

## WITH MONTAUK'S ENVIRONMENT STRESSED TO THE LIMIT,CCOM RETOOLS TO MEET THE CHALLENGE

At the time CCOM was founded in 1970, the challenge was to save what is now Theodore Roosevelt County Park from being developed into 1400 tract houses that would have added untold stresses on the environment. For the decades following, CCOM was a driving force in Montauk for the successful land preservation effort that led to protection of 70% of its land as open space that can be enjoyed by all.

**Our environment is facing challenges that require good science, real information, rapid response, citizen action and, at times, immediate legal remedies.**

The challenges to that sustainability are even more unrelenting and sophisticated than before. Now it isn't merely land preservation that is being threatened. The very sustainability of the environmental infrastructure itself – the capacity of the environment to absorb and process the increasing stress and pollution we place on it – is at stake. We are at The End, where the extent of sprawl is obvious. There is no more land beyond us to distribute the load. The next large land mass further East is ...Portugal. Lake Montauk, Fort Pond, our beaches, bays, woods and nature preserves are being neglected and even abused by residents, visitors, businesses, and all levels of East Hampton government. Witness the

actions of the Town Board, which closed Fort Pond House to the community yet ignores the abuses of the Surf Lodge, whose septic and overcrowding poses a serious threat to the pond.

### PROFESSIONAL HELP

Our environment is facing challenges that require good science, real information, rapid response, citizen action and, at times, immediate legal remedies. CCOM recognizes the reality that those who aren't concerned about the health of our environment or the existence of public open space have engaged teams of lawyers, communicators and consultants. Our pockets aren't deep, but we felt we needed to meet that challenge with our own professional team. And we have! In a very cost-effective way, thanks to your generous donations, CCOM has engaged the part-time help of two devoted

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## LAKE MONTAUK JUNK SHOT

*The Bible: "Pride goeth before destruction, and a haughty spirit before a fall." Proverbs 16:18*

Clearly there is nothing new under the sun. Hence, we get the "unsinkable" Titanic, the BP Oil Deepwater Horizon disaster (high-tech safety technology = "the junk shot"), the nuclear disasters at Three Mile Island, Chernobyl, and now in Japan (where, in 2011, the state-of-the-art emergency procedure is to try using sawdust and newspapers to block pipes leaking radiation!). How do these inevitable screwups (spun as "unforeseeable accidents") happen over and over again? Clearly, hubris leads us to often overestimate our technical competence and underestimate the risks we take.

With the economy under stress, the temptation to take environmental risks for the sake of short-term private profit seems even more seductive. Have you heard claims that zoning, planning and environmental regulations are "anti-business?" Have we been too protective of the environment here on The East End?



According to the latest data on the health and quality of East End waters, "...resources are under siege and ecosystems have diminished capacity to repair the damage." In other words, permanent damage is already approaching or reaching the tipping point even without any additional development (see press release: [www.peconicbaykeeper.org/sitecontent.cfm?contentID=7&storyID=71](http://www.peconicbaykeeper.org/sitecontent.cfm?contentID=7&storyID=71)).

Who thinks that no matter what we do, our natural environment is simply "too big to fail"? BP's former CEO Tony Hayward certainly did, back when the Gulf disaster was current: "The Gulf of Mexico is a very big ocean. The amount of volume of oil and dispersant we are putting into it is tiny in relation to the total water volume."

So, according to Mr. Hayward, we should treat our waters like a toilet because he believes that they can endlessly flush themselves?

Here in Montauk, most acknowledge that we are treating an already damaged Lake Montauk like a septic system. After years of delay, the Town Natural Resources Dept. is finally inching toward a modest diagnosis of the lake's pollution problem, but appears to be headed well short of a true Lake Montauk Watershed Plan. What we have instead is a jump to an off-the-cuff, simplistic, faith-based claim that dredging the small opening to the Lake — flushing the toilet more often — is the way to go ([www.easthamptonstar.com/News/2011428/Eyes-Lake-Montauk](http://www.easthamptonstar.com/News/2011428/Eyes-Lake-Montauk)).

How advisable is it to simply suck an unknown portion of Lake Montauk pollution into the same Montauk ocean water that laps on to the beaches that our families use? Don't ask. But it sure sounds like a "junk shot."

