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I N S E N A T E

(PREFILED)

January 8, 2014

Introduced by Sens. RITCHIE, GALLIVAN, SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

AN ACT to amend the agriculture and markets law and the environmental conservation law, in relation to water withdrawal reporting and FOIL protection

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

1 Section 1. Section 151-h of the agriculture and markets law, as added
2 by chapter 136 of the laws of 2000, is amended to read as follows:
3 S 151-h. Report. The department, in conjunction with the state soil
4 and water conservation committee, shall report annually to the governor,
5 the legislature and participating agencies on the progress of the AEM
6 program, including an assessment of program effectiveness in achieving
7 state water quality objectives, public and private program partic-
8 ipation, and such other information as the department and the committee
9 deem appropriate. SUCH REPORT SHALL ALSO INCLUDE, AFTER CONSULTATION
10 WITH THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, THE NUMBER OF ANNUAL
11 REGISTRATIONS FOR AGRICULTURAL WATER WITHDRAWALS EXCEEDING AN AVERAGE OF
12 MORE THAN ONE HUNDRED THOUSAND GALLONS PER DAY IN ANY CONSECUTIVE THIRTY
13 DAY PERIOD AS PROVIDED FOR IN SECTION 15-1504 OF THE ENVIRONMENTAL
14 CONSERVATION LAW.

15 S 2. Section 15-1504 of the environmental conservation law is amended
16 by adding a new subdivision 6 to read as follows:

17 6. DISCLOSURE.

18 A. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY INFORMATION
19 COLLECTED PURSUANT TO SUBPARAGRAPH (1) OF PARAGRAPH B OF SUBDIVISION
20 THREE OF THIS SECTION OR SUBPARAGRAPH (1) OF PARAGRAPH A OF SUBDIVISION
21 FOUR OF THIS SECTION SHALL NOT BE SUBJECT TO DISCLOSURE UNDER THE FREE-
22 DOM OF INFORMATION LAW PURSUANT TO ARTICLE SIX OF THE PUBLIC OFFICERS
23 LAW.

24 B. ANY REPORTS TO OUTSIDE PARTIES FOR RESEARCH OR OTHER PURPOSES SHALL
25 BE REDACTED TO EXCLUDE ANY INFORMATION ABOUT: A WATER SOURCE, THE

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

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1 LOCATION OF A WATER SOURCE, THE CAPACITY OF A WATER SOURCE, AND THE
2 PLACE AND SOURCE OF A PROPOSED OR EXISTING WITHDRAWAL THAT IS GATHERED
3 PURSUANT TO SUBPARAGRAPH (1) OF PARAGRAPH B OF SUBDIVISION THREE OF THIS
4 SECTION OR SUBPARAGRAPH (1) OF PARAGRAPH A OF SUBDIVISION FOUR OF THIS
5 SECTION.

6 S 3. This act shall take effect immediately.