§ 9-0109. Acquisition of lands within the Adirondack or Catskill parks.

1. Unless deemed necessary for the conservation of critical and unique natural land areas or of significant wild forest land areas, the state shall not acquire or accept fee simple ownership of structures or improvements in the Adirondack or Catskill parks listed or eligible to be listed on the state register of historic places including that amount of land on which such structures or improvements are located that is necessary for their maintenance and use.

2. Prior to any land acquisition by a state agency within the Adirondack or Catskill parks, the commissioner or responsible chief executive officer proposing such acquisition shall undertake a review of such action pursuant to the state environmental quality review act as provided in article eight of this chapter and, when applicable, the New York state historic preservation act of 1980.

3. If such structures or improvements in the Adirondack or Catskill parks are offered to the state for purchase or as a gift, it shall be the responsibility of the state agency to which such offer is made, in accordance with guidelines prepared for notifying potential private purchasers, to search for a private purchaser or donee who would preserve such structures or improvements, if the present owner thereof consents.

4. Historic structures and improvements which are located within the Adirondack and Catskill parks and owned by the state prior to the effective date of this section and which existed prior to acquisition by the state may be maintained provided that:

a. the commissioner of parks, recreation and historic preservation finds that such structures and improvements are listed or are eligible to be listed on the state register of historic places pursuant to subdivision one of section 14.07 of the parks, recreation and historic preservation law; and

b. the commissioner finds that such structures and improvements can be

maintained for public enjoyment and understanding of the forest preserve or for departmental activities necessary in protecting forest preserve lands in the parks in a manner that will not disturb the existing degree of wild forest character of land on which the pre-existing structures or improvements are located or the wild forest character of land adjacent thereto; and

c. such maintenance is in accordance with reasonable regulation of the forest preserve in the Adirondack and Catskill parks consistent with article fourteen of the state constitution.

The recording provisions of section sixty-three of the public buildings law shall apply if such structures and improvements are not maintained or are substantially altered or demolished.