STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

KATHY HOCHUL
GOVERNOR

January 11, 2024

Honorable Michael L. Connor, Assistant Secretary
Department of the Army
Office of the Assistant Secretary, Civil Works
108 Army Pentagon
Washington, DC 20310-0108
(michael.l.connor10.civ@army.mil)

Re: Requested Repair of Fire Island and Related Damage Pursuant to P.L. 84-99

Assistant Secretary Connor:

I write to respectfully and urgently request that the U.S. Army Corps of Engineers (USACE) expedite its review of New York's December 1, 2023, request for the repair of badly damaged Army Corps coastal resiliency projects. These much-needed resiliency projects were put in place following Superstorm Sandy in 2012 and have been highly effective over the past decade. However, in an era of more frequent extreme weather driven by climate change and increased damage and risk to coastal communities, additional resources and aid are necessary.

As the formal non-federal sponsor of numerous USACE Coastal Storm Risk Management Projects, the New York State Department of Environmental Conservation (DEC) submitted the attached detailed request for rehabilitation assistance pursuant to P.L. 84-99 in connection with excessive damage caused by Hurricane Lee and Tropical Storm Ophelia in September 2023 to three USACE Coastal Storm Risk Management Projects:

- Fire Island Inlet to Moriches Inlet (FIMI)
- West of Shinnecock Inlet (WOSI)
- Fire Island Inlet and Shores Westerly (FISW)

FIMI, WOSI, and FISW were all constructed by USACE in partnership with DEC. The projects were successful in preventing significant damage from Lee and Ophelia to the homes and infrastructure the projects were designed and built to protect. However, the projects were severely damaged during these storms, leaving these projects vulnerable and susceptible to catastrophic failure in the event of another major storm before repairs are made. Hurricane Lee

severely impacted the South Shore of Long Island from Sept. 15 to 16. Tropical Storm Ophelia had a longer duration from Sept. 22 to 26. On Sept. 22, the National Weather Service reported surf heights of 6 to 10 feet with east north-east winds up to 40 miles per hour.

Recent severe weather, especially storms on January 9 and 10, 2024, worsened the already high-risk situation, further jeopardizing the referenced USACE projects and resulting in homes being affected by wave action and widespread ocean over-wash. Indeed, at a number of locations the protective beach-dune complex installed by USACE is simply gone. New York State agencies are actively analyzing these impacts to determine if another P.L. 84-99 request is necessary to address the recent storm damage to USACE projects in the area.

Therefore, please expedite the review of the December 1 request.

Please stand ready to accept an additional request following recent storms if the damage is determined to meet the requirements. The coastal flooding on January 9 and 10, 2024 led to additional coastal erosion of significant concern – primarily within Suffolk County. I am notifying you today that DEC is coordinating with Suffolk County Executive Ed Romaine to evaluate the damage and if warranted, will be submitting an additional request for aid in response to this most recent storm. The January 9 storm compounded many of the issues that arose following Hurricane Lee and Tropical Storm Ophelia, and additional aid will be necessary.

Thank you for your attention to this matter of critical concern.

Sincerely,

Kathy Hochul

Kathy Hochul
Governor

cc: Commander Lloyd, North Atlantic Division
Commander Young, New York District

Attachment

OFFICE OF THE COMMISSIONER

New York State Department of Environmental Conservation
625 Broadway, 14th Floor, Albany, New York 12233-1010
P: (518) 402-8545 | F: (518) 402-8541
www.dec.ny.gov

JAN 12 2024

Alexander L. Young
Colonel, U.S. Army
Commander and District Engineer
U.S. Army Corps of Engineers, New York District
Jacob K. Javits Federal Building
26 Federal Plaza
New York, NY 10278-0090

Re: Coastal Project Repair Request Pursuant to P.L. 84-99

Dear Colonel Young:

This letter to serves as the New York State Department of Environmental Conservation's (DEC) formal request for P.L. 84-99 rehabilitation assistance for the Fire Island Inlet to Moriches Inlet (FIMI), West of Shinnecock Inlet (WOSI), Fire Island Inlet and Shores Westerly (FIISW), and Downtown Montauk projects to repair damages caused by storm events that took place on December 18, 2023, January 9 and 10, 2024, and the upcoming storm expected to adversely impact the south shore of Long Island on January 12, 2024. All four of these projects have been battered and damaged by repeated storms over the past several months and are at risk of catastrophic failure if immediate action is not undertaken to facilitate their repair. Please also accept this letter as a request for P.L. 84-99 assistance due to the severe "seasonal" damage if that is appropriate under U.S. Army Corps of Engineers' (USACE) criteria.

In September 2023, Hurricane Lee and Tropical Storm Ophelia caused significant damage to FIMI, WOSI, and FIISW. As a result, DEC notified USACE of its intent to request rehabilitation assistance pursuant to P.L. 84-99 to repair these projects. On December 1, 2023, DEC submitted a detailed P.L. 84-99 request along with supporting technical analyses to USACE to further support its repair request. It is DEC's understanding that after reviewing our P.L. 84-99 request, the USACE New York District is reevaluating its prior "significant event" analysis for the Lee/Ophelia system.

Following DEC's December 1, 2023, submittal, additional storms have caused significant damage. The storm on December 18, 2023, caused even greater damage to FIMI, WOSI, FIISW, and Downtown Montauk than the September storms. A storm beginning January 9, 2024, destroyed the dune in eastern Fire Island (enclosure 1), eroded all the sand and damaged the sandbags at Montauk (enclosure 2), and resulted

in widespread flooding (enclosure 3). The dune at WOSI is razor-thin (enclosure 4), and all the projects are at risk of catastrophic failure during the next big storm. DEC, Suffolk County, and our local partners are still assessing the damage from the January 9/10, 2024, storm, and are expecting additional damages during the forecasted storm on January 12, 2024.

DEC has been coordinating with USACE's New York District Operations Division regarding damage reports from the December 18, 2023, and January 9/10, 2024, storms, and will continue to provide updated assessments and documentation to the Operations Division as it is developed.

