

**List of Appendices
for
NEPA Environmental Assessment
Sailors Haven Dredging Project
Fire Island National Seashore
November 2007**

- Appendix A List of Acronyms
- Appendix B Letters of Record and Documentation
- Appendix C DO-12 Environmental Screening Form
- Appendix D Coastal Zone Management Policies

APPENDIX A

LIST OF ACRONYMS

ADA	Americans with Disabilities Act
AMSL	Above Mean Sea Level
CEQ	President's Council on Environmental Quality
CFR	Code of Federal Regulations
CWA	Clean Water Act
DOI	Department of the Interior
DOT	Department of Transportation
EA	Environmental Assessment
EFH	Essential Fish Habitat
EO	Executive Order
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FIIS	Fire Island National Seashore
FONSI	Finding of No Significant Impact
GMP	General Management Plan
GSA	General Services Administration
GSB	Great South Bay
MOA	Memorandum of Agreement
NEPA	National Environmental Policy Act
NHP	National Historical Park
NHPA	National Historic Preservation Act of 1996, as amended
NMFS	National Marine Fisheries Service
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
NPS	National Park Service
NRHP	National Register of Historic Places
NYSDOS	New York State Department of State
NYSDOT	New York State Department of Transportation
NYSNHP	New York State Natural Heritage Program
NYSOPRHP	New York State Office of Parks, Recreation and Historic Preservation
ROD	Record of Decision
SEQRA	State Environmental Quality Review Act
SOF	Statement of Findings
USACOE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USDI	United States Department of the Interior
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service

APPENDIX B

LETTERS OF RECORD AND DOCUMENTATION



STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001

RECEIVED
SEP 10 2007
The LA Group

ELIOT SPITZER
GOVERNOR

LORRAINE A. CORTÉS-VÁZQUEZ
SECRETARY OF STATE

Tracey M. Clothier
Senior Planner
The LA Group, P.C.
40 Long Alley
Saratoga Springs, New York 12866

September 6, 2007

Re: F-2005-0216(DA) - Modification
National Park Service - Rehabilitate and maintenance dredge Sailors
Haven marina and ferry dock, Fire Island National Seashore - Great South
Bay, Town of Brookhaven, Suffolk County
No Objection To Proposed Modification

Dear Ms. Clothier:

On August 31, 2007 and September 6, 2007 the Department of State received material describing the National Park Service's (Service's) proposed modifications regarding the above referenced activity. The proposed modification involves completion of maintenance dredging that had not been completed when initial authorizations were issued and other work conducted, and the stockpiling of approximately 1,700 cubic yards of dredged material in an upland picnic area adjacent to the dredged basin at Sailors Haven, until it can be used as originally intended.

In accordance with 15 CFR Part 930, Subpart C, the Department previously reviewed the original proposal and concurred with the Service's consistency determination for it. The effects of the proposed modification would not be significantly different than those originally reviewed and considered by the Department as long as the activities are conducted during the seasons considered in the Department's original review and decision to concur with the Service's original consistency determination. As would the original proposal, the proposed modification to the original activity would advance applicable policies of the New York Coastal Management Program and national objectives of the federal Coastal Zone Management Act relating to appropriate types of levels of public access to, uses of, and protection of publicly owned and managed resources in and of the Fire Island National Seashore. Therefore, the Department has no objection to the proposed modification. Nothing further is required from this Department unless the proposed activity is again modified.

When communicating with us regarding this matter, please contact us at (518) 474-6000 and refer to our file # F-2005-0216(DA).

Sincerely,

Steven C. Resler
Deputy Bureau Chief, Resources Management Bureau
Section Chief, Consistency Review, Analysis, GIS & Special Projects
New York Coastal Management Program

SCR/dc

c: FINS - Mike Bilecki

September 6, 2007

Steven C. Resler
Deputy Bureau Chief
Resources Management Bureau
Coastal Management Program
NYS Department of State
41 State Street
Albany, NY 12231-0001

Re: F-2005-0216 (DA)

Dear Mr. Resler:

On behalf of Fire Island National Park I would like to inform you that the National Park Service has modified the scope of the Sailors Haven Rehabilitation Project in order to conduct maintenance dredging on the approach channel to the marina.

USACOE Permit No. 2001-01329 included rehabilitation of the marina and the dredging of the marina basin and approach channel. Due to funding constraints the dredging of the approach channel was not conducted at the time of issuance of the permit. The only modification to this permit is that the approximately 1,700 cubic yards of sand will be stockpiled in the location of the picnic area on the easterly portion of the marina. The original plan included using the dredged material as backfill to slow the erosion process along the bay side of the Sunken Forest. However, it has since been calculated that there is not enough material to conduct this pilot project. Therefore, dredged material will be stockpiled for possible future use in a backfill or restoration project.

The propose project, maintenance dredging of the approach channel to Sailor's Haven Marina, advances the objectives of the NYS and federal Coastal Policies. By copy of this e-mail, we request a letter of concurrence from the Department of State.

If you have any questions or concerns, please feel free to call Mike Bilecki or me at NPS. Thank you.

Sincerely,

Tracey M. Clothier, A.I.C.P.
tclothier@thelagroup.com
Senior Planner
for
The LA Group, P.C.

cc: Michael Bilecki, Fire Island National Seashore



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

RECEIVED

SEP 13 2007

SEP 19 2007

The LA Group

Tracey M. Clothier
The LA Group
40 Long Alley
Saratoga Springs, New York 12866

Dear Ms. Clothier,

This is in response to your letter dated September 10, 2007 letter regarding a proposal by the National Park Service to conduct maintenance dredging for the channel leading into the Sailors Haven Marian along the Fire Island National Seashore. Your letter requested information on the presence of species listed as threatened or endangered by NOAA's National Marine Fisheries Service (NMFS) that are likely to occur near the project site.

Four species of federally threatened or endangered sea turtles under the jurisdiction of NMFS may be found seasonally in the coastal waters of New York. Sea turtles are expected to be in the waters off Long Island in warmer months, typically from May 1 to November 30. The sea turtles in northeastern nearshore waters are typically small juveniles with the most abundant being the federally threatened loggerhead (*Caretta caretta*) followed by the federally endangered Kemp's ridley (*Lepidochelys kempfi*). The waters off Long Island have also been found to be warm enough to support federally endangered green sea turtles (*Chelonia mydas*) from June through October. The three species of chelonid turtles found in the Northeast remain very briefly in open ocean waters, spending most of their time during the summer months in harbors and estuarine waters. Federally endangered leatherback sea turtles (*Dermochelys coriacea*) may be found in the waters off Long Island during the warmer months as well. Leatherbacks in these waters are thought to be pursuing their preferred jellyfish prey. Due to the shallow depths and nearshore location of the Sailors Haven entrance channel, leatherback sea turtles are not likely to occur in the action area.

