



MEMORANDUM OF SUPPORT

Wetlands Protection

S.5116C – Harckham

A.7850 – Englebright

An Act to amend the environmental conservation law, in relation to freshwater wetlands; and to repeal certain provisions of such law relating thereto

Background

Wetlands provide significant benefits to the people and the environment of New York State. Acting like filters, wetlands protect lakes, rivers, and streams by absorbing pollutants, pesticides, nitrogen, phosphorus and other contaminants. Wetlands save billions of dollars in property damage annually by acting as a buffer against storm water and absorbing floodwaters.

Despite their immense importance for New Yorkers, the state has been in a federal legal debate for the past 20 years over what constitutes a wetland and who has the authority to protect them. Many of these critically important wetlands have been filled, dredged and drained across the state resulting in contaminated public water supplies and increased flooding in communities.

Justification

Currently, state law limits the NYS DEC to regulate mapped wetlands 12.4 acres or larger. Most of these maps have not been updated in decades, making them incomplete, and the amendment process can be lengthy and burdensome in administrative costs. There are hundreds of thousands of acres of wetlands in high development areas of New York that are not on official maps and are left completely unprotected.

This legislation will remove the jurisdictional barriers that these maps have created and allow DEC to immediately protect and regulate wetlands 12.4 acres or larger if they meet the basic scientific definition of these critical habitat areas. According to the DEC, this would increase state protected wetlands (12.4 acres or larger) by an estimated 1 million acres that were never officially mapped. This bill would also expand the Departments authority over smaller wetlands of unusual importance, which includes class I wetlands and class II wetlands that possess valuable characteristics such as being effective for community flood water control, within an urban area, possessing rare plant or animal species, or important to maintaining clean drinking water.

CITIZENS CAMPAIGN FOR THE ENVIRONMENT SUPPORTS S.5116C / A.7850 – WETLANDS PROTECTION

CCE is an 120,000 member non-profit, non-partisan advocacy organization that works to empower communities and advocate solutions that protect public health and the natural environment

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