COMMITTEE ON FINANCIAL SERVICES

SUBCOMMITTEE ON HOUSING AND INSURANCE, SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS, SUBCOMMITTEE ON TERRORISM AND ILLICIT FINANCE

COMMITTEE ON FOREIGN AFFAIRS

SUBCOMMITTEE ON THE MIDDLE EAST AND NORTH AFRICA, SUBCOMMITTEE ON TERRORISM, NONPROLIFERATION, AND TRADE

WEBSITE: ZELDIN.HOUSE.GOV

FACEBOOK.COM/REPLEEZELDIN

TWITTER.COM/REPLEEZELDIN

Congressman Lee M. Zeldin

First Congressional District of New York

June 15, 2017

The Honorable Kate Browning
Suffolk County Legislature
1120 Montauk Highway, Suite G
Mastic, NY 11950

Dear Legislator Browning,

Today marks two weeks into the beach season, as well as two years into my effort to bring all sides to the table to broker a solution that ensures public access to all of our shared constituents who enjoy use of the outer beach at Smith Point County Park.

As outlined in several of my previous letters (which are attached), meetings, and phone calls, there are options on the table which the county can immediately take that preserves recreational access while also protecting the piping plover habitat. Although Smith Point is a county operated park, reaching an acceptable solution for our shared constituents will only be achieved when all levels of government work together in good faith. Local residents who have purchased vehicle access permits from the county, looking forward to enjoying the beach this season, deserve a proactive effort to prevent closures or limited access.

You have stated that federal mandates tie the county's hands on this issue, however, no new federal mandates have been instituted at Smith Point since you joined with County Executive Bellone, Senator Schumer, and former Congressman Bishop to endorse the current plan that governs the conservation of piping plovers at Smith Point County Park.

In your letter, you reference the cost to taxpayers for the preparation of an updated Habitat Conservation Plan (HCP), but it is important to note that Section 6 of the Endangered Species Act (ESA), the Cooperative Endangered Species Conservation Fund is a Habitat Conservation Planning Assistance Grant that has been established to help in cases such as Smith Point.

I strongly urge Suffolk County to update the conservation plan and apply for this funding. In a similar instance in Massachusetts, a 26 year HCP was established by cooperation between local authorities and United States Fish and Wildlife Service (USFWS) that focused on improving beach management practices, including installing symbolic fencing around nests, requiring dogs to remain on leashes, posting warning signs, and fencing in bird nesting areas.

WASHINGTON, DC OFFICE:
1517 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
PHONE: (202) 225-3826
FAX: (202) 225-3143

PATCHOGUE OFFICE:
31 OAK STREET, SUITE 20
PATCHOGUE, NY 11772
PHONE: (631) 289-1097
FAX: (631) 289-1268

EAST END OFFICE:
30 WEST MAIN STREET
SUITE 201
RIVERHEAD, NY 11901
PHONE: (631) 209-4235

PRINTED ON RECYCLED PAPER

This plan, which received funding through a Section 6 grant, increased flexibility for local beach managers to comply with the law while also ensuring public access to the beaches.

Last September, USFWS proposed a solution to ensure increased flexibility at Smith Point which required the county to take two simple but important steps. The first was to work on a revised HCP. Second was to file necessary incidental take permits. Nine months have now passed and the county has still taken no action. I strongly believe that it is time for the county to take these important steps, and that USFWS should be included in the HCP discussions so that there is a high degree of certainty that the plan will be approved. It's very unfortunate that the county has not acted in time to work positively with its federal representatives and USFWS to address this issue on behalf of beach-goers this summer. Action can still be taken to resolve this issue.

Thank you for your attention to this matter. If you or your staff require any further information or assistance, please contact my District Director, Mark Woolley, at mark.woolley@mail.house.gov or (631) 289-1097, or my Legislative Director, Kevin Dowling, at kevin.dowling@mail.house.gov or (202) 225-3826.

Sincerely,

Lee Zeldin
Member of Congress