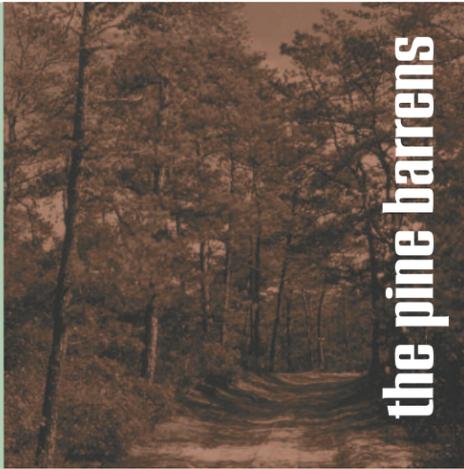




LONG ISLAND
PINE BARRENS
SOCIETY



the pine barrens

today

Earth Day Edition

PINE BARRENS ACT IS 25

But the Battle for Preservation Never Ends

Credit: LIPBS



ADRIENNE ESPOSITO FOREST: The Pine Barrens Society has named the Mastice Pine Barrens parcel after Citizens Campaign for the Environment's Executive Director for the role she played in getting the parcel clear-cut for a solar factory.



OLD MACDONALD HAD A WHAT? The Weiss Greenhouses in Center Moriches is an example of development on land which government had paid the property owner for the development rights. The Society thinks this is not what the public intended.

Long Island is celebrating the 25th anniversary of the landmark Pine Barrens Protection Act which protects 106,000 acres of land in Long Island's premier ecosystem. But the battle for land preservation and water quality protection continues unabated.

For example, in just the past four months, the Pine Barrens Society has enjoyed two major victories, but suffered two disappointing setbacks. In December, the Southampton Town Board rejected a proposed mega golf resort in the Pine Barrens of East Quogue. The proposal for a championship golf course, 118 luxury homes and a 155,000 square foot clubhouse had been debated for nearly four years.

And just this month, the State of New York approved preservation of the 800-acre Shoreham Forest, using the state's Environmental Protection Fund, created in 1993 to fund land purchases associated with the Pine Barrens Protection Act, approved that year.

Alas, during the same period, 60 acres of Pine Barrens in Mastic were cleared for a solar project which should have been located elsewhere. And the Appellate Division of New York State Supreme Court overturned a Supreme Court decision which prevented development on land from which Suffolk County had purchased the development rights. The appeals court ruling is being appealed.

The setbacks were particularly disturbing. Citizens Campaign for the Environment (CCE) and the New York League of Conservation Voters (NYLCV) campaigned for Governor Andrew Cuomo to veto a bill that

would have protected 300 acres of Pine Barrens in Mastic — and he did. The groups had urged the veto to accommodate a 60-acre solar project. Most environmentalists oppose clearing of woodlands for solar because solar belongs on rooftops, in parking lots or on previously cleared land. CCE Executive Director Adrienne Esposito said clearing of forests for solar is acceptable when land cannot be preserved. Of course, the Mastic property had been approved for preservation by an overwhelming majority of the state legislature. It wasn't approved because of the governor's veto, for which Esposito had urged. Pine Barrens Society Executive Director Richard Amper said "Esposito was a complete hypocrite in this matter and has permanently injured her credibility as an environmentalist."

Suffolk's Farmland Purchase of Development Rights program was approved by voters in 1999. It was altered in 2010 and again in 2013 by the Suffolk County Legislature at the behest of the agriculture lobby. In the lawsuit, the Society argued that any law created by referendum can only be altered by another referendum. The court agreed, but the appeals court reversed that in a rare split-decision finding.

Open space and farmland preservation are paid for through public referenda. Suffolk voters, in particular, have approved more money for this purpose than 45 of the 50 states. We fear that voters will stop approving such funding if local politicians can alter the terms of land preservation programs without their approval. The Society intends to appeal this decision to the Court of Appeals.

Shoreham Forest Becomes New York's Latest Preserve

Credit: John Turner

Governor Andrew Cuomo, State Senator Ken LaValle and Assembly Environmental Conservation Chairman Steve Englebright came to a meeting of minds to put into this year's state budget, funding to preserve 800 acres of coastal woodlands at Shoreham.

