

**appendixes
selected bibliography
planning team**

APPENDIX A

FIRE ISLAND AREA PARKS 1971-1976 ANNUAL VISITATION

Year	Smith Point County Park	Robert Moses State Park	All Mid-Long Island State Parks
1971	735,210	2,518,400	19,582,500
1972	775,000	2,443,200	19,318,700
1973	917,460	2,756,700	21,943,800
1974	939,920	2,526,500	20,362,556
1975	1,130,000	2,517,600	20,338,100
1976	735,256	2,122,200	19,042,900

FIRE ISLAND AREA PARKS 1971-1976 PERCENT CHANGE IN ANNUAL VISITATION

Year	Smith Point County Park	Robert Moses State Park	All Mid-Long Island State Parks
1971-72	5.4	-3.0	-1.4
1972-73	18.4	12.8	13.6
1973-74	2.5	-8.4	-7.2
1974-75	20.2	-0.4	-0.1
1975-76	-34.9	-15.7	-6.4
1971-76	0.0	-15.7	-2.8

Annual park visitation for state and county parks in the Fire Island vicinity was relatively stable or slightly on the increase from 1971 through 1975. Visitation at Robert Moses State Park has fluctuated, but there was an average 0 percent growth rate through 1975. If a parallel causeway was constructed, Robert Moses State Park could experience substantial visitor increases. The 1976 decreased visitation occurred mostly in beach areas and is primarily attributed to the sludge that washed ashore on Long Island during much of the summer season.

APPENDIX B

RECOMMENDED REGIONAL RECREATIONAL ACREAGE (FOR ALL-DAY EXCURSIONS WITHIN 2 HOURS OF HOME)

Area	Existing Acreage — 1970	Additional Recommended*
Nassau	14,100	400
Suffolk	20,300	17,600
Westchester	1,100	16,500
New York City	—	2,100

* Data based on 12 acres per thousand population standard

RECOMMENDED SUBREGIONAL RECREATIONAL ACREAGE (FOR PART-DAY OUTINGS WITHIN 20 MINUTES OF HOME)

Area	Existing Acreage — 1970	Theoretical Additional Acreage Needed*
Suffolk	41,200	0
Nassau	19,810	6,490
Westchester	25,700	0
Bronx	5,590	22,430
Kings	5,370	39,580
New York	2,600	22,790
Queens	7,600	28,950
Richmond	5,160	3,320

* Data based on 18 acres per thousand population standard

Source: Adapted from *Outdoor Recreation in a Crowded Region*, Tri-State Regional Planning Commission, September 1973. Theoretical standards for estimating future recreational land needs are based on 12 and 18 acres per thousand population.

APPENDIX C

OUTSTANDING NATURAL AND CULTURAL RESOURCES OF FIRE ISLAND NATIONAL SEASHORE AND VICINITY

Place Name	Ownership	Significance
Historic Resources		
Fire Island Lighthouse	Coast Guard	Principal historic structure on Fire Island
William Floyd Estate	Park Service	Architecturally and historically significant; manor house and grounds formerly owned by signer of Declaration of Independence
Natural Resources		
Skirted pine, Fire Island Lighthouse tract	Coast Guard	Rare manifestation of salt-spray effects on plant life
Sunken Forest	Park Service	Excellent example of maritime American holly/sassafras/shadbush forest
Maritime forest	Point O'Woods	Excellent example of maritime American holly/sassafras/shadbush forest
Old Inlet	Park Service	Site of former inlet; high secondary dunes; diverse vegetation, including freshwater marshes within dune area
Area south of Hospital Island	Park Service	Diverse high-marsh vegetation; island's best stand of beach grass
Watch Hill interpretive area	Park Service	Representative upland marsh communities of Fire Island, containing small stands of maritime forest; valuable as a diverse area for natural history interpretation near seashore's largest federal development

