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GOVERNOR



STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
ALBANY, NEW YORK 12233-1010

JOE MARTENS
COMMISSIONER

June 14, 2013

Colonel Paul E. Owen
District Commander
United States Army Corps of Engineers
New York District
26 Federal Plaza
Room 2109
New York, NY 10278

Dear Colonel Owen:

I am pleased to inform you that New York State supports implementation of the fully federally funded Fire Island to Montauk Point (FIMP) project, including the United States Army Corps of Engineers' (Corps) proposal to expedite the implementation of elements of FIMP, such as the immediate restoration of dunes and beaches damaged by Hurricane Sandy on Fire Island and downtown Montauk. This support is based on the overall concepts of the FIMP project subject to the items further described in this letter.

On March 11, 2011, representatives of the Corps and the United States Department of Interior sent a letter to me outlining the potential plan of improvement for the Fire Island to Montauk Point ("FIMP") Reformulation Study. This "Tentative Federal Supported Plan" ("TFSP") was proposed as the basis to move forward with Reformulation Study efforts for the entire FIMP study area – encompassing approximately 83 miles of Atlantic Ocean coastal and bay areas of Suffolk County, New York. As noted in the federal letter, New York State must find the general plan of improvement acceptable before its attributes can be finalized through a collaborative process. New York's approval at this stage, I understand, would allow the Corps and State to move forward with a final analysis of the TFSP, including such matters as plan formulation, engineering, economics, environmental assessment, model certifications and formal agency policy-level approvals.

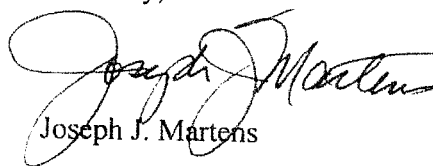
After a series of discussions, on December 29, 2011, DEC sent a letter to the Army Corps presenting information requests aimed at better understanding some of the basic elements of the TFSP so that DEC would be in a position to accurately explain project elements, costs, maintenance obligations and impacts of the TFSP to the required local community sponsor(s). While further discussions were taking place, Hurricane Sandy arrived – altering the physical and fiscal landscape in a variety of ways. On May 16, 2013 the Corps responded to the Department's letter which addressed a number of the concerns raised by the Department, but deferred a response on a few issues that are currently under review based on the impacts from Sandy.

I understand that alternative components of the TFSP are now being further refined, including: breach response measures along the barrier island, including "advanced" breach response methods or protocols; inlet management, beach and dune fill components and alignments with on-going beach nourishment; structural groin modifications; resiliency measures, including a significant number of coastal community building elevations; road elevations; land and development management to limit new development in certain flood hazard areas; protective natural infrastructure features (including wetland complexes, living shorelines, shellfish reefs, dunes, ecologically friendly in-bay breakwaters, and marsh islands) and environmental restoration, particularly in south shore bay areas.

All of the above elements would be sharpened in a process that fully involves local stakeholders. As you have emphasized, this massive project would need to be finalized in a manner that takes into account increased storm surge intensity associated with climate change and sea level rise. It is understood that the Corps will be performing an environmental impact review process under the National Environmental Policy Act (NEPA) for the entire FIMP project and that the National Park Service is evaluating the need for a NEPA review with respect to the existing breach in the Wilderness Area of the Fire Island National Seashore. It is through these processes that the elements of the project will be fully analyzed and a final FIMP project will be fully defined.

The State also supports the Corps' review of the post Sandy dune re-alignment along Fire Island that may be necessary based on the Corps' cost to benefit analysis that is still underway. If the cost to benefit analysis indicates that the alignment should be moved north in order to make the project more economical, resilient, and sustainable over the 50-year period of the project, then the State would support this realignment. If the realignment requires the purchase of properties, then the State would request that the Corps minimize the scope of this activity to the extent possible for unwilling sellers and to perform the procurement of these properties for the State at full federal expense. The State awaits the Corps' submittal of the elements of the project that you are currently working on, as delineated in your May 16, 2013 response. Thank you for all of your good and continuing efforts to help New York rebuild smarter and stronger in the face of the challenges presented by Hurricane Sandy.

Sincerely,



Joseph J. Martens

c: Mr. Joseph Vietri