

104TH CONGRESS
2D SESSION

H. R. 2987

To declare a portion of Queens County, New York, to be nonnavigable waters of the United States.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 1996

Mr. MANTON introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To declare a portion of Queens County, New York, to be nonnavigable waters of the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DECLARATION OF NONNAVIGABILITY FOR POR-**
4 **TION OF QUEENS COUNTY, NEW YORK.**

5 (a) DESCRIPTION OF NONNAVIGABLE AREA.—Sub-
6 ject to subsections (b) and (c), that portion of Long Island
7 City, Queens County, New York, which is not submerged
8 and lies between the existing southerly high water line of
9 Anable Basin (also known as the 11th Street Basin) and
10 the existing northerly high water line of Newtown Creek

1 and extends from the existing high water line of the East
2 River to the original high water line of the East River
3 is declared to be nonnavigable waters of the United States.

4 (b) REQUIREMENT THAT AREAS BE IMPROVED.—

5 The declaration under subsection (a) shall apply only to
6 those portions of the areas described in subsection (a) that
7 are or will be bulkheaded or filled or otherwise occupied
8 by permanent structures or other permanent physical im-
9 provements, including park lands. All such work is subject
10 to applicable Federal statutes and regulations, including
11 sections 9 and 10 of the Act of March 3, 1899 (33 U.S.C.
12 401 and 403), commonly known as the River and Harbor
13 Appropriation Act of 1899, section 404 of the Federal
14 Water Pollution Control Act (33 U.S.C. 1344), and the
15 National Environmental Policy Act of 1969 (42 U.S.C.
16 4321 et seq.).

17 (c) EXPIRATION DATE.—If, 20 years from the date
18 of the enactment of this Act, any area described in sub-
19 section (a) or part thereof is not bulkheaded or filled or
20 occupied by permanent structures or other permanent
21 physical improvements, including park lands, in accord-
22 ance with the requirements of subsection (b), or if work
23 is not commenced within 5 years after the issuance of any
24 permit required to be obtained under subsection (b), then

- 1 the declaration of nonnavigability for such area or part
- 2 thereof shall expire.

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