



New York Farm Bureau
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MEMORANDUM OF OPPOSITION

Assembly Bill 8349 (Assemblyman Ryan) / Senate Bill 5612-A (Harckham)

AN ACT TO AMEND THE ENVIORMENTAL CONSERVATION LAW, IN RELATION TO THE PROTECTION OF CERTAIN STREAMS.

Date: 1/16/2020

New York Farm Bureau, the state's largest agricultural advocacy organization, respectfully requests your opposition to the above referenced legislation. If enacted, this bill would categorize class C waterways as streams adding them to the list of protected streams under the Protection of Waters Regulatory Program within the New York State Department of Environmental Conservation (DEC).

Currently, a permit for disruption of class AA, A, B, or C with a standard of (T) or (TS) is required by under law. Water bodies with year-round flow and that do not appear on electronic maps are assigned the classification of the water body into which it feeds. If that water body is C(T) or higher, a permit is required. This legislation would further regulate waterways that already have safeguards in place, causing a cascade effect moving further up stream to areas that only have intermittent or seasonal flow.

The addition of class C streams to the Protection of Waters Regulatory Program would hinder farmers ability to quickly clear water ways, waiting to obtain a permit could be time consuming and farmers do not have extra time when protecting their crops from nature's elements. It is important the DEC can prioritize the processing of permits on critical waterways and not use up the limited resources available on less pressing matters.

For these reasons, New York Farm Bureau requests your opposition to this legislation.