

9202

I N A S S E M B L Y

February 3, 2016

Introduced by M. of A. COLTON -- 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 ASSEM-
BLY, 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 S 2. Section 15-0505 of the environmental conservation law is amended
13 by adding an 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 S 3. This act shall take effect immediately and shall expire and be
22 deemed repealed June 30, 2021.

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

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