

 **Fire Island Association, Inc.**

April 17, 2014

Robert J. Smith, Project Biologist  
NY District, Army Corps of Engineers  
26 Federal Plaza  
New York, N.Y. 10278

Dear Mr. Smith,

I am writing to express the full support of The Fire Island Association (FIA) for the Fire Island to Moriches Inlet (FIMI) Stabilization Project, as set forth in the recently posted DEA and HSLRR Report.

We see this project as essential to the preservation of Fire Island, assuring that this critical barrier island and its unique natural environment remain intact and a source for recreation, protection of its ecosystem and preservation of both island and mainland Long Island communities and businesses. After reviewing the Project Report and the EA, we offer the following comments for consideration as these two documents are finalized for official publication:

**FIMI as first phase in a plan for shore management:** We strongly support the phasing of the emergency stabilization FIMI in advance of the larger FIMP, and completely concur with the recommendation in the Report to focus stabilization efforts “on FIMI as this reach is the most populated and subject to barrier island overwash and breach thereby exposing the back-bay to considerable.

- While we agree with assessment of the stand-alone benefits derived from the FIMI, we also fully anticipate that FIMI will be the first phase of a long-term shore management and sustainability plan that will be developed and hopefully funded through the implementation of the comprehensive FIMP initiative.

**Expedited project schedule:** The FIA urges the Army Corps and all involved agencies to expedite the necessary reviews and approvals to allow commencement of all sections of the FIMI Project as soon as possible. This project should move forward with full speed in order to return a reasonable margin of safety and security to Fire Island and the south shore of Long Island without any further delays. The 2014 Hurricane Season will soon be upon us.

**Flexible and proactive management approach:** To allow for expedited project implementation, we urge USACE to adopt a collaborative planning approach with the Fire Island communities, characterized by flexibility and maximization of available community and governmental resources. Examples of this approach include:

- USACE, along with all of the relevant agencies that have jurisdiction over the project, should address the particular needs of our communities “on the ground” with the intention of seeking swift resolution and flexible administration of the powers that will be granted when the project is approved by the Federal, State and County partners.
- The potential for utilizing existing local resources that may include but not be limited to private land or municipal land (from willing parties/agencies) should be recognized to allow for relocating houses in lieu of acquiring them. We believe this strategy can limit the impact on real estate and help keep residents within their community should they so desire.

**Sand Sources:** We support the use of sand from source location 4C as identified in the report for the purpose of implementing the community-portion of the FIMI. There is a more-than-adequate volume of sand in that site, and it is more than sufficiently far off-shore to completely mitigate any impact on the natural movement of on-shore sediment. However:

- We urge the Army Corps, as part of its pre-construction planning activities, to further develop 4C with current core sampling data in order to narrow the source area to target sand that is most compatible with the existing beach conditions and has sufficient grain-size to promote optimum project sustainability.
- The sand source as depicted in the FIMI EA, derived from off-shore borrow areas, triggers an ongoing discussion about offshore/onshore sand migration that has long been a major subject of interest and controversy. We would hope that the responsible agencies would quickly concur on some methodology to estimate such offshore sand movement, and undertake to immediately support the relevant research so that a substantive study might be undertaken in conjunction with the FIMI.

**Dune Alignment:** We acknowledge concept of realigning the dune line and beach template to promote longer-term project sustainability. However:

- The consequence of the re-alignment as proposed results in the elimination or relocation of approximately 45 to 50 existing structures. This is extremely disruptive not only to those families impacted, but also to the tax-base of those communities where they are located. We therefore urge that the implementation of this re-alignment focus all efforts first on relocation of the existing structures wherever possible and desired by the property owners.
- In our opinion, the draft EA could also be improved with the inclusion of the economic analysis that scientifically and economically underpins the justification behind the concept of alignment to prove that the cost of acquisition is more feasible/responsible than the cost of construction when considered as part of either the FIMI or within the context of a larger and theoretically subsequent FIMP.
- In those situations where a property must be acquired, fair value determinations will not only adequately compensate the impacted homeowners, but will also facilitate the

necessary real estate transactions required for expedited project implementation. The total possible compensation per homeowner is currently hard to understand in the Draft EA. The final version of the EA should explain how the values in the report were developed and should additionally include a copy of the specific standards for appraisal that will be utilized in the future.

