

Introduced by Presiding Officer, on request of the County Executive and Legislator Hahn

RESOLUTION NO. 350 -2014, AMENDING THE ADOPTED 2014 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2014 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH HARMFUL ALGAL BLOOM ACTION PLAN AND STRATEGY AND SHELLFISH AQUACULTURE MONITORING PROGRAM ASSESSMENT (CP 8224)

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 Review Committee at the December 12, 2013 meeting, pursuant to Article XII of the SUFFOLK COUNTY CHARTER, has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship funds; and

WHEREAS, the Suffolk County Department of Economic Development and Planning and the Suffolk County Department of Health Services have requested funding for a project that will develop a Harmful Algal Bloom Action Plan and Strategy and perform a Shellfish Aquaculture Monitoring Program Assessment; and

WHEREAS, Suffolk County's marine waters are a huge economic driver for Long Island in their contributions to tourism, commerce, fishing, recreation, and more. Safe and attractive waters play a key role in assuring the success of many of these activities. However, with an increasing frequency, we are seeing what are known as Harmful Algal Blooms (HABs) in various areas of our Suffolk County water bodies. Due to the increased occurrence and variety of HABs in Suffolk County's marine waters, a renewed, broader focus on this topic is essential to provide information and an action plan with a coordinated strategy for research, monitoring, and management; and

WHEREAS, The Suffolk County Shellfish Aquaculture Lease Program in Peconic Bay and Gardiners Bay was established by Suffolk County Local Law No. 25-2009 (Chapter 475, Article II of the Suffolk County Code). This program, which provides secure access to marine space for private, commercial shellfish aquaculture has been developed by Suffolk County for publicly-owned underwater lands in Peconic Bay and Gardiners Bay. Pursuant to Chapter 425, Laws of New York 2004 (2004 Leasing Law), as codified in New York State Environmental Conservation Law §13-0302, the State of New York ceded title to approximately 100,000 acres of underwater lands in Peconic Bay and Gardiners Bay to Suffolk County for the purpose of shellfish cultivation, and authorized the County to prepare, adopt and implement a shellfish aquaculture lease program for this region; and

WHEREAS, Resolution No. 908-2011 approved the implementation of an environmental monitoring program to assess the potential impacts, be they positive, benign, or negative, of typical shellfish farms operating on plots leased by Suffolk County pursuant to the Lease Program. The proposed monitoring program is an underwater lands management activity that is authorized and required by Article II, § 475-19 of the Suffolk County Code; and

WHEREAS, the Harmful Algal Bloom Action Plan and Strategy and the Assessment of Shellfish Aquaculture Monitoring Programs are consistent with the goals in the update of the Suffolk County Comprehensive Master Plan - 2035, and will contribute to achieving Water Quality Initiative priorities; and

WHEREAS, as a university-based research, extension, and education program, New York Sea Grant continues to be a source for unbiased, high quality, scientific information and has been funding algal bloom research for decades. Often serving as a bridge between academia and agencies, Sea Grant is uniquely positioned for, and has experience in, coordinating the synthesis of knowledge and helping to sort through potential options towards the development of a management action plan or strategy. New York Sea Grant is uniquely and optimally positioned to lead these projects. As a collaborative program between NOAA, Cornell University, and the SUNY system, Sea Grant is not tied to one institution and in fact is “open access” to all scientists, agencies, organizations, and any other stakeholders. It is an integral part of a nationwide network of Sea Grant programs, and has active membership in all three of the state/National Estuary Programs touched by Suffolk County (PEP, SSER, and Long Island Sound). Sea Grant’s vision is that “Coastal decision-making will be influenced by science-based information and educated stakeholders” and its mission is “Bringing science to the shore through high quality research, outreach, and extension.” Clearly, these attributes are a perfect match for these projects; and

WHEREAS, Successful completion of this project aligns with the mission of New York Sea Grant, matching funds are being contributed by New York Sea Grant and the proposal that was prepared for and approved by the WQPRP committee indicated that New York Sea Grant would carry out the project; and

WHEREAS, The Harmful Algal Bloom (HAB) Action Plan and Strategy will bring specific focus on an increasingly problematic and visible issue for Suffolk County; a coordination of efforts; products that will be useful for managers, elected officials, scientists, and the general public; and ultimate advancement towards the potential prevention (or at least reduction) of the occurrence of Harmful Algal Blooms in Suffolk County’s marine waters; and

WHEREAS, Assessment of Shellfish Aquaculture Monitoring Programs will result in optimization of existing water quality monitoring programs to serve multiple purposes, coordination of monitoring efforts within Suffolk County. The results of monitoring for aquaculture impacts will provide insight on whether or not: a. additional measures should be taken by the County in determining the eligibility of proposed aquaculture sites for leasing; and b. the scope and scale of potential lease acreage should be changed in the future; and

WHEREAS, the project shall be initiated within three years of the date of adoption of this resolution; and

WHEREAS, funding is requested for this project 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 2013 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2014 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 this resolution constitutes an Type II action, pursuant to Section 617.5(c)(18), (20), (21) and (27) of Title 6 of the NYCRR and within the meaning of Section 8-0109(2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and Legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of 68 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 said transfer; and be it further

4th **RESOLVED**, that matching project funds are being contributed by New York Sea Grant and that New York Sea Grant will carry out this project; and be it further

5th **RESOLVED**, that the Adopted 2014 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	\$100,323

and be it further

6th **RESOLVED**, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

<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	\$100,323

and be it further

7th **RESOLVED**, that the 2014 Capital Budget and Program be and are hereby amended as follows:

Project No.: 8224
Project Title: Harmful Algal Bloom Action Plan and Strategy and Shellfish Aquaculture Monitoring Program Assessment

	<u>Total Est'd Cost</u>	<u>Current 2014 Capital Budget & Program</u>	<u>Revised 2014 Capital Budget & Program</u>
1. Planning	\$100,323	\$0	\$100,323W
TOTAL	\$100,323	\$0	\$100,323

and be it further

8th **RESOLVED**, that the interfund revenues in the amount of \$100,323 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8224.117	50	Harmful Algal Bloom Action Plan and Strategy and Shellfish Aquaculture Monitoring Program Assessment	\$100,323

and be it further

9th **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.

DATED: May 13, 2014

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: May 29, 2014