

**APPENDIX E**

**PROGRAMMATIC AGREEMENT**

PROGRAMMATIC AGREEMENT  
AMONG  
THE U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT  
AND  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICE  
REGARDING  
THE FIRE ISLAND TO MONTAUK POINT, SUFFOLK COUNTY, NEW YORK  
REFORMULATION STUDY

WHEREAS, the US Army Corps of Engineers, New York District (District) is proposing to undertake measures to reduce coastal storm damages and minimize impact along the Atlantic Coast from Fire Island to Montauk Point and the backbay and mainland areas along the Great South, Shinnecock and Moriches Bays (Project); and

WHEREAS, the Fire Island Inlet to Montauk Point, New York, Combined Beach Erosion Control and Hurricane Protection Project was authorized by the River and Harbor Act of 14 July 1960, and subsequently modified in accordance with Section 31 of the Water Resources Development Act of 1974 and Sections 103, 502 and 934 of the Water Resources Development Act of 1986 (P.L. 99-662), and Public Law 113-2; and

WHEREAS, the New York State Department of Environmental Conservation is the non-federal sponsor; and

WHEREAS, the Project consists of the continuation of authorized inlet navigation projects, including ebb shoal dredging and the placement of sand on adjacent beaches; measures for residential/non-residential structures consisting of wet/dry flood-proofing, relocations, acquisitions/demolitions and the construction of ringwalls; breach response along the barrier islands; beach and dune fill with renourishment every four years for up to thirty years; modifications (tapering or shortening) of existing groins; and the construction of coastal process features; and

WHEREAS, the Areas of Potential Effect include the offshore borrow sites; the near shore sand placement and groin modification areas; the mainland locations for measures for residential/non-residential structures, which extends from the Nassau-Suffolk County border on the west to First Neck Lane on the western edge of Southampton Village to the east and from the bayshore north to Montauk Highway; and the location of the individual coastal process features (Appendix A); and

WHEREAS, the Area of Potential Effect for the mainland measures for residential and non-residential structures includes the Shinnecock Indian Nation (federally-recognized), tribal lands and Unkechaug Indian Nation (state-recognized) property, however, no Project actions are proposed for these areas (see Appendix A).

WHEREAS, the continuation of the current inlet management, including the dredging of the ebb-shoal and its placement on the adjacent shoreline and the modifications (tapering or shortening) of existing groins will not have an adverse effect on historic properties

(Appendix B); and

WHEREAS, the previously developed Breach Response Plan has its own process for coordination with the New York State Historic Preservation Office (New York SHPO) in the event of a breach of the barrier island; and

WHEREAS, the Fire Island Light Station Historic District/Fire Island National Seashore, including the William Floyd Estate, the Beach Road Historic District, the Cutting (Bayard) Estate-Westbrook, Bellport Village Historic District, the Remsenberg Historic District, the Quogue Summer Colony Historic District, the Quogue Historic District, the Canoe Place Historic District, and a portion of the Southampton Village Historic District are located within the Areas of Potential Effect for the Atlantic shoreline and mainland portions of the Project (Appendix C);

WHEREAS at least 70 archaeological sites and more than 150 buildings, structures and objects that are listed, determined eligible or potentially eligible for the National Register are also located within the Areas of Potential Effect (see Appendix C); and

WHEREAS, a portion of the Sugar Loaf Hill Shinnecock Indian Burial Ground Critical Environmental Area designated by the Town of Southampton in 1990, which includes the Shinnecock Indian Contact Period Village Fort and Burial Ground, is located along Montauk Highway in the Town of Southampton within the Area of Potential Effect (see Appendix C); and

WHEREAS, pursuant to 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C § 306108), the District has determined, in accordance with 36 CFR 800.6(c) that implementation of Project actions will have the potential to have adverse effects on properties listed on or eligible for listing on the National Register of Historic Places (NRHP) and within the Areas of Potential Effect for near shore sand placement, offshore borrow areas, mainland locations and individual coastal process features; and

WHEREAS, the District has notified the Advisory ACHP on Historic Preservation (ACHP) of the potential for the Undertakings to affect historic properties and that a programmatic agreement will be prepared; and

