

**Finding of No Significant Impact (FONSI)
Sailors Haven Channel Dredging Project
Environmental Assessment
Fire Island National Seashore, Northeast Region
Suffolk County, New York
January, 2008**

BACKGROUND

This Finding of No Significant Impact (FONSI) documents the decision of the National Park Service (NPS) to carry out multi-year maintenance dredging of approximately 1,500- 2,000 cubic yards of material from the channel leading into the Sailors Haven Marina on Fire Island, in the Town of Brookhaven, Suffolk County, New York and the determination that no significant impacts on the human environment are associated with that decision.

The Environmental Assessment (EA) addresses the action as represented under “Alternative B – Routine Channel Dredging Over Multiple Years”. Alternative B meets the primary objective of removing the materials that are silting in the entrance to the Marina. The project has been slightly modified to address comments received during the open comment period through December 10, 2007. The project entails the removal of approximately 1,500 – 2,000 cubic yards of sand from an area approximately 120 feet wide and 250 feet long to a depth of six feet at mean low water. Using the clamshell dredging method, material will be temporarily deposited in the picnic areas on either side of the marina. This is also the environmentally preferred alternative, which proposes to remove small quantities of sand (1,000 to 3,000 cubic yards per event) from the navigational channel over the next ten years as needed. Dredged material will be deposited alternately on the east and west sides of the marina until the sand can be used for a bayside shoreline restoration project. All material removed from the channel will be retained on the bay side of Fire Island. Sailors Haven channel was last dredged in 2002, with more material removed from the entrance to the marina in 2004. This project was approved for 2005, although funding was not available at that time.

To be responsive to concerns regarding potential threats to Piping plover forage areas, no dredging will occur between April 1 and September 1. Dredging will be completed by the end of January 2008.

The EA was prepared in conformance with the NPS implementation requirements for the National Environmental Protection Act (Public Law 91-190 42 USC 4321-4347 January 1, 1990) and updates.

PURPOSE AND NEED

The main objective of the project is to maintain a safe navigation route for boat traffic and passenger ferry, by removing sediment from that portion of the channel that has decreased in depth and width in the past five years. A secondary objective (not part of this EA) is to accumulate enough material in which to be able to conduct an erosion rehabilitation project along the Sunken Forest shoreline immediately adjacent and west of the Marina.

The entrance channel to the Marina was dredged in May 2002 (August 2001 EA) to restore the channel depth to a depth of six feet at low tide. The limitations of the dredging were 1,000 feet out from the Marina and 120 foot wide swath from the center of the channel. Approximately 1,000 cubic yards of material was deposited behind the existing bulkheads to replenish the sediments that had eroded at the point where the bulkhead meets the shoreline. The 2001 EA anticipated the need for additional dredging from the channel every three years or more. In March 2005, an EA was prepared for the Rehabilitation of Sailors Haven Marina and Ferry Dock. This EA described a project that would rehabilitate and upgrade the Marina's bulkheading and surface decks plus dredge the Marina basin. Additional dredging was proposed for the entrance channel out 1,000 feet to a width of 120 feet and a depth of six feet below mean low water. This activity, while approved in a Finding of No Significant Impact (FONSI) signed by the Northeast Regional Director on June, 24, 2005, was not carried out due to the lack of sufficient funding.

The proposed project described in this EA is necessary in order to relieve an immediate safety and navigational hazard. The build up of sand and sediment in the Sailors Haven Marina channel has created a shallow water situation, which impairs the passage of boats, and passenger ferries. The project proposes to dredge approximately 1,500-2,000 cubic yards of material representing an area approximately 250 feet long and 120 feet wide. The goal is to attain a depth of six feet at low tide.

ALTERNATIVES CONSIDERED AND ANALYZED

No Action Alternative

The No Action Alternative would result in a perpetuation of the existing condition. This condition is unacceptable since it would decrease channel navigability until the channel becomes impassable. Boat and ferry access into the Marina represents the primary method of access into the Sailors Haven Visitor Center and the Sunken Forest. If the channel is closed, the 60,000 - 100,000 annual visitors, including 5,000 -10,000 school children, would not have access to this important natural resource. In addition, the NPS derives a portion of its management funds from the marina, snack bar and gift shop.

