

STATE OF NEW YORK

8767--A

2019-2020 Regular Sessions

IN ASSEMBLY

November 25, 2019

Introduced by M. of A. JONES, WOERNER, GOTTFRIED, OTIS, THIELE, GLICK, STEC, SIMON, SMULLEN, QUART, BURKE, ORTIZ, JAFFEE, WALCZYK, RYAN, D'URSO, McDONALD -- Multi-Sponsored by -- M. of A. GALEF, STECK -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to establish the Adirondack road salt reduction task force, pilot plan and test program; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as the "Randy
2 Preston road salt reduction act".
3 § 2. 1. There is hereby established an Adirondack road salt reduction
4 task force, hereinafter referred to as the "task force", to conduct a
5 comprehensive review of road salt contamination and road management best
6 practices within the Adirondack park. Such task force shall consist of
7 fourteen members which shall include the commissioner of transportation
8 or their designee, the commissioner of environmental conservation or
9 their designee, the commissioner of health or their designee, the execu-
10 tive director of the Adirondack park agency or their designee, and ten
11 other members to be appointed by the governor as follows: two upon the
12 recommendation of the temporary president of the senate, two upon the
13 recommendation of the speaker of the assembly, one upon the recommenda-
14 tion of the minority leader of the senate, one upon the recommendation
15 of the minority leader of the assembly, and four without recommendation
16 from any other person.
17 2. Task force members shall receive no compensation for their services
18 but shall be reimbursed for actual and necessary expenses incurred in
19 the performance of their duties, to the extent funds are appropriated

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

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1 for such purpose. The commissioner of environmental conservation and the
2 commissioner of transportation shall serve as joint chairs of the task
3 force. A majority of the members of the task force shall constitute a
4 quorum for the transaction of business or the exercise of any power or
5 function of the task force. Any vacancies on the task force shall be
6 filled in the manner provided for in the initial appointment.

7 3. The task force shall be authorized to hold public hearings and
8 meetings, and to consult with any organization, educational institution,
9 or other government entity or person, to enable it to accomplish its
10 duties. To effectuate the purposes of this act, the task force may
11 request and shall receive from any department, division, board, bureau,
12 commission or other agency of the state or any state public authority
13 such assistance, information and data as will enable the task force to
14 properly carry out its powers and duties hereunder.

15 4. The task force shall undertake a review and assessment of road salt
16 contamination within the Adirondack park, assess current department of
17 transportation policies and practices with respect to state roadway
18 management in winter weather within the Adirondack park, and roadway
19 management best practices. This review and assessment shall take into
20 consideration the best available science concerning road salt contam-
21 ination and the nature, scope and magnitude of associated impacts to
22 surface and ground waters, public and private lands, property and
23 infrastructure.

24 5. The task force shall prepare and submit to the governor, the tempo-
25 rary president of the senate, the speaker of the assembly, the chairs of
26 the senate committees on transportation, environmental conservation and
27 health, and the chairs of the assembly committees on transportation,
28 environmental conservation and health, on or before September first, two
29 thousand twenty-one, a report containing:

30 (a) findings of an initial assessment of the nature, scope and magni-
31 tude of associated impacts of road salt on surface and ground waters,
32 public and private lands, property, health and infrastructure in the
33 Adirondack park;

34 (b) a review of current state road management practices and levels of
35 service for state and local roadways in the Adirondack park;

36 (c) recommendations for state and local governments and the public
37 with respect to:

38 i. enhancement of winter road maintenance levels of service and best
39 management practices and road salt reduction techniques to reduce road
40 salt contamination of surface and ground waters in the Adirondack park;

41 ii. methods for rapid response to surface and groundwater contam-
42 ination in the Adirondack park with the intent to minimize impacts for
43 homeowners;

44 iii. establishment of a training program for state and local winter
45 road maintenance workers; and

46 iv. advancement of a public education campaign to inform the public
47 about road salt contamination and how the public can reduce the need for
48 road salt;

49 (d) a calculation of the average amount of road salt applied on state
50 roadways annually for the years 2008 through 2018 in the Adirondack park
51 between October and April of each winter road management season to serve
52 as a baseline amount;

53 (e) recommendations for a publicly accessible record-keeping database
54 system for road salt purchases and applications within the Adirondack
55 park;

1 (f) recommendations for road salt reduction targets for the Adirondack
2 park to guide the department of transportation, department of health,
3 and department of environmental conservation in measurably reducing
4 sodium and chloride levels in surface and ground waters; and

5 (g) recommendations for an Adirondack park road salt reduction pilot
6 plan and test program including monitoring and operational plan goals,
7 objectives, and activities to be implemented pursuant to section three
8 of this act.

9 § 3. 1. There is hereby established an Adirondack park road salt
10 reduction pilot plan and test program to be conducted by the department
11 of transportation, in cooperation with the department of environmental
12 conservation, between October 15 and June 30 each year beginning 2021
13 through 2024, to test best management practices, updated levels of
14 service, and overall road salt reduction targets within the Adirondack
15 park. The pilot plan and test shall be implemented on all state-owned
16 roadways within the boundary of the Adirondack park.

17 2. For the duration of the pilot plan and test, the department of
18 transportation and department of environmental conservation shall test a
19 variety of application techniques and road management strategies within
20 the Adirondack park, and shall issue a report on the effectiveness of
21 such techniques and strategies which shall include the resulting impacts
22 on water quality and state roadway levels of service for each technique
23 and strategy. The techniques and strategies employed shall include, but
24 not be limited to:

25 (a) varying application methods, rates and frequencies with the intent
26 to measurably reduce road salt applied to state roadways within the
27 Adirondack park. This shall include test comparisons of applications
28 consisting primarily of abrasives and applications consisting primarily
29 of deicers, especially anti-icing and deicing brines;

30 (b) implementation of well-established best practices such as cutting
31 back the canopy where legal and appropriate, and pre-wetting abrasives
32 or solid deicers;

33 (c) use of the best available technology and equipment for winter road
34 management;

35 (d) changes to traffic management when weather events make road condi-
36 tions hazardous;

37 (e) monitoring of water quality of surface and ground waters on down-
38 hill slopes of state roadways in the Adirondack park;

39 (f) monitoring of road conditions along state roadways within the
40 Adirondack park;

41 (g) monitoring of truck operators using post-trip reporting;

42 (h) tracking of weather-related crash rates on state roadways within
43 the Adirondack park; and

44 (i) the conducting of a public education and outreach campaign to
45 inform Adirondack park residents and visitors of changes to winter road
46 maintenance practices and engaging the public in changing behaviors to
47 support road salt reduction efforts.

48 3. Following the completion of the pilot plan and test, the department
49 of transportation and department of environmental conservation shall
50 submit a summary report to the governor, temporary president of the
51 senate, and speaker of the assembly by August 30, 2024, of the results
52 of such pilot plan and test, including the identification of effective
53 and ineffective techniques for winter road maintenance and revised
54 levels of service in the Adirondack park.

55 § 4. This act shall take effect immediately and shall expire and be
56 deemed repealed December 31, 2024.