Thanks to dredging and sand placement work currently being undertaken by USACE on the western side of the FIMI project, there is an opportunity to conduct immediate repairs to WOSI, FIISW, Downtown Montauk, and the eastern side of FIMI. DEC urges USACE to quickly develop a plan to conduct repairs before the dredge leaves the area, using any emergency repair contracting authority USACE has to repair these critical projects.

In addition, DEC is requesting that USACE expedite its determination on DEC's December 1, 2023, P.L. 84-99 request as well as this new P.L. 84-99 request for the FIMI, WOSI, FIISW and Downtown Montauk projects. Time is of the essence. DEC, Suffolk County, and our local municipal partners stand ready to provide any additional documentation that USACE may deem necessary.

Sincerely,

Basil Seggos
Commissioner

Enclosures: Documentation of January 9 and 10 Storm Damage

c: Commander BG Lloyd, North Atlantic Division
Joe Vietri, North Atlantic Division
Sean O'Donnell, New York District
Edward Romaine, Suffolk County Supervisor
Richard Schaffer, Town of Babylon Supervisor
Angie Carpenter, Town of Islip Supervisor
Daniel Panico, Town of Brookhaven Supervisor
Peter Van Scoyac, Town of East Hampton Supervisor

Enclosure 1

Seaview dune erosion – Post January 9th Storm

Fire Island Pines Damages, loss of existing dune – Post January 9th Storm

Enclosure 2

Downtown Montauk in East Hampton - Post January 9th Storm

Enclosure 3

Flooding damage at Downtown Montauk in East Hampton - Post January 9th Storm

Storm Damages to Seaview Marina on Fire Island

Storm Damages to Robbins Rest Cut on Fire Island

Enclosure 4

West of Shinnecock Inlet post January 9th Storm

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Bureau of Flood Protection and Dam Safety
625 Broadway, Albany, New York 12233-3504
P: (518) 402-8185 | F: (518) 402-9029
www.dec.ny.gov

Colonel Alexander Young, Commander
United States Army Corps of Engineers
New York District
Jacob K. Javits Federal Building
26 Federal Plaza
New York, New York 10278-0090

DEC 01 2023

Dear Colonel Young:

As the non-federal sponsor for numerous United States Army Corps of Engineers (USACE) Coastal Storm Risk Management Projects along the South Shore of Long Island, the New York State Department of Environmental Conservation (DEC) is requesting rehabilitation assistance pursuant to P.L. 84-99 in connection with excessive damage caused by Hurricane Lee and Tropical Storm Ophelia in September 2023 to three USACE Coastal Storm Risk Management Projects:

- Fire Island Inlet to Moriches Inlet (FIMI)
- West of Shinnecock Inlet (WOSI)
- Fire Island Inlet and Shores Westerly (FISW)

Extreme weather conditions from September 15 to 26, 2023 caused significant damage to all three of these USACE projects. Hurricane Lee severely impacted the south shore of Long Island from September 15 to 16. Tropical Storm Ophelia had a longer duration as it stalled over the region from September 22 to 26. On September 22, the National Weather Service reported surf heights of 6 to10 feet with east north-east winds up to 40 miles per hour.

FIMI, WOSI and FISW were all constructed by the USACE in partnership with DEC. The projects were successful in preventing significant damages from Lee and Ophelia to the homes and infrastructure they were built to protect. However, the projects were severely damaged during the storms, leaving them in a vulnerable and weakened state and susceptible to catastrophic failure if another major storm impacts the area before they are repaired.

On October 4, 2023, DEC informed the USACE that it was urgently coordinating with our local sponsors to prepare a P.L. 84-99 request for the repair of several projects, including FIMI, WOSI, and FISW. However, on October 16, 2023, before receiving DEC's rehabilitation request, the USACE notified DEC that *"the September 2023 storm events do not meet the extraordinary storm definition as defined in the regulations that cover PL 84-99"*, and therefore, would not qualify for rehabilitation assistance. The USACE's October 16, 2023, notification also stated that Lee was determined to be a 1-

year storm event and Ophelia was assessed as a 3–4-year storm event, and that in both cases, the storms were lower than the 44-year FIMI design storm.

The USACE notification also stated that these calculated return periods were based on a meteorological assessment.

USACE stated that because the Lee and Ophelia had return periods that were 1 year and 3-4 year respectively, USACE determined that these storms did not qualify for PL 84-99 as they were less than the design event for each project. DEC and Suffolk County disagree with the USACE's evaluation.

Suffolk County took an alternative approach to calculating the return period of the Lee/Ophelia storm system. As shown in Exhibit 1, Suffolk County gathered survey data for the seaward toe of the dune (bottom of the dune) and the crest of dune (top of the dune) for the eastern portion of FIMI after Hurricane Lee (September 16, 2023) and again after Tropical Storm Ophelia (September 30, 2023). This data shows that the toe of the FIMI dune receded 45 feet, and the crest (top) of the dune receded 60 feet in the section evaluated between Atlantic and Nautilus Walks in Fire Island Pines.

According to Engineering Appendix A2 in the Fire Island to Montauk Point (FIMP) General Reevaluation Report and as shown in the second graphic of Exhibit 1, erosion of this magnitude corresponds to a 500-year storm, which is much higher than the 44-year design storm of the FIMI project. Therefore, because the storm system return period (500-year event) was much higher than the FIMI design storm (44-year event), the storm system meets the requirements set forth in ER 500-1-1 and should be classified as an "extraordinary storm." Classifying the Lee/Ophelia event as an extraordinary storm would then make the FIMI project eligible for P.L. 84-99 repairs. DEC can work with Suffolk County to provide a similar analysis for the WOSI and FISW Projects upon request.

The photographs on the second page of Exhibit 1 also show the area of FIMI evaluated by Suffolk County before Hurricane Lee, and then after Ophelia. As clearly documented by the before and after photographs, the damage to these projects was not a result of gradual erosion, but rather was caused by two hurricanes in rapid succession that were part of the same storm system. In some locations, as documented in this letter, nearly the entire dune system was eroded away. The severity of the damage and the public safety risk warrant immediate repair.

