STATE OF NEW YORK

7365

2025-2026 Regular Sessions

IN SENATE

April 11, 2025

Introduced by Sen. HARCKHAM -- 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 smart growth public infrastructure criteria

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

Section 1. Subdivision 1 of section 6-0107 of the environmental conservation law, as added by chapter 433 of the laws of 2010, is amended to read as follows:

1. In addition to meeting other criteria and requirements of law governing approval, development, financing and state aid for the construction of new or expanded public infrastructure or the reconstruction thereof, no state infrastructure agency **or the New York state urban development corporation** shall approve, undertake, support or finance a public infrastructure project, including providing grants, awards, loans or assistance programs, unless, to the extent practicable, it is consistent with the relevant criteria specified in subdivision two of this section.

§ 2. Paragraphs i, j and k of subdivision 2 of section 6-0107 of the environmental conservation law, paragraphs i and j as added by chapter 433 of the laws of 2010 and paragraph k as added by chapter 355 of the laws of 2014, are amended and a new paragraph l is added to read as follows:

i. to ensure predictability in building and land use codes; [~~and~~]

j. to promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations, by among other means encouraging broad based public involvement in developing and implementing a community plan and ensuring the governance structure is adequate to sustain its implementation[~~.~~]**;**

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

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k. to mitigate future physical climate risk due to sea level rise, and/or storm surges and/or flooding, based on available data predicting the likelihood of future extreme weather events, including hazard risk analysis data if applicable[.]**; and**

l. to promote public transit ridership and ensure existing transit riders are able to access employment opportunities and cultural and recreational amenities with ease through the construction of transit facilities protected from extreme weather and traffic violence less than one quarter of a mile walking distance to such opportunities and amenities.

§ 3. This act shall take effect immediately.