

Summary of the Proposed Suffolk County Department of Biodiversity Protection

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WHAT IS NATURAL BIODIVERSITY?

Natural biodiversity is all of the natural plant, animal and other life in a landscape. Natural biodiversity is all of the living things and all of their genetic and other characteristics native to a place. The natural biodiversity of Suffolk County comprises all of the natural populations of the kingdoms of life and their traits in the county.

WHY PROTECT NATURAL BIODIVERSITY?

There are two main reasons given for protecting natural biodiversity. The first and most commonly asserted reason is that natural biodiversity is a resource which should be conserved and used wisely for the benefit of humans. The second main reason for protecting natural biodiversity is that natural biodiversity either has an inherent right or deserves a legally conferred right to its naturally exist for its own sake (which is sometimes called a “biotic right”).

Regardless of whether you believe that the only reason biodiversity should be protected is for its resource value to humans or that it should be protected for its own sake, the only way to conserve and protect natural biodiversity is to develop policies, planning and actions which are enacted as though biodiversity has a biotic right to as close a natural existence as possible. By acting in accord with this biotic right premise, maximum potential benefit of biodiversity to humans is protected from irreparable loss and is the best way to conserve biodiversity even if only for its value as a resource to humans.

The actual and potential benefits of natural biodiversity to humans are many. Without biodiversity our parklands would become wastelands. Biodiversity provides a living background into which humans may retreat and become refreshed from the pressures and strains of everyday life. Even the biodiversity of Suffolk may hold as yet undiscovered cures for human diseases. Biodiversity literally makes Suffolk and the rest of the world a place in which to live. In fact, if all natural biodiversity were to be suddenly wiped out, the breathable oxygen which biodiversity produces would run out planetwide and the human race would literally suffocate to death. Indeed, in many ways, biodiversity is the singlemost important thing in the world to protect.

IS THERE A BIODIVERSITY CRISIS IN SUFFOLK COUNTY?

As elsewhere in the world, there is a major biodiversity crisis in Suffolk County. Many species of plants and animals have already been wiped out in Suffolk — the exact total number remains unknown, but the number is undoubtedly large, quite possibly encompassing thousands of species. Even among the species that still survive in Suffolk many clearly have been reduced to countywide populations of less than 1% of their original sizes. With such drastic population reductions much of the genetic diversity needed for the well-being of the surviving populations and potentially for cures of human diseases and like resource benefits to humans is being irreparably lost forever.

Commercial and tract housing developments are not the only major causes of the loss of natural populations and biodiversity in the county. Another major cause is the very poor and biodiversity-insensitive manner in which the many thousands of supposedly “preserved” county parkland acres are being grossly mismanaged by the Suffolk County Department of Parks, Recreation and Conservation. The indifference and benign neglect of ecologically unskilled department administrators and staff is allowing this to happen. And the current Suffolk County Executive and most incumbent County Legislators likewise seem largely indifferent or ignorant about the biodiversity crisis in our parklands and elsewhere.

Suffolk taxpayers have spent many millions of dollars to supposedly preserve natural parklands for future generations but the lands and their biodiversities are wasting away, in some cases slowly and in others rapidly. Habitats are being fragmented. Natural forces and selection pressures which have allowed pine barrens biodiversities to survive and thrive for thousands of years are now being eliminated and pine barrens life is disappearing. Ecologically unsound so-called “greenbelt” hiking and “nature” trails are being thoughtlessly blazed in sensitive county parklands with no hint of environmental impact review as required by law. The unregulated collecting of wildlife for “pets” is certainly taking its toll on turtles and other animals in our parks. Precious natural soils which took thousands of years to evolve and which are so vital to the existence of natural biodiversity are being irrationally bulldozed and eroded into oblivion. Plantings of “native species” with differing genetic compositions are undermining and destroying the genetic richness and value of truly native local plant populations in our parks. All of these and many other factors are turning our biodiversity rich parklands into eventual biotic wastelands.

CAN THE BIODIVERSITY CRISIS IN COUNTY PARKLANDS BE STOPPED?

