§ 15-1528. Moratorium on the drilling of new wells in the Lloyd Sands.

1. The department is directed to identify those areas of Long Island within the counties of Kings, Queens, Nassau and Suffolk which, for the purposes of this section, shall be considered coastal communities.

2. A moratorium shall be established on the granting of new permits to drill public water supply, private water supply or industrial wells into the Lloyd Sands or to permit new withdrawals of water from the Lloyd Sands or to permit the storage or pumping of water into the Lloyd Sands. Such moratorium shall apply to all areas that are not coastal communities, provided however that such moratorium shall apply to all areas including coastal communities for the storage or pumping of water into the Lloyd Sands. The waters of the Lloyd Sands shall be reserved for the use of coastal communities during the moratorium, however, nothing required herein shall affect the permits of wells presently screened in the Lloyd Sands and withdrawing water therefrom.

3. The moratorium shall be lifted upon a directive from the commissioner. The directive shall be based upon his finding that sufficient research has been conducted so as to provide a sound working knowledge of the details, dynamics, water volume, and levels of safe withdrawal appropriate to maintain a safe quantity of Lloyd Sands water. Further, the commissioner must find that a workable program is in place that can properly administer a well permit program for the Lloyd Sands water. Such program shall take into account both the localized and regional aspects and implications of Lloyd Sands water withdrawals, with special attention given to the prevention of water contamination and salt water intrusion. The program must ensure that a safe level of withdrawal from the Lloyd Sands is not exceeded.

4. The commissioner may grant exemptions to the moratorium upon a finding of just cause and extreme hardship. Such exemptions shall not apply to the storage or pumping of water into the Lloyd Sands. An adjudicatory hearing shall be held and findings presented to the commissioner prior to the granting of an exemption.