STATE OF NEW YORK

8518

2021-2022 Regular Sessions

IN ASSEMBLY

December 13, 2021

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

AN ACT to amend the environmental conservation law and the state law, in relation to the re-designation of Squaw Island in Ontario county as Skenoh Island

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

Section 1. Paragraph a of subdivision 2 of section 45-0117 of the environmental conservation law, as amended by chapter 249 of the laws of 1993, is amended to read as follows:

a. [~~Squaw~~] **Skenoh** Island in the town of Canandaigua, county of Ontario more fully described in chapter three hundred fifty-two of the laws of nineteen hundred seventy-five.

§ 2. Section 5 of the state law is amended to read as follows:

§ 5. Canada boundary line. The boundary line between the state of New York and Canada is as follows:

Commencing at the intersection of the parallel of the forty-fifth degree of north latitude with the middle of the deepest channel of the Richelieu river and running thence westerly along said parallel of forty-five degrees north latitude as originally run by Valentine and Collins, 1771-1774, to a point on the south shore of the St. Lawrence river (but shown by the United States survey of boundary line in 1845, under treaty of Washington, 1842, on sheet maps XXVI to XXX to vary from true parallel of forty-five degrees, as follows: monument 645, on bank of Richelieu river, is .822 miles north of parallel of 45° and .02 miles west from river; thence westerly 14.68 miles to monument 673, at .336 miles north; thence westerly 6.56 miles to monument 685, at .353 miles north; thence westerly 9.20 miles to monument 703, at .004 miles south; thence westerly 7.43 miles to monument 717, at .429 miles south; thence westerly 10.02 miles to monument 737, at .475 miles south; thence westerly 6.34 miles to monument 749, at .140 miles south; thence westerly 5.88 miles to monument 762, on true parallel of 45°; thence westerly 4.20 miles to monument 774, at .030 miles north on bank of St. Lawrence river S. 74° 45' W. 1840 yards distant from the stone church in the

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

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Indian village of St. Regis, this line being recognized as the boundary line by article one of said treaty of Washington). Thence beginning at aforesaid point on the south shore of the Saint Lawrence river, marked by monument 774, under the treaty of Washington, 1842, and in 1817 by a stone monument erected by Andrew Ellicott (the location of which point is described above), and running north 35° 45' west into the river, on a line at right angles with the southern shore, to a point 100 yards south of the opposite island, called Cornwall island; thence turning westerly and passing around the southern and western side of said island keeping 100 yards distant therefrom, and following the curvatures of its shores, to a point opposite to the northwest corner or angle of said island; thence to and along the middle of the main river until it approaches the eastern extremity of Barnhart's island; thence northerly along the channel which divides the last mentioned island from the Canada shore, keeping 100 yards distant from the island, until it approaches Sheik's island; thence along the middle of the strait which divides Barnhart's and Sheik's islands to the channel called the Long Sault, which separates the two last mentioned islands from the lower Long Sault island; thence westerly (crossing the center of the last mentioned channel) until it approaches within 100 yards of the north shore of the Lower Sault island; thence up the north branch of the river keeping to the north of and near the Lower Sault island, and also north of and near the Upper Sault, sometimes called Baxter's island, and south of the two small islands marked on the map A and B, to the western extremity of the Upper Sault or Baxter's island; thence passing between the two islands called the Cats, to the middle of the river above; thence along the middle of the river, keeping to the north of the small islands marked C and D, and north also of Chrystler's island, and of the small island next above it, marked E, until it approaches the northeast angle of Goose Neck island; thence along the passage which divides the last mentioned island from the Canada shore, keeping 100 yards from the island to the upper end of the same; thence south of and near the two small islands called the Nut islands; thence north of and near the island marked F, and also of the island called Dry or Smuggler's island; thence passing between the islands marked G and H to the north of the island called Isle au Rapid Platt; thence along the north side of the last mentioned island, keeping 100 yards from the shore, to the upper end thereof; thence along the middle of the river, keeping to the south of and near the islands called Coussin (or Tussin) and Presque isle; thence up the river, keeping north of and near the several Gallop Isles numbered on the map, 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, and also of Tick, Tibbits, and Chimney islands, and south of and near the Gallop isles numbered 11, 12 and 13, and also of Duck, Drummond, and Sheep islands; thence along the middle of the river, passing north of island No. 14, south of 15 and 16, north of 17, south of 18, 19, 20, 21, 22, 23, 24, 25 and 28, and north of 26 and 27; thence along the middle of the river, north of Gull island and of the islands Nos. 29, 32, 33, 34, 35, Bluff island, and Nos. 39, 44 and 45, and to the south of Nos. 30, 31, 36, Grenadier island, and Nos. 27, 28, 40, 41, 42, 43, 46, 47 and 48 until it approaches the east end of Wells island, thence to the north of Wells island, and along the strait which divides it from Rowe's island, keeping to the north of the small islands Nos. 51, 52, 54, 58, 59 and 61, and to the south of the small islands numbered and marked 49, 50, 53, 55, 57, 60, and X, until it approaches the northeast point of Grindstone island; thence to the north of Grindstone island and keeping to the north also of the small islands Nos. 63, 65, 67, 68, 70, 72, 73, 74, 75,

