



PIXIE MOSS: Enjoy Spring in the Pine Barrens. *Pine Barrens Society photo.*

## Spring Hike !

**DATE & LOCATION: To be announced.**

**Email [info@pinebarrens.org](mailto:info@pinebarrens.org) or call (631) 369-3300 and ask to be added to our hiking list to be notified.**

Join John Turner, Pine Barrens Society co-founder and resident naturalist for a special televised hike through our native woodlands.

**LONG ISLAND  
PINE BARRENS SOCIETY**



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Newsletter of the Long Island Pine Barrens Society

Spring 2004

*Dedicated to the Preservation and Understanding of Long Island's Pitch Pine / Scrub Oak Woodlands*

# PRESS FOR PRESERVATION!

## Society Campaigns for Accelerated Land Buys



JOSEPH CARACAPPA



STEVE LEVY

*Photos courtesy of Suffolk County and Steve Levy.*

### New Campaign in Brookhaven

Election Day is still seven months away but environmental and civic leaders in Brookhaven Town have launched what they termed "a massive campaign" to win approval of a Community Preservation Fund (CPF) to protect water and preserve open space and farmland in Long Island's largest Town. A similar effort failed last November when developers successfully forced the CPF referendum off the ballot.

The CPF uses proceeds from a buyer-paid two per cent real estate transfer tax on expensive houses. In the five East End Towns, the Preservation Fund has generated over \$150 million and preserved over 4000 acres since the program's inception, five years ago. Activists want to extend the program to Brookhaven which has a land mass larger than all of Nassau County.

Television ads which attack developers who oppose the plan began running in February. Long Island Pine Barrens Society Director Richard Amper promised that environmentalists would maintain a presence "on the air and in the community" between now and election day "to educate the public of the disastrous economic and environmental effects of over-development and to expose the developers' selfish and well-financed campaign against preservation."

The television "spots" depict shadowy developers scheming to deny citizens the right to vote for preservation. The ads blame over-development for many of the Island's economic and environmental woes and declare "Enough is Enough!"

Thalia Bouklas, President of Affiliated Brookhaven Civic Organizations, an umbrella group of some forty civic groups announced that a grassroots

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The Long Island Pine Barrens Society has announced its largest campaign since the drive that led to the passage of state legislation protecting the Pine Barrens. It seeks to accelerate land purchases in and out of the Pine Barrens by New York State, Suffolk County and Long Island's towns. Focus will be on Suffolk's stalled land acquisition programs which once saved nearly 2500 acres per year, but last year preserved fewer than 500.

"The very environmental and economic future of Long Island is at stake," declared Pine Barrens Society Executive Director Richard Amper. He said the Society was prepared to invest "whatever it takes," to overcome executive and legislative branch obstacles which have hobbled the popular preservation programs for years. The Society began reaching out to public officials in January with a view to "restoring these critical programs immediately."

In February, the Long Island Regional Planning Board recommended the protection of 45,000 of Long Island's remaining 90,000 acres of land, still up for grabs. The Society warned that failure to obtain the Regional Board's objectives would result in the destruction of the Island's \$4.5 billion tourism industry, the viability of New York State's largest agriculture-producing county (Suffolk). "We're not talking

*(continued on page 5)*



**NEW TEAM:** Community activist Sarah Anker joins PBS Executive Director Richard Amper in hosting the Society's television program. *Pine Barrens Society photo.* SEE STORY ON PAGE 2.

## Society Alumni Join Government

Three long-time leaders of the Long Island Pine Barrens Society have taken ranking positions in government having jurisdiction over Pine Barrens matters. The three have been appointed to serve on the New York State Pine Barrens Commission in addition to their roles in county and town government.

Former PBS President Michael Deering who served as chief of staff to State Assembly Environmental Conservation Chairman Thomas DiNapoli was named Director of Environmental Affairs for Suffolk County's new Executive Steve Levy. Levy has pledged to create a Commissioner-level Department of the

Environment in County government and Deering is slotted for the new post. Deering served as Society President during the historic Pine Barrens Preservation Initiative and helped author the Pine Barrens Protection Act.

Society co-founder John Turner has been appointed Deputy Planning Director for the Town of Brookhaven by Supervisor John Jay LaValle. He will focus on land preservation programs and is expected to lead town efforts to win approval of a Community Preservation Fund, which would generate as much as \$300 million for drinking water protection and habitat preservation in Long Island's largest town.