WHEREAS, the District has consulted and will continue to consult with the NYSHPO, the Shinnecock Indian Nation, the Delaware Tribe of Indians (federally-recognized tribes), the Unkechaug Nation, the Fire Island National Seashore, and municipal and county historic societies, and other appropriate consulting parties to define and implement process for taking into consideration the effects of the Project on historic properties; and

WHEREAS, the District involved the general public through public scoping and review periods (July through October 2016) of the National Environmental Policy Act (NEPA) process, which affords all persons, organizations, and government agencies the right to review and comment on proposed major federal actions that are evaluated by a NEPA document and participate in public meetings during the review of the feasibility report; and

NOW, THEREFORE, the District, New York SHPO, and ACHP agree that the Undertakings shall be implemented in accordance with the following stipulations in order to take into account the effects of the Project on historic properties.

## STIPULATIONS

### I. BEACH AND DUNE FILL - NEAR SHORE/TIDAL ZONE

- A. The District shall conduct a remote sensing survey(s) of the near shore tidal zone anticipated for the beach fill and placement Area of Potential Effect that were not previously surveyed, or have not been previously disturbed by the placement of sand, or in which sand will be placed and for which the limit of fill will extend into the near shore area.
- B. The District shall evaluate the targets identified by this remote sensing survey(s) as potential resources to determine if they are cultural resources. If determined to be cultural resources, an assessment of the integrity of the sites and their historic significance, in accordance with the eligibility criteria of the National Register of Historic Places, will be conducted. Following that evaluation a determination will be made regarding the effect the Project will have on any items determine to be eligible for the National Register and the need for further investigation.
- C. The District will coordinate these investigations in accordance with the process identified in Stipulation XI.B below.

### II. OFFSHORE BORROW AREAS

- A. A remote sensing survey, to include but not limited to the use of magnetometer and side scan sonar, of any borrow area not previously surveyed and/or not previously used will be conducted to identify any potential cultural resources.
- B. If targets and/or anomalies are identified, the District will designate a buffer zone around each potential resource, as determined by the nature of the target/anomaly, for avoidance during the dredging of the borrow area. Buffer zone(s) shall be clearly delineated on construction plans. No construction activities, including the removal of sand, anchoring, anchor dragging, etc., which could potentially impact these features will occur within the designated buffer zones.

- C. If any targets and/or anomalies cannot be avoided, the District will undertake coordination and consultation as identified in Stipulation XI.B.2 below.
  
- D. A geomorphological study of the offshore borrows areas to aid in the identification of borrow areas that have the potential for buried landsurfaces will also be conducted. This investigation may include, but not limited to, the research and analysis of locations of ancient watercourses and/or the analysis of soil cores, etc.
  
- E. The District will coordinate the results of any geomorphological studies/investigations in accordance with the process identified in Stipulation XI.B below.

### III. MAINLAND LOCATIONS FOR RESIDENTIAL AND NON-RESIDENTIAL MEASURES

#### A. NON-STRUCTURAL MEASURES

1. Non-structural measures include flood proofing, elevation, and acquisition/demolition and involve the alteration of buildings and structures. The District will identify the properties to be acquired/demolished, flood-proofed and/or relocated and determine if these properties are listed or eligible for the National Register based on, but not limit to:
  - a. review(s) of the National Register and/or the NYSHPO CRIS or subsequent database; and/or
  - b. additional field investigations; and
  - c. consultation in accordance with Stipulation XI.B.3 below.
  
2. As part of these investigations, the District will also determine if archaeological survey(s) are required and carry out these investigations, if necessary. All investigations will be coordinated in accordance with Stipulation XI.B.3 below.
  
3. If a property is determined to be eligible for the National Register, the District will determine in accordance with Stipulation XI.B.3 below, if the historic property will be adversely affected by the proposed non-structural measure and, if adversely affected, ways to resolve the adverse effect(s) in accordance with Stipulation V.
  
4. Archaeological investigations associated with non-structural measures, if required, should be a part of any treatment plan identified as part of the resolution of adverse effects in accordance with Stipulation V.
  
5. The District will coordinate the results of investigations in accordance with the process identified in XI.B.3 below.

## B. RINGWALLS

1. The District will determine the location of ringwalls. Prior to construction, the District will conduct archaeological investigations for the placement of each ringwall, unless the research determines the location has been previously surveyed and/or disturbed.
2. For any identified archaeological site, the District will determine if the property is eligible for the National Register. If a property is determined to be eligible for the National Register, the District will determine in accordance with Stipulation XI.B.3 below, if the historic property will be adversely affected by the proposed ringwall construction and, if adversely affected, ways to resolve the adverse effect(s) in accordance with Stipulation V.
3. The District will coordinate the results of any investigations completed in accordance with the process identified in XI.B below.

