

**Testimony of Andy Bicking
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**Committee on Natural Resources
Subcommittee on Water, Oceans, and Wildlife
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Introduction

Chairman Huffman, Ranking Member Bentz and Members of the Subcommittee, thank you for the opportunity to appear before you today in enthusiastic support of H.R. 4677, the “New York-New Jersey Watershed Protection Act.”

I am Andy Bicking, the Director of Government Relations and Public Policy for Scenic Hudson, the Hudson Valley’s oldest and largest regional non-profit organization. Since our founding in 1963, we have protected land and waterfront sites, created parks and connected people to the untold natural and cultural resources of the mighty Hudson River. Through collaborative, community-based efforts, we implement policies to care for the waterways that are the foundations of our region’s prosperity and provide the people of the Hudson Valley with the tools and support they need to strengthen their communities.

Overview of the New York-New Jersey Watershed

Through regional ecosystems and economies, our Hudson River Valley is inextricably linked to the greater New York-New Jersey Harbor Watershed, which includes the Hudson, Mohawk, Raritan, Passaic, Hackensack and Bronx Rivers. The Watershed is one of North America’s most iconic landscapes, and home to over 15 million people, it is also one of the most densely populated, developed and diverse regions of our country.

Millions of people visit each year to enjoy hiking, fishing, boating, and wildlife watching, and support a multi-billion dollar regional recreation and tourism industry. In addition, water-based transportation has been a major economic engine that has helped deliver goods and services to the nation since its founding.

The watershed is home to more than 200 species of fish and provides spawning and nursery habitat for striped bass, shad and herring that support fisheries up and down the entire Atlantic coast. It provides crucial habitat for America’s endangered Shortnose sturgeon and other species that risk becoming endangered, such as the American eel and other reptiles, amphibians and birds. Millions of people rely on this watershed for their drinking water from surface waters, wells, and reservoirs that are kept clean by the presence of our forests and open spaces. The Hudson River, itself, serves as the backup drinking water supply for our nation’s largest city, New York City.

For thousands of years before, native people used these waterways and thrived on its bounty of oysters, waterfowl, fish and game. They remain vital participants in the new economy, contributing historic knowledge that guides policymaking and conservation efforts to this day.

The NY-NJ Watershed is one of the birthplaces of our nation's industrial economy and continues to be a vital natural resource for millions of people today. It should be considered alongside our nation's most significant watersheds and receive the same federal support so that communities and visitors can continue to enjoy its benefits for generations to come.

The Challenge

Human activities, including dredging and channelizing our waterways and constructing impermeable riparian surfaces have been instrumental to the development of our nation's interests, yet have also jeopardized the health of fish and wildlife habitats while creating a disproportionate loss of equitable access to natural green spaces in many communities.

Industrialization is part of this region's history, and thanks to the hard work of scientists, local and state government, and advocates, many of our waterways are far cleaner today than they were 50 years ago. Now, our coastal communities seek to embrace their waterfront locations – for both environmental and economic benefits – but face unprecedented challenges.

Coastal Resilience and Climate Change

Rising sea levels and increased frequency of severe storm events have caused billions of dollars of damage. In fact, over the past century, sea level rise on the Hudson has risen by a foot – a rate greater than the global average. New York State counties in our watershed filed over 100 state and federal disaster declarations between 2011-2019 alone. New Jersey has faced similar trends. The best data we have indicates that we can expect levels to continue to rise six feet or more by the end of this century, while severe rain and storm events also increase in frequency.

Thanks to research and modeling tools developed by colleagues at Scenic Hudson, local communities along the Hudson River are increasingly aware of this issue and the impact it will have on 9,000 acres of riverfront lands, 10,000 households, and over 19,000 people. At the same time, the most critical habitats of this ecosystem – the 13,000 acres of tidal wetlands and shallow water vegetation beds – will be increasingly stressed by rising water levels.

Invasive Species

Invasive species are another concern in our region. The New York-New Jersey Harbor is an epicenter for introduction and movement of species to other watersheds and waterways. Species are also moving into our waterways from the Great Lakes, as evidenced by the recent arrival of the destructive round goby in the Mohawk River and now the Hudson.

