BEFORE THE NEW YORK STATE SENATE FINANCE
AND ASSEMBLY WAYS AND MEANS COMMITTEES

JOINT LEGISLATIVE HEARING
In the Matter of the
2025-2026 EXECUTIVE BUDGET ON
AGRICULTURE & MARKETS/PARKS & RECREATION

Hearing Room B
Legislative Office Building
Albany, New York

January 27, 2025
1:05 p.m.

PRESIDING:

Senator Liz Krueger
Chair, Senate Finance Committee

Assemblyman Gary Pretlow
Chair, Assembly Ways & Means Committee

PRESENT:

Senator Thomas F. O'Mara
Senate Finance Committee (RM)

Assemblyman Edward P. Ra
Assembly Ways & Means Committee (RM)

Senator Michelle Hinchey
Chair, Senate Committee on Agriculture

Assemblywoman Donna A. Lupardo
Chair, Assembly Committee on Agriculture

Senator José M. Serrano
Chair, Senate Committee on Cultural
Affairs, Tourism, Arts and Recreation

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PRESENT: (Continued)

Assemblyman Ron Kim
Chair, Assembly Committee on Tourism, Parks, Arts and Sports Development

Senator Patricia Fahy

Assemblyman Steven Otis

Senator Chris Ryan

Assemblyman Brian Cunningham

Senator Peter Oberacker

Assemblyman Scott Gray

Assemblywoman Jodi Giglio

Senator Jim Tedisco

Assemblyman Brian D. Miller

Assemblywoman Rebecca A. Seawright

Assemblyman Steven Raga

Senator Nathalia Fernandez

Assemblyman Joe Angelino

Assemblyman Al Stirpe

Assemblywoman Mary Beth Walsh

Assemblyman Tommy John Schiavoni

Assemblywoman Paula Elaine Kay

Senator Pamela Helming

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PRESENT: (Continued)

Assemblywoman Carrie Woerner

Senator George M. Borrello

Assemblyman Chris Tague

Assemblyman John Lemondes

Assemblyman Matthew Simpson

Assemblywoman Dr. Anna R. Kelles

Assemblywoman Stefani Zinerman

Assemblywoman Jo Anne Simon

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CHAIRWOMAN KRUEGER: Hi. If everybody would start to take their seats, we can get the show rolling. One more second while the Assembly gets one thing taken care of. (Pause.) Okay, we have people seated. Legislators have enough seats to sit in. Great.

Well, welcome to the first budget hearing for 2025. I'm Senator Liz Krueger, chair of the Senate Finance Committee, and next to me is the brand-new chair of Ways and Means in the Assembly, Gary Pretlow. Welcome. As he said, it's not his first rodeo, but it's his first rodeo as the chair of Ways and Means.

And I'm just going to do the opening remarks -- no, I'm going to go over a few of the rules of the road.

One, for all the legislators here, when you want to speak, put your speaker on the green. You can push the button. And if you are talking and you accidentally turned it on or you forgot, the people in the back, in the room, might decide to turn it off for

you, but always keep your eye on whether your mic is green or red.

For everyone, legislators and our testifiers, there are clocks that you can see in a variety of places when you're looking this way (indicating), or when you're looking this way. And that's the amount of time you have available to you. So when you're testifying, that's your amount of time to testify.

When legislators are asking questions, that clock is the amount of time you have to ask questions and get answers. I have to go over this every year in every hearing. Sometimes you spend all three minutes asking the question. That means you don't get an answer. So try not to use all the minutes on your clock to ask the question, because then it's more of a speech. And some of us love giving speeches, but then the testifiers will only be able to say "I can get back to you at a later date," because we're not going to give them time to answer you. So just keep your eye on the clocks.

And it's red and then it goes to yellow when you're close -- I'm sorry, it's green, then it goes to yellow when you're close, and then it goes to red when you're done. All right?

And just for keeping track, for the time that people have, witnesses from government have 10 minutes to testify. Nongovernment witnesses have less time a little later; they have only three minutes to testify.

Then the chairs of the relevant committees -- we have three of them today; we have the Finance chair, the Ag chair, the Cultural Affairs chair -- they get 10 minutes to ask questions, and only they get a second round for three minutes if they have additional questions. The relevant rankers -- again, three committees -- each have five minutes, no second round. All other members have three minutes, no second round.

I know people always think that's too little time, I get it, particularly

legislators. You're allowed to go find these people and ask them questions any time you want. And for nongovernmental people who come to testify and got so little time to talk, just remember, they're living for you to call them and ask them more questions. They will more than happily come to your offices to talk to you about their testimony, they will get on the phone to answer questions. So this is not anybody's only opportunity to ask questions and get questions answered.

Okay, with that, before I make the official opening to the hearing, I'm going to introduce Democratic Senators who are here already. And I see our chair, Michelle Hinchey, of Agriculture and our chair of Parks and Tourism and the rest of the name of that committee -- I'm sorry -- Senator Serrano.

Are there other Democrats up here? I see Senator Fahy. Oh, and Senator Chris Ryan, brand-new Senator Chris Ryan. We have two Senator Ryans now in the Senate, so you

have to practice.

And I will turn it over to my ranker to introduce -- Tom O'Mara, the ranker on Finance, to introduce the Republicans.

SENATOR O'MARA: Thank you, Chairwoman Krueger.

Good afternoon, everyone. Thank you for being here.

We are joined on our side of the aisle by Senators Jim Tedisco, George Borrello, Pam Helming, and Pete Oberacker.

Thank you.

CHAIRWOMAN KRUEGER: Great. Okay, and now I'm going to turn it over to my Assembly colleagues to introduce their sides.

CHAIRMAN PRETLOW: (Mic off.) Thank you, Senator Krueger, and good afternoon, everyone.

I won't make an opening statement. It's good to be here. As I said earlier, it's not my first rodeo, it's the first time of riding 8 seconds on the bull.

(Laughter.)

CHAIRMAN PRETLOW: So we have our

relevant chairs here. From Parks is Senator -- that was a joke -- Assemblyman Ron Kim, and on that committee we have Carrie Woerner. And the Agriculture chair, Donna Lupardo, and on that committee Dr. Anna Kelles, Brian Cunningham, and Steven Raga are here. We also have joining, as an observer, Assemblywoman Seawright.

And Mr. Ra will introduce his colleagues.

ASSEMBLYMAN RA: Good afternoon. We are joined by Assemblyman Chris Tague, our ranker on Agriculture; Assemblyman Scott Gray, our ranker on Tourism and Parks; and Members Giglio, Angelino, Miller and Simpson.

CHAIRWOMAN KRUEGER: Do you have any more?

CHAIRMAN PRETLOW: (Mic off.) And I missed one individual. Assemblyman Steve Otis is here.

CHAIRWOMAN KRUEGER: Great.

And also, for new legislators or people who don't usually come to budget hearings, if you want to ask questions, you

want to make sure you are telling -- if you're a Senate Dem or an Assembly Dem, you want to tell Assemblymember Pretlow or me that you want to be on the list to ask questions.

And if you are a Republican, you want to let your two leaders know that you want to ask questions, so that we make sure that we have the list of who wants to ask the questions.

With that, I will just take one -- 30 seconds to say today is the 80th anniversary of Holocaust Memorial Day. It was 80 years ago today that the U.S. military went into Auschwitz and found what they found. It was a Holocaust of nearly 10 million people. When it was done, two out of three Jews in Europe were killed, many other non-Jews with us, and Russian soldiers as well.

And I -- if I was on the floor of the Senate today, I would be giving a resolution which will go on without me today. But I thought I would just take a moment for that.

And now we'll switch to the actual hearing, which is on Agriculture and Parks and Recreation. So again, I've already introduced myself as Liz Krueger, cochairing today's budget hearing.

Today is the first of 14 hearings conducted by the joint fiscal committees of the Legislature regarding the Governor's proposed budget for state fiscal year '25-'26. These hearings are conducted pursuant to the New York State Constitution and Legislative Law.

Today the Senate Finance Committee and the Assembly Ways and Means Committee will hear testimony concerning the Governor's proposed budget for departments of Agriculture and Markets and the Office of Parks, Recreation and Historic Preservation.

Following each testimony there will be some time for questions from the chairs of the fiscal committees and other legislators.

We've already introduced the members from both houses, so I am going to remind everyone that any testimony that is

submitted, whether or not you have a chance to testify in person, will be on the appropriate websites of both the Senate and the Assembly so that everyone can read the testimony submitted by anyone and everyone. Because sometimes people get told that they don't have time to testify.

And sometimes -- I don't think it will be a problem today, but some of these hearings run much longer than others, and by late in the day people realize, If I don't get on the train, I won't get home.

So if you are signed up to testify and for some reason you know you're not going to be able to stay to testify, just do us a favor, come down to the front to any of these people here and let them know so that we're not looking for you when you've already decided you have to leave town.

With that, I want to welcome our first panel: Richard Ball, commissioner of the Department of Agriculture and Markets, and welcoming the Office of Parks, Recreation and Historic Preservation. I will also be

introducing Randy Simons, commissioner pro tem and chief of staff of the Office of Parks, Recreation and Historic Preservation. But we'll be starting with Richard Ball.

And again, after the final question-and-answer period there will be an opportunity for members of the public to briefly express their views. So everybody should have gotten copies of the list of testifiers.

And if you know you're on the next panel, you might want to come down towards the front as we're getting done with the panel before you. This is all just to try to get it to run as smoothly as possible.

And with that: Commissioner Ball, welcome.

AG & MARKETS COMMISSIONER BALL: (Mic off.)

CHAIRWOMAN KRUEGER: Yours is not green. Press. Press again. I'm still seeing red. Press a little harder. Ah, there you go.

AG & MARKETS COMMISSIONER BALL: Aha,

green.

Thank you, Senator. And thank you for the thoughtful introduction to today's activities. Appreciate that.

Good afternoon, Chair Krueger, Chair Pretlow, Senator Hinchey, Assemblymember Lupardo, members of the agricultural committees, and elected officials. I am pleased to offer my testimony on the fiscal year '25-'26 Executive Budget for the Department of Agriculture & Markets.

In this year's Executive Budget Governor Hochul continues to demonstrate her commitment to New York agriculture. Her first two budgets increased funding for our industry by 60 percent, and I'm happy to see that this year's plan continues to build on that commitment.

The Executive Budget recommends $364 million for the department, which allows us to maintain our core functions and carry out initiatives to boost our sustainability efforts and food systems, further our

workforce and agriculture education goals, and invest in capital projects, marketing, and research to grow the industry.

Agriculture is a cornerstone of the economy in our state, with nearly 32,000 farms numbering among the nation's top producers of more than 30 different commodities. Our dairy industry is a big part of that, with dairy farming making up half of New York's agricultural economy. Through the Dairy Think Tank, we know that we share a goal with our dairy farmers, and that is to make New York the most sustainable dairy state in the country.

Building on last year's historic investments in New York’s dairy community, the Governor this year is proposing $10 million for the second round of the Dairy Modernization Grant Program to update on-farm milk storage and improve dairy supply-chain efficiencies. An additional $1 million will support cutting-edge research and further support the implementation of climate-resilient practices on our dairy

farms.

These initiatives are vital to our nation-leading fight against climate change. With Governor Hochul's plan to maintain a $400 million Environmental Protection Fund, the department will see continued investment in programs that reduce the effects of climate change and protect our water and our land.

Funding will support farmland and pollinator protection programs, Soil and Water Conservation Districts, the Climate Resilient Farming program, Cornell Soil Health, and so much more. The Governor is also proposing new investments to improve tracking of lost farmland and increase capacity within New York's network of community-led land trusts.

In addition to climate, a top priority for the state is supporting our local food system and expanding access to food for all New Yorkers. This year's Executive Budget includes targeted support to continue this work, including nearly $4 million for the

expanded FreshConnect program and a $5 million increase for the Nourish New York program. It also supports the Farm-to-School, Farmers' Market Resiliency, and Urban Farms and Community Gardens programs.

In addition, Senior Farmers' Market Nutrition Program benefits will be maintained at its current level. The $50 million Regional School Food Infrastructure Grant Program will also see another $10 million to encourage the use of fresh local farm products in school meals and expand markets for our New York producers.

I'm also excited to see support for New York's fiber and maple industries. The $10 million Food and Fiber Small-Scale Processing Grant Program will fuel the supply of diverse products for New York's local purchasing initiatives such as Executive Order 32. Additional investments in marketing and research will help New York to become the leading innovator in the maple industry. The proposed $73 million local

assistance budget will also support research and promotion for many commodities, including craft beverages, apples, vegetables, honey, hemp and more.

The Executive Budget also builds on the state's One Health approach, proposing funding to support animal and plant health. Again, this year, $4.25 million is proposed for Cornell University's Integrated Pest Management Program. In support of companion animal care, $5 million will continue the Companion Animal Capital Fund, which provides critical upgrades at animal shelters and enhanced care for our dogs and our cats.

One Health also encompasses the health and well-being of our workforce, who are essential to the strength of the industry. To support our farmworkers, I am pleased to say that the Governor has proposed an additional $5 million for the Farmworker Housing Program. This program will help our farmers provide safer housing for their workforce while continuing to meet the production goals on the farm.

In addition, $3.2 million will create safer environments and greater capacity at Agri-Business Child Development -- or ABCD -- centers. A total of $13.5 million will be dedicated to these facilities overall. These improvements will allow ABCD to expand education, health, and nutrition services to roughly 1,000 children whose families make up New York's farm workforce.

To ensure the long-term success of the agricultural industry, we are also working on strengthening our agricultural education. We have had many successes in this area, especially this past year. This year's budget will allow us to further those efforts, investing $1 million for the New York Agriculture in the Classroom program. This is double the amount of last year's investment. Additional funding totaling $1.8 million is proposed for other education programs like FFA, 4-H, the National Society for Minorities in Agriculture, Natural Resources and Related Sciences -- or MANRRS -- and the Association

of Agricultural Educators. Together, these programs help to grow agriculture education and support our next generation. We will join these organizations to kick off the Governor's blue-ribbon panel to advance agricultural education later this year.

Finally, the state is also focusing on our county and local fairs, which are hubs for agriculture education. The Executive Budget includes $2 million to support these fairs statewide, ensuring that they will remain a critical avenue to connect New Yorkers with local food and agriculture. We are also excited that Governor Hochul has proposed a nearly $51 million investment for capital improvements to the Great New York State Fair. We plan to upgrade our entertainment areas to further position the fairgrounds as a year-round attraction. This will build on the fair's ongoing projects, like new barns, upgrades to the Dairy Bar and Youth Building, and more –- all of which help the State Fair continue to spotlight our vibrant, diverse agricultural industry.

Thanks to the investments that the Governor and all of you have made in New York agriculture over the years, we today have a more resilient food system and a stronger industry today. I look forward to seeing that momentum continue as we work together to further our shared goals in the coming year.

Thank you.

CHAIRWOMAN KRUEGER: Thank you very much. And you had two and a half minutes to spare. And I'm sorry, Parks doesn't get the two and a half minutes. You also get 10 minutes.

PARKS COMMISSIONER PRO TEM SIMONS: Thank you very much. It's such a pleasure to be with each of you today.

Good afternoon, Chair Krueger. Welcome, Chair Pretlow. Senator Serrano, great to see you. We've spent a lot of time in celebrating our centennial over the last year, and appreciate you for helping build the momentum. And welcome, Assemblymember Kim. Thrilled to see you in the new role. And members of the State Legislature, thank

you, truly, for inviting me here today.

I'm honored to represent Governor Hochul on behalf of our state parks system, which includes 250 state parks, historic sites, golf courses, boat launches, recreational trails, marinas and more. The Legislature's enduring support for our operational and capital funding has truly benefited all New Yorkers and has been deeply appreciative here at Parks.

Governor Hochul recognizes the park system's importance to the physical and mental wellness of our communities. Our agency has proudly worked with the Governor on major initiatives to expand access to healthy recreation and looks forward to building on those successes.

Last year we jumped in with both feet, literally and figuratively, on the Governor's NY SWIMS Capital Grant Program. The program had two critical goals: helping disadvantaged communities across our neighborhoods to offer safe swimming in an era of extreme heat, and reducing the number

of drownings, a leading cause of death in young people. In the largest investment in public swimming since the New Deal, we awarded $150 million in grants to municipalities to support 37 projects statewide, and we're appreciative of our partnership with DASNY as well to help make that program such a success.

NY SWIMS led to another nation-leading recreation program: Get Offline, Get Outside. Prior to the July 4th weekend, Governor Hochul removed swimming pool entry fees at all state parks across our system for the entire summer. Through Labor Day, 542,000 people came out to a state park pool. That was a 36 percent increase -- remarkable. Twenty-two facilities hosted free swimming lessons, tripling the number of sites from the prior year, and we were able to increase the number of students we taught to swim by 400 percent, to more than 2,000 children.

And to further protect our patrons at the pools and the spray grounds when it gets hot, we gave out roughly 35 gallons of free

sunscreen.

Now, these programs didn’t just make waves locally. They positioned our agency and this state as the vanguard of public health and recreation. Now Governor Hochul's Unplug and Play initiative invests $200 million in this very necessary work through NY BRICKS -- Building Recreational Infrastructure for Communities, Kids and Seniors; NY PLAYS -- New York Places for Learning, Activity, and Youth Socialization -- a grant program to aid municipalities with new and improved playgrounds; and of course the next phases of NY SWIMS and Get Offline, Get Outside.

It has been a pleasure and a privilege to lead our park system during its centennial year. In 2024, we honored influential figures and milestone moments in our system’s development. Our teams hosted one-of-a-kind centennial events, many of which you were alongside with us to help us celebrate, and received hundreds of stories and memories from our visitors.

Building on the success of the centennial, public enthusiasm for our parks and historic sites surged in 2024. We welcomed a record-breaking 88 million visitors to our state parks. That's a 4.5 percent increase over the prior year, marking 12 consecutive record years here at State Parks.

And our parks are doing what the architects of this system intended -- serving as affordable destinations for all New Yorkers while also attracting visitors from across the country and across the world.

The Governor's proposed budget maintains the robust capital and operational funding necessary and will enable us to shape our system as we kick off the next 100 years here in 2025.

But the work of building our system's future never stops. Some of the highlights from the more than 100 announcements and events we held in 2024:

Adding more than 1,000 acres across our system, from Fahnestock to Moreau Lake to

Treman to Taghkanic;

Renovated swim facilities at Riverbank and Stony Brook to better serve our swimmers;

Forty-five miles of greenway trails were developed, and we're advancing plans on six key trail corridors across New York City and the outer boroughs;

Work is underway across Selkirk Shores State Park and our shorelines at Buffalo Harbor State Park for a destination spray area;

New visitor centers at Olana, Bayard Cutting Arboretum, and Niagara Falls, and new accessible park infrastructure all across our system to provide recreational opportunities for people with disabilities.

As New York's greatest public recreation asset, we also are working to remove financial barriers to those who need it most. As of April 1st, I'm particularly proud of New York State Veterans and our Gold Star Families, who became eligible for a Lifetime Liberty Pass. Since 2014, we issued approximately 1,200 Lifetime Liberty Passes

annually. After the Governor's initiative, we increased that number by 900 percent, to over 12,000 passes issued. Remarkable.

And visitor safety is a top priority at Parks -- always has been, always will be. Fifty-three million, for the first time under the Governor, was dedicated to improving safety technology infrastructure, staff training, and public awareness. I was particularly proud of the Junior Ranger program, which empowered our youngest visitors to take charge of their personal safety and built connections between the public and our Park Rangers.

We significantly expanded our training program to equip more staff with essential skills in visitor engagement, missing person response, and human trafficking awareness.

Additionally, we have bolstered our law enforcement presence by recruiting nearly 50 new Park Police officers since last year, and we remain steadfast in our commitment to providing our officers with the necessary resources to support and effectively fulfill

their critical duties to protect our park visitors.

And in the next two years our system will shine brightly at a national and international stage. In September, the eyes of the golf world will be upon Bethpage State Park. Twenty-four of the top golfers in the world, from Europe and the United States, will compete in the 2025 Ryder Cup. More than a quarter-million fans will attend.

And in 2026, we join the nation in commemorating the 250th anniversary of the American Revolution. As cochair of New York's 250th Commemoration Commission, we are committed to a commemorative experience that is both educational and inspiring. And we will do this by engaging all New Yorkers, from students to community members, in this exciting celebration.

And we will, most importantly, achieve this by embracing the agency's Our Whole History initiative, which ensures diverse perspectives and inclusive storytelling are at the forefront of our efforts.

In closing, throughout our agency's history we've helped New Yorkers meet the challenges of the day, whether supporting our troops during World War II or creating affordable recreational opportunities for the Baby Boom generation. We are meeting today's needs for connecting people in an age of division and fragmentation, fortifying our properties against climate change, and giving New Yorkers affordable ways to improve their physical and mental well-being.

I truly have valued the time that we have spent together over the last year in promoting and celebrating the benefits of our great parks system to our communities. Our centennial year was a time to certainly reflect on our past, to concentrate on the mission ahead, but more importantly grasp the current moment, one which our successors, I truly believe, will look at us -- maybe at the bicentennial -- and really proclaim this era as one of the most important eras in the history of state parks.

So for this we are grateful. We are

grateful to the Governor, we are grateful to each of you, we are grateful to the 88-plus million and our partners. Thank you for the opportunity today, and I most welcome additional conversation to discuss this great state park system.

Thank you.

CHAIRWOMAN KRUEGER: Thank you very much.

Our first questioner will be Michelle Hinchey, chair of the Agriculture Committee. Ten minutes.

SENATOR HINCHEY: Thank you very much, Senator Krueger.

And thank you both so much for being here and for your testimony. There's lots of exciting things going on in both sectors, so thank you for your leadership.

Commissioner Ball, no surprise, I'm going to start with you. And I want to thank you personally -- who knew -- I want to thank you personally for your work as commissioner. I think we in New York State are very lucky to have you at the helm, and appreciate all

of the work that you do and your leadership in our ag space. Because as you know better than anyone, New York is an ag state. And so we have to do everything we can to protect our farmers and support farm businesses, because this is the future of our food production in our country. And so thank you for your leadership in that.

I'd like to start with one of everyone's favorite topics, which is school food. And we're here to sing. We're very excited to see in the Governor's budget her inclusion of universal school meals. But of course we would love to ensure that all of the food that our students are eating is not only healthy farm-fresh food but locally grown New York farm-fresh food. We have the school food program, but right now the reimbursement really only covers lunch, the 30 percent threshold program.

I would love to hear from you, if we were to include breakfast in that program and expand the reimbursement rate to 25 cents, what would that mean for our growers and

farmers across the state, and what would it mean for access to healthy food?

AG & MARKETS COMMISSIONER BALL: Well, thank you, Senator, for that question. That's a big question. But certainly universal school meals I think is a very exciting opportunity for New York farmers and for New York children.

You know, for so many years in our schools we basically said to local school boards and cafeteria nutrition people: Break even on the school lunch program. Let's see if we can feed our kids lunch at $1.74. And I think we have to change that philosophy and discussion to a value-based one. When you or I buy a pair of shoes, buy a shirt, buy a car, whatever, we make a value-based decision. We look at the price, we look at the quality, and we make a decision. But for so many years, when it came to feeding our children, we made an economic decision.

And I think, you know, the school food program with the 30 percent initiative for lunch really helped move the dime a little

bit, if you'll pardon the pun, and we allowed schools to get reimbursed from 5.9 cents, where it had been for probably 40 years, up to 25 cents. That was a great effort, and we're seeing great success there.

