

FIMI Stakeholders Call Held December 3, 2015
MINUTES Sent 12-22-15

Members of the FIMI Project Team on the call: NYSDEC (Sue McCormick, Andy Fera); US Army Corps of Engineers (Frank Verga, Lynn Bocamazo); and Suffolk County (Gil Anderson, Gail Lolis)

The following representatives were on the call:

- Elected Officials: Bill Doyle for Congressman Zeldin
- Town of Brookhaven: Tom Carrano
- Communities: Those who indicated they were on the call were: Marsha Hunter (Kismet); Gene Levy (Fair Harbor); Cathy Bimberg and Ken Cohen (Dunewood); Pete Clock and Jessie Ostrow (Lonelyville); Jay Van Cott (Atlantique); Alan Altman (Robbins Rest); Chris Dunworth (Summer Club); Don Sussman (Corneille); Steve Brautigam (Ocean Beach); Suzy Goldhirsch (Seaview); Karen Kee (Ocean Bay Park); Jeff DeJarnette (Point O Woods); Suzanne Johnson (Water Island); and Jayne Robinson (Davis Park).

Please let Sue McCormick know if anyone was omitted from this list at susan.mccormick@dec.ny.gov.

Stated purpose for the call: To provide a general update on the status of the FIMI Project in the 17 communities including technical, real estate and schedule information. Allow communities to ask questions that are related to the whole Project that all would be interested in hearing. Ensure that everyone is getting the latest and same information at the same time.

What the call is not for: Discussion of issues that are specific to a given community. Specific issues can be emailed to Sue McCormick and we will contact that community to address their specific concerns and issues.

General:

The County's FIMI website can be found at www.suffolkcountyny.gov/fimi

Please note that as the project is designed and the real estate is obtained that ALL SCHEDULES, PLANS, PROCEDURES, PROCESSES, PLACEMENT LOCATIONS, AND THE ORDER OF WORK ARE SUBJECT TO CHANGE. WHAT IS STATED ON A CALL OR PROVIDED IN THE MINUTES FOR A CALL CAN CHANGE AT ANY TIME.

Project overview and status: [NOTE: Some information given on the call has been updated to reflect changes in the last few weeks.]

The FIMI Team met on December 1st to discuss dune crossovers, remaining details for Contract 3A and the logistics of 3B1 and 3B2. We determined that additional contracts may be required to sequence the work properly and so are now up to 8 contracts.

- Status of the 8 contracts within FIMI:

Contract 1: SPCP: Dredging is ongoing. As of 12/16: 1,319,000 of 2,089,000 CY have been placed.

Contract 2: The official contract modifications to add Kismet and Saltaire to Contract #2 were awarded 12/8 and the contractor is currently pumping sand in Kismet which should be completed by the end of December. They will then go back to Beach Walk in Saltaire and pump to the east to finish Saltaire. After that they will go back and finish the western portions of RMSP. As of 12/18: 1,178,535 of 2,089,000 CY

have been placed. The modification for dune crossovers will be awarded soon as the Corps is completing the designs.

Contract 3A: Fair Harbor to Seaview – all aspects of work. Sand placement may begin in Seaview and go west. Won't be determined until a contractor has been retained by the Corps.

Contract 3B1: OBP to DP sand placement and dune crossover work.

Contract 3B2: OBP to DP civil work including relocations, deck/pool/overwalk/wall removals and access to Cayuga Ave in OBP

Contract 3C: Relocation of Ocean Beach well field

Contract 3D: Relocation of Traffic Avenue water line in OBP

Contract 3E: Demolition contract

- Dune crossovers: In meeting the “reasonable access” requirements under the ADA, the Team is using 2015 Architectural Barriers Act (ABA) Standards. The ABA pertains to facilities constructed by federal agencies, in this case by the Corps, under a partnership agreement with DEC. Beach access routes are recommended every ½ mile. The minimum width of beach access points at dune crossings is 48 inches. At our meeting 12/1, we determined that we will offer two widths for ADA crossovers (5 feet or 7 feet) and one width for non-ADA crossovers (5 feet). All measurements are for the width of the walking surface.