76, 77 and 78, and to the south of Nos. 62, 64, 66, 69 and 71, until it approaches the southern point of Hickory island; thence passing to the south of Hickory island and of the two small islands lying near its southern extremity numbered 79 and 80; thence to the south of Grand or Long island, keeping near its southern shore, and passing to the north of Carlton island, until it arrives opposite to the southwestern point, of said Grand island, in Lake Ontario; thence, passing to the north of Grenadier, Fox, Stony, and the Gallop islands, in Lake Ontario, and to the south of and near the islands called the Ducks, to the middle of the said lake, thence westerly along the middle of said lake to a point opposite the mouth of the Niagara river, thence to and up the middle of the said river to the Great Falls; thence up the Falls through the point of the Horse Shoe, keeping to the west of Irish or Goat island, and of the group of small islands at its head, and following the bends of the river so as to enter the strait between Navy and Grand islands; thence along the middle of said strait to the head of Navy island; thence to the west and south of and near to Grand and Beaver islands, and to the west of Strawberry, [~~Squaw~~] **Unity**, and Bird islands to Lake Erie; thence southerly and westerly along the middle of Lake Erie in a direction to enter the passage immediately south of Middle island, being one of the easternmost of the group of islands lying in the western part of said lake (according to the decision of the commissioners under the sixth article of the treaty of Ghent, 1814, done at Utica, state of New York, June 18, 1822) to intersection with meridian line of Cession, drawn through the most westerly bent or inclination of Lake Ontario, under deed of cession to the United States, executed March 1, 1781, under chapter thirty-eight of the third session of the legislature of this state in 1780, which meridian line was surveyed and marked with monuments by Andrew Ellicott in 1790, as duly appointed under resolution of Congress, August 19, 1789, and resurveyed in 1881 to 1885, and final report made December 1, 1885, by H. W. Clarke, civil engineer and surveyor, on the part of the state of New York.

§ 3. Subdivision 7 of section 21 of the state law, as amended by chapter 420 of the laws of 1968, is amended to read as follows:

7. Land in the city of Buffalo. Such lands now owned by the state under the waters of Niagara river or in the vicinity of said river in the city of Buffalo, including such lands as are now used for canal purposes in the city of Buffalo and as may be deemed abandoned by the department of transportation, as may be required by the United States in the construction of a ship canal from Lake Erie to the foot of [~~Squaw~~] **Unity** island in the city of Buffalo.

