

S. 5663

A. 8265

2011-2012 Regular Sessions

S E N A T E - A S S E M B L Y

June 9, 2011

IN SENATE -- Introduced by Sens. LAVALLE, ZELDIN -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

IN ASSEMBLY -- Introduced by M. of A. SWEENEY, THIELE, ENGLEBRIGHT, FITZPATRICK, LOSQUADRO, MURRAY, RAIA -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the addition of certain lands within the Carmans River watershed to the core preservation area of the Central Pine Barrens

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

1 Section 1. Legislative findings. The Legislature finds that increasing
2 protection for the Carmans River and its watershed as a part of the
3 Central Pine Barrens is a vital goal that benefits the environment and
4 the economy of the state. The Carmans River is one of only two found
5 within the Central Pine Barrens. As such, the Carmans River represents a
6 significant and integral part of the Central Pine Barrens ecosystem.
7 Although various State and local measures have been undertaken to
8 protect the Carmans River over the last several decades, recent scien-
9 tific studies have indicated that existing measures are insufficient to
10 protect the Carmans River. Further, the Carmans River is beginning to
11 demonstrate a decline in both the quality of its surface water and its
12 ecological integrity.
13 The town of Brookhaven has commenced a planning process to protect the
14 Carmans River. The proposed plan is designed to protect and preserve the
15 areas within the Carmans River watershed while also allowing for appro-
16 priate economic growth in areas of Brookhaven outside of the Carmans
17 River watershed through the implementation of a transfer of development
18 rights program and the creation of a multi-family district to receive
19 those development rights. This process has also involved the cooper-

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

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1 ation and participation of the Central Pine Barrens joint planning and
2 policy commission.

3 The entire watercourse of the Carmans River lies within the Central
4 Pine Barrens and much of its groundwater watershed also lies within the
5 Central Pine Barrens and entirely within the town of Brookhaven.
6 Accordingly, the most effective means of achieving the objectives of
7 environmental preservation of the Carmans River watershed and economic
8 growth on other areas of the town of Brookhaven would be to expand the
9 core preservation area of the Central Pine Barrens.

10 As a result, it is proposed to expand the core preservation area boun-
11 dary to encompass those areas most critical to the Carmans River and to
12 include public parklands and open space areas which are near or current-
13 ly adjacent to the core preservation area and which should be integrated
14 into the core preservation area. The Central Pine Barrens Area boundary
15 located south of the Long Island Expressway will also be expanded to be
16 coincident with boundaries of the expanded core preservation area.

17 The expansion of the core preservation area will provide significantly
18 more protection to the Carmans River than currently exists and will help
19 to ensure that key ecological values and habitats will be adequately
20 protected, enhanced and maintained.

21 This legislation establishes a process consistent with the ongoing
22 town of Brookhaven planning process that will result in the inclusion of
23 the Carmans River watershed in the core preservation area and the imple-
24 mentation of an amendment to the Central Pine Barrens Comprehensive
25 Management Plan to protect the Carmans River watershed.

26 S 2. Section 57-0107 of the environmental conservation law is amended
27 by adding four new subdivisions 10-a, 11-a, 11-b and 15 to read as
28 follows:

29 10-A. "CARMANS RIVER WATERSHED ADDITION TO THE CENTRAL PINE BARRENS
30 AREA" SHALL MEAN THOSE LANDS DESIGNATED AS THE CARMANS RIVER ADDITION TO
31 THE CENTRAL PINE BARRENS AREA IN THE CARMANS RIVER WATERSHED PROTECTION
32 AND MANAGEMENT PLAN AND MORE SPECIFICALLY DELINEATED ON A MAP DATED, MAY
33 TWO THOUSAND ELEVEN, AS APPROVED BY THE BROOKHAVEN TOWN BOARD.

34 11-A. "CARMANS RIVER WATERSHED ADDITION TO THE CORE PRESERVATION AREA"
35 SHALL MEAN THAT THOSE LANDS DESIGNATED AS THE CARMANS RIVER ADDITION TO
36 THE CORE PRESERVATION AREA IN THE CARMANS RIVER WATERSHED PROTECTION AND
37 MANAGEMENT PLAN AND MORE SPECIFICALLY DELINEATED ON A MAP DATED, MAY TWO
38 THOUSAND ELEVEN, AS APPROVED BY THE BROOKHAVEN TOWN BOARD AND DESCRIBED
39 IN SUBDIVISION ELEVEN-B OF THIS SECTION.