Alternative A - Place Dredge Materials on East Side

Alternative A calls for an area approximately 120 feet wide and 250 feet long to be dredged to a depth of six feet at mean low water using the clamshell dredging method. An estimated 1,640 cubic yards of material would be placed on the east side of the Marina in the picnic area and graded into low areas on the site resulting in no noticeable visible elevation change to the picnic area. Dredging would take approximately 30 days to complete and will occur between October 2007 and January 2008. Figure 4 illustrates the results of the underwater survey. The channel that needs dredging to a point of 6 feet below low water is highlighted on the map.

Alternative B - Routine Channel Dredging Over Multiple Years

Alternative B is the same as Alternative A, except that it allows multiple dredge projects over a period of 10 years. This series of projects would occur on an as needed basis. The dredged material, 1,000-3,000 cubic yards per event, will be placed alternatively on the east and west sides of the Marina in the picnic areas. The material generated from each event will be graded into low areas on the site resulting in no noticeable visible change to the area. The significant benefit of this alternative is that each individual event would not require an additional EA.

Another benefit is that the dredged materials could be safely and innocuously stockpiled in areas that serve both as sitting beaches and as bulkhead stabilization components. Over time, the materials will increase to the point where there is enough material to commence construction of a shoreline restoration project just west of the Marina. The restoration project, while not part of this application, is part of the long-term management strategy of NPS/FIIS to stabilize the shoreline areas that have eroded in recent years. At the time when there is enough material to implement the restoration project, a new environmental assessment will be prepared.

ALTERNATIVES CONSIDERED AND DISMISSED

Dredge Entire Channel

This alternative would involve dredging approximately 4,000 cubic yards of material, representing a swath of 1,000 feet long by 200 feet wide, out from the marina breakwater. This action would inhibit the drifting and re-silting of material from the immediate adjacent areas, delaying the need to re-dredge the channel by a longer period. This alternative is cost prohibitive. The amount of funding necessary to conduct a project of this scale is not available. This alternative is unfeasible and, therefore, was rejected.

ENVIRONMENTALLY PREFERRED ALTERNATIVE

The NPS is required to identify the environmentally preferred alternative(s) for any of its proposed plans. That alternative is the alternative that will promote the national environmental policy expressed in NEPA (Section 101 (b)). This would be the alternative that: (1) best fulfills the responsibilities of each generation as trustee of the environment for succeeding generations; (2) ensures for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings; (3) attains the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences; (4) preserves important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, and environment that supports diversity and variety of individual choice; (5) achieves a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities; and (6) enhances the quality of renewable resources and approaches the maximum attainable recycling of non-renewable resources.

The Environmentally Preferred Alternative is the alternative that will promote the national environmental policy expressed in NEPA. It represents the alternative that would cause the least damage to the biological and physical environment, and best protects, preserves, and enhances historic, cultural, and natural resources. Alternative B – Routine Channel Dredging Over Multiple Years has been selected as the Environmentally Preferred Alternative. Alternative B meets the primary objective of removing the materials that are silting in the entrance to the Marina.

The NPS has considered the alternatives in this analysis in accordance with NEPA, and has determined that Alternative B, as presented in this FONSI, is the environmentally preferred alternative based upon its furtherance of the following National Environmental Policy Act goals as evaluated below. Alternative B is the environmentally preferred alternative that “causes the

least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources” (DOI, 2001a).

Alternative B meets requirements 1,2, 3, 4, 5 and 6 as stated above. The following discussion is basic to the selected Alternative B, to be implemented as the Sailors Haven Channel Dredging Project.

NEPA Section 101 Requirement 1. *“Fulfill[ing] the responsibilities of each generation as trustee of the environment for succeeding generations.”*

Should no dredging of the channel occur between 2007 and 2008, the channel may silt in sufficiently to close off access to most boat traffic and the passenger ferry from Sayville. This would result in almost no visitation of the Sunken Forest by the public. Visitation could become substantially less. Staff and volunteers who normally travel to the site by ferry would be impacted. Opportunities for visitors to enjoy, learn about, and gain appreciation for the resources would be diminished. The Selected Alternative will provide an alternative, safe access into the marina by boat or ferry would remain restricted, and would likely become impossible over time. Access into the marina by boat or ferry would dramatically improve, and be consistent over the 10-year period. By allowing dredging over a 10-year period, as needed, the access channel would consistently operate under optimal conditions. Shoreline stabilization will continue to protect picnicking areas, and, in the future, potentially create a perched beach area to further protect the shoreline and its vegetation.

