

ACCABONAC PROTECTION COMMITTEE



2011 Calendar of Events

MAY 13 (FRI) AT 7 PM FORUM: THE RISING TIDE...

How will sea level rise affect you?

Jay Tansky of Sea Grant and Kevin McAllister, Peconic Baykeeper, will discuss urgent issues regarding threats to coastal areas including Accabonac

SPRINGS FIREHOUSE

MAY 21 (SAT) 10 AM (raindate Sunday)

SPRINGS SPRING CLEANING: Keeping Bonac Beautiful

sign up at Springs General Store

FREE LUNCH for all picker-uppers!

JUNE/JULY (TBA)

Clean Ups at Louse Point, Landing Lane, Gerard Point

AUGUST 13 (SAT) 10 AM-3 PM

FISHERMAN'S FAIR

Visit our booth, play the Accabonac Game, win a prize!

SEPTEMBER 17 (SAT) 10 AM - 12 PM

INTERNATIONAL BEACH CLEAN-UP

Meet at Louse Point or Gerard Point

to pick up and record (!) beach litter

SEPTEMBER 18 (SUN) 3-5 PM ANNUAL PARTY

AT THE HOME OF JOHN & ANNE MULLEN

78 LOUSE POINT ROAD, EAST HAMPTON

Monthly meetings are usually held at 9am the first Monday of each month. Check papers or call us for locations:

324-2435

email: apc11937@yahoo.com

ACCABONAC PROTECTION COMMITTEE



956 Springs Fireplace Road
East Hampton, NY 11937
324-2435

ACCABONAC PROTECTION COMMITTEE



Newsletter • Volume 21

Spring 2011

Editor • Jorie Latham

STOP THE PRESSES!

by Jorie Latham

This newsletter got delayed for several reasons, but perhaps just as well, since it means we can let our members know about a recent development that perfectly illustrates how APC works. The Town Board, in its ongoing search for revenue, had identified a number of bay beaches where they decided to provide season-long leases to food concessions – Louse Point among them! This, in spite of the fact that Louse Point is a designated Nature Preserve.

Apparently, the necessary wording to prevent such commercial intrusion was not included when the management plan for Louse Point was created.

When Cile heard of this, she raised the cry and several other “steerers” responded, finding out more as we emailed back and forth. Cile contacted councilwoman Theresa Quigley to say, “What’s going on?” Three of us attended the Town Board meeting on Saturday morning where the Board was planning to discuss the situation. Arlene got up to make the case that a slip-up in the wording of the management plan should not override the fact that Louse Point is a Nature Preserve where a concession van running all day long would not be appropriate or welcome. Jorie added her two cents worth, and Ralph provided moral support. Later in the meeting, it was decided that a change in the law would be required, necessitating a public hearing, but that in the mean



MOST DISTRESSING – More damage to Louse Point, which suffered massive erosion in the powerful storms that tore up much of the coastline this winter. The fence that marked the edge of the parking area has collapsed onto the beach after many feet of the bluff at Louse Point were lost to winter storms.

Eileen Roaman-Catalano

time, Louse Point would be taken off the RFP (Request for Proposal) list, so no vendors would bid on a space there.

too warm, there are ticks; it’s too cold, there’s snow, the ground is too wet, etc... and yet it may, by press time, have finally begun.

If only all of our issues could be dealt with so efficiently!

Alas, some things seem to drag on and on, such as our continued efforts to get the work started on the Barbara Hale Refuge, which now has the required DEC permit and County permission for partial clearing and the support of all Town Board members, but continues to get mired in stalling: it’s

Then there’s the question of dredging. We were encouraged in a meeting with Jay Schneiderman, our county legislator, who heads the county’s dredging committee. Accabonac, after more than 20 years, is finally slated to be dredged properly by the county (not the “excavation” that’s been done most years from the shore). However...the actual dredging probably won’t take place for at least another year! There is a procedure (of course) requiring permits, and these take the time they take. But Jay also informed us that grant money is available for municipalities to purchase a dredge of their own to perform environmental (as opposed to navigational) dredging. So we’ve been promoting that idea to all the Town Board members as well as urging them to

get the Barbara Hale project underway pronto!

