



**STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED  
(PURSUANT TO THE PROVISIONS OF THE  
ENVIRONMENTAL PROTECTION ACT 1986)**

**LONG ISLAND TOURISM DEVELOPMENT  
HOUTMAN-ABROLHOS ISLANDS, WESTERN AUSTRALIA**

- Proposal:** The construction and operation of a tourism development on Long Island, Wallabi Group, Houtman-Abrolhos Islands, consisting of visitor lodges (maximum of 60 guests), staff accommodation, communal facilities (including day-visitor facilities), boardwalks and gazebos, a swimming pool, deep water jetty, helipad, wastewater treatment plant, desalination plant and other maintenance/service facilities, as documented in Schedule 1.
- Proponent:** Kenesta Pty Ltd trading as Humfrey Land Developments (ACN 009 349 535)
- Proponent Address:** 272 Foreshore Drive, GERALDTON WA 6531
- Assessment Number:** 1559
- Report of the Environmental Protection Authority:** Bulletin 1250
- Ministerial appeal determinations:** 27 to 30 of 2007

The proposal referred to in the above report of the Environmental Protection Authority may be implemented. The implementation of that proposal is subject to the following conditions and procedures:

**1 Proposal Implementation**

The proponent shall implement the proposal as documented and described in Schedule 1 of this statement subject to the conditions and procedures of this statement.

**2 Proponent Nomination and Contact Details**

- 2-1 The proponent for the time being nominated by the Minister for the Environment under sections 38(6) or 38(7) of the Act is responsible for the implementation of the proposal.

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2-2 The proponent shall notify the CEO of any change of the name and address of the proponent for the serving of notices or other correspondence within 30 days of such change.

### **3 Time Limit of Authorisation**

3-1 The proposal must be substantially commenced within five years of the date of publication of this statement.

3-2 The proponent shall provide the CEO with written evidence which demonstrates that the proposal has substantially commenced on or before the expiration of five years from the date of publication of this statement.

### **4 Compliance Reporting**

4-1 The proponent shall submit to the CEO environmental compliance reports annually reporting on the previous twelve-month period, unless required by the CEO to report more frequently.

4-2 The environmental compliance reports shall address each element of an audit program approved by the CEO and shall be prepared and submitted in a format acceptable to the CEO.

4-3 The environmental compliance reports shall:

1. be endorsed by signature of the proponent's Managing Director or a person, approved in writing by the CEO, delegated to sign on behalf of the proponent's Managing Director;
2. state whether the proponent has complied with each condition and procedure contained in this statement;
3. provide verifiable evidence of compliance with each condition and procedure contained in this statement;
4. state whether the proponent has complied with each key action contained in any environmental management plan or program required by this statement;
5. provide verifiable evidence of conformance with each key action contained in any environmental management plan or program required by this statement;
6. identify all non-compliances and non-conformances and describe the corrective and preventative actions taken in relation to each non-compliance or non-conformance;
7. review the effectiveness of all corrective and preventative actions taken; and
8. describe the state of implementation of the proposal.

4-4 The proponent shall make the environmental compliance reports required by condition 4-1 publicly available in a manner approved by the CEO.

## **5 Construction Environmental Management Plan**

- 5-1 Prior to undertaking ground-disturbing activities, the proponent shall prepare and submit a Construction Environmental Management Plan that meets the objectives specified in this condition.
- 5-2 The proponent shall consult with the CEO and the Department of Fisheries in the preparation of this Plan, as well as any other public authorities required to be consulted in specific elements of the Plan.
- 5-3 The general objectives of this Plan are to ensure that environmental and cultural heritage values of the development site, Long Island, adjacent marine waters and surrounding islands are not adversely affected as a result of construction activities. Specific objectives of the elements of this Plan are detailed within each element.
- 5-4 The Plan shall, in relation to construction activities, include the following elements as described in Schedule 2:
- Avifauna management plan;
  - Quarantine management plan;
  - Marine management plan;
  - Heritage management plan;
  - Oil spill contingency plan;
  - Hazardous and dangerous substances management plan; and
  - Visitor management plan (modified from Schedule 2 as appropriate for construction workforce).
- 5-5 The proponent shall prepare and implement management plans for each of the elements identified in 5-4 in accordance with the requirements set out in Schedule 2.
- 5-6 The proponent shall implement the Construction Environmental Management Plan required by condition 5-1.
- 5-7 The proponent shall make the Construction Environmental Management Plan required by condition 5-1 publicly available in a manner approved by the CEO.

