



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

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January 20, 2012

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

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Re: WNY Stormwater Coalition: MS4 Mapping Project

Honorable Members:

Enclosed please find a memorandum and proposed resolution from the Department of Environment and Planning authorizing the County Executive to enter into an agreement with the Research Foundation of SUNY at Buffalo State College to assist with the *WNY Stormwater Coalition: MS4 Mapping Project*. The resolution also establishes a grant budget and staffing for the project.

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

Sincerely,

MARK C. POLONCARZ
Erie County Executive

2E-21

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: WNY Stormwater Coalition: MS4 Mapping Project
Date: January 12, 2012

SUMMARY

It is recommended that the Legislature approve the attached resolution prepared by the Department of Environment and Planning (DEP) authorizing the County Executive to enter an agreement with the Research Foundation of SUNY at Buffalo State College for \$356,277 to assist DEP with the *WNY Stormwater Coalition: MS4 Mapping Project*. The project entails developing a comprehensive GIS storm sewer conveyance system map and database with GPS point data for the 42 regulated municipalities that belong to the WNY Stormwater Coalition. Storm sewer system mapping is required under the New York State SPDES General Permit for Stormwater Discharges (GP-0-10-002). Both the Department of Public Works – Division of Highways and the Department of Environment and Planning – Division of Sewerage Management are regulated municipal entities and therefore, subject to the mapping requirement. There are three staff positions created under this grant necessary to complete the work plan approved by the state for this project. One position will be filled by a current grant-funded employee and the other two will be hired to assist with GIS and field data collection.

FISCAL IMPLICATIONS

The NYSDEC grant provides \$1,055,969 (75%) of the funding for the *WNY Stormwater Coalition: MS4 Mapping Project*. The remaining 25% will be provided through indirect costs and in-kind services from the regulated municipalities and Erie County staff. The County does not need to make a cash contribution to this project.

REASONS FOR RECOMMENDATION

Approval of this resolution will allow Erie County to complete project obligations according to the current work plan and contractual requirements set forth by the granting agency, the New York State Department of Environmental Conservation.

BACKGROUND INFORMATION

Federal legislation from the United States Environmental Protection Agency (USEPA) continues to advance the stormwater regulations of Phase I. The Phase II Stormwater regulations require a SPDES permit and implementation of a stormwater management program for municipal separate storm sewer systems (MS4s) servicing populations under 100,000 in an urbanized area (>1000 people/mi²). The federal regulations are administered in New York by the New York State Department of Environmental Conservation.

The Erie County DEP initiated a regional strategy to assist local (Erie and Niagara County) municipal governments in understanding and complying with the Phase II

regulations. This strategy included the formation of the WNY Stormwater Coalition which provides a forum for MS4s in Erie and Niagara County to share resources and work in partnership toward compliance with stormwater requirements. The Coalition consists of representatives of Erie County, Niagara County, several local and State government agencies, forty (40) regulated MS4s, and environmental consultants. For the past nine years, the DEP has facilitated Coalition members in working collaboratively to comply with federal and state stormwater management requirements.

On April 14, 2011 the Erie County Legislature authorized the County Executive to enter into an agreement with the New York State Department of Environmental Conservation (Comm. 6E-16) to accept funding for the WNY Stormwater Coalition: MS4 Mapping Project.

CONSEQUENCES OF NEGATIVE ACTION

Without the requested authorization, Erie County would be unable to fulfill its contractual obligations with the New York State Department of Environmental Conservation. Regulated municipalities would be unable to map their storm sewer conveyance system in accordance with New York State's SPDES General Permit for Stormwater Discharges (GP-0-10-002) and would then incur the expense of mapping without State financial assistance.

