

US Department of the Interior  
National Park Service



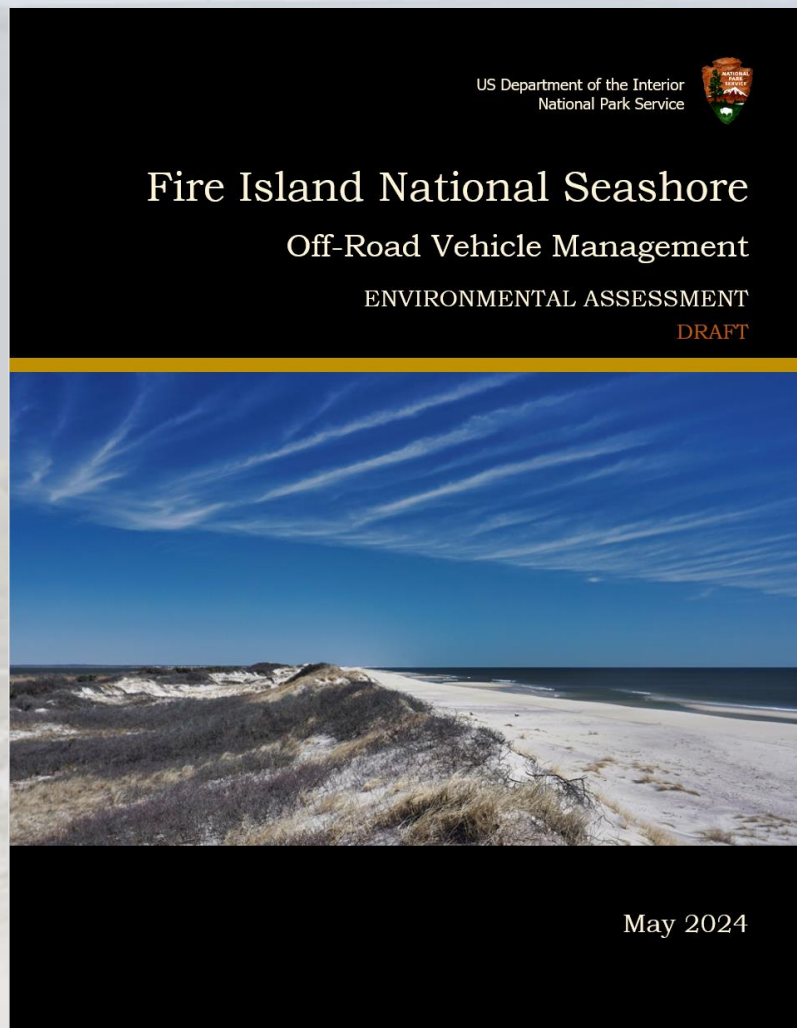
# **Fire Island National Seashore, New York: Off Road Vehicle Management**

*Public Meeting*

**June 5, 2024**



## Agenda



- **Purpose of Today's Meeting**
- **Introductions and Meeting Logistics**
- **Presentation**
  - Overview of ORV Driving Management
  - The Environmental Assessment (EA)
  - The NEPA and Rulemaking Process
- **Question and Answer Session**



## Project Staff on Today's Meeting

- Alexcy Romero – Superintendent
- Jason Pristupa – Chief of Administration
- Brendan Newell – Resource Stewardship Division Manager
- Sonia Taiani – Concessions Management and Permits Specialist
- Erik Westpfahl – Chief Law Enforcement Ranger





