



LONG ISLAND
PINE BARRENS
SOCIETY



the pine barrens

today

PRESERVATION: NOW OR NEVER

SUFFOLK SEEKS SETTLEMENT ON DRINKING WATER PROTECTION FUND Society Effort Produces \$30 Million & No Future Raids

Suffolk County has agreed to restore \$29.4 million, taken from its Drinking Water Protection Program in 2011 and to pay back any money borrowed from that program's sewer stabilization fund, as part of a deal to end litigation brought by the Pine Barrens Society. The agreement would also prohibit the government from ever again changing the Drinking Water Protection Program without the approval of Suffolk voters, through a Mandatory Referendum. The settlement would also suspend a petition drive, initiated by the Society and the Group for the East End.

The settlement must still be ratified by the County Legislature on July 29 and the Proposition approved by Suffolk Voters on November 4. After months in negotiation, the deal would accomplish all of the Society's objectives sought by the lawsuits and Initiative & Referendum drive. "Early success in engaging government at every level to address the crisis of declining water quality on Long Island had led Suffolk to see the inconsistency in the county's prioritization of improving water quality while simultaneously taking funds from the program designed to protect it," said Richard Amper, the PBS Executive Director.



Credit: LIPBS

AGREED: At the podium, Pine Barrens Society Executive Director, Richard Amper is flanked by Robert DeLuca, President of Group for the East End and by Suffolk County Executive Steve Bellone and DuWayne Gregory, Presiding Officer of the Suffolk County Legislature. They announced a far-reaching settlement of a long dispute over use of voter-approved funds in the County's Drinking Water Protection Program.

"We hope that the leadership of Suffolk County Executive, Steve Bellone and DuWayne Gregory, Presiding Officer of the Suffolk County Legislature will persuade the County Legislature to approve the settlement when it meets on July 29," Amper added.

Created in 1987, the Suffolk County Drinking Water Protection Program uses a quarter-cent in sales tax to fund a program to buy open space above pure water supplies, advance projects to reverse groundwater pollution and improve sewage treatment. It also stabilizes sewer tax rates. The program, approved by voters at referendum, has generated more than \$1 billion over the years. Much of the money has been spent acquiring and preserving key watershed lands in the Pine Barrens and elsewhere

on Long Island and has produced matching funds from New York State and the Peconic Region Community Preservation Fund.

"Perhaps the most important part of the Drinking Water Protection Program is that it is supposed to be completely controlled by the voters," Amper said, "If approved at referendum this November, the DWPP will be back in the hands of the people of Suffolk County where it belongs," he added.

Legal Strategy Lasted Three Years

The Long Island Pine Barrens Society warned former Suffolk County Executive Steve Levy, a Republican, and the Suffolk County Legislature back in 2011, that it would sue them if they raided money from the Suffolk County Drinking Water Protection Program (DWPP). That's because the program was created by public referendum, to use a quarter-cent in sales tax to protect water quality. The Ballot Proposition provided that the program could not be altered nor the funds used for any other purpose without a new, mandatory referendum. So, when the Levy Administration raided \$20 million from the DWPP, it wasn't just immoral, it was against the law. The Pine Barrens Society kept its promise and sued along with the Long Island

Credit: LIPBS

Environmental Voters Forum.



LEGAL EAGLES: Pine Barrens Society legal team of Paul Sabatino, II, Regina Seltzer and Jennifer Juengst reviews legal action challenging Suffolk's 2011 and 2013 raids of money dedicated to water quality protection through a Ballot Proposition, approved by voters. The cases are pending in State Supreme Court.

Two years later, the current Suffolk County Executive, Steve Bellone, a Democrat, and the Suffolk County Legislature, redirected another \$32 million and the Pine Barrens Society and Long Island Environmental Voters Forum sued again. Oral arguments in the first case were heard in March and a ruling is expected soon. This helped persuade the Bellone Administration to seek the settlement agreed to May 22. The agreement restores \$29.4 million for land preservation and water quality improvement which Bellone has recently made his top priority.

