

-27617 (community Beach Nourishment)

FINDING OF NO SIGNIFICANT IMPACT

National Park Service (NPS) Special Use Permit Issuance for Fire Island Community
Beach Scraping and Nourishment Projects
Fire Island National Seashore, Northeast Region
Suffolk County, New York
September 2008

INTRODUCTION

Need for Action

The proposed beach scraping and nourishment projects are being undertaken by private communities to help ensure the houses and structures behind the primary dunes are not damaged by storm events. An Environmental Assessment (EA) titled *Fire Island Community Short-Term Storm Protection* (insert a date if one was included on the cover page of the public document) was prepared for the proposed activities in consideration of Special Use Permits required from the National Park Service (NPS), Fire Island National Seashore (FIIS), because the proposed projects will occur within Fire Island National Seashore boundary.

While the Fire Island to Montauk Point (FIMP) study is being formulated to determine long term policy for Long Island coastal management, this project is intended as a one-time short term response to recent storm related erosion.

It is important to recognize that the site of the proposed action is located within a National Park Service area, Fire Island National Seashore (FIIS). Therefore, in addition to complying with general environmental standards that have been promulgated at the federal, state and local levels, the proposed action also must conform to the current management policies of the National Park Service, which are set forth in the 2006 edition of the *NPS Management Policies*, <http://data2.itc.nps.gov/npspolicy/index.cfm>. This project is limited to that part of FIIS that is directly in front of the private communities and that this project has a designed function to reduce the potential for the destructive impacts associated with storm events.

Background

The subject beaches where nourishment and scraping will be permitted are in front of 11 communities located along Fire Island between Watch Hill and the Fire Island Lighthouse. The community properties include approximately 6 miles of beaches along the 26 miles of FIIS ocean-side shoreline. Fire Island communities consist of over 4,100 homes with a permanent resident population of approximately 400 individuals. The summertime residency climbs to over 20,000.

The EA, FONSI and the subsequent issuing of Special Use Permits for the beach scraping and beach nourishment projects are related to needs expressed by the communities to protect private property and structures in the short term until the U.S. Army Corps of Engineers (ACOE) Reformulation Plan is finalized. The *Fire Island to Montauk Point Reformulation Plan for Storm*

Protection along the South Shore of Long Island (FIMP) is an interagency plan for determining how to deal with the South Shore of Long Island for storm damage protection for the next 50 years and this plan will also cover major environmental concerns as part of an Environmental Impact Statement. The NPS EA was prepared solely to allow the issuance of Special Use Permits by the Fire Island National Seashore to the private communities to protect their properties and homes between now and the issuance of the reformulation plan. The scope of these projects is short term, will be completed during the winter of 2008-2009, and only covers the 6 miles of shoreline in front of the communities.

All references to the existing dune line are based on the parameters defined by this document and are not intended to set a precedent for future projects nor preclude any options under the FIMP. The FIMP will develop a more definitive dune crest line by adding the expertise of New York State, the ACOE, other federal agencies, and other coastal experts to the expertise utilized by the Fire Island National Seashore in this EA.

Beach nourishment consists of pumping sand located just offshore of Fire Island onto the beach berm and then moving some of the sand landward to form an enhanced dune. Bulldozers may be utilized in an effort to augment the dunes that are present between the beach berm and in these cases the houses located in the communities. Nourishment will be allowed by communities that apply for the appropriate permits and follow the parameters that have been set in the EA. These parameters include a beach of no wider than 100' at 9.5' NGVD, a slope from the beach to the waterline of 1:15, and an enhanced dune with a 30' dune crest at 15.0' NGVD with a slope of 1:4 down to the beach berm height, with no allowance for southward movement of the dune.

Beach scraping consists of bulldozing sand located on the beach berm, landward in an effort to augment the dunes that are present between the beach berm and in these cases the houses located in the communities. Scraping will be allowed by any community that applies for the appropriate permits and follows the modified parameters that are outlined in this FONSI. These parameters include the blade restriction that only allows the beach to be scraped up to one foot below the current surface as well as a constructing a maximum dune height to 15.0 feet NGVD with a dimension of 30 feet wide on the dune crest, with no allowance for southward movement of the dune. The requirements for the beach profile to be considered for scraping include a beach height at the toe of the dune to be 9.0' NGVD with 100' of beach.

