

Intro. Res. No. 1091-2022

Laid on Table 2/1/2022

Introduced by Presiding Officer, on request of the County Executive and Legislator Hahn

RESOLUTION NO. 85-2022, AUTHORIZING APPRAISAL OF ENVIRONMENTALLY SENSITIVE LANDS UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007

WHEREAS, Local Law 24-2007, "A Charter Law Extending and Accelerating the Suffolk County 1/4% Drinking Water Protection Program for Environmental Protection," authorizes the use of 31.10 per cent of sales and compensating use tax proceeds generated each year for Specific Environmental Protection including acquisition of open space; environmentally sensitive lands; farmland development rights; hamlet parks; active recreational parks; or historic/cultural parks, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, Resolution No. 315-1998 approved the list of environmentally sensitive lands located within the Central Pine Barrens Core Preservation Area to be acquired pursuant to Article XII of the Suffolk County Charter; and

WHEREAS, the Suffolk County Legislature, in Resolution Nos. 680-1987 and 869-1988 designated the Pine Barrens Zone as well as other areas proposed for acquisition, as Critical Environmental Areas where preservation of open space will constitute a benefit to the environment and public health; and

WHEREAS, in July 1993, the State of New York enacted legislation, known as "The Long Island Pine Barrens Protection Act," as amended, (N.Y.S. Environmental Conservation Law, Article 57) (ECL), which designates a "Core preservation area" as the prime preservation area of the "Central Pine Barrens area" as defined in that legislation; and in June 1995, the State of New York adopted the "Central Pine Barrens Comprehensive Land Use Plan"; and

WHEREAS, the goals of these two Land Preservation Programs include the protection of the natural ecosystem of such lands, and the protection of lands necessary for water supply, are compatible; and

WHEREAS, Exhibit "A" of Resolution No. 315-1998 included the list of Suffolk County Tax Map Districts and Sections within which parcels are authorized to be acquired in the Suffolk County Drinking Water Protection Program in accordance with Resolution No. 315-1998; and

WHEREAS, Exhibit "A" of Resolution No. 315-1998 did not include a complete list of the Suffolk County Tax Map Districts and Sections within which parcels are authorized to be acquired; and

WHEREAS, in 2013, the New York State Legislature expanded the Central Pine Barrens region in the vicinity of the Carmans River Watershed in Brookhaven Town to provide increased protection for the surface water, groundwater and ecological resources associated with this and the effective date of this expansion was January 1, 2014; and

WHEREAS, the list of environmentally sensitive lands identified in Exhibit “A” of this resolution contain the remaining vacant and privately-owned parcels not identified in Exhibit “A” of Resolution No. 315-1998; now, therefore be it

1st **RESOLVED**, that the list of environmentally sensitive lands identified in Exhibit “A” of this Resolution is hereby approved for appraisal: and be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section A35-3(B)(1) of the SUFFOLK COUNTY ADMINISTRATIVE CODE, to have the subject parcel(s) appraised if funding is available and the owner of the land has indicated a willingness to sell; and be it further

3rd **RESOLVED**, that the cost of such appraisal(s) shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

4th **RESOLVED**, that the costs associated with the preparation of a title search, survey, map or environmental assessment of the subject parcel(s), which may be authorized by a subsequent legislative resolution or procedural motion, shall be paid for from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

5th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(26) and (33) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW insofar as these actions constitute routine or continuing administration and management not including new programs or major reordering of priorities that may affect the environment, 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.

DATED: March 8, 2022

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: March 17, 2022