## IV. COASTAL PROCESS FEATURES

- A. The District will determine, in coordination and consultation with the New York SHPO, the Shinnecock Indian Nation, the Delaware Tribe of Indians, the Unkechaug Indian Nation, and the Fire Island National Seashore for areas within its boundaries, and relevant local historical societies and organizations regarding what investigations are necessary to determine if the construction of any coastal process features would have an adverse effect on historic properties. The District would carry out investigations, as necessary, to identify historic properties, determine the proposed features effect, including review of the CRIS or subsequent database.
- B. The District coordinate the results of any investigations completed in accordance with the process identified in XI.B below.
- C. If a property is determined to be eligible for the National Register, the District will consult with the NYSHPO, relevant signatories and interested parties to resolve the adverse effects in accordance with Stipulation V.

## V. RESOLUTION OF ADVERSE EFFECTS

- A. The District shall continue consultation in accordance with XI.B below, as appropriate, pursuant to 36 CFR Part 800.6 to avoid, minimize or mitigate adverse effects to historic properties.
- B. The District shall notify the NYSHPO, the Shinnecock Indian Nation, the Delaware Tribe of Indians, the Unkechaug Indian Nation, the Fire Island National Seashore for adverse effects to historic properties within its boundaries, municipalities, and property owners and others as necessary to provide documentation regarding the identification and evaluation of the historic properties. The District will work with the

NYSHPO, the Shinnecock Indian Nation, the Delaware Tribe of Indians, the Unkechaug Indian Nation, municipalities, and property owners and others as necessary to determine how best to resolve any adverse effects and document the proposed resolution.

- C. Once there is agreement on how the adverse effects will be resolved, the District shall prepare treatment plan that will identify the activities to be implemented that will resolve the adverse effects. The treatment plan will be provided for review and comment prior to implementation.
- D. If there are disputes and/or disagreements on the resolution of adverse effects, the District shall seek to resolve such objection through consultation in accordance with procedures outlined in Stipulation XII.

## VI. PUBLIC INVOLVEMENT AND OUTREACH

- A. The District shall inform the public of the existence of this PA and the District's plan for meeting the stipulations of the PA. Copies of this agreement and relevant documentation prepared pursuant to the terms of this PA shall be made available for public inspection via the District's website. Information regarding the specific locations of terrestrial and submerged archaeological sites, including potential wreck areas, will be withheld in accordance with the Freedom of Information Act and National Register Bulletin No. 29, if it appears that this information could jeopardize archaeological sites. Any comments received from the public related to the activities identified by this PA shall be taken into account by the District.
- B. The District shall develop publically accessible information about the cultural resources and historic properties investigations for the Undertaking in the form of brief publication(s), exhibit(s), or website.

## VII. CURATION

- A. Any collection resulting from the investigations undertaken as part of the agreement are the property of the landowner at the time the collection was made. The District does not retain ownership of any collection removed from land(s) it does not own.
- B. The District shall ensure that all collections resulting from the identification and evaluation of surveys, data recovery operations, or other investigations pursuant to this PA are maintained in accordance with 36 CFR Part 79 until the collection is turned over to the landowner or other entity. Minimally, the District will ensure that analysis is complete and the final report(s) are produced and accepted by the New York SHPO before the collection is provided to the landowner.
- C. The District shall be responsible for consulting with landowners regarding the curation of collections resulting from archaeological surveys, data recovery

operations, or other studies and activities pursuant to this agreement. The District shall coordinate the return of collections to non-federal landowners. If landowners wish to donate the collection, the District, in coordination with the New York SHPO, determine an appropriate entity to take control of the collection.

- D. The District shall be responsible for the preparation of federally-owned collections and the associated records and non-federal collections donated for curation in accordance with the standards of the curation facility.

