

STATE OF NEW YORK

4814

2019-2020 Regular Sessions

IN ASSEMBLY

February 5, 2019

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22 deemed repealed June 30, 2024.

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

LBD03756-01-9