

# e-Appendix A

## REGIONAL ADVISORY COMMITTEES’ UNABRIDGED 2009 REPORTS

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### LONG ISLAND – REGION 1 REGIONAL OPEN SPACE ADVISORY COMMITTEE

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#### COUNTIES NASSAU & SUFFOLK

The Long Island–Region 1 Regional Advisory Committee (RAC) convened on April 17 and May 14, 2008 with the purpose of establishing careful and understandable priorities for state action to conserve specific open space parcels and cultural resources. First, the 2006 priority list was reviewed. Completed acquisitions, projects lost to development and changes to returning projects were discussed. Next, new projects were nominated for addition to the 2008 priority list; and as summarized below, funding and policy recommendations were addressed by the Committee.

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#### LONG ISLAND FUNDING & POLICY RECOMMENDATIONS

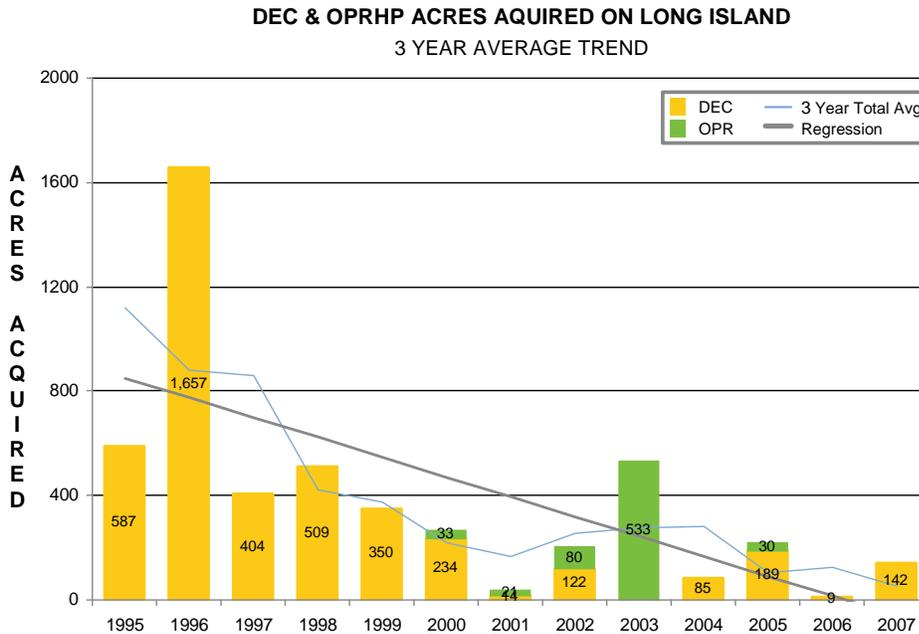
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The Committee discussed Long Island’s political, economic, conservation and real estate climates as they relate to the missions of DEC and OPRHP. A Funding and Policy Subcommittee compiled the following report:

#### PROGRESS IN IMPLEMENTING OPEN SPACE CONSERVATION PROJECTS ON LONG ISLAND

In the three years since the last update of the New York State Open Space Plan, more than 5,000 acres of natural areas, critical wildlife habitat and farmland have been protected on Long Island. The vast majority of these properties were purchased by Town and County Government with little or no financial assistance from the State of New York. In 2006 and 2007, the State spent \$11,810,400 to acquire 145 acres, while local government spent a combined \$484,438,845 to acquire 3,568 acres. The extraordinary commitment of Long Island’s Town and County governments remains un–matched anywhere else in the state. The Long Island Open Space Regional Advisory Committee is deeply troubled by the land acquisition trends shown in the following chart and in the acreage and dollar totals detailed above. Considering that this is a State Open Space Plan, the State should invest more heavily in the successful implementation of its stated goals. Today, the minimal extent of the State’s capital investment in environmental acquisitions on Long Island fails to honor the contract implicit in the creation of a State Open Space Plan.

1995 – 2007 NEW YORK STATE LONG ISLAND LAND ACQUISITION  
STATE LAND ACQUISITION HAS DROPPED SIGNIFICANTLY IN RECENT YEARS



KEYSTATISTICS & NOTES

► CAGR (compound annual growth rate) of NYS acquisition over the period is about -25%

- The state is averaging approx. 75 fewer acres preserved each year.
- OPR purchases, especially in 2003, provided some key acquisitions, but not enough to offset the declining trend.
- Long Island's Last Stand goals require the State to protect approx. 500 acres each year, similar to levels seen in the late 1990s.

► **In order to conserve the rapidly disappearing open space on Long Island, NYS needs to return to a rate of acquisition that characterized activity in the late 1990s.**

Note: 1999 DEC acquisition bar excludes a 3000 acre DOD donation to DEC (NWIRP runway approach zones)

For the State to regain its role as a partner in implementing the Long Island portion of the statewide Open Space Plan, New York must increase its investment level to around \$50 to \$65 million annually, protecting 500 acres of land per year. This level of commitment would match State contributions seen during the mid and late 1990's and show a renewed State commitment to the Long Island conservation priorities included in the NYS Open Space Plan. Without this firm and steady funding from New York State, Long Island will lose critical pieces of land identified in this Open Space Plan – New York State is an essential partner for success on Long Island.

This committee recognizes that the past administration in Albany was more focused on numbers of acres protected than equitable distribution of NYS funding to address real conservation urgency. And it is true that protection of farmland and natural areas on Long Island costs more than similar properties in other parts of the state; however, note again the extraordinary local commitment to these conservation needs. In calculating which land to protect, New York must also weigh the risk that critical parcels in the Plan might be lost forever to development in the near future. This risk of lost parcels to future development is no-where greater than here on Long Island.

After a decade of protecting places that might not actually be at risk, places where there was no critical urgency to act before losing the lands and waters forever, NY State must now refocus its resources to protect the remaining tracts of our unique Long Island landscape before they are irreversibly lost to fast-paced development. The time here is short; in ten years or less the targeted Long Island parcels in this Plan will either be protected or lost to development. **It is imperative that the Long Island delegation and the Commissioners of DEC and OPRHP come together to address this**

**matter now.** At the end of the ten-year period, the State can redirect available protection funds to other parts of the State because the large scale conservation work on Long Island will be finished.

As the second-largest land owner of public lands on Long Island, the State of New York needs to enhance its commitment to maintaining the health and well-being of the natural areas it owns. It also needs to step up to the plate with significant resources and catalyze cooperative management of areas where other entities share ownership and management responsibilities with it, notably in the Long Island Central Pine Barrens; but in other places around Long Island as well, including the Peconic Estuary, the South Shore Estuary Reserve and the waters of the Long Island Sound. Protection of critical wildlife habitat and natural areas is but the first step to a sustainable natural world. Human impacts can diminish the natural values that moved us to protect these lands in the first place. Good stewardship represents a sensible insurance policy to assure the continued health of our natural investments on Long Island.

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### ADDITIONAL LONG ISLAND POLICY ITEMS

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**The Committee has adopted the goal of protecting 25,000 acres of environmentally sensitive open space and 12,000 acres of working farmland in the next decade.** Large scale participation by the State of New York is required if these goals are to be met. To that end, the Committee recommends:

1. **Development of a ten-year strategic plan** for the protection of Long Island's last remaining open spaces should be undertaken. Considering impending build-out, a prioritized Long Island Open Space Plan is key to protecting the hoped-for 25,000 acres of open space and 12,000 acres of farmland over the next 10 years.
2. **Increased funding of the EPF.** If the objectives of the Open Space Plan are to be truly met, the statewide funding level for acquisition must be \$150 million per year. While this number may seem high, especially in light of recent funding levels of only \$32 to \$40 million, it is much closer to the true cost of protecting New York's natural heritage.
3. **Increased funding for Long Island.** Local conservation spending on Long Island exceeds the State level many-fold. To meet the special urgency of the impending ten year build-out and to better leverage local conservation dollars, the Committee strongly recommends and urges the State to allocate to Long Island \$50 million to \$65 million per year for the next ten years.
4. **Surplus State land and undedicated parkland** meeting Open Space Plan objectives should be transferred to DEC or OPRHP jurisdiction or moved to open/active status. Furthermore, a more reliable and transparent process for the transfer of jurisdiction between state agencies for land that would be appropriate for preservation is critically necessary so that situations such as the proposed Long Island Intermodal Truck-Rail Facility adjacent to the Oak Brush Plains Preserve can be avoided in the future.

If DEC and/or OPRHP is unable or unwilling to accept jurisdiction over surplus land that meets a conservation objective, such land should be offered for transfer to the County or municipality in which the land is situate, regardless of whether the local agency owns adjacent land. Policies and procedures should be streamlined to make such transfers to local government agencies more easily achieved.

5. **Environmental Facilities Corporation.** The New York State Environmental Facilities Corporation can provide low- or no-interest loans to government for certain conservation projects. This program encourages government to borrow against future revenue to buy land now before it is lost to development. Any new State bond issue or EPF should include specific language promoting government financing assistance through this program.
- **Streamline Slow State Processes.** State assistance is too slow for the swiftly moving Long Island real estate market, often forcing local government to move ahead alone or allowing preservation opportunities to be lost to development. This pertains to both State land purchases and grant programs.
  - **Wetlands mapping amendments** are urgently needed in many areas. Lands that should be protected by regulation are falling prey to development simply because DEC is years behind in its mapping and is forced to issue letters of non-jurisdiction for unmapped wetlands.
  - **Amendment of wetlands law.** First written in the 1970's, some portions of New York State's wetlands laws have proven inadequate in protecting the resource. The law should be revisited in light of the science and new technologies that have emerged since the laws originated.
  - **Unit Management Plans** should be more actively applied to management of State lands. In practice, actual management sometimes has little resemblance to that called for in the UMP's.
  - **Farmland preservation.** Long Island enjoys a rich agricultural history that is being lost to development. In terms of revenue, Suffolk County is the top agricultural county in the State. Both Nassau and Suffolk Counties and several towns have very active farmland preservation programs. Though farmland preservation is not within the purview of either DEC or OPRHP, the Committee recommends substantially higher levels of funding in the EPF for the farmland preservation programs of the NYS Department of Agriculture and Markets.
  - **"Un-development."** Many properties on Long Island that are worthy of preservation are improved with various types of structures. In certain instances, "un-development" is required to return properties to their natural state or to provide public access to open space and waterways in densely developed areas. The State should not disallow acquisition of improved properties when a conservation objective can be achieved. There are many successful examples of this type of "return to nature" acquisitions across Long Island.
  - **Increased funding for "Care of State Lands"** is highly recommended. Increased staffing and funding are necessary for proper maintenance and management of new and existing facilities. The Committee recommends that Care of State Lands be fully funded for statewide use at \$20 million.
  - **State University campuses** should undergo a master planning process with the goal of identifying, mapping and preserving significant natural areas on State University lands, including forests, wetlands, streams, water tables, steep slopes, habitat and other sensitive natural areas. The 65 S.U.N.Y. campuses around the state represent a very significant public asset comprising many thousands of acres. A protection strategy must be created and implemented.
  - **Eminent Domain** should be an available acquisition tool in Nassau and Suffolk Counties for the acquisition of inholdings when agreement with a landowner cannot be reached *and* when continued private ownership impedes proper and necessary management of the surrounding public land.

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**2006 LONG ISLAND PRIORITY CONSERVATION PROJECTS' REVISIONS**

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The following is a summary of the changes made to the 2006 priority acquisition list:

**Long Island Sound Coastal Area** – The project heading is changed to Long Island Sound Coastal Area and Watershed. Mitchell Creek Wetlands remains a priority and the description is unchanged. Red Spring Woods was acquired by Nassau County. Sagamore Hills Additions remains a priority; acreage is revised. Nassau County purchased the 25-acre Frost Mill Manor Estate in the Shu Swamp Natural Area; the project remains a priority with revised acreage. The Village of Lattinatown purchased a 2 acre parcel adjacent to the Davison Preserve; the project remains a priority with revised acreage. The Town of Oyster Bay purchased the Mill Pond Overlook property; a new 6 acre parcel will take its place under the revised heading Oyster Bay Mill Pond Area. Keyspan/Glenwood Landing, Morgan Estate and Seminary/State Assemblage remain priorities; project descriptions are unchanged. Suffolk County has acquired several parcels in the Nissequoque River System; the project remains a priority and the project description is unchanged. Flowerfield is dropped from the list. Crane Neck is expanded to include an additional parcel. Conscience Bay Watershed, Mount Sinai Highlands, Keyspan/Shoreham, and Nassau County 4H remain priorities and the project descriptions remain the same. Baiting Hollow Additions is dropped; DEC holds a conservation easement over 40 acres. Peconic Dunes Additions was completed by the Town of Southold and Suffolk County. Five new projects are added: Oyster Bay Harbor Area, Port Washington/Manhasset Bay, Vassilaros, Wading River Assemblage and North Bergen Avenue Soundfront.

**Long Island South Shore Estuary Reserve** – Nassau County acquired two of four Nassau Tributary/Bay Buffer Sites, Baldwin Harbor Waterfront Site and a portion of Waterview at Baldwin Creek; the project remains a priority; Harbor Isle and Brooklyn Waterworks remain, and Camp DeBaun is added to the description. The Town of Brookhaven and Suffolk County have acquired several small parcels in the Mastic-Shirley Conservation Area; the project remains a priority and the description remains unchanged. Mastic Woods Watershed name is changed to Forge River Watershed and remains a priority with revised acreage. The Connetquot River System parcel was lost to development and is removed from the list. Suffolk County acquires about 12 parcels per year in the Carlls River Watershed; the project remains a priority with revised acreage. The Town of Southampton has acquired 152.32 acres on the Shinnecock Bay; the project remains a priority with revised acreage. Three new projects are added: St. John's University / Oakdale Campus, Patchogue River Maritime Park and Haven's Point Additions.

**Long Island Trail System / Greenways** – Shoreline-to-Shoreline Trail remains a priority. The Town of North Hempstead has acquired 3 parcels along the Hempstead Harbor Shoreline Trail, including the 6.7-acre Island Tennis Property; the project remains a priority with revised acreage. Muttontown Preserve Enhancement Area lost 2.5 acres to development; the project remains a priority with revised acreage. SUNY Old Westbury Trail System and LI Motor Parkway Trail remain priorities with the descriptions unchanged. Trail View State Park Additions remains a priority; the description is expanded to include additional properties. The Town of Brookhaven has acquired several parcels along the Glacial Ridge Trail; the project remains a priority and the description remains unchanged. The Shore-to-Core Trail and Pine to Bay Trail are combined into the single Shore-to-Core-to-Shore Trail; the descriptions are combined. Peconic River Greenway remains a priority; the description is unchanged. A new project was added: Tesla Property.

**Peconic Pinelands Maritime Reserve** – The Town of Riverhead and Suffolk County have acquired the River Club and Suffolk County is in the process of acquiring Hubbard Duck Farm, 2 of 3 parcels in the Western Flanders Bay Assemblage. Broadcove remains a priority under its own project heading. North

Fork Preserve remains a priority; the description is unchanged. The Town of Southampton has acquired 37.73 acres in the South Fork Critical Wildlands; the project remains a priority with revised acreage. The Town of Southampton acquired .54 acres in the Cow Neck/Sebonac Creek area; the project remains a priority with the description unchanged. Shelter Island Groundwater Area remain a priority with the description unchanged. The Town of Southold and Suffolk County have acquired 5 parcels totaling 109 acres in the Pipe's Cove Complex; the project remains a priority with revised acreage. Suffolk County and the Town of East Hampton acquired the 70 acre Ross School in the East Hampton Pine Barrens; the project remains a priority with the acreage revised. Camp Blue Bay and Stony Hill Woods remain priorities with the descriptions unchanged. Four new projects are added: Riverhead Creeks, Hashamomuck Pond, Cutchogue Harbor Access, and Orient State Park Viewshed.

**Central Pine Barrens** – Southampton Core, CRA and CGA remains a priority and the description remains unchanged. Rose-Breslin Parcels 1,2,3 is changed to Rose Parcel 2. The Town of Brookhaven and Suffolk County acquired 294 acres of the original 400 acres and DEC acquired 71 acres. Acquisition by DEC of the remaining 35 acres remains a priority. In the Overton Preserve, 220 acres have been preserve by the Town of Brookhaven and Suffolk County; the project remains a priority with revised acreage. Pine Ridge Preserve remains a priority. One new project is added: Calverton Grasslands.

**Special Groundwater Protection Areas** – Whitney Estate remains a priority with a revised description and acreage. Nassau County purchased the 47 acre Boegner Estate in the Old Westbury Gardens Enhancement Area; the project remains a priority with revised acreage. In the Route 25A Heritage Area, Nassau County purchased the 16-acre Pulling Property and the Town of Oyster Bay purchased the 26-acre Littauer Property; the project remains a priority with revised acreage. Planting Fields Arboretum Additions remains a priority and the description is unchanged. Nassau County acquired 34 acres of the Richardson property near Tiffany Creek Preserve; the project remains a priority with revised acreage. Camp Kaufman/USDAN and Pine Ridge Park and Additions remain priorities. Laurel Lake Additions is removed from the list because the Town of Southold and Suffolk County together completed all three purchases. Two new projects are added: Oak Brush Plains Preserve and Beagle Club.

**Atlantic Coast** – Barrier Islands remains a priority; the description is expanded to identify certain key parcels on Fire Island. Montauk Moorlands remains a priority with the description unchanged.

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**2009 LONG ISLAND PRIORITY CONSERVATION PROJECTS**

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The following is a summarized list of the 2009 acquisition projects recommended by the Long Island-Region 1 Advisory Committee for State action:

**LI Sound Coastal Area and Watershed**

Mitchell Creek Wetlands  
 Sagamore Hill Additions  
 Shu Swamp Natural Area  
 Davison Preserve Additions  
 Oyster Bay Mill Pond Area\*  
 Oyster Bay Harbor\*  
 Port Washington/Manhasset Bay\*  
 Keyspan/Glenwood Landing  
 Morgan Estate  
 Seminary / State Assemblage  
 Nissequoque River System

Crane Neck Point  
 Conscience Bay Watershed  
 Mount Sinai Highlands  
 Wading River Assemblage  
 Vassilaros\*  
 Key Span/Shoreham  
 Nassau County 4H  
 North Bergen Avenue Soundfront\*

**LI South Shore Estuary Reserve**

Nassau Tributary/Bay Buffer Sites  
 St. John's University/Oakdale Campus\*

Patchogue River Maritime Park  
Mastic–Shirley Conservation Area  
Forge River Watershed  
Carlls River Watershed  
Haven's Point Additions\*  
Shinnecock Bay

**LI Trail and Greenway System**

Shoreline–to–Shoreline Trail  
Hempstead Harbor Shoreline Trail System  
Muttontown Preserve Trail System  
SUNY Old Westbury Trail System  
Trail View State Park Additions  
Long Island Motor Parkway Trail  
Glacial Ridge Trail  
Shore–to–Core–to–Shore Trail  
Peconic River Greenway

**Peconic Pinelands Maritime Reserve**

Broadcove  
North Fork Preserve  
Riverhead Creeks  
South Fork Critical Wildlands &  
Groundwater Protection Area  
Cow Neck / Sebonac Creek  
Shelter Island Groundwater Area  
Pipe's Cove Complex  
Hashamomuck Pond\*  
Cutchogue Harbor Access\*

Orient State Park Viewshed\*  
East Hampton Pine Barrens  
Camp Blue Bay  
Stony Hill Woods

**Central Pine Barrens**

Southampton Core, CRA and CGA  
Rose Parcel 2  
Overton Preserve  
Calverton Grasslands\*  
Pine Ridge Preserve

**Special Ground Water Protection Areas**

Whitney Estate  
Old Westbury Gardens Enhancement Area  
Route 25A Heritage Area  
Planting Fields Arboretum Additions  
Tiffany Creek Preserve  
Camp Kaufman/USDAN  
Pineridge Park and Additions  
Oak Brush Plains Preserve\*

**Atlantic Coast Beaches**

Barrier Islands  
Montauk Moorlands

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**2009 PRIORITY CONSERVATION PROJECT NARRATIVE**

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**Long Island Sound Coastal Area:** Acquisition of open space within the boundaries of the federally designated Long Island Estuary. Includes Sound–front property and parcels along creek and river corridors draining into the Estuary. Acquisitions protect water quality, fish and wildlife habitat, and water–based industry, and provide increase opportunities for public access to the Sound. Representative projects include:

- **Mitchell Creek Wetlands** – a combination of tidal and freshwater wetlands which drain directly into Manhasset Bay. The project will protect important wildlife habitat, provide erosion control, and secure an import link in the Shoreline–to–Shoreline Trail which connects Manhasset Bay and Hempstead Harbor.
- **Sagamore Hill Additions** – 19 parcels totaling 358 acres, flanking Sagamore Hill National Park on the Cove Neck peninsula in the Town of Oyster Bay. Most parcels front either Oyster Bay or Cold Spring Harbor.
- **Shu Swamp Natural Area** – 9 parcels totaling 80 acres on either side of Shu Swamp Preserve in the Town of Oyster Bay. The area is a Class I freshwater wetland within the Oyster Bay SGPA. Home to endangered brook trout, brook lamprey and water otter as well as several unusual or regionally rare plant species.
- **Kate Trubee Davison Preserve Additions** – 16 parcels totaling 188 acres between the Kate Trubee Davison Preserve, City of Glen Cove Parkland and Village of Lattintown Wetlands on the Long

Island Sound in the Town of Oyster Bay. Includes an historic dairy and a monastery with pristine wetlands and formal gardens.

