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

6544

2011-2012 Regular Sessions

I N A S S E M B L Y

March 21, 2011

Introduced by M. of A. HOYT -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to requiring modification of the New York State Stormwater Management Design Manual by the department of environmental conservation

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

Section 1. The environmental conservation law is amended by adding a new section 17-0810 to read as follows:

S 17-0810. STORMWATER MANAGEMENT DESIGN MANUAL MODIFICATION.

ON OR BEFORE ONE YEAR FOLLOWING THE EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT SHALL MODIFY THE NEW YORK STATE STORMWATER MANAGEMENT DESIGN MANUAL TO INCLUDE THE FOLLOWING PROVISIONS:

1. REQUIRE SIGNAGE PROHIBITING SWIMMING AND WADING, WARNING OF POSSIBLE CONTAMINATION OR POLLUTION OF THE STORMWATER RETENTION POND, AND A DESCRIPTION WITH THE DEPTH OF THE STORMWATER RETENTION POND;

2. DEFINE A REASONABLE SLOPE PAST THE AQUATIC BENCH TO LIMIT THE IMMEDIATE DROP OFF TO THE DEEPER END OF THE STORMWATER RETENTION POND;

3. REQUIRE AQUATIC VEGETATION BE ESTABLISHED IN THE AQUATIC AND SAFETY BENCHES BEFORE THE STORMWATER RETENTION POND IS RENDERED IN-SERVICE;

4. ENSURE MAINTENANCE PLANS INCLUDE A REQUIREMENT FOR EXAMINING THE STATUS OF SAFETY FEATURES BY THE MAINTENANCE AUTHORITY IN THEIR ROUTINE MAINTENANCE SCHEDULE OF STORMWATER RETENTION PONDS; AND

5. ANY OTHER PROVISIONS THE DEPARTMENT DEEMS ESSENTIAL TO FURTHER PROMOTE SAFETY IN AND AROUND STORMWATER RETENTION PONDS.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

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