

**Central Pine Barrens  
Joint Planning and Policy Commission**



**2018 Report**



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*This document contains activity reports from the following  
Central Pine Barrens Joint Planning and Policy Commission  
Divisions and Councils for 2018*

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## **Central Pine Barrens Joint Planning and Policy Commission**

**Carrie Meek Gallagher**, Commission Chairwoman, Governor's Appointee,  
and Regional Director, NYS Department of Environmental Conservation

**Steven Bellone**, Member and Suffolk County Executive  
*Designated Representatives: Sarah Lansdale, Dorian Dale,  
Andrew Freleng, and Janet Longo*

**Laura Jens-Smith**, Member and Riverhead Town Supervisor  
*Designated Representatives: Jill Lewis and Daniel McCormick*

**Edward P. Romaine**, Member and Brookhaven Town Supervisor  
*Designated Representative: Brenda Prusinowski and Emily Pines*

**Jay H. Schneiderman**, Member and Southampton Town Supervisor  
*Designated Representatives: Kyle Collins and Martin Shea*

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### **Staff**

(from the Suffolk County Water Authority)

**John W. Pavacic**, Executive Director  
**Judy Jakobsen**, Deputy Director

**Ann Carter**, Science and Stewardship Coordinator  
**Katherine Delligatti**, Academy Coordinator  
**Julie Hargrave**, Principal Environmental Planner  
**Timothy Huss**, Compliance and Enforcement Coordinator  
**Michael Lewis**, Compliance and Enforcement Coordinator  
**James Mazzio**, Compliance and Enforcement Coordinator  
**John Milazzo**, Legal Counsel  
**Tim Motz**, Director of Communications  
**Melissa Griffiths Parrott**, Education and Outreach Coordinator  
**Carol Sholl-Ostrowski**, Administrative Assistant  
**Jerry Tverdy**, Environmental Analyst  
**Polly Weigand**, Science and Stewardship Program Manager  
**Shaun Ziegler**, Ecologist

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## **Compliance and Enforcement Division**

Timothy Huss, Chief Enforcement Officer  
Michael Lewis and James Mazzio, Enforcement Officers

The Compliance and Enforcement Division of the Central Pine Barrens Commission is responsible for overseeing regulatory compliance within the approximately 106,000-acre multi-jurisdictional Central Pine Barrens area by working in cooperation with agencies responsible for regulating land use and development as per the mandates of New York State Environmental Conservation Law Article 57 of the Long Island Pine Barrens Protection Act (the “Act”). These agencies involve all levels of government—federal, state, county, town, and villages—all of which have jurisdiction and responsibility for assuring compliance, not only with the Act, but also with local laws and regulations. The objective of the division is to coordinate the compliance and enforcement efforts of these agencies to help ensure compliance with the Act and the Commission’s Comprehensive Land Use Plan.

The division is currently comprised of three staff members, Chief Enforcement Officer Tim Huss, and Enforcement Officers Mike Lewis and Jim Mazzio. Collectively they provide the Commission with many years of experience in conservation and environmental enforcement, and public protection.

### **Compliance and Enforcement Division Duties and Responsibilities**

#### *Compliance:*

- Conducting inspections to assure compliance with Commission permitted land use activities, and development projects
- Reviewing permit compliance and monitoring, and complaint response
- Tracking and coordinating compliance inspections for all easements held by the Commission

#### *Enforcement:*

- Apply knowledge of New York State Environmental Conservation Law, Penal Law, Criminal Procedure Law and Vehicle and Traffic Law, and Suffolk County Code relative to compliance and enforcement matters in the Central Pine Barrens.
- Responding to and investigating land use and natural resource complaints received by the Commission, reporting findings to the Commission as well other agencies having jurisdiction
- Assisting other regulatory agencies with investigations related to the Central Pine Barrens area
- Monitoring areas experiencing environmental violations
- Assisting with implementing measures to deter and prevent environmental violations
- Monitoring and coordinating actions of the Law Enforcement Council (LEC)
- Providing education and training to the LEC relevant to Article 57 of the NYSECL
- Representing the Commission and the LEC at relevant enforcement and emergency preparedness meetings

- Serving as a liaison to local elected and appointed officials on enforcement and compliance matters
- Providing investigative support for the NYS Attorney General and Suffolk County District Attorney's offices on matters related to the Central Pine Barrens
- Providing bi-monthly and annual compliance and enforcement reports for the Commission
- Overseeing and ensuring proper maintenance of files, records, and databases related to compliance and enforcement, and land use incidents

### **Investigations and Incidents**

During calendar year 2018 the division documented 53 new investigations and incidents. Some of the more significant cases investigated or coordinated by the division included the following:

#### *Town of Southampton*

##### Industrial Site in Speonk

An investigation from 2017 on excess clearing in the Compatible Growth Area (CGA) continued in 2018. The division continued to provide assistance to the Town of Southampton (TOS) on this matter which entailed non-compliance due to unauthorized clearing and unpermitted structures on an approximately 5-acre parcel. A joint inspection with TOS was conducted in June 2018 and adjudication of this alleged violation continues in Town Court.

#### *Town of Brookhaven*

##### East Bartlett Road Land Clearing

The investigation continued from 2017 where a large swath of Suffolk County owned land measuring approximately an acre and a half was cleared adjacent to a homeowner's property. In addition, conservation easement violations were documented on this property. In 2017, after notifying the Suffolk County Parks Department, a resolution to commence enforcement was passed by the Commission and a notice of violation was sent to the homeowner by the Commission. Subsequently, the New York State Attorney General was notified and an Assistant Attorney General was assigned to the case. As of this writing (March 2019), a tentative agreement has been reached which would include a civil penalty that will partially be used to restore the property.



Officer Jim Mazzio checks a backhoe operator clearing land in Flanders

##### Illegal BMX Tracks and Paintball Courses

Work continues to restore county land on Ashton Road in Middle Island. An ongoing coordinated effort between the Commission and the Suffolk County Parks Department will result in the restoration of approximately an acre and a half of county land. The Science and Stewardship Division of the Central Pine Barrens Commission developed a plan for regrading and revegetation which is scheduled to begin in the spring of 2019.

In 2018 the division investigated a complaint received from members of the LEC regarding an extensive BMX track on county land north of the community of Lake Panamoka. County workers were confronted with local opposition when they were working to restore the property. County Rangers responded to issue summonses to one adult subject who was interfering with the work.

The excavation of prime open space by off-road riding groups seems to be on the rise. The division will continue to monitor this activity and respond as necessary to deter it. A new illegal site was discovered in February 2019 on Town of Brookhaven land north of the county site in Lake Panomoka. The division staff are working with the town to resolve this matter.

### Solid Waste Enforcement

In 2018, as in past years, the unlawful disposal of solid waste, from litter to large quantities of construction and demolition debris, continued to be a problem in the Central Pine Barrens. The more hazardous components of this material can include heavy metals, PCBs, petroleum and other cancer causing agents. Other dumped materials include household garbage and abandoned vessels and vehicles. The division officers go to great lengths to apprehend these violators, often sifting through household garbage, tracking down receipts or running hull numbers of abandoned boats, many times with positive results.

A video surveillance program established by the division assisted the LEC in making six apprehensions for dumping in the Central Pine Barrens. One commercial violator who dumped toilet bowls and other plumbing material paid \$5,000 in Southampton Town Court. Another commercial hauler who deposited construction and demolition debris from a 10 yard roll-off on State Land in Rocky Point was apprehended by the NYSDEC Forest Rangers. The Suffolk County District Attorney's office is vigorously prosecuting this case in District Court.

The Commission received 25 solid waste complaints in 2018 that were investigated by the LEC. Local media coverage, including a televised press event on NBC and News 12, helped make the public aware of the scope of the problem and the LEC's enforcement efforts.



Officers Mike Lewis and Jim Mazzio at the site of a significant unlawful clearing of County lands in the Core



Caught on camera, an illegal dumper in Manorville



Officers Lewis and Mazzio at the site of illegal disposal of construction debris in Manorville



## Environmental and Off-road Vehicle Enforcement Activities

The division works closely with the LEC on truck enforcement details and off road vehicle enforcement. Illegal ATV and off road vehicle operation remains the foremost focus for the Pine Barrens Law Enforcement Council. In addition to the environmental damage done by these vehicles and their detrimental impact to the quality of life within the Central Pine Barrens, illegal off road use is dangerous to the operators and to the public. These details have a direct positive impact upon the quality of life and environmental quality issues in the Central Pine Barrens. Truck safety issues can adversely affect the safety of the resource users and local residents and faulty equipment allowing leakage of contaminants can impact groundwater and air quality.

Further information and statistics related to these enforcement details are provided in the Law Enforcement section of this report.

### Stewardship

The division actively participates in the Central Pine Barrens Commission's stewardship programs in the Central Pine Barrens. In 2018 this included the following initiatives:

#### *Southern Pine Beetle*

Division staff routinely assisted the Science and Stewardship program with the southern pine beetle sampling project. Division staff collected insects and helped to maintain beetle traps at three sampling sites in the Central Pine Barrens. This research project provides important data for monitoring the spread of this invasive beetle that is impacting the pine barrens ecosystem. Additionally, in May 2018 the division staff assisted Science and Stewardship personnel and sister agencies, including NYSDEC, with the replanting of pitch pines on lands impacted by the southern pine beetle.

#### *Outreach Events*

The division provided logistical support for several public outreach events which included Pine Barrens Discovery Day in September at the Wertheim National Refuge in Shirley, and at the NY Wildfire & Incident Management Academy held at Brookhaven National Lab in October. Other events included the Ray Corwin Trail Dedication in the fall of 2018, field visits by outside agencies interested in observing



Truck inspection detail



Science and Stewardship Manager Polly Weigand, assisted by Officer Jim Mazzio leads a field trip through the dwarf pines



Executive Director John Pavacic greets State and local officials at the dedication of the Ray Corwin Trail, May 2018

firsthand NYSDEC forest management projects in the Central Pine Barrens and hosting a New Jersey ecologist for a field trip in the Dwarf Pine Barrens.

### *Suffolk County Water Authority Watershed Property Monitoring Program*

Responding to a request from the Suffolk County Water Authority (SCWA), in 2018 the division developed a program to monitor SCWA-owned lands and facilities lying within the Central Pine Barrens. Thirty-four sites were identified and inspected for overall condition, encroachments, and vandalism.

Violations discovered at one site in Medford included encroachment and unlawful disposal of solid waste by two neighboring commercial businesses.

The matter is being handled by the NYSDEC and the Town of Brookhaven. Other results of the SCWA monitoring program have been forwarded to SCWA for an action plan which will include notification to trespassers, continued monitoring of the sites, and future surveying and posting of these properties with the overall goal to provide increased protection of these environmentally sensitive parcels vital to groundwater protection.

### **Training**

Division officers routinely participate in training programs that enhance their ability to respond to and handle the various and often complex issues in the Central Pine Barrens.

#### *NY Wildfire & Incident Management Academy*

Division staff continues to take training courses in wildfire management and wildland fire fighting techniques at the New York Wildfire and Incident Management Academy. At the October 2018 session division staff participated in training in basic wildland fire fighting techniques and provided support for ATV training that was given to Commission staff and to staff members from outside agencies.

#### *Code Enforcement Certification*

In 2018, the division staff and Executive Director John Pavacic completed a 126-hour course offered by the NYS Department of State. Successful completion of this rigorous training program provided the members with NYS Certification as Code Enforcement Officials.

### **Meetings and Coordination with Local Enforcement**

Throughout the year division staff has attended monthly Commission Board meetings that provided an



Officers Mike Lewis, Jim Mazzio, and Science/Stewardship Mgr Polly Weigand install a sign in the dwarf pine barrens



SC Deputy Sheriff John Noonan instructs the Division staff and other LEC member agencies on safe ATV operation

opportunity to review pending investigations with the Board members. Additionally, division staff routinely attends monthly enforcement meetings with the Law Enforcement Council, Town planning, code enforcement personnel and attorneys from the Towns of Brookhaven, Southampton, and Riverhead, along with members of the NYSDEC Division of Law Enforcement. The division routinely works with the NYS Attorney General and the Suffolk County District Attorney to prosecute violators related to cases in the Central Pine Barrens.

The division staff also continues to meet with Suffolk County Parks Principal Environmental Analyst Nick Gibbons and Environmental Analyst Diana Sanford in an effort to deter encroachment and other unlawful activity on county owned lands.

These meetings are essential in coordinating the efforts of the various member groups responsible for protecting the lands within the Core and Compatible Growth Areas of the Central Pine Barrens. The level of cooperation continues to be outstanding with all parties involved expressing much satisfaction with the additional enforcement resources now available to them through the Central Pine Barrens Commission.



