STATE OF NEW YORK

3959--B

2025-2026 Regular Sessions

IN ASSEMBLY

January 30, 2025

Introduced by M. of A. WOERNER, TAPIA, GLICK, GIGLIO, KASSAY, BUTTENSCHON, BURDICK -- read once and referred to the Committee on Energy -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Energy in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to siting permits for grassland bird breeding habitats or grassland bird wintering habitats

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

Section 1. Section 139 of the public service law is amended by adding a new subdivision 2-a to read as follows:

2-a. If a major electric transmission facility siting permit is proposed for a site which is grassland bird breeding habitat or grassland bird wintering habitat within a department of environmental conservation designated grassland bird conservation center, ORES shall require a mitigation ratio of three acres for every acre of occupied grassland bird breeding habitat and three acres of mitigation for every acre of grassland bird wintering habitat determined to be taken. In order to provide a net conservation benefit in such grassland bird conservation centers, these mitigation requirements shall not be modified by dividing the impact of habitat taken by five life cycles of habitat succession or any other additional calculation.

§ 2. This act shall take effect immediately and shall apply to any major electric transmission facility siting permit, or any application for a major facility siting permit, for which the final net conservation benefit plan has not yet been approved by the office of renewable energy siting and electric transmission, provided, however, that the amendments to section 139 of the public service law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

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

LBD07808-08-6