Public Testimony  
New York City Council, Committee on Waterfronts  
Re: Dredging Projects in the City’s Waterways  

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The Waterfront Alliance is a non-profit civic organization and coalition of more than 900 community and recreational groups, educational institutions, businesses, and other stakeholders committed to restoring and revitalizing New York Harbor and the surrounding waterways.

The Port of New York and New Jersey is our region’s gateway to international commerce. As the largest maritime port on the eastern seaboard and the third largest in the United States, our port supports 336,000 jobs – larger than more prominent sectors such as broadcasting and entertainment – and more than $53 billion in business activity.¹ But the natural harbor that is responsible for the growth of our region – New York’s preeminence as a business capital is a direct consequence of its ports – requires deepening to meet the needs of modern container ships.

The U.S. Army Corps of Engineers is responsible for dredging the navigation channels that allow large ships to access the port. Last year, it completed years-long, multi-sector effort to deepen 38 miles of federal navigation channels in New York Harbor to 50 feet, readying the Port of New York and New Jersey for a new class of large ships passing through the recently-expanded Panama Canal. With the raising of the Bayonne Bridge, ships sized at 14,000 TEUs and above – with capacity for more than five million flat screen TVs – may now call on New York Harbor, heading to the Port Newark and Port Elizabeth. The channel deepening will ensure that area businesses have better access to global markets and facilitate more efficient shipments to nearly 100 million consumers on the East Coast.

Over time, these shipping channels require maintenance to ensure they continue to function properly. New York City should work for federal legislation that provides the Port with its fair share of Harbor Maintenance Trust funds to ensure that all channels, including key New York City channels such Bay Ridge Channel, Bronx tributaries, and industrial waterways in Queens and Brooklyn are fully maintained to maximize their economic potential.

Each year, over 200,000 cubic yards of dredged material must be excavated and placed either on land or in ocean placement sites, and dredging the navigational channels is only part of the story. Small maritime businesses, marinas, shipyards, and other industrial waterfront users are responsible for dredging their own berths, including the connectors that link to the main channels. Finding a suitable place to dispose of dredged material has been a challenge since the mid-1990s, when concerns over contaminated sediments shut down dredging in the harbor.

While a stopgap solution to the crisis was eventually found, there is still no long term, 

economically feasible and environmentally sensitive system in place for dealing with dredge material, as fewer sites become available as potential options for disposal. As a consequence, smaller maritime businesses in New York are putting off dredging, moving away, or shutting down entirely. These small operators need more options to keep the cost of dredging and disposal down. Technical solutions to safely dispose of dredge material are available but a simpler regulatory framework is needed to help drive down costs.

The harbor deepening project incorporated beneficial reuse of dredged material, as sand dredged from the channels was used to restore wetlands in Jamaica Bay and in Lincoln Park, New Jersey. Approximately 900,000 cubic yards were used to restore fish habitat south of the former Military Ocean Terminal in Bayonne, proving that economic growth and environmental protection can go hand in hand. To secure the vitality of the port, regulators need to work together across state lines and levels of government to harmonize disjointed regulation. These options should be accessible to every dredging-dependent industry in our harbor.

In order to find more long-term placement options, we need agencies from both states to be more engaged in the process. There is a regional comprehensive solution that addresses the market and economics surrounding the placement of dredge material; unfortunately it has not been implemented since the mandates don’t fall within any one agency’s mission. Several years ago, a workgroup of the NY/NJ Harbor Estuary Program produced a Regional Sediment Management Plan, which included actions to sustainably manage dredged materials. Among its key priorities was a comprehensive beneficial use plan to foster inter-agency collaboration to identify long-term placement sites. In 2012, New York State Department of Environmental Conservation launched a five-year initiative to identify solutions for dredged material management and provide guidance to dredge project permit applicants, funded through Empire State Development Corporation.

There are steps we can take now to begin to reduce the cost of dredge material disposal, including reclassification in New York State, to improve beneficial reuse. Currently, beneficial use of dredged material does not require a permit, but it does require a beneficial use determination, evaluated on a case by case basis based on testing, containment and monitoring. Unfortunately, the current beneficial use determination process is unpredictable and time consuming, which creates a disincentive to do business in New York.

A better model for long-term support is right across the river. New Jersey utilizes most of its dredged material in a beneficial way, under a regulatory process that provides for appropriate oversight and monitoring of the material. We urge the City to work with its partners in the State, as well as our neighbors in New Jersey, to develop a sustainable policy for dredge material for our shared port. This issue is just one of several that underscores the need for improved governance of our waterways; a frequent concern among waterfront stakeholders is the absence of a centralized office within the City to advocate for water-dependent uses citywide. We encourage the creation of a single local government body—such as a Mayor’s Office of the Waterfront—to serve as a lead actor to coordinate planning efforts, studies, funding, and technical assistance to waterfront users.