STATE OF NEW YORK

6789

2023-2024 Regular Sessions

IN SENATE

May 10, 2023

Introduced by Sen. PALUMBO -- 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 certain mined land-use plans

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

Section 1. Paragraph (a) of subdivision 1 of section 23-2713 of the environmental conservation law, as amended by chapter 166 of the laws of 1991, is amended to read as follows:

(a) The mining plan shall consist of a written and graphic description of the proposed mining operation, including the boundaries of the land controlled by the applicant, the outline of potential affected acreage and the general sequence of areas to be mined through successive permit terms. The graphic description shall include the location of the mine and shall identify the land affected by mining after April first, nineteen hundred seventy-five, including but not limited to areas of excavation; areas of overburden, tailings, and spoil; areas of topsoil and mineral stock piles; processing plant areas; haulageways; shipping and storage areas; drainage features and water impoundments. The written description of the plan shall include the applicant's mining method and measures to be taken to minimize adverse environmental impacts resulting from the mining operation. **Within counties with a population of one million or more which draw their primary source of drinking water for a majority of county residents from a designated sole source aquifer, no mining plan shall be approved or renewed unless such plan provides for a minimum buffer of undisturbed ground at least ten feet from the existing water table at the mine site.**

§ 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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