

STATE OF NEW YORK

6230

2023-2024 Regular Sessions

IN SENATE

April 5, 2023

Introduced by Sen. HELMING -- 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 control of aquatic vegetation by means of a benthic barrier

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

1 Section 1. The environmental conservation law is amended by adding a
2 new section 9-1712 to read as follows:

3 § 9-1712. Control of aquatic vegetation by means of a benthic barrier.

4 1. For the purposes of this section, "benthic barrier" shall mean a
5 film of natural or synthetic matter which is gas permeable and anchored
6 by means other than stone from the lake bottom, for the sole purpose of
7 controlling or suppressing aquatic vegetation around residential docks
8 or swimming areas.

9 2. No person shall be prohibited from placing temporary benthic barriers
10 in any freshwater body of water located in front of his or her prop-
11 erty's shoreline between July first and October thirty-first each year,
12 for the purpose of controlling invasive aquatic plants around, near and
13 between docks.

14 3. The placement of these temporary benthic barriers shall not be
15 considered "fill", and therefore are not subject to the provisions of
16 title five of article fifteen of this chapter or General Permit
17 GP-0-17-001.

18 § 2. This act shall take effect immediately.

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

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