- **Port Washington / Manhasset Bay** – three parcels totaling 8 acres on Manhasset Bay in Port Washington will provide new opportunities for public access to the water.
- **Oyster Bay Mill Pond Area** – One 6-acre parcel fronting Oyster Bay Mill Pond, an 8-acre stream-fed pond within the boundaries of the Oyster Bay National Wildlife Refuge that flows directly into Oyster Bay Harbor.
- **Oyster Bay Harbor Area**– 36 parcels totaling 294 acres surrounding Oyster Bay Harbor, home to New York State's largest oyster fishing area. This popular area provides outstanding recreational opportunities and includes a large concentration of both saltwater and freshwater wetlands.
- **Keyspan/Glenwood Landing** – One 8-acre waterfront property fronting Hempstead Harbor and consisting of woods, sandy open space, and almost 4 acres of underwater land. The property is adjacent to the Town of Oyster Bay's Tappan Beach Park, which includes a picnic area, pool, playground, fishing pier and boat launching area.
- **Morgan Estate** – 452.5 acres on the Eaton's Neck peninsula in the Town of Huntington; over a mile of shoreline, mature woodlands, high quality freshwater and tidal wetlands and rolling grasslands. This single property encompasses nearly every habitat type existent in the Town of Huntington.
- **Seminary / State Assemblage** – 374.5 acres stretching between Lloyd Harbor and Cold Spring Harbor. The project encompasses a 225-acre Seminary as well as five parcels owned by OPRHP in the un-built section of the Bethpage right-of-way which have NOT been designated as parkland.
- **Nissequogue River System** – 138.6 acres adjoining Nissequogue River State Park, Sunken Meadow State Park and DEC's King's Park Greenbelt property. All drain into the Nissequogue River watershed and Long Island Sound. High-value consolidation parcels.
- **Crane Neck** – two parcels near DEC's Flax Pond State Tidal Wetlands and SUNY's Flax Pond Environmental Research Center are available for purchase. A 5-acre parcel west of Flax Pond and fronting Long Island Sound has notable geologic features including a stepped topography dating to the last glacial retreat. A 1-acre wooded site has 300 feet of frontage on Flax Pond and could greatly improve public access to the water.
- **Conscience Bay Watershed** – three heavily wooded parcels totaling 30 acres within the immediate drainage of Conscience Bay and within the zone of capture of nearby public water supply wells. Preservation is necessary to prevent ground and surface runoff into this still quite pristine ecosystem.
- **Mount Sinai Highlands** – 115 acres of hardwood forest in the Mt. Sinai Harbor watershed. The area contains some steep topography, with slopes up to 30% and elevations up to 220 feet above sea level. Exceptional views and wildlife habitat.
- **Wading River Assemblage** – several sound-front parcels totaling 500 acres in the Town of Riverhead Hamlet of Wading River, including land owned by Little Flower Children Services and the Boy Scouts of America.
- **Vassilaros** – 64 acres between Miller Place Pond and Woodhull's Landing Road with extensive oak-hickory-beech woodlands, expanses of grassland habitat and old orchard. Topography on the eastern edge is severe with slopes near 30 degrees. Site is also archaeologically significant.
- **Key Span/Shoreham** – 893.2 acres in the Hamlets of Shoreham and Wading River with one mile of Sound frontage and 2000 feet along Wading River Marsh. Links with the 1500-acre Brookhaven State Park to the south.
- **Nassau County 4H** – 138 acres in the Hamlet of Roanoke, Town of Riverhead. This camp property would provide new public access to Long Island Sound and opportunities for camping, environmental education and passive recreation.
- **North Bergen Avenue Soundfront** – 95 acres of woodland and meadow with over 2100 feet of frontage on Long Island Sound in the Hamlet of Mattituck, Town of Southold. These scenic parcels are adjacent to hundreds of acres of farmland and combine steep bluffs with gently rolling hills.

**Long Island South Shore Estuary Reserve:** Conservation of open space within the boundaries of the state designated South Shore Estuary Reserve. The SSER is a 326 square mile area encompassing south shore bays and their watersheds from the East Rockaway Inlet approximately 75 miles east to Heady Creek at the eastern end of Shinnecock Bay. The SSER extends from the mean high tide line on the bay side of the barrier islands to the inland limits of the mainland watersheds that drain into Hempstead Bay, South Oyster Bay, Great South Bay, Moriches Bay, Quantuck Bay and Shinnecock Bay. Representative projects include:

- **Nassau Tributary/Bay Buffer Sites:** Waterfront parcels, such as Harbor Isle Waterfront Site, Brooklyn Waterworks at Milburn Creek, and Camp DeBaun, that provide critical buffer for SSER tributary corridors and bays and increased opportunities for public waterway access in the densely developed Town of Hempstead.
- **St. John's University / Oakdale Campus** – As the largest privately held upland parcel on the Great South Bay, this 175 acre compound contributes greatly to the water quality of the Bay, which is currently designated as a eco-system based management demonstration project for the New York Oceans and Great Lakes Ecosystem Conservation Council.
- **Patchogue River Maritime Park** – Small but critical, the 2.5 acre parcel would provide much needed public access to this tidal river in a densely developed and under-served community in the Village of Patchogue. The site is improved and will require demolition and restoration or redevelopment.
- **Mastic-Shirley Conservation Area** – An assemblage of small lots within a 500-acre wetland complex on the Great South Bay. Exceptional habitat as well as critical flood protection to the low-lying communities of Mastic, Mastic Beach and Shirley.
- **Forge River Watershed** – An assemblage of parcels encompassing 225 acres in the Brookhaven Hamlets of Mastic and Manor Park. The Forge River drains to Moriches Bay and directly contributes to the health of the Bay's important shell and finfish habitat.
- **Carlls River Watershed Addition** – Small parcels at the headwaters of the Carlls River, north of Belmont Lake State Park in North Babylon and Wyandanch.
- **Haven's Point Additions** – two parcels totaling 11 acres adjacent to DEC's tidal wetlands in East Moriches will enhance public access and buffer the wetlands and Seatuck Cove from residential runoff.
- **Shinnecock Bay** – 150 acres of back-barrier salt marshes extending for five miles between the Villages of Quogue and Southampton on the Shinnecock Bay. Includes open water, dredge islands and intertidal flats critical for fish and shell fish, waterfowl, migratory shorebirds, rare plants and federally listed sea turtles.

**Long Island Trail & Greenway System:** Acquisition of parcels along trail corridors and greenways to provide non-motorized travel corridors for people and wildlife, and to link recreational, natural and cultural attractions. Representative projects include:

- **Shoreline-to-Shoreline Trail** – acquisition of linkage and buffer parcels along this 12 mile trail corridor connecting the western shore of Manhasset Bay to the eastern shore of Hempstead Harbor across the Port Washington peninsula in the Town of North Hempstead. Will connect with the Hempstead Harbor Shoreline Trail System (below).
- **Hempstead Harbor Shoreline Trail System** – acquisition of linkage and buffer parcels along this interconnected system of trails around Hempstead Harbor, a State designated Significant Coastal Fish and Wildlife Habitat. When complete, 21 communities will be linked by the trail system.
- **Muttontown Preserve Trail System** – 11 parcels totaling 295 acres adjoining the Muttontown Preserve. This popular horse and foot trail system is heavily used and is threatened with fragmentation. It is located in the Oyster Bay SGPA and contains rare plants, tiger salamanders, and glacial kettle-hole ponds.
- **SUNY Old Westbury Trail System** – 103 parcels totaling 720 acres adjoining the SUNY/Old Westbury Campus. Acquisitions will maintain connectivity of popular horse and foot trails and

strengthen groundwater recharge within this portion of the Oyster Bay SGPA.

- **Trail View State Park Additions** – acquisition of parcels to enhance access to Trail View State Park and protect its viewshed. Specifically, one steep 5-acre parcel is imperative for maintaining existing trail continuity and safety.
- **Long Island Motor Parkway Trail** – this proposed historic and recreational trail along the former Motor Parkway right-of-way could become Long Island's longest trail system. Several privately owned parcels will be needed to achieve trail continuity.
- **Glacial Ridge Trail** – linkage and buffer parcels along this five mile trail which runs east-west along the Ronkonkoma terminal moraine between Brookhaven Town Hall and public land on the Carmen's River.
- **Shore-to-Core-to-Shore Trail** – acquisition of private parcels along this cross-island trail corridor which runs from the Long Island Sound at Wildwood State Park, to the Pine Barrens Visitor's Center in Manorville, to Terrell's River County Park on the Great South Bay. Several state and county preserves are linked along the way.
- **Peconic River Greenway** – acquisition of land and trail easements over 70+ parcels affecting about 150 acres of land along the Peconic River Trail in an urban area of Riverhead. The project includes a half mile linkage trail to heavily-used Stotsky Park and will greatly enhance public access to the Peconic River, a State-designated Scenic and Recreational River. Due to the urban nature of the project area, some target acquisition parcels may be improved and in need of demolition and restoration.
- **Tesla Property** – Historic preservation of the site of Nikola Tesla's internationally significant Wardencllyffe laboratory at the corner of Route 25A and Randall Road Road in the Hamlet of Shoreham, Town of Brookhaven. This 16.2 acre property is the site of Tesla's visionary wireless telecommunication tower constructed around 1900. The site, the first to be listed on the Town's registry of historic places in 1967, is located in the State-designated Long Island North Shore Heritage Area and will provide an important link and destination point along the soon-to-be-constructed Port Jefferson to Wading River hiking and biking trail.

**Peconic Pinelands Maritime Reserve** – acquisition of open space within the legislatively designated boundary of the Peconic Pinelands Maritime Reserve (Article 57 ECL), an interconnected area encompassing both the Central Long Island Pine Barrens and the Peconic Estuary, a federally designated estuary of national significance. Acquisitions will protect the waters of the Peconic Bay, as well as land within the Hither Hills, South Fork, Central Suffolk and Southold SGPAs. Representative projects include:

- **Broadcove** – 94.6-acre property in the Hamlet of Aquebogue, Town of Riverhead. This former duck farm is located on the north shore of Flanders Bay near the mouth of the Peconic River. It contains extensive tidal wetlands and shoreline habitat along Terry's Creek and Broad Cove as well as upland woods and open fields.
- **North Fork Preserve** – 133-acre parcel in the Hamlet of Northville, Town of Riverhead, contains an especially rich diversity of habitat types, including freshwater wetlands draining to both the Long Island Sound and an extensive drainageway known as Long Swamp. Threatened and special-concern species documented on site.
- **Riverhead Creeks** – acquisition of parcels in the Town of Riverhead fronting or draining to Sawmill Creek, Terry's Creek, Meetinghouse Creek, Reeves Creek and Cases Creek.
- **South Fork Critical Wildlands and Groundwater Protection Area** – 1,000 acres of mostly contiguous forest in the Tuckahoe Woods, Great Hill, Noyack Hills, and Long Pond Greenbelt regions of the South Fork, including pristine deep flow recharge areas and watershed lands critical to preserving the health of the Peconic Bay.
- **Cow Neck / Sebonac Creek** – consolidation of public ownership in a 1200-acre complex of beaches, marshes, meadows, maritime forest, freshwater swamp and successional woodland groves. Rich biodiversity and high biological productivity.

- **Shelter Island Groundwater Area** – Sylvester Manor and St. Gabriel's Additions both sit atop Shelter Island's sole source aquifer and are critical to drinking water quality.
- **Pipe's Cove Complex** – acquisition of 116 acres in the wetlands complex that includes Pipes Creek, Pipes Neck Creek and Pipe's Cove on Southold Bay in the Town of Southold. This is the largest relatively undisturbed salt-marsh habitat remaining on the North Fork.
- **Hashamomuck Pond** – 2 parcels on Hashamomuck Pond: a 54-acre wooded parcel at the northern end of the pond contains significant freshwater wetlands and a 4-acre parcel at the southern end of the pond has sweeping views over Southold Bay and could provide public boating access.
- **Cutchogue Harbor Access** – 3.25 acres of historic interest on the western shore of Cutchogue Harbor would provide excellent recreational access to the water.
- **Orient State Park Viewshed** – 35 acres of open fields lying directly across Long Beach Bay in the viewshed of Orient Beach State Park. The property is adjacent to DEC's Long Beach Bay State Tidal Wetlands and is on the market for residential subdivision.
- **East Hampton Pine Barrens** – 21 parcels overlying the South Fork SGPA in western East Hampton near Wainscott and Sag Harbor. This sandy-soil, pine-oak forest is situated atop the most voluminous portion of East Hampton's potable groundwater supply.
- **Camp Blue Bay** – 171 acre parcel fronting Gardiner's Bay in the Hamlet of Springs. Primarily old fields, with stands of state-significant red cedar coastal forest. The property's sandy beaches are backed by coastal bluffs rising to 65 feet in elevation.
- **Stony Hill Woods** – 535 acres in northern Amagansett in the Town of East Hampton. This very special old growth forest on the glacial moraine includes kettlehole ponds and is important for deep groundwater recharge. Suffolk County Water Authority wells are nearby. The forest is a rich habitat and is traversed by the Paumanok Path.

**Central Pine Barrens** – acquisition of vacant land within the legislatively designated boundary of the Central Pine Barrens (ECL 57-0101(11)). Available privately owned parcels within the Core and Critical Resources Areas (CRA) should be acquired as well as select projects in the Compatible Growth Areas (CGA). Representative projects include:

- **Southampton Core, CRA and CGA** – acquisition of Core, Critical Resource Area and Compatible Growth Area parcels within Southampton Town will help maintain the hydrological and ecological integrity of the area.
- **Rose Parcel 2** – the final 35 acres of a 400-acre acquisition. The parcel is comprised of oak-pitch pine dry forest. Because it is zoned multi-family residential, this developer-owned parcel can support 7 units per acre.
- **Overton Preserve** – 280 acres remain to be acquired in this 500-acre assemblage of fields, wetlands, and woodlands; home to hundreds of plant and animal species including forest interior birds, American woodcock, Great Horned owls, and the state-endangered tiger salamander.
- **Calverton Grasslands** – 800 acres of contiguous grassland habitat together with interspersed woods, kettlehole ponds and State-mapped freshwater wetlands, all within the legislatively defined boundaries of both the Central Pine Barrens and the Peconic Estuary watershed. The grassland itself is the largest on Long Island and one of the most significant in the State. The grasslands and ten kettlehole ponds at the site are habitat for several state threatened, endangered and special-concern species including the short-eared owl and the Easter tiger salamander.
- **Pine Ridge Preserve** – 800 acres of highly intact contiguous pine barrens forest containing significant wildlife habitat. Home to rare Lepidoptera, including coastal barrens buckmoth and several NYS natural heritage rank species. Remarkably free of invasive plant species.

**Special Ground Water Protection Areas** – acquisition of vacant land within the nine Special Groundwater Protection Areas identified in the 1992 Long Island Comprehensive Special Groundwater Protection Area Plan. The protection of land within SGPA boundaries is directly linked to the long term

health of Long Island's drinking water supply. Representative projects include:

- **Whitney Estate** – Located in Manhasset, one 325-acre parcel and several surrounding parcels are the last large tracts of undeveloped land in the entire Town of North Hempstead and the North Hills SGPA. The area consists of rolling hills, meadows, woods, marshes, open water and the largest glacial erratic on Long Island. Four water supply wells are located in the project area. The parcels are very well suited for hiking, biking and historic preservation.
- **Old Westbury Gardens Enhancement Area** – 11 parcels totaling 311 acres in the Oyster Bay SGPA anchored by Old Westbury Gardens, a 160-acre privately operated historic site and nature preserve.
- **Route 25A Heritage Area** – 16 parcels totaling 231 acres along Route 25A in the State-designated Long Island North Shore Heritage Area and the Oyster Bay SGPA. Parcels will preserve the history of Long Island's rural past while protecting drinking water for its future.
- **Planting Fields Arboretum Additions** – 21 parcels totaling 606 acres near or adjoining Planting Fields Arboretum State Historic Park in the Oyster Bay SGPA.
- **Tiffany Creek Preserve** – 18 parcels totaling 221 acres in the Oyster Bay SGPA. Two water district wells are located in project area, as well as spring fed ponds and streams, old growth woods, migratory songbirds, several turtle species and tiger salamanders.
- **Camp Kaufman/USDAN** – 479.5 hilly and heavily wooded acres in the Hamlets of Wheatley Heights and Half Hollow Hills in the Towns of Babylon and Huntington. This parcel is the largest unprotected open space in the SGPA and is less than 100 yards up-gradient of the Suffolk County Water Authority's main drinking water well on Circle Drive. Also abuts the proposed Long Island Motor Parkway Trail.
- **Oak Brush Plains Preserve** – In keeping with Chapter 635 of the Laws of 1987, any land surplussed by the New York State Department of Health at Pilgrim State Hospital should be transferred to the jurisdiction of DEC for addition to the Oak Brush Plains State Nature and Historic Preserve, including the proposed Long Island Truck-Rail Intermodal Facility parcel.
- **Pineridge Park and Additions** – 162 acres in the West Hills/Melville SGPA. A high, mounded area atop the Ronkonkoma moraine, characterized by oak-mixed heath forest, low bush blueberry and sandy soils. Adjacent to Old Bethpage Village Restoration and Bethpage State Park.
- **Beagle Club** – 150 acres in the Central Suffolk SGPA North and a possible link in the Shore-to-Core-to-Shore Trail. The subject is level and vegetated with woods and old field growth that provide excellent habitat for fox, rabbit, and birds of prey, including Cooper's Hawk. The property is surrounded by protected farmland in the heart of Riverhead's Agriculture Protection Zone. Acquisition will help maintain the integrity of the drinking water supply, preserve rural agricultural vistas and soils, and provide a link in an important trail corridor for both people and wildlife.

**Atlantic Coast** – acquisition of coastal parcels for active and passive recreation, habitat and endangered species protection. Representative projects include:

- **Barrier Islands** – parcels on the barrier islands protecting Long Island's south shore from the Atlantic Ocean. Currently for sale are the 5-acre Foundation Block parcel on Long Beach Island and several small parcels on Fire Island, including waterfront lots in Davis Park, Water Island, and Ocean Bay Park. These parcels provide protection of dunes and critical buffer from the shore.
- **Montauk Moorlands** – a 265-acre area on the Montauk Peninsula between Ditch Plains and Camp Hero comprised of globally rare maritime moorland, freshwater and tidal wetlands, and Atlantic oceanfront bluffs. The wetlands support the state rare herptiles including blue spotted salamander, southern leopard frogs and spotted turtles. Acquisitions will consolidate public ownership within this unique ecosystem.

