

RESOLUTION

A meeting of the Town Board of the Town of Stony Point was convened on August 9, 2016 at 7:00 p.m.

The following resolution was offered by Councilman Basile, who moved its adoption, seconded by Councilman Javenes, and carried by a voice vote of all board members present, to-wit:

RESOLUTION 2016/16

A RESOLUTION OPPOSING THE ESTABLISHMENT OF ANCHORAGE GROUNDS IN THE HUDSON RIVER

WHEREAS, the United States Coast Guard (“Coast Guard”) is considering establishing new anchorage grounds in the Hudson River from Yonkers, New York to Kingston, New York;

WHEREAS, under Title 33 Code of Federal Regulation (CFR) 109.05, U.S. Coast Guard District Commanders are delegated the authority to establish anchorage grounds by the Commandant of the U.S. Coast Guard;

WHEREAS, the Coast Guard establishes Anchorage Grounds under the authority in Section 7 of the Act of March 4, 1915, as amended (38 Stat. 1053; 33 U.S.C. 471), and places these regulations in Title 33 CFR part 110, subpart B;

WHEREAS, Hudson River Anchorage Ground regulations were last amended by rules published on March 31, 2016, January 15, 2015, and on July 20, 1999; these are 81 FR 18494, 80 FR 2011, and 64 FR 38828, respectively.

WHEREAS, the Coast Guard received requests from the Maritime Association of the Port of NY/NJ Tug and Barge Committee, the Hudson River Port Pilot’s Association, and the American Waterways Operators to consider establishing new anchorage grounds on the Hudson River;

WHEREAS, the anticipated users of the proposed anchorage grounds are commercial vessels and their attending tug, tow, or pushboats; and

WHEREAS, the Coast Guard is considering, among other sites, a “Tomkins Cove Anchorage Ground” that would cover approximately 98 acres for up to three (3) vessels, encompassing waters within lines connecting the following points: 41– 15.91’ N., 073– 58.51’ W.; thence to 41– 15.91’ N., 073–58.21’ W.; thence to 41– 15.27’ N., 073–58.38’ W.; thence to 41– 15.28’ N., 073–58.65’ W.; thence to the point of origin (NAD 83); and

WHEREAS, such proposed location would have serious, detrimental impacts on the Town of Stony Point and its environs due to the proximity of such proposed anchorage location:

a) being less than one mile from the Indian Point Nuclear Power Plant “Indian Point”) where such anchorage would include commercial vessels that would be carrying hazardous materials and be consistently anchored in close proximity to Indian Point;

b) having a detrimental impact on the scenic views of the Hudson River enjoyed by those residing and visiting the Town of Stony Point as well as those persons traveling upon the Hudson River near such proposed anchorage;

c) being proposed to be located in a narrow location on the Hudson River where the river is less than one mile wide and therefore having a detrimental impact to navigation and maneuverability upon the waters of the Hudson River since the proposed swing radius of the vessels to be anchored is identified as being 1200 feet, thus having a potential full swing circle of 2400 feet, thereby causing such swing circle to cover over 70% of the width of the Hudson River at location of the southernmost proposed anchorage point;

d) having a detrimental effect on the navigability, views and enjoyment of the Hudson River at the proposed location by persons kayaking and utilizing other recreational watercraft and participating in other recreational activities;

e) adversely affecting fishing activity in the area of the proposed location and having a detrimental effect on the Sturgeon and other aquatic life in the area; and

f) creating noise and light pollution that will adversely affect persons residing in the area of such proposed location as well as persons enjoying the use of the Hudson River; and

WHEREAS, the Town Board of the Town of Stony Point seeks to ensure the safety, health and welfare of the residents of the Town of Stony Point and to preserve the environment in and around the Town of Stony Point, including the Hudson River.

NOW THEREFORE BE IT RESOLVED that:

1. The above “WHEREAS” clauses are incorporated herein by reference as if set forth fully herein.

2. For the reasons set forth herein, the Town Board opposes any legislative enactment or rule that would establish an anchorage ground by the United States Coast Guard at any location along the Hudson River in proximity to the Town of Stony Point, including specifically, the proposed anchorage location at Tomkins Cove as set forth in the Federal Register, Volume 81, No. 111 (June 9, 2016).

3. The Town Board hereby requests that the public comment period be extended for at least ninety (90) days beyond September 7, 2016 to allow sufficient notice and public input.

4. The Town Board hereby requests that requests for public meetings also be extended for ninety (90) days beyond September 7, 2016 to allow sufficient opportunity for affected communities to request a public meeting.

5. The Town Board hereby requests that a public meeting be scheduled in the Town of Stony Point in light of the proposed anchorage location in Tomkins Cove.

6. The Town Clerk, or her designee, is hereby authorized to transmit a certified copy of this Resolution to the United States Coast Guard in addition to transmitting the contents of this Resolution to the Coast Guard via the Federal eRulemaking Portal at <http://www.regulations.gov> using docket number USCG-2016-0132.

7. This Resolution shall be effective immediately.

The Resolution was thereupon duly adopted.