

# 2017 East Hampton Green Guide



A primer on  
sustainability policy  
for candidates

## CONTRIBUTORS

Accabonac Protection Committee, Amagansett Springs Aquifer Protection, Concerned Citizens of Montauk, International Dark Sky Association – New York Chapter, Long Island Businesses for Responsible Energy (LIBFRE), New York League of Conservation Voters Education Fund, Northwest Alliance, Renewable Energy Long Island, Quiet Skies Coalition

## SUPPORTERS

Defend H<sub>2</sub>O, Ditch Plains Association, Friends of Georgica Pond Foundation, Group for the East End, Peconic Baykeeper, Perfect Earth Project, Surfrider Foundation: Eastern Long Island Chapter, Third House Nature Center

## GROUNDWATER & SURFACE WATER

On Long Island, our economic prosperity, public health, safety, and quality of life rely upon a clean and sustainable supply of drinking water. Our underground aquifers store the only source of fresh drinking water for the 2.8 million people living in Nassau and Suffolk Counties. These aquifers are not static; they slowly flow from high ground to low, recharging by rainfall from above and supplying the majority of freshwater entering our streams, lakes, and bays.

Whatever goes into our underground aquifers eventually reaches our other water resources: the bays and harbors, lakes, ponds and streams that define our Island. Long Island water suppliers strive to pump the cleanest water they can find out of the ground, and yet more and more frequently, they must utilize expensive processing methods to meet federal safety standards before delivering it to our homes and businesses. In our homes, we drink some, and the rest we load with detergents and solvents, we use it to flush our toilets, and we add fertilizers and pesticides to it while irrigating our lawns. We are at risk from 117 pesticides that are known to be in our water supplies, without a clear understanding of how this is affecting the health of our families. Recently published studies show clearly that much of Long Island's shallowest aquifer (the Upper Glacial) is simply no longer safe to drink except in the Town of East Hampton.

The consequences of over-development on a small ecosystem have been devastating to not only our groundwater but also our surface waters. Even formerly pristine bays on the East End are now completely devoid of eelgrass, critical finfish and shellfish habitat, as they are poisoned by pollution. Nitrogen pollution has decimated seagrass meadows. That once-expansive seagrass habitat nurtured a long list of economically important fish and shellfish. Nitrogen pollution fuels and sustains harmful algal blooms in Peconic Bay. The collapse of aquatic ecosystems in these places is a serious threat, already affecting our fisheries and our water dependent economies in ways that regularly prompt public expenditures aimed at addressing symptoms. Unfortunately, we know for sure that there is no adequate plan, process, or agency protecting our waters; the quality of our water continues to worsen.

### ACTION PLAN

- Create and advance a land-protection plan focused on water quality and watershed protection.
- Reduce fertilizer loads and require advanced treatment upgrades to sewage treatment plants and septic systems and enact legislation for proper disposal of unwanted pharmaceuticals.
- Establish an adequately funded, unified regulatory entity for Long Island's water-resources management.
- Develop and implement an effective, enforceable, and affordable clean-water action plan that includes regulations with measurable goals and consequences for agencies and municipalities that fail to protect water quality.
- Assess wastewater treatment performance and technological advancement. Develop a septic-system upgrade program to accelerate the deployment of advanced and decentralized treatment systems.

- Ensure 20% Community Preservation Funds are directed to priority water quality improvement projects throughout Town.
- Complete and implement the LI Pesticide Use and Management Strategy.

# COASTAL ADAPTATION AND RESILIENCY

Beaches, water-based tourism and the most productive fishing port in New York State anchor East Hampton's economy. Erosion, sea level rise, and more frequent catastrophic storms are reshaping East Hampton. A sustainable, thriving community requires protecting natural buffers such as beaches, bluffs and wetlands and upgrading and adapting our infrastructure.

Conservative estimates from the UN International Panel on Climate Change (IPCC) project sea level will rise by 1-3' by 2100. New York State has issued guidelines for substantially higher and more accelerated sea level rise. Shorelines recede at a multiple of the rise in sea level estimated at 75-100:1, making nearshore development vulnerable to increased erosion and low lying areas subject to recurrent flooding. Utilities, essential infrastructure, energy sources, and commercial and residential development are concentrated in areas vulnerable to storm surge, coastal flooding, and inundation. Development and redevelopment in the coastal zone continue apace without accounting for the increasing and compounded impacts of our rapidly changing reality. Recent proposals for siting new utility infrastructure in vulnerable areas is a case in point.

