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

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I N A S S E M B L Y

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Introduced by M. of A. GUNTHER, CAHILL, LUPARDO, JOHN, MOLINARO, SPANO, CROUCH -- Multi-Sponsored by -- M. of A. BOYLAND, COOK, ESPAILLAT, GREENE, MAYERSOHN, REILLY -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the levels of certain reservoirs

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

Section 1. Section 15-0805 of the environmental conservation law is amended by adding a new subdivision 3 to read as follows:

3. THE COMMISSIONER SHALL CONVENE A TASK FORCE TO EXAMINE THE POTENTIAL CAUSES OF FLOODING IN DOWNSTREAM AREAS OF RESERVOIRS REGULATED PURSUANT TO THIS TITLE. THE TASK FORCE SHALL CONSIST OF THE COMMISSIONER OR HIS OR HER DESIGNEE, THE COMMISSIONER OF THE NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION OR HIS OR HER DESIGNEE, A NEW YORK MEMBER OF THE DELAWARE RIVER BASIN COMMISSION, AND FOUR LOCAL GOVERNMENT REPRESENTATIVES FROM COUNTIES IN WHICH SUCH RESERVOIRS ARE LOCATED, TWO OF WHOM SHALL BE APPOINTED UPON THE RECOMMENDATION OF THE TEMPORARY PRESIDENT OF THE SENATE AND TWO OF WHOM SHALL BE APPOINTED UPON THE RECOMMENDATION OF THE SPEAKER OF THE ASSEMBLY. IN ADDITION, THE FEDERAL GOVERNMENT MAY BE REPRESENTED ON THE TASK FORCE BY A REGIONAL REPRESENTATIVE OF THE UNITED STATES ARMY CORPS OF ENGINEERS AND/OR A REPRESENTATIVE FROM THE DELAWARE RIVERMASTER'S OFFICE. THE COMMISSIONER SHALL SERVE AS THE CHAIR OF THE TASK FORCE. THE MEMBERS OF THE TASK FORCE SHALL SERVE WITHOUT COMPENSATION BUT SHALL BE PAID THEIR ACTUAL AND NECESSARY EXPENSES INCURRED IN AND INCIDENT TO THE PERFORMANCE OF THEIR DUTIES. THE TASK FORCE SHALL EXAMINE POTENTIAL CAUSES OF SUCH FLOODING INCLUDING BUT NOT LIMITED TO RESERVOIR OVERFLOW, PRECIPITATION PATTERNS AND TOPOGRAPHY. THE TASK FORCE SHALL MAKE RECOMMENDATIONS CONCERNING MEASURES TO MITIGATE THE POTENTIAL FOR FUTURE FLOODING INCLUDING, BUT NOT LIMITED TO THE MONITOR-

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

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ING AND MAINTENANCE OF RESERVOIR LEVELS DURING HIGH FLOW EVENTS TAKING INTO ACCOUNT THE SEASONAL EFFECTS OF SNOW AND ICE MELT AND THE IMPACT OF OVERFLOW ON DOWNSTREAM COMMUNITIES. THE TASK FORCE SHALL MEET MONTHLY AND SHALL PREPARE A REPORT OF ITS RECOMMENDATIONS AND SUBMIT SUCH REPORT TO THE GOVERNOR AND THE LEGISLATURE WITHIN A YEAR AFTER IT IS CONVENED.

S 2. This act shall take effect immediately.