**2009 LONG ISLAND – REGION 1 OSP ADVISORY MEETINGS**

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March 27, 2008; April 17, 2008; May 15, 2008

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**2009 LONG ISLAND REGIONAL OSP ADVISORY COMMITTEE MEMBERS**

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**NASSAU COUNTY REPRESENTATIVES**

Thomas Maher – Co. Environmental Coordination\*  
John McNally – Rauch Foundation  
Lisa Ott – North Shore Land Alliance\*  
Brad Tito – Co. Environmental Coordination  
Robert Weltner – Operation SPLASH\*  
\* Returning Member

**SUFFOLK COUNTY REPRESENTATIVES**

Robert DeLuca – Group for the East End  
Thomas Isles – Co. Planning\*  
Kevin McDonald – The Nature Conservancy\*  
Carrie Meek-Gallagher –Co. Environmental Affairs  
John Pavacic – Co. Parks, Recreation & Conservation  
\* Returning Member

**COMMISSIONERS' APPOINTEES**

Charles Bevilacqua – Conservation Fund Advisory Board\*  
Adrienne Esposito – Citizens Campaign for Environment  
Jeff Fullmer – South Shore Estuary Reserve\*  
John Halsey – Peconic Land Trust\*  
Ann Marie Jones – Town of Babylon  
Michael Levine – Town of North Hempstead  
Neal Lewis – Neighborhood Network  
Margo Myles – Town of Huntington\*  
Martin Shea – Town of Southampton\*  
Melissa Spiro – Town of Southold \*  
John Turner – Town of Brookhaven\*  
\* Returning Member

**DEC REGIONAL CONTACTS**

Peter A. Scully – Regional Director  
Charles Hamilton – Natural Resources Supervisor  
Heather Amster – Real Property Supervisor  
Bill Fonda – Regional Citizen Participation Specialist  
Aphrodite Montalvo – Citizen Participation Specialist

**OPRHP REGIONAL CONTACTS**

Ronald Foley – Regional Director  
Michelle Somma – Land Management & Regulatory Affairs Coordinator

CATEGORY	PROJECT	COUNTY / TOWN	RESOURCE AREA	EXISTING PROTECTION	CONSERVATION OBJECTIVE
Shoreline Protection Wetlands Waterway Access	<b>South Shore Estuary Reserve</b>	Nassau: Hempstead, Oyster Bay Suffolk: Babylon, Islip, Brookhaven, Southampton	Major Linear System: South Shore of Long Island	some public ownership	increase conservation ownership within the SSER boundary
Aquifer Recharge Area Exceptional Forest Community	<b>Pine Barrens Core, CRA, and CGA</b>	Suffolk: Southampton	Major Resource Area: Long Island Central Pine Barrens	substantial public ownership	increase public ownership within the Core; acquire discrete parcels within the CGA
Shoreline Protection Wetlands Waterway Access	<b>LI Sound Coastal Area and Watershed</b>	Nassau: North Hempstead, Oyster Bay Suffolk: Huntington, Smithtown, Brookhaven, Riverhead, Southold	Major Linear System: Long Island Sound Shoreline	some public ownership	increase conservation ownership of parcels fronting or draining to LI Sound
Shoreline Protection Exceptional Forest Community Wetlands Aquifer Recharge Waterway Access	<b>Peconic Pinelands Maritime Reserve</b>	Suffolk: Southold, Shelter Island, Riverhead, Brookhaven, Southampton, East Hampton	Major Resource Area: Peconic Bay Maritime Reserve	some public ownership	increase conservation ownership of land within the PPMR boundary
Aquifer Recharge Area Wetlands Exceptional Forest Community	<b>Special Groundwater Protection Areas</b>	Nassau: North Hempstead, Hempstead, Oyster Bay Suffolk: Babylon, Islip, Brookhaven, Huntington, Smitown, Riverhead, Southold, Southampton, East Hampton	Resource of Statewide Importance: Water Resource Protection	some public ownership	increase conservation ownership within the nine SGPA boundaries
Trailways & Greenways Parklands	<b>LI Trail and Greenway System</b>	Nassau and Suffolk Counties: all towns	Major Linear System: Long Island Greenbelt Trail System	some public ownership	acquire parcels and trail easements to create, enhance or expand Long Island trails
Shoreline Protection Wetlands Waterway Access	<b>Atlantic Coast</b>	Nassau: Hempstead, Oyster Bay Suffolk: Babylon, Islip, Brookhaven, Southampton, East Hampton	Major Linear System: South Shore of Long Island	some public ownership	increase conservation ownership of parcels on the Atlantic Coast

**NEW YORK CITY – REGION 2  
REGIONAL OPEN SPACE ADVISORY COMMITTEE**

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**COUNTIES**

BRONX, KINGS (BROOKLYN), NEW YORK (MANHATTAN), QUEENS, RICHMOND (STATEN ISLAND)

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**INTRODUCTION**

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The New York City – Region 2 Advisory Committee (RAC) for the New York State Open Space Conservation Plan convened four times over an eight week period to review the status of previously listed properties and identify additional parcels to be included in a new regional Priority List for potential purchase under the State Land Acquisition Plan. In meetings hosted by the regional offices of the New York State Department of Environmental Conservation (DEC) and the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP), the Region 2 RAC also discussed the strategic importance of measures other than acquisition for preserving open space in New York City (NYC), where the cost of land is at a premium, noting in particular the successes that can be achieved through land transfers between public agencies.

Recent estimates project that the population of the five boroughs will increase to nine million by 2030. In 2007, the Mayor of New York City released a report and planning document called “*PlaNYC: A Greener, Greater New York*,” which emphasizes that the supply of land is a fixed commodity in New York City, describes a range of issues related to sustainable development in the context of a growing population, and sets forth a proposed series of actions and recommendations to protect and improve the environment and quality of life in the five boroughs. Certainly, this projected population growth would generate unprecedented development pressure and could have a profound effect on the amount and quality of open space, parkland, and historic preservation resources within the City.

In preparing its recommendations for the 2009 Open Space Conservation Plan, the Region 2 RAC reviewed the successes and missed opportunities over the previous open space conservation planning cycles. Based on this review, there is increased concern that, due to the rising costs of securing waterfront land, inner city parks, and historic buildings for public use, the region will lose properties on its Priority List at an ever accelerating pace. A significant dilemma for Region 2 is that the initial investment of public funds associated with securing lands for open space typically is not accompanied by adequate resources to maintain and manage the newly-acquired sites. This is particularly important when dramatic inflationary pressures continuously escalate the stewardship costs for these newly preserved properties.

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**REGIONAL OPEN SPACE ACHIEVEMENTS**

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The Region 2 RAC took note of significant open space successes achieved since the last open space plan update was published in 2006. The Committee estimates that since the last report, at least 210 acres of land have been protected through acquisitions and/or transfers of government land for conservation purposes.

One of the key benefits of the New York State Open Space Conservation Plan process is that it not only guides the land conservation efforts of state agencies, but also provides a framework for cooperation with partners in other sectors of government and the nonprofit and philanthropic communities. Since the 2006 updated plan was adopted, tremendous progress has been made in protecting the properties listed on the 2006 Region 2 Priority List. While the State of New York, through DEC and OPRHP, took

a strong leadership role on most of these projects, these land conservation efforts were greatly enhanced by the work of other organizations.

The Committee notes that no New York State Environmental Protection Fund (EPF) dollars have been spent in New York City for land acquisition since the year 2000, with the purchase of Mt. Loretto Unique Area. In this context, the amount of open space conservation that has been achieved is even more remarkable, and can be attributed to the work of the partners noted below as well as the resourcefulness of the state agencies in Region 2 in using federal grants, private financing, and environmental benefit funds linked to consent orders and legal settlements to successfully acquire land. The efforts of the following partners were instrumental in achieving these remarkable successes:

**The City of New York:** The City, through the Department of Parks and Recreation (NYCDPR) and the Department of Environmental Protection, has its own robust land acquisition program that often overlaps with and complements the State's efforts. Since 2006, NYCDPR has acquired 176 acres for open space and recreational use in the five boroughs.

**The Port Authority of NY & NJ:** In 2001, the Port Authority initiated the Hudson Raritan Estuary Resources Program, allocating \$30 million in New York and \$30 million in New Jersey for habitat protection purposes. To date, the Port Authority has helped protect nine sites totaling 210 acres in the two states, including five important sites in New York (four of which were on the Open Space Plan's Priority List for Region 2).

**National Oceanographic and Atmospheric Agency:** Through the Coastal and Estuarine Land Conservation Program, the National Oceanographic and Atmospheric Agency (NOAA) has provided matching funds with a grant to acquire land within Region 2, in partnership with state and city agencies.

**The Trust for Public Land:** Acting as an intermediary in conservation real estate transactions, the Trust for Public Land (TPL) has worked with the State and the City to protect more than 100 acres of land for open space and recreational use since the last cycle. Also, TPL stewards 64 community gardens across the City and is working with the City Department of Parks and Recreation to help revitalize 185 playgrounds and neighborhood parks on city-owned land.

**Specific land conservation successes include, but are not limited to:**

**A. ACQUISITIONS**

**Bronx River**

- Aquadog – .38 acres acquired by DEC as an addition to the Bronx River Trailway.

**Harbor Herons Complex**

- South Brother Island – a seven acre island now owned by the NYC Department of Parks and Recreation; partners involved in the acquisition included TPL, The Point Community Development Corporation, and the Wildlife Conservation Society.
- Neck Creek – 16 acres acquired by the NYC Department of Parks and Recreation.
- Sharrotts Road – a 25 acre portion acquired by DEC.

**Long Pond/Butler Woods–2 properties acquired**

- Butler Manor – 18 acres acquired by DEC; partners included the Port Authority, NOAA, TPL, and members of the New York Congressional Delegation.
- North Mount Loretto – 75 acres acquired by DEC; partners included the Port Authority and TPL

**Staten Island Bluebelt**

- A four acre acquisition of South Beach Northern wetlands now owned by NYC DEP; partners included the Port Authority and TPL.
- A .25 acre acquisition in Great Kills Harbor that is now owned by the NYC Department of Parks and Recreation; partners included the Port Authority and TPL.

**B. TRANSFERS**

**Bronx River Trailway**

- Lafayette street end
- Cement Plant

**Harbor Herons Complex**

- Saw Mill Creek
- Merrill's Creek

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**OPEN SPACE PLANNING ISSUES**

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- 1. Improving Land Management Capability.** The 2006 Open Space Plan includes a map of the State’s “Conservation Successes,” which shows an impressive cluster of sites in Region 2. In many instances, however, “success” describes only the acquisition of property, not the upkeep. One of the guiding principles of the Plan is that the need for adequate management and stewardship must be taken into account in efforts to preserve open space. Unfortunately, the fiscal and human resources needed to properly manage new property assets have not been adequate. While Region 2 agencies such as the State OPRHP’s Regional Office and NYCDPR may have large operations programs, they face significant challenges in absorbing new properties and providing a standard level of care without commensurate increases in maintenance program resources. Others, such as Region 2 DEC, play an important role in acquiring open space priority parcels yet have significant needs for staffing to address property management. Support for land management activity must improve if we are to rightfully label our open space conservation accomplishments as “successes.”
- 2. Conserving Precious Natural Resources.** In Region 2, the dynamic tension between environmental protection, natural resources management, and development pressures is an especially complex and delicate challenge. For example, the Staten Island Borough President's representative objected to inclusion of the Gulfport Marsh and Uplands as a priority site, based on the site's value as a location for potential economic development. The nomination of this site, it should be noted, included a recognition that some part of the upland (non-wetland) property may be suitable for development, noting that it may be appropriate to establish a corridor for access to an existing dock on the property that would accommodate some future water-dependent use on the eastern portion of the site near Gulf Avenue. The Borough President’s objections illustrate that some careful balancing of economic and open space values is likely to be needed at this site. Similarly, the Port Authority, which serves in an advisory capacity to the Region 2 RAC, notes that future plans for the Goethal’s Bridge may need to be considered in the context of preservation efforts for the Graniteville Swamp area, another priority site on Staten Island.

Over the past 20 years, large industrial operations across the City have been closing, prompting land use and zoning changes that facilitate a variety of new development activities. A significant number of these sites are located on the waterfront or along inlets that provide ideal opportunities for public access to the shoreline and, in some cases, they have become wildlife habitat. In many of these areas, bird habitats have begun to revitalize, and in certain water channels increased fish populations have been detected. Potential opportunities to preserve or create waterfront open space in Region 2 continue to increase, particularly along the eastern shore of the East River,

where local parks and pathways can be created. Establishment of bike and pedestrian trails along New York City’s shoreline has long been a priority of Region 2, as successful acquisitions in the five boroughs have amply demonstrated.

A matter that merits further analysis and discussion is the importance of considering open space conservation goals in the context of the potential impacts of climate change. As concerns over sea level rise and extreme climatic events mount in light of the scientific consensus surrounding climate change, the Region 2 RAC notes the need to evaluate the potential roles that open space conservation could play in protecting or preserving natural systems that could help buffer the City from harmful impacts.

- 3. Ensuring Equitable Distribution of Open Space.** As the built environment increases to the maximum allowed by zoning across New York City, the higher population density that comes with it places more burdens on existing playgrounds and parks. Many of these amenities are already very heavily utilized, and they need significant cyclical maintenance and improvement to handle increased use. The amount of acreage devoted to public gardens and small parks must also increase to keep pace with this rise in the number of households. Fortunately, in Region 2 there has been continued interest in increasing the number of community gardens and expanding the amount of open space in underserved communities. The pressing need for open space in underserved neighborhoods across the City necessitates a continued focus on conserving, acquiring, or preserving smaller sites. While expending time and energy on securing such sites may not initially appear to be an efficient use of relatively scarce resources, in fact the acute lack of open space in these communities gives every square foot that is set aside far greater value as a public amenity, proportionally, than larger parcels in less densely populated areas.
- 4. Connecting and Augmenting Larger Urban Parks.** Continuing efforts to reclaim or “repurpose” federal land once used by the military, and to rezone former industrial areas along the waterfront, has created a rare opportunity to design and build large new public spaces in the City. For example, redevelopment proposals for Governors Island, large sections of the Brooklyn waterfront in Red Hook and Sunset Park, all have featured significant open space components. It is important that, as redevelopment of these sites goes forward, implementation of the commitments to provide public amenities, such as open space and recreational areas, be closely monitored. Linear parks and greenways serve an important function in connecting residential areas to large urban parks, and similarly to small neighborhood parks, have a particularly high value in densely populated urban areas.
- 5. Protecting Historic and Cultural Resources.** The rezoning of industrial sites along the waterfront presents an opportunity to memorialize the industrial age here in New York City. A model for this is the sequential implementation and development of the High-Line Park, which makes use of elevated and abandoned rail lines to create a striking public amenity on Manhattan’s West Side. By marrying existing historic building and structures with open space and recreational uses, our waterfront and maritime history could be approached in the same creative manner. For example, the former Brooklyn Navy Yard, located in Kings County, was once known as America’s premier shipbuilding facility. It was purchased by the City of New York in 1967. Extraordinary opportunities remain for historic preservation and recreational use within the property that are in keeping with the use of this 300 acre site as an industrial park. In particular, preservation of the remaining historic buildings, especially as they relate to open space conservation and waterfront access, should be made a priority by the City as it plans the redevelopment of the site.

- 6. Facilitating Land Transfers.** Although the acquisition of privately-held lands for the purpose of open space conservation remains critical, many properties that are already publicly-owned through federal, state, and city agencies could be formally and permanently “repurposed” for recreational use. The relatively high-cost of land in Region 2 makes this kind of land transfer from public agencies an especially important mechanism for open space conservation – often entailing little or no cost for hundreds of acres. For instance, rail corridors such as the North Shore Railroad could be excellent candidates for conversion to recreational trailway use. While obstacles sometimes exist to such transfers in the Region, such as the need to remediate environmental contamination or address public safety and security concerns, no process is currently in place to facilitate the transfer of the properties identified in Appendix 3 of the Region 2 report. Models for this kind of facilitation do exist, such as the City of New York’s Wetlands Transfer Task Force, which is charged with analyzing and identifying which city-owned properties should be transferred to other public agencies for open space uses. Some properties on the Priority List could be made even more attractive and valuable as open space assets by coupling them with strategic land transfers.

While consensus exists regarding most parcels on this list, it should be noted that the Staten Island Borough President, through his representative, objected to inclusion of the Richmond Parkway Right-of-Way and Willowbrook Parkway Right of Way on the list of Suggested Government Properties with Potential for Transfer for Public Open Space/Recreational Use (Appendix 1 of Region 2’s Report), preferring that they remain available for potential future use as roadways. The Port Authority of New York/New Jersey objects to listing of Bergen Basin and the Port Authority Ballfield in Queens County, noting that these parcels are already being managed as open space. Although the Committee chose not to remove the parcels from the Government Transfer list, the members discussed their appreciation of the Port Authority’s management of these parcels at the meeting at which that matter was raised.

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## NEW YORK CITY FUNDING & POLICY RECOMMENDATIONS

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The Region 2 RAC recommends the following:

**A. Improve Land Management Capability**

1. Provide sufficient dedicated positions in Region 2 City and State agencies for the management of their public open spaces.
2. Increase EPF stewardship funding to the Region by:
  - a. Developing a companion program to the Open Space Conservation Plan to provide an initial EPF stewardship award at the time of property acquisition for immediate property needs (i.e. boundary marking, debris removal, proper access); and
  - b. Giving priority to EPF stewardship funding requests for parcels acquired through the Open Space Conservation Plan.
3. Implement a campaign to foster public participation in land management by:
  - a. Encouraging formation of dedicated advocacy groups (i.e. "alliance", "conservancy" or "friends of..." organizations);
  - b. Promoting existing stewardship programs such as DEC's Adopt-A-Natural-Resource Stewardship program; and
  - c. Conducting a regular public program of site management activities such as clean-ups, planting or ecological surveys.
4. Ensure availability of resources for environmental remediation of open space properties as needed.

**B. Conserve Precious Natural Resources**

1. Review the Open Space Conservation Planning Process to determine how the possible impact of anthropogenic climate change should be incorporated into future cycles, particularly with respect to buffering the potential impacts of sea level rise and extreme climatic events such as floods and hurricanes.
2. Develop guidance on how increased attention to stormwater management in urban areas should affect the design, acquisition, and conservation of open space in New York State.
3. Allocate Environmental Protection Fund (EPF) money in a systematic way to ensure that Region 2 obtains a fair share allocation of EPF funds.

**C. Ensure Equitable Distribution of Open Space.**

1. Develop policy guidance to facilitate the establishment of dedicated funding revenue streams from State-authorized 'payments in lieu of taxes' for the acquisition and management of open space parcels in underserved communities.
2. Establish a set of criteria or benchmarks by which to measure progress achieved in the equitable distribution of open space in underserved communities.
3. Increase the purchase of sufficient smaller parcels in underserved communities to achieve the benchmarks for equitable distribution of open space. [The State should expand or develop flexible cooperative models with the City to manage these smaller parcels, where appropriate and mutually beneficial, while ensuring accountability for proper management.]
4. Allocate EPF money in a systematic way to promote equitable distribution of open space based on community and population needs.

**D. Connect and Augment Larger Urban Parks**

1. Promote development of greenways that connect park lands.
2. Enhance the connections between park lands and residential neighborhoods.
3. Improve mass transit access to open space resources (for example, through strategic extension of bus routes).
4. Promote further establishment of greenbelts and bluebelts.

**E. Protect Historic and Cultural Resources**

1. Allocate EPF money strategically to protect historic and cultural resources within or adjacent to open space areas.

**F. Facilitate Land Transfers**

1. Establish Regional Interagency Working Groups that meet regularly to evaluate state-owned lands within each region to determine whether they could be transferred to DEC or ORPHP (or appropriate local agencies) for use as open space.
2. Explore appropriate ways to maximize public access to publicly owned open space, including where those parcels are owned by agencies that are not specifically parks or environmental agencies.

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**2009 PRIORITY PROJECTS NARRATIVE**

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**WATERFRONT ACCESS**

**BRONX**

**BRONX RIVER GREENWAY** – Creation of a greenway/trailway along the Bronx River from the 172d Street to Hunts Point Riverside Park and Soundview Park. This corridor will connect with the existing 17 mile greenway/trailway to the Kensico Reservoir in Westchester County.

- **City Island Wetlands** – A vacant Bronx shorefront area in its natural state with significant wetlands; will also provide public access to the waterfront.

**BRONX / NEW YORK**

**HARLEM RIVER WATERFRONT** – The public access objective for the Harlem River area is to provide pedestrians and cyclists with opportunities to enjoy both banks of the river through expansion of waterfront parks and the creation of a continuous pathway within the city-wide greenway system. Bronx and Manhattan parks and greenways will be connected by existing bridges, including the non-vehicular historic High Bridge.

**BRONX HARLEM GREENWAY** – The five-acre Spuyten Duyvil/Penn Central Triangle properties could provide waterfront access at the junction of the Hudson and Harlem Rivers as well as wetlands preservation opportunities; the 3.7 acre Fordham Landing property at the end of Fordham road, is a vacant, privately owned parcel that could provide additional waterfront parkland in an under-served community with a waterfront greenway connection south to Roberto Clemente State Park; redevelopment of the waterfront areas at the south end of Roberto Clemente State Park would further extend waterfront parklands and greenway along a particularly scenic portion of the Harlem River Valley (Facing Manhattan’s Highbridge Park) south to the Washington and Hamilton Bridges. This would include the Bronx Harlem River Waterfront at Depot Place and Exterior Street – a 25,478 square foot site along the Bronx side of the Harlem River from just south of the High Bridge to just south of the Alexander Hamilton Bridge. (*Note: Adjacent property owned by NYC Department of Citywide Administrative Services is listed as suggestion for government agency transfer.*)

**MANHATTAN HARLEM RIVER GREENWAY** – Four privately owned industrial lots along the Harlem River in the Inwood section of Manhattan that would form a waterside promenade with fishing access.