## **6 Operational Environmental Management Plan**

- 6-1 Prior to commencement of operations, the proponent shall prepare and submit an Operational Environmental Management Plan that meets the objectives specified in this condition.
- 6-2 The proponent shall consult with the CEO and the Department of Fisheries in the preparation of this Plan, as well as any other public authorities required to be consulted in specific elements of the Plan.

- 6-3 The general objectives of this Plan are to ensure that environmental and cultural heritage values of the development site, Long Island, adjacent marine waters and surrounding islands are not adversely affected as a result of the operation of the proposal. Specific objectives of the elements of this Plan are detailed within each element.
- 6-4 The Plan shall, in relation to operational activities, include the following elements as described in Schedule 2:
- Avifauna management plan;
  - Quarantine management plan;
  - Marine management plan;
  - Heritage management plan;
  - Oil spill contingency plan;
  - Hazardous and dangerous substances management plan; and
  - Visitor management plan.
- 6-5 The proponent shall prepare and implement management plans for each of the elements identified in 6-4 in accordance with the requirements set out in Schedule 2.
- 6-6 The proponent shall implement the Operational Environmental Management Plan required by condition 6-1.
- 6-7 The proponent shall make the Operational Environmental Management Plan required by condition 6-1 publicly available in a manner approved by the CEO.

## **7 Vegetation protection**

- 7-1 The proponent shall undertake a survey and prepare maps of the development area (Figure 1) to locate all occurrences of *Lepidium puberulum*.
- 7-2 The proponent shall avoid, where possible, any activity which impacts on any specimen of *Lepidium puberulum*.
- 7-3 A survey undertaken under 7-1 is to conform to the EPA's Guidance Statement 51 *Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia* (July 2004).

## **8 Tidal pond protection**

- 8-1 Except as provided for in this condition, nothing in these conditions authorises the entry of persons or any damage to or interference with any tidal pond on Long Island.
- 8-2 The proponent is authorised to add seawater to the tidal pond 504 within the development area (Figure 3) on the following conditions:
1. seawater is only added at such times, flow rates and volumes as necessary to prevent decomposition of algae occurring within the pond as stated in paragraph 7.4.4 of the PER document;

2. seawater is added in such a way as to not disturb the floor or sediment of the pond or otherwise cause turbidity or damage to any biological process in the pond;
3. seawater is filtered to prevent the introduction of plants and animals not endemic to the pond or which are genetically distinct from the pond populations;
4. the proponent shall monitor and report on the condition of any or all tidal ponds at such times and form as directed by the CEO.

8-3 The proponent may access tidal pond 504 within the development area for the purpose of carrying out any activity authorised under 8-2.

8-4 If monitoring carried out under 8-2 shows that addition of seawater is or may be adversely affecting any environmental value of tidal pond 504, the proponent is to immediately cease the practice and not resume until written approval is obtained from the CEO.

## **9 Fencing under elevated structures; generally**

9-1 The underfloor area of elevated structures constructed on the island shall be unfenced to allow access to fauna, with the exception of the underfloor areas of accommodation units to the north of the "fencing line" marked red on Figure 3 which are permitted to be fenced.

9-2 If monitoring of avifauna undertaken under condition 6 indicates that the fencing installed under condition 9-1 is having an impact on avifauna in excess of trigger levels, the proponent shall implement appropriate management responses, including removal of any or all of the fencing.

9-3 No other fencing is permitted on the island except as provided for in these conditions.

## **10 Setback of structures**

10-1 All structures designed for sleeping or emergency accommodation must comply with the coastal set back requirements of the Vulnerability Assessment unless the proponent satisfies the Minister on the advice Department for Planning and Infrastructure (coastal engineers) and Department of Fisheries that one or more of the following applies:

1. an additional coastal processes assessment by a suitably qualified person shows that the set backs can be reduced without adversely impacting on human health and safety;
2. the floor height of the structures is such that inundation will not adversely impact human health and safety;
3. a suitable inundation and storm response plan is in place under Schedule 3 which will ensure that inundation will not adversely impact human health and safety.