We have asked each community to determine in conjunction with your emergency services groups which width is desired for the ADA crossover (and location). For Contracts 2 and 3A, the Corps needs to get this into their contract plans ASAP. The landside surveys are complete. Andy Fera has been working with community leaders in Contracts 2 and 3A to discuss the surveys and review the ADA crossover locations. As of 12/22 we have one ADA crossover in each of the following communities: Saltaire, Fair Harbor, Robbins Rest, Summer Club, Ocean Beach and Seaview. There will also be one in Atlantique at the Town Beach.

For Contract 3B Chris Soller has reached out to each community to determine existing locations, types and numbers. We now have a list to work from. The Corps will be conducting topographic surveys of each crossover location and once we have that information (late February), Andy will reach out to community leaders to start discussions on crossover locations and sizes.

UPDATE ON CROSSOVERS: As of 12/22, dune crossovers for all communities in Contracts #2 and 3A have been finalized. The Team has further discussed standard dune crossover designs and has determined that we will now have four (4) standard designs for the entire project. They are:

Non-ADA Crossovers with local traffic = 5 foot wide walking width with 3 foot walking width for stairs on both ends.

Non-ADA Crossovers with heavy traffic = 7½ foot walking width with 7½ foot walking width for stairs on both ends. If your community can justify the need for this larger walkover, one can be built.

ADA Crossover – Choice #1 = 5 foot walking width with 5 foot wide walking width on the switchbacks and ramps that are sloped to meet existing elevation. Landing platforms will be 5 feet by 5 feet.

ADA Crossover – Choice #2 = 7 foot walking width with 7 foot wide walking width on the switchbacks and ramps that are sloped to meet existing elevation. Landing platforms will be 7 feet by 7 feet.

- General engineering: Engineering work that is being done by the County for deck and pool removals, house relocations, septic relocations, demolitions, etc. takes time to make sure it is accurate and approved by all parties. The engineer has to inspect the parcel, design the work, develop the plans and specifications and get approvals from the County, DEC and Corps. They then need to discuss the plans with the property owner and apply for and obtain permits. Once permits are obtained the Corps will add the plans and specs to their contract.

The proposals for relocation of the OB well field and relocation of the waterline in OBP have been approved by the Corps. The proposal for the revised access to Cayuga Ave in OBP has been assigned to the engineer. The engineer has started the design and preparation of P&S for all three.

- Engineering for 3A: Plans and specs are complete for 4 deck removals, 1 septic relocation, 1 house demolition and 1 house relocation. The Corps comments have been incorporated. Some permit applications are with the owners for signature and some have been submitted for permits to the appropriate governmental entities. The Corps contractor will do all of the removal, demolition and relocation work and will rebuild the one septic system.

- Engineering for 3B: Suffolk County has assigned the work to their engineer for all communities under this contract. At the 12/1 meeting it was decided that the engineer will do the house relocations first as most will require variances, then they will do those parcels that do not require permits, which are primarily in FIP, but do require cost to cure estimates so that appraisals can be completed and then will finish whatever is left. This sequence will allow us to get more appraisals to the Corps for approval quicker so that we are not sending them large quantities at the end of the process which would slow down completing the real estate. The County has met with Brookhaven Town and ZBA representatives and have come up with a plan to manage the large number of applications that need to go through the permitting/variance process.

We did discuss sequencing of the work in the number 3 contracts in detail but are not able to share this yet as we are still gathering information to finalize a plan. We are trying to come up with the sequence that will get us to real estate completion the fastest.

- Status of the Corps plans and specs for Contract 3A: 95+% complete.

- CEHA question: I received an email asking what is going to happen with the CEHA line after FIMI is complete. Once FIMI is fully constructed, the DEC hopes to update the CEHA maps for Fire Island based on the Corps final as-built drawings that will show the location of the dune. We have not planned for this work yet, nor do we currently have the funding to do it. The timing is unknown as well as how many parcels may be impacted by the line change when it happens. The current CEHA paper maps are still the legal jurisdictional maps.