## VIII. UNANTICIPATED DISCOVERY

- A. The following language shall be included in construction plans and specifications:

“When a previously identified cultural resource, including but not limited to archaeological sites, shipwrecks and the remains of ships and/or boats, standing structures, and properties of traditional religious and cultural significance to the Shinnecock Indian Nation and/or the Delaware Tribe of Indians are discovered during the execution of the Project, the individual(s) who made the discovery shall immediately secure the vicinity and make a reasonable effort to avoid or minimize harm to the resource, and notify the Project’s Contracting Officer’s Representative (COR) and the District. All activities shall cease within a minimum of 50 feet from the inadvertent discovery (50-foot radius ‘no work’ buffer) until authorized by the District and the Project COR.

- B. If previously unidentified and unanticipated properties are discovered during Project activities, the District shall cease all work in the vicinity of the discovery until it can be evaluated in accordance with 36 CFR Part 800.13 “Post Review Discoveries”. Upon notification of an unanticipated discovery, the District shall implement any additional reasonable measures to avoid or minimize effects to the resource. Any previously unidentified cultural resource will be treated as though it is eligible for the NRHP until such other determination may be made.
- C. The District shall immediately notify the New York SHPO, the Fire Island National Seashore for unanticipated discoveries within the its boundaries, and the Shinnecock Indian Nation and Delaware Tribe of Indians within 48 hours of the finding and request consultation to determination the nature of the find, the National Register eligibility and the assessment and resolution adverse effects, if identified.
  - 1. If it is determined the unanticipated discovery is not eligible for the National Register, then the suspension of work in the area of the discovery will end.
  - 2. If it is determined that the cultural resource is eligible for the National Register, then the suspension of work will continue, and the District, in

consultation with the NYSHPO, the National Park Service for unanticipated discoveries within the Fire Island National Seashore, the Shinnecock Indian Nation, and the Delaware Tribe of Indians will determine the actions to avoid, minimize, or mitigate adverse effects to the historic property and will ensure that the appropriate actions are carried out.

3. If there is a disagreement on the appropriate course of action to address an unanticipated discovery or effects to an unanticipated discovery, then the District shall initiate the dispute resolution process set forth in Stipulation XII below.

## IX. DISCOVERY OF HUMAN REMAINS

A. If any human remains and/or grave-associated artifacts are encountered during any of the investigations, including data recovery, the District shall follow the NYSHPO Human Remains Discovery Protocol (2018; see Appendix D) and, as appropriate, develop a treatment plan for human remains that is responsive to the ACHP's Policy Statement on Human Remains" (September 27, 1988), the Native American Graves Protection and Repatriation Act (PL 101-601) and , US Army Corps of Engineers, Policy Guidance Letter No. 57 (1998) Indian Sovereignty and Government-to-Government Relations with Indian Tribes.

B. The following language shall be included in the construction plans and specifications:

"When human remains, suspected human remains, or indications of a burial are discovered during the execution of a Project, the individual(s) who made the discovery shall immediately notify the local law enforcement, coroner/medical examiner, and the Project COR and the District, and make a reasonable effort to protect the remains from any harm. The human remains shall not be touched, moved or further disturbed. All activities shall cease within a minimum of 50 feet from the area of the find (50-foot radius 'no work' buffer) until authorized by the District."

## X. PROFESSIONAL QUALIFICATIONS AND STANDARDS

A. The District shall ensure that qualified professionals meeting the National Park Service professional qualifications for the appropriate discipline [National Park Service Professional Qualification Standards, Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 FR 44738-39)] are used to complete all identification and evaluation plans related to this undertaking, to include remote sensing surveys, underwater investigations, historic structure inventory and documentation.

B. All historic structures surveys carried out pursuant to this PA will be undertaken in accordance with the standards and guidelines of the NYSHPO and the Secretary of the Interior's *Standards for the Treatment of Historic Properties* (36 CFR Part 68).

C. All archaeological investigations carried out pursuant to this PA will be undertaken in accordance with the New York State Archaeological ACHP's Standards for Cultural Resource Investigations and the Curation of Archaeological Collections in New York State (1994) and Cultural Resources Standards Handbook (2000), the NYSHPO Archaeological Report Format Requirements (2005), and the Secretary of the Interior's *Standards for the Treatment of Historic Properties* (36 CFR Part 68).

