



NEWS

REGION 1, Peter A. Scully, Regional Director
Nassau and Suffolk Counties



New York State Department of Environmental Conservation

David A. Paterson, Governor
Alexander B. Grannis, Commissioner

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AGREEMENT REACHED TO PRESERVE CONSCIENCE BAY WATERSHED LANDS *Grannis Notes Purchase Involves No State Funds and Will Help Preserve Water Quality*

New York has reached agreement with the Roman Catholic Diocese of Rockville Center to purchase one of the largest remaining open space parcels in Setauket, state Department of Environmental Conservation (DEC) Commissioner Pete Grannis announced today.

The 28.3-acre parcel, adjacent to Route 25A, is listed as a priority for preservation in the state's 2009 Open Space Conservation Plan and is the largest privately-owned undeveloped lot in the immediate drainage of Conscience Bay – making it critical to the long-term maintenance of the water chemistry and ecological viability of the embayment, Commissioner Grannis said. Conscience Bay has one of the most restricted tidal flow exchanges of any of the North Shore's major bays. Preservation of these woodlands will help prevent runoff from roads and related contaminants from entering the estuary, the commissioner added.

The \$5,450,000 transaction is made possible by \$5 million in Natural Resource Damages (NRD) funding from Northville Industries and \$450,000 from a Long Island Sound Study grant awarded to the DEC by the U.S. Environmental Protection Agency. Northville had settled a DEC enforcement action related to a spill at the company's East Setauket terminal in the late 1980s by funding a \$25 million natural resources restoration and cleanup plan.

As a result, the acquisition will not utilize state funds.

“This agreement will not only protect this property as open space, but also will help protect water quality in Conscience Bay and Long Island Sound,” Commissioner Grannis said at a news conference, joined by State Assemblyman Steven Englebright, DEC Region 1 Director Peter A. Scully, and local officials. “It is a critical property that showcases the new direction of the State's 2009 Open Space Plan. Situated in the Long Island North Shore Heritage Area and in proximity to a local school, preservation of this land will help connect people to nature and foster a green and healthy community.”

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Regional Director Scully credited the EPA's Long Island Sound Study Office and DEC's Bureau of Marine Resources for helping to make the acquisition possible.

"The fact is that without the award of a \$450,000 grant under the Long Island Sound Study, we would not be announcing this agreement to preserve this parcel today," said Scully. "We are very grateful to EPA Regional Administrator Judith Enck and her staff, and to DEC's Bureau of Marine Resources for the important role they played in advancing this initiative."

"This land preservation accomplishment is fantastic. One of the best ways to protect water quality is by preserving our dwindling open space," said Judith Enck, EPA Regional Administrator. "I applaud this agreement and am proud that EPA was able to make a significant contribution to the effort by helping to fund the program through the Long Island Sound Study."

"Land conservation is now more important than ever," said Congressman Tim Bishop, who has introduced legislation to provide tax incentives to promote open space. "By using federal dollars and the settlement funds, this property transfer will help protect the North Shore's ecosystem without placing a financial burden on local taxpayers. I will continue fighting for federal funding and tax incentives to promote open space preservation on Long Island."

State Assemblyman Steven Englebright noted that the purchase marks the culmination of a successful effort to use funds from the Northville settlement to benefit the Three Village area. The \$5 million had been advanced to the Central Pine Barrens Joint Planning and Policy Commission as start-up funding for the Pine Barrens Transfer of Development Rights program in 1995, but was returned to DEC in 2005.

"With this preservation initiative, DEC has fulfilled the promise it made to the people of this community that these funds would be used for the long-term benefit of the area that suffered the impacts of the Northville spill," Englebright said. "This is a gift that will literally last forever, and benefit many future generations. I want to thank Commissioner Grannis for making sure that this commitment to our community was kept, and Regional Director Scully for navigating this process to a conclusion over a very long period of time."

