

STATE OF NEW YORK

3299

2023-2024 Regular Sessions

IN ASSEMBLY

February 2, 2023

Introduced by M. of A. KELLES -- read once and referred to the Committee on Environmental Conservation

AN ACT in relation to enacting the "New York open water data act"

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

- 1 Section 1. Short title. This act shall be known and may be cited as
2 the "New York open water data act".
- 3 § 2. Definitions. For purposes of this act, the following terms shall
4 have the following meanings:
- 5 1. "Agencies" means the:
- 6 (a) New York water resources institute at Cornell University;
7 (b) New York state department of environmental conservation;
8 (c) New York state department of health's bureau of water supply
9 protection;
10 (d) New York state department of agriculture and markets;
11 (e) New York state canal corporation; and
12 (f) New York city department of environmental protection.
- 13 2. "Data and information platform" means software, hardware and tools
14 that collect, organize, integrate, distribute and archive water data
15 that at a minimum:
- 16 (a) integrate water data managed by state and local entities using
17 consistent and standardized formats; and
18 (b) integrate:
- 19 (i) state and local government data on streamflow, precipitation,
20 reservoir and irrigation system operations, ground water use and levels,
21 municipal and industrial water use and land uses, but not including data
22 from residential wells;
23 (ii) data on water rights, water diversions and water quality; and
24 (iii) data on fish, aquatic and riparian systems and ecological data.
- 25 3. "Water data" means measurements of basic properties relating to the
26 planning and management of water resources, including streamflow,

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

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1 precipitation, ground water, water quality and water use in agriculture,
2 industry and municipal uses and natural systems.

3 § 3. Water data agencies; duties; standards and best practices; annual
4 plan. 1. By January 1, 2025, the agencies, as convened by the New York
5 water resources institute at Cornell University, shall:

6 (a) identify key water data, information and tools needed to support
7 water management and planning;

8 (b) develop common water data standards for data collection and
9 dissemination, including practices to standardize and clean up data and
10 make it available to the public in commonly used data formats;

11 (c) develop an integrated water data and information platform, includ-
12 ing a publicly accessible site where data will be made available;

13 (d) identify available and unavailable water data; and

14 (e) develop framework to include data derived from citizen science
15 efforts.

16 2. Water research undertaken with state funding shall comply with the
17 common water data standards and best practices developed by the agen-
18 cies.

19 3. The agencies shall collaborate with other regional, national and
20 international efforts, including but not limited to the great lakes
21 commission and the international joint commission, to share, integrate
22 and manage water data.

23 4. By September 1, 2025, and thereafter annually by September 1 of
24 each year, the agencies shall develop and submit a plan to the governor
25 and the appropriate legislative committee that details:

26 (a) an assessment of water data and information needs to support water
27 management and planning;

28 (b) goals, targets and actions to carry out the purposes of this act
29 in the upcoming fiscal year;

30 (c) budgetary resources to carry out the purposes of this act; and

31 (d) metrics for achieving the purposes of this act.

32 § 4. Funding. Funding for such act shall consist of all revenue
33 received pursuant to an appropriation thereto, and all other monies
34 appropriated, credited or transferred from any other source pursuant to
35 law. Nothing in this section shall be deemed to prevent the state from
36 receiving grants, gifts or bequests for the purpose of such act. Grants
37 shall only be awarded based upon the availability of funds.

38 § 5. This act shall take effect immediately.