

1118

2009-2010 Regular Sessions

I N S E N A T E

January 26, 2009

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and
when printed to be committed to the Committee on Environmental Conser-
vation

AN ACT to amend the soil and water conservation districts law, in
relation to funding agricultural nonpoint source abatement and control
projects

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

1 Section 1. Subdivisions 3 and 5 of section 11-b of the soil and water
2 conservation districts law, subdivision 3 as amended by chapter 136 of
3 the laws of 2000 and subdivision 5 as amended by chapter 413 of the laws
4 of 1996, are amended to read as follows:
5 3. In awarding grants the committee shall give preference [to those
6 projects located in priority water bodies identified pursuant to section
7 17-1407 of the environmental conservation law. The committee shall also
8 give preference] to projects proposed to promote participation or
9 further the priorities of the agricultural environmental management
10 (AEM) program as set forth in article eleven-A of the agriculture and
11 markets law.
12 5. State assistance payments pursuant to this section shall be up to a
13 maximum of seventy-five percent of the eligible costs, as determined
14 pursuant to subdivision four of section 17-1409 of the environmental
15 conservation law, for any specified project. Such maximum shall be
16 increased by a percentage equal to the percentage of the total eligible
17 costs for such specified projects that are contributed by the owner or
18 operator of agricultural land upon which such specified project is being
19 conducted, provided, however, that in no event shall the total of such
20 state assistance payments exceed [ninety] EIGHTY-SEVEN AND ONE-HALF
21 percent of such eligible costs for any specified project.
22 S 2. Section 11-b of the soil and water conservation districts law is
23 amended by adding a new subdivision 8 to read as follows:

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

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1 8. THE COMMISSIONER OF AGRICULTURE AND MARKETS UPON THE RECOMMENDATION
2 OF THE COMMITTEE MAY SET ASIDE UP TO TEN PERCENT OF ANY MONEYS APPROPRI-
3 ATED FOR THE PURPOSES OF THIS SECTION FOR AGRICULTURAL NONPOINT SOURCE
4 ABATEMENT AND CONTROL PROJECTS THAT EXHIBIT SPECIAL REGIONAL OR STATE-
5 WIDE SIGNIFICANCE AND MEET THE PROJECT ELIGIBILITY REQUIREMENTS ESTAB-
6 LISHED IN SUBDIVISION ONE OF THIS SECTION. SUCH PROJECTS MAY INCLUDE,
7 BUT NOT BE LIMITED TO, PROJECTS INVOLVING THE PROMOTION OF CONSERVATION
8 BUFFERS; PREVENTATIVE BEST MANAGEMENT PRACTICES; PESTICIDE MANAGEMENT
9 PRACTICES TO REDUCE RUNOFF; FIELD LEVEL AGRONOMIC PRACTICES; AND CONCEN-
10 TRATED ANIMAL FEEDING OPERATION COMPLIANCE ASSISTANCE. SUCH PROJECTS
11 SHALL BE SUBJECT TO THE AEM PREFERENCE AS SET FORTH IN SUBDIVISION THREE
12 OF THIS SECTION.

13 S 3. This act shall take effect immediately.