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A copy of the last annual report filed with the New York State Department of Law may be obtained by writing to NYS Attorney General's Charities Bureau, Attn: FOIL Officer, 120 Broadway, New York, NY, 10271 or may be obtained directly from the Long Island Pine Barrens Society, 2042 North Country Rd, Ste 103 Wading River, NY 11792

Printed on recycled paper.

Credit: LIPBS



GET OUTSIDE: Visit www.pinebarrens.org/calendar for our list of current Pine Barrens events. Pine Barrens members enjoyed a great guided kayak paddle tour at Quogue Wildlife Refuge on May 15, 2020.

Pine Barrens TV

The Pine Barrens Society's television program airs on Cablevision/Altice Public Access. October 1, 2020 to September 30, 2021.

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

Towns of Babylon, Brookhaven, Huntington, Islip, Riverhead, Smithtown, Southampton & Southold Channel 20:

Mondays at 7:00 PM
Tuesdays at 11:00 PM
Saturdays at 11:30 AM

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Wednesdays at 6:30 PM
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today

PINE BARRENS COMMISSION MAKES WRONG DECISION

Commissioners Approve the Lewis Road PRD in Split Decision

Credit: LIPBS



PINE BARRENS TARGETED: The recent approval of the Lewis Road PRD by the New York State Pine Barrens Commission could clear acres of beautiful Pine Barrens forest.

The New York State Pine Barrens Commission voted to conditionally approve the Lewis Road Planned Residential Development (PRD) in a shocking split-decision vote at their January 2021 meeting. The approval of this project, the biggest to ever come before the Commission for review, compromises the integrity of the Pine Barrens Protection Act and signifies the need for Commission reform.

What's Proposed

The Lewis Road PRD is a golf resort community proposed for the East Quogue Pine Barrens in the Town of Southampton. The project calls for 130 luxury homes, an 18-hole private golf course, workforce housing, Home Owners Association (HOA) clubhouse, changing room/locker facility, HOA maintenance facility, HOA maintenance annex, pool and pool house, fitness center, "Outdoor Pursuits" building, three "Comfort Stations," two ponds up to 10 ft. deep and a pond house, ball fields, a basketball court, two tennis courts and four pickleball courts. In addition to being proposed for the Pine Barrens, the project site is located in a state-designated Critical Resource Area and Special Groundwater Protection Area, as well as a Suffolk County-designated Critical Environmental Area.

A Complex History

This controversial development, formerly called the "Hills at Southampton" has been plaguing the East End of Long Island for more than a decade. In 2013, an application for "The Hills at Southampton" was submitted to the Town of Southampton, requesting a zoning-change under the Town's Planned Development District (PDD) code. From 2013 to 2017, the Pine Barrens Society and many other environmental and civic groups, banded together to participate in the Planned Development District (PDD) and the State Environmental Quality Review Act (SEQRA) review processes. While we worked to pull the community together – holding town forums, bringing in scientific experts, canvassing the neighborhood – the developer took a different approach. They hired people in the town to advocate on their behalf, they promised people jobs, they promised multi-million dollar "community benefit projects," set up food trucks outside public hearings, and donated tens of thousands of dollars to political campaigns.

In the end, our hard work paid off. In December of 2017, the Southampton Town Board voted down the project. The town also repealed the PDD legislation. The developer immediately filed a

\$100-million lawsuit against the Town of Southampton and the two town board members who voted against the project. That suit is still pending.

Just months after the Town Board voted down the "Hills at Southampton," the developer filed a nearly identical project under a different piece of zoning code, called a Planned Residential Development (PRD). The new project was named the "Lewis Road PRD." Ironically enough, the developer filed for the project under the town's Open Space Law and would be reviewed by the Southampton Town Planning Board. The developer argued that its professional 18-hole golf course was simply a recreational amenity to their 130 home development project. However, the golf course wasn't the only proposed amenity – they also proposed a baseball field, a practice fairway, a fitness center, pool, basketball court and four pickle ball courts. The Planning Board sought clarification from the town's Zoning Board of Appeals (ZBA). The Society and our coalition testified at these hearings before the ZBA. The Open Space Law and the PRD ordinance explicitly do not allow for golf courses as a recreational amenity to a development project. Several leading planners testified the same, including Assemblyman Fred Thiele, who wrote the town's Open Space Law many years ago. Assemblyman Thiele is strongly opposed to the project.

