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

3948

2011-2012 Regular Sessions

I N A S S E M B L Y

January 31, 2011

Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the adopt-a-natural resource stewardship program

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

Section 1. The opening paragraph of subdivision 4 of section 9-0113 of the environmental conservation law is designated paragraph a and a new paragraph b is added to read as follows:

B. SUCH PROCEDURES SHALL PROVIDE THAT NO STEWARDSHIP AGREEMENT SHALL AUTHORIZE THE DESTRUCTION OF THE NATURAL RESOURCE NOR THE ALTERATION OF SUCH RESOURCE IN A MANNER INCONSISTENT WITH STATE LAW, RULES AND REGULATIONS FOR THE PRESERVATION OF NATURAL RESOURCES. SUCH PROCEDURES SHALL PROHIBIT THE USE OF HEAVY CONSTRUCTION EQUIPMENT TO CONSTRUCT, REFURBISH OR BUILD PROJECTS PURSUANT TO THE STEWARDSHIP AGREEMENT; PROVIDED, HOWEVER, THAT SUCH PROCEDURES SHALL NOT PROHIBIT THE USE OF HAND-HELD EQUIPMENT. EVERY PROJECT SHALL BE SUBJECT TO THE MANAGEMENT OF THE DEPARTMENT.

S 2. Section 9-0113 of the environmental conservation law is amended by adding a new subdivision 9 to read as follows:

9. THE DEPARTMENT SHALL PROVIDE PUBLIC NOTICE OF ANY PROPOSED ADOPT-A-NATURAL RESOURCE STEWARDSHIP AGREEMENT IN THE STATE ENVIRONMENTAL NOTICE BULLETIN NO LATER THAN THIRTY DAYS PRIOR TO FINAL APPROVAL BY THE DEPARTMENT.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided that any rules, regulations and procedures necessary to implement the provisions of this act on its effective date shall be promulgated, amended and/or repealed on or before such date.

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

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