive Center. Some good ideas take longer than others to be realized. This past summer, we broke ground on the Catskill Interpretive Center, which will open later this year. In the Adirondacks, we continue our historic acquisition of the Finch Pruyn Lands.

We have worked successfully with the U.S. Army Corps of Engineers to complete seven major coastal projects, and initiate work on the Fire Island to Montauk Point Project and New York City-based projects.

Today we adopted the nation's most stringent liquefied natural gas storage regulations, making that fuel available for transportation and other uses in New York for the first time in nearly 40 years.

DEC's budget for the coming year recommends State Operations appropriations of \$469.9 million and a Capital budget totaling \$566.9 million. This includes \$40 million in NY Works to continue the critical capital programs I mentioned earlier. The budget proposes increasing DEC's budgeted fill level to 2,946. This fiscal year, DEC also plans to hold a training academy to maintain the ranks of our public protection program.

Working with the Conservation Fund Advisory Board, the budget continues to build on Governor Cuomo's Open for Fishing and Hunting initiative, which has reinvigorated New York as a hunting and fishing destination and boosted tourism opportunities throughout the state. The Executive Budget proposes to establish a new Habitat Conservation and Access Account which will consist of revenue from habitat stamps and a portion of the revenue from lifetime license sales to support the management, protection and restoration of fish and wildlife habitat and related recreation. This infusion of funding will enable DEC to match federal Pittman-Robertson funding that together will support 18 new DEC staff to undertake this work.

To support diverse community, municipal and state environmental projects, for the third consecutive year, the Executive proposes to increase the Environmental Protection Fund (EPF). The proposed \$172 million represents a 28 percent increase since 2010. And we are proposing increases to 14 EPF categories including environmental justice (EJ) grants, invasive species and the Hudson River Estuary Program.

Governor Cuomo has led the nation in taking action to improve preparedness for potential risks associated with the increased transportation of crude oil through New York State. DEC and its partner state agencies continue to implement Executive Order 125 while urging the federal government to take immediate action to protect New Yorkers and our natural resources from this risk. To provide the State with some of the needed tools, the budget proposes to: increase the fees that fund the Oil Spill Fund; provide eight new staff at DEC; raise the cap on the fund to \$40 million; enhance response planning and first responder training; and create efficiencies by moving administration of the fund to DEC.

The Brownfield Cleanup Program (BCP) has successfully cleaned up more than 190 sites to date. Although reforms enacted in 2008 established caps on tax credits, the BCP program is still far too generous, providing tax credits to projects that would have been undertaken even in the absence of incentives. The Executive proposal would extend the program for 10 years with significant reforms that target redevelopment credits to sites that are located in areas with high poverty or unemployment levels, sites that are upside down, and sites that will be used for affordable housing projects. The Executive budget also includes \$100 million for State Superfund to ensure that remediation of the state's most contaminated hazardous waste sites continues. A portion of this funding can be used to fund the cleanup of municipally owned sites.

Finally, the budget recommends raising certain regulatory fees that have not been raised since 2009 or longer which will allow us to maintain staffing levels and meet federal requirements.

With all of these proposals, I am confident the Executive Budget will enable DEC to continue to fulfill its mission to protect public health and the environment. I appreciate the opportunity to testify and would be happy to answer any questions.