

SECTION VII

**PUBLIC ACCESS POLICIES #19-20
& RECREATION POLICIES #9, #21 & 22**

A. INTRODUCTION

Public access to the water and the recreation activity it affords is critical to East Hampton Town's resort economy. The tourist, second home and real estate industries stem directly from the attractions of coastal recreation, which takes place on public beaches and in public waters. Fishing, boating and the myriad of other activities are supported by an array of local enterprises, marina and charter boat operations, boat rentals, fishing tackle and sporting goods shops, which depend on the ecology, natural bounty and scenic beauty of public coastal resources. Maintaining water quality, fisheries productivity, beaches, wetlands, etc. are vital not only for the intrinsic value of the resources, but also for their ripple effect through the economy. The value of public access and coastal recreation goes beyond their economic worth -- it is the primary incentive for visiting and living in East Hampton.

Coastal based recreation goes on in every reach of the Town's coastal zone, from passive, non-consumptive pastimes like photography and nature walks, to active, consumptive uses like fishing and hunting. The coast is not only a setting for active recreation, the harmony of nature and vistas of open space are themselves re-creation and relaxation for the mind, healing balm for the frenetic pace of life. The sea and its proximity, the inlets, bays, beaches and marshes attract the eye with unbroken expanses, infusing the spirit. While this LWRP section examines public access and recreational infrastructure, it is important to recall the visual and scenic context of these facilities and their tangible benefits to quality of life. Scenic values and their preservation are addressed in the **Historic Resources and Visual Qualities Policies #23-25** and in the **Projects**.

Striking a balance between resource protection and recreation use is critical to maintain coastal resources for future generations. Public access and recreational enjoyment of the coast evoke the same concerns addressed in other LWRP policies, protecting habitat values and surface water quality, maintaining natural dune and beach defenses, and preserving scenic and historic landscapes. Environmental conditions that constrain public access and recreational use include shorebird nesting sites for species such as the piping plover and least tern, habitat such as salt marshes and dunelands, sensitive beach vegetation, and bluff erosion.

Public access is also vital to the Town baymen's traditional fishing and shellfishing. Just as nesting shorebirds are becoming endangered, the commercial fisherman and baymen of East Hampton are themselves becoming an endangered species. While their infrastructure needs are addressed in **Commercial Fishing Policies #10/10A**, public access to the water is critical to their continued survival. They are a stalwart tradition in the local economy and deserve special consideration for access with their vehicles and equipment.

An overview of available public access indicates it is abundant. Each reach has at least two access points to the water (Reach 7), and as many as 44 (Reach 2), with the exception of Reach 12, Gardiner's Island, which is privately owned. However, in a number of instances public access is unavailable for clamming, bathing, surfing or other purposes, and in certain areas access to the public has been restricted or closed off. Several traditional access points and access to publicly owned bottomlands and waterfront have been lost to private development in Wainscott, Napeague, and

along the Atlantic Ocean shoreline and Gardiners Bay. A prime example is Wainscott Pond, wholly owned by the Town Trustees, yet inaccessible to the public because it is surrounded by private lands.

B. OBJECTIVES

The Inventory and Analysis of public access and recreational resources examines public access to the water-related resources of the Town, including needs of recreational boating, fishing and swimming, and private sector roles in recreation. The inventory is designed to provide information and recommendations to enhance access and recreational opportunities in the coastal zone, consistent with other policies of the LWRP. At the core of the inventory is a database which will be useful to the Town in future coastal management and planning.

A set of Town-wide recommendations and guidance specific to individual accesses was developed from the inventory survey, local knowledge and field observation. The inventory also identifies existing and potential conflicts between uses, and between recreation and other concerns such as habitat values and environmental protection, and recommends solutions to minimize or eliminate these frictions in the future.

C. METHODOLOGY

As part of the Inventory and Analysis the Planning staff made an extensive survey of relevant sites and water bodies in the coastal zone. This information was also used to update the original Public Access Inventory, completed in October 1991, and a 1991 Boater Survey.

A checklist of recreational uses and access attributes was completed for each waterfront access site and water body within the Town. The types of recreational activity were characterized as: water-dependent (boating, swimming, fishing, etc.); and water-enhanced (pedestrian & bicycle trails, swimming pools, ballfields, golf and tennis, etc.). The checklist form also included multiple-use conflicts, environmental and other concerns, improvement opportunities, and recreational uses compatible with new private development. The checklist and associated criteria used in decision making are included in **Appendix F**. The information collected was entered into a computer database using Paradox 4.0 software for DOS, and has since been ported to an MS Access 97 database to interface with a Town Geographic Information System.

Information for the current inventory was compiled in the field and from existing sources including literature and statistics from the New York State Office of Parks, Recreation and Historic Preservation's (NYS OPRHP), New York State Department of Environmental Conservation (NYS DEC), Suffolk County Parks and Planning Departments, and The Nature Conservancy (TNC). Internal Town Planning Department documents and information from other Town departments were also used. A number of organizations and individuals with local recreational interests and knowledge were contacted by the planning staff.

Existing facilities and access points were extensively field-checked, and adjustments made in the course of the survey so that it conforms to observed conditions. However, it should be emphasized

that the inventory represents a snapshot in time of conditions in the Town's coastal zone, and it is anticipated that the public access and recreation database will be supplemented, updated and expanded in the future.

Transportation related recreation issues, such as limited availability of beach parking, are addressed in the Transportation Element of the Town Comprehensive Plan (1997), and are therefore only touched upon in this report to avoid duplication. In addition, many land use issues pertaining to recreation are addressed in the Town's Open Space Plan (1995), which includes specific recommendations for parcels critical to coastal recreational activities. These recommendations are listed in detail in **Development Policies #1-6**.

D. TOWNWIDE SUMMARY OF PUBLIC ACCESS AND RECREATIONAL RESOURCES

1. Public access

Townwide, 211 land sites were examined in the coastal zone inventory for public access and recreational resources, almost all of which provide some form of access to the water, whether for the general public, members of homeowner associations, private clubs, guests at motels, etc. Public access to the water was categorized in the inventory according to whether there was a paved launch ramp (16 sites), a boat access without a ramp (43), an off-road vehicle (ORV) access (84), a pedestrian walkway or stairway (74), a natural pedestrian access (180), visual access only (35), whether the access crossed private or non-public lands (100 were non-public, including privately owned preserves, and 108 were public), and an estimated number of parking spaces at the site, a total of 5563 townwide (spaces were counted where marked, otherwise an approximate number was calculated). Other site characteristics and facilities surveyed include whether the site is a designated Town Nature Preserve (23), a private beach club (10), whether ORV driving occurs at or near the site (108) and whether there are seasonal or other Town restrictions on ORV driving (17), whether there are bike racks (18), picnic grounds (36), campsites (560 individual camping spaces townwide), benches (39 sites), and whether there is seal watching at winter haulout sites (8).

In addition to the land sites, 31 waterbody sites including harbors, creeks and ponds were surveyed for public access and recreational resources, as well as a portion of the bay or ocean bordering each reach.

2. Boating facilities

102 of the 211 sites inventoried had some type of boating facilities including marinas, private yacht clubs, boat rentals, launch ramps or boat access without a ramp.

Townwide, there is slip capacity for 2139 boats, plus 5 moorings not at marinas and capacity for 284 moorings among the 31 waterbody sites inventoried. This is a total capacity of 2428 boats in the water, which appears ample for the present level of demand. In addition there were 101 private docks counted around the waterbody sites.

At present there are few dry rack boat storage operations in the Town, and they were not independently inventoried. Marine industry sources reported three marina operations in Three Mile Harbor with total dry rack capacity for 40-50 small boats, up to about 22'. The Town recognizes that dry rack storage can significantly increase the intensity of marina use, with increased numbers of boats, requirements for parking and sanitary facilities, and visual obstruction of water views. Dry rack storage, dockminiums, etc. should be examined in future *Harbor Management Plans* (see **Projects**). Landside winter storage and haulage has a capacity for 655 boats townwide, onsite at the various marina facilities. At least two winter boat storage sites are inland of the coastal zone, and were therefore not inventoried.

Of the Town's 33 marinas and 6 private yacht clubs, 9 have pumpout facilities, including 2 operated by the Town at Three Mile Harbor and Lake Montauk, and 17 have fueling facilities. As of 1998, two commercial pumpout boats were operating in Three Mile Harbor and Lake Montauk, and the Town Trustees had acquired a pumpout boat to operate in Three Mile Harbor. 51 sites overall have shoreside facilities, usually restrooms. There are 4 boat dealer/brokers amongst the marinas, and 4 sites where boat rentals are available.

Of the 31 waterbody sites, 8 are used occasionally for overnight anchorage, 22 for sailing or motor boating, 26 for canoeing, kayaking or rowing, 14 for wind-surfing (sail-boarding), 5 for water-scooters or jetskis, and 10 for water-skiing. Overnight anchorage is prohibited by the Town Trustees in Northwest Creek and Napeague Harbor, and is at times in demand in Three Mile Harbor and southern Lake Montauk. As a harbor management issue, transient mooring has implications for shellfish management and clean waters, and should be looked at more thoroughly in *Harbor Management Plans*. It is presently supervised by the Town Harbormaster and Town Trustees.

3. Fishing and hunting

There are 5 party boats available for fishing in addition to 82 charter boats, nearly all out of Montauk Harbor. Townwide there are 11 fishing piers, including docks or jetties in common use by local fishermen. 20 of the waterbody sites provided access to inshore saltwater fishing; 12 for offshore saltwater fishing; and there are 7 freshwater fishing spots. Shellfishing is available at 14 of the waterbody sites polled, with 6 containing shellfish beds stocked by the East Hampton Town hatchery. In addition 9 sites are used for other forms of fishing, e.g. crabbing in Georgica Pond. Surfcasting occurs at 107 of the sites surveyed, reflected by the ample public access recorded above, especially the 84 ORV access sites which are used by many surfcasters. There are 9 bait and tackle shops within the coastal zone, in addition to stores that carry bait and tackle within the Town proper. Fish cleaning sinks are available at 19 marinas.

According to hunters and NYS DEC, 47 sites throughout the Town's coastal zone are used for hunting, trapping or shooting, of which 13 are permit-restricted hunting grounds, i.e. requiring additional hunting permits from the Town, County or State, as for example, NYS DEC access permits required in addition to hunting licenses for deer hunting in State parklands. Duck hunting occurs at 24 of the 31 waterbody sites surveyed, 13 of them having seasonal duckblinds installed. In addition to a NYS hunting licenses permit requirements for hunting may include a Federal migratory bird stamp for duck hunting; an access permit to hunt on Town, County or State parklands;

and a Town Trustee or other permit for a duck blind in Trustee or other jurisdictions. Duck blinds are allowed on most waterbodies with the appropriate permission.

4. Beaches and swimming facilities

Most of the beaches in the Town, including approximately 19 miles of Atlantic Ocean shoreline, are in public ownership. The Town operates 8 municipal bathing beaches with lifeguards and comfort stations. In addition there are 79 non-designated bathing beaches used by the general public without facilities. There are also 10 private beach clubs, including homeowners association beaches operated for the benefit of their residents. There are 12 public swimming pools, located at private clubs, marinas and youth camps and available for the use of guests, except for Montauk Downs and Gurney's Inn which are open to the general public.

As noted parking at the 211 coastal recreation sites totals 5563 spaces. 51 of the sites have shoreside facilities (restrooms), 5 have volleyball nets, and large numbers offer other beach activities: beach walking or jogging (114), picnicking (129), sunbathing (107), beachcombing (113), or bird watching from the shore (168). 2 sites have sandcastle building contests.

Of the 31 waterbody sites surveyed 4 have ocean swimming, 15 have bay swimming, and 7 have freshwater or brackish pond swimming. 5 sites are favored for board surfing, 16 for snorkeling or scuba diving.

5. Other recreation activities

Other recreational activities in the coastal zone include water-enhanced uses such as golf, tennis, ball-playing, bicycling, hiking, riding, foraging for wild fruits and berries, and esthetic pursuits such as photography, sketching and painting. Of the 211 sites surveyed there are: 2 golf courses, a miniature golf course, 46 tennis courts (including schools and private facilities), 11 ballfields, horse rentals and riding at 2 sites in Montauk, and 8 children's camps. There are no bike rentals in the coastal zone. However, 8 sites coincided with proposed bike paths. 28 sites have periodic organized nature walks, 39 sites have existing trails or roads for hiking, of which 14 have trail maps available. 33 sites are sources for wild fruit or berry foraging.

6. Townwide recreation activities

Several recreational categories are so ubiquitous as to be impractical to tabulate reach by reach. One of these is esthetic, including photography, sketching and painting. Almost all of the sites surveyed, 197 out of 211, are suitable in some way for doing artwork. These pursuits can be practiced virtually anywhere there is access to the coast. The landscape and light of East Hampton's shoreline have attracted amateur and professional artists since the advent of Thomas Moran, Childe Hassam, and the members of the Tile Club in the 1880's, continuing into the present with numerous artists residing in the Town. A summer art institute, the Art Barge, is located on Napeague Harbor in Reach 4, and numerous scenic locations are used by artists. There is an active art community, represented by the East Hampton Artists Alliance.

Nature appreciation in general, and camping, hiking and birdwatching in particular are also activities that occur townwide. Campgrounds are located primarily in the County parks at Cedar Point and Montauk, at Hither Hills State Park, and a Boy Scout (Camp Norwesca) and Girl Scout (Camp Blue

Bay) camp in Reach 2. Third House, in the Montauk County Park at Deep Hollow also offers a small camping hostel for bicyclists.

A network of hiking trails extends through much of the parkland and preserved open space of the Town's coastal zone. The Town Planning Department and various park agencies have mapped trails in some areas, so noted in the recreation inventory database for specific sites. The Town has three area trail maps available in the Town Clerk's office, for Northwest Woods, Hither Hills/Hither Woods, and Montauk Point (from Lake Montauk east to the Point). Walking on the beach is another of the universally enjoyable pastimes in a waterfront community, for which East Hampton's coast is extraordinarily well endowed. The entire 19.12 mile expanse of Atlantic Ocean shore from Montauk Point to the Town line in Wainscott can be traversed continuously, one measure of accessibility to the natural riches of the Town's public beaches. The 35.53 mile northern bay shoreline is more discontinuous, interrupted by harbors and erosion protection structures, but still has many miles undisturbed.

Birdwatching is highly dependent on season and species for location. Several local environmental groups, The Nature Conservancy, Group for the South Fork, South Fork Natural History Society, and East Hampton Trails Preservation Society, offer walks timed to observing birds and other wildlife throughout the seasons. The long history of bird watching on the East End is exemplified by the Montauk Christmas Bird Count, a volunteer avian census of the area that records species annually and is now in its 66th year.

E. GOVERNMENT REGULATION OF PUBLIC ACCESS, RECREATIONAL ACTIVITIES AND FACILITIES

Various types of access and recreational activity fall under federal, state, county or town jurisdictions. Public access to a federal preserve, or to State, County or Town parklands are regulated respectively by the U.S. Fish and Wildlife Service (USFWS), NYS OPRHP, Suffolk County Parks Department, or the Town.

Consumptive uses such as fishing or hunting are, by and large, licensed and regulated by the NYS DEC, except for shellfishing in Town and Town Trustee waters, which requires a Town permit and is regulated by the Town's Shellfish Ordinance (Town Code **§125-1 through -23**). Saltwater fisheries do not require a recreational license, however, NYS DEC imposes catch limits on some species, and a commercial license is required for sales.

Hunting requires a State hunting license, is restricted by a hunting season set by NYS DEC, and in addition may require a permit to hunt on State, County or Town lands, or permission of an owner to hunt on private property. Waterfowl hunting, primarily for sea and pond ducks, is regulated by USFWS and enforced by NYS DEC with seasonal and bag limits for various species and shooting regulations requiring a 500' open line of fire, shotgun bore, ammunition requirements, etc.

Recreational boating offshore is regulated primarily by the U.S. Coast Guard, from the station on Star Island in Lake Montauk. The Coast Guard conducts a regular program of education, inspection

and enforcement of vessel safety requirements. The local Power Squadron, Coast Guard Auxiliary, and adult education programs offer periodic courses in navigation and water safety, as do the Harbormaster's and Parks Departments of the Town. The Town regulates boating within its waters under **Chapter 149** of the Town Code, Waterways and Boats. Within the Town's enclosed harbors, speed limits and other rules of navigation, local shellfish and mooring ordinances, as well as regulations of the Town Trustees, are enforced by the Town Harbormaster and Bay Constable staffs, who also maintain a close liaison with the Coast Guard for emergency purposes.

The Town also regulates waterskiing, diving and swimming, and the use of jetskis (water scooters), hovercraft and other personal watercraft (PWC's) in its waters in **§149-12** of the Town Code, which provides that such craft shall not be operated in harbors or at designated bathing beaches, and must be 500 feet offshore, except for launching from or landing on shore. There are two designated water-ski areas, one in Three Mile Harbor and one in Lake Montauk.

Parking for beach access within the Town is at designated road-ends and parking lots at bathing beaches and non-designated beaches (i.e. without lifeguards or comfort stations). Between May 15th and September 15th, a Town parking permit is required at most Town-owned beaches, and a Village permit is required at beaches within the incorporated Village of East Hampton. Town permits are issued free to residents, or for a seasonal fee of \$125 to non-residents. Daily beach parking without a permit can be had for \$15 at the Atlantic Avenue beach in Amagansett. Parking at State-owned park facilities such as Hither Hills and Montauk State parks is by daily fee in season, and at County parks such as Cedar Point, by County permit.

Off-road vehicle (ORV) use on Town beaches is regulated by **§43-5** of Town Code, under a cooperative agreement between the Town Board and Town Trustees. A Town permit is required for beach driving, and is issued free to residents, or on payment of a \$200 fee to non-residents, with 50% discounts for disabled veterans. State and County ORV permits are required for beach driving within their respective parklands within the Town.

Development of new public access or recreational facilities, or improvement of existing facilities, comes under review by the Town in the process of site plan, subdivision, zoning, building permit, or SEQRA review, and/or Natural Resource Special Permit or Town Trustee permit requirements. Development in the coastal zone may also require NYS DEC Freshwater or Tidal Wetlands permits or Coastal Erosion Hazard permits if occurring in affected areas, and/or U.S. Army Corps of Engineers permits if impacting federally regulated wetlands or navigable waters.

For facilities on Town-owned public land, the Town Board initiates and approves capital projects, with advice of the Town Planning, Natural Resource, and Parks Departments staff and the Town Engineer. The Planning Board, with the aid of such planning documents as the Town's Comprehensive Plan, Open Space Plan, and this report, may provide guidance for such actions. Most Town-owned recreational facilities are maintained by the Town Parks Department.

Development of new recreational facilities or improvement of existing facilities on Federal, State or County lands in the Town's coastal zone are within the purview of appropriate agencies of those

governments, and as such may be exempt from review by the Town or from its planning and zoning procedures. Such development is, however, subject to SEQRA and to coastal consistency review using the policies of the approved LWRP.

F. CONCERNS, CONFLICTS, AND OPPORTUNITIES

An analysis of **use conflicts, environmental concerns, improvement opportunities, and uses compatible with new development** was undertaken concurrent with the inventory, to enhance public access where appropriate and improve management of coastal recreational resources.

Based on field inspections and empirical knowledge of the Town, existing and potential use conflicts were identified and categorized within the database or described in explanatory notes. Recurrent situations categorized in the inventory included: conflicts with natural resources, habitat, other recreational resources or other users, beach driving, and pedestrian overuse. Use conflicts at or near a site included those between: boating and swimming; fishing and swimming; jet skis (water scooters) and swimming; surfcasting and swimming; hunting and hiking or other passive uses; ORV's and habitat or natural resources; ORV use and passive human activities; and private property vs. public access. Wherever possible, solutions were noted by planners conducting the survey.

Environmental concerns and constraints researched and recorded for the inventory sites included: State and Locally designated Significant Coastal Fish and Wildlife Habitats (SCFWH), with numbers of protected plant and animal species and nesting shorebirds; potential water quality concerns; erosion problems that have affected recreational opportunities (e.g. beach loss); and potential flooding problems at road-ends caused by recreational activity.

Enhancement or expansion of public access or recreational facilities was recommended for a site or waterbody where existing conditions or projected future needs indicated, consistent with environmental concerns. Among recommended improvements cited were: acquisition or improvement of public access with suggestions for a launch ramp, ORV access, additional parking, pedestrian access, or scenic view; upgrading facilities by installation of a ballfield, basketball hoops, benches, bike racks, fishing pier, dock, garbage cans, toilets, interpretive signs, picnic tables, canoe/kayak campsite, roller blade area, tennis courts, or swimming pool; and environmental enhancements such as wetland restoration or trail development.

Where new or improved public access or recreational opportunities could be combined with future private development, recommendations were noted. Potential new recreation uses included: a dock to be used as a fishing pier; a dock marina/complex providing visual and/or pedestrian access to the water; a launch ramp providing access for the boating community; a pedestrian access to the water; ORV access; a place for swimming; and a trail or link to a larger trail system.

While addressed in other policy sections including **Fish and Wildlife Habitats #7-8, Flooding and Erosion #11-17, Scenic and Historical Resources #23-25, and Air and Water Resources #30-44**, there is a constant need to weigh conflicts with the Town's natural coastal resources against demand

for waterfront access and recreation. Care must be taken that improvement or enhancement of public access and recreational resources does not conflict with conservation in other policies.

Such conflicts are documented in the inventory between resource uses. Where conflicts occur, either between competing recreational uses or between recreation activities and environmental values, a pro-active preventive approach is clearly preferable to attempting to resolve full blown user conflicts, or remediating environmental damage after the fact. This report attempts to identify existing and potential conflicts and recommend preventive measures wherever possible.

G. INVENTORY OF PUBLIC ACCESS AND RECREATIONAL RESOURCES BY REACH

Reach 1 - Northwest Harbor

1. Public access

Reach 1 includes six principal access areas, Northwest Harbor County Park including Northwest Creek and Northwest Landing Road-end, Cedar Point County Park, Barcelona Neck, Mile Hill Road-end, the Town-owned Grace Estate property, and Alewife Brook Road-end. Access facilities include the launch ramp at Northwest Creek, four boating access points without paved ramps, twenty ORV access points, eleven points of pedestrian access with an additional six places where visual access affords views of the water. There are 110 parking spaces and 190 campsites, plus three picnic grounds in the reach.

Public access opportunities could be improved by several measures in the reach - additional parking at Cedar Point Park, bike racks at Barcelona Neck and Northwest Landing Road-end, bike racks and improved pedestrian access at the Mile Hill Road-end, and repairing the launch ramp now fallen into disuse at the Alewife Brook Road-end. In some areas access should be seasonally restricted to protect nesting shorebirds, beach vegetation or other resources, in particular ORV access to the spit at Northwest Creek, to the beaches of the Grace Estate, and to the spit at Cedar Point County Park.

2. Boating facilities

Northwest Creek contains a maximum of 23 moorings on the Trustee bottomlands inside the Creek entrance. The County dock/bulkhead is also used to tie up boats, primarily small commercial fishing boats, which may also use it for unloading. Another few small boats are kept moored off the Alewife Brook Road-end in Northwest Harbor. Both Northwest Creek and Northwest Harbor are sporadically used for overnight anchorage, as is Gardiner's Bay east of Cedar Point. Only one private dock is in use in the reach, just south of the County dock in Northwest Creek. An abandoned marina site (SCTM #72-1-2), a little to the north of Northwest Creek, long ago fell into disuse, and should be returned to a natural state (see **Development Policies #1-6**).

A variety of boating and related recreational activities occur in Northwest Harbor, Northwest Creek, and Gardiners Bay including sailing and motorboating, windsurfing, canoeing, kayaking and rowing. Cedar Point County Park has a rowboat rental facility in Alewife Pond, the only boat rental in the reach. The Town Parks Department conducts summer sailing classes at the Mile Hill Road-end.

Northwest Creek/Harbor parklands are recommended as a potential site for a canoe/kayak campsite, as part of a future waterway trail and network of marine parks along the north shore and through east end bays (see Townwide recommendations, and **Projects**).

3. Fishing and hunting

Fishing is actively pursued in all waters of Reach 1, and shellfishing as well, particularly scalloping in Northwest Harbor in better years, traditionally one of the best bay scallop fisheries on Long Island. The Town and New York State have participated in cooperative reseeding programs with Sea Grant, local baymen and the Town Trustees to stimulate bay scallop production in Northwest Harbor. The Town Shellfish Hatchery in cooperation with the Town Trustees seeds hard clams in Northwest Creek. The County dock on Northwest Creek receives some seasonal use as a fishing pier for spring flounder and fall snapper blues. Beach sites throughout the reach are used for surfcasting from shore, particularly the inlet to the Creek. Scoy Pond is a freshwater fishing spot for pickerel and large mouth bass.

Duck hunting is popular at several locations in the reach, with blinds set up seasonally at Northwest Creek and Cedar Point Park. The large tracts of open space in the reach provide some of the best hunting grounds remaining in the Town. Deer and small game hunting is regulated by the NYS DEC and requires a State license, as well as an access permit for State lands such as Barcelona Neck. A daily permit is also needed to hunt in the County parks, and a Town permit, generally issued by lottery for specific periods, is required to hunt on Town lands such as the Grace Estate.

4. Beaches and swimming

While there are no designated Town bathing beaches with facilities within Reach 1, half a dozen sites with public access and limited parking offer bay swimming. The County Park on Northwest Creek at the end of Northwest Landing Road has about 50 parking spaces, Cedar Point Park about 15 in the upland area, Barcelona Neck 25 at the Golf Course, and Mile Hill Road and Alewife Brook Road-ends about 10 each, a total of 110 spaces at the six sites.