The Southampton Town Zoning Board of Appeals sided with the developer, and stated that the golf course could be considered a recreational amenity. After this, the Group for the East End filed a lawsuit challenging this decision; we joined them along with Assemblyman Fred Thiele, the East Quogue Civic Association and several neighbors that abut the property.

The project then bounced back to the Town Planning Board. Our coalition showed up again, testifying before the Board. We made all of our original arguments, along with new arguments about how the Town had completely botched the State Environmental Quality Review Act (SEQRA) process in its review of this new project. Nevertheless, the Town Planning Board approved the preliminary application. Group for the East End sued again, and we joined them again too.

Lewis Road Comes Before the Pine Barrens Commission

Since the Southampton Planning Board approved the preliminary application, the project then headed to the New York State Pine Barrens Commission for review in December of 2019. The first hearing was held in February of 2020, where more than a hundred concerned

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the thicket

Reptiles and Amphibians of Long Island

By Alex Roukis

Alex Roukis is a Conservation Biology graduate of SUNY ESF. He has had a lifelong passion for the outdoors, especially when it comes to reptiles and amphibians. With the knowledge he's gained from the classroom and the field, he hopes to share that passion with others and introduce people to the amazing species that are so often overlooked here in the Pine Barrens.

Credit: Alex Roukis



TOP: An Eastern Box Turtle found crawling through a Pine Barrens field. **CENTER:** A male Fowler's Toad calling from the edge of a coastal plain pond for a potential mate. **BOTTOM:** A Northern Black Racer found on the edge of a pitch pine-oak forest.

Herpetology is the branch of zoology that focuses on reptiles and amphibians. Collectively, the animals within the focus of herpetology are generally referred to as herpetofauna, but that is often just simplified down to "herps." There are currently upwards of 10,000 species of reptiles and 6,000 species of amphibians described worldwide, making them an impressively diverse group of vertebrates. The highest concentrations of these species tend to occur in the world's tropical regions, but we are lucky enough to have hundreds of species right here in the United States.

Due to its geographic location and human population density, it may come as a surprise to some people that Long Island is home to a variety of herpetofauna. This currently includes 16 species of amphibians and roughly 27 species of reptiles, if the sea turtles and established non-natives are included. These animals can be found practically anywhere, from the deciduous forests of the North Shore, to the salt marshes of the South Shore, to the impressive expanses of Pine Barrens persisting on the East End, and even the vast residential areas that have altered this landscape so much over time. While there are three species of venomous snakes found in New York State, none of these are currently found on Long Island.

While the less-developed central and eastern parts of the island tend to hold the most herp diversity, reptiles and amphibians can be found all across Long Island. They can be surprisingly adaptable to human disturbances in many cases, so species like the Dekay's Brownsnake, American Bullfrog, and common Snapping Turtle continue to survive in some of the most urbanized

parts of the island. Robust populations of these and several others can be found in empty lots, neighborhood sumps, and small parcels of undeveloped land wherever access to suitable resources, reproduction sites, and overwintering areas exist.

While herps occupy every corner of the island, the greatest species richness can be found within the area extending from the Central Pine Barrens through the South Fork. Here, the land is less fragmented than elsewhere and hosts some really unique and diverse habitats like coastal plain ponds. Some of the island's rarest and most unique animals can be found here, including the Eastern Tiger Salamander and Eastern Mud Turtle, which are both listed as endangered in New York State. Other fascinating species that call this region home are the Eastern Spadefoot, Smooth Greensnake, Eastern Box Turtle, and Blue-spotted Salamander.