Given the extensive damage sustained by these projects, it is clear that the Lee/Ophelia storm system either qualifies as an extraordinary event (warranting a P.L. 84-99 repair), or these projects were deficiently designed and implemented by the USACE because a 3-4 year storm should not cause the extensive damage that is documented in this request. Either way, USACE should meet its responsibilities.

In evaluating whether P.L. 84-99 assistance is appropriate in this case, it is instructive to compare the Lee/Ophelia storm system to the October 2019, storm system that impacted the western half of the FIMI Project. The October 2019 storm system was comprised of multiple storms lasting for a 76-hour period with waves over 3 meters.

The USACE determined that the October 2019 storm system was an "extraordinary event" that qualified for P.L. 84-99 assistance in accordance with 33 CFR § 203.49 - *Rehabilitation of Hurricane and Shore Protection Projects.* In comparison, the recent Lee/Ophelia storm system resulted in wave heights exceeding 2 meters for 231 hours (almost 10 full days) from September 14 to 30, 2023.

USACE was required to complete a Project Information Report (PIR) for the October 2019 storm system that impacted western Fire Island before those repairs could be approved. In that report, the USACE acknowledged that the duration of the storm (76 hours) was a significant factor in the USACE classifying that system as an extraordinary storm that qualified for P.L. 84-99 assistance. Given the much longer duration of the Lee/Ophelia event and the repeated wave impacts, which produced the same type of severe weather conditions, the USACE should also evaluate the series of storms from Lee/Ophelia as a single storm system and approve this P.L. 84-99 rehabilitation request.

The extensive damage to each project from Lee/Ophelia is further described below.

Fire Island Inlet to Moriches Inlet

The $207M FIMI Project is an emergency stabilization project that was constructed by USACE in response to Hurricane Sandy. The FIMI Project, essentially a subset of the larger FIMP project, included the construction of a beach and dune system across 19 miles of Fire Island that protects roughly 4,000 homes from storm damage and reduces the risk of water breaking through the barrier island and forming new inlets (breaching) during severe storm events.

DEC is the non-federal sponsor for the FIMI Project and Suffolk County is DEC's local sponsor. Construction of the FIMI Project began in 2014. In 2021, after the completion of the final contract to construct the beach and dune, this project was "turned over" to DEC and Suffolk County. The project spans 19 miles of shoreline.

In 2019, DEC requested rehabilitation assistance under P.L. 84-99 after a series of storm events that caused significant damage to the *western* half of the FIMI Project which had already been constructed. The USACE approved the repairs in 2019, however federal funding was not available at that time to conduct the repairs. In 2022, federal funding was secured, and the repairs are set to take place this fall.

The *eastern* half of the FIMI Project was significantly damaged during a series of storms from December 2022 to January 2023. The photographs in Exhibit 2 demonstrate the extent of this damage. DEC and Suffolk County made separate requests for

rehabilitation assistance following those storms, however, the USACE determined that the storms did not qualify for repairs and denied these requests. See Exhibit 3. After those denials, DEC and Suffolk County provided additional documentation detailing the significant damage caused by the storms, including inspection reports, beach measurement surveys, and post storm photographs. Unfortunately, the USACE did not change its denial of P.L. 84-99 assistance.

The eastern portion of the FIMI Project was again severely damaged by the Lee/Ophelia storm system from September 16 to 26, 2023. As a result, Suffolk County submitted a rehabilitation request to DEC on October 2, 2023 (Exhibit 4). Suffolk County followed up its request by providing extensive documentation of the damage to FIMI, including drone surveys, before/after pictures, and CAD surveys. This data has been carefully reviewed by DEC's technical staff who are of the opinion that it demonstrates significant damage to the eastern portion of the FIMI Project. The data that was compiled by Suffolk County is being provided to USACE via an electronic file transfer service.

The extent of the damage to the FIMI Project from the Lee/Ophelia storm system can be seen in Exhibit 5. In some locations, almost the entire dune was eroded away, leaving the communities and homes behind it susceptible to future breaches that could cause extensive property damage and endanger the public health and safety.

While repairs to the western portion of the FIMI Project are scheduled to take place this fall, it is imperative that the eastern portion of the project be rehabilitated immediately to maintain its protective features and minimize the risk to public safety and property from barrier island breaching. If another significant event occurs before the FIMI Project is repaired, there is a much greater risk of breaches and associated catastrophic damage.

DEC requests that the eastern portion of the FIMI Project be rehabilitated to the design template approved in the final FIMI Hurricane Sandy Limited Revaluation Report.

West of Shinnecock Inlet (WOSI)

The West of Shinnecock Inlet Project (WOSI) was originally constructed in 2005 as an interim project to provide coastal storm risk reduction under the comprehensive FIMP Project.

The WOSI Project is situated on a barrier island, immediately west of Shinnecock Inlet. The project consists of a constructed beach and sand dune. The WOSI Project was constructed because of the ongoing extreme vulnerability of this area to storm damage. The threat in this area is that the very narrow barrier island can be overtopped and breached, resulting in significant damage to commercial infrastructure on the barrier island, including commercial marinas and commercial fish processing plants that support the second largest commercial fishing operation in New York. The WOSI

local sponsor, in this case to Suffolk County, for O&M. Examples of maintenance activities include preventing damage and unauthorized construction within the project limits, ensuring public access is maintained, and repairing any minor erosion or scarping that takes place. The USACE has not formally turned over the repaired WOSI Project to DEC and Suffolk County after construction was completed in the spring of 2023.

As with the FIMI Project, the WOSI Project suffered significant damage from Hurricane Lee and Tropical Storm Ophelia in September 2023. Suffolk County submitted a rehabilitation request for WOSI on October 30, 2023 that DEC independently endorses. The dune has eroded significantly, so it is paramount that the USACE approve this rehabilitation request to restore the WOSI Project to its original design standards. Exhibit 6 is a survey provided by Suffolk County that demonstrates the significant sand loss sustained at WOSI from the Lee/ Ophelia storm system. Beach surveys were taken pre-storm, after Lee, and again after Ophelia. These surveys demonstrate substantial loss from the storms, especially Hurricane Lee. This project must be repaired to protect the area and prevent a breach through the barrier island.

