



# INC. VILLAGE OF SALTAIRE

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The Village of Saltaire asserts that the Fire Island National Seashore's proposals for revised driving regulations are inconsistent with the very purposes for which FINS was created by Congress in 1964:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, that (a) for the purpose of conserving and preserving for the use of future generations certain relatively unspoiled and undeveloped beaches, dunes, and other natural features within Suffolk County, New York, which possess high values to the Nation as examples of unspoiled areas of great natural beauty in close proximity to large concentrations of urban population....."

Below we take issue with the substance of most of the proposed regulations as well as the process by which these proposed regulations have been reached.

## **Process**

- The proposed draft plan is universally opposed by all stakeholders, which illustrates the inadequacies in the planning process and the lack of stakeholder inclusion as required by the enabling guidelines.
- The public scoping processes notice was inadequate and poorly publicized and as a result there was no meaningful opportunity for review and comment by the stakeholders.
- When Fire Island National Seashore applied for and accepted a grant which required a process that would ultimately discard existing driving regulations and replace them with new ones, it discarded regulations which had been working for a half a century. This requirement contradicts the basic underlying goals of the planning process to study and solicit views to help formulate the best plan, as well as the requirement to list a No Action Alternative as part of the decision process.
- This process has not been open and collaborative, among other flaws, the paid consultant has not met with any stakeholders in developing the proposed regulations, nor did he even visit Fire Island until after the proposed regulations were promulgated.

## **Substantive Comments**

- The primary purpose and needs are stated to protect park resources and to update regulations to deal with sea level rise. The park needs to understand that as regulations change, and the park's environment changes there will continue to be challenges that will require

compromise to find the right balance between preserving the island's unique character and charm and being able to enjoy this resource. Instead of discarding viable regulations and replacing them with disjointed and inconsistent policies that create more problems, a driving committee including FINS and island stakeholders should be established to consult on issues as they arise and take steps to adjust regulations as needed.

- We do think it is essential to have year-round ferry service and freight service. However, many communities are unable to get access to freight and garbage removal by water. Those that do have docks are unable to handle the size and weight of equipment needed to maintain the communities. The need for generators, water drilling rigs, sewage pump-outs, sand delivery for the new septic systems, plantings mandated by DEC or used for erosion control, removing waste and carting off construction debris for homes make waterborne freight transport impossible or impractical for every purpose. Overland freight transport is necessary for some purposes.
- Reducing beach traffic could be accomplished by repairing the breach. Most of the increase in driving on the island and on the west end of Fire Island is due to the breach from hurricane Sandy and the failure to close that breach. Residents and those working in the eastern communities are now required to traverse the entire island for access. If FINS wanted to protect the beach, control erosion, and support wildlife, the repairing of the breach would save hundreds of trips on the beach per year and reduce the heaviest impact on the western portion of the island.
- Protecting the interior tracts on the island and reducing interior traffic through the communities and connecting roads could be accomplished by restoring access to the Smith Point Park bridge in the east, maintaining the beach so vehicles are not mandated to the interior, keeping caps on permitted vehicles, and retaining the present driving seasons, are all critical to the health and safety of the residents of the communities.
- It is unacceptable and in contradiction to preserving an asset to have unlimited permits for either contractors or residents regardless of the qualifications. In addition to creating traffic jams, the inability to navigate in the Villages and towns made up of many one-way narrow walks, insufficient parking in the communities for any additional vehicles, roads are not wide enough to handle the increased traffic of full-size vehicles, and drivers not used to elevated boardwalks (with the risk of having vehicles going off walks), make additional driving both inconvenient and hazardous.
- Caps on driving permits must be kept. Unlimited permits for any type of permit is not acceptable. The current blue book permit caps work well. The book needs to be tweaked, not abandoned. Without permit caps there would be an increase in the number of vehicles permitted on the island and they will be allowed to traverse the beach and walks of the island without restrictions. This will have a significant environmental impact on the national park and safety issues for residents.
- It makes sense to explore how driving can be addressed for each season. Winter should allow more flexibility and the summer be more restrictive. The shoulder season is the most challenging and needs to be looked at creatively.

- Removing municipal permits is untenable. Our Village has a water department, sanitation department, public safety department, office staff and other departments which operate year-round and at all hours. Access to the island for our staff is essential to operating our municipality.
- Residential communities and the Towns of Islip and Brookhaven should not be determining year-round residency. FINS should be in charge of that process. It should not only be established by a paper trail, but on actual presence on the island.
- Essential service needs to include plumbers. They maintain the gas service, plumbing service, and septic systems. They turn water on and off for most residences which is essential to the communities. Carters are also essential to the health and safety of the residents. Carters need to be permitted to remove debris timely (summer and winter) and with only one trip per day that will be prevented from happening. As a result, construction projects will be extended for several years. Debris will be left onsite attracting animals and will be redistributed over the area by weather events. Further, it is not possible to bring all construction debris down our dock while our camp is going on, people are recreating, freight is being delivered, ferry travelers are arriving and leaving. Both should be permitted to drive year-round. The current regulations work and should be kept.
- The proposed residential driving season is too long, going until July 4. It should end in June when schools let out and the island swells with occupancy. The contractor season is being shortened to end of April, which will create problems for construction and services. The contractor season should continue to end in mid-May.
- There needs to be regulations on speed through the FINS land. Electronic devices can be used to monitor speed and take pictures of those violating the speed limit. The speed displaces sand, creates ruts and is dangerous to those using the roadway or the beach.
- Defining an off-island trip from the current checkpoint will permit FINS to monitor compliance with regulations, however regulating on-island trips does nothing to protect and preserve the island once past the checkpoint. FINS should invest in technology that can monitor the permit holders driving on the island. This way the Seashore can compile data on interior trips and beach trips. There should be limits on trips for all permit holders and the parameters should balance protecting the island with maintaining the communities and sustaining residents' quality of life.
- FINS must coordinate their permitting standards with the Villages and both Towns so that none is in conflict. All permitting authorities should be involved in the process.
- FINS needs to regulate e-bikes, RV's, ORV's, pedicabs or other such "recreational" and non-essential vehicle. These vehicles should adhere to all permit restrictions.

The proposed abandonment of limits on the number of authorized drivers, the expansion of the periods during which vehicles may drive on the island, and the delegation of traffic control from FINS to a variety of local jurisdictions would constitute a *de facto* abandonment of its responsibility for the "preservation of unspoiled and undeveloped beaches, dunes, and other natural features" of the Island. We respectfully request that FINS abandon this initiative and instead consider modifications to existing regulations in a process in which all stakeholders have a voice in shaping the proposed changes in conformance with FINS mission.