Public Access

Equitable public access to waterways and shorelines have always been a challenge in our Watershed, one that is already worsening due to increased risks of coastal flooding and higher rainfall. This is especially true for communities experiencing environmental injustice, represented in New York State by mapped Environmental Justice Areas.¹ The cities of Amsterdam, Albany, Rensselaer, Hudson, Kingston, Poughkeepsie, Newburgh, the five

¹ <https://www.dec.ny.gov/public/911.html>

Boroughs of New York City, Newark, New Jersey, and communities in New Jersey stand out in this regard.

State and Local Momentum to Prepare for the Future

To prepare for these challenges, the States of New York and New Jersey, and the many local governments and non-governmental stakeholders within, have developed unique and locally driven plans that detail the current conditions of our region, identify and plan for habitat restoration initiatives, and promote the public's ability to access waterfronts for enjoyment and recreation. Many of the projects represented in these plans are shovel-ready or shovel-worthy, requiring a relatively small amount of investment for planning and design before implementation.

However, federal collaboration and cooperation across local government and state boundaries will be needed to implement the holistic, watershed-wide conservation strategy that our region needs. In my role on the Advisory Board to New York State's Hudson River Estuary Program, I have seen the impact that this level of collaboration could have. Dozens of partner organizations, including the more than 50 currently supporting this legislation, are eager to advance synergistic work through the plans identified in the legislation.² Our waters are connected, and there is a growing recognition that what happens in one area of the watershed affects what is happening elsewhere.

Examples of initiatives that could be advanced through a stronger federal partnership include:

- Implementing New York State Department of Environmental Conservation's Hudson River Habitat Restoration Plan that provides a strategy to address historic channelization of the Hudson River.³
- Advancing New York City's AdaptNYC Neighborhood Planning initiative that provides a strategy to address the impact of severe storm events,⁴
- Advancing Hudson County, New Jersey's proposed walkway that will run from Secaucus to Hackensack.
- Supporting collaborative efforts in small-sized cities like Poughkeepsie and Newburgh, New York, to reestablish neighborhood connections to urban waterways, while promoting educational experiences for youth and addressing public safety concerns.⁵
- Addressing flooding in communities along the Mohawk River. In Amsterdam, NY, nearly 1,500 properties – 21 percent of all properties in the community – are routinely

² The New York-New Jersey Harbor and Estuary Action Agenda, Hudson River Estuary Program Action Agenda, Mohawk River Action Agenda, Hudson-Raritan Comprehensive Restoration Plan, Hudson River Comprehensive Restoration Plan, the Sustainable Raritan River Initiative Action Plan, the Lower Passaic and Bronx and Harlem Federal Urban Waters Partnership Work plans, and the New Jersey Sports and Exhibition Authority Meadowlands Restoration Plan.

³ https://www.dec.ny.gov/docs/remediation_hudson_pdf/hrhrp.pdf

⁴ <https://www1.nyc.gov/site/orr/index.page>

⁵ <https://massdesigngroup.org/work/design/fall-kill-creek>

flooded, and expect greater than a 26 percent chance of being severely affected in future years, threatening access to utilities and emergency services.⁶

- Daylighting the Tibbets Brook, a tributary to the Bronx and Hudson Rivers, to transform it into a visible public asset and address its impact on New York City's wastewater treatment system.⁷

The Opportunity for Federal Partnership

Through the New York-New Jersey Watershed Protection Act, we have an opportunity to coordinate future actions, enhance our quality of life, and protect the natural resources that serve as a foundation for our prosperity. The bill identifies a strategic and focused role for the federal government. Led by the U.S. Department of the Interior, through the Director of the U.S. Fish and Wildlife Service, and in collaboration with other critical federal agencies and state leaders, it proposes to play a coordinating role with local jurisdictions and establish a grant program and technical and scientific assistance to enable the enactment of the aforementioned publicly supported plans. This work will leverage state, local and private dollars and in-kind labor to restore our valued natural resources and community infrastructure, and enable communities who are not yet participating in the implementation of these plans to engage.

