

STATE OF NEW YORK

10669

IN SENATE

July 24, 2026

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

AN ACT to amend the environmental conservation law, in relation to establishing the indigenous black carbon recovery and clean energy manufacturing pilot program in the capital district and adjoining regions; and making an appropriation therefor

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

1 Section 1. Legislative intent. 1. The legislature hereby finds and
2 declares that:

3 (a) black carbon emissions, a byproduct of incomplete combustion from
4 industrial processes, transportation, and legacy pollution sources, are
5 a significant contributor to climate change and pose disproportionate
6 health risks to Indigenous and historically marginalized communities;

7 (b) lands connected to Indigenous Nations have experienced long-term
8 environmental burdens, including airborne and soil-deposited black
9 carbon contamination, impacting ecosystems, agriculture, and public
10 health;

11 (c) advances in material science and clean energy manufacturing now
12 enable the capture, refinement, and reuse of carbon-based materials for
13 high-value applications, including components used in photovoltaic tech-
14 nologies;

15 (d) the state of New York has established ambitious climate goals
16 under the climate leadership and community protection act, requiring
17 innovative solutions that integrate environmental remediation with
18 economic development;

19 (e) emerging solar technologies, including tilt-optimized photovoltaic
20 systems and agrivoltaic applications, provide opportunities to increase
21 land-use efficiency, support agricultural productivity, and expand
22 renewable energy deployment; and

23 (f) Indigenous Nations possess critical ecological knowledge and must
24 be full partners in environmental restoration, resource management, and
25 clean energy development.

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

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2. It is therefore the intent of the legislature to establish a pilot program that:

- (a) captures and remediates black carbon pollution;
 - (b) enables Indigenous-led participation and governance;
 - (c) supports in-state manufacturing of advanced solar technologies;
- and
- (d) deploys innovative solar systems across New York state.

§ 2. The environmental conservation law is amended by adding a new section 19-0333 to read as follows:

§ 19-0333. Indigenous black carbon recovery and clean energy manufacturing pilot program.

1. For the purposes of this section, the following terms shall have the following meanings:

(a) "pilot program" means the indigenous black carbon recovery and clean energy manufacturing pilot program;

(b) "black carbon" means particulate matter produced from incomplete combustion of fossil fuels, biomass, and other carbon-based materials;

(c) "participating Indigenous Nations" means federally recognized or state-recognized Native American tribes with historical, ancestral, or present ties to the capital district or surrounding regions;

(d) "recovered carbon material" means black carbon that has been captured, processed, and refined for reuse in industrial or technological applications;

(e) "advanced solar technologies" means photovoltaic systems including, but not limited to:

(i) tilt-optimized solar panels;

(ii) agrivoltaic systems combining agriculture and solar generation;
and

(iii) carbon-enhanced photovoltaic materials; and

(f) "capital district" means the region of the state containing Albany, Columbia, Greene, Saratoga, Schenectady, Rensselaer, Warren, and Washington counties.

2. (a) There is hereby established the indigenous black carbon recovery and clean energy manufacturing pilot program. The pilot program shall operate within:

(i) the capital district; and

(ii) any additional regions identified in consultation with participating indigenous nations.

(b) The pilot program shall be jointly administered by:

(i) the state of New York;

(ii) participating Indigenous nations; and

(iii) designated research, manufacturing, and environmental partners.

3. (a) The state shall engage in formal government-to-government consultation with participating Indigenous Nations. Such consultation shall include:

(i) land use and remediation agreements;

(ii) carbon recovery and resource allocation frameworks; and

(iii) co-ownership opportunities in manufacturing and energy assets.

(b) Participating Indigenous Nations shall have meaningful decision-making authority in:

(i) project design;

(ii) site selection;

(iii) implementation and deployment; and

(iv) long-term governance structures.

4. The pilot program shall include, but not be limited to:

(a) black carbon capture and remediation, including:

(i) deployment of technologies to capture airborne and soil-based black carbon;

(ii) cleanup of legacy contamination sites; and

(iii) monitoring of air quality and environmental health impacts;

(b) material processing and reuse, including:

(i) development of facilities to refine recovered carbon materials;

(ii) integration of carbon materials into photovoltaic and clean energy components; and

(iii) support for research partnerships with universities and private sector innovators;

(c) in-state solar manufacturing, including:

(i) establishment of manufacturing capacity within New York state; and

(ii) production of tilt-optimized solar panels, agrivoltaic system components and next-generation carbon-enhanced photovoltaic materials;

(d) deployment of advanced solar systems, including installation on:

(i) indigenous lands provided there is voluntary participation;

(ii) agricultural lands;

(iii) brownfield and remediated sites; and

(iv) public infrastructure;

(e) agrivoltaic integration including:

(i) dual-use systems enabling agricultural production and solar generation;

(ii) partnerships with local farmers and indigenous agricultural programs; and

(iii) research into crop compatibility and yield optimization; and

(f) workforce development including:

(i) training programs prioritizing indigenous communities and local residents; and

(ii) apprenticeships in environmental remediation, advanced manufacturing and solar installation and maintenance.

5. Priority shall be given to communities designated as disadvantaged pursuant to the climate leadership and community protection act. At least forty percent of pilot program benefits shall accrue to such communities, including indigenous populations.

6. No project shall proceed without:

(a) free, prior, and informed consultation with affected indigenous nations; and

(b) environmental and health impact assessments.

7. (a) The department shall submit an annual report to governor and the legislature no later than December first of each year. The report shall include the:

(i) reductions in black carbon pollution;

(ii) economic and job creation impacts;

(iii) indigenous ownership and participation metrics; and

(iv) solar energy generation and deployment outcomes.

(b) A comprehensive program evaluation shall be conducted after five years.

7. Following a comprehensive program evaluation, the department may expand the program statewide prioritizing regions with high pollution burdens, renewable energy potential and opportunities for indigenous partnership.

§ 3. The sum of fifty million dollars (\$50,000,000), or so much thereof as may be necessary, is hereby appropriated to the department of environmental conservation out of any moneys in the state treasury in the general fund to the credit of the state purposes account, not otherwise appropriated, and made immediately available, for the purpose of

1 carrying out the provisions of this act. Such moneys shall be payable
2 on the audit and warrant of the comptroller on vouchers certified or
3 approved by the commissioner of the department of environmental conser-
4 vation in the manner prescribed by law.
5 § 4. This act shall take effect immediately.