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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

IMMEDIATE CONSIDERATION

December 9, 2014

Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

Re: **Intermunicipal Agreement to Establish the Lake Erie Watershed Protection Alliance**

Dear Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Department of Environment and Planning requesting authorization for the County Executive to enter into an Intermunicipal Agreement between Erie, Cattaraugus, and Chautauqua counties to establish the Lake Erie Watershed Protection Alliance as an organization to protect and improve the water quality in the New York State portion of the Lake Erie watershed.

Should your Honorable Body require further information, I encourage you to contact Deputy Commissioner Thomas R. Hersey, Jr. at the Department of Environment and Planning. Thank you for your consideration on this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mark C. Poloncarz", written over a horizontal line.

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/cw  
Enclosure

cc: Maria R. Whyte, Commissioner

# MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Environment and Planning  
**Re:** Intermunicipal Agreement to Establish the Lake Erie Watershed Protection Alliance  
**Date:** December 9, 2014

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## **SUMMARY**

The Department of Environment and Planning (DEP) is requesting authorization for the County Executive to enter into an Intermunicipal Agreement between Cattaraugus County, Chautauqua County, and Erie County to establish the Lake Erie Watershed Protection Alliance.

## **FISCAL IMPLICATIONS**

There are no fiscal implications to establishing the Lake Erie Watershed Protection Alliance.

## **REASONS FOR RECOMMENDATION**

Approval of this resolution will enable Erie County to continue to work collaboratively on a regional basis with Cattaraugus and Chautauqua counties on the common goal of protecting and enhancing water quality in our region with the ultimate goal of protecting our Lake Erie resource. This agreement will formalize the partnership that has already begun and will strengthen the ability of the region to receive water quality funding.

## **BACKGROUND INFORMATION**

Lake Erie is part of the largest freshwater resource in the world. Its watershed is densely populated, extensively farmed, and highly industrialized. With drainage from Ontario, Canada and the states of Michigan, Indiana, Ohio, Pennsylvania, and New York, Lake Erie is impacted by the activities of approximately 12 million residents. It is critical that watersheds draining to this precious resource are managed effectively in order to protect this resource that is important to the health and vitality of our community.

Cattaraugus, Chautauqua, and Erie counties make up the majority of the New York State portion of the Lake Erie watershed and have been historically left out of state and federal Great Lakes funding opportunities. Erie County DEP initiated the formation of the Lake Erie Watershed Protection Alliance after devastating floods in 2009, to work together to address water quality and quantity issues on a regional basis and to qualify the region for additional state and federal funding resources. Formalizing this agreement establishes an enduring organization that will collaborate on these goals.

The Lake Erie Watershed Protection Alliance includes a regional government representative, a local government representative, and a Soil and Water Conservation District representative from each of the three member counties who meet quarterly to discuss water quality issues and methods to address these issues. Thus far, the organization has supported regional grant applications for invasive species removal, harbor dredging, wastewater treatment plant upgrades, and watershed management planning. The Alliance has also accepted tree planting funds and that has resulted in habitat improvements in all three member counties.

## **CONSEQUENCES OF NEGATIVE ACTION**

Without approval of the attached resolution, Erie County will not be a member of the Lake Erie Watershed Protection Alliance and will not be entitled to the work products or ~~Comm 265-1~~

awarded through the group. This will cause the region to remain behind others in the state and country and prevent Erie County from accessing certain federal water quality project implementation funds.

### **STEPS FOLLOWING APPROVAL**

The County Executive will execute an Intermunicipal Agreement with Cattaraugus and Chautauqua counties, which will formalize the establishment of the Lake Erie Watershed Protection Alliance.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Intermunicipal Agreement to  
Establish the Lake Erie  
Watershed Protection Alliance

WHEREAS, Lake Erie provides a fresh water resource to New York State residents and visitors for drinking water, energy production, agriculture, industry, recreation and other uses that greatly affect the New York State economy and health of users; and

WHEREAS, this resource is threatened by point and non-point source pollutants within the Lake Erie watershed and along the shoreline within New York State; and

WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in water quality issues throughout the region for decades and continues to administer many initiatives that protect and preserve our natural water resources; and

WHEREAS, the Lake Erie Watershed Protection Alliance (LEWPA) formed as an alliance of municipal officials and concerned stakeholders in Erie, Cattaraugus, and Chautauqua counties wishing to alleviate the impacts of these point and non-point source pollutants in recognition of the fact that the watershed crosses multiple municipal boundaries; and

WHEREAS, these participants recognize the regional benefits of working collaboratively to save time, money, and energy in order to achieve the common goal of improved water quality and flood control; and

WHEREAS, DEP has coordinated LEWPA as an ad hoc committee since 2011 and there is a need to formalize the agreement between the member counties to establish an enduring organization that will collaborate on common watershed goals.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an Intermunicipal Agreement with Cattaraugus and Chautauqua counties to formally establish the Lake Erie Watershed Protection Alliance, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the County Attorney; Maria R. Whyte, Commissioner of Environment and Planning; Thomas Hersey, Jr., Deputy Commissioner of Environment and Planning; Bonnie Lawrence, Coordinator – Pollution Prevention Program; Legislator John Mills and Legislator Lynne Dixon.