

# STATE OF NEW YORK

10199

## IN ASSEMBLY

February 12, 2026

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. "Conveners" means the:
- 6 (a) New York water resources institute at Cornell University; and  
7 (b) New York sea grant at Stony Brook University.
- 8 2. "Agencies" means the:
- 9 (a) New York state department of environmental conservation;  
10 (b) New York state department of health's bureau of water supply  
11 protection;  
12 (c) New York state department of agriculture and markets;  
13 (d) New York state canal corporation;  
14 (e) New York city department of environmental protection; and  
15 (f) public service commission.
- 16 3. "Water data" means all water data being collected within the state  
17 including:
- 18 (a) Measurements of basic properties relating to the planning and  
19 management of water resources, including streamflow, precipitation,  
20 ground water, water quality and water use in agriculture, industry and  
21 municipal uses and natural systems;  
22 (b) Data related to fresh or inland waters of the state, including but  
23 not limited to wetlands, lakes, streams, creeks, rivers, reservoirs,  
24 aquifers, and groundwater;  
25 (c) Data related to state and municipal water infrastructure, includ-  
26 ing but not limited to canals, aqueducts, dams, and pipes;  
27 (d) Data that may include areas of mixing of fresh and marine waters,  
28 including but not limited to tidal basins and estuaries;

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

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1 (e) At the discretion of the conveners, the term "water data" may  
2 include data related to coastal waters used for human activities includ-  
3 ing, but not limited to agriculture, recreation, and industry; and

4 (f) Any sensitive data, including but not limited to data related to  
5 security or public safety; provided, however, that such data may, at the  
6 discretion of the conveners and agencies, be excluded from reporting or  
7 may be reported only in the aggregate.

8 Provided, however, that nothing in this definition of water data shall  
9 be construed to require additional data collection beyond what is  
10 already being collected, unless the agencies collectively agree to  
11 require collection of additional data.

12 § 3. Water data conveners and agencies; duties; standards and best  
13 practices; annual plan. 1. Subject to an appropriation therefor and  
14 within six months after this act shall have become a law, and at least  
15 quarterly thereafter, the conveners shall facilitate a meeting at which  
16 the agencies plan and determine a framework to meet the requirements set  
17 forth in this section. The conveners shall provide any technical assist-  
18 ance and support necessary to assist the agencies in meeting the  
19 requirements of this section and the framework established by the agen-  
20 cies.

21 2. By January 1 two years after this act shall have become a law, the  
22 agencies and the conveners shall:

23 (a) identify key water data, information and tools needed to support  
24 water management and planning, including but not limited to;

25 (i) state and local government data on streamflow, precipitation,  
26 reservoir and irrigation system operations, ground water use and levels,  
27 municipal and industrial water use and land uses, but not including data  
28 from residential wells;

29 (ii) data on water rights, water diversions and water quality;

30 (iii) data on fish, aquatic and riparian systems and ecological data;

31 (iv) water quality data, including sampling results generated by  
32 public water supplies in accordance with title 1 of article 11 of the  
33 public health law;

34 (v) data from private wells collected by local or state agencies;

35 (vi) commercial uses of water licensed by state agencies;

36 (vii) water affordability data, including but not limited to water  
37 rates, shut-offs conducted, and aggregate data on arrears; and

38 (viii) water infrastructure data.

39 (b) develop common water data standards for data collection and  
40 dissemination, including practices to standardize and clean up data and  
41 make it available to the public in commonly used data formats, which  
42 shall, where appropriate, be arranged or identified by county and muni-  
43 cipality or other appropriate geographic area, and that shall exclude  
44 specific addresses, locations, and other personal information;

45 (c) make such water data available to the public through the state's  
46 open data program OpenNY, including working to identify and develop any  
47 critical data that can be made accessible via geographic information  
48 systems (GIS) mapping and ensuring that all datasets have an application  
49 programming interface (API) endpoint to allow researchers and developers  
50 to access and deploy such data at a level of detail and with a frequency  
51 that furthers effective public use of such data;

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

53 (e) develop pathways to include water data derived from citizen  
54 science efforts.

55 3. Water data research undertaken with state funding shall comply with  
56 the common water data standards and best practices developed by the

1 agencies, provided that where federal standards are required to maintain  
2 federal funding and state standards also exist, complying with the more  
3 stringent standards shall satisfy the requirements of this section.

4 4. The agencies and the conveners shall update all water data  
5 compiled pursuant to this act at least quarterly, where data points are  
6 incorporated into the database based on the frequency at which they are  
7 originally collected without aggregation, except where necessary for the  
8 protection of security or public safety.

9 5. The agencies shall collaborate with other regional, national and  
10 international efforts, including but not limited to the great lakes  
11 commission and the international joint commission, to share, integrate  
12 and manage water data.

13 6. By September 1 two years after this act shall have become a law,  
14 and thereafter annually by September 1 of each year, the agencies shall  
15 develop and submit a plan to the governor and the legislature that  
16 details:

17 (a) an assessment of existing water data and projected information  
18 needs to support ongoing water management and planning;

19 (b) an estimate of budgetary resources needed to carry out the  
20 purposes of this act; and

21 (c) metrics for assessing the achievement of the purposes of this act.

22 § 4. This act shall take effect on the one hundred eightieth day after  
23 it shall have become a law.