



**Resolution authorizing and directing release
of Pine Barrens Commission
Compliance and Enforcement
Investigation Report #2009-001**

**Central Pine Barrens Commission Meeting of June 17, 2009
Brookhaven Town Hall, Farmingville, NY**

Commission members present:

Mr. Scully (for the New York State Governor),
Ms. Gallagher (for the Suffolk County Executive),
Mr. Turner (for the Brookhaven Town Supervisor),
Mr. McCormick (for the Riverhead Town Supervisor),
Mr. Shea (for the Southampton Town Supervisor).

Peter A. Scully
Chair

Philip J. Cardinale
Member

Linda A. Kabot
Member

Mark Lesko
Member

Steve A. Levy
Member

Resolved, that the Commission hereby waives its privilege, and authorizes and directs the release of the attached document entitled "Compliance and Enforcement Investigation Report # 2009-001, Southaven County Park Trap & Skeet Range, Part I - Findings of Fact Report, May 7, 2009".

Motion by: Mr. Turner

Second by: Ms. Gallagher

Ayes: Ms. Gallagher, Mr. Turner, Mr. McCormick, and Mr. Shea

Nays: None

Abstentions: Mr. Scully

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Compliance and Enforcement Investigation Report # 2009-001

Southaven County Park Trap & Skeet Range

Part I –Findings of Fact Report

May 7, 2009

Peter A. Scully
Chair

Phillip J. Cardinale
Member

Linda A. Kabot
Member

Mark Lesko
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Compliance and Enforcement Investigation Report # 2009-001
Southaven County Park Trap & Skeet Range
Part I –Findings of Fact Report

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Exhibit A – Southaven County Park Site Location Map

Exhibit B – March 18, 2009 Commission Resolution

Exhibit C – Chronology

Exhibit D – Aerial Photographs dated 1947, 1962, 1977-78, 1996, 1999 (2), 2001, 2004, 2007.

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Attorney – Client Privileged / Law Enforcement Confidential

To: Commission Members and Commission Counsel

From: Julie E. Hargrave, Environmental Planner
Lawrence J. Hynes, Compliance and Enforcement Coordinator
with support from Ray Corwin, Executive Director, and
Judy Jakobsen, Policy and Planning Manager

Date: May 7, 2009

Re: **Compliance and Enforcement Investigation Report # 2009-001**
Southaven County Park Trap & Skeet Range
Part I –Findings of Fact Report

Peter A. Scully
Chair

Phillip J. Cardinale
Member

Linda A. Kabot
Member

Mark Lesko
Member

Steve A. Levy
Member

I. Introduction

On March 18, 2009, the Commission adopted a resolution that directed that the Staff research and assess two main issues related to the Trap & Skeet Range at Southaven County Park¹ – material alteration of grade or vegetation and abandonment (see copy of resolution in Exhibit B).

This document consists of Part I of this investigation and presents the Findings of Fact related to physical conditions and activities on the Trap & Skeet Range. Part II, provided under separate cover, contains the legal interpretation of the findings by Commission Counsel.

A comprehensive history of the Trap & Skeet Range does not exist in any single document in the Commission's files. Therefore, the history of activity at the site was compiled through a review of in-house aerial photographs and materials in the file record from agencies and entities including the Suffolk County Legislature, Suffolk County Department of Parks, Pine Barrens Society, South Yaphank Civic Association, and members of the public. With the exception of readily accessible electronic documents on the Internet (e.g., Legislature resolutions), additional outside sources were not assembled to prepare this report²; the timeframe provided to the Staff was limited. The assessment presents the facts and inferences made from a review of the facts. A chronology of events, actions, and activities that relate to the Trap & Skeet Range is provided in Exhibit C.

This report is divided into three main sections: Historical Context, Trap & Skeet Range Activity, Assessment of Alteration of Grade or Vegetation.

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¹ See Exhibit A for Site Map.

² Sources were based on all available information (results of Incident Reports, site visits, aerials, input from citizens and Suffolk County Dept. of Parks) and conducted on a time sensitive basis.

II. Historical Context

The historical context of the Range is divided into a pre- and post-1993 to analyze the overall site conditions based a review of the aerial photographs available, before and after the passage of the New York State Environmental Conservation Law Article 57 in July 1993. Historical information culled from the file is included, as applicable.

A. Pre-1993

In-house aerial photographs available for the following years³ were examined to assess observable physical spatial changes that occurred over time on the Range: 1947, 1962, 1977-78, 1996, 1999, 2001, 2004, and 2007 (copies of aerial photographs are provided in Exhibit D).

Based on a review of the pre-1993 aerials, it appears that the Trap & Skeet Range, as its boundaries are generally known, did not exist in 1947; the site area where the range exists today was wooded in 1947.

The aerial dated 1962 is the first in which the Trap & Skeet Range appears from an aerial perspective. It shows a cleared area that encompasses approximately 30 acres and the presence of approximately eight Trap & Skeet stands. The wooded area north of the main building (future parking lot) is not cleared except for two cuts from Gerard Road.

The aerial dated 1977-1978 shows that the shape of the Trap & Skeet Range area is squared off and defined by a right of way or trail on the east side. The cleared area of the range is estimated at 19 acres. Approximately 11 Trap & Skeet stands can be counted. This aerial shows that clearing has occurred since 1962 in the area north of the main building (where a parking lot is presently located).

B. Post-1993

In 2002, Suffolk County authorized a report titled "Initial Environmental Evaluation at Southaven County Park Trap & Skeet," prepared by Dick Peddicord. The "Pedicord Report" provides some useful spatial and temporal historical references to commercial activity on the site. It states, "The site under consideration consists of approximately 50 acres in Southaven County Park, with approximately 1,800 feet of frontage on the east side of Gerard Road and was known as the Southaven County Park Trap & Skeet Range site. The site has been used for clay target shooting since the 1920s. The Nassau Trap & Skeet Club operated a trap and skeet range on the site from 1951 to 1974, when Suffolk County began to operate the trap and skeet range on the site through a lease to private operator. A sporting clays course was added about 1990 and gradually expanded to 12 stations by 2000. The range was in continuous commercial use from 1951 to late 2001 when shooting at the site was indefinitely suspended due to contractual issues between the County and licensed operator. The range has not been used since late 2001. At the time shooting was suspended, the facility had four trap fields, 10 skeet fields, and a 12 stand sport clays course." The Report continues, "Clay target shooting has occurred at the

³ Aerial photos were taken in the early Spring of the years listed.

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site for approximately 80 years, and a commercial clay target range has operated on the site for approximately the last 50 years.”