I think including breakfast, I think we have to put our eye on the ball, which is really let's figure out how to feed New York kids New York food. It's going to be higher nutrition, it's going to be better economic outcomes. I know the Commissioner of Health will say we're going to get better health outcomes five years, 10 years, 15 years down the road. As a farmer, I know we're going to see better economic outcomes in our rural communities when we feed kids with local stuff.

You couple that with the Governor's Executive Order 32 to get the state to do the same thing. Let's make sure in New York State that our -- as a state, across all our agencies and our purchasers, that we're using 30 percent New York products that we buy. We're off to a great start there.

So I think between, you know, thinking about breakfast, between thinking about universal school meals, I think this is a tremendous opportunity for our farmers in New York State.

SENATOR HINCHEY: Thank you. Yeah, we know healthy food is a form of medicine, right, and so we can actually -- it's a type of preventative care if we can make sure that we're eating good nutrients, and that is from our New York farmers. We can also save a lot of money on the back end, not to mention from an administrative perspective, schools don't buy apples for lunch and a different set of apples for breakfast, right? You just buy apples and you put them out. And so having to track that closely is really difficult. So expanding breakfast I think would be a great thing to do.

Switching gears slightly, hemp processing. You know, you and I have talked about this. I think hemp is an incredible opportunity in New York. Especially from a building material, from a clothing material,

from a green perspective, there's so much opportunity there. Last year, you know, we've been advocating for funding, specifically infrastructure funding, for hemp processing. Because we have the growers who have grown it, we know what it could be, but that middle area of the manufacturing and processing is really difficult and, quite frankly, really expensive.

So it was great to see in the Governor's budget last year $5 million for hemp processing, I believe it was specifically cited for Geneva. I don't see it in the Governor's budget this year, so I'm curious where that stands and what the appetite is for an additional facility. Because New York is a big state. We have lots of growers, and one facility just in the center may be difficult.

AG & MARKETS COMMISSIONER BALL: Right. Well, we're just, frankly, in the process of getting that up and running, that $5 million from last year. And that appropriation went to Cornell University to

help with the equipment and the techniques, the technical expertise that's going to be needed to explode that business.

Hemp has about 2,000 uses, which is mind-blowing. And New York -- the entire United States -- has amnesia about what we used to do with hemp. We used to be a leading producer of hemp in the world. You know, and we threw that out so many years ago; we've got to relearn a lot of things.

But I'm happy to say that at Cornell we now have New York varieties, we've got this capacity coming on here. And I would just add we have a very energetic Hemp and Fiber Work Group. They're not shy. They're full of ideas. We meet fairly regularly at the Department of Ag. So I think we're still getting ready to capitalize on that investment from last year, which is why we have the budget we have this year.

SENATOR HINCHEY: Great. Thank you so much.

The Farm Overtime Tax Credit. We had a bill last year that would have included

dairy farms, to make it easier for them to utilize the tax credit that we have set up. The Governor unfortunately vetoed our bill, citing that it needed to be done in the budget. I don't see that in this budget proposal. Is there a work -- is there something that we can work on for the budget this year to make sure that we can get that done for our dairy farmers?

AG & MARKETS COMMISSIONER BALL: Yes, thank you. That was a -- there were some challenges with the way the Overtime Tax Credit had been written that affected different farms in different ways. And the Governor was hoping to get that done in the budget.

We are still meeting with Tax and Finance as a department, and we also are meeting with the industry. We have sole proprietors, we have partnerships, we have LLCs, we have C Corps, S Corps. We have management companies on our farms. And we need to come up with the specific language that will work. The Governor charged both of

us, the Tax and Finance and Department of Ag, to come up with an answer here. We've been working on that pretty hot and heavy recently. Hopefully we're going to have something for you very shortly, to just fine-tune that language a little bit and get it right so it works for all farmers.

SENATOR HINCHEY: Great. Thank you. I would love to see that in the 30-day amendments. It's something I think we need to get done in the budget this year.

Grants for farmland preservation. As we started with, New York is an ag state, and it's incredibly important that we protect our farmland. I see that there's new language around planning for grants, but I haven't seen necessarily additional dollars. As you know, we're still having challenges specifically with solar developments being centered on farmland. I'd love to hear, do you think we're doing enough in farmland preservation, and can we do more?

AG & MARKETS COMMISSIONER BALL: I think we're in a great place. We went over

100,000 acres preserved last year. I mean, that still leaves a tremendous amount of acres that's not protected. But we've had a commitment of in the neighborhood between 18 and 21 million dollars a year for the last almost 10 years, which really brought New York kind of up to pace. Working through the Regional Economic Development areas, refining it from an RFP process to an RFA process, we've been able to move much more quickly in finding land, helping those easements happen, and getting farm families protected.

SENATOR HINCHEY: But more money for farmland preservation would be helpful.

AG & MARKETS COMMISSIONER BALL: Excuse me?

SENATOR HINCHEY: More money for more farmland preservation would be helpful.

AG & MARKETS COMMISSIONER BALL: Well, I'm optimistic, yeah. And obviously we're going to see some assistance there in the bond act funding coming to fruition. You know, we're involved in those conversations

as well.

So I feel pretty good about where we are. I think where we see some needs is in the capacity in local land trusts to be able to handle the influx. We've gotten good as a department at getting these programs in and out of the door pretty quickly. We meet with the partners on a regular basis. But now we're seeing there's a little bit of a holdup when it comes to the individual land trusts around the state being able to handle the workload. So you'll see some help in there.

SENATOR HINCHEY: Thank you. And I know my time is short; I guess this is a bigger question. But as shortly as you possibly can, lots of changes happening at the federal level. And we're going to see some loss of dollars, we imagine specifically in some of the programs you've seen. Can you talk a little bit about what USDA funding means for us?

AG & MARKETS COMMISSIONER BALL: Well, I think it's fair to say we can expect some changes. For the Department of Ag and

Markets, about $103 million flows from the federal government to the Department of Agriculture, mostly from USDA, some from FDA.

SENATOR HINCHEY: I'll come back to you.

AG & MARKETS COMMISSIONER BALL: Okay. Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

CHAIRMAN PRETLOW: (Mic off.) Assemblywoman Donna Lupardo.

ASSEMBLYWOMAN LUPARDO: Thank you, Chair. I can pick right back up where Senator Hinchey left off.

But first, thank you all for being here. As you know, we're looking at the budget, very happy to see some new items. Very pleased with the support for the Cornell Ruminant Center, Cornell 4-H, the Senior Farmers' Market Program. Of course disappointed that more items weren't put on-budget, but this is an ongoing discussion we have year after year. We will do our best to make as many restorations as we can. We

just want to make that very clear.

I'm concerned about the Climate-Smart Commodities Program and what we're hearing about climate-smart farming and marketing in general. If you could speak on that, what we can expect in terms of loss of funding -- I know it's been put on pause -- but also the effect on our soil health work. Because the work that we are doing on soil health and climate resiliency is very important, and it has had widespread support across the board. And I would hate to see our soil health work be impacted by these cuts.

So if you could tell us a little bit about what's happening on Climate-Smart. I realize, you know, all things climate are under the microscope, but some things are just foundational to the work that we're doing on -- for agriculture.

AG & MARKETS COMMISSIONER BALL: Yeah. Well, thanks for that question.

Again, there's more unknown than known at this point. You know, the new administration is still filling out personnel

and hearings are happening for leadership at USDA and FDA.

I will say that the Climate-Smart Commodities Program, which was a project between DEC, Ag & Markets, Cornell University and SUNY ESF -- it's about a $60 million project for New York State -- has been paused by the government in Washington. That doesn't mean it's canceled. I don't know other than it's paused.

It's a concern because this was a good effort. I will say --

ASSEMBLYWOMAN LUPARDO: I'm sorry, Commissioner, could you repeat the name of the program that's on pause?

AG & MARKETS COMMISSIONER BALL: Climate-Smart Commodities.

ASSEMBLYWOMAN LUPARDO: Oh, you're still on that, okay.

AG & MARKETS COMMISSIONER BALL: Yeah. And we applied for that some three years ago with our partners at DEC, SUNY ESF and Cornell. Great program. Some funding has been out there to research how better to

achieve that on our farms and in our research.

So we know that's been paused. But again, we're waiting to see, you know, who are going to be the people we deal with in Washington, who's going to occupy those posts at USDA.

I will say that I'm encouraged. I know three commissioners who are taking under-secretary positions who are personal friends, so I think we'll have an avenue there. But we've got to let the dust settle here and just figure out what will continue to be funded and what may be cut or culled back.

I am encouraged that in New York we have decades of progress on environmental issues. We've been looking at water quality and air quality on our farms for decades. And the programs we have, supported by this Governor, supported -- the Climate-Resilient Farming Program, which is a New York program completely. Our work with NRDC and our work with our Soil and Water Conservation

Districts is very strong. We've got a great tradition, and it will be able to keep going here in New York State.

ASSEMBLYWOMAN LUPARDO: Thank you, Commissioner.

A sensitive topic that I'm weighing into carefully; you and I and most of us in this room have discussed workforce shortages on our farms. How concerned are you about what we're beginning to see in the country at the moment regarding New York farms and their preparedness to keep their operations going?

AG & MARKETS COMMISSIONER BALL: You know, probably if someone asked me what was the most limiting factor to growing New York agriculture, I would say labor supply. We've seen that happening over a period of decades, frankly, and we saw it really accelerate after COVID-19. We'll be watching very closely the concerns around immigration that we're hearing.

In the prior administration, this president took a strong stance on immigration. I would say that for New York

as a farmer, as a farmworker when I was 20 years old, that limiting factor is pretty strong. We know that somewheres in New York between 40 and 50 percent of our farmworkers, construction workers, restaurant workers, daycare workers do not have proper documentation, so this is a concern.

We saw back in that first administration a 270 percent increase in ICE activity and border patrol raids on New York farms. And that was a very difficult time for New York agriculture, particularly dairy.

So we're watching this very closely; you know, how does this play out? We know that we have some raids happening over the weekend in Western New York. I don't know the facts yet, but we're going to watch this very closely.

I would just say that this has been -- the availability of a legal guest worker program has not been thoughtfully addressed since Ronald Reagan was president. It's been decades of being kicked down the road. We do

need an answer here. We do need to have a legal workforce. Agriculture wants one. But we know that a high percentage of the workers that are currently here doing work on agriculture and construction and restaurants do not have proper documentation. That needs to be addressed.

ASSEMBLYWOMAN LUPARDO: Thank you. It's somewhat frustrating when so many people are unaware that these workers are by and large law-abiding, tax-paying folks who are supporting our communities in a very important way.

And so I'm very worried about our ability to maintain a strong agricultural economy in New York State in light of this. So hopefully we can stay in close contact with all of us to figure out what we can do in response.

I know that some of my colleagues here are going to raise the issue of avian flu because there's a serious concern right now across the state, but certainly down in Suffolk County as a result of this duck farm.

I don't want to take away from my colleagues, but because I have probably a little more time than they do, I was wondering if you could give the big picture on avian flu. And are we -- do we have enough resources in this budget to address the concerns?

AG & MARKETS COMMISSIONER BALL: Well, thank you for that.

Yeah, we've got two things around avian flu that are worrisome. You know, one is the dairy, you know, the fact that high-path AI has jumped from poultry and wildfowl to dairy animals. We do not have that in New York State; it's confined currently to 17 states. The only increases that we've seen recently in the last 30 days have been in Michigan and in California. So we've successfully, through our emergency order process and the USDA, been able to thus far keep that out of New York. So that's one issue.

The traditional high-path AI, if there is such a thing, brought in by migratory birds, the last time we saw it here was in

2022. But as you know, it has reared its head across the country again. It's in the migratory flyways, brought in by birds as they migrate back to their summer grounds. It's happening across the United States. It has hit us in Long Island. We're looking at two presumptives, one in the Hudson Valley and another in Western New York.

It's something we take very seriously, we identify very quickly. We work very closely with USDA-APHIS on this. And we're active on Long Island in dealing with the issue there.

It's life or death for poultry. The only solution is depopulation and sanitation. There is indemnification in that from USDA, but obviously taking somebody out of business for a period of time is -- it's not a real big solution there.

So we work very closely with our partners at USDA. We have one of the best, state bests in the country, Dr. Joy Bennett, who works for us at the department. She's got a great team, a great staff. And we have

a very positive working relationship with USDA-APHIS on that.

So we're riding herd on it and paying very close attention to it, but it is a terrible situation for a poultry producer to be in.

ASSEMBLYWOMAN LUPARDO: Yes, it is. Thank you.

I just have -- I'll have a couple of questions in a second, but a quick question for the Parks commissioner. To what extent is your agency striving to meet our goal to have more New York-based, New York-sourced products available in your parks? I have heard some concerns from some of our beverage producers on Long Island, for example, about their desire to have more access to the parks. But I was just curious what your overall approach has been.

PARKS COMMISSIONER PRO TEM SIMONS: Yes, so certainly New York products are available in select state parks. We've had active conversations to improve that at various destinations. But also working with

our concessionaires to mandate some level of New York products in our parks. Very important to us. And many conversations have been had, at least certainly in the last year, many years, as we increase the number of parks that are holding New York products, certainly.

ASSEMBLYWOMAN LUPARDO: Thank you. Hopefully we can continue talking about this.

PARKS COMMISSIONER PRO TEM SIMONS: Looking forward to that, absolutely.

ASSEMBLYWOMAN LUPARDO: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Senator Serrano, chair of Parks and -- sorry, Historic Districts. I always get that wrong, I apologize. Say your full name here.

SENATOR SERRANO: Thank you. Senator Jose M. Serrano here.

As chair of Parks, I will direct my questions to Commissioner Pro Tem Randy Simons. It's good to see you. It's good to be here with all of my colleagues talking about the importance of our state parks system. I really enjoyed our meetings over

the summer during -- and actually throughout the 2024 centennial for our state parks system.

And it really, I think, gave us a moment to pause and think about how important our parks and green spaces are to our everyday lives. I myself, as a user of state parks, believe wholeheartedly that they are transformational, that they provide things that are important for our mental health, our physical well-being, and for society as a whole. It makes us less stratified as a community.

Over the years, my wife and I raising two children, as you know, we try whenever we can to be in a state park. And I did teach my son, who's in college now, but I remember teaching him how to swim at Bear Mountain Pool, which is indeed one of the most historic pools in your system.

And, you know, when you visit a state park, you see how important they are, but you also notice that they've been around for a while and that there's always need for work,

infrastructure, what you can see, what you can't see.

But again, I always turn back to the importance and the necessity of connecting more and more communities to parks, giving folks throughout New York an understanding that the parks are for them -- that hiking is for them, that camping is for them, trying new things like that, all of the facilities that are available.

So in your testimony you mentioned NY BRICKS and NY PLAYS, which I'm assuming are geared towards expanding folks' interactions with parks. So can you talk a little bit more about the efforts that you have to connect more people to parks?

PARKS COMMISSIONER PRO TEM SIMONS: And that's the very mission of this initiative, right? You know, in a digital world, the more we are connected to each other, the more we are really disconnected in many cases from relationships with one another.

Under Unplug and Play, NY SWIMS

certainly, you know, last year we did $150 million, our grant program, and it was grants to municipalities to improve swim infrastructure, elevate the idea of perhaps building new or repair or refurbishing swim infrastructure, for the very important reason of a sense of pride and accomplishment among particularly our youth.

Mindful -- we celebrated Graduation Day at one of those programs in the Bronx -- you were with us at Bear Mountain -- and a 7-year-old little girl came up to me and said, "I didn't think I would ever learn how to swim. I thought that was for other people." And it was this program that brought that opportunity to her community.

And very much like NY PLAYS, right, it's now the very same thing, but we are giving grants to municipalities to invest in playgrounds, giving families, giving parents and children opportunities to say, You know what, life is not on a device, life is, you know, outdoors.

And BRICKS the same way: Community

centers, true community engagement, true community connection.

And, you know, our parks, we're expansive, we're all across New York State, more than 250 properties. But by providing grants to municipalities, this almost assures the opportunity that no matter where you live, within a stone's throw there's an opportunity to take advantage of this historic investment into the outdoors, into parks.

We're particularly proud of the successes of NY SWIMS, and in the second round -- we're looking forward to the second round -- we'll open up also to not-for-profits. And we think PLAYS and BRICKS will do the very same thing.

SENATOR SERRANO: Thank you, Commissioner Pro Tem.

Next I want to talk a little bit about the flagship parks throughout the State of New York. You mentioned 88 million visitors in 2024. Year over year, we're seeing increased visitorship, and that's wonderful.

But the parks then take a lot of use. During the pandemic we saw that our parks were our refuge, they were -- and brilliant that Parks kept them open. During the darkest days of the pandemic, the parks became the place that we went to to recreate, to be with our families, to still build memories in a very dark time.

So when I think about -- as a New Yorker, born and raised in the South Bronx, going to Lake Welch was a wonderful afternoon on a Sunday if you could do it. Getting up to Harriman State Park, the hiking trails and so on and so forth.

What are we doing to keep up with the capital projects in these places, with Sebago, to ensure that Lake Welch is not overpacked? Do you have Sebago up and running? And also ensuring that we're teaching our park patrons to be stewards of the parks. Because with increased usership, we want to make sure they remain clean and accessible for all. What are we doing to increase stewardship?

PARKS COMMISSIONER PRO TEM SIMONS: You know, I think the centennial was -- came at just the right time, a historic investment in our parks. It is truly great to see. It is much-needed. We sort of -- and I don't know if it's returning, but it's more of a focus on the core needs of our parks, right?

You know, the safety of the public, projects that you come to expect are just going to be done, right? You know, the roads and the parking lots and, you know, the parks are taken care of. At 200 million, we think that we can properly provide the TLC to these parks.

But put the investment aside, and we need -- we need people, right? Our people truly -- you know, you hear the old adage that some might be, you know, a Jack or Jill of all trades but a master of none. Our team is truly a master of many trades in our system. But they can't do it alone. It takes, you know, incredible partnerships. We're fortunate to have incredible partnerships across the state, from the OSIs

and the Parks & Trails and the Scenic Hudsons -- but our volunteer groups, 85 strong. We just welcomed them all out together in October to get them together to really advocate and talk about more where the shared mission can align.

And I think, you know, from post-pandemic, I think no longer it is a talking point of what parks mean in their communities to the physical and mental wellness. I think many just now wake up and say, They mean a lot in my community and I need to now find time on my own personal calendar to ensure that I'm doing my part to help maintain them. I Love My Park Day, first Saturday every May, is a good start to that. And we've incorporated sort of those mini I Love My Park Days in different regions to further improve the stewardship across our system.

SENATOR SERRANO: Thank you, Commissioner Pro Tem.

My final question has to do with the state of our lakes. I love swimming in

lakes, I think it's a wonderful thing if we could do it. But I know over the last couple of years you've been dealing with algal blooms in a number of lakes. A lot of conditions probably out of your control, climate change and other things.

But I just wanted to know, have we started to get a good handle on these? Will we see all of our lakes open this summer despite the potential for algal blooms?

PARKS COMMISSIONER PRO TEM SIMONS: And Lake Welch is the perfect example of that. You know, two years ago we had a harmful algal bloom that basically shut down swim season at our largest public bathing beach in our state for a community that didn't have many other options to cool in the summer.

So we're looking at different projects and we're looking at new technologies. I'm particularly proud of the technology that we instituted at Lake Welch, we're pioneering some technology to see if this is, if not a solution, it can be part of a solution to,

you know, lessening the impact of these blooms that are showing up in many cases in spaces that they never showed up before. We pioneered some solar technology at Lake Welch, and we went from being closed for almost the entire summer to being closed just two days the following year.

Is that the solution? More data is needed. But we're working with DEC and our partners, you know, at ESF to formalize, you know, some of the data to see if these are solutions. And when you look at, you know, the Sebagos, looking at projects that will lessen the burden on a Lake Welch -- which, believe it or not, you know, closes as soon as 8 a.m. on a summer weekend or weekday morning -- and be the other alternative to not be turned away but have another opportunity to seek a recreational experience nearby.

SENATOR SERRANO: Thank you so much, Commissioner Pro Tem. Always a pleasure speaking with you. And thank you for your responses.

PARKS COMMISSIONER PRO TEM SIMONS: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

CHAIRMAN PRETLOW: (Mic off.) Assemblymember Ron Kim.

Before I go, I just want to say that we've been joined by Assemblymembers Stefani Zinerman, Al Stirpe, and Tommy John Schiavoni.

Mr. Kim?

ASSEMBLYMAN KIM: Thank you, Chairman. And congratulations on your new role as chair of the Ways and Means Committee. We look forward to a successful budget season.

And Commissioner, thank you so much for your testimony today. I look forward to your partnership, as well as with Senator Serrano in the coming months as well. Thank you.

Let me start off by just focusing on some of the capacity issues at the state parks. And with the tremendous demand, I would imagine we have capacity issues to

continue to protect and strengthen our parks.

Last year there were 79 additional staff positions, full-time positions, in the enacted budget. Have you been able to fill all those 79 positions?

PARKS COMMISSIONER PRO TEM SIMONS: Yes. And on the record here, even more so. I mean, we're very fortunate that people want to work at Parks and we can find the people for these positions.

ASSEMBLYMAN KIM: Great. And you mentioned the 50 Parks Police officers. Last year I believe we added -- we added 30 for State Police, so I'm assuming you hired more than 30. What is the current size of the Parks Police right now?

PARKS COMMISSIONER PRO TEM SIMONS: The current size of the Park Police -- so we were very fortunate for the first time ever, under the Governor, we held two academies. We just graduated the second one, and in a year's span, on January 3rd.

The current size is 243. And we expect, you know, the attrition rate by

October of this year will probably drop us to 235, which is still a pretty confident number.

ASSEMBLYMAN KIM: And is it sufficient, or do we need to continue to grow?

PARKS COMMISSIONER PRO TEM SIMONS: We continue to assess the public safety, obviously, between Park Police -- we think at this moment it is a sufficient size. But certainly working toward what is a number, we're trying to gather data to identify that force strength that is suitable for the Park Police.

ASSEMBLYMAN KIM: And you also mentioned in your testimony the Ryder Cup. I think that's on a lot of people's minds. You know, the golf course at Bethpage State Park will host the Ryder Cup in 2025. What's the status of the projects to prepare for the Ryder Cup? And how much have you spent on this effort so far?

PARKS COMMISSIONER PRO TEM SIMONS: You know, we're already marketing and

promoting the Ryder Cup, and the PGA of America has already touted this as what will be the most significant golf event in the history of golf, which is a pretty heavy statement, and one we're prepared -- mass gatherings are no stranger to us. We excel in this manner, from the air shows and, you know, the concert venues that we have.

A lot of -- a majority of the projects will kick off in August of this year to start building out that infrastructure. And it was a partnership, an agreement with the PGA. But we invested only a couple of million into these efforts, with the PGA picking up a lot of the other costs.

ASSEMBLYMAN KIM: Got it.

And is New York being compensated for hosting the Ryder Cup?

PARKS COMMISSIONER PRO TEM SIMONS: We have a deal with the Ryder Cup. We take a percentage of like hospitality profits, and we get sort of base fee for hosting the Ryder Cup.

ASSEMBLYMAN KIM: What's the base fee?

PARKS COMMISSIONER PRO TEM SIMONS: The base fee I want to say is two and a half -- or 4 million, somewhere in that range. I can get that accurate number for you, though.

