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

7164

I N S E N A T E

March 18, 2010

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 environmental quality review of the closure of lands maintained by the office of parks, recreation and historic preservation

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

Section 1. Subdivision 4 of section 8-0105 of the environmental conservation law, as amended by chapter 228 of the laws of 1976, paragraph (i) as amended by chapter 252 of the laws of 1977, is amended to read as follows:

4. "Actions" include:

(i) projects or activities directly undertaken by any agency; or projects or activities supported in whole or part through contracts, grants, subsidies, loans, or other forms of funding assistance from one or more agencies; or projects or activities involving the issuance to a person of a lease, permit, license, certificate or other entitlement for use or permission to act by one or more agencies;

(ii) policy, regulations, and procedure-making[.]; AND

(III) THE CLOSURE OF ACCESS TO THE PUBLIC OF ANY LANDS OWNED OR OPERATED BY THE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION, UNLESS THE STATE HAS PROVIDED AN APPROPRIATION AND SUCH LABOR AS IS NECESSARY FOR THE CONTINUOUS MAINTENANCE AND PROTECTION OF SUCH LANDS.

S 2. Paragraph (b) of subdivision 2 of section 8-0113 of the environmental conservation law, as amended by chapter 252 of the laws of 1977, is amended to read as follows:

(b) Criteria for determining whether or not a proposed action may have a significant effect on the environment, taking into account social and economic factors to be considered in determining the significance of an environmental effect, PROVIDED, THAT EVERY CLOSURE OF ACCESS TO THE PUBLIC OF LANDS OWNED OR OPERATED BY THE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION REFERRED TO IN PARAGRAPH (III) OF SUBDIVISION FOUR OF SECTION 8-0105 OF THIS ARTICLE SHALL BE DEEMED TO HAVE THE POSSIBILITY OF HAVING A SIGNIFICANT EFFECT ON THE ENVIRONMENT;

S 3. This act shall take effect immediately and shall apply to actions occurring on or after such effective date.

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

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