LANDS REQUIRING PROTECTION BECAUSE OF INHERENT VALUES

Area	Ownership	Values
Dune line	Variable	The line of dunes fringing the beach provides aesthetic continuity and serves as the island's main natural defense against erosive forces. Maintenance of a dune system without development is essential to the perpetuation of the island's ecological diversity and productivity.
Bog habitats	Variable	These rare freshwater habitats, with high degree of isolation, high species diversity, and unique assemblages of species, are rarely more than a few square yards in area. Bogs and freshwater marshes are scattered throughout the interdunal portion of the island and have been identified in the Fire Island Lighthouse tract, the eastern unit of Robert Moses State Park, Point O'Woods, the Sailor's Haven area, along the interpretive trail east of Watch Hill, near Old Inlet, and at various locations on Suffolk County lands.
Clam Pond	Saltaire	The small coves with fringing cordgrass marshes are most extensive and diverse in the tidal-marsh community west of Watch Hill.

Area	Ownership	Values
Maritime forest habitats	Variable	The American holly/sassafras/shadbush forest is best developed west of Sailor's Haven where it has long been considered an outstanding natural resource. Major stands are present in the eastern section of Point O'Woods. Smaller stands, many no more than patches within a matrix of high thicket, have been identified at Talisman and Watch Hill, and more may exist. These stands develop only in areas that are relatively stable geologically for a century or more; they are relatively rare components of the natural ecosystem complex, and have become progressively rarer as stands are cleared or thinned for development.
John Boyle Island	Brookhaven	John Boyle Island contains one of the last remaining nesting sites in the Long Island area for the common tern.
Tidal marshes, swamps, and ponds on William Floyd Estate	Park Service	This is the only tidal marsh and tupelo swamp on the Long island mainland within the seashore, and it provides valuable estuarine habitat.
Tidal marshes on Fire Island	Variable	Tidal marshes have special value as natural habitat wherever they occur. Their importance in preserving the quality and productivity of tidal estuaries is progressively increasing as marshes elsewhere are consumed for development. All wetlands and marshes within the communities also require protection because of their ecological value.

APPENDIX D

TRENDS IN THE DEVELOPMENT OF FIRE ISLAND COMMUNITIES 1928-1973 (BASED ON AERIAL PHOTOGRAPHS AND TOPOGRAPHIC MAPS¹)

Community	Approximate Number of Structures by Year										Mesa Number Structures/Year					Years to Full Development
	1928	1938 ³	1947	1955	1962	1964	1966	1969	1972	1973	1938-1962	1938-1947	1947-1955	1955-1962	1966-1973	
Lighthouse Shores/ Kismet/Seabay Beach	13	7	8	32	72	} 285	109	149	170	188	3	0	3	6	11	6
Saltaire	158	73	107	120	158		220	264	283	311	4	4	2	5	11	41
Fair Harbor/Dunewood/ Lonelyville/Atlantique	73	37	70	177	311	351	404	440	476	526	11	4	13	19	17	17
Robbins Rest/Corneille Estates/Ocean Beach	401	319	365	494 ²	605	} 834	643	637 ²	625	676	12	5	16	16	4	44
Seaview	60	90	87	161 ²	226		293	296 ²	299	320	6	0	9	9	4	45
Ocean Bay Park	20	50	61	144 ²	217	} 400	257	263	273	297	7	1	10	10	6	11
Point O'Woods	152	104	130	137 ²	144		146	146	149	151	2	3	1	1	1	390
Cherry Grove	49	8	64	187	150	230	263	263	265	271	6	6	15	-5	1	36
Fire Island Pines	5	7	8	97	282	332	411	434	453	509	11	0	11	26	14	11
Water Island	14	12	17	28	29	26 ²	23	25	28	29	1	1	1	0	1	12
Davis Park	3	0	7	63	123	} 241	152	152	154	144	5	1	7	9	-1	
Ocean Ridge	1	0	16	20	70		106	106	120	126	3	2	1	10	3	1
TOTALS	949	707	940	1260	2387	2699	3032	3175	3295	3548	71	27	89	106	72	25⁴

¹ Air Map Corporation of America 1928, 1:24000; Fairchild Aerial Surveys Inc. 1938, 1:24000; U.S. Geological Survey 1947, 1:24000; U.S. Geological Survey 1955, 1:24000; Lockwood, Kessler, & Bartlett Inc. 1962, 1:1200; Lockwood, Kessler, & Bartlett Inc. 1969, 1:4800; Webster, Sheffield, Fleischman, Hitchcock & Brookfield 1964; Grumman Ecosystems Corp. 1972, 1:4800; Aerial Data Reduction Inc. 1973, 1:4800.