40 11-B. THE CARMANS RIVER WATERSHED ADDITION TO THE CORE PRESERVATION
41 AREA SHALL INCLUDE THE FOLLOWING SUFFOLK COUNTY TAX MAP PARCELS, ALL
42 LOCATED IN THE TOWN OF BROOKHAVEN DISTRICT 200, EQUAL TO 1,018.85 ACRES
43 MORE OR LESS.

44 SECTION 54700	BLOCK 100	LOT 19000
45 SECTION 61000	BLOCK 100	LOT 22000
46 SECTION 70700	BLOCK 200	LOT 14000
47 SECTION 74400	BLOCK 300	LOT 26000
48 SECTION 74400	BLOCK 300	LOT 34000
49 SECTION 84600	BLOCK 400	LOT 1000
50 SECTION 97420	BLOCK 200	LOT 11000
51 SECTION 84600	BLOCK 500	LOT 10004
52 SECTION 84700	BLOCK 100	LOT 7001
53 SECTION 84700	BLOCK 100	LOT 7003
54 SECTION 90300	BLOCK 100	LOT 14000
55 SECTION 84600	BLOCK 500	LOT 3000
56 SECTION 54800	BLOCK 100	LOT 21001

1	SECTION	90200	BLOCK	400	LOT	5000
2	SECTION	50100	BLOCK	100	LOT	2001
3	SECTION	50100	BLOCK	100	LOT	2002
4	SECTION	87800	BLOCK	100	LOT	2000
5	SECTION	97850	BLOCK	200	LOT	5004
6	SECTION	61300	BLOCK	100	LOT	20002
7	SECTION	61400	BLOCK	100	LOT	1005
8	SECTION	90200	BLOCK	400	LOT	2000
9	SECTION	87600	BLOCK	300	LOT	6000
10	SECTION	61100	BLOCK	200	LOT	17000
11	SECTION	54800	BLOCK	100	LOT	3000
12	SECTION	97420	BLOCK	200	LOT	21003
13	SECTION	97420	BLOCK	200	LOT	21004
14	SECTION	90300	BLOCK	100	LOT	13000
15	SECTION	52700	BLOCK	500	LOT	3000
16	SECTION	70700	BLOCK	200	LOT	29002
17	SECTION	61100	BLOCK	200	LOT	15000
18	SECTION	61100	BLOCK	200	LOT	16003
19	SECTION	43200	BLOCK	100	LOT	12000
20	SECTION	43400	BLOCK	100	LOT	7000
21	SECTION	84600	BLOCK	500	LOT	23002
22	SECTION	54800	BLOCK	200	LOT	5001
23	SECTION	63600	BLOCK	200	LOT	48000
24	SECTION	63700	BLOCK	200	LOT	2001
25	SECTION	63600	BLOCK	200	LOT	34000
26	SECTION	54800	BLOCK	100	LOT	20001
27	SECTION	54800	BLOCK	100	LOT	23001
28	SECTION	54800	BLOCK	100	LOT	22001
29	SECTION	54800	BLOCK	200	LOT	1008
30	SECTION	58300	BLOCK	100	LOT	1000
31	SECTION	61400	BLOCK	100	LOT	1004
32	SECTION	61000	BLOCK	200	LOT	23000
33	SECTION	54700	BLOCK	100	LOT	18001
34	SECTION	52800	BLOCK	400	LOT	26000
35	SECTION	84700	BLOCK	300	LOT	30002
36	SECTION	84700	BLOCK	300	LOT	30003
37	SECTION	61100	BLOCK	100	LOT	4001
38	SECTION	61400	BLOCK	100	LOT	1003
39	SECTION	61300	BLOCK	100	LOT	20001
40	SECTION	61300	BLOCK	100	LOT	18000
41	SECTION	45600	BLOCK	200	LOT	5000
42	SECTION	45600	BLOCK	200	LOT	4000
43	SECTION	84700	BLOCK	100	LOT	17003
44	SECTION	81700	BLOCK	100	LOT	17000
45	SECTION	49900	BLOCK	200	LOT	1000
46	SECTION	84600	BLOCK	500	LOT	23001
47	SECTION	87600	BLOCK	200	LOT	17000
48	SECTION	66700	BLOCK	100	LOT	4000
49	SECTION	61000	BLOCK	100	LOT	10000
50	SECTION	63800	BLOCK	300	LOT	2000
51	SECTION	93300	BLOCK	300	LOT	1003
52	SECTION	90300	BLOCK	100	LOT	15000
53	SECTION	78100	BLOCK	200	LOT	25000
54	SECTION	70700	BLOCK	100	LOT	2000
55	SECTION	54700	BLOCK	100	LOT	11000
56	SECTION	52800	BLOCK	400	LOT	38001