NEPA Section 101 Requirement 2. *“Assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings.”*

Public safety and access issues relate to the ability of the pleasure boats and the passenger ferry to get into and out of the Sailors Haven Marina. Siltation of the entrance channel results in boats becoming grounded at low tide. Since part of the channel is already impacted, buoy markers have been set to keep boats out of the part of the channel with the lowest depth. The channel into the Marina is expected to continue to silt over the next year potentially making the entrance impassible.

NEPA Section 101 Requirement 3. *“Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences.”*

Dredging is required as a result of sand drifting and settling around the entrance of the marina and creating a navigational safety hazard. Approximately one-third of the channel was impassible to boat and passenger ferry traffic during the summer of 2007 and it has been estimated by NPS staff that the channel may be completely impassible during the 2008 season. The marina provides the primary public access to the Sailors Haven Visitor Center, an important interpretive orientation point for the Sunken Forest. The Sunken Forest is a unique natural resource that represents one of the last remaining maritime forests on the east coast. Every year, from 60,000 to 100,000 people use the facilities at Sailors Haven, which include the visitor center, boardwalk trails, lifeguarded beach and showers, and concession-operated marina, snack bar and convenience store.

NEPA Section 101 Requirement 4. *“Preserve important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, and environment that supports diversity and variety of individual choice.”*

The bay shore area of the Sunken Forest is eroding at the rate of 12-24 inches per year. The loss of approximately 25 feet of shoreline over the last ten-year period is due to both natural forces and the structural interference of the marina and the perimeter bulkheads that protect the marina. Sand erosion along the bay side of the Sunken Forest occurs on the upper foreshore slopes through storm surges and excessive high tides. The sand that is pulled away from the upper slope slips to the lower terrace and is eventually pulled away and out into the bay through wind and wave interaction. The upper slopes become newly vulnerable to erosion and the process begins all over again. Much of the sand eroded from the foreshore banks ends up filling sink holes created by dredging as well as new shoals. The marina’s perimeter bulkheads exacerbate the process by contributing sand through leaching underneath the bulkheads, and by intercepting sand that might otherwise have been replenished down drift of the marina. The north shore of Fire Island is a naturally erosive environment; thus the Sunken Forest will continue to lose shoreline on the bay side. Abatement of the accelerated erosion rates in this area due to the current marina design is not the objective of this project. The long-term impact related to the no action alternative is unknown.

NEPA Section 101 Requirement 5. *“Achieve a balance between population and resource use that will permit high standards of living and a wide sharing of life’s amenities.”*

The Selected Alternative will ensure safe and efficient access into Sailors Haven Marina while reducing the potential for future impacts to environmentally sensitive areas. Long-term solutions are being sought to address erosion related issues along the Sunken Forest. In keeping with the management mandates of FIIS to protect the Sunken Forest resource, the NPS is investigating developing a future shoreline restoration project on both sides of the marina. The project associated with this EA will not generate enough dredged material to perform a restoration project. Therefore, the material will be stockpiled until enough material is generated in subsequent dredging projects to carry out the shoreline restoration project. This action will eventually stabilize sensitive shoreline areas and preserve the northern edge of the Sunken Forest.

NEPA Section 101 Requirement 6. *“Enhance the quality of renewable resources and approach the maximum attainable recycling of non-renewable resources.”*

Multiple dredging operations, necessary to keep the channel clear over a longer period of time, will result in the dredged material being spread alternatively into the existing sand base on the east and west side of the Marina between the marina bulkhead and perimeter bulkhead. This will enable the materials to be reused rather than discarded. Since both of these areas have previously been utilized for the placement of dredged materials and other fill, there is no anticipated impact to soils from this process.

WHY THE NPS SELECTED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE HUMAN ENVIRONMENT

As defined in 40 CFR § 1508.27, significance is determined by examining the following criteria:

1) Impacts that may have both beneficial and adverse aspects and which on balance may be beneficial, but that may still have significant adverse impacts that require analysis in an EIS.

No major adverse or beneficial impacts were identified that would require analysis in an EIS. The NPS Selected Alternative will have direct, long-term, beneficial impacts for visitor use and enjoyment. Based on the project design, the NPS Selected Alternative will result in either no impact or direct, long-term and negligible to moderate adverse impacts to the natural resources. There will be moderate impacts on littoral processes; minor impacts on shoreline processes, water quality and fisheries habitat; and negligible impacts on species of special concern and places of special concern. The project will increase visitor experience and visitor satisfaction. There are only negligible cumulative impacts associated with the project.