With John Cryan and Robert McGrath, Turner created the Society in 1977.

Jill Lewis, Associate Director of the Society for the past seven years has become Deputy Supervisor of the Town of Riverhead in the administration of newly-elected Supervisor Phil Cardinale. Ms. Lewis won the Society's Environmental Achievement Award in 2000 and last year was chosen Civic Person of the Year by the Riverhead News-Review. She was responsible for many preservation programs in her years at the Society.

"These successful environmentalists can be expected to provide an environmental voice within government in the Pine Barrens region," said PBS President Alan Singer. "They were obviously selected by elected officials with a commitment to the environment based on these appointees' environmental knowledge and history of achievement," Singer said, "The pro-environment public will be well-served."



MICHAEL DEERING



JOHN TURNER



JILL LEWIS

*Pine Barrens Society photos.*

## Anker is Co-anchor

Mount Sinai activist Sarah Anker has become co-host of the Long Island Pine Barrens Society's Television Program, a public access show taped monthly and seen across Long Island. She succeeds former PBS Associate Director, Jill Lewis, who has become Deputy Supervisor of the Town of Riverhead.

Ms. Anker will share the anchor role with Society Executive Director, Richard Amper. The program features in-studio interviews and field production on environmental matters affecting both Nassau and Suffolk. It appears on Cablevision Channel 20 at different times on different systems. A listing of air days and times appears below.

"Sarah Anker brings knowledge and charm to the Pine Barrens Show," said Pine Barrens Society President Alan Singer. "Her community activism, especially in the area of breast cancer awareness and research advocacy make her a true Long Island leader," he added.

### PINE BARRENS TV SHOW TIMES:

**East Hampton:**  
Mondays @ 8PM, Tuesdays @ 3:30 AM & 10AM,  
Wednesdays @ 5 PM  
**Brookhaven, Smithtown, Islip:**  
Thursdays @ 5 PM  
**Riverhead, Southold, Southampton:**  
Fridays @ 7 PM  
**Nassau County, Babylon, Huntington, Islip:**  
Mondays @ 2 PM



CARTOON CREATED BY VAN HOWELL

## Tougher Pine Barrens Enforcement

### Pataki Signs Bill to Increase Penalties; Involves Attorney General

Governor George Pataki has signed an amendment to the Pine Barrens Protection Act that will help deter clearing and construction in the protected Pine Barrens.

The state legislation provides for enhanced enforcement of the Pine Barrens Protection Act. It establishes increased fines for clearing or construction in the Pine Barrens -- up to \$25,000 for Core Area violations, and \$10,000 in the Compatible Growth Area. Additional fines of up to \$1,000 per day for as long as a violation persists, are included. Earlier this year, the three towns in the Central Pine Barrens adopted local laws which provide identical penalties.

In addition, the new law empowers the New York State Attorney General to enforce the Pine Barrens Act if the towns of Brookhaven, Riverhead or Southampton fail to do so. "This new law should serve as a deterrent to future abuses such as the illegal clearing and construction at the Long Island Shooting Range," said Society Executive Director Richard Amper. The Chapter Amendment to the Pine Barrens Protection Act was sponsored by Senator Ken LaValle and Assemblyman Tom DiNapoli, who sponsored the original Pine Barrens Protection Act.



**MORE PROTECTION:** Governor George Pataki signs legislation increasing penalties for Pine Barrens violations and permitting the State Attorney General to intervene, absent local enforcement. *Photo courtesy of New York State.*

*(Brookhaven CPF continued from page 1)*

effort is being launched "to inform each and every resident of the Town on the merits of the CPF and to debunk the misinformation which has been circulated by the developers." She said hundreds of volunteers would criss-cross the community to provide accurate information including the goals of protecting 20,000 acres of open space, easing traffic, controlling taxes and making clear that neither current residents nor sellers of homes would be obliged to pay a penny, ever. "There have been more than 44,000 real estate transactions since the CPF began on the East End and government has never once sought payment of the tax from the seller," Ms. Bouklas said. The developers prevented citizens from voting on the issue by falsely claiming that the tax would be paid for by sellers and not paid by home buyers coming into the community. Ms. Bouklas went on to say that, "The most protected industry on Long Island is construction and it seems to take precedence over all other considerations, including land preservation and drinking water protection."

