

STATE OF NEW YORK

10779

IN ASSEMBLY

July 10, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Barnwell) --
read once and referred to the Committee on Environmental Conservation

AN ACT to establish a commission to be known as the "New York seawall
study commission"; and providing for the repeal of such provisions
upon expiration thereof

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

- 1 Section 1. New York seawall study commission. 1. There is hereby
2 established, within the department of environmental conservation, a
3 seawall study commission ("commission") which shall consist of 16
4 members who shall be appointed as follows:
5 (a) the commissioner of environmental conservation or his or her
6 designee;
7 (b) the secretary of state or his or her designee;
8 (c) three members appointed by the governor, at least one of whom
9 shall have expertise in environmental justice issues;
10 (d) two members to be appointed by the temporary president of the
11 senate;
12 (e) two members to be appointed by the speaker of the assembly;
13 (f) one member to be appointed by the minority leader of the senate;
14 (g) one member to be appointed by the minority leader of the assembly;
15 (h) two members to be appointed by the mayor of the city of New York;
16 (i) one member to be appointed by the county executive of the county
17 of Nassau;
18 (j) one member to be appointed by the county executive of the county
19 of Suffolk; and
20 (k) one member to be appointed by the county executive of the county
21 of Westchester.
22 2. The at large members should include individuals with expertise in
23 one or more of the following areas: climatology; hydrology; environ-
24 mental; aquaculture; flood risk management; environmental justice;
25 ecological restoration and management; oceanography or coastal ocean
26 science; and engineering.

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

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

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

8 5. Any vacancies on the commission shall be filled in the manner
9 provided for in the initial appointment.

10 6. The commission shall be authorized to hold public hearings and
11 meetings to enable it to accomplish its duties.

12 7. The commission may consult with any organization, educational
13 institution, other government entity or agency or person including, but
14 not limited to, the army corps of engineers, in the development of its
15 report required by subdivision 10 of this section.

16 8. The department of environmental conservation shall provide the
17 commission with such facilities, assistance and data as will enable the
18 commission to carry out its powers and duties. Additionally, all other
19 agencies of the state or subdivisions thereof may, at the request of the
20 chairperson, provide the commission with such facilities, assistance,
21 and data as will enable the commission to carry out its powers and
22 duties.

23 9. The purpose of the New York seawall study commission shall be to
24 identify the feasibility, costs, impacts, and best locations for
25 construction of a seawall to protect the city of New York from sea level
26 rise and storm surge along the entire coastline.

27 10. No later than December 31, 2023, the commission shall transmit to
28 the governor, the temporary president of the senate and the speaker of
29 the assembly a report containing the following:

30 (a) coastal areas at greatest risk from sea level rise based on
31 projections established pursuant to section 3-0319 of the environmental
32 conservation law;

33 (b) areas at risk from storm surge based on current sea levels;

34 (c) areas that are more likely to be at risk from coastal hazards
35 including rising groundwater levels, saltwater intrusion, coastal flood-
36 ing, and extreme weather events including coastal storms, with such
37 projections extending through year 2100;

38 (d) the locations for construction of a seawall and any communities
39 likely to be at risk from such construction;

40 (e) the feasibility, costs and locations of natural and nature-based
41 solutions and onshore measures to protect New York city from sea level
42 rise and storm surge;

43 (f) the costs, including fiscal impacts, impacts on vulnerable popu-
44 lations and natural resources, of such construction of a seawall; and

45 (g) recommendations on state and local regulatory and/or statutory
46 alterations.

47 § 2. This act shall take effect immediately and shall expire and be
48 deemed repealed January 1, 2024.