STATE OF NEW YORK

1692

2023-2024 Regular Sessions

IN SENATE

January 13, 2023

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to requiring the department of environmental conservation to conduct a study on sea level rise in cities with a population of one million or more

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 3-0320 to read as follows:

§ 3-0320. Study on sea level rise; cities with a population of one million or more.

1. The department, in consultation with the department of state shall conduct a study on the ongoing and impending sea level rise in cities with a population of one million or more and its effect on the environment and coastal lands. The study shall include:

(a) The cause of the sea level rises around the city;

(b) A risk assessment that analyzes issues related to the impact of sea level rise;

(c) The rates of change in sea level;

(d) The effects of sea level rise on flooding and flood mitigation;

(e) The effects of the rise in sea level on biodiversity;

(f) The effects of sea level on health and vitality of the lands and water fronts;

(g) A determination of coastal lands in the state that are and will be impacted by sea level rise;

(h) A risk assessment that analyzes issues related to the ownership of state coastal lands, including potential legal challenges related to title from the need to transfer ownership of coastal lands and stranded assets due to sea level rise;

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

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(i) A list of coastal lands in the city that may see legal challenges arise from efforts to mitigate the effects of sea level rise;

(j) Lists of the coastal properties in the state that are impacted by sea level rise;

(k) Information on the residential status of the owners of coastal property in the state that is impacted by sea level rise, including information related to the numbers in real property in occupancy and ownership; and

(l) An assessment on effective mitigation techniques and infrastructure changes to curtail the sea level rises in the city.

2. The department may consult with and request that each city or county department or agency, including but not limited to the New York City Department of Environmental Protection and City Planning commission to provide the department with any requested data or materials necessary to conduct the study required by this section, and all agencies and authorities of the state, and all municipalities and political subdivisions of the state subject to the provisions of this section are hereby directed to cooperate with the department to facilitate the purposes set forth herein.

3. The department shall, not later than December thirty-first, two thousand twenty-six, submit a report of its findings and recommendations, including any proposed rules and regulations, to the temporary president of the senate, the speaker of the assembly, the chairs of senate and assembly environmental conservation committees, the chair of the senate finance committee and the chair of the assembly ways and means committee.

§ 2. This act shall take effect immediately.