NPS SELECTED ALTERNATIVE

The NPS has selected Alternative 2.7. The Preferred Alternative – Combination of Beach Nourishment and Beach Scraping and will issue a Special Use Permit for implementation of the selected alternative.

The selected alternative is a combination of both beach nourishment and beach scraping, with no dune tapers allowed onto federal property. This alternative was described as Alternative 2.7 in the EA. This alternative was selected because it allows the communities to perform short-term protection measures without precluding any potential alternatives under the more long term solution being formulated in coordination with the ACOE under the Fire Island to Montauk Point Reformulation Plan for Storm Protection along the South Shore of Long Island. This alternative

also takes into account the damage to the environment that would be caused by the lack of action in the event of a catastrophic storm event. This alternative was chosen from 7 alternatives that were evaluated in the EA, including the no action alternative.

OTHER ALTERNATIVES CONSIDERED

The EA analyzed five variations of beach scraping and beach nourishment scenario alternatives plus the no action alternative and these alternatives were rejected because they did not satisfy project objective criteria of providing short-term storm protection and compliance with park policy as effectively as the selected alternative. The no action alternative, which would leave erosional processes to continue to occur unimpeded, did not meet the project objectives of short-term storm protection.

In addition, eight other alternatives were initially considered but then dismissed from detailed analysis on the basis of being overly costly, technically and statutorily complicated, or incompatible with policy goals. These alternatives included north side dune nourishment, trucking/barging sand from upland sources, retreat/relocation of dwellings and infrastructure, groin construction and/or removal, concrete shoreline protection structures, geotubes, sandbags, and flood proofing.

ENVIRONMENTALLY PREFERRED ALTERNATIVE

The NPS is required to identify the environmentally preferred alternative in its NEPA documents for public review and comment. The NPS, in accordance with the Department of the Interior policies contained in the Departmental Manual (516 DM 4.10) and the Council on Environmental Quality's (CEQ) *NEPA's Forty Most Asked Questions*, defines the environmentally preferred alternative (or alternatives) as the alternative that best promotes the national environmental policy expressed in NEPA (Section 101(b) (516 DM 4.10). In their *Forty Most Asked Questions*, CEQ further clarifies the identification of the environmentally preferred alternative, stating "Ordinarily, this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources" (Q6a).

The No Action Alternative, described as Alternative 2.1 in the EA, was determined to be the environmentally preferred alternative because it is the alternative that would most allow for natural processes to occur unimpeded. This alternative was not selected for implementation as it would not accomplish the short term interim protective objectives.

MITIGATION MEASURES

The selected alternative includes the adoption and implementation of conservation measures and reasonable and prudent measures identified by the United States Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) as an outcome of consultation

under Section 7 of the Endangered Species Act. These measures must be included in the NPS Special Park Use permit and implemented prior to or concurrently with any actions taken under the selected alternative.

Informal consultation with NMFS and formal consultation with USFWS have been completed. Informal consultation with the NMFS has determined that as long as no hopper dredges are used prior to November 15 and only between November 15 and March 31, then there are no potential impacts to sea turtles, and regardless of the time frame there is no potential for impacts to marine mammals. Informal consultation with the National Marine Fisheries Service has also determined that the project will not adversely affect essential fish habitats provided that all water construction is completed within the time frame of October 1 to March 31.

In a Biological Opinion issued through formal consultation, the USFWS has determined that while there is a potential for direct and indirect adverse effects on the federally-endangered piping plover and seabeach amaranth and their habitats, the project is not likely to jeopardize the continued existence of either species.

After reviewing the current status of the piping plover Atlantic Coast population, the environmental baseline for the action area, the effects of the proposed action (anticipated to extend no more than 10 years into the future), and the cumulative effects, it is the Service's biological opinion that the proposed action is not likely to jeopardize the continued existence of the NY-NJ Recovery Unit and, therefore, the piping plover Atlantic Coast population. No critical habitat has been designated for the Atlantic Coast piping plover, therefore, none will be affected. The Service cautions that it remains highly concerned about the extent and duration of projects that preclude formation of optimal habitats on Long Island.

