

10 Section 1. Legislative findings and intent. The legislature hereby
11 finds, determines and declares the following:

12 The planning, development and operation of the Hudson River Park as a
13 public park continues to be a matter of state concern and importance to
14 the state. As detailed in the 1998 law creating the park and the trust,
15 chapter 592 of the laws of 1998, the creation, development, operation
16 and maintenance of the Hudson River Park will enhance and protect the
17 natural, cultural and historic aspects of the Hudson River, enhance and
18 afford quality public access to the river, allow for an array of
19 cultural and recreational programs and provide a host of other public
20 benefits. The changes to the 1998 law by this act are intended to, after
21 decades of delay and inaction, finally effectuate the park's general
22 project plan as defined in chapter 592 of the laws of 1998, which
23 continues to be the operative planning document guiding park develop-
24 ment, protection and reuse of a portion of the Hudson River waterfront
25 in lower Manhattan south of 59th street, and are intended to ensure the
26 realization of that vision and the park's continuing viability for years
27 to come. Nothing herein is intended to alter or override any prior
28 determinations concerning park planning, development or operation.

29 § 2. Paragraph (c) of subdivision 9 of section 7 of chapter 592 of the
30 laws of 1998, constituting the Hudson river park act, as amended by
31 chapter 517 of the laws of 2013, is amended to read as follows:

32 (c) [The city of New York shall use best efforts to relocate the tow
33 pound on Pier 76. Subsequent to relocation of the tow pound, the city of
34 New York shall promptly convey to the trust a possessory interest in
35 Pier 76 consistent with such interest previously conveyed with respect
36 to other portions of the park, provided that at least fifty percent of
37 the Pier 76 footprint shall be used for park uses that are limited to
38 passive and active open space and which shall be contiguous to water and
39 provided further that the remaining portion shall be for park/commercial
40 use. Upon such conveyance, Pier 76 shall become part of the park.] (i)
41 On or before July 1, 2020, the city of New York shall convey to the
42 state of New York under the jurisdiction of the office of parks, recre-
43 ation and historic preservation its interest in Pier 76, who, upon such
44 conveyance shall immediately lease a possessory interest to the trust.
45 Upon such conveyance, Pier 76 shall become part of the park and shall
46 remain part of the park under the operational control of the trust and
47 following redevelopment at least fifty percent of the Pier 76 footprint
48 shall be used for park uses that are limited to passive and active open
49 space and which shall be contiguous to water; and provided further that
50 the remaining portion shall be for park/commercial use. (ii) The city of
51 New York shall, prior to December 31, 2020, cease using or occupying
52 Pier 76 for any purposes. Should the city of New York continue to use or
53 occupy Pier 76 for any purpose subsequent to December 31, 2020, the city
54 of New York shall (A) compensate the trust in the amount of twelve



1 million dollars, and (B) beginning February 1, 2021, pay fees in the
2 amount of three million dollars for each complete or partial month of
3 occupancy. (iii) On or after the effective date of the chapter of the
4 laws of 2020 which amended this paragraph, the trust shall be entitled
5 to timely and reasonable access to Pier 76 for the purpose of conducting
6 assessments and inspections necessary to further redevelopment of Pier
7 76 following its inclusion in the park. (iv) Beginning July 1, 2020,
8 the city of New York shall periodically prepare and submit a report to
9 the state of New York, with a copy to the trust, detailing actions taken
10 by the city of New York to relocate the tow pound. In the event that the
11 city provides demonstrable evidence of its effort to relocate the tow
12 pound or any other city uses of Pier 76, initiation of and compliance
13 with land use review processes and environmental review processes, such
14 as, issuance of a request for qualifications or request for proposals
15 for design or construction services for the project; and initiation and
16 completion of construction of, and relocation to a replacement tow
17 pound, the state of New York, in its sole discretion, may waive the fees
18 assessed in subparagraph (iii) of this paragraph. (v) This paragraph
19 may be enforced by a court of competent jurisdiction and in any suit
20 brought by the state, through the attorney general, the trust shall not
21 be a necessary party.

22 § 3. This act shall take effect immediately.