Real estate update:

- Contract #2 for Kismet and Saltaire are done. Closing on the fee parcel in Saltaire was 12/18/15. The County now has possession and the Corps will add the demolition to the plans and specs.

- Status of RE in 3A: We are in the final stretch. The Eminent Domain (ED) petition was filed on 12/15/15 and is returnable on 1/27/16. It contains 42 parcels from Fair Harbor to Seaview. The County will be posting the filing map on stakes on each parcel. Over the last two weeks, 7 more parcels have closed. Most of the appraisals remaining open are those with engineering work involved. Those appraisals cannot be completed until permits/variances have been obtained.

- Status of RE in 3B:

Ocean Bay Park: Offers have been made to all full fee parcels. Eight have accepted, three have rejected and four will try to relocate their homes. Three of the four salvage value calculations have been approved by the Corps and discussions are ongoing with those owners. The fourth, was a later request and analysis is ongoing. For the new access road to Cayuga Avenue, the owners have been notified, the surveys completed and appraisals ordered. A new ED public hearing and a revision to the SEQR review are required for these parcels. For Traffic Avenue, the ED maps have been completed and an appraisal ordered. It will be up to the Town of Brookhaven what happens with the remainder of Traffic Ave.

All other 3B parcels: Appraisals have been ordered and are in progress.

Cherry Grove: There has been a request to opt out of the FIMI Project because they are not receiving a new dune. If they opt out, they would not be eligible for future emergency repairs to the dune by the Corps under PL 84-99. The community leaders have indicated they would not be requesting that the community be excluded from the Project now that they fully understand the ramifications of doing so. The conversations have ceased and they will remain in the Project.

Davis Park: There were survey issues with the southern property boundaries which have been corrected and new surveys have been sent to owners. If an owner notes an error, please notify the County.

Fire Island Pines: Having similar survey issues as Davis Park – these are also being worked out.

Schedule update: ALL SCHEDULES ARE SUBJECT TO CHANGE. – It is impossible to predict all possible issues that may arise that could change the schedule. As of December 22, 2015, the schedule is:

Contract 3A: The schedule has been bumped out slightly due to the complexities of the engineering and permitting which is needed to complete appraisals which then need to be approved by the Corps which leads to offers which could lead to ED.

Corps completes plans and specifications and puts contract out to bid in Jan 2016

County obtains all real estate by February

NYS certify real estate to the Corps in February

Corps opens bids in March

Corps awards contract in April

Work starts May depending on contractor's equipment schedule

Contract 3B: We will be moving the real estate certification by a few months because the engineering and appraisal work in 3B is ten-fold that of 3A. The engineers have inspected most of the parcels and are in the process of giving us a more refined schedule for obtaining permits. Because we cannot complete the appraisals until the permits are in hand and cannot make offers until the appraisals are approved by the Corps and we don't know how many EDPL proceedings will be required, we do not believe at this point we can obtain all the real estate for all communities by June. Therefore we have decided to push the schedule out which would allow

Ocean Bay Park property owners to have use of their homes and FIP owners the use of their decks and pools over the summer of 2016. Another consideration in this decision was the safety concerns surrounding a row of empty houses on the beach over the summer. The real estate team is working out the logistics now but we will likely push the possession date sought to mid-September. Until we have worked out the details, we cannot give new dates at this time.

Contract 3C, 3D and 3E: no schedule until engineering work is done

Reponses to Questions from November 12th call that were not provided in the minutes:

None.

Questions: Please keep questions to those that relate to the entire Project. Please email community specific questions to Sue McCormick. If we can't answer a question on the call, we will try to answer it in the minutes; if not, then on the next call. There will be typed minutes of the call so all have the same information in writing which will be distributed as quickly as we can.