The goal is to turn the woodlands into New York's newest preserve, adding it to the Core Preservation Area of the Pine Barrens. The land represents the last coastal forest on Long Island. It is currently owned by National Grid. Environmentalists sought to work out an arrangement such as one successfully concluded in 2002 that saved more than 500 acres of coastal land at Jamesport, owned by KeySpan — Hallock State Park Preserve.



NEW STATE PRESERVE: 800 acres of coastal forest with lush wetlands surround the abandoned Shoreham Nuclear Power Plant. CCE and NYLCV had urged veto of a bill to preserve this land, but Governor Cuomo put preservation in his budget.

The Society declined an offer by NextEra to support a 72 megawatt solar generating station in exchange for the preservation of 300 acres of the property and accepting a \$5 million "Community Benefits Package." The solar development project was abandoned when it was not accepted by the Long Island Power Authority.

"We think its wrong to clear-cut woodlands for solar. Solar belongs on rooftops, in parking lots and on previously-cleared land," said PBS Executive Director, Richard Amper. "Clear-cutting woodland for solar is like saying we have to destroy the environment to save it," he added, "It's just plain stupid."

the thicket

What Long Island Got by Saving the Long Island Pine Barrens

By Tom Casey

Mr. Casey is a member of the Board of Directors of the Long Island Pine Barrens Society.

In 1940, Suffolk County was home to fewer than 200,000 people. By 1960, the postwar boom and an expanded system of highways saw that number more than triple. Those of a certain age may remember when, along a then-narrower Sunrise Highway and other roads, farmers selling watermelons and other produce from their trucks intermingled with model homes and realty signs. It was a time of optimism, of suburban pioneers moving eastward-ho in a seemingly inevitable Manifest Destiny.

Credit: Sandy Richard



The Dwarf Pine Plains

spanning three townships. Scrubby and nondescript to the casual eye, this land seemed ripe for development—but as John Muir observed, “None of nature’s landscapes are ugly so long as they are wild.” This one, the oldest forest in New York State, sat atop an aquifer of 120 trillion gallons of fresh drinking water, some of the purest on the planet. It constituted the nation’s second-largest pine barrens region. It included the globally-rare Dwarf Pine Plains. It held within its bounds the future of Long Island. It had to be saved.

And we saved it!

To help win the battle, the Pine Barrens Society had to buck the conventions of local zoning, where individual development projects existed in a vacuum, approved without regard for their effects on the larger community. We instead argued that developments had regional significance, a concept that ultimately gained currency and acceptance.

We also fought to preserve, wherever possible, contiguous parcels, partly for efficient management but even more so to ensure the survival of the ecosystem. Under the theory of island biogeography,

Credit: Julie Clark



The Carmans River

fragmented landscapes lead to the decline of species — and the Pine Barrens harbor the largest concentration of endangered species in New York State, many in the fragile Atlantic Coastal Plain Ponds. The U.S. Fish and Wildlife Service lists 147 “species of special emphasis” in the Pine Barrens. A checkerboard of development would threaten many of them, increase opportunities for invasive species to gain hold, and make management of a fire-prone, and fire dependent, ecosystem problematic.

In the twenty-five years since passage of the Pine Barrens Protection Act, significant acquisitions have enhanced the preserve. The Dwarf Pine Plains, one of only three such areas in the world, hosts the state-threatened buck moth, northern harriers and migratory songbirds such as the prairie warbler and whippoorwill. Purchases along Spinney Road prevented fragmentation of the Flanders Pine Barrens.

Also preserved are the headwaters of the Peconic, our longest river, and the Carmans, which virtually bisects the Island. Expansion of the Core Preservation and Compatible Growth Areas has added land, including 99 acres off East Bartlett Road, critical to the health of the latter. More recently, the Cascone parcel in Manorville filled a 38-acre gap in public holdings and protected a bog and freshwater wetlands that are home to eastern tiger salamanders and several rare plants.