2) The degree to which public health and safety are affected.

The NPS Selected Alternative will have no impact on overall public health and safety.

3) Unique characteristics of the area such as proximity to historic or cultural resources, wild and scenic rivers, ecologically critical areas, wetlands or floodplains.

The Sunken Forest is a unique natural resource that represents one of the last remaining maritime forests on the east coast. Every year, from 60,000 to 100,000 people use the facilities at Sailors Haven, which include the visitor center, boardwalk trails, lifeguarded beach and showers, and concession-operated marina, snack bar and convenience store.

Dredging is required as a result of sand drifting and settling around the entrance of the marina and creating a navigational safety hazard. Approximately one-third of the channel was impassible to boat and passenger ferry traffic during the summer of 2007 and it has been estimated by NPS staff that the channel may be completely impassible during the 2008 season. The marina provides the primary public access to the Sailors Haven Visitor Center, an important interpretive orientation point for the Sunken Forest.

The NPS Selected Alternative will have beneficial impacts to visitor use and access as the channel to the marina will be open for ferry operations.

Tidal wetlands exist in the study area, however, the proposed project will have no impact on these wetlands.

No prime farmlands, ecologically critical areas, or wild and scenic rivers exist in the study area.

4) The degree to which impacts are likely to be highly controversial.

As measured by public comment, this project is not likely to be highly controversial. During the 30-day agency and public review and comment period, 2 comments were received. Each were supportive of the project.

5) The degree to which the potential impacts are highly uncertain or involve unique or unknown risks.

No highly uncertain, unique, or unknown risks were identified during preparation of the EA or the public review period.

6) Whether the action may establish a precedent for future actions with significant effects, or represents a decision in principle about a future consideration.

The NPS Selected Alternative neither establishes NPS precedent for future actions with significant effects nor represents a decision in principle about a future consideration. Future actions will be evaluated through additional, project-specific planning processes that incorporate requirements of NEPA, Section 106 of the NHPA and NPS policies.

7) Whether the action is related to other actions that may have individual insignificant impacts but cumulatively significant effects.

Impacts of the NPS Selected Alternative to natural resources, cultural resources, and visitor experience were identified. As described in Chapter 4 of the EA, cumulative impacts were defined by combining the impacts of the NPS Selected Alternative with the impacts of other past, present, and reasonably foreseeable future actions. Future dredging is proposed and has been part of the analysis in the EA. The NPS Selected Alternative will not contribute or result in cumulative impacts.

8) The degree to which the action may adversely affect historic properties in or eligible for listing in the National Register of Historic Places, or other significant scientific, archeological, or cultural resources.

The area of potential effect for this project has been manipulated and heavily disturbed and prehistoric or historic archeological resources are not anticipated. The dredging would have no impact on historic and cultural issues. Structural elements of the marina, piers, bulkheads, decking have all been modified and/or replaced over the years and are not historic. The NPS finds that there would be no historic properties affected in the implementation of this project. The New York State Historic Preservation Office (SHPO) concurred with this finding in their letter of "No Effect" dated September 18, 2007. There are no Indian trust resources in Fire Island National Seashore. The lands comprising the seashore are not held in trust by the Secretary of the Interior for the benefit of Indians due to their status as Indians.

9) *The degree to which an action may adversely affect an endangered or threatened species or its habitat.*

The NPS Selected Alternative will not adversely affect endangered or threatened species or its habitat. The NPS consulted with the U.S. Fish and Wildlife Service (FWS) and the New York State Department of Environmental Conservation (NYDEC). In a letter dated December 18, 2007, the FWS concurred that implementation of the selected alternative is not likely to adversely affect federally listed species. In a letter dated April 27, 2007, The NYDEC also concurred that the selected alternative will not have adverse impacts to state-listed species.

Federally listed threatened species that occur in the Park are the piping plover (*Charadrius melodus*) and the seabeach amaranth (*Amaranthus pumilis*). State-listed (rare) species that occur in the Park habitat include the common tern, (*Sterna hirundo*), least terns (*Sterna albifrons*), and seaside knotweed (*Polygonum glaucum*).

10) *Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment.*

The NPS Selected Alternative violates no federal, state, or local environmental protection laws.

