

# STATE OF NEW YORK

9453

## IN ASSEMBLY

March 7, 2022

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

AN ACT to amend the environmental conservation law, in relation to the Mount Van Hoevenberg Olympic Sports Complex

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

Section 1. Article 9 of the environmental conservation law is amended by adding a new title 23 to read as follows:

### TITLE 23

#### THE MOUNT VAN HOEVENBERG OLYMPIC SPORTS COMPLEX

Section 9-2301. Legislative purpose and intent.

9-2302. Definitions.

9-2303. Construction, operation, and maintenance of the Mount Van Hoevenberg Olympic Sports Complex.

9-2304. Land to be acquired for inclusion in the forest preserve in the Adirondack park.

§ 9-2301. Legislative purpose and intent.

1. It is the intent of the legislature to hereby implement the amendment to section one of article fourteen, of the New York state constitution pertaining to the Mount Van Hoevenberg Olympic Sports Complex located on forest preserve lands in the town of North Elba in Essex County.

2. The legislature further intends that implementation of the constitutional amendment should be accomplished in a manner that ensures the integrity of the forest preserve land on which the sports complex is situated and results in a significant increase of forest preserve acreage in the Adirondack park.

3. The legislature intends that, as offset for the use of forest preserve lands for the sports complex, the state shall acquire as an addition to the forest preserve at least two thousand five hundred acres of true forest land located in the Adirondack park. To ensure that such lands will be acquired and have characteristics suitable for inclusion in to the forest preserve, the legislature intends to review and approve the acquisition of such lands.

4. For these reasons and as authorized by the provisions of section one of article fourteen of the state constitution, the legislature finds

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

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1 that it is in the public interest to hereby implement the constitutional  
2 amendment pertaining to the Mount Van Hoevenberg Olympic Sports Complex.  
3 § 9-2302. Definitions.

4 For purposes of this title, the following terms shall have the follow-  
5 ing meanings:

6 1. "Appurtenances" shall mean those facilities that are directly  
7 related to and necessary for the construction, operation, maintenance,  
8 and public use of modern Nordic skiing and biathlon trails, such as  
9 access roads, parking lots, sanitary facilities, offices, day lodges and  
10 amenities, snowmaking, five kilometer of paved training trails, and an  
11 open-air Nordic skiing and biathlon stadium. This term shall not  
12 include:

13 (a) facilities such as zip lines, hotels, condominiums, swimming  
14 pools, all-terrain vehicles or off-road vehicles for public use, tennis  
15 courts and other structures and improvements which are not directly  
16 related to and necessary for operation, maintenance, and public use of  
17 the sports complex; or

18 (b) any structure located at or above an elevation of two thousand two  
19 hundred feet above sea level used for the sale of any goods, services,  
20 merchandise, food, or beverage.

21 2. "Mount Van Hoevenberg Olympic Sports Complex" means a one thousand  
22 thirty-nine and two-tenths acre parcel of forest preserve land located  
23 in the town of North Elba in Essex County on which the Mount Van Hoeven-  
24 berg Olympic Sports Complex is currently located. For purposes of this  
25 title, land owned by the town of North Elba which is located adjacent to  
26 forest preserve land and over which the state has an easement, including  
27 land on which the Olympic bobsled run is located, shall not be consid-  
28 ered part of such sports complex.

29 § 9-2303. Construction, operation, and maintenance of the Mount Van  
30 Hoevenberg Olympic Sports Complex.

31 Not more than three hundred twenty-two and twenty-six hundredths acres  
32 of forest preserve land at the Mount Van Hoevenberg Olympic Sports  
33 Complex may be used for the construction, operation, and maintenance of  
34 Nordic skiing and biathlon trails, and appurtenances thereto. Any and  
35 all development at the sports complex shall conform to guidelines set  
36 forth in the Adirondack park state land master plan and shall be author-  
37 ized by a unit management plan, as required by section eight hundred  
38 sixteen of the executive law.

39 § 9-2304. Land to be acquired for inclusion in the forest preserve in  
40 the Adirondack park.

41 As an offset for the use of forest preserve lands for the sports  
42 complex, the state shall acquire no less than two thousand five hundred  
43 acres of land for inclusion in the forest preserve in the Adirondack  
44 park, subject to legislative approval. Such approval shall include a  
45 metes and bounds description and an accurate survey of the lands  
46 proposed for inclusion in the forest preserve.

47 § 2. This act shall take effect on the same date and in the same  
48 manner as a "CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY proposing  
49 an amendment to section 1 of article 14 of the constitution, in relation  
50 to the Mount Van Hoevenberg Olympic Sports Complex in Essex County"  
51 takes effect, in accordance with section 1 of article 19 of the consti-  
52 tution. Effective immediately, the addition, amendment and/or repeal of  
53 any rule or regulation necessary for the implementation of this act on  
54 its effective date are authorized to be made and completed on or before  
55 such effective date.