The uses or number of shooting “areas” at the range recorded in the Peddicord Report were supported by a Suffolk County Legislature resolution dated April 2002, which stated that the facility contained “four trap fields, 10 skeet fields, and a 12 position sporting clays range.” The resolution stated that the size of the “parcel” was 1,800 feet by 600 feet (approximately 24.8 acres).

III. Trap & Skeet Range Activity

This section discusses some specific activities related to the Trap & Skeet Range that occurred from October 2001 to July 2006. For clarity, the categories of activity are divided into three sections: Public Access and Commercial Activity, Government Physical (non-public) Activity, and Government Administrative Activity.

A. Public Access and Commercial Activity

According to a Suffolk County Legislature resolution adopted on December 14, 2005, the “shooting range at Southaven County Park has been closed to the public since 2001.” This is supported in part by Suffolk County Parks in an Environmental Assessment Form dated November 1, 2004, which referred to the range as “closed for use by the general public.” References to the “re-opening” of the Range occur in a number of documents including resolutions adopted by the Suffolk County Legislature and meeting minutes of the Commission, Council on Environmental Quality (CEQ), and Central Pine Barrens Advisory Committee (see Exhibit C).

Although no commercial activity occurred on the Trap & Skeet Range from October 2001 to July 2006, activities such as repairs and maintenance at the Range were authorized by Suffolk County and conducted by Parks or DPW personnel. Administrative efforts related to Trap & Skeet also transpired during this non-public period of activity at the Range including government proceedings by the Suffolk County Legislature (e.g., allocation of resources to fund environmental evaluations).

The main events or activities related to the Trap & Skeet site that occurred during this period are discussed in the categories of physical maintenance and government activity. Refer to the chronology in Exhibit C for a complete list of the known activities and concerns related to the Trap & Skeet site during this period.

B. Government Physical Activity

On July 30, 2004, Suffolk County prepared and issued a cost estimate for repairs at the Trap & Skeet Range. After an assessment of the range, Parks maintenance and operations personnel began making repairs to the range including: interior renovations to the main building, asphalt work on shooting stations, target machinery replacements, work on sporting clay stations, water service upgrades, and replacement of sound dampening inside shooting stations.

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On May 18, 2006 and July 3, 2006, Suffolk County Department of Public Works issued Building Permits for the “deck and handicapped ramp” and “repair and rebuild range bunkers,” respectively. Based on photographs provided by the South Yaphank Civic Association, the deck appears to have been completed by July 2006. Photographs from June 2006 show the removal of skeet bunkers and by January 2007, the bunkers were rebuilt.

C. Government Administrative Activity

The Suffolk County Legislature completed administrative activities related to the Trap & Skeet Range during this period including the adoption of resolutions that appropriated funds for repairs on site and noise and lead evaluations. Other Legislative actions included the commencement of the Request for Proposals (RFP) process to select a concessionaire to operate at Trap & Skeet. The County issued RFPs on two separate dates – September 10, 2001 and April 14, 2005. On December 15, 2005, Suffolk County authorized a license agreement with Hunter Sports Inc. to operate as the concessionaire at the Trap & Skeet Range.

In 2002, Suffolk County authorized environmental assessments of lead contamination and noise pollution, which resulted in the release of the Peddicord Report and Hansen Report (undated), respectively.

IV. Assessment of Alteration of Grade or Vegetation

This section includes an assessment of aerial photographs available in the record and the ground-level disturbance that has been reported on the Range (see Exhibit D for copies of the aerials).

A. Aerial Photograph Analysis of Overall Site

The aerial dated 1996 is the first in the record that exists after the enactment of NYS ECL Article 57. A comparison of the 1977-78 and 1996 aerials concludes:

- The spatial extent of vegetation cover is evident between the 1977-78 aerial and the 1996 aerial. The 1996 aerial shows that the cleared area of the range extends approximately 3.5 acres⁴ further south than it did previously (compared to the 1977-78 aerial)
- Compared to the 1977-78 aerial, the 1996 aerial shows the clearing of approximately 2.1 acres in the northeast corner of the Range (a roughly triangular-shaped area). The exact date(s) when this clearing occurred (as compared to previous aerial photographs of the same location) cannot be determined since the clearing occurred some time in between the years of 1978 and 1996. Moreover, no evidence exists to determine if area was cleared prior to or after 1993. There is no record that this area was cleared for the use of the Range.

⁴ Areas were estimated based on GIS aerial photographs and were not field checked or surveyed.

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- The 1996 aerial shows the presence of clearing in the wooded area, in the southeast quadrant of the range where the sporting clay stations currently exist; this clearing appears as “finger-like” projections from the main range area eastward. This particular clearing area did not appear in the 1977-78 aerial.
- The 1996 aerial shows that approximately 13 shooting bases can be counted in the main range area and may include skeet stands and sporting clays stands.
- The 1996 aerial shows the area north of the main building having been cleared for use as a parking lot.

The 1999 aerial shows generally the same Trap & Skeet Range area that is shown in the 1996 aerial.

The 2001 aerial shows generally the same Trap & Skeet Range area that is shown in the 1999 aerial.

The 2004 aerial shows generally the same Trap & Skeet Range area that is shown in the 2001 aerial. This is the only aerial that shows the Range when it was “not open to the public,” according to Suffolk County.

The 2007 aerial is the first on record since the “re-opening” in July 2006. The 2007 aerial shows generally the same Trap & Skeet Range area that is shown in the 2004 aerial, with one apparent exception, which is the addition of a steel container that was installed in the wooded area adjacent to northern parking lot; it lies perpendicular to Gerard Road and adjacent to the fence line.

B. Ground-level Disturbance of Selected Areas of the Range (Photographs Available)

Aside from the activity that occurred at the Range that can be observed from an aerial perspective, ground-level activity occurred on the site, some of which occurred in areas that were already cleared. This section highlights some of the reports of activity on the ground throughout the Range.

i. Fence

In September 2006, the fence along the northwest perimeter of the site was replaced (approximately 1,200 feet in length). This incident was the subject of Incident Report (IR) # 2006-019. This incident is closed.

ii. Main Building and Northern Parking Lot

In June 2006, it was reported that a handicapped accessible ramp was constructed on the eastern elevation of the main building. This incident was the subject of IR # 2006-017. This incident is closed.

Commission Staff performed a site visit with a Suffolk County Parks representative on March 13, 2008 (see Exhibit C). Staff observed that a steel cargo container was installed in the wooded area north of the main building. This incident was the subject of IR # 2009-023. This incident remains open.

iii. Skeet Shooting Stations and Range Bunkers

In July 2006, the range bunkers were reconstructed, as per a Building Permit issued by Suffolk County Department of Public Works. An IR was not filed for this activity, but photographs were submitted and remain in the file record.

