

RESOLUTION NO. 248 -2015, APPROVING LIST OF ENVIRONMENTALLY SENSITIVE LANDS TO BE ACQUIRED PURSUANT TO ARTICLE XII, SECTION C12-5.D. OF THE SUFFOLK COUNTY CODE

WHEREAS, Article XII of the Suffolk County Code established the “Old” Suffolk County Drinking Water Protection Program, the first priority of which being the acquisition of land in the Pine Barrens Wilderness and Water Protection Preserve, with such acquisitions to be funded by revenues generated by the extension of the quarter percent (1/4%) sales and compensating use tax; and

WHEREAS, over the life of this program, fifty-two percent (52%) of the total sales and compensating use tax revenues was to be used for Pine Barrens Wilderness and Water Protection Preserve acquisitions, as defined in Section C12-2 of the Suffolk County Code, and related administrative costs; and

WHEREAS, approximately fifteen percent (15%) of this fifty-two percent (52%) for land acquisitions, or 7.8%, shall be for land acquisitions based upon the recommendations of each respective town where such lands, as defined in Section C12-2 of the Suffolk County Code, are still extant; and

WHEREAS, the “Old” Suffolk County Drinking Water Protection Program calls for the creation of a trust fund whereby a portion of the funds acquired through the extension of the quarter percent (1/4%) of Sales and Compensating Use Tax is allocated to this fund, as described in Section C12-5.D. of the Suffolk County Code; and

WHEREAS, the monies in this trust fund are to be made available for the purposes of acquiring environmentally sensitive parcels of land in each respective town, and for capping and closing municipal solid waste landfills, and for identifying, characterizing and remediation toxic and hazardous waste sites; and

WHEREAS, for towns where lands are still extant which fit the definitions of Suffolk County Pine Barrens Preserve or Suffolk County Water Protection Preserve, as defined in Section C12-2 of the Suffolk County Code, no less than seventy-five percent (75%) of their respective allocations shall be used for acquisitions of such lands; and

WHEREAS, the Suffolk County Legislature, in Local Law No. 24-1987, and in Local Law No. 29-1988, designated the Pine Barrens Zone (as well as any other land as Suffolk County may designate by resolution) for acquisition where preservation of open space will constitute a benefit to the environment and public health; and

WHEREAS, land acquisitions made pursuant to this requirement are to be made by the County, on the recommendation of the relevant town, in accordance with the provisions contained within Section C12-5.A and D of the Suffolk County Code and, wherefore, it follows that the most recent “Triple A” acquisition procedure, as per Resolution No. 265-2013, is not applicable; and

WHEREAS, the “Old” Suffolk County Drinking Water Protection Program also calls for the creation of an Environmental Trust Fund Review Board (“Board”), comprised of the Suffolk County Executive, Suffolk’s ten (10) Town Supervisors, the Suffolk County Commissioner of Health Services, and the Director of the Suffolk County Planning Department; and

WHEREAS, the Board is responsible for reviewing requests and making recommendations for the allocation of monies for the acquisition of land within each town from the Trust Fund, and for reviewing and approving lands to be acquired using these town allocations based upon recommendations of the respective towns, as described in Section C12-5.D. of the Suffolk County Code; and

WHEREAS, on September 22, 2014, the Board reviewed and approved by a majority vote of its members, the parcels recommended for County acquisition by the Towns of Brookhaven, East Hampton, Riverhead, Southampton and Southold, listed on Exhibit “A” and pursuant to Article XII, Section C12-5.D. of the Suffolk County Code, the Board has complied with all aspects of this law; and

WHEREAS, that said list of parcels was approved by the Board of Trustees of the Suffolk County Department of Parks, Recreation and Conservation on November 20, 2014 and December 18, 2014; and

WHEREAS, such recommendation for land acquisitions are also subject to review and approval by the Suffolk County Legislature; and

WHEREAS, in order to consummate these acquisitions and to accomplish the goals of this Program, it is necessary to authorize the Suffolk County Department of Law and the Department of Economic Development and Planning to initiate and to implement any reasonable processes designated to expedite and to streamline the acquisition process, provided the same is deemed as reasonably acceptable by the Suffolk County Attorney; and

WHEREAS, all expenses associated with said acquisitions should be authorized including but not limited to appraisals, survey, title report and title insurance, environmental site assessment, real estate tax adjustment, and real estate taxes prior to exception; now, therefore be it

1st **RESOLVED**, that pursuant to Article XII, Section C12-5.A. and D. of the Suffolk County Code, the Suffolk County Legislature does hereby approve the list of environmentally sensitive parcels for acquisition by the County, including those recommended by the Towns of Brookhaven, East Hampton, Riverhead, Southampton and Southold, on the list attached as Exhibit “A”; and be it further

