

Intro. Res. No. 1381-2016
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 4/12/2016

RESOLUTION NO. 344 -2016, AMENDING THE ADOPTED 2016 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2016 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE H. F. CORWIN AND SON'S AGRICULTURAL WASTE STORAGE FACILITY SYSTEM (CP 8240.337)

WHEREAS, there are sufficient funds within the Reserved Fund Balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Suffolk County Water Quality Protection and Restoration Program Review Committee, pursuant to Article XII of the SUFFOLK COUNTY CHARTER has recommended funding this project at its October 8, 2015 meeting as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative (WQPRP) funds; and

WHEREAS, H. F. Corwin and Son's is a privately owned and operated duck farm located on Meetinghouse Creek in Aquebogue; and

WHEREAS, the Suffolk County Soil and Water Conservation District has requested funding for the installation of an Agricultural Waste Storage Facility System to increase the efficiencies of H. F. Corwin and Son's current waste management system; and

WHEREAS, the New York State Priority Waterbody List and the Suffolk County Comprehensive Water Resources Management Plan identify the duck farm as a source of multiple pollutants of concern impairing both Meetinghouse Creek and the Peconic Bay; and

WHEREAS, the Nature Conservancy's 2014 Report identified the western most sub-watershed of Peconic Bay, including Meetinghouse Creek, as contributing the highest nitrogen load with agriculture and wastewater treatment facilities contributing over 50% of the nitrogen load; and

WHEREAS, the Peconic Estuary Program's Environmental Indicators Report identifies Meetinghouse Creek as one of only three areas of Peconic Bay which "experiences frequent and serious violations of the dissolved oxygen standard"; and

WHEREAS, the Peconic Estuary Program's Environmental Indicators Report encourages "supporting the construction of the Duck Farm's waste treatment facility to better treat processing waters" and advises "working with farmers to reduce the nitrogen load from agriculture"; and

WHEREAS, the Peconic Estuary Program's Comprehensive Conservation and Management Plan identifies agriculture, especially the duck farm, as a "significant nitrogen-load and ecological threat to the estuary"; and

WHEREAS, the NYS Agricultural Environmental Management Program is a proactive, non-regulatory, and volunteer conservation planning and stewardship initiative administered by the Suffolk County Soil and Water Conservation District; and

WHEREAS, the NYS Agricultural Environmental Management is advocated for in the Peconic Estuary Program's Comprehensive Conservation and Management Plan, and in the draft update of the Suffolk County Agricultural Stewardship Plan, to assist the agricultural community in mitigating nitrogen loading; and

WHEREAS, the Suffolk County Agricultural Stewardship Plan calls for the development and implementation of Comprehensive Nutrient Management Plans to identify and mitigate nitrogen losses catalyzed by agriculture; and

WHEREAS, H. F. Corwin and Son's Comprehensive Nutrient Management Plan was updated in 2015 and identified nutrient and pathogen loading into surface and groundwater from uncontained storage of the manure, bedding, and solids generated by the existing waste management system as the predominant concern; and

WHEREAS, the funding being requested by the Suffolk County Soil and Water Conservation District accounts for 41% of the estimated \$604,000 required for this capital improvement; and

WHEREAS, the project will be initiated within three years of the date of adoption of this Resolution; and

WHEREAS, funding for this project is requested through the Suffolk County Water Quality Protection and Restoration Program; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2015 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are sufficient funds available in Fund 477 within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2016 Capital Budget and Program; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that the adoption of this resolution constitutes a Type II Action pursuant to Title 6 NYCRR Part 617.5(C)(3)(20)(27) as this legislative decision involves agricultural farm management practices, including construction, maintenance and repair of farm buildings and structures, and land use changes consistent with generally accepted principals of farming. As such, this Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy-two (72) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of the County's share for this project; and be it further

4th **RESOLVED**, that the Adopted 2016 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Fund	\$250,000

and be it further

5th **RESOLVED**, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev.Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT (Ref. 525-CAP-IFTR-R477)	525	R477	E525	Transfer from Water Quality Protection	\$250,000

and be it further

6th **RESOLVED**, that the 2016 Capital Budget and Program be and are hereby amended as follows:

Project No.: 8240.337
Project Title: Corwin Agricultural Waste Facility

	<u>Total Est'd Cost</u>	<u>Current 2016 Capital Budget & Program</u>	<u>Revised 2016 Capital Budget & Program</u>
3. Construction	\$250,000	\$0	\$250,000W
TOTAL	<u>\$250,000</u>	<u>\$0</u>	<u>\$250,000</u>

and be it further

7th **RESOLVED**, that these Water Quality proceeds in the amount of \$250,000 be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8240.337	Corwin Agricultural Waste Facility	\$250,000

and be it further

8th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project; and be it further

9th **RESOLVED**, that Suffolk County Soil and Water Conservation District shall enter into a contractual agreement with Suffolk County to ensure project completeness; and be it further

10th **RESOLVED**, that nothing contained herein shall be construed as a binding obligation on the part of Suffolk County to continue to provide funding or resources to Suffolk County Soil and Water Conservation District for implementation of this resolution once the funding in this resolution has been exhausted.

DATED: May 10, 2016

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: May 10, 2016