Other seasonal beach pastimes like picnicking, sunbathing, beach walking and beachcombing, and birdwatching from the shore are regularly pursued along the shoreline of Reach 1.

5. Other recreation activities

The NYS DEC preserve at Barcelona Neck retains a low maintenance nine-hole golf course which is operated by a concessionaire and is open to the public in season.

Cedar Point County Park has 190 camp sites for County resident use by permit, also a small store, basketball and volleyball courts, and a ball field for use by campers. In the summer season the Park shows outdoor movies on Saturday night for camping families. Snorkeling and scuba diving are practiced on both the Northwest Harbor and Gardiners Bay sides of the Cedar Point sand spit.

Nature walks are popular at all of the parklands in the reach. Extensive trail systems and trail maps are available for the Northwest Harbor area and Cedar Point County Parks, the Town-owned Grace Estate, and for Town Trustee roads in New York State-owned Barcelona Neck. Bicycling is popular

on the winding rural roads of the reach. Photography, sketching and painting are practiced from scenic vantages and foraging for wild berries is possible at many locations.

6. Use conflicts and possible solutions

Four of the six sites in Reach 1 have existing or potential conflicts related to ORV's. Driving on the beaches may affect nesting shorebirds, natural resources and habitat such as beach vegetation, and/or passive recreational uses such as beach walking or nature appreciation. Existing problems were noted at several sites including Cedar Point County Park, Grace Estate, the baymouth spit at Northwest Creek, and Barcelona Neck along Northwest Harbor. Shorebird nesting areas on Cedar Point have been disturbed by pedestrian and ORV traffic, and restrictions are recommended for the nesting season from April 1- August 15. In reaction to a plover chick death from ORV traffic in 1996, County Park authorities subsequently closed the Cedar Point spit to ORV traffic for the 1997 nesting season, and may continue to do so.

ORV's also pose potential conflicts with passive human activities such as beach walking, sunbathing, etc. (Note: In general, the Town Trustees do not agree with this assessment.) The adequacy of the Town's beach vehicle ordinance to forestall conflicts is discussed in Townwide Recommendations.

Conflicts could emerge in areas of the reach that are traditionally used for seasonal waterfowl or game hunting, as opposed to passive enjoyment by increasing numbers of hikers, photographers, birdwatchers and other users. Potential problems can best be precluded by rigorous enforcement of hunting safety, extensive posting of hunting regulations, and ongoing education as part of the hunting license and daily permit requirements. Responsible agencies such as NYS DEC should also publicize hunting season dates and safety tips to keep hikers out of the line of fire. Potential conflicts between hunters and passive users are identified for deer season at Barcelona Neck and the Grace Estate, and duck hunting in Northwest Creek.

A conflict between private property and public access exists in the Grace Estate between the developed subdivision lots and the water. Along the shore owners of private residential lots have cleared conservation easements to improve their water views, in the process exposing trails for hiking along the shore. As a result hikers are impinging on homeowners and vice versa, hikers losing the scenic and natural isolation and homeowners losing the privacy of their waterfront yards. The easements should be revegetated.

7. Environmental concerns

Reach 1 has some of the highest habitat values in the Town, with State and Locally designated Significant Coastal Fish and Wildlife Habitats at Cedar Point Park, the Grace Estate and Northwest Creek. Protected plant or animal species were documented at every site surveyed except the Mile Hill Road-end. For instance, Alewife Pond in Cedar Point Park is noted as one of the few spawning areas known for alewives. Northwest Creek is identified as a feeding area for terns, ospreys, herons, egrets, water fowl, diamondback terrapin and sea turtles. Nesting shorebirds are present along all of the water bodies. Recreational use of these sensitive areas must be carefully balanced with habitat protection.

The golf course at Barcelona Neck is in close proximity to Little Northwest Creek, and has already led to habitat fragmentation and impacts on the wetlands which are being invaded by phragmites. Substantial state funds and years of effort were expended to preserve this as a natural area, and habitat management is a concern. The Town Trustees own a number of roads crossing through the golf course and extending along the easterly and westerly sides of Barcelona Neck, as well as the beaches at the north end.

Human impacts on nesting shorebirds are a concern throughout much of the reach, especially at Cedar Point Park and the spit at Northwest Creek. The road-ends at Mile Hill Road and Alewife Brook Road are potential flood corridors for hurricane storm surge, and because of the lack of a vegetative buffer to filter pollutants, also transport road run-off directly into surface waters. Prototype plans to reconfigure road-ends like this are a priority (see **Projects**).

Water quality related to shellfish closures remains a concern for Northwest Creek and Alewife Pond, which are closed seasonally (see **Water and Air Resources Policies #30-44**). Recent introduction of an Open Marsh Water Management (OMWM) system for the Northwest Creek saltmarsh should continue to reduce pollutants and to improve coliform bacteria counts.

In some cases, existing impacts need to be reduced or mitigated through new regulations or enforcement of existing regulations. At Northwest Creek and Cedar Point, ORV access points should be clearly marked and access should be restricted from the spits when nesting shorebirds are a concern.

8. Improvement opportunities

Wetland restoration should be incorporated into park management practices at several sites where phragmites have invaded, including Northwest Creek, Barcelona Neck along the golf course driveway and Little Northwest Creek, Alewife Pond, and the Grace Estate south of Alewife Brook Road.

Rip rap near the launch ramp at Northwest Creek adjacent to the County dock should be removed and the deteriorated ramp reconstructed or relocated. Baymen and other users are forced to drive across the beach across the mooring basin to launch. Benches, bike racks, picnic tables, a possible canoe/kayak campsite, interpretive signs, and a better laid out parking area would enhance the amenities of this park site at relatively low cost. The County dock/filled bulkhead is larger than required for present use and should be reconfigured when it requires maintenance (see **Flooding & Erosion Policies #11-17**).

Additional public parking is needed at Cedar Point Park, bike racks are needed at Barcelona Neck and Mile Hill Road-end, and the boat launch at the Alewife Brook Road-end needs improvement. Better pedestrian access at the Mile Hill Road-end would improve safety and ease of use.

9. Public access and recreational uses compatible with new development

No additional development in the reach is expected because of the large amount of preserved open space.

10. Analysis

Because of its open space, Reach 1 has extensive public access and accommodates a wide range of recreational activities. Adverse impacts on the extraordinary catalog of flora, fauna, and relatively unspoiled shoreline habitats must be avoided. For example, ORV driving and pets on the beach should be curtailed during shorebird nesting season. Relatively small improvements at road-ends and access points can enhance recreation opportunities without damaging resources, for example, refurbishing deteriorated launch ramps at Northwest Creek and Alewife Brook Road.

Reach 2 - Three Mile Harbor/Hog Creek

1. Public access

A total of 46 sites with recreational resources were surveyed in Reach 2, 42 with access to the water, and some of those with multiple access points or kinds of access. Two sites with recreational uses in the coastal zone did not have direct access to the water, the Camp Norwesca Boy Scout campground, and the Boys Harbor camp which receives harbor access via the neighboring Duke property.

Six launch ramps are located within the reach, with an additional six sites providing boat access without paved ramps. ORV access is possible at 25 sites. ORV use is prohibited along the beach at Maidstone Park, although the ban is violated with some frequency. 19 sites have pedestrian walkways or stairways, an additional 25 have natural pedestrian paths of one kind or another, and five are purely visual access points. 19 of the 46 sites surveyed cross public lands or road-ends, the rest over non-public lands, including property owners' association parcels, marinas and other quasi-public sites. Five sites are designated Town Nature Preserves, two sites are private beach clubs, and one is the Camp Blue Bay Girl Scout camp with 49 campsites. 11 sites have benches, only two have bike racks, 11 have picnic tables, and there are 1225 parking spaces throughout.

While public access to the water is available along most of the reach, the west side of Three Mile Harbor and all of Hog Creek are relatively inaccessible for the general public. Additional public access is needed in these areas. A pedestrian access to Gardiners Bay over a Town right-of-way off Hedges Bank Drive is recommended, with designated parking. The inventory survey points to the Duke Drive road-end and Springy Banks Road as two places on Three Mile Harbor's west side where access should be acquired, at least for pedestrians. On the east side of the harbor redevelopment of the old fishing station is recommended (see **Development Policy #1**, and **Projects**), along with improving pedestrian access at the Harbor View Lane road-end.

2. Boating facilities

Three Mile Harbor, along with Lake Montauk in Reach 6, is the most intensively utilized recreational boating harbor in the Town, and has a variety of boating facilities and activities, including marinas, moorings and dockside amenities such as restaurants, pools and chandleries. The Town Trustees maintain a summer mooring grid in Three Mile Harbor with 153 moorings for overnight and long term anchorage. Thirteen marinas concentrated along the east side of Three Mile Harbor, in addition to three community dock areas run by homeowners' associations, provide a total of 875 slips. This figure includes the Town Dock at the head of the harbor, where 67 recreational

slips rent annually to residents, and the Town Commercial Dock at Gann Road, which supplies 18 slips for commercial boats. One marina, Three Mile Harbor Marina, offers boat rentals, and East Hampton Point Marina shelters one fishing charter boat. Larger sailboats, such as the Aliento, are sometimes available for day charters and longer excursions.

There are a total of six launch ramps through the reach and an additional six where small boats can be launched without paved ramps. In addition to the marinas, 68 private docks provide places for recreational boats to tie up. Virtually all of the marinas provide shoreside facilities of various types, four have fueling stations, two also function as boat dealers or yacht brokers, and together they have capacity for hauling, storing, and repairing 445 boats in the off-season. Several of the marinas have high capacity lifts for launching and hauling large boats. There are six pump-out facilities in the reach, the busiest of which is the Town maintained facility at Commercial Dock, Gann Road near the harbor mouth.

All of the Reach 2 waterbodies, Three Mile Harbor, its tributary cove of Hands Creek, Hog Creek, and Gardiners Bay are used for boating. The shallow inner harbor areas and the creeks are used primarily for low impact activities such as canoeing, kayaking, rowing, small sailboats and wind surfing. Larger boats ply the dredged channel of Three Mile Harbor and the deeper waters of Gardiners Bay. Water skiing is permitted in an area marked off on the northwest side of Three Mile Harbor, and on the bay. Jetskis are permitted only in the open waters of the bay, and then only at a 500' distance from shore, except for launching and landing, to minimize disturbance and danger to swimmers. Both the Girl Scouts' Camp Blue Bay and the Boys Harbor camp keep numbers of small craft for use by their campers. Wind surfers also venture into open water in Three Mile Harbor and Gardiners Bay.

3. Fishing and hunting

Fishing is common throughout the reach, primarily in the waters of Gardiners Bay, but also inshore in the enclosed waters of Three Mile Harbor during seasonal runs of spring flounder, fall snappers, etc. The east jetty at Three Mile Harbor entrance frequently serves as a fishing pier for surfcasters working the deep waters of the channel. Shellfishing is also popular, and the Town and Town Trustees have endeavored to maintain productivity of shellfish beds by seeding hard clams and oysters. The Town shellfish hatchery has conducted seeding programs in Three Mile Harbor and Hog Creek. There are three bait and tackle shops within the reach.

Hunting, shooting and trapping are practiced to a lesser degree because of limited open space in Reach 2; of the 46 sites only fourteen have hunting and shooting occurring, and there are no permit-restricted hunting grounds within the reach, where additional access permits are required to hunt. Ducks and other waterfowl are hunted in season on Three Mile Harbor and Gardiners Bay, and seasonal duckblinds are mounted in at least one place on Three Mile Harbor.

4. Beaches and swimming

Maidstone Park is the Town's only municipal bathing beach in Reach 2, and has a variety of facilities including picnic tables, a comfort station and a porta-potty, lifeguards, and about 100 parking spaces. Opportunities for expansion of parking and other facilities at Maidstone Park should be explored,

possibly in conjunction with re-use of the old fishing station, as long as they remain set back from the dunes and remain within the park use required by the original conveyance to the Town.

Several homeowners' associations maintain residential bathing beaches within Reach 2, including Hampton Waters, Clearwater Beach and Lion Head. Some receive considerable use, e.g. the Clearwater Beach Association has approximately 50 parking spaces, Lion Head about the same. Camp Blue Bay Girl Scout Camp also maintains their own beach. In addition, Town road-ends provide limited parking for non-designated public bathing beaches, at Old House Landing, Sammy's Beach, Hands Creek and Flaggy Hole Road. Sammy's Beach is the more active of these.

Three swimming pools are open to the public in Reach 2, though only to campers or guests of private institutions: Boys Harbor Camp, East Hampton Point Marina, and Maidstone Harbor Marina.

With a variety of shoreline terrain ranging from the bluffs along Hedges Bank and east of Flaggy Hole Road, to the sandy stretches of Sammy's Beach, and the wetlands and marsh surrounding Three Mile Harbor, Reach 2 provides ample opportunities for beach activities such as walking and jogging, beachcombing, picnicking, sunbathing, birding, photography, sketching and painting. Snorkeling and scuba diving are also practiced to a limited extent in the waters of Gardiners Bay and Three Mile Harbor.

5. Other recreation activities

A variety of other recreation opportunities present themselves in Reach 2, including tennis courts at East Hampton Point and Sunset marinas, ballfields at Maidstone Park and Boys Harbor, and the children's camps at Boys Harbor, the Girl Scouts' Camp Blue Bay and the Boy Scouts' rustic campground at Camp Norweska. Sandy dune areas such as Sammy's Beach, Maidstone Park, Clearwater Beach Association and several other locations provide forage for wild fruits such as beach plums. Nature walks and trails make for interesting hikes with water views through areas such as Sammy's Beach, Maidstone Park and the camps. Bicycling is popular throughout the reach; Maidstone Park appears to be one location where a separate bike path could be explored.

6. Use conflicts and solutions

Maidstone Park has become less attractive for bathing because of erosion and deposition of gravelly dredge spoil. People park on the bay side, but may swim inside the harbor jetty where the narrow beach is sandy and sheltered from winds off the bay. However, this is a dangerous site, with boat traffic and a sharp dropoff to turbulent currents in the channel, especially at the full force of flood or ebb tide. Warning signs and fencing as well as improvements to attract people to the Maidstone Park bay beach will help alleviate potential safety problems. A similar potential problem exists where the 14' deep boat channel passes close to shore on the east side of Three Mile Harbor near the Breeze Hill Road-end, which is occasionally used for swimming. Again, signage will help avoid mishaps.

ORV driving over saltmarsh vegetation on the fringes of Three Mile Harbor and on narrow bay beaches conflicts at several reach locations with resource protection and habitat values, as well as existing prohibitions against driving over beach vegetation or near nesting shorebirds, and also with

passive human activities such as beach walking and sunbathing. Except for commercial shellfishing, vehicle access along the inner harbor shore is inappropriate and unnecessary. Summer ORV traffic on Sammy's Beach is damaging dune, marsh and beach vegetation and disturbing nesting shorebirds during a critical time in the annual cycle. Interior dunes of Sammy's Beach are also being damaged by ORV's during winter, damaging dune vegetation. On the harbor side south of Sammy's Beach tire tracks have been found in the saltmarsh, a particularly inappropriate place to be driving. This is purportedly because of insufficient access to shellfishing areas. A possible diversion that would skirt the saltmarsh may be possible over Town-owned land adjacent to Sammy's Beach Road-end (SCTM # 56-2-33.1 & -33.2). The Town should look into improving this access to avoid future problems. The Town Code prohibits ORV driving over or upon any dune, bluff or vegetation [**§43-5(C)(2)**]. The Town Trustees believe that increased and consistent enforcement of existing town code provisions will reduce the conflicts cited, while still protecting the public's right to use and enjoy our beaches.

At several places in Reach 2, private property impedes the public's ability to reach the water or enjoy public coastal resources. Although the Town owns an access path at Hedges Bank to the top of the bluff through a parcel along Hedges Banks Drive (SCTM #35-1-1.15), limited parking is not conducive to public access. A second parcel, Reserve Area "E" (SCTM #35-5-4) belonging to the North Hollow homeowners' association, guarantees as a condition of the subdivision a 50' pedestrian right-of-way to Town residents which offers better access to the non-designated bathing beach. The site needs bike racks, additional on-street parking and improvement of pedestrian access. The beach at the Clearwater Beach Association is kept private by limiting parking to property owners, as is that of Hampton Waters Beach Association. Acquisition of additional public access is recommended on the west side of Three Mile Harbor and at the north end of Hog Creek.

The Town Commercial Dock at Gann Road is used by sunset gazers and recreational fishermen besides the commercial fishermen for whom it is intended. During the runs of spring flounder and the fall migration of snapper bluefish into the harbor, there is often a line of fishermen casting from the dock. Although there have been requests for benches, etc., any improvements in the recreational facilities should be minimized to prevent interference with the commercial fishermen. They require space to spread gear and nets on the dock, and to offload their catch.

7. Environmental concerns

Potential water quality concerns affect all of the enclosed waterbodies in Reach 2, Three Mile Harbor, Hands Creek and Hog Creek. Extensive closures of bottomlands to shellfishing already occur in these waters (see **Water and Air Resources Policies #30-44**). Habitat degradation is similarly an urgent consideration, especially in the areas designated as NYS and Locally Significant Coastal Fish and Wildlife Habitats.

Nesting shorebirds have been documented at five sites, including Sammy's Beach, identified by **Significant Habitat Policy #7** as home to piping plover, osprey, and least, common and roseate terns. The harbor side of Sammy's Beach Road-end is sometimes used as a boat launch, but the harbor is very shallow there and the site is inappropriate because of extensive wetlands. As noted

above, there is also concern about damage to the wetlands, beach and dune system at Sammy's Beach from ORV's.

A washout at the Old House Landing Road-end has long eliminated the site for boat landing and launching. The erosion appears to have been caused by a combination of ORV traffic and road runoff, and invasive Japanese knotweed (polygonum) has infiltrated the beach grass growing there. The swimming beach at Lion Head has also suffered erosion from downdrift scouring effects of the bulkhead and jetty stabilizing the Hog Creek inlet. Dredge spoil from periodic maintenance of this channel should in future be placed on the Lion Head side. A fish cleaning sink at the Lion Head property owners' marina disposes of fish waste directly into the water and must be redirected.

Several road-ends providing recreational access are potential flood corridors in a major hurricane, given predicted storm surge and terrain at the location. These include Old House Landing, Hands Creek Road, Gardiner Cove, Breeze Hill Road, and Will Curl Highway. They should be redesigned (see **Projects**).

8. Improvement opportunities

Given the large number of sites (44 + 3 water bodies) surveyed in Reach 2, there are a great number of opportunities for recreation and public access improvements. The Duke Drive road-end is recommended for a public access which could serve as a launch area to replace lost baymen's access at Dominy's Point, and an access is proposed from Springy Banks Road to the harbor on a parcel formerly in the Treescape subdivision. These access points will help to address a lack of public access to the water on the west side of Three Mile Harbor. An existing Town pedestrian right-of-way at Woods Landing on Hedges Bank should have some parking and benches provided to make it more readily accessible.

Several sites were recommended for multiple upgrades in basic facilities: bike racks, interpretive signs and a trail at Hands Creek; interpretive signs, picnic tables, scenic viewpoints, a trail and wetland restoration at the Marina Lane spoil site and environs; benches, bike racks, and garbage cans at Gann Road; bike racks and interpretive signs at Sammy's Beach; and at Maidstone Park, bike racks, garbage cans, better parking, a rollerblading area, scenic viewing points, tennis courts, and a trail.

The old fishing station acquired by the Town near the mouth of Three Mile Harbor provides an opportunity for redevelopment. A small number of moorings may also work in conjunction with it. Potential uses include a shellfish growout facility for the Town Shellfish Hatchery, or a fishing pier and launch ramp, with benches, garbage cans, and scenic viewpoints. If a proposed canoe/kayak operation were instituted the craft should launch from Maidstone Park beach on the bay, rather than from the fishing station, because of dangerous currents in the Three Mile Harbor channel (see **Projects**).

Public access in Hog Creek is presently inadequate, and a navigable access should be obtained near the mouth of the creek. The only existing public access at the south end is too shallow for launching

boats. The Town Trustees are working to improve public access at Hog Creek through renegotiation of leases with the respective property owner associations.

9. Public access and recreational uses compatible with new development

There are few private undeveloped sites of any size in the reach. However, the east side of Three Mile Harbor contains a significant portion of the Town's marina industry in Waterfront (WF) Districts, which also provide access to the water and the underpinning for recreational boating and fishing. As the industry evolves with changing market demands, the Town should work with owners to insure that new recreational opportunities are pursued that also benefit the public and that existing scenic vistas and public access are not diminished or abridged when facilities are upgraded or redeveloped. For instance, if a marina shifts to dry rack storage, site plan review should insure that scenic vistas are not interrupted and that superstructures do not intrude in the landscape.

The Town also has opportunities to work with publicly owned sites such as the Marina Lane spoil site and the old fishing station (see **Projects**). At the Town access at Wood Landing on Hedges Bank Drive, modest road widening to provide parking and a viewing bench would be appropriate to improve public access to this beach. Road widening to provide on-street parking is also recommended at the County owned access on Hedges Bank Drive.

10. Analysis

The marinas on the east side of Three Mile Harbor, plus the municipal bathing beach at Maidstone Park combine to form one of the Town's most active recreation areas. Other parts, such as Sammy's Beach and its extensive wetlands and the wetland fringes throughout the harbor, are sensitive ecologies supplying vital habitats for birds and plants, and a fish nursery that is a vital link in the marine food chain. Balancing these recreational and environmental values, and devising ways to expand recreational opportunities without increasing impacts are the planning challenges in Reach 2. The proposal to revitalize the old fishing station near Maidstone Park for environmental education will help put these issues before the public (see **Projects**).

Improving public access through modest parking facilities, so townspeople other than subdivision residents can use a Town right-of-way to the beach on Hedges Bank also makes sense. This can be accomplished by simply widening the road and altering parking restrictions in a small area. At Old House Landing a restoration of the road-end, including removal of the invasive Japanese knotweed is called for (see *Road-end and Beach Access Modifications* in **Projects**), both to improve access and to forestall further erosion and pollutant runoff. Additional public access is needed at the north end of Hog Creek to this Trustee-owned water body, and should be pursued in conjunction with the Trustees.

Any improvements at the Town's commercial dock at Gann Road must take into account its primary purpose, to provide a support base for the Town's inshore commercial fishermen. Fishermen using the dock should be consulted in detail as to their needs before any improvements are carried out.

Maintenance and improvement of water quality in all of the reach's water bodies is a fundamental goal of the LWRP, both to enhance recreational values generally and to reopen closed shellfish beds

for recreational and commercial harvest. Responsibility for this effort falls on everyone: the Town to reduce road runoff; homeowners to reduce pollution from fertilizers, pesticides and septic effluent; and the recreational boating industry to reduce discharges and fuel spillage. These issues are further examined in **Water and Air Resources Policies #30-44**. The Town should explore incentives to homeowners, and to marina operators for installation of pumpouts, etc. The Town may also wish to explore incentives with marina owners for providing significant new public access and public recreation opportunities.

Reach 3 - Accabonac

1. Public access

A total of 24 sites were surveyed within Reach 3, including three paved launch ramps on Accabonac Harbor at Louse Point, Landing Lane and Shipyard Lane; 11 other sites where boats can be launched without paved ramps; a substantial number of ORV access points, most at Louse Point and a couple on Gerard Drive; three sites with pedestrian walkways or stairways; 16 with a natural pedestrian access or footpath; and six with views of the water but no other access. Of the 24 sites, 15 utilized public lands or road-ends, and nine were over non-public lands including homeowners association parcels. Two sites in the Reach 3 coastal zone, Springs School and Ashawagh Hall, have recreational resources but are not on the water.

Public access to the water in Reach 3 is generally adequate, except on the west side of Accabonac Harbor where land should be acquired or an easement obtained to allow vehicular access to the upland edge of the salt meadow, with pedestrian access the rest of the way to the water for clamming. ORV driving on Reach 3 beaches is unrestricted except for the inner harbor beach at Louse Point, continuing around to 300' south of the point on the Gardiners Bay side, where beach driving is prohibited year round.

Amenities at public accesses to the water in Reach 3 are relatively minimal. Among the 22 sites surveyed that are on the water, there are a combined total of 364 parking spaces, plus an additional 75 at Springs School and 15 at Ashawagh Hall. Bike racks are present at Louse Point and at Springs School. There are picnic tables at Fresh Pond Park and Little Albert's Landing, and benches at five water view sites, one of which is private property. Recent improvements at Pussy's Pond Park include a footbridge installed by the East Hampton Chapter of Waterfowlers USA. Many facilities can be improved at fairly minimal expense. See *Public Access and Recreation Improvements in Projects* for site recommendations.

2. Boating facilities

Boating on Gardiners Bay and in Accabonac Harbor is a popular pastime in the reach, with activity centered in Accabonac Harbor. The Louse Point launch ramp receives regular use and the Town Trustees permit 56 seasonal moorings. The harbor is occasionally used for overnight anchorage by transients, though infrequently because of insufficient depths and no shoreside facilities. There are no marinas within Reach 3, only the three launch ramps listed above. The launch ramp at Landing Lane has deteriorated and should be removed and regraded for low intensity use. Boaters also launch

from eleven sites without ramps, over sandy or cobbly beaches, for example along sections of Gerard Drive.

There is one dock on the bay, a private dock at the Bell Estate which has filled in with sand to the point where it is part of the shore and not usable for boating. There are seven small residential docks in Accabonac Harbor. A few small boats are kept anchored off residences in the bay or within Accabonac Harbor, and a number are pulled up on the beach at Louse Point, and a few at the Barnes Landing Association beach. These are mostly Sunfish-type small sailboats.

