



LONG ISLAND
PINE BARRENS
SOCIETY



the pine barrens

today

Report Documents Decline Without Remedy

PRESERVATION: NOW OR NEVER

WATER WORRIES

Credit: LIPBS

Long Island's top environmentalists warn that Suffolk County water is declining in quality without a plan to reduce or reverse the trend. A soon to be released report, commissioned by the Suffolk County Department of Health Services, documents an alarming decline in the county's drinking and surface water over the past 17 years, without concrete recommendations on how to reverse the trend.

The warning comes in the form of comments submitted in response to a draft plan entitled "Suffolk County Comprehensive Water Resources Management Plan." In addition to the Long Island Pine Barrens Society, groups sharing the concern include Citizens Campaign for the Environment, Group for the East End, The Nature Conservancy and Peconic Baykeeper.

The environmentalists conclude, "While the draft report appears scientifically well-reasoned and sound, its characterization of the state of Suffolk's water does not accurately reflect the magnitude of the decline in drinking and surface waters since the last study in 1987, nor does it provide a roadmap to stem the tide of diminishing water quality and does not adequately convey appropriate concern over the report's findings."

While the report does not indicate that many Suffolk residents are drinking contaminated water, and says that public sources regularly meet state standards, the study makes clear that Suffolk's water is declining in quality, but advances no specific actions to improve the situation.

For example, the report indicates that nitrogen contamination in the upper glacial aquifer – the one closest to the land surface has declined 40% over the past 17 years since the last study. It indicates that such contamination of the Magothy Aquifer which showed little contamination in the last survey has increased by 200% since then. "This is an alarming and unacceptable trend in declining water quality that should be of concern to every Long Islander," said Pine Barrens Society Executive Director, Richard Amper. "What's worse is that the study does not call for preventive measures or forward-thinking policies to remedy the situation," said Adrienne Esposito, Executive Director of Citizens Campaign for the Environment. "We need to aggressively protect our drinking water, since we will not get a second chance to do so."

The report indicates that sewage treatment plants are not always meeting state drinking water standards and that private wells are showing an increase in volatile organic compounds and other contaminants. The primary cause is identified as inadequate wastewater management resulting from development and by fertilizers and pesticides associated with agricultural activities.



WORRIED: Long Island environmental leaders hold a news conference to express concern about declining water quality in Suffolk. PBS Executive Director Richard Amper is joined by Bob DeLuca, Group for the East End; Kevin McDonald, The Nature Conservancy; Adrienne Esposito, Citizens Campaign for the Environment; and Kevin McAllister, Peconic Baykeeper.

The decline in water quality is not limited to drinking water- surface waters in our rivers, lakes, bays and the Long Island Sound have been impacted as well. The groups have pledged to mount a high priority campaign to address the causes of diminished water quality and to seek remedies including new rules and regulations governing wastewater discharge, use of fertilizers, pesticides and toxic chemicals including outright bans of dangerous contaminants found in Long Island groundwater.

The environmentalists called for federal and state hearings on the crisis, new approaches by the Suffolk County Department of Health Services and stronger enforcement action on the part of agencies such as the New York State Department of Environmental Conservation, which is charged with protecting surface waters.

While the report pertains to Suffolk, Nassau County's groundwater may be even more threatened. "Nassau doesn't even know the magnitude of its groundwater contamination and the solutions to Suffolk's problems may be even more important in Nassau since western Long Island was developed first," Amper said.

The report was produced by the Suffolk County Department of Health Services, Department of Planning, Department of Public Works, Suffolk County Water Authority and a consultant, Camp, Dresser and McKee. The final report is expected later this summer.

Annual Benefit Set for October 20

The Long Island Pine Barrens Society's 34th Anniversary Environmental Awards Gala is set for October 20 at Oheka Castle in Huntington. New York State Assemblyman, Robert K. Sweeney will receive the Society's award for "Outstanding Contribution to Long Island's Environment," and Fox News Channel Anchor, Patti Ann Browne will accept the Dennis Puleston Environmental Achievement Award.

Honorary Chairman for the event is respected land steward Louis Moore Bacon, who has aided in the protection of Robins Island and the Banfi Farm in Oyster Bay. Co-Chairs for the event are Ross Ain of Caithness Long Island, LLC and Gary Melius of Oheka Castle.

Historically well-received and attended, the gala will feature the music of the Denice Given Band and will celebrate "The Four Seasons."



Credit: Kathy Kmonicek

State Legislature Approves Carmans River Plan

The New York State Legislature has unanimously approved expansion of the Core Preservation Area of the Long Island Pine Barrens. The move is an effort to advance protection of the Carmans River which runs from Middle Island in central Brookhaven Town to Great South Bay.

