

# STATE OF NEW YORK

9036

## IN ASSEMBLY

February 5, 2024

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

AN ACT directing the department of environmental conservation to conduct a study on ecological restoration needs of Jamaica Bay

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

- 1 Section 1. (a) The department of environmental conservation shall  
2 conduct a beneficial use study to determine ecological restoration needs  
3 in Jamaica Bay. Such study shall include, but not be limited to:  
4 (i) a description of the bathymetry of target areas of Jamaica Bay and  
5 a map of the borrow pits;  
6 (ii) the ecological service quality of the borrow pits over multiple  
7 weather seasons at multiple depths, including in-depth analysis of the  
8 populations of fin fish species that utilize such areas during different  
9 seasons;  
10 (iii) the geotechnical conditions of all pit bottoms;  
11 (iv) the significance of the borrow pits regarding the absorption of  
12 heat during summer months when adjacent shallow areas experience ulva  
13 sulfide conditions; and  
14 (v) any other policy recommendations regarding the ecological restora-  
15 tion of Jamaica Bay.  
16 (b) The department of environmental conservation shall:  
17 (i) issue a report on the findings of such study to the governor, the  
18 temporary president of the senate and the speaker of the assembly no  
19 later than March 30, 2029; and  
20 (ii) publish such report on the department of environmental conserva-  
21 tion's website.  
22 (c) There shall be a moratorium of any placement of any type of sedi-  
23 ment or fill into the borrow pits in Jamaica Bay for a period of five  
24 years commencing on the effective date of this act, or until the study  
25 is completed and published, whichever is later.  
26 § 2. This act shall take effect immediately.

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

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