Will the decline in natural biodiversity in our parks ever end? Not if the bulk of elected and appointed officials in county government keep acting towards the natural environment and biodiversity as they always have. Not unless there is a big change in the way county government is structured. Not unless county government is infused

with individuals of high conscience with strong natural stewardship and environmental ethics. Not unless the right kind of bioscientific experts (bioecologists, zoologists, ecologists, etc.) are hired as administrators and staff to plan and otherwise take the necessary ecologically sound actions needed to slow down and hopefully largely halt the decline of biodiversity on our parklands. Not unless county government incorporates in its planning an ethic which recognizes that natural biodiversity can only be protected for its actual and potential resource values to humans and for its own sake if the biodiversity is managed and protected as though it has a biotic right to live a substantially natural existence for its own sake. Not unless the biodiversity rich parklands now so poorly administered by the Department of Parks, Recreation and Conservation are transferred to the stewardship of a new and truly biodiversity-protective department.

BREAKUP THE DEPARTMENT OF PARKS, RECREATION AND CONSERVATION

The Suffolk County Department of Parks, Recreation and Conservation has failed in its responsibility to protect our precious natural biodiversity both for the sake its resource values to humans and for the sake of the natural biodiversity itself. Obviously active recreation and biodiversity protection missions do not mix well. Therefore, the Department of Parks, Recreation and Conservation and its inherent anti-biodiversity structure should be broken up, and two new departments should result: a Department of Recreation and a Department of Biodiversity Protection.

The new Department of Recreation should be in charge of the facilities and lands which the County Legislature decides should be used for active recreational activities. The many thousands of acres bought with many millions of dollars for groundwater and nature preserve purposes should be transferred to the new Department of Biodiversity Protection.

MISSIONS OF A DEPARTMENT OF BIODIVERSITY PROTECTION

To truly protect and still allow the use of natural biodiversity as resource by humans is a challenge which can only be successfully met with the right kind of people functioning with the right kind of ethics and the right kind of training and wisdom in the right kind of agency. The Suffolk County Department of Biodiversity which I propose is designed to be such an agency. Among the missions of this new department would be:

Taking Actions Based on Sound Bioscientific Principles and Information:

The Department of Biodiversity Protection must be staffed by the kinds of scientists and bionaturalists who are able to gather the necessary biologic data and use these data in accordance with biological conservation principles and ethics to design and implement sound biodiversity protection measures and the other key

functions of the department.

Qualified bionaturalists, bioecologists, bioconservation scientists, botanists, zoologists and scientists must comprise the central staff of the department. Though it may be possible to transfer some secretarial and support staff from other departments reduced as a result of the creation of the Department of Biodiversity Protection, the kinds of scientific experts needed to effectively run the Department of Biodiversity are now absent from Suffolk County government. Indeed, the present absence of biodiversity expertise from county government is one of the reasons why Suffolk's natural biodiversity is declining so rapidly.

Suggesting that somehow the Department of Biodiversity could meet its many biodiversity protection missions without the right mix of qualified bioscientists and bionaturalists would be the equivalent of suggesting that a hospital could meet its missions without any doctors and nurses!

The Department of Biodiversity must be kept free from political patronage appointments. Political patronage is bad enough in typical government operations. But political patronage would bring ruin to a department having missions centered on ecologically sound research and decisions. Political patronage and sound science do not mix well.

Administer Stewardship of County Lands as “Bioarks”:

As mentioned earlier, management and stewardship of the thousands of acres of biodiversity-covered lands in the Pine Barrens and elsewhere acquired for groundwater and nature protection purposes under Suffolk's “open space” program would be transferred from the archaic and oxymoronic Department of Parks, Recreation and Conservation to the new Department of Biodiversity Protection.

The transferred lands probably should no longer be called “parks” but instead bear the new term “bioarks” to reflect the fact that, while substantially nondestructive passive human recreational activities should of course be allowed, these lands are not “parks” in the traditional sense of that word but rather are “arks” for natural life itself amidst a sea of urbanized and agrarianized lands.