² Data unavailable. Interpolation made based on rate of change between proximal surveys.

³ Following the great hurricane of 1938.

⁴ Based on past trends, 25 years would be the average period required for full development of presently undeveloped lands.

APPENDIX E: LEGISLATION

Public Law 88-587
88th Congress, S. 1365
September 11, 1964



An Act

To establish the Fire Island National Seashore, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) for the purpose of conserving and preserving for the use of future generations certain relatively unspoiled and undeveloped beaches, dunes, and other natural features within Suffolk County, New York, which possess high values to the Nation as examples of unspoiled areas of great natural beauty in close proximity to large concentrations of urban population, the Secretary of the Interior is authorized to establish an area to be known as the "Fire Island National Seashore".

Fire Island
National Sea-
shore.
Establishment.

(b) The boundaries of the national seashore shall extend from the easterly boundary of Robert Moses State Park eastward to Moriches Inlet and shall include not only Fire Island proper, but also such islands and marshlands in the Great South Bay, Bellport Bay, and Moriches Bay adjacent to Fire Island as Sexton Island, West Island, Hollins Island, Ridge Island, Pelican Island, Pattersquash Island, and Reeves Island and such other small and adjacent islands, marshlands, and wet lands as would lend themselves to contiguity and reasonable administration within the national seashore and, in addition, the waters surrounding said area to distances of one thousand feet in the Atlantic Ocean and up to four thousand feet in Great South Bay and Moriches Bay, all as delineated on a map identified as "Fire Island National Seashore No. OGP-0002", dated June 1964. The Secretary shall file said map with the Federal Register, and it may also be examined in the offices of the Department of the Interior.

Boundaries.

SEC. 2. (a) The Secretary is authorized to acquire, and it is the intent of Congress that he shall acquire as appropriated funds become available for the purpose or as such acquisition can be accomplished by donation or with donated funds or by transfer, exchange, or otherwise, the lands, waters, and other property, and improvements thereon and any interest therein, within the boundaries of the seashore as established under section 1 of this Act. Any property or interest therein owned by the State of New York, by Suffolk County, or by any other political subdivision of said State may be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within such area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this Act. In exercising his authority to acquire property in accordance with the provisions of this subsection, the Secretary may enter into contracts requiring the expenditure, when appropriated, of funds authorized by this Act, but the liability of the United States under any such contract shall be contingent on the appropriation of funds sufficient to fulfill the obligations thereby incurred.

Acquisition of
land.
78 STAT. 928.
78 STAT. 929.

(b) When the Secretary determines that lands and waters or interests therein have been acquired by the United States in sufficient quantity to provide an administrative unit, he shall declare the establishment of the Fire Island National Seashore by publication of notice in the Federal Register.

Publication in
Federal Register.

(c) The Secretary shall pay not more than the fair market value, as determined by him, for any land or interest therein acquired by purchase.

(d) When acquiring land by exchange the Secretary may accept title to any nonfederally owned land located within the boundaries of the national seashore and convey to the grantor any federally

owned land under the jurisdiction of the Secretary. The lands so exchanged shall be approximately equal in fair market value, but the Secretary may accept cash from or pay cash to the grantor in order to equalize the values of the lands exchanged.