East Hampton's continued economic growth requires the development and implementation of a detailed Coastal Adaptation and Resiliency Plan (CARP) that is widely supported by the community. The Town's current zoning and building codes offer no guidance for improving our community's resiliency or how to fund such upgrades. Fortunately, East Hampton Town has been awarded two competitive resiliency planning grants totaling \$435,000 of direct support. These grants will be combined with local in-kind services bring the total value of planning services funded through these projects to \$722,000 over two years.

East Hampton's elected leadership must engage in expeditiously executing these grant contracts to move our community toward a resilient future that protects our precious ecological resources as the foundation of our economy and the personal and professional investments residents have made.

### ACTION PLAN

- Assess coastal erosion rates using NYSERDA/Dewberry grant of \$185,000.
- Develop Coastal Adaptation and Resiliency Plan (CARP) for East Hampton Town using \$250,000 of NYS Department of State grant.
- Update and implement the Town's Local Waterfront Revitalization Program (LWRP).
- Implement combined grant recommendations including the establishment of funding mechanisms for flood-proofing structures, upgrading or relocating/retreat infrastructure from flood zones and preserving natural barriers such as dunes, wetlands and beaches.

## COASTAL ADAPTATION AND RESILIENCY PLANNING

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## DARK SKIES & QUIET SKIES

The Town enacted an outdoor lighting ordinance in 1984 in order to preserve the nocturnal environment, community character, and quality of life from the effects of misdirected, excessive, unnecessary and inefficient outdoor lighting. There have been updates to the code but more are needed to include new technologies like LED lighting, which brings energy savings benefits but need special requirements due to excessive brightness and sky glow issues. The code also needs to be fully enforced for new and existing installations. For example, half the new residential lighting on the Amagansett lanes does not meet the 2006 code for exterior lighting.

The Quiet Skies effort suffered a major setback in 2016. The two nighttime curfews the Town adopted in 2015 were struck down in Federal Court in a lawsuit brought by helicopter operators, powerful out of town lobbyists and national aviation trade associations. The Court ruled that in order to adopt noise restrictions, the Town had to apply to the Federal Aviation Administration (FAA). The Town's only option now is to conduct a Part 161 study pursuant to the FAA regulations – an administrative proceeding over which the FAA has almost complete control. The Town Board has begun this process and, in what is the only good news, has engaged the services of Morrison & Foerster, the law firm that brokered the closure of Santa Monica airport with the FAA. Successful adoption of any regulations to limit aviation traffic to control noise is a long, arduous task. However, failure to do so makes airport closure a distinct, if remote, possibility.

### ACTION PLAN

- Continue to revise and update the current 2006 Smart Lighting Code and Planning Board Guidelines to address new technologies and innovations.
- Renovate town lighting facilities to improve energy conservation, safety, efficiency, and effectiveness.
- Adopt and implement a town-wide Streetlight Policy to conform to national standards and dark sky principles.
- Appoint an advisor to the Planning Department to provide updates and recommendations.
- Provide access at night to selected public properties by permit for astronomical observations.
- Host educational as well as research seminars on “best practices” to protect and preserve a natural nocturnal environment while providing a safe environment for nighttime activities.
- Continued outreach and education on the importance of airport financial self-sustainability in order to ensure financial independence from the Federal Aviation Administration (FAA).
- Recognize the regional noise and emissions impacts of East Hampton airport traffic on other East End communities. Find a way to include representation and perspective from communities disenfranchised from the voting process in East Hampton.
- Support the East Hampton Town Board's Airport Management Advisory Committee (AMAC), which advises the Board on airport issues by evaluating important fiscal, policy and management issues critical to the safe, quiet operation of the airport.

## ENERGY AND GREENHOUSE GAS REDUCTION

The State of New York has recognized the urgent need for action to mitigate climate change by dramatically reducing greenhouse gas emissions by 40% by 2030 and 80% by 2050. Additionally, the state has directed electric utilities in the state to provide at least 50% of its electricity supply from renewable energy sources. In recognition of these mandates, the Town of East Hampton, in 2014, adopted a goal to meet 100% of community-wide electricity consumption from renewable sources by 2020 and further set a goal to meet the equivalent energy consumption in all sectors (electric, heat, transportation) 100% from renewable sources by the year 2030. To that end, the Town has begun a number of initiatives, including adopting very strict energy efficiency building codes for new construction and pool pumps and assisting owners of existing homes with free home energy audits designed to identify energy efficiency improvements. The Town has also expressed its strong support for the construction of a 90 MW offshore wind farm and LIPA has entered into a contract with Deepwater Wind to construct and operate this facility. When completed, the wind farm will generate enough power for 50,000 homes and will enable East Hampton to meet its 100% renewable electricity goal.