The areas of the site that encompass the skeet shooting range and sporting clays stations have accumulated lead and clay shot over time. According to the Peddicord Report, "From January 1999 to December 2002, approximately 275,000 targets per year were sold to the range operator, for a total of 802,860 targets." The Report continues, "Most of the shot fell in the same mowed field as the shot from the trap & skeet fields, with some shot and most targets falling in the wooded and brushy areas in which the shooting positions were located...The field in front of the trap & skeet fields has a mowed cover of coarse grass. The middle portion of the field is more sparsely vegetated, and the eastern portion of the field near the woods is relatively free of vegetation...There is no doubt that during that time [50 years of commercial clay target range has operated on site and clay target shooting on site for 80 years] that more than enough shot and clay target fragments have been deposited on the site to reach some sort of quasi-steady state condition in terms of environmental activity." The Report further states, "Observations of shot accumulations at the site are consistent with ballistics models, which indicate that the maximum concentrations of shot would be expected between approximately 375 and 600 feet from the shooting positions."

iv. Sporting Clays Stations

The shooting activity in the sporting clay stations has resulted in damage to trees penetrated by lead shot. This incident was the subject of IR # 2008-035. This incident remains open.

The areas of the site that encompass the skeet shooting range and sporting clays stations have accumulated lead and clay shot over time. According to the Peddicord Report, "From January 1999 to December 2002, approximately 275,000 targets per year were sold to the range operator, for a total of 802,860 targets." The Report continues, "Most of the shot fell in the same mowed field as the shot from the trap & skeet fields, with some shot and most targets falling in the wooded and brushy areas in which the shooting positions were located...The field in front of the trap & skeet fields has a mowed cover of coarse grass. The middle portion of the field is more sparsely vegetated, and the eastern portion of the field near the woods is relatively free of vegetation...There is no doubt that during that time [50 years of commercial clay target range has operated on site and clay target shooting on site for 80 years] that more than enough shot and clay target fragments have been deposited on the site to reach some sort of quasi-steady state condition in terms of environmental activity." The Report further states, "Observations of shot accumulations at the site are consistent with ballistics models, which indicate that the maximum concentrations of shot would be expected between approximately 375 and 600 feet from the shooting positions."

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v. Miscellaneous Incidents on Other Portions of the Site

In January 2009, it was reported that dumping of wood debris (discarded planks) occurred in an area that covers roughly 20 feet by 10 feet in the northern portion of the site. This incident was the subject of IR # 2009-001. This incident remains open.

In January 2009, it was reported that damage to undergrowth occurred in the wooded sporting clay station area due to the use of golf carts on paths throughout the range. This incident was the subject of IR # 2009-002. This incident remains open.

In April 2009, it was reported that a water main was installed from the main building to Gerard Road. This incident was the subject of IR # 2009-019. This incident remains open.

V. Conclusion

The Commission's file contains a variety of information related to the history and activities at the Trap & Skeet Range. However, it is not a complete record of activity that has occurred at the Range. The data that are available such as the in-house aerial photographs provide the ability to infer changes on the ground from an overall site or aerial perspective. Additionally, through an evaluation of other information including Incident Reports, photographs, and other relevant documents (e.g., permits, maintenance projects, environmental evaluations), ground-level changes are detectable.

Exhibit A

Southaven County Park

2007



Cpb_poly.shp

CGA

COR

Streams

Lakes

Land and Coastline

Water

Land

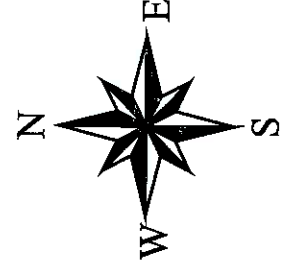


Exhibit B



CENTRAL
PINE
BARRENS
JOINT
PLANNING
&
POLICY
COMMISSION

Peter A. Scully
Chair

Lori Baldassare
Member

Philip J. Cardinale
Member

Linda A. Kabot
Member

Steve A. Levy
Member

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Resolution on the Southaven County Park Trap and Skeet Range

Central Pine Barrens Commission Meeting of March 18, 2009
Brookhaven Town Hall, Farmingville, NY

Commission members present:
Mr. Scully (for New York State),
Ms. Gallagher (for Suffolk County),
Ms. Prusinowski and Mr. Turner (for Brookhaven Town),
Mr. McCormick (for Riverhead Town),
Mr. Shea (for Southampton Town).

Resolved, that the Central Pine Barrens Joint Planning and Policy Commission, by majority vote, hereby directs Commission counsel, in conjunction with Commission staff, including law enforcement staff, to undertake an investigation and provide a written legal opinion if activities at the Southaven County Park Trap and Skeet Shooting Range constitute “development” as defined within the Pine Barrens Act, specifically addressing “abandonment” of use regarding prior vendors at the site. Commission counsel, in conjunction with Commission staff, is directed to provide factual findings and a written legal opinion on this matter to the Commission on or before May 20, 2009. Be it further,

Resolved, that the Central Pine Barrens Joint Planning and Policy Commission, by majority vote, hereby directs Commission counsel, in conjunction with Commission staff, including law enforcement staff, to undertake an investigation and provide a written legal opinion if activities at the Southaven County Park Trap and Skeet Shooting Range constitute “development” as defined within the Pine Barrens Act, specifically addressing “material alteration”, if any, at the site. Commission counsel, in conjunction with Commission staff, is directed to provide factual findings and a written legal opinion on this matter to the Commission on or before May 20, 2009.

Motion by: Mr. Turner

Second by: Mr. Shea

Ayes: Mr. Turner, Mr. Shea, Ms. Gallagher, and Mr. McCormick

Nays: None

Abstentions: Mr. Scully

Exhibit C

Attorney Client Privileged and Law Enforcement Confidential
 Southaven County Park Trap and Skeet Range
 Exhibit C - Chronology
 CAE Report # 2009-001