Several of these animals are listed on the state level as endangered, threatened, or special concern, which gives them a certain level of protection and conservation attention. While this is generally beneficial and positive, it does not necessarily take into account Long Island's unique conservation needs. For example, the Northern Redbelly Snake has a widespread range and is generally abundant throughout the state, but is one of Long Island's rarest herps. While there's probably no need for any specific management for them statewide at this point in time, on Long Island it may require some special attention in order to maintain its long-term presence in our local biodiversity.

The conservation and management of herps on Long Island is a complex issue, to say the least. Development has essentially erased a large portion of habitable land for some of the less adaptable species. The intense urbanization and seemingly endless stretches of roadways that came with it have severely fragmented the remaining natural areas and greatly reduced connectivity between populations. Of the remaining habitat available, a large portion of it has been compromised due to a combination of factors like invasive species, fire suppression, and ecological succession. To counter the effects these factors have, management practices such as invasive species control and prescribed burning in fire-dependent habitats may be beneficial. Conservation is always multifaceted and easy solutions are rarely ever as realistic as they seem, but it's an especially complex issue here on Long Island where land is so valuable and scarce to begin with. What the future holds for our biodiversity and ecological health is unknown, but we can hope that decisions and compromises can be made in order to balance the needs of the people with those of the natural systems that surround us.

ENVIRONMENTAL NEWS NOTES

Robin Hopkins Amper Environmental Scholarship Expanded

Credit: Canva



In April of 2019, Robin Hopkins Amper, a long-time champion of Pine Barrens preservation and wife of Pine Barrens Society Executive Director, Richard Amper, passed away after a four-year battle with metastatic breast cancer. In 2020, the Long Island Pine Barrens Society's Board of Directors established a scholarship in her name, for Long Island residents who are committed to the environment, much the way Robin was.

INVESTING IN LONG ISLAND'S FUTURE: After a successful inaugural year, the Pine Barrens Society is expanding the Robin Hopkins Amper Environmental Scholarship.

The Society awarded its first \$5,000 scholarship last year, to a deserving student who was headed to Binghamton University to study environmental studies. She has been incredibly successful in college pursuits thus far.

Since the inaugural year of the program was so successful, the Society has decided to offer two awards in 2021: one to a rising high school student and a second to a current college student. Students pursuing an undergraduate degree in environmental studies and sciences, biology, ecology, sustainability, public policy, and land and water protection are eligible to apply for the scholarship. Applicants must be Long Island residents, but may attend any accredited college in the United States. Scholarships will be awarded in the amount of \$5,000, with \$2,500 disbursed in September and January, with the January payment being contingent upon a student's maintaining the eligible major and a minimum GPA of 2.5.

This year's application is due by July 23, 2021. Students looking to apply should visit www.pinebarrens.org/scholarship.

Long Island Loses An Environmental Champion

Longtime civic leader and environmental advocate, Andrea Spilka, passed away in December of last year, shortly after being diagnosed with metastatic lung cancer. She was 72 years old. Andrea was a selfless and tireless volunteer who was a fierce advocate for the East End's environment and local communities.

Credit: LIPBS



LONG ISLAND MOURNS AN ENVIRONMENTAL CHAMPION: Civic leader, Andrea Spilka, passed away in December of 2020.

Andrea Spilka was the founder and president of the Southampton Town Civic Coalition, which brought together civic and environmental groups from across the town. She was a valued member of the East Moriches Property Owners Association, the League of Women Voters of the Hamptons, Brookhaven Town Open Space and Farmland Acquisition Advisory Committee, and the Southampton Water Protection Alliance. She was also an appointed member of the Suffolk County Council on Environmental Quality. Most recently, she was a leader in the fight against the Lewis Road Planned Residential Development project (formerly called "The Hills").

