STATE OF NEW YORK

9712

IN ASSEMBLY

April 3, 2024
_____

Introduced by M. of A. BURDICK -- read once and referred to the Commit-
    tee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to
    prohibiting the application of pesticides to certain local freshwater
    wetlands

   **The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:**

1   Section 1. The environmental conservation law is amended by adding a
2 new section 24-0513 to read as follows:
3 **§ 24-0513. Local freshwater wetlands pesticide prohibition.**
4   **1. A local government that has implemented a freshwater wetlands**
5 **protection law or ordinance in accordance with section 24-0501 of this**
6 **title may adopt a local law or ordinance to prohibit the application of**
7 **pesticides to wetlands it regulates; provided, however, that any such**
8 **law or ordinance shall not prohibit pesticide applications for the**
9 **control of invasive species identified pursuant to title 17 of article 9**
10 **of this chapter, pests of significant public health importance, noxious**
11 **weeds designated by the department as injurious to ecosystem health, or**
12 **for the protection of critical native plant species.**
13   **2. (a) The provisions of this section shall apply only to those**
14 **wetlands which are hydrologically connected to any reservoir, reservoir**
15 **stem, class A waterway or other source of public water supply.**
16   **(b) The provisions of this section shall not be construed to prohibit**
17 **or limit the use or application of pesticides in connection with commer-**
18 **cial agricultural activities nor to contradict any other provisions of**
19 **this chapter relating to such use.**
20   **3. Any local law or ordinance adopted pursuant to this section shall**
21 **take effect on the first day of January after it shall have been**
22 **adopted.**
23   § 2. This act shall take effect on the ninetieth day after it shall
24 have become a law.

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

                                                            LBD09966-02-4