Survey the Biodiversity of Suffolk County:

To be able to plan for and protect something it is best to know what that something is. To properly protect Suffolk's biodiversity we at least need to know what species are comprised by the biodiversity. At present there does not even exist a simple listing of all or even most of the species of plants, animals and the other kingdoms of life in the county. Thousands — probably many tens of thousands — of species are native to Suffolk. But what are all of these species? And how many still survive on the county's parklands and elsewhere in Suffolk? No one knows, not even

the brightest and most knowledgeable biodiversity scientists in the world.

Therefore, a basic purpose of the Department of Biodiversity Protection must be to conduct a basic inventory listing of all of the species present in the county. However, the survey of biodiversity must encompass much more than a kind of simple compilation of species names. The abundances and distributions of all species should be determined. Important local populations and genetic traits within populations should be identified. The declines and recoveries of local populations and the larger biodiversities of which they are parts need to be tracked. Natural vegetation communities need to be identified and analyzed. Successional trends in vegetation need to be monitored. The biodiversity survey mission of the department must be comprehensive and involve the quality kinds of bionaturalists and bioscientists needed to perform it.

Identify and Develop Plans to Protect Biodiversity Hotspots in Suffolk County:

Conservation biologists are especially interested in identifying areas in which biodiversity richness is more concentrated and/or more significant than in other areas. Such areas are termed “biodiversity hotspots”. One of the missions of the Department of Biodiversity Protection should be to identify, map and monitor biodiversity hotspots in Suffolk County and to develop plans to ensure the long term survival of the biodiversities within these hotspots.

Determine Species and Natural Populations Endangered at County Level:

Many native species and significant local populations not designated as endangered by the state and federal governments are on the verge of extinction in Suffolk County. The Department of Biodiversity Protection should identify and monitor all such endangered organisms in Suffolk and develop plans and take actions to prevent such extinctions.

Biodiversity-based Sound Prioritization of Lands for Acquisition:

Under Suffolk County’s “open space” program taxpayers are literally spending many millions of dollars on acquiring many thousands of acres of land for groundwater and nature protection purposes. However, all of this acquisition is presently being performed without objective and meaningful prioritization by bionaturalists and bioscientists of the biodiversity values of the lands. Such sound biological conservation prioritization of acquisitions should be a key mission of the Department of Biodiversity Protection.

Right now it is race to acquire as many of the most natural lands remaining in Suffolk before development destroys the biodiversities of these acres are destroyed. Time is running out and land acquisition should not be halted until a truly

ecologically sound prioritization of biodiversity lands is substantially developed. But that is no excuse to fail to bring into decision-making on land acquisitions the kind of high quality information the earlier described countywide biodiversity survey and biodiversity prioritization. This is needed to give taxpayers more “bang for their dollars” and to maximize the amount of biodiversity richness saved.

Design and Administer the Suffolk County Nature Center/Museum:

Suffolk taxpayers approved a referendum to establish and fund a county nature center/museum. Unfortunately there appears to be no sound “form must follow function” philosophy in either the design or administration of the nature center/museum.

Taxpayer dollars should be shown the respect they deserve. The nature center/museum should have a clear “function”, and the “form” of the center/museum should be designed and administered so as to give taxpayers the maximum value possible on their investment and so as to provide maximum benefit to the county’s natural biodiversity and to the education of the public about this biodiversity.

The “function” of the center/museum should clearly encompass quality bioscientific research and quality public education on the county’s natural biodiversity and the protection of that biodiversity.

Administer Biodiversity and Nature Education Programs:

A primary purpose of the county nature center/museum should of course be to provide the citizens of Suffolk with high quality biodiversity and nature education programs. These programs should be designed to incorporate a dynamic feedback between the involved nature educators and the bioscientists and bionaturalists of the Department of Biodiversity Protection. Absence of such feedback in typical nature centers often results in very superficial and even environmentally negative educational practices. Suffolk’s citizens should be regarded as having a right to quality information on the environment generally and biodiversity specifically that such feedback design would provide.

Support Scientific Research and Publication on Biodiversity and Its Protection:

Without quality scientific research, the biodiversity protection and education missions of the Department of Biodiversity Protection would be comparatively worthless and superficial. Proper biodiversity protection planning is dependent on the availability of basic biologic data and analysis which only quality research by bioscientists and bionaturalists can provide. Quality nature and biodiversity education likewise is dependent on the results of such scientific research being incorporated into the educational programs.

