§ 24-0507. Reservation of local jurisdiction.

1. Except as provided in this article, jurisdiction over all areas which would qualify as freshwater wetlands less than twelve and four-tenths acres in size and are not of unusual importance is reserved to the city, town or village in which they are wholly or partially located, and the implementation of this article with respect thereto is the responsibility of said city, town or village, in accordance with section 24-0501 and title twenty-three of article seventy-one of this chapter, except that a city, town or village in the exercise of its powers under this section, shall not be subject to the provisions of subdivision four of section 24-0501, subdivisions two and three of section 24-0503, or section 24-0505 of this article.

* NB Effective until January 1, 2028

* 1. Except as provided in this article, jurisdiction over all areas which would qualify as freshwater wetlands less than seven and four-tenths acres in size and are not of unusual importance is reserved to the city, town or village in which they are wholly or partially located, and the implementation of this article with respect thereto is the responsibility of said city, town or village, in accordance with section 24-0501 and title twenty-three of article seventy-one of this chapter, except that a city, town or village in the exercise of its powers under this section, shall not be subject to the provisions of subdivision four of section 24-0501, subdivisions two and three of section 24-0503, or section 24-0505 of this article.

* NB Effective January 1, 2028

2. The department shall consult with any city, town, or village that exercises its powers under this section for the protection of freshwater wetlands.