The Service believes the Proposed Plan is likely to adversely affect seabeach amaranth. Effects will depend on the degree of connection between populations within the action area, the importance of seed import and export to population maintenance, the success of proposed conservation measures in minimizing adverse effects, and the net effect of the NPS's Proposed Plan on populations within the FHS. After reviewing the current status of seabeach amaranth, the environmental baseline for the action area, the direct and indirect effects of the Proposed Plan, and the cumulative effects of future non-Federal actions that are reasonably foreseeable to occur in the action area, it is the Service's biological opinion that, while authorization of the Proposed Plan may result in the destruction of plants and seeds and preclusion of some new habitat from partial overwashes and dune blow outs, it is not likely to jeopardize the continued existence of seabeach amaranth range-wide.

In order to reduce the potential for adverse effects, the consultation process identified valuable conservation measures and reasonable and prudent measures that have been incorporated as conditions into the NPS Special Park Use permit.

It should be noted that this FONSI contains adjustments of discrepancies found in the beach scraping and beach nourishment parameters shown in Tables 5 and 6 in the EA. Several figures in the seasonal restriction, scope/level and project design criteria columns have been changed and are shown as corrections to these tables, which are included in this FONSI. Specifically, the

combined closure window of seasonal work prohibition has been changed to March 15 through November 1, since the only applicable restriction in March is the Fire Island National Seashore driving restriction policy for the Wilderness area that is applicable beginning March 15. Several seasonal restriction date specifics have also been amended according to consultation responses from NMFS. In addition, the project design criteria column has been amended to state a dune crest height maximum of 15.0' NGVD.

Table 5. Parameters developed for Beach Scraping

Process and responsible party	NPS land/ Impact	Seasonal restrictions	Monitoring	Scope/ Level	Project design criteria
<p>Communities must apply for all appropriate permits and funding must be private, with no public expenditures (NPS 1977)</p> <p>Applicant/permittee is responsible for implementing and enforcing all criteria and conservation measures as part of project design and permit conditions</p>	<p>Not on NPS upland, except for small lots within community boundaries</p> <p>Equipment transport will occur by water or interior road transport to avoid and minimize impacts to additional areas of the shoreline whenever possible</p>	<p>March 15 - November 1 = closure window of seasonal work prohibition derived from:</p> <p>3/15-9/1 Fire Island (FIS) Threatened & Endangered species (T&E) protection policy (Eastern FI driving restrictions applicable after 3/15)</p> <p>4/1- 9/1 USFWS Plover restriction window</p> <p>4/1-11/1 USFWS Amaranth restriction window</p> <p>Allowed after July 15 through Sept. 30 if surveys and monitoring (conservation measures per USFWS protocol) determine no plover nests w/in 1000m each direction and no SB Amaranth w/in 100m each direction</p>	<p>Shoreline and ecological resources including T&E species presence, pre-project, during, and post project-project life</p> <p>USFWS and NYSDEC protocol will be used and are included as part of the project requirements</p>	<p>1 project prior to FIMP formulation</p> <p>Beach scraping minimum length 500' (C/B ratio)</p>	<p>1) Minimum Beach width 100' @ 9.0' NGVD to be considered</p> <p>2) cut depth of 1' maximum permitted to be scraped - dozer blade restriction</p> <p>3) dune face slope = 1/4</p> <p>4) maximum beach construction will allow a maximum of 1:4 slope dune up to a 30' dune crest @ 15.0' NGVD, 1:4 dune slope down to 9.0' NGVD, 100' of beach @ 9.0' NGVD</p> <p>5) Constructed dune template must be built over existing dune.</p> <p>6) vegetation preserved or planted with local genetic stock at varying densities (per USFWS protocol)</p> <p>7) all debris removed or reused (fencing)</p> <p>8) No new constructed dune crestline can be placed seaward of natural, existing dune. Addition to dune face seaward of existing dune crestline will be allowed. The seaward margin of the dune crest may extend 15' from the central dune crestline. The dune may be widened to extend beneath existing structures.</p> <p>9) Project will meet all USFWS, NMFS and NJDEP T & E species conservation design measures.</p>