DEC is requesting that the WOSI Project be rehabilitated to the design template approved in the final "Fire Island Inlet to Montauk Point (FIMP) Hurricane Sandy General Reevaluation Report." Additional technical data supporting the repair request will be provided to USACE electronically.

Fire Island Inlet and Shores Westerly (FISW)

The FISW Project is a combination navigation and coastal protection project. The project protects Ocean Parkway from storm and erosion damage while maintaining navigation within Fire Island Inlet. The project consists of dredging Fire Island Inlet and placing sand on Gilgo Beach, located on eastern Jones Beach Island.

Both the Fire Island Inlet and Shores Westerly Project and Ocean Parkway were significantly damaged during Hurricane Sandy. This project was repaired by USACE under the P.L. 84-99 program, while Ocean Parkway was repaired by the New York State Department of Transportation.

New York State is the non-federal sponsor for the FISW Project. Due to the project's age (the original agreements are from 1973) and the unique nature of the project, being a combination navigation and coastal protection, DEC does not have a local sponsor.

Like FIMI and WOSI, work under the FISW Project also falls under authority of the USACE's FIMP Project. Like WOSI, sand was placed on Gilgo Beach in early 2023 to rebuild the beach/dune to ensure the protection of Ocean Parkway. As demonstrated by Exhibit 7, the Lee/Ophelia storm system quickly eroded the sand that was placed, leaving this extensively used throughfare extremely vulnerable to damage from future storms.

It is DEC's understanding that USACE had planned to dredge sand from Fire Island Inlet and place sand on Gilgo Beach under the FISW Project in the fall of 2023. However, this contract was cancelled after bids came in higher than the government estimate, leaving the project and Ocean Parkway vulnerable to additional damage.

DEC is requesting that Gilgo Beach be rehabilitated to the design standard for the FISW Project, based on the most recent plans developed for the now cancelled 2023 contract.

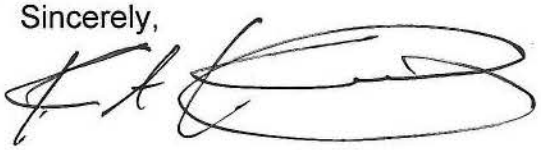
Next Steps

ER 500-1-1 sets forth the requirements for a storm to be classified as an "extraordinary storm" that qualifies for P.L. 84-99 rehabilitation assistance. ER 500-1-1 states that the storm must either be a Category 3 or higher hurricane as measured on the Saffir-Simpson scale, or a storm that has an exceedance frequency equal to or greater than the design storm of the project.

As noted above and further detailed in Exhibit 1, erosion of this magnitude from the Lee/Ophelia storm system corresponds to a 500-year storm event, which is much higher than the 44-year design storm of the FIMI Project. Therefore, the Lee/Ophelia storm system meets the extraordinary storm definition in 33 CFR § 203.49(b)(6).
Following the completion of work earlier this year, USACE sent DEC a letter dated November 7, 2023 that "turned over" the WOSI and FISW Projects to DEC. However, DEC and Suffolk County are carefully considering if either of these projects should be accepted until they have been rehabilitated to their original design conditions. Both projects are damaged and vulnerable to future storm events. It is likely DEC/Suffolk County will not be able to accept these projects for operation and maintenance if they are not turned over in a functional condition.

If you have any questions or need any additional data, please contact Matt Chlebus at matthew.chlebus@dec.ny.gov or 518-402-8139.

Sincerely,



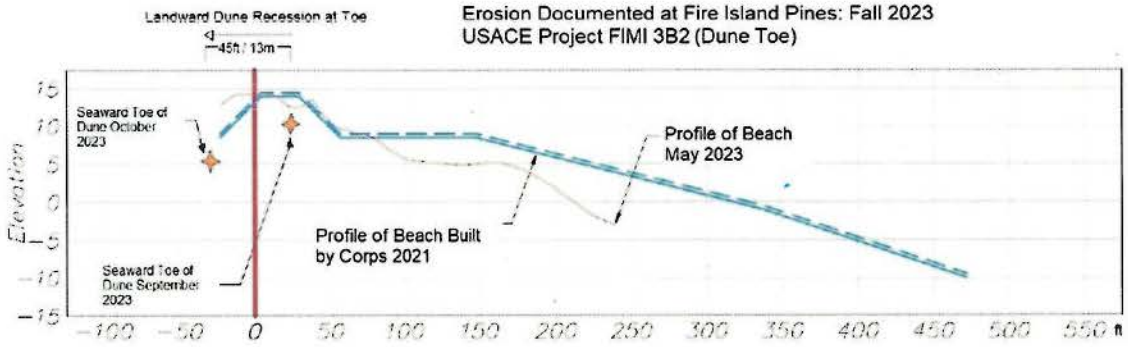
Kenneth Kosinski, P.E.
Director
Bureau of Flood Protection and Dam Safety