But don't despair, there has been much to cheer about...not least of which was the joyous celebration of APC's 25th anniversary graciously hosted by The Nature Conservancy, which included a tribute to Cile Downs and the awarding of the Friend of the Creek Award to Serena Altschul.



Serena Altschul and Cile Downs at the APC 25th Anniversary celebration held at The Nature Conservancy last September

Marian Lindberg

And thanks to quick action and the generosity of many, the Maloney property (the meadow adjacent to The Nature Conservancy's Merrill Lake Refuge) was preserved in record time! The Nature Conservancy was key once again, and the Town responded as soon as the will of the community was manifest! APC itself made a donation toward the purchase, as did several individual members – Thank you!!

We have lots of news of events, including our second annual Accabonac Video Fest: Is the Grass Always Greener . . .? which featured “American Lawn” and “Organic Lawn Care” – just in time for spring planting! They were shown just as we went to press, on April 13 with refreshments and discussion following.

We will be presenting a forum, *The Rising Tide... How Will Sea Level Rise Affect You?* with Jay Tansky of Sea Grant and Peconic Baykeeper Kevin McAllister on the panel. That will be at the Springs Firehouse on May 13th (yes, it's a Friday!) at 7pm.

See the Calendar card for more!

As ever, we proceed in our 26th year to be proud of our accomplishments, determined to accomplish more, and try to stay prepared for the surprises that inevitably pop up – natural and man-made.

OUR BAYKEEPER WINS TWO!

by Cile Downs

Baykeeper Kevin McAllister and his talented and hardworking legal staff have, just this past year, achieved two important victories in court that are of

great interest and relevance to APC.

First, the State Supreme Court ruled in his favor last January in a case involving Southampton Trustees' issuance of a permit for expansion of a marina on Shinnecock Bay in state and federally designated fish and wildlife habitat that supported active shellfish harvests. A marina in such a place is, to begin with, a bad mistake since any marina encourages boating that could damage bottomland, increase pollution and bring about a need for dredging and its ensuing damage. In an area with pristine waters, an expansion of a marina should be unthinkable.

A key aspect of the judge's decision was the ruling that the Trustees are in fact an agency of the state and, as such, are obligated to comply with the State Environmental Quality Review Act (SEQRA). This should set an important precedent, especially as it requires Trustees to coordinate their environmental review with other regulatory agencies before issuing any further permits.

Secondly, the almost ten-year struggle to induce Suffolk County to recognize the primacy of the federal Clean Water Act (CWA) has ended in a settlement that includes some good changes. It terminates policies like depositing dredge spoil on wetlands, allowing pollutants to reach bay and creek waters through mosquito ditches, and discharging restricted pesticides into surface waters.

The Baykeeper tried for years to convince Suffolk County to adopt scientifically valid methods of mosquito control that do not threaten the health of our waters, the fish and shellfish that live in them, and our own well-being. Finding the County unresponsive, he went to court, and won the above-mentioned improvements. Further, the practice of mosquito ditching was ended by County Executive Steve Levy, who demonstrated considerable courage against opposed county bureaucrats.

Also, the EPA's Clean Water Act pesticide exemptions were questioned, and finally struck down by a U.S. Court of Appeals. The spraying of pesticides from trucks and planes over open water is now recognized as point-source discharges that must obtain permits under CWA. There is also a 100-foot setback from open water for spraying of adulticides except in special circumstances that require waivers. The Baykeeper warns that continued vigilance will be necessary, but we see all this as some big steps in the right direction.

VICTORY OVER VECTOR CONTROL!

by Arlene Coulter

We wholeheartedly thank Peconic Baykeeper Kevin McAllister for his hard work and we congratulate him on settling the lawsuit against Suffolk County Health Department's Vector Control regarding spraying.