Several species of listed whales occur seasonally off the coast of New York. While listed whales may occur in coastal waters, such as off the south shore of Long Island and occasionally occur within Long Island Sound, due to water depths and the near-shore location, no listed whales are likely to occur at the dredge site.

As noted in your letter, in 2005, the Sailors Haven Rehabilitation Project was conducted which involved the dredging and reconstruction of the marina itself. While dredging of the entrance



channel was proposed and permitted at that time, the action was not completed due to a lack of funding. NPS is now proposing to complete the previously permitted dredging of the entrance channel. Consultation pursuant to Section 7 of the Endangered Species Act (ESA) of 1973, as amended, was completed between NPS and NMFS on the Sailors Haven Rehabilitation Project. In a letter dated August 17, 2005, NMFS concurred with the determination made by the NPS that the proposed action, including dredging of the entrance channel, was not likely to adversely affect any species listed by NMFS (see enclosed letter). As such, no further consultation on the dredging of the entrance channel is necessary. Should you have any questions regarding this correspondence, please contact Julie Crocker of my staff at (978)281-9300 x6530.

Sincerely,



Mary A. Colligan
Assistant Regional Administrator
for Protected Resources

CC: Crocker, F/NER4
Rusanowsky, F/NER3 Milford

File Code: Sec 7 tech assistance 2007 - NPS Sailors Haven Marina and Ferry Dock
PCTS: T/NER/2007/05966

September 10, 2007

Mary A. Colligan
Assistant Regional Administrator for Protected Resources
US Department of Commerce
National Marine Fisheries Service
One Blackburn Drive
Gloucester, MA 01930-2298

Re: *Sailors Haven Channel Dredging Project, Fire Island National Seashore*

Dear Ms. Colligan:

On behalf of Fire Island National Park, I would like to inform you that the National Park Service plans to conduct a maintenance dredging project for the channel area that leads into the Sailors Haven Marina. We are seeking information on the presence of federally listed threatened or endangered species and or designated critical habitat for listed species in the vicinity of Sailors Haven Marina and Visitors Center for use in the preparation of an EA. The project is located on Fire Island in the Town of Brookhaven in Suffolk County, Long Island.

The project area has gradually filled in since the last time it was dredged in 2002/03 (NEPA Environmental Assessment - August 2001). In 2005/06, the Sailors Haven Rehabilitation Project (NEPA Environmental Assessment - March 2005) was conducted which involved the dredging and reconstruction of the marina itself. Although the channel dredging was included in the permitting process, it was not carried out due to the lack of funding. This project has subsequently received funding and is the subject of a new EA. The project involves the dredging of up to 2,000 cubic yards of material from the immediate channel leading into the marina which has become a navigational safety hazard.

The project will be covered under USACOE Permit No. 2001-01329 included rehabilitation of the marina and the dredging of the marina basin and approach channel. The only modification to this permit is that the dredge material will be stockpiled in the location of the picnic area on the easterly portion of the marina. The dredged material was originally intended as shoreline backfill to assist in stabilizing the erosion process along the bay side of the Sunken Forest. However, it has since been calculated that there is not enough material to conduct this pilot project. Therefore, dredged material will be stockpiled for possible future use in a backfill or restoration project.

If you have any questions or concerns, please feel free to call me. Thank you.

Sincerely,

Tracey M. Clothier, A.I.C.P.
tclothier@thelagroup.com
Senior Planner
for
The LA Group, P.C.

Att: USGS Map, Project Location Map; Photo; copy of letter from NMFS 11/8/04.



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

AUG 17 2005

Michael Reynolds
Superintendent, Fire Island National Seashore
National Park Service
Fire Island National Seashore
120 Laurel Street
Patchogue, New York 11772

Dear Mr. Reynolds:

This is in response to your letter dated March 9, 2005 regarding National Park Services' (NPA) proposed rehabilitation of the existing Sailors Haven Marina and ferry dock. The proposed project involves the repair of damaged portions of the marina, including bulkheads, decks, breakwaters, docks, piers, mooring, and their substructures, as well as stabilizing the structures against future damage and deterioration. The project also entails dredging a portion of the marina to improve navigation and boater safety. The NPS has made the preliminary determination that this project is not likely to adversely affect any listed species under the jurisdiction of NOAA's National Marine Fisheries Service (NMFS) and has requested NMFS concurrence with that determination.

Four species of federally threatened or endangered sea turtles may be found seasonally in the waters off the south shore of Long Island. The sea turtles in northeastern nearshore waters are typically small juveniles with the most abundant being the federally threatened loggerhead (*Caretta caretta*) followed by the federally endangered Kemp's ridley (*Lepidochelys kempi*). Federally endangered leatherback (*Dermochelys coriacea*) and green (*Chelonia mydas*) sea turtles may also be found seasonally in the waters off the south shore of Long Island. These sea turtle species are expected to be in the vicinity of the Fire Island Seashore during the early summer to fall months, typically from May 1 to November 30. During this time in the Northeast, loggerheads, Kemp's ridley, and green turtles remain very briefly in open ocean waters, spending most of their time in harbors and estuarine waters. Leatherbacks sea turtles are typically found in open water, however, they are known to travel through inshore waters while pursuing their preferred jellyfish prey.

Federally endangered North Atlantic right whales (*Eubalaena glacialis*) and humpback whales (*Megaptera novaeangliae*) may be found seasonally in Long Island waters. North Atlantic right whales have been documented in the nearshore waters of New York from September 1 – March 31. Humpback whales feed during the spring, summer, and fall over a range that encompasses the eastern coast of the United States and may be found in New York waters from February – April and September - November. Fin (*Balaenoptera*



physalus) and Sperm (*Physter macrocephalus*) whales are also seasonally present in the waters off of New York, but are typically found in deeper offshore waters. Although these species of whales may be present in the waters off Long Island, they are not expected to occur in the inshore project area; therefore, this project is not expected to adversely affect endangered whales.

Dredging activities have been documented to lethally take threatened and endangered sea turtles; however, these takes have all been with hopper dredges. The hydraulic pipeline dredge is not known to take sea turtles due to the small size of the pipeline intake and the level of suction associated with dredging. It is expected that sea turtles are able to avoid the hydraulic pipeline dredge. As such, due to the use of a hydraulic pipeline dredge, sea turtles are not likely to be adversely affected by the dredging activities.