Canoes, kayaks and the occasional rower are regularly observed in Accabonac Harbor, and to a lesser extent in Fresh Pond and on Gardiners Bay, as are occasional windsurfers. The windsurfers usually launch directly from the beach. Jetskis are also in occasional use on the bay, as are waterskiers. Transient boaters occasionally anchor up overnight in the bay.

3. Fishing and hunting

Surfcasting is practiced from a dozen spots along the reach shore, most notably at Louse Point. Accabonac Harbor provides a base for recreational fishing taking place all over Gardiners Bay, and remains one of the more prolific hardclamming grounds in the Town, supported by seeding by the Town hatchery and Trustees. In former years it was also a primary source of blue-eyed bay scallops, but in recent times the scallop fishery collapsed with the advent of the brown tide algae and a die-off of eelgrass, the primary habitat for juvenile "bug" scallops. Some shellfishing also takes place in Gardiners Bay, which formerly supported a robust commercial oyster industry. Fresh Pond, unfortunately, is closed year round to shellfishing because of water quality (coliform) problems.

Duck hunting in the creeks and on the bay is a traditional fall pastime, and duckblinds are usually set up seasonally in Accabonac Harbor and Fresh Pond. Hunters generally take access from Town parks and road-ends. Duck hunting for sea ducks also occurs during the mandated season on Gardiners Bay. A NYS hunting license and a migratory bird stamp are required, as is a Trustee permit for a duck blind on Trustee lands.

There are no permit-restricted hunting grounds in the reach, requiring additional access permits, for deer hunting or other game.

4. Beaches and swimming facilities

Alberts Landing is the only designated public bathing beach in the reach with lifeguards and a comfort station. Nearby Fresh Pond Park also has a toilet facility. Alberts Landing has approximately 60 parking spaces, and the beach is excellent for children because of its shallow sandy bottom and usually calm waters. Just to the south, Little Alberts Landing has a more rustic setting that backs onto Fresh Pond, including picnic tables set back from the water. On the south side of Fresh Pond the Town park has a well-used picnic area, with a popular family beach incorporating the inlet to Fresh Pond, a brackish shallow stream with warm waters. Fresh Pond is the only site in the reach that offers any kind of freshwater swimming.

Nine additional sites including road-ends and access points along Gerard Drive provide non-designated bathing beaches, with varying amounts of parking. The bathing beach at Louse Point is one of the more popular bay beaches, with 55 parking spaces, and cars are often parked alongside the road leading to the spit. Swimmers use both the shoal bay side and the deeper waters of the boat channel on the inside, occasionally leading to close encounters between swimmers and boaters. The Barnes Landing and Bell Estate property owners associations maintain beaches for their residents on either side of the Barnes Landing Road-end, a municipal beach.

People use the beach for other than swimming in Reach 3, among them residents who enjoy beach walking, jogging, picnicking, or beachcombing on a regular basis. The continuity of the beach is unfortunately interrupted by erosion protection structures on a number of stretches, particularly from Hog Creek Point to Gerard Drive, along Gerard Drive until past the second causeway, and from Louse Point south to Barnes Landing along Accabonac Cliff.

5. Other recreation activities

Three tennis courts at the Springs School provide facilities for local residents. There is also a ballfield and playground at the school, and a second, less defined ballfield at Fresh Pond Park, which also has a volleyball net. Nature walks on trails are available at two sites including TNC's Merrill Lake Preserve (access by permission only) and Fresh Pond Park. There are also trails through the Bell Estate, including a Town designated trail named for a former Planning Board Chairman, George Sid Miller. Several sites provide foraging for indigenous fruits and berries like beachplum and blueberry, including sandy areas of Gerard Park and the dunes south of Barnes Landing. Photography, sketching and painting can be practiced at any of the waterfront sites in the reach, but photographers and artists are attracted to Accabonac Harbor, and Louse Point retains one of the Town's spectacular sunset views.

6. Use conflicts and solutions

Most conflicts in Reach 3 relate to ORV use on beaches interfering with habitat, damaging beach or salt marsh vegetation, and conflicting with passive human activities such as sunbathing or beach walking. Although ORV use has been restricted on the inner harbor shore of Louse Point and to 300' south of the point on the bay side, ORV's continue to damage other bay beaches and saltmarsh in the reach, which remain unrestricted. Note: The Town Trustees do not support further restrictions on beach vehicle use. In general, the Town Trustees, unanimously (1999), do not agree with this assessment of the impacts of responsible beach driving. The Town Trustees believe that increased and consistent enforcement of existing town code provisions for irresponsible beach driving will reduce the problems cited, while still protecting the public's right to use and enjoy our beaches.

Another use conflict occurs when people who swim in the channel at Accabonac Harbor create safety hazards for boats. Better signage and enforcement are needed to keep swimmers out of the narrow channel.

An access to the water at Kings Point Road which provides a view of Gardiner's Island across the bay crosses over private property and does not permit public access. An agreement to allow

pedestrian public access over this path should be devised since there is little access to the public beach in the Clearwater-Hog Creek Point area.

7. Environmental concerns

Habitat values, flooding and erosion problems, and water quality are the principal environmental concerns in Reach 3.

Virtually all of Accabonac Harbor and its shoreline is designated as both NYS and Local Significant Coastal Fish and Wildlife Habitats, with numbers of nesting ospreys and other protected plant and animal species present (see **Significant Habitats Policy #7**). Pussy's Pond Park is also included within these designations. The undeveloped shoreline, salt marsh and spits of Accabonac Harbor are also designated as a Coastal Barrier Resource System unit (#F08B) under the federal Coastal Barrier Resources Act, which precludes federally funded development or insurance, and is indicative of the fragile nature of the area. The bay shores of the Gerard Drive and Louse Point spits provide nesting habitat for substantial colonies of nesting shorebirds, including protected species of least and roseate terns and federally endangered piping plovers. Fresh Pond Park, designated as a Locally Significant Coastal Fish and Wildlife Habitat, is listed in **Significant Habitats Policy #7** as home to the red-tailed hawk, black duck, chuckwill's widow, red-bellied woodpecker, spotted salamander, green heron, snowy egret, black-crowned night heron, and other waterfowl and waterbirds. Any future development and recreation activity in these areas should be required to avoid impacts on the protected species and the habitat.

At several locations in Reach 3 erosion and the effects of erosion protection structures have reduced public access or recreation opportunities. Sites that have been affected include beaches at the Lion Head Rock Road-end, the beach paralleling Kings Point Road toward Hog Creek Point, Fireplace Road-end, the second causeway on Gerard Drive, Captains Walk road-end and the property owners' association reserved area in Barnes Landing, and Fresh Pond Park and road-end. In addition, several sites pose potential storm flooding problems, including Shipyard Lane road-end, Landing Lane road-end, Caroline Gerard Park (bay side), Gerard Point, Louse Point, Barnes Landing Road-end, and Abraham's Landing Road-end. In most cases road-ends that are potential flood corridors for storm surge are also significant sources of stormwater runoff from the land. The Road-end and Beach Access Modifications project will provide prototype designs for road-ends to alleviate these and other problems (see **Projects** section). Other recommendations regarding beach erosion and erosion protection structures are contained in the **Flooding and Erosion Policies #11-17**.

Water quality is a concern in all of Reach 3's enclosed waterbodies, Accabonac Harbor, Pussy's Pond and Fresh Pond. Accabonac Harbor has significant portions of the east harbor seasonally closed to shellfishing, and Fresh Pond is closed year round. The Town Harbor Protection Overlay District (HPOD) is intended to mitigate these problems, although over the long term more stringent measures may be needed (see also **Water and Air Resources Policies #30-44**). At Fresh Pond, a Town proposal to shorten or remove the inlet jetty and open the pond to increased flushing should improve water quality.

8. Improvement opportunities

At Accabonac Harbor improvements were recommended for a number of sites, as follows:

- Landing Lane - benches, interpretive signs, scenic viewpoints, and wetland restoration are recommended, plus removal of the deteriorated concrete launch ramp to make a natural access for canoes, kayaks, etc.
- Comber Park (undeveloped Town parcel on the harbor at the intersection of Louse Point Road and Old Stone Highway) - trail and scenic viewpoints, and wetland restoration to eliminate the invasive phragmites
- Caroline Gerard and Gerard Parks - benches, bike racks, interpretive signs and scenic viewpoints
- Louse Point - benches, better parking facilities, and a scenic viewpoint at this favorite sunset view; wetland restoration on the spit adjoining the launch ramp, removing phragmites, restoring native vegetation and consolidating access points used by baymen; shore up the spit itself with sand to stabilize it
- Pussy's Pond - benches, bike racks, interpretive signs, parking, a trail, and further wetland restoration to remove phragmites; construction of a bridge by the East Hampton Chapter of Waterfowlers USA has enhanced access

Acquisition of land or an easement for additional public access along the west side of Accabonac Harbor is recommended, primarily for shellfishing. This access should allow vehicles to the landward edge of the meadow, with only pedestrian access to the shore itself.

On Gardiners Bay, other improvement recommendations include:

- Fireplace Road-end - bike racks, interpretive signs about the site and its historic relation to Gardiner's Island
- Barnes Landing road-end - benches, bike racks, and garbage cans
- Alberts and Abrahams Landing road-ends - bike racks
- Fresh Pond - interpretive signs, scenic viewpoints and wetland restoration

These road-ends should also be modified to contain runoff and provide vegetative buffers to filter pollutants per the *Road-end and Beach Access Modifications Project*.

9. Public access and recreational uses compatible with new development

No new development is likely on the shore of Reach 3 on a scale to accommodate significant new recreational uses, since it is already largely occupied by existing single-family homes. Public lands in the reach have been acquired for conservation purposes. However, the 26.5 acre Ward Bennett property (SCTM #80-2-11.1), if donated to the Town, may have some low-impact uses associated with the dwelling, and its boardwalk may provide visual access to the water over the salt marsh.

10. Analysis

Relatively minor improvements to some sites in Reach 3 that offer access to the water could significantly enhance their enjoyment by the public. At Louse Point, expansion of parking facilities will improve access to this popular bathing site. However, expansion of the bathing beach must

carefully balance safety considerations to keep swimmers from interfering with boating in the channel, and to maintain undisturbed habitat for nesting shorebirds that favor the dredge spoil areas. Expansion of the bathing use should exclude pet, pedestrian and ORV access from nesting areas, and include emphatic signage (e.g. "**Danger, Do Not Swim in the Channel !**") to prevent conflicts between swimmers and boaters. Damage to natural resources, beach and wetlands habitat by ORV's should be addressed by public education and restrictions on access to sensitive areas, discussed further in the townwide issues section below.

At Fresh Pond, shortening or removal of the inlet jetty and opening the gut to increased flushing aims to improve water quality and eventually recertify the pond for recreational shellfishing. This project is being undertaken by the Town Natural Resources Department in cooperation with the Town Trustees (see *Fresh Pond Channel Erosion Stabilization and Widening in Projects*).

Beach erosion and the effects of erosion protection structures have drastically reduced the amount of public beach available for recreation over long stretches of this reach, from Hog Creek Point to beyond the second causeway on Gerard Drive, from Louse Point to Barnes Landing, and from Fresh Pond Landing to Abrahams Landing. To some extent beach loss may also have resulted from recreational overuse, especially by ORV's driving on the fragile bay beaches. (Note: In general, the Town Trustees do not agree with this assessment of the impacts of responsible beach driving.) The erosion problems are discussed in detail in **Flooding and Erosion Policies #11-17**.

Reach 4 - Napeague North

1. Public Access

13 access sites were surveyed in Reach 4, including two paved launch ramps, at Lazy Point and Crassen Boulevard, and nine places where small boats are also launched but are unpaved. However, between Devon Yacht Club and Bay View Avenue there is no public access to the beach.

Several sites, at Abraham's Landing Road, Lazy Point, Crassen Boulevard, the Art Barge, Napeague Harbor Road, and Hither Hills State Park (Fresh Pond) provide access for ORV's to the beach. ORV driving occurs at eight of the sites, and there are no restrictions on ORV driving other than required permits and limited closures of some sensitive areas within State parklands.

Although Bay View Avenue's sign says, "Private Road", it serves a Town-owned waterfront parcel which could be used for public access, thereby allowing public use of the road. Two houses at the end of Mulford Lane whose land has eroded are now located out on the beach almost completely blocking public access at that point.

There are very few facilities or amenities at access sites in the reach, much of which is preserved open space. Most pedestrian access points cross natural sand paths to the beach. Devon is the only site with benches that look out over the water. The access at the road-end of Mulford Lane near Lazy Point crosses private property; the remainder of the access points traverse public lands. Among all sites in Reach 4 there are a total of only 126 parking spaces.

2. Boating facilities

Devon Yacht Club is a private membership club with 43 boat slips in a dredged boat basin south of the clubhouse. The marina has its own fueling facility, and the club also maintains a pier extending into the bay. Devon conducts a sailing school and children's camp for members, and also holds periodic sailboat races on a course marked out in Gardiners Bay. The club's member facilities include a dining area, swimming beach and tennis courts.

The other focus of boating activity in the reach is the mooring area and launch ramp at Lazy Point in Napeague Harbor where the Town Trustees permit 20 moorings. Overnight anchorage is not permitted in the harbor, except in an emergency, because of habitat and water quality concerns, and lack of facilities.

Napeague Harbor is the most popular and intensively used windsurfing location in the Town. In summer parked cars often line both sides of Lazy Point Road leading down to the harbor. The Town sets up porta-potties to provide for the numbers of people using the site in season. Canoeing, rowing and kayaking also occur in Napeague Harbor.

The sheltered waters of Gardiners Bay and more open exposure of Napeague Bay bordering the reach receive extensive boating use of all types, including sailing and motor boating, canoeing, kayaking and rowing, windsurfing, waterskiing and jetskis. Transient boats occasionally anchor up overnight in the bay, particularly around July 4th when Devon Yacht Club sponsors a fireworks display.

3. Fishing and hunting

The large tracts of parkland and protected open space in Reach 4 provide ample opportunities for fishing and hunting activities, though largely without physical facilities or amenities. Fishermen cast from shores throughout the reach, and the anchorage and launch ramp in Napeague Harbor at Lazy Point serve as a local hub for fishing by boat. Goff Point on the east side of Napeague Harbor is a favored spot for surfcasters. Fresh Pond in the Hither Hills State Park has some of the better freshwater fishing in Town, and is periodically stocked with large mouth bass and yellow perch by NYS DEC. A NYS freshwater fishing license is required.

Napeague Harbor is a popular shellfishing ground for hard clams and bay scallops in season, and is the site for a current experiment in oyster mariculture. Soft clams are harvested from along the shore and nearshore areas. The Town Hatchery regularly seeds hard clams and oysters in Napeague, as it remains one of the Town's cleanest waterbodies. A Town shellfishing permit is required.

Hunting and shooting go on at seven of the reach's twelve sites, and there are four permit-restricted hunting grounds monitored by NYS DEC within the State parklands. Duck blinds are erected and used seasonally along the meadows and shore of Napeague Harbor, Napeague Bay and Fresh Pond, subject to Town Trustee permit.

The dock at Devon Yacht Club, while private, has potential as a fishing pier and probably functions as such for members.

4. Beaches and swimming facilities

There are no beach facilities or designated bathing beaches in Reach 4. The reach has excellent bay beaches, though as noted public access is largely unavailable between Devon Yacht Club and Bay View Avenue at Promised Land. Ten sites are used regularly for swimming without shore facilities or supervision. Other beach-related activities, beach walking, sunbathing, beachcombing, picnicking, and birding also go on in the reach. Perhaps because of the difficulty of access, the beaches remain in a largely natural state. The beach along Shore Road at Lazy Point receives considerable use by local residents during summer months although it has no facilities. The interior beaches of Napeague Harbor are used largely by walkers, and on the east side, by hikers and ORV drivers to get to the Walking Dunes and Hither Hills State Park areas, as well as for clamming and windsurfing in Napeague Harbor. Snorkeling and scuba diving occur in the harbor and on Napeague Bay.

5. Other recreation activities

There are two places to play tennis in the reach, Devon Yacht Club which has eight courts for members, and the Napeague Tennis Club at the intersection of NYS Route 27 and Napeague Harbor Road, with five courts open to the public.

Five areas in the reach have trail systems of varying extent including Napeague State Park, Town Trustee lands at Lazy Point, Hither Hills State Park (Walking Dunes, Fresh Pond and Goff Point areas), Napeague Harbor Road-end (Walking Dunes), and a Town-owned parcel on the east side of Napeague Harbor Road. Organized nature walks are led periodically in Hither Hills and Napeague State Parks. Trail maps are available from the Town for the Walking Dunes area from the Napeague Harbor Road-end and extending into Hither Hills. The Walking Dunes and Napeague State Park lands are popular foraging spots for native berries in summer and early autumn when blueberries, beachplums and cranberries ripen. Unfortunately, some people also illegally dig up protected and endangered plant species such as the orchids and insectivorous sundews inhabiting the boggy areas.

Photographers and other visual artists often make use of the coastal scenery for subject matter. The Art Barge (D'Amico Institute of Art), located on an out parcel of Napeague State Park on the south shore of Napeague Harbor, conducts summer studio courses taught by professional artists for adults and children that make extensive use of their scenic environs. The curriculum includes an environmental photography course.

Reach 4 is a popular biking area, because of its gentle terrain and scenic bay and ocean views. A bike trail, paralleling Montauk Highway, has been proposed through State lands in the reach including sections within Napeague and Hither Hills State Park.

6. Use conflicts and recommended solutions

ORV conflicts are cited at eight of ten water access areas in Reach 4. ORV driving on the eastern fringe of Napeague Harbor and along the south shore near the Art Barge damages salt marsh vegetation and disturbs shorebird habitat. (Note: In general, the Town Trustees do not agree with this assessment of the impacts of responsible beach driving. The Town Trustees believe that increased and consistent enforcement of existing town code provisions for irresponsible beach

driving will reduce the problems cited, while still protecting the public's right to use and enjoy our beaches.)

At Bay View Avenue, access to the Town-owned waterfront parcel (SCTM #84-1-1) should be established, and a berm at the road-end should be modified to permit pedestrian passage and limited parking.

On the end of Mulford Lane, which is a private road, two houses are located out on the beach because of erosion, effectively blocking passage along the public beach. Besides interfering with beach use, these structures pose health and safety problems, and should be removed (see **Flooding and Erosion Policies #11-17**). Breaks in the intertidal marsh at the Crassen Boulevard road-end on the west shore of Napeague Harbor are used to launch boats, damaging protected tidal wetlands.

Conflicts between jetskis and swimmers are a potential problem in Napeague State Park along Napeague Bay, and in the waters along the residential area along Shore Road leading to Lazy Point. The popularity of windsurfing has created a significant problem at the road-end of Lazy Point Road on Napeague Harbor. Parking along the right-of-way threatens the freshwater wetlands in Napeague State Park that surround the road. The Town has responded to potential sanitary problems by installing porta-potties in the summer. However, the impacts on natural resources in this fragile area and potential conflicts with other users such as clambers have yet to be adequately addressed. Because of the overlapping jurisdictions of the Town over the road, adjacent Town Trustee lands, and Napeague State Park over surrounding wetlands, a cooperative management plan should be developed (see **Projects**).

In Hither Hills State Park permit-restricted hunting is allowed in season, raising potential firearm safety concerns for hikers, etc. As suggested, conflicts can be avoided with rigorous hunter safety education.

7. Environmental concerns

Napeague and Hither Hills State Parks host a variety of protected and endangered plant species including orchids and insectivorous plants such as the thread-leafed sundew (see **Significant Habitats Policy #7**). Removal of plants by collectors and hobbyists seriously threatens populations in some of the more accessible areas. Better monitoring, stringent enforcement and prosecution and fines to the full extent of the law should be implemented to eliminate these incursions.

Erosion has reduced recreation opportunities at seven of the 11 access sites on the shore of Reach 4. The Bay View Avenue and Mulford Lane road-ends on Napeague Bay are exposed to nor'east storms, and as noted two houses at the end of Mulford Lane are actually situated out on the beach as a result of erosion, and recreational access to the beach has consequently been lost. Flooding at these road-ends is also a concern in major storms and hurricanes.

Erosion has affected other parts of the Lazy Point area along Shore Road, where erosion protection structures have increased erosion of the beach (see **Flooding and Erosion Policies #11-17**); at Crassen Boulevard; and along Napeague Harbor Road on the east side, where erosion has reduced

the launching of boats from the road-end, and narrowed the beach which has been damaged by ORV traffic. Crassen Boulevard is also an area of concern for flooding from the harbor.

8. Improvement opportunities

Much of the coastline in Reach 4 is preserved public open space. Because of the fragile ecology suggested improvements should be on a modest scale to preserve habitat values. Additional public access to the shore is needed along Cranberry Hole Road (possibly in the Edwards subdivision on SCTM #128-1-32 next to the fish factory site, or over SCTM #128-1-7.1) because none is available from Devon Yacht Club to past Cherry Point. Conservation concerns dictate this should be a pedestrian access only.

The old fish factory site in Napeague State Park has been recommended for a fishing pier with accompanying parking. The fish factory site is also recommended as a possible site for a primitive canoe/kayak campsite. The Town is concerned that this location not become an access for greatly increased jetski use on Gardiners and Napeague Bays, therefore a launch ramp is not recommended. Because the site is on State property, the Town would not be able to regulate the type of access provided. The Town is also concerned that future park development not have a negative impact on the wetlands, protected plants, primary and secondary dune systems, and nesting shorebird areas. Conflicts should be resolved through multi-jurisdictional planning between NYS OPRHP and the Town. The Town has received assurances from NYS OPRHP that it will be involved in any planning process involving Napeague State Park.

Pedestrian public access should be restored at Bay View Avenue on Lazy Point with limited parking at the road-end. This site should be available as a non-designated bathing beach. The houses on the beach at the end of Mulford Lane should be condemned and removed as they occupy public lands and constitute both a health hazard and an obstacle to public access on this beach. Rock rip-rap placed at the end of Lazy Point past the launch ramp serves little purpose and should be removed to allow natural restoration of the area.

The intensive windsurfing use at the Lazy Point Road-end site needs a multi-jurisdictional planning effort by Town and NYS OPRHP to resolve health, safety and environmental issues. Addition of toilet facilities and benches should be considered to make the site more functional. A management plan should reduce impacts and allow windsurfing to remain without undue regulation, which will require substantial cooperation from the users themselves.

At the Crassen Boulevard road-end just to the south, wetland restoration should be undertaken to repair damage from ORV's, and the road-end should be relandscaped to emphasize its scenic view. At the Napeague Harbor Road-end on the east side of the harbor the eroded pavement should be improved to provide a launch ramp. Some of the ORV traffic over the narrow beach to Goff Point is for boat launching, and a launch site at the road end would provide access for baymen and obviate some of the need to drive over this fragile beach. Also on the east side of Napeague Harbor Road, a Town-owned 3.2 acre parcel could be provided with a trail and interpretive signs about the harbor and Walking Dunes.

At the Hither Hills State Park overlook on NYS Route 27 above the Walking Dunes, improvements such as bike racks, benches, picnic tables and garbage cans would make this site more amenable. Existing interpretive signs placed there by NYS OPRHP are attractive and informative, and could be supplemented by additional signs along the trail to the beach. Although LI State Parks presently permits only day use, the environs of Fresh Pond along the shore of the reach are another potential spot for a primitive canoe/kayak campsite. These campsites are envisioned as a series forming a water trail stretching from Northwest Harbor to Montauk Point (see **Projects**).

9. Public access and recreational uses compatible with new development

Development opportunities in Reach 4 are limited. The old fish factory site in Napeague State Park offers a good opportunity for revitalization. However, the site is constrained by its fragile dune ecology, and the Town is concerned that any new uses not contribute to noise, pollution or additional safety hazards on the bay, especially from jetskis. Any intensive large scale use of the site would be incompatible with the important habitat, sensitive ecology and limited infrastructure of the area. See also **Development Policies #1-6** for a discussion of ferry proposals at this site.

The northerly portion of Hither Hills State Park, extending from the eastern shore of Napeague Harbor to the western boundaries of the Town's Hither Woods Preserve and the Montauk County Preserve, contains important habitat areas and ecological communities including the Walking Dunes. While this area supports a variety of passive recreation uses such as hiking, sketching, etc., and low-impact active uses such as hunting and fishing, additional development for active large scale recreation uses such as golf courses would be detrimental to Hither Woods' ecology, to existing recreational use, and to the Town's open space objectives.

10. Analysis

Reach 4 has a large amount of preserved open space with limited public access. The Town and NYS OPRHP authorities can and should do more to educate the public about preserving these resources to ensure their maintenance for future generations. Destructive activities such as illegal removal of rare and endangered plants, ORV driving over salt marsh, and excessive traffic over fragile dune and wetland vegetation should be met by rigorous enforcement and prosecution of offenders by the Town and NYS OPRHP. Existing regulations should be complemented by additional area restrictions on ORV's, increased enforcement and restoration plans where necessary.

Revitalization of a disused area such as the old fish factory can be a benefit, providing it does not negatively impact the ecology of the area, or act as an impetus to increased noise, traffic, pollution or safety hazards typified by intensive uses such as jetskis or a ferry.

Barriers to the Town-owned property at the Bay View Avenue road-end should be removed and public access reestablished. At the end of Mulford Lane erosion has progressed to the point where two exposed houses are restricting beach access and creating a public health hazard. These houses should be condemned and removed.

