S T A T E O F N E W Y O R K

1120

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. DESTITO, REILLY, KOON -- Multi-Sponsored by -- M. of A. CLARK, ESPAILLAT, GLICK, MAYERSOHN, McENENY, TOWNS, WEISENBERG -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the canal law, in relation to establishing the pilot water level management program and hydraulic model

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The canal law is amended by adding a new section 135 to read as follows:

S 135. PILOT WATER LEVEL MANAGEMENT PROGRAM. 1. PILOT PROGRAM. THE CORPORATION SHALL ESTABLISH AND OPERATE THE PILOT WATER LEVEL MANAGEMENT PROGRAM FOR THE PURPOSE OF ENHANCING NAVIGATION AND FLOOD MITIGATION, IMPROVING REAL-TIME FLOOD FORECASTING, ENABLING PRO-ACTIVE FLOOD RESPONSIVENESS AND DEVELOPING UNIFIED OPERATING PROCEDURES THROUGH THE COLLECTION, ANALYSIS, COORDINATION AND DISSEMINATION OF REAL-TIME WATER AND SYSTEMS DATA IN AND ALONG THE CANAL SYSTEM. SUCH PROGRAM SHALL BE DESIGNED FOR AND IMPLEMENTED IN THE MOHAWK RIVER BASIN CANAL SYSTEM AND INCLUDE LOCKS SEVEN THROUGH TWENTY-TWO. THE PILOT WATER LEVEL MANAGEMENT PROGRAM SHALL INCLUDE, BUT NOT BE LIMITED TO:

(A) THE EVALUATION OF EXISTING WATER MANAGEMENT INFRASTRUCTURE INCLUDING GAUGES AT LOCKS, IN AND ALONG THE CANAL SYSTEM, FEEDER TRIBUTARIES AND AFFECTING RESERVOIRS;

(B) THE IMPLEMENTATION OF REAL-TIME AND REMOTE SENSING TECHNOLOGY, AND OTHER ADVANCED WATER MEASUREMENT DEVICES AS DEEMED APPROPRIATE;

(C) A CENTRALIZED REAL-TIME DATA COLLECTION AND COMMAND CENTER WITH AN INTERCONNECTED DATA COLLECTION AND INFORMATION SHARING SYSTEM TO INCLUDE LOCKS AND OTHER APPROPRIATE CANAL SYSTEM WATER MANAGEMENT FACILITIES;

(D) DEVELOPMENT OF UNIFIED OPERATING AND COMMAND PROCEDURES IN CONJUNCTION WITH THE WATER LEVEL MANAGEMENT PROGRAM AND ITS SYSTEMS;

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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(E) INFORMATION SHARING AND COORDINATION WITH APPROPRIATE AGENCIES TO INCLUDE, BUT NOT BE LIMITED TO, THE NATIONAL WEATHER SERVICE, THE STATE EMERGENCY MANAGEMENT OFFICE, NEW YORK POWER AUTHORITY AND APPROPRIATE COUNTY OFFICERS FROM COUNTIES ADJACENT OR INTERSECTED BY THE CANAL SYSTEM; AND

(F) AN ENHANCED SYSTEM FOR PUBLIC NOTIFICATION; AND

(G) THE DEVELOPMENT OF A DETAILED HYDRAULIC MODEL OF THE CANAL SYSTEM AND WATER LEVEL CONTROL STRUCTURES.

2. REPORT. (A) NOT LATER THAN THREE YEARS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE CORPORATION SHALL PREPARE A REPORT EVALUATING THE EFFECTIVENESS OF THE PILOT PROGRAM. SUCH REPORT SHALL INCLUDE, BUT NEED NOT BE LIMITED TO:

(I) A DETAILED DESCRIPTION OF THE PROGRAM AS IT IS IMPLEMENTED TO INCLUDE EACH OF THE ITEMS SET OUT IN PARAGRAPHS (A) THROUGH (G) OF SUBDIVISION ONE OF THIS SECTION;

(II) AN ASSESSMENT AND RECOMMENDATION FOR IMPROVING THE WATER LEVEL MANAGEMENT PROGRAM AND COSTS THEREOF;

(III) AN ASSESSMENT OF THE EFFICACY OF THE WATER LEVEL MANAGEMENT PROGRAM, AND THE DEGREE TO WHICH IT SUCCESSFULLY ADDRESSED NAVIGATION AND FLOOD MITIGATION ENHANCEMENT, REAL-TIME FLOOD FORECASTING, PRO-ACTIVE FLOOD RESPONSIVENESS AND DEVELOPMENT OF UNIFIED OPERATING PROCEDURES, AS WELL AS OTHER REALIZED BENEFITS; AND

(IV) RECOMMENDATION AS TO THE EXPANSION OF THE PROGRAM TO OTHER PARTS OF THE CANAL AND COSTS THEREOF.

(B) THE CORPORATION SHALL SUBMIT SUCH REPORT TO THE GOVERNOR, COMMISSIONER OF TRANSPORTATION, TEMPORARY PRESIDENT OF THE SENATE, SPEAKER OF THE ASSEMBLY AND THE SENATE AND ASSEMBLY TRANSPORTATION COMMITTEES.

S 2. This act shall take effect immediately.