- 10-2 Any structure designed to store hazardous substances must be set back from the coast in accordance with the Vulnerability Assessment.
- 10-3 Any structure not referred to in 10-1 or 10-2 must comply with the set back requirements of the Vulnerability Assessment unless the proponent satisfies the Minister on the advice Department for Planning and Infrastructure (coastal engineers) and Department of Fisheries that a suitable inundation and storm response plan is in place under Schedule 3 which will ensure that inundation will not adversely impact human health and safety.
- 10-4 This condition does not apply to boardwalks, jetties or helicopter pad.

## **11 Avifauna protection**

If monitoring under conditions 5 and 6 indicates the proposal is or may be having an adverse impact on avifauna in excess of trigger levels identified in the Avifauna Management Plan, the proponent shall:

1. immediately implement contingency measures identified in the Avifauna Management Plan or other measures to eliminate or reduce the impact;
2. report to the CEO on the exceedance of the trigger levels and measures proposed to be taken under 1.; and
3. provide a report to the CEO prepared by a suitably qualified avifauna expert within 6 months of the first report describing the impact, the measures taken to address that impact, and an assessment of the effectiveness of those measures in addressing the impact.

## **12 Discharge, disposal of waste**

- 12-1 Subject to 12-3, nothing in these conditions authorises the discharge of waste from the implementation or operation of the proposal.
- 12-2 Subject to 12-3, all waste generated from the implementation or operation of the proposal shall be disposed of at a mainland waste facility that is licensed or otherwise approved to accept waste of that kind.
- 12-3 Wastewater is permitted to be discharged from the site in accordance with paragraph 3.6.1.4 of the PER document and subject to the requirements of the Construction and Operational Management Plans prepared under conditions 5 and 6 respectively.

## **13 Aircraft activity**

- 13-1 Aircraft servicing the proposal shall operate in accordance with:
1. the Great Barrier Reef Marine Park Authority *Guidelines for Managing Visitation to Seabird Breeding Islands*, Great Barrier Reef Marine Park Authority, Townsville, Queensland (1997); and

2. the measures contained in paragraph 7.6.2.5 of the PER document.

13-2 The proponent shall keep a record of movements of all aircraft servicing the proposal, and make this available to the CEO on request.

#### **14 Australian Sea Lions**

The proponent shall monitor for the presence of Australian Sea Lions (*Neophoca cinerea*) and any other sea lion on Long Island, and report details of sightings and location to the CEO on an annual basis.

#### **15 Definitions**

In these conditions (including all Schedules and Appendices), unless the contrary intention appears –

“accommodation units” means structures used primarily for the use of paying guests, and referred to a “guest lodges” in Figure 3 of these conditions

“Act” means the *Environmental Protection Act 1986*;

“CEO” means the chief executive officer of the Department of Environment and Conservation;

“commencement of construction” means the commencement of any works associated with the implementation of the proposal, and includes preparatory work such as clearing vegetation and earthworks;

“commencement of operations” means the time at which the proposal first accommodates paying guests and associated staff;

“cultural heritage significance” includes items with archaeological value and indigenous cultural heritage values;

“elevated structures” means all structures raised on piled supports or other raised construction method as described at paragraph 7.7.3 of the PER document, and includes accommodation units, other buildings and all boardwalks;

“Environmental Quality Objective” has the same meaning as in *Perth’s Coastal Waters – Environmental Values and Objectives. The Position of the EPA – a Working Document*. Environmental Protection Authority, Perth, Western Australia (2000);

“PER document” means *Long Island Tourism Development, Abrolhos Islands Western Australia: Public Environmental Review*, July 2006, MBS Environmental, West Perth, Western Australia;

“qualified archaeologist” means a person with qualifications in archaeology from a recognised tertiary institution, and who has a minimum five years experience in archaeology within

Australia and is endorsed by the Western Australian Museum and the Heritage Council of Western Australia;

