

# STATE OF NEW YORK

7017--A

2023-2024 Regular Sessions

## IN ASSEMBLY

May 10, 2023

Introduced by M. of A. SIMON, THIELE, GUNTHER, ZINERMAN, SAYEGH, L. ROSENTHAL, McDONOUGH, K. BROWN -- read once and referred to the Committee on Environmental Conservation -- recommitted to the Committee on Environmental Conservation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to enacting the monarch preservation plan

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 "monarch preservation plan".  
3 § 2. Legislative findings. The legislature hereby finds that over the  
4 past several decades, the number of monarch butterflies in North America  
5 has steeply declined. The great migration of the eastern monarchs has  
6 been named a "threatened phenomenon" by the International Union for  
7 Conservation of Nature and Natural Resources (IUCN). As of 2014, the  
8 monarch population has declined from approximately one billion butterf-  
9 lies to 35 million, around 90% since 1990.  
10 Major threat to monarchs include habitat loss and fragmentation,  
11 changes in climate and extreme weather, pesticides, herbicides, and  
12 genetically modified crops, invasive species, disease and natural preda-  
13 tors.  
14 Actively restoring native milkweed and nectar plants, and other polli-  
15 nator habitat, and ensuring that key habitats are protected from  
16 destruction, are critical to ensuring the survival of monarch butterf-  
17 lies and can also help facilitate conservation of other essential polli-  
18 nators. Enhancing pollinator populations can result in improved poll-  
19 ination services for neighboring land, including agriculture and  
20 wildlife ecosystems.

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

LBD05049-02-4

1 § 3. The environmental conservation law is amended by adding a new  
2 section 11-0541 to read as follows:

3 § 11-0541. Monarch preservation plan.

4 Beginning within one year of the effective date of this section, the  
5 department shall take feasible actions to conserve monarch butterflies  
6 and the unique habitats they depend upon for successful migration. These  
7 actions may include, but are not limited to, habitat restoration on  
8 department and state owned lands, education programs, and voluntary  
9 agreements with private landowners. The department may partner with  
10 federal agencies, state agencies, nonprofit organizations, academic  
11 programs, private landowners, and other entities that undertake actions  
12 to conserve monarch butterflies and aid their successful migration. When  
13 undertaking actions to conserve monarch butterflies and their habitats  
14 pursuant to this section, the department shall use the best available  
15 science and consider, as appropriate and feasible, all of the following:

16 1. restoring or revegetating monarch caterpillar habitat using  
17 regionally or locally appropriate native milkweed species and native  
18 nectar plant species;

19 2. controlling nonnative weed species that threaten native milkweed  
20 species, and controlling pests and disease, using current best manage-  
21 ment practices consistent with integrated pest management principles  
22 that pose low risk to monarch butterflies and their habitat;

23 3. controlling pest management practices that may be harmful to  
24 monarch butterflies, their food or their habitat;

25 4. incorporating diverse tree species, structures, and arrangements  
26 when restoring or establishing winter habitat sites to match monarch  
27 butterfly preferences for temperature, light, moisture, wind, and other  
28 microclimate characteristics; and

29 5. increasing the number of partnerships and making the most of part-  
30 nerships to use residential and institutional landscaped areas, agricul-  
31 tural non-cropped lands, transportation corridors, and conservation  
32 easements to create, restore, or enhance monarch butterfly habitat.

33 § 4. This act shall take effect immediately.