STATE OF NEW YORK

3545

2025-2026 Regular Sessions

IN SENATE

January 28, 2025

Introduced by Sen. BORRELLO -- 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 environmental quality reviews of certain housing development projects

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

Section 1. Section 8-0107 of the environmental conservation law, as added by chapter 612 of the laws of 1975, is amended to read as follows:

§ 8-0107. Agency implementation.

1. All agencies shall review their present statutory authority, administrative regulations, and current policies and procedures for the purpose of determining whether there are any deficiencies or inconsistencies therein which prohibit full compliance with the purposes and provisions of this article, and shall recommend or effect such measures as may be necessary to bring their authority and policies into conformity with the intent, purposes, and procedures set forth in this article. They shall carry out its terms with minimum procedural and administrative delay, shall avoid unnecessary duplication of reporting and review requirements by providing, where feasible, for combined or consolidated proceedings, and shall expedite all proceedings hereunder in the interests of prompt review. **Time periods set forth in this article or established pursuant to regulation shall be mandatory and shall not be subject to any period of extension unless the applicant or project sponsor agrees to a period of extension.**

2. Nothing in this article shall prohibit a municipality from performing its own environmental review, based on rules and regulations promulgated by the department, of a housing development project, and issuing a denial for a permit based on such review.

§ 2. Paragraph (iii) of subdivision 5 of section 8-0105 of the environmental conservation law, as amended by chapter 228 of the laws of 1976, is amended and a new paragraph (iv) is added to read as follows:

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

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(iii) maintenance or repair involving no substantial changes in [~~exsiting~~] **existing** structure or facility[~~.~~]**; or**

(iv) a housing development project that proposes to build twenty or more units.

§ 3. This act shall take effect immediately.