



Legislation Text

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Int. No. 566-A

By Council Members Gennaro, Addabbo Jr., Avella, Comrie, Fidler, Gerson, Gonzalez, Jennings, Koppell, Lopez, Martinez, McMahon, Palma, Quinn, Recchia Jr., Sanders Jr., Weprin, Reyna, Monserrate, Lanza, Vallone Jr., Brewer, Yassky, Gentile, Liu, Jackson, Gallagher, Arroyo and The Public Advocate (Ms. Gotbaum)

A Local Law to create a temporary task force to study the feasibility of transferring city-owned wetlands to the jurisdiction of the department of parks and recreation.

Be it enacted by the Council as follows:

Section 1. Legislative findings and intent. Wetlands are among the most productive ecosystems in the world. For example, wetlands such as intertidal or salt marshes are comparable in ecological productivity to rainforests. An immense variety of species of microbes, plants, insects, amphibians, reptiles, birds, fish and mammals can be part of a wetland ecosystem. Physical and chemical features such as climate, landscape shape, geology and the movement and abundance of water help to determine the plants and animals that inhabit a wetland. Wetlands provide values that no other ecosystem can, including natural water quality improvement, flood protection, shoreline erosion control and opportunities for recreation and aesthetic appreciation. In the City of New York, there are approximately fourteen square miles of wetlands still in existence, where more than 100 square miles once existed. Despite urbanization, 778 native plants and animals still exist in the City, accounting for sixty percent of the species that existed 100 years ago.

A number of inventories regarding wetland areas in New York City already exist, such as those included in recommendations of the Habitat Working Group of the Harbor Estuary Program; recommendations of “An Islanded Nature”, the latest report on expanding the Harbor Herons Urban Nature Refuge concept; the recommendations of the Needs and Opportunities Report to the Army Corp of Engineers on environmental restoration of the harbor estuary; and, the recommendations of the Regional Plan Association. In addition,

there may be other inventories in existence that are not included in the above-mentioned list.

An outstanding example of wetlands with ecological, water quality improvement, and recreational and aesthetic significance is those found in or near Jamaica Bay. This bill would create a task force to inventory City-owned wetlands in the City of New York and ascertain the feasibility of transferring these properties to be under the protection of the Department of Parks and Recreation.

The City Council finds that City-owned wetlands, for which a transfer to the Department of Parks and Recreation is feasible, should be transferred in an expeditious manner in order to protect and maintain their environmental, economic and other benefits to New York City.

§2. a. There is hereby established a temporary task force to advise the mayor of the city of New York and the speaker of the council of the city of New York as to the technical, legal, environmental and economical feasibility of a transfer of city-owned wetland areas, including, but not limited to, those listed in existing inventories, to the department of parks and recreation.

b. Such task force shall be comprised of seven members, three of whom shall be appointed by the speaker of the council and four by the mayor. The members shall be appointed within sixty days of the enactment of this local law and shall serve without compensation. The chairperson shall be elected from amongst the members. Any vacancy shall be filled in the same manner as the original appointment for the remainder of the unexpired term. The commissioners of environmental protection and parks and recreation may provide staff to assist the task force.

c. Such members of the task force shall serve for a period of nine months, after which time such task force shall cease to exist.

d. No later than three months before the expiration of the task force, the chairperson shall submit a report containing its conclusions and recommendations to the mayor of the city of New York and the speaker of the council of the city of New York.

d. No later than six months after the submission of the report pursuant to subdivision d

of this section, the mayor of the city of New York, or his or her designee, shall submit a report to the speaker of the council of the city of New York, which shall include, of those city-owned wetland areas that the task force deemed feasible for transfer to the department of parks and recreation:

1. the wetland areas that were transferred to such department, including the dates upon which such transfers occurred;
2. the wetland areas that are in the process of being transferred to such department or for which a determination to transfer has been made but for which the process to transfer has not yet begun, including the status of and anticipated dates for such transfers; and
3. the wetland areas that were not transferred and are not in the process of being transferred to such department, including an explanation as to why such action was not or will not be taken.

§3. This local law shall take effect immediately upon its enactment.

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6/20/05 8:00 p.m.