Date	Event	Source	Reference/Notes
1947	aerial photograph	CPBJPPC GIS	
1962	aerial photograph	CPBJPPC GIS	
1977	aerial photograph	CPBJPPC GIS	
July 13, 1993	Effective date of the Pine Barrens Protection Act	CPBJPPC	NYS ECL Article 57
1996	aerial photograph	CPBJPPC GIS	
1999	aerial photograph	CPBJPPC GIS	
2001	aerial photograph	CPBJPPC GIS	
August 3, 2001	Licensee defaulted on agreement	SC Timeline (5/18/06)	
October 2001	Closed for use by public		TOB resolution (5/6/08), SC Res No. 1268-2005 (12/14/05)
October 11, 2001	SC Parks, SCDPW, USEPA assessment of contamination and remedial activities.	SC Timeline	
	SC Parks to conduct environmental and acoustic evaluation. Resolution states, "T&S contains four trap fields, ten skeet fields, 12 position sporting clays range; parcel is 1,800 feet x 600 feet."	SC Timeline	SC Res No. 279-2002
April 24, 2002	SC Parks sought and awarded contract to Peddicord for environmental evaluation.	SC Timeline	
August 14, 2002	SC Parks sought and awarded contract to Hanson for report on sound at T&S.	SC Timeline	
August 19, 2002	Commercial clay target range operation on site for 50 years. Site is 50 acres. Site used for clay target shooting since 1920s. Nassau T&S Club operated on site from 1951 to 1974 when SC began to operate T&S through a lease to private operator. 1990 - sporting clays course added and expanded to 12 stations by 2000. Range in continuous commercial use from 1951 to late 2001 when shooting suspended due to contract issues between County and operator. Four trap fields, 10 skeet fields, 12 stand sport clays course.		
August 28, 2002	SC Parks Report "Initial Environmental Evaluation Southaven County Park Trap and Skeet."	Peddicord Report	Peddicord Report
August 28, 2002	Resolution directing SC Parks RFP process to re-open T&S range for recreational gun owners.	Dick Peddicord & Co. Report	
September 10, 2002	SC Parks RFP Committee voted to award contract to Camp Site Sport Shop.	SC Res No. 884-2002	
October 18, 2002	SC Parks assessed noise pollution and lead contamination.	SC Timeline	
2003	SC Parks memo to Rob Seyfarth of SCDHS to review landfill specs and have debris at T&S tested.	SC Timeline	
March 3, 2003		SC Timeline	

Events in boldface type represent notable dates in the timeline
 SYCA - South Yaphank Civic Association
 PBS - Pine Barrens Society

Attorney Client Privileged and Law Enforcement Confidential
Southaven County Park Trap and Skeet Range
Exhibit C - Chronology
CAE Report # 2009-001

Date	Event	Source	Reference/Notes
April 2003	Camp Site Sport Shop wanted substantial changes to contract that were unacceptable to SC. Camp Site Sport Shop out of negotiations.	SC Timeline	
May 13, 2003	SC Code Ch 366 (Noise) amended Local Law No 18-233 to exempt noise emanating from County-owned shooting ranges existing prior to 1/1/1980.	SC Timeline	
June 24, 2003	SC provided \$500K in 2004 to moderate noise at T&S.	SC Timeline	No resolution found
December 24, 2003	SC Parks Plan to CEQ to address noise and shot at T&S.	SC Timeline	
2004	SC Parks repairs ongoing.	SC Timeline	
2004	aerial photograph	CPBJPPC GIS	
January 21, 2004	CEQ reviewed noise and shot plan.	SC Timeline	
March 29, 2004	Resolution authorizing the issuance of \$50,000 serial bonds to pay for the cost of planning for noise moderation and attenuation at T&S.	SC Timeline	SC Res No. 277-2004
March 29, 2004	SEQRA Determination (non-significance) on noise and shot mitigation.	SC Timeline	SC Res No. 312-2004
March 29, 2004	Resolution appropriating funds for noise moderation and attenuation at T&S.	SC Timeline	SC Res No. 278-2004
May 2004	Consultant hired for noise abatement.	SC Timeline	
July 30, 2004	SC Parks Maintenance Div Report T&S Estimated Cost of Improvements.	SC Parks report	
August 2004	SCDPW Report "Analysis of Noise and Lead Mitigation at Suffolk County T&S Southaven"	LK McLean Assoc Report	
November 1, 2004	SC Parks letter to T. Elkowitz re T&S proposed renovations.	SC Parks letter	
November 1, 2004	EAF Parts I & II for improvements to T&S including removal of 31,450 square feet of vegetation. EAF Part I also stated, "Project area closed to general public at this time," and "vegetation to be removed by this project, 6,000 sq. ft. (0.14 acres) to accommodate southern extent of noise barrier." Also stated "project area is closed to general public at this time."	SC Parks	
November 17, 2004	Nick Gibbons discussed re-opening T&S and noise barrier options.	CEQ Minutes 11/17/04	
November 18, 2004	Letter from SC Parks to T. Elkowitz re requested documents pertaining to T&S (environmental evaluation, noise and lead mitigation).	SC Parks letter	
November 18, 2004	SEQRA Coordination re improvements (installation of noise wall).	SC Parks letter	
November 22, 2004	Noise Abatement Report/Plan received by CPBJPPC	Hanson Consulting Report (undated)	
November 24, 2004	SEQRA coordination to All Involved Agencies and Interested Parties re installation of noise wall (17' tall, 1,850' long) and clearing 0.2 acres.	SC Parks letter	
December 15, 2004	T&S constitutes development and schedule hearing.	CPBJPPC minutes	
December 29, 2004	SC Exec approves \$450,000 for infrastructure improvements at T&S.	SC Timeline	SC Res No. 1376-2004

Events in boldface type represent notable dates in the timeline
SYCA - South Yaphank Civic Association
PBS - Pine Barrens Society

Date	Event	Source	Reference/Notes
January 18, 2005	SC Parks letter to CPBJPPC request to postpone hearing indefinitely on Improvements at T&S.	SC Parks letter	
January 19, 2005	T&S improvements application withdrawal.	CPBJPPC minutes	
April 14, 2005	RFP advertised. Proposals due May 25, 2005.	SC Timeline	
May 6, 2005	Q&A doc on T&S site tour on April 28, 2005 re noise mitigation, relocation, lead, etc.	SC Parks letter w/attachment	
June 15, 2005	CEQ minutes, Nick Gibbons re County water connection and whether it's an upgrade to T&S.	CEQ Minutes 6/15/05	
July 29, 2005	Hunter Sports Shooting Grounds selected as concessionaire.	SC Timeline	
August 2005	Contract negotiations with Hunter Sports began and continue.	SC Timeline	
December 6, 2005	SC authorizes issuance of \$300,000 bond for noise attenuation, environmental restoration and other improvements	SC Res No. 1266-2005	
December 14, 2005	SC resolution appropriating \$300,000 for improvements at T&S.	SC Res No. 1267-2005	
December 14, 2005	SC resolution authorizing license agreement with Hunter Sports Inc at T&S.	SC Res No. 1268-2005	
December 27, 2005	Inquiry re T&S and health concerns.	Parkell (Charles Cassar) letter	
December 29, 2005	Letter from Commission Staff to Charles Cassar re lead and cleanup at T&S.	CPBJPPC letter	
December 30, 2005	Letter from John Palasek re noise and lead at T&S.	John Palasek letter	
January 2, 2006	Letter from concerned citizen opposed to re-opening.	Carol & John Haas letter	
January 18, 2006	Dick Amper comments. T&S controversy, asked CPBJPPC to look into T&S.	CPBJPPC minutes	
January 23, 2006	Response from Commission Staff to Mr. Palasek.	CPBJPPC	
February 15, 2006	Comments from three speakers. SYCA opposed to re-opening, need environmental review. John Palask also spoke and opposed.	CPBJPPC minutes	
March 9, 2006	Letter from concerned citizen.	Chris Broszeit letter	
March 9, 2006	Motion passed advising Commission to oppose re-opening. SYCA opposed to re-opening, excessive lead levels.	CPB Advisory Committee minutes	
May 9, 2006	Motion passed requesting Commission if they receive additional materials on the re-opening of the facility from Suffolk County that the Commission submit them to the AC.	CPB Advisory Committee minutes	
May 15, 2006	Received call from J. McConnell, SYCA re activity at the site, health hazard, noise, Core pine barrens, lead in monitoring wells.	phone record	
May 16, 2006	Construction equip operating on site.	IR 2006-009	not enough info. Closed 3/14/08.
May 16, 2006	Received call from H. Carpluk re violation he believes is occurring on site, heavy construction equip.	phone record	5/16/06 forwarded complaint to DEC and Town.

