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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 6, 2022

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

RE: Lake Erie Watershed Protection Alliance Coordinator Contract

Dear Honorable Members:

Please find enclosed a memorandum and proposed resolution from the Department of Environment and Planning seeking legislative authorization to enter into a contract agreement with the Erie County Soil and Water Conservation District to continue coordinating the Lake Erie Watershed Protection Alliance. Legislative authorization is also sought to execute the correlating budget amendment.

Should your Honorable Body require further information, I encourage you to contact Deputy Commissioner Bonnie L. Lawrence at the Department of Environment and Planning. Thank you for your consideration of this request.

Sincerely yours,

A handwritten signature in blue ink that reads "Mark C. Poloncarz".

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/nb
Enclosure

cc: Daniel R. Castle, Commissioner of Environment and Planning
Bonnie L. Lawrence, Deputy Commissioner

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Environment and Planning
Re: Lake Erie Watershed Protection Alliance Coordinator Contract
Date: May 6, 2022

SUMMARY

It is recommended that the Legislature approve the attached resolution prepared by the Department of Environment and Planning (DEP) authorizing the County Executive or Deputy County Executive to enter into an agreement with the Erie County Soil and Water Conservation District (ECSWCD) to have Joanna Panasiewicz, Senior Environmental Compliance Specialist (JG-12), continue to fulfill the role of Lake Erie Watershed Protection Alliance (LEWPA) Coordinator. The resolution also authorizes a budget amendment. ECSWCD is the recipient of funding from the New York State Environmental Protection Fund via the New York State Department of Environmental Conservation (NYSDEC) for the LEWPA Project, which is a regional planning and implementation effort to protect and improve water quality with Erie, Cattaraugus, and Chautauqua Counties.

FISCAL IMPLICATIONS

25% of this position will be funded through the ECSWCD. The other 75% is funded through a grant provided by the New York State Department of State (NYSDOS) for the specific purpose of developing a nine-element watershed management plan for the region. \$161,000 from the ECSWCD will be added to the existing NYSDOS budget of \$501,000 as established in COMM. 19E-13 (2020).

REASONS FOR RECOMMENDATION

It is vital that the LEWPA project does not lose momentum as it is crucial to securing and managing funds to make improvements to water quality in the New York State portion of the Niagara River/ Lake Erie Watershed. Not utilizing this funding would jeopardize the work through the NYSDOS as well, since both funding sources work together to fund the position and provide water quality improvement planning and implementation.

BACKGROUND INFORMATION

ECSWCD has received NYSDEC grant funding for the past 5 years to support LEWPA – a three-county collaborative effort to better align our communities to improve the Lake Erie watershed and protect Lake Erie water quality. This effort includes funding for a LEWPA Coordinator position, which involves working with NYSDEC to develop and implement work plans and pursue funding for LEWPA watershed improvement initiatives.

Ms. Panasiewicz has been coordinating projects in the three counties, thus far resulting in over 8,865 linear feet of streambank stabilization, 73 acres of ditches and highly erosive areas being hydro-seeded, 54 acres of invasive species management, over 20,000 people being educated on aquatic invasive species prevention & water quality issues, six feasibility studies being

completed enabling municipalities to compete for additional funding for larger projects, over 30,000 tons of sediment prevented from reaching waterways, and over 80,000 pounds of nutrient pollution prevented.

Ms. Panasiewicz has been involved with LEWPA since its inception, and ECSWCD has contracted with DEP to coordinate LEWPA since 2012. NYSDEC has a contract with ECSWCD for the LEWPA project through June 30, 2026. The contract between ECSWCD and Erie County would match these dates through June 30, 2026 in the amount of \$161,000.

CONSEQUENCES OF NEGATIVE ACTION

Without the requested authorization, the LEWPA project will be delayed and will fall behind in its deliverables. Such a delay will result in lost opportunities to secure funding to make improvements to water quality along the Lake Erie shoreline in New York State, as well as the associated watershed, including Erie County. It will also result in the loss of momentum in developing a nine-element watershed management plan for the region, a priority for NYSDEC and necessary for certain federal and state implementation funds for the region.

STEPS FOLLOWING APPROVAL

A new contract with ECSWCD will be executed and the grant budget will be revised.

A RESOLUTION SUBMITTED BY:
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Lake Erie Watershed Protection Alliance Coordinator Contract

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 lead and manage many initiatives that protect and preserve our natural water resources; and

WHEREAS, the Lake Erie Watershed Protection Alliance (LEWPA) has been appropriated funds through the New York State Environmental Protection Fund managed by New York State Department of Environmental Conservation (NYSDEC) to coordinate and implement projects to improve the quality of the watershed; and

WHEREAS, the Erie County Soil and Water Conservation District (ECSWCD) is the Treasurer for LEWPA and is authorized to enter into contracts on behalf of LEWPA; and

WHEREAS, COMM. 6E-14 (2021) was passed to enter into a contract with ECSWCD for these services through March 31, 2023, but was not executed due to a delay in ECSWCD receiving a contract from NYSDEC; and

WHEREAS, the ECSWCD wishes to execute a contract with Erie County through June 30, 2026 to match the dates on their new contract with NYSDEC and retain an existing DEP Senior Environmental Compliance Specialist position and to make budget adjustments that will allow for successful completion of the scope of work.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to execute the necessary agreements with ECSWCD to execute the Lake Erie Watershed Protection Alliance Coordinator Contract through June 30, 2026; and be it further

RESOLVED, that the associated revenue from the Erie County Soil and Water Conservation District is hereby appropriated in a grant account in the Department of Environment and Planning (Business Area 162, Fund 281) as follows:

New York State Department of State: Regional Niagara River Lake Erie Watershed Management Plan Phase 3
(Grant Period: October 1, 2020 – September 31, 2025)
SAP Grant Account #162RNRLEWMP2025

REVENUE:

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revision</u>	<u>Revised Budget</u>
409000	State Aid Revenue	\$501,000.00		\$501,000.00
409010	State Aid - Other		\$161,000.00	\$161,000.00
TOTAL REVENUE				\$662,000.00

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revision</u>	<u>Revised Budget</u>
500000	Personnel Services	\$172,000.00	\$103,000.00	\$275,000.00
500030	Seasonal - Wages	\$64,500.00		\$64,500.00
502000	Fringe Benefits	\$119,500.00	\$58,000.00	\$177,500.00
505000	Supplies	\$6,500.00		\$6,500.00
510000	Local Travel & Mileage	\$1,500.00		\$1,500.00
516020	Professional Services Contract	\$137,000.00		\$137,000.00
TOTAL APPROPRIATIONS		\$501,000.00	\$161,000.00	\$662,000.00

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 Federal and local funding requirements; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; Daniel R. Castle, Commissioner of Environment and Planning; and Bonnie L. Lawrence, Deputy Commissioner of Environment and Planning.