

RIVERKEEPER.

Christine C. Quinn, Speaker
New York City Council
250 Broadway
Suite 1856
New York, New York 10007

Dear Speaker Quinn,

I am writing to you in support of Proposed Int. No. 54-A an amendment of the New York City administrative code to increase fines for violations of the law for illegal dumping along waterfront property into New York City waterways.

Riverkeeper is an independent, member-supported environmental organization whose mission is to protect the ecological integrity of the Hudson River and its tributaries, and to safeguard the drinking water supply of New York City and the lower Hudson Valley.

For close to a decade Riverkeeper has had a strong citizen enforcement presence in the waterways surrounding New York City. From Newtown Creek, to the Gowanus Canal, to the East and Harlem Rivers, Riverkeeper continues to fight environmental lawbreakers. Riverkeeper's role is that of a citizen watchdog, investigating pollution reports from concerned citizens and patrolling New York City's waterways from our patrol boat. To enforce the law Riverkeeper uses a combination of citizen enforcement actions and coordinated efforts with Federal, State, and New York City Agencies.

Proposed Int. 54-A comes at a critical time for New York City's waters. Water quality has dramatically improved since the passage of the federal Clean Water Act in 1972. With the improvement in water quality the public's attention has turned back to the waterfront as a place to live and recreate. Over the past decade New York Harbor has begun to undergo an undeniable renaissance. Extensive waterfront parks have been built or are planned and beach facilities have been upgraded for the City's 12 million annual beachgoers. Harbor-side land has been rezoned and new residential housing has been built. The Harbor is used in wider numbers by commuters, recreational boaters, swimmers, and anglers.

Despite efforts to revitalize the waterfront illegal dumping and other violations of local, state, and federal environmental laws persist. The tributaries and backwaters of New York Harbor such as Newtown Creek, the Gowanus Canal, Flushing Creek, and Mill Basin take the brunt of this illegal activity.

Riverkeeper strongly supports Intro No. 54-A. The current fines for illegal dumping are outdated with \$250 per violation as the maximum penalty. These penalties – levied only if a waterfront polluter is caught – do little to deter polluters. It is widely felt that fines can only act as a deterrent if they eliminate the economic advantage of polluting in the first place. Many polluters likely consider the current fines simply a minor cost of doing business. The new, higher fines would be far more likely to prevent waterfront pollution.

Riverkeeper believes that this bill is not about creating a climate hostile to business. Instead this bill will be used to create a level playing field for the full range of harbor uses, including waterfront businesses, boaters, anglers, swimmers, and nearby residents. By strengthening penalties for illegal dumping the vast majority of businesses that are complying with the law are rewarded. Environmental lawbreakers gain an unfair competitive advantage over their responsible counterparts if they are allowed to flaunt the law. They externalize their costs on society at the expense of dirty water.

Thank you for this opportunity to express support for Int. 54-A. Please contact me at jverleun@riverkeeper.org or 914-478-4501 x247 if I can provide any additional information or clarification as to Riverkeeper's support of Int. 54-A.

Best wishes,

/Joshua Verleun /

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