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## COUNTY OF ERIE

CHRIS COLLINS  
COUNTY EXECUTIVE

April 21, 2011

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The Honorable  
Erie County Legislature  
92 Franklin Street – Fourth Floor  
Buffalo, New York 14202

**RE: New York State Office of Parks, Recreation and Historic Preservation  
(NYSOPRHP) Stream Sanitary Surveys Project**

Honorable Members:

Beginning this summer, the Erie County Department of Health (ECDOH) will have the regulatory oversight of operation of Woodlawn Beach by the Town of Hamburg and has the responsibility to protect the health of bathers by assuring that the public beach is open only when conditions meet the beach water quality standards.

The New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) has received a Great Lakes Restoration Initiative (GLRI) Grant from the U.S. EPA for the Woodlawn Beach Pollution Source Trackdown and Remediation Project that includes the sanitary surveys of three streams.

At the request of NYSOPRHP, the ECDOH submitted a work plan to conduct stream sanitary surveys of the three streams that contribute to the bacterial contamination that is responsible for the frequent closing of swimming areas at Woodlawn Beach State Park. This project continues the ECDOH work related to improve water quality at public beaches.

The NYSOPRHP offered a sub award to the ECDOH to conduct the three stream sanitary surveys in the amount of \$67,200 over the period January 1, 2011 through May 31, 2014.

Should your honorable body require further information, I encourage you to contact the Health Department. Thank you for your consideration on this matter.

Sincerely,

CHRIS COLLINS  
Erie County Executive

11E-6

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Health Department  
**Re:** NYSOPRHP – Stream Sanitary Surveys Project  
**Date:** April 21, 2011

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### **SUMMARY**

To authorize acceptance of a sub-grant award from the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) in the amount of \$67,200 for the period 1/1/11 – 5/31/14.

### **FISCAL IMPLICATIONS**

Fully funded by the NYSOPRHP in the amount of \$67,200.

### **REASONS FOR RECOMMENDATION**

This summer, the Erie County Department of Health (ECDOH) will have regulatory oversight of the operation of Woodlawn Beach by the Town of Hamburg and has the responsibility to protect the health of bathers by assuring that the public beach is open only when conditions meet the water quality standards of the New York State Public Health Code.

At the request of the NYSOPRHP, the ECDOH submitted a work plan to conduct stream sanitary survey of three streams that make major contributions to the bacterial contamination that is responsible for the frequent closing of the swimming area at Woodlawn Beach State Park. Identification of the source of bacterial contamination is the initial step leading to the remediation of the problem.

The NYSOPRHP has received a U.S. EPA GLRI Grant for the Woodlawn Beach Source Trackdown and Remediation Project including a sub award contract with ECDOH for the stream sanitary surveys component of the project for Blasdell Creek, Rush Creek and Foster Brook that impact Woodlawn Beach.

Further, the ECDOH is under contract with the U.S. EPA GLRI Grant for Lake Erie Stream Sanitary Surveys Project that includes identical work on four streams that impact three of the public beaches that the ECDOH regulates. Concurrently conducting both projects offers the ECDOH economies of scale and other efficiencies.

### **BACKGROUND INFORMATION**

In 2007, the ECDOH received grants from the U.S. Department of Environmental Protection Agency (USEPA). The work under this grant verified that the high bacterial contamination levels at the swimming areas of two public beaches, after rain events, were linked to the transport of

bacterial contamination to the lake by the neighboring streams, and identified the flush-out from outfalls of storm sewers as the primary sources of increased bacterial contamination concentrations to the streams.

### **CONSEQUENCES OF NEGATIVE ACTION**

The stream sanitary surveys will not be undertaken unless ECDOH accepts the sub award. The NYSOPRHP will abandon the project. The NYSOPRHP will no longer face the negative consequences of closing the beach. Any negative publicity will reflect on the Town of Hamburg and by association ECDOH.

### **STEPS FOLLOWING APPROVAL**

The Health Department will follow appropriate steps to implement the provisions of the sub-grant award.

A RESOLUTION SUBMITTED BY:  
HEALTH DEPARTMENT

RE: New York State Office of Parks,  
Recreation and Historic  
Preservation – Stream Sanitary  
Surveys Project

WHEREAS, beginning this summer, the Erie County Department of Health (ECDOH) has regulatory oversight of the operation of Woodlawn Beach by the Town of Hamburg; and

WHEREAS, the ECDOH has the responsibility to protect the health of bathers by assuring that the public beach is open only when conditions meet the standards of the New York State Department of Health Beach Sanitary Code; and

WHEREAS, at the request of the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP), the Erie County Department of Health submitted a work plan to conduct stream sanitary survey of three streams (Blasdell Creek, Rush Creek and Foster Brook) that make major contributions to the bacterial contamination that is responsible for the frequent closing of swimming area at Woodlawn Beach State Park; and

WHEREAS, the NYSOPRHP has received a U.S. EPA GLRI Grant for the Woodlawn Beach Source Trackdown and Remediation Project including a sub-award contract with ECDOH for the stream sanitary surveys component of the project for three streams that impact Woodlawn Beach; and

WHEREAS, the ECDOH is under contract with the U.S. EPA GLRI Grant for Lake Erie Stream Sanitary Surveys Project that includes identical work on four streams that impact three of the public beaches that ECDOH regulates; and

WHEREAS, the concurrent implementation of both projects offers the ECDOH economies of scale and other efficiencies.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract for a sub-award from the New York State Office of Parks, Recreation and Historic Preservation for the period January 1, 2011 through May 31, 2014 to be budgeted as follows:

NYSOPRHP – Stream Sanitary Surveys Project  
1/1/11 – 5/31/14

SAP	REVENUE	AMOUNT
409000	State Aid	<u>\$67,200</u>
	TOTAL	<u>\$67,200</u>
	EXPENSES	
516020	Prof. Services Contracts & Fees	\$54,960
561410	Lab and Technical Equipment	<u>12,240</u>
	TOTAL	<u>\$67,200</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Office of the Comptroller, the Division of Budget and Management, the Department of Law and to Dr. Anthony J. Billittier, IV, Commissioner in the Department of Health, 9<sup>th</sup> Floor, Rath Building.