§ 4. Subdivision 140 of section 121 of the state law, as amended by chapter 20 of the laws of 2012, is amended to read as follows:

140. One hundred fortieth district. In the county of Erie, the town of Tonawanda and the portion of the city of Buffalo beginning at the intersection of the Tonawanda/Buffalo town/city line at Delaware Avenue, thence southerly along said avenue to Villa Avenue, thence easterly along said avenue to Markham Place, thence southerly along said place to Sanders Road, thence westerly along said road to Delaware Avenue, thence southerly along said avenue to Hertel Avenue, thence westerly along said avenue to Page Street, thence northerly along said street to Holmes Street, thence westerly along said street to a line extended easterly from Jasper Parish Drive, thence westerly along said extended line to Jasper Parish Drive, thence westerly along said drive to Laforce Place, thence southerly along said place to Hertel Avenue, thence southwesterly along said avenue to Deer Street, thence northerly along said street to

Gladstone Avenue, thence westerly along said avenue to Foundry Street, thence southerly along said street to Hertel Avenue, thence southwesterly along said avenue to Penn Central Railroad Tracks, thence to a point where a line extending northwesterly from Tonawanda Street, thence southeasterly along said line to Tonawanda Street, thence southerly along said street to Scajaquada Creek, thence southwesterly along said creek to Interstate Highway I-190, thence northwesterly along said highway to Erie-Lackawanna Railroad tracks, thence southwesterly along said railroad to western shore of [~~Squaw~~] **Unity** Island Park, thence northerly along said shore to United States/Canada border, thence northwesterly along said border to Tonawanda/Buffalo town/city line, thence easterly along said line, to the Tonawanda/Buffalo town/city line at Delaware Ave, the point and place of beginning; and the city of Tonawanda, furthermore, in the county of Niagara, that portion of the city of North Tonawanda, bounded by a line described as follows: Beginning at the intersection of the Penn Central Railroad and North Tonawanda city/Wheatfield town line, thence southeasterly along said line to Erie/Niagara county line, thence westerly along said line to Grand Island town/North Tonawanda city line, thence northerly along said line to a line extending easterly from the Tonawanda Island shoreline, thence westerly along said line to Tonawanda Island shoreline, thence westerly along said shoreline to a line extending westerly from Archer Street, thence easterly along said line to Archer Street, thence northerly along said street to Bridge Street, thence easterly along said street to Michigan Avenue, thence northerly along said avenue to Taylor Drive, thence easterly along said drive to Thompson Street, thence northwesterly along said street to River Road, thence northeasterly along said road to Robinson Street, thence easterly along said street to Penn Central Railroad, thence northerly along said railroad to Niagara Bridge, thence easterly along said bridge to Erie-Lackawanna Railroad, thence northerly along said railroad to a line extending westerly from Penn Central Railroad, thence easterly along said line to Penn Central Railroad, thence northerly along said railroad to Fredericka Street, thence easterly along said street to Erie-Lackawanna Railroad, thence northwesterly along said railroad to Felton Street, thence northeasterly along said street to Henry Street, thence southeasterly along said street to Fredericka Street, thence northeasterly along said street to Oliver Street, thence southeasterly along said street to Linwood Avenue, thence northeasterly along said avenue to Payne Avenue, thence southeasterly along said avenue to Greenwood Circle, thence easterly along said circle to Payne Avenue, thence southerly along said avenue to Meadow Drive, thence easterly along said drive to Bowen Drive, thence northerly along said drive to Bowen Drive West, thence northwesterly along said drive to Selkirk Drive, thence easterly along said drive to Doebler Drive, thence northeasterly along said drive to Wurlitzer Drive, thence easterly along said drive to Nash Road, thence southerly along said road to Pioneer Drive, thence easterly along said drive to Guy Drive, thence northerly along said drive to Wurlitzer Drive, thence southeasterly along said drive to Fairmont Avenue, thence northeasterly along said avenue to a line extending southwesterly from Penn Central Railroad, thence northeasterly along said line to the Penn Central Railroad, thence to the intersection of the Penn Central Railroad and North Tonawanda city/Wheatfield town line, the point and place of beginning.

§ 5. This act shall take effect immediately.