"Developers are responsible for the skyrocketing taxes required for new government services, intolerable traffic and diminished quality-of-life across Long Island," Amper said, "they are intent on paving over the place we call home and we won't stand for it." The civic leaders urged town officials to promptly put the Community Preservation Fund on this November's ballot.

## Lawsuits End

A federal lawsuit challenging the constitutionality of the Pine Barrens Protection Act has been dismissed and two state cases abandoned, leaving the Long Island Pine Barrens Society out of litigation for the first time in a decade.

In January, the United States District Court for the Northern District of New York dismissed the third in a series of legal challenges to the Pine Barrens Act by private property owners. The plaintiffs argued that the law that protects drinking water and habitat did not afford them equal protection under the law and was, thus, unconstitutional. All three cases were dismissed.

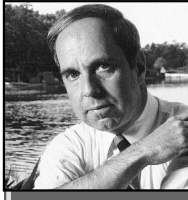
Also in January, the New York State Pine Barrens Commission dropped appeals on cases brought two years ago by the Pine Barrens Society which overturned approval by the Commission of construction of riding arenas in the Core Preservation Area of the Pine Barrens where development is prohibited.

The Commission also declined to challenge a ruling that overturned a Commission approval for construction of a fireman's museum - on Brookhaven Town owned land - also in the Pine Barrens Core.

The Society has gone to court five times since passage of the Pine Barrens Act in 1993 to challenge approvals of development projects which the Society deemed illegal under the act. The group has prevailed in each case.

"I think that there's definitely a different climate on the Pine Barrens Commission today than in years-gone-by" said Pine Barrens Society Executive Director Richard Amper. "It's a sign of the times," he added, "better times!"

**Join Environmental Advocates on  
Earth Day Lobby Day,  
Monday, April 19, 2004 in Albany  
For more info call (518) 462-5526 or  
email [edld@eany.org](mailto:edld@eany.org)**



## EXECUTIVE DIRECTOR RICHARD AMPER

### It's the Economy, Stupid!

Environmentalists have long lamented the Gaffney Administration's sorry record on open space preservation. Once, Suffolk purchased nearly 2500 acres per year; last year, fewer than 500. This is in part a result of the Land Scandal of two years ago, when Gaffney's former law partner, Allan Grecco, was accused of purchasing unworthy parcels and overpaying landowners with whom he had previously transacted private business. He resigned and land purchases fell further.

Now, both the executive and legislative branches are under pressure to accelerate purchases of open space and the purchase of the rights to develop farmland. With just a decade left before final build-out of Long Island, the Long Island Regional Planning Board has targeted 45,000 of the remaining 90,000 acres up for grabs. At the rate of only 500 acres per year, Suffolk will buy, not 45,000, but more like 4500 acres if things don't change dramatically.

For years, the environmental community has pointed out the need to protect the Island's underground drinking water supply, which is threatened by development. We've pointed out that Long Island's Pine Barrens, for example, boast the greatest biodiversity in the state. And Long Islanders have responded by putting up more than \$400 million to protect land - more money than have 45 of the 50 states.

But now the stakes are even higher. The economic community is warning of economic catastrophe if over-development continues to ravage our last remaining open spaces.

First, they point out the obvious, that with every new residential subdivision comes new tax costs for schools, roads, police protection and so forth. Our young people are leaving Long Island in droves due to the high cost of housing and taxes.

Next, they warn that New York State's highest agriculture-producing county, Suffolk, will no longer be able to maintain a viable industry if much more agricultural land is lost. Farms once covered nearly 150,000 acres of Long Island; today, just 34,000. The Regional Planning Board says the businesses that support farmers won't have enough customers if agriculture falls below 30,000 acres. The Board has recommended preserving 18,000 additional acres - that's more than 80 percent of all that's left.

Perhaps most frightening of all is the danger to the Island's \$4.5 billion tourism industry, inherent in the development of 85,000 of the remaining 90,000 acres. The Regional Planning Board thinks we need 15,000 additional acres of open space, including 3500 in the Core Preservation Area of the Pine

Barrens. They point out that there are not many tourists in Levittown.