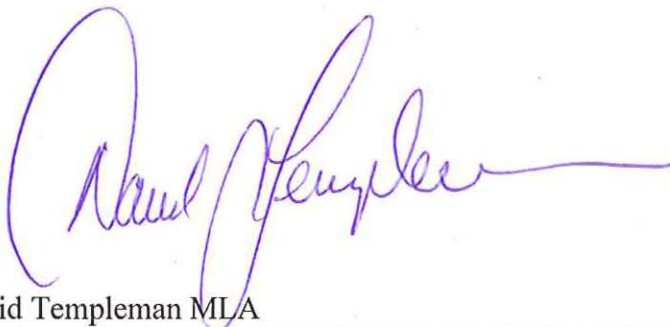
“Vulnerability Assessment” means *Abrolhos Island Management: Long Island Vulnerability Assessment*, 1997, prepared for the Department of Fisheries by M.P. Rogers and Associates Pty Ltd;

“waste” has the same meaning as in the Act;

“WestPlan Marine Oil Pollution” means *Western Australian Marine Oil Pollution Emergency Plan: WestPlan – Marine Oil Pollution*, published by the Department for Planning and Infrastructure, January 2007 (as updated).

### Notes

1. Any lease granted to the proponent in respect to this proposal is likely to require the proponent to adhere to an evacuation plan for the Abrolhos Islands prepared by the Department of Fisheries.
2. The plans attached to this Statement are indicative only, noting that location of structures will be determined in having regard to minimising environmental harm.



David Templeman MLA  
MINISTER FOR THE ENVIRONMENT; CLIMATE CHANGE; PEEL

- 9 APR 2008

## Schedule 1

### The Proposal (Assessment No. 1559)

#### General Description

The proposal is for the construction and operation of a tourism development on Long Island, Wallabi Group, Houtman-Abrolhos Islands, approximately 100 kilometres north-west of Geraldton, consisting of visitor lodges (maximum of 60 guests), staff accommodation, communal facilities (including day-visitor facilities), boardwalks and gazebos, a swimming pool, deep water jetty, helipad, wastewater treatment plant, desalination plant and other maintenance/service facilities.

#### Summary description

A summary of the key proposal characteristics is presented in Table 1.

**Table 1 – Summary of the Key Proposal Characteristics**

Element	Description
Location	Long Island, Wallabi Group, Houtman-Abrolhos Islands, approximately 100 kilometres north-west of Geraldton.
Proposal	Tourism development consisting of visitor lodges (maximum of 60 guests), staff accommodation, communal facilities, boardwalks and gazebos, a swimming pool, deep water jetty, helipad, wastewater treatment plant, desalination plant and other maintenance/service facilities
Proposal Area (terrestrial, including boardwalks)	Not more than 0.89 hectares
Benthic Primary Producer Habitat Impact Area	Not more than 180 square metres of direct impacts Not more than 3700 square metres of indirect impacts
Infrastructure	Deep water jetty Helipad Desalination plant Wastewater treatment plant Wastewater outfall pipeline (not more than 70 metres long) Desalination outfall pipeline (not more than 70 metres long) Diesel generators (three of up to ~120 kilovolt-amperes each, including one as a redundancy)
Wastewater treatment plant discharge	Not more than 17 kilolitres per day 30 milligrams per litre Total Nitrogen 12 milligrams per litre Total Phosphorus 200 coliform units per litre 0.5 parts per million chlorine
Desalination plant product / discharge	Not more than 35 kilolitres per day potable water produced Not more than 45 practical salinity units 22 degrees Celsius

