

STATE OF NEW YORK

4405

2025-2026 Regular Sessions

IN ASSEMBLY

February 4, 2025

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

AN ACT to amend the environmental conservation law, in relation to selectively cutting timber

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

1 Section 1. Subdivision 4 of section 24-0701 of the environmental
2 conservation law, as amended by section 7 of part QQ of chapter 58 of
3 the laws of 2022, is amended to read as follows:

4 4. On lands in active agricultural use or silviculture use, the activ-
5 ities of farmers and other landowners in grazing and watering livestock,
6 making reasonable use of water resources, harvesting natural products of
7 the wetlands, selectively cutting timber, draining land or wetlands for
8 growing agricultural products and otherwise engaging in the use of
9 wetlands or other land for growing agricultural products shall be
10 excluded from regulated activities and shall not require a permit under
11 subdivision one of this section, except that structures not required for
12 enhancement or maintenance of the agricultural productivity of the land
13 and any filling activities shall not be excluded hereunder, and provided
14 that the use of land that meets the definition of a freshwater wetland
15 in section 24-0107 of this article for uses other than those referred to
16 in this subdivision shall be subject to the provisions of this article.

17 When selectively cutting timber, the construction and use of temporary
18 skidder trails and machinery, using current best management practices
19 as defined by the United States Department of Agriculture Forest
20 Services, for the removal of such timber shall be excluded from
21 regulated activities and shall not require a permit under subdivision

22 one of this section. All activities on lands that meet the definition of
23 a freshwater wetland shall be subject to the provisions of this article
24 once agricultural or silviculture activities cease.

25 § 2. 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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