STATE OF NEW YORK

2590

2023-2024 Regular Sessions

IN ASSEMBLY

January 26, 2023

Introduced by M. of A. COLTON -- Multi-Sponsored by -- M. of A. COOK, GLICK -- 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. In filling the Gravesend Bay borrow pits the department may only grant a permit if the proposed sediments and fill materials meet the following criteria:

(1) comply with federal unrestricted ocean dumping criteria;

(2) have been tested and test results indicate no unacceptable toxicity or bioaccumulation in biological test systems;

(3) has no potential short-term, or acute, impacts or long-term, or chronic, impacts; and

(4) requires no special precautionary measures are required during disposal.

§ 3. This act shall take effect immediately and shall expire and be deemed repealed June 30, 2028.

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

LBD00892-01-3