Cooperative planning between the Town and NYS OPRHP is needed to coordinate policy objectives at the fish factory and to resolve problems at the windsurfing site at the end of Lazy Point Road.

Joint planning will also help prevent potential conflicts between hunting and passive uses such as hiking during the hunting season in State parklands, or potentially inappropriate uses of Hither Hills State Park such as a golf course or other large scale use.

Reach 5 - Hither Woods/Fort Pond Bay

1. Public access

17 access sites were surveyed in Reach 5. Four were not on the water, including Montauk County Preserve and the Town Recycling Center in Hither Woods, a reserved area west of Flamingo Road, and Montauk Mountain, a preserve owned by TNC on the northwest side of Fort Pond. As much of the reach consists of large tracts of preserved open space, public access to the water is concentrated in the east end of the reach at Fort Pond and Fort Pond Bay in association with road infrastructure. There is only one improved boat launch ramp, operated by NYS DEC on Fort Pond in the unused right-of-way for Montauk Point State Boulevard (NY Route 27). Other sites provide boat launching access without a paved ramp: one at the Town Hatchery on Fort Pond Bay that is used by the hatchery; sand roads on the east and west sides of the Town beach on Navy Road; on Fort Pond at South Elroy Street; and an access in the MTA right-of-way at the north end of Fort Pond.

Other access to the shore in Reach 5 is predominantly pedestrian, with natural paths to the water in a variety of locations such as Hither Woods, Kirk Park, the Benson Point dock, the Town beach at Navy Road, and Culloden Point. Constructed walkways and stairways add pedestrian access at the Puff 'N Putt on the south shore of Fort Pond, near the Town beach at Navy Road, and at the Roughriders condominium on Fort Pond Bay.

ORV access to the beaches is possible at only a few points in the reach. However, there is ORV driving occurring on much of the reach shore, along the Hither Woods shore from Quincetree Landing east most of the way to Rocky Point, and along the shore of Fort Pond Bay from south of the Benson Dock to near Duryea's fishpacking business. Vehicle access to the Hither Woods beach originates at Fresh Pond Landing in Reach 4, and to the shore of Fort Pond Bay via two trails over private property east and west of the Town's Navy Road parcel.

Several sites in Reach 5 provide water views without physical access, including Second House, parts of Montauk County Preserve in Hither Woods, the Montauk Recycling Center, and The Nature Conservancy Preserve at Montauk Mountain.

There are 91 parking spaces spread throughout the reach sites, although 25 at the Montauk Recycling Center and 20 at the Town Hatchery have no immediate water access or recreation function. There are no bike racks at surveyed sites in Reach 5, and no camp sites. There is a picnic ground at the site of Second House, and benches at the Kirk Park and Puff N' Putt sites on the south shore of Fort Pond.

2. Boating facilities

There are no marinas or mooring facilities in Reach 5. A single launch ramp services Fort Pond at the NYS DEC site in the Montauk State Park Boulevard right-of-way. Boat rentals of sunfish

sailboats and other small craft are available at the Puff 'N Putt on Fort Pond which has a small dock and shoreside facilities for customers. In addition there are three residential docks on Fort Pond. NYS DEC regulations do not permit gasoline engines on the pond.

A large timber dock remains at the Roughriders condominium on Fort Pond Bay, but it is disused and falling into disrepair. There is also a relic timber pier at the Benson Point site dating from its former use as a sand and gravel mine, and a private commercial pier at Duryea's fishpacking and lobster business along the eastern shore of Fort Pond Bay. There are six private docks on the shore of Fort Pond Bay. Tuthill Pond, just inland of Duryea's, has two small private docks for recreation.

Fort Pond gets a substantial amount of boating activity from small sailing craft, windsurfers, rowboats, canoes and kayakers. Fort Pond Bay has a greater level of boating activity, with jetski users, waterskiers, recreational boaters and fishermen using it fairly intensively.

3. Fishing and hunting

The large contiguous tracts of Town, County and New York State open space of Hither Hills and Hither Woods provide one of the largest permit-restricted hunting grounds in the Town. The undeveloped NYS right-of-way for Montauk Point State Boulevard near the south end of Fort Pond is a second area where permit-restricted hunting is also allowed. Both require NYS DEC permits to hunt.

Freshwater fishing is lively in Fort Pond, with two docks at the south end at Kirk Park and the Puff 'N Putt providing a place to cast from the shore. In the past NYS DEC has stocked the pond with small and large mouth bass, perch, hybrid striped bass, and bluegill. A NYS freshwater license is required. Freshwater angling also occurs in Tuthill Pond.

Surfcasting is active along all of the shores of Hither Woods and Fort Pond Bay, especially for bluefish and striped bass in season. Some shellfishing takes place in Fort Pond Bay, and the Town Shellfish Hatchery shares a building with the Blue Lobster Project, using Fort Pond Bay's pristine waters for aquaculture.

Duck hunting goes on in the fall in both Fort Pond and Fort Pond Bay, and duck blinds are found during the season in Fort Pond.

4. Beaches and swimming facilities

Public swimming facilities are few and far between in Reach 5 due to the large amount of undeveloped open space. There are no official Town bathing beaches, although there are several undesignated bathing beaches along the shore of Fort Pond Bay. The most active of these is the Town-owned parcel on Navy Road, which though undeveloped provides access to a good swimming beach. The area is also used to launch jetskis and for other water sports like windsurfing and waterskiing. Snorkeling and scuba diving are favored activities in Fort Pond Bay because of the excellent water quality and abundance of old Navy artifacts on the bay floor. Other beach pursuits, walking and jogging, beachcombing, picnicking and sunbathing go on informally along this bay shore.

Public swimming pools for campers and guests are present in the reach at Pathfinder Day Camp on Fort Pond, Ruschmeyers, Port Royal Motel and the Roughriders condominium.

Because of its relatively unspoiled character, Fort Pond Bay is usually a good birding area. In winter, sea ducks may raft up in the relative shelter of the Culloden shore. Seals can also be seen hauled out in winter on the rocky shores of Hither Woods, Benson Point and Culloden Point.

5. Other recreation activities

Puff 'N Putt on the south shore of Fort Pond has the only miniature golf course in the Town. All of the sites on Fort Pond provide interesting views and scenery and are used by photographers, sketchers and painters. The Town park within the Montauk Point State Boulevard right-of-way has a number of active municipal recreation facilities, and more are planned. The present configuration includes a ball-field, used for softball and soccer, two basketball courts, and three tennis courts, all for use by Town residents. A new soccer field is in the planning stages, and other improvements, such as a children's playground, basketball and volleyball courts, a second baseball diamond, roller blading circuit, bike path, and comfort station have been proposed. Other locations in the reach with tennis include five courts at the Roughriders condominium, one at Shepherd's Neck Motel, one at Camp Pathfinder, and one at the Port Royal Motel on Fort Pond Bay. There is also a playing field and baseball diamond at the Montauk School overlooking Fort Pond.

Hither Woods, including the Montauk County Preserve and Montauk Recycling Center, is a large natural area with an extensive network of hiking trails, for which a Town trail map is available. NYS DEC has used Hither Woods as a site for experimental reintroduction of native wild turkeys, an effort which appears to be having some success.

Montauk Mountain Preserve also has a well developed trail loop, and a map is available from TNC in their Preserve Guide. Permission is required for entry. Guided nature walks are conducted periodically at these sites, and all provide exceptional views and environments for photography, sketching, painting, birding, and other passive pursuits.

6. Use conflicts and recommended solutions

Although access to the shore is limited in Reach 5 by the dearth of roads in large tracts of preserved open space, ORV driving impacts the beaches along Hither Woods. ORV access emanates from Fresh Pond Landing in Reach 4. In addition, illegal use by 4-wheel all-terrain vehicles (ATV's) and off-road "scrambler" motorcycles, taking access from near the Benson Point dock on Fort Pond Bay, may potentially damage trails and other resources in Hither Woods. While such use is illegal, and fall under a townwide restriction on ATV's, the parklands are minimally patrolled and the restriction is difficult to enforce. The Benson Point subdivision, while private, provides a connecting link from Navy Road to the public trails and shoreline of Hither Woods, and, if possible, access should be preserved in some form as the property is developed.

The non-designated Town beach at Navy Road on Fort Pond Bay is a well-used local swimming spot, which at the same time receives intensive use as a launch point for jetskis, and is a good surfcasting locale when blues and striped bass school at the end of summer. Fort Pond Bay is also

popular with scuba divers. Potential conflicts between jetskis, swimmers and divers need to be carefully monitored. Existing restrictions on jetski use in proximity to swimmers need to be rigorously enforced. The number of pedestrian paths through the low dune is excessive, and the Town should consolidate them and consider making a single ORV access to deter ORV's crossing over neighboring private parcels.

Culloden Point also enjoys considerable surfcasting use, potentially a conflict with swimmers though it is a relatively isolated beach. Hunters may also conflict with passive users such as hikers and birders; Emerging conflicts should be carefully monitored as the property is developed under the recently approved subdivision and associated management plan. Public access should be maintained to the shore, in the form of pedestrian access. ORV access should be prohibited to prevent damage to protected plant species and a virtually pristine shoreline.

7. Environmental concerns

The combination of Hither Hills State Park, the Montauk County Preserve, and the Town's Hither Woods Preserve provides a large tract of unfragmented hardwood forest and other habitat important to many species. In Hither Woods, for example, **Significant Habitats Policy #7** identifies seven protected plant species and six protected animal species, and the shoreline is a confirmed breeding area for protected least terns and endangered piping plovers. Any future improvements such as additional access, trails or campgrounds should target areas of past disturbance to avoid forest fragmentation and impacts on "downs" or wetland areas. Any large scale active recreational use of this area would cause commensurately large adverse impacts on the habitat and would be inappropriate. The entire area should be incorporated into an updated cooperative management plan that will include fire management and ATV use.

Potential flooding along the shore of Fort Pond and Fort Pond Bay and water quality concerns in Fort Pond are discussed with proposed mitigation measures, in **Flooding and Erosion Policies #11-17 and Water and Air Resources Policies #30-44**.

Culloden Point is a State designated Significant Coastal Fish and Wildlife Habitat with protected plant and animal species, including the northern harrier and blue-spotted salamander. It is considered one of the best winter birding locations on the east coast. Several of the protected plant species are present in the beach/bluff community directly fronting the shore, which makes them particularly vulnerable to forces of flooding and erosion, and to ORV traffic on this narrow steep beach.

8. Improvement opportunities

Recreation opportunities can be enhanced in Hither Woods which encompasses parts of Hither Hills State Park, the Montauk County Preserve, the former Montauk Landfill, and the Town-owned Hither Woods parcel. An integrated inter-agency management plan should be prepared for the whole area. The present survey recommends improvements in facilities at several of the locations, including:

- Napeague overlook in Hither Hills (see Reach 4) - bike racks, benches, picnic tables and garbage cans

- Former Montauk Landfill - a ballfield, basketball courts, benches, bike racks, garbage cans, ORV access, parking, picnic tables, rollerblading, scenic viewpoints, a swimming pool, toilet facilities and a trail as possible uses in a redevelopment plan (see **Projects**)
- Hither Woods - benches, bike racks, garbage cans, interpretive signs, scenic viewpoints, a trail, and a possible canoe/kayak campsite

LI State Parks has installed an historical and hiking trail map kiosk at the Napeague overlook which exemplifies creative public education. Other low impact and passive recreation uses should be emphasized within Hither Hills/Hither Woods/Montauk County Preserve. At present, the north side of Hither Hills is for day use only, and a canoe/kayak campsite at Fresh Pond is not under active consideration. Any large scale active use such as a golf course would conflict with present use and cause unacceptable impacts to the habitat. Such uses should be excluded in plans by all management agencies having jurisdiction. The Town has an existing management plan in place for its Hither Woods parcel. However, an updated cooperative management plan is clearly desirable that would include fire management.

An upgrade of facilities at the Town beach on Navy Road is needed to accommodate increasing use. It should include benches, bike racks, garbage cans, better parking arrangements, and scenic viewpoints. The site requires some cleanup, and the Town should consider acquiring additional land there for future public access.

The Town Shellfish Hatchery on Fort Pond Bay is a working site with minimal public access to the water. However, the hatchery receives regular visits from schoolchildren and their appreciation of the site, its history, and the work being done there could be enhanced by interpretive signs and scenic viewpoints.

Culloden Point will be subject to a management plan formulated by the Town to include low intensity use as a park. Potential improvements include bike racks, garbage cans, parking, scenic viewpoints, pedestrian access, a possible primitive campsite for canoe/kayak users, diving access, trails and interpretive signs.

At Second House on Fort Pond restoration of the wetland would enhance the view of the pond and retard further incursions by phragmites. Other improvements suggested for Second House include benches, bike racks, garbage cans, interpretive signs, picnic tables, and a foot trail to the pond interconnecting with Kirk Park.

At the east side of southern Fort Pond the Town is considering expanding the recreational facilities surrounding Lions Field. Potential improvements include a comfort station, playground, bleachers, expanded parking, soccer field, volleyball court, three basketball courts, a roller hockey rink and rollerblade track. Additional suggestions from this report include benches, garbage cans, toilet facilities, pedestrian access to the pond, picnic tables and scenic viewpoints. This is an excellent location for water enhanced recreation facilities.

9. Public access and recreational uses compatible with new development

Several sites in the reach have potential for new or expanded access or recreation opportunities in relation to new development. The dock at the proposed Benson Point subdivision could be used as a boating facility and fishing pier if restored. This would also be a good location for a launch ramp and a pedestrian access to the water.

The dock at Rough Riders Landing remains sturdy though somewhat in disrepair. Though private this dock is an excellent fishing pier and boat dock facility at a good location on Fort Pond Bay, and should be rehabilitated if at all possible. Limited pedestrian public access should be sought to the dock.

There are opportunities for improved pedestrian public access to the beach at Culloden Point. As subdivision plans and a management plan for the Town-acquired land are instituted, an undesignated public swimming beach, and trails with interpretive signs relating information about historic and natural resources could be incorporated.

A reserved area on the west side of Flamingo Road has potential for trails and scenic views.

10. Analysis

Integrated and coordinated management efforts for the extraordinary expanse of preserved natural area from Hither Hills on Napeague Harbor to Rocky Point on Fort Pond Bay would be a positive advantage to the State, County and Town, all of which have an interest in it. Habitat restoration, fire management, trail systems, and wildlife management, should all be addressed on an area-wide basis. Integration of future plans for redevelopment of the former Montauk landfill should also be incorporated (see Reclamation and Park Design for Former Montauk Landfill in **Projects** section). However, any large scale active use of the natural area, e.g. a golf course, should be precluded to avoid impacts to the important habitat and water recharge characteristics of the tract.

Fort Pond Bay has historically been an active harbor but is now little used. It was the site of the Montauk fishing village prior to the 1938 hurricane, after which activity shifted to Lake Montauk. Although present development is primarily residential, future development of the shore with associated water use of the bay should be addressed in a *Harbor Management Plan* (see **Projects**). This should include revitalization of the docks and the former landfill, which represent significant recreation opportunities for Montauk.

Improving recreation facilities and opportunities around Fort Pond must be balanced with concerns for maintenance and improvement of water quality in the pond. Wetland restoration and phragmites removal at Second House, Kirk Park and the Montauk State Park Boulevard will help to enhance views of the pond and maintain its diversity. Water quality in the pond needs to be addressed from several perspectives, including non-point inputs from road runoff and surrounding development (see **Water & Air Resources Policies #30-44** and *Stormwater Abatement* in **Projects**). Potential toxic pollutants, entering Fort Pond in a storm surge that overwashes commercial sites on adjoining Industrial Road, are discussed in **Flooding and Erosion Policies #11-17**.

Reach 6 -- Montauk North Side**1. Public access**

40 access sites and four waterbodies were surveyed in Reach 6, two of which, Montauk Downs State Park, and Indian Field Park, are not directly on the water. Three boat launch ramps are in use, at the Town's West Lake launch ramp on Duryea Avenue, at Montauk Yacht Club, and at Gone Fishing Marina on East Lake Drive. A fourth is proposed on a Town-owned parcel on East Lake Drive, but has not yet been constructed. On the south side of Star Island causeway a boat access is in common use over private property. Another five sites have boating access without a paved ramp, at South Lake Drive, and four unnamed sites along East Lake Drive. Four ORV accesses to the beach are noted, two in Montauk County Park, and one each at the Town's east and west jetty beaches. These are also the primary places where beach driving takes place. There are no Town restrictions on beach driving in the reach.

In the Coonsfoot Cove and northern East Lake Drive sectors of the reach, pedestrian and visual access is largely over the docks and marinas that line the shore of the harbor. Although only a few of the docks link naturally to form a continuous thoroughfare, a linked walkway in Coonsfoot Cove is proposed (see Revitalization of Montauk Harbor in **Projects**). This would greatly facilitate safe access to this working waterfront for tourists, fishermen and other users.

At Montauk County Park, there is natural pedestrian access to the Block Island Sound beach. Another three natural paths provide access to the adjacent Town beach at the end of East Lake Drive. Water views are the predominant form of access at seven sites, including Gosman's Dock, Osbourne's Island, a Town road at Little Reed Pond dreen on East Lake Drive, and the Indian Field park off East Lake.

Only one site, the private Montauk Yacht Club, presently has bike racks. There are picnic tables at a number of sites including some of the West Lake Drive and Star Island marinas, the Coast Guard Station on Star Island, and Gone Fishing Marina on East Lake. Montauk County Park has 150 campsites for County residents with permits, not including ORV camping permitted on Gin Beach. Parking capacity ranges from 300 spaces in the County Park to 20 at the smaller marinas, with a total of 1626 parking spaces in the reach.

2. Boating facilities

Montauk Harbor in Reach 6 is the Town's most populous recreational boating hub. Seventeen recreational marinas and the several commercial docks have a total of 1186 slips in Lake Montauk. Slip capacity at the recreational marinas ranges from 235 slips at the Montauk Resort and Marina (Montauk Yacht Club) on Star Island to less than thirty at the smaller establishments. Approximately fifteen moorings are present in various parts of the Lake, and transient boats frequently anchor up overnight, usually south of the end of the channel at Star Island. Overnight anchorage is permitted in the southern part of the Lake. The Town has instituted a mooring grid, in use for the first time in the 1997 season, to prevent numbers of boats in the south Lake from becoming excessive and to forestall other use conflicts.

Twelve marinas have onsite fueling facilities, and four have pumpout stations, including a free municipal pumpout at the Town dock on Star Island. Fourteen sites have shoreside facilities such as showers and toilets. Many of the marinas also provide haulage and winter maintenance services, with a total capacity for 210 boats. The two Town docks, at Star Island and West Lake Drive, are primarily for commercial fishing boats, with a capacity for 20 commercial and 10 recreational boats at Star Island and 18 commercial slips at West Lake Drive. Also on Star Island, the U.S. Coast Guard Station has dock space for its 82', 44' & 41' cutters, and provides dockage for the Town Harbormasters' two craft as well.

Gone Fishing Marina and Star Island Yacht Club also act as boat dealers and yacht brokers. Boat rentals for inshore forays in the Lake and offshore ventures are available through Uihlein's on Coonsfoot Cove. In the summer season, Uihlein's also rents jetskis from a raft anchored outside the west harbor jetty.

In addition to the marinas, there are ten private docks on the Lake shore, most of modest size, some dilapidated. The south end of the Lake receives considerable use from small recreational craft, sailboats and windsurfers, canoes, kayaks and rowboats, and waterskiers, for which a ski area is reserved.

Block Island Sound and the outer shores of the reach also see much boating activity ranging from sailing and motorboating to canoeing, kayaking and windsurfing, as well as jetskis and waterskiing.

3. Fishing and hunting

Montauk Harbor bills itself as the "Fishing Capital of the World". The harbor currently boasts 81 full-time charter fishing boats, five party boats, and hundreds of private recreational fishing boats. The charter and party boats are concentrated in the Coonsfoot Cove and Star Island complex of marinas, plus six boats working out of Gone Fishing Marina on East Lake Drive. Many of the recreational marinas offer gear and bait supplies for fishermen, with bait and tackle shops at six sites: Johnny Marlin's Dock, Montauk Marine Basin, Captains Cove, West Lake Fishing Lodge, Star Island Yacht Club and Gone Fishing Marina. Almost all of the marinas also have fish cleaning sinks installed for returning sportsmen.

Casting for bluefish and striped bass is popular on all the outer beaches of the reach, and within Lake Montauk for spring and winter flounder. Several sites do double duty as fishing piers: the Town commercial dock on West Lake Drive, Town dock on Star Island, and the stone jetties on either side of the harbor inlet. Other sites offer boat access to fishermen including the Town launch ramp on West Lake Drive, a Town right-of-way off West Lake Drive near the intersection with Star Island Drive, the South Lake Drive road-end, an unnamed road near the south end of East Lake Drive, a Town road off East Lake Drive, a Town-owned parcel (SCTM #6-2-13.5) to be improved with a launch ramp on East Lake Drive, and Montauk County Park, which attracts dedicated surf fishermen from all over Suffolk County. See also the ORV accesses noted above where fishermen can drive onto the beach. Big Reed Pond in the County Park is a freshwater fishery for large mouth bass.

Lake Montauk has long been one of the Town's prolific shellfish harvesting areas, though coliform pollution and marina closure zones related to National Shellfish Sanitation Program (NSSP) criteria have caused the NYS DEC to close significant areas of the Lake to shellfishing (see also **Commercial Fishing Policy #10/10A** and **Water and Air Resources Policies #30-44**). However, the Lake continues to attract many recreational shellfishermen and is seeded by the Town Shellfish Hatchery. Traditionally one of the Town's better sources for bay scallops, the Lake scallop harvest has also declined in recent years. Shellfishing in Town waters requires a Town shellfish permit.

The County Park is the only permit-restricted hunting ground in the reach. Duck hunting is active in most of the waterbodies in the reach including Lake Montauk, Big Reed Pond in the County Park, Block Island Sound and Steven's Pond in Culloden. Duck blinds are erected seasonally in Big Reed Pond and Lake Montauk. All hunting activity requires a State license, and in addition hunting within the County Park requires a permit from the County.

4. Beaches and swimming facilities

Reach 6 has one designated public beach at the end of East Lake Drive fronting on Block Island Sound. This ample beach has a well laid out parking area with 100 parking spaces, and a new comfort station completed in 1996. There is also a non-designated swimming beach adjacent to the west jetty, with a 60 space parking area, in addition to parking across the street for the neighboring restaurant/retail complex at Gosman's Dock. Swimmers also use Montauk County Park beach on Block Island Sound, which has parking for 300 cars. The Town maintains a less used beach at the south end of Lake Montauk, the South Lake Drive road-end with parking for fifteen cars. Snorkeling and scuba diving are widely practiced in Block Island Sound, and occasionally in the more turbid waters of Lake Montauk. The west jetty beach is one of the few bay beaches where one may find board surfers catching a wave when a northwesterly wind kicks up rollers on Block Island Sound.

Montauk Downs State Park has one of the only large outdoor swimming pools open to the general public in the town. Parking, shared with golfers, is available for 150 cars. Other pools are open to patrons and guests of various marinas and resorts in the Coonsfoot Cove/Star Island area including The Landings, Snug Harbor, Star Island Yacht Club, Montauk Yacht Club and Captains Marina on East Lake Drive. A number of marinas also have benches for picnicking, as does the County Park. Snug Harbor has a volley ball net as well.

The interior beach of Lake Montauk offers opportunities for beach walking and birding from access points along East Lake Drive, as do the Block Island Sound beaches stretching to Shagwong Point through the County Park from the East Lake Drive road-end. This is popular for beachcombing, sunbathing, and other beach-related activities.

5. Other recreation activities

Montauk Downs State Park is a first rate public golf course designed by Robert Trent Jones, where any State resident can play for the cost of a modest greens fee and sometimes a substantial wait in line. The course is heavily used in the summer months. It also has nine public tennis courts, and as noted above, a public swimming pool. Montauk Yacht Club also has six tennis courts for guests.

Montauk County Park offers a variety of activities, including a children's camp, nature walks, and mapped hiking trails. Along with more than thirty of the other access sites in the reach its seascapes offer opportunities for photography, sketching and painting. In fall there is foraging for native fruits and berries, and winter brings a chance to see seals haul out on the rockier beaches. Horseback riding is available on rental horses from a concession at Deep Hollow Ranch near Third House. A second stable, Rita Foster's Ranch, just east of the intersection of West Lake Drive and Montauk State Parkway, is a riding academy and also boards horses. Also along East Lake Drive, Indian Field park offers a view of the Lake, nature walks and an experience of local pre-history.

6. Use conflicts and proposed solutions

Within Coonsfoot Cove and northern Lake Montauk where marinas and boating are the predominant use there are few conflicts with other uses. In the rest of Lake Montauk boating activity has an impact on the natural resources and other users. In the shallow waters of the Lake a 25 MPH speed limit, up to 45 MPH for boats towing water-skiers (§149.31B & §149.8A of Town Code), increases turbidity and heightens danger to swimmers. The increased turbidity affects sub-aquatic vegetation such as eelgrass, which requires clear waters and light, and is critical to the State designated Significant Coastal Fish and Wildlife Habitat in the Lake. Speed limits in Lake Montauk should be reduced to conform with the Town's other enclosed water bodies.

Conflicts remain in Montauk County Park, where ORV's on the Block Island Sound beach and in the vicinity of Big Reed Pond impact natural resources or interfere with other users. Potential conflicts between hunters and hikers are also a concern, which may be alleviated by public education and safety training as part of hunting license procedures. Different user groups may be in the park at the same time, and the potential for conflicts will remain.

