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

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

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

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

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

§ 3. This act shall take effect immediately.