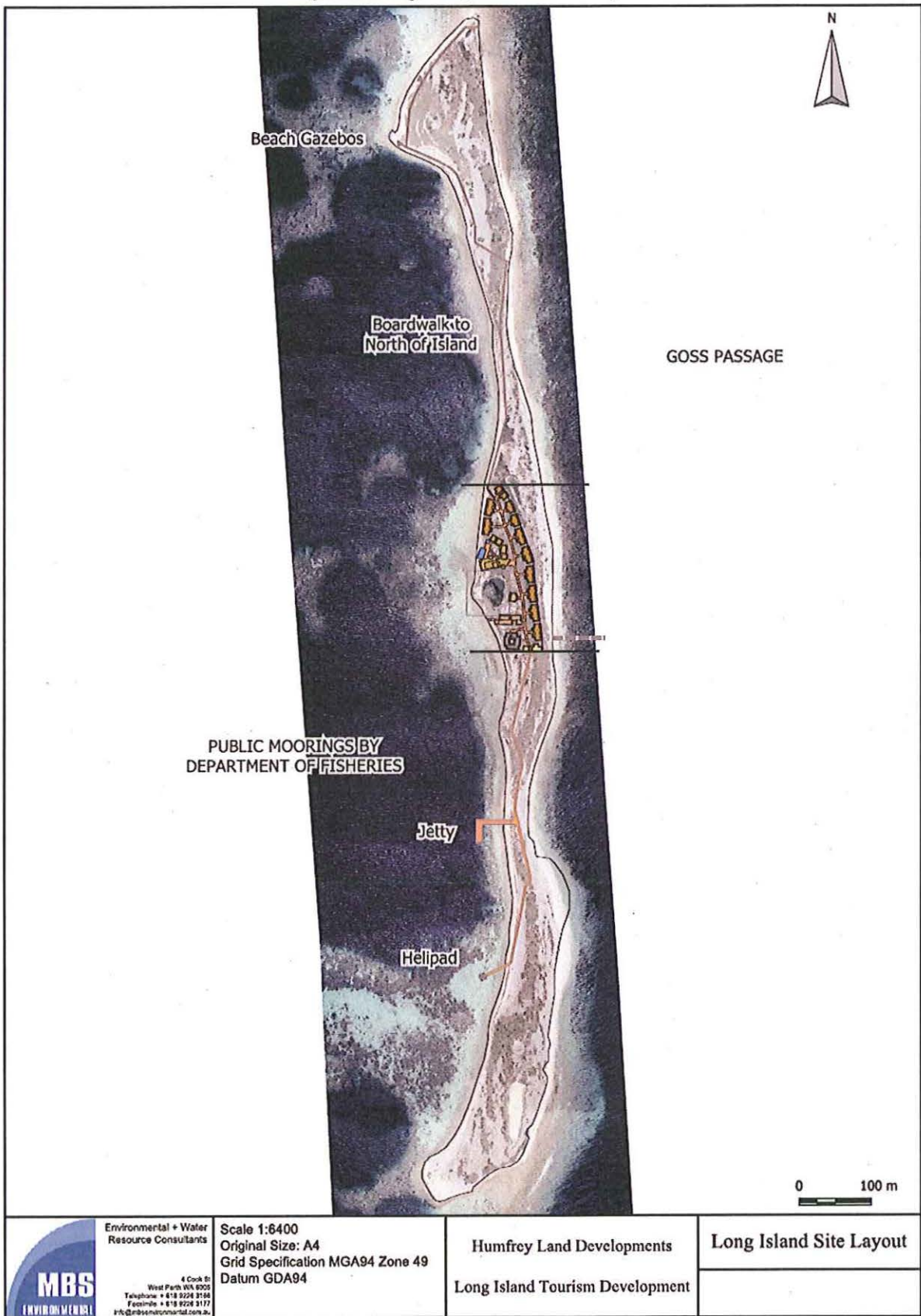
#### Figures (attached)

Figure 1 - Long Island Indicative Site Layout.

Figure 2 - Long Island Tidal Ponds.

Figure 3 - Fencing of accommodation units (indicative accommodation layout)