## XI. ADMINISTRATIVE TERMS

### A. REPORTING

1. Each year following the execution of this PA until it expires or is terminated, the District shall provide the New York SHPO, Fire Island National Seashore, the Shinnecock Indian Nation, the Delaware Tribe of Indians, the Unkechaug Indian Nation, and local historical societies and organizations (Appendix E), a summary report detailing work undertaken pursuant to this PA. This report will include any scheduling changes, problems encountered, project work completed, PA activities completed, and any objections and/or disputes received by the District in its efforts to carry out the terms of this PA. Copies of the summary report will be posted in the District project website.
2. Following authorization and appropriation, the District shall coordinate a meeting or equivalent with the signatories to be held annually on a mutually agreed upon date to evaluate the effectiveness of this PA and discuss activities carried out pursuant to this PA during the preceding year and activities scheduled for the upcoming year.

### B. COORDINATION, CONSULTATION, AND REVIEW PERIODS

1. Fire Island National Seashore, including the William Floyd Estate
  - a. For all activities involving properties and/or investigations within the bounds of the Fire Island National Seashore, the District will obtain the required National Park Service permits to complete investigations.
  - b. The District will provide the draft and final reports pertaining to the investigations within the bounds of the Fire Island National Seashore, including the William Floyd Estate, to the Fire Island National Seashore, the New York SHPO, the Shinnecock Nation, the Delaware Tribe of Indians, and the Unkechaug Indian Nation for review.

- c. Coordination and consultation on eligibility determinations, the need for additional investigations within the Fire Island National Seashore based on results of completed investigations will include the Fire Island National Seashore Service, the New York SHPO, the Shinnecock Nation, the Delaware Tribe of Indians, and the Unkechaug Indian Nation.
2. Borrow Areas
  - a. All draft and final reports pertaining to investigations of Project borrow areas will be provided to the New York SHPO, the Shinnecock Nation, the Delaware Tribe of Indians and the Unkechaug Indian Nation for review.
  - b. Coordination and consultation on eligibility determinations, the need for additional investigations for targets and anomalies will include the New York SHPO, the Shinnecock Nation, Delaware Tribe of Indians, and the Unkechaug Indian Nation.
3. Nearshore Sand Placement, Coastal Process Features, Measures for Residential and Non-Residential Structures, and Ringwalls
  - a. All draft and final reports pertaining to investigations of the nearshore, the coastal process features, the measures for residential and non-residential structure Areas of Potential Effect outside of the Fire Island National Seashore will be provided to the New York SHPO, the Shinnecock Indian Nation, the Delaware Tribe of Indians, the Unkechaug Nation, the relevant municipality(ies) and local historical society(ies) or historic preservation group(s) for review (see Appendix E).
  - b. Coordination and consultation on eligibility determinations, the need for additional investigations, etc., resulting from the reviews completed in Stipulation XI.B.3.a above will include the New York SHPO, the Shinnecock Nation, the Delaware Tribe of Indians, the Unkechaug Indian Nation, the relevant municipality, its local historical society or historic preservation group(s) (see Appendix E), and the landowner(s).
4. Unless otherwise stated, all review periods will be 30 calendar days and any comments resulting from those reviews must be submitted to the District in writing (via electronic or regular mail).
5. With the submission of final reports, the District will respond to comments, identifying how comments were/were not taken into account as part of report revisions or recommendation for additional action.
6. If a response is not received by the end of the review period, the District will assume concurrence with the subject determination, evaluation, plan, report or other document submitted.

## XII. DISPUTE RESOLUTION

1. Should any signatory object in writing to the District at any time to any actions proposed or the manner in which the terms of this PA are implemented, the District and the signatories shall attempt to resolve any disagreement arising from implementation of this PA.
2. If there is a determination that the disagreement cannot be resolved, the District shall forward all documentation relevant to the dispute to the ACHP and request the ACHP's recommendations or request the comments of the ACHP in accordance with 36 CFR Part 800.7(c).
3. The ACHP shall provide the District with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Any ACHP recommendations or comments provided in response will be considered in accordance with 36 CFR Part 800.7(c), with reference only to the subject of the dispute. The District shall respond to ACHP recommendations or comments indicating how the District has taken the ACHP's recommendations or comments into account and complied with the ACHP's recommendations or comments prior to proceeding with the Undertaking activities that are the subject to dispute. Responsibility to carry out all other actions under this PA that are not the subject of the dispute will remain unchanged.
4. If the ACHP does not provide its advice regarding the dispute within the thirty (30) calendar day time period, the District may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the District shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories to the PA, and provide them and the ACHP with a copy of such written response.

