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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

February 10, 2023

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

**Re: Regional Niagara River/Lake Erie Watershed Management Plan Phase 3  
Contract Amendment #1**

Dear Honorable Members:

Please find attached a resolution from the Department of Environment and Planning requesting authorization to execute an amendment to an existing contract with the New York State Department of State for a change in scope and project budget.

If your Honorable Body requires any further information, please contact Deputy Commissioner Bonnie Lawrence at the Department of Environment and Planning. Thank you for your consideration of this request.

Sincerely yours,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP/nb  
Enclosure

Cc: Daniel R. Castle, Commissioner  
Bonnie Lawrence, Deputy Commissioner

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Erie County Department of Environment and Planning  
**Re:** Regional Niagara River/Lake Erie Watershed Management Plan Phase 3 Contract  
Amendment #1  
**Date:** February 10, 2023

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### **SUMMARY**

The Department of Environment and Planning (DEP) is seeking authorization for the County Executive to execute a contract amendment to make a scope change to the Regional Niagara River/Lake Erie Watershed Management Plan Phase 3 Project contract with New York State Department of State (NYSDOS), and to make changes to the grant project budget.

### **FISCAL IMPLICATIONS**

No County funds are necessary to support this request.

### **REASONS FOR RECOMMENDATION**

This project will complete a Nine-Element Watershed Management Plan for the Niagara River/Lake Erie Watershed which will allow for a coordinated approach to protect and improve water quality and, once approved, will make the area eligible for additional state and federal funding for water quality improvement and protection. NYSDOS requires a contract amendment regarding budget changes that are necessary because of changes in project software costs. NYSDOS also requires the contract be amended because of a title change to one of the project staff. The County wishes to amend the contract and modify the grant project budget to reflect the contract changes. Approval of this resolution will enable Erie County to continue to work toward completing a Nine-Element Watershed Management Plan.

### **CONSEQUENCES OF NEGATIVE ACTION**

Without approval of the attached resolution, Erie County will be unable to continue the work associated with the project and the development of the Nine-Element Watershed Management Plan will stop.

### **STEPS FOLLOWING APPROVAL**

The County Executive will execute a contract amendment with NYSDOS and the grant budget will be changed.

A RESOLUTION SUBMITTED BY:  
DEPARTMENT OF ENVIRONMENT AND PLANNING

RE: Regional Niagara River/Lake Erie Watershed Management Plan Phase 3 Contract Amendment #1

WHEREAS, The Erie County Department of Environment and Planning (DEP) is committed to coordinate, oversee, and conduct work to create a Nine-Element Watershed Management Plan as part of the Regional Niagara River Lake Erie Watershed Management Plan Phase 3 project on behalf of the Lake Erie Watershed Protection Alliance (LEWPA); and

WHEREAS, the New York State Department of State (NYS DOS) contracted with Erie County for a \$501,000.00 grant to complete the “Regional Niagara River/Lake Erie Watershed Management Plan Phase 3” project (grant #162RNRLEWMP2025) as authorized by COMM. 19E-13 (2020); and

WHEREAS, the Erie County Soil & Water Conservation District on behalf of LEWPA contracted with Erie County for \$161,000.00 to coordinate LEWPA projects as authorized by COMM 9E-13 (2022); and

WHEREAS, NYSDOS requires a contract amendment to make changes to the contract scope and budget; and

WHEREAS, this necessitates the execution of a contract amendment with the NYSDOS and the revision of the grant budget.

NOW, THEREFORE, BE IT

RESOLVED, that County Executive or Deputy County Executive is authorized to execute the necessary agreements with NYSDOS to revise the budget and scope of the Regional Niagara River/Lake Erie Watershed Management Plan Phase 3; and be it further

RESOLVED, that authorization is hereby given to amend the budget for DEP grant 162RNRLEWMP2025 as follows:

Department of Environment and Planning  
 NYSDOS: Regional Niagara River Lake Erie Watershed Management Phase 3  
 162RNRLEWMP2025  
 October 1, 2020 – September 31, 2025

REVENUE:

<u>Account</u>	<u>Description</u>	<u>Budget</u>
409000	State Aid Revenue	\$501,000
409010	State Aid – Other	\$161,000

TOTAL REVENUE: \$662,000

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Budget</u>	<u>Revisions</u>	<u>Revised Budget</u>
500000	Full Time – Salaries	\$275,000	\$500	\$275,500
500030	Seasonal - Wages	\$64,500		\$64,500
502000	Fringe Benefits	\$177,500		\$177,500
505000	Office Supplies	\$6,500		\$6,500
510000	Local Mileage Reimbursement	\$1,500		\$1,500
516020	Professional Services Contracts & Fees	\$137,000	(\$500)	\$136,500

TOTAL APPROPRIATIONS: \$662,000

and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to make any technical adjustments necessary to effectuate this resolution; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive's Office; Division of Budget and Management; Department of Law; Comptroller's Office; Commissioner of the Department of Environment and Planning; and Deputy Commissioner of the Division of Environmental Compliance Services.