**Figure 1 – Long Island Tourism Development, Indicative Site Layout**  
 (source: Figure 4, PER document)



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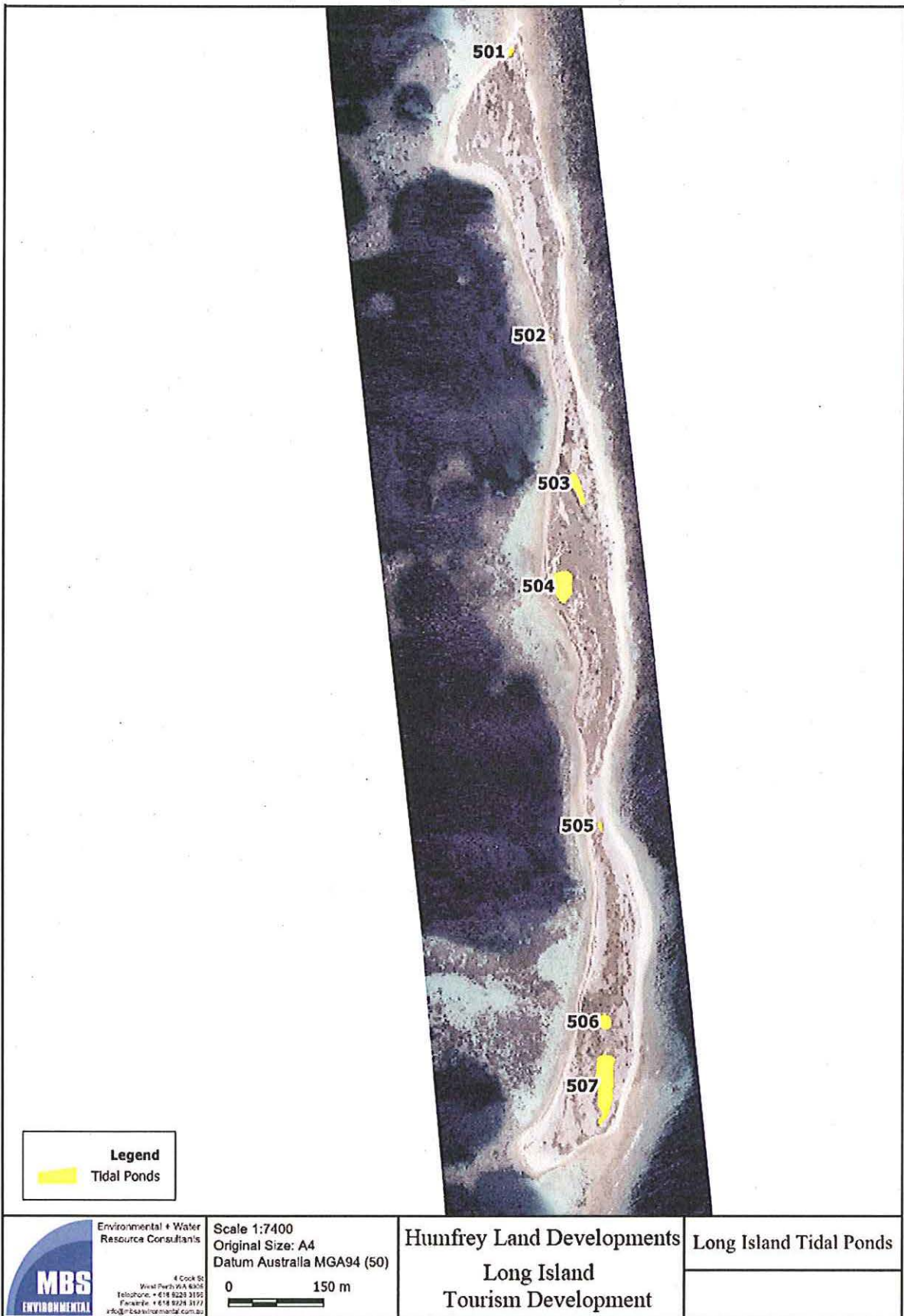
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Humfrey Land Developments  
 Long Island Tourism Development

Long Island Site Layout

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**Figure 2 – Long Island, location of tidal ponds**  
 (source: Figure 13, PER document)



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**Figure 3, Accommodation unit fencing line (condition 9)**  
 (source: modified version of Figure 5 of PER document)



<p>Environmental + Water Resource Consultants</p> <p>4 Cook St West Perth WA 6005 Telephone: + 618 9226 3156 Facsimile: + 618 9226 3177 info@mbsenvironmental.com.au</p>	<p>Scale 1:1400 Original Size: A4 Grid Specification MGA94 Zone 49 Datum GDA94</p>	<p>Humfrey Land Developments</p> <p>Long Island Tourism Development</p>	<p>Development Zone Layout</p>
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## Schedule 2