Date	Event	Source	Reference/Notes
May 17, 2006	Letter from Assemblywoman Patricia Eddington in opposition to T&S.	Office of State Assembly letter	
May 17, 2006	Email to P. Scully from R. Rotterdam re taking lead from site and dumping it in TOB dump.	email	
May 17, 2006	Comments from fourteen (14) speakers. Comments from representative of Assemblywoman P. Eddington. Constituents have opposed T&S, residents have no protection, noise and stress, new location should be found.	CPBJPPC minutes	
May 18, 2006	SCDPW Building Permit for T&S deck and ramp.	SCDPW Building Permit No. 38-2006BP	
May 18, 2006	Chief Deputy County Executive memo to CPBJPPC re T&S re-opening (non-development, existing recreational use).	SC Executive Office	
May 19, 2006	2007-2009 Proposed Capital Program 2007 Capital Budget - Noise abatement.	SC Leg report	
May 23, 2006	Letter from PBS to S. Levy re suspension of activity for more than year and re-opening of T&S.	PBS letter	
Summer 2006	Target date for re-opening of range, or earlier if possible.	SC Timeline	
June 1, 2006	T&S photos submitted to Commission on June 7, 2006.	Photos	
June 1, 2006	Letter from SYCA with materials attached (copy of 1/18/05 letter from SC Parks to CPBJPPC; copy of CEQ 11/17/04 minutes; copy of EAF d. 11/1/04 presented to CEQ on 11/17/04).	SYCA letter	
June 1, 2006	Letter from PBS to P. Cardinale requesting he support CPBJPPC assertion of jurisdiction.	PBS letter	
June 1, 2006	Letter from PBS to B. Foley requesting he support CPBJPPC assertion of jurisdiction.	PBS letter	
June 1, 2006	Letter from PBS to AG Spitzer requesting intervention in the re-opening.	PBS letter	
June 1, 2006	Large amount of work done on site.	IR 2006-010	not enough info. Closed 3/14/08.
June 1, 2006	Letter from PBS to P. Heaney requesting his support CPBJPPC assertion of jurisdiction.	PBS letter	not enough info. IR closed 3/1/08.
June 2, 2006	Development activity occurring.	IR 2006-011	not enough info. Closed 3/14/08.
June 5, 2006	Activity on site.	IR 2006-012	
June 6, 2006	Letter from SYCA to T. Limoli with questions about cutting trees and connecting to city water constituting development.	SYCA letter	
June 6, 2006	Letter to S. Levy and P. Scully requesting CPBJPPC assertion of jurisdiction and listing other organizations that have joined PBS in support.	PBS letter	

Events in boldface type represent notable dates in the timeline
SYCA - South Yaphank Civic Association
PBS - Pine Barrens Society

Date	Event	Source	Reference/Notes
June 8, 2006	Letter and results of groundwater sampling from Dermody Consulting to County Executive Steve Levy.	Dermody Consulting report	
June 8, 2006	ECOs, SCP meeting at Range site inspections to assess tree trimming and moving	Note to file	
June 12, 2006	CPBJPPC letter to Connie Keper re T&S re-opening.	CPBJPPC letter	
June 13, 2006	PBS public comment letter re halting activity to re-open T&S and find another location.	PBS letter	
June 16, 2006	Letter to CPBJPPC re T&S re-opening and review by Commission staff.	CPB Advisory Committee letter	
June 20, 2006	Letter to CPBJPPC from National Assoc of Shooting Ranges.	NASR letter	
June 20, 2006	Heavy equip operating on site. Handicapped ramp being installed.	IR 2006-017	Closed IR. Ramp ADA compliant.
June 20, 2006	Memo from R. Corwin to Commission re NYS EnCon Police Report on T&S.	cover letter only	ATTORNEY CLIENT PRIVILEGE
June 20, 2006	Received call from SYCA. Backhoe sweeper trucks on site, deck, and ramp and new stairs construction.	phone record	
June 21, 2006	SYCA letter with photos to CPBJPPC. Concerned about re-opening.	SYCA letter	
June 21, 2006	Discussion of jurisdiction; motion by J. Turner to determine whether re-opening is development. No second motion. Referral to counsel.	CPBJPPC minutes	
June 21, 2006	SYCA letter to Commission with recent history (2001 to 2006) and status of facility.	SYCA letter	
June 27, 2006	PBS statement package of copied letters including SC draft resolution to cease operation of T&S, 2005 amendment to ECL 57, copy of ECL 57 development definition.	PBS letter and materials package	
June 27, 2006	Bulldozers on site chopping down trees.	IR 2006-018A	not enough info. IR closed 3/14/08.
June 27, 2006	Large vehicles operating on site.	IR 2006-018B	not enough info. IR closed 3/14/08.
June 27, 2006	Received call from J. McConnell large vehicles, backhoes operating on site, digging trenches.	phone record	
June 27, 2006	Received call from J. Maresca (range neighbor) bulldozers on site, ripping down trees, wants to file complaint.	phone record	filled out complaint form
June 30, 2006	Received call from P. Degan, Sn Town Investigator (Town of Brookhaven) who said Town has no jurisdiction over T&S; send complaints to Suffolk County.	phone record	PBLU complaint protocol faxed to him.
July 2006	Re-opened T&S to public.	TOB resolution (5/6/08), SC Res No. 1268-2005 (12/14/05)	
July 3, 2006	SCDPW Building Permit to repair and rebuild T&S range bunkers.	SCDPW Building Permit No. 50-2006BP	

