



Testimony of Roland Lewis, President and CEO  
on **Illegal Dumping into the New York City Waterways**

**Before the Committee on Waterfronts**  
February 24, 2010

Good afternoon and thank you for the opportunity to submit this written testimony. I am Roland Lewis, president of the Metropolitan Waterfront Alliance. The Metropolitan Waterfront Alliance is a coalition of over 390 organizations working together to transform the New York Harbor and its waterways into a world-class resource for work, play, transit and education.

The Metropolitan Waterfront Alliance commends the City Council, and specifically the Committee on Waterfronts, for its leadership on the issue of illegal dumping into the New York City waterways. Proper oversight of illegal dumping is a vital component of fostering and maintaining a clean, healthy and safe waterfront; therefore we are in favor of Int. No. 53 and Int. No.54. MWA believes the bills could be improved by addressing abandon boats, allocating more money for enforcement, removing the new task force and embellishing the outreach program. Enforcement of the penalties suggested in Int. No. 54 will create a level playing field, rewarding companies that follow the law while taking away the competitive advantage of those who break the law, and thereby investing in businesses who have the community and waterfront in mind. Our waterways are invaluable natural, commercial, and recreational resources which are often overlooked due to the tragedy of the commons.

The Metropolitan Waterfront Alliance's platform, as outlined in the Waterfront Action Agenda, is organized around six major points of emphasis: 1) the working waterfront, 2) a green harbor, 3) waterfront recreation, 4) harbor education, 5) aqueducture and 6) water based mass transit. Each of these spheres is negatively impacted by illegal dumping. Debris can damage equipment and raise operating costs for water-based businesses struggling to survive as well as discourage public access to the waterfront. Debris such as abandoned boats can discourage recreational use of the Harbor by limiting public access points. The maintenance of and enforcement at public access points is crucial to encouraging recreational use and safety.

Although MWA generally supports these two bills before us, we think there are a few things that should be amended in order for the city to adequately address illegal dumping. Abandoned boats are one type of debris which is not fully addresses in the proposed legislation. Boats are a unique type of debris due to their size, composition, and fuels which create many challenges associated with disposal. The removal of abandoned boats at the expense of the registered owner, not unlike how we deal with parking offenders on land, would be an efficient means of doing this. The Parking Violations Bureau polices our streets, keeping them free of abandoned vehicles. Their work is critical to the smooth flow of traffic and commerce in the City. The same diligence by the City of New York must be applied to our waterways if we hope to increase traffic for waterfront recreation and waterborne commerce. Only after we begin to think of our waterways as an extension of the public transit and recreational areas we use on land, will we become a

true waterfront city. The list of debris outlined in rule No. 54 should be modified to incorporate specific language regarding boats. Rule No. 54 should also be amended to require abandoned boats to be removed at the expense of the registered owner.

The two introductory bills, Int. No. 53 and Int. No. 54 fail to communicate the City's urgent need for additional resources for enforcement. The New York City Department of Small Business Services Dockmaster Unit is significantly understaffed and operating without a patrol boat resulting in an inadequate response rate. It is important for the City Council to recognize the need to adequately staff and secure sufficient resources for this agency to acquire a patrol boat. One way to begin addressing this resource problem is to amend bill Int. No 54 to require the bill's penalties to go back into the program. MWA encourages this amendment as well as other changes to ensure enforcement is adequately funded.

MWA believes the language in Int. No. 53 suggesting the creation of a waterfront task force would be redundant given the newly created Waterfront Advisory Board. The Waterfront Advisory Board was created by the Mayor to develop and advise the Comprehensive Waterfront Plan. The responsibilities suggested in Int. No. 53 should be communicated to New York City's newly created Waterfront Advisory Board as well as the Mayor or his or her designee and the speaker of the city council or his or her designee to avoid duplication. Illegal dumping should be an agenda item of the Waterfront Advisory Board meeting every six months. The Commissioner should submit his report every calendar year as opposed to every two calendar years to ensure progress is being

made. Finally, section 22-1121.1 d should read “The report shall also include any recommendations made by the *Waterfront Advisory Board* to increase the penalties imposed for illegal dumping” instead of the suggested waterfront task force.

MWA would also like to see the language in Int. No. 53 specifically address efforts to increase awareness about the TIPS pollution prevention program and the central source of contact otherwise known as the TIPS hotline. Once a centralized source of contact for reporting of illegal dumping is established, it should be consistently communicated through all outreach programs including signs and various agency websites. Section 22-112.3 b which says “creation of a public education program to increase awareness about illegal dumping and encourage local residents to report observed illegal dumping activities” should specifically mention the centralized source of contact to clarify the mechanism for receiving and responding to complaints.

In conclusion, we do support the two proposed bills but would like to see additions regarding abandoned boats in the water, enforcement resources, the waterfront task force redundancy and inadequate marketing of the TIPS program. Additionally we are concerned that it is not clear who has jurisdictional responsibility over debris in the water which causes inconsistent enforcement. This change may be beyond the scope of this bill and City Council needs to establish whether the city has authority over and/or the responsibility to police debris in the water. Thank you for the opportunity to testify. I’d be happy to answer any questions you might have.