



1 4. UNDERSTANDING OF THE IMPACTS OF HUMAN ACTIVITIES AND THE PROCESSES  
2 REQUIRED TO SUSTAIN THE ABUNDANCE AND DIVERSITY OF MARINE LIFE IS LIMIT-  
3 ED. THE DESIGNATION OF CERTAIN AREAS AS SEA LIFE RESERVES CAN HELP  
4 EXPAND THE LEGISLATURE'S KNOWLEDGE BY PROVIDING BASELINE INFORMATION AND  
5 IMPROVING THE UNDERSTANDING OF ECOSYSTEMS WHERE MINIMAL DISTURBANCE  
6 OCCURS;

7 5. MARINE LIFE RESERVES ARE ESSENTIAL TO THE PROTECTION OF HABITATS  
8 AND ECOSYSTEMS, CONSERVATION OF BIOLOGICAL DIVERSITY, PROVISION OF SANC-  
9 TUARIES FOR FISH AND OTHER SEA LIFE, ENHANCEMENT OF RECREATIONAL AND  
10 EDUCATIONAL OPPORTUNITIES, PROVISION OF A REFERENCE POINT AGAINST WHICH  
11 SCIENTISTS CAN MEASURE CHANGES ELSEWHERE IN THE MARINE AND COASTAL  
12 DISTRICT, AND REBUILDING DEPLETED FISHERIES;

13 6. THERE IS A NEED TO EXAMINE AND AUGMENT THE STATE'S LAWS TO INCREASE  
14 THEIR COHERENCE AND EFFECTIVENESS AT PROTECTING NEW YORK'S MARINE LIFE,  
15 HABITAT AND ECOSYSTEMS; AND

16 7. TO IMPROVE THE MANAGEMENT AND PROTECTION OF THE STATE'S MARINE  
17 LIFE, IT IS NECESSARY TO ESTABLISH A TASK FORCE, WITHIN THE DEPARTMENT,  
18 TO PROPOSE A MARINE LIFE PROTECTION PLAN TO BE ENACTED INTO LAW BY THE  
19 LEGISLATURE.

20 S 13-0903. DEFINITIONS.

21 FOR THE PURPOSES OF THIS TITLE:

22 1. "MARINE LIFE RESERVE" SHALL MEAN A MARINE PROTECTED AREA IN WHICH  
23 ALL EXTRACTIVE ACTIVITIES, INCLUDING THE TAKING OF MARINE SPECIES AND,  
24 IF NECESSARY, OTHER ACTIVITIES WHICH UPSET THE NATURAL ECOLOGICAL FUNC-  
25 TIONS OF THE AREA SHALL BE PROHIBITED. WHILE, TO THE EXTENT FEASIBLE,  
26 SUCH AREA SHALL BE OPEN TO THE PUBLIC FOR MANAGED ENJOYMENT AND STUDY,  
27 THE AREA IS TO BE MAINTAINED IN AN UNDISTURBED AND UNPOLLUTED STATE.

28 2. "TASK FORCE" SHALL MEAN THE MARINE LIFE PROTECTION TASK FORCE  
29 ESTABLISHED PURSUANT TO SECTION 13-0905 OF THIS TITLE.

30 S 13-0905. MARINE LIFE PROTECTION TASK FORCE.

31 1. THERE IS HEREBY ESTABLISHED, WITHIN THE DEPARTMENT, THE MARINE LIFE  
32 PROTECTION TASK FORCE. SUCH TASK FORCE SHALL BE COMPOSED OF THIRTEEN  
33 MEMBERS. THE DIRECTOR OF THE MARINE SCIENCES RESEARCH CENTER OF THE  
34 STATE UNIVERSITY OF NEW YORK AT STONY BROOK, OR HIS OR HER DESIGNEE,  
35 SHALL BE A MEMBER OF THE TASK FORCE AND SHALL SERVE AS THE CHAIR OF THE  
36 TASK FORCE. THE COMMISSIONER SHALL APPOINT THREE MEMBERS OF THE MARINE  
37 RESOURCES ADVISORY COUNCIL AS MEMBERS OF THE TASK FORCE. THE REMAINING  
38 NINE MEMBERS OF THE TASK FORCE SHALL BE APPOINTED BY THE COMMISSIONER AS  
39 FOLLOWS: THREE MEMBERS SHALL BE APPOINTED UPON THE RECOMMENDATION OF THE  
40 GOVERNOR, THREE MEMBERS SHALL BE APPOINTED UPON THE RECOMMENDATION OF  
41 THE TEMPORARY PRESIDENT OF THE SENATE, AND THREE MEMBERS SHALL BE  
42 APPOINTED UPON THE RECOMMENDATION OF THE SPEAKER OF THE ASSEMBLY.

43 2. THE MEMBERS OF THE TASK FORCE APPOINTED BY THE COMMISSIONER SHALL  
44 BE PERSONS WHO HAVE DEMONSTRATED EXPERTISE IN AND CONCERN FOR THE  
45 PROTECTION OF MARINE LIFE. SUCH MEMBERS SHALL SERVE FOR A TERM OF TWO  
46 YEARS, OR UNTIL THEIR SUCCESSOR HAS BEEN APPOINTED. VACANCIES IN THE  
47 MEMBERSHIP OF THE TASK FORCE SHALL BE FILLED IN THE MANNER PROVIDED FOR  
48 ORIGINAL APPOINTMENTS.

