



OFF SHORE EASEMENTS

S.5528 (Lavalle)
A.7816 (Englebright)

Summary

This bill increases the opportunity for citizens to have input into permitting decisions regarding the leasing of state-owned underwater lands for commercial purposes. Section one of the bill amends the Public Lands Law to require the Secretary of State to review underwater land leases for consistency with state coastal zone management policies. It allows the commissioner of the state Office of General Services (OGS) to deny the lease if the Secretary of State finds it will not be consistent with those policies. The bill also creates a new subsection dealing with state-owned lands over one mile from the shore that are leased for commercial use of structures, platforms or moorings. For such leases, the OGS commissioner would be required to prepare an environmental impact statement and hold public hearings. The bill further requires the Secretary of State and the commissioner of the Department of Environmental Conservation to review proposed leases for consistency with state coastal zone management and other environmental policies. And it requires the OGS commissioner to consider such information and authorizes the commissioner to deny issuance of such a lease if it is inconsistent with state coastal zone and environmental policies.

Explanation

Proposed projects like the off-shore liquefied natural gas terminal proposed for Long Island Sound may have profound impact on New York's coastal waters and environment. Currently, most authority for permitting the siting of such facilities rests with federal authorities. New York needs more authority if it is going to adequately protect its citizens and environment. By requiring state officials to review proposed leases for consistency with coastal zone and environmental policies, and by requiring environmental impact statements and public comment, this bill increases public involvement in the decision-making process. This bill further empowers New York and its citizens by giving the OGS commissioner authority to deny leases that are detrimental to the state.

Environmental Advocates of New York supports this bill.

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