

Intro. Res. No. 1726-2021

Laid on Table 9/9/2021

Introduced by Presiding Officer, on request of the County Executive and Legislators Krupski, Caracappa, Piccirillo, Kennedy

RESOLUTION NO. 807-2021, AMENDING THE ADOPTED 2021 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2021 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE CARMANS RIVER FISH PASSAGE AT LOWER YAPHANK LAKE (CP 7180.310)

WHEREAS, the Suffolk County Water Quality Protection and Restoration Program Review Committee, pursuant to Article XII of the SUFFOLK COUNTY CHARTER has recommended additional funding for the Carmans River Fish Passage at Lower Yaphank Lake at its August 30, 2021 meeting as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative funds; and

WHEREAS, the Suffolk County Department of Economic Development and Planning sponsored the Carmans River Fish Passage at Lower Yaphank Lake in accordance with Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, the Carmans River Fish Passage at Lower Yaphank Lake 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, Lower Lake Dam on County Road 21/Yaphank Avenue is the only remaining barrier to fish passage on the Carmans River; and

WHEREAS, installing the Carmans River Fish Passage at Lower Yaphank Lake will move migratory fish safely and effectively across the stream barrier at Lower Lake Dam, effectively restoring diadromous fish habitat connectivity along the entire 10-mile-long Carmans River while protecting public welfare with regards to flooding and existing infrastructure; and

WHEREAS, this project is consistent with the specific recommendation of the of the South Shore Estuary Reserve's Comprehensive Management Plan to "restore diadromous fish populations in tributaries where necessary habitat conditions exist or can be created"; and

WHEREAS, final engineering plans have been completed for the installation of the Carmans River Fish Passage at Lower Yaphank Lake and all necessary permits have been secured; and

WHEREAS, funding for this project is requested through the Suffolk County Water Quality Protection and Restoration Program and Land Stewardship Initiative; and

WHEREAS, Resolution No. 1027-2020, established the use of a new priority capital ranking system, effective January 1, 2021, as the basis for funding capital projects such as this project and as required, an updated capital project ranking form was completed for this project; and

WHEREAS, there are sufficient funds available in Fund 477 within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2021 Capital Budget and Program; 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 the proposed construction of the Carmans Fish Passage Project constitutes a Type I action and will not have significant adverse impacts on the environment, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 450 of the Suffolk County Code 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

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty (50) is eligible for approval in accordance with the provisions of Resolution No. 1027-2020; and be it further

3rd **RESOLVED**, that sufficient funds exist within Fund 477’s Water Quality Reserve Fund Balance component to cover the cost of the County’s share for this project; and be it further

4th **RESOLVED**, that the Adopted 2021 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

Expenditures:

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Unit</u>	<u>Object</u>	<u>Activity</u>	<u>Description</u>	<u>Amount</u>
477	IFT	DE	E525	9600	0000	Transfer to Capital Fund	\$300,000

and be it further

5th **RESOLVED**, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

Revenues:

<u>Fund</u>	<u>Budget FY</u>	<u>Fiscal Yr</u>	<u>Dept</u>	<u>Approp Unit</u>	<u>Unit</u>	<u>Group</u>	<u>Rev Source</u>	<u>Description</u>	<u>Amount</u>
525	9999	2021	CAP	X	IFTR	0000	R477	Transfer from Water Quality	\$300,000

and be it further

6th **RESOLVED**, that the 2021 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 7180.310
 Project Title: Carmans River Fish Passage at Lower Yaphank Lake

	<u>Total Est'd Cost</u>	<u>Current 2021 Capital Budget & Program</u>	<u>Revised 2021 Capital Budget & Program</u>
1. Construction	\$ <u>1,675,000</u>	\$0	\$ <u>300,000</u> (W)
Total	\$ 1,675,000	\$0	\$ 300,000

and be it further

7th **RESOLVED**, that these Water Quality proceeds in the amount of \$300,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7180.310	Carmans River Fish Passage at Lower Yaphank Lake	\$300,000

and be it further

8th **RESOLVED**, that the County Comptroller is hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATED: October 5, 2021

APPROVED BY:

/s/ Lisa Black
 Chief Deputy County Executive of Suffolk County

Date: October 20, 2021