



2021 ANNUAL
REPORT

NEW YORK STATE SENATE
STANDING COMMITTEE ON
ENVIRONMENTAL
CONSERVATION



SENATOR
TODD KAMINSKY
CHAIR

CHAIRMAN
ENVIRONMENTAL CONSERVATION

COMMITTEES:
BUDGET AND REVENUE
CODES
ETHICS AND INTERNAL GOVERNANCE
HEALTH
INVESTIGATIONS AND GOVERNMENT
OPERATIONS
TRANSPORTATION

THE SENATE
STATE OF NEW YORK
ALBANY



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December 17, 2021

The Honorable Andrea Stewart-Cousins
Temporary President and Majority Leader
New York State Senate
Albany, NY 12247

Dear Senator Stewart-Cousins:

I am pleased to transmit the Annual Report of the Senate's Standing Committee on Environmental Conservation for the 2021 Legislative Session. As Chair, I am proud to continue to lead our efforts to address important matters under my committee's jurisdiction.

During the 2021 session, this committee met five times in session and reported 69 bills. The Committee also held a joint hearing with the Senate Energy Committee.

I thank my colleagues who served on the Committee for their efforts and support of the work that was done in the committee this year, and I thank you for the continued support from the Majority Conference in the committee's operations.

Sincerely,

A handwritten signature in black ink that reads "Todd Kaminsky". The signature is written in a cursive style with a large, sweeping initial "T".

Senator Todd Kaminsky

2021 LEGISLATIVE SESSION REPORT

NEW YORK STATE SENATE STANDING COMMITTEE ON ENVIRONMENTAL CONSERVATION

Senator Todd Kaminsky, Chairperson

COMMITTEE MEMBERS

Senator Peter Harckham	Senator Dan Stec, <i>Ranking Member</i>
Senator Michelle Hinchey	Senator Patricia Ritchie
Senator Anna Kaplan	Senator Anthony Palumbo
Senator Brian Kavanagh	
Senator John Mannion	
Senator Rachel May	
Senator Jose Serrano	

COMMITTEE STAFF

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COMMITTEE JURISDICTION AND OVERVIEW

The New York State Senate Standing Committee on Environmental Conservation has legislative oversight responsibilities for issues concerning the environment.

During the 2021 Legislative Session, two hundred and eleven bills were referred to the Committee for its review. Of these bills, sixty-nine were reported from the Committee. The Senate passed sixty-five, and thirty-six passed in both houses. This work was conducted through a series of five committee meetings. A list of all bills that were reported from the committee is provided at the end of this report.

In addition to its regular meetings, the Committee held one joint hearing with the Senate Energy Committee to discuss and receive input from stakeholders on the Climate and Community Investment Act (CCIA).

COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2021:

- **The Family and Fire Fighter Protection Act S.4630B (Kaminsky) / A.5418B (Englebright):** Chemical flame-retardants have been shown to have a variety of adverse human health effects, including reproductive impairment; neurological impacts; endocrine disruption and interference with thyroid hormone action; genotoxicity; cancer; and immune disorders. This bill phases in bans on the sale of furniture, mattresses, and electronic displays.
- **“Green Amendment” to New York State Constitution S.528 (Jackson)/ A.1368 (Englebright):** This is the second passage of a proposed Constitutional amendment that would guarantee every person the right to clean air and water and a healthful environment.
- **Establishes a Goal that One Hundred Percent of New Vehicles in the State will be Zero Emission by 2035 S.2758 (Harckham)/ A.4302 (Englebright):** The transportation sector is responsible for approximately one-third of greenhouse gas emissions in New York State. This bill establishes a goal that one hundred percent of in-State sales of new passenger cars and trucks shall be zero-emission vehicles by 2035.
- **Bans Sale or Use of Pavement Products Containing Coal Tar S.4095B (Sanders) / A.518A (Rosenthal L):** This bill bans, effective two years after the effective date, the use or sale of pavement products containing coal tar, which has been found to harmful to humans.
- **Prohibits hotels from making available to its hotel guests small plastic bottles containing hospitality personal care products S.543 (Kaminsky)/A.1368 (Englebright):** The bill reduces the use of unnecessary single-use plastics by stopping hotels from providing guests with small, single-use plastic bottles of personal care products.
- **Extends and Expands Measures to Prevent the Spread of Aquatic Invasive Species S.7010C (Kaminsky)/ A.7735A (Jones):** This bill authorizes the Department of Environmental Conservation to establish aquatic invasive species inspection stations in the Adirondack Park to inspect motorized watercraft for the presence of aquatic invasive species, and establishes a self-certification program for inspecting and cleaning watercraft.
- **Prohibits the Use of Well Drilling Fluids on Highways S.355 (Hoylman) / A.903 (O’Donnell):** This bill prohibits the use of well drilling fluids, brine and flowback on any highway for any purpose to help protect our water sources from exposure to toxic chemicals.