Under NPS policy, the alternative analyzed that would be most beneficial for the environment and/or have the least adverse impacts should be identified. Of the alternatives analyzed, Alternative B is the environmentally preferred alternative. The following confirming statements review impact considerations, and highlight key safeguards for implementing Alternative B.

Soils and Shoreline Erosion Issues

Multiple dredging operations, necessary to keep the channel clear over a longer period of time, will result in the dredged material being spread alternatively into the existing sand base on the east and west side of the Marina between the marina bulkhead and perimeter bulkhead. Since both of these areas have previously been utilized for the placement of dredged materials and other fill, there is no anticipated impact to soils from this process.

Littoral Processes

Repeated dredging of the entrance channel will result in the stockpiling of dredged materials from numerous dredging actions. This slow buildup will allow the mass of materials to build to the point in which there could be enough to commence a restoration project. The actions will not likely counteract the shoreline erosion process, and will temporarily remove material from the bayside sediment budget. This will therefore result in a moderate environmental impact.

Water Quality

The dredging of the entrance channel every 2-3 years in virtually the same area will create localized and temporary increases in turbidity and a corresponding loss of water clarity and lower dissolved oxygen in the vicinity of the channel. Because each operation is individual and there is ample recovery time, there is no cumulative water quality issue anticipated. Each dredging operation, therefore, will result in short-term adverse moderate impacts to water quality.

Fisheries and Essential Fish Habitat

Environmental impacts for Alternative B are virtually the same as those associated with Alternative A. Multiple dredging operations to keep the channel open over a longer period of time may decrease the chances of marine life utilizing the area for nesting or as a nursery. The repeated dredging of the same area may result in the decreased quality of the benthic community, however, this is a non-issue since it is not believed to be an important habitat area for local populations.

Species of Special Concern

Impacts for Alternative B are essentially the same as Alternative A. The long-term intention of FIIS is to reduce erosion in the upper and lower foreshore areas by replenishing the intertidal zone thereby increasing seabird foraging areas. The project is not expected to adversely affect any threatened or endangered species in the vicinity of the project. A letter of “no adverse impact” was received from the NMFS. Specifically, the project will not result in the elimination of important foraging or nesting habitat for endangered or threatened sea birds. Bald eagles have never been sighted in the vicinity of the Marina. Endangered whales are only found in deep offshore waters, therefore, are not threatened. Sea turtles are not typically observed in the vicinity of the Marina. In the unlikely chance they are in the vicinity, they have the capacity to avoid the clamshell dredge by swimming away from the area. State listed endangered plants are found on the oceanside portion of Sailors Haven and no plants have been observed in the vicinity of the project.

Wildlife

The dredging would have no impact on wildlife under this alternative.

Vegetation

The dredging portion of this project would have no impact on vegetation.

Socioeconomic Environment

The dredging would have no impact on the socioeconomic environment.

Visitor Use and Experience

Under this alternative, access into the marina by boat or ferry would dramatically improve, and be consistent over the 10-year period. By allowing dredging over a 10-year period, as needed, the access channel would consistently operate under optimal conditions. Shoreline stabilization will continue to protect picnicking areas, and, in the future, potentially create a perched beach area to further protect the shoreline and its vegetation.

Public Safety and Access

A positive result will occur since the low depth hazard is eliminated and access to the Marina, Visitor Center and Sunken Forest is unimpaired over an extended period of time.

Unavoidable Adverse Impacts

The project will result in temporary changes in the distribution of finfish during the dredging operation. In addition, it will result in the temporary loss of the benthic community. Because this alternative will result in multiple dredging operations of the same area, the benthic

community will not likely have the opportunity to completely restore itself to its pre-dredging level.

Cumulative Impacts

The long-term routine dredging operations associated with Alternative B could result in the temporary loss of the benthic community in the immediate area of dredging.

The table below, “Comparative Summary of Environmental Impacts,” illustrates the levels of impacts and identifies positive impacts between the individual alternatives. Alternative B, as the Selected Alternative, offers the greatest benefit with the least environmental effect.