**Fire Island’s experience with Beach stabilization:** Although the FIMI is somewhat larger in scope and involves dune realignment issues, Fire Island communities have been undertaking, maintaining, and monitoring numerous beach stabilization projects since the early 1990s.

- These past projects have been undertaken under extensive and intensive environmental oversight to assure that they are compatible with the natural environment that Fire Islanders have been the most ardent stewards of for the past century.
- The monitoring has clearly revealed that not only have the beach stabilizations projects of the past quarter century done no harm, but that they have actually provided measurable benefits to the natural environment. (Please see Appendix, ‘Benefits of beach stabilization to the natural environment’)
- We recognize that the FIMI project will have a limited lifespan while a more enduring project is being considered. In the interim, our communities would like to understand our rights and or obligations pertaining to our historical practice of managing our dunes, fencing, planting and other natural resources on the beach.

**The breach at Old Inlet:** While we are encouraged by the preliminary evidence that the inlet is leading toward clearer and presumably cleaner waters in the eastern areas of Great South Bay, we remain deeply concerned regarding the possibility of the inlet exacerbating flooding in the bay, migrating westward and eroding more of Fire Island. Most importantly, we have reason to believe that the inlet may further disrupt the historic and natural longshore flows of sediment on the beach front. Should the inlet remain open into the future, these latter losses should be accounted for and a mechanism for “downstream” compensation of sand ought to be made.

**Special concerns of two more seriously impacted communities:**

**Davis Park:** Despite the fact that 19 homes and ocean front properties are located in the dune alignment zone as described in the Draft EA, the community of Davis Park (DP) is nevertheless strongly in favor of this project, which they consider essential to the community’s continued well-being. In the past, DP residents spent their tax dollars to nourish their beach in 2007/8, a project that was highly beneficial, both for strengthening the dune system and for creating habitat for local bird species. However in regard to the FIMI project:

- The Davis Park Association is concerned that each homeowner affected by the Army Corps’ proposed project be treated fairly and be fairly compensated. Creative alternative solutions should also be employed in individual situations for those residents whose homes are slated for acquisition. The key to successful implementation in the DP community is for the Army Corps and its cooperating agencies to collaborate closely with residents to be sure that all affected homeowners are treated fairly and work to achieve outcomes that are satisfactory to them.

- DPA also believes that it will be appropriate and economically prudent for the Corps to look again at the alternatives for each home within the Davis Park community, to consider possible relocations or repositioning on existing property rather than assuming that acquisition is the only way to clear space for the project.

**Ocean Bay Park:** Super Storm Sandy hit Ocean Bay Park with incredible force, washing away the beach and dunes and damaging or destroying many homes. The proposed FIMI beach stabilization project is essential to the future of Ocean Bay Park, one of the narrowest sections of Fire Island, where the ocean flows through to the bay during large storms. During Sandy in fact, ocean debris was dumped over into the bay or piled up against the bayside houses. The community supports the FIMI project, therefore, although the Ocean Bay Park Association lists the following issues of concern:

- 18 houses and one parcel of land in Ocean Bay Park have been identified as requiring acquisition in order to maintain a dune alignment with other communities. This is a difficult decision for those who own and occupy the first row of houses in OBP. While understanding that this disruption in the lives of 19 families is warranted in order to construct the dune system in a cost effective manner, the OBP community is relying on the assurances in the Draft EA that the affected families will be adequately compensated for the loss of their homes.
- Severe damage to OBP homes from Hurricane Sandy was not limited to the southernmost row of oceanfront properties alone. Certain private landowners within the community that are not on the ocean may be willing to forgo their own plans for reconstruction in exchange for either a private or public transaction/sale.
- In connection with the FIMI project, there has been discussion about the role of Traffic Avenue in possible relocation strategies for one or more ocean front homes. However, several landowners on the eastern side of Ocean Bay Park rely on Traffic Avenue for access to their homes, access for emergency services and access to public utilities including but not limited to water and electrical service. It has been suggested therefore that the EA should provide for the ability to reconfigure existing rights of way to ensure all homeowners continue to enjoy access, emergency service and utilities to their homes without the need to create private easements.
- The draft EA is silent on the “cut” that exists on the border of Ocean Bay Park and Point of Woods. The cut is an Emergency Service Resource that requires consideration in its inclusion or absence and in particular in its construction and profile. It is believed that the former profile of the cut contributed significantly to the damage that occurred to Ocean Bay Park during Super Storm Sandy by allowing the dune to be eroded from both sides.