How committed are some officials to really solving Lake Montauk's problems? Lately, those who have been caught damaging Lake Montauk while violating environmental law (see [www.dredgingtoday.com/2010/07/07/heated-discussions-about-montauk-lake-dredging-usa/](http://www.dredgingtoday.com/2010/07/07/heated-discussions-about-montauk-lake-dredging-usa/)) are being rewarded with variances and even a position on a watershed committee (see [www.easthamptontown.igmp2.com/citizens/FileOpen.aspx?Type=12&ID=1402](http://www.easthamptontown.igmp2.com/citizens/FileOpen.aspx?Type=12&ID=1402)). Sound right to you?

The bad news is that Montauk is in the sights of environmental risk takers. The good news is that you can do something about it. Join the 800-plus members of a grassroots organization that has been working for over 40 years to make sure that the environment of Montauk is preserved and protected: CCOM.



# CCOM TAKES A BITE OUT OF KILLING SHARKS

The declining shark population worldwide may seem like too big an issue for a local-based environmental organization like CCOM. First, a couple of daunting statistics: 100 million sharks are killed every year for their fins, for soup; 11 of the largest species of shark along the East Coast of the U.S. have nearly vanished.

But with shark tournaments a big attraction in town — Montauk holds four annual shark tournaments a year, with prizes up to \$500,000! — and fishing a cornerstone of our community, CCOM resolved to see if there was a role that we could play in preserving these amazing creatures.



*CCOM donated 3,500 16/0 and 18/0 circle hooks this year*

fisherman doesn't know it. The use of the new in-line circle hooks greatly improves a shark's chance of survival when released.

CCOM President Bob Stern says, "We are building a trusting, supportive relationship with the fishing community. And we've put money on the table, supplying circle hooks that help prevent wasteful killing and spare sharks that have swallowed hooks."

CCOM hopes that a non-adversarial, mutually supportive relationship with the fishing community will move the tournaments toward the catch and release model that is being used elsewhere.



*CCOM President Bob Stern giving Montauk Marine Basin owner Carl Darenberg free circle hooks for his tournament*

It turns out that there is something concrete that can make a difference, and it has to do with the kind of hooks that are used in landing sharks. CCOM teamed up with the renowned artist April Gornik to provide what is called in-line circle hooks to shark fisherman — free. Carl Darenberg of the Montauk Marine Basin, Rich Etzel of Montauk Boatmen's and Captains' Association, and Rich Janis of Star Island Marina have been working with CCOM and Ms. Gornik on the program to encourage the use of circle hooks. Thousands of these hooks have now been given out to fishermen to be used in place of traditional hooks.

Traditional J hooks can rip a shark's internal organs apart. So even though only one fish is allowed to be kept per boat per day, a shark that is released after having been hooked with a J hook may be mortally wounded and the



*Local artist and conservationist, April Gornik, working with Carl Darenberg last winter on hook sizes and the future of shark fishing in Montauk*

*Photos: Rav Freidel*



## FORT POND HOUSE PARK LITIGATION

On October 4 of last year, a coalition comprised of CCOM, Third House Nature Center Inc., and local citizens filed a petition in State Supreme Court against the Town of East Hampton in an effort to preserve Fort Pond House Park for the community. In June, the Town had declared the Park to be surplus property, authorized its sale, and listed the property with at least one local broker. The Town also closed the Park to the public and the various community organizations utilizing the property. (Fort Pond House was used by naturalists, photographers, authors, the Shakespeare festival, boy scouts, teachers, and even a group of autistic children.) Our lawsuit alleges, among other things, that the property was a public park and could not be sold without authorization from the New York State Legislature.

Rather than answering the petition, the Town moved to dismiss the petition on a variety of grounds, including claims the coalition lacked standing to bring the action, the petition failed to state a cause of action, and certain claims in the petition was not ripe for judicial review.

### MOTION DENIED

In March of this year, Justice William B. Rebolini denied the Town's motion to dismiss. In a six-page opinion, Justice Rebolini determined that all of the petitioners had standing to bring the action and upheld the causes of action based on a violation of the Public Trust Doctrine and the Open Meetings Law. With regard to claims that the actions of the Town violated the State Environmental Quality Review Act and the Town's Local Waterfront Revitalization Program, the Justice ruled those claims were premature but could be reinstated if the Town took further action to sell Fort Pond House Park. The Town was ordered to answer the Petition within 5 days, a date subsequently extended to April 15.

On April 15, the Town filed a motion to reargue Justice Rebolini's decision on the ground the Justice had "overlooked or misapprehended relevant facts and controlling law" and again sought dismissal of the petition – in effect asking the Justice to reverse his



*Photo: Mark Levy*

own opinion. The Town also filed a Notice of Appeal to preserve its right to appeal Justice Rebolini's original decision if its motion to reargue was denied.

As of the middle of July, some nine months after the action was instituted, the Town continues to stall and has not submitted an answer to the coalition's petition.