## Environmental Education and Outreach Division

Ms. Melissa Parrott, Environmental Education & Outreach Coordinator

The Education and Outreach Division develops, coordinates and maintains programming on a regional basis. The services the Division provides includes:

- Provides public outreach as a participant in local festivals, conferences and other events
- Works with all Pine Barrens staff on special Commission projects
- Provides Pine Barrens Ecology, Long Island Watershed, Long Island Biodiversity, Global Biodiversity, the impacts of Climate Change and “A Day in the Life” educational programming and teacher training opportunities for grades K-12 and Higher Educational Institutions
- Provides opportunities for engagement in citizen science
- Creates, organizes and presents Pine Barrens Ecology oriented K-12 educational programs
- Writes and distributes regular press release and press advisories about newsworthy education and outreach events
- Promotes educational opportunities and events through social media accounts
- Responds to media, telephone and mail inquires pertaining to environmental education and outreach
- Develops and sustains important partnerships to advance the mission of the Central Pine Barrens Commission
- Continues to develop new programming to promote educational opportunities
- Represents the Central Pine Barrens Commission at national and international educational, scientific and advocacy conferences and events
- Grant writing to support new and ongoing programming

### In 2018, Commission Education and Outreach staff:

- Developed, implemented and taught environmental education programs to grades K-12, STEM and STEAM related classes, high school research classes, higher education classes and various outreach events, such as festivals and conferences. In 2018, the Division continued to focus primarily on direct interaction with students, teachers and environmental professionals through hands on programming.
- The Education and Outreach division reached approximately 6,500 youth and adults through community outreach events, speaking engagements and school programs. With direct outreach through our hands on, interactive, K-12 school programs, public programs and the “A Day in the Life” events, we reached a total of 4,653 students, 62 school districts, 158 teachers, 55 partner agencies and organizations, 145 natural history experts and over 500

CENTRAL PINE BARRENS Discovery Day 2018			
Saturday, September 16 • 10:00am – 4:00pm Kids Discovery Center with ALL DAY FUN			
Session A: Funshop Birds of Prey!	10:00am – 10:30am	Presenter Save the Animals Rescue Fdn	Location Southern Back Patio
Session B: Funshop Plankton to Whales - Why our waters are worth protecting	10:40am – 11:10am	Presenter Chris Papera	Location Environmental Education Room
Session C: Nature Walk Birds and Botany of the Barrens	10:40am – 12:30pm	Presenter Beth Polkowski Manci	Location White Oak Trail
Session D: Funshop The Long Journey Home: American Eels	11:20am – 11:50pm	Presenter Carol Hoffman/DEC	Location Environmental Education Room
Session E: Funshop Save the Carmans River Explorations!	11:20am – 1:00pm	Presenter Barrens to Bay Staff	Location Carmans River West Dock
Session F: Funshop Underwater Robotics Follow Fish to Build a ROV!	11:20am – 2:20pm	Presenter Brett Carlow BCEC	Location Multi-Purpose Room
Session G: Funshop Birds of Prey!	12:00pm – 12:30pm	Presenter Save the Animals Rescue Fdn	Location Southern Back Patio
Session H: Funshop Have you finished a Ball today?	12:00pm – 12:30pm	Presenter Marie Brown	Location Environmental Education Room
Session I: Funshop Forest Fire in the Pine Barrens	12:40pm – 1:10pm	Presenter NYSDEC	Location Southern Back Patio
Session J: Funshop Crowning the Discovery Day Water Wizard	1:20pm – 2:20pm	Presenter Tim Mize	Location Southern Back Patio
Session K: Funshop Climate Change on Long Island and what you can do!	1:20pm – 2:00pm	Presenter Suffolk Student Climate Action Committee	Location Environmental Education Room
Session L: Funshop Cryptos on Long Island? You better believe it!	2:10pm – 3:00pm	Presenter Wilddog Foundation	Location Environmental Education Room
Session M: Nature Walk Have the Pine Barrens!	2:00pm – 4:00pm	Presenters Bob McGrath	Location White Oak Trail
Music All Day Joy and the Weathermen	11:00am – 3:00pm	Presenters Music	Location Back Porch

Pine Barrens Discovery Day

Science teachers at the Suffolk County Science Teachers Association of NY State (STANYS) Conference. Also, through outreach events, such as Pine Barrens Discovery Day, speaking engagements we indirectly reached approximately 1,800 people.

- We continued to develop, coordinate and implement, eleven, one day synoptic educational events, entitled; “A Day in the Life” for various rivers and water bodies on Long Island that include the Carmans River, the Peconic Estuary, the Nissequogue River, the Connetquot River, the Carlls River, the Mill River, Gardiner County Park, Green’s Creek, Massapequa Park Preserve, the Forge River and Fire Island. These one day student science field research and citizen science efforts are in partnership with numerous agencies, organizations, scientists, educators and students. We worked with over 2,000 students, 53 schools, 115 teachers, 55 partner agencies and organizations, 70 natural history experts collecting water quality data and biodiversity inventories from over 75 sites along the eleven river ecosystems from the head to the mouth of the estuary.



Melissa Parrott teaching Pine Barrens ecology



- We continue to secure funding and purchase and update supplies as needed. Some equipment and supplies purchased include; seine nets, water quality test kits, dip nets, photographic tanks, anemometers, sling psychrometers, waders, calculators, soil corers, refractometers and more.
- In 2018, we continued a training program with the Suffolk Science Teachers Association of NY State (STANYS) and various “A Day in the Life” teachers to integrate a GIS Desktop program into our “A Day in the Life” programs. The goal is to demonstrate, develop and analyze maps related to water chemistry and biological distribution of organisms collected at varied sampling locations along the 11 different rivers.

- For a fourth year, our “A Day in the Life” program partnered with Cold Spring Harbor Lab’s DNA Learning Center and their “Barcode Long Island” project. “Barcode Long Island (BLI)” gives students an understanding of the interaction between humans and the natural environment. Student teams use DNA bar-coding to explore, document, and track the biodiversity on and around Long Island. BLI provides students with real and relevant research experience.



- For our 11<sup>th</sup> successful year, we developed, organized, and directed our annual “Barrens to Bay” summer camp. This camp is operated in partnership with Wertheim National Wildlife Refuge in Shirley that is located within the Core Preservation Area of the Central Pine Barrens. In 2018, approximately 170 campers enjoyed hands on learning about the Pine Barrens, interpretive hikes, seining, dock scraping, scientific explorations, and various activities and other learning opportunities over a 6 week period. We again integrated a Monarch butterfly conservation program, as well as other research programs designed to enrich the camper’s field study experiences.

- Our 12<sup>th</sup> annual Pine Barrens Discovery Day was a very successful educational event with over 700 people in attendance. It is designed to educate families, students and other Long Island residents on the natural and cultural history of the Central Pine Barrens. The event was held at Wertheim National Wildlife Refuge in Shirley on Saturday, September 15<sup>th</sup>. In 2018 we had 11 fun shops, 4 natural history hikes, 20 exhibitors with hands-on interactive learning experiences, in addition to musical entertainment.



- We continue to participate on the Steering Committee of the Long Island Natural History Conference, coordinating and planning the 7<sup>th</sup> annual Long Island specific event. We helped secure venue, speakers, poster session, food, registration, press releases and general organization for the three day event.
- Education and Outreach staff attended the Climate Reality Training in Atlanta, Georgia. In recent years climate change has affected Long Island and the Central Pine Barrens. Attending this training provided Ms. Parrott an opportunity to build upon her knowledge base and training skills to affectively educate on this important issue through her educational programs and outreach through the Central Pine Barrens Commission. It also supports Governor Cuomo’s NYS Climate Change Vulnerability Assessment.





## Land Use and Planning Division

Julie Hargrave, Principal Environmental Planner

The purpose of the Land Use Division is to ensure the use of land within the Central Pine Barrens area conforms to New York State Environmental Conservation Law (ECL) Article 57 and the Central Pine Barrens Commission's Comprehensive Land Use Plan and to guide its development. The division provides both long range and current planning on a regional basis for the Central Pine Barrens area. Other services the division provides are:

- Review and processing of Commission permit applications.
- Review of town and other agency land use management plans for conformance to NYS ECL Article 57 and the Comprehensive Land Use Plan.
- Prepare State Environmental Review Act (SEQRA) documents and perform SEQRA coordination with other agencies.
- Research and draft land use policy to guide the Commission.
- Provide recommendations to Commission councils, the Advisory Committee, and the towns on land use matters and policy under the Commission's purview.
- Support the Compliance and Enforcement Division with the investigation of land use incidents and violations, and the monitoring and review of Commission permit conditions, and conservation easements for conformance.
- Serve as the liaison to the public and government agencies on inquiries related to land use and development in the Central Pine Barrens and jurisdictional inquiries.
- Prepare Comprehensive Land Use Plan amendments.
- Communicate and meet with applicants.
- Prepare materials including staff reports and exhibits for public hearings on hardship waiver applications.
- Follow-up on compliance with the conditions of approval for permits granted by the Commission, filing requirements, and restoration activities.
- Perform field inspections of project sites and post-construction site inspections.
- Track pending projects, referrals, and litigation.
- Update the Commission website with land use development information, status of applications, and project statistics.

### **In 2018, Commission Land Use Division Staff:**

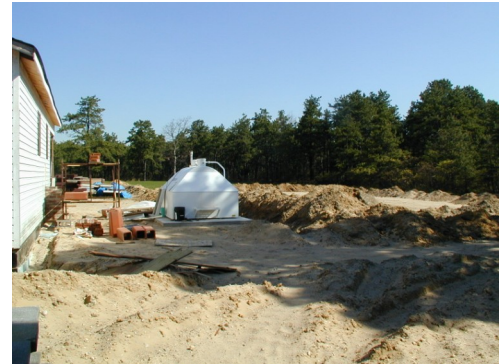
Reviewed development projects in the Central Pine Barrens Area for compliance with ECL Article 57 and the Commission's Comprehensive Land Use Plan (the "Plan") by:

- Providing comments on SEQRA coordination referrals received from the three towns in the Central Pine Barrens (Brookhaven, Riverhead, and Southampton), Suffolk County, and State agencies. In 2018, approximately 50 referral applications were received.

- Drafting the Supplemental Draft Generic Environmental Impact Statement for the Comprehensive Land Use Plan amendments in accordance with the Final Scope.
- Reviewing Requests for Determination of Jurisdiction for the Commission. In 2018 the following requests were received (all parcels were located in the Core Preservation Area except for Verizon Wireless which was located in the Compatible Growth Area, as indicated below )

Klug, Northampton  
 Armand Eagan, Westhampton  
 William Ebert, Manorville  
 Simone Shams, Hampton Bays  
 William Ebert, Manorville  
 1600 Middle Country Road (formerly McDonald's), Ridge  
 30 South River Road, Calverton  
 Mark Masi, Manorville  
 Jaqueline Deangelo/Estelle Corr, Ridge  
 Kogel Brothers, Middle Island  
 Verizon Wireless at Riverhead County Center, Riverhead (CGA)  
 Kent Animal Shelter, Calverton

- Responding to daily inquiries and requests for information related to land use, planning, and development matters in the Central Pine Barrens.
- Reviewing municipal code amendments and land use plans for conformity to NYS ECL Article 57 and the Plan.
- Performing site inspections to confirm compliance with conditional decisions granted by the Commission.
- Continuing to update the Commission website with development application information, decisions, and statistics.
- Assisting with FOIL requests related to land use development project matters.
- Managing the Commission-USGS five year water resources monitoring study.
- Participating in the Peconic Estuary Program's process to update their 2001 Comprehensive Management Plan.
- Reviewed applications for hardship waiver exemptions, prepared staff reports, SEQRA documentation, and drafted decisions for the following projects that were under review by the Commission:



## Compatible Growth Area Applications

Peconic Baykeeper CGA Critical Resource Area Application, Hampton Bays

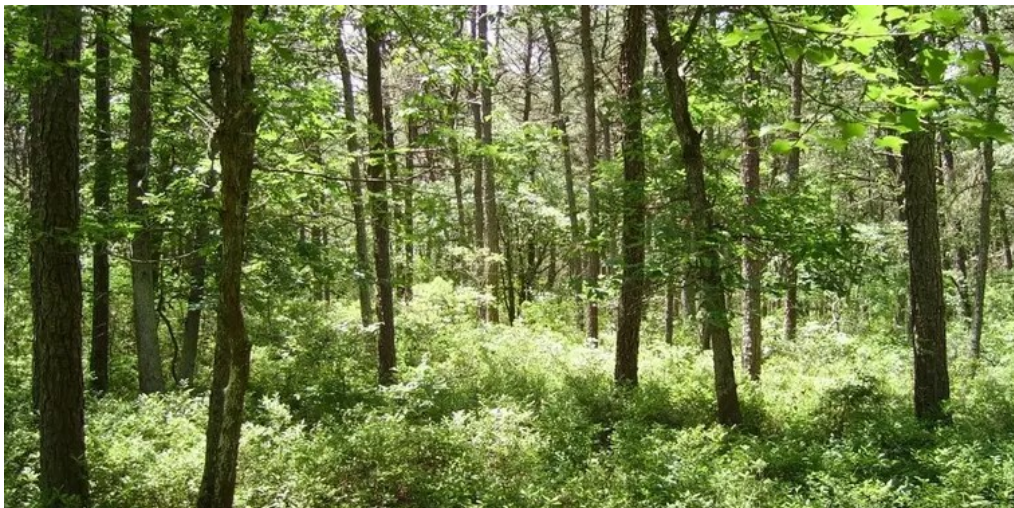
### Core Preservation Area Hardship Waiver Applications

Eagan Dittmer, Yaphank  
FKK, Inc., Calverton (withdrawn)  
Kogel Brothers, Middle Island (pending)

The table on the next page depicts the number of decisions made by the Commission on development projects in the Core Preservation Area and Compatible Growth Area from 1993 through 2018. Projects that are reviewed by the Commission must be considered development as defined in the NYS Environmental Conservation Law Article 57 (NYS ECL Article 57), and for projects in the Compatible Growth Area involve either a hardship waiver request from development standards contained in the Commission's Comprehensive Land Use Plan or require a decision by the Commission because the project was a development of regional significance, in a critical resource area or the Commission asserted its jurisdiction over the project pursuant to NYS ECL Article 57. Development projects in the Core Preservation Area require a hardship waiver from the Commission either based on extraordinary hardship or compelling public need as identified in NYS ECL Article 57.

### Central Pine Barrens Area Expansion

In 2018, the New York State Legislature adopted amendments to ECL Article 57 to expand the Core Preservation Area boundary by adding approximately 800 acres in the Shoreham area that is within the Town of Brookhaven. A management plan will be prepared for the Shoreham addition and it is anticipated that the New York State Department of Environmental Conservation will acquire the land and will oversee public land management of the property. The majority of the property was owned by National Grid, and it surrounds and excludes the defunct Shoreham Nuclear Power Plant. In addition, approximately 100 acres of publicly owned land in the area of Mastic Woods was added to the Core.





**Pine Barrens Commission Development Project Decisions 1993 through 2018**

Year	Core Preservation Area			Compatible Growth Area			Central Pine Barrens		
	Approvals	Disapprovals	Decisions	Approvals	Disapprovals	Decisions	Approvals	Disapprovals	Decisions
1993	0	0	0	0	0	0	0	0	0
1994	6	2	8	6	1	7	12	3	15
1995	7	4	11	12	2	14	19	6	25
1996	7	2	9	9	0	9	16	2	18
1997	8	1	9	0	0	0	8	1	9
1998	3	1	4	3	0	3	6	1	7
1999	3	2	5	3	0	3	6	2	8
2000	1	1	2	0	0	0	1	1	2
2001	7	1	8	1	0	1	8	1	9
2002	4	2	6	0	1	1	4	3	7
2003	2	1	3	2	0	2	4	1	5
2004	1	0	1	4	0	4	5	0	5
2005	3	0	3	6	2	8	9	2	11
2006	1	0	1	4	0	4	5	0	5
2007	0	0	0	3	1	4	3	1	4
2008	1	0	1	0	1	1	1	1	2
2009	0	0	0	0	0	0	0	0	0
2010	2	1	3	1	0	1	3	1	4
2011	1	1	2	3	1	4	4	2	6
2012	1	0	1	2	0	2	3	0	3
2013	0	0	0	1	0	1	1	0	1
2014	0	2	2	1	0	1	1	2	3
2015	1	1	2	0	0	0	1	1	2
2016	1	4	5	1	0	1	2	4	6
2017	1	2	3	3	0	3	4	2	6
2018	0	1	1	0	0	0	0	1	1
<b>Total</b>	<b>61</b>	<b>29</b>	<b>90</b>	<b>65</b>	<b>9</b>	<b>74</b>	<b>126</b>	<b>38</b>	<b>164</b>





## Science and Stewardship Division

Polly Weigand, Science & Stewardship Program Manager  
Shaun Ziegler, Ecologist

The Science and Stewardship Division supports the Commission's mission to protect and restore natural, historic, cultural, water and scenic resources, and to enhance public access and enjoyment of these resources in the Central Pine Barrens region while promoting scientific research as envisioned in New York State Environmental Conservation Law (ECL) Article 57 and the Central Pine Barrens Comprehensive Land Use Plan (CLUP). The Division is supported by a science and stewardship program manager, ecologist and seasonal interns and works collaboratively with public landowners, scientists, and other professionals to ensure maximal ecosystem health and function, high species diversity, and superior water resources, and to monitor and keep abreast of potential human related and natural threats to the diverse forest, grassland and wetland ecosystems within the Central Pine Barrens through:

- Early detection and rapid response to emerging issues.
- Ecological and natural resource protection and restoration.
- Fire management planning and implementation.
- Research and monitoring.
- Public use and recreational resource planning and management.
- Protected Lands Council stewardship initiatives.
- Supporting the Law Enforcement Council and other Commission committees.
- Providing cartographic and data information and analysis services for the Commission.
- Providing support to the other Commission divisions on stewardship matters related to development projects, agency land management plans, land use incident investigations and for enforcement actions.
- Cultural, historic, and scenic resource protection and restoration.