**QUEENS**

**JAMAICA BAY PROTECTION AREA** – A premier coastal habitat including important marine and terrestrial ecosystems and bird sanctuary. Located in Brooklyn and Queens, it is also an important element in the Atlantic flyway. The area includes, but is not limited to the following parcels, and other resources identified in the Jamaica Bay Watershed Protection Plan:

- **Hook Creek** – A freshwater creek and uplands within a large, city-owned tidal wetland in Queens.
- **LILCO Property at Beach 116th Street** – A large upland parcel that includes waterfront access.
- **Sea Girt Avenue Wetlands** – Tidal wetlands and ponds at the eastern end of the Rockaway Peninsula.
- **Spring Creek/Fresh Creek** – A freshwater creek on the Brooklyn/Queens border.
- **Udall’s Cove** – A tidal wetland preserve connected to Long Island Sound through Little Neck Bay.
- **Udall’s Ravine** – A ravine and stream corridor that are part of a larger wetland ecosystem.
- **Beach 88<sup>th</sup> Street on Beach Channel Drive** – Shoreline parcels that were identified in “Buffer the Bay Revisited,” published by the Trust for Public Land and New York City Audubon Society in 1992; provides public access to and views of Jamaica Bay.
- **Brant Point** – Parcels adjacent to the New York City Department of Parks & Recreation’s Brant Point Wildlife Sanctuary, identified in “Buffer the Bay Revisited,” published by the Trust for Public Land and New York City Audubon Society in 1992; would help consolidate and buffer the City’s preserve and provide public access to Jamaica Bay while preserving critical wildlife habitat.
- **Dubos Point** – Shoreline adjacent to the NYC Department of Parks & Recreation’s Dubos Point Wildlife Sanctuary along Jamaica Bay, identified in “Buffer the Bay Revisited,” published by

the Trust for Public Land and New York City Audubon Society in 1992; would help consolidate and buffer already-protected City-owned land and provide public access to Jamaica Bay while preserving critical wildlife habitat.

- **Mott Peninsula** – Shoreline parcels on Jamaica Bay that were identified in “Buffer the Bay Revisited,” published by the Trust for Public Land and New York City Audubon Society in 1992; would help provide public access to Jamaica Bay while preserving critical wildlife habitat.
- **Norton Peninsula** – Shoreline parcels on Jamaica Bay between NYC’s Rockaway Community Park (former Edgemere landfill) and Bayswater Point State Park, identified in “Buffer the Bay Revisited,” published by the Trust for Public Land and New York City Audubon Society in 1992; would help consolidate already-protected state and city land, and provide public access to Jamaica Bay while preserving critical wildlife habitat.
- **Northeastern Queens Shoreline** – Unique and critical natural resources areas representing some of the last contiguous coastal habitats in this area.

#### KINGS / QUEENS

**BROOKLYN / QUEENS EAST RIVER WATERFRONT** – Open spaces and proposed greenways along the 20 mile waterfront from the Brooklyn Army Terminal to the Astoria Power Station will provide diverse and under-served neighborhoods with waterfront access and recreational opportunities.

Properties include, but are not limited to:

- **Private properties needed to complete Bushwick Inlet Park**
- **Hallets Marina, Vernon Boulevard**
- **Con Edison, Northern Hunters Point.**
- **The Grain Elevator Property**

#### RICHMOND

**GREAT KILLS HARBOR – NELSON AVENUE WATERFRONT ADDITION** – Approximately 4 acres of wooded natural land near the waterfront to expand Nelson Seaside Park.

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**HARBOR HERONS WILDLIFE COMPLEX** – This wildlife complex includes tidal and freshwater marshes, a pond, and creeks located on the west and north shores of Staten Island. The complex also includes four islands in New York Harbor. Together, these support the largest breeding population of colonial water birds in the northeastern United States.

- **Graniteville Swamp/Old Place Creek** – A diverse 30 acre swamp forest which includes a wide range of habitats, a tidal marsh, a cattail marsh, and freshwater ponds as well as feeding grounds for egrets and other wading birds (The New York/New Jersey Port Authority expressed concern regarding inclusion of this property on the priority list, in relation to its plans regarding the Goethal's Bridge).
- **Merrill’s Creek** – A tidal wetland system north of Saw Mill Creek on the Arthur Kill.
- **Saw Mill Creek** – Tidal and fresh water marsh complex adjacent to Prall’s Creek; includes critical habitat for State threatened species.
- **Gulfport Marsh & Uplands** – Freshwater and tidal wetlands cover about 240 of the 625 acres of this parcel, a combination of two parcels previously known as the “GATX” and “Duke Energy” parcels and now known as the “380 Development” site. The site provides nesting and foraging habitat for several significant species. The site also provides some important open grassland habitat and a “corridor,” or link, between Saw Mill Creek and Old Place Creek. Because the site includes a dock area that was used by tankfields in the past, it may be appropriate to establish a corridor for access to that dock to accommodate some future water-dependent use on the eastern portion of the site near Gulf Avenue.
- **Little Fresh Kills** – A portion of 60 acres of upland and marsh buffering the shore against urban development can be protected by acquisition or conservation easement.

- **Neck Creek** – Tidal marsh area off the Arthur Kill.
- **Cable Avenue Woods** – Patchy wet and upland forest community of 28 acres threatened by imminent development.
- **Clay Pit Ponds State Park Preserve Additions** – Located adjacent to Clay Pit Ponds State Park Preserve. Northeastern Woodland and Englewood Boundary Tract sites would provide additional buffer for the Park and protect it from development.
- **Blazing Star** – Located off of Arthur Kill Road, this 12+/- acre property consists of shipwrecks, mud flats, salt marsh and upland woods including an historic cemetery. It provides significant habitat for many species of birds.
- **Sharrotts Road Shorelands** – A 17+/- acre site, consisting of woods, salt marsh and mudflats along the Arthur Kill. Tappens Creek, which originates in Clay Pit Pond State Park Preserve, flows through the property. A field of sunken barges lies off the shoreline, providing wildlife habitat.
- **Outerbridge Shorelands** – This 30+/- acre site consists of forested upland and tidal wetland shoreline along the Arthur Kill, north and south of the Outerbridge Crossing.
- **Kriescher Cove** – This property consists of woodland, salt marsh and mud flats along the Arthur Kill. The property provides habitat for colonial waterbirds, songbirds, amphibians and reptiles. Originally, the site included approximately 25 acres of open space, but much of it has been developed. There remains a 6 acre parcel in its natural state.
- **Port Mobil Swamp Forest and Tidal Wetlands** – This site consists of 50+/- acres of forest with rare Blackjack Oak, Persimmon & River Birch, ponds and shoreline surrounding Exxon Mobil's tank farm along the Arthur Kill. The property provides significant habitat for amphibians and reptiles.

#### NEW YORK CITY HISTORIC PRESERVATION SITES

- **Brinkerhoff Cemetery** – Site of an old Queens family cemetery in Fresh Meadows.
- **Commandant's House** – Located in Kings County on Little Street within the former Brooklyn Navy Yard. This house was built in 1807 and is currently on the National Register and New York City Landmarks List.
- **Klein Farm** – Located in Queens County at 73<sup>rd</sup> Avenue and 194th Street. The Klein Homestead was the last privately owned working farm in New York City. It remains an important vestige of Queens County's primarily agrarian past.
- **William H. Cornell Farmhouse** – Located in Little Neck, Queens, the site includes approximately 1.3 acres with a house and barn, plus outbuildings on an additional .25 acres on Little Neck Parkway.

**INNER CITY/ UNDER-SERVED COMMUNITY PARKS** – This project will provide open space and recreational opportunities in densely populated urban areas with limited or no open space resources.

- **Con Edison 15th Street Ballfields** – A much-valued recreational resource, now in private hands, in an under-served area of Manhattan near the East River.
- **Greening Gray Neighborhoods** – Several vacant lots that would provide much needed green space in the communities of Harlem, Hunt's Point in the South Bronx and Bushwick, Brooklyn.
- **Jones Woods Playground addition** – Wooded 6-acre hillside with scenic views in an under-served Neighborhood.
- **Travers Park Expansion** – The site of the Queens Borough Toyota Car Dealership located at 77-12 Northern Boulevard in Jackson Heights, Queens, in a community that is greatly under-served for open space.

**LONG POND – Long Pond** – A 90-acre natural wetland area on Staten Island; features knob and kettle topography and a diversity of habitats. *(Note: NYC Parks & Recreation has recently acquired 18.67*

*acres of this property.*) – **MIV Triangle** – This 5 acre parcel (block 6765, lot 1) located in Richmond County on Raritan Bay, would enhance public access to Raritan Bay shoreline.

**PUTNAM RAILROAD** – A greenway through the northern Bronx using an abandoned railroad right-of-way.

**STATEN ISLAND BLUEBELT** – Located on the South Shore of Staten Island, this area serves as an alternative stormwater management system that incorporates existing streams and wetlands. Protecting these areas for stormwater conveyance will obviate the need for many miles of expensive sewer construction and provide aesthetically pleasing parks and greenways.

- **Richmond Creek Acquisitions** – A major drainage corridor; part of a freshwater wetland system.
- **South Beach Northern Wetlands** – Sixty-five acres of former salt marsh that provide local flood control and wildlife habitat and would enlarge the scope of similar adjacent state land.
- **Oakwood Beach Bluebelt** – Various parcels located in the southeast section of Staten Island, that would be appropriate for inclusion in the NYC Department of Environmental Protection's program for alternative stormwater management using existing streams and wetlands, involving reduction in impervious surfaces, increased groundwater recharge and improvements to local habitat.

**STATEN ISLAND GREENBELT** – One of the largest urban nature preserves in the United States, this 2,500 acre natural area contains unique woodlands, wetlands, glacial ponds, open fields and one of the last remaining intact watersheds in New York City. The Greenbelt is a haven for wildlife and many migratory bird species.

- **Pouch Camp** – A large contiguous parcel containing the northernmost portion of the Greenbelt Watershed Preservation Area.
- **Reeds Basket Willow Swamp** – A heavily wooded environmentally sensitive site located at the base of a steep ravine; contains streams and a vernal swamp.
- **Great Swamp Forest Hill Greens** – This wooded slope would provide a buffer between a housing development and a protected freshwater wetland.
- **Manor Road** – Acquisition of this two-acre lot on the edge of the Greenbelt would protect wetlands from encroachment and degradation.

**STATEN ISLAND WET WOODS** – Moist hardwood forest in southern Staten Island that form an intermediate community between maritime shrub forest and forested uplands. These properties contain ponds, streams, and wetlands and include:

- **Arden Heights Woods Additions** – An addition to a 183 acre wildlife sanctuary.
- **Blue Heron Park Additions** – Freshwater wetlands and wildlife habitat; contiguous with an existing city park.
- **Canada Hill Forest** – Thirty-three acres of scarce "Sandy Ground" oak barrens buffering mapped freshwater wetlands.
- **Outerbridge Ponds** – These 14 acres of pine-oak barrens and sedge ponds represent ecosystems rare in New York City.

**STATEN ISLAND NORTHSORE GREENBELT** – Goodhue a.k.a. The Children's Aid Society – Located in northeast Richmond County. This 42+/- acre site consists of woods, freshwater wetlands and forms a link with Allison Pond, Jones Woods, to Snug Harbor. It is currently under threat of development.

## 2009 NEW YORK CITY PRIORITY CONSERVATION PROJECTS

## ADDITIONAL PROPERTIES OF IMPORTANCE

**BRONX COUNTY**

- Bruckner Boulevard & Bronx River Ave
- Lafayette Avenue fur factory
- 1219 Gilbert Place\*
- 1264 Lafayette avenue\*
- 740 Manida Street\*
- Corporal Irwin Fisher– Playground
- Sedgwick Avenue
- Kingsbridge Crescent
- High Island
- Hudson River Greenway
- Melrose Commons
- South Bronx Greenway
- Westchester Creek
- Pugsley's Creek
- Riverdale Park Addition
- Highbridge Park
- Nelson Avenue Playground
- Hunt's Point Waterfront Access
- Co-op City Easement
- Port Morris/Randall's Island Greenway
- Community Garden/Webster Ave (210 St.)

**KINGS COUNTY**

- Gowanus Creek Public Place
- Grand Street Park Extension
- 1480 Myrtle Avenue
- Bush Terminal Piers (privately-owned parcels)
- Loew's King Flagship Theatre
- Cross Brooklyn Railroad
- A. Chairantano Park Addition

**NEW YORK COUNTY**

- 225, 227, 231 West 122 Street
- Upper Hudson River Waterfront Harlem Piers (inland lots)
- Esplanade Gardens
- Con Edison site, 201–203 Street, Harlem River
- Bannock, Burn Realty site
- Paragon Cable site

**QUEENS COUNTY**

- Hunter's Point South (Queens West)
- Alley Pond Park Addition (Douglaston Pond)
- Flushing Bay Marine Promenade (Willet's Point)
- Downtown Flushing Waterfront (Willet's Point)
- Call–A–Head Properties
- Rockaway Shoreway across from LILCO property,  
Between Beach 113th and 116th
- RKO Keith's Theatre
- Steinway Mansion
- Brooklyn/Queens Greenway:  
Cypress Hills Cemetery Easement
- Steinway/Ravenswood Cemetery Easements
- Creedmoor Hospital Easement
- Forest Park Gateway Greenway

**RICHMOND COUNTY**

- North Shore Greenbelt:  
West Brighton Historic Houses
- North Shore Greenway Addition/Block 185,187
- Harbor Herons Wildlife Complex additions:  
Staten Island Industrial Urban Renewal Area  
Teleport Swamp Woods  
Little Fresh Kills  
Cable Avenue Woods
- Sandy Ground Historic Site
- Serpentine Art and Nature Commons
- Arbutus Woods Watershed
- South Beach Northern Wetlands
- Richmond Creek Easements
- Wolfe's Pond Park Addition
- Clove Lakes Park Addition
- West Shore Expressway Interchange
- Gabler's Creek (North & South)
- Poillon–Seguine–Britton House
- Conference House Park Addition:  
Killie's Creek  
Twin Streams  
Tussock Sedge Pond
- Staten Island North Shore Greenway

**SUGGESTED GOVERNMENT PROPERTIES WITH POTENTIAL  
FOR INTER-AGENCY TRANSFER FOR PUBLIC OPEN SPACE/RECREATIONAL USE**

**BRONX COUNTY**

- Bronx Harlem River Waterfront DCAS Property on Exterior Street
- Bronx River Trailway Lafayette Avenue terminus LORAL site City lots Edgewater Road
- Croton Aqueduct Trail Linkage
- Highbridge Peace Park

**KINGS COUNTY**

- Brooklyn & Queens East River Waterfront from Brooklyn Army Terminal to Astoria Power Station (government-owned parcels)
- Halleck Street between Court & Clinton Streets
- Current police impound lot at Erie Basin Pier
- Upland area for Brooklyn Waterfront
- Greenway along Piers 7 – 10
- Wolcott Street end
- Diverter" property at Degraw and Columbia Streets
- Division Street end
- DEP Sludge Tank Relocation/Lumber Yard.
- Dupont Street, Greenpoint
- MTA lot at Commercial Street.
- Former Ports & Terminal Pier and Upland at 44th Drive, Queens
- Vernon Boulevard at 31st Ave, Astoria, Queens
- Brooklyn Navy Yard – Officers' Row
- Bush Terminal Piers (government- owned parcels)
- 562 Gates Avenue
- Marion Street
- Saratoga Square Urban Renewal Area

**NEW YORK COUNTY**

- 59–63 St. East River Esplanade
- Croton Aqueduct Gatehouse at 113th Street
- Croton Aqueduct Gatehouse at 135th Street
- Harlem Beach
- Lot formerly containing Hamilton Grange
- Upper Hudson River Waterfront Harlem Piers
- Community Gardens W. 119th St. between Adam Clayton Powell Blvd.& St. Nicholas Ave. St. Nicholas Ave. & Frederick Douglas Blvd. between 119th and W. 120th Sts.
- W. 127th& W. 128th Sts. – St. Nicholas Ave. & Frederick Douglass Blvd.

**QUEENS COUNTY**

- Bergen Basin
- Fort Totten
- Port Authority Ballfield
- Creedmoor Historic Buildings
- Notts Landing
- South Jamaica Neighborhood Park
- Langston Hughes Library Open Space
- Thurston Basin
- Flushing Airport Wetlands
- Nassau Expressway Right of Way (See also Brooklyn & Queens East River Waterfront, listed under Kings County)

**RICHMOND COUNTY**

- Arlington Marsh
- Willowbrook State School Woodlands
- North Shore Railroad
- Old Farm Colony
- Richmond Parkway Right of Way
- Willowbrook Parkway Right of Way
- Northern Sea View

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**2009 NEW YORK CITY REGIONAL OSP ADVISORY COMMITTEE MEETINGS**

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March 25, 2008; April 15, 2008; April 28, 2008; May 19, 2008

## 2009 NEW YORK CITY REGIONAL OSP ADVISORY COMMITTEE MEMBERS

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Charles Bevilacqua –Conservation  
Fund Advisory Board\*

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**LOWER HUDSON VALLEY – REGION 3  
REGIONAL OPEN SPACE ADVISORY COMMITTEE**

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**COUNTIES**

DUTCHESS, ORANGE, PUTNAM, ROCKLAND, SULLIVAN, ULSTER, WESTCHESTER

The Lower Hudson Valley – Region 3 Open Space Advisory Committee wants to reiterate its acknowledgment of the great amount of progress that has been made in protecting priority project parcels in the Region and commend state agency staff for their commitment to the goals of the Open Space Plan and their initiative in its implementation. Some of the following recommendations are updated from the 2006 Open Space Plan. The committee continues to endorse the policy recommendations from the previous plan. Recommendations from the 2006 plan that have been updated are included below with updates in italics.

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**LOWER HUDSON VALLEY FUNDING & POLICY RECOMMENDATIONS**

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Some of the following recommendations are updated from the 2006 Open Space Plan. The committee continues to endorse the policy recommendations from the previous plan. *Recommendations from the 2006 plan that have been updated are included below with updates in italics.*

**A. PRIORITY RECOMMENDATIONS**

The Committee's highest priority policy issues (more fully described below):

- Environmental Protection Fund – full and dedicated funding;,
- Stewardship – increase in funding;
- State Land Taxes – property taxes should be paid on all state lands;
- Climate Change – protect natural coastlines, provide riparian buffer protections

**B. FUNDING NEEDS**

1. **State Open Space Funding.** Continuous, full funding of the Environmental Protection Fund at an annual level of \$250 million is crucial to carrying out the stated goals of the Plan. With development pressure being felt in Region 3 as never before, the window of opportunity to preserve critical open space resources is narrowing. Only if sufficient resources are available for direct state acquisition of priority projects and leveraged support for county, municipal and not-for-profit land conservation initiatives can we hope to preserve the essential network of "green infrastructure" that defines and supports the region's open space resources. Any funds generated by the Bottle Bill, the Real Estate Transfer Tax, and other sources that contribute the Environmental Protection Fund should remain in the fund.
2. **Conservation Partnership Program.** The Committee appreciates and supports the State's \$1.5 million funding of the Land Trust Alliance re-grant program to support the work of land trusts in carrying out the goals of the Open Space Plan. The Committee urges the state to continue to do so.
3. **Soil and Water Conservation Districts** require additional funding to fulfill their mandate of inventorying all agricultural lands within the counties they serve.

**C. FISCAL POLICY RECOMMENDATIONS**

1. **Taxes on State-owned Land.** In Region 3, there is a patchwork of differing policies, where taxes are paid on most lands managed by the Palisades Interstate Park Commission, the state pays taxes

on state-owned lands in Putnam County, the state pays taxes on forest preserve and reforestation areas, but taxes are not paid on some other state-owned conservation lands, such as DEC's multiple use areas and wildlife management areas. The Committee recommends that the state pay taxes on all state-owned land in a uniform manner, based on the legislation recently adopted for Putnam County. The Committee's recommendation is not intended to extend to other levels of government, but is focused specifically on state-owned lands. The recent New York State Supreme Court decision concerning state-owned lands in western New York (Dillenburg) emphasizes the need for a comprehensive approach to taxation of state lands.

