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Res. No. 223

Resolution calling on the New York State Department of Environmental Conservation and the United States Environmental Protection Agency to designate all coastal waters and navigable waterbodies adjacent to New York City as No Discharge Zones, including Newtown Creek, Gowanus Canal, Coney Island Creek, Raritan Bay and New York Harbor.

By Council Member Van Bramer

Whereas, New York City has 520 miles of coastline and is surrounded by waterbodies including the Atlantic Ocean, Lower New York Bay, Upper New York Bay, the Hudson River, the East River, Jamaica Bay, Raritan Bay, Little Neck Bay, Arthur Kill, Newtown Creek, Coney Island Creek, Flushing Creek and the Gowanus Canal; and

Whereas, These waterbodies are invaluable and provide economic, environmental, public health and recreational benefits to the City; and

Whereas, The Clean Water Act (CWA) of 1972 was enacted to restore and protect the integrity of waterbodies of the United States and to regulate the discharge of substances into such waters; and

Whereas, While marine vessels are permitted to discharge treated waste in most waterbodies, the CWA provides that states may apply for a prohibition of waste discharges for certain waterbodies that require greater environmental protection; and

Whereas, Such waterbodies may be identified by a state and approved by the United States Environmental Protection Agency (EPA) for designation as No Discharge Zones (NDZs); and

Whereas, The New York State Navigation Law prohibits marine vessels from discharging waste into waterbodies that have been designated NDZs; and

Whereas, In 2003, a portion of the Hudson River from the Battery in Manhattan to Troy, New York was designated a NDZ, and in 2011, Jamaica Bay was designated a NDZ; and

Whereas, In 2010, the New York State Department of Environmental Conservation (DEC) and EPA announced a joint goal to establish NDZs in all coastal waters and navigable waterways within the State, including those adjacent to the City; and

Whereas, There have been reports that Raritan Bay is currently being considered by EPA and DEC for designation as a NDZ; and

Whereas, A marine vessel that is discharging waste in a NDZ must do so at a pump out facility; and

Whereas, A significant factor that is inhibiting the designation of additional waterbodies as NDZs is a lack of waste pump out facilities; and

Whereas, In New York City, there are 11 waste pump out facilities, 7 of which have been installed by the New York City Department of Environmental Protection and are open to the public free of cost, and additionally, there are 2 locations with pump out boat service; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Department of Environmental Conservation and the United States Environmental Protection Agency to designate all coastal waters and navigable waterbodies that are adjacent to New York City as No Discharge Zones, including Newtown Creek, Gowanus Canal, Coney Island Creek, Raritan Bay and New York Harbor.

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