A perfect 25th Anniversary present for Long Islanders is the 820-acre Shoreham property, whose acquisition was approved in the new state budget. Known for its exceptional ecological diversity, Shoreham ranges from oak-heath woodlands to tidal wetlands, contains 13 rare species and dozens of avian varieties. Its acquisition opens the possibility of a recreational trail extending from Long Island Sound to the South Shore through the Carmans River watershed.

We could go on with a list of this species and that, this parcel and that, but the real point is that twenty-five years after the passage of the Pine Barrens Protection Act, its significance grows. The contentious debates preceding it spawned an increased awareness among Long Islanders of how our paved paradise was going down the wrong road. It spawned Ecology Clubs in school districts. Now, thousands of students participate in “A Day in the Life of ...” programs that examine the ecology of our rivers and streams. As Governor Mario Cuomo said upon signing the Pine Barrens Act, “This is right, this is good, this is something I can believe in with passion, this is something I can give myself to.”

Although the job isn’t finished yet, the era of acquisition gradually winds down. As we celebrate a milestone, we must continue building an appreciation and respect for a diverse, precious resource. Our focus going forward will be more education for a new generation, science-based management of the Pine Barrens, and securing the funding to continue those efforts.

A toast, with a glass of clear, fresh water, to twenty-five extraordinary years!

ENVIRONMENTAL NEWS NOTES Earth Day Event

Credit: Google

The Long Island Pine Barrens Society was part of an Earth Day presentation on water quality protection sponsored by the Unitarian Universalist Fellowship of Huntington on Saturday, April 21st.



Pine Barrens Society Executive Director Richard Amper presented on the Pine Barrens Protection Act, 1993 legislation to protect underground water quality and the island’s premier ecosystem.

EARTH DAY: Long Island environmentalists discussed land preservation and water protection on April 21 in Huntington.

Also, Kevin McDonald, Conservation Policy Director for The Nature Conservancy, presented on the subject of current efforts to restore Long Island’s groundwater, which has been undermined by nitrogen from wastewater and pesticides.

Finally, Dr. Andrew Griffith, a post-doctoral scholar from Stony Brook University’s School of Marine and Atmospheric Sciences, lectured on the current state of surface water on Long Island.

“The Hills” Mega-Development is Defeated – But Will it Stay Dead?

Credit: LIPBS



BAD PROJECT: “The Hills” mega golf resort in the Pine Barrens was killed in December, but a new attempt is underway in Southampton.

Environmentalists killed a mega golf course/housing project proposed for the Southampton Pine Barrens, when the Southampton Town Board denied a Planned Development District, proposed by Arizona-based Discovery Land. The battle lasted nearly four years. The Town Board also rescinded the Planned Development District legislation, which had not adequately protected the environment.

The developer promptly filed a preliminary application for a nearly identical project under the town’s Planned Residential Development zoning. That ordinance falls under Southampton Town’s Open Space Act, which environmentalists insist provides only for increased environmental protection, not for increased development. The battle is resumed.

15 Years of Pine Barrens TV

Credit: LIPBS



SOCIETY TV SHOW IS 15: Dick Amper and Kathleen Nasta on the set of the PBS environmental program. That’s not Public Broadcasting Service!

The Pine Barrens Society’s award-winning television program celebrated its 15th anniversary recently, covering scores of environmental topics and having featured more than 250 guests. The program appears on Channel 20 on Altice’s cable network, island-wide.

April’s program focuses on the creation of the Pine Barrens Protection Act of 1993. May’s program will cover current government efforts to improve the environment and efforts to prevent future clearing of woodlands for solar siting.

PBS President Alan Singer said, “The Pine Barrens Society Program has been a great public service and has educated many Long Islanders on dozens of environmental topics.” The program is hosted by PBS Executive Director, Richard Amper and co-host Kathleen Nasta. The program is produced at the studios of Black Sheep Television in Hampton Bays.



The Executive Director's Point of View

By Richard Amper

Mr. Amper is the Executive Director of the Long Island Pine Barrens Society.

An Environmental Miracle: Saving the Long Island Pine Barrens

As the 1980's drew to an end, the three founders of the Long Island Pine Barrens Society were growing increasingly anxious. Half of the original Pine Barrens had been lost to development over the years since early settlement, and there were 234 projects currently proposed for 125 acres in Brookhaven, Riverhead and Southampton Towns.

