

# STATE OF NEW YORK

5254

2025-2026 Regular Sessions

## IN ASSEMBLY

February 12, 2025

Introduced by M. of A. KELLES, ROSENTHAL, SIMONE, COLTON, OTIS, SLATER  
-- 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:
- 17 (a) Measurements of basic properties relating to the planning and  
18 management of water resources, including streamflow, precipitation,  
19 ground water, water quality and water use in agriculture, industry and  
20 municipal uses and natural systems;
- 21 (b) All such data related to fresh or inland waters of the state,  
22 including but not limited to wetlands, lakes, streams, creeks, rivers,  
23 reservoirs, aquifers, and groundwater;
- 24 (c) All data related to state and municipal water infrastructure,  
25 including but not limited to canals, aqueducts, dams, and pipes;

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

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1 (d) Data that may include areas of mixing of fresh and marine waters,  
2 including but not limited to tidal basins and estuaries; and

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

6 § 3. Water data conveners and agencies; duties; standards and best  
7 practices; annual plan. 1. By January 1 in the year after this act shall  
8 have become a law, and at least quarterly thereafter, the conveners  
9 shall organize and hold a meeting with the agencies to plan and deter-  
10 mine a framework to meet the requirements set forth in this section. The  
11 conveners shall provide any expertise and support necessary to assist  
12 the agencies in meeting the requirements of this section and the frame-  
13 work established by the agencies.

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

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

18 (i) state and local government data on streamflow, precipitation,  
19 reservoir and irrigation system operations, ground water use and levels,  
20 municipal and industrial water use and land uses, but not including data  
21 from residential wells;

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

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

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

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

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

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

31 (viii) water infrastructure data.

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

38 (c) make such water data available to the public through the state's  
39 open data program OpenNY, including working to identify and develop any  
40 critical data that can be made accessible via geographic information  
41 systems (GIS) mapping and ensuring that all datasets have an application  
42 programming interface (API) endpoint to allow researchers and developers  
43 to access and deploy such data in ways that further public use of such  
44 data;

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

46 (e) develop pathways to include water data derived from citizen  
47 science efforts.

48 3. Water data research undertaken with state funding shall comply with  
49 the common water data standards and best practices developed by the  
50 agencies.

51 4. The agencies and the conveners shall update all water data  
52 collected pursuant to this act at least annually.

53 5. The agencies shall collaborate with other regional, national and  
54 international efforts, including but not limited to the great lakes  
55 commission and the international joint commission, to share, integrate  
56 and manage water data.

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

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

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

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

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

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

17 § 5. This act shall take effect on the one hundred eightieth day after  
18 it shall have become a law.