In conclusion, the FIA wishes to reiterate our enthusiastic support of the FIMI project as an effective, pragmatic, expedient and realistic response to the damage to the barrier island caused by Sandy. We are also committed to assist all involved agencies at all levels of government in every possible way to implement the FIMI project in the most equitable and expeditious way possible.

Regards,

Suzy Goldhirsch, President  
Fire Island Association



## **APPENDIX: Benefits of beach stabilization to the natural environment**

- **Piping plovers & least terns**
  - Following the 2009 project, there were plover and tern nests recorded in areas that had no previous nesting history, supporting our assertion in the EA that a benefit of nourishment is habitat creation.
    - Davis Park had no nesting history, but had 3 plover nests in 2009 as well as a least tern colony; in 2010 there was a smaller least tern colony; in 2011 an even smaller least tern colony; and in 2012 a single least tern nest.
    - FI Pines had 1 plover nest and 1 least tern nest in 2009; 1 plover nest in 2010; and no nesting but plovers observed foraging in 2011 – 2012.
    - Central FI had 1 plover nest in 2009 (Ocean Bay Park) and 1 nest in 2010 (FI Summer Club).
    - WFI had no nesting activity in any year following nourishment.
  - Following the 2004 project, there was a plover nest recorded in FI Pines, again supporting our assertion that a benefit of nourishment is habitat creation.
  - For plovers, productivity within community nests is similar to what is observed throughout FINS undeveloped/wilderness areas. This is important because some have asserted that community nourishment results in suboptimal habitat, and that less productivity of nests in community nourished areas would negatively impact the Fire Island population. However, our data suggest that community habitat had similar productivity to wilderness/FINS habitat, supporting our assertion that nourishment is

beneficial in creating plover habitat and demonstrating that the suboptimal theory is incorrect.

- Prior to the 2004 project, there had been no nests recorded in the nourished communities (the only community nesting recorded was 1997 in Water Island, and 2002 & 2007 in Cherry Grove).
- After both the 2004 and 2009 projects, nesting activity peaked in the season immediately after nourishment, and then decreased each year thereafter as beach conditions declined.

- **Seabeach amaranth**

Following the 2009 project, seabeach amaranth was recorded throughout the nourished areas,

- WFI – 25 plants in 2009; 4 in 2010; 1 in 2011; 1 in 2012; 1 in 2013
  - CFI – 2 in 2010; 1 in 2011; 2 in 2013
  - FIP – 3 plants in 2009; 1 in 2010; 3 in 2011; 2 in 2013
  - Davis Park – 1 in 2011;
  - Following the 2004 project, there was a significant increase in amaranth in both WFI and FIP, where none were observed during pre-nourishment surveys
    - WFI – 24 plants in 2004; 8 plants in 2005; 6 plants in 2006; 6 plants in 2007; 12 plants in 2008
    - FIP – 45 plants in 2004; 188 plants in 2005; 28 plants in 2006; 2 in 2007
- **Seabeach knotweed**: Although this plant is no longer listed under either the federal or state ESA, it is a rare species and observations were recorded by LUES in 2012 and 2013 at the request of FINS. Prior to that, knotweed was noted as occurring, but not recorded with GPS.
    - Seabeach knotweed was fairly abundant in 2012, with 5 in CFI, 32 in FIP, and 36 in DP.
    - In 2013, knotweed was also fairly abundant, with 7 plants in WFI, 10 in CFI, 14 in FIP, 3 in DP.
  - **Invertebrates**: Following both the 2009 and 2004 nourishment projects, invertebrates were sampled from the fore dune to the edge of the wash zone. Invertebrates were recorded in the spring immediately following nourishment, recovery to pre-nourishment conditions occurred by the fall after nourishment. This is not necessarily a benefit, but does demonstrate that recovery occurs quickly and therefore there is no negative impact to the invertebrate community due to nourishment.
  - **Borrow Sites – Finfish**: Following the 2004 nourishment project, DEC required that we sample the borrow areas for 2 years to assess whether there was recovery of finfish species. Sampling was performed in 2005 and 2006, and there was no significant difference in species composition or abundance between borrow areas and control sites. While not a project benefit, this also demonstrates that finfish recovery occurs quickly (within 15 months) and therefore there is no long-term negative impact of dredging on the borrow area finfish community.