The Society honored Andrea at our 2019 Environmental Awards Gala, presenting her with our "Outstanding Contribution to Long Island's Environment" award. She is greatly missed by her colleagues in the environmental community. The Towns of Brookhaven and Southampton are looking to dedicate a park in her name, sometime within the year.



PINE BARRENS COMMISSION MAKES WRONG DECISION

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community members turned out. Dozens of environmental concerns were raised by both the environmental and civic community and by Commission staff. After this initial hearing, the developer tried to revise their project several times to unsuccessfully meet the standards and guidelines of the Pine Barrens Act and its Comprehensive Land Use Plan (CLUP). This triggered several more public hearings.

The Pine Barrens Society identified more than 25 ways in which the project failed to meet the standards of the Pine Barrens Act and CLUP, including contamination of water supplies, fragmentation of open space and the destruction of habitat and a Critical Resource Area. In addition, our pending lawsuits remained unresolved, which question whether the requirements of the New York State Environmental Quality Review Act had been appropriately met.

Two sponsors of the Pine Barrens Act testified against the project – New York State Assemblyman Steve Englebright and former State Senator Tom DiNapoli (now the New York State Comptroller). Assemblyman Englebright urged the Commission to reject the proposal at the February 2020 hearing, by stating, “Please uphold the legacy, tradition, and a lawful policy-based public expectation of the Pine Barrens Protection Act and protect the Pine Barrens by rejecting the application before you.” In a letter to the Commission from January 2021, Comptroller Tom DiNapoli stated

that the Pine Barrens Act’s sole purpose was to protect “sensitive areas serving to recharge the aquifers that provide Long Island’s drinking water” and that nutrient discharge from septic systems and fertilizers contaminate our groundwater and “threaten the recreational and commercial uses of our coastal and inland waters.”

Environmental leader Assemblyman Fred Thiele stated at the November 2020 hearing that the “Application is inconsistent with the Central Pine Barrens Act, inconsistent with the Comprehensive Management Plan, inconsistent with the efforts and all the work that were put into protecting the Pine Barrens in the first place.” He too urged the Commission to reject the application.

Issues at the Commission

The New York State Pine Barrens Commission is composed of five voting members that are tasked with reviewing development projects, this includes representatives from New York State, Suffolk County and the towns of Brookhaven, Riverhead and Southampton. New York State, which is usually represented by the Regional Director of the New York State Department of Environmental Conservation, left their seat vacant at the time of the vote for the Lewis Road PRD. Suffolk County and Riverhead and Southampton towns voted to conditionally approve the project at the January 2021

Commission meeting. Southampton Town Supervisor Jay Schneiderman has long been a proponent of the project. Brookhaven Town Supervisor Ed Romaine cast the sole vote against the project.

The environmental community, including the founders of the Pine Barrens Act, are all concerned about the dangerous precedent that this vote sets. Commissioners did not address a single concern raised by the environmental community nor Pine Barrens Commission staff. This vote was based on political pressures and not on sound, regional environmental planning as called for by the Pine Barrens Act.

The Future

More work is needed to address the failures of the New York State Pine Barrens Commission. Commissioners do not understand the unique and important role that they serve on the Commission. They must consider the regional impacts of the developments before them and must understand the intricacies of the Pine Barrens Act. There is a great lack of institutional memory.

The good news is the lawsuits that the Society joined with Group for the East End are still in play. The applicant will have to overcome the major violations to the State Environmental Quality Review Act in the courts, before this project can move forward.

GOOD BURN: Rocky Point Pine Barrens State Forest Gets Much-Needed Prescribed Burn

Acres of the Rocky Point Pine Barrens State Forest were purposefully burned last month in an effort to control wildfire and maintain a healthy ecosystem. The practice is called “prescribed burning” and is carried out when trained professionals purposefully and carefully apply fire to a landscape.