Table 6. Beach Nourishment Parameters

Process	NPS land/ impact	Seasonal restrictions	Monitoring	Scope level	Project design criteria
Communities must apply for all appropriate permits and fund each project without federal expenditures (NPS 1977) Applicant/ permittee is responsible for implementing and enforcing all criteria and conservation measures as part of project design and permit conditions	Not on NPS upland No tapers outside of community boundaries Equipment transport will occur by water or interior road transport to avoid and minimize impacts to additional areas of the shoreline whenever possible	March 15 - November 1 = closure window of seasonal work prohibition derived from: 3/15-9/1 Fire Island (FIIS) Threatened & Endangered species (T&E) protection policy (Eastern FI driving restrictions applicable after 3/15) 4/1- 9/1 USFWS Plover restriction window 4/1-11/1 USFWS Amaranth restriction window 4/30-11/1 Sea Turtle and Marine Mammal NMFS restriction window 4/1 - 10/1 EFH NMFS restriction window Surveys and monitoring (conservation measures per USFWS, and NMFS protocol) will determine species presence and along with dredge selection will determine allowable project dates	Shoreline and ecological resource monitoring including T & E, pre-project, during, and post project throughout project life USFWS, NMFS and NYSDEC protocol will be used and are included as part of the project requirements Grain size and sediment characteristics of the material to be deposited will be consistent with the existing beach substrate.	Max 6 miles 1 project prior to FIMP formulation.	1) Beach and dune criteria generally insufficient to meet scraping criteria (width less than 100' and 9'NGVD, maximum dune crest width = 30' @ 15.0' NGVD) 2) Design must establish a 9.0' NGVD beach and no tapers on federal property or in front of undeveloped community property 3) dune face slope = 1/4 4) maximum beach construction will allow a maximum of 1:4 slope dune up to a 30' dune crest (15' seaward and landward of the natural, existing central dune crestline) @ 15.0' NGVD, 1:4 dune slope down to 9.0' NGVD, 100' of beach @ 9.0 NGVD, 1:15 slope down to 0 NGVD. Total beach/dune profile would have the following horizontal dimensions from the inland toe of the foredune to the water: foredune= 90ft (base) + beach berm (100ft) + seaward beach slope (135') = 325' from inland toe of foredune. Dune profiles are 15.0' in height, with a 30' crest width and 9.0'NGVD base elevation 5) No new constructed dune crestline can be placed seaward of natural, existing dune. Addition to dune face seaward of existing dune crestline will be allowed. The seaward margin of the dune crest may extend 15' from the central dune crestline. The dune may be widened to extend beneath existing structures. Fill material will not be considered a new primary dune. If fill cannot be tied to the dune crest, beach fill may still be utilized but no elevation beneath existing structures will be permitted. If no dune exists, or it is very irregular, a dune crestline and accompanying dimensions will be developed by the applicant for NPS approval. 6) Must include Interpretation and Education with signs, community involvement and symbolic fencing 7) vegetation preserved or planted with local genetic stock at varying densities from 12" on center to 36" on center 8) all debris removed or reused (fencing) 9) project will meet all USFWS, NMFS and NYSDEC T & E species conservation design measures. 10) No nourishment will be permitted which would result in a dune width greater than 30 feet at the crest

WHY THE SELECTED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE HUMAN ENVIRONMENT

As defined in 40 CFR § 1508.27, significance is determined by examining the following criteria:

1) Impacts that may have both beneficial and adverse aspects and which on balance may be beneficial, but that may still have significant adverse impacts that require analysis in an EIS.

No major adverse or beneficial impacts were identified that would require analysis in an EIS. The selected alternative is intended to provide short-term storm protection during the interim period while the Fire Island to Montauk Point Reformulation Plan is being finalized and as such it will have no impact on cultural resources and will not adversely affect threatened and endangered species or their habitats. As a short-term one-time event, the project will not set any precedent for future policy or contribute to cumulative impacts.

2) The degree to which public health and safety are affected.

The selected alternative will have no impact on overall public health and safety except to possibly increase public health and safety by improving year round emergency transportation access along the beach and boat transportation access through the Moriches Inlet.

3) Unique characteristics of the area such as proximity to historic or cultural resources, wild and scenic rivers, ecologically critical areas, wetlands or floodplains.

