



NEW YORK STATE SENATOR

Eric T. Schneiderman

Sen. Schneiderman Introduces Bill To Expand Protection Of Freshwater Wetlands

ERIC T. SCHNEIDERMAN September 3, 2009

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In an effort to increase environmental conservation, Sen. Eric T. Schneiderman (D-Manhattan/Bronx) introduced a bill that expands protection of New York's freshwater wetlands (S.6145). When asked about the bill, Senator Schneiderman stated, "It is critical that we protect not only the wetlands themselves, but also the land adjacent to the wetlands. All too often those who are profiting off of destroying our natural resources are not punished for damage done to the surroundings areas—damage that can take a significant toll on the health of our children and the environment." In addition to allowing the court to require the violators to restore areas adjacent to the damaged wetlands, the bill expands existing protections to wetlands by: * Increasing to \$10,000 the civil penalty for violation of provisions for the protection of freshwater wetlands, and make each day's continuation of the violation a separate violation; * Specifying the conditions under which the Commissioner of Environmental Conservation may issue a cease-and-desist order, and providing for immediate administrative review of such an order; and * Increasing the fine for a criminal violation to \$5,000 for the first offense and \$10,000 for each subsequent offense.

Assemblymember Robert Sweeney (D- Lindenhurst) is the lead sponsor of the bill (A.4807) in the Assembly. The bill passed the Assembly in June. "Our critically important wetlands are diminishing on a daily basis, in part due to illegal activities and the failure to extend strong

legal protections,” said Assemblymember Sweeney. “This bill will help to remedy that, and I thank Senator Schneiderman for his leadership on this issue.”