Dredging operations destroy benthic communities and any sedentary organisms associated with the bottom sediments located within the dredged area. Most motile organisms, such as crabs and finfish, would likely have the ability to avoid the dredge. However, the recolonization of a dredged area is expected to be rapid; studies have indicated that pre-dredging conditions in a channel can be reestablished in as little as one month after dredging ceases. In addition, the location of the proposed dredging is not in an area that is thought to be used by sea turtles for foraging as it is a heavily used area that is not known to support sea turtle forage items. Consequently, the dredging of this area is not expected to adversely affect the foraging of sea turtles in the area.

No other activities associated with this project are expected to affect sea turtles. As such, NMFS is able to conclude that the proposed project is not likely to adversely affect any threatened or endangered species under our jurisdiction. Therefore, no further consultation pursuant to section 7 of the ESA is required. Should project plans change or new information become available that changes the basis for this determination, consultation should be reinitiated. Should you have any questions about these comments, please Sara McNulty at (978) 281-9300 ext. 6520.

Sincerely,



Patricia A. Kurkul
Regional Administrator

September 10, 2007

Mary A. Colligan
Assistant Regional Administrator for Protected Resources
US Department of Commerce
National Marine Fisheries Service
One Blackburn Drive
Gloucester, MA 01930-2298

Re: *Sailors Haven Channel Dredging Project, Fire Island National Seashore*

Dear Ms. Colligan:

On behalf of Fire Island National Park, I would like to inform you that the National Park Service plans to conduct a maintenance dredging project for the channel area that leads into the Sailors Haven Marina. We are seeking information on the presence of federally listed threatened or endangered species and or designated critical habitat for listed species in the vicinity of Sailors Haven Marina and Visitors Center for use in the preparation of an EA. The project is located on Fire Island in the Town of Brookhaven in Suffolk County, Long Island.

The project area has gradually filled in since the last time it was dredged in 2002/03 (NEPA Environmental Assessment - August 2001). In 2005/06, the Sailors Haven Rehabilitation Project (NEPA Environmental Assessment - March 2005) was conducted which involved the dredging and reconstruction of the marina itself. Although the channel dredging was included in the permitting process, it was not carried out due to the lack of funding. This project has subsequently received funding and is the subject of a new EA. The project involves the dredging of up to 2,000 cubic yards of material from the immediate channel leading into the marina which has become a navigational safety hazard.

The project will be covered under USACOE Permit No. 2001-01329 included rehabilitation of the marina and the dredging of the marina basin and approach channel. The only modification to this permit is that the dredge material will be stockpiled in the location of the picnic area on the easterly portion of the marina. The dredged material was originally intended as shoreline backfill to assist in stabilizing the erosion process along the bay side of the Sunken Forest. However, it has since been calculated that there is not enough material to conduct this pilot project. Therefore, dredged material will be stockpiled for possible future use in a backfill or restoration project.

If you have any questions or concerns, please feel free to call me. Thank you.

Sincerely,

Tracey M. Clothier, A.I.C.P.
tclothier@thelagroup.com
Senior Planner
for
The LA Group, P.C.

Att: USGS Map, Project Location Map; Photo; copy of letter from NMFS 11/8/04.

New York State Department of Environmental Conservation

Division of Fish, Wildlife & Marine Resources

New York Natural Heritage Program

625 Broadway, Albany, New York 12233-4757

Phone: (518) 402-8935 • FAX: (518) 402-8925

Website: www.dec.state.ny.us



Alexander B. Grannis
Commissioner

September 20, 2007

RECEIVED
SEP 24 2007
The LA Group

Tracey M Clothier
the LA Group
40 Long Alley
Saratoga Springs, NY 12866

Dear Ms. Clothier:

In response to your recent request, we have reviewed the New York Natural Heritage Program databases with respect to an Environmental Assessment for the proposed Dredging of Sailors Haven Channel, area as indicated on the map you provided, located at the Fire Island National Seashore, Town of Brookhaven, Suffolk County, Long Island.

Enclosed is a report of rare or state-listed animals and plants, significant natural communities, and other significant habitats, which our databases indicate occur, or may occur, on your site or in the immediate vicinity of your site. The information contained in this report is considered sensitive and should not be released to the public without permission from the New York Natural Heritage Program.

This project location is adjacent to a designated Significant Coastal Fish and Wildlife Habitat. This habitat is part of New York State's Coastal Management Program (CMP), which is administered by the NYS Department of State (DOS). Projects which may impact the habitat are reviewed by DOS for consistency with the CMP. For more information regarding this designated habitat and applicable consistency review requirements, please contact:

Jeff Zappieri or Vance Barr - (518) 474-6000
NYS Department of State
Division of Coastal Resources and Waterfront Revitalization
41 State Street, Albany, NY 12231

The presence of rare species may result in your project requiring additional permits, permit conditions, or review. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, at the enclosed address.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our databases. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. This information should NOT be substituted for on-site surveys that may be required for environmental impact assessment.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

Sincerely,

Tara Seoane jp

Tara Seoane
Information Services
NY Natural Heritage Program

cc: Reg. 1, Wildlife Mgr.
Reg. 1, Fisheries Mgr.
Peter Nye, Endangered Species Unit, Albany

Natural Heritage Report on Rare Species and Ecological Communities

NY Natural Heritage Program, NYS DEC, 625 Broadway, 5th Floor, Albany, NY
12233-4757
(518) 402-8935

-This report contains **SENSITIVE** information that should not be released to the public without permission from the NY Natural Heritage Program.
-Refer to the User's Guide for explanations of codes, ranks and fields.
-Location maps for certain species and communities may not be provided 1) if the species is vulnerable to disturbance, 2) if the location and/or extent is not precisely known, 3) if the location and/or extent is too large to display, and/or 4) if the animal is listed as Endangered or Threatened by New York State.

Natural Heritage Report on Rare Species and Ecological Communities

BIRDS

Charadrius melodus

Piping Plover	NY Legal Status: Endangered Federal Listing: Endangered/Threatened Last Report: ** County: Suffolk Town: Brookhaven Location: At, or in the vicinity of, the project site. Directions: ** General Quality and Habitat: **For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager for the Region where the project is located, or the NYS DEC Endangered Species Unit at 518-402-8859.	NYS Rank: S3B - Vulnerable Global Rank: G3 - Vulnerable EO Rank: **	Office Use 2496 ESU
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Sterna hirundo

Common Tern	NY Legal Status: Threatened Federal Listing: Last Report: ** County: Suffolk Town: Brookhaven Location: At, or in the vicinity of, the project site. Directions: ** General Quality and Habitat: **For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager for the Region where the project is located, or the NYS DEC Endangered Species Unit at 518-402-8859.	NYS Rank: S3B - Vulnerable Global Rank: G5 - Demonstrably secure EO Rank: **	Office Use 1840 ESU
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Sternula antillarum (formerly *Sterna antillarum*)

Least Tern	NY Legal Status: Threatened Federal Listing: Last Report: ** County: Suffolk Town: Brookhaven Location: At, or in the vicinity of, the project site. Directions: ** General Quality and Habitat: **For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager for the Region where the project is located, or the NYS DEC Endangered Species Unit at 518-402-8859.	NYS Rank: S3B - Vulnerable Global Rank: G4 - Apparently secure EO Rank: **	Office Use 8732 ESU
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COMMUNITIES

Maritime beach

This occurrence of Maritime Beach is considered significant from a statewide perspective by the NY Natural Heritage Program. It is either an occurrence of a community type that is rare in the state or a high quality example of a more common community type. By meeting specific, documented significance criteria, the NY Natural Heritage Program considers this occurrence to have high ecological and conservation value.