The state legislation is part of a Carmans River Watershed Protection & Management Plan being developed by the Town of Brookhaven and the New York State Pine Barrens Commission. The Pine Barrens Society has played a key role in developing the river preservation plan which is expected to be completed this fall. Details of the plan's features appear on page three.

The measure was sponsored in the State Legislature by State Senators Ken LaValle and Lee Zeldin and by Assemblymen Robert Sweeney, Fred Thiele, Steven Englebright, Michael Fitzpatrick, Dan LoSquadro, Dean Murray and Andrew Raia.

THE CASE FOR PLUM ISLAND NATIONAL WILDLIFE REFUGE

by Mike Bottini

Mike Bottini is a wildlife biologist currently studying river otter on Long Island, and the author of natural history guides, including: "Trail Guide to the South Fork," "Exploring East End Waters," and "The Walking Dunes." Learn more at MikeBottini.com

The federal government is facing an interesting dilemma on eastern Long Island: what to do with the 840-acre Plum Island that it owns.

Plum Island is most well-known for the Animal Disease Center located there, a facility that the Department of Homeland Security has determined is in need of major renovations, and, given the cost of upgrading the facility, has decided should be closed down and a new facility be constructed in the Midwest.

Credit: Luke Ormand, birdsoflongisland.blogspot.com



PLUM ISLAND: The 840 acres of largely undeveloped habitat is home to diverse flora and fauna. Harbor seals can often be seen bobbing in the waters that surround the island, or hauling out on rocks to get some sun.

Following that decision, the Department of Homeland Security has proposed that the island be sold, with the revenue from the sale used to cover the costs of closing the Plum Island Animal Disease Center facility and constructing a new facility. However, as was pointed out by our local congressman, Tim Bishop, the \$50 million - \$80 million in expected revenue from the sale is far short of the projected \$650 million price tag to

build a new facility. And those figures do not factor the considerable costs associated with decommissioning the Plum Island facility.

Selling Plum Island does not make economic sense. It also doesn't make ecologic sense. It straddles two estuary systems deemed by the federal government as being "of national significance," the Long Island Sound and the Peconic Estuary. And over the past twenty-five years, one billion dollars of public funds — federal, state, county, town and village — have been invested in the protection and restoration of the natural resources found in each of these waterways.

That figure includes several hundreds of millions of dollars invested in acquiring and preserving land in each estuary's watershed. A coalition of environmental organizations called Preserve Plum Island — which includes the Long Island Pine Barrens Society and is spearheaded by one of the Society's founders, John Turner, argues that the sale of Plum Island flies in the face of decades of federal and local environmental initiatives. The coalition is advocating for an alternative: the creation of Plum Island National Wildlife Refuge on a significant portion of the 840-acre island.

One of the hurdles that the coalition faces is the public misconception that the island lacks any significant natural habitat and natural resources. Because public access to Plum Island is very restricted, few people not associated with the research facility have ever set foot on it, and most imagine it to be a very unnatural place — largely developed — with complexes of laboratories and other quarantine facilities.

In fact, the footprint of the Animal Disease Center facilities comprises less than 10% of the island; the other 750-plus acres contain freshwater wetlands, grasslands, maritime oak-holly forest, dune-heath habitat, and miles of undeveloped beach fronting Gardiners Bay. The U.S. Fish and Wildlife Service has labeled Plum Island part of a federal "Critical Natural Resource Area," and the NYS Dept. of State rated it as a "Coastal Significant Fish and Wildlife Habitat."

The Nature Conservancy has designated the island a "high preservation priority," and Audubon NY lists it as an "Important Bird Area" with several rare and endangered species nesting on the island. As part of the archipelago of islands stretching between Orient and the Connecticut-Rhode Island mainland, Plum Island serves as part of an ecological bridge to Long Island for many wildlife species. The island also has several significant historical sites, including Fort Terry, a military installation constructed during the Spanish-American War.

With these facts in mind, please help the Society and the coalition to Preserve Plum Island in its effort to keep Plum Island in public ownership and to create a new National Wildlife Refuge there.

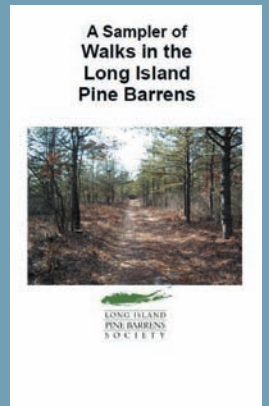
To learn more about this initiative, visit www.preserveplumisland.org, where you can sign the petition to preserve the island, view photos of the diverse flora and fauna of the island, and more!

ENVIRONMENTAL NEWS NOTES

Trail Guide is Here

Take a hike in the Pine Barrens to get an up-close look at this special ecosystem that we've worked so hard to preserve and protect. The guide has something for everyone, from the advanced hiker, looking for a 20-mile adventure, to the beginner who might like to keep the walk short.