LEGISLATION CHAPTERED INTO LAW

Chapter	Bill No.	
174	S6173	LANZA -- Extends the moratorium on the issuance of environmental safety certificates for facilities and routes for the transportation of liquefied natural or petroleum gas
281	S2044	AKSHAR -- Relates to authorizing angling by a single individual with up to three lines in freshwater
287	S3852	SERINO -- Adds the Saw Kill and the Fall Kill located in Dutchess county to the definition of inland waterways as a major creek
349	S4453	BRESLIN -- Repeals subdivision 6 of section 11-0907 of the environmental conservation law relating to land designated as a restricted area
352	S4866	GIANARIS -- Increases certain penalties related to endangered and threatened species
505	S841A	BIAGGI -- Reduces emissions of air pollutants from petroleum bulk storage facilities
596	S4095B	SANDERS -- Prohibits the sale and use of pavement products containing coal tar; prohibits the use of oil pavement products containing coal tar
119	S5725	BRESLIN -- Extends the effectiveness of authorizing big game hunting in Albany county
123	S7065	BROOKS -- Extends the authority of the department of environmental conservation to manage monkfish
207	S7047	MAY -- Extends provisions relating to the authority of the department of environmental conservation to manage deer and bear
259	S7056	COONEY -- Relates to water pollution control revolving fund agreements
262	S7064	THOMAS -- Extends the authority of the department of environmental conservation to manage scallops
591	S2936A	KAMINSKY -- Relates to prohibiting the use of certain grades of fuel oil

Chapter	Bill No.	
115	S5150	LANZA -- Extends, until December 31, 2022, the authorization of residential property owners in high risk brush fire areas on Staten Island to cut and remove reeds
122	S7058	THOMAS -- Extends the authority of the department of environmental conservation to manage American lobster
162	S6826	RYAN -- Relates to the effectiveness of authorized sweepstakes with respect to subscriptions to “The Conservationist”
205	S6884	HINCHEY -- Relates to extending the authority of the department of environmental conservation to adopt regulations for hunting in the northern zone
208	S7038	MANNION -- Extends certain provisions of chapter 84 of the laws of 2010, amending the environmental conservation law relating to the management of migratory game birds
258	S7070	KAMINSKY -- Relates to extending the authority of the department of environmental conservation to manage striped bass
423	S2758	HARCKHAM -- Provides that one hundred percent of in-state sales of new passenger cars and trucks shall be zero-emissions by two thousand thirty-five
551	S6334	MAY -- Relates to local solid waste management plans
656	S6532A	KAMINSKY -- Permits kelp cultivation in underwater lands at Gardiner’s and Peconic bays and commercial fishing licenses
673	S7010C	KAMINSKY – Authorizes the establishment of aquatic invasive species inspection stations in Adirondack park to inspect motorized watercraft for the presence of organisms or organic material that may harbor invasive species

