

CENTRAL
PINE
BARRENS
JOINT
PLANNING
&
POLICY
COMMISSION

*New York's Central Pine Barrens:
Accomplishments at Five Years*

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Report of Activities
for the Period 1993 through 1998

Central Pine Barrens

Joint Planning and Policy Commission

March 1, 1999

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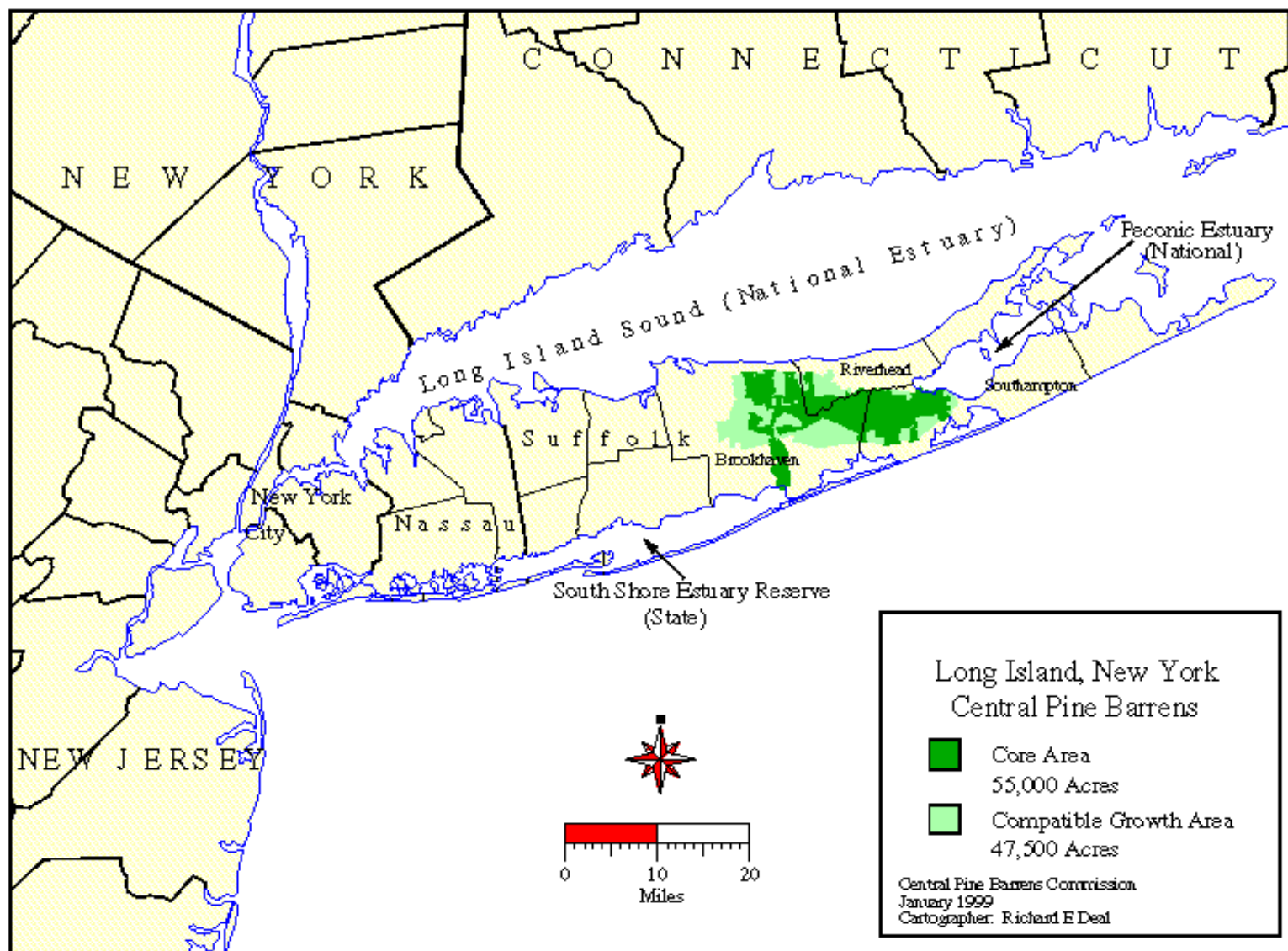


Figure 1

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1. The Central Pine Barrens Legislation At the Five Year Mark

There are many methods for reckoning the passage of time, and recording the events which unfold with the passing of years. However, the story of New York's Central Pine Barrens at the five year anniversary of the 1993 Long Island Pine Barrens Protection Act remains a remarkable one, regardless of the historical method adopted.

In July of 1993, the signing of the Long Island Pine Barrens Protection Act at Southaven County Park triggered an intensive and almost nonstop sequence of planning, management, and multiorganizational work to produce a comprehensive Plan for the 100,000+ acres of Long Island's Central Pine Barrens. This interagency effort continues today, well after formal adoption of the Central Pine Barrens Comprehensive Land Use Plan. Dozens of governmental and private organizations, complemented by literally hundreds of dedicated and committed citizens, have created this Plan for the mosaic of natural resources and human communities which we call the Central Pine Barrens.

This report, New York's Central Pine Barrens: Accomplishments at Five Years, prepared pursuant to New York Environmental Conservation Law (ECL) Section 57-0119(6)(o), summarizes the 1993-1998 work of the Central Pine Barrens Commission and its many cooperators - both individuals and organizations - by emphasizing results achieved, experience earned, and tools developed. The legislative charges of the 1993 Act are intrinsically interdisciplinary and interorganizational. They simply could not have been fulfilled without a spirit of close cooperation and a community resolve to see on-the-ground results. There is, as one of the pine barrens cooperators so aptly remarks from time to time, no "T" in the word "team".

The pages that follow contain topical summaries of the events which have made the last five years pass so quickly. Yet, a full appreciation of these facts requires an understanding of the single common resource that made them possible: the community. The Commission is pleased to report that its - or, rather *the community's* -

most valuable product during this period is a working environment where trust, teamwork, and plain hard work are at the heart of all that has been achieved. The hundreds of individuals who have contributed time, energy, and expertise to making the Pine Barrens Protection Act literally a day-to-day pursuit reflect a diversity of backgrounds, ages, employment status, interests, and, naturally, opinions. It is individuals like these who collectively form

the finest resource that the Commission and the Central Pine Barrens could have. This reckoning of the first five years of the Act is appreciatively dedicated to them.

Pursuant to the ECL, this report will be forwarded to the Governor, the State and Suffolk County Legislatures, Town and Village Boards with portions of the Central Pine Barrens, and all other cooperators and interested individuals.

2. 1993 through 1995: Drafting and Finalizing a Comprehensive Plan

Following the July 1993 passage of the Act, the newly created Central Pine Barrens Joint Planning and Policy Commission (see Table 1) utilized the resources of numerous agencies, listed in the Central Pine Barrens Plan, to immediately begin satisfying the calendar milestones in the Act. Among these milestones were:

- **Initial organizational meetings** of the Commission (starting in August 1993);
- **Production of Interim Goals and Standards for Development in the Compatible Growth Area**, a document which guided the Commission in the review of development applications in this area until such time as the Final Plan was developed and approved, and the individual Towns had revised their local codes in accordance with the Plan;
- **Production of an official map** showing the boundaries of the Central Pine Barrens (both the Compatible Growth Area and the Core Preservation Area);
- **Immediate review of development applications** under either the Interim Goals and Standards for Development in the Compatible Growth Area, or the Core Preservation Area hardship exemption provisions of the Act;
- **Inventorying of parcels, notification of landowners, and holding of public informational meetings;**
- **Commencement of the drafting of a Central Pine Barrens Comprehensive Land Use Plan** and an accompanying Draft Generic Environmental Impact Statement; and
- **Close cooperation with the 24 member (later expanded to 26 members) Central Pine Barrens Advisory Committee** defined in the 1993 Act. The Advisory Committee

met frequently in the initial years following the Act, and the Commission and the Advisory Committee have met jointly on several occasions.

The 1993 Act also specified a tight timetable for these activities, with the total time allotted from passage of the Act to

production of a final Plan being set at 20 months. This limit was later expanded to 24 months following production of the Draft Central Pine Barrens Plan, in order to better synchronize the provisions of the Pine Barrens Protection Act with the State Environmental Quality Review Act's provisions for the necessary environmental reviews of the Plan document.

Table 1: Central Pine Barrens Commission	
Governor's Appointee	Mr. Ray E. Cowen, P.E., Region 1 Director, N.Y.S. Department of Environmental Conservation <i>Past New York State Commissioner:</i> Hon. Ulric S. Haynes, Jr., Dean, Hofstra Univ. School of Business
Suffolk County Executive (Ex officio)	Hon. Robert J. Gaffney, Esq., Chair <i>Representatives:</i> Mr. George Proios, Assistant County Executive for Environmental Affairs Mr. Roy Dragotta, Esq., Municipal Bureau Chief, Law Department
Brookhaven Town Supervisor (Ex officio)	Hon. Felix J. Gucci, Vice Chair <i>Representatives:</i> Commissioner John Girandola, Planning, Environment, and Development Department Ms. Barbara Wiplush, Esq., Assistant Town Attorney <i>Past Brookhaven Town Commissioner:</i> Hon. John J. LaMura, Esq.
Riverhead Town Supervisor (Ex officio)	Hon. Vincent G. Villella <i>Representatives:</i> Mr. Richard Hanley, Planning Director (since January 1999) Councilman Christopher Kent (since January 1999) Brenda A. Filmanski, A.I.C.P. (through December 1998) <i>Past Riverhead Town Commissioners:</i> Hon. Joseph F. Janoski Hon. James R. Stark

Southampton Town Supervisor (Ex officio)	Hon. Vincent Cannuscio <i>Representatives:</i> Mr. Robert J. Duffy, A.I.C.P., Director, Dept. of Land Management Mr. Jeff V. Murphree, A.I.C.P., Chief Planner Mr. Martin E. Shea, Chief Environmental Analyst <i>Past Southampton Town Commissioner:</i> Hon. Fred W. Thiele, Jr., Esq.
Meeting information	The Commission generally meets every three weeks, and alternates locations among the three towns and the Commission office.

The Central Pine Barrens Advisory Committee

During the Plan development period, the Advisory Committee met monthly, holding a total of 25 meetings from the passage of the Act until the June 1995 signing of the Final Plan. Since that time, the Committee has met 10 additional times, for a total of 35 meetings during the reporting period. Table 2 shows the composition of the Advisory Committee.

The Advisory Committee has addressed specific issues of importance to both the implementation of the Act and the development and implementation of the Plan. Those specific topics have included:

- C **Initial formation of the topical “working groups” on land management, transfers of**

development rights, and ecology.

These topics were frequently examined throughout the planning period, with discussions and reports from specialized subcommittees, recommendations on interagency coordinations, etc.

- C **Funding for land acquisitions.**

- C **Staffing and administration of the new Commission.**

- C **Proposed standards and guidelines for reviews of development applications in the Compatible Growth Area, suggested by the Committee for inclusion in the Plan. The Committee also commented upon the Interim Goals and Standards for**

Development immediately after the Act's passage.

Critical Resource Areas (noted earlier), Land Acquisition Funding, Design Guidelines, etc.

C **Recommendations to include two additional organizational members on the Advisory Committee.** The new additions were Brookhaven National Laboratory and the Suffolk Alliance of Sportsmen, Inc.

C **Comments upon specific portions of the Draft Plan and the Draft Generic Environmental Impact Statement,** with recommendations to the Commission.

C **Recommendations for Critical Resource Areas within the Compatible Growth Area for possible inclusion in the Plan.** This particular topic generated several meetings with the Land Management and Ecology groups, the full Advisory Committee, and the Commission.

Additionally, many of the individuals serving as representatives of their organizations on the Advisory Committee have also contributed their personal skills to the Land Management, Transfer of Development Rights, and Ecology groups; contributed to the formation of the current set of Councils; helped to make many of the public outreach sessions of the Commission successful; and continue to assist with the research program, community events, and similar efforts. Their willingness to continue to support the cooperative effort that helped create the Pine Barrens Protection Act and the Plan is very much appreciated.

C **Comments upon development applications pending before the Commission.**

C **Formation of special purpose subcommittees on various topics,** including the Longwood Greenbelt,

Table 2: Central Pine Barrens Advisory Committee

<p>Member Organizations (26)</p>	<p>Association for a Better Long Island Brookhaven National Laboratory Civic Representative for Brookhaven Town Civic Representative for Riverhead Town Civic Representative for Southampton Town Eastern Suffolk Board of Realtors Environmental Defense Fund Group for the South Fork Long Island Association Long Island Board of Realtors Long Island Builders Institute Long Island Farm Bureau Long Island Greenbelt Trail Conference</p>	<p>Long Island Pine Barrens Society Long Island Regional Planning Board New York State Water Resources Commission Assembly Office New York State Water Resources Commission Senate Office North Fork Environmental Council Open Space Council Regional Plan Association South Fork Promotion Committee Southampton Alliance State University of New York at Stony Brook Suffolk Alliance of Sportsmen, Inc. Suffolk County Water Authority The Nature Conservancy</p>
<p>Chairs</p>	<p>Chair: Mr. Michael A. LoGrande, A.I.C.P., Chairman and Chief Executive Officer, Suffolk County Water Authority Vice Chair: Mr. Richard L. Amper, Executive Director, Long Island Pine Barrens Society The Commission also wishes to note the significant contribution made by the original Vice Chair, Mr. Michael Deering, formerly with the N.Y.S. Legislative Water Commission's Assembly Office.</p>	
<p>Meeting Information</p>	<p>Meetings are generally called once or twice per year, with the locations determined at those times.</p>	

Working Groups

In addition to the Commission and the Advisory Committee (both formed by provisions of the state pine barrens legislation), three working groups were formed immediately following the Act to address Transfers of Development Rights,

Land Management, and Ecology, and to provide recommendations regarding these disciplines for possible inclusion in the Draft Plan. These “working groups” included citizens, officials, members of the Advisory Committee, and others. Joint meetings of these bodies were also held, providing an

additional avenue for exchange of ideas.
Members of these Committees are also listed
in the Plan.