Enclosures: Support Data

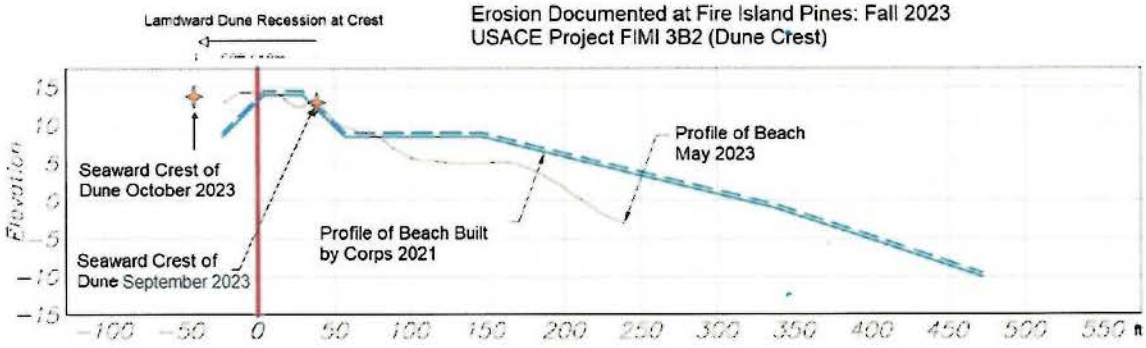
cc: James Tierney, NYS DEC
Matt Chiebus, NYSDEC
Noah Patterson, NYSDEC
Eric Star, NYSDEC
Eric Hoffmeister, Suffolk County DPW
William Hillman, Suffolk County DPW
Scott Hilary, Suffolk County DPW
Pete Scully, Suffolk County DPW

Exhibit 1

Damages from Lee/Ophelia to FIMI between Atlantic and Nautilus Walks

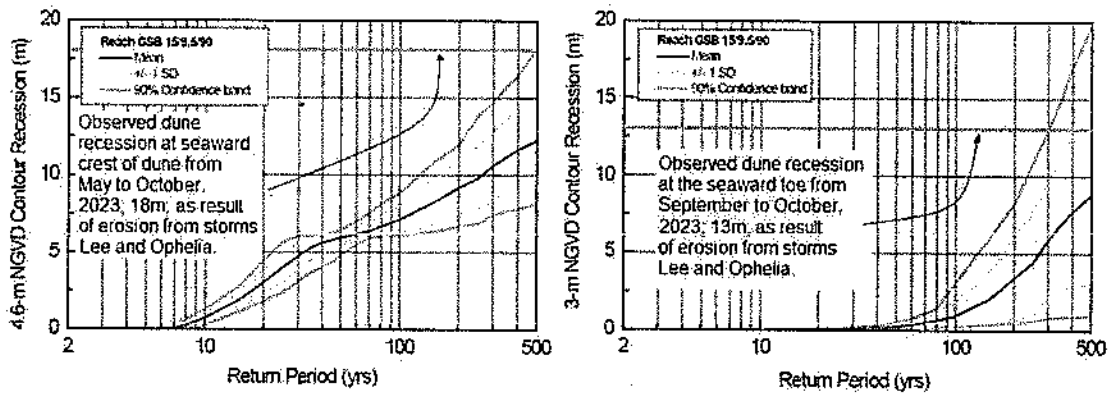


FIMI 3B2 Section 687+25.42, Profile 65



FIMI 3B2 Section 687+25.42, Profile 65

Profile View of Documented Beach Measurements 2023: the orange stars represent documented locations of the dune before and after the storm. The distance between them shows the landward distance the dune was eroded, or receeded. This distance was plotted on the return period charts.



Return Period Model Chart Assessment: the orange line represents the value of the distance of the dune that was eroded away as a result of the storms in late September. According to the models, this amount of dune lost should only occur every 500 years or more. Distances are based on filed measurements documented by SCDPW before and after the storms. Charts from the USACE FIMP GRR Engineering Appendix A-2.

Pre-storm photos of the areas analyzed in Exhibit 1 - FIN between Atlantic and Nautilus Walks

Post-storm photos of the areas analyzed in Exhibit 1 - FIN between Atlantic and Nautilus Walks

Exhibit 2

Damage to Fire Island Inlet to Moriches Inlet (FIMI) Project from the December 2022 – January 2023 Storms.

Village of Ocean Beach – Pre-storm

Village of Ocean Beach – Post Storm

Community of Davis Park – Pre-storm

Community of Davis Park – Post Storm

Exhibit 3

March 2023 Army Corps of Engineers P.L. 84-99 Rejection Letter

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT
JACOB K. JAVITS FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278-0090

MAR 0 2 2023

Mr. Kenneth Kosinski
New York State Department of
Environmental Conservation
Division of Water, 4th Floor
625 Broadway
Albany, NY 12233-3504

Dear Mr. Kosinski,

This is in response to your agency's request dated February 8, 2023 for rehabilitation assistance under the provisions of Flood Control and Coastal Emergencies Act (Public Law (P.L.) 84-99) for the following constructed Coastal Storm Risk Management Projects (CSRM) as a result of storm events occurring in December 2022 and January 2023: Fire Island Inlet to Montauk Point (FIMP) Project, Fire Island to Montauk Point West of Shinnecock Inlet, and Downtown Montauk, New York.

In accordance with Engineering Regulation (ER) 500-1-1, in order for the reported damage to be eligible for PL 84-99 Rehabilitation Assistance, the CSRM Projects must have been substantially eroded/damaged by wind, wave, or water action from an "Extraordinary Storm" event. Based on our review of the December and January storm characteristics, that included the analysis of maximum sustained winds, peak water level, high water duration, and peak wave height, it has been determined that the combined effects of these storms do not meet the qualifying characteristics of an "Extraordinary Storm". Accordingly, the projects are not eligible for PL 84-99 Rehabilitation Assistance.

Therefore, we cannot proceed with the requested P.L. 84-99 Rehabilitation Assistance. If you should have any questions regarding this matter, or any questions regarding the Flood Control and Coastal Emergencies Rehabilitation Program, please contact Sean B. O'Donnell, District's Emergency Manager, CENAN-EX-EM, 917-790-8501, Sean.B.O'Donnell@usace.army.mil.

MATTHEW W. LUZZATTO
COL, EN
Commanding

Exhibit 4

Suffolk County FIMI Rehabilitation Request letter

COUNTY OF SUFFOLK

STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS

JOSEPH T. BROWN, P.E.
COMMISSIONER

DARNELL TYSON, P.E.
CHIEF DEPUTY COMMISSIONER

ERIC HOFMEISTER
DEPUTY COMMISSIONER

October 2, 2023

Mr. Kenneth Kosinski, P.E.
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-3504

Re: PL 84-99 Rehabilitation Assistance of FIMI Contract 3B2, Fire Island

Dear Director Kosinski:

As Local Sponsor of the US Army Corps of Engineers Fire Island Inlet to Moriches Inlet Stabilization Project (FIMI) Contract 3B2, it is the County's obligation to inspect and evaluate the project's functional performance in affording protection to the Fire Island and Long Island communities from storm-related damages. I am writing to report that significant erosion damage has occurred within the Contract 3B2 project boundaries as a result of two back-to-back weather events in September 2023, and that the project is in dire need of repair.