The coalition's counsel in this matter is the Northern Environmental Law Center.

## EUGENE WHITE



*Photo: Eileen Bock*

CCOM is sad to report the passing of Eugene White, a decades-long CCOM Board member. Gene was cherished for his active role in the community, which included work with the library, Senior Nutrition Center, and Meals on

Wheels, to name only a few organizations to which he gave his time. He will be sorely missed.





Photos: Larry Smith

## EARTH DAY: CCOM JOINS MONTAUK FIRE DEPARTMENT TO REKINDLE CONTROLLED BURNS AT THEODORE ROOSEVELT COUNTY PARK

The Montauk Movie Theater opened its doors to the public for a special program on CCOM's efforts – along with the Montauk Fire Department and Suffolk County – to bring back controlled burns at Theodore Roosevelt County Park. The burn, or the grassland restoration program, was eliminated a few years back. But there is a good chance that, with new efforts to bring it back, this extremely important land stewardship program can be rekindled.

Bruce Horwith, PhD, formerly of the Nature Conservancy and past director of the burns program, kicked off the Earth Day presentation. Dr. Horwith talked about the history of fire in the park and why burns are so essential as a management tool for the health of the ecosystem. Next, naturalist Hugh McGuinness presented amazing photos of the rare and endangered moths that exist only in Montauk because of the burns. Jim Grimes, a volunteer with the Montauk Fire Department, discussed how these fires are an important training tool for the MFD. In addition, he pointed out that in the event of a

wildfire, planned burns greatly reduce the risk of more severe fires that could endanger lives and property.

CCOM is meeting with Suffolk County Parks, the Montauk Fire Department, the NY Dept. of Environmental Conservation and several naturalists in August to see if the burns will continue. We'll let you know.

Our annual Earth Day celebration was held in honor of Carol Morrison, a former president of CCOM, who died earlier this year. Morrison first became active in CCOM in 1970 to help preserve the 1100-acre Theodore Roosevelt County Park, the first property saved by CCOM.

As in previous years, CCOM joined with community members, Scouts, Brownies and the Surfrider Foundation, to fan out across Montauk in our annual clean-up. A dumpster's worth of garbage was picked up from all parts of the hamlet, especially along the beaches, Fort Pond Bay, Industrial Road, and along roadways. Our next beach clean-up will be September 24th. We hope to see everybody pitching in.





## NEWS & UPDATES

### WITH MONTAUK'S ENVIRONMENT STRESSED TO THE LIMIT, CCOM RETOOLS TO MEET THE CHALLENGE

*From on page 1*

professionals, Maureen Rutkowski, our administrator, and Jeremy Samuelson, our environmental advocate. This professional expertise leverages the effectiveness of our volunteer local talent, a board that is 25 members' strong.

#### NEW DESIGN TEAM

Additionally, to kick us off we engaged the award-winning team of Blumenfeld+Fleming, who donated our new logo and tagline and designed our new website, brochure, and newsletter. Through our website and Facebook presence we will keep the community informed and aware of the environmental challenges facing Montauk and how you can make your voice heard. Our nonprofit legal team – the Northern Environmental Law Center – is providing very cost effective, subsidized legal research and action.

All the above professionals are assisting us for far less than their usual fees because they believe in the importance of our mission. Additionally, we are grateful for professional environmental expertise courtesy of The Group for the East End, with whom we have a strong relationship. This enables us to do specific projects, such as our own water testing, as well as rely on them for competent scientific research and evaluation.

#### OUTREACH

You will notice a new look to our newsletter, and when you check us out online, you will see a revamped website as well. These changes reflect increased efforts to reach and involve more members. CCOM has also partnered with Third House Nature Center Inc., The Surfriders, Clean Ocean Action, and Peconic Baykeeper, sharing the load and bringing their expertise and assets to bear to preserve and protect Montauk. We are building bridges to the fishing community (see page 3) and teaming up with Third House Nature Center Inc. on walks and educational programs. We have developed a survey to new members to better gauge your concerns and, hopefully, involve more of you in our activities. Please let us know how we're doing, and join us in our efforts.



