STATE OF NEW YORK

8204

IN SENATE

February 2, 2022

Introduced by Sen. MANNION -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

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:

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

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

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

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

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

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

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

(b) an assessment of [~~canal~~] **Erie Canal** system operation procedures and plans which may have a direct or indirect impact on flood mitigation

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

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and flood management including, but not limited to debris management, communication, water management and flood response; and

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

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