§ 46-0107. Albany Pine Bush preserve.

The commissioner shall maintain a record of the boundaries of the lands which have been dedicated to the Albany Pine Bush preserve in text and depicted on a map.

1. Land owned by the state may be dedicated to be part of the preserve only by action by the commissioner, the commissioner of the state office of parks, recreation and historic preservation or the commissioner of the state office of general services, provided that state land dedicated hereunder may also be dedicated to be part of the state nature and historical preserve pursuant to article forty-five of this chapter.

2. Land owned by a local government may be dedicated to be part of the preserve only by action of its local legislative body.

3. Land owned by private persons or organizations may be dedicated to be part of the preserve only through the voluntary execution of a conservation easement pursuant to article forty-nine of this chapter, and the acceptance of such instrument by the commission; provided, however, that the commission shall not have the power or authority, without the consent of the landowner, to require as a condition of or a prerequisite for obtaining any permit, license or other authorization to conduct any activity within or adjacent to the preserve, that any lands be dedicated to the preserve.

4. Every proposed dedication shall be reviewed and approved by the commission.

5. The commission shall have no authority to control or manage any private land unless such land has been dedicated pursuant to this section or the owner thereof has executed a voluntary written agreement with the commission authorizing the specific management actions which may be taken by the commission.

6. Land owned by the commission shall be dedicated to be part of the preserve upon acquisition by the commission.