Comparative Summary of Environmental Impacts

Type of Impact	No Action Alternative	Alternative 1	Alternative 2 Environmentally Preferred (Selected Alternative)
Soil & Shoreline Erosion	None	Minor	Minor
Littoral Processes	None	Moderate	Moderate
Water Quality	None	Minor	Minor
Fisheries & Habitat	None	Minor	Minor
Floodplains & Wetlands	None	None	None
Species of Special Concern	None	Negligible	Negligible
Places of Special Concern	None	Negligible	Negligible
Wildlife	None	None	None
Vegetation	None	None	None
Historic & Cultural Resources	None	None	None
Socioeconomic Environment	None	None	None
Visitor Use & Experience	Moderate	Positive	Positive
Public Safety & Access	None	Positive	Positive
Unavoidable Adverse Impacts	Negligible	Negligible	Negligible
Cumulative Impacts	Moderate	Negligible	Negligible

IMPAIRMENT OF PARK RESOURCES

In addition to determining the environmental consequences of the preferred and other alternatives, the 2001 NPS Management Policies and DO-12 require analysis of potential effects to determine if actions would impair Fire Island National Seashore resources.

Under the NPS Organic Act of 1916, current Policies and Director’s Orders, Park and other units of the National Park System are to be managed to preserve their scenic, natural and cultural resource values so as to leave them unimpaired for the enjoyment of future generations. This establishes a “non-impairment” standard that prohibits NPS officials from allowing any Project or use that would impair Park resources and values, as deemed significant in the Park’s legislative enactment, focused on in the Park’s mission statement and addressed in the Park’s

GMP. The determination of impairment rests with the professional judgment of the given Park's manager, consistent with the Park's legislation, purpose and mission, NPS Policies and Orders, as well as the Park's GMP.

The National Environmental Policy Act (NEPA) requires the National Park Service (NPS) and other Federal agencies to conduct a formal environmental review process on proposed Projects prior to decisions on their implementation. This process is designed to disclose and analyze the purposes and needs for the Project, the potential alternatives to and impacts from the Project, and provide for public involvement. Full public review of the Environmental Assessment (EA) was made available in accordance with the regulations contained in NPS's Director's Order #12, "Conservation Planning, Environmental Impact Analysis, and Decision-Making."

The National Park Service has determined that implementing the Preferred Alternative in this EA will not constitute an impairment to Park resources and values. The Project is consistent with relevant Federal laws and Fire Island National Park's 1978 General Management Plan.

PUBLIC INVOLVEMENT

The EA was placed on formal public review for 30 days ending on December 10, 2007 and was distributed to a variety of involved or interested agencies, including those listed under Section 10.0 Consultation and Coordination of the EA. Appendix A of this document contains the two letters that were received.

CONSULTATION AND COORDINATION

The conceptualization and development of this project occurred in a very short time because of the marina entrance channel conditions that occurred last spring. It did involve NPS Park staff, other governmental officials, and consultants.

Internal scoping was held on August 30, 2007 and involved federal, state and local agencies to assist in the determination of areas in which the EA should focus and help identify potential environmental impacts associated with the project.

The agencies listed below were contacted and or consulted during preparation of this EA:

U.S. Fish and Wildlife Service, Long Island and Cortland Field Offices
U.S. Department of Commerce, National Marine Fisheries Service
New York State Office of Parks, Recreation and Historic Preservation
New York State Department of Environmental Conservation, Natural Heritage Program
New York State Department of State, Coastal Management Program

Letters of consultation and coordination from the consulting agencies can be found in Appendix B of the EA.

A news release was sent to local media contacts announcing the availability. A news release was sent to local media contacts announcing the availability of this EA through the NPS Planning, Environment and Public Comment (PEPC) website. Copies of this EA was also sent to relevant Federal, State, and local officials, local libraries, and a list of organizations that have traditionally expressed a strong interest in issues affecting Fire Island National Park. Copies were sent to

other interested people, upon request. No public meetings were held for this project. All comments received on this EA were carefully reviewed and considered.

FINDING OF NO SIGNIFICANT IMPACT

Following review of the EA, and based on that phase of NEPA compliance, this Finding of No Significant Impact /Decision Document (FONSI) has been prepared to complete the NEPA compliance process.

Based on conservation planning and the environmental impact analysis documented in the EA and this FONSI, with due consideration of the nature of the public comment and consults with other agencies, and given the capability of the mitigation measures to avoid, reduce, or eliminate impacts, the NPS has determined that the Selected Alternative will not constitute a federal action that normally requires preparation of an environmental impact statement (EIS). The Selected Alternative will not have a significant effect on the quality on the human environment or on FIIS cultural resources, or natural resources, including threatened or endangered species. There are no unmitigated adverse impacts on public safety, sites or districts listed in or eligible for listing in the National Register of Historic Places, or other unique characteristics of the region. No highly uncertain or controversial impacts, unique or unknown risks, cumulative effects, or elements of precedence were identified. Implementation of the Selected Alternative will not violate any federal, state, or local environmental protection law.

