S T A T E  O F  N E W  Y O R K

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:

Section 1. Chapter 613 of the laws of 2007, relating to creating the New York state sea level rise task force, is amended to read as follows:

Section 1. 1. New York state sea level rise task force. There is hereby established, within the department of environmental conservation, a sea level rise task force ("task force") which shall consist of 16 members who shall be appointed as follows:

(a) the commissioner of environmental conservation or his or her designee;

(b) the secretary of state or his or her designee;

(c) the commissioner of transportation or his or her designee;

(d) the commissioner of health or his or her designee;

(e) the director of the state emergency management office or his or her designee;

(f) the superintendent of insurance or his or her designee;

(g) two members to be appointed by the temporary president of the senate;

(h) two members to be appointed by the speaker of the assembly;

(i) one member to be appointed by the minority leader of the senate;

(j) one member to be appointed by the minority leader of the assembly;

(k) one member to be appointed by the mayor of the city of New York;

(l) one member to be appointed by the county executive of the county of Westchester;

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

LBD11243-01-9

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

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

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

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

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

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

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

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

8. The department of environmental conservation shall provide the task force with such facilities, assistance and data as will enable the task force to carry out its powers and duties. Additionally, all other agencies of the state or subdivisions thereof may, at the request of the chairperson, provide the task force with such facilities, assistance, and data as will enable the task force to carry out its powers and duties.

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

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

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

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

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

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

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

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

(iv) integrate climate change adaptation strategies into state environmental plans; and

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

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

S 2. This act shall take effect immediately.