STEPS FOLLOWING APPROVAL

The County Executive will enter into an agreement with the Research Foundation of SUNY at Buffalo State College for \$356,277. A grant budget will be established within the Department of Environment and Planning.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

Re: WNY Stormwater Coalition:
MS4 Mapping Project

WHEREAS, the State of New York, through its Department of Environmental Conservation (NYSDEC), provides financial aid for stormwater compliance assistance projects and in the February of 2011 granted Erie County \$1,055,969 to commence the WNY Stormwater Coalition: MS4 Mapping Project; and

WHEREAS, the Erie County Legislature authorized the County Executive to enter into an agreement with the New York State Department of Environmental Conservation (Comm. 6E-16, dated April 14, 2011) to accept funding for the WNY Stormwater Coalition: MS4 Mapping Project; and

WHEREAS, now that the NYSDEC has approved the project work plan and budget, it is necessary for the legislature to provide authorization to establish a grant project budget and the staff positions to implement the approved work plan; and

WHEREAS, the Department of Geography and Planning at Buffalo State College will supervise student interns and coordinate the project fieldwork; and

WHEREAS, execution of the project workplan in accordance with the contractual requirements set forth by the granting agency, necessitates the following grant funded staff positions:

Existing Junior Environmentalist (JG 7);
Junior Environmentalist (JG 7);
Senior GIS Technician (JG 11); and

WHEREAS, the new MS4 Mapping Project grant budget will also support 25 % of the existing Solid Waste Recycling Specialist (JG 12) position that has been created in the WNY Stormwater Coalition: MS4 Assistance Project 2011/12 SAP Grant Account 62WNYSCMS4AP1112 (approved by Comm.19E-10, dated December 9,2010) through 03/31/15 to provide overall management of the mapping project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an agreement with the Research Foundation of SUNY at Buffalo State College for assistance with the WNY Stormwater Coalition: MS4 Mapping Project in an amount not to exceed \$356,277 in grant resources; and be it further

RESOLVED, that the revenue from the New York State Department of Environmental Conservation is hereby appropriated in the grant fund in the Department of Environment and Planning (Business Area 162, Fund 281) as follows:

WNY Stormwater Coalition: MS4 Mapping Project
(Grant Period: 10/01/11-03/31/15)
SAP Grant Account #162WNYSCMS4MP1115

REVENUE:

<u>Account</u>	<u>Description</u>	<u>Budget</u>
409000	State Aid Revenue – NYS Department of Environmental Conservation	\$1,055,969
TOTAL REVENUE		\$1,055,969

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Budget</u>
500000	Personnel Services	\$368,698
502000	Fringe Benefits	\$199,096
510000	Local Travel & Mileage	\$26,012
530000	Other Expenses	\$2,000
561410	Lab & Technical Equipment	\$22,130
516020	Professional Service Contract	\$356,277
916290	ID Env. & Planning Services	<u>\$81,756</u>
TOTAL APPROPRIATIONS		\$1,055,969

and be it further

RESOLVED, that the following positions, which are 100% grant funded, will be created in the above grant:

Junior Environmentalist (JG 7)
B-100 No. 000 000 6433
Budgeted Annual Salary: \$35,921

Mapping Technician (JG 11)
B-100 No. 000 000 6555
Budgeted Annual Salary: \$46,697

and be it further

RESOLVED, that the following position which is 100% grant funded will be transferred from the Western New York Stormwater Coalition Local Ordinance Project (SAP Grant # 162STWTRLCRD0608) into the above grant, upon consumption of the current budget:

Junior Environmentalist (JG 7)
B-100 No. 000 000 6433
Budgeted Annual Salary: \$40,280

and be it further

RESOLVED, that in order to allow the mapping grant to reimburse 25% of the time of the existing Solid Waste Recycling Specialist (JG 12) position, the grant budget for the WNY Stormwater Coalition: MS4 Assistance Project Grant is hereby revised in the Department of Environment and Planning, Business Area 162, as follows:

WNY Stormwater Coalition: MS4 Assistance Project 2011/12
SAP Grant Account #162WNYS4AP1112

REVENUE:

Account	Description	Current Budget	Revision	Revised Budget
420499	Other Local Source Revenue	\$124,000	0	\$124,000
TOTAL REVENUE				\$124,000

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revision</u>	<u>Revised Budget</u>
500000	Full Time Salaries	\$78,175	\$53,088	\$131,263
502000	Fringe Benefits	\$45,825	\$28,668	\$74,493
916290	ID Env. & Planning Services	0	(\$81,756)	(\$81,756)
TOTAL APPROPRIATIONS		\$124,000	0	\$124,000

and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with State and local funding requirements; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the County Comptroller; the Commissioner of Personnel; the Commissioner of the Department of Environment and Planning; the Director of the Division of Budget and Management; and the County Attorney.