(e) With one exception the Secretary shall not acquire any privately owned improved property or interests therein within the boundaries of the seashore or any property or interests therein within the communities delineated on the boundary map mentioned in section 1, except beach or waters and adjoining land within such communities which the Secretary determines are needed for public access to the beach, without the consent of the owners so long as the appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid, zoning ordinance that is satisfactory to the Secretary. The sole exception to this limitation on the power of the Secretary to condemn improved property where appropriate zoning ordinances exist shall be in the approximately eight-mile area from the easterly boundary of the Brookhaven town park at Davis Park, in the town of Brookhaven, to the westerly boundary of the Smith Point County Park. In this area only, when the Secretary deems it advisable for carrying out the purposes of this Act or to improve the contiguity of the park land and ease its administration, the Secretary may acquire any land or improvements therein by condemnation. In every case in which the Secretary exercises this right of condemnation of improved property the beneficial owner or owners (not being a corporation) of any improved property so condemned, provided he, she, or they held the same or a greater estate in the property on July 1, 1963, may elect as a condition of such acquisition by the Secretary any one of the following three alternatives:

78 STAT. 929.
78 STAT. 930.

(1) that the Secretary shall take the said property in fee simple absolute and pay the fair market value thereof as of the date of such taking;

(2) that the owner or owners shall retain a life estate in said property, measured on the life of the sole owner or on the life of any one person among multiple owners (notice of the person so designated to be filed in writing with the Secretary within six months after the taking) or on the life of the survivor in title of any estate held on July 1, 1963, as a tenancy by the entirety. The price in such case shall be diminished by the actuarial fair market value of the life estate retained, determined on the basis of standard actuarial methods;

(3) that the owner or owners shall retain an estate for twenty-five years. The price in this case shall likewise be diminished by the value of the estate retained.

"Improved property."

(f) The term "improved property" as used in this Act shall mean any building, the construction of which was begun before July 1, 1963, and such amount of land, not in excess of two acres in the case of a residence or ten acres in the case of a commercial or industrial use, on which the building is situated as the Secretary considers reasonably necessary to the use of the building: *Provided*, That the Secretary may exclude from improved properties any beach or waters, together with so much of the land adjoining such beach or waters as he deems necessary for public access thereto.

Regulations.

SEC. 3. (a) In order to carry out the provisions of section 2, the Secretary shall issue regulations, which may be amended from time to time, specifying standards that are consistent with the purposes of this Act for zoning ordinances which must meet his approval.

(b) The standards specified in such regulations shall have the object of (1) prohibiting new commercial or industrial uses, other than commercial or industrial uses which the Secretary considers are con-

sistent with the purposes of this Act, of all property within the national seashore, and (2) promoting the protection and development for purposes of this Act of the land within the national seashore by means of acreage, frontage, and setback requirements.

(c) Following issuance of such regulations the Secretary shall approve any zoning ordinance or any amendment to any approved zoning ordinance submitted to him that conforms to the standards contained in the regulations in effect at the time of adoption of the ordinance or amendment. Such approval shall remain effective for so long as such ordinance or amendment remains in effect as approved.

(d) No zoning ordinance or amendment thereof shall be approved by the Secretary which (1) contains any provisions that he considers adverse to the protection and development, in accordance with the purposes of this Act, of the area comprising the national seashore; or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under, or any exception made to, the application of such ordinance or amendment.

(e) If any improved property, with respect to which the Secretary's authority to acquire by condemnation has been suspended according to the provisions of this Act, is made the subject of a variance under, or becomes for any reason an exception to, such zoning ordinance, or is subject to any variance, exception, or use that fails to conform to any applicable standard contained in regulations of the Secretary issued pursuant to this section and in effect at the time of passage of such ordinance, the suspension of the Secretary's authority to acquire such improved property by condemnation shall automatically cease.

78 STAT. 930.
78 STAT. 931.

(f) The Secretary shall furnish to any party in interest upon request a certificate indicating the property with respect to which the Secretary's authority to acquire by condemnation is suspended.

SEC. 4. (a) Owners of improved property acquired by the Secretary may reserve for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a term that is not more than twenty-five years. The value of the reserved right shall be deducted from the fair market value paid for the property.

Owners' use
of property.