In 2016, Assemblymember Thiele and Senator LaValle introduced legislation that was passed by both houses of the state legislature and signed by the Governor (Chapter 389 of the Laws of 2016) that grants the Town of East Hampton the ability to place a referendum on the ballot that would allow for the creation of an “underground utility improvement district.” If approved by the voters, this would authorize the Town Board to enter into a contract with a public utility company, municipality, or public authority in order to construct underground new public utility facilities or convert existing overhead public utility facilities to underground facilities. Such facilities could include electric transmission and distribution lines, cable television lines, and telephone lines.

### ACTION PLAN

- Continue to implement initiatives to reduce wasteful energy consumption
- Support demand response programs to reduce growing summer peak electricity demand
- Support the construction of the planned offshore wind farm to ensure operation by 2022
- Seek opportunities for large scale solar arrays, preferably community solar projects
- Continue to implement actions formulated in the Town's Climate Action Plan
- Propose a local law that would put a referendum on the ballot to create an underground utility improvement district

## HABITAT PROTECTION & STEWARDSHIP

Wetlands, woodlands, grasslands, dunes, freshwater ponds, kettle holes, creeks, bays, and beaches abound in East Hampton but are becoming increasingly rare nationwide. These ecosystems are a major draw for tourism and the area's economy but are also valuable and vulnerable habitats that provide food, shelter, and breeding grounds for a wide array of creatures. Because of new development, the incursion of invasive species, the use of chemicals for fertilizers, pest and weed control, and increasing stresses of extreme weather and rising water levels, our native flora and fauna are stressed and in decline. Each species depends on other plants and animals to survive; that includes us. If we lose our bees, what will we do for fruits and vegetables? How will our farmers survive? If we lose the eelgrass beds that are the nursery for shellfish and finfish, our commercial and recreational fisheries will collapse. The protection and stewardship of natural habitats are not something we can assume the nonprofit sector can take on alone. Our elected representatives must pay serious attention to ensure the continued health and success of our lands, waters and native creatures.

### ACTION PLAN

- Educate our citizens about the significance and complexity of healthy habitats and how to best maintain them.
- Assess how climate change and sea level rise will impact local habitats and species on the very exposed terminal moraine that is the South Fork.
- Use Community Preservation Funds for the expansion and stewardship of preserved properties to maintain the diversity of habitat.
- Enforce restrictions on fencing, paving, building, clearing, mowing, and lighting for the express purposes of protecting, preserving, and restoring natural habitat.
- Communicate the importance of coastal habitat protection in the face of our extreme geographic exposure to both the increasing and compounded impacts of climate change.
- Press the Town Board to create a standing panel of expert advisors on the complex environmental issues that often exceed the scientific grasp of elected officials and that can arrive too quickly to allow the formation of a specialized committee.

## ABOUT THE EAST HAMPTON GREEN GUIDE

The Town of East Hampton has a long record of sustainability leadership, particularly on the issue of open space. But there are many steps the town can take to continue to improve its environmental performance – and the town's elected leaders will play a critical role in this effort.

For this reason, the New York League of Conservation Voters Education Fund and the East Hampton Environmental Coalition are pleased to present the East Hampton Green Guide as a resource for all candidates running for town office in 2017.

The East Hampton Green Guide is a one-stop-shop for candidates, policy makers and current elected officials to learn about new opportunities and approaches to persistent sustainability challenges. The Green Guide was developed by NYLCVEF and the 18 other member organizations of the East Hampton Environmental Coalition, in order to embrace a wide range of views and objectives. Special thanks to the New York League of Conservation Voters Education Fund for the layout, design, and production of this guide.

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### ABOUT THE NEW YORK LEAGUE OF CONSERVATION VOTERS EDUCATION FUND (NYLCVEF)

NYLCVEF engages and educates New Yorkers on environmental issues and the environmental decision-making processes at the local, regional, state and federal government levels. NYLCVEF fosters open, nonpartisan discussion on environmental policy and empowers New Yorkers to be effective advocates for the environment. To learn more, visit [www.nylcvef.org/easthampton](http://www.nylcvef.org/easthampton).