Office Use

NY Legal Status:	Unlisted	NYS Rank:	S3S4	5364
Federal Listing:		Global Rank:	G5	
Last Report:	2001-09-28	EO Rank:		
County:	New York State Waters, Suffolk			
Town:	Babylon, Ny State Waters, Brookhaven, Islip			
Location:	Fire Island			
Directions:	The beach along the south shore of Fire Island from Democrat Point east to Moriches Inlet. Access to Fire Island is from Robert Moses Causeway or William Floyd Parkway or by ferry.			
General Quality and Habitat:	A 32 mile long maritime beach along the south shore of Fire Island, 7 miles of which is designated as Federal Wilderness Area where driving is not allowed for most of the year. Natural processes are affected by stabilization and nourishment in some areas. A large sandy maritime beach along the south shore of a barrier island. The maritime beach extends 32 miles along the south shore of Fire Island from Democrat Point east to Moriches Inlet. The maritime beach grades into marine intertidal gravel/sand beach oceanward and maritime dunes inland. The island is mostly state, federal, and county owned parkland. A seven mile stretch is Federal Wilderness Area. Several towns with residences occur near the beach for approximately 7 miles from Kismet to Oakleyville.			

Maritime holly forest

This occurrence of Maritime Holly Forest is considered significant from a statewide perspective by the NY Natural Heritage Program. It is either an occurrence of a community type that is rare in the state or a high quality example of a more common community type. By meeting specific, documented significance criteria, the NY Natural Heritage Program considers this occurrence to have high ecological and conservation value.

Office Use

NY Legal Status:	Unlisted	NYS Rank:	S1	5615
Federal Listing:		Global Rank:	G1G2	
Last Report:	2000-08-08	EO Rank:		
County:	Suffolk			
Town:	Brookhaven			
Location:	Fire Island Sunken Forest			
Directions:	Sunken Forest. From Sailor's Haven Ferry Terminal in Sayville, take the ferry to Sunken Forest/Sailor's Haven Visitor's Center and follow the signs. Follow the boardwalk west through the forest. On the 7 1/2 minute USGS topographic map, the community is approximately 1.1 mile west of the Cherry Grove ferryboat landing and continues 0.3 miles to the west.			
General Quality and Habitat:	This is a moderate-sized, old growth maritime holly forest in excellent condition within a protected landscape with some disturbance. An old-growth holly forest primarily located behind the secondary dune of a barrier island. Trees on the dune ridges are very gnarled due to wind exposure and the pruning influence of salt spray. The surrounding communities, which comprise a >75 acre coastal forest/shrub/grassland complex, include maritime shrubland/successional maritime forest, scrub forest, maritime dunes, and highbush blueberry shrub swamp. There is severe deer browsing of understory, and some areas completely lack understory.			

VASCULAR PLANTS

Amaranthus pumilus

Seabeach Amaranth	NY Legal Status:	Endangered	NYS Rank:	S2 - Imperiled	Office Use 7024
	Federal Listing:	Threatened	Global Rank:	G2 - Imperiled	
	Last Report:	2003-08	EO Rank:	Fair	USFWS
	County:	Suffolk			
	Town:	Brookhaven			
	Location:	Fire Island Sunken Forest			
	Directions:	The plants are at Fire Island National Seashore at the Sunken Forest Natural Area west of Cherry Grove. 1990: The plants are along the beach. 1996: The plants are in the western half of Sailors Haven vehicle-free beach.			
	General Quality and Habitat:	There are 65 plants averaged over four years. A barrier beach.			

Polygonum glaucum

Seabeach
Knotweed

NY Legal Status: Rare

NYS Rank: S3 - Vulnerable

Office Use
8797

Federal Listing:

Global Rank: G3 - Vulnerable

Last Report: 1990-09

EO Rank: Fair or Poor

County: Suffolk

SC

Town: Brookhaven

Location: Fire Island Sunken Forest

Directions: Fire Island National Seashore, Sunken Forest Natural Area west of Cherry Grove. The plants are along the beach.

General Quality and Habitat: 4 plants in defensible habitat, may have been washed away by October. Check again in 1991. A barrier beach.

