

STATE OF NEW YORK

5333

2023-2024 Regular Sessions

IN SENATE

March 2, 2023

Introduced by Sens. HARCKHAM, STEC -- read twice and ordered printed,
and when printed to be committed to the Committee on Environmental
Conservation

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 Assem-
bly, 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 amend-
ment to section one of article fourteen, of the New York state constitu-
tion 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 consti-
tutional 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 acre-
age 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

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

LBD07271-01-3

1 of true forest land located in the Adirondack park. To ensure that such
2 lands will be acquired and have characteristics suitable for inclusion
3 in to the forest preserve, the legislature intends to review and approve
4 the acquisition of such lands.

5 4. For these reasons and as authorized by the provisions of section
6 one of article fourteen of the state constitution, the legislature finds
7 that it is in the public interest to hereby implement the constitutional
8 amendment pertaining to the Mount Van Hoevenberg Olympic Sports Complex.
9 § 9-2302. Definitions.

10 For purposes of this title, the following terms shall have the follow-
11 ing meanings:

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

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

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

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

35 § 9-2303. Construction, operation, and maintenance of the Mount Van
36 Hoevenberg Olympic Sports Complex.

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

45 § 9-2304. Land to be acquired for inclusion in the forest preserve in
46 the Adirondack park.

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

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

1 takes effect, in accordance with section 1 of article 19 of the consti-
2 tution. Effective immediately, the addition, amendment and/or repeal of
3 any rule or regulation necessary for the implementation of this act on
4 its effective date are authorized to be made and completed on or before
5 such effective date.