



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

September 22, 2016

Commander

Mr. Alan Fuchs
New York State Department of Environmental Conservation
Division of Water
Bureau of Flood Protection and Dam Safety
625 Broadway
Albany, New York 12233-3504

Dear Mr. Fuchs:

This letter addresses the request made during our September 13, 2016 phone call with you, the Village of Asharoken and the Town of Huntington for the specific conditions relating to public access that must be met in order for the Asharoken, New York Coastal Storm Risk Feasibility Study (Study) to proceed. The Corps' public access requirements remain unchanged from those delineated in my August 5, 2016 letter (enclosed).

In order to proceed to the Agency Decision Milestone and the Final Feasibility Report, I am requesting a letter from you stating support for the project, your willingness to proceed to construction, and your ability to fulfill the requirements of a non-Federal sponsor. The letter should address the following points:

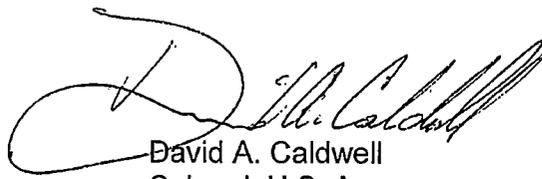
- 1) Confirm support for a public access plan that meets the Corps policy for Federal cost sharing including: a) public use of the beach where sand is placed as part of the project, b) five access ways to the beach at each half-mile for the length of the project, c) parking at each of the access points (or accommodations in lieu of parking, i.e., shuttle, public transportation, bicycle) to meet the expected recreational use of the area, and d) regulation of private cross-overs in the project area to allow for maintenance of the project.
- 2) Confirm willingness to fulfill the requirements of a non-Federal sponsor, including the intent to fund the non-Federal share of this project, provide the necessary real estate for the project which may ultimately include condemnation of property if required, and to operate and maintain the project upon completion of construction.

The Corps expects non-Federal sponsors to be able to partner with the Federal government to construct projects that are in full compliance with applicable Federal laws and regulations. The State's commitment to provide public access, and to fulfill the requirements of the non-Federal sponsor is critical for study completion and project implementation. In accordance with Engineering Regulation, ER 1105-2-100, 4-3 (c)(6)(b)(3), if the non-Federal parties do not support the plan or do not intend to provide

the necessary local cooperation, then I am required to stop all work and notify the Division Commander to facilitate revocation of existing funds.

We recognize that this request will require coordination with the Village of Asharoken, who is the State's local sponsor. We ask that you provide a response no later than October 18, 2016. Thank you for working with my staff as we continue to advance this Study. Please do not hesitate to contact Mr. Stephen Couch, Chief, Sandy Planning Branch, at (917) 790-8707 if you should require more information.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Caldwell", written over a horizontal line.

David A. Caldwell
Colonel, U.S. Army
Commander