Two areas have conflicts or potential conflicts between public access and private property: a narrow Town-owned right-of-way from West Lake Drive just south of the Star Island Causeway, which lies between two residential parcels; and Stepping Stones Pond, which fronts on Old West Lake Drive but is private property. Both of these are best left undeveloped, though pedestrian public access from West Lake Drive should be preserved, even minimally, as should public access to Stepping Stones Pond in its entirety.

7. Environmental concerns

Environmental concerns in Reach 6 are impacts on Lake Montauk's water quality of stormwater runoff, residential development, and the numerous marinas. Potential pollutants from boats include marine head waste, boat cleaners, petroleum from fueling and bilges, and fish waste from recreational fishing. Recreational impacts include year round shellfish closures over the Coonsfoot Cove area and closures of other bottomland acreage on a seasonal basis. Runoff concerns extend to Montauk Downs State Park Golf Course because of its hydrological proximity to the Lake. Fertilizer and pesticide runoff may have had adverse impacts on the Lake, especially drainage through Peters Run, a stream that empties directly into Lake Montauk. Integrated Pest Management (IPM) has substantially reduced fertilizer and pesticide use on the course. See also **Water and Air Resources Policies #30-44** and *Stormwater Abatement* in **Projects**.

Besides its attraction to golfers, Montauk Downs is also the home of three identified Natural Heritage plants, including the sandplain gerardia, and one Heritage community (maritime grassland). Little and Big Reed Ponds in Montauk County Park, and Stepping Stones Pond on the west side of the Lake are also within State designated Significant Coastal Fish and Wildlife Habitats, as is much of the Lake itself (see **Significant Habitats Policy #7**). NYS OPRHP maintains a Biological Resource Protection Advisory Agreement with The Nature Conservancy to inventory and monitor such plants and plant communities on the State protected list.

Chronic erosion at the west jetty beach next to the harbor entrance erosion has diminished its use as a bathing and surfing beach, this in spite of periodic deposits of dredge spoil from the harbor channel. To the west along Sound View Drive erosion caused by the downdrift effects of the jetties and by erosion protection structures has resulted in the loss of the recreational beach. See **Flooding and Erosion Policies #11-17**.

8. Improvement opportunities

The primary improvement suggested for Reach 6 is a linked pedestrian walkway that would provide continuous access to the Coonsfoot Cove waterfront all the way from Gosman's at the harbor mouth to the Coast Guard Station on Star Island. The walkway would enhance pedestrian and visual access to the harbor for tourists and boat users, reduce short-haul vehicle traffic and improve economic use of the waterfront zone (see *Revitalization of Montauk Harbor* in **Projects**).

Improved public access is recommended at several sites. At Stepping Stones Pond and along East Lake Drive on Lake Montauk acquisition of additional public access is recommended. A new launch ramp is needed along East Lake Drive to replace a previous one. The Town has acquired a site (SCTM #6-2-13.5) but has not yet made the necessary improvements. A trail at Montauk Downs State Park would permit hikers to enjoy the excellent water views without interfering with golfers. At the Town-owned right-of-way on West Lake Drive a pedestrian trail for access is recommended. At the harbor mouth, recommended improvements include bike racks at the west jetty beach, and benches and picnic tables at the east jetty beach.

The scenic views and recreational birdwatching around Lake Montauk have been affected at several locations by invasion of phragmites. Wetland restoration is recommended at Stepping Stones Pond, Big Reed Pond, and the Lake fringes along West Lake Drive and at Ditch Plains. This may include removal of phragmites, restoration of saltmarsh and redirecting ditches that convey nutrients and contaminants into the Lake (see *Wetland Restoration, Open Marsh Water Management and Stormwater Abatement* in **Projects**). The Town is also planning a marsh impoundment and filtration project at the south end of the Lake (Oceanside Drain Project). While these initiatives will improve the recreational resources, the main goals are to reduce pollutant inputs and minimize potential flooding.

9. Public access and recreational uses compatible with new development

The Reach 6 waterfront is substantially developed, and remaining open space is either in public parkland or of high environmental sensitivity. Extensive new development in the reach is unlikely and the need for new recreation opportunities is limited. Scenic views and a remaining wetland just

north of the Town launch ramp on West Lake Drive should be preserved in a natural state for a variety of reasons, including recreation-related water quality and visual enjoyment, as should remaining undeveloped wetlands on Star Island (see **Development Policies #1-6**).

10. Analysis

The concentration of recreational marinas in the north end of Lake Montauk coexists with the shallow environmentally sensitive southern part of the Lake, with Star Island effectively dividing them into two waterbodies. If the entire Lake is to remain both ecologically healthy and attractive for boaters, fishermen, shellfishermen, and tourists, protecting and enhancing its water quality is a foremost concern. LWRP initiatives and implementation measures to accomplish this are discussed in **Water and Air Resources Policies #30-44**, and **Projects**. Some recommendations have already been acted upon, for instance the *Harbor Protection Overlay District* enacted in 1995. Others, such as *No-Discharge Zones* and the *Boater Education* project, will be put into effect in the foreseeable future.

Some existing regulations, such as the 25 MPH boat speed limit (45 MPH with water-skiers in tow) in Lake Montauk, should be brought into line with other Town harbor areas. Establishment of a demarcated transient mooring area will help to forestall conflicts between different recreational uses. A trial mooring grid put in place for the 1996 and 1997 boating seasons should be finalized.

The linked walkway proposal for Coonsfoot Cove (*Montauk Harbor Revitalization* in **Projects**) will have a positive effect on scenic, recreational and economic values for the area and should be pursued. Additional access for boat launching on the east side of the Lake is needed and the proposed new Town launch ramp should be completed.

Reach 7 - Oyster Pond/North Montauk Point

1. Public access

Two sites provide access to the coast in this reach which is entirely within Montauk State Park. One is from the Montauk Lighthouse area which has five points for pedestrian access and two viewing platforms at the upper parking field and the veranda of the refreshment concession. Views to Block Island and Connecticut can be had on clear days, with coin operated binoculars provided for telescopic observations. Sea birds often raft up on the north side of the point in winter, when seals can frequently be seen fishing in the surf or hauled out on the rocks. Bike racks, picnic tables and benches are available near the concession building. There are 320 parking spaces in the Lighthouse complex.

West of the Montauk Light is an ORV access for surf fishermen to drive onto the beach, where the Park authorities allow limited overnight camping by bona fide surfcasters. A small parking area on the side of Montauk State Park Boulevard marks a trail leading to Oyster Pond and the nearby shore of Block Island Sound. This is another good vantage for winter birding and seal watching. A seal watching blind has been maintained for some years on the bluff above the beach about halfway between the Light and Oyster Pond.

2. Boating facilities

There are no boating facilities in the reach, although a great deal of boating activity occurs on neighboring Block Island Sound.

3. Fishing and hunting

Montauk Point is the most favored surfcasting spot in the Town, particularly during the late summer and fall striped bass and bluefish runs. Sportsfishermen come from all over the Island and New York State, some with ORV's and 4-wheel drive campers, which require a State permit.

Permit-restricted deer hunting and duck hunting occur in Montauk State Park and adjacent waters in season, although hunting is prohibited around the environs of the Lighthouse because of the constant influx of visitors. Deer hunting requires a NYS DEC access permit in addition to the NYS hunting license. Duck blinds are not permitted in Oyster Pond.

4. Beaches and swimming facilities

There is no designated bathing beach in Reach 7, and although people swim in Block Island Sound it is not a popular bathing area due to the open exposure and its generally rocky beach. Scuba diving is one swimming activity that does occur, also some board surfing, although it is prohibited in the Lighthouse area because of conflicts with fishermen and dangerous rocks, rip currents and surf conditions.

5. Other recreation activities

Beach walking, nature walks and trails provide other kinds of recreation in Reach 7, including opportunities for photography, sketching and painting along the rocky beaches and around the environs of Oyster Pond. Shad bushes blooming in the spring are one of the unforgettable sights of Montauk Point, and bird and seal watching from the shore is rewarding in the fall and winter.

Montauk Lighthouse is one of the most popular and scenic tourist destinations in the area, if not the state. The Lighthouse is run by the Montauk Historical Society, which maintains a lively museum in the former lighthouse keeper's building. Visitors can traverse the massive rock revetment protecting the Point from erosion via a leveled pedestrian platform over the rocks.

6. Use conflicts and possible solutions

As Reach 7 is entirely parkland, the only conflicts are between different recreational uses of these lands and facilities. Beach driving on the north shore of Montauk State Park conflicts with natural resource values and passive uses such as beach walking, bird and seal watching. State Park management has indicated that vehicle activities are adequately monitored, numbers are constrained and driving impacts by fishermen are insignificant (former Park Manager, personal communication, 1996). However, the status of beach driving in the State Park should be carefully monitored, particularly since there are large numbers of beach drivers in the neighboring County parklands. A better system to limit numbers and provide cautionary environmental information for beach drivers may help to reduce impacts on the natural resources of the beach.

Permit-restricted hunting is allowed in season on State parklands in the reach, except around Montauk Lighthouse, so as not to conflict with tourism. Public education and hunter safety training help prevent hunting accidents.

7. Environmental concerns

Foremost among the environmental concerns for the reach are preserving the habitat values in the parklands. Oyster Pond is a State designated Significant Coastal Fish and Wildlife Habitat; the remainder of the reach sector of Montauk State Park is a Locally designated Significant Coastal Fish and Wildlife Habitat. Both State and Local habitat areas have protected plant and animal species. There are also water quality concerns related to Oyster Pond, presently closed year round to shellfishing. The pond should be tested for contaminants stemming from former Camp Hero draining into it from the south.

Erosion along the northeastern exposure of Block Island Sound is a constant process, which may at times limit recreational activity. Breaches in the spit to Oyster Pond caused by storm surge are an additional concern, particularly if the pond were to be breached for an extended period.

8. Improvement opportunities

Montauk State Park would be enhanced by provision of bike racks, garbage cans and interpretive signs near the trail to Oyster Pond, and at the ORV access. Phragmites should be prevented from invading the wetlands surrounding Oyster Pond to maintain views from hiking trails, and habitat for what is probably the greatest variety of endangered and protected plant species in the Town (see **Significant Habitats Policy #7**).

Development of additional scenic viewpoints along the Montauk Point State Park Boulevard should also be considered.

9. Public access and recreational uses compatible with new development

The reach is composed entirely of State parklands. As far as the Town knows, no new development is contemplated. The Town should be notified and consulted by NYS OPRHP regarding any future development plans for these areas.

10. Analysis

A clearly defined environmental inventory and management plan for the State parklands should be formulated and implemented. Montauk Lighthouse and Montauk Point State Park make up one of the major scenic and recreation sites in the Town and New York State. While the majority of recreation activity is tourist-oriented and scenic, it is also a popular surfcasting spot, and is frequented by winter nature lovers as a seal haulout site and for concentrations of migratory ducks and seabirds. Oyster Pond is a remnant of the natural north shore coastal ponds that once included Lake Montauk and Three Mile Harbor. Many of the plants persisting in its brackish shoreline environment are rare and endangered. Any remaining contaminant problems originating from Camp Hero should be cleaned up and resolved. Concerns to be addressed in a management plan include habitat protection, ORV impacts, erosion, water quality in Oyster Pond, and potential breaches of the pond in hurricanes or nor'easters.

Reach 8 - Montauk Bluffs

1. Public access

Seven sites were inventoried in Reach 8, three of which, Deep Hollow, the Camp Hero ballfield, and the Montauk Sanctuary parcel, do not give access to the water but have recreational resources within the coastal zone. The other sites provide access to the water at Turtle Cove just west of Montauk Lighthouse, at Camp Hero in Montauk State Park, and The Nature Conservancy's Andy Warhol Preserve south of Deep Hollow. Only one site provides ORV access, five others having trails or other pedestrian access to the water. Two of the sites, Deep Hollow Ranch and the Warhol Preserve, are privately owned. Parking is limited to only 26 spaces in the reach overall, 20 of them at the Camp Hero ballfield, and ORV driving is restricted within the State parklands and requires a State permit. There is continual demand for additional public access for sport fishermen and surfers to get to the water along the shores of Camp Hero.

2. Boating facilities

There are none within the reach.

3. Fishing and hunting

The Atlantic Ocean shore of the reach is popular for surfcasting, with access for fishermen primarily from the Town-owned parcel at Turtle Cove, and secondarily through Camp Hero. There are no permit-restricted hunting grounds in the reach. Duck hunting is permitted on the ocean but virtually nonexistent, since it is usually confined to the calmer waters of the bays, enclosed harbors and coastal ponds.

4. Beaches and swimming facilities

There are no bathing facilities in the reach and no parking with public access to the water. Surfers favor the wave action in the rocky coves of the reach, even though access to the shore is difficult and generally restricted to paths over private property. Ocean swimming is otherwise minimal because of rocky boulder strewn beaches and the limited public access. Scuba diving is an occasional pastime, though mostly from dive boats offshore. Beach walking to enjoy the scenic boulder covered shore and hoodoo bluffs is a popular pastime, with parking and access from the Montauk Lighthouse.

5. Other recreation activities

Inland trails abound in the reach, with maps available for the State Park. The Nature Conservancy's Andy Warhol Preserve also has a trail network, but requires permission for entry. Part of the mission for this preserve involves art education and it is used several times a year for school groups, photography and sketching by various community institutions. Other sites such as Turtle Cove and the ocean shore offer unusual scenic resources for photographers and artists.

Other recreational uses in the reach include the ballfield at Camp Hero, which receives frequent community use for soccer and softball, and the riding stables at Deep Hollow Ranch for breeding and boarding horses, part of the oldest cattle ranch in North America. The ranch was also the venue for an annual outdoor concert for five or six years, hosting 10,000 people and benefitting

preservation of the Montauk Lighthouse and other community causes such as The Nature Conservancy, etc.

6. Use conflicts and proposed solutions

Much of the shoreline in Reach 8 is relatively inaccessible for recreation, with limited access to the water through either the public parklands of Montauk Point State Park or over privately held parcels to the west. Use conflicts are consequently few, although the present passive use conflicts with demand for more public access.

There is an existing access conflict at a Town-owned parcel offering access to Turtle Cove and the contiguous beach just west of Montauk Point, a spot favored by sport fishermen and surfers. The Turtle Cove site has been disturbed by heavy equipment during recent construction of the lighthouse revetment. Since ORV driving on the beach from this point is limited by the Lighthouse revetment to the east and boulder strewn beaches to the west, vehicular access onto this beach should be eliminated once revetment construction is completed.

There is more demand for surfcasting and other waterfront recreation within the reach than is available. This is particularly true along Camp Hero's shoreline, which remains largely inaccessible. Private waterfront property within the reach consists of exclusive estate homes along the bluffs, with restricted entry from Old Montauk Highway, where parking is prohibited. This is the only public road providing proximate entry to the bluff area. At the west end of the reach access is also restricted by the private driveways of the Montauk Association and the Montauk Shores condominium trailer park. A redevelopment plan for Camp Hero which incorporates low intensity recreational uses and access to the shore for fishermen and surfers would help to alleviate this public access deficiency. The Town's position is that additional low impact public access can be accommodated without compromising habitat values, however, safety issues posed by the abandoned military structures on the site need to be resolved.

7. Environmental concerns

Erosion forces at the Montauk Lighthouse and Point and in the high energy environment of the Atlantic ocean shore of Reach 8 are a constant concern. At Turtle Cove, degradation of the low bluff area by construction equipment for the Point revetment and ORV use have increased flood and erosion vulnerability, which should be addressed, at least in part, by restoration of the construction site following project completion, and closing off the access to beach vehicles.

West of Turtle Cove, the clay "hoodoo" bluffs are an unusual natural land form unparalleled on the east coast except for two related formations in the Long Island Archipelago at Block Island and at Gay Head on Martha's Vineyard. Because of the spectacular scenic and recreational qualities of this shoreline, there is a concern that human responses to bluff erosion and efforts to stabilize them may degrade this unique natural system. For further discussion of the erosion issues see **Flooding and Erosion Policies #11-17**.

Both bluff and upland areas of the reach are Locally designated Significant Coastal Fish and Wildlife Habitats, hosting a varied community of protected plant and animal species. Extensive deposits of

clay soils, perched ponds and wetland systems, freshwater springs, streams and coastal ponds contribute to a unique moorland ecosystem. Small forests of shad, pockets of cinnamon fern, and protected plants such as dragon's mouth, Emon's sedge and weak stellare sedge, and birds such as bank swallows and the harrier hawk are among species inhabiting the moorlands. See **Significant Habitats Policy #7** for further discussion.

8. Improvement opportunities

More public access to the shore in response to demand for fishing and surfing in Camp Hero in Montauk State Park should be incorporated into a management plan for reuse of the site. Defined trails with interpretive signs will contribute to recreation opportunities for hikers and other passive users, and help to direct human use away from fragile habitat. One such new trail was inaugurated in 1997.

Public access is inadequate along the Montauk Bluffs and the area of Deep Hollow Ranch, and additional access should be sought where possible.

The Sanctuary parcel just east of the ranch, the last large tract of private open space remaining in the reach, was purchased by New York State in 1997. Because of its significant habitat and environmental constraints it should be utilized for low intensity recreational uses such as hiking, birding, other passive uses and conservation, complementing the uses recommended for adjoining Camp Hero. Improvement recommendations include interpretive signs for the existing trail network, some new trails, parking, garbage cans, and pedestrian access.

9. Public access and recreational uses compatible with new development

Recreation in Reach 8 depends on the natural resource base of the Montauk moorlands ecosystem, characterized by extensive freshwater wetlands, impermeable lenses of Montauk clay with unusual hydrology, important habitats for protected or endangered plant communities, and dramatic "hoodoo" clay bluffs fronting the ocean shore. Because of the fragile environment development in the moorlands should be avoided. The highest and best use for the area is preserved open space.

Future NYS OPRHP development plans for the two large State-owned parcels in the reach, Camp Hero and the recently acquired Sanctuary parcel, are uncertain. Both share similar ecological constraints as part of the Montauk moorlands ecosystem, though the Sanctuary lacks the shoreline.

A recent proposal for a golf course at Camp Hero being considered by NYS OPRHP would conflict with the stated ecological and habitat objectives for the property, and would violate the original conservation agreement under which the parcel was acquired by New York State from the Federal government. From a Town planning standpoint the golf course proposal is inconsistent with the goals of the LWRP, and should be rejected by the Town, New York State, and Federal agencies.

Camp Hero has had considerable significance in the military history of the country, most recently as one of the defensive coastal batteries for New York City during World War II and as a part of the Nike defensive missile network in the post-war period. Incorporating this military history and other historic resources in a military theme park or museum, and restoring one of the existing buildings

to house it, would be an appropriate use of the site in combination with low intensity recreational uses. Cleanup or removal of deteriorated structures and toxic remnants of military activities may be required before redevelopment can occur.

The Sanctuary parcel is a natural complement to the parklands at Camp Hero and the rest of Montauk Point State Park and should incorporate trails and other amenities for passive recreation and access as part of a management plan.

10. Analysis

The extraordinary combination of habitat for rare and protected species, sensitive hoodoo bluff and moorlands systems, spectacular shoreline and open space require a strategy of preservation and passive or low intensity uses for public access and recreation in Reach 8. A management plan addressing both ecological and recreation values for the former Camp Hero should be implemented based on the original contract for the parcel, limiting new development and emphasizing habitat preservation and passive recreation such as trails, nature appreciation, historic resources, etc. Additional pedestrian public access for fishermen and other users should be instituted at Camp Hero, and safety issues resolved for the old military structures. There is considerable demand for surfing access in this reach, as there is to other State parklands in Reach 10. Trails through the Sanctuary parcel should be integrated into the management plan. See also *Camp Hero Revitalization and Redevelopment* in **Projects**, and in discussion for Reach 8 in **Development Policies #1-6**.

Reach 9 - Hamlet of Montauk

1. Public access

The many motels and resorts in the Montauk business area accommodate large numbers of visitors who take access from them to the ocean. Road-ends at Ditch Plains [east], South Essex Street, South Edison Street, South Edgemere Street, South Embassy Road, South Emery Road, and South Eton Street provide ORV access to the ocean beach. A wooden walkway at the Town's Kirk Park and 39 other natural trail access points provide further pedestrian access to the beach. Among the fifteen sites surveyed in the reach there are 406 parking spaces throughout, though some are for patrons of private businesses such as Gurney's Inn. There is also a much-used Town overlook that provides a handsome vista of the ocean along with a trail to the beach, located on Old Montauk Highway opposite the Surfside Inn. None of the sites have picnic tables, but there are benches at the Montauk Property Owners' Association parcel and benches and bike racks at Gurney's Inn.

2. Boating facilities

There are none in the reach.

3. Fishing and hunting

This section of Montauk is one of the most popular ocean beaches for surfcasting in the Town, with numerous pedestrian paths and ORV access points for fishermen with 4-wheel drives. Johnny's Bait & Tackle shop on Montauk Highway provides equipment, bait and tips for anglers.

There are no permit-restricted hunting grounds within the reach where additional access permits are required to hunt. Some hunting is said to occur on the Shadmoor property.

4. Beaches and swimming facilities

There are two designated Town bathing beaches with lifeguards and comfort stations in the reach, at Ditch Plains and at Kirk Park in the business area of "downtown" Montauk. The Ditch Plains beach has 60 parking spaces plus 15 at the nearby Otis Avenue road-end and approximately 30 at an unimproved access just to the east. Kirk Park has 110 spaces in the public lot adjoining the pedestrian boardwalk which spans the dunes to the beach. Although the Ditch Plains beach has suffered from erosion in recent years, beaches to the west extending through the business area to Hither Hills are generally broad and sandy, ideal for bathing and recreation, although they may fluctuate greatly in width with storm and wave activity. These are some of the most popular and heavily used bathing beaches in the Town.

The other sites in the reach also serve as non-designated public bathing beaches, except for Gurney's Inn, Panoramic View and other hotels along the Old Montauk Highway where access, practically speaking, is confined to guests. Gurney's also has a large indoor saltwater pool, which is open year round to the public (for a fee), the only such facility in the Town. Many of the motels in the Montauk business area also have outdoor pools for guests.

Ditch Plains beach is the most popular surfing spot in the Town, and has on occasion been the site for east coast surfing competitions. Large numbers of people also enjoy more passive pursuits on the beach such as walking, jogging, sunbathing and picnicking, beachcombing and birdwatching.

5. Other recreation activities

Rheinstein Park and the neighboring private parcel of Shadmoor have trail systems widely enjoyed for hiking. Shadmoor and an area along Old Montauk Highway owned by the Montauk Property Owner's Association have stands of native berries for foraging.

6. Use conflicts and recommended solutions

ORV beach driving is prevalent at every site with beach access surveyed in the reach. Beach driving conflicts with beach ecology and habitat and with human activities such as swimming, sunbathing, and beach walking. Surfcasting and swimming potentially could conflict along the ocean beaches, although common sense, courtesy and safety precautions should preclude dangerous proximity.

Private property restrictions along substantial stretches of shore prevent public access to the water, notably on the private Shadmoor parcel, within the Benson Reservation, and at Gurney's Inn. The Town should acquire some form of public access in these areas.

7. Environmental concerns

Storm erosion in 1996-97 significantly reduced recreational use of the Ditch Plains and Rheinstein Park beaches a year after the Town had completed a new comfort station and newly paved parking area. Severe erosion just west of the Otis Avenue groin resulted in beach loss and made ORV access impossible with a large drop off from the road. In response, the Town is conducting a study of

erosion conditions and possible solutions at Ditch Plains (see **Flooding and Erosion Policies #11-17** and *Ditch Plains Erosion and Remediation Study* in **Projects**).

Erosion has also affected recreational resources at Shadmoor, the municipal Kirk Park beach in downtown Montauk, and at Gurney's Inn. At Kirk Park, where the wooden boardwalk crosses the dune, excessive pedestrian traffic has devegetated the ocean side, increasing the likelihood of a blowout in the dune and its vulnerability to a storm surge. At Gurney's Inn, the resort facilities have encroached onto the beach and unrestricted pedestrian traffic has denuded beach vegetation in front of the hotel, rendering it more vulnerable to flooding and erosion. The intensive development of the Gurney's Inn site has also increased stormwater runoff onto the beach.

ORV traffic has contributed to dune erosion and has denuded beach vegetation at most of the road-end access points through the Montauk business area and at Ditch Plains. This has left the road-ends more vulnerable to flooding in storm tides. See **Flooding and Erosion Policies #11-17** and **Projects** for further discussion of erosion problems.

The Shadmoor parcel and Rheinstein Park just west of Ditch Plains are Locally designated Significant Coastal Fish and Wildlife Habitats, supporting substantial populations of protected plants, including rare and endangered species. The natural and historical resources of this site are unique and deserving of preservation and the Town strongly recommends this parcel be publicly acquired for conservation and open space.

8. Improvement opportunities

If Shadmoor can be acquired, a future management plan should incorporate scenic viewpoints, trails, and a system of pedestrian access to both protect the habitat, historic and natural resources of the site and provide recreational access.

Kirk Park in the Montauk business area should be improved with bike racks and the cross-dune boardwalk modified to eliminate pedestrian traffic over dune and upper beach vegetation. The existing indentation in the dune grass line should be protected with snow fence barriers and revegetated with beach grass.

A number of the road-ends now providing ORV access in Reach 9 should be redesigned to prevent additional flooding and erosion. The volume of ORV traffic should be limited, especially in winter when storms narrow the beach, heightening damage to upper beach vegetation, which may be dormant for the season.