## Community Agreement

***No one knows everything, but together we know a lot.***  
**Thank you for joining us tonight.**

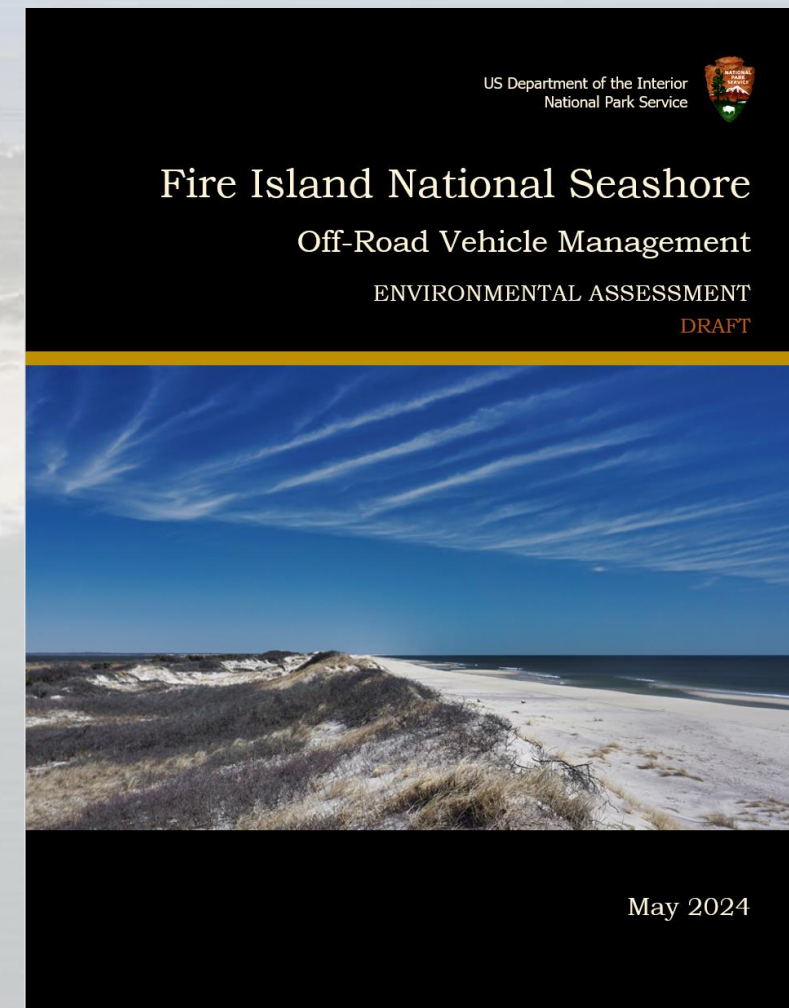
- Please interact respectfully.
- Assume good intentions.
- Challenge with care.
- Threatening, profane, or other inappropriate language will not be permitted. Disruptive participants will be asked to leave.
- Please submit your questions to the team at the table. We will be organizing them where themes may be present.



## How to Provide Formal Comment on the EA

1. NPS Website (preferred)  
[https://parkplanning.nps.gov/FIIS\\_ORV](https://parkplanning.nps.gov/FIIS_ORV)
2. By mail to 120 Laurel Street, Patchogue, NY 11772

