

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, APPROVING A MEMORIALIZING RESOLUTION OPPOSING THE ADOPTION OF THE U.S.COAST GUARD PROPOSED RULE 2016-0132

Sponsored By: Public Safety/General Government Committee:
Aldermen: Schabot, Mills, Dawson, Carey, Brown

WHEREAS, the U.S. Coast Guard First District has proposed a rule change bearing Docket Number USCG-2016-0132 which would establish 10 new anchorage grounds along the Hudson River between Yonkers, N.Y. and Kingston, N.Y.; and

WHEREAS, the City of Kingston has a population of 23,000 and is located 90 miles north of New York City on the west shore of the Hudson River and on the Rondout Creek, which is the longest tidal tributary on the Hudson and includes the Rondout Harbor Federal Navigation Channel, originally adopted in 1872, with The Rondout II Lighthouse located at the north side of the Rondout at the confluence with the Hudson; and

WHEREAS, the City of Kingston adopted a Local Waterfront Revitalization Program in 1992 and the City has spent decades revitalizing its waterfront; and

WHEREAS, the concerns of the City of Kingston regarding said rule change include the Kingston Hub made up of long term berths at Kingston Flats South (3) and Big Rock Point (4) and one short term berth at Port Ewen. Long and short term do not appear to be defined; and

WHEREAS, in its letter supporting the proposed anchorages, the Maritime Association of the Port of New York/New Jersey Tug and Barge Committee refers to an anticipated increase in oil shipping on the Hudson River implying that most of the barges and ships will be carrying petroleum products; and

WHEREAS, the City of Kingston is aware of its coastal natural resources and habitats based on the work of the Conservation Advisory Council and other planning documents including, but not limited to, "Rondout Harbor Management Plan" and a "Habitat Summary" completed in 2014 by staff at NYSDEC Hudson River Estuary Program which maps out and describes the Significant Coastal Fish and Wildlife Habitat in the vicinity; and

WHEREAS, the proposed anchorage Kingston Flats South is in the vicinity of the Flats (along the middle of the Hudson and centered under the Kingston Rhinecliff Bridge) and just north of the Kingston Poughkeepsie Deepwater and the Rondout Creek with large beds of submerged aquatic vegetation and the globally rare freshwater tidal wetlands at the mouth of the Rondout (Kingston Point) just to the west of this proposed anchorage; and in addition just to the west of proposed anchorage Kingston Flats South are large beds of submerged aquatic vegetation off Kingston's Hudson waterfront and the globally rare freshwater tidal wetlands at the mouth of the Rondout (Kingston Point), all of which habitats would be threatened by petroleum spills or by river bed scarring through the use of heavy ground tackle; and

WHEREAS, the City of Kingston is a Bronze Certified Climate Smart Community that completed a Climate Action Plan in 2012 and recognizes that greenhouse gas (GHG) emissions from human activity are catalyzing profound changes in climate and weather, the consequences of which pose substantial risks to the future health, well being and prosperity of our community; and

WHEREAS, the City of Kingston has committed to reducing GHG emissions and does not want to prop up the fossil fuel industry by allowing long term anchorage of petroleum bearing vessels; and

WHEREAS, Kingston's Hudson waterfront, including Kingston Point Park and Beach affords views of the Hudson and its eastern shore which will be obstructed by vessels anchored at Kingston Flats South and subject to light pollution from vessel deck lights and noise of generators; and

WHEREAS, our neighbors in Rhinecliff and Port Ewen draw their drinking water from the Hudson which will be at increased risk; and

WHEREAS, the long term parking of barges in the Kingston Hub is an added risk to recreational usages such as the public swimming beach, one of the only public swimming beaches on the Hudson, where swimmers already must leave the water whenever a vessel passes, due to the high wakes, and kayakers, canoeists, paddle boarders, rowers, wind surfers, sail and pleasure boats, tourist boating excursions, the Rondout Rowing Club, Kingston High School Crew and the Hudson River Sloop Clearwater for which Kingston is the home port; and

WHEREAS, since the three anchorage grounds in the vicinity of the City of Kignston will have a direct impact on the City’s coastal natural resources and habitats, viewsheds, quality of life, recreational facilities, and tourism industry and would pose an inconsistency with the City’s status as a Bronze Certified Climate Smart Community and with portions of its Local Waterfront Revitalization Program.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:

SECTION-1. That the Common Council of the City of Kingston hereby requests that the Coast Guard hold a public meeting and comprehensive briefing of elected and public safety officials, residents and businesses from the Kingston area at City Hall in Kingston to be hosted by the City. Such briefing should include additional technical details of the proposal, timelines and answers to the following questions:

- a. Will the Coast Guard comply with the National Environmental Protection Act with regard to any new proposed anchorage grounds
- b. How many vessels per year would use such proposed anchorage positions on average
- c. On average what would be the duration of stay for vessels at the anchorage
- d. What are the potential impacts with respect to noise and light
- e. What are the potential viewshed impacts when considered from all points in the City of Kingston having views of the proposed anchorage sites as well as nearby areas within the Statewide Area of Scenic Significance
- f. What is the potential economic impact to tourism from the proposed anchorages
- g. What are the details regarding height, length and width of vessels at the proposed anchorage
- h. What type of materials would the anchoring vessels be hauling

SECTION-2. That the Common Council of the City of Kingston based upon presently available information opposes the adoption of U.S. Coast Guard proposed rule 2016-0132 for the reasons cited above.

SECTION-3. That this resolution be distributed to the U.S. Coast Guard, U.S. Coast Guard Fire District, c/o Mr. Craig Lapiejko, Waterways Management Branch, 408 Atlantic Avenue, Boston, MA 02110, Senator Charles Schumer, Senator Kirsten Gillibrand, Governor Andrew Cuomo and Secretary of State Rossana Rosado.

SECTION-4. That this resolution shall take effect immediately.

Submitted to the Mayor this _____ day of _____, 2016

Approved by the Mayor this _____ day of _____, 2016

Carly Winnie City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2016