

108TH CONGRESS
1ST SESSION

H. R. 3409

To amend the Marine Protection, Research, and Sanctuaries Act of 1972 relating to the dumping of dredged material in certain areas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 30, 2003

Mr. BISHOP of New York (for himself, Mr. ISRAEL, Mr. KING of New York, Mrs. MCCARTHY of New York, and Mr. ACKERMAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Marine Protection, Research, and Sanctuaries Act of 1972 relating to the dumping of dredged material in certain areas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Long Island Sound
5 Preservation and Protection Act”.

1 **SEC. 2. PROHIBITION OF DUMPING OF DREDGED MATE-**
2 **RIALS IN CERTAIN AREAS.**

3 Section 106(f) of the Marine Protection, Research,
4 and Sanctuaries Act of 1972 (33 U.S.C. 1416(f)) is
5 amended to read as follows:

6 “(f) PROHIBITION OF DUMPING OF DREDGED MATE-
7 RIAL IN CERTAIN AREAS.—

8 “(1) IN GENERAL.—No dredged material from
9 any Federal project, or from any non-Federal
10 project, that contains any of the constituents prohib-
11 ited as other than trace contaminants (as defined by
12 the Federal ocean dumping criteria set forth in sec-
13 tion 227.6 of title 40 of the Code of Federal Regula-
14 tions) may be dumped in Long Island Sound, Block
15 Island Sound, or Peconic Bay except in cases in
16 which it is demonstrated to the Administrator, and
17 the Administrator certifies by publication in the
18 Federal Register, that the dumping of the dredged
19 material containing such constituents will not cause
20 significant undesirable effects, including the threat
21 associated with bioaccumulation of such constituents
22 in marine organisms.

23 “(2) FEDERAL PROJECTS EXCEEDING 25,000
24 YARDS.—In addition to other provisions of law and
25 notwithstanding the specific exclusion relating to
26 dredged material in the first sentence in section

1 102(a), any dumping of dredged material in Long
2 Island Sound from a Federal project (or pursuant to
3 Federal authorization) by a non-Federal applicant
4 exceeding 25,000 cubic yards shall comply with the
5 criteria established pursuant to the second sentence
6 of section 102(a) relating to the effects of dumping.

7 “(3) RELATION TO OTHER LAW.—Subsection
8 (d) shall not apply to this subsection.”.

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