2. **Conservation Easement Tax Credit and Conservation Donor Tax Credit.** The Committee strongly supports continuation of the law which provides incentives to landowners who are considering voluntary private land conservation. The process should be amended to include mandated and purchased easements in the credit. A principle of the Open Space Plan is that it is neither practical nor desirable to purchase all land that merit protection. Only through voluntary private land conservation will other significant open space resources be preserved. These measures make it possible for a broader range of landowners to consider protecting their land.
3. **Not-For-Profit Conservation Lands Must Remain Tax Exempt.** From time-to-time, legislative proposals are made which would restrict or do away with the right of non-profit conservation organizations to secure a tax exemption for conservation lands. The economic value of land conserved for public benefit has been well established in numerous studies. Furthermore, at this time when pressure on land and natural resources is as great as ever, and funding for conservation projects is at a premium, it would be counter to the goals of the State Open Space Plan to further burden not-for-profit conservation organizations with the obligation to pay property taxes on lands acquired for conservation purposes.
4. **Community Preservation Act.** The Committee strongly supports a Community Preservation Act legislation that enables cities, towns and villages in New York State to impose a real estate transfer fee of up to two percent of the sale price of real property to fund the establishment and preservation of parks, nature preserves, recreational areas, open spaces, agricultural areas, wetlands and marshes, watershed areas, beaches and shorelines, rivers, forest lands, waterfronts, historic places and wildlife habitat. In support of regional planning efforts, the Committee further recommends that the act be extended to enable similar powers to counties.

#### D. GENERAL PLANNING, POLICY & MANAGEMENT RECOMMENDATIONS

1. **Protecting Waterfronts and Waterways.** All waterfront and waterway development projects should include meaningful floodplain protection, habitat conservation, and public access. Provide siting and planning guidelines for development projects on waterways outside of cities, villages, hamlets and designated community centers. Prioritize habitat restoration along waterfronts and waterways. LWRPs need to include stronger public access requirements. Greater funding for local waterfront and waterway planning and technical assistance will also help to advance these goals. Recent flooding emphasizes the need for floodplain remapping and buyouts of flood-prone areas and have the potential for federal-state-regional-local partnerships, statewide policies, and matching grants involving regulating development in addition to purchase. There are parcels for acquisition that meet this need.
2. **SEQRA Review for Large-scale Projects in Major Resource Areas.** The Committee continues to be concerned about the impacts on open space that will result from the increasing number of large-scale development projects in Major Resource Areas. A fully coordinated, vigilant, and

enforced SEQRA process among state agencies should be required. The Committee also recommends that agency policymakers create and enforce development siting guidelines for all new development within Scenic Areas of Statewide Significance to protect scenic resources while guiding the creation of well-designed and appropriately-scaled development. In addition, the process should be more consistent with the values associated with projects in Priority Project Areas. Accordingly, the Full Environmental Assessment Form should include a question regarding whether the project is within Priority Project Areas. Encourage local designation Critical Environmental Areas within Priority Project Areas to ensure that open space values are considered in local project reviews.

- 3. Adding the Shawangunks to the Forest Legacy Program.** It is recommended that the Shawangunk Mountains, from New Jersey to Rosendale, NY be designated as a Forest Legacy area. The US Forest Service's Forest Legacy program is designed to protect "working forests" those that protect water quality, provide habitat, forest products, opportunities for recreation and other public benefits. The program supports state efforts to protect environmentally sensitive forest lands that are threatened by the encroachment of development and fragmentation. It is a voluntary program designed to protect privately owned forest land and focuses on acquisition of partial interests, such as conservation easements. Once designated as a Forest Legacy area, projects in the region would be eligible for up to 75% of the costs of protection. In order to secure designation, New York State must nominate the Shawangunks to the US Forest Service. The Shawangunks meet the criteria for Forest Legacy designation due to the presence of a globally significant forest matrix block, sensitivity of the forest resources and the potential impacts on those resources by development and fragmentation. The Shawangunks support the second largest chestnut oak forest in New York State. This forested area provides water quality protection, supports over 57 rare and imperiled plant and animal species and is reknowned as a recreational mecca. Many forested properties that border more than 30,000 protected ridgetop acres have already been evaluated in terms of their biodiversity and habitat values.
- 4. Forest Rangers.** The Committee urges state policymakers to provide funding for more forest rangers, and recommends that forest rangers should be distributed more evenly across geographic areas. Furthermore, the distinction between Forest Ranger and Conservation Officer should be reexamined to emphasize the importance of Forest Rangers in public education and stewardship of public lands.
- 5. State and Nonprofit Acquisition Partnerships.** The Committee is interested in promoting a better defined and streamlined process for transferring lands from not-for-profits to State agencies. In particular, the Committee suggests that uniform guidelines be created which describe the steps in the process and requirements for completion of projects, as well as guidelines concerning the terms for repayment of costs and expenses associated with transactions carried out in anticipation of transfer to the state. Committee recommends identifying methods to create methods to streamline the closing process for acquisition, including adopting models from other states, such as the NJ Green Acres program, that works with land trusts to facilitate the process. The Land Trust Alliance could provide standards for such a program as part of their accreditation requirements. Appoint a NYS DEC Director of Land Protection with the goal of taking the open space closing process from 36 to 18 months. This additional staff position would be responsible for ensuring smooth handoffs from regional offices to DEC Albany to the Attorney General and Comptroller's offices. He or she would also be available to track projects through the many stages of land acquisitions, and work to eliminate bottlenecks.

6. **Linking Conservation and Development Issues.** Local comprehensive plans and other plans that are enabled by General Municipal Law (e.g., open space plans) should articulate interdependent relationships between development and conservation issues, such as need for more compact development to protect open space and reduce vehicle miles traveled (VMT) as well as need for communities to accommodate density to achieve environmental and socio-economic goals. The 2006 Open Space Plan refers to Smart Growth in the context of directing development away from ecologically sensitive lands. While this is a significant benefit, Smart Growth and related planning techniques have a critical role to play in directing land use thereby protecting open space resources. State open space policies should support and be consistent with policies that promote greater attention to the interdependency of open space and developed areas. The value of recreational resources should be recognized in relation to natural resources, including their role in economic development. For example, existing infrastructure such as Route 28 corridor serves as gateway to Catskill Park, but its scenic values are ignored and could be a greater focus for context-sensitive economic development. Small-scale, contextually-sensitive development should be promoted and the character of transportation corridors should be addressed.
7. **Interagency Planning Consistency.** A significant planning policy issue relates to the current failure of inter-agency "concurrency" or consistency of plans and of all plans for capital projects between municipalities (including counties) and/or state governmental agencies. NYS statutes related to the adoption of comprehensive plans by municipalities note that the effect of adoption includes "All land acquisitions and public improvements, including those identified in the official map ... shall be in accordance with a ...comprehensive plan , if one exists." And "All plans for capital projects of a municipality or state governmental agency on land included in the comprehensive plan .... shall take such plan into consideration."
8. **Addressing Climate Change.** R3 committee supports efforts to incorporate climate change issues into the revised plan...Need to align os policies with impacts on other land uses that direct affect carbon emissions, such as planning and zoning policies, transportation, housing, and building codes.
9. **Recreation.** The Bluestone Wild Forest area could sustain expanded recreational opportunities and we recommend such consideration as additional lands are added to the state's holdings here.
10. **Environmental Justice.** The state should consciously work toward providing open space and recreation in urban and underserved communities to minimize transportation and improve overall access to these resources.
11. **DEC/DEP Access Agreement.** The committee supports [future] cooperative efforts between DEC and DEP that ensure continued protection of these lands with regards to water quality while allowing for greater public access to the City's watershed lands.
12. **Public Access to Protected Lands.** The plan should acknowledge that the public benefit of protecting open space does not always equal public access. There is benefit to protection without access. Sound, private stewardship can support other important public values, such as community character, wildlife habitats, viewsheds, watersheds, and Smart Growth goals.
13. **We recommend that the New York State legislature enact, with local support, an extension of the "Blue Line" of the Catskill Park** to further and support the purposes of Article 14 of the NYS Constitution. Specifically, an extension of the Blue Line to include he area west and south of Lundy

Estate, the upper reaches of the Esopus and west of 209 e.g. Vly, Roosa Pond & heading west toward Mombaccus and south, and the area between the Rondout and Neversink Reservoirs such as Thunder Hill and Lake Paradise. This will incorporate areas that are now outside the Catskill Park but that would be better protected as part of the Forest Preserve to promote habitat integrity, ecosystem-based management and connectivity between areas of ecological significance. Forested landscapes, such as the Lundy Estate property, are one category among those that would benefit from such Forest Preserve designation and offer tremendous benefits for wildlife corridors, water quality protection and other carbon offset opportunities if they were included in the Catskill Park.

**E. STEWARDSHIP RECOMMENDATIONS (2006 CHAPTER VII)**

1. **Methodology for Calculating Stewardship Costs.** The committee identified a need for a consistent methodology to calculate stewardship costs for public and private lands based on a well-established methodology utilized in by counterparts in site and resource management fields. With each update of this plan and its recommendations for acquisitions, funding needs for stewardship increase.
2. **Volunteerism.** Many privately held lands rely to a great extent on volunteerism, which should be included in the calculation of stewardship costs.
3. **Stewardship of Conservation Easements.** The increasing number of conservation easements adds another set of stewardship costs. Violations and enforcement are the most costly part, and although the state's monitoring role is well-meaning, it adds an increasing burden on the state. The Land Trust Alliance accreditation requirements for land trusts (none yet accredited) could help ease this burden.
4. **Municipally-held Conservation Easements.** Municipalities that require conservation easements or other open space set-asides in development review and permitting should be better equipped to track these properties, which at present are not effectively monitored and enforced. Municipalities should be better educated and equipped to monitor and enforce such easements or provide the resources to a qualified conservation organization to do the same.

**2009 LOWER HUDSON VALLEY PRIORITY CONSERVATION PROJECTS**

**TABLE 1.** Priority Projects as listed in the 2006 Plan, with a summary of Committee's 2008 recommendations:

**Summary of Priority Projects solely in Region 3:**

No.	Project & Recommendation
23	Great Rondout Wetlands – no change
24	Great Swamp – minor revision
25	Karst Aquifer Region – no change
26	Long Island Sound Coastal Corridor – no change
27	Mongaup Valley Wildlife Management Area – Incorporate into Catskill River and Road Corridors {37}, Delaware River Branches and main stem corridors
28	Neversink Highlands – Revise

29	New York Highlands – Revise
30	Northeastern Westchester Watershed and Biodiversity Lands – no change
31	Plutarch/Black Creek Wetlands Complex – Revise
32	Rockland Riverfront Communities / Palisades Ridge – Revise
33	Schunnemunk Mountain / Moodna Creek /Woodcock Mountain –
34	Shawangunk Mountains – Revise
35	Turtle Conservation Sites – expanded to Columbia County; move to Region 3/4
36	Wallkill Valley – no change

**Summary of Priority Projects in Region 3/4:**

37	Catskill River and Road Corridors – Revise
38	Catskills Unfragmented Forest – Revise
39	Hudson River Estuary/Greenway Trail Corridor – Revise name, description
40	New York City Watershed Lands – Revise
41	Taconic Ridge/Harlem Valley – Revise

**Summary of New Priority Projects proposed in Region 3/4:**

New	Upper Delaware Highlands
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**Summary of Multi-Region Priority Projects:**

135	Long Distance Trail Corridors – Revise
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**2009 LOWER HUDSON VALLEY PROJECT NARRATIVE REVISIONS**

*Recommendations from the 2006 plan that have been updated are included below with updates in italics.*

**GREAT RONDOUT WETLANDS** – Several large, mostly unprotected wetlands occur in the Rondout River watershed, in the Ulster County towns of Marbletown, Olive, Rochester and Wawarsing. Acquisition and/or easement projects should be pursued to protect these unique and important habitats. Most of these wetland areas contain unique or rare species or communities, and most are surrounded by extensive tracts of undeveloped forest land that could also be acquired as buffer areas. Conservation efforts should focus on the following areas:

**Great Pacama Vly:** When considering biodiversity in the Catskill region, this wetland stands out as being a critical area in need of protection. Encompassing approximately 315 acres at the intersection of the Towns of Marbletown, Olive and Rochester, the Great Pacama Vly is the only site in the Catskills where black spruce is known to be found, and it harbors rare species and communities found nowhere else in the State. There is currently a 50-acre parcel of detached State Forest Preserve in the center of the wetland, which should be expanded to include the whole wetland and any buffer areas.

**Cedar Swamp:** These forested wetlands, totaling over 800 acres, lie to the east and west side of

Dawe Road (also called Brandy Brook Road), south of the east end of the Rondout Reservoir. Perhaps the largest wetland of its kind in the Catskills, it contains trees that are 480 years old, as well as unique and rare communities and species. This site is recognized as a unique and important conservation area by the NYS Natural Heritage Program.

**Beer Kill Wetlands/Cape Pond:** A large area of wetlands and open water south of Ulster Heights and the Cedar Swamp. Almost 600 acres of marsh areas surround the Beer Kill Creek, which can be canoed, flowing into the west end of Cape Pond. Cape Pond is predominantly undeveloped, with buildings only on the far eastern end. This area hosts wide diversity of aquatic habitats and has great potential as a Wildlife Management Area, including waterfowl hunting and furbearer trapping opportunities.

**GREAT SWAMP** – The largest and highest quality red maple hardwood swamp in southern New York is located in the Towns of Pawling and Dover, Dutchess County and the Towns of Patterson and Southeast, Putnam County. Much of the Great Swamp is within the Croton River Basin and flows directly into the East Branch Reservoir, a New York City reservoir. It contains critical habitat for bird and aquatic species—nine of which are rare, protects and purifies the water supply for millions of New York residents, is an aquifer recharge area, reduces flooding, and provides outstanding educational and recreational opportunities. This vital and fragile natural resource needs to be safeguarded from further development and associated runoff. In order to protect the unique habitat of the Great Swamp, the diverse range of wildlife it supports, its scenic value, and its critical function of water purification, not only the inholdings but also the surrounding uplands need to be conserved. Nearly all of the Great Swamp's 63,000-acre watershed has been identified by the USDA Forest Service as one of several Highlands Conservation Focal Areas, where three conditions coincide: a large contiguous tract or major cluster of land; a high priority composite conservation value; and an absence of permanent protection.

**KARST AQUIFER REGION** – The Karst Aquifers are situated in a narrow band of carbonate rocks that extend throughout Ulster County, generally parallel with the Hudson River and trending south-southwest, through portions of Saugerties, Kingston, Esopus, Marbletown, Rosendale, Rochester and Ellenville, continuously outcropping just northwest and along the flank of the Shawangunk Mountain Ridge. This region is characterized by such features as caves, sinkholes, mines, springs, lakes and sinking streams. The area is rich in biological, geological and historical resources, provides diverse outdoor recreational opportunities and critical water reserves.

**LONG ISLAND SOUND COASTAL CORRIDOR** – The corridor extends along Westchester County's marine shoreline from the Bronx River Parkway east to the Connecticut border on Long Island Sound. The area includes, but is not limited to, an array of natural and historical resources and public access and recreation opportunities on Long Island Sound including those recommended in the Long Island Sound Coastal Management Program, Local Waterfront Revitalization Programs and DEC's "*Marine Recreation Fishing Access Plan*." Representative sites within this area include but are not limited to: Edith Read Buffer, Davids Island and Huckleberry Island.

**Edith Read Buffer:** Also known as Manursing Island, this fourteen-acre parcel is important for protecting the Edith Read Wildlife Sanctuary in Westchester County.

**Huckleberry Island:** Lying northeast of New Rochelle Harbor in Westchester County, the island serves as a waterfowl refuge.

**Davids Island:** Located in the City of New Rochelle, Westchester County, this 120-acre island property (77.8 acres above water) on the Long Island Sound is characterized by a shoreline of tidal wetlands. It formerly served as the site of Fort Slocum, an army facility, the remnants of which were recently removed by the Army Corps of Engineers. Remediation of subsurface environmental hazards, followed by the implementation of a land-use plan that emphasizes public access and recreation, conservation of natural resources, and environmental sustainability would enhance the quality of the

Long Island Sound and protect a unique open space asset in a densely developed portion of Westchester County.

**NEVERSINK HIGHLANDS** – Portions of the Neversink Highlands ‘eco-region’ contain significant natural attractions and resources, hunting and fishing opportunities and wildlife habitat (including bald eagle nesting areas). State acquisitions should include but not be limited to the following four primary areas:

**Tomsco Falls:** A Sullivan County area attraction consisting of beautiful waterfalls, hemlock forest, meadows/lawn, viewing areas, two buildings, and rail bed with a former trestle site. The 200-plus acre property also includes significant access to Sandburg Creek, an excellent trout fishing stream. This site would also help create a connection between the Shawangunk and Catskill regions. Several miles of railroad bed offer great opportunities for multiple-use trail linkages.

**Neversink Gorge vicinity:** The Neversink River Unique Area in Sullivan County encompasses a portion of the Neversink River that flows through a narrow channel and over beautiful waterfalls. Opportunities still exist to greatly expand the Unique Area to include a large wetland and headwater stream area to the east, open areas to the south, potentially extending north to Holiday Mountain Ski Area along Rt.17.

**Basha Kill vicinity:** Significant development pressure along Rt.17 and Rt.209, Sullivan County, threatens the water quality, vital habitat and scenic viewshed of the 3,000- acre Basha Kill Wetland area, the largest freshwater wetland in southeastern New York. The surrounding valley, largely unprotected, is the “gateway to the Catskills” and contains some of the largest intact and globally important forest blocks with some of the highest incidence of amphibian diversity in the state. Those lands that make up the viewsheds directly north of Route 209 and west of Route 17, and that extend directly west of the Bashakill Wildlife Management area and north of Route 209 should be protected as should those properties within the Pine Kill Creek Corridor for habitat protection and flood prevention.

**Harlen Swamp Wetland Complex:** There are several mapped and regulated wetlands located on the border of the towns of Thompson and Mamakating, Sullivan County (between Wild Turnpike and County Route 56) that together provide important habitat for a variety of wetland species. Several large, undeveloped parcels are currently threatened with development in this area.

**NEW YORK HIGHLANDS** – The Highlands are a unique physiographic region running through the states of Pennsylvania, New Jersey, New York, and Connecticut. The USDA Forest Service has analyzed and documented this area as a high priority for conservation efforts. The New York Highlands are characterized by forested ridges, rocky outcrops, pristine streams and wetlands, special geologic features, and exceptional scenic vistas. They also contain numerous historic sites and State Parks including Sterling Forest, Harriman, Bear Mountain, Storm King Mountain, Hudson Highlands, Wonder Lake and Clarence Fahnestock. The Highlands are located in the densely-populated New York metropolitan area, and three of the five counties in which they fall are among the fastest growing in the State. They provide and protect water for millions of New York and New Jersey residents. Priority will be given to connections of existing protected lands on both sides of the Hudson River and to the creation of a corridor comprised of State Parks, DEC Forests and other lands that span the length of the Highlands in New York. These preservation efforts would also provide additional protection for the Shawangunk and Taconic Ridges, which are adjacent to the Highlands, and the Great Swamp, Schunnemunk Mountain and NYC Watershed Lands which lie within and adjacent to the Highlands Region. Priority also will be given to lands identified as Scenic Areas of Statewide Significance (New York State Department of State), and Biologically Important Areas (BIA—NYS DEC’s Hudson River Estuary Program), which in the Highlands include the following estuarine and terrestrial BIA’s: Fishkill Creek, Moodna Creek, Breakneck Ridge, Constitution Marsh, Con Hook, Camp Smith, Anthony’s Nose, and Annsville Creek.

Some of the most important and representative areas within the New York Highlands include but are not limited to:

**HIGHLANDS WEST OF HUDSON RIVER**

**Goosepond Mountain** – Lands adjacent to the 1,650-acre, wooded Goosepond Mountain State Park in Chester, Orange County, are threatened by immediate and intense development pressure. The recent acquisition of the McNeill Farm expanded the State's holdings by 149 acres. Goosepond Mountain is also part of the Moodna Creek Watershed, which is a biodiversity hotspot.

**Ramapo Mountains & Watershed** – The Ramapo Mountains are Rockland County's Highlands, and parts of the Ramapos are permanently protected as Harriman State Park. The Ramapo River Watershed is an irreplaceable regional water supply, recreational resource and key ecosystem in the Highlands. The Ramapo Valley Aquifer—listed as a Federal Sole Source Aquifer in 1992—supplies a third of Rockland County's public water supply and over 2 million people derive all or part of their water supply from the Ramapo River Basin. The Forest Service has identified this as a Highlands Conservation Focal Area.

