

RESOLUTION REQUESTING AN EXTENSION OF THE COMMENTING PERIOD FOR THE NY/NJ HARBOR & TRIBUTARIES COASTAL STORM RISK MANAGEMENT FEASIBILITY STUDY AND TO COMPLETE SPECIFIC STUDIES PRIOR TO CONSIDERING PROPOSED ALTERNATIVES.

WHEREAS, the United States Army Corps of Engineers (USACE) initiated the NY/NJ Harbor & Tributaries (NYNJHAT) Coastal Storm Risk Management Feasibility Study, affecting more than 2,150 square miles, 25 NY and NJ counties and 16 million people; and

WHEREAS, communities along shorelines of NYC, Long Island, NY Harbor, northern NJ, the Hudson River up to Troy, and western Connecticut are affected; and

WHEREAS, the goal is to develop and implement measures to reduce the risk of coastal storm damage to communities, critical infrastructure and important societal resources; and

WHEREAS, USACE has proposed six Options to achieve its goal:

1. "No Action," meaning no new action by the Corps. Instead the region would move forward with numerous existing flood control projects already in the works.
2. Build two in-water barriers, from Sandy Hook to breezy Point (5 miles) and across Long Island Sound near the Throgs Neck Bridge.
- 3A. Build in-water barriers in the Arthur Kill, Jamaica Bay, Verrazano Narrows, Pelham Bay and Throgs Neck, and a levee or berm system along Brighton Beach and the Rockaways.
- 3B. Build in-water barriers in the Arthur Kill, Kill Van Kull, the Gowanus Canal, Pelham Bay, Throgs Neck, Newtown Creek and Jamaica Bay. Build a levee and berm system and shoreline measures in East Harlem, the NJ upper bay and Hudson River, and the West Side of Manhattan.
4. Build in-water barriers in Pelham Bay, Jamaica Bay, Newtown Creek, the Gowanus Canal and the Hackensack River. Build shoreline measures in East Harlem, the NJ Upper Bay and Hudson River, and the West Side of Manhattan.
5. Build only shoreline measures along the perimeter of coastal locations (dunes, berms and levees). Note that these shoreline protections are in addition to the wide array of shoreline flood control projects already planned or underway which are shown in these alternatives; and

WHEREAS, USACE intends to narrow the six options down to one or two by the fall of 2018, which will be the subject of a Draft Feasibility Report and Environmental Impact Statement this fall; and

WHEREAS, USACE has opened a public comment period, ending September 20, 2018, to consider the “scope” of issues it should study in the preliminary environmental review; and

WHEREAS, this short timeframe for public comment and limited number of meetings is inadequate to provide sufficient information to those communities affected, given the enormous scale of this project; and

WHEREAS, several of the plans, specifically those including giant in-water barriers throughout NY Harbor (options 2, 3A, 3B & 4), threaten the very existence of the Hudson as a living river, causing disruptions in migrations of the river’s iconic species and restrictions of tidal exchange which is essential in moving sediment and flushing contaminants from the harbor, and regulating nutrient distribution and adequate dissolved oxygen; and

WHEREAS, in-water barriers would have gates that must be open for ships to pass and would not protect against flooding from sea-level rise, only from storms; and

WHEREAS, shoreline measures offered in Options 5 & 1 combined can protect against flooding from both storms and sea level rise, and can be more easily heightened as projections evolve; and

WHEREAS, deflection or induced flooding in nearby unprotected shorelines may be a fatal flaw to these options, putting at risk areas such as the Jersey shore, the south shore of Long island, western Long Island Sound, and the Lower Bay of New York Harbor; and

WHEREAS, in-water barriers could hold back rainstorm flood waters from leaving the Hudson River, as experienced during 2011 storms Irene and Lee. This could cause fresh water flowing inland of the barriers; and

WHEREAS, USACE estimates \$30 billion to \$50 billion to build the in-water barriers in option 2, with annual maintenance likely costing billions, without even addressing sea level rise; and

WHEREAS, Option 5 is estimated to cost \$2 billion to \$4 billion and provides shoreline and nature-based measures such as dunes, dikes, floodwalls and levees, to address both storm surge and sea level rise, while leaving the river to flow freely; and

WHEREAS, the economy and culture of the Hudson River Valley is intimately tied to the health of the Hudson River, including migrations of its signature fish, providing tourism that generates more than \$5.3 billion annually; and

WHEREAS, non-federal sponsors of the study include New York State, represented by the NYSDEC and New Jersey, represented by the NJ Department of Environmental Protection, allowing both NY and NJ to have the authority to withdraw from this study or reject any construction alternatives.