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PBS - Pine Barrens Society

Date	Event	Source	Reference/Notes
July 15, 2006	Installation of wooden wall 15 ft high and 40 ft long.	IR 2006-013	Closed 3/14/08
July 18, 2006	SYCA Photos of sporting clay stations.	Photos	
July 19, 2006	Comments from three speakers. Discussion of jurisdiction.	CPBJPPC minutes	
August 11, 2006	PBS vs County of Suffolk Hunter Sports Shooting Co and CPBJPPC.	Litigation Index No. 06-22354	
August 16, 2006	CPBJPPC Exec Dir letter to AG Spitzer re representation of new litigation on T&S.	CPBJPPC letter	
August 22, 2006	SC Resolution (Draft No. 927-2006) directing SC Parks to cease operation of T&S at Southaven	SC Res No. 1738-2006 (draft intro res dated 6/13/06 was not adopted on 8/22/06)	
September 5, 2006	Received call from J. McConnell re removal of snow fencing and dumping in rear of property. She filed a police report.	phone record	
September 15, 2006	PBS et al vs. CPBJPPC et al	Litigation Index No. 06-22354	
September 25, 2006	Six (6) foot high poles cemented into ground to construct 1,200 feet of fence.	IR 2006-019	re-install fence for safety, security. IR closed 3/14/08.
October 12, 2006	SYCA Photos of fence line and trees with lead shot in them.	Photos	
October 18, 2006	Comments from SYCA discussed activities at T&S.	CPBJPPC minutes	
November 10, 2006	PBS et al vs CPBJPPC et al Memo of Law in support of its motion to dismiss petition.	Litigation Index No. 06-22354	
2007	aerial photograph	CPBJPPC GIS	
January 8, 2007	PBS et al vs CPBJPPC et al reply affirmation in support of motion to dismiss.	Litigation Index No. 06-22354	
March 20, 2007	PBS et al vs CPBJPPC et al Memo of Law in Support of Its Motion to Dismiss the Petition.	Litigation Index No. 06-22354	
April 18, 2007	SYCA submitted eleven (11) photos of T&S facilities.	Photos dated 3/13/07	
May 3, 2007	Heard trimming, cutting and chipping of trees without witnessing. Saw trucks leaving site.	IR 2007-009.	not enough info. Closed 3/25/08.
May 4, 2007	Duplicate incident as IR 2007-009.	IR 2007-010.	not enough info. Closed 3/25/08.
June 27, 2007	20 pallets of noise mitigation material delivered.	IR 2007-008.	confirmed. IR closed 3/14/08
July 18, 2007	Comments from two speakers. SYCA commented on damage at Southaven from golf carts and stray shot hit neighbors tree.	CPBJPPC minutes	

Events in boldface type represent notable dates in the timeline
SYCA - South Yaphank Civic Association
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Date	Event	Source	Reference/Notes
July 18, 2007	Letter from SYCA re damage from golf carts. Package includes photos of sport clay stations before and after (1 year apart)	SYCA letter	
September 10, 2007	Letter from SC Parks to Mark Wroobel (Hunter Sports) re planned lead cleanup	SC Parks letter	
December 5, 2007	Email from Suffolk County Leg Office re alternative location for T&S	Joshua Slaughter (aide to Kate Browning)	
December 5, 2007	Letter from SYCA with attached letter d. 12/4/07 to officials re Commission jurisdiction and determination whether re-opening is development.	SYCA letter	
January 16, 2008	SYCA letter/info package with articles, copies of SC cap program 2005, 2006, and 2007 budget, photos of renovations to building (and HC ramp) and three SCDPW building permits dated 5/18/06, 6/22/06, 7/3/06	SYCA letter	
January 16, 2008	Comments from six speakers. SYCA commented on ATVs, vegetation, lead in vegetated areas at T&S.	CPBJPPC minutes	
January 23, 2008	Destruction of vegetation and undergrowth in the sporting clay stations #9 and #10 due to the use of golf carts.	IR 2008-002.	closed 10/23/08, closed off area.
February 5, 2008	Letter to P. Scully from Senator K. LaValle re Dec. 4, 2007 letter from SYCA.	Letter	R. Corwin followed up with Sen LaValle's office.
February 13, 2008	Installation of a wooden wall in the sporting clay course.		duplicate report to IR 2006-013. This IR closed 3/14/08.
February 20, 2008	email from R. Corwin to P. Scully re reply to S LaValle's office.	IR 2008-008. email	
February 25, 2008	Installation (replacement) of 1,200 feet of chain link fence, vegetation removal	IR 2008-009.	duplicate report to IR 2006-019. Closed safety security for site.
March 13, 2008	Site visit to establish baseline conditions (L. Hynes, J. Hargrave, CPBJPPC Staff, & N. Gibbons of SC Parks)	photos	
March 19, 2008	Comments from SYCA Inquired about complaints she filed	CPBJPPC minutes	
April 16, 2008	Letter and materials from Town of Brookhaven C. Keper re determine if re-opening is development and photos.	Town of Brookhaven materials	
April 16, 2008	Comments from three speakers including Councilwoman C Keper noise issues, re-opening is development.	CPBJPPC minutes	
April 25, 2008	Removal of existing cement stoop and ramp, installation and construction of a deck and ramp.	IR 2008-021.	duplicate report to IR 2006-017, 019, New IR closed 3/14/08.

