

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 655 -2015, ACCEPTING FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANT PROGRAM FUNDS, AMENDING THE 2015 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE TIDAL WETLAND RESTORATION AT SMITH POINT COUNTY PARK TO IMPROVE PROTECTION AGAINST FLOODING AND STORM DAMAGE-PHASE I (CP 8710.148)

WHEREAS, Suffolk County, through the Departments of Economic Development and Planning and Public Works, had requested funds for the Tidal Wetland Restoration to Improve Natural Protection against Flooding and Storm Surge Damage (project) through the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) funds; and

WHEREAS, the New York State Office of Emergency Management (New York OEM) is administering the HMGP funds for the state of New York, and

WHEREAS, FEMA has approved Phase I of the project for \$160,273 and FEMA will consider additional funding for the implementation portion of the Project (Phase II) for \$403,727, for a total project cost, including Phase I and Phase II, of \$564,000; and

WHEREAS, the project will be accomplished through the combined efforts of the Suffolk County Department of Economic Development and Planning and the Department of Public Works; and

WHEREAS, the south shore of Suffolk County, New York, was significantly affected by Super Storm Sandy on October 29, 2012, dramatically affecting populated areas along the coastline and resulted in floods higher than the FEMA 100 year flood event in the area of Shirley, New York, affecting more than 500 homes and the local economy; and

WHEREAS, the poor conditions of the tidal marsh system at Smith Point County Park north just south of Shirley, diminished the flood and storm damage buffering ability of the marsh, therefore the restoration and improvement of the marsh conditions aiming to reduce the effects of flood damages and the high storm intensity of future storms; and

WHEREAS, in accordance with the South Shore Estuary Reserve Comprehensive Management Plan (CMP) Implementation Actions, Restoration of Tidal Wetlands, the loss of tidal wetlands has meant a reduction in the ability of these habitats to stabilize sediments, mitigate storm impacts, and provide ecological and other living resource services. Therefore the need to restore and preserve tidal marshes as natural buffers against flooding, waver energy, and storm surges; and

WHEREAS, the Phase of I of the project will include completing a NEPA Environmental Analysis, Engineering, Permitting, Designs and Analysis, and pre-project data collection and monitoring, to be completed by a contractor and Suffolk County staff as in-kind services; and

WHEREAS, sufficient funds have not been included within the 2015 Capital Budget and Program and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal and/or State Aid; and

WHEREAS, the County must in first instance fund the entire cost of the Phase I of the project and will subsequently be reimbursed by the New York State Office of Emergency Management as administrator of the FEMA HMGP; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$160,273 in Suffolk County Serial Bonds to fund the first instance costs of the capital project; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Section 617.5 (C) (18) (20) and (21) of Title 6 of the NYCRR and within the meaning of Section 8-019 (2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and Legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution; and be it further

2rd **RESOLVED**, that the County Treasurer and the County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$160,273 for Phase I of the project into Capital Project 8710; and be it further

3rd **RESOLVED**, reimbursements received from the HMGP for services performed by the staffs of DPW and EDP be directed to the appropriate fund (001 and 477); and be it further

4th **RESOLVED**, that the 2015 Capital Budget and Program be and they are hereby amended as follows:

Project No: 8710
 Project Title: Tidal Wetland Restoration to Improve Natural Protection against Flooding and Storm Surge Damage

	Total Est'd Cost	Current 2015 Capital Budget & Program	Revised 2015 Capital Budget & Program
1. Planning/Engineering	<u>\$160,273</u>	<u>\$0</u>	<u>\$160,273 F</u>
TOTAL	\$160,273	\$0	\$160,273

5th **RESOLVED**, that these FEMA HMGP proceeds in the amount of \$160,273 be and hereby are appropriated as follows:

<u>Project Number</u>	<u>Project Title</u>	<u>Amount</u>
Ref. 525-CAP-8710.148	Tidal Wetland Restoration to Improve Natural Protection Against Flooding and Storm Surge Damage	\$160,273

and be it further

6th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to advance funding to finance this capital project; and be it further

7th **RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$160,273; and be it further

8th **RESOLVED**, that the Department of Economic Development and Planning will be the lead agency in overseeing the performance of this project and will coordinate with the Department of Public Works in communicating with the Federal and State agencies to ensure compliance and that all associated aid is captured; and be if further

9th **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with FEMA and the New York State Office of Emergency Management and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED: July 28, 2015

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: August 6, 2015