ASSEMBLYMAN KIM: Okay, great, thank you.

So according to New York Parks & Trails -- and this kind of continues on in my line of questioning about the Ryder Cup -- for every $1 million we invest in New York State's parks system, we generate up to $21 million in economic benefits in sales, labor income, state GDP. That's a 2100 percent return, or 21X, on ROI. That's crazy. That's insane how much money we get back.

Do you have a rough breakdown, a rough estimate on how much of the return in revenues is based on in-state consumers and visitors versus out-of-state visitors?

PARKS COMMISSIONER PRO TEM SIMONS: A majority of our visitation is in-state. I can work with the team to identify like a closer breakdown to those numbers.

When we look at the breakdown certainly, you know, look at our top revenue generators, VUF, as we call it, which is really the entry fee, the vehicle use fee, is really our top revenue generator. Camping, concessions and golf all round out like the top four. But certainly we can score some of the information you're looking for, particularly amongst the top four revenue generators where that data might be accessible, yes.

ASSEMBLYMAN KIM: Great, got it.

Do you have any qualitative data on what drives out-of-state visitors to spend time and money at our state parks? You kind of touched on it, but based on things like do you do any feedback, any surveys of people who visit to get a sense of why they're driven to come drive so many hours to come to our state?

PARKS COMMISSIONER PRO TEM SIMONS: Yeah, we -- you know, working with our partners last year we actually did a number of studies within our parks to learn more.

You know, because one of the things that we want to do is not only, A, identify some of the data why people are coming to our parks, but once we acquire that data, what are we going to do with that data? You know, you just don't want it to sit off to the side and just be there. We want to be able to take it and provide value and shape sort of the direction we want to go.

We launched our biggest marketing campaign in the agency's history last year with the centennial. And when you look at parks, in many ways they're personal. Some are local destinations, some are regional destinations, and some are international -- you know, national and international destinations. You know, for instance, like Niagara Falls, right? What drives that is the grandeur of Niagara Falls.

But I think when you look at, you know, the Long Island parks, it's the beaches. Thousand Islands, it's that lake experience. Just some of the things that drive people to take -- and I think people

are certainly looking for affordability, and I think when you look at affordability you look at a three- or four-day weekend, you know, in a trek through New York State, and it really is incredible the diverse experience and landscapes that we have going from one region to another, some of which we've heard back that, you know, I can't believe I'm still in the same state, based on this three-day trip I took from perhaps Long Island out to Western New York.

ASSEMBLYMAN KIM: You know, I mean, so state parks have an impact on hospitality -- hotels, restaurants and all those concessions and vendors. But do we -- do state parks generate revenue directly from fees and sales that they charge inside the parks? Like is there -- about how much do we generate a year based on fees?

PARKS COMMISSIONER PRO TEM SIMONS: On revenue generation? About 136 million, you know, based on certainly the top four revenue generators. And we have some minor revenue generators under there. But that's sort of

about the amount that we pull in.

ASSEMBLYMAN KIM: And is the Governor planning to continue to waive fees on state swimming pools for the next cycle or season as well?

PARKS COMMISSIONER PRO TEM SIMONS: You know, and that's a discussion that is soon to be had. I think you certainly -- you have to -- I'd be most interested in looking at the balance of revenue generation. But also accessibility, particularly for communities that are typically underserved or disadvantaged communities.

So, you know, we are proud that we partnered and we received that revenue back in this year's budget for the fee waiver at the swimming pools next year. But with the double down on NY SWIMS, it's a discussion that I'm happy to have with you, but we expect to have to determine, you know, when and where is the right time to waive, you know, revenue generators, fees, but for the benefit of the physical and mental wellness of our communities.

ASSEMBLYMAN KIM: None of this is financed based on those fees. So in other words, it's not bonded out based on those fees, right?

PARKS COMMISSIONER PRO TEM SIMONS: Correct.

ASSEMBLYMAN KIM: So this is something that we can -- we have discretion over for future --

PARKS COMMISSIONER PRO TEM SIMONS: Correct, we do.

ASSEMBLYMAN KIM: The 50 million for NY SWIMS that's been proposed this year, is this new round of funding identical to the -- to last in terms of the parameters, the program parameters?

PARKS COMMISSIONER PRO TEM SIMONS: Right, so last year it was a $150 million program. This year it's 50. It's the same parameters, although this year we're including not-for-profits as eligible candidates to come in, maybe work with a municipality. But opening up to those organizations as well.

ASSEMBLYMAN KIM: Got it.

And did the first round of NY SWIMS award any floating pools? And what are, exactly, floating pools?

PARKS COMMISSIONER PRO TEM SIMONS: We have a -- we call it a crib pool, but it's a floating-type pool that we're installing at Sojourner Truth State Park.

No, not to my knowledge in the first round were there any floating pools that municipalities had requested the funding for. I'll double confirm that. But it was -- that was sort of an outlier.

And I think what you saw with the first round of 150 million, and likely you'll see again, is many municipalities just needed a repair or refurbishment on existing infrastructure. You heard a lot of stories of leaking X amount of thousands of gallons or hundreds of gallons a day in their local pools, and this aimed to repair that for them.

ASSEMBLYMAN KIM: Great. Thank you so much for your testimony today. Just like the

Senator, I'm raising my young three girls in the state parks, and I've spent a lot of time in upstate in the summertime, James Baird State Park, one of our favorite places to go and play some golf as well while the kids play on the side. So I know the economic -- I've seen firsthand the economic impact these facilities have in their community and beyond.

So I look forward to working with you in the future.

PARKS COMMISSIONER PRO TEM SIMONS: Absolutely. Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Before we call the next Senator, I want to let people know that we were joined by Senator Nathalia Fernandez and Senator Shelley Mayer. And I think we have some additional Assemblymembers.

CHAIRMAN PRETLOW: Yes, we do. We've been joined by Assemblymembers Billy Jones and Paula Kay.

ASSEMBLYMAN RA: And if I can acknowledge, Chair --

CHAIRMAN PRETLOW: Yes.

ASSEMBLYMAN RA: We've also been joined by Assemblywoman Mary Beth Walsh.

CHAIRWOMAN KRUEGER: Okay. So now we're going to turn it to Senator Borrello, five minutes, ranker on Agriculture.

SENATOR BORRELLO: Thank you, Madam Chair.

Thank you both for being here. I appreciate it. I want to direct my questions, as ranker on Ag, to Commissioner Ball. And if I have any time left -- so ...

But Commissioner, first of all, thank you for being here. I particularly appreciate your experience as a farmer and an agribusiness owner and the impact that that has had, the positive impact that has had on your ability to oversee Ag & Markets. I truly appreciate that. And it's been a great help to the farmers that I represent in my district.

My concerns -- I have a few, but my first concern is we have a lot of regulations

that have a negative impact on farmers and other small businesses. Particularly right now we're wrangling with these new wetland regulations. Now, wetland regulations have been essentially redefining what is considered a wetland, and that has had -- I'm hearing this a lot from property owners around our recreational lakes like Chautauqua Lake.

I guess my question is, how do we balance those new I guess expanded wetland regulations against the needs of our farmers and our ability to have productive farmland. Because we're talking about, you know, new -- having to do new permits and potentially have an impact on the ability to build new structures within, you know, now newly designated wetland areas.

So just curious if you had any thoughts on that.

AG & MARKETS COMMISSIONER BALL: Well, sure. You know, we work in the environment as farmers every day. You know, so wetlands is a big concern. In most cases in New York

it's a national, a federal concern. And what's coming out of Washington with regards to those regulations kind of moves and changes, ebbs and flows, if you'll forgive the pun there.

But I think that, you know, today I'm happy to say that at the Department of Agriculture we've never had a better relationship with DEC in my history of farming in New York State. So if we have a question, an issue about a wetlands and a delineation or anything of that sort, we're able to sit down and talk through it and figure out what the best outcome is for the farmer.

Having said that, in our work again together with DEC when we look at those regulations and water and -- we've got decades of history working together on that, both with our CAFOs, our large dairy operations, nutrient management, et cetera. So we're actually in a pretty good place right now in New York with that regard. We'll wait to see if we'll see any big

changes coming out of EPA in the near future. I expect some changes.

SENATOR BORRELLO: Okay, thank you.

Yes, so I -- and I agree with the -- your relationship with DEC has been beneficial, particularly when we're looking at, you know, the expansion of things like Great Lakes Cheese, you know. So I appreciate the relationship that you have and the partnership so we can balance the environmental needs with the needs to maintain agribusinesses.

So that being said, moving on to solar proliferation, I know we -- the chairwoman touched on that. But, you know, I have many concerns still. We have in Chautauqua County, in the Town of Ripley, 3,000 acres of farmland that is now going to be solar fields. I'm concerned about, you know, runoff from those solar fields, as well as the fact that it's taking up valuable farmland.

You know, we've got plenty of brownfields in New York State. We've got

closed landfill cells and everything else. I don't know why we have to take up, you know, good farmland -- other than I know it's easier and they make more money doing that, more profit from that.

So with being said, agrivoltaics is something that people keep talking about. Right now, from what I can tell, all it is is, you know, letting sheep graze under solar panels. Can you tell me where we really are with agrivoltaics, and how we can use that as a complement, hopefully?

AG & MARKETS COMMISSIONER BALL: Yeah. Obviously we'd like to try to solve this and figure out how to make it work for everybody.

I think the -- we farm about 7 million acres of land in New York State. And having just experienced a pandemic, I think we all recognize that New York better have a food system right here in the state; let's not depend on another country, another region for our food. And so that farmland is even more important to us today than it's ever been.

So I think with that in mind, we need

to look very carefully at solar. We've been able to work with our partners in energy at NYSERDA, and we talk with the PSC and we've been able to extract -- I shouldn't say extract, but come to an agreement with an MOU with NYSERDA to look at how do we avoid, minimize or mitigate the impact of solar on actively farmed land, in particular our top four tiers of soil.

So we're pursuing that. We refine that on a regular basis. But so many times it would be just as good to look down the road at that hundred acres that's not being actively farmed, that has rocks on it. You know, not the actively farmed land. So we'll continue to do that.

SENATOR BORRELLO: Great, thank you.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

CHAIRMAN PRETLOW: The ranker on Agriculture, Assemblymember Tague.

ASSEMBLYMAN TAGUE: Thank you, Chairman.

And thank you, everybody. And our

guests that are here this morning, thank you very much.

My questions are going to be towards the Commissioner of Agriculture, my neighbor, Richard Ball.

First of all, I just wanted to say happy to see that we raised the Nourish NY program. We're not at 75 million yet, Commissioner, but we're getting there. And I appreciate that.

One question I had, you mentioned during your statement some of the money that's being invested at the State Fairgrounds. You had mentioned something about the dairy buildings. But I was just wondering, are we revamping the sheep and goat barns as well at the State Fair?

AG & MARKETS COMMISSIONER BALL: Yes. Actually we've got -- the plans are at OGS right now. They've been approved. We're going to be acting on the Sheep and Wool Center at the fairgrounds.

ASSEMBLYMAN TAGUE: Okay. That's great. Because they were in some pretty

rough shape over the last few years, and it's one of the complaints I get from mothers and fathers of some of the young folks that show at the fair.

The other thing I want to touch on, and Senator Hinchey did as well, but I want to talk about the Farm Laborers Fair Labor Practices Act. Has the department undertaken any effort to study and/or alleviate some of the economic difficulties that this has caused?

AG & MARKETS COMMISSIONER BALL: Well, we have the overtime tax credit that the Governor proposed a year ago now.

ASSEMBLYMAN TAGUE: Well, that's kind of my reasoning for asking that question, because all I hear from our farmers is that it's very confusing, it's not exactly what they thought it was going to be.

So although the tax credit has been enacted to help offset the cost of this act, the big problem that I see is that it does not solve the front end. You know, the cash flow issues increased, the increased labor

and payroll costs. So what else can we do?

AG & MARKETS COMMISSIONER BALL: Well, I think we're looking forward to a solution that's going to make it work for all farms across the state regardless of their management entity.

I would point out that we did have an early release, farmers could apply to get an early return on that in July. And we put together a website that was very easy for a farm to access that, sign up for it. I have to tell you, 63 farms took advantage of that, 63 farms. And they got their money within two weeks of it being approved by us and by Tax and Finance. And about $1 million went out the door in September for those farms.

It looks to me as though most farms are waiting till the end of the year, at tax time, to actually get their accounting in and get the overtime tax credit, the refundable tax credit back to them. So I think we're still too early in the process to know the right answer to dial that in. Initially we heard farms wanted to do it four times out of

the year, they wanted it sooner. But the fact is, the middle of summer, we only had 63 farms ask for that.

ASSEMBLYMAN TAGUE: Well, I can alleviate the whole problem. We should have just kept it the way it was. That's -- you and I can agree to disagree about that, but we should have left it -- 73 percent of the farmers in the State of New York were against moving to this new practice as well.

But I'll move on. I want to touch on -- how many farmers have come to you expressing a specific desire to install solar or wind energy products on their farmland?

AG & MARKETS COMMISSIONER BALL: About a handful. The majority are not farmers who come to us with a proposal.

ASSEMBLYMAN TAGUE: How many developers would you say are aggressively pushing such products on our farmland owners?

AG & MARKETS COMMISSIONER BALL: I would say that of the notice of intent that we get at the Department of Agriculture about proposed solar projects, I would say

95 percent or more are coming from solar developers.

ASSEMBLYMAN TAGUE: And are the farmers that are coming to your agency looking for some advice, are they given adequate support and resources to make sure that they can make informed decisions with these situations?

AG & MARKETS COMMISSIONER BALL: They do. Our Land and Water people are very good at this subject.

ASSEMBLYMAN TAGUE: All right. And then I got a little bit of time left before the buzzer rings. But, you know, we've talked about this before, but do we know how much farmland in terms of acreage has been lost to wind or solar energy development within the last five years?

AG & MARKETS COMMISSIONER BALL: Well, we're going to accurately look at that in this budget here, looking at the loss of farmland from a variety of sources. There's no doubt there has been some Tier 1 through 4 actively lost farmland, actively farmed land

that has been lost to solar development.

ASSEMBLYMAN TAGUE: That's my biggest concern, Commissioner, is that the left hand doesn't know what the right hand is doing. And we talk about food security throughout this state. We can sustain ourselves here, but we surely can't if we have no farms. As Farm Bureau says: No farms, no food.

AG & MARKETS COMMISSIONER BALL: We share that concern.

ASSEMBLYMAN TAGUE: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Our second ranker -- for Parks, Cultural Affairs, et cetera -- Jim Tedisco, five minutes.

SENATOR TEDISCO: Thank you, Commissioners, for being here today, for your testimony and so often coming to visit me and my constituents in the 44th Senatorial District. And inviting me to be there with you and bringing good news, usually. So I really appreciate that.

You know, you're probably aware of the fact, because we are here if we've been to

these budget hearings often, that when we start the year and we have the budget, a lot of words start to emanate around the Capitol here. And usually they give you an indication of the direction we're going. And sometimes one word rises to the top here at the budget. And you probably can guess what that one word has become here in the Capitol and in New York State. I say tongue in cheek and probably not that seriously, but if I had a dollar for every time I heard the word "affordability" in New York State this year, we wouldn't have these hearings because we could balance this budget and budgets into the future.

I think my question to you is, because I believe that if we're going to reach affordability -- and this is coming down from our leaders here, the Governor of New York State and many of our colleagues, and all of us know that's important, extremely important -- we're going to have to have spending priorities, serious spending priorities. Not based on an election coming

up, but based on creating a better quality of life for our constituents. And as has been said by the leaders here, leaving more money in taxpayers' pockets -- not maybe generating that money from them directly and giving it back to them, but talking about tax cuts, which we're very supportive. We've been talking about those from my conference, and as ranker I think that's important holistically.

But I would ask you, because I'm probably believing that as commissioners, your groups -- the Governor has reached down to you and said, Help me with this goal of affordability, help me to find out what we can do through the great parks and recreation we have, through the historic sites where people come to visit -- because there's restaurants and there's hotels where people are staying, generating money from small businesses and developing that, and the farmers we have and the great products they produce and the jobs they create. We had some pretty good tax dollars that came in,

sales tax money that came in this past year.

As you interact with the Governor, and I'll ask you this question, what would be your direction or top priority to help her achieve those goals of affordability in New York State, through your activity in terms of keeping people in New York State, attracting people to come to New York State? We shouldn't be -- we're a beautiful state, and I think you guys do a wonderful job in many areas, and our commissioners do too with what they have available to them.

Bu 101,000 people left the state last year. So I do agree with the Governor -- better late than never -- we have an affordability problem. What would be the number-one priority you think you could do or direction you could take as commissioners to help her with that affordability problem and us in New York State?

PARKS COMMISSIONER PRO TEM SIMONS: And I can start there. You know, for Parks, Recreation and Historic Preservation, accessibility. I think last year what you

saw is when we waived fees at swimming pools all across our system, we saw a 36 percent increase. And mind you, that fee that we waived was a dollar at some parks and upwards of $5 at other parks.

When temperatures rose in that third week of June to above 92, 95 degrees for four straight days, we did also waive fees throughout the parks system -- that VUF, that vehicle use fee -- and we saw attendance jump by 40 percent.

And I think parks can be a litmus test for affordability. We are incredibly affordable. And some of the biggest things that we hear when we're out there with communities -- you know, there's been times where perhaps, you know, with inflation or costs rising, we've had to consider maybe, you know, jumping the costs on a base fee at a campsite, it could be 50 cents, and we hear about it. And it's good understanding that, you know, what is affordable to perhaps me may not be affordable to many of those who live in New York State, and being conscious

of that. And that's why we're incredibly sort of, you know, dedicated to making sure that parks remain affordable on many levels.

SENATOR TEDISCO: So about more people being available to invest in our parks at maybe lower income levels that some others can't.

PARKS COMMISSIONER PRO TEM SIMONS: And then access our parks, you know, in a number of different ways, yeah.

SENATOR TEDISCO: Thank you very much.

AG & MARKETS COMMISSIONER BALL: My colleague said accessibility, and I would have said connecting the dots between our agricultural community and a community that needs access to food in a bigger and better way. So I think we're on the same page there, yeah. Thanks for the thoughtful question.

SENATOR TEDISCO: Thank you, Commissioners. Appreciate it.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

CHAIRMAN PRETLOW: Assemblymember Mary

Beth Walsh, for three minutes.

ASSEMBLYWOMAN WALSH: Thank you very much.

Good afternoon. My question is for Commissioner Simons, and it has to do with the 250th anniversary of the Revolutionary War and those events that are starting to take place. And one of the things that has come back to me is that there's a lot of disappointment that the Governor's budget has not made any investment in the 250th celebrations that are being planned for the area.

And that's in contrast to other states. Like New Jersey has made an investment of 25 million; Virginia, 20 million; South Carolina, 5 million. And so really -- I'll ask the question and then I'd really love your feedback.

You know, New York State was the site of so many crucial events leading to the creation of our nation, including the Battles of Saratoga in 1777. You know, military buffs, patriotic Americans, people

from around the world are even expected to be coming to Saratoga County and other places around New York State to help mark these events, including at the battlefield, to learn, to celebrate.

And this won't only just be a point of pride for New York State, but also, if we do it well, it will generate tourism revenue.

So will you advocate for New York State to invest in this important, once-in-our-lifetime commemoration? You know, it's just a little bit embarrassing that New York State appears to be investing nothing while other states who can't claim as much history as we do are doing so much more.

So I'd love your feedback on that.

PARKS COMMISSIONER PRO TEM SIMONS: And thank you for that. I appreciate that, as cochair of the 250th Commemoration Commission. And, you know, we're confident, we're confident New York State will deliver a robust commemoration, certainly with available resources.

I'll say we're just at the beginning

of the budget process, and certainly, you know, we'll of course be happy to continue to discuss, you know, legislative priorities along the coming weeks and coming months.

But, you know, you -- we -- half of our historic sites are tied to the American Revolution, you know, in many ways. We are particularly proud of the launch of our kiosk program. You know, we launched this at Washington's Headquarters. We have 20 more that will debut at historic sites and state parks across the state. And this really is, you know, sort of the storytelling of the 250th, but telling it from multiple perspectives, that Our Whole History initiative.

So certainly it is something that is just the start of it. You know, I could get a list of capital projects too at many of our historic sites. But the commemoration commission, we kicked off, we have our next meeting in March. And we have a strategic plan that is imminent. And I think that you'll find many of the recommendations

might, you know, cover some of the concerns you raise here today in the lead-up to the 250th.

CHAIRWOMAN KRUEGER: Thank you.

Senator Chris Ryan, three minutes.

SENATOR CHRIS RYAN: Thank you, Madam Chair.

Good afternoon. A question to Commissioner Ball.

We talked about the fair. I'm in the 50th District -- Chris Ryan, 50th Senate District, thank you. Home of The Great New York State Fair, I might add.

So with that said, very happy to hear about, obviously, the capital improvements. But I know that's a broad -- but hopefully we can get a little bit more in the weeds. Could you elaborate just a little bit beyond -- I know we talked about the outdoor concert venue, but can you get a little bit more specific on it?

AG & MARKETS COMMISSIONER BALL: Sure, yes. Well, welcome aboard, first of all. Thank you, look forward to working with you

out in your county.

SENATOR CHRIS RYAN: Thank you.

AG & MARKETS COMMISSIONER BALL: Yeah, we're looking at a variety of projects. certainly I've heard it characterized that we're looking to add more concerts at the fair, which is not the case. We did put a substantial investment in that area over the last 10 years, pretty significant. For example, the Expo Building, which prior to COVID was booked for the entire year. And we're now working on getting back up to having that be a more year-round experience for people.

So we're anxious to accelerate the number of horse shows that we have at that fair in that building. And I would say we need -- we recognized over the last few years some needs for upgrades to the building to accomplish that goal around electrical outlets and things like that. So we're working with OGS on that.

But we're also looking at the whole western end of the fair. We have the pond

there now, we've got the villages. I don't know if you've had an opportunity to visit the villages. We have a central location for them at the western end of the fair where we had the Asian village, we have the Indian village, and we had the Latino village there. We've had the Black experience on the other end of the fair. But tying together and making that a more significant event and having their own stage and place to recognize that.

That's our youth end of the fair, in a very big way -- the 4-H building, the FFA proposed buildings. That's an opportunity to invest in agriculture with our youth. Those are some of the things that we're thinking about, along with some capital improvements that we need to do. We've got to finish that sheep barn, and we've got those other buildings up and running.

SENATOR CHRIS RYAN: Well, that's, you know, good news. And I certainly -- I think we really, really need to look at it in the context of an economic driver.

AG & MARKETS COMMISSIONER BALL: Sure.

SENATOR CHRIS RYAN: We certainly need to utilize that facility where the -- I mean, the whole entire experience. Because I think it can create tourism, I think it can be a good economic development driver. I'd be really -- really anxious to hear about some priorities going forward, how we could best utilize that for the region. So expect good things to come.

AG & MARKETS COMMISSIONER BALL: Sure. Well, you know, we've made a very direct move to make agriculture the centerpiece of the fair again. And I tell all our ag groups, all our commodity groups: If you had a chance to talk to a million people -- which is what we'll attract just in those 13 days -- what would you want to say to them? So it's a great opportunity for that.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

CHAIRMAN PRETLOW: Assemblymember Otis for three minutes.

ASSEMBLYMAN OTIS: Here we go. My

clock did not start till the green light went on.