**Comments will be accepted through June 30, 2024**



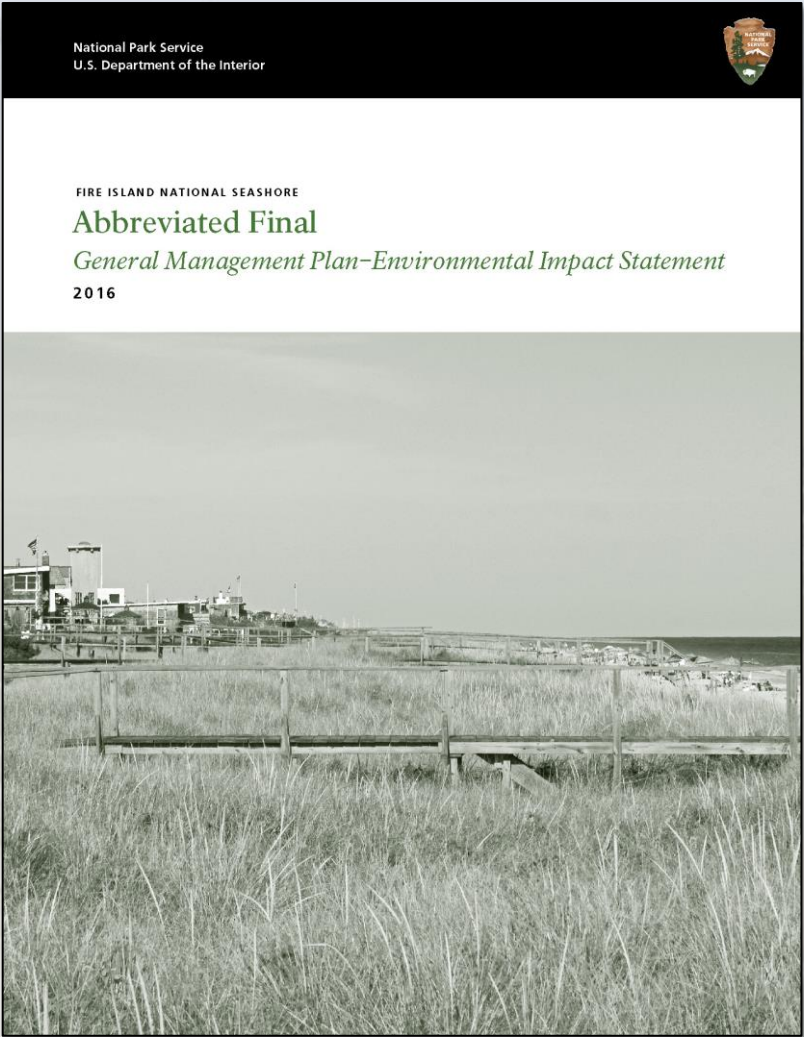


# Overview of Off-Road Vehicle Driving Management





## Laws and Plans Guiding ORV Process



**Enabling Legislation:** “For the purpose of conserving and preserving for the use of future generations certain relatively unspoiled and undeveloped beaches, dunes, and other natural features within Suffolk County, New York, which possess high values to the Nation as examples of unspoiled areas of great natural beauty in close proximity to large concentrations of urban population”

\*\*\*Celebrating 60 Years\*\*\*

### General Management Plan:

- Collaborate to support a roadless environment and maintain water-based transportation
- Use regulations to manage vehicle access on Fire Island



## Current ORV Driving Regulation 36 CFR 7.20(a) – Overview

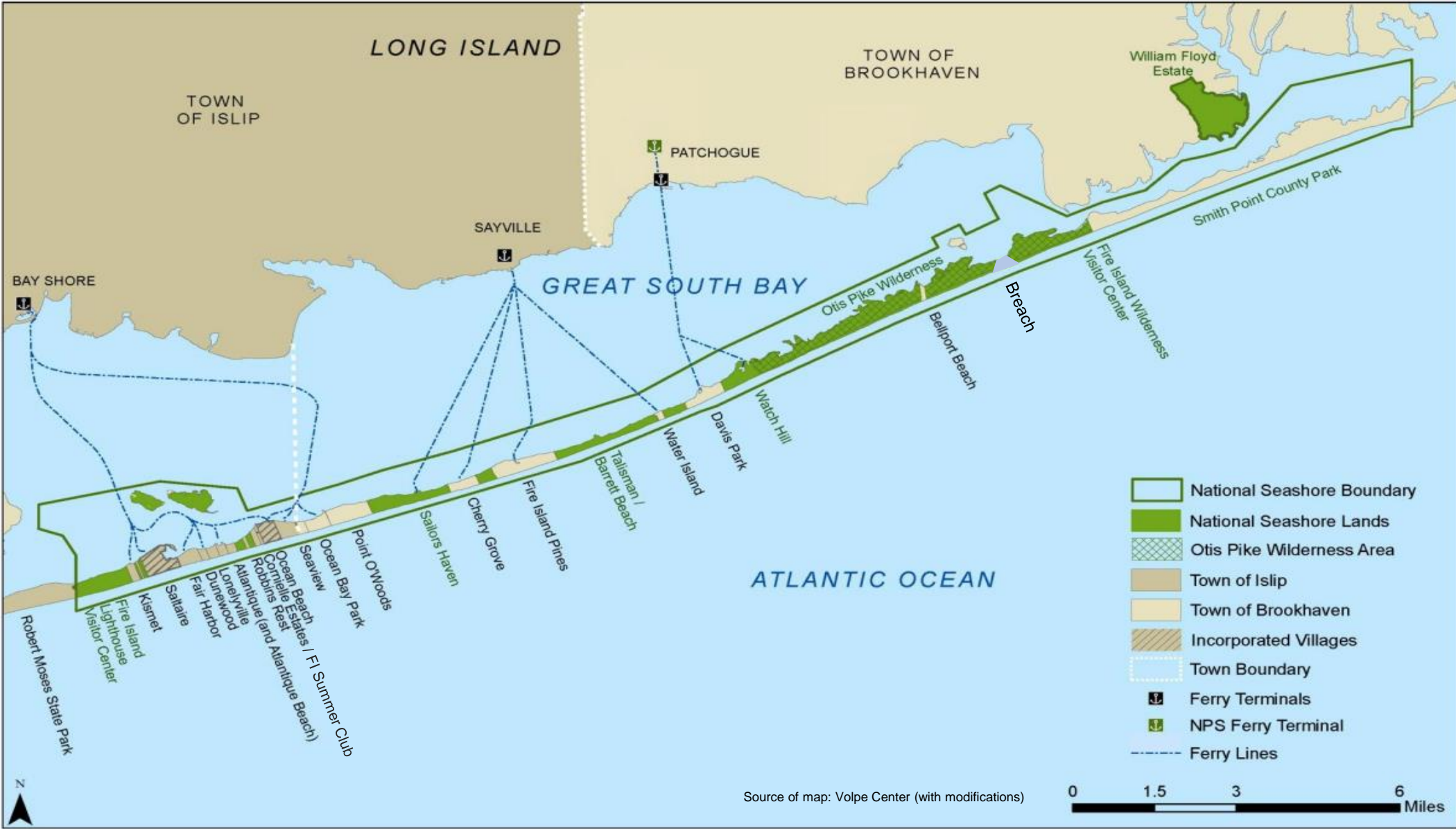
- The “blue book” defines the regulations for over-sand driving on NPS lands on the Fire Island National Seashore.
- First developed in 1977 and amended in 1987, key requirements in the regulation have remained the same since, but program management has evolved.
- Intended to protect the natural and cultural resources and visitor experience while allowing access to privately owned properties within the Seashore.







