



Preserving Today, Protecting Tomorrow

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**Testimony presented to NYS Assembly Environmental Conservation Committee
re: Impacts of the State Budget on Staffing Levels and Programs of the DEC
November 18, 2010**

Good afternoon, my name is Judy Littrell, I am the Executive Director of the New York Association of Conservation Districts, or NYACD. Thank you for allowing me the opportunity to present to you today and represent the Directors of the Soil and Water Conservation Districts.

The New York Association of Conservation Districts (NYACD) is a nongovernmental, nonpartisan, volunteer organization who represents New York State's 58 Soil and Water Conservation Districts (SWCDs), which includes the 5 boroughs of New York City. The SWCDs are authorized under state law as local natural resource management entities, are implementation based, and non-regulatory. SWCDs serve urban, suburban, rural and agricultural landowners and their communities from the eastern tip of Long Island, north to the St. Lawrence River Valley, all the way to the shores of Lake Erie.

Soil and Water Conservation Districts (Districts,) are diverse and have unique opportunities to work in concert with a wide variety of agencies and local partner organizations, with DEC being one of the major partners. Since Districts are very implementation driven, the staffing cuts at DEC has a major impact in District's efficient ability to timely implement projects and programs that will improve and protect the natural resources in New York State.

Permitting

NYACD is very concerned about the DEC permitting process and backlog as a result of staff reductions. A large scope of the work Districts do, involve streambank stabilization and repair, soil erosion control, wetland restoration, and stormwater programs throughout the state on behalf of municipalities and landowners. In order for any work to be done in this area, permits are required by DEC, which are issued by regional DEC offices. In the past, and as more and more staff positions are cut, there will be the continuation of delay in issuing permits to Districts to perform water quality improvement programs. This delay in the permitting process, is a detriment to water quality because the longer a project is delayed, the more sediment and nutrients end up in New York's water bodies.

Currently, each of the nine DEC region offices has it's own policy on permitting – some regional offices issue general permits to Districts which allows them to work on streams, wetlands, etc, within a county without issuing individual permits for each project. In other regional DEC offices, individual permits are required for every project, stream, culvert, etc, that a District has been asked to work on. Because it is currently taking on average, 60-90 days to be granted a permit, projects are being severely delayed, which is especially frustrating in the face of an unexpected situation such as flooding, and the short window of a construction season. A possible solution to a more timely permitting process, is to

implement consistency among the 9 DEC regions throughout the State to allow and or require, *all* region DEC offices to grant general permits to each of the 58 Soil and Water Districts on a yearly basis. This would eliminate staff resources needed to process individual permits for each and every project, which is about 5-10 per construction season per District. Fifty eight general permits would be much more efficient to process than approximately 250-300 permits each year. In counties where Districts are able to be granted general permits from their region DEC office, officials have noted less flooding and erosion problems, with improved water quality in the water bodies because of stabilization projects that have reduced sediment load.

Soil and Water Conservation Districts implement many municipal projects using funds granted thru DEC, and in some cases, work in partnership with local municipalities to provide matching funds. For example, the Warren County Soil and Water Conservation District has an agreement with the Town of Queensbury to provide matching funds with DEC, to stabilize and install stormwater filters to the Halfway Brook which is in the Lake George basin. Warren SWCD has been waiting **496 days** for a contract to be released with an approved scope of work, from DEC so that work can begin! These types of delays have politically hurt the credibility and reputation of the Warren County District in the eyes of the municipalities that they serve, because it is the District holding the cards on the project, and the work is not getting done because of delays with DEC. It also obviously hurts the Halfway Brook and it's basin, because of the need for improvements.

Further staffing cuts will only further the backlog of permitting and contract releases even more, which will hamper the work of the Soil and Water Conservation Districts. In order to serve Districts, NYACD is asking that DEC positions within the regional offices, remain intact and not be cut. The regional office staffing serve as a direct, local resource for the Conservation Districts who implement numerous voluntary programs as a response to landowner and municipality requests.

In addition to permitting, DEC inspectors are staffing positions within regional offices, with many of them just recently eliminated. New York's CAFO program inspectors have decreased in numbers and availability, which can leave the CAFO farm more vulnerable to possible costly violations, thus placing more burden on producers.

In the wake of DEC staffing cuts, it must be noted that Soil and Water Conservation Districts will still be in existence as implementers and educators of resource management at the local level. While Districts receive funding from county budgets, we must be mindful that New York's county budgets are very tight leaving Districts with reduced county appropriations. Many of the projects implemented by Districts, are a result of DEC regulation, therefore Districts serve as the "workhorses" of DEC and other state agencies, as proven by the \$11 million in reimbursed technical assistance that Districts provided to landowners and municipalities in 2009.

Districts are efficient in administering programs, and like to take a proactive approach in the voluntary programs they provide. One example is the contractor stormwater training conducted by District personnel across the state. Because of this training, there is an 80% compliance rate among the thousands of contractors that have been trained by this District program. This program not only serves as a source of revenue for Districts, it also brings this high rate of compliance by contractors, therefore, reducing the violations incurred, that would normally have to have been dealt with by DEC staffing. As long as Districts can remain viable, those that do, will continue to offer such types of training programs.

In conclusion, NYACD is opposed to further staffing cuts in the nine regional DEC offices due to the fact that inefficient staffing increases the backlog of permit issuance which reduces the ability to manage the state's natural resources in a timely, efficient manner. NYACD feels that the DEC workforce will more efficiently serve the people of New York State at the local or regional level, so as to have a more hands on approach to protecting the state's natural resources, particularly, with many issues on the table such as Invasive Species, forestry management, Chesapeake Bay TMDL, and gas drilling, just to name a few. And again, NYACD is asking that DEC implement consistency among the 9 regional offices to issue general permits for the state's Soil and Water Conservation Districts.

One of the major economic drivers in New York is our vast water and natural resources that provide an ample supply of drinking water for our residents, water for farmers to grow a local source of food for our people, but also provides recreational benefits and many scenic vistas that contributes to local economies. Soil and Water Conservation Districts are at the local level to protect and improve the State's natural resources, however, we cannot let the work of Districts be stymied by backlogs of paperwork in the regulatory process. NYACD feels strongly that policymakers and DEC management must be mindful of this when looking at staff reductions within DEC.

Thank you for the opportunity to present our position here today, please contact me if you have further questions.