Land acquisition

Concurrent with this planning activity, both
New York State and Suffolk County
continued and strengthened their land

acquisition programs, often working closely
with local not-for-profit organizations, such
as the Long Island Chapter of the Nature
Conservancy, to enhance operations. The
results of this effort are tangible: over 5,800
acres of Core Preservation Area land have
been acquired for preservation during this
reporting period.

3. 1995 through the Present: From Draft Plan To a Working Document

A Final Plan is adopted

Following the adoption in January 1995 of a Draft Central Pine Barrens Plan, a series of public hearings were held in each of the three towns, a Final Generic Environmental Impact Statement and a State Environmental Quality Review Act Findings Statement was produced and adopted by the Commission, the resulting Final Draft Plan was submitted to all three Towns for approval by the Town Boards, and the individual Towns adopted separate findings statements of their own upon approving the Plan. The final Town approval was granted on June 28, 1995, the same day that the Commission formally adopted the Plan and signed it along with Governor George Pataki.

Implementation begins immediately

Adoption of the Plan proved to be more of a commencement than a conclusion, however. Immediately following adoption of the Plan, the Towns of Brookhaven, Riverhead, and Southampton began the process of revising their local codes to conform with the development review provisions of the Plan. Simultaneously, the transfer of development

rights program (known as the Pine Barrens Credit Program) came into formal existence with the appointment of a five member Board of Advisors to oversee the administration of the Program. The Protected Lands Council and the Law Enforcement Council began implementation of their sections of the Plan, the review of development projects in both the Compatible Growth Area and the Core Preservation Area continued, and the State and County land acquisition programs purchased additional acreage. The Commission's community outreach program, underway since the passage of the Act, also continued, this time with an eye towards explaining the Plan provisions.

Since the 1995 Plan adoption, there has been one set of Plan amendments in May of 1996, and one technical amendment to state law to facilitate the execution of conservation easements held by the Commission (as part of the Pine Barrens Credit Program).

Shortly after adoption of the Plan, the pine barrens witnessed the unprecedented wildfires of August and September 1995 in

Rocky Point and Westhampton. The Commission subsequently established the Central Pine Barrens Wildfire Task Force in November of 1995, charging it with the task of producing a Central Pine Barrens Fire Management Plan, which was submitted in a proposed final form to the Commission in September 1998.

In July, 1998 the state legislature passed, and Governor Pataki signed, an amendment to the Pine Barrens Act providing for the inclusion of the Wertheim National Wildlife Refuge into the Core Preservation Area of the Central Pine Barrens. Since that time, the

Commission and its councils have worked closely with the United States Fish and Wildlife Service, which owns and manages the Refuge.

Finally, the past few years have seen the emergence of a strong research component, with both local and national researchers contributing to a better scientific grasp of the how the pine barrens functions ecologically, hydrologically, culturally, and in other respects. This has manifested itself in several ways, and they are discussed below as well.

4. Land Use in the Central Pine Barrens Today

Capturing and monitoring land use

Monitoring and summarizing land use patterns of the Central Pine Barrens is a constant activity. Acquisitions, easements, development and hardship permits, grandfathered projects, agricultural uses, utility uses, commercial developments, subdivisions, and numerous other activities all define the composite picture of the region's current land use at any given moment. The Commission staff has attempted to quantify, and maintain, a category by category breakdown of this land use collage, with a special emphasis upon the Core Preservation Area. The following summary is based upon New York State, Suffolk County, and Commission records.

Current land use

Utilizing the Suffolk County Real Property Tax Service Agency's tax parcels as units of counting, Table 3 shows a categorization of the 50,000+ acres of the Central Pine Barrens Core Preservation Area through the beginning of February 1999. This table also

breaks down land use acreage by protected lands ownerships, developed lands categories, agricultural use, and private undeveloped lands. Three categories specific to the pine barrens legislation and Plan are also shown and explained in the notes: grandfathered parcels, hardship exemption parcels, and roadfront exemption parcels. The notes also caution the reader that protected lands totals do not show any lands which may be currently in the process of being acquired. Consequently, some caution is advised when quoting specific totals out of the context of the overall table. Parcel acreage is also refined individually for the Towns of Brookhaven, Riverhead, and Southampton, which contain the Central Pine Barrens area.

Table 4 is a refinement of the approximately 6,100 acres of private, undeveloped land shown in the first portion of the table. This refinement shows the distribution of that remaining undeveloped, unprotected private acreage by parcel size.

Table 3: Core Preservation Area Parcel Status
by Ownership and Land Use as of December 31, 1998
(Listings are in Acres; See notes in Table 5)

Ownership/ Land Use	Town of Brookhaven	Town of Riverhead	Town of Southampton	Total
Protected Lands (see notes 2,3)				
Suffolk County	5,733.33	1,860.99	10,594.30	18,188.62
New York State	7,199.57	191.02	3,359.02	10,749.61
USA	3,904.04	1,064.45	182.20	5,150.69
Town	844.57	59.80	724.03	1,628.40
Nature Conservancy	0	58.10	174.90	233.23
Total	17,681.51	3,234.36	15,034.45	35,950.32
Developed Lands by Land Use Code (see note 14)				
Residential (200)	805.73	175.50	390.28	1,371.51
Commercial (400)	192.65	23.50	122.89	339.04
Entertainment (500)	172.31	522.19	283.80	978.30
Commercial Services (600)	5,210.55	0	415.83	5,626.38
Industrial (700)	0	20.58	100.00	120.58
Private Club (900)	76.58	69.00	0	145.58
Total	6,457.82	810.77	1,312.80	8,581.39
Utilities/ Transportation (800)				
Marketspan	47.58	0	48.71	96.29
Long Island Railroad	7.45	17.05	9.40	33.90
SC Water Authority	77.00	0	25.04	102.04
Drainage	3.15	0	0	3.15
Bell Atlantic	2.30	0	4.20	6.50
Radio/TV	10.00	0	42.82	52.82
Airport	0	600.00	175.00	775.00
Total	147.48	617.05	305.17	1,069.70
Agricultural (100) (see note 6)	336.37	56.81	321.89	715.07
Grandfathered Parcels (see note 8)	75.27	0	112.51	187.78

Ownership/ Land Use	Town of Brookhaven	Town of Riverhead	Town of Southampton	Total
Private, Vacant, Unprotected (300)	2,073.02	260.07	3,760.17	6,093.26 (see Table 4)
Hardship Exemptions (see note 10)	135.54	0.68	97.45	233.67
Roadfront Exemptions (see note 11)	28.91	77.05	40.05	146.01
Grand Totals	26,935.92	5,056.79	20,984.49	52,977.20

Table 4: Vacant Core Lands (Category 300) by Parcel Size as of December 31, 1998 (See notes in Table 5.)		
Parcel Size in Acres	Number of Parcels	Total Acreage
0 to 0.99	1,968	589.26
1.00 to 4.99	591	1,060.51
5.00 to 19.99	82	869.90
20.00 to 49.99	41	1,258.77
50.00 to 99.99	16	1,084.18
100 and greater	8	1,230.64
Total	2,706	6,093.26

Table 5: Notes for Core Preservation Area Land Use Statistics	
1	Core Preservation Area parcel list and associated data were received from the Tax Assessors of the three towns. Parcels with known acreage errors based on subsequent analysis have been corrected. Additionally, some parcels were originally coded as being in the Core Preservation Area, but were subsequently determined to be in the Compatible Growth Area.

Table 5: Notes for Core Preservation Area Land Use Statistics

2	Listings for Suffolk County and New York State are as per data received from their agencies as of the date of this summary. These listings do not include any parcels that may be in contract for purchase.
3	Protected lands are defined as all lands held for conservation purposes. In Suffolk County this includes nature preserve, parkland and other categories defined within the County. Lands donated to the County are also listed as “protected” and are as per data received from the Division of Real Estate.
4	Since the passing of the Pine Barrens Protection Act of 1993, a total of 66.77 acres of Core Preservation Area lands were deemed to be in the Compatible Growth Area as per the Commission’s interpretation of the boundary description.
5	The total acreage of Core Preservation Area lands is greater than 52,500 since the Wertheim National Wildlife Refuge was added to the Central Pine Barrens, and the Core area, in July 1998. Additionally, some parcels counted as being entirely within the Core area actually have portions within the Compatible Growth Area. Therefore, the remaining vacant acres may be less than shown.
6	Agricultural lands include active and fallow farmland, as well as farms whose development rights were purchased under Town and County preservation programs separate from the pine barrens preservation efforts.
7	The number of parcels and total acres with Pine Barrens Credit Program easements are listed elsewhere in this report.
8	Grandfathered parcels are those that have been determined to be exempt from the statute by virtue of previous approvals or other provisions in ECL 57.
9	Improved and unimproved (paper streets) roads in the Core Preservation Area have not been counted.
10	Parcels that have received core hardship exemptions have not all been subsequently built upon.
11	Roadfront exemptions are as per the <u>Plan</u> , Volume I, Section 9.1.1 and 1996 amendment to ECL 57. Only some of these parcels have actually been built upon.
12	The Nature Conservancy listing reflects recent conveyances to the Suffolk County as per data received from the Division of Real Estate.
13	Portions of the former U.S. Navy / Grumman (Calverton) site and a portion of the Gabreski Airport (Westhampton) are in the Core Preservation Area have been assigned land use code “800” and, therefore, are listed in their respective towns under the heading “Airport.”

Table 5: Notes for Core Preservation Area Land Use Statistics

14	Land use codes are from <u>Property Type Classification and Ownership Codes</u> produced by the State Board of Equalization and Assessment (Albany, NY, 1990).
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5. Protecting the Resource: Land Acquisition Programs

Introduction

Since the 1993 Pine Barrens Protection Act, the Central Pine Barrens has continued to be the focus of an intensive land acquisition program by both Suffolk County and New York State, with assistance from The Nature Conservancy.

New York State utilizes funds from the State Environmental Protection Fund and the annual State Budget for its acquisition program. This funding has been provided by the State each year since the passage of the Pine Barrens Protection Act. It should also be noted that the State already owned many acres in the pine barrens prior to the Act, most notably the approximately 7,000 former Radio Corporation of America acres in Rocky Point and the Riverside-Flanders area of Southampton Town, usually referred to as the Sarnoff or "Riverhead" properties.

The Suffolk County land acquisition program is funded primarily through the County's Drinking Water Protection Program (DWPP), started in 1988 with funds derived from a 1/4 percent sales tax surcharge across

the County. While the DWPP applies to several mapped regions across the County, the Central Pine Barrens is the largest of those eligible areas. Additional County purchases, including numerous pine barrens parcels, have been made over the years from the older Open Space Program, which dates to the early 1960's. The earliest such Suffolk County pine barrens preservation effort actually occurred well before the Act, with the 1960 purchase of a series of tributary streams to the Peconic River in the Calverton-Manorville area, the start of what is now Robert Cushman Murphy County Nature Preserve.

Land acquisitions from 1993 through 1998

Table 6 shows the land acquisition total for New York State since 1995 (the year of the final Plan passage), while Table 7 summarizes the pine barrens acquisitions completed by Suffolk County since 1993. (This summary and chapter are based upon New York State, Suffolk County, and Commission records.) These tables collectively show a total of 5,848.500 acres were acquired by the two agencies during this reporting period, with

\$51,204,611 spent on those acquisitions. Approximately 6,100 acres of private, vacant, nonconservation lands remain in the Core Preservation Area of the Central Pine Barrens at the close of this reporting period. As part

of these acquisition efforts, both New York State and Suffolk County have active land acquisition program components that concentrate upon small lots.

Table 6: New York State Department of Environmental Conservation Land Acquisitions in the Central Pine Barrens from 1995 through 1998 (Source: N.Y.S. DEC Region 1 Real Property Bureau)		
Brookhaven Town	1746.614 acres	\$17,793,883
Riverhead Town	185.420 acres	\$2,727,500
Southampton Town	1138.693 acres	\$10,362,537
Totals	3070.727 acres	\$30,883,920

Table 7: Suffolk County Division of Real Estate Land Acquisitions in the Central Pine Barrens from 1993 through 1998 (Source: Suffolk County Division of Real Estate)		
Brookhaven Town	1664.694 acres	\$11,539,279
Riverhead Town	0.040 acres	\$2,400
Southampton Town	1113.039 acres	\$8,779,012
Totals	2777.773 acres	\$20,320,691

Table 8: Combined County and State Land Acquisitions During this Reporting Period		
Brookhaven Town	3411.308 acres	\$29,333,162
Riverhead Town	185.46 acres	\$2,729,900
Southampton Town	2251.732 acres	\$19,141,549
Totals	5848.500 acres	\$51,204,611

Land donations

In addition to the land purchases summarized above, the Suffolk County Division of Real Estate reports that a total of 165.520 acres of Core Preservation Area land were donated to the County during the reporting period. This quantity is composed of 68.639 acres within Brookhaven Town, and 96.520 acres within Southampton Town. As with the land acquisition numbers above, these totals do not reflect any other Core Preservation Area land that may have been donated directly to other governmental or private conservation organizations during the reporting period.