Petition Drive Sought 10,000 Names

Beginning in March, dozens of Suffolk residents hit the streets, armed with petitions aimed at placing on the November Ballot, a Proposition that if approved, would compel Suffolk County government to restore \$29.4 million taken from the County's Drinking Water Protection Program (DWPP) and would also prevent future raids. The DWPP, approved by voters at the polls in 1987 by an 84% majority, has produced more money to protect land — some \$1.2 billion — than have 45 of the 50 states. That land sits above Long Island's underground water supply which is being contaminated by human activity on the surface. The DWPP also provided for other water quality programs including sewer and infrastructure improvements and sewer tax stabilization.

Suffolk, the only county outside of New York City that permits California-style referenda, requires that signatures amounting to two and a half percent of those who cast votes in the last election for Governor, be obtained in each of the county's ten towns. That total amounts to 10,000 signatures of Suffolk's registered voters. The Initiative and Referenda campaign was supported by the Group for the East End and the Rauch Foundation. County officials cited it as a key motivation for the agreement to restore the funds and prevent future raids.

Credit: LIPBS



LESSON IN DEMOCRACY: Volunteer Shara Maso of Shoreham and twin daughters Kiara and Makayla, 9, get briefing from Katharine Muether, PBS Petition Drive Coordinator. The campaign seeks restoration of funds taken from Suffolk's Drinking Water Protection Program without the required voter approval.

the thicket

Preserving Open Space: The underappreciated key to conserving Long Island's coastal ecosystems

by Christopher J. Gobler, Ph.D.

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Recently, there has been a steady drum beat of bad news regarding Long Island's coastal waters: brown tides, red tides, green tides, rust tides, fishery collapses, oxygen-starved waters, fish kills. It's enough to keep people away from the beach. But with every dark cloud, there is a silver lining, and so is the case here: things could be worse. We know what the problem is, and

Credit: Christopher J. Gobler, PhD



STOP THE BLOOMING ALGAE: Nitrogen contamination from sewage and fertilizers is fouling Long Island's coastal waters, killing fish and plant life. This summer is promising more.

we know how to fix it. But before we solve the problem, it's worth reviewing how we got here and why the actions of the Pine Barrens Society have played a key role in conserving not only Long Island's open space but also our coastal resources. Long Island is crowded. With 1.5 million people packed into Suffolk County, there are only a handful of nations in the world that are more densely populated. Unfortunately, most Suffolk residents dwell in homes without a modern waste disposal system (e.g. sewers) and thus the nitrogenous waste from more than one million Suffolk residences is leaching out of septic tanks and cesspools and into the groundwater beneath our feet. This process is proceeding quickly, as the recently released Suffolk County Comprehensive Water Resources Management Plan reported as much as a 200% increase in the levels of nitrogen in Suffolk County's groundwater between 1987 and 2005, with models indicating these levels will continue to rise for several decades.

While the idea of waste in our groundwater is not pleasant, the Suffolk County Water Authority has drilled deeper wells, closed wells, and treated water to ensure what we drink remains clean. Unfortunately, our coastal ecosystems do not have these options, as nitrogen-rich groundwater continually seeps from land into our bays, harbors, and estuaries where it is exacting an unwanted toll. Salt marshes, the marine habitats closest to land, are an important habitat for a variety of animals and, as we learned from Hurricane Sandy, serve as a critical first line of defense against coastal storm surge and waves. Unfortunately, excessive nitrogen loading has contributed to the loss of up to 80% of Long Island's coastal salt marshes since the 1970s.

