

2074--A

Cal. No. 117

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. GOLDFEDER, COLTON -- read once and referred to the Committee on Environmental Conservation -- passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on 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-
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 S 3. This act shall take effect immediately and shall expire and be
22 deemed repealed June 30, 2017.

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

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