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Testimony of Sean Mahar
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Mr. Chairmen, and other distinguished members of the Senate and Assembly, thank you for allowing me the opportunity to offer the following testimony on Governor Andrew Cuomo's Fiscal Year 2014-2015 Executive Budget proposal. My name is Sean Mahar and I am the Director of Government Relations for Audubon New York, the State program of the National Audubon Society representing 27 local Chapters and 50,000 members across the state. Our mission is to conserve and restore natural ecosystems, focusing on birds, other wildlife, and their habitats for the benefit of humanity and the earth's biological diversity.

In 2011, the National Audubon Society adopted a new strategic plan, *A Roadmap for Hemispheric Conservation 2012-2015*, to effectively address the unprecedented environmental challenges we face. The plan, which identifies and coordinates our conservation programs and activities, is structured along the four major migratory bird flyways of North America and organized according to five complementary conservation strategies. In the Atlantic Flyway, our objective is to advance critical policies that are needed to protect our most threatened bird species and the habitats they depend on in New York State by focusing on putting working lands to work for birds & people, sharing our seas & shores, saving Important Bird Areas, shaping a healthy climate & clean energy future, and creating bird-friendly communities.

We believe that where birds thrive, people thrive, and increased conservation funding is central to both, the success of Audubon's strategies as well as the success and sustainability of New York State. Investing adequately in natural resource protection will not only help sustain populations of birds and other wildlife, but will retain and improve the quality of life and ecosystem services that benefit all New Yorkers.

Last year, as we celebrated the twentieth anniversary of the Environmental Protection Fund (EPF) with you and your colleagues, we greatly appreciated that the final State Budget increased funding for the EPF for the first time since the economic downturn and maintained New York Works investments in the Office of Parks, Recreation and Historic Preservation (State Parks) and Department of Environmental Conservation (DEC) infrastructure. These investments, combined with the successful passage of legislation to rid Eurasian Boar from New York State, have greatly helped to protect and restore our natural resources for birds, other wildlife, and the state's continued economic recovery.

This year, it's clear that New York State is continuing to turn the economic corner, and we welcome that the Governor has proposed the first budget surplus since the economic downturn. While we are supportive of many of the initiatives outlined in Governor's Executive Budget proposal which we will discuss in this testimony, on the whole we strongly believe that the proposed levels of funding for the environment should be increased to fulfill the critical needs that exist across the State for programs to protect our environment and natural resources

Environmental Protection Fund Investments Key to Continued Economic Success

All across New York demand and public support for projects that protect water, improve the quality of our air and public health, and protect the important places that are critical for outdoor recreation and tourism are increasing dramatically. For the past twenty years, the EPF has been a strong cornerstone of conservation spending in the State, infusing more than two billion dollars for critical environmental infrastructure improvements. Funded in large part by the State's Real Estate Transfer Tax, the EPF has supported projects that have protected drinking water supplies and working farms, enhanced parks and local waterfronts, and supported municipal recycling and pollution prevention programs. Every county in the State has directly benefited from these EPF investments, and this funding has supported industries that generate approximately \$40 billion in revenue and support 350,000 jobs every year.

The Governor's proposed budget this year provides only a marginal increase to the EPF of \$4 million to \$157 million, supporting the level that was agreed to in last year's budget. While this is a start, and we are glad to see that EPF disbursements are matching the appropriation, increased investments in the EPF are desperately needed to address the growing threats to our environment. Our failing sewers are discharging billions of gallons of raw, untreated sewage into New York's waterways threatening public health, closing beaches, negatively impacting wildlife, and harming commercial and recreational industries. Paradoxically, farmland is being lost at unprecedented rates while demand for fresh local food is increasing drastically. Invasive species are fouling our water and land resources causing wide ranging ecological degradation, and threatening the economic vitality of the State. The longer we wait to address these issues, the more costly they become to fix.

This is why we've urged for a \$200 million EPF appropriation in this year's budget. This level of funding is more than paid for by the increased revenue projected in the Real Estate Transfer Tax and the reduced debt service from prior environmental bonds. The State has the resources available now, and we urge the Governor and Legislature to prioritize increased environmental funding in the budget-making process.