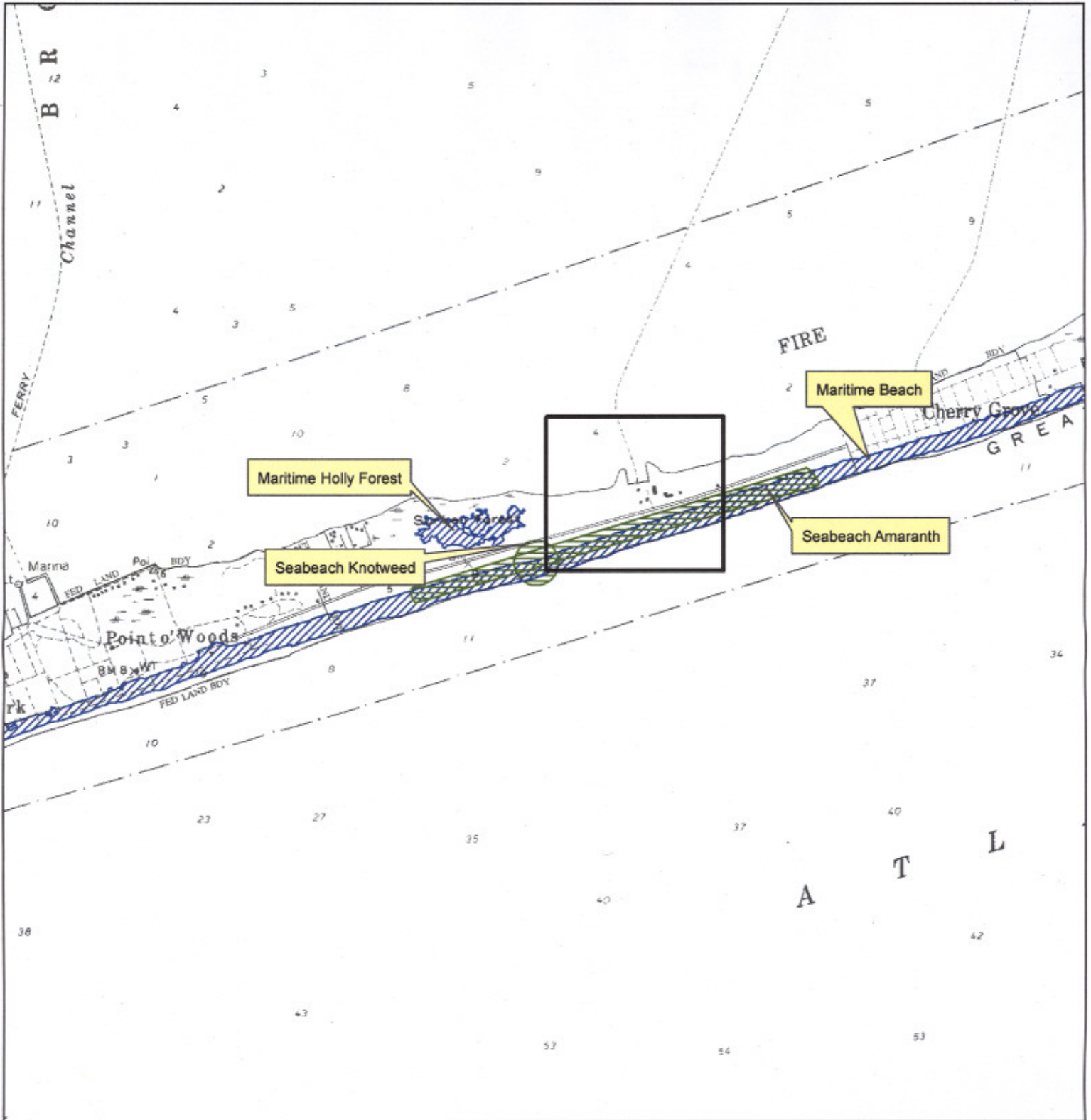
7 Records Processed

More detailed information about many of the rare and listed animals and plants in New York, including biology, identification, habitat, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.acris.nynhp.org, from NatureServe Explorer at <http://www.natureserve.org/explorer>, from NYSDEC at <http://www.dec.ny.gov/animals/7494.html> (for animals), and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

More detailed information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at www.acris.nynhp.org. For descriptions of all community types, go to <http://www.dec.ny.gov/animals/29384.html> and click on DRAFT--Ecological Communities of New York State.

Natural Heritage Map of Rare Species and Ecological Communities


Prepared September 12, 2007 by the NY Natural Heritage Program, NYS DEC Albany, NY



Legend

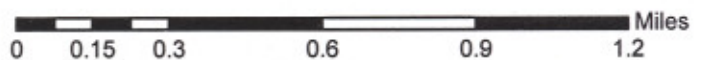
 Project Site

NY Natural Heritage Program Database Records*

 Community

 Plant

1:24,000



*The locations that are displayed are considered sensitive and should not be released to the public without permission. We do not provide map locations for all records. Please see report for details.



Natural Heritage Report on Rare Species and Ecological Communities



NY Natural Heritage Program, NYS DEC, 625 Broadway, 5th Floor,
Albany, NY 12233-4757
(518) 402-8935

HISTORICAL RECORDS

The following plants and animals were documented in the vicinity of the project site at one time, but have not been documented there since 1979 or earlier.

There is no recent information on these plants and animals in the vicinity of the project site and their current status there is unknown. In most cases the precise location of the plant or animal in this vicinity at the time it was last documented is also unknown and therefore location maps are generally not provided.

If appropriate habitat for these plants or animals is present in the vicinity of the project site, it is possible that they may still occur there.

Natural Heritage Report on Rare Species and Ecological Communities



VASCULAR PLANTS

Rumex fueginus

Golden Dock

NY Legal Status: Endangered

Federal Listing:

Last Report: 1924-08-19

County: Suffolk

Town: Brookhaven

Location: Fire Island Villages

Directions: Specimen labels: Beach of bay, northeast of inn on Point O'Woods, Fire Island.

General Quality and Habitat: Beach of bay.

NYS Rank: S1 - Critically imperiled

Global Rank: G4G5 - Apparently secure

EO Rank: Historical, no recent information

Office Use
7497

M

1 Records Processed

More detailed information about many of the rare and listed animals and plants in New York, including biology, identification, habitat, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.acris.nynhp.org, from NatureServe Explorer at <http://www.natureserve.org/explorer>, from NYSDEC at <http://www.dec.ny.gov/animals/7494.html> (for animals), and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

USERS GUIDE TO NY NATURAL HERITAGE DATA

New York Natural Heritage Program, 625 Broadway, 5th Floor, Albany, NY 12233-4757 phone: (518) 402-8935



NATURAL HERITAGE PROGRAM: The NY Natural Heritage Program is a partnership between the NYS Department of Environmental Conservation (NYS DEC) and The Nature Conservancy. Our mission is to enable and enhance conservation of rare animals, rare plants, and significant communities. We accomplish this mission by combining thorough field inventories, scientific analyses, expert interpretation, and the most comprehensive database on New York's distinctive biodiversity to deliver the highest quality information for natural resource planning, protection, and management.

DATA SENSITIVITY: The data provided in the report are ecologically sensitive and should be treated in a sensitive manner. The report is for your in-house use and should not be released, distributed or incorporated in a public document without prior permission from the Natural Heritage Program.

EO RANK: A letter code for the quality of the occurrence of the rare species or significant natural community, based on population size or area, condition, and landscape context.

- A-E = Extant: A=Excellent, B=Good, C=Fair, D=Poor, E=Extant but with insufficient data to assign a rank of A-D.
- F = Failed to find. Did not locate species during a limited search, but habitat is still there and further field work is justified.
- H = Historical. Historical occurrence without any recent field information.
- X = Extirpated. Field/other data indicates element/habitat is destroyed and the element no longer exists at this location.
- U = Extant/Historical status uncertain.
- Blank = Not assigned.

LAST REPORT: The date that the rare species or significant natural community was last observed at this location, as documented in the Natural Heritage databases. The format is most often YYYY-MM-DD.

NY LEGAL STATUS – Animals:

Categories of Endangered and Threatened species are defined in New York State Environmental Conservation Law section 11-0535. Endangered, Threatened, and Special Concern species are listed in regulation 6NYCRR 182.5.