Excessive nitrogen seepage is also stimulating the growth of multiple strains of harmful and toxic algae such as brown tides, red tides, green tides and rust tides, which were unknown to Long Island three decades ago, but recur annually today. These algae are having cascading negative impacts on our coastal ecosystems. Eelgrass meadows are critical, benthic habitats that sustain our most important shellfish and finfish but are highly sensitive to nitrogen and shading by algae. As nitrogen levels in groundwater have increased, 90% of Long Island's eelgrass has vanished and experts predict these grasses will be extinct on Long Island in two decades if current nitrogen loading trends continue. Algae blooms stimulated by excessive nitrogen loading can also starve coastal waters of oxygen and make them more acidic, two conditions that are also detrimental to fish and shellfish. For all of these reasons, Long Island fisheries have been on the ropes. In the 1970s, the bay scallop fishery on eastern Long Island and the hard clam fishery on the south shore were the two largest fisheries for these mollusks on the US east coast. Since that time, landings of hard clams and bay scallops on Long Island have diminished by more than 90%, due to a combination of the woes brought about by excessive wastewater nitrogen outlined above: algae blooms, seagrass loss, low oxygen, and lower pH. In the end, these trends could directly affect every Long Islander since billions of dollars of our economy are wrapped up in fisheries and tourism and home values have been shown to trend with coastal water quality.

As promised at the outset of this piece, this story does have a bright side and could have a happy ending. As scientists survey the levels of nitrogen across Long Island's groundwater, one fact is abundantly clear: while the groundwater beneath the densest developments on Long Island have the highest nitrogen levels, the Pine Barrens Core Preservation Area has the lowest levels of nitrogen on Long Island. Therefore, beyond preserving Long Island's drinking water, open space, and character, the preservation of the Pine Barrens has prevented the negative trends in our coastal waters from being far worse. And, with up to 20% of open space still developable on eastern Long Island, there is still work to be done. Preservation of remaining open space on Long Island will ensure that nitrogen levels do not increase further and will help stabilize our coastal ecosystems. Implementation of improved household waste treatment measures such as converting cesspools and septic tanks to varieties that remove more nitrogen will reduce nitrogen concentrations in our groundwater and ultimately restore the health of our coastal ecosystems — the heart and soul of our Island. We know the problem. We know the solution. It is time to act.

ENVIRONMENTAL NEWS NOTES

Carmans River Plan Implementation

The Carmans River Conservation & Management Plan was passed on October 15, 2013, approximately three years after environmentalists began drafting and advocating for such a plan. The plan added 3,845 acres to the protected Pine Barrens – 1,660 to the Core Preservation Area where development is prohibited and 2,185 acres to the Compatible Growth Area where development can occur under prescribed circumstances. The annexation of new land was approved by the New York State Legislature and signed into law on August 1, 2013 by Governor Andrew Cuomo.

Credit: Jennifer Clement



RIVER PROTECTORS: A Performance Committee will monitor the protection plan for the Carmans River in Brookhaven

The plan took effect on January 1, 2014 and that same month the Brookhaven Town Board approved the rezoning of approximately 2,000 acres of publicly-owned prime watershed land within the Carmans River corridor. The land was rezoned to five or ten-acre zoning in order to protect against over-development should the land be developed in the future. The re-zoning of privately-owned land commenced April 30th and will continue in the weeks ahead. The plan recommends it be re-zoned to two-acre residential.

The Carmans legislation created a "Performance Committee" tasked with implementing the plan and includes representatives from the planning, environmental and civic communities. They have met twice this year to discuss the status of recommendations outlined in the plan and are scheduled to meet on a quarterly basis moving forward.

Gala 36 Honors Long Island Leaders

Credit: Scott Ross



HONORED: Pine Barrens Act sponsors accept award from emcees Kathleen Nasta and Dick Amper

The Society's 36th Anniversary Environmental Awards Gala celebrated "A Generation of Preservation" – two decades since the historic signing of the landmark Pine Barrens Protection Act. The event honored the sponsors of the Pine Barrens legislation, State Senator Kenneth P. LaValle and State Comptroller Thomas P. DiNapoli with the Society's award for Outstanding Contribution to Long Island's Environment.

Recently retired Newsday reporter and editorialist Robert Keeler won the Dennis Puleston Environmental Achievement Award.

