

# STATE OF NEW YORK

6963--A

Cal. No. 358

2019-2020 Regular Sessions

## IN ASSEMBLY

March 28, 2019

Introduced by M. of A. BUTTENSCHON, D'URSO, SANTABARBARA, SAYEGH, B. MILLER -- read once and referred to the Committee on Environmental Conservation -- reported and referred to the Committee on Ways and Means -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the executive law, in relation to including the Ferguson, Moyer, Mud Creek, Ninemile Creek, Oriskany, Reall, Sauquoit, Six Mile Creek, and Wood Creek as creeks within the definition of "inland waterways" for the purposes of waterfront revitalization

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

1 Section 1. Subdivision 4 of section 911 of the executive law, as separately  
2 amended by chapters 43 and 255 of the laws of 2017, paragraph (a)  
3 as separately amended by chapters 133, 135, 140, 153, 234, 265, 268, 485  
4 and 499 of the laws of 2018, paragraph (b) as amended by chapter 499 of  
5 the laws of 2018, and paragraph (c) as separately amended by chapters  
6 131, 140, 232 and 502 of the laws of 2018, is amended to read as  
7 follows:

8 4. "Inland waterways" shall mean (a) the state's major inland lakes  
9 consisting of lakes Baldwin, Ballston, Big Tupper, Black, Campfire,  
10 Canadarago, Canandaigua, Carmel, Cazenovia, Cayuga, Champlain, Charles,  
11 Chateaugay, Chautauqua, Chazy, Conesus, Cranberry, East Caroga, Dickie-  
12 busch, Echo (in the county of Westchester), George, Glencoma, Great  
13 Sacandaga, Honeoye, Indian, Katonah, Kentwood, Keuka, Kitchawan, Little  
14 Wolf (in the county of Franklin), Lincolnale, Long, Lost (in the county  
15 of Putnam), Meahagh, Mirror, MacGregor, Mahopac, Minerva, Mohegan,  
16 Nimham, Neatahwanta, Northville, Oceola, Oneida, Onondaga, Oscaleta,  
17 Ossi, Otisco, Otsego, Owasco, Palmer, Peach, Placid, Purdys, Putnam,  
18 Raquette, Rippowam, Ronkonkoma, Round, Sacandaga, Saratoga, Schroon,  
19 Secor, Seneca, Shenorock, Skaneateles, Silver (in the county of Wyom-

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

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1 ing), Sagamore, Saranac, Seven Hills, Tibet, Tonetta, Teakettle Spout,  
2 Truesdale, Waccabuc, West Caroga and Wixon, Simon (in the county of  
3 Franklin) and the Fulton chain of lakes; (b) the state's major rivers  
4 comprised of the Allegheny, Ausable, Battenkill, Black, Boquet, Bronx,  
5 Canisteo, Chaumont (including Chaumont bay), Chemung, Chenango, Cohoc-  
6 ton, Delaware, Deer, Genesee, Grasse, Great Chazy, Hoosic, Hudson north  
7 of the federal dam at Troy, Indian, Little (in the Adirondack park),  
8 Little Ausable, Little Salmon (including north and south branches), Mad,  
9 Mettowee, Mohawk, Oswegatchie, Oswego, Pocantico, Racquette, Sacandaga,  
10 Salmon, Saranac, Saw Mill, Schroon, Susquehanna, Tenmile, Tioga, Tiough-  
11 nioga, Wallkill and Buffalo rivers, and the north and middle branches of  
12 the Moose river; (c) the state's major creeks comprised of the 18 Mile  
13 Creek located in Erie county, Chittenango Creek, Bash Bish and Kinder-  
14 hook Creek located in Columbia county, Kinderhook Creek located in Rens-  
15 selaer county, Basher Kill, Bushkill, Cattaraugus, Cayadutta, Cincinna-  
16 ti, East Kill, Esopus (including upper and lower branches), Ferguson,  
17 Fish (including east and west branches), Gooseberry, Great Valley,  
18 Kenyetto, Little Sandy, Moyer, Mud Creek located in Oneida county,  
19 Ninemile Creek, Onondaga, Oriskany, Peekskill Hollow, Reall, Roeliff  
20 Jansen Kill, Rondout, Sandy, Sauguoit, Schoharie, Shawangunk Kill, Six  
21 Mile Creek, South Sandy, Oatka, Tonawanda, West Kill, Scajaquada,  
22 Wappinger, Webatuck, Wassaic, Wood Creek located in Herkimer county,  
23 Wood Creek located in Oneida county, Black Creek located in Monroe coun-  
24 ty, Black Creek located in Genesee and Wyoming counties, Ellicott Creek  
25 located in Erie county, Wynantskill, Claverack, Taghkanic, Agawamuck,  
26 Wyomanock, and Ley Creek and Butternut Creek located in Onondaga county,  
27 and Nanticoke; (d) the Barge Canal System as defined in section two of  
28 the canal law; and (e) the adjacent shorelands to the extent that such  
29 inland waters and adjacent lands are strongly influenced by each other  
30 including, but not limited to, islands, wetlands, beaches, dunes, barrier  
31 islands, cliffs, bluffs and erosion prone areas.  
32 § 2. This act shall take effect immediately.