### Administration

A number of staff changes occurred within the division in 2018. Ann Carter, Science and Stewardship Coordinator for the division, retired after 18 years with the Commission and the Commission recognized Ms. Carter's contributions and dedication to the protection and stewardship of the Central Pine Barrens at their Annual Pine Barrens Staff and Cooperators Meeting and wished her well in her retirement. Polly Weigand was promoted to Science and Stewardship Program Manager and Shaun Ziegler was hired to fill the Ecologist position. Four seasonal interns, Stephanie Sforza, Matt Schnitzer, Samantha Fishman, and Chris Steigerwald were hired to assist the Division with southern pine beetle, invasive species, and other stewardship work, that was carried out across hundreds of acres of publicly owned land in the Central Pine Barrens.



## *Partner Appreciation Recognition*

This year, Dan Gilrein, Entomologist from the Cornell Cooperative Extension of Suffolk County was recognized for his leadership and mentorship in helping to advance science and stewardship activities within the Central Pine Barrens at the 2018 Annual Staff & Cooperators meeting. Molly Hassett, Response and Management Coordinator within the Forest Health Program in the Division of Lands and Forests of the New York State Department of Environmental Conservation was recognized for her leadership as SPB Incident Commander and her dedication to southern pine beetle management and forest health improvement within the Central Pine Barrens. We congratulate and thank Dan and Molly for their continued dedication and support!



## Emerging Issues

### *Southern Pine Beetle*

Significant pitch pine mortality, caused by an outbreak of southern pine beetle (SPB), the most destructive bark beetle in southeast United States, was discovered on Long Island in 2014. The coordinated response including planning and management continues to be in the forefront of the Commission's work this past year. A multi-agency SPB response continues to be managed through the Incident Command System (ISC). Participants include NYSDEC, USFS, US Fish & Wildlife Service (USFWS), Cooperative Extension of Suffolk County (CCE), NYS Office of Parks, Recreation, and Historic Preservation (NYSOPRHP), Suffolk County Department of Parks and Recreation (SCParks), National Park Service (NPS), Town of Southampton (TOS), Town of Brookhaven (TOB), prominent SPB scientists and others.



The Division participated in numerous planning meetings, educational programs, and trainings including quarterly meetings with NYSDEC Region 1 and Forest Health staff. Technical support continued to be provided by Commission staff to the TOB, TOS, SCParks and Sisters of St. Joseph related to TOS SPB Task Force and NY State's SPB Community Recovery grant awards to aid in suppression, hazard tree removal, and restoration. A short SPB presentation was provided at the Annual Staff and Cooperators Meeting as well as at a Commission sponsored Firewise workshop held in August.

The SPB table top display was well utilized to educate the public on signs and symptoms of SPB, making its way to such venues as the Annual Staff and Cooperators Meeting, Long Island Natural History Conference, Pine Barrens Discovery Day, and at SPB trainings for St. Joseph's College and during Commission spring and fall field trainings.

**Ground Surveys and Suppression:** Commission staff supported ground-truthing for SPB to help detect and map outbreaks for suppression and hazard mitigation.

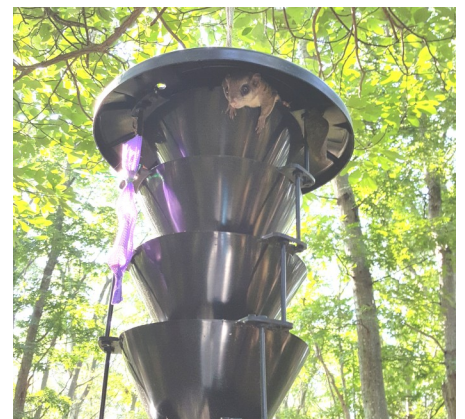
Two ground surveying trainings were provided to Long Island Invasive Species Management Area; Sisters of St Joseph; Nelson, Pope and Voorhis (contractor to Sisters of St. Joseph), and Commission staff to aid in the detection and mapping of SPB infestations. Commission staff participated in NYSDEC ground surveys as a follow-up to NYSDEC aerial detection surveys in Hubbard County Park, Sears Bellows County Park, Manorville Hills County Park, and the Dwarf Pine Barrens area in Westhampton Beach. Infestations were located, evaluated and mapped. This data was utilized to prioritize and advance cut and leave suppression by NYSDEC sawyers on public lands. The overall trend was the number and density of SPB infestations remained low and was smaller in the Central Pine Barrens than in years previous. However new/expanded SPB infestations were documented in Robert Cushman Murphy and Peconic County Parks; Brookhaven State Park, East Moriches, Manorville and East Hampton.



**Trapping:** In collaboration with Cornell Cooperative Extension of Suffolk County (CCE) and the NYSDEC Forest Health Unit, the Commission conducted its third and final year of weekly SPB trapping from March through December 2018. This long term monitoring provides a robust data set that captures local SPB response as well as Checkered (*Thanasimus dubius*) and Turpentine (*Dendroctonus terebrans*) beetles response to the SPB. Baited with frontalin (a SPB pheromone) and alpha pinene lures, three Lindgren funnel traps were placed and monitored at the Eastport Conservation Area in Eastport, Hubbard County Park in Hampton Bays, and Spinney Road in East Quogue. One interesting find in the Eastport funnel trap this year was a family of flying squirrels that had taken up residence.



The 2017 and 2018 trap data (180+ samples) were finalized by December of 2018, allowing for trends analysis and report development in 2019 in order to help inform future management. The final data will be archived in a centralized SPB data repository managed by the US Forest Service (USFS) where the data sets will be available for use by scientists interested in conducting research on SPB range expansion and response to management. For a second year, SPB subsamples were provided to Nathan Havill, USFS Research Entomologist, Northern Research Station Connecticut in order to conduct genetic testing on SPBs to help determine origin and lineage of populations expanding into the northeast. Pollinator species which were trap by-catch were also donated to the Empire Pollinator Study to help determine the occurrence and distribution of the region's pollinator species.



**Restoration:** The Division held Restoration Branch meetings to prioritize restoration for the year. Native plant lists for SPB-impacted areas were developed to aid in post-suppression restoration efforts.



A pitch pine planting day and press event was held at Hubbard County Park on May 3<sup>rd</sup>, with folks from SCParks, the Commission, NYSDEC and the Saratoga Tree Nursery in attendance. Over 30 volunteers planted 300 trees in an area that had experienced 99% Pitch pine mortality due to SPB. The Saratoga Tree Nursery provided the seedlings they grew from seed provided from previous Commission and Long Island Native Plant Initiative (LINPI) cone collection events to ensure restoration occurred using local genotypes. A monitoring study will determine establishment success and effects of deer browse that will be considered for future planting efforts.



The division also provided technical guidance and equipment to help advance a Pitch pine cone collection effort that was conducted by the Town of East Hampton (TOE) for SPB impacted areas. Two volunteer events resulted in the harvest of over 8 bushels of cones which were provided to Saratoga Tree Nursery for future propagation. Herbaceous and shrub species seed collection was also conducted at BNL, in partnership with the Commission and the LINPI. Harvested seed will be used by LINPI and NYSDEC’s Saratoga Tree Nursery for seed and plant propagation to help ensure the availability of genetically native plant materials for future restoration activities.

### *Oak Wilt*

Oak wilt, a serious fungal disease of oaks, was discovered west of Connetquot State Park in 2016 with additional infections confirmed between Brooklyn and Orient Point in 2017. An Emergency Order established a “Oak Wilt Protective Zone” for all of Suffolk County to help prevent the unintentional spread to other areas of NY State and surrounding states. The Protective Zone prohibits the removal of any living, dead, standing, cut, or fallen oak trees or any portion thereof, including branches, logs, stumps, or roots, green oak lumber, and firewood (of any species) out of the this Zone unless it has been chipped to less than one inch in two dimensions. NYSDEC continues to coordinate the response using the Incident Command System (ICS), and along with the Commission serves on the Oak Wilt Task Force. The Division assisted in the coordinated effort by reporting symptomatic oaks to NYSDEC for follow-up inspection and by hosting an Oak Wilt Identification training that was presented by NYSDEC’s Oak Wilt interns Chris Steigerwald and Connor Hassler on June 26<sup>th</sup> to increase the identification and reporting. A total of 17 representatives from the Commission, TOS, TOE, LIISMA, SCParks, and NPS attended.



To determine the cause of the mass die off of oaks at Leisure Village, a meeting and site visit was coordinated by the Division with the assistance of Legislator Sarah Anker and NYSDEC on September 25. A presentation on oak wilt and SPB detection and management was given by NYSDEC, the property was scouted, and a symptomatic oak was sampled which tested negative for oak wilt. Future monitoring will commence in 2019. The Commission staff greatly appreciated the efforts by Legislator Anker to help facilitate this meeting which helped ensure future monitoring of the forest health issues within this Community.

### *Pine Looper Defoliation*

NYSDEC, CCE and the Division worked cooperatively to identify the cause of mass defoliation of Pitch pines (*Pinus rigida*) observed in the Dwarf Pine Barrens in 2017. An aerial survey of by NYSDEC in June 2018 documented injury extending north to Calverton. Subsequent ground surveys identified the Pitch pine looper (*Lambdina pellucidaria*), a native moth which overwinters in the soil, emerges in May/June, and lays eggs on pine needles. The emerging small caterpillars (loopers) consume notches out of the needles causing browning and defoliation. In 2018, limited needle injury was observed but monitoring will continue.

### *Ecosystem Management Planning and Restoration*

The Central Pine Barrens is a disturbance dependent ecosystem which depends on periodic fire to maintain ecosystem health, maximize habitat and species diversity while reducing wildfire risk. Fire modifies the ecosystem by retrogressing succession, cycling nutrients, exposing mineral soils, reducing competition and reducing pests and disease which in turn opens niches for species enrichment and recruitment; improves plant vigor and increases food and nesting resources for wildlife. Due to the large wildland urban interface area, wildfire suppression is common practice in order to protect the public, their homes, businesses and communities from devastating loss associated with uncontrolled ignitions. Unfortunately, this long term culture of fire suppression and lack of active management has inadvertently resulted in a higher wildfire risk due to the accumulation of high fuel loads, degraded ecosystem health, and increased disease and pest pressures within the Central Pine Barrens. The Commission has engaged in the following restoration and maintenance activities to reintroduce disturbance regimens required to maintain the ecological health and diversity with the Central Pine Barrens.

### *Prescribed Fire Management Program*

In 2018, the Commission was awarded a five year, \$1.25 million dollar contract by NYSDEC to develop and implement a prescribed fire program over the next 5 years for forest health improvement and wildfire risk reduction. The division immediately began to build its capacity to implement prescribed fire initiatives through planning, education, training and implementation under this contract. Annual and five year work plans and budgets as well as priorities, goals, and objectives have been developed for the contractual phase of the Commission's Fire Program through coordinated meetings with NYSDEC Forest Health, partners and fire management professionals. One of the first steps that was employed in program development was a meeting with Albany Pine Bush Preserve staff to learn about their established and successful prescribed fire program. The meeting at Albany Pine Bush was attended by the Commission and NYSDEC Forest Health staff that included tours of recent burns and silviculture treatment areas; discussions on logistics and equipment; staffing and contracting; seed collection and processing; and planning and implementation of a successful fire program. We greatly appreciated the time dedicated by Rob Cole and Molly Hassett from NYSDEC Forest Health and Tyler Briggs and Neil Gifford from the Albany Pine Bush Preserve Commission coordinating and hosting our visit.

Additional meetings with NYSDEC Region 1 and Forest Health were conducted to identify initial projects as well as to develop a prioritization methodology and review framework for determining

future work plans. Memoranda of Understanding allowing for the Commission to conduct management activities on agency-owned lands and mutual assistance within the region has been initiated with NYSDEC, Albany Pine Bush and the New Jersey Forest Fire Service.

**Training:** In preparation for the fire season and in order to continue to build staff skills, expertise, and networking, Commission staff attended the January Northeast Forest Compact Meeting – Igniting Exchange, in Portland, ME. In the spring, Commission staff also completed the required S130/190 refresher and pack tests that allow the participation on all regional prescribed fires.

In the fall, staff participated in New York Wildfire and Incident Management Academy classes with four staff members taking s130/190 and ATV and UTV Operation while other staff participated in advanced saw training, s215 Fire Operations in the Wildland Urban Interface and s290—Intermediate Fire Behavior. Staff also attended the Pinelands Short Course at Stockton University in New Jersey on March 10<sup>th</sup> to learn about the impacts of climate change on Atlantic White Cedar forests and tidal marshes as well as ecological management and monitoring programs in Pitch pine - oak forests.

A team of trained and certified sawyers continues to be maintained by the Commission and Suffolk County Water Authority (SCWA) to directly support SPB suppression and grassland succession as well to assist with trail maintenance. The Compliance and Enforcement Division staff participated in saw training coordinated by division staff through the NYSDEC and CPR, first aid and additional field trainings to ensure the safe and effective use of the saws by crew members. Active SPB suppression activities were conducted in Henry’s Hollow State Forest, Southaven County Park, and on SCWA properties as well as suppression of woody succession occurring in the Pine Meadow County Park grassland.

