

U.S. Fish and Wildlife Service
Questions and Answers Regarding Habitat and Beach Management at Smith Point County Park, Suffolk
County, New York
May 16, 2017

Recently there have been several statements and inquiries made regarding our involvement in Smith Point County Park vegetation and off-road vehicle (ORV) management as outlined in the U.S. Army Corps of Engineers' (Corps) Fire Island Inlet to Moriches Inlet Stabilization Project (FIMI). As a result, we are providing clarity regarding our role.

Did the FIMI vegetation management plan involve lowering or removing vegetation from the Corps' constructed dunes? No. The engineered dune heights, beach widths and dune vegetation were determined by the Corps' coastal engineers and will not be modified as part of the vegetation management plan.

Were ORV and vegetation management (unrelated to the dunes) agreed to by the U.S. Fish and Wildlife Service (Service), State of New York, Suffolk County, and Corps as part of FIMI? Yes. Overall, several environmental conservation measures were included in the project and fully vetted with all the agencies over several months of close coordination, including face-to-face meetings with leadership from the Suffolk County Department of Parks, Recreation and Conservation and Department of Public Works. Vegetation and ORV management were memorialized in the Corps' FIMI Hurricane Sandy Limited Re-Evaluation Report dated June 2014, as well as in the Corps' Environmental Assessment and Biological Assessment, and the Service's Biological Opinion dated October 2014. In addition, the Suffolk County Legislature on June 17, 2014, authorized a local partnership agreement between the county and New York State to participate in the FIMI, including, but not limited to, vegetation and ORV management.

What did FIMI include for vegetation management in Smith Point County Park, and has it occurred? As explained in the 2014 FIMI report, vegetation management at Smith Point County Park was limited to select areas north of Burma Road and at Great Gun Beach (at the far eastern end) and would not affect the FIMI dune. In 2015, vegetation was managed during initial project construction at Great Gun Beach and at the New Made Dredge Disposal Area. In 2016, the Corps again cleared vegetation at the New Made Dredge Disposal site and placed black plastic at Great Gun to control invasive phragmites. On June 1, 2016, the Corps sent a letter to the Parks Commissioner, initiating the permit application process for the use of herbicides to manage vegetation in conjunction with mechanical removal. In 2017, the Corps was to complete the vegetation management before April 1, the start of the piping plover breeding season. The Corps intended to move forward with mechanical removal, however, due to contracting constraints they were unable to proceed. In February 2017, the Service offered to assist the Corps by renting equipment and providing staff to perform the work.

Subsequently, the Corps, Service, New York Department of Environmental Conservation, and Suffolk County met and agreed to limited vegetation management in what are known as the Smith Point Breach Fill and Pattersquash Overwash Areas due to time constraints. A special permit would be needed from the Department of Public Works in order for equipment to be brought across the Smith Point Bridge. Ultimately, there was insufficient time to secure the needed permits and complete the work prior to the April 1 deadline, so vegetation management was not conducted in 2017.

Does the Service request to close Smith Point County Park to ORV use? No. All ORV management decisions at Smith Point County Park are made solely by the Parks Commissioner based on current local conditions in the park and are not coordinated with the Service. The Service's role is to provide guidance to site managers on avoiding federal violations in the limited areas where federally protected species survive. The Guidelines for Managing Recreational Activities in Piping Plover Breeding Habitat, for example, provides guidance and each site manager determines how they can reasonably implement this guidance, incorporating

tools such as signage and stake/twine symbolic fencing, stewards and volunteer monitors, law enforcement and rules/policy. We understand the challenge of managing ORV recreation and species recovery, and continue to offer our assistance with implementing these guidelines.

Are there options for Suffolk County to have more flexibility in managing for ORV recreation and still conserve habitat for the piping plover in the park? Yes, a primary option is a habitat conservation plan and permit application. These types of options were discussed most recently in a congressionally-hosted meeting between the county and Service in September 2016 (and captured in [this October 2016 letter](#)).

As an example, last year the Massachusetts Division of Fisheries and Wildlife (MADFW), in partnership with the Service, [launched a habitat conservation program in Massachusetts](#) that provided beach owners across the state more flexibility to manage their beaches that support piping plovers. MADFW had secured federal [grant funding](#) to assist with this planning effort. This type of flexibility is due, in part, on continued dedicated conservation efforts by many towns, counties, MADFW and the Service that have increased the piping plover population in Massachusetts from 140 pairs in 1986 to 649 last year.
