

# Summary of New York State Canal System Revitalization Act

2021-22 Executive Budget, Part VV, Transportation, Economic and Environmental Conservation Bill

## WHY THIS IS NEEDED NOW

The Act establishes a mechanism to leverage public-private partnerships to provide an ongoing source of funding for projects along the Canal corridor that will benefit Canal communities for years to come. This will be especially important for those cities, towns and villages that have been impacted by the economic effects of the COVID-19 pandemic.

## SUMMARY OF THE ACT

### Purpose of the Act

To create a mechanism to support revitalization of the New York State Canal System, and address matters of public importance, such as:

- Leveraging the Canal System's unique history, culture and natural resources to activate local and regional economies and industries.
- Expanding economic development opportunities and stimulating job growth.
- Celebrating, connecting and expanding canal-related destination points, such as parks, trails and recreational activities as well as canal-side community amenities and other attractions.
- Mitigating the occurrence of flooding, ice jams and drought and their destructive impacts.
- Protecting, restoring, creating and sustaining a healthy aquatic habitat in the state.

### What the Act Will Do

- Establish the New York State Canal System Revitalization Trust to support revitalization of the New York State Canal System.
- Enhance NYPA's ability to support the Canal and revitalization (detailed below)
- Phase out the Canal Recreationway Commission (CRC) created in 1992 and leverage the CRC's knowledge and experience through participation on the Trust Board and advisory committees formed to support Canal System revitalization.

### What the Act Will NOT Do

The Trust will have **no** responsibility for operating and maintaining the Canal System.

The Act does **not** change NYPA's or the Canal Corporation's statutory responsibilities to operate and maintain the Canal System.

The Act does **not** give the Trust bonding authority.

The Act does **not** change any legal requirements that would apply to revitalization projects, such as SEQRA, SHPO, permit requirements (e.g., wetlands, water use/withdrawals, construction, Canal work permits).

## **Purpose of the Trust**

- Serve as a focal point for the receipt and administration of gifts, donations, grants of money, real and personal property and other investments and things of value from private and public sources made for the purpose of supporting Canal System revitalization.
- Identify and fund projects and design, implement and fund programs that will support Canal revitalization.

## **Trust Structure and Board**

The Trust would be created in statute as a public benefit corporation.

The Trust board would have 12 members:

- 3 State agency/authority heads.
- 9 appointed individuals with knowledge of subject matter relevant to Canal revitalization purposes, such as economic development and planning, tourism, engineering, outdoor recreation, historic preservation, commercial farming and/or aquatic ecosystems. These members would be appointed by the Governor, 3 upon the recommendation of Senate leadership, and 3 upon the recommendation of Assembly leadership. The Act provides that up to 3 of the initial appointments to the Trust may be reserved for persons serving as CRC members as of the effective date of the Act, and requires reasonable representation on the Trust Board from regions adjacent to or in the vicinity of the Canal System.

## **Similar Structures**

- Natural Heritage Trust, (Arts and Cultural Affairs Law Article 55)
- New York State Cultural Resources Act (ACAL Article 20)
- Executive Mansion Trust (ACAL Article 54)
- Greenway Heritage Conservancy for the Hudson River Valley (Environmental Conservation Law §§ 44-0111 and 44-0113)

## **Exemplar Achievements**

- Central Park Conservancy and its revitalization of Central Park, leveraging private and public interest in New York City's most beloved and internationally revered park.
- The High Line, using the Friends of the High Line, to reinvigorate an aging industrial structure into a thriving, dynamic pulse of tourism and a prized destination for thousands of New Yorkers and visitors.
- Brockport Loop project.

## **Enhances NYPA Ability to Revitalize and Maintain the Canal System**

The bill would enhance NYPA's existing authority to support Canal Revitalization both financially and programmatically by:

- Providing continued financial support for projects, programs and purposes to promote the mission and goals of the Act.
- Establish advisory committees to provide advice and recommendations, coordinate activities, and solicit input from communities and other stakeholders regarding Canal System revitalization.
- Provide advice to local governments and officials on local land-use goals and revitalization.
- Plan, establish and support development and operation of facilities within or outside the Canal System to promote use of the Canal System, including tourism, educational, hospitality and recreational facilities, and to fix and collect fees, rents and charges for the use of such facilities.
- Design and implement volunteerism, fundraising, educational, outreach and branding programs relating to the Canal System.