The Seashore:  
Multiple  
Resources  
and Uses



Source of map: Volpe Center (with modifications)





## Purpose and Need — Why Update 36 CFR 7.20(a) and the ORV Program?

**Purpose:** Evaluate ORV use at the Seashore and review existing 1987 ORV regulations to accomplish overlapping goals:

- Protect Seashore resources and a safe visitor experience.
- Allow appropriate and equitable vehicular access to supplement water-based transportation
- Improve the administration of the ORV permitting program.

**Need:** The NPS needs to consider revisions to:

- address changes in development, access, and technology on Fire Island, and the dynamic nature of the barrier island.
- provide the NPS future flexibility as conditions continue to change.







# **The Environmental Assessment (EA)**





## Changes Based on Your Comments Made during NEPA Scoping

- **Brief and occasional absence for year-round residents:**  
No more than 14 days → No more than 30 days.
- **Seasonal driving during the spring and fall shoulder seasons (Alternative B):**  
24h all week (Jun/Sep/Oct) → Weekdays 24h; weekends 6:00pm–9:00am
- **Trips for Construction/businesses through the gate:**  
1 trip per day → 2 trips per day
- **Emergency Services:**  
EA clarified language and the intent for these services (police, firefighting, ambulances):  
No cap; a permit likely not required; practices for driving by these vehicles remain unchanged from current conditions



## Alternatives – Summary

- **Alternative A (no action):** Continues the current ORV management under the 1987 regulations and subsequent Seashore management plans.
- **Alternative B:** Modifies caps; modifies seasonal driving in the shoulder seasons; modifies recreation driving season; redefines “trip”; specifies construction debris as within construction/business category; allows also all-wheel drive vehicles.
- **Alternative C:** Same as alternative B, but no caps and different seasonal driving in the shoulder seasons.





## Information Sources

- Laws and policies applicable to ORV driving
- Published NPS reports
- Scientific literature
- Comments from civic engagement activities and public scoping
- Daily records of vehicle use at the Seashore's west gate (2014–2021)
- Records on recreational driving through east gate







## Resource Topics

- Dune systems and plant communities (including threatened and endangered plants)
- Wildlife (including beach invertebrates and threatened and endangered species)
- Sunken Forest and Sunken Forest Preserve
- Visitor use, experience, and safety
- NPS-managed sections of Burma Road and dune cuts
- Socioeconomic resources



\*\*\*Additional topics considered but dismissed are discussed in Appendix C of the EA



## Elements of the Alternatives

### Overview

- Main Elements of the Alternatives
  - Permits caps
  - Roundtrips through the gate per day
  - Qualifications and definitions for Alternatives B and C
  - Seasonal driving
  - Overarching considerations