Good biodiversity research deserves publication, and scientific publication is the most important means for field and other research results to be communicated among biodiversity scientists. Without publication even good research tends to get lost. It is very important the Department of Biodiversity Protection play a role in ensuring that the results of the research of its bioscientists and bionaturalists is published in appropriate scientific paper form.

Quality publication is also important for education of the public on the natural life of Suffolk County and on biodiversity protection. Educational booklets, guides and pamphlets for reading by the general public should be issued by the Department of Biodiversity Protection.

Encourage and Support Bionaturalists Engaged in Research in Suffolk County:

Many of the greatest contributions to our knowledge of the biodiversity of Suffolk County have come from “amateur” bionaturalists, not from professional biologists at colleges and universities. In fact, the late Roy Latham — by far Long Island’s greatest bionaturalist ever — gathered more meaningful field data and published more important papers on the biodiversity of Suffolk than all of the faculty members of all of the universities and colleges in the county combined! And Roy Latham did all this while he worked as farmer with no more than the equivalent of an eighth grade education.

Serious “amateur” bionaturalists have been and are likely to continue to be very important in the gathering of the field data and other information needed to understand Suffolk’s natural biodiversity and to plan for its protection. The county nature center/museum should be designed as a place through which the Department of Biodiversity Protection provides field equipment, assistance and facilities for encouraging serious “amateur” naturalists to engage in meaningful field and other research which will further contribute to the body of knowledge needed to better protect the county’s biodiversity.

Co-ordinate Activities with Colleges and Universities:

The county’s colleges and universities have to date been overall big disappointments in their failures to contribute in large ways to biodiversity science and protection in Suffolk. Only a very minuscule percentage of the ecological research dollars spent by the colleges and universities in the county actually involves biodiversity right here in Suffolk. This is a situation long overdue for change, and the Department of Biodiversity Protection should be structured so as to encourage and co-ordinate research activities on the county’s biodiversity with researchers at colleges and universities in Suffolk and elsewhere.

Promote Ecologically Sound Tourism in Suffolk County:

In many parts of the world ecotourism generates much needed dollars for local economies, and Suffolk County — with its significant biodiversity rich landscapes — should get its fair share of those dollars. Many of the natural areas in Suffolk, especially those of global importance, could serve as centers for bringing ecotourism dollars into the county. Extreme care must be taken to ensure that ecotourism does not degrade our precious biodiversities, but with very sound planning and administration by the Department of Biodiversity Protection, ecotourism could become a very positive contributor to the county's economy.

Much of an ecotourism program should focus on the county nature center/museum as a key facility. A completely redesigned and ecologically sound trail systems on county parklands and ecotourism programs related thereto should be part of this program. It is vital however that all planning and execution of ecotourism on county lands be performed strictly within an ethical framework which treats biodiversity as though it has a biotic right to its own natural existence for its own sake. Only by following such an ethic will the kind of biodiversity degradation and destruction which has taken place elsewhere be prevented in Suffolk.

Perform an Ecological Restoration of the Long Island Oak Brush Plains:

The westernmost portion of the Long Island Pine Barrens has largely been ignored by the Suffolk's "open space" land acquisition. Even County Legislators from the Towns of Babylon, Islip, Smithtown and Huntington seem to have failed to even notice the significant parcels of Pine Barrens biodiversity lands surviving in their own towns. Though far less extensive than the surviving Pine Barrens lands in towns to the east, these western Suffolk acres are nonetheless very important to acquire and preserve.

Contrary to the myth that the Pine Barrens is a region having a westernmost limit in the Town of Brookhaven, the Pine Barrens originally was continuous across the interior of the Island from Nassau County to eastern Suffolk County. The section of the Pine Barrens extending from Nassau to near the Connetquot Barrens in Suffolk is known as the "Long Island Oak Brush Plains". Though now only surviving as isolated "habitat islands" in places such as Pinelawn, Edgewood, Brentwood and Central Islip, these parcels should be among those given the highest priority for acquisition for forever wild preservation by the county.