- E - Endangered Species:** any species which meet one of the following criteria:
 - Any native species in imminent danger of extirpation or extinction in New York.
 - Any species listed as endangered by the United States Department of the Interior, as enumerated in the Code of Federal Regulations 50 CFR 17.11.
- T - Threatened Species:** any species which meet one of the following criteria:
 - Any native species likely to become an endangered species within the foreseeable future in NY.
 - Any species listed as threatened by the U.S. Department of the Interior, as enumerated in the Code of the Federal Regulations 50 CFR 17.11.
- SC - Special Concern Species:** those species which are not yet recognized as endangered or threatened, but for which documented concern exists for their continued welfare in New York. Unlike the first two categories, species of special concern receive no additional legal protection under Environmental Conservation Law section 11-0535 (Endangered and Threatened Species).
- P - Protected Wildlife** (defined in Environmental Conservation Law section 11-0103): wild game, protected wild birds, and endangered species of wildlife.
- U - Unprotected** (defined in Environmental Conservation Law section 11-0103): the species may be taken at any time without limit; however a license to take may be required.
- G - Game** (defined in Environmental Conservation Law section 11-0103): any of a variety of big game or small game species as stated in the Environmental Conservation Law; many normally have an open season for at least part of the year, and are protected at other times.

NY LEGAL STATUS – Plants:

The following categories are defined in regulation 6NYCRR part 193.3 and apply to NYS Environmental Conservation Law section 9-1503.

- E - Endangered Species:** listed species are those with:
 - 5 or fewer extant sites, or
 - fewer than 1,000 individuals, or
 - restricted to fewer than 4 U.S.G.S. 7 ½ minute topographical maps, or
 - species listed as endangered by U.S. Dept. of Interior, as enumerated in Code of Federal Regulations 50 CFR 17.11.
- T - Threatened:** listed species are those with:
 - 6 to fewer than 20 extant sites, or
 - 1,000 to fewer than 3,000 individuals, or
 - restricted to not less than 4 or more than 7 U.S.G.S. 7 and ½ minute topographical maps, or
 - listed as threatened by U.S. Department of Interior, as enumerated in Code of Federal Regulations 50 CFR 17.11.

R - Rare: listed species have:

- 20 to 35 extant sites, or
- 3,000 to 5,000 individuals statewide.

V - Exploitably vulnerable: listed species are likely to become threatened in the near future throughout all or a significant portion of their range within the state if causal factors continue unchecked.

U - Unprotected; no state status.

FEDERAL STATUS (PLANTS and ANIMALS): The categories of federal status are defined by the United States Department of the Interior as part of the 1974 Endangered Species Act (see Code of Federal Regulations 50 CFR 17). The species listed under this law are enumerated in the Federal Register vol. 50, no. 188, pp. 39526 - 39527. The codes below without parentheses are those used in the Federal Register. The codes below in parentheses are created by Heritage to deal with species which have different listings in different parts of their range, and/or different listings for different subspecies or varieties.

(blank) = No Federal Endangered Species Act status.

LE = Formally listed as endangered.

LT = Formally listed as threatened.

C = Candidate for listing.

LE,LT = Formally listed as endangered in part of its range, and as threatened in the other part; or, one or more subspecies or varieties is listed as endangered, and the others are listed as threatened.

LT,PDL = Populations of the species in New York are formally listed as threatened, and proposed for delisting.

GLOBAL AND STATE RANKS (animals, plants, ecological communities and others): Each element has a global and state rank as determined by the NY Natural Heritage Program. These ranks carry no legal weight. The global rank reflects the rarity of the element throughout the world and the state rank reflects the rarity within New York State. Intraspecific taxa are also assigned a taxon rank to reflect the infraspecific taxon's rank throughout the world. ? = Indicates a question exists about the rank. Range ranks, e.g. S1S2, indicate not enough information is available to distinguish between two ranks.

GLOBAL RANK:

G1 - Critically imperiled globally because of extreme rarity (5 or fewer occurrences), or very few remaining acres, or miles of stream) or especially vulnerable to extinction because of some factor of its biology.

G2 - Imperiled globally because of rarity (6 - 20 occurrences, or few remaining acres, or miles of stream) or very vulnerable to extinction throughout its range because of other factors.

G3 - Vulnerable: Either rare and local throughout its range (21 to 100 occurrences), or found locally (even abundantly at some of its locations) in a restricted range (e.g. a physiographic region), or vulnerable to extinction throughout its range because of other factors.

G4 - Apparently secure globally, though it may be quite rare in parts of its range, especially at the periphery.

G5 - Demonstrably secure globally, though it may be quite rare in parts of its range, especially at the periphery.

GH - Historically known, with the expectation that it might be rediscovered.

GX - Species believed to be extinct.

NYS RANK:

S1 - Critically imperiled: Typically 5 or fewer occurrences, very few remaining individuals, acres, or miles of stream, or some factor of its biology making it especially vulnerable in New York State.

S2 - Imperiled: Typically 6 to 20 occurrences, few remaining individuals, acres, or miles of stream, or factors demonstrably making it very vulnerable in New York State.

S3 - Vulnerable: Typically 21 to 100 occurrences, limited acreage, or miles of stream in New York State.

S4 - Apparently secure in New York State.

S5 - Demonstrably secure in New York State.

SH - Historically known from New York State, but not seen in the past 15 years.

SX - Apparently extirpated from New York State.

SxB and SxN, where Sx is one of the codes above, are used for migratory animals, and refer to the rarity within New York State of the breeding (B)populations and the non-breeding populations (N), respectively, of the species.

TAXON (T) RANK: The T-ranks (T1 - T5) are defined the same way as the Global ranks (G1 - G5), but the T-rank refers only to the rarity of the subspecific taxon.

T1 through T5 - See Global Rank definitions above.

Q - Indicates a question exists whether or not the taxon is a good taxonomic entity.

Revised April,

September 7, 2007

David A. Stilwell
Field Supervisor
Natural Heritage
3817 Luker Road
Cortland, NY 13045

Re: *Sailors Haven Channel Dredging Project, Fire Island National Seashore*

Dear Mr. Stilwell:

On behalf of Fire Island National Park I would like to inform you that the National Park Service plans to conduct a maintenance dredging project for the channel area that leads into the Sailors Haven Marina. This area has gradually filled in since the last time it was dredged in 2002/03 (EA - August 2001). In 2005/06, the Sailors Haven Rehabilitation Project (EA - March 2005) was conducted which involved the dredging and reconstruction of the marina itself. Although the channel dredging was included in the permitting process, it was not carried out due to the lack of funding. This project has subsequently received funding and is the subject of a new EA. The project involves the dredging of up to 2,000 cubic yards of material from the immediate channel leading into the marina which has become a navigational safety hazard.