Recent highlights

While it is impossible to list every land purchase or related event during the reporting period, a short selection of land acquisition highlights is provided here:

C **The State and County jointly announced their independent purchases totaling approximately 1,100 acres of pine barrens land in April, 1998.** Governor George Pataki, County Executive Robert Gaffney, State Legislators, and the Town Supervisors announced that a

total of approximately \$9.5 million was being spent to buy Core Preservation Area acreage in Brookhaven, Riverhead, and Southampton Towns. The State's portion of this was approximately 440 acres, while the County's portion was approximately 715 acres.

C **New York State successfully completed negotiations to purchase approximately 147 acres from the Nassau County Council of Boy Scouts,** in the Wading River-Calverton part of the Core Preservation Area. Accomplished with the crucial assistance of The Nature Conservancy, the approximately \$1.86 million purchase protected the habitat of several species of special concern. The acquisition also secured much needed recreational fishing access rights on a separate portion of the property for public enjoyment.

C **In July of 1998, Suffolk County enacted into law a \$62 million Suffolk County Greenways bill**

(Suffolk County Local Law Number 27 of 1998), later approved by the County voters in a November 1998 referendum, of which approximately one third (\$20 million) is intended for open space acquisition. Some of those funds may be available for pine barrens purchases.

C **In June 1998, Suffolk County announced the purchase of 138 acres in Flanders, Southampton Town,** providing both Core Preservation Area and Compatible Growth Area natural resource protection, as well as completing an important trail link between County and State holdings.

C **Suffolk County and New York State have each commenced small lot land acquisition programs within the Core Preservation Area. Suffolk County also announced streamlined procedures for land acquisition.** In addition, The Nature Conservancy has assisted both the State and County with their land

acquisition programs, and is an important part of this effort. The Peconic Land Trust will also assist the County with its farmland protection efforts.

C **In March 1997, Governor Pataki announced the acquisition of 267 acres of Core Preservation Area land known as Henry's Hollow in Hampton Bays, in Southampton Town.** The tract was purchased for \$1,989,700 using the State Environmental Protection Fund. The parcel purchase was accomplished with the assistance of The Nature Conservancy through its Long Island Chapter.

C **In May, 1997, the United States Government transferred approximately 3,200 acres of Calverton pine barrens to the New York State Department of Environmental Conservation for permanent preservation.** The new Otis Pike Preserve, named for a retired, long term New York First District Congressman, was originally

part of the U.S. Navy's Naval Weapons Industrial Reserve Facility. The property will be managed for both preservation and recreation, as it has been by the N.Y.S. DEC during federal ownership, and complements extensive prior public lands holdings, including Suffolk County lands in Calverton and Manorville.

C **Working under Suffolk County's Farmland Preservation Program, County officials announced in November 1997 that 263 acres of Middle Island farmland would be permanently protected from development.** These protected agricultural acres are located within the Compatible Growth Area of the Central Pine Barrens, and complement nearby Core Preservation Area public lands already owned by the County.

C **On behalf of New York State, The Nature Conservancy has worked hard to protect considerable acreage within the dwarf pine**

plains of the Central Pine Barrens, with many significant purchases to show. The largest purchase in this vicinity was a 263 acre parcel north of the Gabreski Airport in Westhampton, Southampton Town. Announced in mid 1996, this purchase complements the already substantial County and State holdings in this region.

C **The United States Fish and Wildlife Service announced in October 1998 that it was acquiring 128 acres of significant wildlife habitat to be added to the Wertheim National Wildlife Refuge in the Shirley-Brookhaven area of Brookhaven Town.** The Service, along with United States First New York District Representative Michael Forbes, celebrated the conclusion of a ten year effort to protect the tract of wetlands and terrestrial habitat known as the Southaven Properties. The Refuge formally became a part of the Core Preservation Area of the Central Pine Barrens in July 1998.

6. Protecting the Resource: The Pine Barrens Credit Program

The Pine Barrens Credit Program, a voluntary transferable development rights program, is overseen by a five member Pine Barrens Credit Clearinghouse Board of

Advisors, with the membership reflecting the composition of the Commission (see Table 9).

Table 9: Pine Barrens Credit Clearinghouse Board of Advisors	
New York State member	Mr. Mitchell H. Pally, Esq., Vice President of Legislative and Economic Affairs, Long Island Association
Suffolk County member	Mr. Andrew P. Freleng, A.I.C.P., Chief Planner, Suffolk County Planning Department (Board Member since January 1999) Mr. Allan D. Grecco, Esq., Director, Suffolk County Division of Real Estate (Board Member until January 1999; former Vice Chair of Board)
Brookhaven Town member	Mr. James T.B. Tripp, Esq., General Counsel, Environmental Defense Fund, and Board Member, Suffolk County Water Authority; Chair of Clearinghouse Board
Riverhead Town member	Mr. John F. Hanley, President, Suffolk County National Bank
Southampton Town member	Supervisor Vincent Cannuscio <i>Alternate Representative:</i> Mr. Edward Deyermond, Sole Assessor
Meeting Information	Board generally meets approximately every two months at the Commission's Great River, NY office.

Milestones and Highlights

Since the inception of the Program (which occurred with the adoption of the final Plan

in mid-1995), the following milestones have been achieved:

C **A development rights “clearinghouse” has been funded with \$5 million** in Natural Resource Damages Account funds, resulting from a consent order between the New York State Department of Environmental Conservation and a Long Island petroleum company in October 1994. The settlement was the final outcome of a large, long term groundwater contamination occurrence.

C **The Clearinghouse is authorized to use these funds to purchase credits from sending area landowners who choose to sell their credits directly to the Clearinghouse,** and has established specific, fixed prices at which it will do so.

C **The Clearinghouse has, in fact, utilized these funds on several occasions to purchase credits** from landowners who have chosen to sell their credits to the Clearinghouse, and has recently sold some of those

credits to developers.

C **An agreement was reached with the Suffolk County Treasurer’s Office to manage and invest the Clearinghouse funds** under the direction of the Clearinghouse Board of Advisors. As of the end of November 1998, the Clearinghouse funds totaled approximately \$5,178,000. A staff member from the County Treasurer’s Office attends each Clearinghouse meeting to provide a formal report of the fund balances. The Treasurer’s Office moves or disburses Clearinghouse funds only at the direction of the Commission and the Clearinghouse Board of Advisors. The Commission and the Clearinghouse members would like to express their gratitude to the County Treasurer’s staff who continue to work diligently on these important financial matters.

C **The Program has resulted to date in the protection of 261 parcels with conservation easements, totaling 206.55 acres** as of February

17, 1999. Table 10 contains a detailed breakdown of the work of the Program to date.

C **A monthly Pine Barrens Credit Registry is published by the Clearinghouse**, listing the current buyers and sellers of credits. The Registry is sent free of charge to all interested parties, and is also available on the Commission's Internet web site (<http://pb.state.ny/us>).

C **The Clearinghouse works very closely with the Suffolk County Division of Real Estate** on the Pine Barrens Credit Program. Suffolk County Real Estate staff perform the informational title searches for small parcels, thereby greatly expediting the processing of small lot owners' Pine Barrens Credit Certificate applications. The Commission and the Clearinghouse members all appreciate the tremendously helpful and very professional effort made by the County's Real Estate staff to expedite the Pine Barrens Credit Program.

C **A Pine Barrens Credit Program Handbook has been completed** for landowners interested in participating in the Program. It contains the necessary forms and instructions for completing the application process. The Handbook was mailed to all landowners of record in the Core Preservation area as part of a mailing informing them about the Pine Barrens Credit Program. Additional distributions of the Handbook have included many government officials, real estate professionals, developers, and other interested parties.

C **The Clearinghouse has completed two "reverse auctions" for credits**, and is in the process of running a third one at this writing. A reverse auction allows developers who wish to purchase credits from landowners to obtain them through a bidding process in which credit owners state a desired purchase price. The requisite number of credits is then obtained by counting credits from the lowest bid price and working upwards until the

total number of credits are obtained. The highest asking price that is reached then becomes the purchase price for all the credits which were offered by their owners at or below that price. The auction results to date are shown in Table 11.

C **In addition to its standing offer to purchase credits, the Clearinghouse has twice made special Pine Barrens Credit purchase offer to holders of lots with small allocations of credits.** These offers are summarized in Table 12.

C **An appeal process has been established for all landowners who receive Letters of Interpretation to** optionally request a review, and possible increase, of their credit allocations. The appeal process is available to Letter of Interpretation (LOI) holders prior to the conversion of the LOI into a final Pine Barrens Credit Certificate.

C **The Commission is now specifically**

named within New York Environmental Conservation Law Article 49 as an entity which can hold conservation easements.

C **Since the commencement of the Program, the Suffolk County Department of Health Services and the Board of Health have strongly supported the Pine Barrens Credit Program,** both by its amendment of the Suffolk County Health Code to permit credit transfers within Hydrogeologic Zone 3 (which includes the Central Pine Barrens) and through the process of redeeming Pine Barrens Credit Certificates for onsite sewage generation (development “intensity”) increases for individual projects. The Commission and the Clearinghouse greatly appreciate the important contribution that the Suffolk County Department of Health Services, including the Board of Health and the professional staff, have made to the success of the Pine Barrens Credit Program to date.

C **The Clearinghouse tracks all transactions and redemptions of Pine Barrens Credits Certificates, noting the seller, buyer, and monetary payments for credits.**

New certificates are then issued for the affected credits.

C **Credits redeemed to date have been used in a wide range of land use projects,** including additional residential units in subdivisions, expansion of retail stores, planned retirement communities, office space, a restaurant expansion, and the conversion of an unused grocery store into a movie theater. Credits have been redeemed both for additional, “as of right” residential units at the

town level, as well as for more “intense” development on a site, as gauged by sewage generation, through the Suffolk County Department of Health Services.

C **The Pine Barrens Credit Program has generated a total of \$2,188,014 in real estate transactions through February 17, 1999 involving Pine Barrens Credits.** This includes both original sales and resales of credits. This total necessarily cannot reflect the incremental increases in the value of development projects which utilize credits. If consistently measurable, that factor would increase this total real estate value transaction value.

	Brookhaven	Riverhead	Southampton	Total
Parcels	202	6	53	261
Acreage	133.38	36.45	36.72	206.55
Credits generated	107.95	56.27	12.40	176.62

	Brookhaven	Riverhead	Southampton	Total
Credits redeemed	58.11	0	4.92	63.03
Credits not yet redeemed	49.84	56.27	7.48	113.59

Table 11: Summary of Reverse Auctions of Credits as of January 27, 1999			
	First Auction January 1997	Second Auction April 1997	Third Auction January 1999
Number purchasers	2	2	2
Total credits sought	8.00	6.58	29
Price range	\$7,500 to \$15,000	\$7,500 to \$15,000	\$15,000 to \$25,000
Final price	\$15,000	\$13,000	In Progress
Credits sold	1.32	6.38	

Table 12: Special Small Credit Purchase Offers by Clearinghouse Through January 1999		
Date	January 1998	June 1998
Eligibility criteria	Any Brookhaven core owner whose total credit holdings \leq 1.00 credit	Owner of any individual Brookhaven core lot whose credit allocation \leq 1.00
Per credit purchase price	\$15,000	\$15,000
Credits purchased to date	3.70	0.20

7. Protecting the Resource: Development Activities and Commission Reviews

Since enactment of the 1993 Long Island Pine Barrens Protection Act, the Commission has produced both the Interim Goals and Standards for Development in the Compatible Growth Area - a document which guided review of development applications until such time as the final Central Pine Barrens Comprehensive Land Use Plan could be produced - and the final Plan itself, which was adopted by the three Towns and the Commission in June of 1995. Since that adoption, there has been one amendment to the Plan, that being in May of 1996. The following summary is based upon the Commission's records.

Review of development projects within the Central Pine Barrens area is guided by both the underlying statute - New York Environmental Conservation Law Article 57 - and the Central Pine Barrens Plan. Projects are classified as either Core Preservation Area or Compatible Growth Area projects.

Core Preservation Area development reviews

Within the Core Preservation Area, projects

are classified as one of the following four types:

C **A formal application to the Commission for a Core Preservation Area hardship exemption permit**, with an ensuing public hearing and a decision by the Commission.

C **A request for a determination of whether the Commission has jurisdiction** over the proposed action.

C **A request to change the Core Preservation Area boundary.**

C **An interagency coordination under the State Environmental Quality Review Act (SEQRA).**

A total of 97 core projects came to the Commission for the period 1993 through 1998, and the number by category are shown within Table 13.

Table 13: Core Preservation Area Development Summary for 1993 through 1998	
Category	Totals
Hardship Exemption Applications	
-approvals	31
-denials	6
-pending	1
-withdrawn	7
State Environmental Quality Review (SEQR) Act coordinations among involved agencies	10
Determinations of Jurisdiction	
- non-development	33
- development	4
Core Boundary Change Requests	5
Total all Core Projects	97

Compatible Growth Area development reviews

Within the Compatible Growth Area (CGA), development projects are either formal applications to the Commission for a permit, or are brought to the Commission’s attention for other reasons. CGA projects which have come to the attention of the Commission during this reporting period fall into one of the following six categories:

- C **An application for a CGA permit under the Interim Goals and Standards for Development.**

Development applications are no

longer being received within this category, since the Interim Goals and Standards have been replaced by the provisions of the 1995 Plan and the ensuing Town Code revisions which have implemented the Plan.

- C **A CGA hardship exemption application**, seeking a waiver from one or more of the Plan’s CGA development standards.

- C **An application within one of the Critical Resource Areas** of the CGA, which are defined in the Plan.

C **An application brought before the full Commission upon petition by an individual Commissioner** and a vote of the Commission to review it.

agency.

