

3392--A

Cal. No. 1068

2013-2014 Regular Sessions

I N S E N A T E

February 1, 2013

Introduced by Sens. ADDABBO, AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- recommitted to the Committee on Environmental Conservation in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Finance -- reported favorably from said committee, ordered to first and second report, amended on second report, ordered to a third reading, and to be reprinted as amended, retaining its place in the order of third reading

AN ACT to amend the environmental conservation law, in relation to the filling of borrow pits in Jamaica Bay; and providing for the repeal of such provisions upon expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Legislative intent. Due to the increase in vessel size in
2 recent years, New York State waterways such as channels, berthing areas
3 and harbors are being excavated in a process known as dredging to main-
4 tain sufficient depth for safe and efficient vessel operation.
5 Dredged material is naturally accumulated sediment, much of the
6 dredged material does contain some contaminants at varying concen-
7 trations.
8 Jamaica Bay was dredged to supply soil for a number of construction
9 projects. This process created borrow pits in the bay. These borrow
10 pits have been identified as an attractive alternative for the disposing
11 of dredge material.
12 S 2. Section 15-0505 of the environmental conservation law is amended
13 by adding an new subdivision 3-a to read as follows:
14 3-A. THE DEPARTMENT MAY ONLY GRANT A PERMIT FOR THE FILING OF THE
15 JAMAICA BAY BORROW PITS IF THE PROPOSED SEDIMENTS AND FILL MATERIALS:
16 (1) HAVE BEEN TESTED AND THE TEST RESULTS ARE IN ACCORDANCE WITH THE
17 REQUIREMENTS SET FORTH IN THE DEPARTMENT'S TECHNICAL OPERATIONAL GUID-

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

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1 ANCE SERIES 5.1.9 FOR THE IN WATER MANAGEMENT OF SEDIMENT AND DREDGE
2 MATERIAL; AND
3 (2) MEET THE DEPARTMENT'S CLASS A CRITERIA.
4 S 3. This act shall take effect immediately and shall expire and be
5 deemed repealed June 30, 2017.