2nd **RESOLVED**, that the Director of Real Estate is hereby authorized to acquire fee title to the parcels listed herein subject to the amount of funds available for each town pursuant to Article XII, Section C12-5.D. of the Suffolk County Code; and be it further

3rd **RESOLVED**, that in order to accomplish these acquisition goals, the aforesaid acquisition methods and all expenses as aforesaid, are hereby authorized; and be it further

4th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that this resolution constitutes a Type

Il Action pursuant to Title 6 NYCRR Part 617.5 (c) (20) and (27) of the New York Code of Rules and Regulations since such actions simply are legislative decisions administering and implementing land acquisition as part of the Pine Barrens Wilderness and Water Protection Program which will have a beneficial impact.

DATED: April 28, 2015

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: May 7, 2015

EXHIBIT "A"

**List of Parcels by Town for consideration for Open Space Acquisition
Utilizing the Old Drinking Water Protection Program - 12.5D**

Town	Funds Available as of February 28, 2014	SCTM#	Name	Acreage
Brookhaven	\$238,738.00	0200 26300 0100 017001	Rocky Point Preserve/ Twin Ponds Preserve Link	3.40
		0200 26300 0300 002000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.23
		0200 26300 0300 003000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.23
		0200 26300 0300 004000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.23
		0200 26300 0300 005000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.09
		0200 26300 0300 006000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.41
		0200 26300 0300 012000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.32
		0200 26300 0300 013000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.46
		0200 26300 0300 014000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.28
		0200 26300 0300 015000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.23
		0200 26300 0300 016000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.09
		0200 26300 0300 017000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.14
		0200 26300 0300 018000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.27
		0200 26300 0300 019000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.23
		0200 26300 0300 020000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.73
		0200 26300 0300 021000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.18
		0200 26300 0300 022000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.08
		0200 26300 0300 023000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.06

		0200 26300 0300 024000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.18
		0200 26300 0300 026000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.64

**List of Parcels by Town for consideration for Open Space Acquisition
Utilizing the Old Drinking Water Protection Program - 12.5D**

Town	Funds Available as of February 28, 2014	SCTM#	Name	Acreage
		0200 26300 0300 027000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.14
		0200 26300 0300 028000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.40
		0200 26300 0300 029000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.56
		0200 26300 0300 030000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.51
		0200 26300 0300 031000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.41
		0200 26300 0300 033000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.25
		0200 26300 0300 034000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.37
		0200 26300 0300 035000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.40
		0200 26300 0300 036000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.23
		0200 26300 0300 037000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.19
		0200 26300 0300 038000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.19
		0200 26300 0300 039000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.02
		0200 26300 0300 040000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.10
		0200 26300 0300 042000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.14
		0200 28900 0300 001000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.41
		0200 28900 0300 002000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.37
		0200 28900 0300 003000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.23
		0200 28900 0300 015000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.23
		0200 28900 0300 016000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.23
		0200 28900 0300 020000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.23

		0200 28900 0300 030000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.05
--	--	------------------------	---	------

**List of Parcels by Town for consideration for Open Space Acquisition
Utilizing the Old Drinking Water Protection Program - 12.5D**

Town	Funds Available as of February 28, 2014	SCTM#	Name	Acreage
		0200 28900 0300 033000	Rocky Point Preserve/ Twin Ponds Preserve Link	0.28
		0200 40100 0200 022001	Carmans River Watershed Addition	8.00
		0200 90200 0300 001002	Beaverdam Creek Watershed Addition	0.75
		0200 90200 0300 002000	Beaverdam Creek Watershed Addition	0.60
		0200 90200 0300 003000	Beaverdam Creek Watershed Addition	0.12
		0200 90200 0300 004000	Beaverdam Creek Watershed Addition	0.60
		0200 94400 0600 028000	Terrell's River County Park Addition	0.28
		0200 94400 0600 030000	Terrell's River County Park Addition	0.28
		0200 94400 0600 032000	Terrell's River County Park Addition	0.28
		0200 94400 0600 034000	Terrell's River County Park Addition	0.28
Total Acreage - Town of Brookhaven				25.61
East Hampton	\$14,353.00	0300 02000 0300 016000p/o	Montauk County Park Addition	2.80
		0300 04100 0200 035000	Accabonac Harbor Addition	0.17
Total Acreage - Town of East Hampton				2.97
Riverhead	\$613,474.00	0600 08600 0100 036000	Broad Cove	99.00
		0600 11900 0200 038000p/o	Peconic River Addition	0.90
		0600 12400 0400 013001p/o	Peconic River Addition	0.40
		0600 12400 0400 011003p/o	Peconic River Addition	0.30
		0600 12400 0400 011004	Peconic River Addition	0.50
		0600 12800 0300 047000p/o	Peconic River Addition	0.70
		0600 12800 0300 049000	Peconic River Addition	0.30
Total Acreage - Town of Riverhead				102.10
Southampton	\$275,052.00	0900 03000 0100 004001	Eastern GEIS/Noyac Greenbelt	7.54
		0900 11801 0100 002000	Peconic River Addition	1.30