Commissioner Ball, thank you always, every year, for your thoughtful answers to the questions that come your way and the great job that you do. And for all of that, I'm not going to ask you a question, I'm going to ask a question of State Parks. But I want to -- I've heard you over many years, and the quality job you do is appreciated by everybody. So thank you.

Commissioner Simons, a question about the great program at state parks which is the growing of EV charging access in state parks' parking lots for visitors. And we've been updated over the years on that program; if you could update us on where we are today and how that continues to grow at state parks.

PARKS COMMISSIONER PRO TEM SIMONS: So it's something certainly that we have been drilling in on more heavily. Right now we have really been -- concentrated on improving our own fleet. I think we're upwards of 50 percent of our light-duty fleet is

certainly electric in nature, renewable.

And we're looking at sort of the next goal, is sort of those charging stations within our parks. You know, there are a select few where they do -- are housed. And the next conversation is public versus, you know, our own fleet and the needs for them.

But I think you see us around a 15 percent, you know, number right now, with the idea that the number will continue to grow because of the nature of where we need to be, certainly, to do our part.

ASSEMBLYMAN OTIS: That's great. And that's certainly, I think, an added attraction for people to come to parks but also with the growing adoption of EV vehicles, it's something that we should be doing -- not just at state parks, at every state facility where there's parking, and grow that. So thank you.

With that, we love our state park system and your whole team at State Parks. Keep up the good work, and I will yield back the rest of my time.

CHAIRWOMAN KRUEGER: (Mic issue.) All right. Sorry. Thank you very -- these are tricky.

Senator Nathalia Fernandez.

SENATOR FERNANDEZ: It's supposed to be green, okay.

Good morning -- good afternoon. Thank you, Commissioners, for being here.

My question is to Commissioner Ball. In the state fiscal year 2024-'25 enacted budget, the Governor had given a million dollars for beginning farmers and 1 million appropriated for socially and economically disadvantaged farmers. We see that that is the 1.3 percent of Black, Indigenous and people of color.

Now, this year she has discontinued those programs. Can you provide any information on how -- I'm sorry, on the programs this funding has supported and the status of projects funded through these programs? And what organizations has the department partnered with to distribute the grant funding for socially and economically

disadvantaged farmers?

AG & MARKETS COMMISSIONER BALL: Yeah, thanks for that.

This has been a long effort. We started this after the USDA NASS statistics had come out in 2018, and we saw the numbers of Black farmers, for example, Latino farmers, we saw those numbers drastically changing, and we sought to address that.

So the -- I'm happy to tell you that it's not in her budget this year because we have reappropriations of over $4 million available to us. We had to go through a fairly lengthy process of finding administrators to put the program out. So the initial funding a couple of years ago was spent getting them up to speed, getting them certified, getting them the 501(c)(3) status that they needed to actually accept the money.

I'm happy to tell you that the Beginner Farmer Work Group money, that has been -- it's out there. That program closed I think a couple of weeks ago. We'll be

released -- we'll have the grants released in January. So we've got the funding there. We didn't -- that was a legislative add that you guys put in the last couple of years. It's much appreciated. But it will finally be able to get out the door here in the next coming months. So we've got over $4 million available to do that.

Along the way, we now have an assistant commissioner in charge of this subject area, we've got a website, outreach, agriculture.ny.gov. We have open calling hours -- office hours, I should say, not calling hours -- office hours twice a month for people that are interested. And we expanded the scope of this program to --

SENATOR FERNANDEZ: How many farmers have been awarded so far?

AG & MARKETS COMMISSIONER BALL: We're just getting to that point now where farmers are getting awarded.

But we worked with Black Farmers United and Northeast Farmers of Color to get that administrative work done.

So the number of farmers that we've served in the last couple of years has been -- we have been all across the state visiting farmers everywhere, including in the city, in urban farms, community farms. And I feel very good about this program. It is finally moving. The biggest challenge we had was the disconnect between, you know, the lending institutions, between land, people, between education, and between navigating all the systems. All these socially disadvantaged groups didn't have access to that, and that has been solved.

SENATOR FERNANDEZ: Thank you.

AG & MARKETS COMMISSIONER BALL: Thank you for the question.

CHAIRWOMAN KRUEGER: Thank you.

We've been joined by new Senator April Baskin. Welcome.

Assembly.

CHAIRMAN PRETLOW: Assemblywoman Anna Kelles, three minutes.

ASSEMBLYWOMAN KELLES: So quick question. This year there was funding for

$1 million for an agrivoltaics research program, specifically to help us create best practices to ensure that we do maximize the agricultural production where we have solar. That was not in this year's budget, and I'm curious if that is ongoing and where that is at right now and whether there is an interest in adding that funding back in for the 30-day amendments.

AG & MARKETS COMMISSIONER BALL: Yeah, two things. One, that funding is ongoing at Cornell, one aspect of it. I think that's what you're referring to.

The other aspect of it is that separate from that, is Ag & Markets and NYSERDA with the technical working group are looking at this subject very intently, trying to decide what is, what isn't, what's feasible, what doesn't work, what could work. It's got --

ASSEMBLYWOMAN KELLES: But this is an ongoing -- we've already put a million dollars into it. And it was a three-year, $3 million project, so I was curious.

AG & MARKETS COMMISSIONER BALL: Yeah. So I think what you're speaking about is the Cornell project.

ASSEMBLYWOMAN KELLES: Mm-hmm. Specifically, yeah. For best practices.

AG & MARKETS COMMISSIONER BALL: It's ongoing. That's ongoing.

ASSEMBLYWOMAN KELLES: Okay. And I know farmers depend heavily on agricultural products research funded by the state, and that's through Cornell CALS and their capital Cornell program for tech research. That funding has been flat since 2009. I know that there's been a request by multiple entities who will be testifying today for $5 million for capital and $5 million for operating. Is that something that would be considered potentially for a 30-day amendment?

AG & MARKETS COMMISSIONER BALL: Well, you know, we'll cross that bridge. But we do have funding in research at Cornell; it's pretty extensive. I've got to sit on the CALS advisory committee for the dean. We've

invested some money in CURC -- you know, the ruminant center on -- at Cornell this year. That's in the budget.

ASSEMBLYWOMAN KELLES: Right. I know that if they just did an adjustment for an inflational loan back to 2008, it would be $46 million that they would need. So the 10 million, 5 million for each, is pretty nominal compared to that. I know that's something worth considering, I think.

Another quick question, to Parks. Thank you so much. And thank you so much, Commissioner Ball, I really appreciate it.

You talked about the Parks officers. Is there an inclusion of the 20 million pension parity in this budget?

PARKS COMMISSIONER PRO TEM SIMONS: Not in this budget, no.

ASSEMBLYWOMAN KELLES: Okay. Because I know that that has been causing huge issues in disparity between the two groups.

And the 200 million that was put in the budget for parks infrastructure, do we know what the actual need is?

PARKS COMMISSIONER PRO TEM SIMONS: Yeah, I think when you look at the 200 million you're looking at our core, right? You're looking at, you know, the foundational elements that sort of -- that lift the park system up.

But we're currently putting together that short list, and I think you're going to see like a 90 percent return rate on the core items, everything from -- the core infrastructure within our system to improve upon the expectations that visitors have.

ASSEMBLYWOMAN KELLES: Thank you so much to you both for all your great work.

AG & MARKETS COMMISSIONER BALL: Thank you.

PARKS COMMISSIONER PRO TEM SIMONS: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

We have Senator Oberacker.

SENATOR OBERACKER: There we go. Green to go I guess is what it says.

So, Commissioners, thank you both for taking the time to come up here to Albany.

It's always good on a -- when it's not snowy and having to deal with that.

So -- and Commissioner Ball, please don't feel that I'm not addressing anything with you, but I'm going to address my questions to Parks & Rec, so you get a chance to relax.

So, Commissioner Simons, thank you again for coming up. You know, as somebody who has a bunch of parks in their district -- in Otsego County, where I live, we have Glimmerglass, Betty and Wilbur State Park, Gilbert Lake, you know, and they're absolutely amazing. And one of the things you brought up was accessibility, which I found was the key word to that.

We did a great job of a kayak boat launch at Glimmerglass. It's being used unbelievably -- you've made a lot of people happy.

Being a sportsman and one who would love to take my grandkids out onto Glimmerglass Lake in a more traditional role of taking them fishing, it would be really

interesting if we could look at accessibility and getting a boat launch for those that are in that realm, and opening up this absolute jewel of a rec to those constituents.

And I will tell you this, I learned more from my grandfather fishing in a boat than I ever have anywhere else. So if you could do that, that would be awesome.

One other question I do have, and this is again for Parks -- and this pertains particularly to safety. I know we had some incidences at the state parks -- I believe we've had a couple of deaths, which we've never had. And so one of the things I was concerned about with that, is there a continued -- I'm sure there's a continued focus, but is there anything more that we could be doing at our state parks to kind of ramp up security? I'm a first responder -- those type of things, you know, is there a plan in place to address -- because we're talking quite a few people coming hopefully for the Ryder Cup and things of that nature.

Thank you.

PARKS COMMISSIONER PRO TEM SIMONS: And thank you for your service as a first responder. It's the partnerships that we have with the emergency services, both from a state and local perspective, that really sort of help us all, you know, partner in delivering, you know, utmost public safety to our visitors.

You know, for the first time ever, you know, we saw last year the Governor invested 53 million towards just, you know, improving safety infrastructure in our parks. We immediately got to work, we identified, you know, 51 projects -- 51 parks, I should say, that were in use of everything from maybe license-plate readers to, you know, improved security, fencing and lighting, security cameras. And right now those projects are everywhere from design to procurement to in the construction phase.

And we are especially mindful of our own personnel as well. I mean, it is -- we painfully, you know, now and again get reminders of the risks that are involved in

providing for safe and enjoyable recreation. So we are looking at training, enhanced training across the board to make sure they have the resources they do to to get the job done.

SENATOR OBERACKER: Thank you.

PARKS COMMISSIONER PRO TEM SIMONS: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

CHAIRMAN PRETLOW: Assemblymember Scott Gray, the ranker on Parks.

ASSEMBLYMAN GRAY: Thank you very much.

Thank you, Commissioners, for being here today.

So first I want to address Commissioner Simons. It says "investing in parks," some of the language in the state -- in the Executive Budget, "200 million," and it said "substantial level of funding that will aid ongoing transformation of New York State's flagship parks."

So first of all, I'd like to know

where those parks are geographically, and perhaps you want to name what the parks are. But I'm looking for equity in terms of distribution of that $200 million as well.

And then the other thing I want to talk about a little bit, if you can, is the -- some of the grant programs, NY BRICKS, NY PLAYS, NY SWIMS. A lot of those have language in there again that is targeting where that money is going to be directed to. And I'm really concerned that New York State taxpayers believe that there's some sort of expectation that they're going to have some of the taxpayer money returned to their communities, without parameters attached to them where it's going to be directed to other communities, so that everybody has a fair and equal opportunity to address -- to get some of those funds back.

And then once you get done with that, Commissioner Ball, if you can just talk about NDAs with developers and solar farms and things like that. Should farmers be expected to have an NDA in those agreements? Do you

support removing NDAs from those agreements so farms know what they're being -- you know, how they're being played against each other.

So now, Commissioner, thank you.

PARKS COMMISSIONER PRO TEM SIMONS: No, I appreciate those questions, very important to us. Equity across the board, from a personal/professional capacity, certainly believe in equity. I think when it comes to our capital funding, those are extensive meetings with our regional teams. You know, the regions get an allotted amount, you know, set for their particular regions. And they will raise up the priority projects, and we'll discuss.

So certainly equity of our funding does get spread out. Certainly flagships, you know, obviously are prioritized in many regions. But we have 250 properties, right, and we have to make sure that they are not only accessible, but they have the proper funding so we can accommodate, you know, all those who visit those parks as well.

And when you look at the Unplug and

Play -- you know, I think it's about elevating. Parks can be on the main stage, elevating New York State. And what we're finding in the conversations with communities is certainly, you know, the annual allotment we have of our parks, you know, goes a long way in repairing, refurbishing and, you know, taking the TLC on our own parks.

But we're finding that in stressed budgets in municipalities, oftentimes parks and the arts are the first, you know, programs to go. And this really is -- we are at a time, because of the physical and mental wellness, you know, benefits that parks supply, we're in a time where the state can step in and the state can aid our communities in raising that profile.

For SWIMS -- you know, a swimming pool is not at the top of a local budget. In fact, that's why many of them were in disrepair. That we can provide a little assistance for them to say how can I miss out on this funding coming to me, I will raise that to the top. And we're looking at

playgrounds, to get kids off their devices, giving them other opportunities. And the community centers, putting a great concentration there as well.

ASSEMBLYMAN GRAY: Thank you very much.

Commissioner?

AG & MARKETS COMMISSIONER BALL: Yeah, thank you for the question. It's a hot topic for certain. And frankly New York State wasn't ready, the farm community wasn't ready, and our municipalities and county governments were not ready for the -- you know, the onslaught of developers with solar ideas.

So those are technical, legal questions. I'll go back to our counsel on that.

I think the best thing that we can do to serve the agricultural community is an educational one, and we've sent our Land and Water people out across the state to educate them on, you know, some of the language that's in the agreement that's being put in

front of them. There were all kinds of language issues and rights that farmers were giving up if they agreed to accept, you know, $2,000 per acre per year for the next 20 years. That sounds pretty attractive, but some of them were very poor deals.

So for us I think it's very much continue to work with NYSERDA, continue to work with the technical working groups there, continue to educate our communities. Because we can't achieve our solar goals just on the back of farmland.

ASSEMBLYMAN GRAY: Thank you.

And so just in my remaining time, I'll go back to Commissioner Simons. So I just offer you or ask you to look at your boat launches, especially your standalone boat launches. I know we talked offline here. You know, they're in a struggle to get funding and get adequate attention from both staff and financial resources. So we have a lot of standalone boat launches, they're very important to fishing and other activities.

PARKS COMMISSIONER PRO TEM SIMONS:

One hundred percent. Thank you.

CHAIRWOMAN KRUEGER: Thank you. Sorry to cut you off.

Our ranker for Finance, Tom O'Mara, five minutes.

SENATOR O'MARA: Thank you, Chairwoman.

Good afternoon, gentlemen. Thank you both for being here. Commissioner Ball in particular, thank you for your many years of service to this great state, and your continued service.

I want to thank you for your comments earlier in regards to support for industrial hemp. I'm still very hopeful on that industry in New York and that we get some traction on that in addition to the other uses of hemp. But the industrial stuff is extremely important and promising, I believe.

And also to your efforts on making sure we protect farmland, in light of the ever-expanding solar industry in New York eating up farmland across the state. So look forward to continued review and guidance on

that, so thank you for that.

A couple of specific questions on some line items. I see a 61 percent cut to the New York State Apple Growers Association. Now, last year was a devastating year to the crop for the apple industry in New York State. Can you explain to me why we're cutting that association by $760,000, this year's 61 percent cut?

AG & MARKETS COMMISSIONER BALL: I believe that was, if I'm correct, your folks' good work on adding that funding there. The Governor came in at the same level this year as she did last year. That reflected your inputs.

And again, this budget is really -- the Governor's budget is the starting gun, and we rely so much on your input in the Senate and the Assembly for things that are important to you.

But that was a legislative add and worth considering again.

SENATOR O'MARA: You agree that the apple crop in New York took a big hit last

year because of some weather incidents of, I think, hail and frost?

AG & MARKETS COMMISSIONER BALL: I visited some farms in your area last year. And we've had some challenging years recently. You know, we set a record for the number of tornados in New York State in one single day last year. We set flooding records. I was in your neighborhood looking at some pretty big devastation there.

So absolutely. And I think it's not just a state issue, it is a national issue. You know, the national crop is also facing a pretty significant surplus as a result of some trade decisions that have been made over the recent years.

SENATOR O'MARA: Thank you. And I was going to get to commenting on your visit to Canisteo in the post-flooding. I thank you very much for that and your leadership in that, and certainly our agriculture industry aross -- and farmers across the Southern Tier. Appreciate your work on this.

Another significant area that's seen a

significant line-item cut is the New York Farm Viability Institute, with over a million-dollar cut, a 53 percent cut. Is that the same thing, where we need to fight to get that back in, the Legislature, one of these fights we have every year?

AG & MARKETS COMMISSIONER BALL: Well, at least at this level, yes. That was -- you know, that was your legislative add last year. We support the Farm Viability Institute. And actually we fund them in some alternative ways with small -- not small, but specialty block grant funding on some projects that they have subscribed to us.

So we believe in the viability of farms in New York State.

SENATOR O'MARA: Thank you, Commissioner. I'll move on in my remaining time to Commissioner Simons.

Thank you, and it was great to see you at Stony Brook this summer --

PARKS COMMISSIONER PRO TEM SIMONS: Yes.

SENATOR O'MARA: -- for that.

A couple of questions on the funding for ORDA, particularly in the ski resorts, particularly focusing on recreational skiing, cross-country, downhill.

There's an $85 million capital appropriation, an increase of 15 million, 21 percent, to ORDA; another line of 25 million, an increase of 12.5 million, a 100 percent increase on that line for ORDA. I looked at facility things, but I think that also encompasses recreational skiing facilities as well. Can you break that out on what of that is going towards traditional recreational industry and what we're doing in this study to help all the private industries that we have?

And I support ORDA and these facilities, but it's very unfair competition when we send hundreds of millions of dollars to these state-owned ski facilities -- which are fantastic, and I'm a skiier -- but we've got other great private facilities that we can't even get tax breaks on energy for them to make snow.

So can you address the fairness of that competition, so to speak, between these?

PARKS COMMISSIONER PRO TEM SIMONS: You know, and that's a -- it's a great question, a very fair question. I'd like to take some time to investigate that further. We were discussing that very thing just the other day.

You know, parks are communities, right? Parks are partners in many aspects. And we try to elevate, you know, our agency to assisting communities in a number of different ways. But I'm happy to drill in very -- you know, much deeper on that very idea, and I'll get back to you with a more firm answer when we have some more time to discuss.

SENATOR O'MARA: Thanks. Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

CHAIRMAN PRETLOW: Assemblymember Carrie Woerner.

ASSEMBLYWOMAN WOERNER: Thank you, Commissioners. It's always a pleasure to see

you both.

Commissioner Ball, could you give us an update on the meat processing plant grants? Have they been -- were there applications made? Are they moving forward?

AG & MARKETS COMMISSIONER BALL: On the New York grants?

ASSEMBLYWOMAN WOERNER: Yeah.

AG & MARKETS COMMISSIONER BALL: They are all out. They're all out the door.

And it was a $5 million program. I think we were over subscribed. I think we were able to award 26 different entities some funding there. But we spent that money. It's out the door and doing good work. So that was a tremendous success.

ASSEMBLYWOMAN WOERNER: Great. Do we need to do more of this? Do we -- where are we on capacity for meat processing?

AG & MARKETS COMMISSIONER BALL: Well, I'm going to make the Senator smile, but I think it was a great program. And it identified a real weakness in New York State's supply management of, you know, meat

products.

We saw on -- the federal side there was over a billion dollars put forth to advance processing around the country. Too much of it is centered in one part of the country. But we had very little takers. Maybe it was because of the federal government and the complexity of dealing with them and the complexity of the grants, but we did not have success with that, even though we called every processor in the state, USDA or custom, and tried to convince them to go that way.

But the state monies went out very quickly, in a rapid period of time, and made a difference. It continues to make a difference.

ASSEMBLYWOMAN WOERNER: So it has expanded our capacity.

AG & MARKETS COMMISSIONER BALL: Yeah, I think so.

ASSEMBLYWOMAN WOERNER: Terrific.

You talked about the state fairs, and I know in the past we've done capital

programs for county fairs to help them upgrade their infrastructure. We didn't do one last year because there was still money that had not been -- had not been applied for yet. Where are we on the need for an additional fund for county fairs?

AG & MARKETS COMMISSIONER BALL: I have mixed feelings about this one because we still have funding available through the four rounds that the Legislature approved for funding there. And I have to say so much of it is laying on the shoulders of both a little bit of -- many of these smaller fairs are volunteer organizations, may not have the expertise to navigate New York's SFS system or what used to be called Grant's Gateway.

So at the department we've dedicated a group of people to helping hold the hands and walk people through the process. That's been the holdup, largely. But we still have funding available to do that.

On the other side of the fence, we do have funding also to help with transportation of inner-city, generations of rural kids to

get to county fairs, to help them with marketing their fairs. And that's been very successful, appreciated, and that will continue. That we have additional funding for.

ASSEMBLYWOMAN WOERNER: Thank you very much.

CHAIRWOMAN KRUEGER: Thank you.

Just looking through -- oh, hi, Senator Fahy, you've joined us. Do you have a question, since it's a Senator time?

SENATOR FAHY: Yes.

CHAIRWOMAN KRUEGER: Okay, three minutes for Senator Fahy.

SENATOR FAHY: Thank you.

I stepped away for a while to head to conference, and so I apologize if this was already asked, and you can just tell me it was.

But for Commissioner Ball, we've done a little work on conservation easements here in -- locally with Guilderland, Town of Bethlehem, and I know a number of other areas have done conservation easements. Does that

help? And is there something more that should be done with farmland protection and, you know, smart-growth planning?

And if you could answer that in relation to some of the debates that I know you referenced earlier to Senator Hinchey with regard to balancing and protecting farmland while moving on solar energy initiatives and more.

So how can we do this in a way that makes it workable for all and is protecting some of our best farmland while also growing the land trusts and others, if you would.

AG & MARKETS COMMISSIONER BALL: Yeah. So a great question. And in particular when it comes to this area, everyone pretty easily recognizes the encroachment of suburbia onto farmlands and the need to protect that farmland.

What's less understood is community gardens, urban farms, they also have conservation problems. And so we've expanded our thinking to include those groups, which I think is excellent. I think the use of

easements has proven and will prove to be an effective tool to help a beginner farmer, a new farmer, or a farmer that wants to expand, change their operation to invest in it again.

So those conversations are very live, and I very much appreciate the opportunity to look at it in this -- in your neighborhood in particular.

SENATOR FAHY: Thank you. And I'd love to pursue any of that a little further. They have been helpful here with at least giving options, particularly for every high-desired land and developments. As you said, there's encroachment from -- as the Capital Region continues to grow.

And then switching gears in my last few seconds, Commissioner Simons, just your -- commend you on the veterans' Lifetime Liberty Pass, which is just wonderful. Can you just talk a little bit about accessibility to state parks with those who may not have cars? I know that we've -- your numbers keep growing, but physical accessibility remains a challenge, in all of

20 seconds.

PARKS COMMISSIONER PRO TEM SIMONS: And so appreciate that question. It's something we've talked extensively on. We started piloting programs -- City of Albany, Tompkins County, even down at Jones Beach, partnering with local public transportation units to increase visits to parks -- "Nature Bus" in Tompkins and Albany County. We are finally collecting data to see that success, but we think we can implement it elsewhere across the state.

SENATOR FAHY: Thank you.

Thank you, Chair. Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

CHAIRMAN PRETLOW: Assemblymember Ed Ra, the ranker on Ways and Means.

ASSEMBLYMAN RA: Thank you, Mr. Chair.

So for Parks, you mentioned the Ryder Cup, and I have a couple of questions both pertaining to the Ryder Cup and to Bethpage in general.