**Greater Sterling Forest** – In Orange County, nearly 20,000 acres of contiguous open space has been preserved through public/private partnerships. Additional targets for protections include inholdings and buffers such as the Shirazi property. Continuation of successful preservation efforts in Sterling Forest is critical to maintain the rich biodiversity and diverse habitats that this ecosystem and vital watershed provides. The 575-acre "hole in the donut" inholding was purchased in November of 2006, and the preservation of Arrow Park on the northern Park border will add nearly 340 acres of buffer lands, 260 of which will be added to Sterling Forest State Park.

**Torne Valley** – Part of the Ramapo River Watershed, this valley in Rockland County is under intense development pressure. This area includes historic Torne Mountain and is adjacent to Harriman State Park. The Forest Service has identified this as a Highlands Conservation Focal area.

**HIGHLANDS EAST OF HUDSON RIVER**

**Croton-to-Highlands Biodiversity Area** – The Towns of Putnam Valley in Putnam County, and Cortlandt, Yorktown, and New Castle in Westchester County have been recognized for their high biodiversity value by the Wildlife Conservation Society/Metropolitan Conservation Alliance (MCA). MCA's biodiversity plan, published in 2004, delineates those areas it determined are suitable for development and those areas that contain species vulnerable to habitat fragmentation and should be a priority for acquisition. This area of the Croton Reservoir system has also been identified by the USDA Forest Service as a Highlands Conservation Focal Area.

**Fahnestock State Park/Hudson Highlands State Park/Fishkill Ridge/Scofield Ridge** – Located in the northwest and central portion of Putnam County and the southern edge of Dutchess County, this area contains large blocks of nearly contiguous upland forests, significant reservoirs for several municipalities, and the watershed of the Clove/Fishkill Creek, which is a principal aquifer. The 14,154-acre Clarence Fahnestock Memorial State Park in Putnam County, much of which has been undisturbed for over 100 years, offers exceptional ecological and recreational value, and provides habitat for a variety of species, some threatened, that could otherwise not exist in such a developed region of New York State. More than 10,000 acres of the park have been designated as a Bird Conservation Area and the Appalachian National Scenic Trail passes through the park. Fahnestock lies in close proximity to Hudson Highlands State Park, which encompasses 7,231 acres including Bull Hill and parts of Breakneck Ridge. There are significant undeveloped, upland forest tracts adjacent to, and in-holdings within, both parks that would enhance and expand the natural resource protection objectives of these areas, and establish linkages with other upland parcels along Breakneck, Scofield and Fishkill ridges. Protection of lands in this ecologically rich area is necessary to provide important linkages, especially between Fahnestock and the northern end of Hudson Highlands, as well as protect the scenic viewshed of both the Highlands and the Hudson River. The USDA Forest Service has identified this as a Highlands Conservation Focal Area.

**Hudson Highlands State Park South/Camp Smith** – This area provides panoramic views across the Highlands and of the New York City skyline. Straddling the Putnam and Westchester County lines, this area is a State-designated scenic area and is a critical viewshed for numerous parks,

Revolutionary War historic sites, and the US Military Academy at West Point. The Appalachian National Scenic Trail traverses a portion of this area on lands protected by the National Park Service. The southern portion of Hudson Highlands State Park connects the Appalachian Trail to Anthony's Nose and to the Camp Smith Trail extending into Westchester County. Additional opportunities to protect and expand these resources to the east, north and south will further enhance the recreational opportunities in this area.

**Northern Putnam Greenway** – Extending from the Taconic Ridge on the east to the Hudson River on the west, this proposed greenway is a necessary connecting step within the Highlands Region. It would help maintain the ecological integrity of the Highlands Region by protecting wildlife bio-corridors, preserving scenic viewsheds in an area of high growth pressure, protecting the purity of the area's groundwater and of the headwaters of the NYC Croton water supply system, and by helping to meet the increasing demand for outdoor recreational and education opportunities. It would allow for the completion of the Highlands Trail, creating a connected network of long distance and local trails. By connecting the following protected properties the Northern Putnam Greenway can be realized: Ciaiola County Conservation Area – Cranberry Mountain WMA – Great Swamp WMA – Ice Pond Preserve – Wonder Lake State Park – Horse Pound Brook Area – Big Buck MUA – White Pond MUA – Ninham Mountain MUA -- Lockwood Pond Area– California Hill MUA – Boyd Corner North Area – West Branch Headwaters Area – Fahnestock State Park – Hudson Highlands State Park.

**NORTHEASTERN WESTCHESTER WATERSHED AND BIODIVERSITY LANDS** – The towns of Lewisboro, Pound Ridge, Bedford, and North Castle in Westchester County contain important public water supply watersheds, covering approximately 23,000 acres, for the village of Mount Kisco and for Norwalk, Stamford and Greenwich, Connecticut. These watershed lands drain into seven reservoirs and the Silvermine, Rippowam, Mill, and Mianus Rivers.

This area includes:

- approximately one quarter of the Eastern Westchester Biotic Corridor (EWBC), a regionally-important biodiversity area of 22,000 acres defined by the Wildlife Conservation Society/Metropolitan Conservation Alliance (approximately three quarters of the EWBC is encompassed in the Open Space Conservation Plan's New York City Watershed priority area);
- the 738-acre Mianus River Gorge Preserve, which was the first Natural Historic Landmark designated by the federal government;
- approximately 2,000 acres of water supply protection lands, mostly held by the privately-owned company that supplies Stamford's water.

Acquisition of strategic parcels would further protect the public water supplies; keep the EWBC intact and prevent it from being severed from its hub (Ward Pound Ridge Reservation, a 4,700-acre county nature preserve); and provide links to trail networks throughout the area. Voters in each of the four towns approved open space ballot propositions in recent years. In addition, each town has compiled a land protection priority list and has indicated a willingness to work with New York State and other funders on acquisition projects.

**PLUTARCH/BLACK CREEK WETLANDS COMPLEX** – This project encompasses a very large wetland complex in the Ulster County towns of Esopus, Lloyd and New Paltz, which is important because of its size and variety. It includes the Plutarch Swamp and other nearby wetlands associated with the Swarte Kill and Black Creek drainages as well as associated uplands for buffers, access and management. These wetlands provide habitat for numerous wetland-dependent wildlife species, including critical habitat for the threatened northern cricket frog. The area is important for breeding and migrating waterfowl and river otters. It includes significant and rare ecological communities, including one of the largest dwarf shrub bog occurrences in the Hudson River Valley. The area also could provide significant recreational opportunities including canoeing, hiking, wildlife observation, fishing, hunting and trapping.

**ROCKLAND RIVERFRONT COMMUNITIES / PALISADES RIDGE** – The Palisades Ridge is a narrow ridge located along the western shore of the Hudson River in northeastern New Jersey and southeastern New York. It begins in New Jersey and continues north within the villages/hamlets of Palisades, Sparkill, Grandview, Upper Grandview, Nyack, and Upper Nyack. It passes through Rockland Lake State Park then goes north through Haverstraw where it pivots westward through High Tor State Park and South Mountain County Park. It then terminates in Gurnee County Park. The Palisades Ridge ranges in altitude from 500 to 700 feet. It is located within two main watersheds: 1) the Hudson River Watershed, 2) the Upper Hackensack River watershed and four subwatersheds: 1.) the Sparkill Creek, 2.) the West Branch Hackensack River, 3.) the Lower Branch Hackensack River, and 4.) the Minisceongo Creek.

The Hackensack River watershed, along with the sub watersheds of the same name, flow into Lake DeForest, a United Water NY public drinking water reservoir, which serves Rockland County, NY and Bergen County, NJ. Therefore, all watersheds and sub watersheds of the Palisades Ridge need special consideration and protection because they drain into 1) the Hudson, a NYS DEC designated Priority Waterbody, 2) class A wetlands, or 3) Lake DeForest, a critical drinking water supply.

There are many other values of the Palisades Ridge. The Long Path Hiking Trail follows along the entire length of the Palisades Ridge. Along the Ridge are important wildlife habitat areas, Hudson River and inland wetlands (Class A wetland mentioned above), and scenic vistas including the Tappan Zee Scenic District and designated Critical Environmental Areas. The Palisades Ridge and its scenic vistas, recreational uses, important watershed for public water supply and Lower Hudson River drainage must remain the focus of preservation efforts. High Tor connects the Palisades Ridge and the Rockland Highlands and opportunities exist to secure additional sections of prominent, steeply sloping talus and woodlands adjacent to High Tor State Park.

### **Agriculture**

Located on the western flank of the Palisades Ridge adjacent to Rockland Lake State Park in the hamlet of Congers is the Dr. Davies Farm, which is the only working farm left in Congers and one of four remaining in Rockland County. The farm is owned by Niles Meriwether Davies, an 11<sup>th</sup>-generation descendent of Meriwether Lewis of the Lewis and Clarke Expedition. The 110-acre farm on the eastern side of Lake DeForest produces corn, squash and 20 varieties of apples. Every summer thousands of New York City residents come to pick your own apples sales. Efforts should be made to ensure the protection of this farm from development.

**SCHUNNEMUNK MOUNTAIN / MOODNA CREEK / WOODCOCK MOUNTAIN** – Schunnemunk Mountain, the tallest in Orange County, supports rare plants, animals, and ecological communities while parts of the Moodna Creek and its watershed have been designated as “irreplaceable” Significant Coastal Fish and Wildlife Habitats by the NY State Coastal Zone Management Program. The marsh at the mouth of Moodna Creek is significant habitat for rare plants and contains rare natural communities including brackish intertidal mudflats and brackish tidal marsh. This area is also a mecca for hikers and outdoor enthusiasts and contains a seven-mile stretch of the Long Path. It has exceptional scenic value, particularly where the Moodna Viaduct crosses through the valley at the north end of Schunnemunk Mountain. The ridgeline of this Mountain provides unparalleled views up and down the Hudson River. The Schunnemunk Mountain State Park was established in 2004 with the acquisition of 2,467 acres that included Schunnemunk Mountain. This is the northern-most boundary of the Highlands West of Hudson; nearby to the east are Black Rock Forest and Storm King Mountain State Park. Access to Schunnemunk Mountain is made possible by the Long Path and a series of other public trails, some of which pass through a unique collection of large ridgetop rocks known as “megaliths.” Orange County is developing a county park on the 216-acre Gonzaga Property at the southern tip of Schunnemunk Mountain, but this is an isolated, though substantial, tract of protected land. A large portion of the

Mountain remains unprotected, including much of the portion between Gonzaga and the State Park as well as land along both sides of the ridge, including Woodcock Mountain, Tobias Hill, and Woodbury Creek.

### **Agriculture**

The Moodna Creek is flanked by hundreds of acres of farmland clustered within the Towns of Cornwall and Blooming Grove where highly productive agricultural soils are found. The Woodbury Creek corridor is also actively farmed, though to a lesser extent than the Moodna. Farms are varied and range from orchards to livestock farms. This agricultural landscape contributes greatly to the scenic and ecological value of the area.

**SHAWANGUNK MOUNTAINS** – The Shawangunk Mountains are the 50 mile northern section of a 256 mile long Kittatinny–Shawangunk Ridge and Corridor that runs from Pennsylvania through New Jersey to Southern New York and is part of the Appalachian Raptor Migration Corridor. The centerpiece of the Shawangunk Mountain Region in New York is the Shawangunks themselves, which are home to exemplary natural communities including the globally rare dwarf pine ridge community, over 7,000 acres of pitch pine–oak–heath rocky summit, one of the largest chestnut oak forests (38,000 acres) in New York, extensive northern hardwood forests, and cliff, talus and ice cave communities. Within these communities are over 57 known rare or imperiled plant and animal species. Sam’s Point Preserve and Minnewaska State Park Preserve are both designated Important Bird Areas. Taken together these elements of biodiversity make the Shawangunks one of the highest priority areas for biodiversity conservation in the northeastern United States. Together, the Northern and Southern Shawangunks also have extremely high watershed protection value as well as high scenic and recreational value.

The Shawangunk Mountains are in close proximity to other significant biodiversity areas that are identified as priorities in this plan, including the Karst Aquifer Area, The Catskills, the Great Rondout Wetlands, the Shawangunk Grasslands, the Plutarch/Esopus Wetlands and the Wallkill River Valley. Stream corridors, flood plains areas, forest blocks, wetland complexes and agricultural lands that can provide natural linkages between the Shawangunks and these features should be considered as priorities for protection, in order to create wildlife migration corridors, and to provide flood control, habitat and trail connections across an increasingly developed landscape. A 8,000 acre goal for protection of agricultural lands in the Rondout and Wallkill Valleys has recently been established.

Examples of these linkages include a Catskills/Shawangunk connection in Wawarsing (*NYS Department of Correctional Services – Wawarsing farmlands*), a Shawangunk /Karst Aquifer connection surrounding the Wallkill Valley Rail Trail in Rosendale, a Shawangunk/ Wallkill River connection in the Butternut Canaan Foothills in New Paltz and a Verkerderkill/ Shawangunkill / Shawangunk Grasslands connection in Shawangunk.

Protection of the Northern Shawangunks in Ulster County is critical to maintaining the input of high quality water to the Rondout and Wallkill Valleys. More than 500,000 visitors annually use the more than 100 miles of trails and 90 miles of carriage roads for hiking, mountain biking, rock climbing, horseback riding, and nature study. The 36–mile Shawangunk Ridge Trail connects the Appalachian Trail near High Point State Park in New Jersey with the 330 mile Long Path, shortly before the Long path enters the Catskills. Together public and private entities have protected more than 30,000 acres in the Northern Shawangunks, including Minnewaska State Park Preserve (21,000 acres), the Sam’s Point Preserve (a 5,000 + acre National Natural Landmark managed by The Nature Conservancy and owned by Open Space Institute), and the 6,600 acre Mohonk Preserve. The Mohonk Mountain House resort (2,200 acres) is a National Historic Landmark and a regional anchor for heritage and ecotourism. A public–private consortium, the Shawangunk Ridge Biodiversity Partnership, provides a forum for sharing

scientific and land management information for conservation. Protection of approximately 14,000 additional acres of land is needed to protect biodiversity, scenic and recreational values of the Northern Shawangunks. Highest priority projects include Peterskill Gorge, Sanders Kill Area, Witch's Hole/Stonykill Falls Area, Palmaghatt Ravine-Millbrook-Bayards-Near Trapps Escarpment, Trapps Gateway, and the Verkerderkill Falls area.

Protection of the Southern Shawangunks in Orange and Sullivan counties, will enable a greenway corridor for recreation and biodiversity conservation extending from Sam's Point Preserve to the New Jersey state line, completing the protection and buffer for the 30-mile long Shawangunk Ridge Trail corridor. Efforts continue to protect the ridge top and both its western and eastern slopes and bases which contain the 2,200 acre New York State Bashakill Wildlife Management Area, an important site for biodiversity conservation. Important projects are linkages between the Shawangunk Ridge State Forest through the Roosa Gap to the Wurtsboro Ridge State Forest lands including protection to Route 17; linking Wurtsboro Ridge to the Bashakill Wildlife Management Area; linking south of Bashakill to Guymard Lake; and links south to Highpoint State Park in NJ. The ridge contains remnants of the historic Delaware and Hudson Canal and the New York, Ontario and Western Railroad, offering opportunities for rail trail projects and historic/cultural tourism. The most vulnerable portion of the ridgetop is a 20 mile stretch from Route 17 to the New Jersey State Line, east of Route 209, in the towns of Greenville, Mount Hope and Deer Park. Scenic values are threatened by the planned extension of the Route 17/86 highway, and the proposed NYRI power transmission line.

The Shawangunk Mountains Byway Region is a distinctive 134,000 acre area encircling the northern Shawangunk Mountains defined as the corridor of the Shawangunk Mountains Scenic Byway, an 82-mile network of highways designated a NYS Scenic Byway in the fall of 2006. The Byway goals are to provide economic growth through a tourism distribution strategy, to improve transportation, and to preserve the scenic, natural, recreational and historic resources of the region. Implementation of the Corridor Management Plan is the responsibility of the Shawangunk Mountains Regional Partnership, an intermunicipal organization of the nine towns and two villages that participate in the byway. The Corridor Management Plan, and the Regional Open Space Plan, developed by the partnership with the cooperation of many conservation and community groups, identifies goals, key strategies and projects for preservation of the region's intrinsic resources. Particular importance is given in these plans to protection of the northern Shawangunks, which is the centerpiece of the byway, and key scenic and natural lands in the Wallkill and Rondout valleys of the region.

**WALLKILL VALLEY** – The Wallkill River begins in the mountains of northern New Jersey and enters New York via the Wallkill River National Wildlife Refuge on the NY/NJ border. From there it flows through the fertile black dirt region of southern Orange County and then winds through a variety of landscapes, some amazingly rich in biodiversity, joining the Rondout just south of the City of Kingston, Ulster County, a short distance from its confluence with the Hudson. It provides excellent opportunities for recreational fishing and boating. A recently completed Southern Wallkill Biodiversity Plan (Wildlife Conservation Society/Metropolitan Conservation Alliance) identifies critical areas in need of protection. In addition, Counties and local municipalities are beginning to plan for its protection and restoration through a Wallkill River Watershed Planning program. Through these planning processes open space priorities will be identified for future protection measures.

The Shawangunk National Wildlife Refuge (Galeville Grasslands) and surrounding agricultural landscape in southern Ulster and northern Orange County provide an area of rare grassland habitat large enough to support a suite of grassland-dependent birds including short-eared owls, northern harriers, upland sandpipers, vesper sparrows, grasshopper sparrows and many others. This area also provides significant

recreational opportunities including hiking, bird watching and hunting. Opportunities to conserve additional lands in this area should be pursued.

### Priority Projects, Regions 3 & 4

**CATSKILL RIVER AND ROAD CORRIDORS**– On a daily basis, thousands of people use major travel corridors such as Rt. 28, Rt. 212, Rt. 214, Rt. 23, Rt. 23A, Rt. 42 Rt. 30, Rt. 10, Rt. 17 (future Interstate 86), and Rt. 97 to access numerous Catskill communities and popular recreation destinations. Because these major travel corridors generally follow major river corridors, they provide visitors with a startling first impression of the Catskill/Delaware region as a vital riverine habitat. Some of these river corridors are not only particularly important as fisheries resources, but they are also exceptional recreational resources that provide immeasurably to the region's nature-based economy. Unfortunately, many sections of these river and road corridors are experiencing an increase in development which has resulted in severely damaging flood incidents, some of which have proven fatal. Land protection priority should be given to parcels that protect riparian buffer land, preserve or restore flood plain areas, protect scenic areas and vistas along principle road corridors and on visible ridgelines, protect flood prone areas and enhance public access and recreational opportunities.

Region 3/4 focus areas include the following:

**Beaverkill/Willowemoc / Route 17 (future Interstate 86) Corridor:** The watershed for these two famous trout streams is located in western Sullivan and southern Delaware Counties. The watershed is currently largely forested with development limited to areas in the vicinity of villages and hamlets. Providing expanded access to the headwaters area of both streams would enhance the recreational and economic value of these resources to the local communities and the region. Protection of the watershed is important for the high quality trout fisheries here, which are dependent on abundant, cold pure water.

**Delaware River Branches and Main-stem Corridors:** The region encompassing the Delaware River corridor is identified in the Open Space Plan as a Major Greenway and Recreationway in Regions 3, 4 and 7, and the entire Delaware River corridor from Hancock (Delaware County) to Cherry Island (Orange County) is designated as a National Scenic and Recreational River. The East and West Branches of the Delaware River, as well as the Main Stem of the Delaware River, are exceptional cold-water fisheries, with the Main stem Delaware also being critical as a waterway open to fish migrating to and from the ocean. These rivers also offer numerous recreational opportunities, such as fishing, canoeing, rafting, and eagle watching, which bring in many visitors and boost the regional economy. These rivers and their watersheds are also critical biological resources, from both aquatic and terrestrial standpoints, with many rare, unique, threatened, and endangered species living in this area, including the bald eagle, timber rattlesnake, American shad, and several plant species. The East and West Branches of the Delaware River are part of the New York City Water Supply System, which is the nation's largest unfiltered municipal water supply, and protection of these watersheds is critical for the continuation of a clean drinking water supply for millions of people. Currently only a tiny percentage of land along the Delaware River Branches and Main-stem corridors is permanently protected, especially that area outside and downstream of the New York City Watershed.

**Mongaup Valley Wildlife Management Area:** The Mongaup River drainage, a tributary to the main stem, Delaware River, in Sullivan and Orange County is a critical nesting and wintering area for bald eagles, and also provides numerous public hunting and fishing opportunities. Opportunities for expansion exist in several areas adjacent to the current Wildlife Management Area, especially the large privately-owned reservoir lands to the north and undeveloped parcels in the south. Consideration should be given towards preserving habitat, water quality and viewshed on large contiguous vacant parcels held by private hunt clubs through conservation easement acquisitions.