### A Programmatic Highlight:

#### Fire Adapted Communities—Learning Exchange



A Fire Adapted Communities – Pitch Pine Barrens of New Jersey and Long Island – Learning Exchange occurred on May 30<sup>th</sup> and 31<sup>st</sup> in New Jersey and June 13<sup>th</sup> and 14<sup>th</sup> on Long Island. This program was sponsored by the Forest Stewards Guild and the North Atlantic Fire Science Exchange (NAFSE). Both regions are ecologically similar and also face similar management challenges

and wildfire risks. This learning exchange was outstanding, invaluable, and timely for the Commissions prescribed fire program as it provided the perfect opportunity to highlight the Central Pine Barrens and Commission programming; learn from experts, especially the New Jersey fire and natural resource professionals; witness fire effects following progressive management; and to learn about proactive collaborations to reduce wildfire risk and strengthen collaborative partnerships in order to more effectively advance conservation and risk management within each respective pine barrens ecosystem.





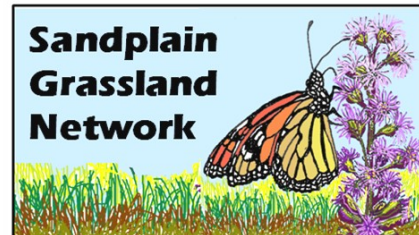
**Outreach:** Collaborate outreach to inform the public about the importance and benefit of prescribed fire operations was advanced through a division drafted article titled “*Fire in the Forest: using prescribed fire to manage and improve forest health and reduce wildfire potential in the Central Pine Barrens*” which was published by the Long Island Pine Barrens Society’s Fall 2018 newsletter “*The Pine Barrens Today*” <https://www.pinebarrens.org/past-newsletters-2/>

#### *Land Use Ecological Services Contract*

Numerous planning and permitting milestones were achieved under the Land Use Ecological Services (LUES) Contract for Sarnoff State Forest (Sarnoff), Rocky Point Pine Barrens State Forest (Rocky Point), Eastport Conservation Area (Eastport) and Pine Meadows County Park (Pine Meadows) before the contract expired in March 2018. Burn plans for Rocky Point and Pine Meadows were finalized and forwarded to the NYSDEC and SCParks respectively, for their review and approval. An access agreement with the Town of Southampton to facilitate safe access during prescribed burns and mechanical treatment on the north side of NYSDEC’s Sarnoff Preserve continues to be pursued. A close out meeting was held with LUES in order to receive deliverables, return equipment, and identify project next steps. Moving forward the management of these parcels will continue under the auspices of the prescribed fire management program.

#### *Sandplain Grassland Network*

The Sandplain Grassland Network is a regional effort to coordinate grassland management and research within the Northeast from Long Island to Maine. Since we are losing more grasslands than any other habitat due to development, conversion to agriculture, invasive species encroachment, natural succession, and emerging issues such as climate change, this is an integral effort to effectively manage and protect the grasslands of the region. The Commission serves on the Sandplain Grassland Network Steering Committee which has developed a web-based resource to condense regional grassland research in order to advance restoration, management and monitoring reflective of previous land uses; current levels of rarity, diversity and species compositions.



This year, the Network published the Guidance Document that was rolled out its website: [www.sandplaingrassland.net](http://www.sandplaingrassland.net) which hosts case studies, a reference library, and management documents and comprises the first online database dedicated to maintaining these rare grassland ecosystems. This online resource is critically important to effectively managing these globally rare grasslands and was compiled through reviewing current and established research to identify threats to grassland persistence and progressive management from Long Island to Maine. The Commission attends monthly meetings and also attended a meeting in Waquoit, Massachusetts to help further finalize the Grassland Management Guidance Document, confer on current management; and discuss future research, monitoring, outreach and networking activities and programming.

### Scientific Research: and Monitoring

In order to inform and best manage the Central Pine Barrens, progressive research and monitoring is integral. The Division has been helping to support the below listed avenues in order to collaboratively expand and support research especially as it relates to ecosystem and species trajectories being driven by urbanization, climate change, sea level rise and restoration and management.

#### *SUNY Environmental Science and Forestry (ESF) Cooperative Research Program:*

BNL and SUNY ESF established a cooperative research program and the Commission and NYSDEC have been engaged in this partnership to help guide and increase scientific research occurring within this unique and valuable ecosystem. A winter meeting at the ESF Campus was focused on research needs and funding streams. Research proposals developed by ESF staff following this prioritization meeting, were then reviewed and ranked. While all the proposals were excellent and relevant, a *Long-Term Forest Health study* proposed by Dr. Martin Dovciak, Kathy Schwager and Tim Green which will help identify the trajectory of forest health within the Pine Barrens over the last decade was identified as the highest priority project.

In May, a two day tour of forest inventory plots, prescribed fires and wildfires, citizen science programming, SPB impact, the gamma forest at BNL, and Dwarf Pine Plains in Westhampton was provided to the ESF staff visiting the Central Pine Barrens to further help inform the research collaborative. Commission staff also attended an ESF Alumni dinner at Danfords, in Port Jefferson where the Forest Health Monitoring and the Central Pine Barrens Commission programs were presented by Dr. Dovciak and Mr. Pavacic respectively. Forest Health Monitoring planning, funding and MOU development were the programmatic focus for the rest of the year. It was determined that funding for this project will be provided by ESF who will provide the program's leadership both through Dr. Dovciak and his PhD student; BNL will provide field interns through its SULI program during the summer of 2019 for data collection and the Commission will provide funding for this program as well as other proposed research. Commission staff reviewed and updating a draft MOU and is developing a contract in order facilitate future research by ESF staff with these funds. The Commission would like to recognize the leadership of BNL in establishing this relationship with ESF.



A Forest Health Monitoring Protocol meeting was held with Will Bowman of Land Use Ecological Services (LUES) to vet the forest inventory and monitoring protocols developed by the Foundation for Ecological Research (FERN), the US Forest Service's Forest Inventory Analysis (FIA) and those developed by LUES to ensure that the long term forest health study is conducted in a scientifically robust, defensible and efficient manner.



## Invasive Species Management

The widely recognized definition of an invasive species is “a species that is non-native (or alien) to the ecosystem under consideration and whose introduction causes or is likely to cause economic or environmental harm or harm to human health”. Invasive species are recognized as the leading cause of loss of biodiversity next to development. The Commission is involved in the following partnerships and educational programs to control and limit the spread of invasive species. The division is an active partner of LIISMA, the local Partnership for Regional Invasive Species Management (PRISM) which is a voluntary partnership of over 50 organizations from Richmond, Kings, Queens, Nassau and Suffolk Counties. Through collaborative efforts, information sharing related to invasive species education and management is advanced on prevention, early detection and rapid response, mapping, training, and prioritization and planning. Commission staff participated in the NYS PRISM monthly conference calls and webinars and continues to be an active partner within LIISMA by participating in partner meetings that were held in April and October 2018.



### *Education/Outreach and Training*

Division staff participated in Spotted lanternfly (SLF) identification training as Long Island has a high risk for infestation due to its close proximity to Pennsylvania that has been impacted by the SLF, coupled with the numerous transportation corridors and the species affinity for the invasive Tree of Heaven which is a common tree species on Long Island.

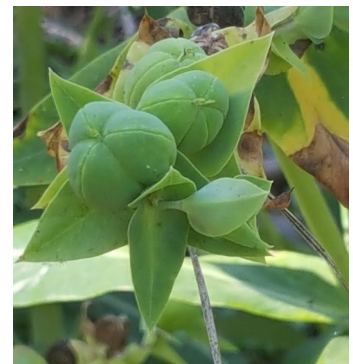
Ms. Weigand presented on “*Non-invasive Plant Alternatives*” at the Connecticut Invasive Plant Working Group Conference on October 4<sup>th</sup> in Storrs, Connecticut in order to help advance restoration and landscaping with appropriate plant materials. This is an excellent regional invasive species conference which attracts over 400 attendees.

### *Early Detection, Rapid Response*

Early detection and rapid response is a method of addressing new and emerging non-native species or species newly encroaching into a habitat of concern. The Commission surveys regularly for a diversity of non-native species and monitors rare ecosystems within the Central Pine Barrens.



Caper spurge (*Euphorbia lathyris*) (photo on right) in East Quogue was hand pulled for a second season in an effort to eradicate this invasive plant. Efforts also focused on the management of a newly detected population found by Commission staff at the Hampton Bays Transfer station that was coordinated through meetings by the Commission with Town of Southampton, LIISMA and Cornell Cooperative Extension of Suffolk County staff. Both populations will continued to be monitored especially over the winter for survival and to stage future management. A goal is to hand pull the plants in seedling stage prior to seed set which will reduce time and effort in eradication and disposal as well as reduce exposure to the hazardous sap.



## Protected Lands Council

Established by the Central Pine Barrens Comprehensive Land Use Plan, the Protected Lands Council (PLC) is an association of agencies, organizations and individuals who collaboratively advance the protection and restoration of natural, cultural, and scenic resources on well over 60,000 acres of public lands in the Central Pine Barrens, while promoting compatible public use and enjoyment to ensure their essential value and integrity are preserved for the public trust, present and future. Stewardship work is focused on habitat, historic structures, trails protection and restoration, park planning and ATV, dumping, and encroachment mitigation. Periodic meetings are held during the year to highlight agency and organizational activities, obtain updates on current and emerging topics; discuss future collaborations and needs; and coordinate field work sessions.

In 2018, Tom Casey from the Long Island Greenbelt Trail Conference (LIGTC) and John Wernet from NYSDEC were re-appointed by the Commission as chair and vice chair, respectively. A well attended meeting held on November 7<sup>th</sup> reinvigorated the PLC and highlighted SPB and Oak wilt operations, LIISMA meetings and workshops, expansion of the Ray Corwin Trail, forest health monitoring, prescribed fire, coastal plain pond and Atlantic white cedar restoration, caper spurge eradication, and compliance and enforcement activities. Luke Gervase, LIISMA's Education and Outreach Coordinator presented on Spotted Lanternfly natural history, invasion ecology, and local management response to help ensure early detection of this leaf hopper that is quickly spreading into other states from Pennsylvania.

### *Ray Corwin Hiking Trail Rocky Point to Yaphank Trail*

On April 28, 2018, after many years of dedicated work and collaboration, the completion of the 12.1 mile Ray Corwin Hiking Trail that extends from Rocky Point to Yaphank was celebrated at the NYSDEC Lustgarten Trailhead in Ridge with a formal dedication of the trail by various dignitaries present that honored Ray Corwin's legacy as a former Central Pine Barrens Commission Executive Director that was followed by a ribbon cutting ceremony to mark the official opening of the trail.

The trail also includes several spurs and potential future connections to points south for use by hikers and equestrians. The Long Island Greenbelt Trail Conference led the hikes and served as Master of Ceremonies and was supported by NYSDEC, TOB, SCParks and the Commission.

## Compliance, Enforcement and Mitigation

### *ECL Article 57 Litigation*

Division staff provided extensive technical assistance and restoration planning to the NYS Attorney General's office for a serious case in the Town of Brookhaven that involved clearing, dumping, and earth moving on properties in the Core Preservation Area, some of which are Suffolk County Nature Preserve



land and lands encumbered by Commission held conservation easements. Additional planning activities for restoration using fines and penalties to restore the sites to a Oak Pine forest will commence in 2019.

*ATV Damage & Dumping Mitigation Program*

The division works with public land managers, the PLC and the LEC to mitigate widespread ATV damage, dumping, encroachments, and vandalism in the Central Pine Barrens. Erosion of fragile soils, habitat destruction, trail damage, encroachment of invasive species and other negative impacts caused by illegal off-road vehicle use continue to compromise the protection of natural areas across the Central Pine Barrens region. This program primarily involves damage assessments, mitigation planning, installation and ongoing repairs of barriers and signage, monitoring, reporting and other related work. Illegal activities discovered during recent field work, including illegal encroachments and clearing, were reported by division staff to the Commission's Compliance and Enforcement staff.



## **Pine Barrens Credit Clearinghouse**

James T.B. Tripp, Esq., Senior Counsel, Environmental Defense Fund, Chair  
Andrew Freleng, Chief Planner, Suffolk County Division of Planning & Environment, Vice Chair

The Long Island Pine Barrens Protection Act specified the need for land use protection mechanisms to protect the Core Preservation Area that included the purchase of development rights that later came to fruition when the 1995 Central Pine Barrens Comprehensive Land Use Plan was completed and the Pine Barrens Credit Program, a transfer of development rights program, was created. Chapter 6 of the Plan outlines the overall Credit program that defines sending and receiving areas, specifies operating procedures and tracking requirements and includes Credit allocation formulas. The Plan specified a five-member Clearinghouse Board of Advisors to oversee the operation and implementation of the Credit program and is comprised of representatives for the State of New York, the County of Suffolk, and the Towns of Brookhaven, Riverhead and Southampton who are appointed by these entities and serve without compensation.



Owners and purchasers of Pine Barrens Credits transact business in an open market, with all Credits and transactions tracked by the Clearinghouse from “cradle to grave”. The Clearinghouse can choose to actively assist the market by offering to purchase Credits as it has done in prior years. Information on prior Clearinghouse initiatives to purchase Credits is available on the Commission’s website at <https://pb.state.ny.us>.

The Clearinghouse also publishes a monthly Registry which lists potential buyers and sellers of Credits that is also available on the Commission’s website.

### **2018 Credit Program Activity and Statistics**

Credit program transactions and Core parcels that have been preserved since the inception of the Program in 1995 are captured in the information provided below along with highlights of the Program’s activity in 2018.

Except where noted, the statistics reflect the Program’s activity across the three participating towns, Brookhaven, Riverhead and Southampton. Individual Town level breakdowns are available in Tables 1 through 3 and on the Central Pine Barrens Commission’s website at <https://pb.state.ny.us/our-work/credit-program-tdr/program-overview/>.





### *Acreage Enrolled*

As of 1/1/19, there are 975 parcels enrolled in the Program (see Table 1), which are now protected from future development or for partially developed parcels, from further development since they have conservation easements placed on them. The development potential has been removed from these parcels and translated into Pine Barrens Credits in a certificate form. The owner may either use them directly to develop outside of the Pine Barrens Core Area or can sell to a developer who may need Credits to satisfy town zoning code requirements for extra development density or Suffolk County Department of Health Services sanitary requirements. The total acreage that has been encumbered by conservation easements is approximately 2,003 acres, with an average parcel size of 2.05 acres. From the larger Pine Barrens preservation perspective, these easement protected lands comprise approximately 3.5 % of the statutorily defined 57,817 acre Core Preservation Area.