In addition to supporting an increased appropriation level, we also urge for increased support of the flowing EPF categories that are important for bird conservation and education programs in the state and have been hit hard in this economic downturn, including open space protection, farmland protection, invasive species eradication, the Zoos, Botanical Gardens and Aquaria (ZBGA) program, the Ocean and Great Lakes conservation initiative, and the Water Quality Improvements Program (WQIP).

Utilize the EPF to Provide Incentives for Habitat Management on Private Lands.

We also strongly urge the Governor and Legislature to increase the Biodiversity Research and Stewardship category to \$1 million and authorize it to provide incentive funding for habitat management on private lands. The majority of habitat in New York is in private ownership, and the actions landowners take have a direct impact on conservation. Creating new incentives to promote landowner stewardship, especially for grasslands and shrubland habitat, will protect declining bird species while providing an important source of landowner property tax relief. Providing such funding will also provide an important source of matching funds for similar federal programs ensuring greater conservation gains are achieved.

The DEC currently manages the Landowner Incentive Program (LIP) which provides direct payments to private landowners that implement habitat management plans. Demand for this funding has far outpaced the amount of funding available. In the past, the Biodiversity Research and Stewardship category has provided funding to study the decline to the State's priority habitats and species, and to

develop strategies to reverse the trends. Now is the time to ensure this funding is used to implement the strategies and support on the ground habitat management.

In order to ensure this critical funding reaches the field as quickly as possible, and to reduce the administrative burden on DEC, we strongly recommend that the new program be modeled after the Land Trust Alliance's successful Conservation Partnership Program and the funds administered through a similar public-private partnership.

Provide New Tax Credits for Conservation

In addition to providing increased EPF funding and new support for habitat stewardship on private lands, we also urge the legislature and Governor to consider tax credits to further incentivize conservation. We appreciate the Governor's focus on reducing the property tax burden on landowners, and view this as a great opportunity to find new ways to encourage more landowners to protect and manage habitat, particularly for landowners who permanently protect their land.

The current budget does not provide any tax incentives for conservation activities on private lands, and we urge the Governor and Legislature to ensure the final budget provides some form of incentives to encourage private landowners to manage their habitat for a conservation purpose. Such a program would provide a win-win, through increased conservation gains and property tax relief, and we are happy to discuss this with you in greater detail.

Continue New York (NY) Works investments in State Parks and DEC infrastructure

Over the past two years, your funding commitment to State Parks and DEC has revitalized dozens of these destinations for people and wildlife, including birds. We commend your ongoing support for this program to address the backlog of infrastructure needs facing these facilities and urge your continued support of the Governor's proposal to provide another \$90 million installment of funding for capital and natural infrastructure restoration at our State Parks and \$40 million for DEC.

NY Works for State Parks

In particular at State Parks, we greatly appreciate that the last two installments of NY Works funding have provided over \$1.5 million to projects that enhance natural infrastructure at State Parks in addition to financing important upgrades to Park facilities. These habitat improvement and natural resource stewardship projects have augmented and leveraged our *Audubon in the Parks* initiative, and we strongly urge for this third round of NY Works funding to include similar investments.

NY Works for DEC

We also strongly support the proposed funding for DEC capital projects, especially the \$6 million proposed for new public access improvement projects at 50 sites across the state. These investments are important to promote and capitalize on tourism revenue from hunting, fishing and wildlife watching which, according to the Fish and Wildlife Service's "2011 National Survey of Fishing, Hunting and Wildlife Associated Recreation", generates more than \$9.2 billion for the state economy each year.

While we support the proposal, we also urge that you once again direct a portion of the DEC's NY Works funding for capital grants for wastewater infrastructure projects. The grant funding provided in last year's budget was an important step forward on addressing the \$36.2 billion wastewater infrastructure crisis facing the state, and bolstered our advocacy efforts in Washington

to maintain federal support for similar funding. We look forward to working with the Legislature and Governor to develop new strategies to address this significant need for water infrastructure investments in the year to come.

