

STATE OF NEW YORK

5794

2017-2018 Regular Sessions

IN ASSEMBLY

February 15, 2017

Introduced by M. of A. CASTORINA -- read once and referred to the
Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the
removal of phragmites

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

1 Section 1. The title heading of title 15 of article 9 of the environ-
2 mental conservation law, as amended by chapter 602 of the laws of 2003,
3 is amended to read as follows:

4 REMOVAL OF TREES [~~AND~~], PROTECTED PLANTS AND
5 PHRAGMITES

6 § 2. The environmental conservation law is amended by adding a new
7 section 9-1505 to read as follows:

8 § 9-1505. Removal of phragmites.

9 The department shall remove phragmites from any area of the state in
10 which such phragmites grow continuously in an area containing five acres
11 of land or more. Upon removal of such phragmites, such land shall be
12 replanted with wetland plantings native to the area in which such phrag-
13 mites are removed. No action for trespass shall lie on account of injury
14 to private property as a result of such removal, if such removal is
15 performed in the protection of the lands of the state from fire.

16 § 3. This act shall take effect immediately.

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

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