



Opposition Memorandum

A5557 (Barnwell/no same-as)

Relates to establishing a commission to be known as the "New York city seawall study commission"

Riverkeeper strongly urges members of the Assembly to oppose legislation that would create a New York City seawall study commission as proposed in A5557. The legislation calls for the creation of a seawall study commission "...to identify the feasibility, costs, impacts, and best locations for construction of a seawall or sea gate to protect the city of New York from sea level rise and storm surge along the entire coastline." In-water structures like sea gates pose a significant risk to the ecological health of the Hudson-Raritan Estuary by altering the tidal flow of water that is the basis of estuarine ecology. In addition, as sea level rises, sea gates would not protect human populations from blue sky flooding.

Sea level rise and storm surge are serious concerns for the entire New York metropolitan region, as climate change poses significant risks to human infrastructure and the ecological integrity of the Hudson. Riverkeeper is working intently on these issues and the challenges they present. Currently, Riverkeeper is engaged in the Army Corps of Engineers public participation process for the New York-New Jersey Harbor and Tributaries Coastal Storm Risk Management Study. We have submitted extensive comments on the alternatives proposed by the Army Corps to date. The NYS DEC is a non-federal sponsor of the study and is responsible for 25 percent of the estimated \$19.4 million cost. While Riverkeeper has pointed out problems with the federal Army Corps study, we nevertheless believe that a coordinated effort between New York City, the state and the federal government is the most effective path forward for planning for sea-level rise and storm surge due to climate change.

This legislation is duplicative of existing federal, state and city resources as cited in Governor Cuomo's 2018 veto message number 338, "the commission that would be created by this bill would be redundant with several past and current efforts to understand and plan for hazards associated with sea-level rise and coastal flooding, and could divert scarce staff and funding resources from programs more likely to result in tangible benefits to New Yorkers."

Given Riverkeeper's concerns with in-water structures like sea gates, the state's contribution to the federal Army Corps study, and concerns regarding overburdening agency staff, Riverkeeper strongly urges opposition to this legislation.

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