Permit Caps

Main Permit Categories	A – No-Action	B – Proposed Action	C – Alternative Action
Year-round residents <i>(1 permit/household)</i>	145	200 <i>(for qualified applicants)</i>	All eligible applicants would obtain a driving permit; permit caps would not be imposed/enforced by NPS.  <i>However, towns and villages would still have ability to regulate permits. Strict qualification requirements would be the same as under alternative B.</i>
Construction/Business	80	145 <i>(for qualified applicants)</i>	
Part-time Residents	No change to process for managing part-time resident permits and no new permits would be issued, consistent with project’s Purpose and Need. Part-time residents have adequate water-based transportation available.		
Public Utilities	30  (includes fleet permits)	No cap <i>(Includes fleet permits; all permits based on <u>demonstrated community needs</u>)</i>	
Essential Services		No cap <i>(Not eligible for fleet permits but eligible for up to <u>two permits per business owner</u>; permits based on <u>demonstrated community needs</u>)</i>	
Recreation <i>(via East Gate)</i>	5,000 trips/year	Qualified applicants receive a recreational driving permit	
Temporary	No Cap – Superintendent’s discretion <i>(Note: <u>Ice-over permit would be eliminated</u> for alternatives B and C.)</i>		





Trips per Day

Main Permit Categories	A – No-Action	B – Proposed Action	C – Alternative Action
Year-round residents	2	2	2
Construction/Business	1 <i>(trip on and off the island)</i>	2 <i>(trip through the Seashore west gate or east gate)</i>	
Part-time Residents	2	2	2
Public Utilities	1	1	1
Essential Services	1	2	2
Recreation <i>(via East Gate)</i>	2	1	1
Temporary	Superintendent’s discretion		



## Qualifications and Definition for Alternatives B and C

### Qualifications for **Year-round Resident Permits**:

- Person(s) who are legally domiciled on the island and who, in addition, physically reside in their fixed and permanent homes on the island continuously, 7 days per week, for 12 months per year except for brief and occasional absences.
- Brief and occasional absences are defined as being absent from one's Fire Island residence for no more than a total number of 60 days during the permitted driving period each year, for no more than 30 consecutive days.



## Qualifications and Definition for Alternatives B and C *(cont.)*

### Qualifications for **Construction/Business Permits**:

Eligibility for a permit would require proof-of-work for an extended period of the year (“year-round-work”), consisting of at least 6 months of work total within the Construction/Business driving season, with up to 3 months from the previous year’s driving season allowed to be used to meet this definition.







## Qualifications and Definition — Alternatives B and C *(cont.)*

### Definition of **Essential Services**:

- Essential services are any motor vehicle whose use on Fire Island is essential to continued use of residences. This may include vehicles actively used for:
  - transporting heating fuel and bottled gas,
  - sanitation or refuse removal, not including construction refuse. *(Note: Construction debris would shift to construction/business category)*
  - septic pump-out services.





Seasonal Driving — Alternatives B and C

Main Permit Categories	B – Proposed Action	C – Alternative Action
Year-round Residents	<ul style="list-style-type: none"><li>▪ All-day from Labor Day to end of Memorial Day weekend;</li><li>▪ June, Sept/Oct: Weekdays, and weekend nights only</li></ul>	<ul style="list-style-type: none"><li>▪ <i>Fall</i>: Weekdays from Labor Day to Columbus/Indigenous Peoples’ Day</li><li>▪ <i>Offseason</i>: All-day from Columbus/Indigenous Peoples’ Day to first Friday in May</li><li>▪ <i>Spring</i>: After Mother’s Day to Labor Day to end of school year</li></ul>
Construction/Business	All-day from Columbus/Indigenous Peoples’ Day to first Friday in May	<ul style="list-style-type: none"><li>▪ <i>Offseason</i>: All-day from Columbus/Indigenous Peoples’ Day to first Friday in May</li><li>▪ <i>Spring</i>: All-Day from Monday after first Friday in May until Friday before Mother’s Day</li></ul>
Public Utilities	Same as Residents (Alt. B), with as-needed driving in the summer	
Essential Services	Same as Residents, with weekday nights in the summer	Same as Residents, with weekday nights in the summer
Recreation (via East Gate)	September 15 – January 31 (for recreational sport fishing and hunting activities)	



## Overarching Considerations — Alternatives B and C

- **Trip:** Redefine a “trip” as a roundtrip through either the Seashore’s west or east gate, compared to the current definition of a “trip off of the island.”
- **Vehicle types:** Allow four-wheel drive and all-wheel drive vehicles.
- **Driving on NPS lands:** Update regulations to allow certain existing practices, such as access to eastern communities through the west gate because of the breach at Old Inlet.