(b) A right of use and occupancy reserved pursuant to this section shall be subject to termination by the Secretary upon his determination that the use and occupancy is not consistent with an applicable zoning ordinance approved by the Secretary in accordance with the provisions of section 3 of this Act, and upon tender to the owner of the right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

SEC. 5. The Secretary shall permit hunting, fishing, and shell-fishing on lands and waters under his administrative jurisdiction within the Fire Island National Seashore in accordance with the laws of New York and the United States of America, except that the Secretary may designate zones where, and establish periods when, no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment. Any regulations of the Secretary under this section shall be issued after consultation with the Conservation Department of the State of New York.

Hunting and
fishing.

SEC. 6. The Secretary may accept and use for purposes of this Act any real or personal property or moneys that may be donated for such purposes.

SEC. 7. (a) The Secretary shall administer and protect the Fire Island National Seashore with the primary aim of conserving the natural resources located there. The area known as the Sunken Forest Preserve shall be preserved from bay to ocean in as nearly its present state as possible, without developing roads therein, but con-

Sunken Forest
Preserve.

tinuing the present access by those trails already existing and limiting new access to similar trails limited in number to those necessary to allow visitors to explore and appreciate this section of the seashore.

(b) Access to that section of the seashore lying between the easterly boundary of the Brookhaven town park at Davis Park and the westerly boundary of the Smith Point County Park shall be provided by ferries and footpaths only, and no roads shall be constructed in this section except such minimum roads as may be necessary for park maintenance vehicles. No development or plan for the convenience of visitors shall be undertaken therein which would be incompatible with the preservation of the flora and fauna or the physiographic conditions now prevailing, and every effort shall be exerted to maintain and preserve this section of the seashore as well as that set forth in the preceding paragraph in as nearly their present state and condition as possible.

(c) In administering, protecting, and developing the entire Fire Island National Seashore, the Secretary shall be guided by the provisions of this Act and the applicable provisions of the laws relating to the national park system, and the Secretary may utilize any other statutory authority available to him for the conservation and development of natural resources to the extent he finds that such authority will further the purposes of this Act. Appropriate user fees may be collected notwithstanding any limitation on such authority by any provision of law.

Shore erosion control.
78 STAT. 931.
78 STAT. 932.

SEC. 8. (a) The authority of the Chief of Engineers, Department of the Army, to undertake or contribute to shore erosion control or beach protection measures on lands within the Fire Island National Seashore shall be exercised in accordance with a plan that is mutually acceptable to the Secretary of the Interior and the Secretary of the Army and that is consistent with the purposes of this Act.

(b) The Secretary shall also contribute the necessary land which may be required at any future date for the construction of one new inlet across Fire Island in such location as may be feasible in accordance with plans for such an inlet which are mutually acceptable to the Secretary of the Interior and the Secretary of the Army and that is consistent with the purposes of this Act.

Fire Island National Advisory Commission.
Establishment.

SEC. 9. (a) There is hereby established a Fire Island National Seashore Advisory Commission (hereinafter referred to as the Commission). The Commission shall terminate on the tenth anniversary of the date of this Act or on the declaration, pursuant to section 2(b) of this Act, of the establishment of the Fire Island National Seashore, whichever occurs first. The Commission shall consist of fifteen members, each appointed for a term of two years by the Secretary, as follows:

(1) Ten members to be appointed from recommendations made by each of the town boards of Suffolk County, New York, one member from the recommendations made by each such board;

(2) Two additional members to be appointed from recommendations of the town boards of the towns of Islip and Brookhaven, Suffolk County, New York;

(3) One member to be appointed from the recommendation of the Governor of the State of New York;

(4) One member to be appointed from the recommendation of the county executive of Suffolk County, New York;

(5) One member to be designated by the Secretary.

(b) The Secretary shall designate one member to be Chairman.

(c) A member of the Commission shall serve without compensation.

(d) The Commission established by this section shall act and advise by affirmative vote of a majority of the members thereof.

