

STATE OF NEW YORK

S. 6861

A. 8609

2017-2018 Regular Sessions

SENATE - ASSEMBLY

September 1, 2017

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to requiring the Long Island Power Authority to provide public notice for the construction of utility transmission facilities

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Sections 1020-ii, 1020-jj and 1020-kk of the public author-
2 ities law, as renumbered by chapter 388 of the laws of 2011, are renum-
3 bered sections 1020-jj, 1020-kk and 1020-ll and a new section 1020-ii is
4 added to read as follows:

5 § 1020-ii. Public notice before approval of utility transmission
6 facilities. 1. As used in this section, the following terms shall have
7 the following meanings:

8 (a) "municipality" means a county, city, town or village in the
9 service area;

10 (b) "utility transmission facility" means any electric transmission
11 line in the service area, including associated equipment. It shall not
12 include any transmission line which is an in-kind replacement or which
13 is located wholly underground. This section also shall not apply to any
14 major utility transmission facility subject to the jurisdiction of arti-
15 cle seven of the public service law; and

16 (c) "landowner" means the holder of any right, title, or interest in
17 real property as identified from the most recent tax roll of the appro-
18 priate municipality located within five hundred feet of a proposed util-
19 ity transmission facility.

20 2. The authority shall not construct any utility transmission facility
21 without first providing public notice as provided by this subdivision.

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

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1 Such public notice shall be provided by the authority before the envi-
2 ronmental significance of such action is determined by the authority,
3 pursuant to article eight of the environmental conservation law. The
4 public notice shall provide the following information:

5 (a) the location of the site or right-of-way;

6 (b) a description of the transmission facility to be built thereon;

7 (c) the environmental assessment or environmental impact statement
8 prepared for the action, pursuant to article eight of the environmental
9 conservation law;

10 (d) a summary of any studies which have been made of the environmental
11 impact of the project, and a description of such studies;

12 (e) a statement explaining the need for the facility;

13 (f) a description of any reasonable alternate location or locations
14 for the proposed facility;

15 (g) a description of the comparative merits and detriments of each
16 location submitted; and

17 (h) a statement of the reasons why the primary proposed location is
18 best suited for the facility.

19 Copies of the environmental assessment form, environmental impact
20 statement and studies referred to in the notice shall be filed with the
21 authority and shall be available for public inspection.

22 3. Notice shall be provided by certified mail return receipt requested
23 to:

24 (a) each municipality in which any portion of such facility is to be
25 located, both as primarily proposed and in the alternative locations
26 listed. Notice to a municipality shall be addressed to the chief execu-
27 tive officer thereof;

28 (b) each member of the legislature through whose district the facility
29 or any alternate proposed in the application would pass; and

30 (c) each landowner.

31 § 2. This act shall take effect immediately.