Better yet, the selected trails cover much ground in the Barrens — from Manorville to Hampton Bays — so no matter where you live on Long Island, there will be a convenient starting point for you. Each trail description is accompanied by a map so you can follow along! You can access an electronic version of the trail guide on our website: <http://pinebarrens.org/hiking.asp>. Or, for a small donation to offset printing and shipping costs, we will mail you a full-color copy. To order yours, call: 631-369-3300 or write to us at: LIPBS, 547 E. Main St., Riverhead, NY 11901.



Sandy Hills is Back

Credit: LIPBS

Four months after the Pine Barrens Society won a major court victory overturning the approval of a 134-unit housing and commercial development in the Pine Barrens, the project has been re-introduced and new litigation is expected.

State Supreme Court Justice Thomas Whelan vacated Brookhaven Town's approval of the proposed "Sandy Hills" project in Middle Island, saying the town's approval process was flawed. The ruling came in April, two years after the Society sued.

"Sandy Hills" was re-approved by the Brookhaven Town Board on July 19 over the Society's objections and new litigation was filed August 15.



Land Preservation Lags

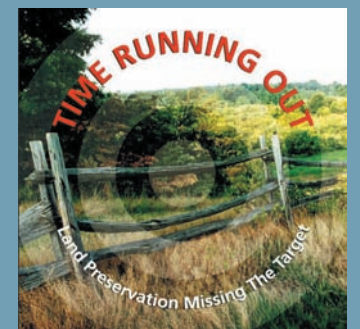
Credit: Julie Clark

Land preservation on Long Island gained by fewer than 200 acres in 2010, leaving the region far behind the rate of preservation needed to protect drinking water and critical habitat before final build-out of Long Island, projected for 2020.

The Long Island Pine Barrens Society's fifth annual report indicates that state, county and town land purchasing programs were up just 195 acres last year above the record low of 771 in 2009. The report shows that 753 acres of open space were purchased in 2010 and 433 acres of farmland development rights for a total cost of \$119 million. Suffolk County once purchased 2,500 acres-a-year without state or town assistance.

A preservation goal of 35,000 acres was set in 2006. Since then, just 8,850 acres have been secured despite the fact that four of five residents polled at the height of the recession said more land should be purchased now, since land prices are lower and the dedicated funds used to save land cannot be used for any other purpose.

To read the Pine Barrens Society's recent report: <http://pinebarrens.org/openspace.asp>.



Society on Facebook

The Pine Barrens Society is on Facebook! Now, the Society can interact with its membership in a whole new way. Follow our day-to-day operations, join in on discussions, tell us what environmental issues are important to you, and see how we advocate for Long Island's environment.

If you are the 100th or 200th person to "like" our Facebook page, you will win a great prize package including a Pine Barrens Society Tote bag, a copy of Pine Barrens Society co-founder John Turner's book *Exploring the Other Island*, Eldon Remy's *The Great Pageant* about migratory birds, and much more!

<http://www.facebook.com/PineBarrensSociety>





The Executive Director's Point of View

“A Plan Comes Together”

by Richard Amper

The President's Point of View will appear again in the next edition.

As George Peppard used to say in “The A-Team,” “I love it when a plan comes together.” I had that feeling recently when a large stakeholder group came together to save the Carmans River ... and stayed to provide a better model for land use on Long Island.

Long Island has a reputation for poor planning, sprawling over the landscape and brawling over land use decisions. However, the need to protect the Island's largest river, which flows through the Long Island Pine Barrens from Middle Island to Great South Bay, provided an opportunity to do much more.

A group of environmentalists and developers, including technical experts and government planners, gathered at the suggestion of New York State Pine Barrens Commission Chairman Peter Scully and Brookhaven Town Supervisor Mark Lesko. Some were veterans of the negotiations that led to enactment of the Pine Barrens Protection Act of 1993 — the plan that has protected drinking water and preserved critical habitat, while directing sensible development to less sensitive areas. The Carmans discussions seemed like a reunion of people who don't think alike very often!

Three months of what seemed like constant meetings and problem-solving has resulted in a plan to ban development in 2,100 acres of the Carmans watershed by

expanding the Core Preservation Area of the Pine Barrens. This will improve drinking and surface waters and reduce the pollutants that find their way to the river and Great South Bay. It will also help protect the rich diversity of plants and animals that depend on the river.

“This will improve drinking and surface waters and reduce the pollutants that find their way to the Carmans River and Great South Bay.”