### 1. Avifauna Management Plan

1. The objectives of the Avifauna Management Plan are to avoid and minimise impacts to avifauna as a result of:
  - (a) lighting, noise and vibration;
  - (b) direct or indirect disturbance by humans;
  - (c) direct or indirect impacts associated with disturbing the soil or vegetation.
2. The Management Plan shall include:
  - (a) a report on baseline information on the avifauna usage of Long Island through the implementation of an autumn survey prior to commencement of construction;
  - (b) maps and plans showing the spatial location of avifauna obtained during gathering of the baseline data referred to in (a) and through data from Surman, C. A., *Field Survey of Avifauna at Long Island, Wallabi Group, Houtman Abrolhos, September and December 2005* (Unpublished report prepared for MBS Environmental by Halfmoon Biosciences);
  - (c) define a monitoring program to measure and detect changes to avifauna using Long Island following commencement of construction or operations (as applicable), including control sites within the Wallabi Islands, with monitoring to be undertaken annually for the first five years following commencement of construction and thereafter at intervals determined by the CEO;
  - (d) identify construction and operation-related activities (as applicable) or actions that have a potential to impact on avifauna either directly or indirectly;
  - (e) specify design features, management measures and operating controls that aim to avoid or reduce adverse impacts on avifauna during construction and following commencement of operations; and
  - (f) identify quantifiable indicators of avifauna populations that are able to detect changes to those populations;
  - (g) identify management measures to apply in the event that significant adverse impacts on the avifauna populations are observed using the indicators developed in (h); and
  - (h) establish trigger values of the indicators developed in (h) where the management measures established under (g) are to be implemented.

## 2. Quarantine Management Plan

1. The objectives of the Quarantine Management Plan are to
  - (a) prevent the introduction of non-indigenous species to Long Island through appropriate screening and barriers;
  - (b) detect incursions of non-indigenous species to the island; and
  - (c) eradicate or control non-indigenous species that are detected or established on the island as a result of the construction or operational activities.
  
2. The Management Plan shall include:
  - (a) Detection, Control and Eradication Program to a standard meeting Department of Conservation and Land Management guidelines in *Quarantine Protocol: Charter Vessel Operators*, Department of Conservation and Land Management, Western Australia (2003), with monitoring to be conducted annually;
  - (b) Mitigation (of introductions or weed proliferations and any Control and Eradication) Program;
  - (c) Reporting and Recording procedures;
  - (d) Reviewing and further studies.

### 3. Marine Management Plan

1. The objectives of the Marine Management Plan are to:
  - (a) Avoid and minimise impacts to benthic primary producer habitat;
  - (b) Establish Environmental Quality Objectives to be met in respect to waste water discharges;
  - (c) Establish a monitoring program to measure and detect impacts to the marine environment and compliance with Environmental Quality Objectives.
  
2. The Marine Management Plan shall include:
  - (a) Procedures for baseline surveys of the Benthic Primary Producer Habitat to determine the extent of the Benthic Primary Producer Habitat to be impacted by construction or operational activities;
  - (b) A description of construction methodologies to be employed;
  - (c) Maps and plans of construction activities impacting the marine environment;
  - (d) Establishment of appropriate social Environmental Quality Objectives, including spatially defining areas to be designated S2, S3 and S4 (i.e. areas not safe for fishing/aquaculture, primary contact recreation or secondary contact recreation, respectively) for the area surrounding the wastewater treatment plant outfall;
  - (e) Establishment of a Marine Monitoring Program, in consultation with the Department of Health, including coral health monitoring and marine water quality monitoring, to set baselines and measure compliance against the wastewater treatment plant and desalination discharges meeting:
    - (i) Environmental Quality Objective 1, level of protection E4 (Low Level of Ecological Protection) within the 30-metre mixing zone of the wastewater outfalls;
    - (ii) Environmental Quality Objective 1, level of protection E2 (High Level of Ecological Protection) at the boundary of the 30-metre mixing zone of the wastewater outfalls; and
    - (iii) the Social Environmental Quality Objectives defined in accordance with item (d) above.