Question #1: For Contract #3C, the house on the lot will need to be demolished. Will it be included in the contract?

Response #1: Yes.

Question #2: When will Fair Harbor (FH) get sand?

Response #2: We expect the contractor will place sand from east to west so FH would be last in Contract #3A, but we won't know until the contractor is hired and submits a schedule.

Question #3: Who will be responsible to maintain the dune walkovers? When will this discussion start?

Response #3: The County or Towns will be responsible. To the extent the County may be responsible, they will seek to reach agreements with locals to delegate some of that responsibility. The discussions will start after the New Year. The County had to agree to this arrangement without the benefit of an operation and maintenance (O&M) plan. A draft O&M plan is being developed for Contract #2 which will help the discussions with locals.

Question #4: There is a standard of placing ADA crossovers every half mile, so what if no one wants one?

Response #4: If the communities cannot come to agreement on the placement, then the County and DEC will decide where to place them.

Question #5: Can we opt out of an ADA switchback on the Oceanside and have a ramp instead? Can a narrative description be given of what the ADA crossover will be?

Response #5: The ramp would have to be 60 – 70 feet out onto the beach which is not a good plan.

Narrative for ADA Walks:

The crossover will begin on the landward side of the dune with the ramp sloping up (perpendicular to the dune) at 1:12 with a landing every 30'. The ramp will continue to slope up until it reaches an elevation of +17.5 feet NAVD at the landward crest of the dune. The crossover will then remain at that elevation until it reaches the seaward crest of the dune. At this point the ramp will slope down (perpendicular to the dune) at 1:12 until it reaches a landing near the seaward toe of the dune at around elevation +15 feet NAVD. At this point the switchback will begin and the ramp

will turn 90 degrees to the west and go down on a 1:12 slope to a landing. The switchback will then turn 180 degrees so that the ramp is now headed east. The ramp will continue again at a 1:12 slope finally terminating at the beach at elevation +8 feet NAVD.

Narrative for Non-ADA Walks:

The crossover will begin slightly north of the landward toe of the dune with stairs going up from existing grade until it reaches elevation +17.5 feet NAVD. The crossover will then remain level heading toward the ocean until shortly before it reaches the seaward toe of the dune, where stairs will then lead the crossover down to the beach elevation of +8 feet NAVD. Due to the significant elevation drop on the ocean side (and in some locations on the landward side), the stairs will be broken up with a landing half way down.

Question #6: On the landward side of the ADA crossover the ramp will have to slope to meet existing elevation. Will the ramp sit on existing pavers or will they have to be removed?

Response #6: The exiting walk material will be taken into consideration during the design of the ramp.

Question #7: Will the houses on the landward side of the ramps be taken into consideration so they still have access to their homes?

Response #7: Yes. Topo surveys will be taken of all Contract #3B crossovers and this will be coordinated in the designs.

Question #8: Seaview has a lifeguarded beach which is very high. Can the ADA walkover be put at another location?

Response #8: Andy Fera worked this out with the community. He will work with every community individually on walkovers.

Question #9: The ABA minimum width requirement is 48 inches. Why are we making them bigger?

Response #9: Due to the need for something wider for emergency services.

Question #10: Will the new CEHA line be less than 10 feet wide when placed on the new maps?

Response #10: Yes. It will be done in GIS and will be only about 2 feet wide.

Question #11: When will the new CEHA maps come out and will the new dune demark the new line?

Response #11: We don't have a schedule for the new maps on Fire Island at this time. Yes, pursuant to 6NYCRR Part 505, the dune will be the most landward natural protective feature and will be used to map the new line.

Question #12: Does a property owner need to wait for the new maps or will DEC work with the communities to ascertain where the new line will be and whether a structure is in or out of CEHA?

Response #12: The current paper CEHA maps are the only legal maps we have and must be used until the new ones have gone through a public hearing process. There is no other way to determine the current CEHA jurisdiction.

Next Call: The next call will be **Thursday, January 14, 2016 at 3:00 PM.**