## Overarching Considerations

- Under all alternatives, the Superintendent maintains the ability to **close the beach to driving for resource and safety concerns**; this includes the annual seasonal beach closures for piping plovers.
- **Towns and villages** have the ability to regulate ORV driving further.
- The EA considered **long-term climate change and sea level rise** projections, and the related viability of driving access on Fire Island.





# The NEPA and Rulemaking Process



The Process and Where You Can Participate (\*)

NEPA and the Rulemaking Process	Fall 2023*	NEPA PUBLIC SCOPING: Comments on proposed action and alternatives
	May-June 2024*	NEPA DOCUMENT REVIEW: Public review and meetings
	Summer 2024*	DRAFT PROPOSED RULE: Consider public comments on the EA, and draft rule Continued coordination with communities and municipal partners
	Fall 2024	DECISION DOCUMENT AND FINAL RULE: Preparation of decision document and publishing of final rule
	January 2026	NPS implements ORV management updates



\* Opportunities for public comment





## How to Provide Formal Comments

1. Submit comments **electronically** at: [https://parkplanning.nps.gov/FIIS\\_ORV](https://parkplanning.nps.gov/FIIS_ORV)  
(Follow link for project & click “Open for Comment”)

2. Submit written comments by **mail** to:

Off Road Vehicle Management Plan  
Attn: Superintendent Alexcy Romero  
Fire Island National Seashore  
120 Laurel Street, Patchogue, New York 11772



- *Comments should be relevant to the issues, impacts and alternatives associated with the ORV driving program Environmental Assessment*
- *Commenting is not a form of “voting”*

*Comments must be  
received by:*

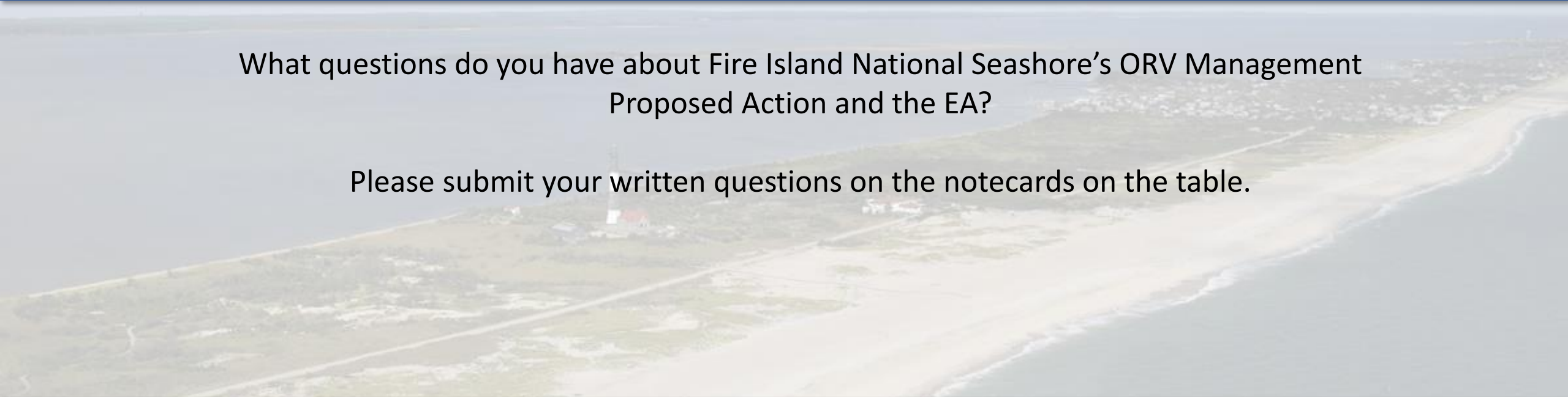
***June 30, 2024***



## Questions and Answer Session

What questions do you have about Fire Island National Seashore's ORV Management  
Proposed Action and the EA?

Please submit your written questions on the notecards on the table.





Thank you!