First, a lot of us downstate heard

from constituents when the ticket prices came out. Obviously there's a potential -- this is a great international event, potentially have a great home court advantage, so to speak, for the USA in it, and people are concerned they're being priced out. Is there anything being done with regard to that?

PARKS COMMISSIONER PRO TEM SIMONS: Yeah, so we've had extensive conversations with the PGA, and we expect to offer, you know, days that are significantly reduced, you know, at the cost to the public to attend, you know, some or part of that event. But it's something that is very much on our mind, being affordability. But we're having a lot of discussions and we'll have some news on that shortly, sir.

ASSEMBLYMAN RA: Okay. And then with regard to Bethpage Park in general and the multiple golf courses there, I'm sure you're aware of this, but I -- recently it was brought to my attention that there's a lot of concern that there are bots and computer programs that are taking advantage of the

booking system and making it very difficult for people to get tee times. Somebody did a very detailed analysis of this and basically it was seeing that like on Bethpage Black, I think in particular, there was a tremendous amount of cancellations, which indicated maybe people are booking them and then cancelling them if they can't sell them. And a lot of them were from out of state accounts, which my understanding is they're able only to book five days out as opposed to seven.

So I'm wondering what the Parks Department is doing with regard to that issue.

PARKS COMMISSIONER PRO TEM SIMONS: So we have instituted sort of, you know, putting tee times aside for walkups and also, you know, spreading that across a number of different courses, the five different courses that we have.

We are investigating that and, you know, any misuse of our system we're drilling in on to identify if there is a misuse of

bots. And we'll take the appropriate action to reduce that opportunity.

ASSEMBLYMAN RA: Okay. And is there a particular -- anything or maybe something we should be looking at legislatively, in particular, if somebody is not only using a bot but selling those tee times? Which this is something that is a publicly owned course, taxpayers are paying for it.

PARKS COMMISSIONER PRO TEM SIMONS: Because of -- it's affectionately called the People's Country Club. You know, certainly I'd love to sit down with the team and identify any, you know, concrete ideas. But it's a real problem. It's a real problem that we are looking into heavily.

You know, the People's Course, the People's Country Club, it's -- we take great pride in that. And being that the Ryder Cup, we saw the PGA championship being held, the U.S. Open, it is a great venue and it's a great venue to host these events because of the fans and the public that come out to it. And we need to make sure that they have the

same accessibility to the course that everybody else has too.

ASSEMBLYMAN RA: Okay. Thank you, I appreciate that. And I think we'll follow up with you and your staff with regard to that issue.

PARKS COMMISSIONER PRO TEM SIMONS: Absolutely.

ASSEMBLYMAN RA: One of my other Long Island colleagues wanted to ask about that there are trail projects within this budget, and he was just wondering exactly how that money is going to be doled out, how it's going to be implemented and doing the trails within our parks.

PARKS COMMISSIONER PRO TEM SIMONS: Yeah, and I appreciate that. We can -- once finalized, we can share with some of the projects coming out of our own 200 million going towards trails.

Trails are important, right? I think when you look at the Governor's NY PLAYS and it's a focus on traditional playgrounds, you know, we will further expand that definition

of what a playground is, and we think in many cases trails could fall into a category -- falls into a category within our own thinking as we build out our capital programs. Because of sort of that mental and physical wellness, and particularly of our older youth, our teenagers and all those who use our parks, we find that trail usage goes up each and every year.

ASSEMBLYMAN RA: Great.

Quickly for the ag side, I know, you know, you're aware there was this piece of legislation last year to try to make sure that farms could take advantage of the tax credit when they were I guess utilizing different entities with regard to their payroll, that the Governor ultimately vetoed.

What's being done to make sure that, you know, these farms can take advantage of that tax credit? Which I think is vital to them with the new overtime rules.

AG & MARKETS COMMISSIONER BALL: Right. Well, discussions are ongoing, and right now we're talking with the industry.

It works pretty well for -- it works very well for partnerships, sole proprietors. But when you get into some of the complicated management forms that we have on some of our dairy farms, there's concerns about the exact language.

We want to make sure that the entity who is paying the payroll for their workers on their farm is the entity that gets the tax credits. And sometimes when there's management corporations involved, et cetera, it can get confusing. So that language is being clarified.

ASSEMBLYMAN RA: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

I think I am next, 10 minutes as the chair.

So I'm going to start asking every government commissioner who comes here a variation on this question, but I'll start with you, with Parks.

So we have 22 federal parks in New York State. If the federal government starts to defund them, what is the impact on

us and what are we going to do about it? Because they're still parks in our state.

PARKS COMMISSIONER PRO TEM SIMONS: You know, and it's -- we faced similar situations in the past with the State of Liberty and Ellis Island, and we've been able to be a partner in maintaining and keeping them open.

I think when you look at the magnitude of 22 parks, it's not a large number by any respect when you consider the size of New York, but it's an important number. And always open and willing to having conversations. Of course it comes at a great cost, the operational capacity. But we have many partnerships with our federal partners at other parks as well that, you know, it's a good relationship. And we like to think we're the great unifier, right? So maybe there's an outlier with parks and understanding that most people can appreciate the benefits of outdoors.

But we are watching and monitoring the temperature in Washington very closely. I

think when we look at the history, parks -- New York State, you know, certainly has always been willing to put itself at the table as a partner and lead if need be. And I think that doesn't change with -- depending on the shift that may or may not happen.

CHAIRWOMAN KRUEGER: Thank you.

I think the rest of mine are for the Ag & Markets commissioner.

When I think -- you already partly answered the question before about concerns about workforce on the farms, given current federal policy. Are there other concerns we ought to have for our agricultural sector because of changes in federal policy?

AG & MARKETS COMMISSIONER BALL: Well, we're going to watch this very closely. There's more to learn than we know today. We do have some reputable partners coming in; USDA, we're excited to see that, people that I know that we have relationships with. And largely it's relationships.

Concerns around the climate, some of the programs that have been in place for the

last several years. We were able to get a -- advise Washington on a Nourish NY-style program, it's called the LFPA. We were able to distribute, you know, over $50 million worth of funding like Nourish has done through their funds in New York State, which was great.

I think that we're in the relationship business. And the funding that comes to us from FDA is for food safety, for doing testing, for inspections and things like that. These aren't just fun projects, these are actual work. We contract with the federal government at FDA, at USDA, to be on farms doing inspections for them, carrying out the work that needs to be done. So it's not all fun and, you know, here is extra money kind of stuff, it's actual tasks that we perform for them.

So the nature of those and what goes around them, you know, we have more to learn. Certainly Farm Bill -- you know, is this administration going to be able to get the Farm Bill done in a timely fashion? Which is

probably the most far-reaching, most impactful farm bill to New York State this time. So those are things we're going to watch closely, we just have to pay attention to, because it's a little bit of the federal administration, a little bit of Congress.

CHAIRWOMAN KRUEGER: So it's my understanding that when it comes to food safety as far as, you know, meat and other things, it has been the USDA responsible for inspections.

So we know that we're now in the middle of an avian bird flu crisis. I just read about I guess the duck farm on Long Island having to I believe kill off its entire flock of 100,000 ducks.

AG & MARKETS COMMISSIONER BALL: Yup.

CHAIRWOMAN KRUEGER: And so historically that would have been USDA doing inspections and making sure that our poultry was healthy. So does that -- are we concerned that they will no longer be doing this kind of work for us?

AG & MARKETS COMMISSIONER BALL: Well,

that would be terrible. But we do have to look at those relationships.

USDA-APHIS, who manages the meat side and manages the, you know, plant and animal, those are conversations we have -- we consider them partners with us in a very big way. I expect that partnership to continue. Will they roll back some of their partnership efforts? I don't know. I hope not. But we meet with them very regularly, work very closely with them.

So meat is a little bit unique in that USDA-certified meat means something. We do not have a certification program in New York State.

But when it comes to produce, grocery stores, food manufacturing facilities, dairy processing facilities, that's the Department of Agriculture in New York State that does those inspections for FDA, for example.

CHAIRWOMAN KRUEGER: Thank you.

So we know under CLCPA law we have targets we have to reach on economy-wide greenhouse gas emissions, and it's my

understanding that unfortunately agriculture emissions have not decreased. Do we have plans to try to increase the decrease of emissions in our agricultural sector?

AG & MARKETS COMMISSIONER BALL: We sure do. And we're doing some really great work in that neighborhood.

New York agriculture has -- was very happy and pleased and able to serve on the Climate Action Council. We had a chair there. I got to head up the Forestry and Agriculture Work Group, and I'm happy to say we were the only work group that came out with consensus on what was the thing to do.

But in agriculture today we have the ability to reduce greenhouse gas emissions. We have the ability to sequester carbon. We have the ability to reduce nitrous oxide emissions on our farms. And we have the ability to make energy on our farms.

So I'm very optimistic about our way forward. We need to invest some, we need to work a little bit harder on this, we need to get back to cap-and-invest, which is -- got

tabled for a little while because of some extracurricular activities in all our governments. But I'm looking forward to getting back to that conversation, because agriculture is part of the answer here. We don't just make it less bad, we actually make it better.

CHAIRWOMAN KRUEGER: Good. We want you to.

You know that I am a big supporter of the New York City farmers market system and the system in Hunts Point of moving New York State produced and grown products down to Hunts Point so that it can be sold throughout the city. How are those programs doing? Are we seeing increases in the sales? Do we measure that?

AG & MARKETS COMMISSIONER BALL: We have seen dramatic increases in sales, and we have to because we have a tremendous population, particularly in that big urban center, that doesn't know much about us.

We're getting ready any day now -- it's been a little bit delayed by New York

City -- in opening the food hub in the Bronx, which will be a New York Grown and Certified food hub, the biggest one down there, provide us access to the South Bronx, to Brooklyn, parts of Harlem, all the boroughs.

We're very anxious to get that done. The building is up, we need to get the certificate of occupancy, and waiting for a day to be there. I'd love to have you come join us there when we kick that off, because it's going to dramatically increase the accessibility of food for the boroughs.

CHAIRWOMAN KRUEGER: Thank you.

So I support selling wine in supermarkets, and basically the analysis is it will help New York wine producers sell more wine. I'm curious what your opinion is.

(Pause; laughter.)

AG & MARKETS COMMISSIONER BALL: I will say, first of all, not to pass the buck, but that's an SLA issue. And we've talked with SLA about it.

I think, if done properly, it could be a significant boon to New York producers and

consumers both. We were able in our last year to get direct shipment for our liquor producers in the state, which was an important step forward. This is a conversation that's been looming out there as long as you've been up here and before I came up here. So it needs to be carefully thought out.

But I look forward to that discussion and anything we can add to that.

CHAIRWOMAN KRUEGER: I'm going to give back my one minute and 22 seconds to the Assembly. Thank you.

CHAIRMAN PRETLOW: We'll try not to use it.

We've been joined by Assemblywoman Jo Anne Simon.

Our next questioner will be Assemblymember Brian Cunningham.

ASSEMBLYMAN CUNNINGHAM: Thank you, Chair Krueger, for the additional minute and 27 seconds.

(Laughter.)

CHAIRMAN PRETLOW: Nope, I just said

you couldn't have it. Three minutes.

(Laughter.)

ASSEMBLYMAN CUNNINGHAM: I can't help but try.

And Mr. Chair, the chairmanship looks good on you. Congratulations on being appointed.

I have a really quick question; I'll be under a minute. I just wanted to know if there are any current studies or research into climate-resilient crops and climate-smart farming practices right now in the State of New York.

AG & MARKETS COMMISSIONER BALL: Yes.

ASSEMBLYMAN CUNNINGHAM: That was a short answer.

And is there more to be done there, particularly looking at some of the climate-change things happening across the state and the country. Just wanted to know if there's more we can do on that front.

AG & MARKETS COMMISSIONER BALL: Yeah, continue to support this budget with climate-resilient funding in it. Because

we've been able to significantly increase that funding up to over $17 million. And we have -- that helps farmers deal with droughts; you know, what to do and how to raise those crops successfully in a very dry year. And also it's something farmers deal with: The extremes, and what about flooding, what about too much moisture going on?

We work with our soil and water conservation districts all around the state to implement best practices. And that's a great program, and one that's oversubscribed every year.

ASSEMBLYMAN CUNNINGHAM: Perfect.

I am also going to give back a minute and 45 seconds.

CHAIRMAN PRETLOW: Thank you.

Assemblywoman Paula Kay. For three minutes.

ASSEMBLYWOMAN KAY: Thank you. Thank you, Mr. Chair.

So I have a question actually for both commissioners today. I'll start with Commissioner Ball.

Mental well-being of farmers is certainly important and imperative, so I was interested in funding for FarmNet in the budget.

AG & MARKETS COMMISSIONER BALL: We are too. FarmNet, they've been great volunteers, great partners with New York State with regards to mental health in a big way.

I would add NYCAMH, which has been -- operates in a base in Cooperstown. It's been so important and critical in helping to educate farmers and farmworkers both.

I think our conversations at Ag & Markets with the Office of Mental Health, looking at mental first aid and the need for that amongst our population, amongst the state government. And it's something we saw, if you remember, you know, it was about a decade ago, actually, when we saw suicides on farms and we saw extreme stress in the dairy industry in particular. And we were training our inspectors, our animal inspectors, our plant inspectors as we have interactions with

people on farms, to look for warning signs, look for things that we could do to help identify.

So I think you've highlighted something that's very critical in New York especially. Things have just gotten more challenging with social media, with cellphones activity. This is a real sensitive area. We all should be trained, as we are in fundamental first aid, in fundamental mental first aid.

ASSEMBLYWOMAN KAY: So there's funds set aside for FarmNet?

AG & MARKETS COMMISSIONER BALL: FarmNet has a line in our local -- local -- Aid to Localities budget, I think it's a million dollars. I don't think that's unreasonable at all.

ASSEMBLYWOMAN KAY: Thank you.

And very quickly, Commissioner Simons, parks. I'm very interested in the NY BRICKS program and wondering -- and maybe you can provide this in writing to me later because we don't have a lot of time. But it's --

municipalities and not-for-profits, it's the goal for them to work together? Or are those two separate grants that each would be competing for?

PARKS COMMISSIONER PRO TEM SIMONS: So it definitely would be structured towards the municipalities. And again, with -- and I think -- the numbers are still being worked out, but I think it could be up to a $15 million max cap on the grant program. I'll confirm that number with you.

But the idea is to create community centers or have the opportunity to repair, refurbish the current infrastructure to more promote that community engagement.

ASSEMBLYWOMAN KAY: Love it.

PARKS COMMISSIONER PRO TEM SIMONS: Yeah, it's a great --

ASSEMBLYWOMAN KAY: Very interested, thank you.

PARKS COMMISSIONER PRO TEM SIMONS: Great. Thank you.

CHAIRMAN PRETLOW: Is that it?

ASSEMBLYWOMAN KAY: That's it. Thank

you, Mr. Chairman.

CHAIRMAN PRETLOW: Assemblywoman Jodi Giglio.

ASSEMBLYWOMAN GIGLIO: Yes. Good afternoon. Thank you for being here.

So I would like to speak a little bit about the Crescent Duck Farm located in my district. The duck farm -- it's the last duck farm on Long Island. It was established in 1908, over a hundred years old. A fourth-generation farmer right now leading the charge, and children -- fifth and sixth -- on the way.

So as you know, they had to euthanize 100,000 ducks due to the avian bird flu. It was a tremendous -- it still is a tremendous impact on them. And I want to thank you, commissioner, and I really want to thank Dr. Bennett and Dr. Collins for working with the owners of the farm.

But, you know, they just spent $5 million on wastewater treatment and it costs a million dollars a year to run the wastewater treatment plant. He's expended

$500,000 so far in just the composting and remediation. And he's not asking the state for any money, which is shocking -- he's using his own capital.

But what are we doing about the avian bird flu to prevent this happening now that it's moving into livestock in other parts of the country, and France is using vaccinations for the birds to prevent the avian bird flu from killing these flocks?

And also about the spotted lantern fly. I mean, these are threats that we've been talking about for many years, and I'd like to know what research is being done to prevent this from happening to any other farmer.

And again, I want to thank you for your continued cooperation of working with the Corwin family at the Crescent Duck Farm.

AG & MARKETS COMMISSIONER BALL: Well, please give them my best when you see them and talk to them. I look forward to seeing them at food shows, where he's always there supporting Taste New York and New York Grown

& Certified stuff, so ...

This is a very painful thing to watch and have to be a part of. And it's so random, because it's, you know, ducks and geese that are flying through the migratory pathways that are distributing this virus. They're immune to it, but they leave us with it.

So it's been a great partnership. It occupied most of our weekend, you know, when it hit, talking with the USDA, talking with our people to get the job done to our satisfaction.

Yeah, we'll do whatever we can to help him sustain the family farm, in any way we can be helpful in negotiating the indemnification with USDA.

I will say, though, when it comes to high-path AI, the state departments of agriculture, all the commissioners across the country, all the state animal health officials, the Dr. Bennetts all around the country -- we talk with FDA, we talk with USDA. We're talking on this subject every

day. Everyone's looking at the vaccinate opportunities. We're testing milk across the country. We're doing everything we can in New York at least to keep the dairy side of it out of New York State.

ASSEMBLYWOMAN GIGLIO: Thank you. I just -- it's devastating, and I don't want to see it happen to any of our other cattle farmers or steer farmers or duck farmers.

AG & MARKETS COMMISSIONER BALL: Yeah.

ASSEMBLYWOMAN GIGLIO: So thank you.

AG & MARKETS COMMISSIONER BALL: Thank you. You bet.

CHAIRMAN PRETLOW: Assemblyman Joseph Angelino.

ASSEMBLYMAN ANGELINO: Thank you, Chairman.

Commissioners, thank you very much for being here. I appreciate your time. And I'll stay in my legislative committee membership lane and direct my questions regarding parks.

I was happy to hear you're increasing or at least you've had a couple of classes of

police officers graduate for the Park Police. And hopefully that maintains your workforce, because I know you're at -- it's hard for you to do when there's no equity between the retirement systems of other officers.

My first question regarding the Park Police is, do you -- would you support or do you support the end of the New York State Police operational control of the Park Police?

PARKS COMMISSIONER PRO TEM SIMONS: I support the best avenue for public safety in our parks. And I truly believe the Park Police are a crucial area of our workforce that maintain a sense of comfort and security in our parks because of their presence. They're in and around the parks and, in conjunction with our Park Rangers and our park staff, offer a much-needed resource in our parks to give the utmost public safety to our patrons, yes.

ASSEMBLYMAN ANGELINO: So currently the Park Police have put their investigators back into uniform and the New York State

Police BCI investigates major crime. Would you like to have your own officers back conducting your own park investigations?

PARKS COMMISSIONER PRO TEM SIMONS: I think when you look at public safety you have to look at, you know, New York State resources and all the resources available to do, you know, the different jobs that are required in law enforcement.

I value the tremendous partnership we have with the State Police, even our local law enforcement agencies. And together, together I think we can deliver, we have delivered better than ever, in the last few years, you know, the best public safety at our parks.

But that discussion is ongoing, and we continue to have it. But I know the State Police in that area, they do it well. We do it well as well. And it's a matter of finding out what the right niche is between the two units. But I think we certainly have the ability to do so.

ASSEMBLYMAN ANGELINO: I'm very fond

of the Park Police. They're the organization -- especially out in the Niagara Frontier, the specialties that they do, you know, the rope rescue, it's just amazing.

They're also, a lot of people don't realize, New York State's first state law enforcement agency.

PARKS COMMISSIONER PRO TEM SIMONS: A hundred and forty years, yes, sir.

ASSEMBLYMAN ANGELINO: Real quick, I'd like to see more marketing, and tell me what you can do to highlight more our great veterans at the Purple Heart Hall of Honor in New Windsor. Please expound on that.

PARKS COMMISSIONER PRO TEM SIMONS: You know, so that is a very special place in our system, in our hearts. We -- you know, I think what we saw in the centennial year last year, we launched the most aggressive marketing campaign in the history of our agency. And we saw -- we had the data to back it up.

And you can point to the record

visitation, you know, in the 4.5 percent, 88 million. But it's certainly -- we're now looking at different parts of the agency to incorporate into the marketing plan as well.

ASSEMBLYMAN ANGELINO: Thank you, Commissioner. Appreciate your time.

PARKS COMMISSIONER PRO TEM SIMONS: Great, appreciate your questions.

CHAIRMAN PRETLOW: Next is Assemblyman John Lemondes.

ASSEMBLYMAN LEMONDES: Thank you, Chairman.

Thank you, Commissioners. Appreciate you being here today. My question is for Commissioner Ball.

With respect to the annual increase in demand for New York's maple products, is there any discussion on easements for all of the maple that's locked up behind road frontage by different property owners? Similar to Senator Fahy's question on another topic.

I'm just wondering if that -- if Ag & Markets would undertake that to enable, to

unlock that benefit for the whole state's economy.

AG & MARKETS COMMISSIONER BALL: Well, that's an interesting question. We have gone down that path with regards to state lands. We have unlocked that door. We can get access for maple producers to get on state lands and find the maple trees.

Other private properties? I'd have to think about that one a little bit. You know, if there was a viable pathway that made sense, I guess we'd consider it. But that one looks problematic to me.

We are growing, we did invest more money in maple this year in the budget. You know, the research we're doing in New York State is great. As you know, we have more trees than Vermont, we have more producers that Vermont, and we can do more. And it's been a growing industry, so we're very proud of our maple industry.

ASSEMBLYMAN LEMONDES: Right, recognizing that it is difficult, that that would be difficult. I think that if we were

able to unlock that, though, even if it were only partially successful, it would still contribute greatly to the state's economy.

AG & MARKETS COMMISSIONER BALL: Yeah. Look forward to your ideas on that.

ASSEMBLYMAN LEMONDES: Thank you.

AG & MARKETS COMMISSIONER BALL: You bet.

ASSEMBLYMAN LEMONDES: Thank you, Chairman.

CHAIRMAN PRETLOW: Thank you.

Assemblywoman Stefani Zinerman, three minutes.

ASSEMBLYWOMAN ZINERMAN: Thank you, Chairs Pretlow and Krueger.

Commissioners, good afternoon. How are you?

PANEL: Great.

ASSEMBLYWOMAN ZINERMAN: I have one question for each of you. I missed you this summer at the State Fair, Commissioner Ball, so you're up first.

My question is to follow up on the question asked by Senator Fernandez. And I

appreciate your update on what happened with the Black and Socially Disadvantaged Farmers Fund. But it's been two years, so I'd like to know, how many people did we lose in that time? Because they were in the program because they were struggling. And so how many did we lose?

And would you be open -- although we have $4 million, I assume those are for people who are already in the pipeline. Would you be open to asking for an additional million or 2 million for the people who are standing in line to enter the program?

As you know, in my little town in the 56th Assembly District, we've got 15 out of 19 schools growing food hydroponically and aquaponically and we've got people -- there are now 26 farms and gardens, you know, buying land upstate, and they need assistance too. So I know you said there's 4 million in the hopper, but we do have other people who are waiting. This program is a beacon of light, and for it to disappear in this year's budget is a little disarming to people,

especially as they look at the federal -- the adverse federal policies that are starting.

AG & MARKETS COMMISSIONER BALL: Yeah. Well, thank you for that question and for your passion about it.

I've been able to visit a lot of schools in the New York City area, just recently in the Bronx and Brooklyn and even Manhattan. And what they're doing through the Ag in the Classroom program is amazing.

