

**MEMO TO OCEANSIDE OWNERS IN DAVIS PARK AND VARIOUS INTERESTED GROUPS REGARDING FIMI “DIFFICULTIES AND DELAYS”**

**Copies also to DPA and FIA directors**

**John Lund and I both attended an FIA directors meeting on June 10 where Gil Anderson (DPW Suffolk) and Chris Soller of FINS presented some opinions and facts about what’s happening. I thought it might be of value to add my perspective as a long-time owner quite familiar with the situation and its long-term future of our community.**

**The situation with the County is that they now consider the detailed preface for being able to institute Eminent Domain legal action to be able to condemn ocean front property is now in place as of June 8<sup>th</sup> when no lawsuits were brought presenting delaying potential to the FIMI project. Even though many owners and representatives presented very good reasons that FIMI has flaws, the County has done the steps to legally establish that FIMI has a basic “public purpose.” They can now move to be able to have the County Legislature vote on this to be able to condemn land and houses as needed. – taking entire properties or pieces of same very easily once the County moves to enact what laws they will probably vote upon this summer. Many legal consultants expected early legal resistance before June 8<sup>th</sup>, but I believe that the overwhelming desire to get some new sand at a “no extra tax for homeowners basis” prevent lawsuits. (To fight Eminent Domain laws being enacted would take millions of dollars also.)**

**Another aspect of the situation is that we already have fallen behind the original timeline what with weather preventing FIMI work from being completed this winter and spring, and now the earliest estimate is that no FIMI sand could ever appear now in Davis Park at least until more than 15 months from now. Even the worldwide demand for sand dredging contractors has made it more difficult to plan ahead on beach nourishment from now on. Overall, there are already delays at hand, and reasons to fear more are in store.**

**I believe that the County has shown rational reason by well understanding the difficulty of “demanding” Perpetual Easements (PEs) be signed, and thus is seriously trying to newly offer moving within property lines in the western half of DP, which has lost 7 homes and shows 15 more under threat of condemnation should owners not be willing to “voluntarily” sign the PEs. Even our owners in the Ridge area understand the nature of the PE not being easy to accept with a FIMI project that offers zero future “dune maintenance” provisions. PEs are being signed in most of Brookhaven to my knowledge, especially for a project that now won’t come until the END of 2016 earliest. At the FIA meeting last week a Pines representative seemed concern about these delays and the problems in getting PEs signed there for similar reasons.**

**I see the presence of delays over the last six months being severe, and threatening to stay severe. One thing that seemed to be accepted was a Pines suggestion that the survey work, subsequent appraisals and County financial offers to sign the PEs all be held in abeyance until all were prepared and presented together. Gil Anderson did not seem to object to that. I believe that would be bad because one or two late ones could delay all. Whatever -- I see the Pines somewhat lagging behind DP in terms of appraisals and financial offers, and that's one area that might worsen. "Meeting Chatter" seemed to indicate that the real estate question won't really be resolved before this autumn and "vesting" will not begin before the end of this year earliest.**

**You all probably are aware that the DRAFT new version of the FINS General Management Plan has now been released for comment. (They announce for 90 days only.) They've sent print copies to all community leaders, and Mary Parker has announced how you might get into the review process. I am happy that this has been released now as it will relate to what we might do for the future as far as beach nourishment and erosion control over the next 20-30 years. Chris Soller did say at this meeting that he expects to see the end of allowing permits for beach scraping. On the other hand he also said that it was newly important to continue to work to get the "full-FIMP" project now approved in that he realizes that there is no dune/beach maintenance provision provided for what the FIMI project offers to do. Chris does understand that FIMI plans only 15 foot dune height in Brookhaven communities ONLY, but no sand at all in being placed on almost all FINS beaches other than at the lighthouse, and small FINS dune properties within communities. Thus, if Fire Island communities don't get a full-FIMP approved for many years, the real long-term protection of strong beaches will not ever happen. We have already fought for over 50 years to get a full-FIMP and that won't happen easily.**

**I have begun reading the Draft FINS GMP and can see that it offers new hope on a new level of partnership" being possible between the communities and the MANY governmental agencies involved in our complex future. Of course, there still will be many hundreds of hours of dialog necessary -- by hundreds of experts -- to get**