For years, we have been quoting the late Senator Daniel Patrick Moynihan who said, "On Long Island our environment is our economy and our economy is our environment. Without a healthy economy, we can't afford to preserve a healthy environment. But it is equally true that without a healthy environment, we can't have a healthy economy. The two go hand-in-hand."

So, the environmental and economic community are working together, as they haven't since the preservation of the Pine Barrens a decade ago. We're trying to make certain that the Democrat-controlled executive branch and the Republican-controlled legislative branch work together, in a non-partisan way to advance both the Island's environmental and economic objectives.

They're really more than objectives. The need to preserve open space and farmland today is unprecedented. What we don't preserve today will be more costly tomorrow or will be lost forever to development.

The public has routinely supported referendum after referendum to protect our dwindling open spaces. There are no new taxes involved. We simply have to halt over-development and choose preservation by insisting that our government at every level, respond to our environmental and economic needs. Nowhere is this more true than at the county level.

Suffolk must accelerate its land preservation programs to thousands of acres, not hundreds., We can't put it off. We must take care of preservation, now.

*"The economic community is warning of economic catastrophe if over-development continues to ravage our last remaining open spaces."*

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*"We mean business about the environment"*

A copy of the last annual report filed with the NYS Department of Law may be obtained by writing the Long Island Pine Barrens Society, Box 429, Manorville, New York 11949-0429.



**PINE BARRENS SOCIETY PRESIDENT  
ALAN SINGER**

**Public Enemy # 1**

The "War of the Woods" ended more than ten years ago. The battle between environmentalists and developers in court and in the court of public opinion ended with enactment of the Pine Barrens Protection Act of 1993. About half of the remaining Pine Barrens was permanently preserved with permitted development directed to the least sensitive areas, requiring compliance with established standards and guidelines. Through accommodation, we managed preservation and development. We must do it once again.

Here's why. There are only 90,000 acres of open space and farmland up for grabs on Long Island and only ten years or less before they're spoken for. That means that land not preserved immediately will be lost forever to development. The Long Island Regional Planning Board has targeted 45,000 acres - about half - for preservation and the other half for development. It's a lot like the Pine Barrens preservation formula.

Some of this land will be secured by the state; some by Suffolk County. But, increasingly the towns themselves have been picking up the burden of protecting open space and farmland. On the East End, for example more than \$150 million has helped preserve more than 4000 acres under the Community Preservation Fund (CPF) which uses proceeds from a two percent, buyer-paid real estate transfer tax. It has been tremendously successful.

But the builders we fought in order to save the Pine Barrens, are using lies, distortions, front groups and illegal maneuvering to block extension of the Community Preservation Fund into Long Island's largest town, Brookhaven.

The Long Island Builders Institute and the Long Island Board of Realtors bank-rolled a so-called "anti-tax" shill group to knock the Community Preservation Fund off the ballot, last November. The very notion of these groups as being "anti-tax" is preposterous.

The developers are directly responsible for the record high taxes Long Islanders face. The demand for new government services - especially schools - is breaking the backs of most Long Islanders, even as over-development threatens drinking water and open space and diminishes our whole quality-of-life. Over-development is responsible for the impossible traffic on our roads and the developers' opposition to preservation under the CPF now threatens tourism, farming and our second-home industry. The developers have become Public Enemy Number One.

In their quest to pave over Long Island, the developers are putting their industry's greed ahead of Long Islanders' interests. It's us versus them, again. They've refused to build affordable housing for our workforce. They've opposed up-zoning for preservation and are demanding to build more houses in exchange for pre-serving critical farmland on the North Fork. The developers are the enemies of the people.

That's why the Society has joined other environmental groups and the Affiliated Brookhaven Civic Organization - an umbrella group concerned about the environment and the economy in Brookhaven to win the Community Preservation Fund, this year. Through grass roots organizing and public education, we are going to debunk the developers' lies about who pays the transfer tax (government has never once collected it from a seller in more than 44,000 transactions). And we're going to expose the developers for the self-serving bullies that they are, unless a Pine Barrens-like agreement can be reached in the next few months, just as it was in 1993.

The mainstream business community supports the Community Preservation Fund and accelerated preservation of open space and farmland on Long Island by New York State and Suffolk County. That's because they know that the balance between Long Island's economy and environment requires preservation and not over-development.

