Testimony of Roland Lewis, President and CEO
on Dredge Materials Management: Developing a Sustainable
Before the Committee on Waterfronts
March 8, 2011

Good afternoon and thank you for the opportunity to submit this written testimony. I am
Roland Lewis, president of the Metropolitan Waterfront Alliance. The Metropolitan
Waterfront Alliance is a coalition of over 480 organizations working together to transform
the New York Harbor and its waterways into a world class resource for work, play, transit
and education.

As many of you know, the U.S. Army Corps of Engineers is responsible for dredging the
navigation channels that allow barge ships to enter the port and the harbor. Small operators-
the small maritime businesses, marinas and shipyards- are responsible for dredging their own
shipyards and marinas. This includes their paths from the shipping channels to the shipyards.
These small operators need more options to keep the cost of dredging and disposal down.
Fortunately, the New York/ New Jersey Harbor Estuary Regional Sediment Management
Plan developed by a Hudson Estuary Program workgroup of state/fed agencies, Port
Authority, and various nonprofits, provides 45 recommended actions to sustainably manage
sediments in the Harbor including solutions related to quantity, quality and dredging
management.
Recently the New York/New Jersey Harbor Estuary Program’s Regional Sediment Management Work Group created a 2011 Action Plan which prioritizes six implementation strategies out of the 45 recommended actions. One of the top priorities is to create a comprehensive beneficial use plan to foster inter-agency collaboration to identify long-term placement sites. Unfortunately since the mandates don’t fall within any one agency’s mission, several remain unfunded without strong leadership.

The Regional Sediment Management Plan focuses on the short and long term solutions for dealing with sediments in the Harbor and the Hudson but will require a significant amount of leadership and cooperation from many different agencies. In order to find more long-term placement options, we need agencies from both states to be more engaged in the process. We have a regional comprehensive solution that addresses the market and economics surrounding the placement of dredge material; unfortunately it has not been implemented.

Before implementation of the Regional Sediment Management Plan there are steps we can take now to begin to reduce the cost of dredge material disposal. Reclassification of dredge material in New York State is one action consistently suggested to more efficiently utilize beneficial reuse. Reclassification should be a low cost, zero impact method that can contribute to lowering the cost of dredge material management. New Jersey serves as an excellent model because it does utilize most of its dredged material in a beneficial way, under a regulatory process that provides for appropriate oversight and monitoring of the material.
Councilmember Nelson introduced Resolution No. 15 urging the state to reclassifying dredged material but it was never voted on. MWA hopes the Waterfront Committee will reintroduce this resolution as one step of many that could potentially lower the cost of dredge material management. Before amending NYCRR Part 350-1.15(b), the State should ensure changing the classification of dredge material won’t inadvertently open up a loophole that would cause contamination at placement sites or pose a threat to human health and the surrounding environment. Currently, beneficial use of dredged material does not require a permit but it does require a beneficial use determination which is evaluated on a case by case basis based on proper testing, containment and monitoring. Unfortunately, the current beneficial use determination process is unpredictable and time consuming which creates a disincentive to do business in NY.

New Jersey is strikingly different from NYC in the number of upland and in water placement sites it has identified for disposal of the dredged materials, including brownfield sites. We hope the City develops a sustainable policy that may create a better process for using dredge material at City brownfield sites. The City has an opportunity to creatively find ways to use dredge material in the future such as using beneficial use material for shoreline stabilization in face of sea level rise.

Though it is not a long-term funding strategy, we support the efforts made by the Empire State Development Corporation to use the Bi-State Dredging Funds to hire additional New York State Department of Environmental Conservation staff to focus on dredge material management. We look forward to Commissioner Martens finalizing these appointments.
We invite all of you to attend the follow-up to MWA’s 2010 Waterfront Conference, the Floating Conference Follow-up to be held on May 16th. This half day conference on Entertainment Cruise’s Spirit of NJ will host a dynamic discussion about dredge material management. This is the time to kick start bi state leadership around the Regional Sediment Management Plan.