The Long Island Pine Barrens is a fire-dependent ecosystem, meaning that the health of the ecosystem depends on consistent wildfire. Many of the plants and animals of the Pine Barrens have evolved unique adaptations to the historical presence of wildfire. Years ago, when Long Island was largely undeveloped, wildfires would start frequently, usually due to natural causes like lightning strikes. Large swaths of the Pine Barrens would burn frequently, leaving the plants and animals to adapt and consequently rely on fire. The dominant tree in the Pine Barrens, the Pitch Pine (*Pinus rigida*) has several unique adaptations to fire including its thick armor-like bark and serotinous pine cones. This type of pine cone is covered in a thick resin that must be melted in order for the cone to open and release its seeds. Without the presence of fire, many of the native species of the Pine Barrens, including the Pitch Pine, fail to thrive.

As Long Island became increasingly developed, the practice of fire suppression became heavily utilized in order to protect homes and property, curbing many of the natural wildfires that once took place. This has caused the Pine Barrens to remain largely fire-suppressed, creating an actual greater wildfire risk and compromising ecosystem health. Controlled fire helps reduce combustible fuel loads – the leaf litter, pine needles, and brush along the forest floor that builds up over time. The greater the fuel load, the larger, more dangerous and quick-spreading any potential wildfire could be. Without proper fire management, Long Island runs the risk of having another uncontrolled fire like the 1995 Sunrise Fire, which burned 3,198 acres. It’s important to actively maintain forests by reducing fuel loads along the forest floor. In addition, due to fire suppression, many of the species of the Pine Barrens that rely on wildfire are failing to thrive. In some areas, Pitch Pines are being outpaced by harder woods like oaks. Fire is what keeps the “Pine” in “Pine Barrens.”

The solution is for forest managers to apply prescribed fire or a controlled burn. The National Park Service defines this as “lighting a fire in an area after careful



FIRE WITH A PURPOSE: NYSDEC Foresters burn three acres of the Rocky Point Pine Barrens State Forest in April as part of their prescribed fire management plan.

Credit: NYSDEC

planning and under controlled conditions.” The Park Service also describes a prescription as “a set of conditions that considers the safety of the public and fire staff, weather and probability of meeting the burn objectives.”

However, not nearly enough prescribed burning has taken place in the Long Island Pine Barrens and there are several reasons why. Specific wind and humidity conditions are required to conduct a controlled burn. Since Long Island is so densely populated, experts must be sure to be able to precisely manage for smoke. Coordination must occur between the several agencies that manage the Pine Barrens and the local fire

departments and all staff, volunteers and rangers must receive special wildfire firefighting training. All of this can cause burns to take years to plan.

However, Long Island might be headed on the right track. Last month, three acres of the Rocky Point Pine Barrens State Forest were burned. The three acres are part of a 27-acre site marked off by the New York State Department of Environmental Conservation (NYSDEC) as a “Demonstration Forest.” The forest is designed to test the efficacy of different forest management tools, such as thinning and prescribed burns. Nine acres of the forest serve as a control and the remaining 18 acres will receive different treatment combinations of burning and thinning. These practices can help reduce dangerous fuel loads, reduce the spread of the invasive Southern Pine Beetle and help maintain ecosystem health. The first three-acre block was burned on Tuesday, April 20. The burn was a joint effort between the NYSDEC and the Central Pine Barrens Joint Planning and Policy Commission.

“Prescribed burns are an extremely important part of the Long Island Pine Barrens ecosystem,” said DEC Region 1 Forester John Wernet. “The Demonstration Forest in Rocky Point Pine Barrens State Forest serves as an excellent educational tool to help the public see how controlled fire and managed thinning can increase the health of the ecosystem and help fight the spread of the Southern Pine Beetle. Fire helps maintain a diverse forest environment, reduce fuel loads and the chance for uncontrolled wildfires, and can be a valuable training tool for our local firefighters.”

We are hopeful that the forest management techniques used on the Demonstration Forest will be able to be applied on a broader scale throughout the Pine Barrens in the future.