The battle lines have been drawn, and our Society is prepared to resume the fight. If this conflict is not resolved quickly, the "War of the Woods" will resume.

*(Accelerated Land Buys continued from page 1)*

about protecting drinking water and preserving quality-of-life only," Amper said, "we're talking about Long Island's very survivability."

"We've identified the land to be preserved -- now we must eliminate the obstacles and impose the needed improvements for Suffolk to buy thousands, not hundreds of acres each year." Final build-out of Long Island, when all land will either be developed or preserved, is projected to occur over the next decade. "If we don't act immediately, land prices will soar or the land itself will be lost forever to development," Amper observed, "How will we ever explain our inaction to our children and grandchildren?"

The Society is concentrating on restoring full funding to the New York State Environmental Protection fund - a \$250 million program that has been substantially cut over the past few years and accelerating several Suffolk County preservation programs, notably the Drinking Water Protection Program. A Community Preservation Fund is planned for Brookhaven Town this year. There are also several environmental bond acts in western towns.

"This will require a full-court press on the part of citizens and their elected officials," Amper concluded, "We must put partisanship aside and save the Island we love from the scourge of further over-development - there can be no higher priority."

*"In their quest to pave over Long Island, the developers are putting their industry's greed ahead of Long Islanders' interests. It's us versus them, again."*

## Largest Event Ever! 26th Anniversary Environmental Awards Gala

The Pine Barrens Society held its largest Environmental Awards Gala ever, honoring Raymond Jansen the publisher of Newsday and Edith Muma, President of the JED Fund, a family foundation. The event was held October 9 at Oheka Castle in Huntington, nation's second largest private residence.

Michael Pascucci, Chairman of WLNY-TV 55 chaired an illustrious committee of business and civic leaders. More than 250 guests dined on gourmet food and danced to the International George Gee orchestra.

"We're deeply grateful to everyone who contributed to this unprecedented event," said PBS Executive Director, Richard Amper. "It brought us to a new level." Sponsors included Newsday, the Rauch Foundation, WLNY-TV 55, Burman Properties, Friar's Head, LIPA, Vehicle Inspection Services, Inc., Brookhaven National Laboratory, Islander East, Keyspan, Long Island Hotels LLC, Oxford & Simpson Realty and Reckson Associates.



**WINNER:** Newsday publisher Raymond Jansen accepts the Society's award for "Outstanding Contribution to Long Island's Environment" from Pine Barrens Society Executive Director, Richard Amper.



**ANOTHER WINNER:** Edith Muma, winner of the "Environmental Achievement Award", with the Society's Executive Director.



**CONGRATULATIONS:** Amper and PBS Associate Director Jill Lewis congratulate Newsday's publisher on his top award at Oheka Castle October 9, 2003.



**COVERAGE:** Environmental Reporter Heather Holmes from News 12 Long Island meets environmentalists at the Awards Gala in the company of the Society's Executive Director.



**CHAIRMAN:** WLNY-TV 55's Michael Pascucci chaired the event and conducted a live auction. The event, sponsored by some of Long Island's top leaders was the most successful yet.



**TV 55 & FRIENDS:** TV 55's Michael Pascucci, Marv Chauvin and David Feinblatt with LIA president Matt Crosson. Also Debra Feinblatt, Jocelyn Pascucci, Assemblyman Fred Thiele and TV 55's Rick Belyea.  
*PHOTOS BY TED CURRY.*



## THE THICKET

### Life and Death in the Pine Barrens

by John Turner

*John Turner is a Co-founder of the Pine Barrens Society*

Taking advantage of a two-hour break between work meetings, I went looking for a Blue Grosbeak. A cobalt blue member of the finch family with rusty colored wing bars, a male Grosbeak had been reported from a patch of woods along a field that flanks County Route 51 in Eastport. These are not common birds on Long Island, as the Island is at the northern edge of their range. I wanted to see it in order to add it to my "island" list. I didn't get the bird that day but did see first hand the ages-old cycle of life and death that plays out, so often away from human eyes, daily in nature.