But, if landowners are told they cannot develop this land, what then? Government can't afford to buy all 2,100 acres. Instead — and this is where the plan really gets creative — it transfers development away from residential areas, to commercial and industrial zones, where infrastructure is already in place. It also promotes construction of much-needed, multi-family housing and even provides incentives to build this housing close to railroad stations, supermarkets and other amenities, so as to create livable, walkable communities.

This has been a goal of planners for years.

Next, the group turned to the subject of “affordable housing.” That term has lost any meaning by being applied to homes priced out of reach for most Long Islanders. Unable to agree on a definition of “affordable,” the group agreed not to use the term at all. Instead, development proposals will be required to state what the houses will cost, starting as low as \$225,000.

We ended up with a plan that provides not only environmental protection, but also the development Long Island needs — where it belongs — and housing that people can actually afford.

We achieved this by focusing on what stakeholders wanted, instead of the usual focus on what we don't. Government facilitated the discussions and will still have to approve the plan at state and local level, but citizens themselves hammered out the recommendations. Sure there were a few naysayers. Some said the same about the Pine Barrens plan in 1993, but their fears have not been realized.

I think everyone will benefit when the plan is finally implemented this fall. Like the Pine Barrens Act, the Carmans River Watershed Protection and Management Plan should remind all of us that by working together positively, we can start solving our most pressing problems, instead of just arguing about them.

SOCIETY SUES TO STOP DEVELOPMENT ON “PROTECTED” FARMLAND

Suffolk Continues to Allow Building on Farmland Which the Public has Paid to Preserve

Three years after it first complained that supposedly-protected farmland was being developed with industrial buildings, the Pine Barrens Society has brought suit in New York State Supreme Court to prevent farmers from building on land they have sold the development rights to.

When government buys undeveloped open space, it purchases and owns the property for drinking water protection or habitat preservation. But Suffolk doesn't buy farmland — merely the farmer's right to develop on it. The farmer may keep farming the land but may not build buildings on it. In 2007, Russell Weiss removed the top soil from land from which the development rights had been purchased by Suffolk. Weiss poured concrete foundations and constructed dozens of permanent industrial greenhouses on land that was never expected to be developed.

The Pine Barrens Society complained that the public had approved the Purchase of Development Rights Program at referenda and that Suffolk's permitting the land to be developed constituted fraud. “The former owner of the farm took the public's money, then the land was developed just as it could have been — had the development rights not been

Credit: LIPBS



BOUGHT AND SOLD: Taxpayers thought that by purchasing the development rights, the open farm field vistas would remain. Instead, the topsoil was stripped and industrial greenhouses were erected on this “farm” in East Moriches.

purchased,” said Pine Barrens Society Executive Director Richard Amper. He said, “The New York State Constitution forbids government to make a gift of public assets for anything but a public purpose. The public voted to pay to keep the land undeveloped, a farmer got paid a fortune and the land got developed anyway,” he added.

The lawsuit challenges the Suffolk County Legislature's approval of new rules governing agriculture in the county, adopted last September. The new rules permit development of up to 25% of a farm even though the farmer has been paid not to develop it. The suit asks the court to prohibit farmers who have sold their development rights to Suffolk to build permanent structures, anyway.

“The farmers can't have their cake and eat it too,” Amper said. “If they want to develop their land, then they can't sell the development rights to the public. The Pine Barrens Society has been a champion of preserving open space and farmland for more than three decades, but nobody is going to continue to support land preservation programs if land that was supposed to be preserved is, instead, developed,” Amper concluded.



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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: LIPBS

CARMANS LEADER GETS IT: New York State Assemblyman Fred Thiele, who shepherded Carmans River legislation through the state legislature quipped at a July news conference that PBS Executive Director Richard Amper "made me an offer I couldn't refuse." The measure would expand the Core Preservation Area of the Pine Barrens to protect the sensitive watershed. The Assemblyman is pictured here with New York State Senator Ken LaValle and Brookhaven Town Supervisor Mark Lesko.



The Pine Barrens Society's television program airs on Cablevision Channel 20 in the following areas. If your region is not listed here, please call our office at 631-369-3300 to find out how you can help us get it aired on your local Cablevision network. The program can also be viewed on the Society's web site, www.pinebarrens.org by selecting TV Show on the home page. The air times below are effective from April 1st through September 30th. For updated broadcast times, check our website beginning October 1.

Town of East Hampton
Wednesdays 6pm
Thursdays 9pm
Fridays 3:30pm

Town of Riverhead, Town of Southold
and Town of Southampton
Sundays 9pm

Town of Brookhaven, Town of Smithtown
and portions of Town of Islip
Mondays 7:30pm
Wednesdays 9pm
Saturdays 11am

Town of Babylon, Town of Huntington,
portions of Town of Islip, and
all of Nassau County
Mondays 9pm
Fridays 12:30pm
Saturdays 12:30pm