

# STATE OF NEW YORK

7417

2023-2024 Regular Sessions

## IN ASSEMBLY

May 19, 2023

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

AN ACT to amend the environmental conservation law, in relation to decreasing the distance from the high water mark certain lands under water of Gardiner's and Peconic bays have to be to be ceded to a county

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

1 Section 1. Subdivision 1, paragraph a of subdivision 4, and paragraph  
2 a of subdivision 8 of section 13-0302 of the environmental conservation  
3 law, subdivision 1 and paragraph a of subdivision 8 as amended by chap-  
4 ter 34 of the laws of 2022 and paragraph a of subdivision 4 as amended  
5 by chapter 656 of the laws of 2021, are amended to read as follows:

6 1. Underwater lands ceded to county of Suffolk. All the right, title  
7 and interest in which the people of the state of New York have in and to  
8 the lands under water of Gardiner's and Peconic bays in the county of  
9 Suffolk, except underwater lands within [~~one thousand~~ five hundred feet  
10 of the high water mark is hereby ceded to such county, for the purposes  
11 of shellfish or seaweed cultivation, to be managed and controlled by  
12 such county, provided that such lands shall revert to the state when  
13 they shall cease to be used for shellfish or seaweed cultivation. For  
14 the purposes of this section, the term "Gardiner's and Peconic bays"  
15 shall mean the waters of Gardiner's and Peconic bays and the tributaries  
16 thereof between the westerly shore of Great Peconic bay and an easterly  
17 line running from the most easterly point of Plum island to Goff point  
18 at the entrance of Napeague harbor.

19 a. Underwater lands within [~~one thousand~~ five hundred feet of the  
20 high water mark shall not be included in a shellfish cultivation zone.

21 a. Underwater lands within [~~one thousand~~ five hundred feet of the  
22 high water mark shall not be included in a seaweed cultivation zone.

23 § 2. This act shall take effect immediately.

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

LBD10446-01-3