LEGISLATION PASSED BOTH HOUSES

Chapter	Bill No.	
	S355	HOYLMAN -- Prohibits the use of drilling fluids, brine and flowback water from wells, pools or fields on any highway
Ch. 734	S543	KAMINSKY -- Prohibits hotels from making available to its hotel guests small plastic bottles containing hospitality personal care products
Ch. 721	S966B	GAUGHRAN -- Directs the department of environmental conservation, with the assistance of other departments and agencies, to conduct a study on the health impacts at John F. Kennedy international airport and LaGuardia airport
	S2205	ADDABBO -- Relates to the filling of borrow pits in Jamaica Bay
Ch. 750	S3321A	KAMINSKY -- Relates to bioheating fuel requirements
Ch. 742	S4094	SANDERS -- Directs the department of environmental conservation to study alternative municipal uses for recycled glass
Ch. 707	S4596	KAMINSKY -- Requires compilation of additional data on pesticides
Ch. 829	S4630B	KAMINSKY -- Enacts the family and fire fighter protection act relating to the regulation of chemicals in upholstered furniture, mattresses and electronic enclosures
Ch. 807	S5022	GAUGHRAN -- Limits the exceptions to certain effluent limitations in Nassau and Suffolk counties
	S5266	MAY -- Allows for certain hunting or sale of fish and wildlife pursuant to Indian treaty rights
Ch. 791	S6018B	HARCKHAM -- Extends certain provisions of chapter 63 of the laws of 2021 amending the environmental conservation law relating to supermarkets providing excess edible food to food relief organizations
Ch. 728	S7071	HINCHEY -- Provides for the designation of geologically significant areas, territories and sites throughout the state, and for the establishment of a state geological trail

LEGISLATION PASSED SENATE ONLY

Bill No.

- S655 HARCKHAM -- Creates a program to assist lake associations with water quality improvement
- S659 MAY -- Relates to agreements related to renewable energy development rights on reforestation areas
- S699B HOYLMAN -- Enacts the birds and bees protection act
- S914 BENJAMIN -- Establishes environmental standards for ambient lead and lead contamination
- S1031B STEWART-COUSINS -- Makes provisions regarding the siting of environmental facilities in minority communities or economically distressed areas
- S1036 KRUEGER -- Prohibiting the taking of non-native big game mammals in a fenced or other area from which there is no means for such mammal to escape
- S1093A GAUGHRAN -- Excludes deer management professionals retained by the incorporated village of Lloyd Harbor, or the incorporated village of Upper Brookville from the hunting rifle ban on Long Island
- S1103A KAMINSKY -- Establishes the bottle redemption fraud task force
- S1232 GIANARIS -- Declares a policy of equal treatment in development and enforcement of environmental laws, regulations and policies
- S1237 GIANARIS -- Relates to the general civil penalty of the environmental conservation law
- S1421 SERRANO -- Prohibits the lease of state forests, wildlife management areas and unique areas for the purpose of gas production
- S2814 SEPULVEDA -- Enacts the “Big Five African Trophies Act” relating to banning the importation, transportation and possession of certain African wildlife species and products
- S2937 KAMINSKY -- Prohibits fuel oil, grade number four in any building or facility in the state
- S2995 HARCKHAM -- Provides an exemption from requirements for the alienation of parkland for certain renewable energy generating projects
- S3211A RAMOS -- Requires applicants for major projects located near an environmental justice community to submit an enhanced public participation plan

Bill No.

- S4092 HINCHEY -- Increases rebates to municipalities for the cost of any eligible infrastructure projects which support the development of clean vehicles
- S4097 PARKER -- Directs the commissioner of the department of environmental conservation to promulgate rules and regulations establishing targets for the sales of zero emissions medium and heavy duty vehicles
- S4251 SKOUFIS -- Extends the effectiveness of chapter 435 of the laws of 2014
- S4341 KAMINSKY -- Relates to the harvesting of Jonah crabs
- S4371B BIAGGI -- Relates to emissions of toxic air contaminants and the community benefit fund
- S4378A BRISPORT -- Relates to establishing the “pollution justice act of 2021”
- S5027A KAVANAGH -- Relates to establishing the carpet stewardship program
- S5116C HARCKHAM -- Relates to freshwater wetlands; repealer
- S6172 HOYLMAN -- Prohibits the disabling, removal or interference with emission control devices and the use of emission tampering devices, and provides remedies for the violation of such provisions
- S6191 KAMINSKY -- Relates to including an effort to combat the biodiversity and climate crises in the state’s land acquisition policy
- S6421 HINCHEY -- Establishes the position of Catskill park coordinator within the department of environmental conservation
- S6486B PARKER -- Establishes a moratorium on consolidated operations that use proof-of-work authentication methods to validate blockchain transactions
- S6510 MANNION -- Relates to big-game hunting season
- S6962 RYAN -- Relates to the department of environmental conservation providing education and increasing awareness of the health and environmental impacts of idling vehicles



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