1	SECTION	84700	BLOCK	200	LOT	16000
2	SECTION	90300	BLOCK	100	LOT	12002
3	SECTION	90300	BLOCK	100	LOT	6000
4	SECTION	66700	BLOCK	100	LOT	6000
5	SECTION	63700	BLOCK	300	LOT	41000
6	SECTION	66600	BLOCK	100	LOT	21000
7	SECTION	87600	BLOCK	300	LOT	1000
8	SECTION	66300	BLOCK	100	LOT	2000
9	SECTION	61100	BLOCK	300	LOT	17000
10	SECTION	84700	BLOCK	100	LOT	7002
11	SECTION	84700	BLOCK	100	LOT	7004
12	SECTION	74400	BLOCK	200	LOT	9000
13	SECTION	74400	BLOCK	200	LOT	10000
14	SECTION	90200	BLOCK	400	LOT	3001
15	SECTION	97420	BLOCK	200	LOT	21001
16	SECTION	97420	BLOCK	200	LOT	10004
17	SECTION	97630	BLOCK	100	LOT	18001
18	SECTION	97630	BLOCK	100	LOT	18002
19	SECTION	97640	BLOCK	100	LOT	13002
20	SECTION	97850	BLOCK	200	LOT	5002
21	SECTION	84700	BLOCK	100	LOT	17002
22	SECTION	70600	BLOCK	100	LOT	3000
23	SECTION	61200	BLOCK	200	LOT	8000
24	SECTION	97630	BLOCK	300	LOT	8002
25	SECTION	48200	BLOCK	100	LOT	4000
26	SECTION	84600	BLOCK	500	LOT	10003
27	SECTION	63700	BLOCK	200	LOT	7000
28	SECTION	57800	BLOCK	300	LOT	1001
29	SECTION	57900	BLOCK	200	LOT	57000
30	SECTION	93200	BLOCK	300	LOT	34000
31	SECTION	66500	BLOCK	200	LOT	1000
32	SECTION	52800	BLOCK	400	LOT	25000
33	SECTION	84600	BLOCK	500	LOT	23003
34	SECTION	61100	BLOCK	300	LOT	4000
35	SECTION	97420	BLOCK	200	LOT	23005
36	SECTION	52800	BLOCK	600	LOT	10000
37	SECTION	84700	BLOCK	200	LOT	13000
38	SECTION	48200	BLOCK	100	LOT	3001
39	SECTION	49800	BLOCK	300	LOT	21003
40	SECTION	52700	BLOCK	500	LOT	4000
41	SECTION	52700	BLOCK	500	LOT	10000
42	SECTION	54700	BLOCK	100	LOT	12000
43	SECTION	54700	BLOCK	100	LOT	20000
44	SECTION	54800	BLOCK	200	LOT	1007
45	SECTION	61100	BLOCK	300	LOT	3001
46	SECTION	61100	BLOCK	300	LOT	9000
47	SECTION	74400	BLOCK	100	LOT	10000
48	SECTION	81700	BLOCK	300	LOT	35000
49	SECTION	90300	BLOCK	100	LOT	12001
50	SECTION	54800	BLOCK	200	LOT	4000
51	SECTION	54800	BLOCK	200	LOT	2001
52	SECTION	63600	BLOCK	200	LOT	5000
53	SECTION	61300	BLOCK	100	LOT	15001
54	SECTION	61100	BLOCK	300	LOT	22000
55	SECTION	61100	BLOCK	300	LOT	23000
56	SECTION	61100	BLOCK	300	LOT	24000