The category totals for the 212 Compatible Growth Area projects seen by the Commission during the period 1993 through 1998 are shown within Table 14.

C **An interagency coordination under the State Environmental Quality Review Act (SEQRA).**

Together, these tables show that over 300 development projects have either been

C **A request for a determination of the Commission's jurisdiction** from either a private party or governmental

reviewed or examined by the Commission or Commission staff since 1993.

Table 14: Compatible Growth Area Development Summary for 1993 through 1998	
Category	Totals
Applications Under the <u>Interim Goals and Standards for Development in the CGA</u> -approved	26
-denied	1
CGA Hardship Applications -approved	4
-withdrawn	1
Petition Applications -approved	1
Critical Resource Area (CRA) Applications -approved	1
-pending	1
-withdrawn	1
State Environmental Quality Review (SEQR) Coordinations among agencies	142

Determinations of Jurisdiction in CGA	
-nondevelopment	31
- development	3
Total all CGA Projects	212

Settlements of violations of the Pine

Barrens Act

On two occasions during this reporting period, the Commission has reached settlements in the form of stipulations with private parties to address land clearing violations of New York Environmental Conservation Law Article 57, the pine barrens law. In each case, clearing had occurred within the Core Preservation Area

without a permit from the Commission. One of these cases resulted in a fine, while the other ended with both a fine and the granting of a trail easement. These two cases are contained within the totals shown in Table 13, as each also involved hardship applications following the settlements of the clearing violations.

8. Managing the Resource: Stewardship and the Protected Lands Council

Creation and mission

The June 1995 Plan provided for the creation of two stewardship councils, the Protected Lands Council and the Law Enforcement Council. These are professional working associations of the various agencies which have jurisdiction, or own public property, within the Core Preservation Area, with a goal of streamlining the coordination needed

in the often complicated pattern of public land ownership there. The Protected Lands Council, shown in Table 15, has taken their charge to heart, working upon both a regional management strategy for the Core Preservation Area public lands, and simultaneously undertaking tangible field projects of mutual interest.

Table 15: Pine Barrens Protected Lands Council	
Voting Member Organizations (12)	Brookhaven National Laboratory Brookhaven Town Long Island Power Authority (originally the Long Island Lighting Company) New York State Department of Environmental Conservation New York State Office of Parks, Recreation, and Historic Preservation Riverhead Town Southampton Town Suffolk County Department of Parks, Recreation and Conservation Suffolk County Department of Planning Suffolk County Water Authority The Nature Conservancy United States Fish and Wildlife Service

Nonvoting Members	<p>The Council’s policy is to welcome all interested individuals and organizations to attend the meetings and constructively contribute to discussions. Several organizations have been regular or frequent attendees during the last half of this reporting period, and their welcome participation is noted here:</p> <ul style="list-style-type: none"> Concerned Long Island Mountain Bikers Law Enforcement Council Long Island Field Trial Association Long Island Greenbelt Trail Conference Long Island Trails Coalition Nassau-Suffolk Horsemen’s Association Representatives of the Long Island research community Suffolk Alliance of Sportsmen, Inc.
Co-Chairs	<p>Commissioner Michael R. Frank, R.L.A., Suffolk County Department of Parks, Recreation, and Conservation Mr. Charles T. Hamilton, Natural Resource Director, New York State Department of Environmental Conservation, Region 1</p>
Meeting Information	<p>Generally meets on the first Tuesday of each month, at 9:30 am at the Suffolk County Park Police and Pine Barrens Center, Southaven County Park, Yaphank, NY</p>

Meeting the future: Management planning across public lands boundaries

The Council’s initial effort was the development of specific goals and objectives that would guide formation of the detailed contents of the regional management plan. Once accomplished, the Council grappled with the need to define subareas within the Central Pine Barrens within which detailed analysis and planning could occur. Working under the guidance of the Commission staff, the Council defined twelve “stewardship

units” within the overall Central Pine Barrens. (See Table 16.) These areas form a basis for examining the differences in existing conditions, opportunities, alternative management policies, and, ultimately, selected management policies across the region.

Within each stewardship unit, some of the topics being inventoried are:

C **available mapping**, including

- property lines, roads, current access points, and other physical features,
- C **ecological resources** and environmentally sensitive areas,
- C **cultural resources**, including historic sites and uses, archaeological locations, and traditional activities (whether current or not),
- C **identification of gaps** in natural resource or ecological knowledge,
- C **recreational uses**, whether official or not, and
- C **current access points**, policies, permits, parking areas, signage, and related issues.

With an eye towards filling in current

knowledge gaps about the fauna in these stewardship units, the Council sponsored a Central Pine Barrens Wildlife Workshop in October 1998 to tap into the wealth of knowledge that has been accumulated by local naturalists and researchers. The results will be mapped as part of the regional plan, and will also help define the gaps in such knowledge. A second workshop is anticipated in 1999.

The question of defining an efficient ecological assessment methodology has also been tentatively addressed by the Council, based partly upon earlier work undertaken by the original Ecology Committee. This “rapid environmental assessment” methodology is not intended to supplant more thorough field study procedures, but rather to complement such studies while still providing useful and timely input to the regional plan development process.

Table 16: Stewardship Units of the Central Pine Barrens

Rocky Point	South Manor - Manorville
Coram - Middle Island	Manorville Hills
Carmans River	Hampton Hills - Sarnoff
Brookhaven National Lab	Dwarf Pine Plains
Brookhaven State Park	Maple Swamp
Peconic River	Henry's Hollow

On the ground today: Hand-on projects of mutual benefit

The Council has undertaken several projects at various scales when a field condition existed that affects more than one public landowner. These initiatives have included:

- C **Major clean up days.** In July 1997, the Council members, assisted by the Law Enforcement Council, private organizations, County and State agencies, and individual citizens, converged upon the public lands in the area of Hot Water Street and Toppings Path in Manorville, in Brookhaven Town near the Southampton border, to clean up years of accumulated debris. Approximately 60 volunteers were

present each day, representing approximately 20 agencies, organizations, companies, or affiliations from across Suffolk County. At the end of two days, a total of 46+ tons of nonrecyclable trash had been land filled, approximately 30 cubic yards of recyclable metals were collected, approximately 320 car and truck tires were ready for recycling, and numerous illegal vehicle access points had been closed off.

In November 1997, the Council concentrated upon two additional areas. The first was the unpaved stretch of Jerusalem Hollow Road in Manorville, and the second was

Brookhaven State Park and the adjacent New York State Department of Environmental Conservation land in the Ridge-Panamoka area, both within Brookhaven Town, with comparable results.

- C **Participation in special projects.** Two of these projects have included the annual Natural Resource Day sponsored by the N.Y.S. DEC Region 1 office, and the Global ReLeaf tree planting project under the auspices of the Washington-based American Forests. The tree planting project was coordinated through Suffolk Community College's Eastern Campus in 1998, and the Council is planning to participate again in 1999.

Combining talents with the other

Commission Councils

The Protected Lands Council has cooperated closely with the other Commission committees on a number of issues, including:

- C **Compilation of problem areas for submittal to the Law Enforcement Council,** especially areas of off road

vehicle abuse and other illegal activities. The Protected Lands Council conveys such information directly to the Law Enforcement Council agencies for immediate attention.

- C **The Protected Lands Council is a voting member of the Wildfire Task Force.** The Council is actively participating in both the development of the Fire Management Plan, as well as fire management activities such as the prescribed burning program.

- C **Abandoned vehicle removal program.** In December 1997, Council members worked closely with the Law Enforcement Council to remove abandoned vehicles from an area of the Hither Woods Preserve in Montauk, described in the Law Enforcement Council chapter which follows.

Supporting the Council's initiatives through geographic information systems mapping

In support of the Council's regional public

lands management planning, one Commission staff member has received formal graduate training in geographic information systems utilizing the ArcView software system. Additional cartographic and computer support has been provided by other staff of the Suffolk County Water Authority as needed. The Commission staff have access to the mapping work of these individuals.

Although motivated by the Protected Lands Council's immediate applications, the mapping effort has also proven to have great applicability to the Pine Barrens Credit Program, the Law Enforcement Council, and the Wildfire Task Force work as well. Figures 2 and 3 are examples of the mapping work for the Central Pine Barrens protected lands and one of the stewardship units.

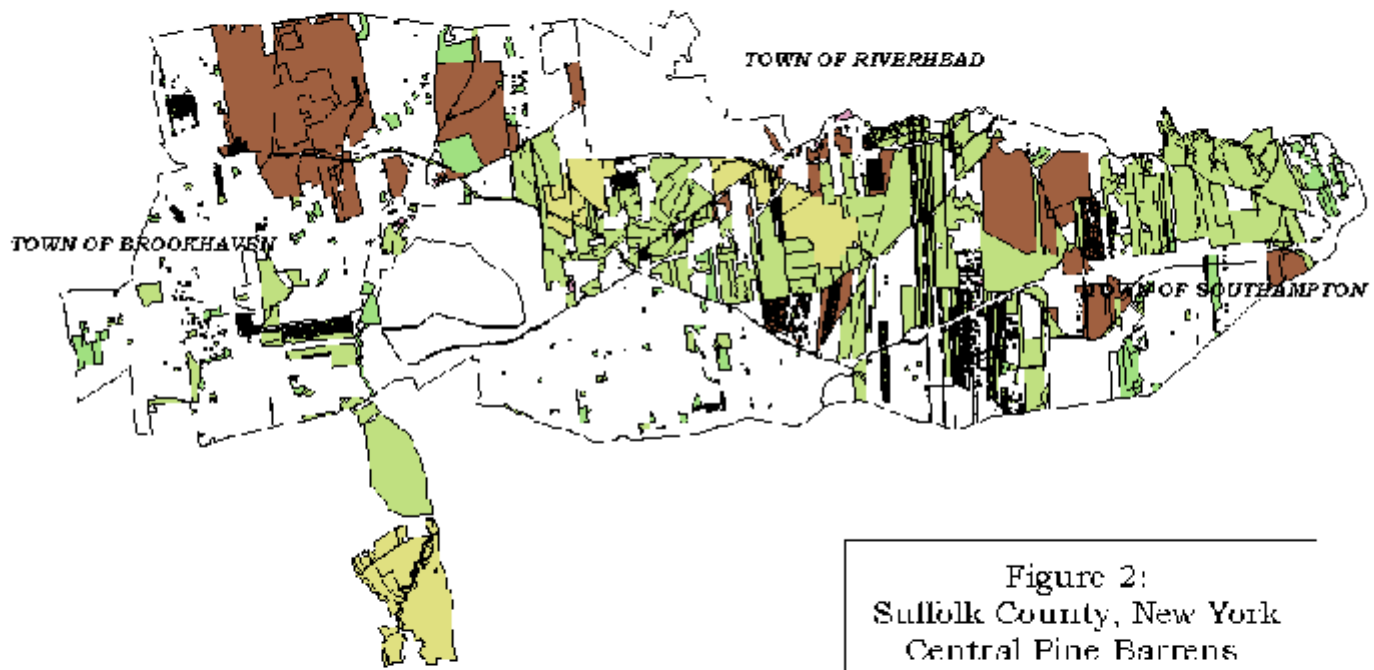


Figure 2:
Suffolk County, New York
Central Pine Barrens

Central Pine Barrens	Central Pine Barrens
NYS Lands	NYS Lands
Federal Lands	Federal Lands
Town Lands	Town Lands
Suffolk County Lands	Suffolk County Lands

0 10000 20000 Miles



**Figure 3:
Brookhaven State Park
Stewardship Unit**

- Town of Brookhaven
- Town of Kew-Forest
- Forest Preserve
- New York State Lands
- Federal Lands
- DEC Basements
- Lakes, Rivers
- Major Roads



0 2 4 Miles

9. Managing the Resource: Community Involvement and the Law Enforcement Council

Origin and mission

During development of the overall Central Pine Barrens Plan, the Commission identified those law enforcement agencies with jurisdiction within the Central Pine Barrens, recognizing that long term stewardship requires a foundation comprised of close cooperation with these organizations.

Their initial meetings led to the formation of the Pine Barrens Law Enforcement Council, now an eighteen member Council. With their professional assistance, a portion of the Plan's Chapter 7, Public Lands Management, addresses interagency law enforcement work, overlapping jurisdictions, stopping abusive

activities on public lands, development of interagency reporting procedures, equipment needs, training, dispatching, close cooperation with the court system, case follow ups, staffing, the need for a 24 hour hotline, and other issues.

The Council currently meets monthly, and has compiled a strong and admirable record during this reporting period, as noted in the sections which follow. The Council works closely with its sister committees, the Protected Lands Council and the Wildfire Task Force, and is a voting member of the Wildfire Task Force. Table 17 shows the composition of the Council.

Table 17: Pine Barrens Law Enforcement Council		
Member Organizations (18)	Brookhaven Town Code Enforcement Long Island Railroad Police New York Army National Guard Army Aviation Support Facility #1 New York State Environmental Conservation Police New York State Forest Rangers New York State Park Police New York State Police Riverhead Town Code Enforcement Riverhead Town Fire Marshal	Riverhead Town Police Southampton Town Fire Marshal Southampton Town Police Suffolk County District Attorney's Office Environmental Crimes Unit Suffolk County Park Police Suffolk County Police Suffolk County Sheriff United States Air Force Auxiliary Civil Air Patrol Long Island Group United States Fish and Wildlife Service
Chairs	Chair: Mr. Lawrence J. Hynes, Director of Security, Suffolk County Department of Parks, Recreation, and Conservation Vice Chair: Captain Richard Otterstedt, New York State Environmental Conservation Police	
Meeting Information	Generally meets on the fourth Thursday of each month, at 2:00 pm at the Suffolk County Park Police and Pine Barrens Center, Southaven County Park, Yaphank, NY	

Coordination of interagency patrols in the Central Pine Barrens' public lands

Member agencies of the Council regularly conduct interagency field patrols, thereby assisting each other with enforcement in problem areas, as well as learning the geography of, and regulations applicable to, the various public lands. During 1998 alone, the Council members reported issuing 123 summonses as a result of these interagency

operations, many for illegal use of all terrain vehicles. Council members regularly cooperate in the enforcement of laws and regulations relating to hunting, fishing, public lands access, waste disposal, poaching, abandoned vehicles, arson, auto theft, weapons, and numerous other subjects.

