



NEW YORK STATE SENATOR

Andrew J. Lanza

Lanza's Brush Fire Prevention Bill Passes Senate

ANDREW J LANZA May 6, 2011



Bill Will Empower Property Owners to Protect Themselves & Neighbors

The New York State Senate today passed legislation that will help protect the residents of Staten Island from phragmites-fueled brush fires. The bill (S.4377), sponsored by Senator Andrew Lanza, Assemblyman Michael Cusick and Assemblyman Lou Tobacco, authorizes the unfettered removal of phragmites by property owners in the City of New York

This legislation will change current DEC policy which makes it illegal for homeowners to remove phragmites

from their property without first obtaining a permit. The bill amends the general city law and the environmental conservation law, and provides property owners in the City of New York with the unrestricted ability to remove threatening weeds from their property.

Lanza said, “This new legislation would prevent the DEC from thwarting property owners the right to protect their property. Homeowners should not have to ask permission of the DEC to protect their homes and lives. This bill will empower private homeowners with the ability to remove this dangerous weed from their properties without waiting on the ‘OK’ from DEC.”

“Current DEC policies and the weeds’ propensity for fueling summer fires has put the lives and property of Staten Islanders in jeopardy while forcing local first responders to risk their safety to battle these often fierce blazes,” said Assemblyman Lou Tobacco. “By allowing homeowners to completely remove this hazard from their property and by replanting our wetlands with native vegetation, our legislation will greatly reduce summer fires and protect the lives and property of Staten Island homeowners.”

Lanza and Tobacco have also reintroduced legislation (S.4265) which would require DEC to remove phragmites from infested wetlands in all instances where more than 5 continuous acres of phragmites exist. While the Senate failed to pass this bill last year, Lanza, now in the majority, is optimistic about passage.

Lanza asked, “How many life-threatening phragmite fires must Staten Island endure before DEC does something about this? It is absurd that these weeds are being protected while homeowners continually have their property put at risk, and residents and firefighters have their lives endangered.”

The lawmakers noted that for too long, DEC, which regulates all designated wetlands, seems more concerned with protecting these non-native invasive weeds than they do about enacting policies which protect residents and their property -- despite the department’s own admission that phragmites pose a serious fire hazard.

“It is time that DEC stop putting dangerous weeds ahead of the people and property of Staten Island,” said Senator Lanza.

“This legislation is a direct response to the DEC’s failed environmental policies on Staten Island,” said Tobacco. “While I am confident that these bills will address this serious issue, it is my hope that the new DEC Commissioner, Joseph Martens will work with Staten Island officials to resolve this matter sooner. It is in the best interest of the department, the environment and Staten Island residents to come up with a responsible solution to this matter sooner rather than later.”

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