



Legislation Text

File #: Res 0652-2003, **Version:** A

Proposed Res. No. 652-A

Resolution calling upon the New York State Department of Environmental Conservation to issue a heightened stormwater permit program for the East-of-Hudson area of the New York City Watershed.

By Council Members Gennaro, Baez, Brewer, Davis, Felder, Gerson, Jackson, Liu, Lopez, Nelson, Sanders, Serrano, Weprin and Moskowitz

Whereas, New York City's drinking water supply is a critical resource for eight million New York City residents, approximately one million residents of Westchester County, and a multitude of others who work in and visit the City; and

Whereas, The East-of-Hudson area of the New York City Watershed ("EOH Watershed"), primarily comprised of Westchester and Putnam Counties, is either heavily developed or is developing rapidly, resulting in increased pressures upon, and threats to, our drinking water supply; and

Whereas, These development pressures have resulted in an increase in polluted stormwater runoff, which is the largest source of pollutants that enter the City's water supply; and

Whereas, Polluted stormwater runoff includes sediment and other pollutants, such as road salt, heavy metals, gasoline, motor oil, nutrients, pesticides, fertilizers and antifreeze that are transported to and ultimately discharged into local rivers, streams and reservoirs without treatment; and

Whereas, Pursuant to Section 402 of the federal Clean Water Act and Parts 122 and 123 of Title 40 of the Code of Federal Regulations (CFR), individual states may establish their own stormwater permit program, so long as the program meets the established requirements of the EPA; and

Whereas, The EPA has authorized the New York State Department of Environmental Conservation (DEC) to establish its own stormwater permit program; and

Whereas, The DEC implements New York State's program to control polluted stormwater runoff pursuant to Article 70 and Titles 7 and 8 of Article 17 of the Environmental Conservation Law; and

Whereas, Municipal separate storm sewer systems (MS4s) are publicly owned conveyances, or systems of conveyances, that are designed for the discharge of stormwater to surface waters such as lakes, streams and reservoirs; and

Whereas, Phase II of the National Pollutant Discharge Elimination System Stormwater Program covers small construction activities disturbing between one and five acres of land, with consideration for smaller sites under certain conditions, and certain small MS4s; and

Whereas, The DEC issued its Phase II State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity, Permit No. GP-02-01 ("Construction Permit"), and its Phase II SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s), Permit No. GP-02-02 ("MS4 Permit"), on January 8, 2003; and

Whereas, A general permit issued pursuant to Parts 122 and 123 of Title 40 of the CFR is not specifically tailored to an individual discharger, but authorizes a category of discharges within a geographic area; and

Whereas, The Construction Permit and MS4 Permit would apply throughout New York State, including the watersheds of New York City's reservoirs; and

Whereas, Stormwater permits for the highly sensitive EOH Watershed should contain more stringent and protective provisions than what is applicable statewide; and

Whereas, In light of the stormwater pollution threats to the sensitive EOH Watershed and the potential impact on water quality for the entire New York City water supply; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Department of Environmental Conservation to issue a heightened stormwater permit program for the East-of-Hudson area of the New York City Watershed.

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2/26/03 6:08 P.M.

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