

# STATE OF NEW YORK

9177

## IN ASSEMBLY

February 9, 2022

Introduced by M. of A. STIRPE -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the canal law, in relation to designating the director of the upstate flood mitigation task force and assessments of Erie Canal system operation procedures related to flood mitigation and management

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

1 Section 1. Subdivision 5 of section 139-a of the canal law, as added  
2 by chapter 448 of the laws of 2017, is amended to read as follows:

3 5. "Upstate flood mitigation region" or "region" shall include a coun-  
4 ty[~~, except a county wholly encompassed by a city and any county with a~~  
5 ~~population of one million or more~~] through which the Erie Canal passes  
6 in whole or in part.

7 § 2. Subdivision 2 of section 139-b of the canal law, as added by  
8 chapter 448 of the laws of 2017, is amended to read as follows:

9 2. The task force [~~shall appoint a~~] chairperson [~~from among its~~  
10 ~~members~~] shall be the director of the canal corporation.

11 § 3. Subdivision 1 of section 139-c of the canal law, as added by  
12 chapter 448 of the laws of 2017, is amended to read as follows:

13 1. Conducting an in-depth examination, presented as a public report no  
14 later than [~~six months~~] one year from the date the task force is estab-  
15 lished, of flood control study sectors and issues related to floodplain  
16 management, debris management, flood control and flood mitigation in the  
17 upstate flood mitigation region including:

18 (a) the cost or impact of flooding over the last five years to agri-  
19 culture; transportation; land use; public health; insurance; economic  
20 sectors such as tourism, recreation and power generation; as well as  
21 impacts on infrastructure including bridges, low lying roads, dams,  
22 locks, roads, water and wastewater treatment plants and docks;

23 (b) an assessment of [~~canal~~] Erie Canal system operation procedures  
24 and plans which may have a direct or indirect impact on flood mitigation  
25 and flood management including, but not limited to debris management,  
26 communication, water management and flood response; and

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

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1 (c) a listing of adaptive measures, with associated costs, that could  
2 be executed to mitigate flood damages, including but not limited to  
3 feasible floodplain management activities, debris management,  
4 construction of flood control structures, construction of communication  
5 systems and flood mitigation education for public and private landown-  
6 ers.

7 § 4. This act shall take effect immediately; provided, however, that  
8 the amendments to subdivision 5 of section 139-a, subdivision 2 of  
9 section 139-b and subdivision 1 of section 139-c of the canal law made  
10 by sections one, two and three of this act shall not affect the repeal  
11 of such subdivisions and shall be deemed repealed therewith.