



## The New York Water Environment Association, Inc.

*The Water Quality Management Professionals*

525 Plum Street • Suite 102

Syracuse, New York 13204

(315) 422-7811 • Fax: 422-3851

www.nywea.org • e-mail: pcr@nywea.org

**NIXON PEABODY**<sub>LLP</sub>  
ATTORNEYS AT LAW

**New York Legislative Activities**  
**Affecting the Water Environment (and Other Key Environmental Issues)**  
**(as of 7/22/09)**

Assembly/ SENATE Bill #	Lead Assembly SENATE Sponsors	Summary	Recent Activities
<b>Bills Signed Into Law</b>			
A-6914 S 3269-A	Cusik LANZA	Extends the moratorium on the issuance of environmental safety certificates for facilities and routes for the transportation of liquefied natural or petroleum gas.	05/27/09 passed senate 06/25/09 delivered to governor <b>07/07/09 signed chap.84</b>
A-8690 S 3784	Jaffee THOMPSON	Extends the special powers of the New York state environmental facilities corporation.	06/15/09 - rules report cal.304 06/15/09 - ordered to third reading rules cla.304 06/15/09 - substituted by s3784 04/07/09 - 1 <sup>ST</sup> REPORT CAL.175 07/17/09 - DELIVERED TO GOVERNOR <b>07/28/09 - SIGNED CHAP.279</b>
S-4664 A 7894	FOLEY Sweeney	Extends the provisions of the New York state sea level rise task force, relating to creating the New York state sea level rise task force and providing for the repeal of such provisions upon expiration thereof.	<b>07/11/09 - signed chap.150</b>

Assembly/ SENATE Bill #	Lead Assembly SENATE Sponsors	Summary	Recent Activities
<b>Bills Which Passed the Assembly</b>			
A-293 S 2036	Magnarelli DEFRANCISCO	Alters the composition of the NYS canal mitigation task force	<b>6/10/09 - passed Assembly</b> 6/10/09 - delivered to Senate 6/11/09 – REFERRED TO RULES
A-349 S 1100	Kavanagh LANZA	Provides that the failure to report a release of hazardous substances is class A misdemeanor	01/07/09 – referred to environmental conservation 03/17/09 – reported referred to codes 06/17/09 – reported referred to rules
A-561A S 3595-A	Kavanagh KRUEGER	Imposes penalties upon a state agency, public authority or public benefit corporation, which fails to complete a remediation plan within the projected time schedule for such plan; provides that upon such failure such agency shall be subject to a public hearing and required to explain the failure to complete the plan; provides that an amended plan shall be imposed which provides for involvement by community groups; provides that subsequent failure to remediate shall result in a fine.	06/16/09 – passed assembly 06/16/09 – delivered to senate 06/18/09 – REFERRED TO RULES
A-838 S 2093	Dinowitz THOMPSON	Establishes requirements for notice, access to information and public comment period with respect to uniform procedures for pending environmental protection agency projects and regulation.	05/18/09 – passed assembly 05/18/09 – delivered to senate 05/18/09 – REFERRED TO ENVIRONMENTAL CONSERVATION
A-709 S 4906	Kavanagh FOLEY	Prohibits the outdoor release of 25 or more balloons inflated with a gas that is lighter than air within a 24 hour period in order to reduce litter and protect the marine environment; makes related provisions for enforcement and for certain exceptions.	04/22/09 – passed assembly 04/22/09 – delivered to senate 04/22/09 – REFERRED TO ENVIRONMENTAL CONSERVATION
A-769	Gunther	Directs the review of the west of Hudson River New York city drinking water supply system program	05/21/09 – advanced to third reading cal.597 05/26/09 – passed assembly 05/26/09 – delivered to senate

<b>Assembly/ SENATE Bill #</b>	<b>Lead Assembly SENATE Sponsors</b>	<b>Summary</b>	<b>Recent Activities</b>
A-779 S 2993	Paulin KLEIN	Directs the department of environmental conservation to update any forms or documentation prepared by such department which are designed to assist applicants and lead agencies in determining whether certain projects or actions have a significant effect on the environment; and provides such updates shall ensure the consideration of changes in science and emerging issues in environmental protection, including impacts on sensitive populations such as children.	03/09/09 – passed assembly 03/09/09 – delivered to senate 03/09/09 – REFERRED TO ENVIRONMENTAL CONSERVATION
A-976 S 2429	Gunther YOUNG	Defines farm pond dams as dams principally installed to enhance agricultural, environmental and conservation benefits on farms.	06/22/09 - passed assembly 06/22/09 - delivered to senate 06/22/09 - REFERRED TO RULES
A-1976A S 5642	Lifton THOMPSON	Authorizes the electronic filing of freshwater wetlands regulatory maps.	05/26/09 - passed assembly 05/26/09 - delivered to senate 05/26/09 - REFERRED TO ENVIRONMENTAL CONSERVATION
A-2654 S 507	Cusick LANZA	Relates to requiring notice to neighboring landowners within one thousand feet of intention to develop in wetland areas; requires a public hearing on a wetland application.	05/26/09 - passed assembly 05/26/09 - delivered to senate 05/26/09 - REFERRED TO ENVIRONMENTAL CONSERVATION
A-2692A S 5113	Sweeney FOLEY	Provides reimbursement by the transporter of hazardous materials to fire companies for costs associated with responding to spills of hazardous materials provides that the state fire administrator shall develop and make reimbursement forms to enable a fire company to bill a transporter of hazardous materials for costs incurred in responding to a release or threatened release of hazardous materials.	05/18/09 - passed assembly 05/18/09 - delivered to senate 05/18/09 - REFERRED TO ENVIRONMENTAL CONSERVATION