I'm not sure I could quantify how many people maybe got lost because of the delays in getting the funding and an administrator out, because we were able to, through our Nourish New York program and through the New York Food for New York Families program, which was part of the federal LFPA money, we were able to reach much further into the neighborhoods, the young farmers, the beginning farmers, socially disadvantaged farmers, and connect them with neighborhoods much more deeply even than Nourish, the pantries and the soup kitchens.

ASSEMBLYWOMAN ZINERMAN: So can we

talk offline about that?

AG & MARKETS COMMISSIONER BALL: Yes, we can.

ASSEMBLYMAN ANGELINO: Just so I can ask the commissioner -- but I will say, you know, we're at about 139 and we used to have 1 million Black farmers. So I really do not want to lose any more.

Commissioner, thank you so much for 100 Years of Parks. I had a great time with my seniors in several parks this year. Please keep it up. Additional challenges -- it doesn't have to be about a hundred years, but let's figure out how we can kind of keep it going.

My question to you is that I went to Barcelona, I saw some wonderful innovations for people with disabilities. So do you have plans to do any guided audio navigation or tactile pathways for visually impaired people? Talk about what you're doing for -- to improve the parks for people with disabilities.

PARKS COMMISSIONER PRO TEM SIMONS:

Just people -- real quick, to people with disabilities, you know, just thanks for the funding. Right? So every new capital project takes into account our programming. It continues to, you know, bring up new and innovative ways to -- you know, to address accessibility. And also we're addressing some of those aspects, being as expansive as we are, just to improve accessibility. But it's one of the top priorities of the agency to improve this all across the board.

ASSEMBLYWOMAN ZINERMAN: Say it again.

CHAIRWOMAN KRUEGER: Sorry, we have to cut you off.

CHAIRMAN PRETLOW: Thank you very much.

I just have a couple of questions, basically for Commissioner Ball.

You had mentioned earlier about the direct shipments. The naysayers had a lot of bad things to say about that proposed legislation, that, oh, the companies are going to come into New York and take over the industry. Did that ever come to fruition?

AG & MARKETS COMMISSIONER BALL: I think I heard part of your question, but you were -- it was about direct shipment of --

CHAIRMAN PRETLOW: About the direct shipment of cider and wine. The people that were opposed to that legislation were claiming that other companies would come from out of state and set up shop and call themselves New York companies and ship their spirits in New York.

Did that ever happen?

AG & MARKETS COMMISSIONER BALL: No. My experience, actually we did direct shipment of wine 20 years ago, and there were the same predictions that things were going to be very bad. And if anything, the wine industry has grown both -- on every aspect of it.

So I don't expect any changes that we'll see in direct shipment of cider and our spirits. I don't think it's going to affect that at all. It's going to be a success, especially for the craft beverage producers that we encouraged to get into the business

over the last decade.

CHAIRMAN PRETLOW: Okay. And with the slow rollout of cannabis in New York, there was some talk about farmers that couldn't sell their product because there weren't enough licensed retail sellers, so they had to destroy their crops or they -- I don't know, I didn't know marijuana went bad. But it does, I guess. And there was a monetary loss to these farmers.

Were they ever made whole? Was anything ever done to alleviate the pressure that was put on them? Because that pressure was put on them by the state. We forced them to do certain things, we told them how to grow, when to grow and where to grow. And then we had nobody allowed to buy their product, they had to sit on it. And my understanding is it was like tens of millions of dollars. Was anything done to take the stress and the pressure off of those farmers?

AG & MARKETS COMMISSIONER BALL: You know, that's a complicated question. You've got a federal issue there, you've got a state

issue, and you have another agency, the Office of Cannabis Management. Their mission is much bigger than simply growing a crop.

But my understanding is that very few of them actually found satisfaction with what they lost. But today's a new day, and we've been -- recently, in the last two years, I know they've been working very actively to get more opportunities for them. That's the Office of Cannabis Management; I'd have to defer the specifics to them.

CHAIRMAN PRETLOW: So they just burned their crop and moved on to the next time, next year?

AG & MARKETS COMMISSIONER BALL: Some did, yeah.

CHAIRWOMAN KRUEGER: They're coming to the Economic Development hearing.

CHAIRMAN PRETLOW: Oh, they are?

CHAIRWOMAN KRUEGER: So you can ask them the question.

CHAIRMAN PRETLOW: Okay, we will.

Another thing on cannabis also, I've heard complaints that the odor emitted by the

crop as it's growing has been objected to by neighbors. Is that true, first of all, and if it is, is there anything that can be done to make it better, make the air better for the surrounding communities?

AG & MARKETS COMMISSIONER BALL: We anecdotally hear reports that the odor is objectionable to neighbors. I would defer what's being done about that to the Office of Cannabis Management. But that is a concern that we have heard.

CHAIRMAN PRETLOW: So that's also Economic Development, I guess.

I just have one quick question for Commissioner Simons. You'd mentioned the swimming program, and you mentioned children. Is there anything being done for people like myself, adults, that need swimming lessons?

(Laughter.)

PARKS COMMISSIONER PRO TEM SIMONS: You know, we have a number of programs in our parks that certainly, while the concentration has been on our youth, there are certainly opportunities and considerations to expand,

you know, the program in the future.

But right now it is targeted to the youths -- you know, it's a lifelong skill.

But yeah, Riverbank, I know there are adult swim programs. So that select parks do have adult swim programming, and we find they're booked to capacity, as you can imagine. And it's looking to expand that in some of the other areas. And Riverbank, what's nice about that, that's a year-round, our only year-round swimming facility. But certainly trying to, you know, get that into the calendar on a regular basis on our summer pools that are open seasonally.

CHAIRMAN PRETLOW: So the adult lessons are booked to capacity. Are the youth swim lessons also booked to capacity, or is there some space there?

PARKS COMMISSIONER PRO TEM SIMONS: Yeah, so we have signups, you know, around May, June of every year, and they book up pretty fast. You know, I know people are lining up, families are lining up on sign-up day. But what's nice about that is, you

know, two years ago we taught 400 kids to swim over a summer. With the tripling of the program, that jumped to over 2,000. But those programs are not only popular, but they are needed. And we're looking at expanding it in different parks across the system as well because they're very, very utilized.

CHAIRMAN PRETLOW: Okay, thank you.

And I just have one quick question for Commissioner Ball again.

Equine slaughter, something that's been near and dear to my heart for several years, and we recently did legislation that the Governor signed having to do with human consumption of horses and monitoring at the auctions that these horses are being shipped through New York. It is -- I believe it's a felony to transport horses for human consumption, but they're going through New York into Canada where they're being slaughtered and sent out to other countries in Europe and Asia.

I know the bill talked about a good-faith effort by Ag & Markets. Is it the

intention -- I hope your answer is a big yes -- that Ag & Markets will actually go and attend these auctions -- there's only one, I think it's Uniondale. You don't have to go to a lot of different places -- and just monitor these? Because the individuals that are selling these horses, it's the same person or persons, there's not very many of them. And we'd really like to stop that. I mean, these horses could be humanely euthanized and not tortured and sent to Canada to be, you know, whacked into horse steaks.

So my question is, is it the full intention of Ag & Markets to actually monitor these auctions and make sure that horses are not being shipped off to other places for slaughter?

AG & MARKETS COMMISSIONER BALL: At this point that's a police activity. We are able to post, and we have people at auctions.

But I think we need a more thoughtful conversation about the legality of someone -- you know, when a horse is sold at an auction,

there needs to be a veterinary signature, there needs to be, you know, some legal documents signed, a purchase agreement, et cetera. And I think that's probably the vehicle that we need to have a thoughtful conversation about.

CHAIRMAN PRETLOW: Well, I have those papers, I have where horses were sold in Pennsylvania, auctioned through New York, and the papers, their final destination was the slaughterhouse where they make horsey steaks.

So we know it's happening. And the paperwork that you're referring to is available. And I think that if we took -- made a good-faith effort to stop this, that it would stop.

But to turn the other -- you know, the blind eye to it doesn't really work.

AG & MARKETS COMMISSIONER BALL: It's not -- it's not really about turning a blind eye to it. We are engaged in conversations with Gaming to talk about putting more teeth into that law, so.

CHAIRMAN PRETLOW: Okay. Thank you.

CHAIRWOMAN KRUEGER: Thank you.

And to close for this panel, Senator Hinchey, chair of Agriculture, with a three-minute second round.

SENATOR HINCHEY: I'm so happy to kick off and close. Good for me.

(Laughter.)

AG & MARKETS COMMISSIONER BALL: What an honor.

SENATOR HINCHEY: Thank you all. Again, thank you for your time and for your answers today.

I'm going to close my last question with our commissioner for Parks, Mr. Simons. Thank you, Commissioner Simons.

In the 41st District some of the most beautiful areas, I would say, in the world, and wonderfully, Parks is a great partner on a lot of those places. However, they also all need capital improvements and capital projects, one of them being the Harlem Valley Rail Trail, which we're told the state is going to support -- without $25 million for helping close the section of trail. I'm

hopeful -- I didn't see that in the budget. It's a smaller number in comparison to budget numbers, so I'm hopeful that that is happening.

But I'd like to just take a second to ask if this is on your radar: The Hudson-Athens Lighthouse. So that is nationally recognized as one of the seven historic landmarks to save across the country. It is an incredibly important historic landmark in our area, but really for our state.

Minority Leader Schumer has allocated significant federal dollars to help restore the lighthouse, but there is a state share. And that is something that I've also not seen in the budget, so I just want to check and see if that's on your radar and what the plans might be.

PARKS COMMISSIONER PRO TEM SIMONS: So thank you. And you heard it here first, right? The Hudson {sic} Valley Rail Trail, there is that gap. And we are, you know -- an existing $200 million in providing the

gap -- it's 2.5, providing that it doesn't escalate. But we are prepared, under the Parks budget --

SENATOR HINCHEY: Thank you.

PARKS COMMISSIONER PRO TEM SIMONS: -- to close that gap and get that moving. So we're very excited about that.

SENATOR HINCHEY: Thank you.

PARKS COMMISSIONER PRO TEM SIMONS: We're watching the Hudson-Athens Lighthouse very closely. Many discussions with the Army Corps, who have been greatly involved in sort of -- you know, there's been dredging around that that impacted and is really expediting the erosion, you know, of that lighthouse and the foundation.

But watching that closely, working with our historic preservation partners, and just having active discussions. But like anything else, it's -- if it comes down to a capital request, it's just what's the nature of the capital request and how can we partner. It's, you know, much to -- a lot of the questions today were about communities,

and where we can help, we will.

SENATOR HINCHEY: Our understanding, just so that we're all on the same page, our understanding is that Minority Leader Schumer has allocated the $50,000 for the Army Corps of Engineers to start doing the study, it's in that pipeline. And then the total anticipated cost is about $30 million, with the federal government taking about two-thirds, but would require the state to take a third. So that, should it not increase, would be about 10 million.

So happy to continue the conversation with you, thank you, but want to make sure that we're tracking that.

PARKS COMMISSIONER PRO TEM SIMONS: Absolutely. Thank you.

SENATOR HINCHEY: Thank you.

And thank you, Madam Chair.

CHAIRWOMAN KRUEGER: Okay, and we were wrong, don't go anywhere. We have another Assemblymember.

CHAIRMAN PRETLOW: Nope. The question was answered.

CHAIRWOMAN KRUEGER: Never mind.

Okay, then we all -- we want to thank you very much for your participation today, and free you from this hearing.

And we will call up, as you leave -- oh, sorry, you're our first panel for the year. If people want to grab these commissioners, do it outside. We don't want you having conversations on either side where we can't continue with the next panel.

So we appreciate you, but now go away.

(Laughter.)

CHAIRWOMAN KRUEGER: And we're going to call up the New York Farm Bureau, the Northeast Dairy Producers Association, the Northeast Organic Farming Association of New York, and the Adirondack Food Network.

(Pause.)

CHAIRWOMAN KRUEGER: Hello, everyone. Welcome. And so we now get to the part of the hearings where everyone only gets three minutes. So we always advise people, even if you have a 20-page document, don't try to read it. Just highlight your most

important bullets. We all have all of the testimony, and it is up online for everyone to read.

So in my experience, those people who have mastered their key issues, not reading really fast, are the ones who win.

So I will let you start on this side of the table (pointing), introduce yourself, do your three minutes, and then we'll keep going down.

Okay? Thank you. Please.

MS. BAILDON: Thank you so much for this opportunity to speak with you. The Northeast Organic Farming Association has a few priorities for the 2026 fiscal year budget that I'm going to share with you.

My name is Katie Baildon, policy manager with Northeast Organic Farming Association, also called NOFA-NY. We've been around since '83 and have been leading the growth of the organic regenerative agriculture movement across the state. We provide farmer-to farmer education, technical assistance, and advocate for resilient food

systems. As a USDA-accredited organic certifier we also certify about 1,000 organic farms and food businesses.

And as you know, New York is a national leader in organic agriculture, ranking third in the number of organic farms, and we're also leaders in field crop and organic livestock production.

So I'm going to move on to -- past contracts that we've had have expanded access to organic certification and increased our ability to provide support with certification and the implementation of organic climate-smart practices.

We're thankful to the Legislature for their support, and request additional funding this year to help build a more inclusive, resilient network of New York farmers. Specifically, NOFA is requesting 250,000, including 40,000 to expand access to our programs for underserved producers, 50,000 to supplement USDA funding for NOFA events, and 160,000 to expand our capacity to meet an increasing demand for our technical

assistance support services.

With the change in presidential administrations, the future of one of our USDA grants is uncertain, and without it we won't be able to run our Climate Smart Farming and Marketing program as it currently exists, but with some support from the state we can keep offering that climate-smart technical assistance at a smaller scale.

And then, lastly, we have an opportunity this year I think to address an unexpected $800,000 federal funding gap for New York farmers and to sustain a really valuable program that might otherwise be unfunded.

So since the beginning of the USDA Organic label, the Organic Certification Cost Share Program has allowed farms and businesses to recover some of the expenses associated with certification, and this year that funding was not included in the Farm Bill extension. So there's around 2,000 farms and food businesses in New York State that have organic certification and have been

depending on these funds. So we would appreciate the inclusion of that in this year's state budget.

Thank you.

CHAIRWOMAN KRUEGER: Next?

MR. WALLACH: Good afternoon. My name is Kyle Wallach. I'm the associate director of public policy at New York Farm Bureau. And, first off, I'd like to say thank you all for being here.

New York Farm Bureau is the state's largest general agricultural advocacy organization. Our members represent a variety of commodities and provide significant revenue streams for our local, state, and national economies.

As most of you know, New York's farm economy has been struggling and farmers are working with razor-thin margins as input costs and labor costs continue to increase. That being said, we see many bright spots in the Governor's proposed budget. However, there are still funding gaps that need to be addressed.

To further support various agriculture commodities within the industry, farmers rely heavily on research and promotion programs like apple research, maple research and hops breeding, to name a couple of many. These programs are dependent on support from the Legislature each year.

Additionally, I would like to stress the importance of Cornell's College of Agriculture and Life Science, CALS, and the many programs under their umbrella. These are a lifeline to many farmers throughout the state.

CALS provides key research and critical expertise that we cannot afford to lose right now. Key lines include PRO-DAIRY and PRO-LIVESTOCK, as well as the diagnostic labs, and funding to support operations at Cornell AgriTech and its research there.

I would also like to mention the refundable investment tax credit from previous budgets for on-farm investments from tractors and equipment to milking machinery. This has triggered an incredible amount of

investments on farms.

However, we are hopeful that this year the Legislature, along with the Governor, will add the construction of housing to be eligible, or the rehabilitation of current housing. As you can imagine, farm housing can be very expensive to build, and those that work on farms need and deserve high-quality, comfortable housing.

Along similar lines, we are strongly supportive of the Governor's proposal to increase the Farmworker Housing Revolving Loan Fund by $5 million. We are requesting that the per-project cap be increased from 200,000 to 400,000 due to the high cost of construction.

I would also like to highlight the importance of extending the current Farm Workforce Retention Tax Credit that expires at the end of this year. This tax credit has been major in helping farmers deal with ever-increasing labor costs.

We look forward to working with the Legislature and the Governor on these

proposals, along with additional legislation like the low-carbon fuel standard, creating an equine advisory board, and wine in grocery stores, among others.

Thank you all for your support of the agricultural industry.

MS. JONES-BRIMMER: Good afternoon. I'm Allyson Jones-Brimmer, with the Northeast Dairy Producers Association. Thank you to Chairs Krueger, Pretlow, Hinchey and Lupardo for holding this important hearing.

We are excited about many of the investments the Governor has proposed in the Executive Budget, ranging from workforce and employee housing to transportation and climate initiatives. However, there is one glaring omission in the Governor's budget which was a disappointing surprise to our members, in that it did not include a proposal to fix the Farm Employer Overtime Tax Credit to ensure all farms are eligible to receive this critical tax credit.

Thanks to your leadership, the Legislature unanimously passed a bill last

session that would fix an interpretation technicality that prevented some farms from accessing this credit. However, the Governor vetoed this legislation and in her message directed the departments of Tax and Finance and Agriculture and Markets to work with the Legislature during this year's budget negotiations to develop an appropriate overtime tax credit structure which would ensure all farmers can access the credit regardless of their business structure.

We respectfully encourage the Senate and Assembly to advance legislation in their one-house budgets to provide a retroactive fix for this crucial overtime tax credit.

Other aspects of the Governor's budget that we appreciate include the $5 million addition to the Farm Worker Housing Program. This revolving loan fund ensures farmers have support to build adequate housing facilities for employees. This program is oversubscribed, and we believe the need is even greater than the Governor's proposal and would respectfully encourage adding a total

of $15 million to the program, which would ensure long-term solutions to challenges facing recruiting and retaining employees on New York State family farms.

We also agree with Farm Bureau that the cap on per-project is too low and would encourage increasing it from $200,000 to $400,000 per project.

We also appreciate the Governor's support of Cornell's farm labor specialists in the New York Center for Agriculture Medicine and Health. Both programs provide farms with trainings that are essential to recruit, retain, and train a high-quality workforce.

And finally, we also appreciate the Governor's support of PRO-DAIRY, including Cornell's climate leadership specialist position as well as the Executive's funding of the Cornell University Ruminant Center. This is a major step forward. Research done at this center helps inform farm decision-making and could further advance agriculture's impact on reaching the state's

climate goals.

We respectfully encourage that the Legislature continue to increase support for PRO-DAIRY to allow the program to add two farm business specialists, a dairy nutrition specialist, and an animal well-being specialist.

Thank you for taking the time to consider our remarks, and happy to provide more information.

MR. STEPHANI: Thank you. Good afternoon, and thank you for allowing me to speak on some budget priorities for the North Country communities.

My name is Josh Stephani, and I represent the Adirondack Food System Network, a collaborative effort across North Country communities to address the challenges, gaps, and opportunities within our food system. Since 2020, our network works to broaden collaboration across the region and bring and build capacity to organizations.

As you are aware, the most recent USDA census highlights the disappearance of

New York farms and an aging farmer population. Hamilton County, one of the most sparsely populated counties in our state, has watched nearly all its farms disappear. This means that access to fresh and healthy food grown in the county for its communities remains a significant burden for residents.

Moreover, New York must invest in resources to address and prepare for a changing farmer landscape, including succession and transition plans for the next generation.

Yet with recent flooding and drought, AFSN sees it as a priority to assist our farmers in preparation for extreme and inconsistent weather. We ask that this Legislature continue to prioritize our North Country farming communities through programs such as the Farmland Protection Program, the Farm Worker Housing Program, as mentioned by my colleagues, and the Environmental Protection Fund. It is critical we expand these programs to shore up our vulnerable assets.

Healthy and local food is directly linked to supporting our farmers. A few weeks ago a farmer in Herkimer County remarked that more value is placed on a bag of potato chips than a potato. Herkimer County remains one of the most food-insecure counties for New York adults. Emergency feeding programs like food pantries and backpack programs are struggling to meet a growing demand.

AFSN joins the call to raise both budgets of Nourish New York and HPNAP to $75 million each and broaden the ability of local and direct contracts with these food pantries to ensure the food economy in our communities matches with our local farms. These programs place agriculture grown in our region back into our communities, supporting families and farmers in the process.

AFSN is excited to see a commitment to provide healthy and universal meals to our children in the Executive Budget, and we support continuing our Farm-to-School grants and 30 percent Farm-to-School reimbursement

programs. These programs provide critical links between healthy food, our children, and our farms.

Additionally, these programs directly incentivize and offset the cost of purchasing local food for our regional children.

We applaud recent efforts by the administration and Legislature to support, grow and sustain our farms, emergency feedings, local and regional food economies. The Adirondacks is often seen as the last mile of service, a place to visit but not to live. But despite this, our communities are resilient and vibrant, and many people call these places home.

Thank you for your time, and I look forward to furthering these conversations.

CHAIRWOMAN KRUEGER: Thank you very much.

And our first questioner is Agriculture Chair Michelle Hinchey -- oh, sorry, everyone gets three minutes. There's no special favors for the chairs or rankers anymore.

(Laughter.)

SENATOR HINCHEY: All right. Thank you so much, and thank you all for being here and for your work.

Josh, I appreciate the comments on Nourish. And I think it's important for everyone to hear, you know, even if you live in an agricultural community, that doesn't mean that everyone who lives there then has access to the food that is grown just down the street.

And so things like the Nourish NY program, HPNAP, Double Up Food Bucks and the Farm-to-School program are really important to make sure we continue to fund -- like, adding breakfast to the Farm-to-School program would be a great place to start.

But I do have a couple of questions. First for NEDPA, you probably heard me talk earlier about the tax credit that we were hopeful would get done. We were told it had to be in the budget. We too were surprised to not see it in the Executive's budget.

How have the conversations been with

Ag and Markets? And does it seem like on your end that you're close to coming up with a solution like we just heard from the last panel?

MS. JONES-BRIMMER: Yeah, we've had -- we have a great working relationship with Ag and Markets and really appreciate their team's efforts. We've presented something that we think could work, and from our understanding of the issues of what was presented last year, we think it could solve those problems.

We haven't received much feedback on that so far. But we're, you know, ready and willing to continue those conversations.

SENATOR HINCHEY: Great. Well, and hopefully this will spark responses to that feedback so we can hopefully have an answer for that soon in our budget all going forward.

Also agree with everyone's comments on the Farmworker Housing and the Retention Tax Credit. Those are really important programs and ones we could fund more.

Kyle, you mentioned -- I'm taking a book from Senator Krueger here, or a page from Senator Krueger here -- but you mentioned in your comments about wine in grocery stores. I'm not taking a position on that plan, but I'm curious how it would help New York farmers and the New York wine industry.

MR. WALLACH: Sure. A lot of our local New York wineries have trouble getting their products into liquor stores, and this would give them another avenue and another opportunity and a place with good foot traffic and good availability for them to sell their products.

SENATOR HINCHEY: Do you think there should be specific language around promoting New York products specifically?

MR. WALLACH: We would absolutely support that.

SENATOR HINCHEY: All right. Thank you so much.

And then I would just like to kind of open the question in my last few seconds on

what concerns anyone -- probably NEDPA and Farm Bureau, but any -- NOFA as well -- anybody on farmworkers and farmers, the concerns they're hearing from changes at the federal level as it pertains to farmworkers.

MS. JONES-BRIMMER: Yeah, this is a really challenging question and something that our farms are facing. And I think, quite frankly, workers are scared. They don't know what's to come, and they don't know if their job and their world is secure.