49 S 13-0907. TASK FORCE; POWERS AND DUTIES.

50 THE TASK FORCE SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

51 1. TO EMPLOY AND AT PLEASURE REMOVE SUCH PERSONNEL AS IT MAY DEEM  
52 NECESSARY FOR THE PERFORMANCE OF ITS FUNCTIONS AND FIX THEIR COMPEN-  
53 SATION WITHIN THE AMOUNTS MADE AVAILABLE THEREFOR;

54 2. TO REQUEST, RECEIVE AND UTILIZE AND BE PROVIDED WITH SUCH FACILI-  
55 TIES, RESOURCES AND DATA OF THE DEPARTMENT, OR ANY DEPARTMENT, DIVISION,  
56 BOARD, BUREAU, COMMISSION OR AGENCY OF THE STATE OR ANY POLITICAL SUBDI-

1 VISION THEREOF AS MAY BE NECESSARY TO PROPERLY CARRY OUT ITS POWERS AND  
2 DUTIES;

3 3. TO DETERMINE WHICH LAWS, RULES AND REGULATIONS GOVERN THE  
4 PROTECTION OF MARINE LIFE IN THE MARINE AND COASTAL DISTRICT;

5 4. TO ASSESS THE SCOPE AND EFFECTIVENESS OF SUCH LAWS, RULES AND REGU-  
6 LATIONS IN PROTECTING MARINE LIFE;

7 5. TO INVENTORY AND MAP THE MARINE LIFE AT EACH SITE WITHIN THE MARINE  
8 AND COASTAL DISTRICT;

9 6. TO DETERMINE ALL THE SPECIES OF MARINE LIFE AT EACH SUCH SITE, THE  
10 APPROXIMATE NUMBER OF EACH SPECIES AT EACH SUCH SITE, AND THE LEVEL AND  
11 NATURE OF PROTECTION AFFORDED EACH SPECIES OF MARINE LIFE;

12 7. TO PROPOSE A MARINE LIFE PROTECTION PLAN, WHICH SHALL INCLUDE:

13 (A) PROTECTION OF THE NATURAL DIVERSITY AND ABUNDANCE OF MARINE LIFE,  
14 AND THE STRUCTURE, FUNCTION AND INTEGRITY OF MARINE ECOSYSTEMS,

15 (B) SUSTENANCE, CONSERVATION AND PROTECTION OF MARINE LIFE POPU-  
16 LATIONS, INCLUDING THOSE OF ECONOMIC VALUE, AND REBUILD THOSE THAT ARE  
17 DEPLETED,

18 (C) IMPROVEMENT OF RECREATIONAL, EDUCATIONAL AND STUDY OPPORTUNITIES  
19 PROVIDED BY MARINE ECOSYSTEMS THAT ARE SUBJECT TO MINIMAL HUMAN DISTURB-  
20 ANCE, AND MANAGEMENT OF SUCH USES IN A MANNER CONSISTENT WITH PROTECTING  
21 BIODIVERSITY,

22 (D) PROTECTION OF MARINE NATURAL HERITAGE, INCLUDING PROTECTION OF  
23 REPRESENTATIVE AND UNIQUE MARINE LIFE HABITATS IN THE MARINE AND COASTAL  
24 DISTRICT, AND

25 (E) PROPOSE LEGISLATION, BASED UPON SOUND SCIENTIFIC GUIDELINES, WHICH  
26 ESTABLISHES CLEARLY DEFINED OBJECTIVES, EFFECTIVE MANAGEMENT MEASURES  
27 AND ADEQUATE ENFORCEMENT FOR THE PROTECTION OF MARINE LIFE;

28 8. TO PROPOSE RECOMMENDATIONS AND LEGISLATION FOR THE ESTABLISHMENT  
29 AND REGULATION OF MARINE LIFE RESERVES, INCLUDING NO-TAKE RESERVES, AT  
30 SITES WITHIN THE MARINE AND COASTAL DISTRICT THAT THE TASK FORCE FINDS  
31 WOULD BENEFIT FROM SUCH DESIGNATION AS A MARINE LIFE RESERVE BASED ON  
32 THE TASK FORCE'S RESEARCH PURSUANT TO THIS SECTION;

33 9. TO ESTABLISH A TIMETABLE FOR THE ESTABLISHMENT OF MARINE LIFE  
34 RESERVES AT THE VARIOUS SITES WITHIN THE MARINE AND COASTAL DISTRICT;  
35 AND

36 10. TO INVESTIGATE AND MAKE RECOMMENDATIONS ON THE FEASIBILITY AND  
37 EFFECTIVENESS OF PROVIDING ENHANCED MUNICIPAL REGULATION OF MARINE LIFE  
38 RESERVES.

39 S 13-0909. REPORTS AND RECOMMENDATIONS.

40 ON OR BEFORE JANUARY FIRST EACH YEAR, THE TASK FORCE SHALL ISSUE A  
41 REPORT AND ITS RECOMMENDATIONS TO THE COMMISSIONER, GOVERNOR, TEMPORARY  
42 PRESIDENT OF THE SENATE AND SPEAKER OF THE ASSEMBLY. SUCH REPORT AND  
43 RECOMMENDATION SHALL INCLUDE ALL INFORMATION DERIVED AND RECOMMENDATIONS  
44 COMPOSED PURSUANT TO SUBDIVISIONS THREE THROUGH TEN OF SECTION 13-0907  
45 OF THIS TITLE.

46 S 2. This act shall take effect on the first of January next succeed-  
47 ing the date on which it shall have become a law; provided that the  
48 commissioner of environmental conservation is authorized and directed to  
49 appoint the members of the marine life protection task force pursuant to  
50 section 13-0905 of the environmental conservation law, as added by  
51 section one of this act, on or before such date.