STATE OF NEW YORK

3731

2017-2018 Regular Sessions

IN ASSEMBLY

January 30, 2017

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:

Section 1. Legislative intent. Due to the increase in vessel size in recent years, New York State waterways such as channels, berthing areas and harbors are being excavated in a process known as dredging to maintain sufficient depth for safe and efficient vessel operation.

Dredged material is naturally accumulated sediment, much of the dredged material does contain some contaminants at varying concentrations.

Gravesend Bay was dredged to supply soil for a number of construction projects. This process created borrow pits in the bay. These borrow pits have been identified as an attractive alternative for the disposing of dredge material.

§ 2. Section 15-0505 of the environmental conservation law is amended by adding a new subdivision 3-b to read as follows:

3-b. The department may only grant a permit for the filling of the Gravesend Bay borrow pits if the proposed sediments and fill materials:

(1) have been tested and the test results are in accordance with the requirements set forth in the department's technical operational guidance series 5.1.9 for the in water management of sediment and dredge material; and

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

§ 3. This act shall take effect immediately and shall expire and be deemed repealed June 30, 2022.

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

LBD04958-01-7