NMFS has determined that no essential fish habitat will be impacted by this project, provided that all water construction is completed within the time frame of October 1 to March 31.

No cultural resources will be impacted by this project.

No wetlands exist in the study area.

No prime farmlands, ecologically critical areas, or wild and scenic rivers exist in the study area.

4) The degree to which impacts are likely to be highly controversial.

As measured by public comment, this project is not likely to be highly controversial. During and after the 30-day agency and public review and comment period, 40 comments and 109 petition signatures were received. All were supportive of the project.

5) The degree to which the potential impacts are highly uncertain or involve unique or unknown risks.

No highly uncertain, unique, or unknown risks were identified during preparation of the EA or the public review period. The project operations have been performed in the area previously and are well understood.

6) Whether the action may establish a precedent for future actions with significant effects, or represents a decision in principle about a future consideration.

The selected alternative neither establishes NPS precedent for future actions with significant effects nor represents a decision in principle about a future consideration. Future actions will be evaluated through additional, project-specific planning processes that incorporate requirements of NEPA, Section 106 of the NHPA and NPS policies. This action is specifically a short-term interim storm protection project as is explicitly stated in the EA and this FONSI.

7) Whether the action is related to other actions that may have individual insignificant impacts but cumulatively significant effects.

The selected alternative is related to a similar project to be performed by Suffolk County at Smith Point and Cupsogue County Parks, however these actions will not have any adverse affects either individually or cumulatively.

8) The degree to which the action may adversely affect historic properties in or eligible for listing in the National Register of Historic Places, or other significant scientific, archeological, or cultural resources.

The selected alternative will not impact and historic, archeological or cultural resources. NPS made a determination that no historic properties would be affected by this project and, in accordance to Section 106 requirements, consulted with the New York State Office of Parks, Recreation and Historic Preservation (SHPO) who concurred with the NPS determination.

9) The degree to which an action may adversely affect an endangered or threatened species or its habitat.

The selected alternative includes the adoption and implementation of conservation measures and reasonable and prudent measures identified by the United States Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) as an outcome of consultation under Section 7 of the Endangered Species Act. These measures must be included in the NPS Special Park Use permit and implemented prior to or concurrently with any actions taken under the selected alternative.

Informal consultation with NMFS and formal consultation with USFWS have been completed. Informal consultation with the NMFS has determined that as long as no hopper dredges are used prior to November 15 and only between November 15 and March 31, then there are no potential impacts to sea turtles, and regardless of the time frame there is no potential for impacts to marine mammals. Informal consultation with the National Marine Fisheries Service has also determined that the project will not adversely affect essential fish habitats provided that all water construction is completed within the time frame of October 1 to March 31.

In a Biological Opinion issued through formal consultation, the USFWS has determined that while there is a potential for direct and indirect adverse effects on the federally-endangered

pipin plover and seabeach amaranth and their habitats, the project is not likely to jeopardize the continued existence of either species.

After reviewing the current status of the pipin plover Atlantic Coast population, the environmental baseline for the action area, the effects of the proposed action (anticipated to extend no more than 10 years into the future), and the cumulative effects, it is the Service's biological opinion that the proposed action is not likely to jeopardize the continued existence of the NY-NJ Recovery Unit and, therefore, the pipin plover Atlantic Coast population. No critical habitat has been designated for the Atlantic Coast pipin plover, therefore, none will be affected. The Service cautions that it remains highly concerned about the extent and duration of projects that preclude formation of optimal habitats on Long Island.

The Service believes the Proposed Plan is likely to adversely affect seabeach amaranth. Effects will depend on the degree of connection between populations within the action area, the importance of seed import and export to population maintenance, the success of proposed conservation measures in minimizing adverse effects, and the net effect of the NPS's Proposed Plan on populations within the FIIS. After reviewing the current status of seabeach amaranth, the environmental baseline for the action area, the direct and indirect effects of the Proposed Plan, and the cumulative effects of future non-Federal actions that are reasonably foreseeable to occur in the action area, it is the Service's biological opinion that, while authorization of the Proposed Plan may result in the destruction of plants and seeds and preclusion of some new habitat from partial overwashes and dune blow outs, it is not likely to jeopardize the continued existence of seabeach amaranth range-wide.

