

Trustees Begin Work On Mecox Plan

Public offers input
on a new policy

BY GREG WEHNER

After almost 373 years, the Southampton Town Trustees have finally started work on a blueprint for how to manage the machine-dug cut that regularly flushes Mecox Bay in Water Mill.

The first of what could turn out to be many meetings was held last Thursday, June 16, to gather public input on a proposed plan for when, and how, the cut should be opened, and when it should be closed, rather than relying on less formal guidelines.

The Trustees regularly use heavy equipment to dig a trench that connects the bay with the ocean. Opening the cut allows ocean water to flow in and out, flushing the bay and increasing its salinity, which can benefit fish and shellfish.

When the cut is closed—either spontaneously, or, again, by the Trustees using heavy machinery—it can mean flooded base-



Clockwise from above: The Mecox cut in Water Mill was opened by the Trustees on Thursday morning, June 16; Peter Bogan, president of the Water Mill Beach Club, addresses the Trustees at last week's meeting; Trustee Bill Pell at the meeting, flanked by colleagues Ed Warner Jr., left, and Eric Shultz.

MICHAEL WRIGHT AND DANA SHAW PHOTOS



MECOX: Stakeholders Clash Over Cut

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ments after heavy rainfalls for property owners. Others prefer the cut to be closed to avoid erosion of the ocean beach in front of their properties. And boaters often want the cut closed in the summer to maintain water levels. The Trustees must balance those concerns while also addressing the salinity of the bay.

When it is first dug, the trench is barely wider than a backhoe shovel, but the flowing water can quickly turn the new inlet into a cut more than 100 feet wide. Changing winds and tidal cycles can quickly redirect the flow, pushing it east or west in a matter of hours, and shifting its erosive effects.

Managing the cut is an important task, but nothing has ever been added to the Trustees' book of rules—known as the "Blue Book"—to outline what they can and can't do when it comes to opening the cut, or when it should be done, and that is what they plan to work toward. Instead, it was opened and closed on a case-by-case basis. When the salinity of the bay got so low that it could impact the shellfish and finfish that live the bay, the Trustees traditionally opened the bay to create a flushing effect that helped get the levels back up. Other times, when water levels high enough that septic systems and basements flooded, the Trustees opened the cut to lower water.

Through these meetings, the Trustees hope to come up with a plan that incorporates testing, and specific salinity and dissolved oxygen levels required to open and close the cut. It also would set out policy for other factors, such as the maximum length of time that the cut can be open, and what to do when endangered animals are spotted in the area of the cut. At the same time, the Trustees hope to strike a balance that satisfies those who recreate and live around the bay.

Of almost 50 people in attendance at last week's meeting, 19 spoke, and there were three common themes. Some residents said that instead of the Trustees mining and selling the sand dug out when they create the trench, they want to see it put back onto the beach it came from. Some residents called for the Trustees



Nica Strunk, attorney for the Water Mill Beach Club, addresses the Trustees at Thursday's meeting. Right, Jeff Lignelli. DANA SHAW PHOTOS



to close the cut within two weeks of opening it, and still others asked that they dredge Mecox Bay and return that sand to the beach to bolster it.

Peter Bogan, the president of the oceanfront Water Mill Beach Club, which is located just west of the cut, indicated that he was upset because the Trustees have left the cut open for months at a time, which erodes the beach in front of the club. "We lost the dune three times in the last four years, because the bloody thing was opened for the winter," he said. "Close the damn thing in a timely manner, period."

Also speaking on behalf of the Water Mill Beach Club at the meeting, Nica Strunk, a Southampton attorney, maintained that her clients had experienced millions of dollars in damage due to the failure of the Trustees to close the cut. "My clients' major concern is that this cut cannot just be opened—the cut has to be closed as well," she said.

Ms. Strunk shared a 2013 video that showed the cut flowing almost parallel to the bulkhead, with water streaming through it like a quickly moving river and taking beach sand along the way.

The Trustees had voted to open the cut on June 6, but permission was needed from the state—and they recently discovered that, because of an oversight, a dredging permit from the State Department of Environmental Conservation that allows the opening of the cut had expired. They obtained an emergency permit through U.S. Representative Lee Zeldin's office that allowed it to happen on Thursday, June 16, while they work to renew another

10-year permit.

Ms. Strunk has written a letter to George Hammarth, the deputy regional permit administrator for the DEC, asking that the agency approve only an emergency permit if clear time limits are placed on how long the cut is left open, and if an enforceable protocol for closing the cut is set up as a condition of the permit.

The fact that Ms. Strunk is representing the Water Mill Beach Club has raised concerns that club members plan to file a lawsuit seeking damages from the Trustees—who've spent more than \$1 million since 2009 on other court cases. Ms. Strunk said a lawsuit has not been filed, although she would not say if one is planned.

Some in the crowd last week said they were relieved to see the cut opened. John D'Orazio, who lives on Mecox Bay, said he was originally told the cut would not be opened until August, and that the water levels have been so high he has gone through two sump pumps, and water has begun coming through the concrete of his basement. "Everything I'm working for, I'm watching it vanish," he said.

Lynda Packard, who said she has spent her entire life on Mecox Bay, said it used to be bowl-shaped—meaning deeper—but that over the years, sand has piled up because of the letting of the pond, so that the bottom has become more like a platter. She recommended that the Trustees start dredging the bay and putting the sand back on the beaches.

Trustee Scott Horowitz assured that this was the first of many hearings and called for patience.