**Route 28 Corridor:** New York State Route 28 is the primary road corridor through the central Catskill high peaks region, connecting population centers and major interstates in metropolitan

Kingston and Oneonta. Because of this already existing transportation infrastructure, it is well suited for sustainable small-scale economic development to draw visitors, support local businesses and preserve the natural environment. This area provides an opportunity to simultaneously protect land and promote growth in the Catskills using an outdoor recreation-based tourism that focuses on land preservation and controlled recreational use of public natural areas. Environmentally sound economic development initiatives here are very sustainable. It is a potential State Scenic Byway and includes eastern and western gateways to the Catskill Park. Priority areas along this route are known as Gateway Properties, lands adjacent to, and visible from, the easternmost five or six miles of Rt. 28, and include, but are not limited to:

**A) Blue Stone Wild Forest:** Just west of Kingston in Ulster County, covering and connecting four towns, this area is actively used by mountain bikers, hikers and birders but holds great potential for expansion and further development of its trail system as a mountain biking destination. The topography, terrain and precipitation pattern in this part of the Catskills are conducive to more intensive recreational uses with minimal damage to the natural resources. Within the boundaries of Bluestone Wild Forest are areas of significant historical and cultural significance including the bluestone quarry industry. Significant portions of several historic roads and trails connecting area towns: Jockey Hill Rd., Evergreen Road and the Waughkonk Trail lie within Blue Stone Wild Forest. State lands within the core area between Route 28 and Sawkill Road should be consolidated and those parcels along Route 28 should be acquired to provide trailhead access points, protect historic trails and roads where possible, as well as preserve this impressive scenic viewshed. It is recommended that the Blue Stone Wild Forest boundaries be extended to incorporate numerous, now isolated DEC tracts increasingly used for recreation: two lie south of Route 28 in the Towns of West Hurley and Ulster, seven lie north of Sawkill Rd in the Towns of Woodstock and Kingston (one of which adjoins one of the last intact large woods tracts (500 acres, currently for sale), Protecting, connecting and potentially expanding some of these tracts as part of the overall protection plan for Blue Stone Wild Forest will facilitate their consolidation into larger, coherent open space planning within and between these communities facing ever increasing development pressures.

**B) Ticeteneyck Mt./Tonshi Mt./Kenozia Lake:** The first highly visible, mountainous, open space area along Rt. 28 in Ulster County; no State land has been acquired to date in this area. Large private land-holdings make significant acquisitions possible;

**C) Catskill Interpretive Center Area:** Opportunity to connect the proposed Ulster County Interpretive Center Site with existing Forest Preserve lands situated on Mt. Tobias. Acquisition of key parcels along Rt. 28 and Wittenberg Rd. will protect the views of mountains, forests, and meadows from the proposed Visitor Center.

**D) Meade Hill/Fleischmann Mountain:** A large, highly visible, completely unprotected mountain ridge immediately adjacent to Rt. 28 in the Town of Middletown; critical to the continuity of mountain habitat and vistas between Dry Brook Ridge and the Belleayre Mountain Ski Area.

**CATSKILLS UNFRAGMENTED FOREST** – The region encompassing the Catskill Mountains is identified in the Open Space Plan as a Major Resource Area in Regions 3 and 4. The Catskill Park, which is a mosaic of State Forest Preserve lands and private property, comprises a large, central part of this region. Large, unfragmented areas of forest land in the Catskill high peaks area are excellent candidates for addition to the Forest Preserve. Priority should be given to protecting individually large parcels that border, connect, or provide better access to existing State land; connect valley bottoms to mountainsides and peaks or ridges; are of scenic, cultural, or recreational importance; and/or contain particularly diverse, unique, or threatened natural species or communities.

**Region 3 conservation efforts should focus on the following sites:**

**Overlook Mountain, Mount Guardian:** Priority should be given to properties identified in the Overlook Mountain Wild Forest Unit Management Plan. Land acquisition is important to create a usable and viable wild forest in an area that has long influenced painters, writers and musicians, and played a prominent role in creating America's perspective on nature and wilderness. Significant areas include the slopes and high elevations of Mt Guardian. Headwater streams that flow off of the northern and southern slopes of this highly-visible mountain feed the Sawkill Creek, which is the drinking water supply for the City of Kingston. The Ridgeline extending from Overlook Mountain Wild Forest to Meads Mountain and Mount Guardian provides a dramatic backdrop to the village of Woodstock and viewsheds from the many parts of the Town and beyond.

The Town of Woodstock owns an extensive forested tract of land extending along the southern face of Meads Mountain westward to include the upper slopes of Mt. Guardian up to the ridgeline, The northern and western slopes of of Mt Guardian are still largely forested, including at least one unbroken large, privately owned tract covering much of the western face extending to the ridgeline. There is increasing use of the hiking trails leading from the historic Byrdcliffe Art Colony to the ridgeline across town lands. The Woodstock Land Conservancy's (WLC) protection of Mt. Guardian began in 2000 with the outright gift of two ridgeline parcels totaling 18 acres. WLC expanded the area of protected forestland on Guardian by purchasing 19 acres in 2003 and nearly 12 acres in 2005 helping to protect dramatic viewsheds from the west, including Cooper Lake.

***Indian Head Wilderness Consolidation:*** Improved access, and additional protection can preserve wilderness attributes, enhance recreation value, and protect scenic vistas. Improved public access is especially important due to rugged terrain and lack of road frontage; increased development pressure is also a concern in this area. Examples of opportunities to improve access and protect scenic vistas include the acquisition of Little Rocky and Olderbark Mountains.

***Balsam, Graham and Doubletop Mountains/Dry Brook Valley:*** Several large tracts including the summits of the last three Catskill peaks over 3500' in elevation still in private ownership lie adjacent to the Big Indian Wilderness. These lands provide habitat for a distinctive assemblage of bird species, especially those that prefer subalpine coniferous forests, as well as at least one known federally threatened plant species. They play a critical role in the wilderness character of the area. Lying within New York City's watershed, they contribute clean drinking water to both the Catskill and Delaware systems. Dry Brook is also an excellent trout stream.

***Peekamoose Gorge:*** An approximately 3300-acre tract of land in Ulster County surrounded on all sides by Forest Preserve; very rugged and remote with numerous seasonal waterfalls. Rondout Creek drains this property and is a significant trout stream and an important contributor to the New York City drinking water supply. Property harbors at least one known federally listed endangered species.

***Frost Valley:*** Large forested tracts in the east and west valleys protect the source waters of the Neversink River and merge the two highest quality forest blocks in the High Allegheny Plateau. Protection of these tracts will prevent impacts to the Neversink River, reduce the potential for forest fragmentation and improve access between the Big Indian Wilderness, the Slide Mountain Wilderness and the Sundown Wild Forest.

***Fir Brook/Round Pond/Black Bear Road Vicinity:*** This area includes tracts of land in the Willowemoc headwater areas along Flugertown Rd.; in the vicinity of Fir Brook and Blue Hill along Pole Rd., as well as hunting club lands along Black Bear Rd. and in the vicinity of Round Pond in Ulster County. The

Willowemoc Creek is a renowned Catskill trout fishing stream, and listed separately in the Open Space Plan as a Priority Area. The Fir Brook wetland is a unique, scenic, remote, and wild area of the Catskills, and the Willowemoc Wild Forest is an important resource for hunting, snowmobiling, and other forms of outdoor recreation in the Catskills.

***West Shokan/Sampsonville Area Lands:*** Opportunities to expand the Forest Preserve holdings on the eastern side of the Slide Mountain Wilderness in Ulster County should be explored; including areas around Maltby Hollow, and Hanover, South, High Point, and Mombaccus Mountains.

**HUDSON RIVER CORRIDOR ESTUARY/GREENWAY TRAIL/QUADRICENTENNIAL LEGACY TRAIL** – The Corridor includes a number of significant projects in Regions 3 & 4 to create new links in the Greenway Trail, as described in the Greenway Act of 1991, Quadricentennial Legacy Trail (existing and new trails as designated as part of the 2009 Quadricentennial Celebration), and to provide public recreational opportunities with physical or visual access to the Hudson River. The project includes significant opportunities to promote habitat conservation, watershed and tributary protection and adaptation needed in response to climate change, as described in the Hudson River Action Plan. The project includes, but is not limited to, the following representative sites, grouped in the following categories:

***State Land Transfers:*** State lands with natural resource and river access values which would be transferred to DEC, OPRHP or local entities for management, these could include but are not be limited to: Ossining shoreline trail, Bronck Island, Bethlehem/Coeymans waterfront lands.

***Hudson River Access:*** Sites which provide recreational or visual access to the Hudson River, including but not limited to: Petersen’s boatyard (Upper Nyack), Highland Falls Marina, Sleepy Hollow Waterfront, Castle Oil in Tarrytown/Sleepy Hollow, , Fort Montgomery Marina, Island Dock (Kingston), Hudson River Islands, Gorman and White Beach (Verplanck), Brockway Brickyard, Beacon Long Dock, Tivoli Village Waterfront, Milton Agway Overlook Park, Town of Newburgh (Anchorage), , Poughkeepsie Pirate Canoe Club addition and Sand Dock Road, Lent’s Cove Addition (Buchanan), and Hudson South Bay access.

***Hudson River Greenway Trail Links:*** Properties along both sides of the Hudson River that would establish a continuous trail from New York City to Saratoga County, with direct or at a minimum visual access to the Hudson River, and regional trails that link to riverside trails, including but not limited to: Locally- or county-approved greenway trail/access plans, such as, but not limited to, the Westchester County RiverWalk, the Walkway over the Hudson and the Dutchess County Greenway Trail.

***Hudson River Water Trail Sites:*** Sites along both sides of the Hudson River that would contribute to the Hudson River Valley Greenway’s Hudson River Water Trail. These sites provide opportunities for day and overnight use by canoes and kayaks along the shoreline of the Hudson River

***Hudson Tributaries.*** Sites which protect habitat and provide access to stream banks of tributaries, especially in proximity to their estuarine waters, including but not limited to: Croton Gorge, Rondout Creek, Quassaick Creek, Idlewild Creek (Cornwall), Fishkill Creek, Fallkill Creek, Sawmill (Neperhan) Creek (Yonkers), Wappinger Creek, Little Wappinger Creek, Casperkill Creek, Pocantico River, Annsville Creek, Black Creek, Esopus Creek, Binnenkill Creek, Coxsackie Creek, Stockport Creek, Saw Kill, Roeliff Jansen Kill, MacGregory’s Brook (Peekskill), Moodna Creek, Landsmankill, Stony Creek, and tributaries feeding Hudson South Bay.

***Scenic Viewsheds.*** Sites which provide scenic vistas including but not limited to: Snake Hill, Illinois Mountain, Stissing Mountain/Thompson Pond, Scofield Ridge, Fishkill Ridge, Mt. Beacon, Highland Falls Ridgeline, and viewsheds visible from publicly-accessible places, points including but not limited to the

Mid-Hudson Bridge /Blue Point Bluffs/Hudson Valley Winery, Camp Smith, Olana, Peebles Island State Park, Walkway Over the Hudson, Franklin Roosevelt Home, Hudson River National Historic Landmark District; and Lands Within Scenic Areas of Statewide Significance,.

***Buffer, Access or Addition to Historic Sites, Conservation and Park Lands.*** Properties which protect the integrity of existing conservation lands or historic sites, including but not limited to: Ft. Montgomery State Historic Site, Hudson North Bay, Stuyvesant Riverfront, Poughkeepsie Waterfront Trail, Schodack Island State Park, Areas adjacent to Roosevelt/Vanderbilt National Historic Sites, Rhinebeck Riverfront National Historic District, Bear Mountain State Park, Harriman State Park, Hudson Highlands State Park, Peebles Island State Park, Clermont State Historic Site Buffer, Little Stony Point, Lyndhurst North Buffer, Tivoli Bays Buffer, Poughkeepsie Rural Cemetery Lands, John Burroughs Sanctuary Buffer.

***Historic Sites Related to the American Revolution:*** The State of New York celebrates the 225th Anniversary of the American Revolution from 2000–2009. The Hudson Valley played a pivotal role in the winning of American freedom. The protection and enhancement of sites such as the New Windsor Cantonment, Fort Montgomery, Washington’s Headquarters at Newburgh, Stony Point Battlefield, Fort Hill At Peekskill, Bennington Battlefield at Hoosick Falls, and Camp Ramapough in Suffern can be accomplished through the protection of land adjacent to and contiguous with these historic sites.

***Fish & Wildlife Management.*** Sites which provide estuarine and upland habitat, significant coastal fish and wildlife habitats as identified by the Department of State, lands adjacent to these habitats that will allow these habitats to migrate upslope as sea level rises, or significant wildlife corridors that will allow species to move to higher ground as temperatures rise due to climate change, including but not limited to: Constitution Marsh, Papscaene Island and Marsh, Shaupeneak Ridge, Scofield Ridge, Mouth of Annsville Creek, Hudson South Bay, Four Mile Point/Vosburgh Swamp/west Flats, State Estuarine Sanctuary Additions, Ramshorn Marsh, Minisceongo/Grassy Point Marshes, Eddyville Dam, Esopus Lakes, Bronck Island, and all estuarine and terrestrial “Biologically Important Areas” as designated by the Hudson River Estuary Program.

***Urban Waterfronts.*** Sites which implement a local plan for mixed use waterfront revitalization, including but not limited to: Poughkeepsie Waterfront, Beacon Waterfront, Newburgh Waterfront, Hastings Waterfront, Tarrytown Waterfront, Sleepy Hollow Waterfront, Dobbs Ferry Waterfront, Croton Waterfront, Ossining Waterfront, Peekskill Southern Waterfront and “Peekskill Landing,” Hudson Waterfront, Kingston/Ulster Waterfront, Yonkers.

**NEW YORK CITY WATERSHED LANDS** – New York City expects to continue acquisition efforts under the 1997 Watershed Agreement (signed by local communities, counties, and the State) and the 2007 Water Supply Permit issued by DEC, and in accordance with a comprehensive water quality-based watershed protection plan. It is recommended that the State work with the City to identify and protect high priority sites within the Region that are not being pursued by or protected under City acquisition programs. In particular the State should focus acquisition efforts on lands that (1) have potential for development, forestry, or fisheries and are (2) relatively large and/or (3) link areas already protected by private or public entities and/or (4) allow for improved long term management of land and water resources. All such work by the State should naturally conform to established criteria for protection under the State Open Space Conservation Plan. Roughly 70% of NYC’s east-of-Hudson reservoir basin area overlaps with, and has been identified by the USDA Forest Service as part of, a Highlands Conservation Focal Area.

**TACONIC RIDGE/HARLEM VALLEY** – An area comprising the Taconic Mountain Ridge and its viewsheds, where it straddles the New York, Connecticut, Massachusetts, and Vermont borders in Putnam, Dutchess, Columbia and Rensselaer Counties, and the Harlem Valley and its viewsheds. At its southern end it is anchored by the Cranberry Mountain State Wildlife Management Area and extends through

eastern Dutchess County along the Connecticut border, west to include the Harlem Valley and lands to the west including West Mountain, and north to the Taconic State Park. From here it extends northerly through Columbia and Rensselaer Counties, westerly to include the Route 22 Corridor and its viewsheds, and northward along the borders of Massachusetts and Vermont. The viewshed includes the Taconic Ridge, Harlem Valley, Route 22 corridor, farmlands of central Dutchess, and Stissing Mountain.

Protection of this area continues to be a high priority due to the region's high biodiversity, scenic views, substantial recreational value, thousands of acres of intact/unfragmented forestland, steeply sloping hillsides, unique geologic segments, historic architecture, working farm landscapes, and multiple connection opportunities to land currently protected by the State, Federal Government, Counties, Towns and private land conservation organizations.

Numerous trail systems including the Appalachian Trail, Taconic Crest Trail and South Taconic Trail extending beyond the New York border, and the Harlem Valley Rail Trail continue to be important projects for this area and will increase recreational opportunities for the public and provide permanent public use and access of the Taconic Ridge area. In addition, acquisition of properties in the Taconic Ridge/Harlem Valley and Route 22 corridor will protect important open space, scenic viewsheds, working farm landscapes, watersheds and water quality, and preserve critical wildlife habitat for several threatened and endangered species. Specific projects include the Schein Parcel as a connector between Cranberry Mountain Wildlife Conservation Area and Ciaiola County Park; Nuclear Lake–West Mountain connectors, Depot Hill and Taconic State Park additions; various intact camp properties; Wassaic Multiple Use Area buffers including Taconic DDS/Wassaic State School; Appalachian Trail, Taconic Crest Trail, South Taconic Trail and Harlem Valley Rail Trail connectors and viewshed protection; Little Whaley Lake; Crane Pond and Depression Pond area; Route 22 corridor viewshed protection; prime farmland soils and designated wetlands along the Webatuck Creek and Ten Mile River; unique geologic segments of the Taconic Ridge such as East Mountain, Rattlesnake Mountain, Stissing Mountain/Thompson Pond, West Mountain, Seven Wells and Nellie Hill and Stone Church buffers; and exceptional plant and wildlife habitat areas ranked on the State Natural Heritage Inventory such as rattlesnake and bog turtle habitat, limestone wet meadows, graminoid fens and sedge meadows.

Since this area's inclusion in the initial State Open Space Conservation Plan, over 14,500 acres have been protected in Putnam, Dutchess, Columbia and Rensselaer counties. Nonetheless, since key portions of the area demonstrating high biodiversity, scenic views, recreational value, working forests and farmland, and potential connections to other protected lands remain unprotected, the Taconic Ridge/Harlem Valley and associated viewsheds continue to be high priorities for protection. In addition, extensions of the Taconic Crest Trail and the Harlem Valley Rail Trail, as well as protection of the Route 22 corridor, which includes scenic vistas, productive farmland, and habitat supporting endangered and threatened species, continue to be important considerations within the overall area.

**TURTLE CONSERVATION SITES** – These wetlands and associated uplands provide habitats for a high diversity of turtles including some of New York's most imperiled species. The wetlands are scattered across Columbia, Dutchess, Putnam, Ulster, and Orange Counties. Some important concentrations include the Fishkill Creek, Wallkill River, Sprout Creek, Housatonic River, Great Swamp and Wappinger Creek drainage basins. This area supports the highest diversity of turtles in New York State and provides habitat for 5 species of State-listed endangered, threatened and special concern species, including the bog turtle (State endangered, Federally threatened) and Blanding's turtle (State threatened). These sites include rare and significant ecological communities such as calcareous fens, dwarf shrub bogs, shrub swamps and floodplain forest. This project includes additions to James Baird State Park and the Wallkill River National Wildlife Refuge as well as the creation of new preserves, and encompasses the Dutchess Meadows project.

**UPPER DELAWARE HIGHLANDS {New}** – Few of the large globally significant forest ecosystems remain intact today in the continental United States. One of these key remaining ecological regions, the High Allegheny Plateau, covers land areas in both New York and Pennsylvania. Those portions in Sullivan and Delaware Counties are known as the Upper Delaware Highlands where the geology, soils, climate, elevation and landform configuration/ownership define the ecological potential of this system for providing significant water quality preservation and unmatched wildlife habitat. With such close proximity to major Metropolitan areas such as New York City, Trenton and Philadelphia, this ecoregion is a critical hub for other collections of nearby smaller forests, river corridors and ridge tops to provide contiguous natural resource protection.

The “human footprint” analysis by Wildlife Conservation Society indicates that 83% of the land's surface in the High Allegheny Plateau is influenced by one or more of the following factors: human population density greater than 1 person per square kilometer, within 15 km of a road or major river, occupied by urban or agricultural land uses, within 2 km of a settlement or a railway, and/or producing enough light to be visible regularly to a satellite at night. Additionally, 98% of the areas where it is possible to grow rice, wheat or corn in this ecogregion are similarly influenced. As such the Upper Delaware Highlands is a critical area to protect as it remains one of the last large globally important forest ecosystems within the High Allegheny Plateau that can provide connective wildlife corridors, produce important food crops, preserve water quality and quantity and retain a quickly diminishing unique wild landscape. Conservation efforts should focus on preserving, through both easement and fee acquisition, large stretches of contiguous undeveloped or minimally developed lands.