In order to reduce the potential for adverse effects, the consultation process identified valuable conservation measures and reasonable and prudent measures that have been incorporated as conditions into the NPS Special Park Use permit.

10) Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment.

The NPS Selected Alternative violates no federal, state, or local environmental protection laws.

IMPAIRMENT OF PARK RESOURCES OR VALUES

The National Park Service Organic Act of 1916, and related laws, mandate that the units of the national park system must be managed in a way that leaves them "unimpaired for the enjoyment of future generations". These laws give the NPS the management discretion to allow certain impacts to park resources and values when necessary and appropriate to fulfill the purposes of a park, so long as the impact does not constitute impairment of the affected resources and values. Director's Order 12 states that environmental documents will evaluate and describe impacts that may constitute an impairment of park resources or values. In addition, the decision document will summarize impacts and whether or not such impacts may constitute an impairment of park resources or values. An impact will be more likely to constitute impairment to the extent that it affects a resource or value whose conservation is:

1. necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park,
2. key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park, or
3. identified as a specific goal in the park's general management plan or other relevant NPS planning documents.

The National Park Service has determined that implementation of the selected alternative will not constitute an impairment to Fire Island National Seashore resources and values. This conclusion is based on the analysis presented in the EA, the public comments received, relevant scientific studies, and the professional judgment of the decision-maker guided by the direction in NPS Management Policies (2006).

PUBLIC INVOLVEMENT

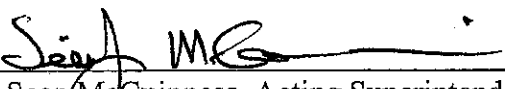
The availability of the EA was announced through a letter to park constituents and interested parties on July 31, 2008. The EA was sent on July 31, 2008 to a total of over 100 people, including agencies and organizations. It was posted on the World Wide Web via the NPS Planning, Environment and Public Comment (PEPC) site (<http://parkplanning.nps.gov>) and the park's web page (<http://www.nps.gov/fiis>). The document was made available at five local libraries. The public review and comment period extended from July 31, 2008 through September 2, 2008.

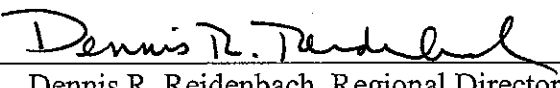
The NPS received over 40 comment letters and emails during and/or following the EA review period and 109 signatures on petitions. All comments were reviewed and considered. All of the comments and signatures on petitions provided support for the beach nourishment and scraping project. Four comments were received that specifically supported the option of building dune tapers onto federal property, particularly to the west of Ocean Beach and the Fire Island Summer Club. This option is not included in the preferred alternative, however it was featured in an alternative that was considered but not selected. The issues concerning the project and the EA from those letters are covered in the Synthesis of Public and Interagency Comments and Responses provided as Attachment 1 of this FONSI.

FINDING OF NO SIGNIFICANT IMPACT

The NPS has selected Alternative 2.7: Combination of Beach Nourishment and Beach Scraping and will issue a Special Park Use Permit for implementation of the selected alternative. The selected alternative is described on pages 39 to 40 of the EA. The selected alternative will not constitute an action that normally requires preparation of an environmental impact statement (EIS). The selected alternative will not have a significant effect on the human environment. Negative environmental impacts that could occur are minor or moderate in intensity. There are no significant impacts on public health, public safety, threatened or endangered species, sites or districts listed in or eligible for listing in the National Register of Historic Places, or other unique characteristics of the study area. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified. Implementation of the selected alternative will not violate any federal, state, or local environmental protection law.

Based on the foregoing, it has been determined that an EIS is not required for this action and thus will not be prepared.

Recommended:  9/17/08
Sean McGuinness, Acting Superintendent Date
Fire Island National Seashore

Approved:  9/29/08
Dennis R. Reidenbach, Regional Director Date
National Park Service, Northeast Region

ATTACHMENT 1

**SYNTHESIS OF PUBLIC AND INTERAGENCY COMMENTS ON THE
ENVIRONMENTAL ASSESSMENT, FIRE ISLAND COMMUNITY SHORT-TERM
STORM PROTECTION**

Comments received during public meeting held August 18, 2008

Comment: What are the financial differences between different alternatives?

