STATE OF NEW YORK

6191--A

2021-2022 Regular Sessions

IN SENATE

April 14, 2021

Introduced by Sens. KAMINSKY, ADDABBO, BIAGGI, BOYLE, GAUGHRAN, GOUNARDES, HARCKHAM, HELMING, HINCHEY, HOYLMAN, JACKSON, KAPLAN, KAVANAGH, KRUEGER, LIU, MANNION, MARTUCCI, MATTERA, MAY, OBERACKER, ORTT, REICHLIN-MELNICK, SEPULVEDA, STAVISKY, THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- recommitted to the Committee on Environmental Conservation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to setting conservation goals for the state and including efforts to combat the biodiversity and climate crises in the state's land acquisition policy; and providing for the repeal of such provisions upon the expiration thereof

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

Section 1. The environmental conservation law is amended by adding a new section 49-0113 to read as follows:

§ 49-0113. Thirty by thirty conservation goal.

1. It shall be the goal 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 areas by the year two thousand thirty.

2. The department in consultation with the commissioner of the office of parks, recreation and historic preservation, shall develop strategies and a methodology to achieve the goal, including but not limited to:

(a) coordination with the state land acquisition plan;

(b) prioritizing protections for water sources and sole source aquifers, including wetlands protections;

(c) protections and restoration projects for preserving and increasing biodiversity, including habitat restoration, with a focus on habitats of

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

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endangered and threatened species including resilient and connected lands and corridors providing means for wildlife migration and habitation;

(d) expanding access to nature and nature's benefits and equitable outdoor access in communities in every region;

(e) consideration of a broad range of landscapes including urban, suburban and rural natural areas, wetlands, forests, and watersheds;

(f) consideration of the state's economic sustainability, including preservation of food security and consultation with the department of agriculture and markets on issues related to farmland preservation of working lands;

(g) increasing climate resilience, including reducing risk from extreme weather events including cooling urban landscapes and natural solutions to prevent erosion and flooding;

(h) collaboration with federal and state research institutions to utilize innovative scientific observation technology to better understand the state's conservation needs and biodiversity and threats thereto;

(i) implementing actions in a manner that includes consideration of the urgency of meeting the goal while still preserving public input and involvement;

(j) collaboration with tribal partners to incorporate tribal expertise and traditional ecological knowledge to better understand the state's conservation needs and biodiversity and threats thereto; and

(k) participating in regional, national, and international efforts to advance biodiversity protection, including preventing extinctions.

3. Conservation measures shall be undertaken in ways that serve all communities, including low-income, disadvantaged and vulnerable communities.

4. The department and office shall prepare a draft plan and shall propose no later than July first, two thousand twenty-two, a schedule of public hearings thereon.

5. On or before July first, two thousand twenty-three and every three years thereafter, the department and office shall submit the plan and any recommendations to the governor and legislature.

§ 2. 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 facilitate the conservation of at least thirty percent of land in New York state by the year two thousand thirty pursuant to section 49-0113 of this article. 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 consid-

ered for state acquisition, but which do not qualify for acquisition under present law.

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. 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 and office shall prepare a draft plan and shall propose, no later than January thirty-first, nineteen hundred ninety-one, a schedule of public hearings thereon.

5. On or before January thirty-first, nineteen hundred ninety-two 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.

§ 3. This act shall take effect immediately and shall expire and be deemed repealed January 1, 2031.