Our concern with spraying over the tidal marshes has



generally met with frustration. Each year, we have sought to restrict it but without success. So we're cheering the good news that they'll be limited to spraying more than 100 feet from tidal waters and be compelled to have state-issued permits, in compliance with the Clean Water Act.

It's great to have someone who consistently works to protect our waters and actually gets results!

APC RECEIVES GRANT FROM NEW YORK COMMUNITY TRUST

by Anita Wright

In December 2010, the Accabonac Protection Committee was awarded a \$5,000 grant from The New York Community Trust, made at the suggestion of Serena Altschul, 2010 recipient of the Friend of the Creek Award and our neighbor on the Harbor. In addition to supporting our ongoing work to protect the Harbor, the grant will help fund making a new film in the "Long Live Accabonac!" series. The new film will focus on the effects of nighttime lighting on the ecology of marine and other environments. APC deeply appreciates this generous support of our efforts to protect the Harbor and its watershed.

MALONEY MEADOW PRESERVED

by Anita Wright

In early November 2010, East Hampton Town Board voted unanimously to use Community Preservation Funds to pay for a large portion of the price to acquire the Maloney Property. A big thanks is in order to The Nature Conservancy and generous community members who raised the remaining balance.

This 2.2-acre meadow in the heart of Springs was a critical open space acquisition from both an ecological and community character standpoint. Adjacent to the Nature Conservancy's Merrill Lake Sanctuary, this property was assumed by many (including me!) to be already preserved, but in fact was a privately owned, buildable lot. Now, as preserved land, it provides not only contiguous open space and wildlife habitat but secures one of the most cherished vistas in Springs, a view that defines Springs' unique community character.

In keeping with the Town's Comprehensive Plan for the hamlet of Springs, preserving this property as open space contributes to density reduction, aids in groundwater protection and provides a buffer for stormwater runoff. In addition, the Plan has identified remaining undeveloped parcels on the west side of the harbor as high priorities for public acquisition and preservation through the CPF. Preservation of this undeveloped meadow helps protect the groundwater used in our community and the already stressed surface waters of Accabonac Harbor.



This meadow (the former Maloney property) has been preserved by the combined efforts and contributions of TNC, EH Town, neighbors and APC

Joel Milton

We greatly appreciate the Town's efforts to preserve habitat and open space and help ensure groundwater protection and water quality within Accabonac Harbor.

OPEN VISTAS MAY BENEFIT BARBARA HALE REFUGE

In our continuing campaign to restore the Barbara Barnes Hale Refuge to its old meadow condition, we've noticed a very interesting thing: the neat dovetailing of meadow restoration with Town Councilman Stanzione's Open Vistas Program. We entirely agree that open vistas were the rule in Springs from the time of the first white settlers and possibly before that. We're deprived of an important community value when we lose sight of the creek because a tangle of trees and brush full of invasives has grown unabated for decades. You see this around Pussy's Pond, where DEC rules against clearing near the water foil every impulse to reclaim the beautiful greensward that used to be there.

APC has urged meadow restoration primarily for environmental preservation: grasslands in our part of the world are becoming rare and valuable while woods are more common. Any number of species (birds, mammals, insects, and reptiles) are endangered because their grassy habitat is disappearing; we want to see their return. And we want the beautiful native grasslands (which we now learn hold the soil against erosion at least as well as woods) restored to their former glory.

Councilman Stanzione has a list of sites in EH Town that he feels are appropriate for Open Vistas, and APC is pleased that the Barbara Hale Refuge is included. However, we stress that any clearing must be undertaken with awareness and sensitivity to the ecosystem and also feel the public should be informed, to avoid an impression that any property can now be cleared to create or improve a view. Meanwhile, the DEC permit for selective clearing on Barbara Hale is in hand, and once the work gets underway, we'll have a wonderful vista to show you!



SEPTIC SYSTEMS:

What you need to know about them to protect our drinking water and Accabonac Harbor

From *Baykeeper Kevin McAllister*: “Nitrogen-enriched groundwater from household cesspools (onsite wastewater treatment systems) is a substantial pollution problem. Signs of excessive nitrogen loads – algal blooms, fish kills, and the explosive growth of invasive weeds already dominate many ponds and bays...

