

CENTRAL PINE BARRENS ADVISORY COMMITTEE

Stephen M. Jones, Chair
Richard L. Amper, Vice Chair

Meeting of Wednesday December 17, 2008

(Final minutes - approved 2/11/09)

Suffolk County Water Authority Coram Training Center
2045 Route 112, Building 5, Coram, New York
8:30 am

Advisory Committee Members present:

- Brookhaven Civic Representative: Thomas Muller
- Brookhaven National Laboratory: Timothy Green
- Hamptons Visitors Council: Hank Beck
- Long Island Drinking Water Coalition: Matthew Meng
- Long Island Greenbelt Trail Conference: Thomas Casey
- Long Island Pine Barrens Society: Richard Amper (Vice Chair), Irina Itriyeva
- Stony Brook University: Henry Bokuniewicz
- Suffolk County Water Authority: Stephen Jones (Chair)
- The Nature Conservancy: Patricia Manzi

Others Present:

- Commission: Ray Corwin, Judy Jakobsen, Carol Sholl, John Milazzo
- Town of Brookhaven: John Turner
- NYS DEC: Bill Spitz

Mr. Jones called the meeting to order at 8:45 am, initially without a quorum present. Later in the meeting, a quorum of nine members was present.

Commission Committee Structure and Analysis

Ray Corwin provided two handouts, the Central Pine Barrens Organizational Chart and the Central Pine Barrens Advisory Committee chart of Member Organizations (attached). Each member introduced themselves prior to discussion.

Mr. Jones gave a synopsis of how the AC has evolved as an entity created through the State legislation with its mission to provide objective advice to the Commission. He stated that John Turner made the suggestion to the Commission that the AC be utilized for the purpose of analyzing the current activities of the various committees that have sprung from the inception of the Plan.

The Commission authorized this “Committee Needs and Structures Study” at its May 2008 meeting. After its review the AC will then give its evaluation to the Commission regarding its findings.

John Turner stated on the tenth year anniversary of the Plan in 2005, a committee was organized to review the internal workings of the Commission and its staff which became the first step in its review. A report was set forth by that committee providing numerous recommendations, including, in part, additional staffing. These included a Public Educator and a Compliance and Enforcement Coordinator. Melissa Griffiths was hired to fill the first of these positions and Larry Hynes the latter. Mr. Corwin distributed copies of that report (attached).

The second and current step of the Commissions’ internal review is to look at the workings of its numerous groups, most of which were formed after the adoption of the Plan. Ray Corwin reviewed the attached organizational Chart of the Commission. Mr. Jones asked Mr. Corwin to name the groups the AC originally organized after the Act was passed and prior to the adoption of the Plan. These included a Land Management Committee, an Ecology Committee, a Transfer of Development Rights Committee, an Administrative Committee, a Hydrology Committee and a Cultural and Historic Resources Committee. Those committees worked with the Commission on a series of drafts to the Plan. The final Plan was approved by the three town boards, followed by unanimous approval of the Commission in June 1995.

The 1995 Plan created three permanent committees: the Pine Barrens Credit Clearinghouse to further the goals of the TDR program, the Law Enforcement Council (LEC) and the Protected Lands Council (PLC). Mr. Corwin continued by explaining the origins of the additional committees that exist today. He explained the Central Pine Barrens Organizational Chart and the relationship of appointed officials to their positions with the Commission. Finally, over the years the AC has occasionally created temporary subcommittees with specific tasks.

Mr. Corwin described the individual roles of the three committees set up by the Plan. The Credit Clearinghouse created in Chapter 6 oversees the use of the Clearinghouse funds that are administered by the Clearinghouse for buying and selling Credits. The LEC, created in Chapter 7, was set up to address the concerns of the various law enforcement agencies within the Central Pine Barrens. The PLC also created in Chapter 7 includes all public agencies that own land in the Central Pine Barrens plus The Nature Conservancy and the Suffolk County Department of Planning.

Mr. Corwin described the work patterns of the various committees, how often they meet during the year, and their membership. He also spoke briefly about the origin of the Environmental Education committee which is made up of nine members under the direction of Melissa Griffiths. Mr. Corwin spoke about the Twinings biodiversity project that is being undertaken pursuant to a memorandum of agreement between the Commission and MSRM Regional Park in Pisa Italy.

Judy Jakobsen described the work of the Wildfire Task Force (WTF) and its evolution since its creation by the Commission via resolution after the 1995 wildfires. The membership includes 44 agencies, approximately half of which are fire departments. One goal of the WTF was to create a

fire management plan for addressing future wildfires. She described the subcommittees that arose from the fire prevention plan which include: Fire Weather, Fire Awareness, Training and Equipment, the Wildfire Academy, and Public Education.

Mr. Jones asked Mr. Corwin to identify which committees manage funds. Mr. Corwin then spoke about the Pine Barrens Credit Clearinghouse which oversees daily operations of the Credit program. It also has over three million dollars for the buying and selling of Pine Barrens Credits. The LEC oversees an Environmental Benefit Fund which initially had \$180,000 which the Commission acquired from an environmental court settlement in which it was not involved. The LEC spends that money with the approval of the Commission for equipment which is used by the various law enforcement agencies. The Fire Academy maintains both savings and checking accounts.

John Turner stated the AC should review each committee, present its findings to the commission and the PLC would be the first committee up for review at the request of Suffolk County Parks Commissioner John Pavacic, who chairs the PLC..

Mr. Jones opened a discussion regarding a protocol for reviewing and evaluating the merits of each committee and Dick Amper and other members made their suggestions. Mr. Jones offered his assistance in developing a written synopsis on the findings of the AC.

Discussion: Current EPCAL Litigation Appeal

With a quorum present, Mr. Jones addressed the recent lawsuit and court decision regarding the EPCAL site. He explained the history surrounding the lawsuit against the Commission. The decision of the State Supreme court was a loss for the Commission, and the NYS Attorney General is currently pursuing an appeal at the Appellate Division. Riverhead Town has requested that the Commission withdraw the appeal. Dick Amper outlined specific defects which he feels exist in the court ruling and distributed the attached memo from the Long Island Pine Barrens Society. A discussion ensued and there was unanimous agreement among the AC member present that the appeal should continue.

A motion was made by Ms. Manzi and seconded by Mr. Casey to adopt the attached resolution urging the Commission to continue the appeal. The motion was approved by a 9-0 vote.

Next Meeting and Adjournment

The next meeting will be late January or early February. The meeting was adjourned at 10:15 am without a formal resolution of adjournment.

Attachments

1. Central Pine Barrens Organizational Chart (Dec. 2008)

2. AC Member Organizations (Dec. 2008)
3. Report of the Commission's Temporary Committee on Future Staffing and Administrative Needs (10/19/05)
4. Memorandum on Baisley Decision (12/16/08)
5. EPCAL Resolution (12/17/08)