1	SECTION	61100	BLOCK	300	LOT	25000
2	SECTION	61100	BLOCK	300	LOT	26000
3	SECTION	61100	BLOCK	300	LOT	27000
4	SECTION	61100	BLOCK	300	LOT	28000
5	SECTION	63600	BLOCK	100	LOT	36000
6	SECTION	63600	BLOCK	100	LOT	37000
7	SECTION	63600	BLOCK	200	LOT	14000
8	SECTION	63600	BLOCK	200	LOT	15000
9	SECTION	63600	BLOCK	200	LOT	33000
10	SECTION	63600	BLOCK	200	LOT	35000
11	SECTION	63600	BLOCK	200	LOT	36000
12	SECTION	63600	BLOCK	200	LOT	38000
13	SECTION	63600	BLOCK	200	LOT	41000
14	SECTION	63600	BLOCK	200	LOT	42000
15	SECTION	63600	BLOCK	200	LOT	43000
16	SECTION	63600	BLOCK	200	LOT	45000
17	SECTION	63600	BLOCK	200	LOT	56001
18	SECTION	63600	BLOCK	200	LOT	56002
19	SECTION	63600	BLOCK	200	LOT	57001
20	SECTION	63600	BLOCK	200	LOT	57002
21	SECTION	63600	BLOCK	200	LOT	57003
22	SECTION	63600	BLOCK	200	LOT	59001
23	SECTION	63600	BLOCK	200	LOT	59002
24	SECTION	63600	BLOCK	200	LOT	60001
25	SECTION	63600	BLOCK	200	LOT	60002
26	SECTION	63600	BLOCK	200	LOT	61000
27	SECTION	63700	BLOCK	300	LOT	1000
28	SECTION	63700	BLOCK	300	LOT	4000
29	SECTION	63700	BLOCK	300	LOT	7000
30	SECTION	63700	BLOCK	300	LOT	8000
31	SECTION	63700	BLOCK	300	LOT	10000
32	SECTION	63700	BLOCK	300	LOT	25000
33	SECTION	63700	BLOCK	300	LOT	26000
34	SECTION	63700	BLOCK	300	LOT	27000
35	SECTION	63700	BLOCK	300	LOT	28000
36	SECTION	63700	BLOCK	300	LOT	29000
37	SECTION	63700	BLOCK	300	LOT	32000
38	SECTION	63700	BLOCK	300	LOT	35000
39	SECTION	63700	BLOCK	300	LOT	36000
40	SECTION	63700	BLOCK	300	LOT	37000
41	SECTION	63700	BLOCK	300	LOT	38000
42	SECTION	63700	BLOCK	300	LOT	39000
43	SECTION	63700	BLOCK	300	LOT	40000
44	SECTION	63700	BLOCK	300	LOT	42000
45	SECTION	63700	BLOCK	300	LOT	43000
46	SECTION	63700	BLOCK	300	LOT	45000
47	SECTION	63700	BLOCK	300	LOT	46000

48 15. "CARMANS RIVER WATERSHED PROTECTION AND MANAGEMENT PLAN" SHALL
 49 MEAN THE DRAFT COMPREHENSIVE LAND USE PLAN PREPARED FOR THE TOWN OF
 50 BROOKHAVEN, BY THE CARMANS RIVER STUDY GROUP, DATED FEBRUARY TWO THOU-
 51 SAND ELEVEN.

52 S 3. The environmental conservation law is amended by adding a new
 53 section 57-0122 to read as follows:

54 S 57-0122. CARMANS RIVER WATERSHED PLAN AMENDMENT.

55 1. WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF THIS SECTION, THE TOWN
 56 OF BROOKHAVEN SHALL FINALIZE THE CARMANS RIVER WATERSHED PROTECTION AND

1 MANAGEMENT PLAN, AND THE COMMISSION SHALL APPROVE SUCH FINALIZED PLAN,
2 FOLLOWING RATIFICATION BY THE COMMISSION THE TOWN BOARD OF THE TOWN OF
3 BROOKHAVEN SHALL RATIFY SUCH FINALIZED CARMANS RIVER WATERSHED
4 PROTECTION AND MANAGEMENT PLAN AS A PLAN AMENDMENT TO THE CENTRAL PINE
5 BARRENS COMPREHENSIVE MANAGEMENT PLAN IN ORDER TO PROVIDE FOR THE
6 PROTECTION OF THE CARMANS RIVER WATERSHED. SUCH PLAN AMENDMENT SHALL BE
7 CONSISTENT WITH THE FINDINGS ENUMERATED BY THIS ACT, AS WELL AS SECTION
8 57-0105 OF THIS TITLE, AND THE PLAN GOALS ENUMERATED IN SUBDIVISIONS
9 TWO, THREE AND FOUR OF SECTION 57-0121 OF THIS TITLE.

