

STATE OF NEW YORK

4371

2021-2022 Regular Sessions

IN ASSEMBLY

February 4, 2021

Introduced by M. of A. WALCZYK -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to shoreline hardening

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

1 Section 1. The environmental conservation law is amended by adding a
2 new section 16-0121 to read as follows:

3 § 16-0121. Shoreline hardening.

4 1. For purposes of this section, the following terms shall have the
5 following meanings:

6 (a) "Shoreline" shall mean the line along which a large body of water
7 meets the land.

8 (b) "Shoreline resident" or "resident" shall mean any resident of the
9 state who owns property which is situated on a shoreline on Lake Ontario
10 or the St. Lawrence River which is prone to flooding.

11 (c) "Shoreline hardening" shall mean the process of adding materials
12 or structures to property located on a shoreline on Lake Ontario or the
13 St. Lawrence River in order to minimize damage caused by flooding.

14 2. (a) The department shall provide oversight and assist with the
15 implementation of shoreline hardening construction plans for shoreline
16 residents along Lake Ontario and the St. Lawrence river. Shoreline resi-
17 dents shall work in conjunction with the department to develop a design
18 plan for each property located on a shoreline along Lake Ontario and the
19 St. Lawrence river. Such design plan shall be subject to final approval
20 by the department prior to any construction work being commenced on a
21 property.

22 (b) The department shall be responsible for assisting and providing to
23 shoreline residents all necessary and required permits for all approved
24 shoreline hardening proposals.

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

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1 3. (a) Each shoreline resident shall be responsible for the costs
2 related to the implementation of their approved shoreline hardening
3 plan.

4 (b) After a shoreline hardening plan has been implemented and
5 completed, the department shall ensure the completed work complies with
6 the department's approved plan.

7 (c) If the department determines that the approved plans for shoreline
8 hardening have been satisfied, the department shall provide reimburse-
9 ment to each resident for up to fifty percent of such resident's shore-
10 line hardening costs.

11 § 2. This act shall take effect immediately.