

5264--A

2015-2016 Regular Sessions

I N A S S E M B L Y

February 13, 2015

Introduced by M. of A. SEAWRIGHT, RODRIGUEZ, QUART, ORTIZ, LENTOL, COLTON, PEOPLES-STOKES, MOSLEY, BROOK-KRASNY, TITONE -- Multi-Sponsored by -- M. of A. BLAKE, COOK, GLICK, LINARES, SCHIMEL -- read once and referred to the Committee on Environmental Conservation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT relating to supplemental environmental impact statements

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

1 Section 1. 1. Upon a petition signed by 2,500 or more residents in a
2 city with a population of one million or more, submitted to the depart-
3 ment of environmental conservation, prior to the renewal or during any
4 ongoing construction activities at the site of the following state
5 permits to wit: DEC permit number 2-6204-00007/00013,
6 2-6204-00007/00014, 2-6204-00007/00015, 2-6204-00007/00016 that expired
7 on October 14, 2014 or during any ongoing activities at the site on the
8 following DEC permit numbers to wit: DEC permit number
9 2-6106-00002/00022, 2-6106-00002/00023, 2-6106-00002/00024,
10 2-6106-00002/00025 which will expire on or around July 31, 2017: state
11 tidal wetlands; water quality; protection of waters; air state facility;
12 and, part 360 solid waste management facility,
13 (a) a Supplemental Environmental Impact Statement (SEIS) shall be
14 prepared, and
15 (b) all construction activities related to such permits shall be
16 suspended until such SEIS is finalized.
17 2. The SEIS shall, at a minimum, include a review of the environmental
18 impacts of significant flooding events including Superstorm Sandy, and
19 include and address all public concerns and comments raised at no less
20 than two public hearings which shall be held (i) prior to the drafting
21 of the SEIS in the area affected, and (ii) no less than ninety calendar
22 days after the petition is received. Notice to the public shall be given

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

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1 by publication of a notice of hearing in the environmental notice bulle-
2 tin, in a newspaper having general circulation in the area affected, and
3 in such other manner as the department of environmental conservation may
4 direct, if any.

5 3. After the preparation of a draft SEIS no less than two public hear-
6 ings shall be held, which shall commence within sixty days of the
7 filing.

8 4. The SEIS shall meet the requirements of the most detailed environ-
9 mental impact statement required by article eight of the environmental
10 conservation law or by any such rule or regulation promulgated pursuant
11 to article eight of the environmental conservation law.

12 S 2. This act shall take effect immediately.