The Town should acquire a public pedestrian access through the Benson Reservation which provides scenic views from Old Montauk Highway. Further west at the Town overlook on Old Montauk Highway, benches would enhance enjoyment of this favorite vantage for ocean viewing. Coin operated binoculars could be provided at this site. Parking, garbage cans, and interpretive signs should be placed at the scenic viewpoints. There is no public access to the beach over a long stretch of Old Montauk Highway between the Town overlook and Hither Hills State Park, and one should be obtained, if possible, somewhere in the vicinity of Gurney's Inn.

9. Public access and recreational uses compatible with new development

Most of the Reach 9 coastline consists of land that is intensively developed, or of open space that will likely remain undeveloped. The number of recreational uses and amount of activity already present at the developed sites makes it unlikely that significant new development will provide additional recreation facilities. However, if new development or renovation of existing development occurs, additional public access to the shore should be vigorously sought wherever there is an opportunity.

The future of the Shadmoor parcel remains uncertain at this time. If the parcel is developed for residential use rather than acquired as recommended, recreation oriented goals that should be incorporated in the development include maintaining pedestrian public access to the trails system, and preservation of the natural and historic resources.

10. Analysis

Reach 9 is one of the most active reaches in the Town in terms of recreation activity, to the extent that some resources are suffering from the impacts of overuse. The potential dune blowout at Kirk Park, road-ends damage, ORV conflicts on the beach, and development encroaching on the beach at Gurney's Inn are examples of overuse. These excesses must be repaired and use patterns reformed before more extensive damage occurs. Public education and stringent enforcement of existing natural resource protections are both necessary ingredients in this effort.

The Shadmoor parcel is a significant remnant of the unique Montauk moorlands that is worthy of preservation and public acquisition. Its historic significance, accessibility of trails to the shore, and ecological attributes are integral to the character of the reach and important to the recreation resources of the Town as a whole.

Additional access is recommended for the long stretches of ocean shore in the reach where the ability to get to the public beach is obstructed by private property. Public access from the Old Montauk Highway at the Benson Reservation and in the vicinity of Gurney's Inn, if only providing a narrow footpath to the beach, especially for surfers, would enhance enjoyment of a resource that is owned in common but at present enjoyed only by a few. See *Public Access Improvements* in **Projects**.

Reach 10 - Napeague South/Amagansett

1. Public access

Reach 10 includes the ocean side of Hither Hills State Park and some of the Town's most preferred bathing beaches on the longest stretch of Atlantic Ocean shore of any reach. It receives the most ORV use. There are a total of 12 ORV access points spread through the reach, 14 pedestrian walkways or stairways, 44 natural or unimproved pedestrian accesses, and three visual access vantages.

There are 768 parking spaces through the reach, 290 at Hither Hills State Park, 225 at the popular Town bathing beach at Atlantic Avenue in Amagansett, and 145 at the Indian Wells Highway beach reserved for residents. The neighboring Amagansett Beach Association, a private beach club, has

60 parking spaces; the rest are at road-ends with 18 at Atlantic Drive in Napeague (White Sands) and 20 at Napeague Lane. Eight sites have bike racks as well, and there are benches at Atlantic Avenue, Indian Wells Highway, and the homeowners' access at Mako Lane.

Hither Hills State Park has picnic grounds, and 168 campsites just behind the ocean dunes which are usually fully occupied throughout the summer season.

2. Boating facilities

There are no boating facilities in the reach. Sea kayaks and jetskis are occasionally launched from the ocean beach.

3. Fishing and hunting

The ocean beaches of Napeague and Amagansett through Reach 10 are, with Montauk, some of the most popular for surfcasting through the fall bluefish and striped bass seasons. Fishermen gain access at the same locations as other beach users and follow the feeding birds and fish schools with ORV's and CB radios.

There are no permit-restricted hunting grounds in the reach, although some small game hunting is presumably allowed. In general deer or other big game hunting is not permitted in the State parklands south of Montauk Highway.

4. Beaches and swimming facilities

The beach at Hither Hills State Park has lifeguards and comfort facilities, and the Town operates municipal bathing beaches at Atlantic Avenue and Indian Wells Highway with similar facilities. Parking at the Town beaches is free for residents with parking permits. Other facilities at these beaches include a snack bar in the old Coast Guard station building at Atlantic Avenue, and beach volley ball nets at both sites.

Virtually all of the other beach sites in the reach also function as undesignated bathing beaches, although at a number of them beach access is limited to property owners, pedestrians, or ORV's, because street parking is unavailable. The motels, condominiums and resorts along the Napeague stretch, and the Ocean Dunes condo in Amagansett offer beach amenities for guests, with lifeguards and pools at one or two.

Atlantic Avenue Beach has been the annual venue for a sandcastle contest, organized by the local Clamshell Foundation, which lures artists and architects as well as families and children. Hither Hills State Park also holds regular sandcastle contests on a smaller scale for campers and park users.

Residents and visitors in great numbers use the Reach 10 beaches for sunbathing, beach walking and jogging, picnicking, beachcombing, bird watching from the shore, and esthetic enjoyment. On a given day even in the coldest winter weather there are always half a dozen cars parked at ocean road-ends with local workers enjoying lunch or a break from routine, absorbing the view. Besides swimming, water sports such as board and body surfing, surf kayaking, and jetskiing are actively pursued in summer.

5. Other recreation activities

Hither Hills State Park has a ballfield and extensive playground facilities. Extensive trails traverse the dune areas of Napeague State Park, there is a trail through a Town reserved area at Beach Plum Court, and several trails through the Double Dunes areas between Atlantic Avenue and Indian Wells Highway, and to the west. Environmental groups such as TNC conduct periodic organized walks in these areas. A raised wooden walkway through the secondary dunes of the Gansett Dunes subdivision off Marine Boulevard also offers a fine sample of the fragile double dune ecosystem without treading on the delicate lichens and other vegetation.

Hither Hills and Napeague State Parks and the Double Dunes offer excellent forage for wild fruits and cranberries, etc. in season. All the sites in the reach provide subject matter for photography, sketching and painting, particularly the unspoiled park areas. More consumptive uses of the landscape such as fishing and ORV driving may sometimes conflict with or mar these esthetic pursuits. Amagansett Beach Association conducts a children’s camp for members at their beach site, with a lifeguard.

6. Use conflicts and recommended resolutions

The popular State parklands in Reach 10 receive considerable use, with consequent impacts on beaches and other resources. Almost all of the ocean access sites in the reach have existing ORV conflicts similar to Reach 9, affecting habitat, dune and beach vegetation and other recreational users. On a busy summer day over 100 vehicles may use the ORV access located at the east end of Marine Boulevard. Due to the numbers of vehicles seeking access at this point, conflicts with pedestrians are not uncommon.

Beaches throughout the reach are historically nesting sites of the piping plover and least tern, with three pairs nesting in Napeague in 1997 (NRD, 1997). Nesting can be disrupted by beach vehicle traffic, as well as pedestrians, pets and animal predators, especially during critical periods between hatching and fledging of chicks. Vehicles can disturb nesting birds, compact their wrack line food source, and trap unfledged juveniles in wheel ruts. No piping plover chicks were successfully fledged at this location in 1996, but in 1997 one piping plover pair fledged one chick.

Surfcasting and swimming potentially conflict at several beach sites used extensively for both, especially at the end of the summer when bathing and surf fishing coexist at their height. Common courtesy and safety awareness should prevent hazardous situations.

At Beach Plum Court there is a potential conflict between the private subdivision and public access to the beach over a Town reserved area. There are also concerns over the extensive wetlands at the northerly part of the site.

7. Environmental concerns

Four sites at the east end of the reach, Hither Hills State Park, the Dolphin Drive and Navahoe Road-ends, and Seabreeze Estates are existing or historically active colonial shorebird nesting areas which are vulnerable to human, pet and ORV disturbance.

Although storms are the primary cause of erosion, beach driving also increases it by retarding protective vegetation. For instance, at the east end of Marine Boulevard in Amagansett the Trustee right-of-way onto the beach receives a high volume of ORV traffic in summer. By eliminating the beach vegetation at this access ORV use has destabilized a dune, causing a blowout that allows floodwaters to enter behind the dune into the Marine Boulevard area. See **Flooding and Erosion Policies #11-17** and **Townwide issues** in this section. (Note: In general, the Town Trustees do not agree with this assessment of the impacts of responsible beach driving. Citing the Marine Boulevard access as an example of erosion caused by beach vehicles is inappropriate. The access existed for many years prior to the extension of Marine Boulevard and the resulting new homes.)

Much of the dune and double dune section of the Reach 10 shore is within the State designated Significant Coastal Fish and Wildlife Habitats of Napeague Beach and Atlantic Double Dunes, including the USFWS preserve between Atlantic Avenue and Indian Wells Highway. The Nature Conservancy's private Atlantic Double Dune Preserve holdings extend west of Indian Wells Highway into East Hampton Village. The double dunes form one of the largest preserved beach and back dune areas on Long Island and host a number of protected plant and animal species (see **Significant Habitats Policy #7**).

Public access at road-ends may potentially increase inland flooding in a hurricane storm surge, a concern at a number of locations including Navahoe Road, Dolphin Drive, Atlantic Drive, the east end of Marine Boulevard, Napeague Lane, Atlantic Avenue Beach, and Indian Wells Beach (see **Flooding and Erosion Policies #11-17** and **Road-end and Beach Access Modifications in Projects**). Flooding is also a significant concern for a proposed subdivision known as Sea Breeze Estates. This is located behind the Lobster Roll restaurant in Napeague, in NFIP flood hazard zones and within a CBRA zone barrier island designation, which precludes eligibility for flood insurance and other federal programs. The parcel is inappropriate for development and should be considered for public acquisition, purchase of development rights, conservation easements, or other open space preservation.

8. Improvement opportunities

Potentially the most significant improvement in Reach 10 involves the former Assembly of God parcel in Napeague, originally purchased by the Town for a bathing beach. Development of a designated Town bathing beach at the site would help to alleviate a marked shortage of available public beach facilities and accompanying parking on the ocean shore. Extensive site planning will be required to minimize impacts to wetlands, fragile dune vegetation, and nesting shorebirds. Improvements should be well set back from the primary dune to avoid potential blowouts. Suggested facilities include benches, bike racks, garbage cans, toilet facilities and a parking area.

Two additional sites are suggested for public access, over the proposed Sea Breeze Estates subdivision and through a reserve area at the Shipwreck Drive road-end, once dedication of the road to the Town is completed. An existing ORV access should be maintained across the southwest corner of Sea Breeze Estates, whereas access at the Shipwreck Drive site would be pedestrian only.

The Town reserved area at Beach Plum Court should be marked by signs. The Town should ensure maintenance of this access while preventing conflicts between subdivision owners and the public.

Bike racks, benches, and other minimal amenities are recommended at several of the road-ends in the reach including Navahoe Road, Dolphin Drive, Atlantic Drive, Shipwreck Drive, Whaler's Lane, and Napeague Lane. Bike racks supplemented by benches and picnic tables are recommended for the Town beach at Indian Wells Highway.

9. Public access and recreational uses compatible with new development

Continued public access to the beach for swimming is compatible with the proposed Sea Breeze Estates subdivision in Napeague. The existing ORV access crossing the southwest corner of the subdivision should be maintained for public use, and may also be protected by Town Trustee ownership.

10. Analysis

Reach 10 encompasses some of the Town's most intensively used recreational ocean beaches, in addition to long stretches of uninhabited parklands that include sensitive beach and dune habitat. Because of summer crowding at existing municipal beaches and road-ends, the popularity of surf fishing, and ORV use, the formerly pristine park beaches have become rutted and disturbed. While providing access to relatively remote beaches, the increased use of ORV's has affected both the recreational resource and habitat, and has diminished the ability of the beach to withstand erosion. In Napeague intensive ORV beach traffic from Marine Boulevard east into Napeague State Park has impaired the beach ecology by damaging vegetation, decreasing nesting habitat and compacting wrack forage for shorebirds. Beach grass growth is retarded by ORV traffic, reducing the stability of the beach in storm conditions and its ability to recover from storm erosion. Excessive traffic has expanded the dune opening at the Marine Boulevard ORV access, forming a flood corridor into the back dune residential area. (Note: In general, the Town Trustees do not agree with this assessment of the impacts of responsible beach driving. The Town Trustees are not aware of any increased erosion caused by beach driving. To the contrary, the dune opening at Marine Boulevard has been considerably reduced, thereby causing unnecessary problems for beach vehicle drivers.)

By some accounts the increased ORV traffic results from insufficient parking and availability of existing Town beaches and road-ends. To the extent this is true, development of a Town bathing beach at the Assembly of God parcel in Napeague may help to relieve some pressure for ORV beach driving. However, to a beach-going public accustomed to driving to solitary spots and easily transporting truckloads of recreational and picnic gear, it may not be a sufficiently attractive substitute. In any case, though constrained by wetlands and a fragile dune system, this beach would add capacity in an area that has presently has little public parking and limited access to the water. See Townwide Issues below.

Reach 11 - Wainscott

1. Public access

Reach 11 suffers from a dearth of public access to Georgica and Wainscott Ponds, and very limited parking areas at the public road-ends leading to the ocean beach at Beach Lane and Town Line Road. Beach Lane has only 36 parking spaces and Town Line Road, 20.

Public access to Georgica Pond is via a parking area near the head of the pond on Route 27, owned by New York State, with room for approximately ten cars, where canoes and other small craft can be launched. The only other public access to the pond is over the ocean beach, either on foot or by ORV from Beach Lane or Town Line Road. The brackish waters of the pond have traditionally been a good source of blue claw crabs prized by locals, and a bayman has in the past been permitted to launch a boat over a private parcel along Matthew's Road. The Georgica Association on the west side of the pond operates a small private beach club with cabanas and a wooden walkway over the dune, which has about twenty parking places for members.

There is no public access to Wainscott Pond at this time, although the pond is owned by the Town Trustees.

2. Boating facilities

There are 19 permitted moorings in Georgica Pond according to Town Trustee records. In addition there are six private docks in the pond, and several places where residents pull rowboats and other small craft up on the shore. Most boating in the shallow waters of the pond is in small sailboats, canoes and kayaks, the latter often launched from the State access on Montauk Highway. Main Beach Surf Shop across the highway rents these craft in season. Georgica Association residents are allowed to launch and maintain small craft in a cove on the west shore of the pond. Motorized craft are not permitted in the pond except from October 1st - April 30 when outboards of 10 h.p. or less are allowed, with a permit obtainable from the Town Clerk. As noted, a bayman has been permitted to launch a boat for crabbing and fishing from Mathews Road.

3. Fishing and hunting

The ocean beaches in Wainscott are popular with surfcasters, especially during the fall runs of bluefish and striped bass.

Georgica Pond remains the best source in Town for blue claw crabs, which residents have traditionally caught with a net and a fishhead or chicken neck on a string from near the gut or mouth of the pond. The pond is also a source of anadromous fish species such as white perch which enter the pond during periodic storm breaches, and when the Town Trustees open, or "let", it semi-annually to enhance fishery productivity.

Wainscott Pond has some freshwater fishing, though as noted above, public access is not presently available. Duck and goose hunting goes on in both ponds, with duck blinds occasionally mounted seasonally in Georgica Pond, subject to Town Trustee permit. There are no permit-restricted hunting grounds within the reach where supplemental access permits are required to hunt.

4. Beaches and swimming facilities

Beach Lane and Town Line Road-ends are non-designated bathing beaches that require a Town resident permit for parking. The small private beach club and cabana building for the Georgica Association is the only other beach facility in the reach.

Surfing and body surfing take place on the Wainscott ocean beach, though the preferred surfing spots are to the east in the Village of East Hampton where the federal groins create a better "break". Beach walking, jogging, picnicking, sunbathing and beachcombing are all popular pastimes on this beach. Also, because of the excellent feeding area and habitat for colonial birds on the flats near the Georgica Pond gut, this is an exceptional area for bird watching as well. Federally endangered piping plovers and least terns are among the species frequently nesting here.

5. Other recreation activities

The Georgica Association maintains four tennis courts and a ballfield for use by association residents.

Other recreational pursuits in the reach are mainly aesthetic. The environs of Georgica Pond and the vista of Wainscott Pond from Main Street attracting a constant stream of photographers, artists and walkers.

6. Use conflicts and recommended solutions

Beach Lane and Town Line Road are the two most widely used beaches in the reach. Parking is insufficient for the demands of even modest summer crowds. Cars often line the road right-of-way, interfering with other traffic and the enjoyment of homeowners.

During surf fishing season at the end of summer there are potential conflicts between surfcasters and swimmers on the Atlantic Ocean beach, avoidable if safety is kept in mind by both parties.

ORV driving on the beach causes similar problems with habitat and other users in Reach 11 as in the other ocean reaches. Conflicts emerge with ORV's and unrestrained pets every year at the popular crabbing spot at the ocean gut to Georgica Pond, which is also a primary colonial bird nesting and feeding area. Nesting shorebirds, including threatened or endangered species such as piping plover, need special protection at this location, and although delimiting string fences and signage are erected annually around the nesting areas, stringent enforcement is needed. Both Wainscott and Georgica Ponds are Locally designated Significant Coastal Fish and Wildlife Habitats, the spit at Georgica is identified as a least tern and piping plover nesting area, and the pond is noted as providing feeding area for osprey, winter waterfowl, common terns, roseate terns, least terns, and several heron species. See **Significant Habitats Policy #7**.

Beach users at the Georgica Association between the Beach Lane access and Georgica Pond also complain about ORV use interfering with their enjoyment of the beach and endangering children. The Georgica Association has asserted their right of ownership of this beach and have sought to close the beach to vehicles during daytime hours. Better uniformity with Town regulations on other beaches would help to resolve this problem.

Public access to Georgica and Wainscott Ponds, public waterbodies owned by the Town Trustees, is limited at Georgica and unavailable at Wainscott Pond because it is surrounded by private property. Additional public access is recommended.

7. Environmental concerns

Conflicts with nesting shorebirds, beach erosion, and potential water quality problems in Georgica and Wainscott Ponds are the primary environmental concerns in the reach.

Although Georgica Pond is generally opened semi-annually by the Town Trustees, nutrient loading often increases during the summer months when the pond is closed. This is attributable to the residential development surrounding the pond, and to road drains such as the large pipe in Georgica Cove emanating from NYS Route 114. Water quality affects recreational and commercial fishing and crabbing in the pond, and the water level affects recreational boating, canoeing, kayaking and small sailboats. Sporadic debate continues on the merits of opening the pond at particular times, dredging an accumulated sandbar near the gut, and the possibility of stabilizing water levels with an outflow pipe as at Hook Pond.

Water quality in Wainscott Pond is generally poor owing to agricultural runoff, and much of the fringing wetlands have historically been mowed. In recent years invasive and non-native species such as phragmites and purple loosestrife have invaded the pond fringe.

Beach erosion in Reach 11 has occasionally been severe in recent years, and is aggravated by the presence of the federal groins in East Hampton Village to the east. Winter storm erosion periodically causes a significant drop in the level of the ocean beach and scarping of the road-ends at Beach Lane and Town Line Road can make these locations impassible for ORV access.

For mitigation proposals for some of the concerns above see **Flooding and Erosion Policies #11-17, Water and Air Resources Policies #30-44**, and *Stormwater Abatement, Drainage Mitigation, Georgica Cove, and East Hampton/ Southampton Cooperative Run-off Mitigation, Wainscott Pond in Projects*.

8. Improvement opportunities

Addition of bike racks at both Beach Lane and Town Line Road-ends would alleviate some of the pressure for more parking spaces although vehicle parking, too, needs to be better addressed.

Access to Georgica Pond at the state access on Montauk Highway should be upgraded with bike racks, garbage cans, interpretive signs, and picnic tables. Improvement of the launch area to provide a ramp for low draft boats is suggested. Acquisition of additional public access to Georgica Pond is recommended via the Hopping parcel on the west shore of the pond.

Acquisition of public access to Wainscott Pond is also recommended, although access to the pond is complicated by private ownership of the land surrounding it, and its closure to the ocean since the late 1930's or early 1940's. The two best prospects for public access at present are via a "non-exclusive easement of access" over two lots of the 1993 "Sweet Potato" subdivision, SCTM #200-2-

20 and #200-2-28.9; and a private road at the south end of the pond, SCTM #202-2-2, over which the Town Trustees may have a claim to access.

9. Public access and recreational uses compatible with new development

Significant new development is not projected in Reach 11.

10. Analysis

Recreational opportunities in Reach 11 would be most directly improved by more public access to the water on the ocean beach and to Georgica and Wainscott Ponds. At the Beach Lane and Town Line Road-ends, public parking should be improved or expanded and bike racks supplied. ORV access should be limited to lessen conflicts with habitat, natural resources and other users. Public access to Georgica Pond should be expanded by acquisition at the possible locations noted above, or enhancement of existing publicly owned locations on the east side of the gut. Access to Wainscott Pond at the south end needs to be obtained by securing public access over the locations above, procuring an easement, or by asserting the Town Trustees' right to access the pond by virtue of their ownership of the pond bottom.

Reach 12 - Gardiner's Island

Gardiner's Island is private property in its entirety, therefore no analysis of public access, recreational resources or related issues is being undertaken at this time. Should Gardiner's Island change ownership or if the Gardiner family discontinues its stewardship, and particularly if it were to be acquired for public parkland or as an historic site, a thorough study of all the island's resources, recreational and otherwise, would be essential for future management.

H. KEY TOWNWIDE ISSUES, OPPORTUNITIES AND RECOMMENDATIONS

1. Key issues

Key issues for expanding recreational use of fish and wildlife resources (**Policy #9**), public access to the water (**Policies #19-20**), and enhancement of water-related recreation (**Policies #21-22**), represented by the spectrum of concerns in this Analysis section, include ways to improve or expand recreational use of the coast consistent with LWRP policies, use conflicts including impacts on recreational and natural resources, and habitat protection.

2. Summary of townwide use conflicts

Townwide conflicts between boaters and swimmers occur at several sites, including Maidstone Park on Three Mile Harbor, and Louse Point on Accabonac Harbor where boat channels coincide with favored swimming areas. Improved signage is recommended to alert swimmers to the danger and illegality of swimming in the channels, along with enforcement of harbor speed limits (generally 5 MPH) for boaters.

Natural resources are affected by beach driving at 55 sites plus two of the waterbody sites; in addition ORV's (off-road vehicles) are noted as an existing or potential use conflict with habitat or

natural resources at 68 sites and with passive human activities at 55 sites. Other types of conflicts with resources occur at 29 sites, while pedestrian overuse is a problem at 2 sites.

Other use conflicts include fishing and swimming at 1 site; surfcasting and swimming, 14 sites; jetskis and swimming, 2 sites; and hunting vs passive activities, at 13 sites. Private property impedes public access to the shore at 26 sites.

Beach Driving

ORV driving on the beach is the most frequent use conflict, affecting natural resources such as dunes and beach vegetation and habitat for nesting shorebirds, as well as interfering with more passive uses of the beach. In the scientific literature, Leatherman and Godfrey (1979) report that,

"We have concluded that there is **no** carrying capacity for vehicular impacts on coastal ecosystems. Even low-level impacts may result in severe environmental degradation ... Dunes can be quickly devegetated by vehicular passage, resulting in blowouts and sand migration" (emphasis in original).

Recreational ORV driving on the beaches of the Town has become a contentious environmental issue, primarily because of increasing numbers of 4-wheel drive vehicles. In the past only dedicated sport and commercial fishermen drove on the beach. Mass marketing of 4-wheel drive "sport-utility" vehicles has made the beach accessible to even the casual driver. ORV-related conflicts and impacts to natural and recreational resources are documented for every reach except Gardiner's Island. While direct vehicular access to the water is necessary for some purposes, including water rescue, commercial fishing, and handicapped access, significant damage has resulted from the irresponsible actions of some off-road vehicle enthusiasts and the sheer numbers of sport utility vehicles.

The Town requires a one-time resident vehicle permit for use on Town regulated beaches. New York State also requires an annual state permit for driving on State park beaches, and annual County Park permits are required for driving on beaches in Suffolk County parklands. Through 1998, a cumulative total in excess of 12,000 free no-expiration beach vehicle permits had been issued by the Town, in addition to approximately 100 annual non-resident permits in 1998. In 1997, New York State issued approximately 8800 permits and Suffolk County issued approximately 5800. While not all of these permit holders use East Hampton beaches, the Town is a statewide and countywide resort and sportfishing destination. Its population is increasing and, with many other Towns closing their beaches to off-road vehicles, demand for beach vehicle access is likely to remain high or increase. The Town may wish to consider ways of reducing numbers of vehicles, for instance, by requiring an annually renewable permit, with a registration time window, and a user fee dedicated to a fund for road-end restoration and beachgrass planting.

Note: In general, the Town Trustees do not agree with this assessment of the impacts of beach driving. The Town Trustees do not support further restrictions on beach vehicle use. The Town Trustees believe that increased and consistent enforcement of existing town code provisions for irresponsible beach driving will reduce the problems cited, while still protecting the public's right to use and enjoy our beaches.

New York State Office of Parks, Recreation and Historic Preservation requires Town residents to have a State permit to drive on beaches within State parklands, according to a letter from State Parks Commissioner Bernadette Castro to Assemblyman Fred Thiele, dated January 21, 1999. Suffolk County Park locations such as Cedar Point and Montauk County Park (from Gin Beach to Shagwong Point) require Suffolk County beach vehicle permits. Insofar as Town beach driving regulations may differ from those of NYS OPRHP, and the Town Trustees disagree with New York State's jurisdiction to regulate beaches adjoining its parklands, present beach driving regulations may be subject to change. A conflict between Town and State regulatory authority at Turtle Cove near Montauk Point was resolved when a survey proved ownership of the parcel and access by the Town.