“Nutrient pollution from the tens of thousands of cesspools in our region is a monumental threat to our waters, yet it has been largely ignored. Suffolk County regulations limiting the amount of nitrogen from OWTS that enters our groundwater to protect drinking water are clearly inadequate in protecting surface waters. Maintaining superior water quality should be a priority. We must act now to save our bays.”

All homes in the Accabonac Harbor Protection Overlay District rely on septic systems to process domestic wastewater. Your septic system has a receiving tank and a leaching system. Your property survey should show the location of the tank and the leaching system. Wastewater from your sinks, toilets, dishwashers and washing machines is carried into the receiving tank where heavy particles settle to the bottom to form sludge and light materials float to the top to create scum. Bacteria gradually break down the solid materials to create liquid that flows into the leaching system.

To allow sufficient time for bacteria to do its work, the septic tank should be large enough to hold at least one day’s flow of wastewater from your house and provide storage for sludge and scum. Each addition of wastewater to the septic tank displaces an equal amount of liquid into the leaching system. The leaching system is designed to allow the liquid from the septic tank to be released into and filtered by the

surrounding soil. Bacteria in the soil remove some harmful organisms, organic matter, and some nutrients from the waste before it enters the groundwater. Remember that our groundwater is the water source for all of us in East Hampton, whether you get your water from your own well or from the Suffolk County Water Authority wells.

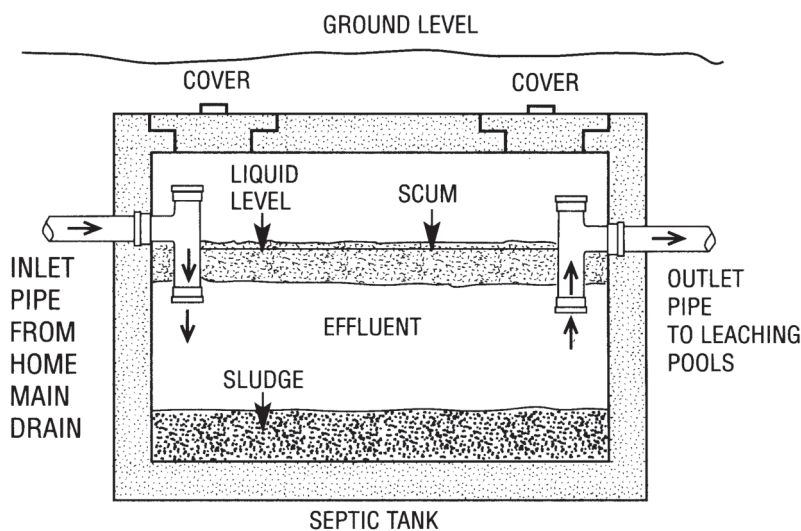
Groundwater Contamination Septic systems operate effectively only if they are designed properly, situated in areas that allow proper operation, and used only for the purpose they were designed for. Overcrowded houses produce too much wastewater for the septic systems to do the job.

Even a properly operating system will not prevent phosphates and nitrates from entering the groundwater. Nitrates are a serious source of pollution to Accabonac Harbor, and their levels have been rising. Nitrates can create massive algae blooms that lead to a loss of oxygen in the bottom waters and threaten the health of the Harbor.

Domestic wastewater can contain bacteria and viruses that cause dysentery, hepatitis, and typhoid fever. To protect public health, it is important to minimize the amount of these organisms that reach surface or groundwater. Fortunately, soil and soil bacteria effectively remove most wastewater pathogens (disease-causing microorganisms) in a properly functioning septic system. A septic system that is overwhelmed by excessive use, as occurs in overcrowded houses, cannot do the job effectively.

How can you make sure that your system is working properly and protects your drinking water and Accabonac Harbor?