NPS Response: While it is not the purpose of the environmental assessment to judge project cost, generally speaking the cost differential between the various beach scraping and beach nourishment alternatives is a function of sand volume. The other considered but rejected alternatives typically were not cost effective solutions for the current objectives nor were they necessarily even solutions for current defined objectives at all. Acquiring sand by truck or barge from upland sources, for example, would be far more costly than offshore dredging for projects of this magnitude.

Comment: I would like to see/hear from FINS their position on the progress of the beach nourishment project along with other agencies involvement.

NPS Response: NPS is required by the National Environmental Policy Act (NEPA) and NPS policy to conduct an environmental assessment to determine potential impacts prior to issuing a Special Use Permit and commencement of any project within FIIS boundaries. An environmental assessment document was prepared and distributed for public review and the mandatory 30 day public review period has been completed. Based on the results of the impact analysis in the environmental assessment and the results of the public review, this Finding of No Significant Impact (FONSI) has been signed by the NPS Northeast Regional Director. A Special Use Permit must be issued by the park and then construction may begin as soon as all other agency permits have been acquired by the project sponsors.

Comment: Why do we get the overwhelming feeling that nothing positive is going to be accomplished? Why does the NPS not want the program to move forward after 38 years of studies?

NPS Response: This question does not reflect the NPS position on this project. The NPS has chosen an alternative of combined beach scraping and beach nourishment in order to accomplish the project objective of short-term storm protection during this interim period while long term coastal management policy for Long Island is being established under the FIMP study. The environmental assessment and this FONSI are federally mandated prerequisites for the issuing of a Special Use Permit by NPS.

Comment: What is the length of the project in Ocean Beach/FISC?

NPS Response: Nourishment would entail placement of sand to enhance the existing beaches and dunes in the communities of Fire Island Summer Club, Corneille Estates, Ocean Beach, Seaview and Ocean Bay Park, a length of 7,580 feet along the shore. (Page 32 in the Fire Island Communities EA).

Comment: What is the stability of Fire Island? How will this project affect it?

NPS Response: The preferred alternative would provide what is considered to be a ten-year storm protection level to the beaches and dunes in the project areas.

Comment: How does Moriches Inlet affect communities? Will it have to be stabilized further?

NPS Response: Moriches Inlet has a substantial effect on erosional forces within Smith Point County Park just down drift of the inlet, but it is not a factor in the erosion further west on Fire Island. The inlet is a major factor with respect to the Suffolk County Park nourishment project, which proposes to dredge the Moriches Inlet navigational channel and place the dredging spoils on the beach within the county parks.

Comment: How was the preferred alternative chosen? Who chose the preferred alternative and how it was done?

NPS Response: The preferred alternative was chosen by NPS from a range of alternatives evaluated in the Environmental Assessment that was also circulated for public review and comment. The selected alternative described in this FONSI was determined to be the option that would best achieve project objectives of short-term interim storm protection while long term coastal management strategies are being formulated by the FIMP study. The process and format for environmental assessment procedure is defined in detail by the National Environmental Policy Act (NEPA) and NPS Management Policies 2006.

Comment: What is the anticipated start date and what are the possible hurdles that we may need to overcome? Hurdles would include issuance of biological opinions (BOs) and FONSI.

NPS Response: It is postulated that the projects could commence in October if all regulatory permitting steps have been satisfactorily completed. The USFWS issued their Biological Opinion with conservation measures that have been incorporated into the selected alternative as described under Mitigation Measures in this FONSI. The NMFS has determined that there will be no adverse effects on listed species or essential fish habitat provided that the stated seasonal exclusions are observed, and these exclusions have been incorporated into the selected alternative as described under Mitigation Measures in this FONSI. The FONSI has been signed by the NPS Northeast Regional Director. The NPS Special Use Permit must be issued and work can begin as soon as all other required permits have been attained.

Comment: When will project go out to bid?

NPS Response: The NPS is not the bidding entity and is not funding the project. The towns of Islip and Brookhaven will handle all contracts for these projects.

Comment: Is the red fox native to Fire Island?

