

# STATE OF NEW YORK

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5390

2021-2022 Regular Sessions

## IN ASSEMBLY

February 16, 2021

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Introduced by M. of A. FAHY -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to including efforts to combat the biodiversity and climate crises in the state's land acquisition policy

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 49-0207 of the environmental conservation law, as  
2 added by chapter 146 of the laws of 1990, is amended to read as follows:  
3 § 49-0207. State land acquisition plan.

4 1. The department and the office shall prepare a state land acquisition  
5 plan to guide selection of projects for state acquisition taking  
6 into account regional advisory committee priorities and the department's  
7 and office's assessment of need for land acquisition projects. Such  
8 plan shall also take into account the goal of the state to conserve at  
9 least thirty percent of New York state's land by the year two thousand  
10 thirty, in an effort to support the global combat of the biodiversity  
11 and climate crises. Such plan shall include an identification of:

12 a. lands, by region and category, for which acquisition is of a high  
13 priority in order to carry out the purposes of this title;

14 b. lands, by region, having statewide or regional environmental,  
15 historic, cultural or recreational significance that are threatened with  
16 diminishment of resource value;

17 c. the department's and office's priorities of categories of land, by  
18 region, for future acquisition; [~~and~~]

19 d. lands, by region, having statewide or regional environmental,  
20 historic, cultural or recreational significance which should be consid-  
21 ered for state acquisition, but which do not qualify for acquisition  
22 under present law; and

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[~~-~~] is old law to be omitted.

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1 e. strategies to achieve the goal of the state to conserve at least  
2 thirty percent of New York state's land by the year two thousand thirty,  
3 including, but not limited to:

4 (i) safeguards for the state's economic and sustainability and food  
5 security;

6 (ii) protections and restoration projects for biodiversity;

7 (iii) enabling enduring conservation measures on a broad range of  
8 landscapes, including natural areas and working lands, in partnership  
9 with land managers and natural resource user groups;

10 (iv) building climate resilience, reducing risk from extreme climate  
11 events, and contributing to the state's effort to combat climate change;  
12 and

13 (v) expanding equitable outdoor access and recreation for all New York  
14 residents.

15 2. Such plan shall include consideration of the inventory prepared  
16 pursuant to section 49-0205 of this title and shall identify those areas  
17 within the state which are not adequately protected in such categories.

18 3. In preparing such plan, the department and office shall:

19 a. conduct one or more public hearings in each of the department's  
20 administrative regions.

21 b. consult with:

22 (i) the regional advisory committees;

23 (ii) officials of departments and agencies of the state having duties  
24 and responsibilities concerning the protection of open space and  
25 natural, environmental, historic, cultural or recreational resources;

26 (iii) officials and representatives of local governments in the state;  
27 and

28 (iv) persons, organizations and groups interested in the protection of  
29 open space and natural, environmental, historic, cultural or recreation-  
30 al resources of the state.

31 c. strategically prioritize investments in cooperative, high-priority  
32 actions that promote biodiversity protection, habitat restoration, wild-  
33 fire-resiliency, sustainably managed landscapes, and other conservation  
34 outcomes.

35 d. implement actions to increase the pace and scale of environmental  
36 restoration and land management efforts by streamlining the state's  
37 processes to approve and facilitate such efforts.

38 e. collaborate with federal and state research institutions to utilize  
39 innovative scientific observation technology, and with tribal partners  
40 to incorporate tribal expertise and traditional ecological knowledge to  
41 better understand the state's biodiversity and threats to such biodiver-  
42 sity.

43 f. include strategies to participate in regional, national, and inter-  
44 national efforts to advance biodiversity protection and help to prevent  
45 extinctions across the planet.

46 g. request and receive from any department, division, board, bureau,  
47 commission or any other agency of the state or any political subdivision  
48 thereof or any public authority such assistance and data as may be  
49 necessary to enable the department and office to carry out its responsi-  
50 bilities under this section.

51 4. The department, in cooperation with any other state agencies it  
52 shall deem necessary, shall use existing authorities and resources to  
53 identify and implement near-term and long-term actions to accelerate  
54 natural removal of carbon from the atmosphere and to build climate resi-  
55 lience in the state's forests, wetlands, urban greenspaces, agricultural

1 soils, and land conservation activities in ways that serve all communi-  
2 ties, including low-income, disadvantaged, and vulnerable communities.

3 5. The department and office shall prepare a draft plan and shall  
4 propose, no later than [~~January thirty-first~~] February first, [~~nineteen~~  
5 ~~hundred ninety-one~~] two thousand twenty-two, a schedule of public hear-  
6 ings thereon.

7 [~~5.~~] 6. On or before [~~January thirty-first~~] February first, [~~nineteen~~  
8 ~~hundred ninety-two~~] two thousand twenty-three and every three years  
9 thereafter, the department and office shall submit the plan to the  
10 governor, the majority leader of the senate and the speaker of the  
11 assembly. Upon approval by the governor such plan shall become a guide  
12 for the implementation of the acquisition programs of the department and  
13 office.

14 § 2. This act shall take effect immediately.