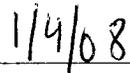
It has been determined that the implementation of the Selected Alternative, as described, will not constitute a major federal action that would have significant impact upon the quality of the human environment within the meaning of Section 102(2c) of the National Environmental Policy Act of 1969. Accordingly, the preparation of an Environmental Impact Statement is not required.

RECOMENDED:



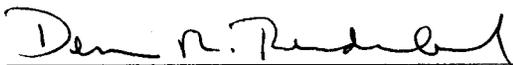
Michael T. Reynolds

Superintendent, Fire Island National Seashore

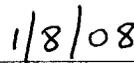


Date

APPROVED:



Dennis R. Reidenbach, Regional Director
Northeast Region, National Park Service



Date

Appendix A

Public Comments & Responses Summary of Comments Received

FIRE ISLAND NATIONAL SEASHORE NATIONAL PARK SERVICE

SAILORS HAVEN CHANNEL DREDGING PROJECT

TOWN OF BROOKHAVEN, SUFFOLK COUNTY, LONG ISLAND, NEW YORK

A press release for the Sailors Haven Channel Dredging Project EA was sent out and made available on the Fire Island National Seashore website for public review on November 8, 2007. Written comments were received during the 30- day period of public review open through December 10, 2007. The document was available on the Park Service's Planning, Environment, and Public Comment (PEPC) web site:

<http://parkplanning.nps.gov/>.

The document is also available to download on Fire Island National Seashore's website at:

www.nps.gov/fiis/parkmgmt/upload/EA_SailorsHavenDredging_11-2007.pdf

Printed copies of the document are available for public review at park headquarters in Patchogue, and at the West Islip Library, Sayville Library, Patchogue- Medford Library, South Country Library in Bellport, and the Mastics- Moriches- Shirley Community Library.

Two comment letters was received on the project. The comments in the letter were positive citing that the EA is a thorough examination of the project and its environmental effects. The letters supported Alternative B – The Selected Alternative.

Name	Address	Comment Summary	Received
Fire Island National Seashore Advisory Board	30 West Woodside Ave. Patchogue, NY 11772	Positive and supportive of EA Suggest erosion control on west side of marina using "seascape" materials. Commenter also recommended that FIIS consider changing the orientation of the marina entrance from its existing northern orientation to an easterly orientation.	12/7/07

US Fish and Wildlife Service	3817 Luker Road Cortland NY, 13045	Positive and supportive of EA. Concurred with NPS determination of that the project would not be likely to adversely affect listed species. The Service also stated their availability to assist the NPS in future restoration projects.	12/18/07
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Appendix B

Errata

Revision to the November 2007 Environmental Assessment:

The last sentence in the first paragraph on page 4-10, section 4.7, Species of Special Concern, should read, "*To minimize potential threats to forage areas, no dredging will occur between April 1 and September 1*".



New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau • Peoples Island, PO Box 189, Waterford, New York 12188-0189

518-237-8649

www.nysparks.com

Eliot Spitzer

Governor

Carol Ash

Commissioner

September 28, 2007

Tracey M. Clothier
The LA Group, PC
40 Long Alley
Saratoga Springs, New York 12866

Re: NPS
Sailors Haven Maintenance Dredging Project
Fire Island National Seashore
BROOKHAVEN, Suffolk County
07PR04959

Dear Ms. Clothier:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966.

Based upon this review, it is the SHPO's opinion that your project will have No Effect upon cultural resources in or eligible for inclusion in the National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont
Director



STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001

F-2005-0216
SEP 11 2007
11:11 AM
T. W. W. P.

ELIOT SPITZER
GOVERNOR

LORRAINE A. CORTÉS-VÁZQUEZ
SECRETARY OF STATE

Tracey M. Clothier
Senior Planner
The LA Group, P.C.
40 Long Alley
Saratoga Springs, New York 12866

September 6, 2007

Re: F-2005-0216(DA) - Modification
National Park Service - Rehabilitate and maintenance dredge Sailors
Haven marina and ferry dock, Fire Island National Seashore - Great South
Bay, Town of Brookhaven, Suffolk County
No Objection To Proposed Modification

Dear Ms. Clothier:

On August 31, 2007 and September 6, 2007 the Department of State received material describing the National Park Service's (Service's) proposed modifications regarding the above referenced activity. The proposed modification involves completion of maintenance dredging that had not been completed when initial authorizations were issued and other work conducted, and the stockpiling of approximately 1,700 cubic yards of dredged material in an upland picnic area adjacent to the dredged basin at Sailors Haven, until it can be used as originally intended.

