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:

Section 1. (a) The department of environmental conservation shall conduct a beneficial use study to determine ecological restoration needs in Jamaica Bay. Such study shall include, but not be limited to:

(i) a description of the bathymetry of target areas of Jamaica Bay and a map of the borrow pits;

(ii) the ecological service quality of the borrow pits over multiple weather seasons at multiple depths, including in-depth analysis of the populations of fin fish species that utilize such areas during different seasons;

(iii) the geotechnical conditions of all pit bottoms;

(iv) the significance of the borrow pits regarding the absorption of heat during summer months when adjacent shallow areas experience ulva sulfide conditions; and

(v) any other policy recommendations regarding the ecological restoration of Jamaica Bay.

(b) The department of environmental conservation shall:

(i) issue a report on the findings of such study to the governor, the temporary president of the senate and the speaker of the assembly no later than March 30, 2029; and

(ii) publish such report on the department of environmental conservation's website.

(c) There shall be a moratorium of any placement of any type of sediment or fill into the borrow pits in Jamaica Bay for a period of five years commencing on the effective date of this act, or until the study is completed and published, whichever is later.

§ 2. This act shall take effect immediately.

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

LBD14266-01-4