The Eyes in the Skies Program

In 1995, Suffolk County Executive Robert

Gaffney announced an "Eyes in the Sky" initiative in conjunction with the New York Army National Guard's Army Aviation Support Facility #1 (a member of the Council) at MacArthur Airport in Ronkonkoma. Under this Program, the Guard now regularly conducts many of its routine navigational helicopter training flights, including low level contour flying and night time flights, over portions of the Central Pine Barrens, utilizing both UH-1 Huey and UH-60 Blackhawk helicopters. Should any of the Guard crews spot illegal or potentially illegal ground activities during these flights, they immediately file civilian reports with the appropriate enforcement agency. This involvement with the New York Army National Guard led to the highly successful abandoned vehicle airlift removal program discussed below.

Interagency investigations

In a notable recent case within Suffolk County's Robert Cushman Murphy Park, part of the Core Preservation Area, an illegally bulldozed track was discovered by Suffolk County Park Police, then investigated and prosecuted successfully by the Suffolk County District Attorney's Environmental

Crimes Unit, with the support of several of the other member agencies of the Council. The disturbed area is currently slated for restoration of both the terrain and the vegetation by the person convicted, under the supervision of the Suffolk County Parks Department.

Production of an interagency Central Pine Barrens Law Enforcement Handbook

The Handbook is currently in production by the Council, with the support of the Commission professional staff. It is intended to serve as a field guide and reference for patrol officers to the geography of the pine barrens area (with a special emphasis upon public lands), to the most commonly cited laws and agency regulations applicable to the pine barrens, to the patrol area designations used by the member agencies, and to the courts (and court schedules) to which offenses are referred. The Council is anticipating a field trial version of the Handbook to be ready in the first quarter of 1999.

Restoration of an all terrain vehicle (ATV) law for Suffolk County

Based upon their extensive professional

experiences in the field, the Council members strongly emphasized the need to re-establish a Suffolk County local law regulating the operation of ATVs within Suffolk County. The Council members worked very closely with the Suffolk County Executive's Office, the County Attorney's Office, the Suffolk County District Attorney's Office (which is a member of the Council), the County Legislature, the Commission, and the Commission staff to draft the new legislation. The resulting bill was introduced into the County Legislature as Introductory Resolution 1666, passed by the Legislature, signed by County Executive Robert Gaffney as Local Law Number 29 of 1998, and became effective in December 1998.

Community Service: Abandoned Vehicle Removals by Air and Ground

One of the most unusual components of the law enforcement program to date is the ongoing effort to remove abandoned vehicles from public parklands by helicopter, thereby minimizing environmental impacts, and negating the need to create new roadways to remove them. Vehicles are examined first during a standardized "on the ground reconnaissance", during which the legal,

environmental, logistical, and physical issues involved in the lift are identified. Those vehicles whose removal by ground would cause serious environmental impacts, and for which a safe extraction by helicopter is deemed feasible, are then scheduled for a helicopter "external load lift" training session by the Council members, utilizing the talents and equipment of the New York Army National Guard's Aviation Support Facility #1 crews.

On the actual "lift days", typically four or five vehicles are targeted for removal. Vehicles are removed UH-60 Blackhawk helicopters operated by the New York Army National Guard crews, according to a strict standard operating procedure, and placed at a single collection site. They are then either recycled, or impounded for further investigation or use in an ongoing police case. To date, 57 vehicles have been removed by air over the course of 14 missions. The Guard benefits from this exercise by being able to train and certify pilots, instructor pilots, crew members, and load riggers; by providing their personnel training in the transport of "unique loads"; and by maximizing the use of taxpayer dollars for simultaneous training and

community service. It is a commendation to the Council that their innovative work has recently been emulated in the Albany Pine Bush, where the New York Army Guard Aviation Facility #2 has recently begun similar operations in conjunction with the Albany Pine Bush Preserve Commission. These types of activities typify the recently announced statewide National Guard initiative known as GuardHELP (Hear, Educate, Learn, and Partner).

“Air removal” of abandoned vehicles is but one half of the Council’s vehicle program. Those vehicles not deemed appropriate for air extraction (due to condition of the vehicle, location, or safety questions) are still removed, using the best available ground techniques. One example of this is the utilization of ground equipment to remove approximately 14 vehicles from the Oak Brush Plains in the Islip area (outside the Central Pine Barrens), under a vehicle cleanup initiative requested by local community organizations and carried through by the Suffolk County Parks Department, in conjunction with the Suffolk County Park Police.

A second example of the ground removal component can be found at the other end of Suffolk County, in the Hither Woods area west of Montauk Village in East Hampton Town. Responding to a request from the East Hampton Trails Preservation Society, and working in close cooperation with East Hampton Town, members of both the Law Enforcement and Protected Lands Councils removed 10 abandoned vehicles from the Hither Woods region of East Hampton Town by ground transport. Hemmed in by steep slopes and overhead power lines, these vehicles had long been on the cleanup list of both the Town and the Society. Work crews and equipment were provided through the courtesy of the Long Island Lighting Company (now the Long Island Power Authority), which is the owner of the power lines as well as a member of the Protected Lands Council. Recycling was provided courtesy of East Hampton Town, and logistical support was provided by several members of the two Councils.

Community Service: Special Projects

Occasionally, an unusual request is received by the Council for assistance. One such request was received from the staff of

Montauk Point State Park and the volunteers of the East Hampton Trails Preservation Society. Based upon the Council's success with the airlifting of abandoned vehicles from the Central Pine Barrens, they asked about the feasibility of airlifting building materials for the reconstruction of the Ogden's Brook Bridge in Montauk County Park. This footbridge is a critical link in the 100+ mile Paumanok Path, eliminating the need for a dangerous pedestrian detour onto heavily traveled Montauk Highway. The Paumanok Path is a partially complete long distance hiking trail that commences at the western end of the Central Pine Barrens Core Preservation Area (in the N.Y.S. Rocky Point Natural Resource Management Area), and traverses New York State, Suffolk County, and town owned lands through central Suffolk and the South Fork. It literally connects the Central Pine Barrens with the South Fork Pine Barrens, ultimately arriving at the historic Montauk Point Lighthouse overlooking the cliffs of the Atlantic Ocean. The demise of the original bridge was one of several obstacles remaining to completion of the East Hampton segment of the Paumanok Path.

Crossing several jurisdictions en route to the isolated location of the Path's stream crossing, the helicopter airlift coordinated by the Council eliminated the environmental impacts that ground transport of the 8,000 pounds of lumber would have caused, and concurrently removed the rotting remains of the prior bridge structure. The new materials were lifted from their storage area at Camp Hero State Park to the crossing site in Montauk Point State Park, and the remains of the prior bridge returned to Camp Hero for proper disposal. The Commission and the Council members were subsequently pleased to participate in the Fall 1998 celebration of the completion of the entire East Hampton portion of the Paumanok Path.

Helicopter water bucket training in conjunction with the Wildfire Task Force

In conjunction with numerous fire, public safety, and law enforcement agencies and departments, the Council initiated a series of helicopter water bucket aerial firefighting demonstrations in the Wildwood Lake area of Southampton Town. Working in close cooperation with the Southampton Town Trustees, and after detailed consultation with the Wildwood Lake Civic Association, a set

of five training sessions were conducted to permit both residents and firefighters to view the capabilities of the various sized water buckets in transporting water to future fires. Watching the varying bucket fill speeds, aircraft altitudes, and water release speeds, observers were able to see the effects of different spray patterns released by the helicopters' buckets. These exercises, like the abandoned vehicle airlifts, also provide the Guard with the opportunity to train and certify pilots, air crews, and ground controllers for real emergencies, while simultaneously maximizing the Guard's use of their training dollars, and providing valuable community service.

During the latter part of this reporting period, the possibility of conducting such training at additional fresh water sources located on public lands in the Flanders area has been explored with the Suffolk County Parks Department, the Southampton Town Trustees, the N.Y.S. Department of Environmental Conservation, and the Hampton Bays Civic Association. The Council is currently working with the Wildfire Task Force on a full Military Helicopter Air-Ground Firefighting Training

Program, an extension of the initial water bucket firefighting training work.

Southaven Park Police and Pine Barrens Center

The Suffolk County Park Police have relocated their headquarters to Southaven County Park in Yaphank, within the Core Preservation Area of the pine barrens, and have graciously welcomed the Pine Barrens Law Enforcement Council as an integral part of their operations there. The refurbished Hard Lodge serves as a dispatch center for the Park Police, a meeting location for both the Law Enforcement Council, the Protected Lands Council, and other pine barrens groups and events, and is intended to also serve as a clearinghouse for the member agencies of the Pine Barrens Law Enforcement Council.

All citizen complaints received there are dispatched by the Parks Department radio operators who have knowledge of the pine barrens geography and are sensitive to the environmental complaints received. Thanks to a strong budgetary commitment from the Suffolk County Parks Department, the Park Police and Pine Barrens Center now has 24 hour radio coverage year round. The

Commission appreciates these efforts by the County in establishing and staffing the Center.

Interagency coordination has also been enhanced by Suffolk County's purchase of 800 megahertz radios through the land management portion of the County's

Drinking Water Protection Program (which includes the County's pine barrens land acquisition efforts). These have been distributed to each patrol agency on the Law Enforcement Council, and are currently in active use.

10. Managing the Resource: Wildland Fire and the Wildfire Task Force

Field conditions in the Summer of 1995

It is difficult to recount the dramatic events of August 1995 without resorting to superlatives. Vocabulary usually reserved for stories from other areas of the nation were employed extensively that Summer and Fall to describe one of the most dangerous fire seasons in the memory of local residents.

During the months of July and August of that year, relative humidity readings consistently fell within the 25% to 35% range. After an August 7 rainfall recorded at the Brookhaven National Laboratory in Upton, NY, drought conditions quickly set in over the entire extent of Long Island. Consequently, fire danger ratings, such as the Keetch-Byram (KB) Drought Index used in the National Fire Danger Rating system, reached new highs.

By the third week in August, the KB Index reached 500 points out of the maximum possible 800 points, as measured at the Wertheim National Wildlife Refuge on the southern shore of the Carmans River in Brookhaven. The qualitative fire danger associated with this numerical level is

“extreme”, indicating that even the slightest carelessness with sparks or ignition sources in the brittle and dry woodlands could lead to fast spreading and difficult to control wildfires. That same index would later rise, on September 13th, to a peak of 605 points.

The 1995 Rocky Point Fire

On August 21, the *danger* of wildfire was rapidly and dramatically replaced by the *reality* of wildfire, with the ignition of the first of two of the largest wildfires to ever be recorded on Long Island. Breaking out initially on the Rocky Point Natural Resource Management Area, a State managed conservation tract in north central Brookhaven Town, the rapidly expanding fire reached an estimated size of 800 acres in a matter of hours, threatening hundreds of homes and a mixture of other land uses to the east. Crews from the Rocky Point Fire Department, the N.Y.S. Forest Rangers, and adjacent fire departments soon found themselves in a fire situation that would burn for days and require mutual aid assistance from departments across Long Island.

While the responding fire service units were still containing this 2,000+ acre conflagration and safeguarding the complex wildland-urban interface of its eastern flank, a second and more threatening blaze ignited approximately 13 miles southeast of the Rocky Point Fire.

The 1995 Sunrise Fire

There, at the heavily wooded southern end of the Eastern Campus of Suffolk County Community College in the Eastport-Riverhead area of Southampton Town, the beginning of an eventual 5,000+ acre firestorm was rapidly spreading and expanding south in a broad, west to east arc. Little or no fuel breaks stood in the way of this second blaze, as the initial ground flames rapidly spread to the crowns of the oaks and pines, paying little heed to the presence or absence of roads or paths beneath the forest canopy. As the Rocky Point Fire had threatened the homes, institutions, and businesses along Whiskey Road, starkly illustrating the danger of the frequently discussed wildland interface, so the newly named Sunrise Fire aggressively took up the same theme.

The new fire literally roared south, west, and

east with the changing and strengthening winds and the growing darkness, sending hundreds of volunteers and pieces of equipment scurrying to respond to the changing conditions. As it spread, enclaves of homes, strips of roadside businesses, and dozens of immovable but highly flammable installations, tanks, fuel depots, and other hazards simply stood at immediate risk to the vagaries of the fire's first hours.

With the growing southward progress of the blaze, hundreds of pieces of firefighting equipment, and thousands of volunteers, transformed the 400 foot width of Sunrise Highway into an impromptu firebreak. There was simply incredulity as the fire, generating its own weather pattern by this time, literally rolled and spun in the air from the north side of the highway to the equally drought stricken woodlands on the south. The Sunrise wildfire had earned the title of firestorm. Entire communities south of Montauk Highway were threatened, and the containment struggle continued for several days. Massive mobilization, relentless effort, and changes in weather all contributed to eventual success.

