

STATE OF NEW YORK

5390--A

2021-2022 Regular Sessions

IN ASSEMBLY

February 16, 2021

Introduced by M. of A. FAHY -- read once and referred to the Committee on Environmental Conservation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

1. It shall be the policy of the state to support and contribute to national efforts to conserve at least thirty percent of United States lands and inland waters and at least thirty percent of United States ocean area by the year two thousand thirty. The department and the office shall prepare a state land acquisition plan to guide selection of projects for state acquisition or conservation taking into account regional advisory committee priorities and the department's and office's assessment of need for land acquisition projects. Such plan shall also take into account the goal of the state to facilitate the conservation of at least thirty percent of land in New York state by the year two thousand thirty, in an effort to combat the global biodiversity and climate crises and contribute to the national goal. Such plan shall include an identification of:

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

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

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

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1 c. the department's and office's priorities of categories of land, by
2 region, for future acquisition or other conservation; ~~[and]~~

3 d. lands, by region, having statewide or regional environmental,
4 historic, cultural or recreational significance which should be consid-
5 ered for state acquisition or other conservation, but which do not qual-
6 ify for acquisition under present law; and

7 e. strategies and a methodology to achieve the goal of the state to
8 conserve at least thirty percent of land in New York state by the year
9 two thousand thirty, including, but not limited to:

10 (i) safeguards for the state's economic and sustainability and food
11 security;

12 (ii) protections and restoration projects for biodiversity;

13 (iii) enabling enduring conservation measures, to be defined in the
14 plan, on a broad range of landscapes, including urban, suburban and
15 rural natural areas, watersheds, and working lands, urban and rural
16 agricultural lands, and resilient and connected lands, in partnership
17 with land managers, farmers, and other stakeholder groups;

18 (iv) building climate resilience, reducing risk from extreme climate
19 events, and contributing to the state's effort to mitigate climate
20 change; and

21 (v) expanding access to nature and nature's benefits in communities in
22 every region of the state, and expanding equitable outdoor access and
23 recreation.

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

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

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

30 b. consult with:

31 (i) the regional advisory committees;

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

35 (iii) officials and representatives of local governments in the state;
36 and

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

40 c. strategically prioritize investments in cooperative, high-priority
41 actions that promote biodiversity protection, habitat restoration, wild-
42 fire-resiliency, regenerative agriculture, sustainably managed land-
43 scapes, watershed protection and other conservation outcomes.

44 d. implement actions to increase the pace and scale of environmental
45 conservation, restoration, and land management efforts by streamlining
46 the state's processes to approve and facilitate such efforts and reduc-
47 ing the time it takes to complete projects.

48 e. collaborate with federal and state research institutions to utilize
49 innovative scientific observation technology, and with tribal partners
50 to incorporate tribal expertise and traditional ecological knowledge to
51 better understand the state's biodiversity and threats to such biodiver-
52 sity.

53 f. include strategies to participate in regional, national, and inter-
54 national efforts to advance biodiversity protection and help to prevent
55 extinctions across the planet.

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

6 4. The department, in cooperation with any other state agencies it
7 shall deem necessary, shall use existing authorities and resources to
8 identify and implement near-term and long-term actions to accelerate
9 natural removal of carbon from the atmosphere and to build climate resi-
10 lience in the state's forests, wetlands, watersheds, urban greenspaces,
11 agricultural soils, and land conservation activities in ways that serve
12 all communities, including low-income, disadvantaged, and vulnerable
13 communities.

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

18 [~~5.~~] 6. On or before [~~January thirty-first~~] February first, [~~nineteen~~
19 ~~hundred ninety-two~~] two thousand twenty-three and every three years
20 thereafter, the department and office shall submit the plan to the
21 governor, the majority leader of the senate and the speaker of the
22 assembly. Upon approval by the governor such plan shall become a guide
23 for the implementation of the acquisition programs of the department and
24 office.

25 § 2. This act shall take effect immediately.