The project will be covered under USACOE Permit No. 2001-01329 included rehabilitation of the marina and the dredging of the marina basin and approach channel. The only modification to this permit is that the dredge material will be stockpiled in the location of the picnic area on the easterly portion of the marina. The dredged material was originally intended as shoreline backfill to assist in stabilizing the erosion process along the bay side of the Sunken Forest. However, it has since been calculated that there is not enough material to conduct this pilot project. Therefore, dredged material will be stockpiled for possible future use in a backfill or restoration project.

Although I am in receipt of two response letters from your agency regarding activities in the Sailors Haven Marina (see copies attached), I am, for the record, again requesting information on the presence of endangered or threatened species in the vicinity of Sailors Haven Marina and Visitors Center on Fire Island in Suffolk County, New York.

If you have any questions or concerns, please feel free to call me. Thank you.

Sincerely,

Tracey M. Clothier, A.I.C.P.
tclothier@thelagroup.com
Senior Planner
for
The LA Group, P.C.

cc: Michael Bilecki, Fire Island National Seashore
Att: USFWS letters dated 7/26/01 & 9/25/03



**New York State Office of Parks,
Recreation and Historic Preservation**

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

www.nysparks.com

RECEIVED

OCT 04 2007

The LA Group

Elliot Spitzer
Governor

Carol Ash
Commissioner

September 28, 2007

Tracey M. Clothier
The LA Group, PC
40 Long Alley
Saratoga Springs, New York 12866

Re: NPS
Sailors Haven Maintenance Dredging Project
Fire Island National Seashore
BROOKHAVEN, Suffolk County
07PR04959

Dear Ms. Clothier:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966.

Based upon this review, it is the SHPO's opinion that your project will have No Effect upon cultural resources in or eligible for inclusion in the National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont
Director



**New York State Office of Parks,
Recreation and Historic Preservation**

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189

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Sincerely,

Ruth L. Pierpont
Director

APPENDIX C

ENVIRONMENTAL SCREENING FORM

ENVIRONMENTAL SCREENING FORM (ESF)
DO-12 APPENDIX 1
(Revised June 2004, per DM)

Today's Date: **September 26, 2007**
Initiated: **09/26/2007**

Date Form

This form should be attached to all documents sent to the regional director's office for signature. Sections A and B should be filled out by the project initiator (may be coupled with other park project initiation forms). Sections C, D, E, and G are to be completed by the interdisciplinary team members. While you may modify this form to fit your needs, you must ensure that the form includes information detailed below and must have your modifications reviewed and approved by the regional environmental coordinator.

A. PROJECT INFORMATION

Park Name: **Fire Island NS**

Project Title: **Sailors Haven Marina Entrance Dredge**

PEPC Project Number: **20185** PMIS Number:

Project Type: **Facility Maintenance (FM)**

Project Location: County, State: **Suffolk, New York**

Project Leader: **Michael Bilecki**

Administrative Record Location: **Sailors Haven Dredge Files HQ**

Administrative Record Contact: **Michael Bilecki**

B. PROJECT DESCRIPTION/LOCATION

(To begin the statutory compliance file attach to this form maps, site visit notes, agency consultation, data, reports, categorical exclusion form (if relevant), or other relevant materials).

Dredge the entrance to the Sailors Haven Marina on both east and west sides. Dredge material in the amount of 1500-2000 cubic yards will be stock piled on the east side of the marina in the area of the picnic ground.

Preliminary drawings attached? Yes **No**

Background information attached? **Yes** No

Target compliance completion date:

Projected advertisement/Day labor start:
NA

Construction start date: Jan. 2008

Is project a hot topic (controversial or sensitive issues that should be brought to attention of Regional Director)? **No**

C. RESOURCE EFFECTS TO CONSIDER:

(Please see section F, Instructions for Determining Appropriate NEPA Pathway, prior to completing this section. Also, use the process described in DO-12, 2.9 and 2.10; 3.5; 4.5(G) to (G)(5) and 5.4(F) to help determine the context, duration, and intensity of effects on resources.)

Identify potential effects to the following physical, natural, or cultural resources	No Effect	Negligible Effects	Minor Effects	Exceeds Minor Effects	Data Needed to Determine/Notes
1. Geologic resources – soils, bedrock, streambeds, etc.	X				
2. From geohazards	X				
3. Air quality	X				
4. Soundscapes	X				
5. Water quality or quantity		X			
6. Streamflow characteristics	X				
7. Marine or estuarine resources		X			
8. Floodplains or wetlands		X			
9. Land use, including occupancy, income, values, ownership, type of use	X				
10. Rare or unusual vegetation – old growth timber, riparian, alpine	X				
11. Species of special concern (plant or animal; state or federal listed or proposed for listing) or their habitat	X				
12. Unique ecosystems, biosphere reserves, World Heritage Sites	X				
13. Unique or important wildlife or wildlife habitat	X				
14. Unique or important fish or fish habitat		X			
15. Introduce or promote non-native species (plant or animal)	X				
16. Recreation resources, including supply, demand, visitation,		X			

activities, etc.					
17. Visitor experience, aesthetic resources		X			
18. Archeological resources	X				
19. Prehistoric/historic structure	X				
20. Cultural landscapes	X				
21. Ethnographic resources	X				
22. Museum collections (objects, specimens, and archival and manuscript collections)	X				
23. Socioeconomics, including employment, occupation, income changes, tax base, infrastructure	X				
24. Minority and low income populations, ethnography, size, migration patterns, etc.	X				
25. Energy resources	X				
26. Other agency or tribal land use plans or policies	X				
27. Resource, including energy, conservation potential, sustainability	X				
28. Urban quality, gateway communities, etc.		X			
29. Long-term management of resources or land/resource productivity		X			
30. Other important environment resources (e.g. geothermal, paleontological resources)?	X				

Comments:

D. MANDATORY CRITERIA

Mandatory Criteria: If implemented, would the proposal:	Yes	No	N/A	Comment or Data Needed to Determine
A. Have significant impacts on public health or safety?		X		
B. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas?		X		
C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))?		X		
D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		X		
E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	X			
F. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		X		
G. Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places, as determined by either the bureau or office?		X		
H. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?		X		
I. Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?		X		
J. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		X		

K. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?		X		
L. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?		X		

For the purpose of interpreting these procedures within the NPS, any action that has the potential to violate the NPS Organic Act by impairing park resources or values would constitute an action that triggers the DOI exception for actions that threaten to violate a federal law for protection of the environment.

E. OTHER INFORMATION

(Please answer the following questions/provide requested information.)

Are personnel preparing this form familiar with the site? **Yes**

Did personnel conduct a site visit? **Yes** *(If yes, attach meeting notes or additional pages noting when site visit took place, who attended, etc.)*

Is the project in an approved plan such as a General Management Plan or an Implementation Plan with an accompanying NEPA document? **No**

If so, plan name:

Is the project still consistent with the approved plan? **NA**
(If no, you may need to prepare plan/EA or EIS.)