1995 conditions in a historical perspective

The drought conditions that led to these blazes - 17 straight days without precipitation at the time of the Rocky Point containment and the Sunrise Fire ignition - had not been seen on Long Island since 1924, when the Island experienced a 36 day drought. On August 23, 1995, a mere 16/100 of an inch of rain had been measured for that month, compared to a statistical average for August of 4.1 inches. Cumulatively, 21.65 inches of precipitation had fallen since the start of the year, compared to an historic total for that point in the year of 30.12 inches.

Inception of the Pine Barrens Wildfire Task Force

With the suppression of these large scale fires, the Central Pine Barrens Commission requested that the agencies, departments, and other parties with firefighting, fire

management, land management, and other stakes in wildland fire issues convene as a single body. With an eye towards capturing their freshly acquired experience, the Commission created the Central Pine Barrens Wildfire Task Force in November 1995, and charged it with the production of a Central Pine Barrens Fire Management Plan. The membership roster has been enhanced several times to better reflect the interests involved with fire management, and the Task Force has set about their job with an admirable tenacity, producing a Draft Fire Plan in the latter part of 1998.

This sections which follow highlight the specific activities of the Task Force during this reporting period. Table 18 shows the membership of the Wildfire Task Force, the largest of the stewardship councils with a total of 39 organizational members.

Table 18: Pine Barrens Wildfire Task Force	
Federal (4)	New York Air National Guard 106 th Rescue Wing New York Army National Guard Army Aviation Support Facility #1 United States Fish and Wildlife Service United State Forest Service

State (4)	New York State Department of Environmental Conservation New York State Office of Fire Prevention and Control New York State Office of Parks, Recreation and Historic Preservation Suffolk County Water Authority	
County (2)	Suffolk County Department of Fire, Rescue and Emergency Services Suffolk County Department of Parks, Recreation and Conservation	
Town (3)	Brookhaven Town Fire Marshal Riverhead Town Fire Marshal Southampton Town Fire Marshal	
Fire Departments (18)	Brookhaven Fire Department Brookhaven National Laboratory Fire Rescue Group East Quogue Fire Department Eastport Fire Department Flanders Fire Department Gordon Heights Fire Department Hampton Bays Fire Department Manorville Fire Department Middle Island Fire Department	Miller Place Fire Department Quogue Fire Department Ridge Fire Department Riverhead Fire Department Rocky Point Fire Department Wading River Fire Department Westhampton Beach Fire Department Westhampton Fire District (*) Yaphank Fire Department
Fire Councils (5)	Brookhaven Town Fire Chiefs Council Riverhead Town Fire Chiefs Council Southampton Town Fire Chiefs Council Suffolk County Fire Chiefs Council Suffolk County Fire District Officers' Association	
Commission (2)	Law Enforcement Council Protected Lands Council	
Private (1)	The Nature Conservancy	
Chairs	Chair: Commissioner Philip Drower, Wading River Fire District, and Ex-Chief, Wading River Fire Department Initial Chair: Mr. John M. Searing, P.E., Ex Chief, Rocky Point Fire Department Co-Vice Mr. John M. Urevich, Southampton Town Fire Chiefs Council Chairs: Captain Robert J. Conklin, New York State Forest Rangers (Region 1)	
Meeting Information	Meets approximately four times per year on a weekday evening, with the locations varying among fire houses and agency offices. Specialized committees also exist, and meet on schedules that are set separately.	

(*) The Westhampton Fire District is a member until such time as the District may decide to organize its own department. In that event, the new department automatically becomes a member in place of the District.

Production of a Central Pine Barrens Fire Management Plan

The Central Pine Barrens Wildfire Task Force has stated its mission simply: *To undertake fire planning for wildfire suppression that ensures the safety of both emergency response personnel and the general public, while considering the ecological concerns of the Central Pine Barrens region.* (From the Draft Fire Management Plan.) Towards this end, five specific goals have been developed:

1. **Develop a Fire Management Plan** for the Central Pine Barrens;
2. **Develop a standard and acceptable Incident Command System** for response to wildfire incidents which is consistent with the existing Suffolk County Incident Command System Plan;
3. **Establish a fire information**

program on the Wildfire Task Force's activities to inform, and to solicit the support of, the Fire Commissioners and Fire Chiefs of Suffolk County;

4. **Establish an appropriate wildland / urban interface training program** for all Suffolk County fire volunteers; and
5. **Provide public education on wildfire awareness, safety, and prevention**, as well as urban interface wildfire prevention and safety.

Production of the Plan started with five major topics

To achieve these goals, the Task Force initially created five subcommittees. They began the task of defining the specific issues, and ultimately formulating tangible recommendations, that the full Task Force through the Draft Fire Plan would need to

address. Those subcommittees were:

C The **Management Subcommittee** looked at overall incident command, on-scene management, risk analysis, safety procedures, logistics, firefighting resource utilization, and related topics.

C The **Suppression Subcommittee** examined both the resources needed for fire suppression (including fire equipment and supporting materials) and the range of suppression tactics available for use by an Incident Commander. The resources looked at included prefire suppression plans, precompiled lists of equipment available immediately within each district or on call from elsewhere, water supply sources, food and medical supplies, etc. The tactics arena included variations on direct and indirect attacks, and associated safety procedures.

C The **Training Subcommittee** inventoried the currently required and optional training provided to both

new and experienced volunteers.

This included discussions of the training offered by the Suffolk County Fire Academy in Yaphank, as well as state and federal requirements and options.

C The **Communications Subcommittee** looked at the radio and other communications systems currently in use by the fire and emergency services in Suffolk County, the work of the Suffolk County Combined Radio Committee, the utility of cellular telephone systems during fires and other incidents, the 800 megahertz radio system currently in use by the Suffolk County Police Department and other local agencies, possible training in standard use of radio systems (especially with respect to terminology and interagency incidents), and equipment needs of organizations on the Task Force.

C The **Public Education and Fire Prevention Subcommittee** scrutinized the most common sources

of wildland fire ignition, effective means for reaching various sectors of the public with prevention messages, the encouragement of widespread use of a nationally defined, standard fire danger rating system (for communication with the general public and clarity among the fire services), mapping of risk prone areas, assessment of existing fuel loads, a prescribed burning program, and other topics.

The Draft Fire Management Plan

The Task Force and its working Subcommittees produced a series of internal drafts of the Fire Management Plan from August 1997 through April 1998. Public education and information sessions, with an accompanying special outreach to the fire and emergency services throughout Suffolk County, were held in 1998. Comments received as a result were addressed through appropriate changes to the Draft Fire Management Plan.

The Final Fire Management Plan and permanent “Council” status

At the September 16, 1998 meeting of the

Pine Barrens Commission, the Task Force formally presented a proposed final draft of the Central Pine Barrens Fire Management Plan. As part of that presentation, the Task Force outlined approximately two dozen specific recommendations on fire prevention, education, training, suppression, equipment, communications, prescribed burning, fire protection assessment, and numerous other topics.

In recognition of the extensive and difficult work undertaken by the Task Force in producing the Draft Fire Management Plan, the Commission acted immediately that day on one of the recommendations by passing a resolution making the Central Pine Barrens Wildfire Task Force a permanent council of the Commission.

At the end of this reporting period, the Commission has accepted the Draft Fire Management Plan for the purpose of commencing the required environmental reviews under the State Environmental Quality Review Act.

Helicopter water bucket training sessions

As described in the Law Enforcement

Council section of this report, the Wildfire Task Force members are actively involved with the training and demonstration programs for aerial water bucket firefighting training at Wildwood Lake and other locations. The success of this program has recently led to the initiation of the Air-Ground Firefighting Program. (See section below.)

As part of the helicopter firefighting program, the Wildfire Task Force sponsored an Air-Ground Wildfire Awareness Class in August 1998, with attendees representing both full time and volunteer fire and emergency service personnel. The Suffolk County Fire Academy and the Suffolk County Department of Fire, Rescue, and Emergency Services graciously hosted the event, and the New York Army National Guard's Aviation Support Facility in Ronkonkoma generously provided a UH-60 Blackhawk helicopter and water bucket equipment for attendees' examination.

Development of an Air-Ground Helicopter Firefighting Program

1998 also saw the initial development of a curriculum and plan for coordinated use of military helicopters during large wildfires.

While still under development, extensive coordination has been completed among the member agencies of the Wildfire Task Force, the Long Island based National Guard units, the State Emergency Management Office, and several other agencies. The goal is twofold: to develop a formal Interagency Military Helicopter Firefighting Program Plan, and to start a training program which combines air and ground personnel, utilizing both classroom and field operations. An initial draft of an Interagency Military Helicopter Firefighting Program Plan was being produced at the end of this reporting period.

Prescribed burn program

On April 26, 1997, a demonstration prescribed burn was conducted at the N.Y.S. Department of Environmental Conservation's Rocky Point Natural Resource Management Area. The burn was conducted according to a strict prescribed burn plan developed by the New York State Forest Rangers and the N.Y.S. DEC Region 1 staff, in cooperation with scientists and staff from local agencies and organizations (e.g., The Nature Conservancy, local and county fire officials, etc.).

Three acres of a nine acre unit was burned, under the watchful eyes of Suffolk County and New York State agencies, local fire departments, and others. The burn team included personnel from the Albany Pine Bush Preserve Commission (which provided an experienced burn boss), the N.Y.S. DEC, the N.Y.S. Forest Rangers, the Suffolk County Parks Department, the Nature Conservancy, and the U.S. Fish and Wildlife Service.

Prescribed burns operate only within physical and meteorological parameters set by the written prescription for a particular site, and these parameters were invoked approximately one third of the way through the nine acre unit, when a change in the weather readings prompted the crew to halt the burn. The demonstration burn was well received by those in attendance, and provided many people with a first look at the customized procedures involved in a controlled burn. The Forest Rangers plan to complete this particular burn unit during 1999.

The 1998 - and first ever - New York Wildfire and Incident Management Academy

Based partly upon the Colorado Wildfire Academy's nationally recognized wildfire and incident training curriculum, a first New York Wildfire and Incident Management Academy was held at Brookhaven National Laboratory in late October and early November 1998. The Academy drew instructors and students from throughout the United States and across Long Island to staff and attend courses in the Incident Command System, Wildland Firefighter Training, Fire Behavior, Urban Interface Fire, Wildland Fire Supervision, and numerous other courses.

Cosponsors of the Academy included the New York State Department of Environmental Conservation's Region 1 Office (which provided extensive staff and logistical support necessary to the Academy's success); the N.Y.S. Forest Rangers; the U.S. Forest Service; Brookhaven National Laboratory; the N.Y.S. Emergency Management Office; the Suffolk County Department of Fire, Rescue and Emergency Services; the Suffolk County Department of Parks; the Pine Barrens Commission; the Wildfire Task Force; the Nature Conservancy; and the Colorado Wildfire Academy.

While there is always a danger in naming one or two individuals out of dozens who contribute to a larger team, the Commission would nonetheless be remiss if it did not specifically acknowledge and thank two individuals who brought the idea to fruition: Mr. Charles Hamilton, N.Y.S. DEC's Natural Resource Director for Region 1 and the Academy Coordinator who conceived the idea of a New York Academy and whose tireless energy was essential, and Captain Robert Conklin of the N.Y.S. Forest Rangers, the Incident Commander for the Academy. They and the necessarily unnamed others worked effectively, professionally, and cheerfully, and the Commission appreciates all of their fine efforts.

A special thank you is also conveyed by the Commission to the financial professionals of the Suffolk County Water Authority, especially Mr. Lawrence Kulick, Assistant Director of Finance for the Authority. His patience and calmness always kept the Academy's finances healthy and positive in this highly interagency, and often hectic, endeavor.

Wildland firefighting and Incident

Command System training for Commission staff

In June 1998, two Commission staff members completed *S130 Wildland Firefighter Training* and *S190 Introduction to Wildland Fire Behavior*, the National Wildfire Coordinating Group training courses given by the N.Y.S. Forest Rangers and became certified ("red carded") for wildland fire crews and prescribed burn teams. Since then, one additional Commission staff member and one Suffolk County Water Authority staff member attended the same courses at the October Academy, and are currently awaiting the opportunity for final certification.

Three Commission staff members also completed the *I-200 Basic Incident Command System* course offered during the October 1998 Academy, as did one Suffolk County Water Authority staff member. One Commissioner and several Designated Representatives of the Commissioners also attended the *I-402 Incident Command for Executives* course during the Academy, providing them with an orientation to Incident Command concepts, structures, and protocols.

The National Fire Danger Rating System and Long Island's fire weather stations

The Wildfire Task Force and the Suffolk County fire community have benefitted from the generous provision by the U.S. Fish and Wildlife Service of a daily fire danger rating, a numeric index which serves as a measure of drought conditions. The index is generated each day by a computerized fire weather station located at the Service's Wertheim National Wildlife Refuge in Brookhaven hamlet, along the southerly extent of the Carman's River. The index is translated into degrees of severity (e.g., low, moderate, etc.), and broadcast each day by the Suffolk County Department of Fire, Rescue and Emergency Services.

To complement and expand the fire weather coverage for the Central Pine Barrens, the Wildfire Task Force has very strongly recommended through its Fire Weather Station Subcommittee, and the Commission has approved, the purchase and installation of a second fire weather station for the Central Pine Barrens. The new station will be fully compatible with the existing station at the Wertheim National Wildlife Refuge, as well

as the U.S. Forest Service's network of stations throughout the northeastern United States. Data from the two Long Island stations will be available to the fire community, land managers, park supervisors, and all interested individuals. As of this writing, the second station is being procured, and logistics are being worked out for the actual installation.

The Commission would like to thank both the U.S. Fish and Wildlife Service and the Wildfire Task Force for their joint efforts to provide this practical, scientific guidance for the Long Island community in general and the fire service in particular.