These two recent weather events, which should qualify as an *Extraordinary Damaging Event(s)*, are Hurricane Lee and the Post-Tropical Cyclone Ophelia. Hurricane Lee impacted the project from September 15th to September 16th. The second event, Ophelia, had a longer duration as it stalled over our region from September 22nd to September 26th. On September 22nd the National Weather Service (NWS) reported surf height of 6-10 feet with the ENE winds up to 40mph. Winds from the ENE have persisted at lower speeds to the date of this letter. It has been demonstrated during Nor'easters that ENE winds associated with storm surge and high surf are particularly damaging to the Fire Island shoreline as these conditions exacerbate the longshore drift of the system.

The beach berm has significantly eroded in both width and elevation and it appears that the Ophelia event caused the most damage. The high surf combined with the persistent ENE winds cut into the dune leaving a 6-10 foot scarp significantly landward of the pedestrian crossover stair structures. Please find the attached photos representing the damages described above. To further document the damages, the County has conducted both pre- and-post storm inspection and beach width measurements as outlined in the Operation and Maintenance Manual. The elevation of the toe of the dune and the berm at high water was also recorded with RTKGPS during width measurements before and after the Ophelia event to further document sand loss. This information will be forwarded as a separate transmittal once the information processing is completed.

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE YAPHANK, N.Y. 11980 (631) 852-4010 FAX (631) 852-4006

The County of Suffolk, acting through its duly constituted Department of Public Works, is formally requesting the New York State Department of Environmental Conservation to work with the United States Army Corps of Engineers to evaluate FIMI Project Contract 3B2 for eligibility for rehabilitation and for repairs through Public Law 84-99.

If you have any questions or require additional information concerning this matter, please feel free to contact me or Eric M. Hofmeister, Deputy Commissioner, at (631) 852-4010.