The property, which has been owned by the Diocese since 1977, is vacant and wooded with more than 1,200 feet of frontage on the busy stretch of Route 25A across from the Setauket Commons Shopping Center. The property is zoned for single family residences and could have been developed for as many as 25 new homes, which would have increased the demand for costly government services and increased costs for the local school district. Instead, the property will remain as open space, preserving community character, connecting people to nature and providing protection to the surface and groundwater resources of the Setauket area.

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Further, the preservation of the parcel will greatly bolster ongoing efforts to create a greener, healthier community. The property is situated between Detmer Farm, which was preserved in 2006 through the Suffolk County Farmland Preservation Program, and the 30-acre Setauket Elementary School. It will provide a natural link to the new Setauket-to-Port Jefferson Station Bike Path, which will eventually stretch from the south side of Route 25A across from Detmer Farm to Route 112 in Port Jefferson Station.

The NRD funds are part of a \$25 million restoration plan approved by DEC in 1995 and funded by Northville to resolve violations related to a 1987 gasoline spill at the company's East Setauket terminal. Northville discovered the spill during the installation of a groundwater monitoring well. The discharge, from a hole in an underground pipeline in the terminal, ultimately reached the water table, 100 feet below the surface.

Under the direction of the DEC, which worked in close cooperation with the Suffolk County Department of Health Services, Northville commenced an extensive investigation of the contamination, and undertook cleanup activities to recover gasoline from the water table.

Northville signed what's known as an "Order on Consent" in which the company agreed to fund a clean up and restoration plan that included strict remediation and closure criteria. The funds have been used, in part, to purchase and preserve open space in both the Central Pine Barrens and South Setauket Pine Barrens Special Groundwater Protection Area. In November 2006, DEC announced that cleanup activities associated with the spill were complete.

Earlier this year, the state issued a new Open Space Conservation Plan, which provides a comprehensive blueprint for achieving New York's conservation goals (<http://www.dec.ny.gov/press/55707.html>). The 2009 State Open Space Plan contains four main Action Agenda Items:

- Responding to climate change;
- Fostering green, healthy communities;
- Connecting people to nature and recreation; and
- Safeguarding our natural and cultural heritage.

"The updated plan continues New York's conservation legacy while providing a broader approach that encourages local governments and non-profits to become involved in open space planning," Commissioner Grannis said. "Preserving the Conscience Bay Watershed parcel at no direct cost to state taxpayers showcases the creative methods DEC is undertaking to carry forward this stewardship legacy."

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“This is a great victory for our region and for the future of Long Island. By preserving this valuable land for generations to come, the DEC is honoring the very essence of this community while protecting the most essential element of Long Island - our waterways. The fact that they are doing so without New York State tax dollars makes this a win-win for everyone and I congratulate Commissioner Grannis and Peter Scully for their work,” stated New York State Senator John Flanagan.

"This critical woodland acquisition not only protects our sensitive Conscience Bay watershed area but also provides stability to Setauket's corridor of 25A that it will continue to remain, as it is now, in its natural beauty and a buffer against further traffic, noise, pollution and increased property taxes which development of this parcel would have brought to us all. Kudos to the DEC Commissioner Grannis and Regional Director Scully as well as our local Assemblyman Steve Englebright for bringing this long term vision of preservation to completion," said Brookhaven Councilman Steve Fiore-Rosenfeld.

“The announcement today culminates years of preservation efforts in the Three Village area at various levels of government,” said Deputy Presiding Officer of the Suffolk County Legislature Vivian Vilorio-Fisher. “The Diocesan property was the largest undeveloped parcel being considered for preservation in Setauket. Long sought after by both Suffolk County and New York State, its purchase will not only protect the Conscience Bay watershed but also compliment other historical and environmental acquisitions in the Three Village community.”

"There is justice in the understanding that the funds used for this important acquisition came from the settlement of a DEC enforcement action for significant natural resource damage by Northville Industries," said Brookhaven Town Supervisor Mark Lesko. "The preservation of this centrally-located property as open space will now protect the quality of life in both the community of Setauket and in the marine environment of Conscience Bay, Port Jefferson Harbor, and the Long Island Sound."

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