So trying to get through misinformation and help them with facts and what they need to know for their rights is what we're focusing on.

SENATOR HINCHEY: Thank you very much.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

CHAIRMAN PRETLOW: Assemblywoman Donna Lupardo, chair of Agriculture.

ASSEMBLYWOMAN LUPARDO: Yes, thank you.

Senator Hinchey covered most of what I was about to take up, so thank you for

highlighting, again, the housing revolving loan and giving us an actual dollar figure to handle the oversubscription. You sort of ran out of time. I'd like to give you an opportunity to finish discussing some additional adds from -- from NEDPA. NEDPA, yes.

MS. JONES-BRIMMER: Regarding --

ASSEMBLYWOMAN LUPARDO: Right, toward the end you were sort of -- ran --

MS. JONES-BRIMMER: Toward the end I was talking about PRO-DAIRY's budget. They have several new positions they would like to fill -- farm business specialist, dairy nutrition specialist, and animal well-being specialists, as well as some education -- outreach and extension funding that they could have bolstered to make sure their program is fully functioning and fully capable of seeing the benefits -- of farmers seeing the benefits of their work.

ASSEMBLYWOMAN LUPARDO: A PRO-DAIRY focus.

And Katie, I know you had a $200,000

appropriation last year; you're looking for 250 this year. You outlined some of the things you wanted to do with that. It's not really going to take care of the federal pause, which is likely a cut which is impacting you on the Climate-Smart Commodities Program, a subsection of that having to do with marketing.

Can you just explain in this last minute how you utilize those funds?

MS. BAILDON: Sure. So we're part of the regional project that's run by PASA in Pennsylvania, and it's called the Climate Smart Farming and Marketing Program. And essentially it's providing technical assistance to farms that want to adopt NRCS climate-smart practices and offers them up-front funding to make some of those changes.

So we have a couple of staff right now that are helping with that project, and it's on pause, so we really don't know what's coming next.

ASSEMBLYWOMAN LUPARDO: The additional

funding that you're asking for in this year's budget, is it connected to that or is it more about your infrastructure?

MS. BAILDON: A little bit of both.

So technical assistance on-farm is something we've always offered. We've been building up our virtual technical assistance offerings, and we would like to still have capacity there for helping farms with climate-smart practices.

ASSEMBLYWOMAN LUPARDO: Gotcha. Okay, thanks.

CHAIRWOMAN KRUEGER: Senator Borrello.

SENATOR BORRELLO: Thank you, Madam Chair.

Thank you all for being here. Appreciate what you do for agriculture here in New York State.

I guess I'll start off with Allyson. I think in last year's budget there was $24 million to help with farm milk, fluid milk processing. It was supposed to essentially improve a number of things including, you know, stabilizing that supply.

I know these things don't happen overnight, but can you just kind of give us an update as to where this is and if it's been helping your members?

MS. JONES-BRIMMER: So that -- the request for proposals is open right now, and I believe those are due mid-February. So farms are undergoing the process of getting their applications submitted.

So we don't know, really, what that will look like, if that will be oversubscribed, which is very likely, because the projects are often very expensive to undergo. We don't know what kind of interest is fully out there, but I know a lot of our members were really excited about the program and looking forward to submitting applications.

SENATOR BORRELLO: You know, we always hear, you know, small dairy farms versus the big farms. And, you know, I guess my concern is that 24 million is going to be gobbled up by the big farms.

Is there any guardrails that were put

in place so that it would ensure that there are small dairy farms that have access to that as well?

MS. JONES-BRIMMER: I can't really speak to that. I'm not sure.

SENATOR BORRELLO: Okay. So as of right now, your members are in the process of putting those RFPs in.

MS. JONES-BRIMMER: Yes.

SENATOR BORRELLO: Okay. Well, so hopefully that improves and those -- so would you say -- obviously you're afraid of it being oversubscribed. So in this year's budget, then, you think perhaps another round would be helpful for additional funding?

MS. JONES-BRIMMER: Yeah, definitely. I believe there was 10 million put in this year to fill out the program. But if 24 million in the first year isn't enough, then --

SENATOR BORRELLO: Yeah. So we step it down pretty considerably for that second one, but it's still -- there's still money in the program for the second year. Thank you.

And I would just -- to address a little bit of the wine in grocery stores, you know, it's a controversial topic. And, you know, I've been in the beverage/alcohol business for 30-plus years, and I can tell you that while I appreciate that I have a lot of wineries and grape growers in my district, when you go to grocery stores in other states, you don't see local wines. You see the big conglomerates. You see the Barefoot and all these others.

So my question is, would you favor a restriction for only New York-based wines to be sold in grocery stores in New York State?

MR. WALLACH: I mean, being New York Farm Bureau, yeah --

(Laughter.)

MR. WALLACH: -- we're always going to support our local New York wines.

SENATOR BORRELLO: That's a softball question, but I think it speaks to the point that there's -- you know, I think there's very little chance, quite honestly, that you're going to see, you know, the local

wines, which typically are a little more expensive. You're going to see those, you know, Two-Buck Chuck things dominating the shelves in New York grocery stores if we don't put in some kind of guardrails to ensure that our wineries and our farmers get that.

So thank you.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

CHAIRMAN PRETLOW: Assemblywoman Carrie Woerner.

ASSEMBLYWOMAN WOERNER: Thank you.

Kyle, you mentioned that one of the Farm Bureau's priorities is the low-carbon fuel standard bill. Could you reflect on how that particular bill would be -- would benefit New York farmers?

MR. WALLACH: Sure. So the low-carbon fuel standard we think would be a great way to help reach our climate goals while also being -- giving the opportunity for biofuel markets and other ways that agriculture can be part of this solution.

ASSEMBLYWOMAN WOERNER: In specific, are you talking about hard-to-electrify vehicles like farm equipment being able to use low-carbon fuels to reduce their carbon footprint? Or are you talking about farms being able to generate electricity by converting manure into first a gas and then into electricity?

MR. WALLACH: I think there is opportunity for both, but specifically converting manure into electricity would be something that our membership would be interested in, and I think there is a lot of room there to grow that industry.

ASSEMBLYWOMAN WOERNER: Thank you very much. For the -- and I'm so sorry, I forgot your name -- Northeast Dairy Producers, you talked about the need for -- and actually Kyle did as well -- for increasing the project cap from 200,000 to 400,000 for farmworkers' housing.

Do you have some sense of what is the backlog of projects that are not getting done because the fund has been depleted as well as

the cap is too low?

MS. JONES-BRIMMER: I don't have exact numbers on that, but I know just from talking to our membership there are many farms that are interested in doing projects that would fit in this revolving loan fund. And if they're not able to get traditional financing for it or if it's not the highest priority on their farm's project list, then it doesn't get done. It gets pushed off.

So I think there would be a great need, a great interest if this were expanded to have more farms involved.

I do know that some of the farms that have done projects that is new housing for many -- for, you know, 20 or so staff members, they're looking at a million or slightly over a million dollars to build that housing. And so that's kind of looking at that $200,000 cap -- the construction costs have gone up so much, and farms are looking to build larger housing units now.

ASSEMBLYWOMAN WOERNER: Right. And access to traditional financing is limited.

It was sort of implied in your answer. Is that correct?

MS. JONES-BRIMMER: Yeah, I think they just have to make decisions based on what their priorities are, and that fits within their traditional financing options.

ASSEMBLYWOMAN WOERNER: Great. Thank you very much.

CHAIRWOMAN KRUEGER: Thank you.

Any more Senators? Then I'm turning it back to the Assembly.

CHAIRMAN PRETLOW: Okay. Assemblymember Chris Tague, the ranker on Agriculture.

ASSEMBLYMAN TAGUE: Thank you, Mr. Chairman and Ms. Chairman.

I wanted to start off right from the beginning with Allyson. If you could tell me, do you think that there would be an economic difference in agriculture if we legalized whole and 2 percent milk back in our schools?

MS. JONES-BRIMMER: Yeah, our members would definitely be in favor of that. And

really the science supports it in giving the students choice to wholesome and nutritious products.

ASSEMBLYMAN TAGUE: Well, I really appreciate hearing that, because I've had a bill for the last four years that just can't seem to get out of committee for some reason. But boy, everybody's in favor of it. Hopefully this session we'll get it passed. But thank you very much.

Secondly, what I thought I would do is individually ask each one of you -- because we don't have much time -- but ask each one of you what is the biggest thing needed in this budget, and how much is needed to, you know, to make that work for you folks, I think is my question.

Although the budget's at $252 billion, I was a little saddened to see that the ag budget is knocked down by 7 million. We seem to have money to spend in other areas, but agriculture is 7 million less than it was last year.

So I would like to hear from you folks

what we need to make your operation successful, and how much money do you need to do it.

MS. BAILDON: Thanks for the question. So in terms of NOFA's number-one priority for the state budget this year, it is for our line item for $250,000 that would really help us to continue the work that the state's been investing in over the past several years, increasing access to our services and our technical assistance capacity.

ASSEMBLYMAN TAGUE: Thank you.

MR. WALLACH: I think adding housing as an allowable expense to the refundable investment tax credit would be huge for us, as well as making sure that we don't let the Workforce Retention Tax Credit sunset.

MS. JONES-BRIMMER: I would agree that labor workforce retention and recruitment is the greatest need that our farms have, so increasing that revolving loan fund for housing would be a great addition, along with what Kyle had mentioned.

MR. STEPHANI: And I'll echo the same

thing with worker retention as well as those transition plans for farmers, as a lot of our farmers are not only struggling with labor and finding adequate labor for their farms, but also being able to prepare for future generations.

ASSEMBLYMAN TAGUE: Would all of you agree with me that without any farms we don't have any food?

(Laughter.)

ASSEMBLYMAN TAGUE: Thank you. Thank you very much.

(Laughter.)

CHAIRMAN PRETLOW: Assemblywoman Anna Kelles.

ASSEMBLYWOMAN KELLES: Thank you so much.

One initial question. Your experience, like from across the board, is that the Farmland Protection and Agricultural and On-Point programs and the Soil and Water Conservation programs are all overprescribed and underfunded? Would you say that pretty consistently across the board?

Do you have a sense of how much money would be needed to fully fund these to meet the existing demand?

MR. WALLACH: I think -- I think we would have to go back to the individual districts and hear from them what, you know, each district needs.

ASSEMBLYWOMAN KELLES: Are we getting close? Or are we like nowhere near what actually we need? Because these can be used for capital improvements to address climate change issues.

MR. WALLACH: Yeah, I'm not sure how overprescribed they are. I know they are, but I'm not sure by how much.

ASSEMBLYWOMAN KELLES: Okay.

MS. BAILDON: I have some numbers on that --

ASSEMBLYWOMAN KELLES: Yeah.

MS. BAILDON: -- that I can follow up with. I don't want to say them right now, just because I don't want to get it wrong, but I can follow up with you --

ASSEMBLYWOMAN KELLES: Okay.

MS. BAILDON: -- on the Climate Resilient Farming Program in particular.

ASSEMBLYWOMAN KELLES: Okay. That would be great.

And a question about manure on farms. What percentage do you think -- estimate -- of farms in New York have biodigesters?

MR. WALLACH: We can get numbers.

ASSEMBLYWOMAN KELLES: And what percentage of a farm's operating budget do you think are the fertilizer? Is it a tiny small fraction, or is it a pretty big cost? The cost of fertilizer.

MS. JONES-BRIMMER: The cost of fertilizer, I think that varies by type of farm. So those with animal agriculture are able to recycle nutrients and bring that cost down, but it still is a substantial cost to make sure they're putting the right nutrients on the right crops.

ASSEMBLYWOMAN KELLES: So it's the recycling of the manure that's really helping the cost come down, that particular cost.

I ask only in particular because if

the manure is being used for other purposes rather than being used in biodigesters, creating biosolids that are really stable molecular structures that then could be tilled into the ground to bind with nitrogen and phosphorous to retain those nutrients in the soil and reduce runoff -- those things, you know, significantly reduce the cost of fertilizer.

They also, right, improve the stability and nutrient value of the soil. That would add, maybe -- give them funding in one direction but cost them money in other directions, right? Potentially.

MR. WALLACH: I -- I don't want to say just because I'm not a hundred percent sure of the --

ASSEMBLYWOMAN KELLES: But then the manure would be diverted, and that would be true since it is used as a nutrient source right now.

MS. JONES-BRIMMER: Typically there still is material that can be used as fertilizer in those processes even if it's

used for another use first and then --

ASSEMBLYWOMAN KELLES: I say that about fertilizers because they are both petroleum based and very expensive. So having manure as a resource for nutrient loading is a great use of it on-site on farms. Thanks.

CHAIRWOMAN KRUEGER: Thank you.

CHAIRMAN PRETLOW: Assemblywoman Jodi Giglio.

ASSEMBLYWOMAN GIGLIO: Yes. Thank you.

I'd like to go back to the ag worker housing, because I know that there were a lot of grants that a lot of farmers utilized last year but they were unable -- they had to return the money, essentially, because the process in order to get permits for the upgraded sanitary systems and for enhancements to the buildings and creation of workforce housing, was just -- the time was too long and they couldn't meet the deadlines.

So I want to hear from you as to

whether or not there is still tremendous need for ag worker housing and enhancements to ag worker housing that should be in the budget and is not currently in the budget.

MR. WALLACH: There is absolutely a need for new farmworker housing as well as updating farmworker housing that's existing.

ASSEMBLYWOMAN GIGLIO: Okay. And did you hear some of the same things when it came to the funding and whether or not any of the money that was returned is being reappropriated for grants for enhancements and upgrades?

MR. WALLACH: I didn't hear specifically about funding that had to be returned. But as far as the need for it, we have heard a lot of. And as far as being able to fund that, it's a huge expense for any farm to take on. So having funding opportunities is important.

ASSEMBLYWOMAN GIGLIO: Yeah, and I think so, too. I think so that with the housing opportunities, that it also works towards the worker retention and knowing that

they have a pillow to put their head on at night.

So if you could just chime in on that a little bit, that would be great.

MR. WALLACH: Absolutely. Farmers want their employees to have a comfortable, safe place to live. They make their best efforts to do so, and, you know, we need to help them how we can.

MS. JONES-BRIMMER: And I think there's a lot of choices for places to work. People could go work in a lot of different lines, and agriculture isn't always the most attractive, but we do -- our farmers do what they can to provide high-quality training, high-quality -- good salary, good benefits.

And one of those benefits is having housing near the farm and it being up-to-date, clean, and, like Kyle said, just a nice place that they have to go home. It really helps in worker retention.

ASSEMBLYWOMAN GIGLIO: Thank you.

CHAIRWOMAN KRUEGER: All right, we've completed the questioning. Just

double-checking.

I want to thank you all very much for your participation today, and you may have followup questions from us later. Thank you very much.

MR. WALLACH: Thank you.

MS. JONES-BRIMMER: Thank you.

CHAIRWOMAN KRUEGER: And our next panel -- if the American Society for the Prevention of Cruelty to Animals is here, please come down. We don't think you checked in. Humane Society of the United States, and New York State Animal Protection Federation.

Oh, good, so all three of you are here. Great, okay. Good.

Okay. So we're going to start from my left with Libby -- oh, you want me to start -- is that Bill? Okay, we're going to start from my right, your left: Bill Ketzer first.

MR. KETZER: Good afternoon, everybody, and thank you very much for your time.

I'm Bill Ketzer. I'm the senior

legislative director for the American Society for the Prevention of Cruelty to Animals.

And as you've mentioned, you have my written testimony, so I will keep my comments brief and related to the Companion Animal Protection Fund that's in the Executive Budget proposal.

I began my career in government about 25 years ago -- right here in this building -- as a policy analyst, and soon after I was doing agriculture policy. Which, you know, most of you know, I think, includes animal welfare policy.

In that era, New York was definitely behind the curve when compared to other states in the northeast when it came to animal sheltering. We were definitely seeing improvements at that time -- better access in funding for spay and neuter programs for example, more effective working relationships between shelters and rescue organizations.

But ultimately, at the end of the day, the goal was to be able to get them to drastically reduce euthanasia and increase

liabilities rates. That was the name of the game at the time.

But there was very minimal oversight of animal shelters, and absolutely no oversight of animal rescue organizations. In fact, no one could even tell you how many there were or what they did or where they got their animals from. We just had no -- simply no idea as policy people.

You changed that in 2017 by passing a law to create a registry for these entities so that we could know. And this was the same year that you established the first Companion Animal Capital Fund, the first of its kind in the nation -- and still is, to my knowledge -- and currently it provides $33 million to support capital projects for more than 70 animal shelters thus far.

And that in turn helped generate support for another thing New York didn't have, which was uniform peer-reviewed facility standards in law for the 400 not-for-profit organizations and municipal entities providing sheltering

services in every region of the state every single day.

You passed this law in 2022, and it goes into effect in December of this year. That's why we are asking you not only to support Governor Hochul's $5 million Executive Budget proposal for that fund, but we ask that you renew your commitment with a legacy allocation of $5 million, in addition to the Governor's 5 million, bringing the fund to a total of $10 million. The outstanding capital need is still well over $77 million as we look towards the standards being implemented at the end of the year.

And finally, I just want to say thank you for all of that good work. That can't be understated. It's like night and day from the time I was sitting behind you as a staffer, so thank you very much.

CHAIRWOMAN KRUEGER: (Inaudible.)

MR. SHAPIRO: Thank you so much. My name's Brian Shapiro. I'm the New York director for the Humane Society of the United States.

I would like to thank everyone here for all of the work over the past few years really putting shelter issues and animal protection at the forefront.

I'm the New York state director, but when I go to our national conferences, everyone is absolutely wowed and floored at what we've been able to accomplish. And many of you who are in leadership positions here have helped us get those bills and those budget measures over the finish line.

I'm here with my wonderful colleagues to ask for support for the Companion Animal Capital Fund, which is a very popular program which helps to boost and bolster our animal shelters with capital improvement programs for matching grants.

In my years of lobbying I have seen photographs and heard many stories of the wonderful animals that many of you have adopted from shelters, but shelters provide so much more than just adoptions. You have surrenders. You have pet retention programs, food pantries for the duly incorporated

humane societies and SPCAs, you have Humane Law enforcement, low-cost spay and neuter, and the list goes on.

These are essential services. And unless we have the infrastructure where our shelters can operate effectively, we would not have these programs. Again, these are essential services that are very important to members of the community.

I recall when I was the shelter director in Ulster County for many years, just fretting over where's the money going to come from for new kennel doors, to replace pipes that have been decades old. So we are asking for $5 million combined from the Legislature to match what the Governor has kindly put in, for a total of $10 million.

Additionally, I want to express support for an Animal Crimes Fund. There currently is a process that impounding agencies, Humane Law, can take advantage of to get reimbursed for the cost of holding onto live evidence.

But I will say this, there are no

other examples where a not-for-profit -- it's the not-for-profit's responsibility to hold onto evidence in criminal court cases, and often not get reimbursed for that. It's crazy, quite frankly.

So we are asking for support for an Animal Crimes Fund. The bonding process works, but it doesn't always work. I've seen cases where we have judges in rural parts of the state, and they have no idea about this. And sometimes the shelters are very lucky if they can get a DA to assist with that.

I see time is running out. I just want to also give a tip of the hat to Chair Pretlow for his work on the horse issues, with horse slaughter, and the issue you mentioned. We are following it and interested in talking with you more about that.

Thank you so much for your time.

CHAIRWOMAN KRUEGER: Thank you.

Libby Post, New York State Animal Protection Federation.

MS. POST: Good afternoon.

I just wanted to say, first, todah rabah to Senator Krueger for mentioning that it's Holocaust Memorial Day.

And also a very hearty mazel tov to Assemblymember Pretlow for becoming the new chair of the Ways and Means Committee. So it's a really -- you know, it's a great thing.

So, yes, we also want to see $5 million from the Legislature for the Companion Animal Capital Fund. We've all seen the good this money has done across the state. We're going to have at least 50 applicants for the RFP that is due at the end of this month.

Now, when you look at the budget you're going to see reapprops after reapprops after reapprops, and I'm asking you not to hold that against giving us more money, because -- we can all laugh about this -- as we know, and as the Comptroller's office put out in a recent report, the contracts are not being let quickly. The RFP from January of 2024, those contracts will hopefully be

executed by the Comptroller's office this week, okay?

So that money is going to be spent, and we need it to -- I just don't want it to be held against us that that money isn't being spent out even though the awards have been made.

The other thing is is that -- and the commissioner mentioned this, SFS, the State Financial System, it has been a virtual nightmare for my members. And they had to expand the deadline for the RFP that's due at the end of the month almost 25 days because of the problems everyone was having with SFS. And so if there's anything you guys can do about that, that would be great.

In terms of the Animal Crimes Fund, we asked about this -- we mentioned this last year. You all remember the Times Union story of the horrific rescue, there were 100 animals in a house. It cost Mohawk Hudson $300,000 to care for those animals in just the first month alone.

And we have this rolling Animal Crime

Survey that we do. Of the 28 cases that have been reported, the cost of care was over $604,000. The shelters only recouped 109,000, which is 18 percent of the total cost.

And so we are asking the Legislature for a $2.5 million Animal Crimes Fund that would help defray these costs as a -- it wouldn't be a grant, but it would be a reimbursement program.

And it really is very, very important, because it is costing the shelters more and more money. And with the Companion Animal Care Standards Act coming into effect at the end of this year, we're going to see even more of a need. So, please.

CHAIRWOMAN KRUEGER: Perfect timing. Thank you.

Questions from the Senate? Everyone was very articulate.

Questions from the Assembly? Oh, I'm sorry, and you have another Assemblywoman down there.

CHAIRMAN PRETLOW: Okay.

CHAIRWOMAN KRUEGER: Thank you.

CHAIRMAN PRETLOW: Donna?

ASSEMBLYWOMAN LUPARDO: Yes.

Thank you for being here. Understand what you're saying about increasing the funding. Let me -- why have the funds not been spent out? You kind of breezed through that.

MS. POST: That's a really good question. The money has been awarded, okay, year after year. Some of the money has been totally expended out. But like as an example, the money that was awarded in January of 2024, awarded -- you know, oh, you're going to get this grant -- the grants are just being executed hopefully this week.

ASSEMBLYWOMAN LUPARDO: Oh, I see. Bureaucratic doings.

MS. POST: It's -- right.

ASSEMBLYWOMAN LUPARDO: Gotcha.

MS. POST: It's not the shelters' faults. It's the process.

ASSEMBLYWOMAN LUPARDO: And then you mentioned about the need for the Animal

Crimes Fund. You talked about one case, and you said that they had eventually recouped some funding. Who did they recoup it from?

MS. POST: So there's a -- the mechanism is a security bond posting mechanism that Brian talked about where you can go and ask the judge in the case to tell the perpetrator of the animal crime to either give up their animals or they have to pay.

That doesn't always work. The lawyers have been very good at going around the process and not getting the money to the shelters, that they're not being paid for it. And many times there is no restitution.

Many times there's just -- there's no security bond posting, DAs don't want to do it on behalf of the shelters even though they're holding the animals for criminal cases. But still they're saying, Oh, you've got to find your own lawyer. So here, the shelter's got to pay for the care plus that, right? So they're just not doing it.

And it would be much better if there was a dedicated fund to help reimburse the

shelters for these costs, because they're astronomical and they're just going up.

ASSEMBLYWOMAN LUPARDO: Gotcha. Thank you.

CHAIRMAN PRETLOW: Assemblywoman Anna Kelles.