### *Credits Issued, Redeemed and In Circulation*

Since the start of the Program in 1995 (the first Credits were actually issued in 1996), 998.98 Credits have been issued. Of these, 579.11 have been redeemed (58% of the issued Credits), while the remaining 419.87 Credits remain "outstanding" (i.e., issued but still in private hands and unredeemed). The Pine Barrens Credit Clearinghouse owns



Globally rare Dwarf Pine Plains

10.19 Credits at this time that were purchased in 2011 through an offer made by the Clearinghouse to spend up to \$1 million to purchase Credits from Credit owners located in the Town of Brookhaven.

During 2018, 25.62 Credits were redeemed and 1.65 Credits were generated. The net inventory level of the outstanding Credits went down by 23.97 Credits, which pushed the ratio down on the side of unredeemed credits.

See Table 1 for further information on Credits issued, redeemed and in circulation.

### **Credit Sales and Prices Recorded**

There were 26.26 Credits sold during 2018. The average "per Credit" sales price is \$78K (with the range from \$44K up to \$100K "per Credit"). To place this in a historical perspective, this 2018 average unit price is close to the 2009 year level. Finally, from the program's inception to 1/1/19, the PBC Program has recorded a grand total of \$47.5 million in private sales. The complete history of Credit sale prices by year and by Town is available at the end of this section in Table 2.

<b>Table 1: Easement Protected Lands and Pine Barrens Credits As of January 1, 2019</b>								
	<b>Brookhaven</b>	<b>2018</b>	<b>Riverhead</b>	<b>2018</b>	<b>Southampton</b>	<b>2018</b>	<b>Total</b>	<b>2018</b>
<b>Parcels</b>	498	0	36	1	441	8	975	9
<b>Acreage</b>	778.10	0	516.60	0.09	708.12	5.45	2002.82	5.54
<b>Average parcel size</b>	1.56	0	14.35	0.09	1.61	0.68	2.05	0.62
<b>Credits generated</b>	528.17	0	172.39	0.1	298.42	1.55	998.98	1.65
<b>Credits redeemed</b>	312.17	14.65	128.29	3.76	138.65	7.21	579.11	25.62
<b>Credits not redeemed</b>	216	-14.65	44.1	-3.66	159.77	-5.66	419.87	-23.97
<b>Credits sold</b>	489.31	18.15	218.3	2.43	243.94	5.68	951.55	26.26
<b>Total value of PBC transactions through this date</b>	\$23,517,544	\$1,432,250	\$7,894,247	\$161,500	\$16,063,930	\$463,050	\$47,475,721	\$2,056,800
<b>Average Credits value</b>		\$78,912		\$66,461		\$81,523		\$78,324
<b>Credits owned by the Clearinghouse</b>	10.19		-		-		10.19	

\*Please note that Credits can be sold multiple times until they are redeemed.

**Table 2: Pine Barrens Credit Sales 1996 through 2018**

Year	Brookhaven Town			Riverhead Town			Southampton Town			Totals		
	# PBCs	Sales Value	Avg PBC Value	# PBCs	Sales Value	Avg PBC Value	# PBCs	Sales Value	Avg PBC Value	# PBCs	Sales Value	Avg PBC Value
1996	1.00	7,500.00	7,500.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	7,500.00	7,500.00
1997	31.18	383,140.00	12,288.01	56.17	561,700.00	10,000.00	4.52	48,814.00	10,799.56	91.87	993,654.00	10,815.87
1998	67.88	1,016,760.00	14,978.79	0.10	500.00	5,000.00	5.84	57,500.00	9,845.89	73.82	1,074,760.00	14,559.20
1999	54.95	1,445,902.00	26,313.05	18.19	245,600.00	13,501.92	0.72	8,050.00	11,180.56	73.86	1,699,552.00	23,010.45
2000	36.29	1,280,211.00	35,277.24	6.00	102,000.00	17,000.00	9.71	194,200.00	20,000.00	52.00	1,576,411.00	30,315.60
2001	29.04	1,142,000.00	39,325.07	7.00	118,000.00	16,857.14	0.89	19,900.00	22,359.55	36.93	1,279,900.00	34,657.46
2002	49.56	1,973,400.00	39,818.40	26.98	485,640.00	18,000.00	1.77	53,800.00	30,395.48	78.31	2,512,840.00	32,088.37
2003	60.02	2,920,350.00	48,656.28	0.00	0.00	0.00	2.84	173,450.00	61,073.94	62.86	3,093,800.00	49,217.31
2004	16.85	1,209,550.00	71,783.38	6.00	288,000.00	48,000.00	10.59	912,700.00	86,185.08	33.44	2,410,250.00	72,076.85
2005	2.00	232,500.00	116,250.00	2.15	146,000.00	67,906.98	38.89	2,877,900.00	74,001.03	43.04	3,256,400.00	75,659.85
2006	7.50	830,000.00	110,666.67	1.00	70,000.00	70,000.00	53.80	3,779,750.00	70,255.58	62.30	4,679,750.00	75,116.37
2007	13.68	1,353,000.00	98,903.51	2.10	208,000.00	99,047.62	16.55	1,488,350.00	89,930.51	32.33	3,049,350.00	94,319.52
2008	5.50	456,000.00	82,909.09	0.00	0.00	0.00	9.85	795,450.00	80,756.35	15.35	1,251,450.00	81,527.69
2009	13.24	1,060,650.00	80,109.52	1.64	123,000.00	75,000.00	3.84	299,786.00	78,069.27	18.72	1,483,436.00	79,243.38
2010	3.11	251,622.49	80,907.55	0.40	26,000.00	65,000.00	47.57	2,607,030.00	54,804.08	51.08	2,884,652.49	56,473.23
2011	26.32	2,316,926.41	88,029.12	0.00	0.00	0.00	3.02	195,000.27	64,569.63	29.34	2,511,926.68	85,614.41
2012	6.55	486,000.00	74,198.47	0.00	0.00	0.00	8.20	602,000.00	73,414.63	14.75	1,088,000.00	73,762.71
2013	5.99	439,620.00	73,392.32	9.24	541,450.00	58,598.48	3.15	210,500.00	66,825.40	18.38	1,191,570.00	64,829.71
2014	5.59	488,562.50	87,399.37	43.91	2,729,570.00	62,162.83	0.78	55,400.00	71,025.64	50.28	3,273,532.50	65,106.06
2015	0.99	79,450.00	80,252.53	27.00	1,543,387.50	57,162.50	1.00	85,000.00	85,000.00	28.99	1,707,837.50	58,911.26
2016	30.85	2,378,550.32	77,100.50	6.26	406,900.00	65,000.00	4.88	323,450.00	66,280.74	41.99	3,108,900.32	74,039.06
2017	4.07	333,600.00	81,965.60	2.06	137,000.00	66,504.85	10.48	812,850.00	77,562.02	16.61	1,283,450.00	77,269.72
2018	18.15	1,432,250.00	78,911.85	2.43	161,500.00	66,460.91	5.68	463,050.00	81,522.89	26.26	2,056,800.00	78,324.45
<b>Totals</b>	490.31	23,517,544.72	47,964.64	218.63	7,894,247.50	36,107.80	244.57	16,063,930.27	65,682.34	953.51	47,475,722.49	49,790.48



### **Intermunicipal and Intertown Flows of Credits**

As of 1/1/19, a total of 125.79 Credits have crossed a municipal boundary (town or village) from their sending parcels to their receiving parcels, representing approximately 22% of all redeemed Credits, or approximately 1 in every 5 redeemed Credits (see Table 3).

From a strictly intertown perspective, 97.83 of these 125.79 credits crossed a Town boundary, representing 17% of all redeemed Credits, or approximately 1 in every 6 redeemed Credits (see Table 4).

In 2018, 7.6 Credits were redeemed to the Town of Brookhaven for additional density and 18.02 Credits to the Suffolk County Department of Health Services for sewage flow intensity increases.



### **Clearinghouse Funds**

The Clearinghouse currently has approximately \$2.5 million in available funds which are administered by the Suffolk County Treasurer's Office. There were no new deposits or disbursements during 2018.

### **Easement Compliance and Enforcement (CAE) Activity**

The Commission's Enforcement Officers, working with our Land Use Division, completed onsite inspections and baseline documentation reports for many parcels enrolled in the Program. In 2018 numerous field conditions either unrelated to the easement provisions or affecting nearby parcels or road right of ways have been documented and addressed through the CAE Division's Incident Reporting (IR) System.

These formal Incident Reports are then tracked until the field condition is resolved, usually in close coordination with public lands managers, highway departments, parks departments, environmental conservation police, or other agencies. Typical conditions include clearing, dumping, off road vehicle violations, vandalism or public property damage, etc.

Table 3: Intermunicipal Flows of Pine Barrens Credits as of 1/1/2019

Destinations	Originating from			Totals
	Brookhaven	Riverhead	Southampton	
Babylon (District 100)	0.67	2.71		3.38
Brookhaven Unincorporated (District 200)		31.94	13.64	45.58
South Country Village (202)	0.54			0.54
Patchogue Village (204)	0.2			0.2
East Hampton Village (302)			2.75	2.75
Huntington Unincorporated (400)		1		1
Islip Unincorporated (500)	11.22	16.3	12.13	39.65
Hauppauge Village (504)	0.53		1.17	1.7
Riverhead Unincorporated (District 600)	3.05		0.16	3.21
Smithtown Unincorporated (800)			0.1	0.1
Southampton Unincorporated (District 900)	0.46			0.46
Quogue Village (902)			0.37	0.37
Southampton Village (904)			18.67	18.67
Westhampton Beach Village (905)			8.18	8.18
Totals	16.67	51.95	57.17	125.79

Table 4: Intertown Flows of Pine Barrens Credits as of 1/1/2019

Destinations	Originating from			Totals
	Brookhaven	Riverhead	Southampton	
Babylon (District 100)	0.67	2.71		3.38
Brookhaven (District 200)		31.94	13.64	45.58
East Hampton Village (302)			2.75	2.75
Huntington (District 400)		1		1
Islip (District 500)	11.22	16.3	12.13	39.65
Hauppauge Village (504)	0.53		1.17	1.7
Riverhead (District 600)	3.05		0.16	3.21
Smithtown (District 800)			0.1	0.1
Southampton (District 900)	0.46			0.46
Totals	15.93	51.95	29.95	97.83

## **Pine Barrens Law Enforcement Council**

Lt. Mike Smith, SC Sheriff's Department, Chair  
Asst. Director Arthur Pendzick, SC Park Rangers, Vice Chair  
Lt. Tom Gadomski, NYSDEC Law Enforcement, Vice Chair

The Pine Barrens Law Enforcement Council (LEC) consists of members from several law enforcement agencies having jurisdiction within the boundaries of the 100,000 acre Central Pine Barrens. Coordination of these agencies is imperative in order to have an effective and efficient response to issues pertaining to public safety, environmental, and resource protection in the Central Pine Barrens. The LEC serves as the organization that makes this possible.

Some basic facts about the LEC:

- The LEC was created in 1994 as a council operating under the Central Pine Barrens Commission
- Members are included from 26 different law enforcement agencies
- Includes federal, state, county, and town police departments
- Other agencies include County Park Rangers, Suffolk County DA investigators and prosecutors, military personnel, code enforcement personnel, and security personnel from various facilities
- The LEC meets eight times a year at Southaven County Park
- Alternate monthly meetings are attended by civilian neighbors and organizations described in the Public Participation section
- The LEC coordinates regularly scheduled enforcement details for unlawful ATV use and commercial truck inspections.
- The LEC supports the Central Pine Barrens Commission's efforts to deter illegal dumping and unlawful encroachments, land clearing, and other violations occurring within the Central Pine Barrens



Some of the agency members  
of the Law Enforcement

### **Personnel**

- Chairman: Lt. Mike Smith of the Suffolk County Sheriff's Office.
- Co Vice-Chairs: Deputy Director Art Pendzick of the Suffolk County Park Rangers and Lt. Tom Gadomski of the NYSDEC Division of Law Enforcement.
- Staff from the Central Pine Barrens Commission assist with the coordinating and documenting the efforts of the multi-agency Law Enforcement Council which includes John Pavacic, the Executive Director of the Central Pine Barrens Commission, Chief Enforcement Officer Tim Huss, Enforcement Officers Mike Lewis and Jim Mazzio, and Academy Coordinator Kathy Delligatti.

## **Public Participation and Communication**

Several civilian organizations and interest groups routinely attend the monthly meetings of the LEC.

- Organizations consist of local civic associations, mountain bike, hiking groups, and other citizens and user groups that care about the protection and the quality of life within the Central Pine Barrens.
- The public serves as the eyes and ears for law enforcement providing the LEC with a good perspective on the issues from the public point of view.

Environmentally related incident complaints from the public are frequently received by the various LEC agencies, either independently or through the following hot line numbers:

Pine Barrens Hotline 1-877-BARRENS (administered by the Suffolk County Sheriff's Office)  
There is also an active link to call this number from a smart phone on the Central Pine Barrens Commission's website [pb.state.ny.us](http://pb.state.ny.us)  
Suffolk County Police dispatch 911 service  
NYSDEC 's 24 hour hotline 1-844-DEC-ECOs

Sharing information and resources is vital to the success of the LEC. In addition to sharing information via secure police radio and phone communication, members are kept up to date at the LEC meetings and during enforcement details. Additionally, the PBLEC Handbook is kept up to date with the most current information on representative agency member contact numbers, enforcement sections, and other pertinent information.

### ***The Environmental Benefit Fund***

The Pine Barrens Law Enforcement Council's Environmental Benefit Fund's account for the start of 2018 was of \$84,713.17. The fund is supported by asset forfeiture monies from penalties for violations that occur in the Central Pine barrens. Purchases made this past year included an ATV for the NY State Police and another for the Suffolk County Police Department, and an ATV trailer for the NYSDEC Police. As of December 31, 2018 the balance remaining in the EBF was \$118,683.78

### ***Law Enforcement Council Activities 2018***

#### **Off Road Vehicle Enforcement**

Illegal ATV and off road vehicle operation remains the foremost focus for the Pine Barrens Law Enforcement Council. In addition to the environmental damage done by these vehicles and the detrimental impact to the quality of life issues within the Central Pine Barrens, illegal off road use is dangerous to the operators and to the public. These details and their success are a product of what can be accomplished when different agencies band together, sharing their resources and expertise. The Multi-Agency ATV Task Force has been one of the Council's most productive and successful achievements over the past 16 years.

## 2018 Multi-Agency ATV Task Force

Overall Agency participation in 2018 was once again very good with 95 Officers from 6 different Agencies assisting on the 21 details.