200 guests filled the Terrace Room at Oheka Castle in Huntington, October 16, dining on a sumptuous cocktail buffet and elegant dinner and dancing to the music of the Denice Given Band. Event Co-Chairs were Ross Ain of Caithness Long Island, Nancy Rauch Douzinas of the Rauch Foundation and Jed Morey of the Long Island Press. Honorary Chairman was Alex Baldwin.

This year's event will be held October 16, again at Oheka Castle. Sponsorship and ticket information is available at (631) 369-3300.

"The Hills" Are Alive... But Not For Long

Credit: Google Earth

The largest, privately-owned parcel in the Pine Barrens is threatened by a 118-home golf resort, replete with a 54,000 square foot Club House/Restaurant. The 438-acre parcel blankets portions of both the Core Preservation Area where development is prohibited and the Compatible Growth Area where development is permitted under prescribed regulation. The land, in the East Quogue hamlet of Southampton is being considered by Southampton Town for a Planned Development District which would require a discretionary zoning change by the Southampton Town Board.

The wooded parcel boasts significant wildlife habitat and serves as a watershed for the Weesuck Creek. It was the subject of a purchase effort by Southampton Town and Suffolk County in 2011, but the property owner, East Quogue Group LLC, declined the governments' bid, which was consistent with professional appraisal of the value of the property. The mega-project for the site is being proposed by Discovery Land Company, which has constructed other residential golf projects internationally.

"The Hills" represents the Pine Barrens Society's top preservation priority," said Pine Barrens Society Executive Director, Richard Amper. "With Long Island's top focus on groundwater protection, it is unimaginable that Southampton can be seriously considering the massive development of this incredibly sensitive property." He recommended that the town reject the golf course proposal and make a new effort to acquire the property under Suffolk County's Drinking Water Protection Program and Southampton Town's Community Preservation Fund.



THREATENED: "The Hills" in East Quogue Pine Barrens is targeted for a mega-golf resort.

HUGE COALITION CAMPAIGNS FOR WATER QUALITY IMPROVEMENT

Public Education and Advocacy Project Finds “A Role for Everyone”

by Richard Amper

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

Four leading environmental organizations, including the Long Island Pine Barrens Society, have launched a multi-year, multi-million dollar campaign to dramatically reduce contamination in Long Island's underground water supplies over the next decade. They have created the Long Island Clean Water Partnership, comprised of more than 100 businesses, environmental and civic organizations and nearly 8000 individual members and supporters.

The Clean Water Partnership is involving government at the federal, state, county and local level, businesses and families to reduce contamination of both drinking water and surface waters, resulting from discharge of pollutants into the Island's system of underground aquifers on which Long Island depends for public health, environmental quality and a healthy economy.

All of Long Island's water comes from beneath our feet. Human activity on the surface introduces contaminants into the groundwater below, which in turn, pollutes both drinking water and surface waters. Nitrogen from sewage and fertilizers, along with pesticides and toxic chemicals are being found in increasing quantities in groundwater.

Scientists agree that reducing permissible levels of nitrogen introduced into groundwater will help reverse the downward water quality trend. This is especially true in Suffolk County where 70 percent of the population discharges wastewater into cesspools or septic tanks and thus directly

into the aquifer. Nassau County and western Suffolk County are largely sewered, producing much lower nitrogen concentrations.

The Partnership seeks legislation to restrict discharge of contaminants into groundwater and funding to improve sewage systems and reduce the introduction of pesticides, volatile organic compounds and even unused pharmaceuticals into water sources drawn on for drinking, cooking and bathing as well as into Long Island's marine environment which surrounds the 118 mile-



long island.

“There's a role for everyone” said Pine Barrens Society Executive Director, Richard Amper. He said government must fund water quality improvement initiatives, businesses must advance improved waste management technology and citizens must increase their awareness and decrease the use of household products that harm the Island's groundwater. In just the past year, individual towns have begun local clean water projects, the Nassau and Suffolk County Governments have made water quality improvement their top priority, clean water legislation is pending

in the Suffolk Legislature while Governor Cuomo has created a Task Force on water quality improvement with recommendations expected this month and the Federal Government has begun to fund nitrogen reduction projects as part of the post Sandy “resiliency” effort.