The Need for Federal Investment

Federal investment in the region is long overdue. Successful and popular federal partnerships exist on the Delaware River, Great Lakes, Long Island Sound, Chesapeake, and many other great waters around the nation. While we have strong and effective local and state partnerships, the simple fact remains that the watersheds of New York and New Jersey centered around the Hudson, Mohawk, NY-NJ Harbor, Passaic, Raritan, Bronx and Hackensack Rivers have a long history of federal underinvestment compared to other great waters.⁸

This situation can be addressed through the proposed legislation. Its 75% federal cost-share, linked with the ability for local stakeholders to use in-kind labor for their match, will ensure that both large and small organizations, all critical to our shared success, can participate.

Benefits of the Legislation

Benefits of this legislation are many: protecting habitat for fisheries and wildlife; creating jobs through restoration initiatives; establishing urban greenspaces; developing nature-based flood hazard and sea level rise mitigation strategies, including living shorelines; safeguarding drinking water; promoting access and enjoyment of fish, wildlife, clean water and other natural resources

⁶ floodfactor.com

⁷ <https://www.nytimes.com/2021/12/06/nyregion/tibbets-brook-bronx-daylighting.html>

⁸ Base appropriations for other important federal watershed programs include \$330 million for the Great Lakes Restoration initiative, \$87.5 million for the Chesapeake Bay Program, \$40 million for the Long Island Sound program, \$20 million for the Lake Champlain Basin Program, in addition to other investments through the recent Federal Infrastructure Bill, whereas federal appropriations for the Hudson River watershed have been limited to \$600,000 annual for the Hudson River National Estuary Research Reserve through the National Oceanic and Atmospheric Administration, and \$900,000 annually for the New York-New Jersey Harbor and Estuary Program, in addition to equally modest investments through the Federal Infrastructure Bill.

that have been historically impaired; and, offering outstanding environmental education opportunities for young people, including planting trees in urban and rural settings, growing oysters⁹ and studying eels as they move up stream¹⁰.

Critical to the success of this initiative is the legislation's focus on addressing the needs of disadvantaged communities in the watershed region that are experiencing environmental injustice. Consistent with President Biden's Justice40 Initiative, this bill assures that communities experiencing these challenges will receive adequate support and assistance. Important to consider in this context is establishing a watershed-wide strategy to engage the public through outreach and education to ensure their needs are understood and prioritized. We have learned much regarding how to structure federal policy to address these issues through the Delaware River Basin Conservation Act, and look forward to innovating new solutions through this bill that the nation can learn and benefit from.

Also important is identifying a strategic and focused role for land conservation to enable public access and restoration work, particularly to facilitate fishing, boating, and for communities lacking in environmental justice. Land conservation is just one tool that will help us accomplish our overall goal. It also can create a welcome public presence for federal natural resource agencies at the local level, and cultivate the relationships that are necessary to support disadvantaged communities. Scenic Hudson has developed GIS-based tools that guide its land conservation work and help ensure that our actions align with existing federal, state and local strategies.¹¹

Conclusion

Communities in our watershed understand that environmental restoration and addressing related equity concerns are not luxuries – they are necessary to securing public safety, protecting the natural-resource drivers of our economy, and uplifting public health. This legislation will inform and guide management and conservation actions for decades to come through targeted federal involvement that will support the hard work of our local communities, and ensure a healthy future for our watersheds and the people who live, work and play in our region.

As one of the seminal watersheds in our nation, recognized for its history and natural resources, the New York-New Jersey Watershed should receive the recognition and same federal support as other great waters so that it can continue to serve our communities and the nation for generations to come.

I want to personally thank Congressman Tonko for his leadership on this important effort and all of the co-sponsors of this legislation. I look forward to working with this Committee to advance this legislation expeditiously.

Thank you for the opportunity to submit my testimony to the Subcommittee.

⁹ <https://www.billionoysterproject.org/reefs>

¹⁰ <https://www.cbsnews.com/video/the-shocking-truth-about-eels/>

¹¹ https://scenichudson.org/wp-content/uploads/legacy/pdf-downloads/HVCS-report_web.pdf