- Avoid using nitrates (common in chemical fertilizers) on your lawn or in your garden. Be aware of the signs of septic system failure – slow drainage or sewage backup, lush grass in the area of your septic system



WE HAVE GOOD NEWS!
 The County Health Department is now permitting installation of fields instead of leaching rings in low-lying areas, on a case-by-case basis.



especially in dry weather, and unpleasant odors around your home.

- Pump out your system every two or three years depending upon the amount of use (days occupied and number of occupants) your home gets. Pumping the system avoids clogging your leaching system and extends its life.
- Be mindful of what you put down the drain. Garbage disposals add considerably more solids to the system and thereby require more pumping. Avoid putting cooking grease or oil down the drain. They clog pipes, septic tanks, and leaching systems. Instead, store them in non-recyclable containers in your freezer. Once the material has frozen, you can neatly dispose of the containers in your non-recyclable trash.
- Dispose of hazardous household chemicals at the recycle center on designated "STOP" days. NEVER pour them down the drain or on the ground.
- Don't use additives in your septic system. They don't improve performance and many contain chemicals suspected of causing cancer.
- Conserve Water. Using less water obviously puts less water in your septic system and prolongs its life. Use low-flow fixtures. Do laundry through the week rather than overloading the system all in one day. Front-loading washers generally use less water. Don't connect downspouts from roofs or sump pumps to your septic system – they would overload your system on rainy days. Minimize water usage on rainy days. Make sure rainwater doesn't collect over your leaching system.

**Please help us keep our drinking water and
Accabonac Harbor healthy and clean!**

*Adapted from the New York Sea Grant Extension
Program & the Connecticut Sea Grant Marine
Advisory Program*



**Want More?
Visit our website
accabonac.org**

The Long Island Liquid Waste Association has said: "Peconic Baykeeper has brought into sharp focus a number of significant problems that logic tells us need to be addressed ... if we, as Long Islanders, continue to expect our waters to provide a viable habitat for the animal and plant life that brought us here in the first place, and have sustained us ever since. Or, we can ignore the obvious, and allow the not-so-gradual degradation of our environment until it's no longer recognizable as home. The choice is ours."

"The groundwater below Suffolk that supplies the county's drinking water is still in pretty good shape, but quality is slipping. Creeping levels of nitrogen and other contaminants demonstrate that more must be done to protect the resource," according to a new report.

Five years and \$700,000 in the making, Suffolk's draft water management plan found "a continued gradual decline in water quality" since 1987. It recommended more groundwater monitoring, and said the county should put a priority on open space preservation near drinking water wells and limit housing density in areas without sewers.

"When you consider that 1.5 million people live on top of the water supply, it's amazing how good our water quality is," said Mary Anne Taylor, a consultant with Camp Dresser & McKee, the Cambridge, Mass.-based firm that produced the plan with Suffolk's health department."

from Newsday 12/26/10 article by Jennifer Smith

BRIDGING THE GAP

One of the most moving presentations we have ever witnessed occurred at a Town Board "Brown Bag" meeting in 2009 when a group of fifth graders from Springs School did an impressive show-and-tell of two designs for a bridge they had developed with input from volunteer architects to replace the footbridge across Pussy's Pond. They were assured that whichever design was chosen would be built.

Although Town funding has not materialized, Ray Hartjen of the EH Trails Preservation Society has taken this on as a personal crusade, and he asked us to include a mention of it here. Following is an excerpt from his article in the EHTPS newsletter.

"The Pussy's Pond Bridge calls out to be rebuilt. Everyone I speak with in the community is in favor of the project. Be a part of the movement to rebuild the Pussy's Pond Bridge: make a cash contribution in a collection box at a store near you; go to www.pussypond-bridge.org and make a donation with your credit or debit card; write a check payable to EHTPS with PPB on the memo line and mail it to P.O. Box 1784, East Hampton, NY 11937; encourage five friends to get on board and include their check in your envelope; volunteer on the construction crew in the spring by calling Ray Hartjen at (631) 324-2490. Join the crusade!"

