

## Mayor's Report October 1, 2024

On September 11<sup>th</sup> Deputy Mayor Pam Pierce, State Senator Mario Mattera, State Assemblyman Keith Brown, and I met with a delegation from the NYS DEC at the seawall. The agenda for the meeting was to get a preliminary opinion from the DEC if it would support moving Asharoken Avenue, allowing a short-term fix to the seawall such as new sheet steel or more stones, and installing a breakwater. There was no discussion at this meeting of any restoration of the beach and no discussion of structures on the beach such as groins. Neither the Village nor the DEC brought the subject up. After the meeting, the DEC said that they would go back to their office, review the proposals, and give the Village an answer.

On Monday, September 23<sup>rd</sup> Deputy Mayor Pam Pierce and I spoke with Ryan Mc Gary from the NYSDEC. He stated the following: DEC was fine with fixing the seawall. DEC has not approved a shallow water breakwater in years and is unlikely to support doing so in Asharoken. The DEC felt that moving the road "was going to be a very heavy lift" and that it would require justification for moving the road, mitigation of the tidal wetlands, and a tidal wetlands permit. Amazingly, he then suggested that the DEC's preferred solution would be putting groins on the beach with sand fill. He stated that this would achieve the same result, stopping water from washing over the road in storms. Both Pam and I told him that we found it perplexing that suddenly the DEC was in favor of groins and beach fill. The meeting ended very quickly because Ryan had another meeting attend.

It was clear from our conversations with the DEC that their preference was that the Village work toward groins/beach fill instead of moving Asharoken Avenue. In both my and Deputy Mayor Pam Pierce's opinion this was a startling change of course by the DEC.

To get more background on why the DEC supported groins instead of moving the road I called Eric Starr of the NYSDEC on Friday, September 28th.

I asked him to explain why DEC now favors placing 3-5 tapered groins and sand fill on the beach in front of the seawall rather than moving the road as Ryan McGary explained to Pam and me.

Eric gave me a comprehensive history of the seawall area since Superstorm Sandy as a preamble.

He said that going back to the ACOE plan to place 600,000 cubic yards of sand on Asharoken's LI Sound side beach in 2016 the DEC had reviewed the ACOE's concept of 3 groins and beach fill in front of the seawall. The DEC was just about to issue a permit for this when the Village decided to turn the project down because of the public access requirement. the DEC put this matter on the back burner and moved on to other projects.

He said that all groins were given a bad rap after what happened in Westhampton. He continued by saying groins are one tool in the arsenal of restoring a beach and since there was an old, collapsed existing groin field in front of the seawall all we were doing was recreating the existing beach. He said that the owners of Sandpiper farm had spoken to DEC and said they had

concerns about 3 groins and the erosion that could cause to their property. They suggested adding two extra groins. He said the DEC could consider this.

He was not able to comment on why DEC was reluctant to approve moving the road. He said the likely reason that Ryan said the road was a much heavier lift than groins was because so much work had already been done on the groin permit and that the DEC had been almost ready to issue the permit. Moving forward with groins would be much less difficult.

I spoke with Ryan McGary of the NYSDEC again on Friday, September 28. We discussed the option of moving the road. He stated that the Village would need to justify moving the road and show that this was the best option. I.E., better than groins and beach fill. He also said that the wetlands mitigation had to be part of the project. He still said that moving the road would be a heavy lift but he would do all he could to see it through. He did advise that a feasibility study would be helpful.

I explained to him that moving the road would be less expensive, faster, and would cause significantly less impact on the environment than installing groins on the beach. It would not saddle the Village with the long-term liability of re-nourishing the beach and moving the road would also include wetlands mitigation. I explained that 3-5 groins would have a significant environmental impact. He did not seem particularly swayed by these arguments. He said that cost was not a factor in the DEC decision and that moving the road would put it into a wetland, which is prohibited. He said the DEC can grant an exemption if a project can be justified, but it was still up to the Village to show that moving the road, rather than placing groins and beach fill, was the best option.

He also stated that the seawall problem exists because the Village rejected the ACOE project in 2016. I told him that regardless of that we have an emergency on our hands that requires immediate attention.