#### **4. Heritage Management Plan**

1. The objectives of the Heritage Management Plan are to
  - (a) Identify items and sites of cultural heritage significance;
  - (b) Avoid and minimise impacts to items or sites of cultural heritage significance;
  - (c) Establish a reporting mechanism where items or sites of cultural heritage significance are identified;
  - (d) Establish a monitoring program to measure and detect impacts on items or sites of heritage significance.
2. The Heritage Management Plan shall include:
  - (a) Procedures for identifying and assessing cultural heritage, including specific procedures in relation to identification of human skeletal remains;
  - (b) Procedures for excavating, storing and transportation of items of cultural heritage significance;
  - (c) Procedures for reporting cultural heritage items to the Western Australian Museum, the Heritage Council of Western Australia and the Department of Indigenous Affairs, including specific procedures in relation to human skeletal remains;
  - (d) Establishing a monitoring program to assess impacts to items or sites of cultural heritage significance; and
  - (e) Measures to reduce impacts to items or sites of cultural heritage significance, including interpretive signage, staff and visitor induction, supervision of visitors and maximum numbers of visitors.
3. The Heritage Management Plan is to be reviewed and endorsed by a qualified archaeologist prior to being submitted under the conditions.
4. To avoid doubt, the requirement to prepare and implement a Heritage Management Plan is not intended to prevent the application of any written law relating to maritime archaeology or cultural heritage, or any requirement to report the finding of human skeletal remains to the police, the Coroner or any other relevant authority.

## **5. Oil Spill Contingency Plan**

1. The objective of the Contingency Plan is to protect the marine and terrestrial environment from discharges of hydrocarbons from the proposal, or from vessels or craft servicing the proposal.
2. The Contingency Plan shall include:
  - (a) management structure for responding to spills, including response team structure and responsibilities;
  - (b) strategy to be followed in response to spills, including priorities for action;
  - (c) details of the equipment and resources to be in place to respond to spills; and
  - (d) procedures for communicating spills internally and externally.
3. In preparing this plan, the proponent shall have regard to similar plans prepared by the Great Barrier Reef Marine Park Authority consistent with the arrangements set out in WestPlan Marine Oil Pollution.

## **6. Hazardous and Dangerous Substances Management Plan**

1. The objective of the Management Plan is to protect the marine and terrestrial environment from discharges of dangerous and hazardous substances from the proposal, or from vessels or craft servicing the proposal.
2. The Management Plan shall:
  - (a) identify all dangerous and hazardous substances used or stored or likely to be used or stored at the site;
  - (b) specify methods of transport, storage of all dangerous and hazardous substances, including details of storage design to prevent escape of hazardous substances in the event of inundation associated with a cyclone, storm or other event;
  - (b) strategy to be followed in response to spills, including priorities for action;
  - (c) details of the equipment and resources to be in place to respond to spills; and
  - (d) procedures for communicating spills internally and externally.
3. In preparing this plan, the proponent shall have regard to similar plans prepared by the Great Barrier Reef Marine Park Authority consistent with the arrangements set out in WestPlan Marine Oil Pollution.

## **7. Visitor Management Plan**

1. The objective of the Visitor Management Plan is to protect sites of environmental or cultural heritage significance from incompatible human activities.
2. The Plan shall include:
  - (a) Identification (through maps and plans) of exclusion or restricted access areas for sites of significant environmental or cultural heritage value, including avifauna breeding areas and areas occupied by Australian Sea Lions;
  - (b) Procedures for conducting visitor activities;
  - (c) Procedures for inducting visitors and staff in relation to the environmental and cultural heritage values of Long Island and the surrounding area, as detailed in paragraphs 3.6.7 and 3.7.3 of the PER document;
  - (d) Development of a code of conduct for staff and visitors;
  - (e) Establishing a monitoring program to assess the impacts of visitors and staff on environmental and cultural heritage values, with monitoring conducted at least annually; and
  - (f) Measures to reduce adverse impacts to the environment or items or sites of cultural heritage significance, including interpretive signage, staff and visitor induction, supervision of visitors and maximum numbers of visitors.

**Inundation and Storm Response Plan**

1. The objective of the Inundation and Storm Response Plan is to ensure inundation or storms at Long Island do not lead to injury to human health or life.
2. The Plan shall include:
  - a. mechanisms for identifying inundation and storm events in advance;
  - b. procedures to relocate or evacuate staff and visitors from Long Island where an inundation or storm threat arises;
  - c. development of an induction kit for all staff and visitors to Long Island in relation to inundation and storm threat procedures; and
  - d. mechanisms for securing hazardous substances in an inundation or storm event.