STATE OF NEW YORK

5407

2025-2026 Regular Sessions

IN ASSEMBLY

February 13, 2025

Introduced by M. of A. LUPARDO, JONES, WEPRIN, SEAWRIGHT, BENDETT -- Multi-Sponsored by -- M. of A. DAVILA -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to authorizing the issuance of special airport air strike hazard permits

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

Section 1. The environmental conservation law is amended by adding a new section 11-0521-a to read as follows:

§ 11-0521-a. Special airport air strike hazard permits.

1. For the purposes of this section:

a. "Airport" shall mean an airport as defined in subdivision five of section two hundred forty of the general business law.

b. "Airport wildlife hazard specialist" shall mean an employee of or a contractor for the federal or state government responsible for wildlife management at an airport, or an employee of an airport when acting consistent with an airport wildlife management plan and special airport air strike hazard permit.

c. "Wildlife" shall mean species permitted to be taken pursuant to a permit issued by the United States fish and wildlife service and the department.

2. Airport wildlife hazard specialists shall be in compliance with criteria established by the department that at a minimum shall require:

a. a minimum level of marksmanship qualifications appropriate to the firearm or implement to be used;

b. liability insurance coverage or other financial arrangements identified by the department;

c. a copy of the special airport air strike hazard permit be on the airport wildlife hazard specialist's person when exercising any privilege of such permit; and

d. reporting requirements.

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

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3. In addition to other permitted wildlife management activities, the department may, after reviewing the airport's permit application and airport wildlife management plan, and upon a finding by the airport that wildlife has become a nuisance, destructive to public or private property or a threat to public health or welfare, issue to the airport a special airport air strike hazard permit for use on a special airport and within the boundaries of the affected area surrounding the airport as determined by the federal aviation administration, authorizing use of airport wildlife hazard specialists to take wildlife pursuant to the terms of the special airport air strike hazard permit notwithstanding subdivisions three and eight of section 11-0505 of this title, subdivisions one and two of section 11-0901 of this article, and subdivisions one, two, four and five of section 11-0931 of this article.

4. Each special airport air strike hazard permit application shall at a minimum include requirements for: the timeframe during which the permit is to be valid, an airport wildlife management plan, a geographic description of the area for which the permit is being requested, a written contract with the airport if applicable, a list which identifies participating airport wildlife hazard specialists and the airport's requests for departmental approval of any authorization pursuant to subdivision three of this section, provided that any such authorization subsequently granted shall be explicitly included on any special airport air strike hazard permit, and details regarding expected local law enforcement consultation.

5. Nothing in this section shall be construed as requiring or obligating the department to issue a permit to take wildlife or direct the taking of any wildlife when in its opinion, the nuisance, destruction of property or threat to public health and welfare will not be effectively abated thereby.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.