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:

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

4. "Inland waterways" shall mean (a) the state's major inland lakes consisting of lakes Baldwin, Ballston, Big Tupper, Black, Campfire, Canadarago, Canandaigua, Carmel, Cazenovia, Cayuga, Champlain, Charles, Chateaugay, Chautauqua, Chazy, Conesus, Cranberry, East Caroga, Dickiebusch, Echo (in the county of Westchester), George, Glencoma, Great Sacandaga, Honeoye, Indian, Katonah, Kentwood, Keuka, Kitchawan, Little Wolf (in the county of Franklin), Lincolndale, Long, Lost (in the county of Putnam), Meahagh, Mirror, MacGregor, Mahopac, Minerva, Mohegan, Nimham, Neatahwanta, Northville, Oceola, Oneida, Onondaga, Oscaleta, Ossi, Otisco, Otsego, Owasco, Palmer, Peach, Placid, Purdys, Putnam, Raquette, Rippowam, Ronkonkoma, Round, Sacandaga, Saratoga, Schroon, 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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ing), Sagamore, Saranac, Seven Hills, Tibet, Tonetta, Teakettle Spout, Truesdale, Waccabuc, West Caroga and Wixon, Simon (in the county of Franklin) and the Fulton chain of lakes; (b) the state's major rivers comprised of the Allegheny, Ausable, Battenkill, Black, Boquet, Bronx, Canisteo, Chaumont (including Chaumont bay), Chemung, Chenango, Cohocton, Delaware, Deer, Genesee, Grasse, Great Chazy, Hoosic, Hudson north of the federal dam at Troy, Indian, Little (in the Adirondack park), Little Ausable, Little Salmon (including north and south branches), Mad, Mettowee, Mohawk, Oswegatchie, Oswego, Pocantico, Racquette, Sacandaga, Salmon, Saranac, Saw Mill, Schroon, Susquehanna, Tenmile, Tioga, Tioughnioga, Wallkill and Buffalo rivers, and the north and middle branches of the Moose river; (c) the state's major creeks comprised of the 18 Mile Creek located in Erie county, Chittenango Creek, Bash Bish and Kinderhook Creek located in Columbia county, Kinderhook Creek located in Rensselaer county, Basher Kill, Bushkill, Cattaraugus, Cayadutta, Cincinnati, East Kill, Esopus (including upper and lower branches), **Ferguson,** Fish (including east and west branches), Gooseberry, Great Valley, Kennyetto, Little Sandy, **Moyer, Mud Creek located in Oneida county, Ninemile Creek,** Onondaga, **Oriskany,** Peekskill Hollow, **Reall,** Roeliff Jansen Kill, Rondout, Sandy, **Sauquoit,** Schoharie, Shawangunk Kill, **Six Mile Creek,** South Sandy, Oatka, Tonawanda, West Kill, Scajaquada, Wappinger, Webatuck, Wassaic, **Wood Creek located in Herkimer county, Wood Creek located in Oneida county,** Black Creek located in Monroe county, Black Creek located in Genesee and Wyoming counties, Ellicott Creek located in Erie county, Wynantskill, Claverack, Taghkanic, Agawamuck, Wyomanock, and Ley Creek and Butternut Creek located in Onondaga county, and Nanticoke; (d) the Barge Canal System as defined in section two of the canal law; and (e) the adjacent shorelands to the extent that such inland waters and adjacent lands are strongly influenced by each other including, but not limited to, islands, wetlands, beaches, dunes, barrier islands, cliffs, bluffs and erosion prone areas.

§ 2. This act shall take effect immediately.