

# STATE OF NEW YORK

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4030

2021-2022 Regular Sessions

## IN ASSEMBLY

February 1, 2021

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Introduced by M. of A. COLTON, CUSICK, CYMBROWITZ, MONTESANO -- Multi-Sponsored by -- M. of A. COOK, GLICK, RICHARDSON -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the filling of borrow pits in Gravesend 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 Gravesend 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 § 2. Section 15-0505 of the environmental conservation law is amended  
13 by adding a new subdivision 3-b to read as follows:

14 3-b. The department may only grant a permit for the filling of the  
15 Gravesend 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-  
18 ance series 5.1.9 for the in water management of sediment and dredge  
19 material; and

20 (2) meet the department's class a criteria.

21 § 3. This act shall take effect immediately and shall expire and be  
22 deemed repealed June 30, 2026.

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

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