NY Open for Hunting and Fishing – Support Crossbows and limiting landowner liability
Part I of the TED article VII

Another important conservation issue that we look forward to working with you on this session is improving management of the state's white-tailed deer herd. Overabundant deer are a serious threat to the health of New York's ecosystems, especially our forests and the birds that depend on them. We greatly appreciate the Governor's attention to promoting increased hunting opportunities which is an important step toward providing better deer management.

In addition, we strongly support Part I of the Transportation, Economic Development and Environmental Conservation (TED) Article VII bill which authorizes the DEC to regulate the use of crossbows for hunting, providing another tool to ensure better deer management. We also support the other legislative changes proposed in this section which would decrease the distance from a dwelling one can fire a crossbow or bow to 150', and limit the liability for landowners who wish to open up their properties for public recreation. We strongly urge the legislature to support these proposals to ensure the state is aggressively taking steps to address the threats posed by overabundant deer.

While we are supportive of the Governor's push to promote hunting and fishing opportunities and enhance access to the outdoors, to maximize the states return on the investments we urge the Legislature to work with Governor Cuomo to develop an initiative to promote the state's current voluntary conservation funding mechanisms. These mechanisms, including the Habitat Access Stamp, Bluebird Open Space Conservation License Plates, and the Return a Gift to Wildlife Program provide important conservation revenues to the state, yet are currently under promoted missing opportunities to leverage greater funds for environmental protection efforts.

Invest in Environmental Agencies Budgets and Staff

If our environmental Agencies are to be successful in achieving the program goals identified in the Governor's budget and state of the state address, they will need greater resources. Past budget cuts have left State Agencies struggling to meet their statutory mandates to protect our environment, and the Governor's proposed budget maintains these low staffing levels. We look forward to working with the Governor and Legislature on a long term strategy to reinvest in these agencies, and ensure they have the necessary resources and staff to appropriately conserve, protect, and enhance our natural resources.

Onondaga Lake Communities Revitalization

Outside of specific funding for the environment, we appreciate the Governor's focus on revitalizing Onondaga Lake. This Lake has been identified as an Important Bird Area as it provides critical habitat for migrating waterfowl. Recently, we have been working closely with Honeywell and other community partners to prioritize conservation and education activities around this unique area. The newly proposed \$30 million investment to support economic development and infrastructure improvements that encourage the revitalization of Onondaga Lake and its surrounding communities could help enhance our conservation efforts. We look forward to working with the Governor and Legislature to ensure this funding also incentivizes habitat improvements around the Lake.

Clean Energy Projects

The Governor has also continued to provide significant investments in clean energy projects, including continuation of the NY Sun Solar program, which are essential for combating climate change. We urge the legislature to continue to support these clean energy investments. While we await further details of the Renewable Heat NY program, we are pleased to see the Governor's emphasis on promoting sustainably harvested bio-fuels in the state. This focus on encouraging sustainable forestry will improve the health of the state's forests, provide higher quality habitat, and provide an important local renewable heat source for homeowners.

Federal Ecosystem Restoration Funding - Great Lakes and Long Island Sound

While New York continues to prioritize these investments in environmental improvements, the Federal government must continue to be an active player. Recently, thanks to the help of the Legislature, the Omnibus budget passed by the legislature provided important funding increases for the Long Island Sound Restoration and Stewardship Acts, the Clean Water State Revolving Fund and maintained funding for the Great Lakes Restoration Initiative. In the coming months, as the President and Congress begin debate on the Federal budget for FY15, we look forward to working with members of the legislature to once again communicate the importance of these funding programs to the New York State Congressional Delegation.

Conclusion

As you've heard us testify time and time again, investments in environmental projects are investments in job creation and result in significant economic returns. We know that the EPF has leveraged \$7 in return for every \$1 invested. We know that for every \$1 billion invested in water infrastructure projects, between 30,000 and 47,500 jobs are created providing an unparalleled opportunity for economic recovery and long-term growth in New York State communities. The time for a transformative environmental funding initiative in New York is now, and we once again look forward to working with you to secure increased investments in New York's natural resources to help stimulate the economy and keep New Yorkers working.

Thank you again for allowing me to testify before you today, and should you have any questions on the points we have raised above, please contact me at 518-869-9731 or smahar@audubon.org.