John Cryan, Bob McGrath and John Turner approached me with a wildly ambitious plan aimed at halting all development in the Pine Barrens — projects estimated to be worth \$11.2 billion. Borrowing a strategy aimed at protecting the Albany Pine Bush — another Pine Barrens region — the Society's leaders proposed to sue the three towns for approving projects individually — one-at-a-time. They argued, state environmental law required local government to consider the cumulative impacts of all 234 subdivisions and site plans on Long Island's premiere ecosystem.

In early 1989, they assembled a large team of volunteers to research and document the environmental impacts of development from mom-and-pop shops to sprawling housing projects, covering hundreds of acres, to a "mini city" proposed by developer Wilbur Breslin. They knew that each project would have to be legally challenged within 30 days of its approval, demanding monthly lawsuits over an indefinite period of time. But they also knew that once challenged, the approval of each project would be put on hold until the cumulative impact demand could be decided by the courts. With appeals certain, they knew they could halt destruction of the remaining Pine Barrens for about three years and might win a court ruling that required consideration of the cumulative impact of all 234 projects.

Dubbed the "Pine Barrens Preservation Initiative," the campaign called for a massive public information campaign to educate Long Islanders on the water quality protection function of the Pine Barrens and how the ecosystem supported the most

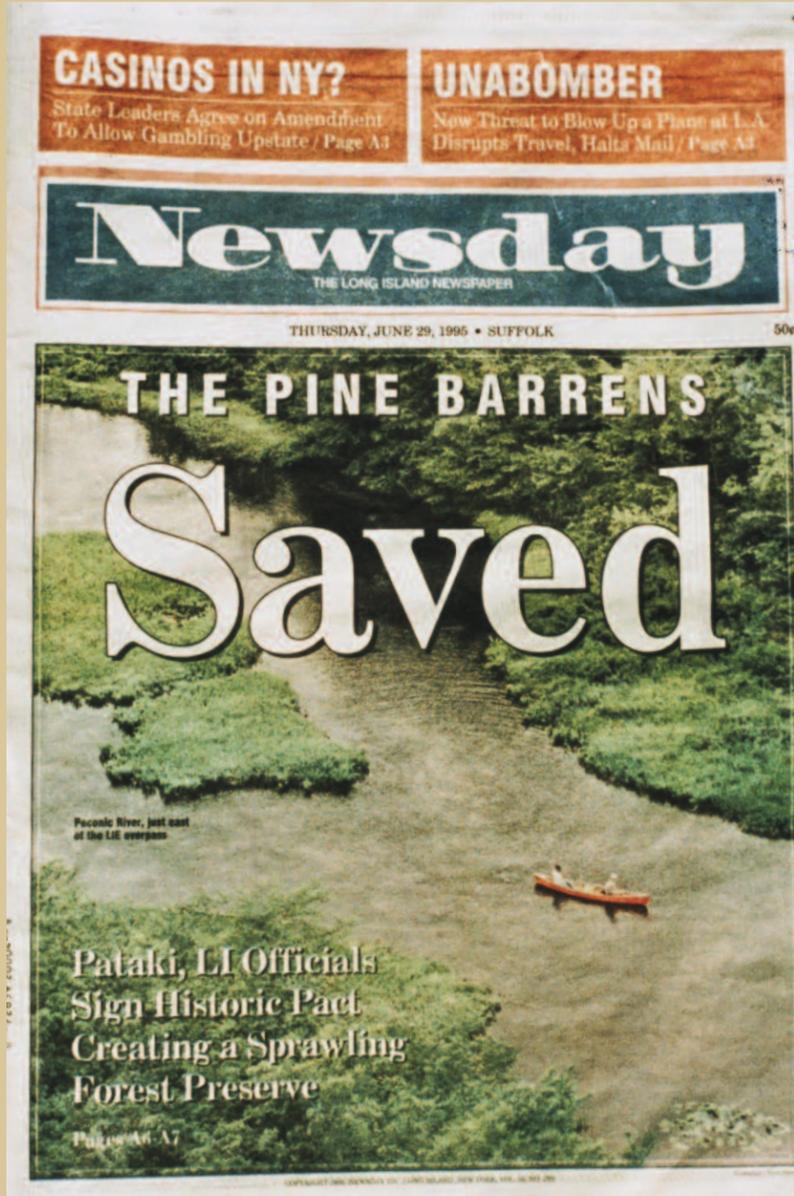
diverse habitat of plants and animals, anywhere in New York State. They also recognized that the public would have to approve funding needed to purchase a critical mass of the remaining 125 acres — estimated to cost nearly a billion dollars.

