

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 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 § 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. In filling the Gravesend Bay borrow pits the department may only
15 grant a permit if the proposed sediments and fill materials meet the
16 following criteria:

17 (1) comply with federal unrestricted ocean dumping criteria;
18 (2) have been tested and test results indicate no unacceptable toxici-
19 ty or bioaccumulation in biological test systems;
20 (3) has no potential short-term, or acute, impacts or long-term, or
21 chronic, impacts; and
22 (4) requires no special precautionary measures are required during
23 disposal.

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25 deemed repealed June 30, 2028.

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

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