The life came in two forms. The first was embodied by a family of Meadow Voles. Coming to the edge of a field, I stumbled across a box spring and mattress (a Simmons Beautyrest, the sun bleached label declared) some unthinking person had dumped years before. It was surrounded by flowers common to fields in the Pine Barrens - Dogbane, Toadflax, and Thoroughwort. While not happy with the person's thoughtless act, as evidence of it will live on for several decades before dissolving away, I was nevertheless filled with excitement and anticipation, as I always am, in flipping over such debris, for beneath such debris, lurking in the darkness can lay such treasures as salamanders, snakes, and shrews.

With some effort, I flipped over the mattress. Confronting my eyes were six beady black eyes staring back belonging to three baby Meadow Voles, no more than a few weeks old. No parents were in sight. Their dark brown coats, the color of walnut paneling, were lustrous and I was taken by their beauty. Their noses angled into the air and twitching whiskers indicated an effort to comprehend what had just happened to their dark and sheltered world. Their series of tunnels, as convoluted as the proverbial bowl of spaghetti, was a matrix that allowed them to move from any point beneath the mattress to any edge. To the directionally challenged, this would be the grassy maze from hell, I thought. Two of the babies sat blinking in the sun while the third moved into a thickly lined tunnel overarched with grassy stems and disappeared. I gently placed the mattress down over them and gave them back the darkness they desired.

I soon connected to a faint trail that wove southward through the old field. I strolled past Red Cedars, most of adolescent age, a few knee high trees that were but a few years old. Movement in one of the older cedars caught my eye and when I focused the binoculars, they revealed an adult Chipping Sparrow with food in its mouth. The best description I can think of for a Chipping Sparrow is handsome and neat; it's not resplendently beautiful as is the Blue Grosbeak, rather a nattily dressed bird with crisp colors. Its most noticeable field mark is an attractive cap the color of a brick glowing in the warmth of early evening light. The cap is bordered by a clean white eye brow or supercilium that, in turn, is bordered by a black eye line. Its chin is white and the breast and cheeks are a smooth, light gray. The back is speckled in various shades of earth tone browns.



**LIFE AND DEATH SITUATION:** Like the mythical Phoenix, life arises from death inside the Long Island Pine Barrens. *Pine Barrens Society photo.*

I could faintly hear some young birds peeping. Quietly following one of the parents, I saw her land near the top of a young, chest-high cedar. There, nestled between two terminal sprigs was the nest. I probably shouldn't have gotten closer to the nest but I did, to the consternation of the parent bird, and there filling the small rounded nest, slightly smaller in size than a tennis ball, were three young fledgling sparrows. They jostled about the nest in an attempt to gain a commanding position, momentarily mistaking me for an adult bird. I was taken by their energy and vitality. Not wishing to stress the adult anymore than I had during my ten-second peer, I backed away and headed south.

It wasn't long before I detected the unmistakable odor of death. Carried by the southerly breezes the smell came and went as the breezes shifted direction slowly gaining strength as I continued south. Soon the object came into view. It was a beautiful buck deer with an impressive antler rack lying in the field, along the edge of the path. Its body was bloated and its eyes were filled with the unfocused, glazed over look of death. I was saddened by its fate and couldn't imagine how it died. There were no visible signs of trauma - no gunshot or puncture wounds - although I didn't dare flip the animal over to check out the underside.

The decomposers had arrived in the form of various beetles and fly maggots. They were fulfilling their profoundly important but profoundly unappreciated role of cycling energy and matter back into the web of life. My mind flashed back to an introductory ecology textbook I had used back in college which made clear the importance of decomposers and scavengers: "ponder a moment", a paragraph said, "what the world would look like if the tens of millions of animals that die each and every day weren't recycled but left instead to slowly accumulate?" While I wouldn't want to come back as a Turkey Vulture or Carrion Beetle in my next life, I appreciate and respect the role they play in keeping natural systems functioning and healthy.

In several months their work will be done and the buck will be rendered a skeleton. The recycling won't stop there. Small animals, most notably voles and mice, will gnaw the antlers and bones until they too disappear. Suddenly the deer is connected to the voles and sparrows. The deer's tissues, composed of amino acids and proteins, will nurture the grasses and flowers the voles feed on, and his bones will provide calcium to build vole bones. The nutrients in the deer's body will be assimilated by the young, growing cedar trees within which the sparrows will build countless nests. And these thoughts reminded me of something ironic I was told along time ago: death is a prerequisite for life.