A sad state of affairs in planning within Suffolk County government is that almost all of the remaining parcels of the Oak Brush Plains have never even been identified as such or even as being valuable surviving acres of the larger Pine Barrens! A fully functional Department of Biodiversity would prevent such egregious errors of omission

now so rampant in the county planning bureaucracy.

Though unlawful biodiversity clearing projects and other environmentally destructive actions have degraded the remaining tracts of the Oak Brush Plains, these lands can and should be have their pine barrens biodiversities restored to approximations of their original states under the planning and supervision of the bioscientists and bioecologists of the County Department of Biodiversity Protection.

Until the remaining tracts of the Oak Brush Plains are acquired, restored and preserved, residents of western Suffolk will continue to have good reason to declare that they and their natural heritage have been and are continuing to be shortchanged under the county's "open space" land acquisition program.

Restore Vital Role of Fire Isonaturally and Safely in the Pine Barrens:

Biologists and even a number of public officials know that the Pine Barrens evolved into existence over thousands of years under the natural influence of fire and that the Pine Barrens cannot exist without fire. In fact, many of the Pitch Pines (*Pinus rigida*) in the Pine Barrens bear serotinous cones which will not open and disperse seed without the heat of fire. The need for fire is built into the genetics of pine barrens plant and animal populations.

The biodiversity of the Pine Barrens is so dependent on fire that bioecologists apply the term "fire climax" to it. Yet there is no rational planning for fire in the Pine Barrens which would allow fire to function substantially in its natural role in maintaining Pine Barrens biodiversity and which would do it in a way that does not threaten human safety and developed properties.

The manner in which fire is presently irrationally treated in the Pine Barrens endangers its biodiversity and human life and property. The way fire has been handled on Long Island is to put out it whenever it starts and don't use fire to fight much more dangerous and damaging fire. The suppression of fire in fire climax vegetation leads to unnaturally excessive buildup of leaf and other plant litter deposited on the ground as a more closed canopy forest of less fire tolerant species shade out the dominant sun-thriving and fire-thriving pine barrens plant and animal life. Often the ground litter accumulation is so great because the period of fire suppression is so unnaturally long that it provides fuel to such a degree that when it is ignited by a accident or by a pyromaniac, the result is a fire of far greater intensity than the average natural fire. Such unnaturally less frequent but highly intense fires endanger natural pine barrens biodiversity, human lives and human property. This negative kind of unnatural fire, the resulting biodiversity loss, the threat to human life and the damages to human property are the result of a continuing irrational policy countywide toward the need for the right kind of fire in the Pine Barrens.

There is some government allowed use of fire on public lands in the Suffolk, but

it is limited to what are called “prescribed burns”. These burns are usually set in frequencies and seasonalities destructive to natural biodiversity and to the natural “physiognomy” (structure) of the original fire climax vegetation. The design and practices of prescribed burning are derived from and entrenched in the resourcism ethic of timber and game animal harvesting, not a biodiversity protection ethic which recognizes the importance of using fire in the right way to protect and not destroy natural biodiversity. Needless-to-say, prescribed burning should be outlawed on all public lands in Suffolk.

The only kind of fire which should be allowed on biodiversity preserve lands is fire safely set to substantially duplicate the natural role of fire so as to preserve and not degrade natural biodiversity. That is, the fire should be “isonatural”. Both complete fire suppression and prescribed burning destroy natural biodiversity, and complete fire suppression additionally causes the eventual occurrence of extremely intense fires which threaten human lives and property. Only upon adoption of the alternative approach of using “isonatural fires” will there come any real hope for the long term survival of most of what remains of natural Pine Barrens biodiversity in the county.

Human safety must be a top priority in any planning for isonatural fires. To develop ecologically sound and safe planning for isonatural fires there must be co-ordination among the Department of Biodiversity Protection, local fire departments and other relevant agencies. The Department of Biodiversity Protection must be staffed by high quality people who have the knowledge, skills and vision to accomplish this, both for the sake of human safety and for the sake of the value of natural biodiversity to Suffolk residents and to the biodiversity itself.

Advise Governmental Agencies on Impacts of Proposed Actions on Biodiversity:

A key role of the Department of Biodiversity Protection would be to advise the Suffolk County Legislature and other county and local government agencies on the potential impacts of proposed actions on natural biodiversity.