The current Town beach vehicle ordinance (§43-5 of the Town Code) restricts some Town beaches but not others, primarily during the peak season from Memorial Day to September 15th, between 10 a.m. and 6 p.m. ORV's are restricted from driving on Town ocean beaches during these times at the following locations: in Wainscott, from Town Line Road east to the Village of East Hampton boundary; in Amagansett, from Indian Wells Highway to Atlantic Avenue beach; and in Montauk, from Hither Hills State Park to Camp Hero State Park. Commercial net fishermen, handicapped persons, and those crabbing in Georgica Pond, after 4 p.m., are exempt from the restrictions. On Town Trustee beaches within the Village of East Hampton vehicles are restricted between the hours of 9 a.m. - 6 p.m. Along the northern bay shore, ORV's are unrestricted on all but two beaches: the Accabonac Harbor side of Louse Point (except the launch ramp) extending around to the Gardiners Bay side 300' south of the point; and in Maidstone Park along Gardiners Bay. In addition the Town code prohibits driving on beach or salt marsh vegetation, on a dune or bluff face, or within or adjacent to a protected bird nesting area.

Existing regulations are difficult to enforce, and on many isolated and infrequently patrolled beaches where the Town's police presence is minimal do not adequately protect coastal resources. Enforcement has not kept pace with the increasing numbers of 4-wheel drive vehicles, which are often used to access less crowded beaches when existing beach facilities become congested on summer weekends.

In recent years, the Town Natural Resources Department, Town Trustees, The Nature Conservancy, USFWS, and NYS DEC have worked together under cooperative management agreements to protect endangered shorebirds. They have occasionally closed or partially closed nesting areas on the beach to ORV's during critical breeding and fledging periods.

The Town's beach vehicle ordinance was revised a few years ago after much debate and compromise. The law provides for joint authority by the Town Board and the Town Trustees, and represents a delicate balance of user group interests. The current law is satisfactory but should be reviewed periodically to consider the numbers of vehicles on the beach, the geographic inconsistencies and to simplify enforcement. The Town Trustees must approve of any change in the beach vehicle permit system. In addition to the endangered species nesting closures, a number of changes or additions should be considered to improve the existing situation:

General:

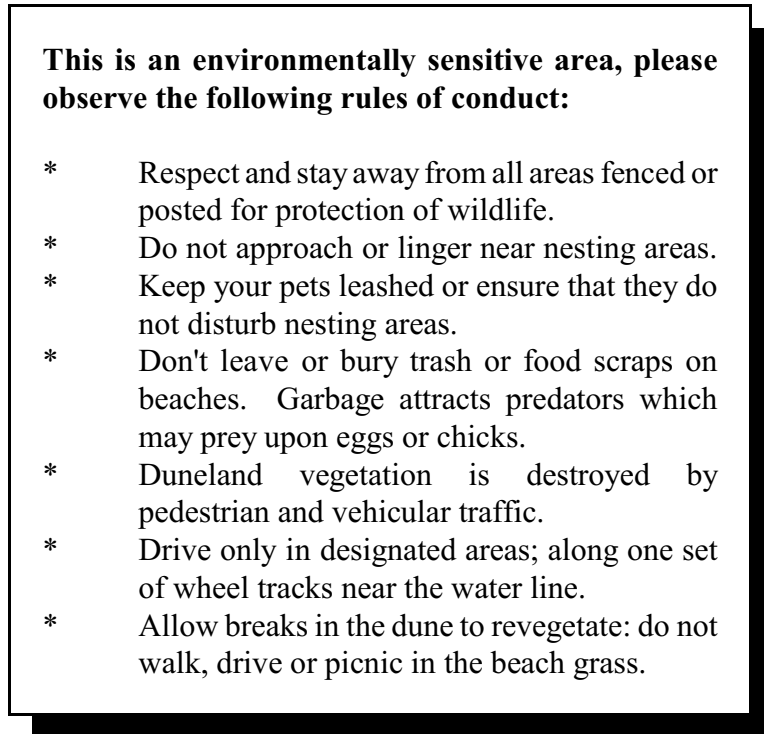
- Expand existing daytime (10:00 a.m. to 6:00 p.m.) beach vehicle restrictions between June 1 and September 15 to all ocean beaches and all bay beaches to reduce confusion and user conflicts.
- Require the Town beach vehicle permit to be renewed annually, with a user fee going to a dedicated fund for restoration of road-ends and beach revegetation.
- Restrict the time period for obtaining a permit to a period between January 1 and April 1, similar to the State Parks approach.

(Note: The Town Trustees, unanimously (1999), are not in agreement with the above three recommendations.)

Public education (including for pedestrians and other beachgoers):

- Distribute educational brochures with each beach vehicle permit.
- Prepare a Beach Vehicle Safety Course and require permit holders to take the course; use fees from the course for beach/dune restoration.
- Prepare maps of acceptable routes for ORV's.
- Prepare a beach vehicle awareness/safety course for school children.
- Prepare signs that inform vehicle users, beachgoers and beach walkers of environmental sensitivity and "rules of conduct" for critical access points. An example of such a sign is provided in Figure 1.
- Update existing map of Town parks and recreational facilities that provides a list of acceptable bathing areas to minimize the need for signs at access points.

Figure 1 - Sign for Environmentally Sensitive Access Points



Enforcement:

- Increase fines for abuse of beach vehicle regulations.
- Increase funding for enforcement personnel and equip them with off-road vehicles.
- Develop a "Citizen-watch" program for beach vehicle enforcement. Comments at the public hearing before the Planning Board strongly supported this recommendation. Two organizations, The Nature Conservancy and the Montauk Surfcaster Association noted [in 1991] they have individuals available to participate.
- Make beach vehicle permits specific to the driver's license rather than the vehicle.
- Prohibit all-terrain vehicles (ATV's) from all State and County parks.

Several areas within the Town were specifically noted by members of the public as most in need of ORV enforcement. They include the Walking Dunes and Goff Point, Gin Beach-Shagwong in Montauk County Park, the Montauk ocean beach from downtown, east through Rheinstein Park and Ditch Plains, and the ocean beach and back dunes in Napeague State Park.

Jetskis

A significant potential conflict looms over the use of jetskis (water scooters) or personal water craft (PWC's) known by various brand names such as Jet Ski, Sea Doo, Wave Runner, etc. Safety issues are a major concern with these fast and highly mobile craft. Numerous complaints have been received by Town Harbormasters and Bay Constables of situations where jetskis have threatened the safety of swimmers or other boaters. Noise and irritant factors for other nearby users are also serious

concerns, as are the environmental impacts. The jet pump action of jetski engines can propel them into the shallow waters of harbors and creeks where no other motorized craft can operate. There they can significantly disrupt vulnerable life cycles of fish fry, shellfish larvae and other delicate marine organisms. Even in the open waters of the bays the jet pump is interacting with the topmost layer of the water column where the greatest concentrations of marine life are found and where cumulative environmental impacts on marine biota are likely to be the greatest.

PWC's are the most rapidly growing market segment of the recreational boating industry, with the total registered in the state estimated to be expanding at 20% a year. Although accidents and fatalities among other vessels are actually decreasing, numbers of jetski related accidents and fatalities are soaring. While personal water craft are regulated by the Navigation Law and there are provisions of law that apply specifically to them, jetskis tend to be operated by people with little boating experience who are unfamiliar with waterborne rules, safety and courtesy, and enforcement is difficult (NYS OPRHP 1995 Recreational Boating Report).

The Town presently regulates use of jetskis ("water scooters") in **§149-12** of the Town Code, excluding them from harbors and bathing areas, and requiring that they be operated 500 feet from shore, except for slow speed (<10 m.p.h.) launching and landing runs perpendicular to the shore. However, the Town has limited enforcement capability on the water, with only 2-3 boats to cover over 100 miles of shoreline, and the law requires an officer to be an eye-witness in order to issue a violation.

Other localities have taken more stringent measures to limit the use of jetskis in their waters (New York Times: Jet Skis vs. Peace on Islands in Battle of San Juan County, 3/16/96, and Jet Skis Annoy Waterfront Residents, 6/2/96). Based on the safety issues, potential for environmental damage, and existing conflicts with other users, the Town should consider ways to further restrict jetskis.

Trail Uses

The Town has an extensive network of multi-use trails shared by hikers, equestrians and mountain-bikers with few conflicts to date. Motorized all-terrain vehicles (ATV's), including off-road motorcycles and snowmobiles, are prohibited under **§147** of the Town Code on Town trails. If and when other use conflicts become a problem, the Town will revisit its trails policy, but until then the multi-use scheme has produced a broad base of public support for maintaining the trail network and should be continued.

Other Use Conflicts

Other use conflicts also impinge on public access and coastal recreation. Private property impedes or blocks access in many locations to the public resources of the shore. In other locations public parking is so restricted it is difficult for the public to reach paths and walkways that provide pedestrian access to the shore. Construction of private erosion protection structures in some areas has blocked or eliminated longshore public access or caused loss of fronting beaches. In other instances increased volume of recreational activity is adversely affecting natural resources, for example, at the windsurfing access on Napeague Harbor where parking and pedestrian overuse are damaging roadside wetlands and shoreline vegetation.

Some sites have a mix of recreational and commercial uses, as at the Town's commercial docks and the jetties at Three Mile Harbor and Lake Montauk, used by recreational fishermen casting from shore as well as by commercial boats. These different uses generally coexist amicably. However, when changes are proposed at these sites the Town should be careful to safeguard the interests of commercial fishermen.

Potential use conflicts mainly involve active consumptive uses such as hunting or fishing and passive uses such as sunbathing or beach walking. Potential hiking vs hunting conflicts are identified in large open space tracts with permit-restricted game or waterfowl hunting (13 sites), and potential swimming vs. surfcasting problems are noted on beaches where both activities are prevalent, especially when they coincide during prime sportfishing season at the end of summer (14 sites). Most problems are preventable with signage, common sense, safety awareness and public education. Their notation here is a precautionary one, that hunter safety education and enforcement needs to be vigilantly implemented.

3. Summary of townwide environmental concerns

Resource and habitat concerns include protection of rare and endangered species, especially within State and Locally designated Significant Coastal Fish and Wildlife Habitats, problem areas where public access and recreation are limited by erosion, potential flooding problems at access points, and potential water quality problems that affect recreation use.

Of the 208 land and 31 waterbody sites inventoried, 32 of the land sites and 9 of the waterbody sites exhibited recreation opportunities reduced by erosion, e.g. public beaches or public access lost to storm erosion and effects of erosion protection structures. Potential storm flooding at road-ends, which may affect recreation resources, is noted at 50 sites. These problems are addressed in more detail in **Flooding and Erosion Policies #11-17** and further in *Road-end and Beach Access Modifications in Projects*.

39 of the land sites and 12 of the waterbodies surveyed include State designated Significant Coastal Fish and Wildlife Habitats, and 38 land sites and 10 waterbodies encompass Locally designated Significant Coastal Fish and Wildlife Habitats. Protected animal species are present at 34 sites, protected plant species at 41. Nesting shorebirds are recorded as a concern at 11 land sites and 16 waterbody sites. As noted, the Town Natural Resources Department in cooperation with the Town Trustees, TNC, NYS DEC, and the USFWS operate a breeding protection program for endangered shorebirds, particularly the least tern and piping plover. See **Significant Habitats Policy #7**.

Recommended dates for beach closures near nesting areas are between April 1 and August 15. It is recognized that the birds customarily return to the same general areas but that fencing and beach closure recommendations must be flexible to allow for yearly shifts in nesting sites. Ideally, bird nesting areas should be closed completely and the birds should not be disturbed by humans at all. However, people need access to the waterfront for public safety, recreational pursuits and commercial fishing. In balancing habitat and human needs, adequate alternative access should be provided where possible, and an adequate protected area should be secured for nesting sites to ensure successful reproduction, with birds disturbed as little as possible.

All nesting sites are delineated insofar as possible with string fencing. However, the extent of the beach closure depends on the site. In some cases, where the beach is very narrow, alternative access points are available and beach vehicle access is unnecessary. Examples are Goff Point in Napeague and Gerard Point on Accabonac Harbor. Minimal pedestrian access may be appropriate in some of the areas such as Gerard Point, but education of beach users is an important component of such a strategy. In other situations, for instance along Napeague Beach on the Atlantic shoreline, there are numerous alternative access points and a complete 24-hour closure is recommended. If both vehicles and shorebirds are to share beaches and have successful bird reproduction, education and enforcement are essential. In addition all fenced areas should be equipped with reflectors to minimize nighttime disturbances.

Other environmental concerns center on potential water quality problems, noted at 63 of the land sites, and 14 of the 31 waterbody sites. Water quality issues are addressed in **Water and Air Resources Policies #30-44**.

4. Summary of townwide improvement opportunities

Public access to the water is the single most important issue for recreation in the Town, and provides the most significant opportunity to improve and expand coastal recreation and traditional fishing. Existing access to the water in East Hampton is of several different types. For simplicity in the inventory database, public access in this report is classified by a progression, in descending order of inclusiveness as follows:

- Launch ramp*
- Boat access without ramp*
- ORV access*
- Pedestrian walkway*
- Natural pedestrian access [path]*
- Visual access*

Each category is intended to include all categories below it, for example a *Launch ramp* is assumed to also provide *ORV*, *Pedestrian* and *Visual access*; an *ORV access* is assumed to also incorporate *Pedestrian* and *Visual access*, etc. (see inventory checklist and associated criteria in **Appendix F**). In both the original Public Access inventory [completed in 1991] and this Public Access/Recreation Inventory, care was taken to assess the appropriateness of existing access and of suggested service improvements. Launch ramp installations or improvements are recommended at 7 sites, ORV access at 3 sites, pedestrian access at 29 sites, parking additions or improvements at 17 sites, and scenic viewpoints at 20 sites.

Existing access points identified in the inventory are shown on [Map VII-1A, -1B](#) facing page VII-4.

Additional public access is recommended for 10 of the Town's waterbodies at a variety of locations, some of which include:

Reach 2

- Three Mile Harbor, on west side of harbor, at Duke Drive road-end or vicinity of Hand's Creek, to replace lost access at Dominy's Point
- Hog Creek, access needed at north end

Reach 3

- Accabonac Harbor, west side, obtain land or an easement for vehicular access to the edge of the meadow, with pedestrian access to the water for clamming

Reach 4

- Cranberry Hole Road, obtain access or easement, across existing preserved feature on SCTM #128-1-7.1 or other suitable access to Napeague Bay
- Promised Land in Napeague State Park, pedestrian access for fishing at old fish factory pier (see Projects)
- Lazy Point area, open Bay View Avenue road-end to the public

Reach 5

- Fort Pond Bay, additional access needed on SE side, or from Navy Road

Reach 6

- Lake Montauk, West Lake Drive south of Star Island, access or an access easement
- Lake Montauk, East Lake Drive, underwater land associated with a Town access on (SCTM #7-3-8/2-9.4, -9.22, -9.23)
- Stepping Stones Pond, pedestrian access from road

Reach 9

- Atlantic Ocean, Montauk, obtain pedestrian access at Shadmoor

Reach 11

- Georgica Pond, additional access via the Hopping parcel, SCTM #197-7-15, 4.6 acres of woodland on the west side, or opening of Village of East Hampton property at SCTM #301-15-5-21.1, or assertion of Trustee right of passage over West End Road via SCTM #301-15-5-17
- Wainscott Pond, obtain land or an easement, or establish Trustee right of access by virtue of their ownership of the pond

Town-wide service recommendations were developed based on problems and service needs common to all access points. They include the following:

- Establish a Town-wide marine park network with primitive camping facilities at Cedar Point County Park, Napeague State Park and Culloden. "Marine park" refers to a park where access is by small unpowered water craft (canoes, kayaks, small sailboats) rather than overland. See **Projects**.
- Establish upland beach parking in the hamlets and East Hampton Village with a shuttle bus service to ocean beaches. Mitigation of bus traffic impacts on local streets in hamlets such as Amagansett must be carefully addressed if this approach is to succeed.
- Provide additional bike racks at all access points.
- Retrofit existing chemical toilets and flush systems near sensitive wetland and surface waters to composting or low-water sanitary facilities. Facilities at bay beaches are in the most need of upgrading and are more likely to be located next to sensitive wetlands than the ocean beaches. Budget priorities should focus on these facilities.
- Install outdoor rinse showers with water saving fixtures at major public beaches when upgrading facilities.

There are a number of opportunities to regain or reassert public access at locations where it has been eliminated. Misleading signage, claims of private ownership over public lands, and unavailability of parking are some obstacles to be resolved. For example, Bay View Avenue leading to the water in the Lazy Point area has a sign that says "Private Road", although it also serves a Town-owned waterfront parcel which could be used for public access. Such locations offer opportunities to enhance public access at little or no cost to taxpayers. At other locations where public access is severely lacking the Town should move to obtain necessary parcels or easements. In many cases access can be achieved with a natural pedestrian trail at minimal cost and with minimal impact to neighboring private property. The inventory lists a number of sites where this could be accomplished.

Significant improvements are also recommended at a number of publicly-owned sites, for example, creation of a municipal beach at the Town-owned "Assembly of God" parcel (SCTM #130-2-10) in Napeague, originally purchased for that purpose. Careful planning to optimize natural resource protection is a vital component of all these projects, and it is important to coordinate efforts of relevant Town agencies: Town Trustees, Planning and Natural Resources Departments, Parks and Highway Departments and Town Engineer. Several significant improvements and/or management plans for State-owned sites are discussed which require close cooperation between NYS OPRHP and the Town. These include the old fish factory site in Napeague State Park, Hither Hills/Hither Woods, and Camp Hero in Montauk State Park.

Repairs are needed at several launch ramps to bring them to safe operating status, for instance, the ramp at the County Dock at Northwest Creek. New or upgraded public launch ramp facilities are recommended at several sites, including the west side of Napeague Harbor (needs relocation or reconstruction) and East Lake Drive in Montauk. The Town should also consider making improvements so launch ramps are easier to use for handicapped and elder boaters, for example, by constructing a handrail, small catwalk or removable floating dock.

Modest upgrades in infrastructure can greatly enhance enjoyment of existing recreation facilities in the Town, and the Inventory and Analysis details a number of sites where simple amenities such as benches, bike racks, interpretive signs, garbage cans, and toilets should be placed. While the costs would be significant if all sites were upgraded at once, improvements can be accomplished gradually with a relatively nominal annual budget allocation.

Habitat, dune repair and wetland restoration are other areas where relatively low cost measures can help maintain natural resources and their recreational values for future users. The impending dune blowout at Kirk Park in Montauk is one example where expeditious use of snow fence and revegetation with beach grass may well prevent future damage. Many wetland sites where phragmites have invaded should also be restored, where this species has choked saltmarshes and interrupted scenic vistas. Budget wise, this should also become an annual undertaking to be performed on an incremental but consistent basis. See also *Public Access and Recreation Improvements* in **Projects** section.

5. Townwide summary of recreational uses compatible with new development

Consistent with Policy 22, which states that coastal zone development should provide for recreation as a multiple use, opportunities for incorporating recreational uses within new development were examined in the survey. Opportunities are necessarily limited by existing development and land use designations. However, 12 sites received recommendations for additional recreational uses. 2 sites in Montauk, the Benson Point and Roughrider Landing docks on Fort Pond Bay, are recommended for use as fishing piers. A launch ramp is also recommended at the Benson site when new development occurs. Preservation of an ORV access is recommended at the proposed Sea Breeze Estates subdivision in Napeague, where a traditional sand road access exists. New or improved pedestrian access to the beach is recommended at 8 sites, a swimming beach at 4 sites, and 5 sites are recommended for trails or preservation of existing trails. See *Public Access and Recreation Improvements* in **Projects** for specific site information.

J. IMPLEMENTATION

Implementing public access and recreation recommendations and policies involves actions that range from simple administrative changes (removing illegal signs, changing parking regulations), to management practices (fencing shorebird nesting areas), to acquiring public access. Specific site recommendations are in the reach Analysis sections and in *Public Access and Recreation Improvements* in **Projects** which recommends improvements in facilities, habitat protection, public education, enforcement, and land acquisition.

Other, more complex, policy implications and future management issues are raised in specific reach analyses and in policies. Some of these include:

- Funding mechanisms for acquisitions, easements, or other creative solutions for providing additional public access
- Public education programs and materials
- Long-term capital improvements

- Long-term maintenance needs
- Management plans for fish and wildlife, multi-jurisdictional habitat management and restoration plans
- Conflict resolution procedures between user groups and between government agencies
- Increased levels of enforcement including personnel and equipment
- Increased user fees and "abuser" fines to finance the above

K. PUBLIC ACCESS POLICIES

For a coastal community public access to the shore, foreshore, adjacent public lands and underwater lands is of the utmost importance for recreational, esthetic and economic purposes. Public access to the water is pivotal to East Hampton's resort and traditional fishing economies. Coastal recreation not only attracts tourists, the amenities of the shore are fundamental quality of life and esthetic values for all townspeople, year-round residents and second homeowners alike.

Fortunately, East Hampton and the other east end towns enjoy public ownership of most beaches and harbor bottomlands, a circumstance stemming from the colonial patents that established the Town Trustees as stewards of common lands "for the freeholders and commonalty" of the town. This heritage of public ownership is one that the Town is striving to preserve for posterity, but has been increasingly challenged by private development and misappropriation of public resources.

Within the LWRP framework, the objectives of **Public Access Policies #19-20** are to preserve and maintain existing public access to the water, prevent loss of access to development or construction of shorefront structures, and to increase or expand public access where needed. Potential ways to increase or expand access include: acquisition; restoration of traditional accesses that have been lost, reduced or degraded; encouraging private developers to provide public access through incentives, good planning techniques or other means; and cooperative efforts between government and private landowners to provide increased or enhanced access, for example, through construction of an integrated walkway connecting commercial waterfront parcels surrounding Montauk Harbor (see **Projects**).

All efforts to preserve or expand public access must be balanced with protection of associated coastal features and resources, as noted in LWRP policies for **Development (#1-6), Habitats (#7), Flooding and Erosion (#11-17), Recreation (#9, 21-22), Historic and Visual Resources (#23-25), and Water and Air Resources (#30-44)**. Use conflicts between different types of access or with natural features have been extensively noted in the Inventory and Analysis for the combined Public Access and Recreation report, with remedies proposed in the associated recommendations.

POLICY 19 PROTECT, MAINTAIN AND INCREASE THE LEVEL AND TYPES OF ACCESS TO PUBLIC WATER-RELATED RECREATION RESOURCES AND FACILITIES SO THAT THESE RESOURCES AND FACILITIES MAY BE FULLY UTILIZED IN ACCORDANCE WITH REASONABLY ANTICIPATED PUBLIC RECREATION NEEDS AND THE PROTECTION OF HISTORIC AND NATURAL RESOURCES. IN PROVIDING SUCH ACCESS, PRIORITY SHALL BE GIVEN TO PUBLIC BEACHES, BOATING FACILITIES, FISHING AREAS AND WATERFRONT PARKS.

Explanation of Policy:

The objective of this policy is to maintain or improve public access to public water-related recreation resources and facilities. The policy calls for achieving a balance between public recreation needs and natural and historic resource protection. Public beaches, public boating facilities such as launch ramps, fishing areas, road-ends and waterfront parks are priority types of access.

Balancing public access to the water with preservation of the plant and wildlife habitats of the beach and the overall health of the shoreline ecosystem entails policy decisions on access location and what type of access is appropriate for individual sites. It is the Town's policy to improve public access where appropriate to meet public demand, and to provide access to the water where it is limited or unavailable, but with a clear caveat that protecting natural and historic resources should take precedence over recreation needs.

It is also Town policy to guard against encroachment of private development on rights of access to beaches and harbors that have been guaranteed under State Law and the Dongan Patent, the colonial document that granted in-common ownership to the Town Trustees. This affects much of the traditional water access from coastal trails and sand roads, which needs to be preserved and, in some cases, restored. Where public access has been lost through oversight, insufficient documentation or misappropriation of public lands, the Town and Town Trustees should reassert rights of public passage to the water.

The Inventory and Analysis for this section describes existing access points and types of access to the water with associated facilities, and ways to improve them. In reaches with abundant public parklands (1,2,3,4,5,7,9, and 10) the inventory indicates sufficient availability of existing public access. In the remaining reaches (6,8,11 and 12) and in localized areas within the other reaches, some waterbodies have very limited public access. Likewise, services and facilities within the more developed reaches (2,6,9 and 10) are generally more extensive than facilities in other reaches.

A compilation of recommendations for improving access facilities, acquiring additional access points, and protecting natural resources at certain access areas are contained in the database developed for the Public Access and Recreation Inventory and Analysis and in reports provided in *Public Access and Recreation Improvements in Projects*. Sites are located on [Maps VII-1A & -1B](#), Public Access and Recreation. Town-wide recommendations concerning public education, enforcement of use restrictions and resource protections are also provided in the Inventory. Use conflicts at public access points and waterfront recreation facilities have also been recorded in the

inventory database, and site-specific recommendations for their resolution are included in *Public Access and Recreation Improvements in Projects*.

Recommended improvements are both diverse and specific, ranging from installing park benches for a particular view of the sunset to developing a marine park network with non-motorized water access and primitive camping facilities. Other public improvements include drainage abatement structures, bike racks, parking facilities, toilets, boat launches, trash and recycling receptacles, waterfront walkways and removing navigational hazards.

Recommendations for habitat protection include fencing shorebird colonies, removing asphalt, revegetation of disturbed areas, restricting vehicle access, and coordinating management with other agencies. Associated with habitat protection are public education recommendations including signs at designated areas, brochures for distribution when obtaining a beach vehicle permit, and an education course for beach vehicle users to be required before permit issuance. Other recommendations target increased enforcement of existing regulations for specific areas of the Town and on holiday weekends and the full moon.

