STATE OF NEW YORK

9036

IN ASSEMBLY

February 5, 2024
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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.

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