Date	Event	Source	Reference/Notes
May 6, 2008	Town of Brookhaven resolution directing CPBJPPC to assert jurisdiction and environmental review.	Town of Brookhaven Town Board Res No. 439-08	
May 13, 2008	Letter from Town of Riverhead Town Attorney's office requesting background information on T&S and legal opinion regarding Commission jurisdiction.	Letter from Riverhead Town Attorney's office	
May 20, 2008	C&E Investigation Report.	CPBJPPC staff	ATTORNEY CLIENT PRIVILEGE
May 21, 2008	Comments from eight speakers. Motion made by B. Foley to have Commission assert jurisdiction over re-opening. Motion was seconded by D. McCormick for purpose of a discussion. Second motion made by M. Shea and seconded by D. McCormick to table original motion to future meeting to allow Commission to consult with AG. Motion to table original assertion resolution was then approved by 4-1 vote with dissenting vote by B. Foley.	CPBJPPC minutes	
June 18, 2008	Comments from 28 speakers in support of and opposed to T&S.	CPBJPPC minutes	
June 24, 2008	Destruction of pine trees in sporting clay course.	IR 2008-035	open
July 7, 2008	Construction of stairs on a shooting tower.	IR 2008-038	closed 10/13/08 tower dismantled and removed.
July 16, 2008	Comments from SYCA re discussion of assertion of jurisdiction. AG & CPBJPPC to meet in closed session.	CPBJPPC minutes	
July 16, 2008	Comments from SYCA on discussion to assert jurisdiction and item was not listed on agenda but was discussed, ref to Open Government law. Motion made by B. Prusinowski seconded by P. Scully to approved change to 5/21/08 minutes to state that the first motion was to have Commission determine its jurisdiction over the range.	CPBJPPC minutes	
July 18, 2008	SYCA list of pictures and attached photos of sporting clay stations.	Photos	
July 29, 2008	Email from D&J Steigerwalk to Leg Browning and other decision makers. Concerns about wildfire and lead on the range and jurisdiction.	email	
September 17, 2008	P. Scully motion remains tabled until appeal is completed.	CPBJPPC minutes	
October 7, 2008	Arguments before Second Department.	Litigation Index No. 06-22356	
October 23, 2008	Site visit by L. Hynes and N. Gibbons to follow-up on incidents including destruction of vegetation and shooting tower	photos and memo	
November 19, 2008	Comments from four speakers including SYCA comments on development, noise, motions on record.	CPBJPPC minutes	
November 24, 2008	Letter from State Assemblywoman P. Eddington to CPBJPPC re jurisdiction.	State Assembly P. Eddington	

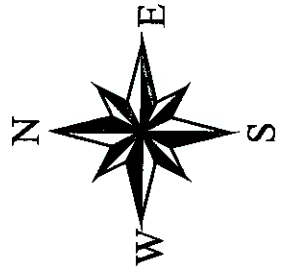
Events in boldface type represent notable dates in the timeline
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PBS - Pine Barrens Society

Attorney Client Privileged and Confidential
 Southaven County Park Trap and Skeet Range
 Exhibit C - Chronology
 CAE Report # 2009-001

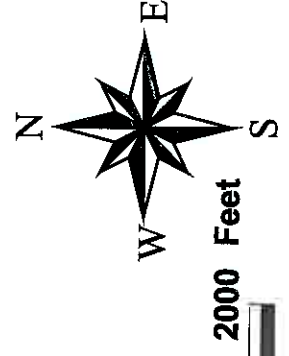
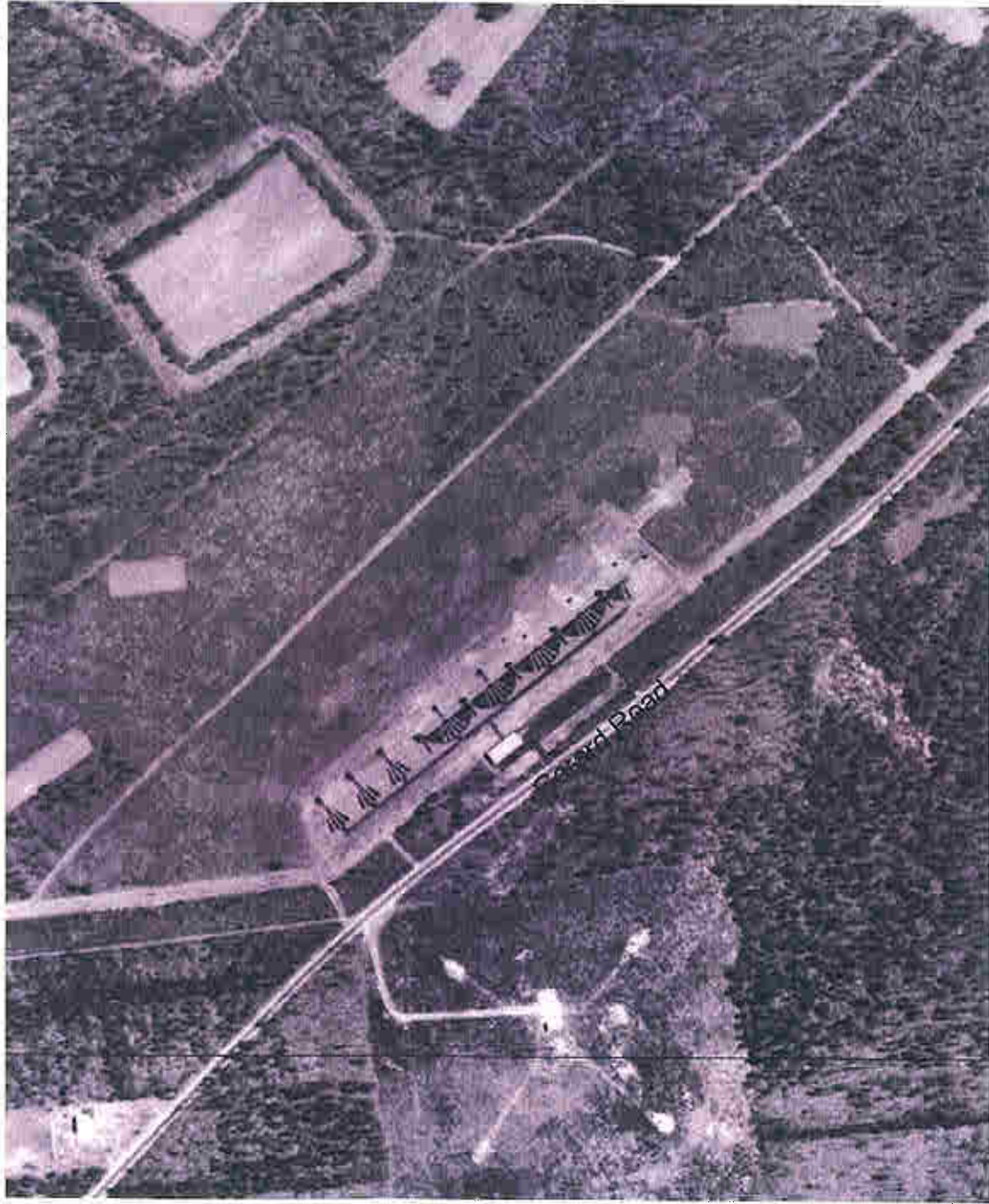
Date	Event	Source	Reference/Notes
December 17, 2008	Comments from SYCA litigation lead clean up. C. M. Gallagher letter re lead issues raised by CCE. B. Prusinowski motion to assert jurisdiction. No second motion.	CPBJPPC minutes	
January 15, 2009	Dumping of debris (wood).	IR 2009-001	open
January 20, 2009	Damage to undergrowth, golf cart use.	IR 2009-002	open
January 21, 2009	Comments three speakers including SYCA, who commented on lead at T&S.	CPBJPPC minutes	
February 25, 2009	J. Turner motion to determine if T&S operation is developed. No second motion.	CPBJPPC minutes	
March 18, 2009	Abandonment, development inquiry resolution adopted by CPBJPPC.	CPBJPPC resolution	
March 18, 2009	Suffolk County Legislature issues Trap & Skeet Search Committee Report.	SC Legislature Report	
April 8, 2009	SYCA report documenting photos of T&S range, rebuilt skeet houses, deck and ramp and abandonment case law.	SYCA Report	
April 21, 2009	SYCA email to CPBJPPC re connection of T&S Clubhouse to water main on Gerrard Road	email	
April 21, 2009	Water main installed at SC Parks Trap & Skeet.	IR 2009-019	open
May 5, 2009	Installation of storage metal container approximately 10 feet by 430 feet, northwest of building.	IR 2009-023	open