## EVENTS

### CCOM and Surfriders Rock the Talkhouse for Environmental Protection



*Photos: Mark Levy*

A very special thanks to those who helped make our event such a success, especially Peter Honerkamp, owner of the Stephen Talkhouse, and to those who donated gift certificates: Beth Moran ARNP, Integrated Wellness; Body Tech Fitness; Children's Museum of the East End; Giselle Mahoney, Pilates; Gene Tallarico, Creative Handyman Montauk; Deborah Thompson Day Spa; Karen Panish, Wellness and Rejuvenation Specialist. Crow's Nest Restaurant, Ditch Witch, ENE/Harvest Restaurants, Fish Bar Restaurant, Goldberg's Bagels, Gone Fishing Marina, Gurney's Inn, Hamptons Wines + Liquors, Montauk Bake Shoppe, Montauk Bookshop, Peconic Beverage, South Edison Restaurant, Spring Close Restaurant, White's Dept. Store.

## THANKS FOR READING. NOW PLEASE PUMP OUT YOUR SEPTIC SYSTEM

Next time you jump in the ocean or the bay for a refreshing dip or pull a clam out of our local waters, stop to ask yourself, “what happens to the water that flows from the kitchens and bathrooms of Montauk homes, hotels, restaurants and businesses?” The truth is, you’re swimming in it.

According to a recent update to Suffolk County’s Comprehensive Water Resources Management Plan, “non-point source contributions of nutrients, pathogens and other contaminants have been identified as the primary causes of surface water quality impairments in Suffolk County.” The plan continues, “groundwater discharge is one primary source of nutrient loading to fresh and coastal surface waters.”

Translation: The simple act of pumping out your septic system every two to three years has a huge, positive impact on improving our local waters.

Montauk is not hooked into any municipal sewage treatment system. Instead, nearly every Montauk property relies on the sand and soil beneath its structures to filter and strain contaminants from the water and waste that leave our homes. Depending on how close your property is to the shore, it may take only days or up to

several years for “groundwater migration” to carry water from your property to the ocean, bay or pond. In order for this process to work well, our septic systems must not only be designed properly but also be maintained.

Most critical to this maintenance is a routine pump out when the system is emptied and given a once over to ensure everything is in order.

The County’s water plan concludes: “unsewered areas where property sizes are smaller than one acre are likely to cause groundwater nitrogen concentrations that exceed groundwater management zone target levels.”

In other words, Montauk, far from being immune to the water quality concerns that plague Suffolk County, fits exactly the development model that water quality scientists are worried about.

While wastewater management may not make good cocktail conversation, the reality is that pumping out your septic may be just about the most environmentally responsible thing you can do, particularly in a community that relies so heavily on clean, swimmable, fish – friendly waters to draw in hundreds of thousands of tourist to fuel our economy.

## CCOM MERCHANDISE NOW AVAILABLE

Wear your passion for the environment - and your favorite environmental organization!



### Keeping Montauk Montauk graphic hoodies, tees and bags

This select group of 100% cotton, long-sleeve tees, short sleeve tees, sweatshirts and canvas bags can be purchased by emailing [info@ccom-montauk.org](mailto:info@ccom-montauk.org), calling 631.238.5720. You can also find them at our events. And you can purchase CCOM logo-branded gear, such as golf shirts or tote bags, through Land’s End. Just go to our website’s Shop page and click on the “shop now” button.





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## TO BECOME A MEMBER OR MAKE A DONATION

**VISIT OUR WEBSITE** [ccom-montauk.org](http://ccom-montauk.org)

**BECOME A FAN** [facebook.com/ConcernedCitizensofMontauk](https://facebook.com/ConcernedCitizensofMontauk)

**ADDRESS** Concerned Citizens of Montauk

P.O. Box 915, Montauk, New York

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## IMPORTANT PHONE NUMBERS

**Ordinance Enforcement:** 324-3858

**Harbors & Docks:** 329-3078

**Natural Resources:** 324-0496

**Planning Department:** 324-1476

**Planning Board:** 324-1186

**NYS Department of Environmental Conservation**  
**Poaching and Pollution Tip Line:** 1-800-847-7332

## CCOM MISSION

Our mission is to preserve and protect the unique environment and ecology of Montauk through education, advocacy, and grassroots citizen action.

## SAVE THE DATE

- **SEPTEMBER 24: NATIONAL CLEAN-UP**  
Help us do our part in Montauk
- **OCTOBER 2: HIKE**  
Point of Woods to Lighthouse (approx. 5 miles)  
Hike Leader: Ed Porco (631.603.2262).  
Meet at Camp Hero Rd. – 10 am.
- **OCTOBER 2: FIELD DAY**  
Games, music, and all-around family fun.  
Theodore Roosevelt County Park – Noon.
- **OCTOBER 23: MEET THE CANDIDATES**  
Your chance to engage directly with candidates for office this November. Montauk Firehouse – 1:00 pm.
- **ANNUAL MEETING**  
Stay tuned for the date