



**CITY OF BEACON  
CITY COUNCIL**

**Resolution No. \_\_\_\_ of 2018**

**RESOLUTION IN SUPPORT OF IMMEDIATE  
STATE AGENCY RULE-MAKING FOR  
TANKER-AVOIDANCE ZONES**

**WHEREAS**, in 2016 the U.S. Coast Guard proposed establishing new anchorage grounds along the Hudson River between Yonkers and Kingston; and

**WHEREAS**, Governor Cuomo signed A.6825a/S.5197b into law and positioned New York State to continue to fulfill its responsibility to the Hudson River and its communities from the many potential dangers presented by oil-carrying vessels on the Hudson River and the proposed additional barge anchorage grounds; and

**WHEREAS**, the federal government and New York State share concurrent jurisdiction over the Hudson River, and as long as action by the state is not inconsistent with existing federal regulation and does not unreasonably burden interstate commerce, New York has significant authority to regulate navigable waters like the Hudson when the state's interest warrants special precautionary measures; and

**WHEREAS**, it remains a top priority of the City of Beacon to prevent any new anchorage grounds in the Hudson River from being sited at locations where they pose a clear and direct threat to the environment, quality of life, and regional economic development goals of the Hudson Valley; and

**WHEREAS**, the City of Beacon has documented its concerns about the anchoring of petroleum-carrying tankers, including disrupting the economic vitality of the waterfront, endangering drinking water supplies, damaging fish habitat and detracting from scenic beauty and quality of life along the river (see Resolution 30 of the Year 2016); and

**WHEREAS**, the USCG recently conducted two Ports and Waterways Safety Assessment (PAWSA) workshops for the stretch of the Hudson River between the Tappan Zee Bridge and the Port of Albany, and a recommendation to establish new anchorage grounds was discussed and could be part of the USCG's PAWSA report; and



**WHEREAS**, New York State has secured important victories that have been essential to public health, the environment and the economy of the state, including the administration's support for the Environmental Protection Fund, the ban on hydraulic fracturing, increasing funding for the state's Oil Spill Response Fund, and issuance of water quality permit decisions relating to energy development and transport have been among these many accomplishments; and

**WHEREAS**, the new law gives the Department of Environmental Conservation the ability to establish areas of the Hudson River where it shall be unlawful for petroleum-bearing vessels to enter, move or anchor; now therefore be it

**RESOLVED** that the City of Beacon requests that DEC Commissioner Seggos immediately advance a rulemaking process to establish Tanker Avoidance Zones for petroleum-bearing vessels, implementing the strongest possible regulations allowed under the law; and be it further

**RESOLVED** that the Mayor of the City of Beacon, New York be hereby authorized and directed to send a copy of this resolution to the Hon. Andrew M. Cuomo, Governor of the State of New York; the Hon. Basil Seggos, Commissioner of the Department of Environmental Conservation, Hon. Sue Serino, Hon. Frank Skartados, and to such other persons as the Mayor, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

Dated: \_\_\_\_\_

Resolution No. ____ of 2018			Date: <u>January 2, 2018</u>				
<input type="checkbox"/> Amendments			<input type="checkbox"/> 2/3 Required.				
<input type="checkbox"/> Not on roll call.			<input type="checkbox"/> On roll call				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		<b>Amber T. Grant</b>					
		<b>John E. Rembert</b>					
		<b>Lee Kyriacou</b>					
		<b>George Mansfield</b>					
		<b>Jodi McCredo</b>					
		<b>Terry Nelson</b>					
		<b>Mayor Randy J. Casale</b>					
		<b>Motion Carried</b>					