**List of Parcels by Town for consideration for Open Space Acquisition
Utilizing the Old Drinking Water Protection Program - 12.5D**

Town	Funds Available as of February 28, 2014	SCTM#	Name	Acreage
		0900 17300 0100 001003	Pine Barrens Critical Resource Area/Hubbard County Park Addition	36.40
		0900 20300 0100 025000	Pine Barrens Core Area/Maple Swamp	25.00
		0900 20300 0100 027000	Pine Barrens Core Area/Maple Swamp	17.30
		0900 20300 0100 030000	Pine Barrens Core Area/Maple Swamp	37.70
		0900 20401 0100 001002	Pine Barrens Core Area/Sears Bellows County Park Addition	11.30
		0900 20401 0100 002001	Pine Barrens Core Area/Sears Bellows County Park Addition	10.20
		0900 20401 0100 003001	Pine Barrens Core Area/Sears Bellows County Park Addition	9.60
		0900 20401 0100 004001	Pine Barrens Core Area/Sears Bellows County Park Addition	10.10
		0900 20401 0200 001000	Pine Barrens Core Area/Sears Bellows County Park Addition	10.60
		0900 20401 0200 002000	Pine Barrens Core Area/Sears Bellows County Park Addition	11.50
		0900 20401 0200 003000	Pine Barrens Core Area/Sears Bellows County Park Addition	11.20
		0900 20401 0200 004000	Pine Barrens Core Area/Sears Bellows County Park Addition	8.50
		0900 20500 0100 001003	Pine Barrens Critical Resource Area/Hubbard County Park Addition	32.30

**List of Parcels by Town for consideration for Open Space Acquisition
Utilizing the Old Drinking Water Protection Program - 12.5D**

Town	Funds Available as of February 28, 2014	SCTM#	Name	Acreage
		0900 21900 0100 021000	Pine Barrens CGA/East Quogue Watershed	15.90
		0900 25000 0300 001000	Pine Barrens CGA/East Quogue Watershed	78.00
		0900 25100 0100 003000	Pine Barrens CGA/East Quogue Watershed	90.40
		0900 25100 0100 090000	Pine Barrens CGA/East Quogue Watershed	55.70
		0900 25100 0100 091001	Pine Barrens CGA/East Quogue Watershed	71.70
		0900 25100 0100 098000	Pine Barrens CGA/East Quogue Watershed	12.00
		0900 28800 0100 141001	Pine Barrens CGA/East Quogue Watershed	94.70
		0900 31600 0100 030000	Weesuck Creek	33.10
		0900 35900 0300 049000	Quantuck Bay Watershed	32.00
		0900 35900 0400 056000	Quantuck Bay Watershed	59.30
		0900 35900 0500 001000	Quantuck Bay Watershed	14.00
Total Acreage - Town of Southampton				797.34
Southold	\$1,241,224.00	1000 04400 0300 004003	Pipe's Cove Watershed	53.60
		1000 04500 0200 010005	Pipe's Cove Watershed	30.10
		1000 07500 0600 006001	Richmond Creek Addition	23.10
		1000 08700 0500 021007	Corey Creek	0.90
		1000 08700 0500 021009	Corey Creek	6.80
		1000 08700 0500 021010	Corey Creek	0.90
		1000 08700 0500 021011	Corey Creek	0.90
		1000 08700 0500 021012	Corey Creek	0.60
		1000 08700 0500 021013	Corey Creek	3.10
		1000 08800 0300 003001	Corey Creek	7.80
		1000 12700 0300 008000	Brushes Creek	5.30
		1000 12700 0300 009002	Brushes Creek	2.10
		1000 12700 0300 010002	Brushes Creek	3.40
		1000 12700 0300 010003	Brushes Creek	1.80
		1000 12700 0800 017002	Brushes Creek	0.75
		1000 12700 0800 017003	Brushes Creek	12.30
Total Acreage - Town of Southold				153.45

