

4664

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. FOLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend chapter 613 of the laws of 2007, relating to creating the New York state sea level rise task force and providing for the repeal of such provisions upon expiration thereof, in relation to extending certain provisions relating thereto

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Chapter 613 of the laws of 2007, relating to creating the
2 New York state sea level rise task force, is amended to read as follows:
3 Section 1. 1. New York state sea level rise task force. There is here-
4 by established, within the department of environmental conservation, a
5 sea level rise task force ("task force") which shall consist of 16
6 members who shall be appointed as follows:
7 (a) the commissioner of environmental conservation or his or her
8 designee;
9 (b) the secretary of state or his or her designee;
10 (c) the commissioner of transportation or his or her designee;
11 (d) the commissioner of health or his or her designee;
12 (e) the director of the state emergency management office or his or
13 her designee;
14 (f) the superintendent of insurance or his or her designee;
15 (g) two members to be appointed by the temporary president of the
16 senate;
17 (h) two members to be appointed by the speaker of the assembly;
18 (i) one member to be appointed by the minority leader of the senate;
19 (j) one member to be appointed by the minority leader of the assembly;
20 (k) one member to be appointed by the mayor of the city of New York;
21 (l) one member to be appointed by the county executive of the county
22 of Westchester;

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

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1 (m) one member to be appointed by the county executive of the county
2 of Nassau; and

3 (n) one member to be appointed by the county executive of the county
4 of Suffolk.

5 2. The at large members should include individuals with expertise in
6 one or more of the following areas: climatology; hydrology; economics;
7 marine fisheries; law enforcement and emergency management; estuary
8 programs; oceanography or coastal ocean science; and ecology or environ-
9 mental biology.

10 3. Task force members shall receive no compensation for their services
11 but shall be reimbursed for actual and necessary expenses incurred in
12 the performance of their duties.

13 4. The chairperson of the task force shall be the commissioner of
14 environmental conservation or his or her designee. The task force shall
15 meet no less than four times and at other times at the call of the
16 chairperson.

17 5. Any vacancies on the task force shall be filled in the manner
18 provided for in the initial appointment.

19 6. The task force shall be authorized to hold public hearings and
20 meetings to enable it to accomplish its duties.

21 7. The task force may consult with any organization, educational
22 institution, other government entity or agency or person including, but
23 not limited to, the national aeronautics and space administration, in
24 the development of its report required by subdivision 10 of this
25 section.

26 8. The department of environmental conservation shall provide the task
27 force with such facilities, assistance and data as will enable the task
28 force to carry out its powers and duties. Additionally, all other agen-
29 cies of the state or subdivisions thereof may, at the request of the
30 chairperson, provide the task force with such facilities, assistance,
31 and data as will enable the task force to carry out its powers and
32 duties.

33 9. The purpose of the New York state sea level rise task force shall
34 be to evaluate ways of protecting New York's remaining coastal ecosys-
35 tems and natural habitats, and increasing coastal community resilience
36 in the face of sea level rise, applying the best available science as to
37 sea level rise and its anticipated impacts.

38 10. No later than December 31, [2009] 2010, the task force shall tran-
39 smit to the governor, the temporary president of the senate and the
40 speaker of the assembly a report containing the following:

41 (a) an assessment of the anticipated impacts related to sea level
42 rise;

43 (b) recommendations related to mechanisms New York could establish to
44 provide stronger, more protective standards, and the implementation and
45 enforcement of such standards for coastal development, wetlands
46 protection, shoreline armoring, and post-storm recovery for New York
47 state in the context of sea level rise;

48 (c) recommendations regarding adaptive measures which may be taken to
49 respond to sea level rise, including measures to:

50 (i) protect and connect terrestrial and aquatic habitats to allow
51 animal and plant species to migrate as temperatures change, especially
52 in already fragmented habitats;

53 (ii) protect and restore habitat on which already stressed animal and
54 plant species depend to maintain the integrity of natural communities
55 and to protect ecological services they provide including flood control,
56 drinking water supply protection, clean water and clean air;

1 (iii) identify and monitor early effects of climate change on animals,
2 plants and natural communities; and

3 (iv) integrate climate change adaptation strategies into state envi-
4 ronmental plans; and

5 (d) recommendations on state and local regulatory and/or statutory
6 alterations to respond to the impacts of sea level rise.

7 S 2. This act shall take effect immediately and shall expire and be
8 deemed repealed January 1, [2010] 2011.

9 S 2. This act shall take effect immediately.