NOW, THEREFORE, BE IT

RESOLVED, that we, the elected representatives of the City of Peekskill in Westchester County in the Hudson Valley, cannot comment effectively, as is our legal right, without detailed information and data on the social, economic and environmental impacts of each option being considered. The PowerPoint slides and the fact sheet provided to the public to date are inadequate; and be it further

RESOLVED, the Common Council of the City of Peekskill urge the Army Corps to publish comprehensive information about all options being considered, including the environmental impacts on the Hudson River and the Harbor and to share with the public the complete list of existing studies it will consult in the preliminary assessments of the projects; and be it further

RESOLVED, the meetings recently posted were too few, announced too late, and were not advertised so that the public would actually be aware. The Common Council of the City of Peekskill asks that the Army Corps and the other involved agencies provide numerous, comprehensive and well-advertised public meetings throughout the affected area; and be it further

RESOLVED, the short comment period, for a proposal with consequences that could last centuries, or millennia, is insufficient. By contrast, the United States Coast Guard, in seeking public feedback on designating new anchorage grounds on the Hudson River initially offered a three-month comment period on an "advance notice of public rulemaking," then extended that period by an additional three months, which allowed members of the public sufficient time to become informed and voice their opinions. Therefore, the Common Council of the City of Peekskill request an extension of the scoping comment period to at least 90 additional days; and be it further

RESOLVED, based upon the information to date, Option 5, described as “Perimeter only,” is deemed by the Common Council of the City of Peekskill to be the only acceptable alternative that the Army Corps has presented. This Option relies on shoreline-based floodwalls and levees, including beaches, dunes and waterfront parks, combined with reimagined land use from some low lying areas. This Option would protect our low-lying community from both storm surge and flooding from rain storms, while leaving our rivers free to flow and thrive; and be it further

RESOLVED, in its cost benefit analysis of the current array of alternatives, the Common Council of the City of Peekskill urges the USACE to include an evaluation of the value of ecosystem services and the cost of shoreline measures that are essential to protect against flooding from sea level rise, even for Options that include harbor wide barriers; and be it further

RESOLVED, that the Common Council of the City of Peekskill request that the full range of impacts be considered before the six options are narrowed and any option is eliminated from consideration, including the potential impacts in relation to the following:

- 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 New York Bight and in the Hackensack River, Passaic River, Raritan River, Meadowlands, Jamaica Bar 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 reduces 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;

and be it further

RESOLVED, that the Common Council of the City of Peekskill urge Basil Seggos, Commissioner, New York State Department of Environmental Conservation, Bryce Wisemiller, New York District Project Manager, United States Army Corps of Engineers and Nancy J. Brighton, Chief, Watershed Section, Environmental Analysis Branch, Planning Division, United States Army Corps of Engineers to request an extension of the scoping comment period and to provide the public with additional information and scoping meetings for the NY/NJ Harbor & Tributaries Coastal Storm Risk Management Feasibility Study; and be it further

RESOLVED, that the Common Council of the City of Peekskill urge Basil Seggos, Commissioner, New York State Department of Environmental Conservation, Bryce Wisemiller, New York District Project Manager, United States Army Corps of Engineers and Nancy J. Brighton, Chief, Watershed Section, Environmental Analysis Branch, Planning Division, United States Army Corps of Engineers to complete specific studies prior to narrowing down the six Options to one or two that will be the subject of the Draft Feasibility Report and Environmental Impact Statement in the Fall of 2018; and be it further

RESOLVED, that the Common Council of the City of Peekskill request these extensions and additional information to allow the City to effectively comment on how any Option considered will affect the social, economic and environmental of the City of Peekskill.

Adopted: September 12, 2018

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 09-13-18 DATE
 CITY CLERK AND REGISTRAR