## XIII. WITHDRAWAL AND TERMINATION

1. Any signatory may withdraw its participation in this PA by providing thirty (30) days advance written notification to all other signatories. In the event of withdrawal, any signatory to this PA may terminate it by providing 30 calendar days, written notice to the signatories. In the event of withdrawal, this PA will remain in effect for the remaining signatories.
2. This agreement may be terminated in accordance with 36 CFR Part 800, provided that the signatories consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. Any signatory requesting termination of this PA will provide thirty (30) days advance written notification to all other signatories.

3. In the event of termination, the District will comply with 36 CFR 800.4 through 800.6 with regard to individual undertakings covered by this Agreement.

#### XIV. DURATION AND SUNSET CLAUSE

1. This PA shall take effect upon execution by the District, the New York SHPO, and the signatories with the date of the final signature.
2. This PA will continue in full force and effect until the construction of the Undertaking is complete and all terms of this PA are met, unless the Undertaking is terminated or authorization is rescinded or a period of five years from execution of the PA has passed, at which time the agreement may be extended as written provided all signatories concur.

#### XV. AMENDMENT

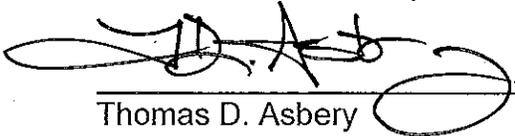
1. This PA may be amended upon agreement in writing by all signatories. Within thirty (30) days of a written request to the District, the District will facilitate consultation between the signatories regarding the proposed amendment.
2. Any amendments will be in writing and will be in effect on the date the amended PA is filed with the ACHP.

#### XVI. ANTI-DEFICIENCY ACT

All requirements set forth in this PA requiring expenditure of funds by the District are expressly subject to the availability of appropriations and the requirements of the Anti-Deficiency Act (31 U.S.C. 1341). No obligation undertaken by the District under the terms of this PA shall require or be interpreted to require a commitment to extend funds not appropriated for a particular purpose. If the District cannot perform any obligation set forth in this PA because of unavailability of funds that obligation must be renegotiated among the District and the signatories as necessary.

PROGRAMMATIC AGREEMENT  
AMONG  
THE U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT  
AND  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICE  
REGARDING  
THE FIRE ISLAND TO MONTAUK POINT  
SUFFOLK COUNTY, NEW YORK  
REFORMULATION STUDY

Execution and implementation of this PA evidences that the District has satisfied its Section 106 responsibilities 36 CFR 800.6(b)(1)(iv) for all individual undertakings of the Project, and has afforded the New York SHPO and the ACHP an opportunity to comment on the undertaking and its effects on historic properties.



---

Thomas D. Asbery  
Colonel, U.S. Army  
Commander and District Engineer

20200210

---

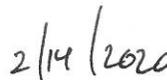
Date

PROGRAMMATIC AGREEMENT  
AMONG  
THE U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT  
AND  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICE  
REGARDING  
THE FIRE ISLAND TO MONTAUK POINT  
SUFFOLK COUNTY, NEW YORK  
REFORMULATION STUDY

Execution and implementation of this PA evidences that the District has satisfied its Section 106 responsibilities 36 CFR 800.6(b)(1)(iv) for all individual undertakings of the Project, and has afforded the New York SHPO and the ACHP an opportunity to comment on the undertaking and its effects on historic properties.



\_\_\_\_\_  
R. Daniel Mackay  
Deputy Commissioner for Historic Preservation/SHPO  
NYS Office of Parks, Recreation and Historic  
Preservation



\_\_\_\_\_  
Date

PROGRAMMATIC AGREEMENT  
AMONG  
THE U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT  
AND  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICE  
REGARDING  
THE FIRE ISLAND TO MONTAUK POINT  
SUFFOLK COUNTY, NEW YORK  
REFORMULATION STUDY

Execution and implementation of this PA evidences that the District has satisfied its Section 106 responsibilities 36 CFR 800.6(b)(1)(iv) for all individual undertakings of the Project, and has afforded the New York SHPO and the ACHP an opportunity to comment on the undertaking and its effects on historic properties.