Support of the Law Enforcement Council's abandoned vehicle lifts

In addition to their fire management responsibilities, the fire departments and other members of the Wildfire Task Force are regular attendees at the Law Enforcement Council's abandoned vehicle helicopter lifts, providing emergency backup at the staging and deposit areas. The Law Enforcement Council is grateful for this essential support.

11. Understanding the Pine Barrens: Promoting an Active Research Program

Crucial to astute, long term stewardship of the Central Pine Barrens is an active, creative research agenda. With the adoption of the Central Pine Barrens Plan in 1995, the Commission and its associated organizations have made an earnest effort to stimulate just such a creative research agenda. Specific steps include:

Establishment of suggested research pursuits in the Central Pine Barrens Plan

Chapters 7 and 8 of the Plan contains numerous recommendations relating to specific disciplines, many with immediate application to stewardship and management of the public lands of the pine barrens. The research elements of the Plan recognize the need for a better understanding of several specific aspects of the remarkable system called the Central Pine Barrens.

Joint sponsorship of the annual Pine Barrens Research Forum with the Long Island Groundwater Research Institute of the State University of New York at Stony Brook and the Brookhaven National Laboratory

The Pine Barrens Research Forum has been held in October of 1996, 1997, and 1998, each time at the Brookhaven National Laboratory in Upton, NY. Each year's Forum has featured accomplished researchers, scientists, educators, and citizens addressing topics ranging across the fields of biology, ecology, hydrology, meteorology, history, education, chemistry, agriculture, planning, and numerous other fields.

Speakers have included a mixture of local, Long Island and New York metropolitan area professionals, as well as individuals from agencies and universities in New Jersey, New York, and New England. Speakers from outside the Long Island region have been drawn from the New Jersey Pinelands Commission, the Albany Pine Bush Preserve Commission, the Cape Cod Commission, Rutgers University, Harvard Forest, Cornell University, Rochester Institute of Technology, and the New York Natural Heritage Program. (Figure 4 at the end of this section depicts the locations of some of these cooperators.) Long Island researchers and experts have hailed from virtually all of

the agencies and organizations which comprise, or cooperate with, the Commission's stewardship network, a list too long to enumerate here but which includes the government, non profit, academic, and private industry sectors.

Poster sessions are featured each year, with a special invitation to accomplished secondary school students to present their individual research efforts. The 1997 and 1998 Forums became two day events, with the first day devoted to presentations and poster sessions, and the second day occupied by a field trips to sites of current field research. Each Forum has attracted approximately 100 to 130 participants.

It is noteworthy that three secondary school students who have presented independent research results on pine barrens topics (one each at the 1996, 1997 and 1998 Forums) have received national recognition of their work. Two students were semifinalists in the Westinghouse Student Science Competition in 1996 and 1997, and the third was a finalist in the 1998 Intel Science Search (the successor to the Westinghouse Program). Each conducted their research under the

auspices of their high schools (two students were from Smithtown High School and one was from Ward Melville High School in East Setauket), the New York State Summer Institute for Science and Mathematics, and the Brookhaven National Laboratory. The Commission congratulates each of them.

The Commission wishes to gratefully acknowledge the crucial support provided each year for the Pine Barrens Research Forum by all of its sister agencies and organizations. A very special thank you is due to both the Long Island Groundwater Research Institute at SUNY at Stony Brook, especially Dr. Henry Bokuniewicz, Director of the Institute, and to the Brookhaven National Laboratory, especially Dr. Jan Naidu, the Lab's chief ecologist, for their professional, enthusiastic, and crucial cosponsorship of the annual Forum; it is truly a joint effort.

Selection of the Central Pine Barrens by the U.S. Government as a MEDEA Global Fiducial remote sensing research site

In May 1990, then Senator Albert Gore of Tennessee wrote to the United States Central Intelligence Agency requesting whether the

Agency had certain scientific data relating to arctic environmental conditions over the years, such as ice conditions, sea and air temperatures, circulation patterns, and the like. His request precipitated an internal review of environmental data archives that U.S. intelligence agencies had accumulated as a spin off of their primary intelligence data gathering missions. This review gave birth to a group of nationally prominent scientists who were given security clearances with the charge of reviewing these archives to determine whether they contained data useful to long term environmental science research.

This group, initially known as the Environmental Task Force (ETF), consists of over 70 scientists from the academic, private, and government sectors. Later named “Medea”, after a character in Greek mythology that would let nothing stand in his way, the ETF set about their task in 1992, preparing a classified study that identified the potential environmental and other scientific applications of the currently classified data sets (e.g., remotely sensed satellite data) currently residing in the various federal intelligence agencies. (MEDEA later became an acronym for “Measurements of Earth Data

for Environmental Analyses”).

Among the most important capabilities of the classified remote sensing systems which the MEDEA scientists highlighted is the ability of these platforms to capture “benchmarks” of environmental conditions at selected sites, located throughout the world, at regular frequencies for periods ranging from years to decades. This finding by the MEDEA scientists led to an unusual scientific initiative called the Global Fiducial Sites Program.

The Global Fiducial Sites scientists select a set of carefully defined geographic regions (on the order of 200-500 in number) around the world for which site specific environmental data will be collected for a long period, typically decades. The data collected is intended for use by future researchers in such disciplines as climate change analysis, vegetation dynamics studies, water quality change studies, etc. Initially, only scientists with appropriate security clearances will have access to the Program’s data, but with the expected declassification of such data at some future time, these long term data sets will become available to the next generation of environmental researchers.

The Program exploits the unique and sophisticated capabilities of the United States' space-based, airborne, and other reconnaissance systems. Such platforms complement unclassified sensor systems (e.g., standard aerial photography, unclassified and commercial remote sensing satellites) in that they cover much smaller areas but do so at high levels of resolution.

Global Fiducial sites are classified as either calibration sites, for which extensive prior records and data sets are available, or as monitoring sites, for which little or no prior remote sensing data has been collected.

Typical sites selected by the MEDEA group for this Program must have a strong scientific promise of productive long term study, and must pass a rigorous review by the Program's governing scientists and staff prior to acceptance.

As the result of an extensively documented 1997 request by the Central Pine Barrens Commission to the Civil Applications Committee of the MEDEA Program, and working very closely with U.S. First New York District Representative Michael Forbes, the Central Pine Barrens of New York State

was formally accepted as a Global Fiducial Program Monitoring Site in May 1998. At the time of our application, the petition to include the Central Pine Barrens as a monitoring site required one or more "local federal agency" sponsors, and the Commission is pleased to report that its application was enthusiastically supported by each local federal office with which it has worked since 1993: the U.S. Forest Service, the U.S. Fish and Wildlife Service, the U.S. Geological Survey, the National Weather Service, and the New York Army National Guard (a federal/state agency).

Since that time, the Commission staff and these local sponsors, along with the State University of New York at Stony Brook and the Brookhaven National Laboratory (cosponsors of the annual Pine Barrens Research Forum), have worked closely with the Reston, Virginia office of the U.S. Geological Survey, which serves as a contact for the Global Fiducial Sites Program through its National Biological Information Infrastructure office. At the close of this reporting period, the Commission and these generous cooperators have completed our initial draft of environmental parameters for

long term remote sensing of the Central Pine Barrens, and have submitted it to the U.S. Geological Survey's national office for technical review and response.

The Commission is grateful to all cooperating agencies, and especially to the MEDEA Program scientists and the U.S. Geological Survey's Reston staff, for this valuable opportunity to have the Central Pine Barrens included in this Program. It is our intention and hope that this effort will provide an irreplaceable empirical foundation for the long term scientific investigation of this special region of New York State.

Encouragement of secondary school student research through guest presentations by accomplished juniors and seniors at Commission meetings

Students are encouraged to outline their research topic, their methodology, and their results. Advisors, school officials, and parents of the students are welcomed, and the students are presented with Certificates of Appreciation in acknowledgment of their efforts. These students are usually also participants in the Pine Barrens Research Forum through the poster sessions.

Assistance by Commission staff for current and potential academic researchers with logistical or technical questions crucial to their research

Identification of property ownership for possible field research sites, access to appropriate maps or mapping advice, assistance with contacting the correct permitting agencies, and similar help is provided as needed.

Sponsoring of working committees and holding of technical workshops on research topics

Initially, the Commission's Plan development work was aided by an informal committee structure, including an Ecology Committee and a Hydrology Committee, both of which labored steadily and persistently during the 1993 to 1995 planning period. Since the production of the 1995 Plan, the research effort has shifted, of course, towards Plan implementation through such means as the annual Pine Barrens Research Forum and the other initiatives noted above.

In addition, 1998 has also seen the first of potentially several informal "Wildlife Workshops" for naturalists, researchers,

managers, and interested individuals to exchange and document their grassroots knowledge of specific areas or topics. The first workshop attracted approximately 30 individuals, with the results to be mapped and used in support of the Protected Lands Council's regional management plan for public and protected lands in the Central Pine Barrens.

Establishment of the publicly accessible Pine Barrens Reference Library

The Pine Barrens Reference Library is a publicly accessible repository of both official Commission records and materials relating to the pine barrens in general. There are currently several thousand items in the Library, informally categorized under 100+ headings. Located at the Commission office, access is permitted during normal Commission office hours (8:30 am to 5:00 pm). Materials cannot be removed from the Library. Students, researchers, citizens, and

interested individuals are encouraged to call with questions about the Library's coverage, and to make use of this growing resource.

A special section of the Library houses student papers produced on the pine barrens or related topics, and students utilizing the Library for production of papers, essays, theses, or other works are invited to voluntarily submit a copy of their finished academic work for inclusion in the Student Papers section. Student levels represented here range from elementary schools through masters theses.

Although a modest undertaking, the Pine Barrens Reference Library's holdings continue to grow perceptibly, and regularly attract new patrons and donations. The Commission is grateful to all the individuals who have thoughtfully contributed items of interest to this repository.

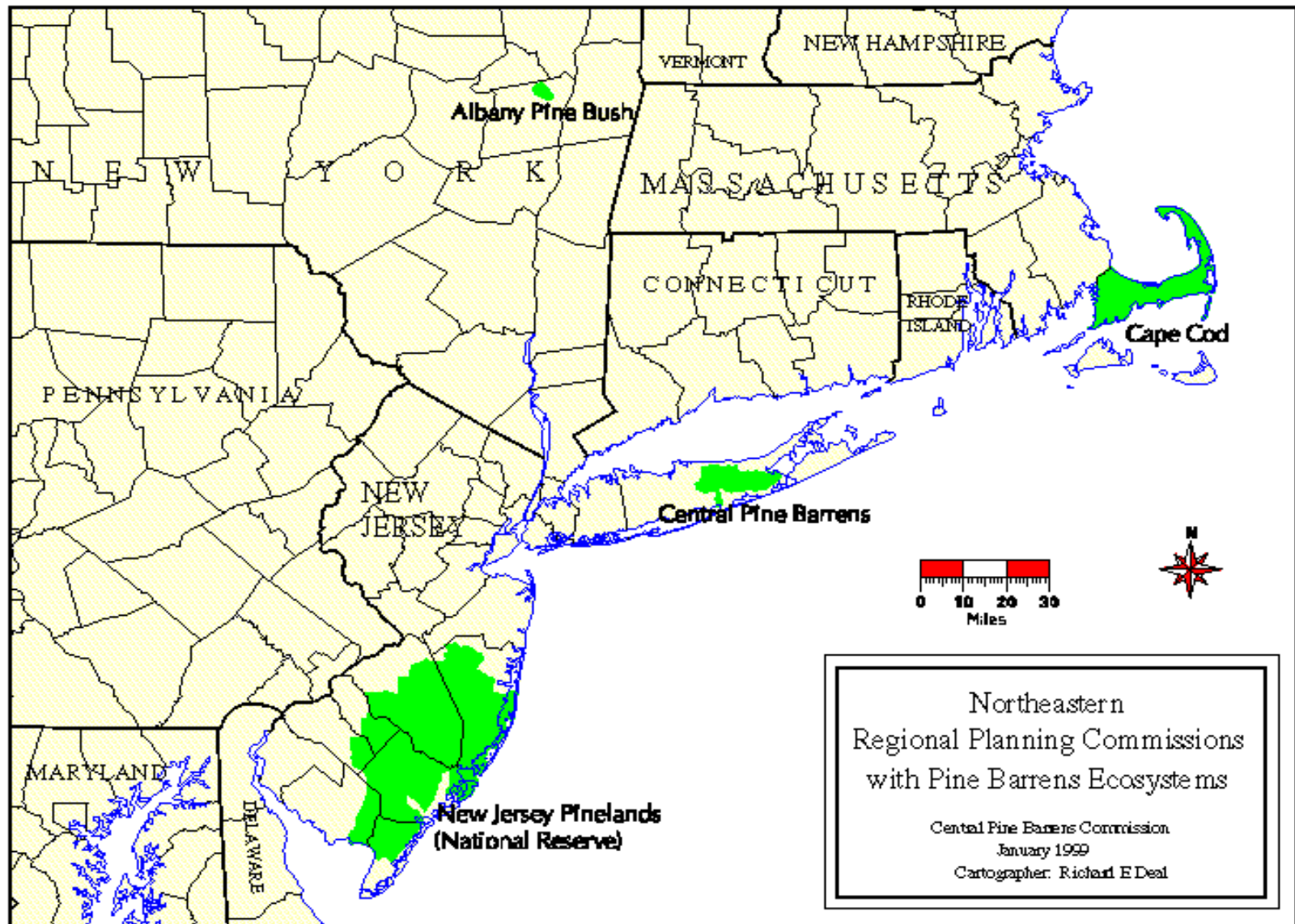


Figure 4

12. Community Outreach and Involvement

Starting with the first month of the Commission's existence and continuing through the end of this reporting period, a strong and sustained effort has been made to communicate with both individuals and organizations within the Long Island and metropolitan New York community. This outreach and involvement has occurred in both directions; i.e., the Commission and its affiliates contacting audiences, and responding to requests for speakers, seminars, classes, displays, field trips, training classes, and cosponsorship of events.