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A-3423 S 1635	Bradley THOMPSON	Prevents individuals from being denied standing in private actions alleging violations of the environmental quality review provisions of the environmental conservation law solely on the basis that the injury alleged by such individual does not differ in kind or degree from the injury that would be suffered by the public at large.	02/25/09 - passed assembly 02/25/09 - REFERRED TO ENVIRONMENTAL CONSERVATION 05/12/09 - 3 <sup>RD</sup> READING CAL.252 07/16/09 - COMMITTED TO RULES
A-4272 S 1730	Brodsky SCHNEIDERMAN	Enacts "private environmental law enforcement act"; authorizes any private citizen who has an interest which is or may be adversely affected to commence civil judicial actions for injunctive or declaratory relief to remedy environmental harms under certain circumstances; provides that such action may be commenced against any person for any violation of an administrative or court order compelling an investigation or remediation of an inactive hazardous waste disposal site.	03/17/09 - passed assembly 03/17/09 - delivered to senate 03/17/09 - REFERRED TO ENVIRONMENTAL CONSERVATION
A-4110A S 4950-A	Brodsky THOMPSON	Requires applicants to the department of environmental conservation for permits to disclose information concerning other permits held and/or revoked, enforcement actions, criminal convictions, fees or fines owed, and other information relating to compliance by the applicant or any corporation of which he or she is an officer, director, or large stockholder with state, federal, or foreign environmental laws or regulations and certain other laws.	06/09/09 - passed assembly 06/09/09 - delivered to senate 06/11/09 - REFERRED TO RULES
A-4245 S 5778	Brodsky THOMPSON	Makes various provisions regulating the location of environmental facilities to insure equity of treatment for minority communities or economically distressed areas; requires environmental impact statements to state whether the siting of a facility will cause or increase a disproportionate burden on such areas.	05/04/09 - passed assembly 05/04/09 - delivered to senate 05/04/09 - REFERRED TO ENVIRONMENTAL CONSERVATION
A-4462A S 4939-A	Brodsky THOMPSON	Re-establishes the state superfund management board as the state remedial program oversight board; provides for appointment of board members and for the functions, powers, and duties of the board.	06/15/09 - passed assembly 06/15/09 - delivered to senate 06/15/09 - REFERRED TO RULES

<b>Assembly/ SENATE Bill #</b>	<b>Lead Assembly SENATE Sponsors</b>	<b>Summary</b>	<b>Recent Activities</b>
A-4557 S 2678	Jaffee MORAHAN	Enacts the “private water testing act”; authorizes the department of health to promulgate rules and regulations to establish standards for the testing of drinking water from privately owned wells.	05/05/09 - passed assembly 05/05/09 - delivered to senate 05/05/09 - REFERRED TO ENVIRONMENTAL CONSERVATION
A-4807	Sweeney	Requires restoration of areas adjacent to wetlands by those persons who, following procedures set forth in law, have been directed to cease violation and to restore the affected wetlands.	06/17/09 - passed assembly 06/17/09 - delivered to senate 06/18/09 - REFERRED TO RULES
A-6321 S 2764	Sweeney THOMPSON	Enacts the climate change solutions program act; relates to greenhouse gas emissions reduction programs and energy efficiency programs; establishes powers and duties of the commissioner of environmental conservation with respect to the climate change solutions program.	05/05/09 - passed assembly 05/05/09 - delivered to senate 05/05/09 - REFERRED TO ENVIRONMENTAL CONSERVATION
A-6363 S 848	Sweeney MARCELLINO	Relates to the definition of freshwater wetlands; repeals section relating to the applicability of the freshwater wetlands article; provides authority of DEC over wetlands which are one acre or more; amends permitting requirements for subdivision of land.	05/05/09 - passed assembly 05/05/09 - delivered to senate 05/05/09 - REFERRED TO ENVIRONMENTAL CONSERVATION
A-7017 S 5641	Gianaris THOMPSON	Establishes the climate change solutions fund. An Act to amend the environmental conservation law and the state finance law, in relation to the climate change solutions fund.	05/05/09 - passed assembly 05/05/09 - delivered to senate 05/05/09 - REFERRED TO ENVIRONMENTAL CONSERVATION
A-8489	Peoples	Identifies the criteria the commissioner of environment conservation should consider in publishing a list of high local environmental impact zones.	06/11/09 - passed assembly 06/16/09 - delivered to senate 06/15/09 - REFERRED TO RULES
<b>Moving in Assembly</b>			
A-701 S3666	Hoyt FLANAGAN	Codifies the public right of passage upon navigable waterways of the state for purposes of commerce or recreation; permits restrictions to protect scientific research.	06/18/09 – rules report cal. 458 06/18/09 – ordered to third reading rules cal. 458

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A-1588A	Englebright	Provides that upon notification of a petroleum discharge, the department of environmental conservation shall notify the municipal chief executive and landowners or tenants adjacent to or neighboring the site of the discharge whose property or drinking water supply may be potentially impacted by such discharge.	03/09/09 - passed assembly 03/09/09 - delivered to senate 03/09/09 - REFERRED TO ENVIRONMENTAL CONSERVATION 06/16/09 - recalled from senate 06/18/09 - RETURNED TO ASSEMBLY 06/22/09 - vote reconsidered - restored to third reading 06/22/09 - amended on third reading 1588a
A-1975 S 4952	Lifton THOMPSON	Entitles the state to a lien upon all real property of any person from whom the state may recover costs under the hazardous waste remedial fund or the environmental conservation law for certain expenditures made by the state.	01/14/09 - referred to environmental conservation 02/03/09 - reported referred to codes 02/11/09 - reported referred to ways and means 05/27/09 - reported 05/28/09 - advanced to third reading cal.648