

10263

I N A S S E M B L Y

March 16, 2010

Introduced by M. of A. DelMONTE, ENGLEBRIGHT, GORDON, STIRPE, RUSSELL, REILLY, RAMOS, DESTITO, SPANO -- read once and referred 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:

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

5 4. "Actions" include:

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

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

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

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

20 (b) Criteria for determining whether or not a proposed action may have
21 a significant effect on the environment, taking into account social and
22 economic factors to be considered in determining the significance of an
23 environmental effect, PROVIDED, THAT EVERY CLOSURE OF ACCESS TO THE
24 PUBLIC OF LANDS OWNED OR OPERATED BY THE OFFICE OF PARKS, RECREATION AND
25 HISTORIC PRESERVATION REFERRED TO IN PARAGRAPH (III) OF SUBDIVISION FOUR

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

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1 OF SECTION 8-0105 OF THIS ARTICLE SHALL BE DEEMED TO HAVE THE POSSIBIL-
2 ITY OF HAVING A SIGNIFICANT EFFECT ON THE ENVIRONMENT;
3 S 3. This act shall take effect immediately and shall apply to actions
4 occurring on or after such effective date.