Priority outreach: Core Preservation

Area landowners

The Commission's priority outreach was, and remains, to the landowners within the Central Pine Barrens, and has included public information sessions, individual meetings with owners, special seminars on the Pine Barrens Credit Program (both for landowners eligible for credits as well as sessions for potential users of credits), mailings on the pine barrens law in general, special mailings on the Pine Barrens Credit Program in particular, adoption of streamlined provisions

for small lot owners to have quick and inexpensive (often no cost) access to the Pine Barrens Credit Program, and the provision of other individualized assistance to landowners as the need arises (e.g., assistance with tax maps or records, information about filing core hardship or Compatible Growth Area applications, copies of Commission documents, etc.).

Additional outreach: communicating with the larger community

In addition to the priority outreach to landowners, the Commission, Commission staff, Council and Task Force members, and affiliated agencies and volunteers have reached a wide spectrum of other audiences.

These include:

- C environmental groups
- C business associations, chambers of commerce, development organizations
- C civic associations, garden clubs, fraternal organizations, historical societies
- C local government officials and bodies

(Town, County, and State), Town Boards, County and State legislative bodies, school boards, planning and advisory committees

C the academic and research community

C local naturalists

C schools (elementary, university, graduate, professional, and continuing teacher education classes and individuals), including field trips, school visits, and hosting of classes

C regional land use and planning commissions (local, New York area, and out of state)

C local federal agencies (e.g., Brookhaven National Laboratory, National Guard units, United States Forest Service, United States Fish and Wildlife Service)

C community and environmental fairs and displays

C professional groups, including architects, planners, real estate specialists, title examiners, water supply groups, engineers, transportation planners, and attorneys

C fire departments and districts

C recreational organizations

C print and broadcast media, cable

television shows

It is emphasized that these community involvement efforts are in addition to meetings of the Commission or its committees, large volume mailings to many of these groups, and routine assistance provided to office visitors and callers. Further, it is noteworthy that this schedule has been maintained from the earliest days, including the 24 month Plan development period from 1993 through 1995, with its associated statutory deadlines. In all, the above noted community outreach effort has included over 140 organized events. Averaged over the 66 months of the Commission's existence from July 1993 through December 1998, this entails slightly over 2 such organized events per month supported by the Commission, its staff, Committee members, and volunteers, reaching literally thousands of attendees and citizens with specific interests during the reporting period.

Specialized Outreach: Information, Special Events, and New Venues

Community outreach has been further augmented by the establishment of the Pine

Barrens Reference Library (as noted earlier), presentations at Commission meetings by accomplished “pine barrens individuals”, involvement of the community in special events such as the Commission logo design contest, a commitment to several annual community events (e.g., the Pine Barrens Research Forum, the Pine Barrens Discovery Day, and the New York Wildfire and Incident Management Academy), and the recent establishment of a Commission Internet web site for quicker posting of Commission and committee meeting schedules, monthly issues of the Pine Barrens Credit Registry, publication of pine barrens documents (e.g., fact sheets, handbooks, statistical summaries), etc. With respect to the web site, the Commission would like to acknowledge and thank the proprietors of Vdot.Net, an Internet service provider in Islandia, NY, for their kind donation of Internet and e-mail service to the Commission.

Recognition as Outreach: Acknowledging the individuals who make progress

possible

Further, recognizing that no organization can progress effectively without the cooperation of dedicated individuals and groups, the Commission has tried to regularly and gratefully acknowledge the crucial contributions of citizens, volunteers, and professionals when they retire or move on to other positions. Commendations, awards, certificates of appreciation, and other forms of recognition and thanks are regular features of Commission and committee meetings.

The Commission’s community of pine barrens cooperators has also experienced a sadder loss during these past five years, with the passing in early 1997 of Mr. William Shaber, a dedicated and persistent representative, from the very start of the Commission’s work, of the Suffolk Alliance of Sportsmen, Inc. to the Central Pine Barrens Advisory Committee, the initial Land Management Committee, and the Protected Lands Council. His passing was acknowledged in a special memorial ceremony in April of that year.

13. Legal Issues: 1993 through the Present

A total of eight legal proceedings to date have involved the Commission. Some of these have included Suffolk County, New York State and the individual Towns as defendants.

Two separate suits are presently pending which challenge the constitutionality of New York Environmental Conservation Law Article 57, one in federal court and one in state court. The state court issued a decision in the Commission's favor and an appeal is now pending in the Appellate Division, Second Department.¹ The federal District Court initially declined jurisdiction on abstention grounds due to the state litigation. That decision was subsequently vacated and remanded by the federal Second Circuit.² As of this writing, the federal District Court has before it the Commission's renewed motion to dismiss.

The Commission's determination that a proposed soccer field expansion in the Core

¹ W.J.F. Realty Corp., et al. v. Central Pine Barrens Joint Planning and Policy Commission.

² Dittmer, et al. v. County of Suffolk, et al.

Preservation Area was exempt from Article 57 has been overturned in a memorandum decision.³ The parties are presently negotiating to possibly avoid an appeal.

A suit brought to obtain certain of the Commission's records under the Freedom of Information Law (FOIL) resulted in an appellate court decision in the Commission's favor, thereby protecting the privacy interests of Core Preservation Area landowners.⁴ An earlier FOIL suit was decided against the Commission.⁵

The Commission's approval of a nursery expansion in the Compatible Growth Area was overturned in state court, although several of the petitioners were denied standing.⁶ No appeal was taken by the Commission; however, the property owner's

³ Long Island Pine Barrens Society, Inc., et al. v. Central Pine Barrens Joint Planning and Policy Commission.

⁴ Siegel, Fenchel & Peddy, P.C., v. Central Pine Barrens Joint Planning and Policy Commission.

⁵ Long Island Builders Institute v. Central Pine Barrens Joint Planning and Policy Commission.

⁶ Long Island Pine Society, Inc., et al. v. Central Pine Barrens Joint Planning and Policy Commission.

appeal is now pending, and the standing issue has been otherwise resolved.

A suit was filed challenging the number of Pine Barrens Credits allocated to a property owner under the Pine Barrens Credit Program. This case is pending.⁷

Finally, a suit to compel the Commission to perform certain tasks during the early portion of the Plan development period was withdrawn as the tasks were, in fact, completed.⁸

⁷ Toussie v. Central Pine Barrens Joint Planning and Policy Commission.

⁸ W.J.F. Realty Corp., et al. v. Central Pine Barrens Joint Planning and Policy Commission.

14. Administration and Operation of the Commission and Its Committees

Commission Activities

One measure of the Commission's activity is the remarkable statistic that the Commission has met a total of 148 times from its mid-1993 establishment through the end of 1998, averaging well over 2 meetings per month. This is in addition to those public hearings (e.g., State Environmental Quality Review Act hearings, permit application hearings) which may have been held separately from the regular Commission meeting schedule. Currently, the Commission meets approximately every three weeks, with public hearings held as part of its regular meeting schedule.

Staffing

Day to day administration of the Commission's work is carried out by professional staff members from the Suffolk County Water Authority (SCWA), with whom the Commission has a contract for staffing and financial administration. Normally, there are six SCWA people performing Commission work, including an executive director, a staff attorney, a landscape architect, two environmental

analysts, and an administrative assistant.

Additional personnel are occasionally used for specialized or short term tasks. The SCWA's Finance Division oversees the financial and accounting needs of the Commission.

Specialized services

Legal services for the Commission and its committees are provided either through its general counsel, McMillan, Rather, Bennett & Rigano of Melville, NY, or through the New York State Attorney General's Office, depending upon the nature of the work. From time to time, the Commission may require the specialized services of outside consultants (e.g., economists, real estate professionals, etc.).

Administrative funding

The Commission's operating and administrative expenses are covered by annual New York State budget appropriations for Plan implementation and associated administrative expenses. The latest budget allocation for the Commission's work as of this writing was for the State

Fiscal Year 1998-99, and amounted to \$630,000.

It should be noted that the administration of the Pine Barrens Credit Program is covered by this funding source, although the purchases of Pine Barrens Credits by the Clearinghouse Board of Advisors are accomplished through the separate dedicated fund discussed earlier. Similarly, any revenues from sales of Pine Barrens Credits

by the Clearinghouse are returned to that same dedicated fund.

Contacting the Commission

As always, citizens, landowners, officials, students, organizational representatives, and others are encouraged to call or visit with questions or requests. The Commission is a community resource, and we encourage your participation.

Table 19: Commission Office and Staff Information

Office	P.O. Box 587 3525 Sunrise Highway, 2 nd Floor Great River, NY 11739-0587	
Hours	Monday through Friday, 8:30 am to 5:00 pm. The Pine Barrens Reference Library is open during these hours, unless a meeting is scheduled there for a particular time.	
Phones	Voice: 516-224-2604 Fax: 516-224-7653	
Internet site	http://pb.state.ny.us Site contains, schedules, current events, committee information, the <u>Pine Barrens Credit Program Registry</u> and statistical summaries, and other items.	
Staff Directory	Ray Corwin Executive Director	516-563-0307
	Judy Jakobsen Environmental Analyst	516-563-0306
	John Milazzo, Esq. Staff Attorney	516-563-5692
	Donna Plunkett, R.L.A. Landscape Architect	516-563-0384
	Mark Rizzo Environmental Analyst	516-563-0352
	Lorraine Trezza Administrative Assistant	516-563-0385

15. Crucial Ingredients: Contributions at Many Scales

Reiterating a special acknowledgment

The June 1995 Plan contains a “Special Acknowledgment” recognizing the “steadfast support” of the Suffolk County Water Authority and its Chairman, Michael LoGrande. The Commission would like to reiterate that special acknowledgment at this five year mark in the Commission’s history.

The support of Governor Pataki and the State Legislature

In addition, the Commission also gratefully acknowledges the unwavering support of Governor George Pataki and the Pine Barrens Protection Act’s original sponsors, Senator Kenneth LaValle and Assemblyman Thomas DiNapoli. Their reliable support has been essential, and their wise counsel is always much appreciated.

The Commission is appreciative as well of the continuing strong support of the Long Island’s State Legislative delegation for pine barrens protection and stewardship. In addition to Senator LaValle and Assemblyman DiNapoli, the Commission would like to specifically note the full support

of the pine barrens effort provided by those members of the State Legislature with portions of the Central Pine Barrens in their districts: Senator Caesar Trunzo (3rd Senatorial District), Assemblywoman Patricia Acampora (1st Assembly District), Assemblyman Fred Thiele, Jr. (2nd Assembly District, and a former Pine Barrens Commissioner from Southampton Town), and Assemblywoman Debra Mazzarelli (3rd Assembly District). The Commission also wishes to particularly acknowledge the invaluable and early contributions to pine barrens protection made over many years by Assemblyman Steven Englebright (4th Assembly District), in his many roles as a geologist, teacher, County Legislator, and State Legislator.

Support from the Congressional level

The contributions made by U.S. Representative Michael Forbes (1st New York Congressional District) are noted as well with the Commission’s sincere thanks. His efforts have brought the Commission and its cooperators into a daily working relationship with many individuals and

agencies at the federal level, and have directly facilitated significant federal land preservation within the Central Pine Barrens.

Support of the Suffolk County Legislature

The Commission is equally appreciative of the support provided by both current and prior members of the Suffolk County Legislature for their role in pine barrens protection for over thirty years. The County Open Space Program, the Drinking Water Protection Program, and the new Greenways Program are but a few examples of that body's commitment to local action in preserving and managing the pine barrens.

Support of the Towns and Villages in the Central Pine Barrens

With the passage of the Final Central Pine Barrens Plan, the process of revising local codes and ordinances was promptly undertaken by the three Towns, their Town Boards, and planning staffs. The Commission is appreciative of this important work, and the general cooperation of the officials of the Villages of Quogue and

Westhampton Beach in implementing the Plan.

Support from the local agencies and organizations

Further, the Commission is thankful for the unflagging support of the dozens of agencies and organizations which have committed staff, resources, expertise, time, and genuine enthusiasm to the successful implementation of the principles and provisions of both the Long Island Pine Barrens Act and the Plan. They are many in number, and are listed in the Central Pine Barrens Plan.

Support from those who live here

Finally, no regional Plan, however well thought out or well funded, can succeed without the most fundamental support of all: the citizens and residents who are the constituency of the Central Pine Barrens. Time and again, outstanding and knowledgeable persons have contributed their time and skills to making "the Plan" truly a "*community Plan*". Ultimately, that is what regional planning is all about.

16. Natural Resource Stewardship in the Pine Barrens: The Upcoming Years

In viewing the community's achievements to date in the protection and management of the Central Pine Barrens, we can understandably feel confident that the natural and cultural resources of this area will remain, and may even be enhanced. However, like all pursuits, confidence can easily transform into complacency, and erode the gains that we have collectively achieved. Hopefully, each of us will retain a conscious understanding that the day to day management decisions we make now will determine exactly what the Central Pine Barrens of the next generation

will be like. This understanding should serve to keep such complacency at bay. Significant gains are made in natural resource protection not simply by passing legislation, nor by writing plans; they are, instead, as we have all learned by personal experience, achieved by thoughtfully and persistently going past those necessary steps to the daily details of implementation. Stewardship is, indeed, permanent, and the Long Island community is clearly committed to that enjoyable responsibility.



CENTRAL
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BARRENS

JOINT
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