The campaign is using print, radio, television and social media to increase Long Islander's understanding of the source and threat to the region's water supply. Polls show that a majority of Long Islanders don't know where their water comes from or where it goes. In fact, all of the water used by the Island's population of three million comes from a network of underground aquifers that capture rainfall and store some of it for drinking and other human use while feeding water bodies that are especially sensitive to nitrogen and other contaminants.

“We can improve water quality by reducing the pollution that finds its way into our groundwater,” Amper explained, “and that's the strategy of the Long Island Clean Water Partnership.”

In addition to the Pine Barrens Society, the Partnership was created by Citizens Campaign for the Environment, Group for the East End and The Nature Conservancy. The effort is funded principally by private Long Island foundations including the Rauch Foundation, the Long Island Community Foundation, the Knapp/Swezey Foundation, the GRACE Communications Foundation and others.

State Senate Kills Clean Water Bill

The New York State Senate has killed a clean water bill, by refusing to bring it to the Senate floor for a vote. The State Assembly had approved the same measure two days earlier.



The legislation was titled the “Long Island Water Quality Control Act,” and would have reduced the discharge of contaminants into groundwater and established a regulatory framework to improve drinking and surface water quality on Long Island. The bill was in response to concerns from scientists and environmentalists about declining water quality across the Island.

After nine months of input from citizens, businesses and government officials, and a five-hundred-to-one ratio of supporting versus opposing comments to Albany lawmakers, the State Senate left the bill to die in committee.

PBS Executive Director, Richard Amper said, “The Senate chose to protect the polluters, particularly the developers and the agriculture industry, instead of the quality of water affecting nearly three-million Long Islanders.” The measure had been opposed by the Long Island Farm Bureau and the Long Island Builders Institute. The developers promised in January, that they would oppose such a bill unless it provided for the construction of 50,000 new houses.

Environmentalists vowed to continue pursuing water quality improvement legislation. Amper concluded, “If there's to be a war over water, I think it's a war that Long Islanders will win.”

L.I. Moms for Clean Water

In response to Long Island's declining water quality, a consortium of prominent Long Island environmental groups are working on educating the public about how they can influence public policy to improve water quality and what families can do to help protect water in their homes. That's why the Long Island Pine Barrens Society has created “Long Island Moms for Clean Water.”

Long Island Moms for Clean Water is an organization of concerned Long Island families committed to improving drinking water and surface waters from Great Neck to Montauk for the future of our children and grandchildren. We believe concerned mothers can help influence sound public policy with respect to water quality improvement and better educate families about the importance of protecting the quality of our water. Long Island Moms for Clean Water provides concerned parents and families with the information they need to advocate for water quality protection initiatives, protect water resources at home and attend clean water rallies and events for the whole family.



Individuals and organizations are encouraged to join Long Island Moms for Clean Water. Email: info@longislandmomsforcleanwater.org to join and visit our website: www.longislandmomsforcleanwater.org. Get daily alerts by liking us on Facebook.com/MomsForCleanWater and following us on Twitter @Moms4CleanWater.

Long Island Moms for Clean Water is a non-partisan, not-for-profit group.



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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

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Credit: LIPBS



FRIENDLY FIRE: Trained fire managers conduct a “prescribed burn” in Rocky Point Pine Barrens. The fires, set under controlled conditions, replicate the function of naturally-occurring burning, essential to the regeneration of Long Island’s premier ecosystem.

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 website, www.pinebarrens.org by selecting TV Show on the home page. The air times below are effective through September 30th.

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

Town of Brookhaven, Town of Smithtown
and portions of Town of Islip
Wednesdays 8pm
Thursdays 6:30pm
Saturdays 1pm

Town of Riverhead, Town of Southold
and Town of Southampton
Mondays 6pm
Mondays 7pm
Mondays 8pm

Town of Babylon, Town of Huntington,
portions of Town of Islip, and
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Tuesdays 9pm
Wednesdays 7pm (Channel 115)
Saturdays 11am



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