### 2018 ATV/ORV Detail Statistics

Twenty-one enforcement details conducted in 2018\*

- 65 total ATV impounds.
- 150 ATV related summonses issued.
- Four physical arrests.
- 11 misdemeanor charges, one felony charge, an impounded race car, three recovered stolen vehicles, five drug related charges and numerous Vehicle & Traffic Law charges (including four suspended licenses and a reckless driving charge).
- 60 apprehensions for unlawful off road vehicle (ORV) use (three impounded). with 72 associated summonses being issued including one dumping charge.
- 13 fishing violation charges & three trespass charges.

*\*In addition to these organized details member agencies routinely patrol and enforce illegal ATV and ORV operations on a daily basis throughout the Central Pine Barrens*

Total overall statistics since 2003:

- 1,278 illegal ATVs impounded.
- 3,191 ATV related summonses issued.
- 193 ORV operators apprehended with 262 associated summonses issued.



Multi-agency ATV Detail

### Environmental and Wildlife Enforcement

Lt. Michael Smith of the Suffolk County Sheriff's Office coordinates an average of two commercial vehicle inspection details each month within the Core Preservation Area of the Central Pine Barrens.

A detail held on May 29, 2018 is typical of these enforcement efforts. On that date, Law Enforcement Council members and Lt. Smith conducted a Commercial Vehicle Enforcement detail on County Route

51 near Suffolk Community College. During the detail:

- 63 trucks were inspected for mechanical safety and driver compliance with Federal, State and local regulations.
- Of those 63 trucks, 18 underwent additional inspections for environmental issues (emissions, leaking fuel, the transportation of regulated materials, etc.).
- 19 trucks were placed out of service for safety or driver violations
- 78 summonses issued



- 4 trucks were deemed to be overweight.

In addition to the Sheriff's Office, other agencies participating include:

- Suffolk County Police Department
- N.Y.S. Police
- N.Y.S.D.E.C. Division of Law Enforcement
- N.Y.S. Forest Rangers
- Suffolk County Park Rangers
- N.Y.S. Department of Transportation

These details have a direct impact upon the quality of life and environment in the Central Pine Barrens. Truck safety issues can affect the safety of the resource users and local residents, and faulty equipment allowing leakage of contaminants that can and do affect groundwater and air quality.

Other enforcement matters addressed by LEC members included Fish and Wildlife law enforcement to assure hunting and fishing was conducted lawfully, protecting the resource and public safety. Enforcement details included organized patrols scheduled for state and county hunting lands by the NYSDEC during the hunting season, and the use of decoys to apprehend illegal shooters.

### **Solid Waste Enforcement**

In 2018, as past years the unlawful disposal of solid waste, from litter to large quantities of construction and demolition debris, continued to be a problem in the Central Pine Barrens. The more hazardous components of this material can include heavy metals, PCBs, petroleum and other cancer causing agents. Other dumped materials include household garbage, and abandoned vessels and vehicles.

The officers go to great lengths to apprehend these violators, often sifting through household garbage, tracking down receipts or running hull numbers, many times with positive results.

A video surveillance program established by the Enforcement Officers of the Central Pine Barrens Commission assisted the LEC in making six apprehensions for dumping in the Central Pine Barrens.

One violator who dumped toilet bowls and other plumbing material paid \$5,000 in Southampton Town Court.

The Commission received 25 solid waste complaints in 2018 that were investigated by the LEC.



County Police at a motor carrier detail in Riverhead



Illegal dumping is an ongoing enforcement issue in the Central Pine Barrens



Local media coverage, including a televised press event on NBC and News 12 helped to make the public aware of the scope of the problem and the LEC's enforcement efforts.

### **Training, Mitigation, Aviation, and Projects**

The Suffolk County Sheriff's Office and the Wildfire Academy provided certified ATV training to members of the LEC, Commission staff, and other volunteers such as the local Fire and Ambulance Department personnel in 2018.

The LEC continues to work with the Protected Land Council, implementing various ideas and projects such as barrier construction and trail improvements in an attempt to reduce the negative impacts of violators to the Central Pine Barrens.

NYS Encon Police provided Fish and Wildlife enforcement training to the LEC members prior to the 2018 hunting season.

The New York State Forest Rangers, along with personnel from State and County levels, continued to be heavily involved in efforts to slow the spread of the Southern Pine Beetle infestation within our Pine Barrens.

LEC members continue to support the amendments to Article 57 of the Environmental Conservation Law, which would address enforcement issues directly related to Long Island's Central Pine Barrens. One new amendment, effective June 2019, authorizes the Suffolk County DA to prosecute violations of Article 57 (the Pine Barrens Act).



SC Deputy Sheriff John Noonan instructs LEC member agencies on safe ATV operation

## **Law Enforcement Council Environmental Enforcement Officer of the Year Awards**

Each year the LEC members acknowledge specific members for their outstanding enforcement efforts in the Central Pine Barrens.

### **2018 - 13<sup>th</sup> Annual PBLEC's Environmental Enforcement Officer of the Year Awards**

#### **Law Enforcement Council's Award Recipient Suffolk County Park Ranger Jeffery Campo For Continuous Significant Environmental Enforcement Activity**

Ranger Campo has participated on every Multi-Agency ATV detail in 2018, and he has worked on many other special assignments involving ATV enforcement with the Park Rangers. He has been one of the most productive Officers in ATV and other environmental enforcement matters, being especially productive with illegal ATV impounds and associated summonses.

Ranger Campo, as a trained mechanic, has also taken over the responsibility of maintaining all of SCPark's ATVs, making sure that they are up and running for all ATV details and other patrols, doing much of this work on his own time.

#### **Individual Agency Award Recipients**

#### **New York State Police - Trooper Fabio Daino For Continuous Significant Environmental Enforcement Activity**

Trooper Daino, in 2018, working with members of the Law Enforcement Council, has been responsible for 5 illegal dumping arrests. He has been a regular participant on the Multi-Agency ATV details affecting several illegal ATV impounds, numerous commercial vehicle inspections, including 45 summonses issued.

Trooper Daino is also tasked with field training new State Police ATV operators.

#### **Suffolk County Deputy Sheriff Sgt. Marco Calise For Continuous Significant Environmental Enforcement Activity**

Sgt. Calise is often assigned to patrol the Central Pine Barrens and has participated on many of the Multi-Agency ATV details. His efforts have resulted in many ATV impounds, issuance of numerous summonses and further deterrence of unlawful activities within the Pine Barrens.

**Suffolk County Park Ranger Sgt. William Curcie  
For Significant Contribution to Environmental Enforcement Efforts**

Ranger Sgt. Curcie has been an ardent supporter of Law Enforcement within the Central Pine Barrens especially with illegal ATV enforcement.

He has consistently assisted Officers with backup and help on many of the Multi-Agency ATV details as well as in regular patrol functions involving illegal ATV enforcement, their impounds and the issuance of summonses.

**NYS Forest Ranger John (Jay) Rusher  
For Demonstrating Sustained Commitment to Environmental Crime  
Enforcement and Prevention Through Collaboration with  
Associated Council Enforcement Agencies**

Ranger Rusher has participated on numerous Multi-Agency ATV details, and has been responsible for numerous ATV impounds and issuance of related summonses, including a significant dumping arrest involving the illegal disposal of a ten yard dumpster full of construction and demolition debris in Rocky Point.

He also regularly attends and is an active participant in Law Enforcement Council meetings and volunteered to attend the NY Wildfire and Incident Management Academy Program in support of the 2018 Fall Academy and he assisted in the development of the Suffolk County Brush Truck and Type 6 engine course - trail and map creation.

**NYS Environmental Conservation Officer Mark Simmons  
For Continuous Significant Environmental Enforcement Activity**

ECO Simmons is a strong supporter of the Central Pine Barrens Commission. He has attended numerous LEC Meetings and participated on many of the Multi-Agency ATV details.

His patrol area encompasses much of the Pine Barrens corridor and as a senior Officer he is a natural leader.

ECO Simmons is committed to keeping Long Island, especially the Pine Barrens, free of illegal solid waste dumpers. He is also an active and productive fish and wildlife enforcement officer for the DEC.

When he apprehends violators he follows up on his cases, making sure that the case is prosecuted successfully by collecting evidence, working with the DA's office and, in the issues of illegal dumping, making sure that the area is cleaned up.



**Suffolk County Police D/Sgt. Frank Rooney  
For Promoting, Working With and Supporting the  
Law Enforcement Council in the Development and Implementation of  
Enforcement Resources to Protect the Central Pine Barrens**

D/Sgt. Rooney has been an active participant with the Law Enforcement Council attending and providing significant input at its meetings and working together with and supporting the member agencies.

He is responsible for facilitating and fostering the active involvement and continual participation of the County Police in the Multi-Agency ATV details.



Law Enforcement Council Award Recipients at the annual Central Pine Barrens Staff & Cooperators Meeting

## ***In Closing***

The partnership this Council affords its members has time and time again proven to be extremely effective in deterring violations and maintaining a higher quality of life in the Central Pine Barrens. An extremely high level of commitment is necessary from the participating members in order to maintain the high level of success that the Council has in apprehending these violators. This success would not be possible if not for the partnerships the LEC promotes; not just the partnership between the law enforcement member agencies, but also the civilian counterparts that participate in the LEC meetings and support its core mission to protect the Central Pine Barrens. They are the eyes and ears of law enforcement, and an extremely high percentage of our cases come from their tips and information.

Once again special thanks and recognition goes to Suffolk County Parks Superintendent Tony Trotta, for his mechanical expertise and assistance with ATV impounds resulting from apprehensions made during the LEC enforcement details.

Finally, none of this would be possible without the support and direction of the Central Pine Barrens Commission. Without the Commission, the LEC would not have the necessary equipment or the administrative help required to run a successful campaign. Without their political support, the LEC would be severely limited in acquiring the tools necessary in apprehending and prosecuting these violators. Every one of these partnerships are necessary for the success of the Central Pine Barrens Law Enforcement Council. While the LEC continues to accomplish much, there is still much work to do. Working together with its partners, the LEC is up to the challenge.



## **Wildfire Task Force**

Christopher Lindberg, First Assistant Chief, Manorville Fire Department and  
FDNY HazMat Specialist, Chair

Edward Schneyer, Director SCFRES Emergency Preparedness, Co-Vice Chair  
Captain Timothy Byrnes, NYSDEC Forest Rangers, Co-Vice Chair

The Wildfire Task Force is one of the Commission's larger Councils with 43 members from public and private agencies and local fire departments. The breakdown of the organizations represented on the task force is presented in Table WF-1.

The task force was created after the 1995 wildfires to bring all fire service-related entities together to provide for pre-wildfire suppression planning and response in the Central Pine Barrens and to address wildfire prevention planning provisions called for by the Long Island Pine Barrens Protection Act. The Task Force accomplished this goal through the preparation of a Central Pine Barrens Fire Management Plan which was completed in 1999, leading to the creation of several subcommittees to carry out the plan. A copy of the Fire Management Plan is available from the document library on the Commission website at <https://pb.state.ny.us/public-information/document-library/>.

The Wildfire Task Force meets approximately four times annually on weekday evenings, with the locations varying among fire houses and agency offices. Specialized committees also exist, which meet on schedules that are established separately from the task force.

The task force has the following standing subcommittees:

- Firewise and Wildfire Prevention Subcommittee
- Fire Weather Subcommittee
- Prescribed Fire Subcommittee
- Training Subcommittee
- Water Supply Subcommittee (temporary)
- New York Wildfire and Incident Management Academy

### **Wildfire in the Central Pine Barrens**

Wildfire is a natural process in the fire-adapted Central Pine Barrens. However, due to a community's close proximity to this fire-prone ecosystem, wildfires can pose a risk to area residents and property. Due to the abundance of fire-dependent vegetation, extensive wildland urban interface, fire history, and other factors, the New York State Division of Forest Protection considers the eastern portion of Long Island, which is dominated by the Central Pine Barrens Area, as the number one community in the state at risk for damage to and loss of property due to wildfire.

More than 800 brush fires typically occur every year during the spring and summer in Suffolk County. In 1995, the Rocky Point and Sunrise Fires burned over 5,000 acres and continued to burn for several days. These wildfires resulted in extensive evacuations, property loss and damage, the closure of major transportation routes in the area and significant economic impacts to local businesses, tourism and residents.



**Table WF-1**  
Central Pine Barrens Wildfire Task Force

<p><b>Federal Organizations (6)</b></p>	<p>Brookhaven National Laboratory Fire Rescue Group (<i>p/o of Emergency Services Division</i>) National Weather Service New York Air National Guard 106th Rescue Wing New York Army National Guard Aviation Support Facility #1 United States Fish and Wildlife Service (<i>Long Island Refuge Complex</i>) United States Forest Service</p>	
<p><b>State Organizations (5)</b></p>	<p>New York State Department of Environmental Conservation New York State Emergency Management Office New York State Office of Fire Prevention and Control New York State Office of Parks, Recreation, and Historic Preservation Suffolk County Water Authority</p>	
<p><b>County Organizations (5)</b></p>	<p>Suffolk County Department of Fire, Rescue and Emergency Services Suffolk County Fire Academy Suffolk County Department of Parks, Recreation and Conservation Suffolk County Police Department Arson Squad Suffolk County Arson Task Force</p>	
<p><b>Town Organizations (3)</b></p>	<p>Brookhaven Town Fire Marshal (<i>Dept. of Public Safety, Div. of Fire Prevention</i>) Riverhead Town Fire Marshal (<i>part of Building Department</i>) Southampton Town Fire Marshal (<i>part of Public Safety Department</i>)</p>	
<p><b>Fire Departments (15)</b></p>	<p>Brookhaven Fire Department 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</p>	<p>Quogue Fire Department Ridge Fire Department Riverhead Fire Department Rocky Point Fire Department Wading River Fire Department Westhampton Beach Fire Department Yaphank Fire Department</p>
<p><b>Fire Councils (5)</b></p>	<p>Brookhaven Town Fire Chiefs Council Fire Chiefs Council of Suffolk County NY Riverhead Town Fire Chiefs Council Southampton Town Fire Chiefs Council Suffolk County Fire District Officers' Association</p>	
<p><b>Commission Councils (3)</b></p>	<p>Law Enforcement Council Protected Lands Council New York Wildfire and Incident Management Academy</p>	
<p><b>Private Organization (1)</b></p>	<p>The Nature Conservancy (Long Island Chapter)</p>	
<p><b>Executive Board</b></p>	<p>Chair &amp; two Co-Vice Chairs</p>	

In April, 2012, the Crescent Bow wildfires in the Ridge and Manorville areas burned over 1,200 acres which again resulted in evacuations of homes and significant damage to property and natural resources.

