



New York Farm Bureau  
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# MEMORANDUM OF OPPOSITION

**Senate Bill 1588 (Senator Avella) / Assembly Bill 3818 (Assemblyman Colton)**

**AN ACT TO AMEND THE ENVIRONMENTAL CONSERVATION LAW, IN RELATION TO REVIEW OF PERMIT APPLICANTS ON RECORD OF COMPLIANCE**

**Date: 4/16/2018**

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New York Farm Bureau, the state's largest general farm organization, respectfully requests your opposition to the above referenced proposed bill.

Under this proposed legislation, a party filing for a permit with the Department of Environmental Conservation would be additionally burdened by being required to provide information in the application on any on-going compliance issues with the Department. Additionally, the person filing the application would need to report on any past compliance actions taken by the Department, or any action taken in foreign countries, against them. In requiring this information on the application, the proposed legislation increases the overall bureaucracy of the permit filing process and adds a duplicative action which does not increase environmental protection.

As the environmental regulatory agency for New York, DEC has a record of all on-going and past compliance actions and issues. To place a further burden on the regulated community when this information is already accessible, and in fact is maintained by DEC, needlessly adds more onus on small businesses trying to comply with regulations.

From a broader perspective, the idea of using past violations as grounds for denying future permits, which is the underlying principle behind this bill, counters the concept of innocent until proven guilty, a founding principle of our justice system.

For the above reasons, New York Farm Bureau respectfully requests your opposition to this legislation.