---

Alex Romero  
Superintendent  
Fire Island National Seashore

---

Date

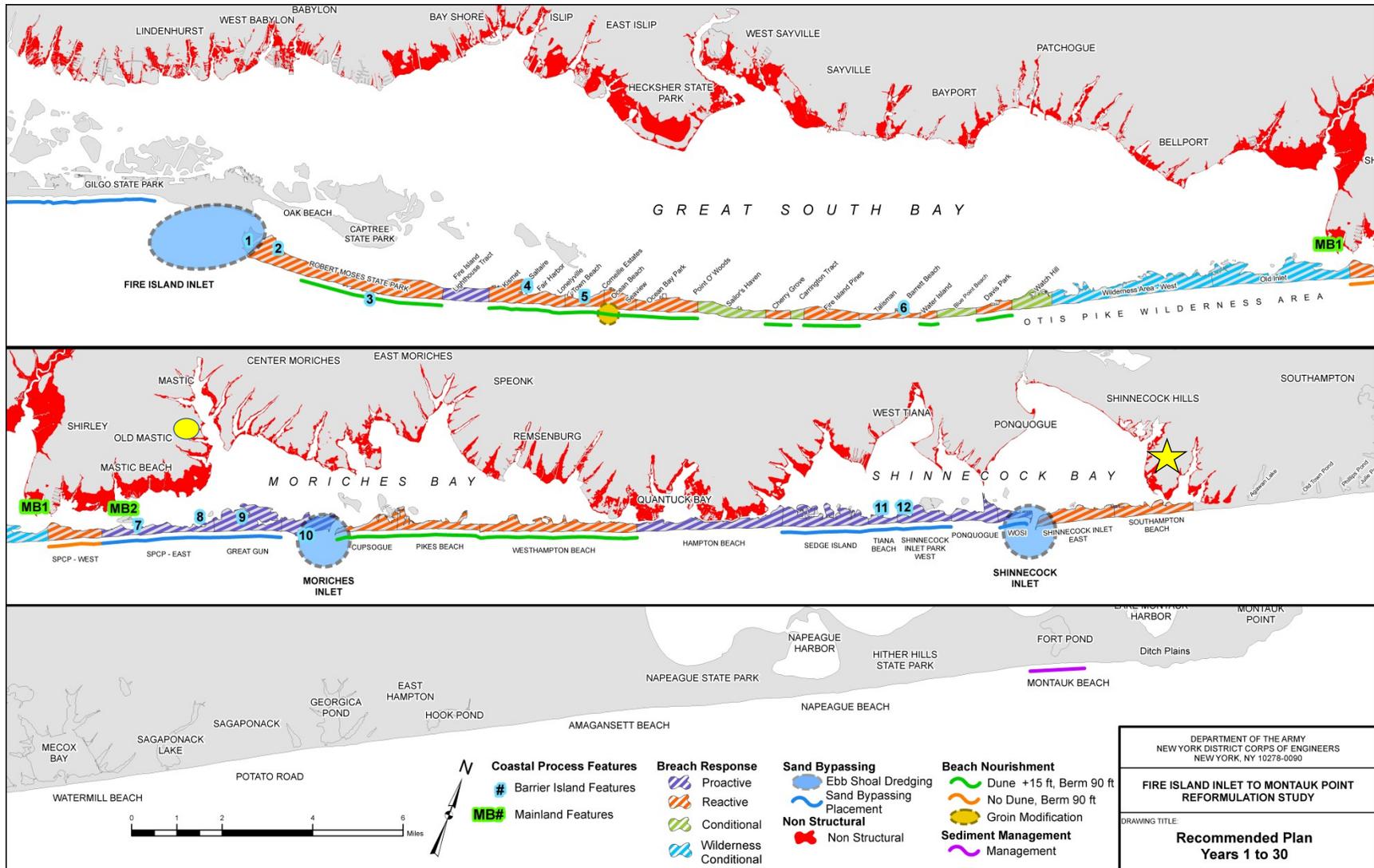
**PROGRAMMATIC AGREEMENT - APPENDIX A**

**FIRE ISLAND TO MONTAUK POINT, SUFFOLK COUNTY, NEW YORK**



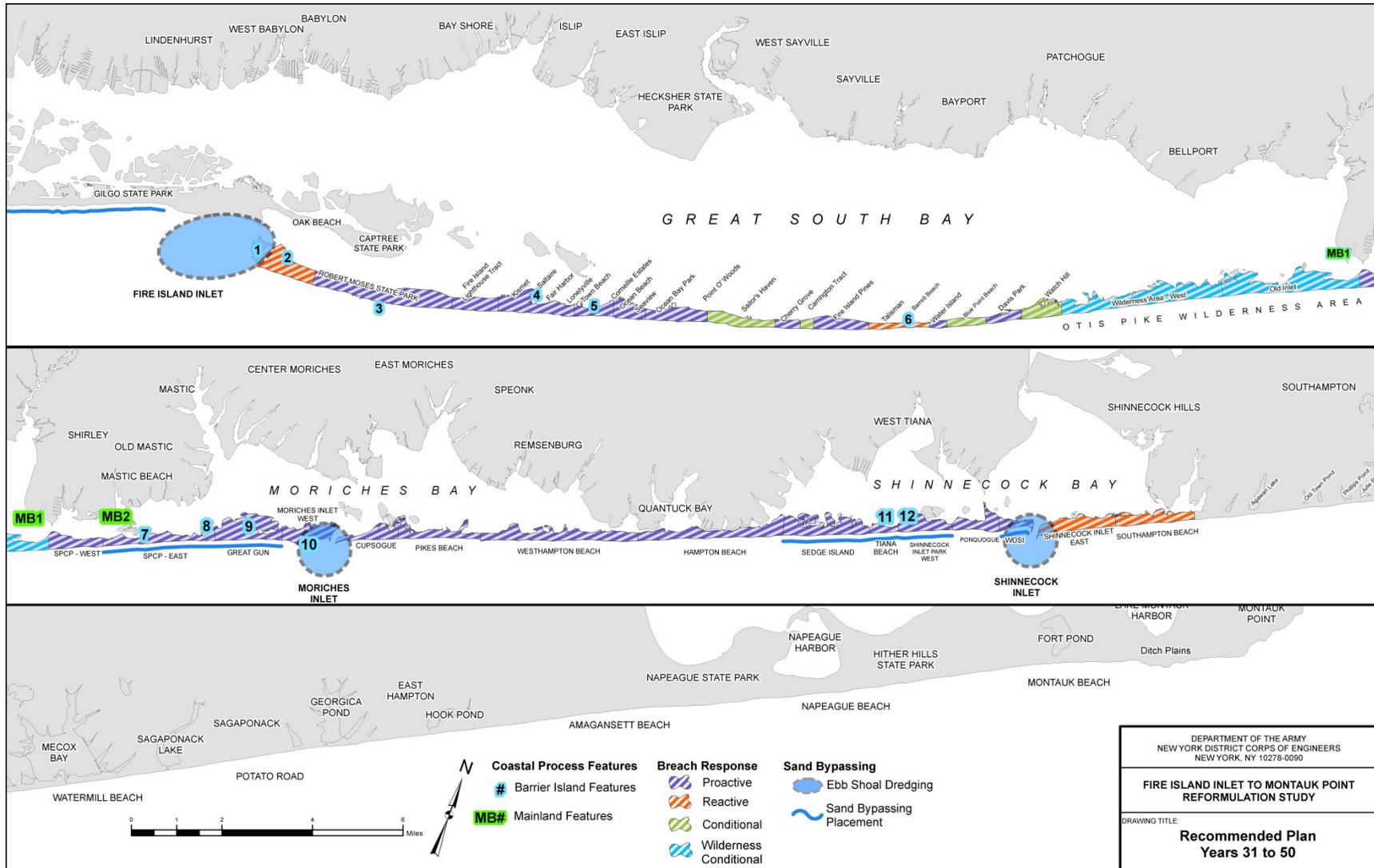
Area of Potential Effect for Fire Island to Montauk Point (not including borrow areas) and showing the location of the Fire Island National Seashore, the Shinnecock Indian Nation and the Unkechaug Indian Nation.

# Fire Island to Montauk Point Reformulation Study



Recommended Plan Measures (Near Shore, Sand Placement, Measures for Residential and Non-Residential Structures and Coastal Process Features) and the measures' Areas of Potential Effect. Fire Island National Seashore extends from Fire Island Inlet to Moriches Inlet.

# Fire Island to Montauk Point Reformulation Study



Recommended Plan (Near shore, sand placement, and coastal process features) and these measures' Areas of Potential Effect.