STATE OF NEW YORK

7221

2021-2022 Regular Sessions

IN SENATE

June 7, 2021

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

AN ACT to amend the environmental conservation law, in relation to the Mount Van Hoevenberg Olympic Sports Complex

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

Section 1. Article 9 of the environmental conservation law is amended by adding a new title 23 to read as follows:

TITLE 23

THE MOUNT VAN HOEVENBERG OLYMPIC SPORTS COMPLEX

Section 9-2301. Legislative purpose and intent.
9-2302. Definitions.
9-2303. Construction, operation, and maintenance of the Mount Van Hoevenberg Olympic Sports Complex.
9-2304. Land to be acquired for inclusion in the forest preserve in the Adirondack park.

§ 9-2301. Legislative purpose and intent.

1. It is the intent of the legislature to hereby implement the amendment to section one of article fourteen, of the New York state constitution pertaining to the Mount Van Hoevenberg Olympic Sports Complex located on forest preserve lands in the town of North Elba in Essex County.

2. The legislature further intends that implementation of the constitutional amendment should be accomplished in a manner that ensures the integrity of the forest preserve land on which the sports complex is situated and results in a significant increase of forest preserve acreage in the Adirondack park.

3. The legislature intends that, as offset for the use of forest preserve lands for the sports complex, the state shall acquire as an addition to the forest preserve at least two thousand five hundred acres of true forest land located in the Adirondack park. To ensure that such

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

LBD11812-01-1

lands will be acquired and have characteristics suitable for inclusion in to the forest preserve, the legislature intends to review and approve the acquisition of such lands.

4. For these reasons and as authorized by the provisions of section one of article fourteen of the state constitution, the legislature finds that it is in the public interest to hereby implement the constitutional amendment pertaining to the Mount Van Hoevenberg Olympic Sports Complex.

§ 9-2302. Definitions.

For purposes of this title, the following terms shall have the following meanings:

1. "Appurtenances" shall mean those facilities that are directly related to and necessary for the construction, operation, maintenance, and public use of modern Nordic skiing and biathlon trails, such as access roads, parking lots, sanitary facilities, offices, day lodges and amenities, snowmaking, five kilometer of paved training trails, and an open-air Nordic skiing and biathlon stadium. This term shall not include:

(a) facilities such as zip lines, hotels, condominiums, swimming pools, all-terrain vehicles or off-road vehicles for public use, tennis courts and other structures and improvements which are not directly related to and necessary for operation, maintenance, and public use of the sports complex; or

(b) any structure located at or above an elevation of two thousand two hundred feet above sea level used for the sale of any goods, services, merchandise, food, or beverage.

2. "Mount Van Hoevenberg Olympic Sports Complex" means a one thousand thirty-nine and two-tenths acre parcel of forest preserve land located in the town of North Elba in Essex County on which the Mount Van Hoevenberg Olympic Sports Complex is currently located. For purposes of this title, land owned by the town of North Elba which is located adjacent to forest preserve land and over which the state has an easement, including land on which the Olympic bobsled run is located, shall not be considered part of such sports complex.

§ 9-2303. Construction, operation, and maintenance of the Mount Van Hoevenberg Olympic Sports Complex.

Not more than three hundred twenty-two and twenty-six hundredths acres of forest preserve land at the Mount Van Hoevenberg Olympic Sports Complex may be used for the construction, operation, and maintenance of Nordic skiing and biathlon trails, and appurtenances thereto. Any and all development at the sports complex shall conform to guidelines set forth in the Adirondack park state land master plan and shall be authorized by a unit management plan, as required by section eight hundred sixteen of the executive law.

§ 9-2304. Land to be acquired for inclusion in the forest preserve in the Adirondack park.

As an offset for the use of forest preserve lands for the sports complex, the state shall acquire no less than two thousand five hundred acres of land for inclusion in the forest preserve in the Adirondack park, subject to legislative approval. Such approval shall include a metes and bounds description and an accurate survey of the lands proposed for inclusion in the forest preserve.

§ 2. This act shall take effect on the same date and in the same manner as a "CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY proposing an amendment to section 1 of article 14 of the constitution, in relation to the Mount Van Hoevenberg Olympic Sports Complex in Essex County" takes effect, in accordance with section 1 of article 19 of the consti-

tution. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.