Against all odds, they succeeded. They began filing lawsuits on November 21, 1989. The massive project resulted in a 1400-page filing — detailing the environmental consequences of development — individually and collectively. They lost at the lowest court, won at the Appellate Court and then, in November 1992, the Court of Appeals, New York's highest court, concluded that it did not have the authority to require cumulative impact consideration but admonished the New York State Legislature to produce legislation necessary to protect the Pine Barrens.

All the while, the Society pressed its public education program through hundreds of newspaper articles and radio and television appearances. At the same time the Society worked with government at every level — but especially the state legislature and Suffolk County. The county put referenda on the ballot to obtain funds needed to purchase critical parcels and Long Islanders approved them by lopsided margins.

Then, on the eve of July 4th, 1993, the New York State Legislature passed unanimously the Pine Barrens Protection Act which created a Core Preservation Area of 53,000 acres where no development could occur and a Compatible Growth Area of 48,000 acres where development was restricted, but not banned. Governor Mario Cuomo signed the Pine Barrens Act into law on July 14, 1993, creating a Pine Barrens Commission to enforce the Pine Barrens Law. To date, a total of 106,000 acres have been permanently preserved.

Twenty-five years later, protection of the Pine Barrens remains one of Long Island's most incredible accomplishments.



Credit: LIPBS



LAWSUIT ANNOUNCED: Society Executive Director Richard Amper says "Building in the Pine Barrens stops right now!"

Credit: LIPBS



MAKING HISTORY: Governor Mario Cuomo signs the Pine Barrens Protection Act of 1993 at Southaven County Park.

Credit: Scott Ross



THE FOUNDERS: Robert McGrath, John Cryan and John Turner are recognized for preserving the Long Island Pine Barrens.



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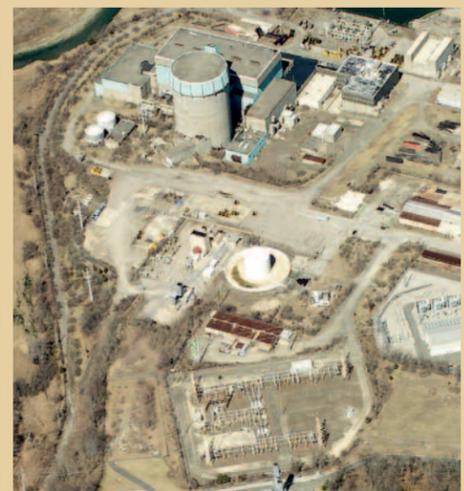
A copy of the last annual report filed with the New York State Department of Law may be obtained by writing to NYS Attorney General's Charities Bureau, Attn: FOIL Officer, 120 Broadway, New York, NY, 10271 or may be obtained directly from the Long Island Pine Barrens Society, 547 East Main Street, Riverhead, NY 11901

 Printed on recycled paper.

Credit: Suffolk County Planning



GOOD



BAD

GETTING IT RIGHT! It's generally a good idea to distinguish one's good ideas from the bad. An 800-acre nature preserve is good. A never-used nuclear power plant – not so much!

The Pine Barrens Society's television program airs on Cablevision Channel 20. The air times below are effective through April 1, 2018 – September 30, 2018.

Island-Wide Air Times:
Sundays at 11:30 AM
Mondays at 11:00 PM
Wednesdays at 7:00 PM

The program can also be viewed on the Society's YouTube page at www.youtube.com/lipinebarrenssociety.

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