

**VILLAGE OF BUCHANAN RESOLUTION
SUPPORTING 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 Village of Buchanan 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 Village of Buchanan is home to Lent's Cove Park located on the shores of the Hudson River, the integrity of which would be threatened by the establishment of new barge anchorage grounds; and

WHEREAS, the Village of Buchanan 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 in a Resolution dated August 2, 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 BE IT THEREFORE RESOLVED that the Village of Buchanan Board 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

BE IT FURTHER RESOLVED that the Mayor of the Village of Buchanan, 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, the Hon. Terrance Murphy; the Hon. Sandy Galef, and to such other persons as the Mayor of the Village of Buchanan, in her discretion, may deem proper in order to effectuate the purpose of this resolution.

Upon Roll Call Vote:

Mayor Theresa Knickerbocker _____

Trustee Richard Funchion _____

Trustee Duane Jackson _____

Trustee Cesare Pasquale _____

Trustee Nicolas Zachary _____

Vote: Resolution carried by a vote of to .

STATE OF NEW YORK)
)SS.:
COUNTY OF WESTCHESTER)

I, KEVIN HAY, Village Clerk of the Village of Buchanan, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Village Board of the Village of Buchanan at a meeting of said Board held March 6, 2018.

KEVIN HAY Village Administrator/Clerk