Exhibit D

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1962



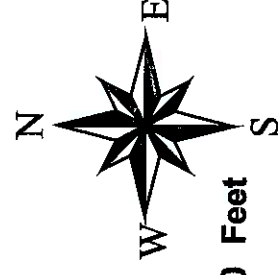
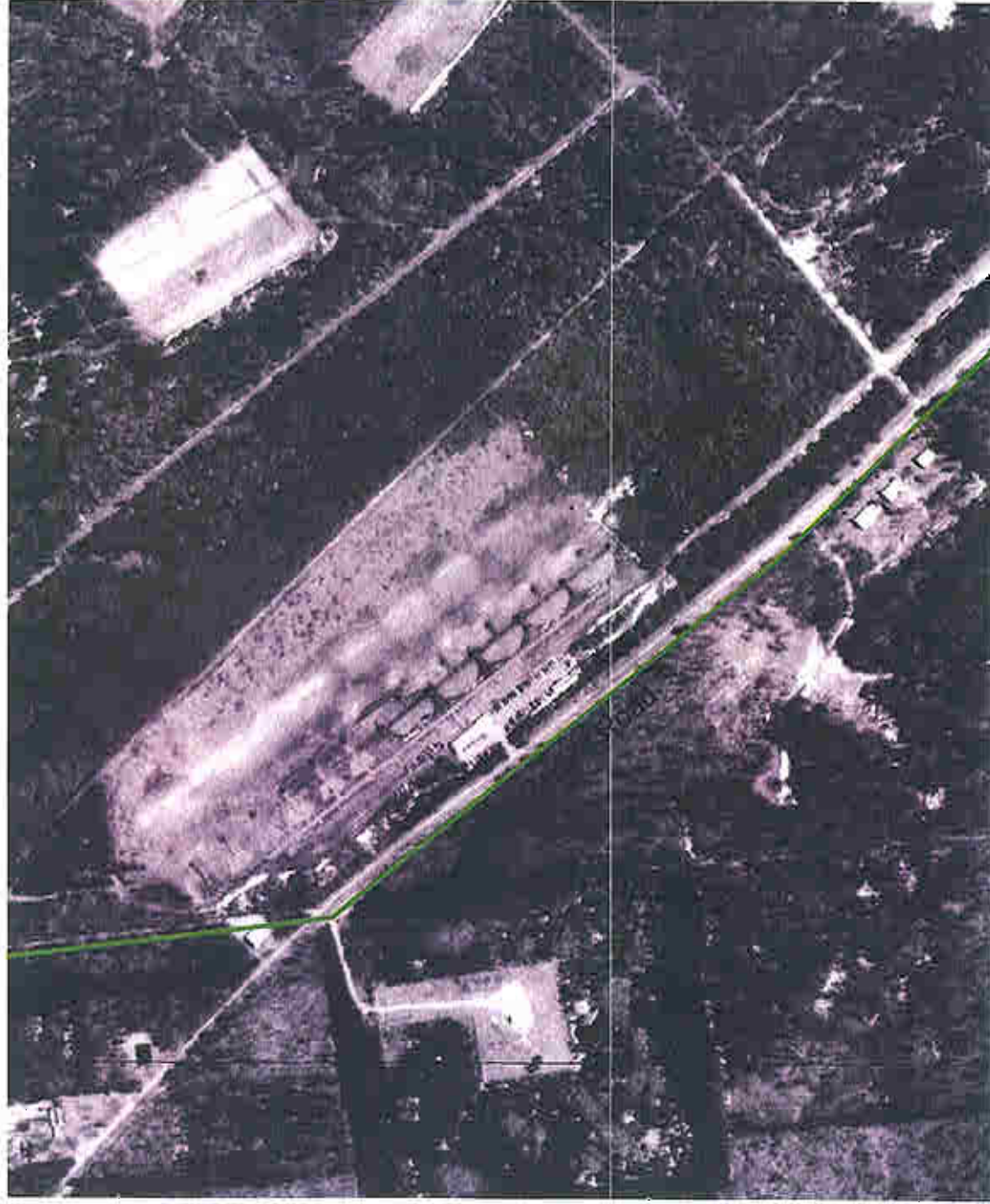
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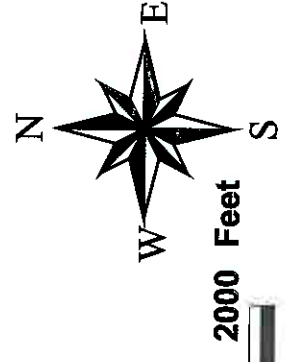
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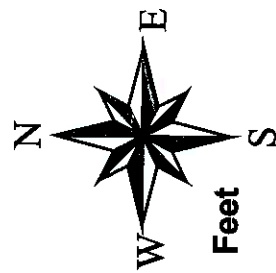
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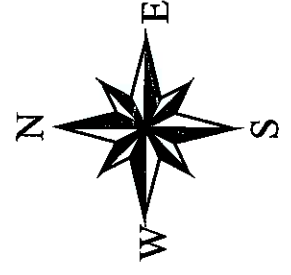
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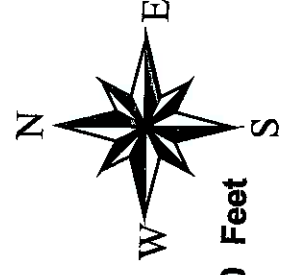
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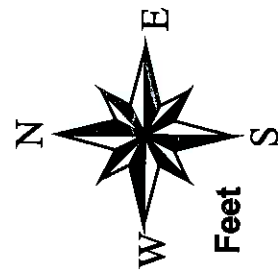
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