10 2. THE PLAN AMENDMENT SHALL PROVIDE FOR, ADDRESS, AND INCLUDE THE
11 IMPLEMENTATION OF LAND PROTECTION MECHANISMS INCLUDING, BUT NOT LIMITED
12 TO: (A) ACQUISITION; (B) CONSERVATION EASEMENTS; (C) TRANSFER OF DEVEL-
13 OPMENT RIGHTS, INCLUDING BUT NOT LIMITED TO THE CREATION OF RECEIVING
14 ZONES FOR THE USE OF SUCH RIGHTS ADEQUATE TO ACHIEVE THE GOALS OF PRES-
15 ERVATION AND BALANCED GROWTH WITHIN THE TOWN OF BROOKHAVEN; (D) PURCHASE
16 OF DEVELOPMENT RIGHTS; (E) DONATIONS; (F) CLUSTERING; (G) PLANNED UNIT
17 DEVELOPMENT; (H) LAND TRUSTS; (I) EXCHANGES BETWEEN PRIVATELY AND
18 PUBLICLY OWNED LANDS; (J) OR OTHER ZONING ACTIONS CONSISTENT WITH THE
19 PROVISIONS OF THIS SECTION.

20 3. SUCH PLAN AMENDMENT SHALL BE ADOPTED BY THE COMMISSION PURSUANT TO
21 PROVISIONS RELATING TO PLAN AMENDMENTS ENUMERATED IN SUBDIVISION THIR-
22 TEEN OF SECTION 57-0121 OF THIS TITLE. SUCH PLAN AMENDMENT SHALL BE
23 RATIFIED BY THE BROOKHAVEN TOWN BOARD, PURSUANT TO A DULY ADOPTED RESOL-
24 UTION OF SUCH BOARD.

25 4. UPON ADOPTION AND RATIFICATION OF THE PLAN AMENDMENT, SUCH AMEND-
26 MENT SHALL BE IMPLEMENTED BY THE TOWN OF BROOKHAVEN AS PROVIDED BY
27 SUBDIVISION FIVE OF THIS SECTION.

28 5. WITHIN THREE MONTHS AFTER THE LAND USE PLAN HAS BEEN ADOPTED BY THE
29 COMMISSION, THE BROOKHAVEN TOWN BOARD SHALL ADOPT AND AMEND AS NECESSARY
30 LAND USE AND ZONING REGULATIONS, BY LOCAL LAW OR ORDINANCE, RULE OR
31 REGULATION TO CONFORM THEIR LAND USE REGULATIONS TO THE PLAN AMENDMENT.
32 AT LEAST THIRTY DAYS BEFORE ADOPTION THEREOF, THE TOWN BOARD SHALL
33 SUBMIT THE PROPOSED REGULATIONS TO THE COMMISSION FOR ITS REVIEW AND
34 APPROVAL. WITHIN TEN DAYS OF RECEIPT OF SUCH PROPOSED REGULATIONS, THE
35 COMMISSION SHALL REVIEW AND APPROVE SUCH PROPOSED REGULATIONS, OR IF IT
36 DOES NOT APPROVE THEM, RETURN THEM WITH COMMENTS ON WHAT NEEDS TO BE
37 DONE TO MAKE THEM APPROVABLE. THE PLAN AMENDMENT SHALL BE DEEMED TO BE
38 IMPLEMENTED UPON ADOPTION BY THE TOWN BOARD OF APPROVED LAND USE REGU-
39 LATIONS.

40 6. UPON IMPLEMENTATION OF THE LAND USE REGULATIONS BY THE TOWN BOARD,
41 ALL THE PROVISIONS OF THIS ARTICLE RELATING TO THE CORE PRESERVATION
42 AREA AND CENTRAL PINE BARRENS AREA SHALL ALSO APPLY TO THE CARMANS RIVER
43 WATERSHED ADDITION TO THE CORE PRESERVATION AREA AND THE CARMANS RIVER
44 ADDITION TO THE CENTRAL PINE BARRENS AREA.

45 S 4. Agriculture and horticulture study and analysis in the Central
46 Pine Barrens. 1. Agriculture and horticulture continues to be a major,
47 important and vital industry in the Central Pine Barrens and it contin-
48 ues to be the policy of the state of New York that compatible agricul-
49 tural and horticultural uses be maintained and encouraged within the
50 Central Pine Barrens. Sustaining agriculture in the Central Pine Barrens
51 while harmonizing and balancing such use with other, concomitant Central
52 Pine barrens objectives, including groundwater and ecological
53 protection, continues to be a primary goal of the state of New York.

54 2. As soon as is practicable and within twelve months of the effective
55 date of this section, the Central Pine Barrens Joint Planning and Policy
56 commission shall prepare or cause to be prepared, in cooperation and

1 coordination with the Suffolk county planning department and the Suffolk
2 county agricultural and farmland protection board, a comprehensive study
3 and analysis of agriculture and horticulture in the Central Pine
4 Barrens.

