

## RESOLUTION 165 OF 2018

### MEMORIALIZING RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, IN OPPOSITION TO PROPOSED PLANS FOR COASTAL STORM RISK MANAGEMENT WITHOUT SUFFICIENT STUDY

WHEREAS, from July 9 through July 11, 2018, the U.S. Army Corps of Engineers (US ACOE) held public meetings for the first and only time regarding its “New York/New Jersey Harbor and Tributaries (NYNJ HATS) Coastal Storm Risk Management” (CSRМ) Feasibility Study which includes the Hudson River Estuary as part of a three-year study which began in July 2016; and

WHEREAS, the public comment period has been extended to September 20, 2018; and

WHEREAS, the City of Kingston is located 90 miles north of the Battery in New York City and has tidal waterfront on the Hudson and its tributary the Rondout Creek; and

WHEREAS, the Hudson River is a Superfund site due to contamination with PCBs; and

WHEREAS, four of the ACOE’s proposed alternative plans (2, 3A, 3B and 4) involve outer and inner harbor barriers that almost entirely block either the Hudson River or major New York Harbor tributaries during storm events and would alter river and tributary flow patterns at all times; and

WHEREAS, two of the ACOE’s alternatives propose barriers (2 and 3A) that would entirely close off the harbor and river from the Atlantic during storm events and would alter river and tributary flow patterns at times; and

WHEREAS, the proposed barriers could impede the estuary’s tidal flow, contaminant and sediment transport, and migration of fish, and impede the tidal “respiration” of the river; and

WHEREAS, over time, the frequent deployment of barriers have the potential to:

- 1) significantly restrict migrations of striped bass, Atlantic sturgeon, herring, shad, eel and other species essential to the Hudson estuary,
- 2) prevent the ocean tide from flushing NY Harbor, and
- 3) inhibit inland rainstorm flood waters like those of Irene and Lee in 2011 from leaving the Hudson; and

WHEREAS, open tidal exchange is essential to move sediment and flush contaminants and if tidal exchange is restricted, the harbor could require much more dredging to maintain shipping channels. Sewage and other contaminants could flush to the ocean more slowly, resulting in more pollution for our already contaminated harbor and river; and

WHEREAS, proposed alternative #5 – described as “Perimeter-only” and relying entirely on shoreline-based floodwalls and levees - is the only scenario presented so far that may protect low-lying communities from storm surge from storms like Irene, Lee and Sandy, while leaving our rivers to continue to flow naturally; and

WHEREAS, the proposed plans with in-water barriers do not account for climate change and do nothing to help communities adapt to sea level rise; and

WHEREAS, insufficient scientific data is available to fully understand the consequences of altering Hudson River flow with permanent barriers; and

WHEREAS, Scenic Hudson, Riverkeeper, and many others have voiced their concern and opposition to storm risk management approaches that could severely compromise the health of the Hudson River and its tributaries; and

WHEREAS, City of Kingston is a Climate Smart Community and has completed plans and studies which acknowledge the importance of and/or gives recommendations on how to plan for sea-level rise: Hudson Riverport: Brownfield Opportunities Areas Studies (Adopted 2015); Kingston Climate Action Plan (2012); Kingston Comprehensive Plan (Adopted 2016); Natural Resources Inventory (Draft June 2018); Planning for Rising Waters: Final Report of the City of Kingston Tidal Waterfront (Sept 2013); and Cornell University School of Landscape Architecture: Climate Adaptive Design Studios (2016-2018).

**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 does hereby register its strongest possible opposition to proposed plans 2 and 3A, and asks that they be removed from further consideration; and be it further

SECTION 2. That the Common Council of the City of Kingston does hereby register its support for further studies to ensure that shoreline-based measures, including non-structural measures and natural and nature-based features (NNBF), such as Alternative 5, described as “Perimeter Only”, would in fact protect New York Harbor and the Hudson Valley from flooding; and be it further.

SECTION 3. That further planning to manage the risk of coastal storm damage take into account the impact of climate change and its impact on seal level rise; and be it further

SECTION 4. That in its cost-benefit analysis of the current array of alternatives, the USACE should include an evaluation of the value of ecosystem services;

SECTION 5. That the full range of impacts must be considered before any alternative is advanced. The potential impacts should be studied in relation to include, but not be limited to:

- Tidal range / regime and flow velocity
- Migration of all native fish species
- Abundance of all native and currently existing fish species
- Abundance and distribution of all mollusk species throughout the study area
- Current and potential commercial and recreational fisheries
- Endangered, threatened and special-concern fish and wildlife species (both federally and state designated) in the Hudson River, New York Bight and in the Hackensack River, Passaic River, Raritan River, Meadowlands, Jamaica Bay and Long Island Sound.
- Vegetation (subaquatic and intertidal)
- Birds
- Habitat for fish, birds and other wildlife
- Sedimentation rates, scour and elevation in the rivers, bays and harbor
- Changes in contamination levels both in the water and in river and harbor sediments
- Rate at which PCBs and other contaminants will be transported from the rivers and harbor to the sea
- Water quality in the harbor, rivers and bays
- Dissolved oxygen levels throughout the study area.
- Salinity throughout the study area
- Water temperature throughout the study area

Nutrient concentrations throughout the study area  
Frequency of algae blooms throughout the study area  
The degree and cost of wastewater treatment required to comply with the Clean Water Act, in light of reduced tidal exchange / flushing  
Induced coastal flooding or deflection of storm surge to areas adjacent to any barrier alternatives  
Back-flooding inland of any barriers due to heavy rain events  
Commercial shipping  
Recreational boating  
Cost to state taxpayers for future operation and maintenance of ship and tide gates in any barriers

SECTION 6. This resolution shall be distributed to Nancy J. Brighton, Chief, Watershed Section, US ACOE, Senator Chuck Schumer, Senator Kristen Gillebrand, Congressman John Faso, Governor Andrew Cuomo, Secretary of State Rossana Rosado, Senator George Amedore, and Assemblyman Kevin Cahill

Submitted to the Mayor this 13<sup>th</sup>

day of September 2018

  
CARLY WINNIE, CITY CLERK

Approved by the Mayor this 13<sup>th</sup>

day of September 2018

  
STEVEN T. NOBLE, MAYOR

Adopted by Council on September 12, 2018