Advise the County Legislature on Removal of Biodiversity Impacting Roads:

There are little used roads in the Suffolk County which provide insubstantial or no benefit to Suffolk residents but which are causing much damage to natural biodiversity through fragmentation of biodiversity continuity across the landscape. The Department of Biodiversity Protection would be responsible for identifying such damaging roads to the County Legislature, for developing plans for road removal, and for implementing isonatural biodiversity restoration after road removal.

Design and Administer Biodiversity Consultant Certification Program:

Much biodiversity destruction occurs because the agencies responsible for

performing environmental impact reviews under the State Environmental Quality Review Act (SEQRA) are basing their decision-makings on outright lies and otherwise false and incomplete information provided by consultants hired by developers to distort and suppress the truth on biodiversity issues.

No developer-hired consultant is providing any agency at any level of government in Suffolk County with the kind of information needed for an agency to take the SEQRA-required “hard look” at impacts on natural biodiversity. SEQRA requires “hard look” decision-making by an agency based on empirical data and objective analysis by scientific authorities on biodiversity and other environmental issues. But this requirement is routinely ignored by all agencies at all levels of government.

Only consultants with sufficient training and knowledge in the biodiversity sciences should be allowed to participate as experts on biodiversity matters during environmental impact reviews. One of the best ways to secure the quality kind of biodiversity information now so lacking in environmental reviews would be to require all biodiversity-related consultants to be tested and certified as scientific authorities on those subjects.

The Department of Biodiversity Protection should design and administer a “Biodiversity Consultant Certification Program”. All persons presenting themselves as professional biodiversity “experts” should be required to be certified by this program before being allowed to practice in the county. The Department of Biodiversity Protection should design and administer certification tests. Candidates for certification should be required to pass a test in each one of the relevant biodiversity-related sciences (vascular plant taxonomy, pine barrens ecology, etc.) for which certification is being sought. The Department of Biodiversity Protection should ensure that the academic credentials and bioethical record of each candidate for Certified Biodiversity Consultant show that the candidate meets certain reasonable standards before any certification is issued.

County Biodiversity Site Inspection Program:

For every action which might have significant impacts on natural biodiversity in the county, there should be a “hard look” taken by the lead agency and all involved agencies as required by SEQRA. As mentioned earlier, this requirement of the law is being ignored and much of our natural biodiversity heritage is being unlawfully wiped out of existence at least in part because of reliance on information provided by incompetent and unethical consultants. The Biodiversity Consultant Certification Program described above is part of a solution to this problem but alone cannot come close to solving the whole problem. Also needed is a “County Biodiversity Site Inspection Program”.

A law should be passed by the Suffolk County Legislature to establish the County Biodiversity Site Inspection Program within the Department of Biodiversity

Protection. For actions which might have significant impacts on natural biodiversity anywhere in the county, the sponsor of or lead agency for the action would be required to send notification, including a description of the action, to the Department of Biodiversity Protection. After departmental receipt of such notification, a bioscientist from the department would be sent to the proposed site of the action to determine what important biodiversity aspects (including any endangered and/or otherwise significant species, and/or significant natural populations, and/or significant natural communities) might be present and be negatively impacted. The bioscientist would visit the site and complete a "Preliminary Biodiversity Assessment" form on the biodiversity of the site. Additional specialized scientific staff would be sent to the site as necessary to clarify taxonomic identification and other issues.

After the preliminary report on the site has been completed, scientific staff in the Department of Biodiversity Protection would prepare a "Required Biodiversity Evaluation" notice covering biodiversity aspects (including all pertinent species, other taxa, natural populations, and natural communities of the site) which must be inventoried and otherwise fully addressed in a "Final Notarized Biodiversity Site Assessment" report. Each Final Notarized Biodiversity Site Assessment report must be prepared and signed by one or more Certified Biodiversity Consultants or by the Department of Biodiversity Protection. Each report must contain a notarized statement attesting to the completeness and truthfulness of the report under the penalties of perjury so as to prevent the lying and other falsehoods now used as a basis for decision-making by lead and other agencies. Each report must bear the notarized signatures of all persons involved in the field work, taxon identifications, analysis, and report preparation. Each report must be certified by the Department of Biodiversity Protection as being adequate and complete on all matters identified as needing addressing in the Required Biodiversity Evaluation notice. A copy of the Final Notarized Biodiversity Site report bearing certification of adequateness and completeness by the Department will be sent to the lead agency and each of the involved agencies for their use in decision making on an action.

