

STATE OF NEW YORK

4179

2021-2022 Regular Sessions

IN SENATE

February 2, 2021

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the transportation law, in relation to requiring the submission of environmental impact statements by entities proposing construction of a new building development within one mile of a transit facility

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

1 Section 1. Section 14 of the transportation law is amended by adding a
2 new subdivision 36 to read as follows:

3 36. (a) To promulgate, in consultation with the department of environ-
4 mental conservation, rules and regulations requiring any entity propos-
5 ing construction of a new building development within one mile of any
6 transit facility to submit an environmental impact statement to the
7 department. Such environmental impact statement shall conform with the
8 requirements of article eight of the environmental conservation law and
9 shall contain a thorough investigation of the underground environmental
10 impact, including but not limited to, current and potential contribution
11 to soil toxicity, the effects of the exploitation of geo-energy
12 resources (such as the fracking and transmission of shale gas), geother-
13 mal energy generation, and the sequestration of carbon dioxide.

14 (b) For purposes of this subdivision, the following terms shall have
15 the following meanings:

16 (i) "Building development" shall mean the proposed construction of a
17 road or structure.

18 (ii) "Transit facility" shall mean a rapid transit railroad, omnibus
19 line or any other facility or any railroad used for service in the
20 transportation of passengers as common carriers for hire or in the
21 transportation of the United States mail or personal property, and any
22 portion thereof and the rights, leaseholds or other interests therein,
23 together with the devices and appurtenances, facilities and equipment

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

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1 thereof and power plants and other instrumentalities used or useful
2 therefor or in connection therewith. Transit facility shall include
3 airports, bus terminals, ferry terminals and any other structure
4 designed to effectuate or coordinate the use and accessibility of mass
5 transportation in the state, including facilities under the authority of
6 the metropolitan transit authority, the New York city transit authority
7 and the port authority of New York and New Jersey.

8 § 2. This act shall take effect immediately.