

June 16, 2009

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 9

ALL MEMBERS PRESENT.

CHAIR MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 11D-2 (2009)
COMMISSIONER OF ENVIRONMENT & PLANNING: “State Environmental Quality Review - Sanitary Sewer Service to 7584 Boston State Rd.”
(6-0)
 - b. COMM. 11D-9 (2009)
ENVIRONMENT REVIEW COORDINATOR, ENVIRONMENT & PLANNING: “State Environmental Quality Review - South Main St. Waterline Improvements - Village of Angola”
(6-0)
 - c. COMM. 11M-4 (2009)
TOWN CLERK - TOWN OF ALDEN: “Copy of Town Board Resolution Opposing the Establishment of a County Planning Board - Local Law Intro 1-1, "The Strategic Development Act"”
(6-0)
 - d. COMM. 11M-8 (2009)
NYSDEC: “Fact Sheet - NYSDEC Modifies Cleanup Plan for Spaulding Fibre Site, Tonawanda”
(6-0)
 - e. COMM. 11M-9 (2009)
TOWN CLERK - TOWN OF WEST SENECA: “Unanimously Adopted Resolution in Support of Renaming Ridge Rd., "Father Baker Boulevard"”
(6-0)
 - f. COMM. 11M-17 (2009)
NYSDEC: “Fact Sheet - Environmental Cleanup Plan for 200 Ship Canal - Parkway Site - Available for Public Comment”
(6-0)

2. INTRO 8-12 (2009)

KOZUB

WHEREAS, Mittal Steel recently completed a dredging of Smokes Creek, which FEMA (Federal Emergency Management Agency) in collaboration with the New York State Department of Environmental Conservation, had included in flood zone maps and identified as having a potential flood risk for communities adjacent to Smokes Creek in Lackawanna; and

WHEREAS, this area has not flooded in recent memory, yet remains in the “100 Year Flood Zone” category, which causes undue extra insurance coverage and premium payments for homeowners and businesses in this part of Lackawanna; and

WHEREAS, the decades-long absence of flooding, paired with the completion of the dredging project, calls for immediate relief for the residents and businesses in the designated flood plain area from the onerous burden of these insurance premium costs; and

WHEREAS, draft preliminary maps establishing the federal flood zone for this region are expected to be completed by FEMA by year’s end (2009).

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature call upon FEMA and the New York State Department of Environmental Conservation to immediately prioritize the removal of certain communities in Lackawanna from the 100 Year Flood Zone Map, as the absence of flooding and the dredging of Smokes Creek have rendered this designation archaic, onerous and costly to the residents and businesses of this area; and be it further

RESOLVED, that representatives of the NYS DEC and/or FEMA be invited to a future meeting of the Erie County Legislature’s Energy & Environment Committee to explain the timeframe for the review, analysis and removal of communities in Lackawanna from the flood zone map; and be it further

RESOLVED, that this Honorable Body request the assistance of U.S. Senators Charles Schumer and Kirsten Gillebrand, as well as the WNY Congressional Delegation, to monitor this situation in order to ensure that the people and businesses of Lackawanna are treated equitably; and be it further

RESOLVED, that certified copies of this resolution be conveyed to U.S. Senators Charles Schumer and Kirsten Gillebrand, the WNY Congressional Delegation, FEMA, NYS Department of Environmental Conservation – Western Region and all others deemed necessary and proper.
(6-0)

DANIEL M. KOZUB
CHAIR