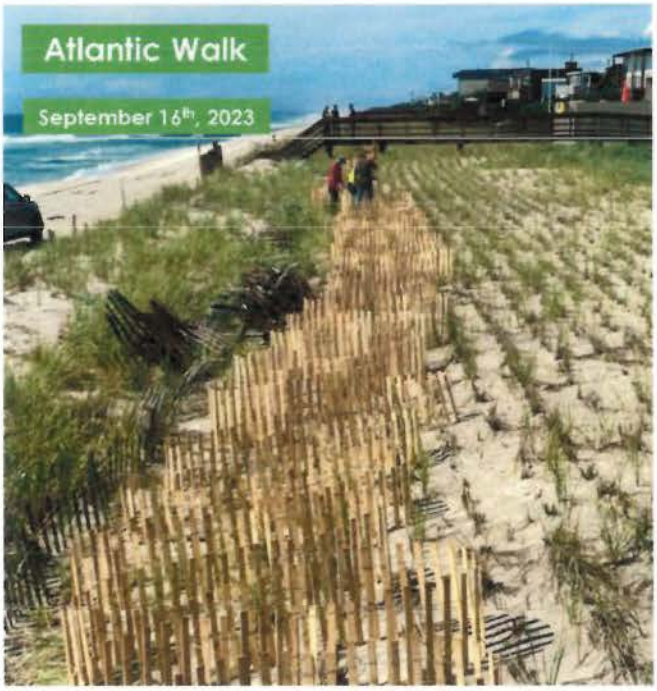
Very truly yours,

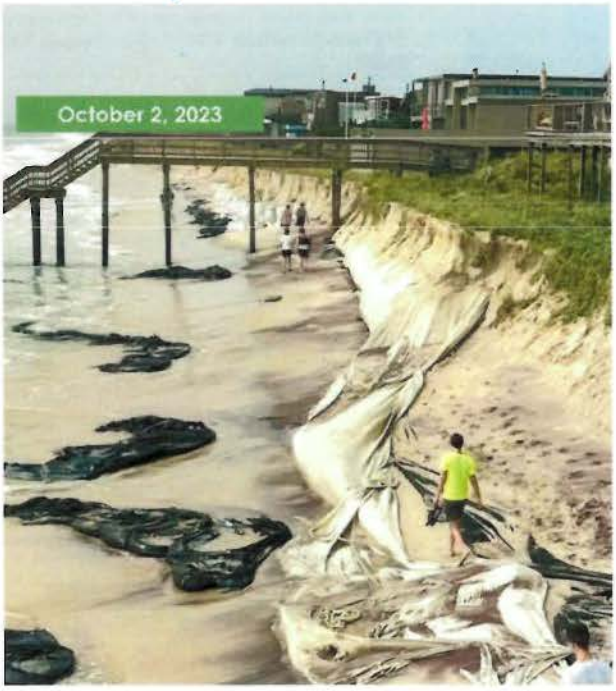
Joseph T. Brown, P.E.
Commissioner

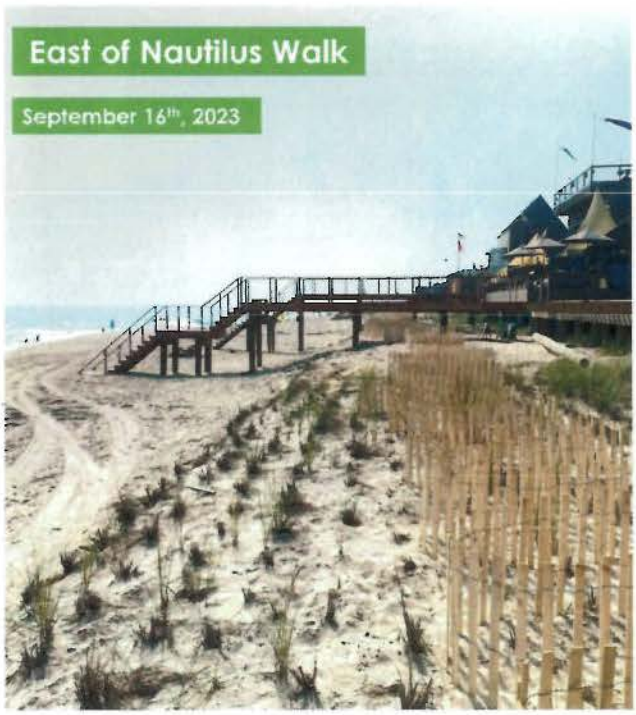
JTB/PP/ml
enc.
cc: Lisa Black, Chief Deputy County Executive
Peter A. Scully, Deputy County Executive
Ryan Attard, Chief of Staff
Michelle Zarifis, Director of Intergovernmental Affairs
Dennis M. Cohen, County Attorney
Eric Hofmeister, Deputy Commissioner
William Hillman, P.E., Chief Engineer
Scott Thiary, Director of Waterways

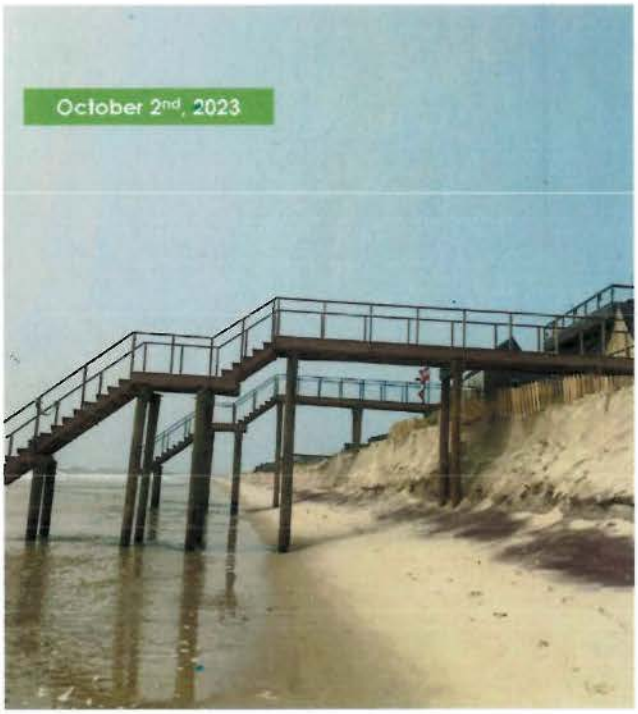
Exhibit 5

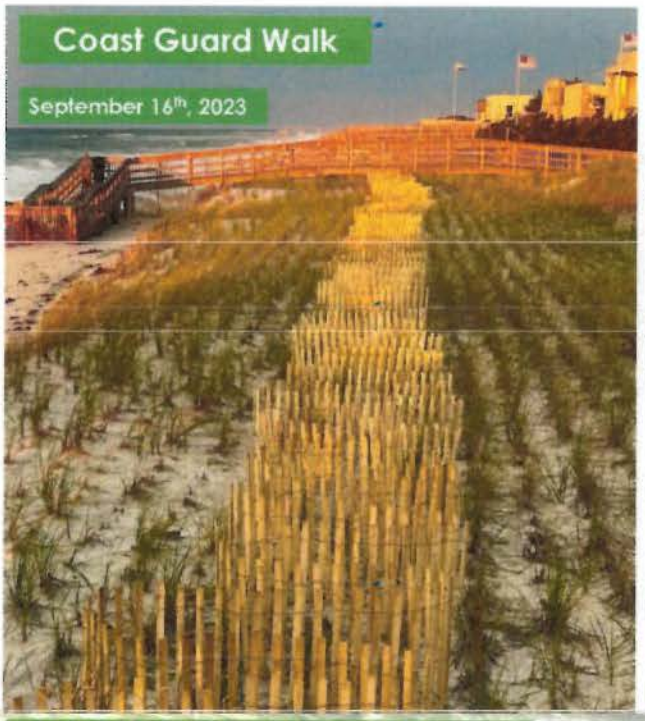
Lee and Ophelia Damage to the FIMI Project in the Fire Island Pines Community










