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 was 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.

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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.

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 it’s 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.”

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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-in-a seemingly inevitable Manifest Destiny.

But then the population doubled in the next twenty years and continued climbing past a million and a third by 1990. With us came increased air and water pollution, overburdened municipal services, and “the world’s longest driveway.” Jellyfish in nitrate-fouled bays declined more than 90%. We didn’t realize it then, but moving farther out on the island became akin to moving up a story in a burning building.

Builders, too, moved east, eyeing hundreds of potential projects. In what remained of our Pine Barrens, 100,000-plus acres 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, fragmented landscapes lead to the decline of species—and the Pine Barrens harbor the largest concentrations 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 checkeredboard of development would threaten many of them, increase opportuni ties 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 the Carmans River in Manorville filled a 38-acre gap in public holdings and protected a bog and freshwater wetlands. As Governor Mario Cuomo said upon signing the Pine Barrens Act, “This is right, this is good, this is something I believe in with passion, this is something I can give my most hearty endorsement.”

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

“...megasite of development—...”
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.
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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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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.

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

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