S T A T E O F N E W Y O R K

3403

2009-2010 Regular Sessions

I N S E N A T E

March 18, 2009

Introduced by Sen. SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the undertaking of an urban reforestation project

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 54-0903 of the environmental conservation law is amended by adding a new subdivision 7 to read as follows:

7. THE COMMISSIONER MAY ENTER INTO A CONTRACT FOR THE UNDERTAKING BY OR THROUGH A CITY WITH A POPULATION GREATER THAN TWENTY THOUSAND OF AN URBAN REFORESTATION PROJECT. SUCH CONTRACT MAY PROVIDE FUNDS IN AN AMOUNT NOT TO EXCEED FIFTY PERCENT OF THE APPROVED COST OF ESTABLISHMENT OF AN URBAN FORESTRY PLAN AND URBAN FORESTRY PLANNING CAPABILITY WHICH INCLUDES THE SERVICES OF A PROFESSIONAL FORESTER AND/OR A LICENSED LANDSCAPE ARCHITECT, UNDERTAKING AND MAINTAINING AN INVENTORY, MANAGEMENT PLANNING, AND UNDERTAKING TREE PLANTING, MAINTENANCE, REMOVAL AND PRUNING. AS USED IN THIS SUBDIVISION,

A. "PROFESSIONAL FORESTER" IS A GRADUATE FROM A NATIONALLY RECOGNIZED SCHOOL OF FORESTRY OR ONE WHO THROUGH EXPERIENCE POSSESSES EQUIVALENT QUALIFICATIONS.

B. "CONSERVATION" IS THE PLANNED MANAGEMENT OF NATURAL RESOURCES TO PREVENT EXPLOITATION, DESTRUCTION OR NEGLECT.

C. "INVENTORY" IS A SURVEY OF NATURAL RESOURCES IN A DEFINED AREA, INCLUDING LOCATION, CONDITION, SIZE, AND SPECIES OF TREES AND ASSOCIATED VEGETATION AS WELL AS POTENTIAL PLANTING SITES.

D. "MANAGEMENT PLANNING" IS THE ORGANIZED COMPILATION OF INVENTORY DATA WITH AN ACTION PLAN AIMED AT IMPROVING TREE RESOURCES.

E. "TREE MAINTENANCE" IS PROVIDING CARE TO TREE RESOURCES TO ASSURE THE HEALTH OF THE URBAN TREE RESOURCE.

F. "PLANTING" IS THE ACT OF ESTABLISHING TREES AT A SITE, INCLUDING SITE PREPARATION, AND INSTALLATION OF THE TREE.

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

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G. "PRUNING" IS CUTTING OF TREE LIMBS TO IMPROVE TREE HEALTH AND FORM BY REMOVING DEAD, DISEASED AND DAMAGED WOOD.

H. "REMOVAL" IS CUTTING OF HAZARDOUS, DEAD, DISEASED TREES OR TREES THAT MAY BECOME A DANGER TO PUBLIC WELFARE.

S 2. This act shall take effect immediately.