

New York State Department of Environmental Conservation
Division of Water

Bureau of Flood Protection and Dam Safety, 4th Floor
625 Broadway, Albany, New York 12233-3504
Phone: (518) 402-8185 • FAX: (518) 402-9029
Website: www.dec.ny.gov



June 20, 2014

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

Re: Fire Island Inlet to Montauk Point, New York, Fire Island Inlet to Moriches Inlet Fire
Island Stabilization Project

Dear Colonel Owen:

The purpose of this letter is to confirm the New York State Department of Environmental Conservation's (Department) interest in participating in Fire Island Inlet to Montauk Point, New York, Fire Island Inlet to Moriches Inlet Fire Island Stabilization Project (Project) as the Non-Federal Sponsor with the United States Army Corps of Engineers (Corps) for the construction of the Project. Furthermore, the Department supports the recommendations contained in the Hurricane Sandy Limited Reevaluation Report dated June 2014.

In order for the Department to take on the role of the Non-Federal Sponsor, the Department's authority (Chapter 7 of Title 4 of the New York State Unconsolidated Laws) to participate in a project to arrest erosion and alleviate or prevent damage resulting from storms requires the Department to have a local sponsor that will share in the Non-Federal Sponsor's costs and obligations. The County of Suffolk has agreed to be the Department's local sponsor.

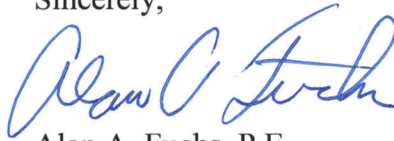
The Department understands that to the extent that the Disaster Relief Appropriation Act of 2013, Public Law 113-2 enacted January 29, 2013 (DRAA 13) funds appropriated by Congress are available, the Corps will construct the Project at 100 percent Federal expense. In the event that there are insufficient DRAA 13 funds to complete construction of the Project, the proposed Project Partnership Agreement (PPA) will need to be amended and the remaining work will be subject to cost-sharing.

This letter is not a commitment for the funding of any portion of the Project. The commitment can only be made when the proposed PPA with the Corps for the Project is executed by the Office of the New York State Comptroller. The Department maintains that it is interested in being the Non-Federal Sponsor; however, the Department's participation will depend upon successful execution of a formal agreement with the local sponsor.

The Department awaits the Corps submittal of their Water Quality Certification (WQC) application. Based on the Department's review of the Hurricane Sandy Limited Reevaluation Report (LRR) dated June 2014, the Department does not foresee any problems that would preclude the issuance of the WQC, providing the previous Department comments on the LRR are adequately addressed in the Corps WQC application. The State will initiate the formal review process of the WQC once the Corps application is submitted. Please note that until this review process is completed and a WQC is issued, there is no authorization for the Corps to move forward in the construction of this project.

The Department will continue working with the Corps to move the Project forward as expeditiously as possible in order to meet the Corps schedule. If you have any questions, please contact me by email at aafuchs@gw.dec.state.ny.us, or by telephone at (518) 402-8185.

Sincerely,



Alan A. Fuchs, P.E.

Director

Bureau of Flood Protection and Dam Safety

ec: A. Ciorra, USACE
F. Verga, USACE
G. Anderson, Suffolk County
J. Tierney, NYSDEC
P. Scully, NYSDEC
S. McCormick, NYSDEC
M. Chlebus, NYSDEC
C. Dixon, NYSDEC

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

PHILIP A. BERDOLT
DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.
COMMISSIONER

DARNELL TYSON, P.E.
DEPUTY COMMISSIONER

June 20, 2014

Mr. Alan A. Fuchs, P.E., Director
Bureau Flood Protect and Dam Safety
625 Broadway, 4th Floor
Albany, New York 12233-3504

**Re: Fire Island Inlet to Montauk Point, New York, Fire Island Inlet to Moriches Inlet
Hurricane and Storm Damage Reduction Project**

Sir:

Please allow this to serve as formal support of the recommendations contained in the Hurricane Sandy Limited Reevaluation Report dated June 2014. This will also confirm Suffolk County's (County) interest in participating in the Fire Island Inlet to Montauk Point, New York, Fire Island Inlet to Moriches Inlet Hurricane and Storm Damage Reduction Project (Project) as the Local Sponsor of the Non-Federal Sponsor with the New York State Department of Environmental Conservation (DEC) for the construction of the Project.

The County understands that to the extent that the Disaster Relief Appropriation Act of 2013, Public Law 113-2 enacted January 29, 2013 (DRAA 13) funds appropriated by Congress are available, the United States Army Corps of Engineer (Corps) will construct the Project at 100 percent Federal expense. In the event that there are insufficient DRAA 13 funds to complete construction of the Project, the proposed Project Partnership Agreement (PPA) will need to be amended and the remaining work will be subject to cost-sharing.

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

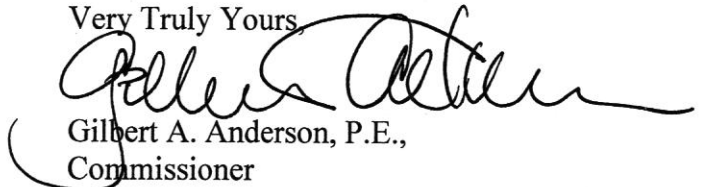
June 20, 2014

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This letter is not a commitment for the funding of any portion of the Project. The commitment can only be made when the proposed PPA with the DEC for the Project is executed. The County maintains that it is interested in being the Non-Federal Sponsor. However, the County's participation will depend upon successful execution of said formal agreement.

Should you have any questions or concerns on these matters, please contact the undersigned at (631) 852-4010.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Gilbert A. Anderson', is written over the typed name and title.

Gilbert A. Anderson, P.E.,
Commissioner

cc. Sammy Chu, Deputy County Executive
S. McCormick, P.E., Chief, Coastal Erosion Management Program, NYSDEC
Peter Scully, Regional Director, Region 1, NYSDEC
Eric Star, Environmental Program Specialist, Region 1, NYSDEC
Frank Santomauro, P.E., Chief, Planning Division, NY Dist., ACOE
Steve Couch, P.E., Chief, Coastal Section, Planning Division, NY Dist., USACOE
Frank Verga, P.E., Project Manager, USACOE
Greg Dawson, Commissioner, SC Parks
Phil Berdolt, Deputy Commissioner, SCDPW
Bill Hillman, P.E., Chief Engineer, SCDPW

ANDREW M. CUOMO
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.

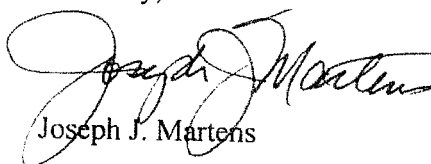
After a series of discussions, on December 29, 2011, DEC sent a letter to the Army Corps presenting information requests aimed at better understanding some of the basic elements of the TFSP so that DEC would be in a position to accurately explain project elements, costs, maintenance obligations and impacts 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