(e) The Secretary or his designee shall, from time to time, consult with the members of the Commission with respect to matters relating to the development of Fire Island National Seashore and shall consult with the members with respect to carrying out the provisions of sections 2, 3, and 4 of this Act.

(f) (1) Any member of the Advisory Commission appointed under this Act shall be exempted, with respect to such appointment, from the operation of sections 281, 283, 284, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (5 U.S.C. 99) except as otherwise specified in paragraph (2) of this subsection. Conflict of interest.
76 Stat. 1126.

(2) The exemption granted by paragraph (1) of this subsection shall not extend—

(i) to the receipt of payment of salary in connection with the appointee's Government service from any sources other than the private employer of the appointee at the time of his appointment; or

(ii) during the period of such appointment, and the further period of two years after the termination thereof, to the prosecution or participation in the prosecution, by any person so appointed, of any claim against the Government involving any matter concerning which the appointee had any responsibility arising out of his appointment during the period of such appointment. 78 STAT. 932.
78 STAT. 933.

SEC. 10. There is hereby authorized to be appropriated not more than \$16,000,000 for the acquisition of lands and interests in land pursuant to this Act. Appropriation.

Approved September 11, 1964.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 1638 accompanying H. R. 7107 (Comm. on Interior & Insular Affairs).

SENATE REPORT No. 1300 (Comm. on Interior & Insular Affairs).

CONGRESSIONAL RECORD, Vol. 110 (1964):

Aug. 6: Considered and passed Senate.

Aug. 20: Considered and passed House, amended, in lieu of H. R. 7107.

Aug. 21: Senate concurred in House amendments.



Public Law 89-244
 89th Congress, H. R. 8035
 October 9, 1965

An Act

79 STAT. 957

To authorize the Secretary of the Interior to accept a donation of property in the county of Suffolk, State of New York, known as the William Floyd Estate, for addition to the Fire Island National Seashore, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to accept the donation of approximately six hundred and eleven acres of lands, submerged lands, islands, and marshlands or interests therein, known as the William Floyd Estate, located in the town of Brookhaven, county of Suffolk, and State of New York, delineated on a certain map entitled "Map of the Fire Island National Seashore, Including the William Floyd Estate", numbered OGP-0003, dated May 1965, which map or a true copy thereof shall be filed with the Federal Register and may be examined in the offices of the Department of the Interior. Such donation may be accepted subject to such terms, covenants, and conditions as the Secretary finds will be in the public interest.

Fire Island
 National Sea-
 shore, N. Y.
 Additional land.

Filing with
 Federal Reg-
 ister.

Sec. 2. The Secretary is also authorized to accept the donation of the main dwelling on said lands, which was the birthplace and residence of General William Floyd (a signer of the Declaration of Independence) and the furnishings therein and any outbuildings, subject to like terms, covenants, and conditions. The Secretary is authorized to lease said lands, dwellings, and outbuildings to the grantors thereof for a term of not more than twenty-five years, at \$1 per annum, and during the period of the leasehold the Secretary may provide protective custody for such property.

Lease of lands,
 dwellings, etc.

Sec. 3. Upon expiration or surrender of the aforesaid lease the property shall become a detached unit of the Fire Island National Seashore, and shall be administered, protected, and developed in accordance with the laws applicable thereto subject, with respect to said main dwelling and the furnishings therein, to such terms, covenants, and conditions which the Secretary shall have accepted and approved upon the donation thereof as in the public interest.

Approved October 9, 1965, 6:30 a. m.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 980 (Comm. on Interior & Insular Affairs).
 SENATE REPORT No. 763 (Comm. on Interior & Insular Affairs).
 CONGRESSIONAL RECORD, Vol. 111 (1965):
 Sept. 20: Passed House.
 Sept. 23: Considered and passed Senate.

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As the nation's principal conservation agency, the Department of the Interior has basic responsibilities to protect and conserve our land and water, energy and minerals, fish and wildlife, parks and recreation areas, and to ensure the wise use of all these resources. The department also has major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.