ASSEMBLYWOMAN KELLES: Thank you so much.

Two questions, one multipart. But about the Companion Animal Capital Fund, what would make that easier to get that money out the door? Is there anything that we can do to make that easier to get out the door?

MS. POST: I don't pretend to be an expert in how the state financial system works in total.

ASSEMBLYWOMAN KELLES: The things that people are finding to be barriers.

MS. POST: It's really about making sure that the various entities that have to approve this do it in a timely manner, and that there's staffing in all the various offices that need to do it.

ASSEMBLYWOMAN KELLES: Gotcha. And

about --

MS. POST: Without throwing anyone under the bus.

ASSEMBLYWOMAN KELLES: Absolutely.

About the second fund, the Crime -- Animal Crime Fund, I think that --

MS. POST: Yeah.

ASSEMBLYWOMAN KELLES: I'm not sure I'm getting the name right.

Do we know what the total cost is? Do you have any estimate? I saw in your presentation there was a total of I think 883,000 just from last year were the amounts of money that it cost. You're asking for 2.5, but then I saw all of these amounts throughout that were like 1.7 million, you know, 1.5 million.

It seems like 2.5 million won't even cover remotely the cost of taking care of -- and all the criminal -- trying to recoup the costs that they're putting into it. So I'm trying to rectify all of that.

MS. POST: Well, I think that the 2.5 million is a place to start. As I said,

our rolling Animal Crimes Fund -- and I don't get all the information from everybody. I'm not getting a lot of information from municipal shelters about their costs of holding live evidence. But right now, from 2021, it's over $600,000. I know it's much more than that, because we're not getting all the information.

ASSEMBLYWOMAN KELLES: Has it put any of these shelters out of business?

MS. POST: Has it put them out of business? No, it's made them have to go and fundraise to cover these costs.

ASSEMBLYWOMAN KELLES: And have there been cases where animals have not been -- have been turned away, there wasn't any entity to take care of them and they've been euthanized instead?

MS. POST: There have been cases where shelters are no longer entertaining municipal contracts and are no longer working with local law enforcement because it's too expensive and they're not getting any money back.

ASSEMBLYWOMAN KELLES: And so local law enforcement will still then have these cases, but then where do those animals go?

MS. POST: I don't -- I can't tell you that.

ASSEMBLYWOMAN KELLES: So no one knows.

MS. POST: Yeah.

ASSEMBLYWOMAN KELLES: So they may be more traumatized --

MS. POST: Mm-hmm.

ASSEMBLYWOMAN KELLES: -- and in a worse situation, even though they've been taken away. And if they're in a really bad traumatized situation, they need tremendous veterinary care, as Anir {ph} mentioned, correct?

MS. POST: There's another bill that's going to come up that's not fiscal, called the Civil Remedies bill. So that we can get hoarders, the mentally ill, seniors who get over their heads, out of the criminal justice system and into the civil part of Supreme Court, where a judge will just say

you can't -- after a process, you have to relinquish your animals, they go to the shelters, the shelters can turn them right around, vet them, care for them, and get them out the door through adoptions, instead of having to hold them as live evidence.

ASSEMBLYWOMAN KELLES: Thank you.

CHAIRWOMAN KRUEGER: We have to cut this conversation off, sorry. There's one more Assemblymember.

CHAIRMAN PRETLOW: Assemblyman Chris Tague.

ASSEMBLYMAN TAGUE: Thank you. Thank you.

First of all, Bill, Brian and Libby, thank you for the work that you folks do. Near and dear to my heart. I have worked with Libby on a lot of cases. And that's kind of what I wanted to ask Libby. I don't know if -- I just want to make sure that my colleagues here understand what you folks go through and what you do in our communities all across New York State protecting animals and animal rights.

So I thought maybe in the two minutes and 35 seconds that I have on the record, if you could explain to my colleagues exactly some of the situations that you and your folks have come into and the reason why this is so important.

MS. POST: Sure. In 2021, Hudson Valley Humane Society, there was 24 huskies and husky-mix adult dogs that were removed from a small home. They cared for them for 18 months at a cost of over $334,000.

There have been hoarding situations. Erie County SPCA, 39 small dogs were found matted and in need of extensive medical and dental care. It was in their care for seven and a half months, $27,000.

Lollypop Farms, 65 cats, in 2024, from an unsanitary cat rescue. I don't know if they were registered or not. They were there for 70 days, cost Lollypop almost $69,000. They got $3100 back in restitution.

These are the kinds of cases that we see over and over and over again. And the

shelters have to raise the money philanthropically. And, you know, it's great that there are so many people who love what the shelters are doing and recognize their importance and will give money. But still, it's not easy to raise that money when it's not -- when it really should be coming from government to help offset those costs.

So there's lots of different -- and honestly, I need to give you guys -- and I don't know how to do this -- updated testimony, because I have new information. So I'd like to -- I'll just get it to everybody on each of the committees. Because I have new -- I got more updated information since I submitted the testimony on Friday.

And I also would like to just take the chance to thank Senator Hinchey, Assemblymember Lupardo, Chris Tague, Assemblymember Tague, you know, for all the work that they've done and how supportive they've been for the Companion Animal Capital Fund and for the shelters in the State of New York. It really -- it has made a

difference.

And the fact that the three of us work together so well is why we have gotten so much done for companion animals in New York. And, you know, people think, Oh, New York, you guys don't get along. Well, we do. And it's made a big, big difference.

(Inaudible comment from dais.)

MS. POST: Yeah, well, you know how it is. Talk to my neighbor from Missouri.

(Laughter.)

CHAIRWOMAN KRUEGER: (Inaudible.) You can adjust your testimony by submitting it to the same email site --

MS. POST: Same thing? Okay.

CHAIRWOMAN KRUEGER: -- that you submitted your testimony to.

MS. POST: Right. Thank you.

CHAIRWOMAN KRUEGER: Thank you.

And then thank you, all three, for joining us today.

And I'm going to call out the last panel for this afternoon -- trust me, this will be the only budget hearing that ends in

the afternoon: Parks & Trails New York, American Farmland Trust, and Scenic Hudson.

Good afternoon. Which order -- do you have a preference?

MR. COTÉ: As you like.

CHAIRWOMAN KRUEGER: Well, then, we'll start with my left, your right. Hello.

MR. COTÉ: Good afternoon. Thank you for the opportunity to speak with you all today. I'm really excited it's this early.

My name is Will Coté. I'm senior director of public lands at Parks & Trails New York. PT&Y is New York's leading advocate for our public lands, parks, historic sites, greenways and open spaces.

In the 40 years since our founding, we have strived to improve our health, economy and quality of life through the use and enjoyment of our iconic public lands.

And it's with this core mission in mind that I'd like to encourage you all to support the Governor's proposal of $200 million in capital funding for State Parks. As you heard the interim

commissioner mention, we have record visitation this year reaching 88 million, which is the twelfth straight year of increased visitation, and this capital funding is essential to make our park system accessible, welcoming, and as pleasant an experience as possible, and also to chip away at the $2 billion backlog that exists in the parks system.

After the successful centennial celebration last year, I think we should also anticipate additional visitation in 2025. And as Assemblymember Kim, Chair Kim mentioned, continued investment delivers profound benefits statewide because the park system is an economic powerhouse, with every 1 million invested yielding 10 million in sales, 4 million in labor income, and 7 million in state GDP. And to put it in perspective, this is now on par with the agricultural sector.

Turning to the Environmental Protection Fund, I'm going to stand with many of my colleagues over the next couple of

nights calling for an increase in the Environmental Protection Fund to $500 million. The real estate transfer tax is a reliable revenue stream, with over $1 billion collected in 2024 alone. With uncertainty surrounding federal leadership on environmental protection, this is a pivotal moment to demonstrate New York's nation-leading commitment to environmental stewardship and broader liveability here in New York State, not to mention that it would help rectify the gap between available funding and the oversubscription to nearly all EPF programs that benefit every corner of the state.

Two examples to that point. I ask that you increase the Park and Trail Partnership Grant program within the EPF to $4 million from its $2.5 million allocation proposed by the Governor. Since 2015, this program has awarded $10 million to 24 projects across the state, leveraging nearly $5 million in private funding. How much more impactful could this program be if

we didn't have to deny half the applications we receive each year.

Another example is the Connect Kids to Parks program, which since 2016 has enabled 800,000 children to come to the outdoors, those opportunities to visit public lands and engage in meaningful scientific, historic, cultural programming.

Since the program has grown by 500 percent since 2021, expanding that program to 5 million and allowing 250,000 more students the opportunity to directly connect with nature and experience our state's best science classroom seems like a wise investment.

With 12 seconds left, I'm going to go off-course a little bit here and say that I strongly encourage you all to dedicate an extra 10 million in DEC's capital funding in this year's budget. It's important that we expand accessibility to all of our public lands. Users don't differentiate between parks or DEC properties. They just want outdoor recreation.

CHAIRWOMAN KRUEGER: Next?

MS. FRACCAROLLI: Hi. Good afternoon. My name is Carli Fraccarolli. I want to thank Chairs Pretlow and Krueger, Chairs Hinchey and Lupardo, Chairs Serrano and Kim -- who I do not see but still appreciate -- ranking members of both committees, and members of the Joint Legislative Budget Committee for the opportunity to testify today.

This is my first time testifying in my five years at Scenic Hudson, so I'm really excited about this opportunity.

I'm the government relations manager for Scenic Hudson. And if you're not familiar with our organization, Scenic Hudson is a land trust and environmental advocacy organization. We're the largest environmental organization in the Hudson Valley.

We've created over 45 parks and, since 1992, we've protected almost 23,000 acres of farmland on 150 family farms. And we work really closely with farmers and partners like

Cornell Cooperative Extension and Soil and Water Conservation Districts to provide technical and financial assistance to farmers, conserve farmland, and connect people with fresh, local food.

So you'll see that my written testimony identifies key areas in the proposed state budget that will meaningfully support Scenic Hudson's efforts to advance the state's agricultural and open space and environmental goals in the Hudson Valley and beyond. So with that said, I want to use my time today to flag a particularly impactful program that Scenic Hudson feels would merit your further attention.

So we are encouraging the Legislature to increase the allocation for the Climate Resilient Farming program within the Environmental Protection Fund to $33 million in your one-house budgets. And that would be up from the Governor's proposed $15.25 million. And we're asking this, like Will said, in the context of our ask in partnership with a coalition of environmental

organizations to increase the EPF to $500 million.

The reason we're advocating for an increase in funding for the Climate Resilient Farming program this year is that last year the New York State Department of Ag and Markets received an infusion of funds from USDA's Partnerships for Climate Smart Commodities grant to expand the New York Climate Resilient Farming program. And because of this, Ag and Markets was able to disburse approximately $33 million in grants to farmers implementing regenerative agricultural and farming practices and reducing on-farm carbon emissions.

But even though the funds available for climate resilient farming programs and projects were more than doubled with this boost provided from the federal funding, the one-time grant, the program was still not able to fulfill every funding request, the total of which we believe totaled approximately $49 million.

So we are respectfully submitting that

$33 million should be the new floor for the climate resilient funding program, given the amount of funding requests, potential future lack of federal funding, and the fact that $33 million was put directly to work on farms to fund practices that made positive impacts for both the climate and the farms and farmers themselves.

Thank you.

CHAIRWOMAN KRUEGER: {Mic off.}

MR. MANGANO: Good day, everyone. Thank you so much for the opportunity to testify today.

My name is Julian Mangano, and I'm the New York policy manager for American Farmland Trust, the nation's leading conservation organization dedicated to protecting farmland, promoting sustainable practices, and supporting farmers.

New York's farmland anchors an $85.8 billion farm and food economy supporting nearly 300,000 jobs across over 6 million acres and over 30,000 farms. However, this vital resource is under threat.

From 2017 to 2022, New York lost nearly 364,000 acres of farmland. At this rate, we risk losing another 452,000 acres by 2040, jeopardizing 2500 farms and 7,000 jobs.

To sustain New York's agriculture and address urgent challenges like food security and climate change, I urge the Legislature to act on the following priorities. For farmland protection, raise the Farmland Protection budget to $25 million within a $500 million Environment Protection fund. This investment will safeguard farmland, support farm transitions, and promote climate-smart agriculture.

We'd also like for an additional $10 million in EPF funding to support the Article VII Part OO amendments to the Executive Budget. To support transitioning and beginning farmers, we'd like to see Farmland for a New Generation be funded at $1 million. Right now, with 60 percent of New York producers over age 55, and 90 percent lacking transition plans, this increase in funding is critical to addressing

the demand to support farmland transition.

As Senator Hinchey has mentioned multiple times today, for Farm-to-School programs we'd like to include breakfast in the 30 percent initiative to make it more administratively feasible for schools to participate and increase local food purchases statewide.

We'd also like the maintaining of funding for Farm-to-School grant programs to strengthen farm-to-institution connections and improve student access to nutritious meals, following the lead of Governor Hochul's support for universal school meals for all.

For enhancing climate resilience, we would like to see an expansion in programs that support conservation practices like cover cropping and reduced tillage to combat climate change, improve soil health and preserve farmland. And we would also like to see an integration of AFT smart-solar principles to prevent farmland loss while supporting renewable energy development.

And lastly, we'd like to see the deployment of the $150 million allocated in the Environmental Bond Act for farmland protection, ensuring these resources directly contribute to long-term viability of New York's agriculture. New York's farmland fuels our economy, feeds our communities, and combats climate change. By prioritizing farmland protection and agricultural initiatives in this Executive Budget and the one-house budgets, we can secure a thriving and equitable food system for our future generations.

Thank you for your time and continued support for these critical issues.

CHAIRWOMAN KRUEGER: Thank you very much.

Any questions from the Senate?

Michelle Hinchey.

SENATOR HINCHEY: Hi, everyone. Thank you so much for being here and for all of your work.

First, to Julian, thank you for flagging the Farm-to-School programs among

all of the important programs that you've cited. Can you also talk about why increasing the cents from 19 to 25 cents would be important, how that would be impactful?

MR. MANGANO: Yes. So to my understanding, like, local food procurement could cost a little bit more than the SYSCO food and just general, like, food we can get throughout the nation. So that additional reimbursement of 6 cents from the 19 cents will help just assist the school budgets and increase their capacity to --

SENATOR HINCHEY: -- to actually make it possible to buy farm fresh food --

MR. MANGANO: Yes.

SENATOR HINCHEY: -- into the schools for all those programs.

MR. MANGANO: Precisely.

SENATOR HINCHEY: Great. So yes, that nominal cent increase feels important.

You mentioned also smart-solar principles from AFT. Can you talk a little bit about those?

MR. MANGANO: So currently we're working on defining a definition for agrivoltaic so it can be included with Ag and Markets. And we're hoping to have that put forward. We have a draft. We're in discussion right now to get that moving. And that is what I have at the moment.

SENATOR HINCHEY: Great. Well, we look forward to seeing those, because we've -- obviously there's all that confusion about what agrivoltaics mean, and dual use. And is it -- sheep grazing, does that count as agriculture? Where sometimes there's a lot of loopholes that solar developers use to be able to continue to move forward on a program that doesn't actually maintain the ability and access to farming on prime farmland.

So thank you for that.

For Carli and Scenic Hudson, could you talk a little bit -- and my colleague Senator Fahy might mention this, but can you talk a little bit about the farmland preservation efforts that you're working on

and what we could be doing better in that space?

MS. FRACCAROLLI: Yeah. So like I said, we partner with farms to put conservation easements on their farms so that they're preserved in perpetuity so that we don't lose any more farmland. I think --

SENATOR HINCHEY: Would you say we have a lot -- where a lot of farmland is at risk of being lost today?

MS. FRACCAROLLI: Yeah, we are seeing farmland being lost every year, unfortunately. And we're also losing farmers themselves; they're aging out of being farmers.

So I think having a system in place to be able to keep farmland in farming for future generations of farmers, and also making sure that there's funding available for these farmers to conserve their land, is really important and something that we can definitely utilize at Scenic Hudson.

SENATOR HINCHEY: All right, thank you. Yeah, I mean, we were talking up here

before about the fires happening in California and have for the last number of years. We've all been talking about the importance of New York ag land and how we are going to be the breadbasket of our country once again. And so it's incumbent that we fund all of these programs and do a lot more to make sure we have our farmland protected.

Thank you.

CHAIRMAN PRETLOW: Assemblywoman Lupardo.

ASSEMBLYWOMAN LUPARDO: Sure, thank you. Thank you for being here.

Julian, a quick question. You quickly said that you were supporting the Article VII changes, Part OO. Is that where the Governor adds urban agriculture and regional system support to current farmland protection activities?

MR. MANGANO: There is that part of the amendment. But just holistically, as the amendment is written, there is no true, like, fiscal designations. So we're just inserting that at least 10 million for those programs

should be instituted.

ASSEMBLYWOMAN LUPARDO: And could you just remind us -- I know you're calling for a 500 million EPF. But what did the Governor -- what does the Governor have in the budget to start with?

MR. MANGANO: Four hundred million.

ASSEMBLYWOMAN LUPARDO: Four hundred million. And you're looking to supplement the climate resiliency and soil health from that additional funding. Because it looks more than likely the funding has been put on pause.

Senator Hinchey and I worked very hard years ago to create the soil health standards through that legislation and have been very proud that it's been funded on a regular basis. It's interesting to find out that it was supplemented to that extent by federal dollars that are likely to go away. I would hate to go backwards on that important program, so I appreciate your highlighting it.

Thank you very much. I'm good.

CHAIRMAN PRETLOW: Senate?

CHAIRWOMAN KRUEGER: I'm sorry. Any other Assemblymembers?

CHAIRMAN PRETLOW: I have two more.

CHAIRWOMAN KRUEGER: Two more? Oh, keep going.

CHAIRMAN PRETLOW: Assemblyman Chris Tague.

ASSEMBLYMAN TAGUE: Thank you, sir.

Julian, my question's for you. And it was brought up during this -- you know, the turnover of farms. But my understanding is that American Farmland Trust actually has a program where you bring in young folks who maybe were not grown up -- did not grow up on a farm, and you try to match them with a retiring farm whose kids or loved ones are not interested in farming.

Is that program still in place?

MR. MANGANO: Yes. I mentioned in my testimony that we would like to actually increase the funding for that program from 700,000 to a million, just so we can have a more robust impact with our regional

navigators and enhance that connection between the transitioning and new and beginning farmers.

ASSEMBLYMAN TAGUE: The other thing is I think it's very important for my colleagues to understand this, and anybody else that may be watching. Can you repeat the numbers on the amount of acreage in New York State that has been eaten up, that is no longer in productive farmland?

MR. MANGANO: Yeah. I mean, just to put it in perspective from, like, preparing for this testimony, some of the recent language was that New York had 9 million acres in farms, but now we're at 6 million acres in farms. But just between 2017 and 2022 we've had 364,000 acres of land lost, and that's based on U.S. Ag census data.

ASSEMBLYMAN TAGUE: To me that is troubling, very troubling.

As I said earlier to the commissioner of Agriculture, I have this feeling, and I have for the last few years -- number one, the State of New York took local control away

from our local governments and the people that actually live in these communities. We no longer feel that it's necessary for them to have an opinion, or the other local farmers. And what this does is when you take that farmland away, it doesn't just hurt the farmer but it also hurts the farmers around them that may rent that property because they don't have enough.

This is a serious problem. This is much more serious than people are letting on to. Again, I'm going to repeat what I said to the commissioner: The left hand does not know what the right hand's doing. We're going to get to a situation here in New York State, one of the greatest agricultural states in this country, and we're not going to be able to sustain ourselves in agriculture. People need to smarten up at the top and figure out that we cannot continue down this road.

I really want to thank the three of you for your testimony today. And I see that you're passionate, as I am, about saving our

farmland. New York State should be the leader, the leader in agriculture in America. Best quality control, four growing seasons, the greatest five universities in agriculture -- we should be leading.

So thank you very much.

CHAIRWOMAN KRUEGER: Thank you.

CHAIRMAN PRETLOW: One more. Assemblywoman Anna Kelles, to close.

ASSEMBLYWOMAN KELLES: I wanted to thank you all. Your testimonies are amazing. The research you did, amazing.

A couple of things. And I agree, the real estate transfer tax being the source of funding for the EPF means that we just do not have justification for not increasing it to 500, given that it's a billion. And it's not coming from taxpayer dollars, particularly given the federal cuts. So thank you so much for bringing that up.

One question, on the other -- you know, I agree with you about the funding for the parks, the Park and Trail Partnership grants, capital funding. We should also make

sure that we connect it to an incredibly great source of therapy for mental health, especially for children. And we've failed to do that enough. And it is a huge boon to improve mental health, and I think that we could all use that as well.

You brought up 2 trillion as a backlog of capital for parks. Where did that number come from? Because I've asked that earlier today, and I was told that we don't have that or wasn't given that information.

MR. COTÉ: The number that I have been using is 2 billion, and that is solely an estimation that Parks & Trails New York has made. That is not necessarily substantiated by the agency --

ASSEMBLYWOMAN KELLES: I'd love to see --

MR. COTÉ: -- it's just our best guess on the math.

ASSEMBLYWOMAN KELLES: I'd love to see that.

So just a question about the school meals. And the data that I have shows that

we have 10 million a year, we've never spent more than 4 million a year, so we are reallocating every year. New York City does not reach the 30 percent threshold, so they wouldn't qualify right now. They'd have to build up.

So if I added breakfasts and I added 25 cents and I added the entire state, would we even come close to meeting that 10 million threshold that is currently allocated for this, for school meals?

MR. MANGANO: No, I don't think so. The last I calculated, we would need 11 million total meals, total lunch meals reimbursed, to get to that $10 million at 25 percent.

The data from the 2023-2024 purchasing was two-point -- no, $3.1 million in reimbursement at the 19 cents. So if we went up to 25-cent reimbursement, it would take us to 4.1 million.

ASSEMBLYWOMAN KELLES: So we could actually get 6 cents per meal back to farmers.

MR. MANGANO: Yes.

ASSEMBLYWOMAN KELLES: With no more additional funding required by the state.

MR. MANGANO: Yes, correct.

ASSEMBLYWOMAN KELLES: We would just have to start allocating the funding we actually have --

MR. MANGANO: Yes.

ASSEMBLYWOMAN KELLES: -- distributed.

MR. MANGANO: And hopefully the inclusion of breakfast would increase overall school food authority participation by making it less --

ASSEMBLYWOMAN KELLES: Universal.

MR. MANGANO: -- less administratively burdensome for them to participate in the program.

ASSEMBLYWOMAN KELLES: Right. So we could do breakfast and lunch and 25 cents and it would still fit within our budget.

MR. MANGANO: Yes.

ASSEMBLYWOMAN KELLES: Great.

Farmland for a New Generation, the 1 million, that is for the navigators, correct?

MR. MANGANO: Yes.

ASSEMBLYWOMAN KELLES: Great. Thank you so much.

MR. MANGANO: Yeah, thank you.

ASSEMBLYWOMAN KELLES: Appreciate it. Thank you so much. This is wonderful.

CHAIRWOMAN KRUEGER: All right. Just double-checking. No more Assemblymembers or Senators with questions.

Then I want to thank the three of you for participating, and I want to officially close the first budget hearing of the 2025 budget year.

We will be back here tomorrow morning at 9:30 with the EnCon and Energy hearing. It will go longer than today.

But I appreciate everybody's attendance and patience. Thank you very much.

(Whereupon, the budget hearing concluded at 5:06 p.m.)