STATE OF NEW YORK

3035

2021-2022 Regular Sessions

IN ASSEMBLY

January 22, 2021

Introduced by M. of A. FAHY -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to including comprehensive climate change risk analysis as part of every environmental assessment statement and requiring updates to rules and regulations regarding the state environmental quality review

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

Section 1. Paragraphs (i), (i) and (j) of subdivision 2 of section 8-0109 of the environmental conservation law, paragraph (i) as added by chapter 182 of the laws of 1990, paragraph (i) as amended by chapter 238 of the laws of 1991 and paragraph (j) as amended by chapter 219 of the laws of 1990, are amended to read as follows:

(i) effects of proposed action on solid waste management where applicable and significant; [~~and~~

~~(i)~~] **(j)** effects of any proposed action on, and its consistency with, the comprehensive management plan of the special groundwater protection area program, as implemented by the commissioner pursuant to article fifty-five of this chapter; [~~and~~

~~(j)~~] **(k) measurement and analysis of all impacts of climate change including, but not limited to, surface air temperature changes, atmospheric chemistry changes, extreme precipitation changes, drought risk changes, sea level changes, such measurement and analysis shall be done for every aspect of an action;**

(l) the carbon footprint per person per building block prior to the proposed action and at the conclusion of a reasonable worst case development scenario for such proposed action, as applicable;

(m) a reasonable worst case development scenario period of one hundred years for assessing potential flooding risks and environmental impacts for the life of any new building which is part of a proposed action; and

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

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(n) such other information consistent with the purposes of this article as may be prescribed in guidelines issued by the commissioner pursuant to section 8-0113 of this [~~**chapter**~~] **article**.

§ 2. Section 8-0113 of the environmental conservation law is amended by adding a new subdivision 5 to read as follows:

5. The commissioner shall update any rules and regulations related to the state environmental quality review no less than once every five years to account for changes or updates in any reports issued by the intergovernmental panel on climate change and the New York city panel on climate change.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.