Whether private Certified Biodiversity Consultants or the Department of Biodiversity Protection performs the preparation of the Final Notarized Biodiversity Site report would be at the option of the action's sponsor or the lead agency.

All costs involved in the operation of the County Biodiversity Site Inspection Program would be funded by fees charged the sponsors of actions, not by general tax revenues.

Administer Restored County Freshwater Wetlands Law:

At least until sometime during the 1980's, the Suffolk County Code included freshwater wetlands protection provisions. Sometime between then and the present these provisions were revoked or otherwise caused to disappear from the County Code. Some of the provisions were more protective of freshwater wetlands and their

adjacent areas than the New York State Freshwater Wetlands Act (Article 24 of the Environmental Conservation Law). Unfortunately neither the New York State Department of Environmental Conservation nor any local government in the county has been mapping, delineating and protecting our freshwater wetlands to the extent that the deleted provisions of the County Code would have allowed nor even to the extent required by ECL Article 24. The NYSDEC does not even follow the mandate of the State Legislature set forth in ECL Article 24 that Swamp Maple (*Acer rubrum*) and other key species must be regarded as wetland indicator species when wetlands are mapped and delineated. We are losing precious freshwater wetlands, precious adjacent areas needed to protect the wetlands and freshwater wetland biodiversity because of the indifference and arrogance of the NYSDEC.

However, if the County Legislature were to restore appropriate freshwater wetlands provisions to the County Code and if these provisions were administered vigilantly by the Department of Biodiversity Protection, perhaps the ongoing wholesale degradation and destruction of freshwater wetlands and their biodiversities in Suffolk would finally be substantially halted.

High quality freshwater wetlands protection provisions should be restored to the Suffolk County Code, and the Suffolk County Department of Biodiversity Protection should administer those provisions. There is a relevant court decision which supports the position that the County Legislature has the power to accomplish this by passing legislation which empowers the Department of Biodiversity to map, delineate and protect freshwater wetland acres over which the NYSDEC has failed to assert any protective jurisdiction.

Administer A Biodiversity Hotspot Law:

As mentioned earlier, one of the missions of the Department of Biodiversity Protection should be to identify and map areas of especially great biodiversity significance in the county. The County Legislature should pass a law giving the Department of Biodiversity Protection power as a permit-issuing agency for actions proposed for location within these biodiversity hotspots.

Administer Biodiversity Matters in the County to Avoid Biosmothering Effects:

Sadly the natural biodiversity of the county is being even degraded and destroyed by individuals and “environmental” groups acting on the false premise that they are actually helping to restore and protect nature. This diminishment of natural biodiversity is happening as a result of “biosmothering”, which is the performance of acts which are intended to “help” nature but in fact degrade and destroy natural biodiversity.

One particularly prevalent and destructive form of biosmothering in Suffolk County is the seeding and planting of what those who are rushing to “help” nature oxymoronicly call “native plants” but what in actuality are not native to the sites to

where they are being placed. Even though often these so-called “native plants” are of species native to the sites, the plants in fact contain genetic matter and represent gene frequencies not native to the sites. Through pollination, the alien genes and alien gene frequencies enter and pollute the native populations of the same species. The fitnesses of the native populations are altered, and the characteristics of plants in the resultant populations cause changes in the overall biodiversity. The populations of other species in the biodiversity are affected. The biodiversity becomes less native and less natural than it was before the biosmothering. Natural biodiversity is degraded and its potential resource values to humans and its integral values to itself are diminished.

There are ways to truly protect natural biodiversity and to naturally restore degraded landscapes, but biosmothering is not one of those ways. A key function of the Department of Biodiversity Protection should be to prevent biosmothering on county lands and to promote ecologically sound practices which protect natural biodiversity and do not degrade and destroy it throughout the county.

