STATE OF NEW YORK

5390

2021-2022 Regular Sessions

IN ASSEMBLY

February 16, 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 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 Assembly, 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. The department and the office shall prepare a state land acquisition plan to guide selection of projects for state acquisition 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 conserve at least thirty percent of New York state's land by the year two thousand thirty, in an effort to support the global combat of the biodiversity and climate crises.** Such plan shall include an identification of:

a. lands, by region and category, for which acquisition 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;

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

d. lands, by region, having statewide or regional environmental, historic, cultural or recreational significance which should be considered for state acquisition, but which do not qualify for acquisition under present law**; and**

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

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e. strategies to achieve the goal of the state to conserve at least thirty percent of New York state's land by the year two thousand thirty, including, but not limited to:

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

(ii) protections and restoration projects for biodiversity;

(iii) enabling enduring conservation measures on a broad range of landscapes, including natural areas and working lands, in partnership with land managers and natural resource user groups;

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

(v) expanding equitable outdoor access and recreation for all New York residents.

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

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

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

b. consult with:

(i) the regional advisory committees;

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

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

(iv) persons, organizations and groups interested in the protection of open space and natural, environmental, historic, cultural or recreational resources of the state.

c. strategically prioritize investments in cooperative, high-priority actions that promote biodiversity protection, habitat restoration, wildfire-resiliency, sustainably managed landscapes, and other conservation outcomes.

d. implement actions to increase the pace and scale of environmental restoration and land management efforts by streamlining the state's processes to approve and facilitate such efforts.

e. collaborate with federal and state research institutions to utilize innovative scientific observation technology, and with tribal partners to incorporate tribal expertise and traditional ecological knowledge to better understand the state's biodiversity and threats to such biodiversity.

f. include strategies to participate in regional, national, and international efforts to advance biodiversity protection and help to prevent extinctions across the planet.

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

4. The department, in cooperation with any other state agencies it shall deem necessary, shall use existing authorities and resources to identify and implement near-term and long-term actions to accelerate natural removal of carbon from the atmosphere and to build climate resilience in the state's forests, wetlands, urban greenspaces, agricultural

soils, and land conservation activities in ways that serve all communities, including low-income, disadvantaged, and vulnerable communities.

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

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

§ 2. This act shall take effect immediately.