5 3. The study shall examine and shall incorporate the following
6 elements:

7 (a) An identification and inventory of existing farms, farmland, agri-
8 cultural land and horticultural land within both the compatible growth
9 area and the core preservation area. The inventory shall include, but
10 not be limited to:

- 11 (i) locations of existing farms;
- 12 (ii) boundaries of existing farms, including tax map parcels;
- 13 (iii) ownership;
- 14 (iv) leased farmland;
- 15 (v) areas of farms in active cultivation;
- 16 (vi) areas of farms which have been cleared of natural vegetation;
- 17 (vii) areas of fallow farmland;
- 18 (viii) areas of farms remaining in natural vegetation;
- 19 (ix) areas of farms devoted to other uses including, but not limited
20 to, infrastructure, windbreaks, structures, equipment storage, irri-
21 gation wells and pumps;
- 22 (x) agricultural products generated by each farm;
- 23 (xi) ecological, hydrological, geological, historical, scenic and
24 archaeological features within or in proximity to existing farms;
- 25 (xii) location of agricultural districts in relation to existing
26 farms; and
- 27 (xiii) any other elements considered necessary.

28 (b) An identification and inventory of the existing land uses which
29 lie adjacent to and/or occupy the areas surrounding each farm.

30 (c) An identification and analysis of areas adjacent to existing farms
31 which may be considered for farm expansion in future years, the extent
32 of active cultivation on existing farms and the presence of natural
33 vegetation and ecological, geological, historical, scenic and archaeo-
34 logical features in portions of existing farms which may be desirable
35 for expanded cultivation in the future.

36 (d) The study shall include an analysis and review of trends, influ-
37 ences and issues affecting farming in the Central Pine Barrens and the
38 potential impacts of these elements on farming in the Central Pine
39 Barrens.

40 (e) The study shall develop and provide a comprehensive vegetation
41 management plan for non-cultivated areas of vegetation within all exist-
42 ing farms in the Central Pine Barrens which, if adopted, would allow the
43 Central Pine Barrens Joint Planning and Policy commission to review
44 potential vegetation clearing and other matters within farms in a
45 comprehensive, panoptic and systematic manner as opposed to on a case-
46 by-case basis.

47 (f) The study shall make recommendations, as and if needed, for amend-
48 ments to the Central Pine Barrens comprehensive land use plan considered
49 necessary as an outgrowth of the study's analysis. The study shall also
50 make recommendations to the towns within the Central Pine Barrens as to
51 code and plan changes, pertaining to land use within the Central Pine
52 Barrens, which should be contemplated, particularly to reduce or elimi-
53 nate conflicts among overlapping regulatory jurisdictions.

54 S 5. Severability. The provisions of this act shall be severable and
55 if any portion thereof or the applicability thereof to any person or

1 circumstances shall be held invalid, the remainder of this act and the
2 application thereof shall not be affected thereby.

3 S 6. This act shall take effect immediately, provided that if nine
4 months after this act shall have become a law, the plan amendment speci-
5 fied in section 57-0122 of the environmental conservation law shall not
6 have been adopted, ratified, and implemented as provided for by section
7 three of this act, this act shall be deemed repealed and of no force and
8 effect. If the plan amendment is adopted, ratified, and implemented, the
9 Central Pine Barrens Joint Planning and Policy commission shall provide
10 an accurate metes and bounds description of the boundaries depicted in
11 the map dated May 2011, as further described in subdivision 11-b of
12 section 57-0107 of the environmental conservation law, as added by
13 section two of this act, and as approved by the Brookhaven town board,
14 to the state legislature within such nine month period. If the state
15 legislature does not approve the metes and bounds description within
16 nine months of their receipt of such description, then this act shall
17 expire and be deemed repealed. The Central Pine Barrens Joint Planning
18 and Policy commission shall notify the legislative bill drafting commis-
19 sion upon the adoption, ratification, and implementation of the plan
20 amendment pursuant to section 57-0122 of the environmental conservation
21 law authorized pursuant to section three of this act and subsequent
22 legislative approval of the metes and bounds description required pursu-
23 ant to this section in order that the legislative bill drafting commis-
24 sion may maintain an accurate and timely effective data base of the
25 official text of the laws of the state of New York in furtherance of
26 effectuating the provisions of section 44 of the legislative law and
27 section 70-b of the public officers law.