In the wake of the April 2012 Crescent Bow Fire, the Commission developed a multi-pronged strategy to deal with the on-going wildfire threat which the Commission continues to carry out in 2016. The strategy includes:

- Providing increased and enhanced training for volunteer firefighters and first responders via the Commission's Wildfire and Incident Management Academy;
- Expanding the use of prescribed fire to reduce wildfire fuel loads;
- Reinvigorating the Central Pine Barrens Fire Management Plan and its implementation;
- Expanding the establishment of Firewise Communities programs; and
- Supporting enhancing water supply resources for wildfire fighting efforts.



2012 Crescent Bow Wildfire

## **2018 Summary of Wildfire Task Force Activities**

During 2018 the Wildfire Task Force continued to work on specific wildfire management projects such as revamping the 1999 Fire Management Plan and actively engaging in and promoting wildfire prevention initiatives with the Task Force member agencies and fire departments. The Task Force met three times in 2018 and a the Plan Update subcommittee met three times, finished reviewing half of the Fire Management Plan and discussed proposed revisions and changes in format.

The work put into motion over the last several years related to wildfire prevention and wildland fuel mitigation continued to advance in 2018. A synopsis of this work is provided below.

### Firewise and Wildfire Prevention

The Task Force continues to promote wildfire prevention programs to enhance the protection of residents living within the wildland urban interface area of the Central Pine Barrens from devastation and loss from wildfires. This is accomplished through programs such as Firewise, Firewise Communities and Ready Set Go that provide free public outreach materials which are distributed by the Task Force by mail and at local fire department and civic group events. In addition, the Task Force has developed a wildfire prevention display board that is used at these local events as well. Commission staff is also available to provide presentations to local groups on these programs and to instruct homeowners on what they can do to better protect their home from wildfire.

These public outreach efforts help the residents that live within the fire-prone Central Pine Barrens learn about what they can implement to help prepare their home for a wildfire *before* it occurs. Homeowners can significantly increase the ability of their homes to survive a wildfire by implementing Firewise measures on their property. These can include measures such as removing dead leaves and dead brush,

cleaning out gutters, moving wood piles away from the house and other similar, basic, good property maintenance measures. Homes and communities that have adopted the Firewise approach allow firefighters to concentrate on fighting the wildfire, which ultimately saves more residences and lives. The Firewise program draws on a community's spirit and its willingness to take some of the responsibility for reducing wildfire risks and can be tailored to a community's specific needs. Information on the Firewise and Firewise Communities USA program is available at <http://firewise.org>.

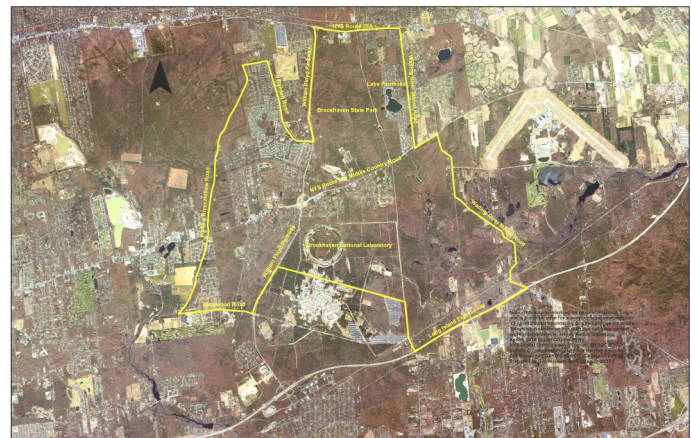
### Ridge-Manorville-Calverton Community Wildfire Protection Plan (CWPP)

The Commission continued to work with the CWPP team partners that included town, county and state agencies involved with public land management and emergency response and the Ridge and Manorville fire departments to implement recommendations from the Ridge-Manorville-Calverton Community Wildfire Protection Plan that was prepared and adopted by the Commission in 2016.



The CWPP makes recommendations to public land managers and local residents on strategies for reducing the area's wildfire risk, including wildfire mitigation measures to be implemented on large wooded or natural public lands that are within the wildland urban interface area (locations where development is adjacent to wooded areas in the Central Pine Barrens) to provide protection for residents and businesses.

In addition, the CWPP provides information on how to reduce risks to public safety and property and contains an area-specific community level risk assessment that includes a wildfire hazard risk assessment component and identifies measures to reduce structure flammability and hazardous fuels (vegetation), in addition to community preparedness through public outreach. The CWPP also provides public outreach strategies to educate Ridge, Manorville and Calverton residents on how to create a "survivable or defensible" space around their homes to reduce damage and loss from wildfire.



The completion and adoption of the CWPP rendered the study area eligible for federal funding to help implement mitigation measures identified in the plan. Soon after the CWPP's approval, Commission staff commenced plan implementation by beginning to conduct detailed, site-specific individual wildfire prevention home assessments in the plan area for homeowners who requested this service. A detailed report was provided to participating homeowners identifying specific threats that may render their properties more vulnerable to wildfire damage and also identified specific measures that could be undertaken to ameliorate these conditions.

In 2018, the following wildfire prevention and awareness accomplishments were achieved in the CWPP area:

- Wildfire Prevention Home Assessment completed in 2018: 11 (all in Ridge, however 2 outside of the CWPP area) Total for Program since started in 2016: 28 (23 in Ridge and 5 in Manorville; with 6 outside of the CWPP area)



#### Workshops:

- Firewise Workshop – August 25, 2018 (classroom and field exercise) – 16 attendees
- Firewise Your Home! Increase Your Home’s Ability to Survive a Wildfire! - Firewise Presentation at Leisure Village Retirement Community Center, September 19, 2018 – 40 attendees

An important Firewise outcome: The Board members of the Leisure Village Retirement Community as a direct result of attending these workshops will be passing a ban on using wood mulch within 5 ft of the foundation of a house structure. There are 1,500 homes (the majority have wood shake siding) within the Leisure Village Retirement Community that is located immediately adjacent to the Rocky Point State Forest, a dense pitch pine—oak woodland.

#### Training:

Commission staff attended NFPA training “Assessing Structure Ignition Potential from Wildfire” in October. This training will enable staff to conduct train-the-trainer workshops for local community members which will enable them to work with community residents to enhanced their knowledge and understanding of how structures ignite and what prevention measures can be taken to help safe guard their homes from wildfire.



#### CWPP Team Agency Members

- Brookhaven National Laboratory performed 1 prescribed fire that treated approximately 8.5 acres of woodlands.
- NYSDEC has performed mechanical treatments and thinning on 26 acres along the east side of Wading River Road, south of Currans field (along the western boundary area of the CWPP). It is anticipated that a prescribed fire will be performed in this area soon.



## Fire Weather

The Commission continues to operate a fire weather station located in Eastport. Data from this weather station is used to determine the daily fire danger rating for the Central Pine Barrens. The fire danger rating translates weather and vegetation conditions (fuels) into how difficult a wildfire would be to control should a fire start occur. This data is sent daily from the Commission staff to Suffolk County Fire, Rescue and Emergency Services which in turn dispatches this information to the local fire service community.

In addition, Commission staff sends this report by email and fax to over 50 recipients comprised of local fire departments, public land managers and other interested individuals. The local fire service community uses this information for pre-planning fire suppression resources during dry weather and vegetation conditions when vegetation can more readily ignite and spread into a large wildfire.

Fire danger information is also placed on five Smokey Bear fire danger signs located near the entrances to Sears Bellows County Park and Southaven County Park, along William Floyd Parkway (aka County Road 46) near the entrance to Brookhaven National Laboratory, along the north side of Middle Country Road in the NYSDEC Lustgarten parking area in Ridge and in front of the Commission's headquarters on Old Riverhead Road (aka County Road 31) in Westhampton Beach to inform the public.

The fire danger rating reports are based largely on the statistical evaluation of historic fire weather data and its relationship to historic fire occurrence data that is compared to the daily fire weather data readings, the current National Weather Service fire weather forecast, the number of days since the last significant rain event and the current live fuel (vegetation) conditions, along with other factors. Grass conditions are monitored in the spring since this is typically where a significant number of fire starts occur. In May, the potential for brush fires diminishes as the leaves on the trees, brush and other vegetation open up fully since the new leaves contain a lot of moisture. During the summer, brush conditions are monitored and fire danger reports are issued based on this fuel type.

The local fire service and public land managers may, based on this fire danger information, decide to increase patrols in certain areas, pre-stage equipment or even close or limit access to public land.

In 2018 the fire danger rating in the spring indicated a few moderate fire danger days and the remainder of the fire season through November had mainly low fire danger ratings due to weather conditions.



## Prescribed Fire Subcommittee

The New York State Department of Environmental Conservation is currently the primary agency performing prescribed fires within the Central Pine Barrens. These prescribed fires help maintain the ecological health of natural areas, are used for ecological restoration, and assist with reducing the amount of vegetative fuel build up in an area which in turn will reduce the potential fire intensity in an area should a wildfire occur.



In 2018, 33 acres of grasslands were treated with prescribed fire by the NYSDEC Forest Rangers and 8.5 acres of woodlands on Brookhaven National Laboratory were treated with prescribed fire in the Central Pine Barrens.

## Training Subcommittee

The primary focus of this subcommittee is to provide wildfire firefighting training with the New York Army National Guard and the New York Air National Guard using helicopters equipped with water

buckets. The training includes the local fire departments and agencies which are members of the Wildfire Task Force and the Law Enforcement Council which learn about the protocols that must be

followed in order to obtain a helicopter with a water bucket to a scene during a wildfire. Attempts are made to provide this training every one to two years depending on the availability of the National Guard. The training helps the Guard obtain specific qualification training they need. During 2018 there were no helicopter water bucket training exercises conducted since the Guard was unavailable to participate.





## **New York Wildfire and Incident Management Academy**

Kathy Delligatti, Central Pine Barrens Commission, Academy Coordinator

The New York Wildfire and Incident Management Academy (NYWIMA) was established in 1998 with the following goal:



*“The Academy's goal is to provide for a safe learning environment for Wildland Firefighters and Incident Managers and to foster greater networking opportunities and partnerships between participants from federal, state and local agencies.”*

To aid in achieving this goal, NYWIMA is managed to mirror an actual incident utilizing the Incident Command System under the direction of an Incident Management Team (IMT). The IMT reflects the interagency and cooperative nature of today's incident management philosophy with team members participating from federal, state, and local agencies.

### **Academy Objectives:**

- Train students to National Wildfire Coordinating Group Standards.
- Develop qualified trainers and instructors for wildfire and incident management courses.
- Develop awareness of fire management and fire fighting safety among fire fighting organizations and public officials.
- Encourage interagency cooperation, coordination, exchange of experience, education and technology transfer from all levels of government.
- Develop a group of interagency leaders to build upon the first four objectives in the metropolitan New York and Northeast Region.

The Central Pine Barrens Commission's Wildfire Task Force operates the Academy with a consortium of federal, state and county agencies including:

*Federal:* Brookhaven National Lab, Bureau of Land Management, National Park Service, United States Coast Guard, United States Forest Service, United States Fish and Wildlife Service, Northeast Forest Fire Protection Compact

*State:* Massachusetts Department of Environmental Management, New Jersey Forest Fire Service, New York State Department of Environmental Conservation (NYSDEC), New York State Division of Homeland Security and Emergency Services, New York State Office of Fire Prevention and Control

*City, County and Other Organizations:* Fire Department of New York, Suffolk County Department of Fire, Rescue, and Emergency Services, Suffolk County Department of Parks, Nassau County Office of Emergency Management and the Colorado Wildfire Academy.

For course and registration information for the current year, interested persons can visit the Academy section on the Commission's website at <https://pb.state.ny.us> or contact the Academy Coordinator by phone at 631-769-1556 or by e-mail at [nywima@pb.state.ny.us](mailto:nywima@pb.state.ny.us).



In 2018, the Academy offered the following training opportunities on Long Island:

- Spring 2018 Training
- October – Annual 10-day training period
- Additional outside classes

The statistics for these training events is provided below that includes the number of instructors and students along with a listing of the courses that were held during the annual October 2018 Academy.

### 2018 Spring Training

A Brush Truck Training Course was conducted on April 7<sup>th</sup>, 8<sup>th</sup>, and 14<sup>th</sup> at the NYWIMA Brush Truck Course in Yaphank, via the Commission-Suffolk County Memorandum of Understanding. This course was instructed by a National Wildfire Coordinating Group-qualified instructor and received assistance for the field day from local NYSDEC Forest Rangers. The Brush Truck Training program was again successfully accomplished and entailed participation from four volunteer fire departments. Participating fire departments included:

- Great River Fire Department
- Holbrook Fire Department
- Islip Terrace Fire Department
- Montauk Fire Department
- North Patchogue Fire Department
- Saint James Fire Department
- West Babylon Fire Department
- West Sayville Fire Department



Brush Truck Training

The Brush Truck Training course was designed and laid out in the field on a site which is completely wooded, offering a genuine brush truck driving experience. The training site is located adjacent to the County's Fire, Rescue and Emergency Services department and the Suffolk County Fire Academy in Yaphank. The course was utilized by a number of local fire departments whose attendees universally praised the course and the driving experience.



An S-130/190 Field Day Only class (Firefighting Training/Intro to Wildland Fire Behavior) was conducted on April 12 & 13, 2018. This class is an introductory course designed to train entry level firefighters and covers basic incident management organization, firefighting techniques, suppression equipment, safety, tactics and strategy along with field exercises. Participating attending agencies and departments included:

- NYS DEC
- Manorville Fire Department
- Grahamsville Fire Department
- Setauket Fire Department
- Alta IHC

#### Additional Activities

During 2018, NYWIMA provided a separate, stand-alone I-200 (ICS for Single Resources and Initial Action Incidents) training class to the newly formed Puerto Rico Incident Management Team in San Juan, Puerto Rico.

#### 2018 October Academy

NYWIMA conducted its fall academy from October 18 through October 28, 2018 and concluded its twenty first year of operation having now provided training to more than 7,300 firefighters and emergency response personnel over its existence. In 2018, NYWIMA again utilized and integrated more local and regional personnel into the overhead and command staff positions instead of relying more on resources from the western U.S. and other, more remote areas.



The Academy continued to draw students from outside the United States, including Canada.

