§ 11-2050. Establishment of the marine mammal and sea turtle protection area.

1. There shall be created the marine mammal and sea turtle protection area consisting of the waters in the area from mean high water seaward fifteen hundred feet, except further seaward in shallow areas to the outermost limit of waters fifteen feet in depth, around Plum Island, Great Gull Island and Little Gull Island. Such protection area may also be designated as a New York state bird conservation area pursuant to section 11-2001 of this article.

2. For purposes of this title the marine mammal and sea turtle protection area shall mean:

(a) a site providing habitat to species including:

(i) harbor seals (Phoca vitulina);

(ii) harbor porpoises (Phocoena phocoena);

(iii) gray seals (Halichoerus grypus); and

(iv) sea turtle species including kemp's ridley (Lepidochelys kempii), green turtles (Chelonia mydas) and leatherback (Dermochelys coreacia);

(b) presence of a state-designated natural protective feature; and

(c) location within the boundaries of two estuaries of national significance.

3. The department is authorized to promulgate regulations to prevent the harassment and for the protection of marine mammals and sea turtles within the marine mammal and sea turtle protection area.