NPS Response: There is on-going debate within the scientific community as to whether the red fox is native to Fire Island or an exotic species inhabiting the area. This issue has not yet been resolved. A determination would have implications for control policy as there would not be the policy constraints for eradication or control of an exotic population that would exist for a native species. This issue is relevant to the protection of endangered species since the red fox is a potential predator of piping plover. However, the capacity of the red fox to prey on piping plovers is not an issue that would be impacted by any of the project alternatives.

Comment: How will the proposed project affect bay health and will dredging inlets help with flushing the bay?

NPS Response: This project is a short-term project and will likely have no effect on inlets and/or health of the bay. The Smith Point County Park project, which will dredge the Moriches Inlet, may have some minimal increased flushing potential.

Comment: What is the potential for hard shoreline structures in the future?

NPS Response: Current national planning policy preferences call for soft shoreline strategies and adaptation of human activity to climate change as opposed to hard shoreline structures and attempting to control natural forces. The selected alternative does not set any precedents or otherwise influence strategies that may be used in the future.

Comment: Why was the project limited to a 5-6 year lifespan and 10-year storm level of protection?

NPS Response: The objective of these projects is to provide short-term storm protection in the interim period during which long term coastal management plans are being finalized by the FIMP.

Comment: What is the relationship between the community project and the County project? Is the same equipment to be used? Is the funding the same?

NPS Response: The two projects are similar in that they are both using similar dredging equipment to dredge offshore sediments and place sand on the beaches with the use of bulldozers. Both projects have applied for FEMA funding to cover at least part of the costs and FEMA has approved funding for the projects on the condition that the applicants acquire all necessary permits.

Correspondence received by email and mail:

Comment: Assemblywoman Ginny Fields, State of New York, 5th District, wrote to submit her endorsement of the selected project alternative.

NPS Response: *The NPS thanks Assemblywoman Fields for her input.*

Comment: Legislator Jack Eddington, 7th District, Suffolk County, wrote to submit his endorsement of the selected project alternative. Legislator Eddington has also authored a resolution (Memorializing Resolution 39) supporting New York State Assembly Bill A412 that intends to authorize creation of a Fire Island Beach Erosion Control District. Such a district would allow Fire Island communities to impose voluntary taxes on themselves to generate revenues for beach nourishment and erosion control projects.

NPS Response: *The NPS thanks Legislator Eddington for his input.*

Comment: The Fire Island Association endorsed the selected project alternative and also expressed support for the construction of dune tapers on federal property.

NPS Response: *The NPS thanks the Fire Island Association for their input..*

Residents in favor of dune tapers:

Comment: Five residents commented in favor of construction of dune tapers onto federal properties, which is not allowed in the selected project alternative. The contributors included residents from the Fire Island Summer Club, a member of the Fire Island Association, and a developer.

NPS Response: *The NPS thanks the commenters for their input. The NPS has determined that tapers onto federal property are not compatible with the NPS policy of protection of natural processes with respect to this project objective of short-term storm protection for the interim period until the Fire Island to Montauk Reformulation Plan (FIMP) can be implemented. The project is designed to be a short-term solution with a lifespan of 5-6 years. The 5-6 year design life will provide an approximate level of protection from a 10-year storm and will last the duration of the bonds obtained by the communities. Tapers were included in other alternatives and the EA does include a discussion of them, but the preferred alternative explicitly excludes tapers onto federal property. A further consideration is that tapers onto federal properties would cause sufficient policy implications as to trigger a requirement for a more in-depth analysis in an Environmental Impact Statement, as per the National Environmental Policy Act (NEPA), and this would cause further delays in project implementation.*

Local media coverage:

Comment: Through editorials and a full page advertisement in local Fire Island newspapers, the NPS was criticized for not following the legislative intent of "conserving and preserving...beaches...dunes..."

NPS Response: The NPS recognizes that there may be different understanding of the intent of the legislation language. It is not the NPS mission to hold the beach and dune line in place in perpetuity. The NPS mission is to conserve and preserve relatively unspoiled and undeveloped beaches, dunes, and other natural features which possess high values to the Nation as examples of unspoiled areas of great natural beauty...and beach protection measures shall be exercised in accordance with a plan that is mutually acceptable to the Secretary of the Interior and the Secretary of the Army and that is consistent with the purposes of the act that created the seashore.