Opportunities for public access and recreational use of the publicly owned foreshore can be significantly improved through land acquisition, as discussed in **Policy #20** and in related LWRP sections, especially **Significant Habitats Policy #7**, and Open Space Plan recommendations in **Development Policies #1-6**. Some areas where additional public access points are needed are listed under Townwide Improvement Opportunities in the Inventory and Analysis. Additional site recommendations are contained in *Public Access and Recreation Improvements in Projects*. Recommendations are made for purchase of these lands or for purchase of easements across them to provide public access to the publicly owned foreshore. See [Maps VII-1A / -1B](#), Public Access and Recreation, for locations.

Several proposed access improvements warrant further study such as the addition of a bathing beach on Town-owned property in Napeague, improving access and services for surfing on the Atlantic shoreline east of Ditch Plains, and the ownership and related rights of public access to Wainscott Pond. See **Projects**.

Implementation of this policy requires cooperation and coordination with the other owners of parkland and open space in the Town, including NYS OPRHP and Suffolk County Parks Department. As examples, limiting numbers of ORV overnight campers using the Shagwong Point, "Gin Beach" area in Reach 7 would have to be implemented and enforced by the County Parks Department. Enforcement of vehicle restrictions in the Walking Dunes area in Reach 4 requires action by NYS OPRHP. Developing a trash and recycling collection system necessitates East Hampton Town and State Department of Environmental Conservation cooperation.

The following guidelines will be used to determine the consistency of a proposed action in the coastal area with this policy:

- (1) Existing access to public water-related recreation resources and facilities shall not be reduced, nor shall the future possibility of access from adjacent or proximate private or public lands/facilities to public water-related recreation resources and facilities be eliminated, unless in the latter case, estimates of future use of these resources and facilities are too low to justify maintaining or providing public access.
- (2) Public lands or facilities including underwater lands shall not be leased or otherwise limited in use so as to deny public access, except where required for preservation of natural features, habitat values or other environmental protection, or where private use of bottomlands or other other coastal resources also produces a net benefit to the public resource consistent with **Commercial Fishing Policies #10/10A**.
- (3) Any proposed project to increase public access to public water-related recreation resources and facilities shall be analyzed according to the following factors:
 - (a) To be consistent with this policy, the level of access to be provided should be in accord with estimated public use.
 - (b) In providing access, conservation of natural or historic resources shall take precedence over recreation uses. The level of access to be provided shall not degrade or exceed the physical capability or ecological carrying capacity of the resource or facility. If this is determined to be the case, the proposed level of access shall be deemed inconsistent with this policy.
- (4) The Town shall not undertake, fund or endorse any action which increases access to a water-related resource or facility that is not open to all Town residents. This shall not, however, be taken to mean that any particular type of access (visual, pedestrian, vehicular, etc.) is appropriate for a given site.

The following is an explanation of terms used in the above guidelines:

- (1) **Access** - the ability and right of the public to reach and use public coastal lands and waters.
- (2) **Public water-related recreation resources or facilities** - all public lands or facilities that are suitable for passive or active recreation that requires either water or a waterfront location or is enhanced by a waterfront location.
- (3) **Public lands or facilities** - lands or facilities held by the State, County or the Town in fee simple or less-than-fee simple ownership and to which the public has access or could have access, including underwater lands and the foreshore.

- (4) **Reduction in the existing level of public access** - includes but is not limited to the following:
 - (a) The number of parking spaces at a public water-related recreation resource or facility is significantly reduced.
 - (b) The service level of public transportation to a public water-related recreation resource or facility is significantly reduced during peak season use and such reduction cannot be reasonably justified in terms of meeting system-wide objectives.
 - (c) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.

- (5) **Elimination of the future possibility of public access**- includes but is not limited to the following:
 - (a) Construction of public facilities which physically prevent the provision, except at great expense, of convenient public access to public water-related recreation resources and facilities.
 - (b) Sale, lease, or other transfer of public lands or underwater lands that could provide public water-related recreational resources or traditional fishing or shellfishing stocks.
 - (c) Construction of private facilities which physically prevent the provision of convenient public access to public water-related recreation resources or facilities, including berms, fences or other landscaping that impedes or obstructs public access.

POLICY 20 ACCESS TO THE PUBLICLY-OWNED FORESHORE AND TO LANDS IMMEDIATELY ADJACENT TO THE FORESHORE OR THE WATER'S EDGE THAT ARE PUBLICLY-OWNED SHALL BE PROVIDED, AND IT SHOULD BE PROVIDED IN A MANNER COMPATIBLE WITH ADJOINING USES. SUCH LANDS SHALL BE RETAINED IN PUBLIC OWNERSHIP.

Explanation of Policy:

With the exception of the Montauk peninsula east of Hither Hills State Park, the majority of beaches and harbor bottomlands in the Town are held in fee title by the Town Trustees for "the freeholders and commonalty of the Town". Below the high tide line the foreshore is owned by the State of New York.

In addition to Town and State-owned beaches and the public foreshore there are a number of Town, County and State-owned parklands that provide access to the coast.

Appropriate public access to these and other public lands of the coast shall be provided, except in order to preserve natural features, habitat values or for other critical environmental protection.

The principal publicly-owned parklands in the Town of East Hampton located on or adjacent to the water are summarized for each reach as follows:

Reach 1	Barcelona Neck (NYS DEC) Grace Estate Preserve (TOEH) Cedar Point Park (Suffolk County)
Reach 2	Sammy's Beach (TOEH) Maidstone Park (TOEH)
Reach 3	Parklands at Gerard Dr., Louse Pt., Albert's Landing and Fresh Pond (TOEH)
Reach 4	Napeague State Park (NYS OPRHP) Hither Hills State Park (NYS OPRHP)
Reach 5	Hither Hills State Park (NYS OPRHP) Hither Woods (TOEH, State and County)
Reach 6	Montauk County Park (Suffolk County)
Reach 7	Montauk County Park (Suffolk County) Montauk Point State Park (NYS OPRHP)
Reach 8	Montauk Point State Park - Camp Hero (NYS OPRHP)
Reach 9	Rheinstein Park (TOEH) Kirk Park (TOEH)
Reach 10	Napeague State Park (NYS OPRHP) Atlantic Double Dunes Preserve (USFWS) Atlantic Avenue and Indian Wells Highway beaches (TOEH)

Public access is provided at numerous public road-ends, Trustee lands and waters, Town, County and State parklands and water bodies, and publicly owned docks. Access points are located in all reaches and are recorded in detail in the Inventory and Analysis. Locations are shown on [Map VII-1A/-1B](#), Public Access and Recreational Resources, facing page VII-4.

Publicly-owned lands referenced in the inventory shall be retained in public ownership. Although sale, easements and leases on underwater lands have historically been granted by the New York State Office of General Services, sale, easements or leases of underwater lands to adjacent onshore property owners or to private individuals and corporations is inconsistent with this policy. Such grants of underwater lands represent a loss of public access to the publicly owned foreshore as well as a loss of access to publicly owned common property resources like shellfish beds, and are therefore inconsistent with both this policy and **Policy #19** and **Commercial Fishing Policy #10/10A**. However, limited private use of public bottomlands may be permitted consistent with **Aquaculture/Mariculture Policy #10A**, provided the activity is on a relatively small scale and also benefits the public resource through distribution of wild spawn, etc.

Use of public lands of the shore or foreshore will only be consistent with these policies if it does not substantially interfere with continued public use of coastal resources, and is consistent with protection of habitat and natural coastal features. Consistency may include maintaining public access for recreation or shellfishing, providing a nursery area for future public shellfishing resources (or providing some percentage of the total harvest to the public), or guaranteeing future public access along the shoreline, if such agreements do not compromise environmental protection or water quality.

In exceptional cases longshore access may include creation of a publicly accessible dock or boardwalk/promenade linking the shorefront of adjacent commercial properties, for example, in the proposed boardwalk for Montauk Harbor (see **Projects**, *Revitalization of Montauk Harbor*).

The following guidelines will be used to determine the consistency of a proposed action with this policy:

- (1) Existing access from adjacent or proximate public lands or facilities to existing public coastal lands and/or waters shall not be reduced. The possibility of increasing access in the future from adjacent or nearby public lands or facilities to public coastal lands and/or waters shall not be eliminated. Reductions in access or elimination of future access shall be acceptable only where these actions are demonstrated to be of overriding regional or statewide public benefit.
- (2) The existing level of public access to or within public coastal lands or waters shall not be reduced or eliminated.
- (3) Public access from the nearest public roadway to the shoreline and along the coast shall be provided by new land use or development, except where:
 - (a) It is inconsistent with public safety, military security, or the protection of identified fragile coastal resources,
 - (b) Agriculture would be adversely affected.

Such access shall not be required to be open to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the access.

- (4) Increased public access to coastal lands and waters shall be justifiably proposed where two or more of the following six criteria are met:
 - (a) Past development practices have rendered publicly owned foreshore and bottomlands inaccessible through privatization of historical access points and public rights of way.
 - (b) No other public access exists within one half mile of the proposed access point.

- (c) The level of access to be provided is in accord with estimated public use.
- (d) The access is one of exceptional and unique aesthetic appeal within the Town, e.g. the "Shadmoor" parcel on the Montauk peninsula.
- (e) The level of access to be provided will not cause a degree of use which would exceed the physical capability or ecological carrying capacity of the resource.
- (f) The existing means of obtaining access to the publicly owned foreshore, e.g. by boat, is more environmentally destructive than an alternative means of reaching the foreshore or the bottomlands, e.g. overland.

The following is an explanation of the terms used in the above guidelines:

- (1) See definitions under Policy 19 for "access", and "public lands or facilities".
- (2) A reduction in the existing level of public access includes but is not limited to the following:
 - (a) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
 - (b) Sale, lease, easement or other conveyance of public lands, underwater lands or waters.
 - (c) Construction of private facilities, landscaping or other barriers which physically prevent convenient public access to public coastal lands and/or waters from public lands and facilities.
 - (d) Existing public access is reduced or blocked by any public or private development.

L. RECREATIONAL RESOURCES POLICIES

Coastal recreation is the linchpin of East Hampton's resort economy, enhances its attractiveness as a place to live and for tourism, and is deeply embedded in local lifestyles and traditions. A spectrum of recreational opportunities in the Town's coastal zone provide enjoyment for every age and taste, from toddlers in the sand to accomplished surfers, from sedentary sunbathers to swimmers and surf fishermen.

Recreation depends on coastal resources, and recreational uses must be compatible with protection of these resources and other LWRP planning goals. These are addressed in other sections, including **Development Policies #2 & #4, Significant Habitats #7, Flooding and Erosion Policies #11-17,**

Public Access Policies #19-20, Historic Resource and Visual Quality Policies #23-25, and Water and Air Resources Policies #30-44, with their accompanying Inventory and Analysis sections.

The objectives of **Recreational Resource Policies #9 & #21-22** are to improve or enhance coastal recreational opportunities and recreational use of fish and wildlife resources in the Town, to find locations where water-dependent and water-enhanced recreation can be encouraged and facilitated, and to incorporate such opportunities as part of new development. Any efforts to expand recreation must also ensure renewal of fish and wildlife resources, and protect habitats, beaches, and surface waters, and consider the economic activities dependent on them. Some of the ways recreational opportunities can be improved or expanded include increasing public access, improving facilities at park and beach areas, supplementing fish or wildlife stocks, and providing standards for development that incorporate coastal recreation.

Where recreation uses have adverse impacts on other resources or conflict with other uses of the resource, it is important to minimize or mitigate these impacts or conflicts, or to discontinue the use if it is inappropriate for a particular site or area. The Town will only be harmed if it permits or allows to expand recreation activities that despoil the resources they depend on, reducing or destroying them for future generations. Regulating and preventing such activity is a legitimate and appropriate function of government.

Many of East Hampton's public lands and bottomlands and some public access points are owned by the Town Trustees under colonial patents for the "freeholders and commonalty" of the Town. The Trustees' holdings are an important component in the recreational life of East Hampton, and the Trustees' prerogatives are significant considerations in implementing these policies.

POLICY 9 EXPAND RECREATIONAL USE OF FISH AND WILDLIFE RESOURCES IN COASTAL AREAS BY INCREASING ACCESS TO EXISTING RESOURCES, SUPPLEMENTING EXISTING STOCKS, AND DEVELOPING NEW RESOURCES.

POLICY 9A RECREATIONAL USE OF FISH AND WILDLIFE RESOURCES WILL BE EXPANDED BY INCREASING PUBLIC ACCESS AND OTHER MEASURES AT SITES RECOMMENDED UNDER "OPPORTUNITIES FOR IMPROVEMENT" AND "RECREATIONAL USES COMPATIBLE WITH NEW DEVELOPMENT" IN THE ANALYSIS NARRATIVE OF THIS REPORT, AND IN "PUBLIC ACCESS AND RECREATION IMPROVEMENTS" IN PROJECTS SECTION XIV.

Explanation of Policy:

Traditional and acceptable recreational uses of fish and wildlife in the Town of East Hampton waterfront area include fishing, shellfishing, hunting, trapping, foraging for wild fruits and berries, bird-watching, photography, sketching and nature study. Efforts to expand recreational uses of fish

and wildlife must also ensure protection and renewal of both the resource and the habitats on which they depend. Other uses and users of these resources must also be taken into account.

Increasing public access to the water is a primary way to enhance recreational use of fish and wildlife. The Inventory and Analysis makes site specific recommendations for acquiring additional public access and other measures to improve recreational access. See Analysis and *Public Access and Recreation Improvements* in **Projects** for detailed recommendations.

The following guidelines shall be used to determine the consistency of proposed actions with this policy:

- (1) Government agencies should determine whether an action will harm existing or future uses of the Town or State's recreational fish and wildlife resources. They should evaluate the impacts on fish and wildlife resources and habitat of development in the coastal zone including highway, residential, commercial and marina construction, boat-related pollution, navigational congestion, and pressures on local resource stocks from over-harvesting or inappropriate use.
- (2) Efforts to increase access to recreational fish and wildlife resources should not lead to overutilization of that resource or cause habitat impairment. Sometimes such impairment can be more subtle than actual physical damage to the habitat. For example, increased human presence can deter animals from using the habitat area, pollutants can affect shellfish populations, and development of a site can lead to habitat fragmentation even with maintenance of open space. Increase in access should only be in accordance with sound resource management considerations, including the biology of a particular resource, the standing stock, sustainable yield, economic importance, habitat, food supply, costs and available technology, and public demand for a given resource.
- (3) The impact of increasing access to recreational fish and wildlife and other coastal resources should be determined on a case-by-case basis, consulting the significant habitat narrative (see **Significant Habitats Policy #7**), and/or conferring with a trained fish and wildlife biologist. In some cases, access should be reduced. For instance, numbers of beach camping permits issued in Montauk County Park should be reduced because of vehicle impacts on beaches and coastal ecology (see **Flooding & Erosion Policies #11-17**).
- (4) Any public or private sector initiatives to supplement existing stocks or develop new resources must be designed to benefit the public resource as a whole, shall be consonant with sound ecology and resource management, and in accord with existing State laws. See also **Commercial Fishing Policies #10/10A**.
- (5) Access to fish and wildlife resources should, wherever possible, be structured to avoid conflicts of use, e.g. hunting in residential areas, fishing in public bathing areas, recreational vehicles in significant habitat areas. However, regulation of resources by New York State agencies should not discriminate in favor of one user group at the expense of another.

- (6) Access to State lands within the Town for hunting or hiking should be enhanced by making State permits more accessible to the public, by allowing East Hampton Town to issue NYS DEC hunting and access permits locally, and by providing more pedestrian access and additional roadside parking areas, e.g. at Napeague Harbor during hunting season, to make it feasible to bring in blinds and gear. Permits for recreational fishing on State park beaches are presently available from LI State Parks at Montauk Downs.
- (7) Part of the Town's shellfish management policy is to maintain and enhance public shellfish stocks in Town and State waters. East Hampton operates a Town hatchery, grow-out and seeding program to enhance local recreational and commercial shellfishing. 10% of the hatchery output is seeded in New York State waters under a 25-year agreement with NYS DEC [until ca. 2015].

Other desirable management programs to increase available shellfish stocks are carried out by the Town Natural Resources Department, Harbormaster, Town Trustees and East Hampton Baymen's Association, including:

- Shellfish transplants within local waters
- Shellfish seeding programs to enhance recreational fisheries
- Relays of shellfish spawning stock from productive to less productive areas
- Identification and protection of shellfish spawning stocks
- Open Marsh Water Management (OMWM) plans to reduce pollution and improve finfish nursery areas
- Non-point pollution abatement and reduction of road runoff through installation of catchment and retention basins
- Wetlands restoration measures such as controlling invasion of phragmites

Agencies should encourage the voluntary participation of recreational enthusiasts in the labor-intensive aspects of these management programs.

- (8) NYS DEC should inform, consult, and coordinate with, East Hampton Town and Town Trustees on stocking waters within the Town, or other non-regulatory management actions, prior to undertaking such action. The Town Trustees are solely responsible for Wainscott and Hook Ponds.
- (9) Surface water quality is an intrinsic factor in maintaining harvestable shellfish stocks and finfish spawning and nursery areas in the Town's harbors and bays. Actions affecting surface water quality should be evaluated to prevent damage to shellfish, finfish and wildlife populations and habitat (see also **Water and Air Resources Policies #30-44**).
- 10) No new leases of productive bottomlands under Town, County or State jurisdiction should be granted to private entities. Public bottomlands should remain open to all users for fishing and shellfishing. Existing leases should not be renewed (see also **Commercial Fishing Policy #10/10A**).

POLICY 21 WATER-DEPENDENT AND WATER ENHANCED RECREATION WILL BE ENCOURAGED AND FACILITATED, AND WILL BE GIVEN PRIORITY OVER NON-WATER RELATED USES ALONG THE COAST, PROVIDED IT IS CONSISTENT WITH THE PRESERVATION AND ENHANCEMENT OF OTHER COASTAL RESOURCES AND, TAKES INTO ACCOUNT DEMAND FOR SUCH FACILITIES. IN FACILITATING SUCH ACTIVITIES, PRIORITY SHALL BE GIVEN TO AREAS WHERE ACCESS TO THE RECREATION OPPORTUNITIES OF THE COAST CAN BE PROVIDED BY NEW OR EXISTING PUBLIC TRANSPORTATION SERVICES AND TO THOSE AREAS WHERE THE USE OF THE SHORE IS SEVERELY RESTRICTED BY EXISTING DEVELOPMENT.

POLICY 21A WATER-DEPENDENT AND WATER-ENHANCED RECREATION WILL BE ENCOURAGED AND FACILITATED AT SITES RECOMMENDED UNDER "OPPORTUNITIES FOR IMPROVEMENT" AND "RECREATIONAL USES COMPATIBLE WITH NEW DEVELOPMENT" IN THE ANALYSIS NARRATIVE OF THIS REPORT, AND IN "PUBLIC ACCESS AND RECREATION IMPROVEMENTS" IN PROJECTS SECTION XIV.

Explanation of Policy:

The character of East Hampton and its quality of life are defined by its water-related recreation. Recreation is vital to the Town's resort economy. However, demand for recreation in the waterfront area must be balanced with preservation of the Town's natural heritage of coastal resources.

The Inventory and Analysis section of this report provides a detailed view of recreation in the coastal zone, including types of access to the shore, bathing beaches, recreational boating and fishing, passive uses such as sunbathing, photography and nature appreciation, and facilities at parks and road-ends.

Almost all land uses can be considered "enhanced" by their proximity to the coast. As described in **Development Policies #1-6**, there is a limited amount of land Town-wide that is zoned in the commercial Waterfront (WF) District. In addition, there is a limited amount of land available for paved surfaces or expansion of other facilities due to the sensitivity of the near-shore environment. Therefore, when considering development proposals in the near-shore environment, priority should be given to land uses that are water-dependent over those that are merely water-enhanced or not water-dependent at all. Specific areas where water-dependent and water-enhanced recreation will be encouraged and facilitated are discussed in the Analysis section of this report as well as listed in the *Public Access and Recreation Improvements* in **Projects**. Recommendations are also discussed in **Development Policy #2, Water-Dependent Uses** and **Public Access Policy #20, Access to Publicly-Owned Lands Adjacent to the Water's Edge**.

The following guidelines will be used to determine the consistency of a proposed action with this policy:

- (1) The development of water-related recreation must be consistent with preservation and enhancement of important coastal resources such as fish and wildlife habitats, scenic areas, historic and cultural resources, agriculture and significant mineral and fossil deposits.
- (2) No form of water-related recreation shall be allowed that significantly infringes upon the enjoyment of coastal resources by the majority of other users of the resource. For example, the use of jetskis causes excessive noise, poses significant safety concerns for riders and other users such as swimmers, and causes adverse impacts to the marine environment, particularly in shallow waters where jet drives can harm larval marine organisms or fish fry and increase turbidity. The Town prohibits their use within enclosed harbors and 500' of shore, except for launching and landing. State and County entities regulating activities on lands within the Town should conform to these regulations.
- (3) Water-related recreation development shall have a higher priority than non-water-dependent uses. See **Development Policies #1-6** for further guidelines for water-dependent and water-enhanced land uses.
- (4) The siting or design of new development, or expansion or protection of existing development shall not result in barriers to the recreational use of the Town's shore.
- (5) The siting of boating facilities must be consistent with preservation and enhancement of other coastal resources and the capacity of the resource to accommodate demand. Marina design and slip capacity shall not exceed the ability of enclosed harbors to provide adequate tidal circulation or flushing action around all slips. Marinas will, as appropriate, include parking, park-like surroundings, shower and toilet facilities, trash and recycling facilities, and pumpout facilities.
- (6) Future expansion of beach parking should be located in upland village-center parking facilities with shuttle bus transportation provided to and from the shore and the hamlet or village center. Mitigation of bus traffic impacts on local streets in hamlets such as Amagansett must be carefully addressed if this approach is to succeed.
- (7) Agencies of the State and County governments should grant lead agency status to the Town of East Hampton and submit for SEQRA review proposed actions on State and County lands within the Town which may affect coastal recreational resources.
- (8) Water-related use of off-road vehicles (ORV's) is an acceptable activity provided no adverse environmental impacts occur. Where adverse environmental impacts occur or will potentially occur, mitigating measures will be implemented, where practicable, to minimize such adverse impacts. The Town Trustees believe that acceptable mitigation is possible and

practicable in virtually all cases. If acceptable mitigation is not practicable, ORV prohibitions will be posted and enforced.

POLICY 22 DEVELOPMENT, WHEN LOCATED ADJACENT TO THE SHORE, WILL PROVIDE FOR WATER-RELATED RECREATION, AS A MULTIPLE USE, WHENEVER SUCH RECREATIONAL USE IS APPROPRIATE IN LIGHT OF REASONABLY ANTICIPATED DEMAND FOR SUCH ACTIVITIES AND THE PRIMARY PURPOSE OF THE DEVELOPMENT.

POLICY 22A FOR SPECIFIC LOCATIONS WHICH MAY APPROPRIATELY PROVIDE WATER-RELATED RECREATION AS A MULTIPLE USE WITH DEVELOPMENT SEE RECOMMENDATIONS UNDER "OPPORTUNITIES FOR IMPROVEMENT" AND "PUBLIC ACCESS AND RECREATIONAL USES COMPATIBLE WITH NEW DEVELOPMENT" IN THE ANALYSIS NARRATIVE AND IN "PUBLIC ACCESS AND RECREATION IMPROVEMENTS" IN PROJECTS SECTION XIV. SEE ALSO PUBLIC ACCESS POLICIES #19-20.

Explanation of Policy:

This policy calls for compatible inclusion of recreational facilities in new developments adjacent to the shore. Under this policy public development within the coastal zone should provide public access to the shore and appropriate water-related recreation as an integral part of its planning, realization and management.

Private development which uses the allure of public coastal resources to enhance its value or business opportunities should also provide significant public access to the shore and to water-related recreation resources. Much development presents practical opportunities for providing recreation facilities as an additional use of the site or facility. Therefore, whenever development is located adjacent to the shore, it will to the fullest extent permitted by existing law provide for some form of water-related recreation use unless there are compelling reasons why any form of such recreation would not be compatible with the development, or a reasonable demand for public use cannot be foreseen.

The types of development which can generally provide water-related recreation as a multiple use include but are not limited to: residential development, marinas, yacht clubs, hotels, and restaurants. The Analysis section discusses specific locations that can appropriately accommodate water-related recreation uses as part of development. See also sites and recommendations in *Public Access and Recreation Improvements*, and *Revitalization of Montauk Harbor* in **Projects** for a discussion of the linked walkway proposal for Coonsfoot Cove.

The following guidelines will be used to determine the consistency of a proposed action with this policy:

- (1) Trail ends, Trustee roads and other access points used traditionally by recreational and commercial fishermen, the Dory Rescue Squad and other members of the public to gain access to the publicly owned foreshore shall be preserved in place or relocated. Such relocation should maintain the access in a manner that is no less useful, ie. navigable, beautiful etc., and is compatible with adjacent land uses and sensitive habitat.
- (2) Subdivision design that provides a near-shore road-end, a large cul-de-sac and a buffered access strip to the waterfront would be consistent with this policy. At a minimum, subdivision design should allow water access for all residents of the subdivision.
- (3) Development of State, County, or Town infrastructure within the coastal zone shall include a recreational component.
- (4) Recreational uses will not be excluded from new development solely because of safety or liability considerations. This policy recognizes that some risk is acceptable in use of recreational facilities.