Is the environmental document accurate and up-to-date?

EA has been prepared –November 2007 Out for Public Review

FONSI ROD *(Check)* Date approved:

Are there any interested or affected agencies or parties? **Yes**

Did you make a diligent effort to contact them? **Yes**

Has consultation with all affected agencies or tribes been completed? **Yes**

(If yes, attach additional pages re: consultations, including the name, dates, and a summary of comments from other agencies or tribal contacts.)

Are there any connected, cumulative, or similar actions as part of the proposed action? (e.g., other development projects in area or identified in GMP, adequate/available utilities to accomplish project)? **Yes**

(If yes, attach additional pages detailing the other actions.)

F. INSTRUCTIONS FOR DETERMINING APPROPRIATE NEPA PATHWAY

First, always check DO-12, section 3.2, "Process to Follow" in determining whether the action is categorically excluded from additional NEPA analyses. Other sections within DO-12, including sections 2.9 and 2.10; 3.5; 4.5(G)(4) and (G)(5), and 5.4(F), should also be consulted in determining the appropriate NEPA pathway. Complete the following tasks: conduct a site visit or ensure that staff is familiar with the site's specifics; consult with affected agencies, and/or tribes; and interested public and complete this environmental screening form.

If your action is described in DO-12 section 3.3, "CE's for Which No Formal Documentation is Necessary," follow the instructions indicated in that section.

If your action is not described in DO-12, section 3.3, and IS described in section 3.4, AND you checked YES or identified "data needed to determine" impacts in any block in section D (Mandatory Criteria), this is an indication that there is potential for significant impacts to the human environment, therefore, you must prepare an EA or EIS or supply missing information to determine context, duration and intensity of impacts.

If your action is described in section 3.4 and NO is checked for all boxes in section D (Mandatory Criteria), and there are either no effects or **all** of the potential effects identified in section C (Resource Effects to Consider) are no more than minor intensity, usually there is no potential for significant impacts and an EA or EIS is not required. If, however, during internal scoping and further investigation, resource effects still remain unknown, or are at the minor to moderate level of intensity, and the potential for significant impacts may be likely, an EA or EIS is required.

In all cases, data collected to determine the appropriate NEPA pathway must be included in the administrative record.

G. INTERDISCIPLINARY TEAM SIGNATORIES

All interdisciplinary team members sign as directed or deemed necessary by the Superintendent. By signing this form, you affirm the following: you have either completed a site visit or are familiar with the specifics of the site; you have consulted with affected agencies and tribes; and you, to the best of your knowledge, have answered the questions posed in the checklist correctly.

<i>Interdisciplinary Team Leader Name</i>	<i>Field of Expertise</i>
Michael Bilecki	Project Leader
Technical Specialists Names	<i>Field of Expertise</i>
Michael Bilecki	NEPA Specialist
Michael Bilecki	Project Leader
Steve Czarniecki	NHPA Specialist
Jim Dunphy	Chief of Maintenance
Jay Lippert	Chief Ranger
Sean McGuinness	Deputy Superintendent

H. SUPERVISORY SIGNATORY

Based on the environmental impact information contained in the statutory compliance file and in this environmental screening form, environmental documentation for this stage of the subject project is complete.

Recommended:

Compliance Specialist	Telephone Number
NEPA--Michael Bilecki	(631) 687-4752
NHPA--Steve Czarniecki	631-395-9693

Approved:

Superintendent	Telephone Number
Mike Reynolds	631-289-4810 Ex.224
Date	

APPENDIX D
COASTAL ZONE MANAGEMENT POLICIES

DEVELOPMENT POLICIES

POLICY 2 Facilitate the Siting of Water-Dependent Uses And Facilities On Or Adjacent To Coastal Waters.

FISH AND WILDLIFE POLICIES

POLICY 7 Significant Coastal Fish and Wildlife Habitats Will Be Protected, Preserved, And Where Practical, Restored So As to Maintain Their Viability as Habitats

FLOODING AND EROSION HAZARDS POLICIES

POLICY 11 Buildings And Other Structures Will Be Sited In The Coastal Area So As To Minimize Damage to Property And The Endangering Of Human Lives Caused By Flooding And Erosion.

POLICY 12 Activities or Development In The Coastal Area Will Be Undertaken So As To Minimize Damage To Natural Resources And Property From Flooding And Erosion By Protecting Natural Protective Features Including Beaches, Dunes, Barrier Islands And Bluffs.

POLICY 15 Mining, Excavation Or Dredging In Coastal Waters Shall Not Significantly Interfere With The Natural Coastal Processes Which Supply Beach Materials To Land Adjacent To Such Waters And Shall Be Undertaken In A Manner Which Will Not Cause An Increase In Erosion of Such Land.

POLICY 17 Non-Structural Measures To Minimize Damage To Natural Resources and Property From Flooding and Erosion Shall Be Used Whenever Possible.

RECREATION POLICIES

POLICY 20 Access To The Publicly-Owned Foreshore And To Lands Immediately Adjacent To The Foreshore Or The Water's Edge That are Publicly-Owned Shall Be Provided And It Shall be Provided In A Manner Compatible With Adjoining Uses.

POLICY 21 Water-Dependent and Water-Enhanced Recreation Will Be Encouraged And Facilitated, And Will Be Given Priority Over Non-Water-Related Uses Along The Coast.

EMERGENCY AND ICE MANAGEMENT POLICIES

POLICY 28 Ice Management Practices Shall Not Interfere With The Production Of Hydroelectric Power, Damage Significant Fish And Wildlife And Their Habitats, Or Increase Shoreline Erosion Or Flooding.

WATER AND AIR RESOURCES POLICIES

POLICY 30 Municipal, Industrial, And Commercial Discharge Of Pollutants, Including But Not Limited To, Toxic And Hazardous Substances, Into Coastal Waters Will Conform To State And National Water Quality Standards.

POLICY 35 Dredging And Filling In Coastal Waters And Disposal Of Dredged Material Will Be Undertaken In A Manner That Meets Existing State Permit Requirements, And Protects Significant And Wildlife Habitats, Scenic Resources, Natural Protective Features, Important Agricultural Lands, And Wetlands.

POLICY 38 The Quality And Quantity Of Surface Water And Groundwater Supplies, Will be Conserved And Protected, Particularly Where Such Waters Constitute The Primary Or Soul Source of Water Supply.

***POLICY 40** Effluent Discharged From Major Steam Electric Generating And Industrial Facilities Into Coastal Waters Will Not B Unduly Injurious To Fish And Wildlife And Shall Conform To State Water Quality Standards.*

***POLICY 44** Preserve And Protect Tidal And Freshwater Wetlands And Preserve The Benefits Derived From These Areas.*