In the October 2018 Academy there were 33 instructors, 34 overhead staff, 219 students and 9 trainees with a total of 295 attendees and the following classes were held:

S130/190 – Basic Firefighting & Wildfire Behavior

S130/190 – Basic Firefighting & Wildfire Behavior – 2-day Field class only S-131 – Firefighter Type 1

S-211 – Portable Pumps & Water Use

S-212 – Wildfire Chainsaws with Storm Debris Removal

S-215 – Fire Operations in the Wildland/Urban Interface

S-219 – Firing Operations

S-244 – Field Observer

S-290 – Intermediate Wildland Fire Behavior

FI-210 – Wildland Fire Investigation

L-954 – Safety Officer

L-962 – Planning Section Chief

UTV – Off-Highway Vehicle Basic Driver Course

ATV – All-Terrain Vehicle and Driving Operations

ASOG – Advanced Saw Operations Group

BTT – Brush Truck Training Class

Active Shooter presentation by Suffolk County Sheriff's Office

Stop The Bleed presentation by Suffolk County Sheriff's Office

Tick Prevention & Information by Cornell Cooperative Extension



S-130/190 Deploying fire shelter

Trainee opportunities were provided to allow participants to gain real-world, hands-on experience in carrying out particular ICS duties. Training opportunities were provided for the following positions:

<b>Command &amp; General Staff</b>	Incident Commander IC(t)
	Safety Officer SOFR(t)
	Public Information Officer PIO(t)
	Liaison Officer LOFR(t)
<b>Operations</b>	Operations Section Chief OSC2(t)
	Division/Group Supervisor DIVS
<b>Plans</b>	Plans Section Chief PSC2(t)
	Resource Unit Leader RESL(t)/ Demo Unit Leader DMOB(t)
	Situation Unit Leader SITL(t)
	Status/Check-in Recorder SCKN(t)
<b>Logistics</b>	Logistics Section Chief LSC2(t)
	Supply Unit Leader SUPL(t)
	Receiving/Distribution Manager RCDM(t)
	Ordering Manager ORDM(t)
	Ground Support Unit Leader GSUL(t)
	Equipment Manager EQPM(t)
	Facilities Unit Leader FACL(t)
	Base Camp Manager BCMG(t)
	Communication Unit Leader COML(t)



## **Northeast Forest Fire Protection Compact**

New York State is a member of the Northeast Forest Fire Protection Compact, a Congressionally-chartered entity comprised of New York, the New England states and six Canadian providences, in which all members agree to provide mutual aid to one another in actual wildfire responses and cooperate in various wildfire prevention, mitigation and training efforts. The Academy is exploring additional training programs with a number of individual members of this Compact.

## **Litigation Involving the Pine Barrens Commission**

*(listed by filing date)*



### Litigation Involving the Pine Barrens Commission

*Listed by filing date.*

*To view the decisions on these court cases, search by index number under  
The litigation category in the online document library  
(ex; enter 94-5363 to find the decision for Case #1).*

Case Number	Subject	Plaintiff(s)	Defendant(s)	Court and Index Number	Date Filed	Date Decided
1	Nondevelopment decision of 2/9/94 re Longwood Youth Sports Association proposal at Firemen's Park, Ridge, Brookhaven	LI Pine Barrens Society, Richard Amper, North Fork Environmental Council, Long Island Group of the Sierra Club, Open Space Council, Act Now!, Desiree Passantino, Joseph Colao	Commission	Supreme Court, Suffolk County 94-5363	3/11/94	4/28/98 <i>(decision)</i>
2	Parcel inventory and property owner notification	W.J.F. Realty Corp., Reed Rubin	Commission	Supreme Court, Suffolk County 94-8132	4/8/94	11/17/94 <i>(decision)</i>
3	Statutory challenge to Pine Barrens Protection Act	W.J.F. Realty Corp., Reed Rubin	Commission, State of New York, Langdon Marsh, NYS DEC, Suffolk County	Supreme Court, Suffolk County 94-22784	9/19/94	4/22/98 <i>(decision)</i>
4	Economic analysis	LI Builders Institute	Commission	Supreme Court, Suffolk County 95-11218	5/12/95	5/22/95 <i>(decision)</i>
5	Parcel inventory	Siegel Fenchel & Peddy	Commission, Raymond Corwin	Supreme Court, Suffolk County 95-29078	12/6/95	4/18/97 <i>(decision)</i>
6	Statutory challenge to Pine Barrens Protection Act	Henry Dittmer, et al.	Commission, Suffolk County, Brookhaven Town, Riverhead Town	US District Court for Eastern District of NY 96-2206	5/3/96	2/21/02 <i>(decision)</i> <i>(Also see 2/28/03 2nd Circuit Summary Order)</i>
7	Commission approval of 8/26/96 re Marando (Manorville) Nurseries project, Brookhaven	LI Pine Barrens Society, Richard Amper, Peter Maniscalco, John Scully, Leslie Hannelin	Commission	Supreme Court, Suffolk County 96-24091	9/18/96	2/10/98 <i>(decision)</i>
8	6/24/98 Pine Barrens Credit allocation to parcels in Manorville and Middle Island, Brookhaven	Robert I. Toussie	Commission	Supreme Court, Suffolk County 98-17135	7/22/98	5/26/1999 <i>(decision)</i>
9	Nondevelopment decision of 5/10/00 re horse arena in Core, Manorville, Brookhaven	LI Pine Barrens Society, Richard Amper, Katherine Forster Screven, Frank P. Foster, John Trocchio, Richard and Pamela Gatz, Anna Marie Forster Czarnecki, Pamela Todaro	Commission, Carolyn Jolly d/b/a Hidden Pond Stables	Supreme Court, Suffolk County 00-14222	8/8/00	3/19/01 <i>(decision)</i> Entered 11/20/01
10	Nondevelopment decision of 7/12/00 re horse arena in Core, Manorville, Brookhaven	LI Pine Barrens Society, Richard Amper, Kenneth and Irene Kneski, Stanley and Genevieve Horton	Commission, Sloane Marcus, Maria Hickey	Supreme Court, Suffolk County 00-19896	8/9/00	3/20/01 <i>(decision)</i> Entered 6/11/01
11	Statutory challenge to Pine Barrens Protection Act	Walter Olsen, et al.	NYS DEC, et al.	Supreme Court, Albany County 01-3600	6/22/01	5/7/02 <i>(decision)</i> <i>(Also see 7/24/03 3rd Department Decision)</i>

The decisions on these court cases are available online line at <https://pb.state.ny.us/public-information/document-library/> by searching under the category "litigation"



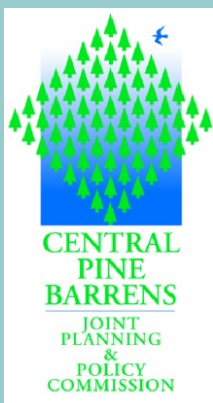
Case Number	Subject	Plaintiff(s)	Defendant(s)	Court and Index Number	Date Filed	Date Decided
12	Statutory challenge to Pine Barrens Protection Act	Gladys Gherardi et al.	State of NY, et al.	US District Court for Northern District of NY; 01-1066	6/28/01	12/11/03 <i>(decision)</i> <i>(Also see 12/22/05 2nd Circuit Summary Order)</i>
13	7/10/02 Firemen's Park Core hardship permit, Ridge, Brookhaven	LI Pine Barrens Society, Richard Amper, Carole Jones, Paul J. Decker, Eric Burke, Yolanda Susi, Joseph P. Walsh, Kim Darrow	Commission, Brookhaven Town Parks Department, Joseph Callari, Frank Vigliarolo	Supreme Court, Suffolk County 02-20643	8/7/02	2/26/03 <i>(amended decision)</i> <i>(decision)</i>
14	Assertion of jurisdiction of 3/20/02 re Spring Meadow subdivision, Wading River, Brookhaven	Spring Meadow Enterprises	Commission	Supreme Court, Suffolk County 02-20765	8/9/02	2/11/03 <i>(decision)</i>
15	Field Day Music Concert, Calverton, Riverhead	LI Pine Barrens Society, Richard Amper, Neighborhood Network Research Center, Neil Lewis, North Fork Audubon Society, Mary Mulcahy, North Fork Environmental Council, Howard Meinke, North Shore Audubon Society, Jennifer Wilson Pines, Open Space Now, Alex Wipf, Wayne Rambo, Scott Neary, Margaret Caputo, Robert and Joyce Moss, Louis Fastore	Riverhead Town, Riverhead Town Community Development Agency, Suffolk County Health Department, Commission, New York Music Festival, Andrew Dreskin, Andrew Dreskin Investments	Supreme Court, Suffolk County 03-13625	5/27/03	5/30/03 <i>(decision)</i>
16	Development decision of 6/21/06 re clearing for agriculture in Core for Manorville Estates Winery, Brookhaven	Gladys Gherardi	Commission	Supreme Court, Suffolk County 06-17693	7/19/06	8/1/07 <i>(decision)</i>
17	Southaven County Park trap and skeet range, Yaphank, Brookhaven	LI Pine Barrens Society, Richard Amper, South Yaphank Civic Association, Johan McConnell, John Del Buono, Howard Carpluk Sue Davis, Douglas Steigerwald	Commission, Suffolk County, Hunter Sports Shooting Grounds	Supreme Court, Suffolk County 06-22354	8/11/06	5/2/07 <i>(decision)</i> <i>(Also see 10/7/08 2nd Department decision)</i>
18	Assertion of jurisdiction of 7/19/06 re Island Water Park, Calverton, Riverhead	Island Water Park Corp., Eric Scott	Commission, Town of Riverhead	Supreme Court, Suffolk County 06-21016	8/17/06	4/3/07  <i>(decision)</i>
19	Assertion of jurisdiction of 4/18/07 re Riverhead Town Recreational Facility, Calverton, Riverhead	Riverhead Town, Riverhead Community Development Agency	Commission	Supreme Court, Suffolk County 07-14186	5/3/07	1/30/08 <i>(decision and 3/31/08 judgment)</i> <i>(Also see 3/2/10 2nd Department decision)</i>
20	Pine Barrens Credit allocation to parcel in Southampton	Edwin Tuccio, Patricia Tuccio	Commission, Clearinghouse	Supreme Court, Suffolk County 07-21497	7/19/07	1/16/08 <i>(decision)</i> <i>(Also see 11/4/09 2nd Department decision)</i>
21	Pine Barrens Credit allocations to parcels in Manorville (Brookhaven)	Ringhoff Family LLC #1	Commission	Supreme Court, Suffolk County 08-26991	7/17/08	4/8/09 <i>(decision)</i>
22	Commission jurisdiction re development proposal	Robert Liere, John Liere, and Lorraine Liere	Commission	Supreme Court, Suffolk County 09-5910	3/12/09	10/13/10 <i>(decision)</i>
23	Article 78	County of Suffolk	Commission	Supreme Court, Suffolk County 21807/2010	6/16/10	4/28/11 <i>(decision)</i>

Case Number	Subject	Plaintiff(s)	Defendant(s)	Court and Index Number	Date Filed	Date Decided
24	American Physical Society hardship permit, Ridge, Brookhaven	LI Pine Barrens Society, Richard Amper	Commission	Supreme Court, Suffolk County 29130/2010	7/21/10	9/26/11 <i>(decision)</i>
25	Article 78	Edwin Fishel Tuccio, Patricia Tuccio	Commission	Supreme Court, Suffolk County 28576/2010	9/20/10	1/12/12 <i>(decision)</i> <i>(Also see 1/15/14 2nd Department decision)</i>
26	Failure to process plaintiff's as of right subdivision application	Brush Development LLC	Town of Brookhaven, Commission	US District Court for Eastern District of NY CV-113297	7/8/11	1/17/14 <i>(decision)</i>
27	JCJC Holding Company hardship permit, Hampton Bays, Southampton	LI Pine Barrens Society, Richard Amper	Commission	Supreme Court, Suffolk County 22619/2011	2/16/12	3/22/12 <i>(decision)</i> <i>(Also see 1/29/14 2nd Department decision)</i>
28	Article 78	Wainscott Properties Inc.	New York State Department of Environmental Conservation, Commission	Supreme Court, Suffolk County 12-27600	9/6/12	11/13/13 <i>(decision)</i>
29	Westhampton Property Associates hardship permit, Speonk, Southampton	LI Pine Barrens Society, Richard Amper, Robert McGrath, Thomas Casey as members of the Board of Directors	Commission	Supreme Court, Suffolk County 12-34735	12/31/12	2/27/14 <i>(decision)</i> <i>(Also see 4/20/16 2nd Department decision)</i>
30	Pine Barrens Credit Program	Pluralis, LLC	Commission, Town of Brookhaven	Supreme Court, Suffolk County 13-15979	6/19/13	11/4/14 <i>(decision)</i>
31	Article 78	Equine Facility, LLC, Carolyn Jolly, and James P. Eagan	Commission, New York State Department of Environmental Conservation, State of New York	Supreme Court, Suffolk County 16-01258	2/4/16	9/29/16 <i>(decision)</i> <i>(Also see 11/29/17 2nd Department decision)</i>
32	Article 78	Henry R. Dittmer	Commission	Supreme Court, Suffolk County 16-02657	3/11/16	<i>Pending</i>
33	Article 78	Armand Gustave, LLC c/o Peter Baron	Commission	Supreme Court, Suffolk County 16-6671	7/11/16	11/7/16 <i>(decision)</i>
34	Article 78	Antro Realty Corp.	Commission	Supreme Court, Suffolk County 16-09916	10/17/16	10/30/18 <i>(decision)</i>
35	Article 78 Pine Barrens Credit Letter of Interpretation Appeal	Equine Facility, LLC	Commission	Supreme Court, Suffolk County 18-04401	8/14/18	4/11/19



## Central Pine Barrens Commission Staff & Areas of Responsibility

Administration	John W. Pavacic, Executive Director Judy Jakobsen, Deputy Director Carol Sholl-Ostrowski, Administrative Assistant Kathy Delligatti, Academy Coordinator
Communications	Tim Motz, Director of Communications
Compliance & Enforcement Law Enforcement Council	Timothy Huss, Chief Enforcement Officer Michael Lewis & James Mazzio, Enforcement Officers
Education & Outreach	Melissa Griffiths Parrott, Environmental Education & Outreach Coordinator
Land Use & Planning Advisory Committee	Julie Hargrave, Principal Environmental Planner
Legal	John Milazzo, Esq., Attorney
New York Wildfire & Incident Management Academy	Kathy Delligatti, Academy Coordinator John W. Pavacic, Executive Director
Pine Barrens Credit Program	Jerry Tverdy, Senior Environmental Analyst
Science & Stewardship Protected Lands Council	Ann Carter, Science & Stewardship Coordinator Polly Weigand, Science & Stewardship Manager Shaun Ziegler, Ecologist
Wildfire Task Force	John W. Pavacic, Executive Director Kathy Delligatti, Academy Coordinator Judy Jakobsen, Deputy Director Timothy Huss, Chief Enforcement Officer Michael Lewis & James Mazzio, Enforcement Officers



### Office Location & Contact Information

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#### Office & Library Hours

Monday – Friday 8:30 am to 5:00 pm

Ray Corwin Pine Barrens Reference Library  
(open to public by appointment, non-lending)  
<https://pb.state.ny.us>    [info@pb.state.ny.us](mailto:info@pb.state.ny.us)