Coast Guard Walk
September 16th, 2023


September 30th, 2023


Coast Guard Access Cut –
Currently Impassable


Coast Guard ADA Ramp

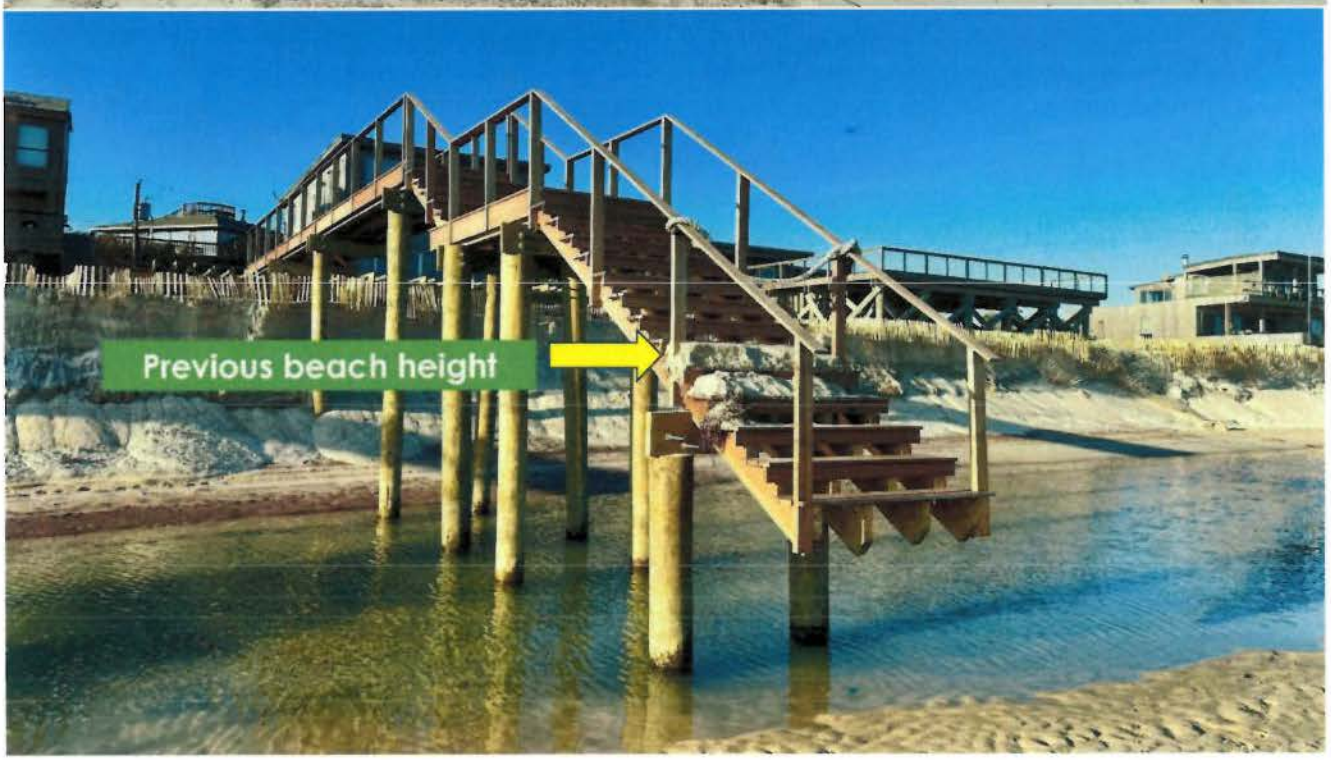

Previous beach height

Exhibit 6

Survey showing extensive sand loss at WOSI resulting from Hurricanes Lee and Ophelia

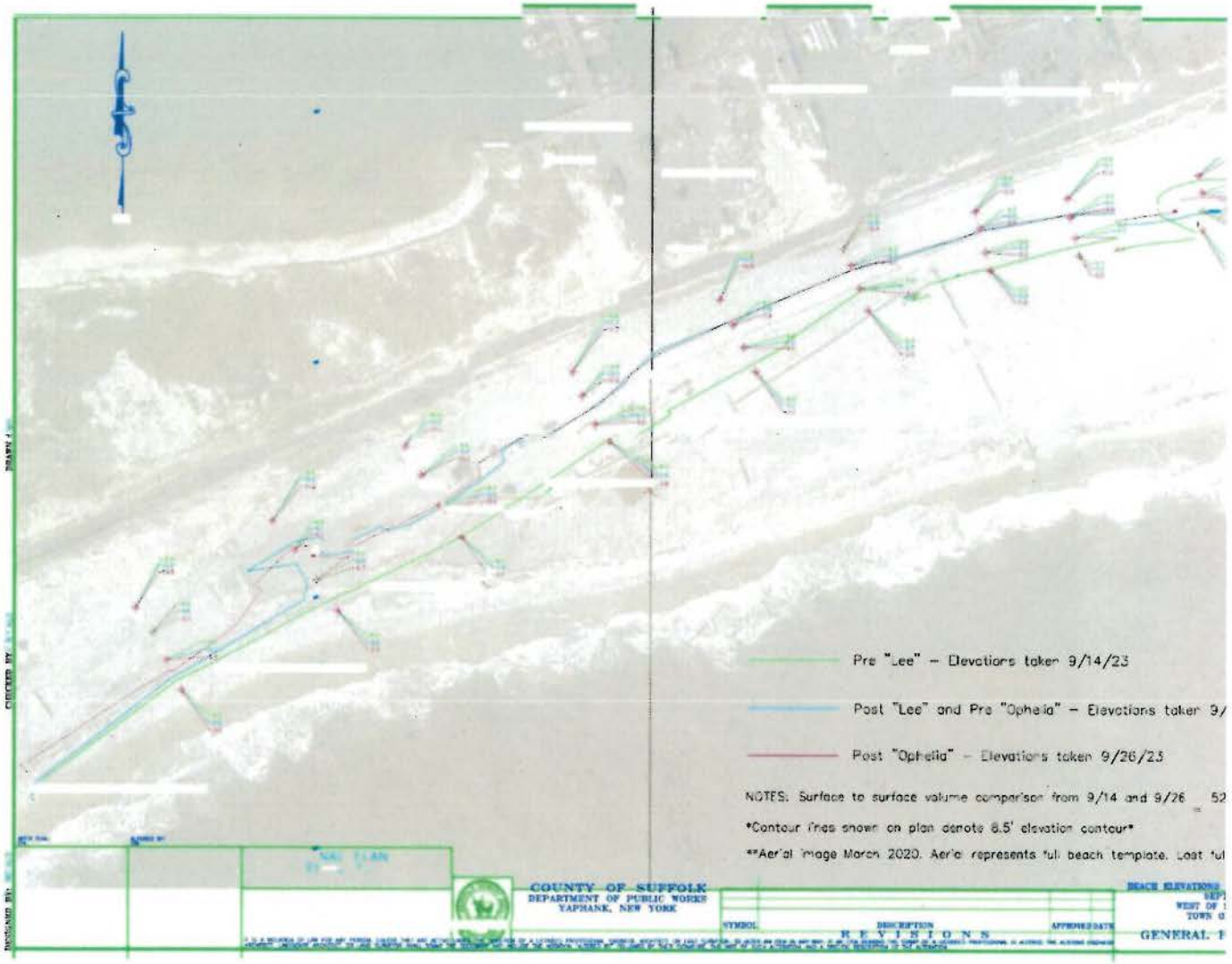


Exhibit 7

Damage to Gilgo Beach from Hurricanes Lee and Ophelia. Note how close the eroding edge is to Ocean Parkway