In accordance with 15 CFR Part 930, Subpart C, the Department previously reviewed the original proposal and concurred with the Service's consistency determination for it. The effects of the proposed modification would not be significantly different than those originally reviewed and considered by the Department as long as the activities are conducted during the seasons considered in the Department's original review and decision to concur with the Service's original consistency determination. As would the original proposal, the proposed modification to the original activity would advance applicable policies of the New York Coastal Management Program and national objectives of the federal Coastal Zone Management Act relating to appropriate types of levels of public access to, uses of, and protection of publicly owned and managed resources in and of the Fire Island National Seashore. Therefore, the Department has no objection to the proposed modification. Nothing further is required from this Department unless the proposed activity is again modified.

When communicating with us regarding this matter, please contact us at (518) 474-6000 and refer to our file # F-2005-0216(DA).

Sincerely,

Steven C. Resler
Deputy Bureau Chief, Resources Management Bureau
Section Chief, Consistency Review, Analysis, GIS & Special Projects
New York Coastal Management Program

SCR/dc

c: FINS - Mike Bilecki



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

SEP 15 2007

Tracey M. Clothier
The LA Group
40 Long Alley
Saratoga Springs, New York 12866

Dear Ms. Clothier,

This is in response to your letter dated September 10, 2007 letter regarding a proposal by the National Park Service to conduct maintenance dredging for the channel leading into the Sailors Haven Marian along the Fire Island National Seashore. Your letter requested information on the presence of species listed as threatened or endangered by NOAA's National Marine Fisheries Service (NMFS) that are likely to occur near the project site.

Four species of federally threatened or endangered sea turtles under the jurisdiction of NMFS may be found seasonally in the coastal waters of New York. Sea turtles are expected to be in the waters off Long Island in warmer months, typically from May 1 to November 30. The sea turtles in northeastern nearshore waters are typically small juveniles with the most abundant being the federally threatened loggerhead (*Caretta caretta*) followed by the federally endangered Kemp's ridley (*Lepidochelys kempfi*). The waters off Long Island have also been found to be warm enough to support federally endangered green sea turtles (*Chelonia mydas*) from June through October. The three species of chelonid turtles found in the Northeast remain very briefly in open ocean waters, spending most of their time during the summer months in harbors and estuarine waters. Federally endangered leatherback sea turtles (*Dermodochelys coriacea*) may be found in the waters off Long Island during the warmer months as well. Leatherbacks in these waters are thought to be pursuing their preferred jellyfish prey. Due to the shallow depths and nearshore location of the Sailors Haven entrance channel, leatherback sea turtles are not likely to occur in the action area.

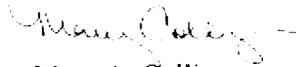
Several species of listed whales occur seasonally off the coast of New York. While listed whales may occur in coastal waters, such as off the south shore of Long Island and occasionally occur within Long Island Sound, due to water depths and the near-shore location, no listed whales are likely to occur at the dredge site.

As noted in your letter, in 2005, the Sailors Haven Rehabilitation Project was conducted which involved the dredging and reconstruction of the marina itself. While dredging of the entrance



channel was proposed and permitted at that time, the action was not completed due to a lack of funding. NPS is now proposing to complete the previously permitted dredging of the entrance channel. Consultation pursuant to Section 7 of the Endangered Species Act (ESA) of 1973, as amended, was completed between NPS and NMFS on the Sailors Haven Rehabilitation Project. In a letter dated August 17, 2005, NMFS concurred with the determination made by the NPS that the proposed action, including dredging of the entrance channel, was not likely to adversely affect any species listed by NMFS (see enclosed letter). As such, no further consultation on the dredging of the entrance channel is necessary. Should you have any questions regarding this correspondence, please contact Julie Crocker of my staff at (978)281-9300 x6530.

Sincerely,



Mary A. Colligan
Assistant Regional Administrator
for Protected Resources

CC: Crocker, F/NER4
Rusanowsky, F/NER3 Milford