Provide a Biodiversity Ombudsperson Who Would “Speak for Biodiversity”:

At a Native American council of representatives, it was reportedly once asked “Who speaks for the wolf?” Now its well overdue for someone to ask “Who in county government speaks for natural biodiversity?” for now no one in county government who clearly does. There should be such a person — a “Suffolk County Biodiversity Ombudsperson” — whose mission would be to “speak for natural biodiversity”. The Biodiversity Ombudsperson would provide assistance to and speak for valiant Suffolk citizens who dare to challenge those who destroy biodiversity contrary to existing laws and those who outright lie and otherwise suppress the truth during environmental impact reviews.

The Biodiversity Ombudsperson would appear before the County Legislature and other bodies of government in Suffolk County to ensure that natural biodiversity is represented and treated fairly. The Biodiversity Ombudsperson would be a representative of natural biodiversity in court when biodiversity is being threatened with degradation or obliteration by an impacting action not reviewed nor conducted in strict compliance with SEQRA and other environmental laws.

A Biodiversity Ombudsperson would be a defender of the investment of millions of dollars by Suffolk County taxpayers in thousands of acres of forever wild and biodiversity rich parklands. But probably the most important job of the Biodiversity Ombudsperson would be to speak for something which has legal rights under existing environmental laws but which is unable to speak for itself and for which the courts never appoint counsel.

STAFF OF THE DEPARTMENT OF BIODIVERSITY PROTECTION

The Department of Biodiversity cannot possibly fulfill its missions as detailed above unless it is administered and staffed by qualified bioecologists, bionaturalists, botanists and zoologists. Scientific experts in vascular plant botany, vertebrate zoology, entomology, vegetation science, pine barrens ecology, wetlands biology, biological conservation theory, regional natural history, and Long Island biodiversity should be especially sought for the department.

Preference should be given to filling each bioscientific position with someone who is an excellent all-around field naturalist, who has familiarity with modern biological conservation theory, who is well versed in the scientific literature on the biodiversity of Suffolk County, who has an excellent scientific and natural history publication record, who has specialized taxonomic knowledge not already held by another staff member, and who seems to be naturally predisposed to want to understand and protect natural biodiversity.

Positions in the department should be filled based only on the legitimate qualifications of the candidates. Political patronage appointments should be strictly forbidden.

DANGER OF SUBDEPARTMENTAL STATUS

A full department dedicated to natural biodiversity protection is well justified within Suffolk County government. Even though biodiversity protection receives some consideration in local, county and state “catch all” environmental departments, the involved staff is typically very poorly credentialed in the relevant specialized bioscientific disciplines and not capable of engaging in the bioscientific planning and executing of actions which would truly preserve the natural resource and inherent biotic values of natural populations and prevent their degradation and loss.

Even if a subdepartment or office of biodiversity protection were established within a new and larger department of the “environment “ and even if such a biodiversity protection subdivision were initially given the resources and staff needed to fulfill its responsibilities, the nature of power struggles and politics in county government in the past supports the prediction that such a subdepartment or office would sooner or later become overwhelmed by political and power interests in the larger department and eventually deteriorate badly and/or be abolished completely. There are strong precedents supporting this worry, including the decline and disappearance of the so-called “Office of Ecology” from the Suffolk County Department of Health and the unconscionable repeal by a supposedly “environmentally sensitive” Suffolk County Legislature of the extensive freshwater wetlands protection provisions of the County Code.

SUBSTANTIAL SELF-FUNDING

The Department of Biodiversity Protection should have many of its operating expenses substantially covered through self-funding. Fees should be collected for the certifications, assessments, evaluations and other services provided by the department's County Biodiversity Consultant Program and County Biodiversity Site Inspection Program. These fees should be sufficient to cover the operating costs of those programs and to the general operating fund of the department. Appropriate fees should be collected for the biodiversity and nature education programs and other events conducted at the nature center/museum, on county bioarklands and elsewhere by the department. Appropriate fees should be collected for allowed passive recreational uses of the county bioarklands. Appropriate fees should be collected for permit application reviews and permit issuances by the department.

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