

# STATE OF NEW YORK

6191

2021-2022 Regular Sessions

## IN SENATE

April 14, 2021

Introduced by Sens. KAMINSKY, HARCKHAM, JACKSON, REICHLIN-MELNICK --  
read twice and ordered printed, and when printed to be committed to  
the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to  
including efforts to combat the biodiversity and climate crises in the  
state's land acquisition policy

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

Section 1. Section 49-0207 of the environmental conservation law, as  
added by chapter 146 of the laws of 1990, is amended to read as follows:  
§ 49-0207. State land acquisition plan.

1. It shall be the policy of the state to support and contribute to  
national efforts to conserve at least thirty percent of United States  
lands and inland waters and at least thirty percent of United States  
ocean area by the year two thousand thirty. The department and the  
office shall prepare a state land acquisition plan to guide selection of  
projects for state acquisition or conservation taking into account  
regional advisory committee priorities and the department's and office's  
assessment of need for land acquisition projects. Such plan shall also  
take into account the goal of the state to facilitate the conservation  
of at least thirty percent of land in New York state by the year two  
thousand thirty, in an effort to combat the global biodiversity and  
climate crises and contribute to the national goal. Such plan shall  
include an identification of:

a. lands, by region and category, for which acquisition or other  
conservation is of a high priority in order to carry out the purposes of  
this title;

b. lands, by region, having statewide or regional environmental,  
historic, cultural or recreational significance that are threatened with  
diminishment of resource value;

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

LBD10880-01-1

1 c. the department's and office's priorities of categories of land, by  
2 region, for future acquisition or other conservation; ~~[and]~~

3 d. lands, by region, having statewide or regional environmental,  
4 historic, cultural or recreational significance which should be consid-  
5 ered for state acquisition or other conservation, but which do not qual-  
6 ify for acquisition under present law; and

7 e. strategies and a methodology to achieve the goal of the state to  
8 conserve at least thirty percent of land in New York state by the year  
9 two thousand thirty, including, but not limited to:

10 (i) safeguards for the state's economic and sustainability and food  
11 security;

12 (ii) protections and restoration projects for biodiversity;

13 (iii) enabling enduring conservation measures, to be defined in the  
14 plan, on a broad range of landscapes, including urban, suburban and  
15 rural natural areas, watersheds, and working lands, urban and rural  
16 agricultural lands, and resilient and connected lands, in partnership  
17 with land managers, farmers, and other stakeholder groups;

18 (iv) building climate resilience, reducing risk from extreme climate  
19 events, and contributing to the state's effort to mitigate climate  
20 change; and

21 (v) expanding access to nature and nature's benefits in communities in  
22 every region of the state, and expanding equitable outdoor access and  
23 recreation.

24 2. Such plan shall include consideration of the inventory prepared  
25 pursuant to section 49-0205 of this title and shall identify those areas  
26 within the state which are not adequately protected in such categories.

27 3. In preparing such plan, the department and office shall:

28 a. conduct one or more public hearings in each of the department's  
29 administrative regions.

30 b. consult with:

31 (i) the regional advisory committees;

32 (ii) officials of departments and agencies of the state having duties  
33 and responsibilities concerning the protection of open space and  
34 natural, environmental, historic, cultural or recreational resources;

35 (iii) officials and representatives of local governments in the state;  
36 and

37 (iv) persons, organizations and groups interested in the protection of  
38 open space and natural, environmental, historic, cultural or recreation-  
39 al resources of the state.

40 c. strategically prioritize investments in cooperative, high-priority  
41 actions that promote biodiversity protection, habitat restoration, wild-  
42 fire-resiliency, regenerative agriculture, sustainably managed land-  
43 scapes, watershed protection and other conservation outcomes.

44 d. implement actions to increase the pace and scale of environmental  
45 conservation, restoration, and land management efforts by streamlining  
46 the state's processes to approve and facilitate such efforts and reduc-  
47 ing the time it takes to complete projects.

48 e. collaborate with federal and state research institutions to utilize  
49 innovative scientific observation technology, and with tribal partners  
50 to incorporate tribal expertise and traditional ecological knowledge to  
51 better understand the state's biodiversity and threats to such biodiver-  
52 sity.

53 f. include strategies to participate in regional, national, and inter-  
54 national efforts to advance biodiversity protection and help to prevent  
55 extinctions across the planet.

1     g. request and receive from any department, division, board, bureau,  
2 commission or any other agency of the state or any political subdivision  
3 thereof or any public authority such assistance and data as may be  
4 necessary to enable the department and office to carry out its responsi-  
5 bilities under this section.

6     4. The department, in cooperation with any other state agencies it  
7 shall deem necessary, shall use existing authorities and resources to  
8 identify and implement near-term and long-term actions to accelerate  
9 natural removal of carbon from the atmosphere and to build climate resi-  
10 lience in the state's forests, wetlands, watersheds, urban greenspaces,  
11 agricultural soils, and land conservation activities in ways that serve  
12 all communities, including low-income, disadvantaged, and vulnerable  
13 communities.

14     5. The department and office shall prepare a draft plan and shall  
15 propose, no later than [~~January thirty-first~~] February first, [~~nineteen~~  
16 ~~hundred ninety-one~~] two thousand twenty-two, a schedule of public hear-  
17 ings thereon.

18     [~~5.~~] 6. On or before [~~January thirty-first~~] February first, [~~nineteen~~  
19 ~~hundred ninety-two~~] two thousand twenty-three and every three years  
20 thereafter, the department and office shall submit the plan to the  
21 governor, the majority leader of the senate and the speaker of the  
22 assembly. Upon approval by the governor such plan shall become a guide  
23 for the implementation of the acquisition programs of the department and  
24 office.

25     § 2. This act shall take effect immediately.