*A. Forest Lands* – The Upper Delaware Highlands is home to dozens of hunt clubs who own, en masse, more than 30,000 acres. Privately managed and used for more than a century, these hunting organizations have practiced sound stewardship standards primarily focused on approved forestry management through the Forestry Tax Law 480A program. Concerned about the shrinking wildlife habitat in surrounding Catskill communities, the expanding pressures of residential and commercial development, risks to water quality and quantity, and enticing offers for natural gas exploration, these hunt clubs want to preserve their forest lands in their natural pristine state through the sale of conservation easements to prevent further development, subdivision and incompatible use. Conservation efforts by the State and private organizations should focus on protecting this unique contiguous swath of wild lands that will preserve critical wildlife habitat, preserve the underlying watershed and maintain a rural community character.

*B. Farmlands* – Agriculture is one of the leading economic sectors in Sullivan County's Upper Delaware Highlands Region, remaining equal to recreational tourism. Including poultry, dairy, livestock, horticulture and aquaculture, this agricultural industry produces more than \$72 million on 385 active farms covering more than 63,000 acres. To preserve important agricultural lands not only furthers this economic base for this Catskill region but retains a rural community character and protects critical water and wildlife resources. The best soils in Sullivan County are predominantly located in the Beechwoods, an area that encompasses the Towns of Bethel, Callicoon, Conchecton and Delaware, and along the Delaware River. This has yielded the most dense concentration of active farming operations in the County and has been designated as Agricultural District One by the New York State Department of Agriculture and Markets. The concentration of operations here is an asset to make local farms economically strong and culturally important. As such, particular focus should be placed on encouraging the continued use of farmland for agricultural production in this area by purchasing development rights on farmland, as well as in the neighboring towns of Freemont and Rockland. Agricultural District Four – encompasses portions of the towns of Bethel, Liberty, Fallsburg and Neversink that have also historically been important farming areas and is currently home to several working farms. As inactive farms are often targets for development in towns facing increased growth pressure, viable agricultural lands, whether operative or not, should be preserved in this district through easement purchase.

C. *Upper Delaware Scenic Byway* – A linear corridor running along State Route 97 in Orange, Sullivan and Delaware Counties that encompasses the Upper Delaware River and it's river communities, the byway connects communities, scenic, recreational, natural, cultural and historical resources throughout the valley.

**LONG DISTANCE TRAIL CORRIDORS** – *Revise Long Path description as follows:*

The Long Path is a hiking corridor with the vision of linking New York City with the Adirondacks. Currently the Long Path has been established from the George Washington Bridge extending along the Palisades Ridge, into Harriman State Park and Schunnemunk Mountain. From there it cuts northwest across central Orange County to the Shawangunk Ridge, through Minnewaska State Park Preserve, the Catskill Park and north into Thacher State Park in Albany County, some 330 miles. This project will also provide watershed protection, including the New York City watershed, as well as enhancing access to State Forests and other public lands. The Long Path is the main north/south trail corridor in New York State; protection, by public ownership, will ensure continued recreational opportunities and watershed protection for generations to come. The Long Path is currently the subject of proposed federal legislation which will fund a feasibility study to determine if it is eligible for designation as a National Scenic Trail.

Add an additional trail description as follows:

**The Highlands Trail (HT)** stretches more than 200 miles from Philipsburg, NJ on the Delaware River northeast into Sterling Forest on the NY border, and north to Goosepond Mountain State Park, Schunnemunk Mountain, and Black Rock Forest and Storm King Mountain. It crosses the Hudson River and runs east across Putnam County to the Connecticut border. The HT is in the process of extending west through PA and eastward through CT.

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**2009 LOWER HUDSON VALLEY – REGION 3 OSP ADVISORY MEETINGS**

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January 11, 2008; March 3, 2008; April 21, 2008; May 8, 2008

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**CAPITAL DISTRICT – REGION 4**  
**REGIONAL OPEN SPACE ADVISORY COMMITTEE**

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**COUNTIES**

ALBANY, COLUMBIA, DELAWARE, GREENE, MONTGOMERY,  
OTSEGO, RENSSELAER, SCHENECTADY, SCHOHARIE

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**INTRODUCTION**

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This current revision to the original New York State Open Space Conservation Plan represents the fifth successive update since the Plan was first completed in 1992. Each update reflected the concerted efforts of the NYS Department of Environmental Conservation (DEC) and Office of Parks, Recreation and Historic Preservation (OPRHP), in addition to the contribution of the nine Regional Advisory Committees established to provide a local perspective on open space conservation priorities and policies.

The following report, which presents the most recent perspective of the Region 4 Advisory Committee, includes an overview of the criteria established by the Committee for determining priorities and brief descriptions of the current list of recommendations for open space protection in Region 4. It should be noted that open space priorities are presented alphabetically and not according to rank or importance value. Finally, as with previous years, the Committee has given careful consideration to both previously proposed and newly formulated Policy Recommendations that address the framework of open space protection in our state.

**OPEN SPACE PRIORITY CRITERIA**

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The following criteria were applied by the Committee to the evaluation of open space areas in Region 4 and determination of priorities for protection. As presented below, these criteria are essentially unchanged from those applied in previous reports.

- Preserving the Region's ecological diversity with emphasis on defining and measuring an area's biological diversity when evaluating priorities for protection.
- Ensuring the quality of the Region's water resources by protection of surface waters, aquifers, and associated watershed and recharge areas.
- Preserving the heritage of the Region by protecting our cultural resources including, but not limited to, areas of historic and archaeological significance.
- Protecting working landscapes including, but not limited to, farmland and forests.
- Providing or enhancing public access to the Region's waterways and water bodies.
- Providing or enhancing access to State holdings including, but not limited to, Parks, Wildlife Management Areas, Reforestation Areas, Multiple-use Areas, and Forest Preserve lands.
- Preserving the heritage value associated with historic uses of our natural resources including fishing, hunting, and trapping.
- Consolidating and connecting public land such as State Wildlife Management Areas, Reforestation Areas, and other protected holdings, which could include lands owned or controlled by other levels of government, not-for-profit organizations, or educational institutions.
- Considering the current level of threat or vulnerability in terms of imminent sale, subdivision, development, or other consequence that would limit or preclude efforts to protect an open space area.

- Considering previous protection efforts and commitments of public and/or private funds that have resulted in only partial protection of a given area for which full protection is justified.

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## CAPITAL DISTRICT FUNDING & POLICY RECOMMENDATIONS

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### 1. Anticipating Land Conservation and Energy Policy Conflicts

It is important to recognize that current State energy policies, which emphasize developing alternatives to fossil fuels, may directly conflict with key objectives of the State open space planning process, which focus on protecting river and stream corridors; sustaining a high biodiversity; preserving important viewsheds, and conserving productive farmland, among others. Specific examples of these conflicts include impact of wind farms on scenic vistas and migratory birds and bats; damming of rivers and streams for hydro power; and depleted soil productivity resulting from monocultures of corn and other biofuel sources. It is, therefore, critical that our compelling need for alternative energy sources be advanced within the context of the resource conservation goals identified in this Plan and, conversely, notwithstanding our need for reduced energy consumption, that resource protection be pursued with an appreciation for long-term, innovative energy solutions.

### 2. Stewardship

Whereas the current objectives of the State's Open Space Conservation Plan appear to focus on acquisition, the long-term effectiveness of land protection programming rests on the State's ability to manage its land resources in a manner that retains or enhances the natural, physical, and cultural integrity of the land, as well as provisions for public use. Furthermore, it is of paramount importance that a comprehensive plan be developed to stabilize and improve stewardship of privately-owned lands that complement the benefits of public lands, as in the case of the mosaic of private and State Forest Preserve lands comprising the Catskill Park. This should include State funding to ensure that private forest owners have the opportunity to work in concert with professional foresters to develop forest management plans that address forest health, sustainable yields, and the long-term viability of their land.

### 3. New Funding Sources for Land Protection

The importance of open space conservation is clearly demonstrated by the tremendous demand for the State's open space grant programs. It is, therefore, of great importance that new or additional funding for acquisition and stewardship be identified to supplement the current Environmental Protection Fund so that the goals and objectives established in this Open Space Conservation Plan might be achieved.

### 4. Staff-related Funding Support

The State should allocate sufficient budgetary resources to maintain staffing levels that are commensurate with open space protection activities and stewardship needs. The Committee is sensitive to the constraints of the State's budget; however, it makes no sense to provide land acquisition funds through the EPF and Bond Act programs and not to provide sufficient resources to carry out key functions such as surveying and appraisal work that are prerequisite to protection activities.

### 5. Enhancement of Public Lands

The need for enhancement of public lands, which includes enhanced access provisions, as well as securing inholdings or parcels adjacent to public lands, is addressed in the 2006 NYS Open Space Conservation Plan as a subcategory of Statewide Small Projects (#136; p. 316). Unfortunately, circumstances may arise when the availability and/or vulnerability of an important parcel represents a unique enhancement opportunity, but because of "Small Project" limits placed on land area (200

acres) and cost (\$250,000), such an opportunity may be lost. The Region 4 Committee, therefore, recommends that Enhancement of Public Lands be considered distinct from Statewide Small Projects, much the same as State Park and State Historic Site Protection (#133; p. 314) is considered separate from the Small Projects category.

## **6. Funding for Small Projects**

Small-scale acquisition projects that provide access to State lands and waterways; buffer or consolidate State holdings; link trails and greenways; or protect significant habitats or historic sites are a significant component of the State's open space conservation program. In recognition of this, the State established a "Statewide Small Projects" category to complement priority open space protection. However, it is clear that funding support for this important category is insufficient. In a previous update of the Region 4 Plan, it was estimated that it would take 12–15 years to acquire the parcels on DEC Region 4's Small Project list under the current level of funding at the time. Furthermore, given the increase in property values over the last few years without commensurate increase in the dollar cap placed on small projects, that unacceptable rate of progress has probably worsened. Therefore, the Committee again strongly urges the State to increase the level of funding support for Small Projects and to give consideration to increasing the \$250,000 cap established for small project status to a level reflecting current property valuation.

## **7. Payment of Property Taxes on State-owned Land**

The Committee recognizes that several categories of land administered by the NYS Department of Environmental Conservation or Office of Parks, Recreation and Historic Preservation are not subject to property tax under present NYS Real Property Law and that this may constitute an undue burden on local communities. The Committee is, therefore, supportive of New York State compensating municipal taxing units for property tax on all lands (including easements) owned or otherwise under the jurisdiction of these agencies. As stated in our first policy recommendation recognizing that an open space program must go beyond acquisition to include provisions for stewardship, such a plan must also include fiscal responsibilities to offset potential impact to a local municipality's tax base resulting from open space preservation activity.

## **8. Opportunities for Local Projects**

The Committee strongly recommends that the State increase support for its Municipal Grants Acquisition Program to allow for continued and greater implementation of locally important projects. Specifically, it is recommended that the State consider increasing the maximum funding cap as necessary to reflect ever-increasing property values. Furthermore, the current 50 percent State share for the Municipal Grants Acquisition Program should be increased to bring it into line with the 75 percent State share for the Farmland Protection Program. In doing so, the State will allow more modestly endowed communities (both rural and urban) to participate actively in this program.

## **9. Private Landowner Conservation Programs**

While the Committee strongly supports the continuing need to purchase lands for resource conservation and public recreation, it also recognizes that working with owners of private property, who control 85 percent of land in the State, to conserve their holdings is of critical importance. Therefore, programs such as purchase of development rights (PDR) for farmland and working forests must continue to be given high priority with commensurate funding support. The Committee also recommends establishing conservation tax incentive and cost-share programs to assist landowners willing to make long-term commitments to land protection, stewardship, and working landscapes. This should include consideration of State-funded incentives such as property tax relief and/or State income tax credits granted to landowners for conservation easements on their property.

- **Reform of Forest Taxation Policies**

The current Forest Tax Law requirements for a commercial forestry objective, including mandated work schedules and strict penalties, are viewed by landowners as excessive barriers resulting in low participation. Certain aspects of this law also create negative fiscal impacts for municipalities and heavy reliance on State staffing for forestry program supervision and administration. It is important that the State undertake comprehensive reform of the Forest Tax Law to address these concerns and to expand eligibility for wetlands and other non-forested open space. Such reform would not only increase enrollment in the program, but also make private forests more sustainable as open space.

- **Traditional Uses on State-funded Acquisition Land**

The Committee recommends that traditional uses of properties including hunting, fishing, trapping, and hiking be afforded equal consideration to other recreational pursuits when developing management and use plans for new State-funded acquisitions.

- **Support for Not-for-Profit Parks and Trails Organizations**

In Chapter 8 of the 2006 Open Space Plan, Section B.2 (pp. 345–346) addresses the importance of providing support to land trusts by creating the New York State Conservation Partnership. This partnership is an EPF-funded grant program, jointly administered by the Land Trust Alliance of New York and DEC, and intended to enhance the capability of local and regional land trusts to perform their function. While the Committee strongly supports this program, we also recognize that a comparable number of not-for-profit parks and trails organizations play a critical role in furthering the contribution of land conservation by developing and managing trails and other public recreational resources. In recognition of this significant complement to open space conservation, the Committee recommends that the concept of the NYS Conservation Partnership be expanded to include a similar EPF-funded grant program, jointly administered by Parks and Trails New York and OPRHP. This new program would be directed toward enhancing the capability of local and regional parks and trails not-for-profit organizations to continue their efforts, which are frequently performed in concert with local government agencies.

- **Inclusion of Accountability and Responsiveness Summaries in the Plan**

The Committee appreciates inclusion of Regional summaries in the chapter on “Conservation Successes” (pp. 21–62) of the 2006 Open Space Plan, as opposed to the long list of accomplishments without Regional reference included in the 2002 Plan.

The Committee also reaffirms its recommendation that each successive revised Plan should include a section that explains the outcome of policy recommendations by Regional Advisory Committees. The volunteer members of each Regional Advisory Committee spend considerable time formulating their recommendations, and they deserve to know how their ideas were received and the underlying reasons for acceptance or rejection.

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**2009 CAPITAL DISTRICT PRIORITY CONSERVATION PROJECTS**

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- **Albany Pine Bush**

This area of Albany County and a small portion of eastern Schenectady County support a rare and endangered inland pine barrens ecosystem. Protection guidelines for much of this area are established by the Albany Pine Bush Preserve Commission in their management plan with the overall objective of establishing an ecologically viable and manageable preserve. While tremendous success has been achieved with the protection of over 3,000 acres to date, the Commission currently estimates that an additional 1,600 acres will have to be secured to satisfy its Preserve objectives. The Region 4 Advisory Committee supports the work of the Albany Pine Bush Preserve Commission toward meeting its goals and encourages conservation efforts directed at areas of existing and restorable Pine Bush habitat not included within the area designated by the Commission.

- **Black Creek Marsh/Vly Swamp**

These two adjacent wetland systems, located directly below the Helderberg Escarpment at John Boyd Thacher State Park in Albany County, support a significantly high biological diversity, including an amphibian species diversity that rivals the entire New England region. The area also supports multiple-use recreation and is included on the National Audubon Society's compilation of Important Bird Areas in New York State. DEC has continued its efforts to acquire parcels that would enhance public use and access opportunities associated with the Black Creek Marsh Wildlife Management Area, and some protection efforts have recently been initiated in Vly Swamp; however, certain additional parcels associated with this wetland complex and important buffer areas remain vulnerable and should be protected before opportunities to do so are lost due to residential subdivision and development pressure.

- **Catskill Mountain/Delaware River Region**

The region encompassing the Catskill Mountains and East and West Branches of the Delaware River are identified in the Open Space Plan as a Major Resource Area in Regions 3 and 4. The Catskill Park, which is a mosaic of State Forest Preserve lands and private property, comprises a large, central part of this region. Priorities for acquisition within the greater Catskill Mountain/Delaware River Region should focus on securing sensitive, unprotected high elevation areas and alpine communities; protecting expanses of unfragmented forests; connecting protected areas, particularly in the valleys between high elevations; protecting reverence habitat and riparian buffer land; preserving areas demonstrating high biological diversity; preserving significant cultural and scenic resources; and improving access and recreational opportunities on public land. Special consideration should also be given to protecting and providing access to the Region's water resources, including specific attention to protecting the watershed supplying New York City's public drinking water. Specific protection priorities within the Region include the following:

- **Bearpen/Vly/Roundtop Mountains** – substantial progress has been made to protect the higher elevations of Bearpen, Roundtop, and Vly Mountains; however, additional acquisition is needed on the lower elevations of these mountains.
- **Catskill Escarpment North and Windham High Peak** – includes the dramatic landscape between the Hudson River Valley and the Catskill peaks; principal concerns are protection of significant scenic vistas and ecologically unique areas; enhancement of recreational opportunities and improved public access; and consolidation of State holdings.
- **Hunter Mountain Wilderness/Rusk Mountain Wild Forest** – these very popular recreation areas lack sufficient access, especially in the Spruceton Valley, and additional protection and access is needed in the western portion of the Wild Forest.
- **Indian Head-Plateau Mountain Wilderness** – consolidation, improved access, and additional protection are essential to preserve wilderness attributes, enhance recreation value, and protect scenic vistas; improved public access is especially important due to rugged terrain and lack of road frontage; increased development pressure is also a concern in this area.
- **Westkill Wilderness** – consolidation, improved access, and preservation of wilderness character are the primary concerns.
- **Catskill Mountain Heritage Trail** – includes significant historic sites and scenic views from the John Burroughs Homestead, Burroughs Memorial site, and Woodchuck Lodge near Roxbury on Route 30, continuing easterly along the Route 23 and 23A corridors, and extending to the Thomas Cole House in the Village of Catskill. Very few acres of the original Burroughs Homestead are permanently protected, and there is a critical need to protect the pastoral setting surrounding Woodchuck Lodge and the Burroughs Memorial site.
- **Delaware River and Tailwaters/Upper Delaware Highlands** – represents a significant recreational resource, supports significant biological diversity including critical bald eagle wintering and nesting habitat, and provides picturesque scenic vistas; additional protection and improved access

are the primary objectives.

- **New York City Watershed** – NYC expects to continue acquisition efforts in accordance with a comprehensive water quality-based watershed acquisition plan under the 1997 Watershed Agreement (signed by local communities, counties, and the State) and a 2007 Water Supply Permit issued by DEC. It is recommended that the State work with the City to identify and protect high priority sites within the Region that are not being pursued by, or protected under, City acquisition programs.

- **Drowned Lands Swamp Watershed**

This significant area of Columbia County, which constitutes one of the largest wetland complexes in southeastern New York, is surrounded by high quality farmland and striking scenic vistas. To date, protection of wetland and adjacent farmland and forest has been achieved through the concerted efforts of State agencies and private conservation organizations. Continuation of land acquisition and/or conservation easements remain a high priority in order to safeguard the ecological diversity of the wetlands, as well as the agricultural viability and pastoral views of the surrounding countryside.

- **Five Rivers Environmental Education Center**

The Five Rivers Environmental Education Center is located between the rapidly growing suburban towns of Bethlehem and New Scotland in Albany County. The Center receives over 100,000 visitors annually and serves as an important wildlife preserve and popular birding area. Given that the entire area surrounding Five Rivers remains vulnerable to subdivision and development activity, opportunities for protection of public use, public access, and buffer areas remain a priority. One such opportunity includes the Phillipinkill stream corridor located north and east of the Five Rivers property, which presents potential for continued trail development already initiated by the Mohawk Hudson Land Conservancy.

- **Hand Hollow Conservation Area**

This Columbia County property, which is the Town of New Lebanon's only public conservation area, now encompasses 384 acres, including a 21-acre lake, smaller ponds, perennial and seasonal streams, a great blue heron rookery, and more than 5 miles of trails. There exists the potential to enhance this conservation area if a number of key parcels are acquired. These parcels would secure a portion of the lakefront and Hand Hollow watershed, as well as contribute to the overall habitat diversity by adding extensive areas of woodland and meadows, in addition to streams, upland ponds, and wetlands.

- **Helderberg Escarpment**

The Helderberg Escarpment is the most prominent natural feature in Albany County and is well known for its geological and paleontological significance in addition to outstanding scenic vistas. It is the home of John Boyd Thacher and Thompson Lake State Parks, which provide numerous recreational opportunities. The Escarpment area is characterized by karst geology, including several cave formations, which provide habitats for a variety of rare and endangered species of flora and fauna. The Escarpment is also included on the National Audubon Society's list of Important Bird Areas in New York State. The southern extent of the escarpment, which also supports significant ecological communities, is considered to be an integral part of this area and should also be afforded high priority for protection.

- **Hoosick River Corridor**

This inter-regional river corridor and its tributaries, located in Rensselaer and Washington counties, drain an extensive area encompassing lands in three states and form a significant portion of the upper Hudson River drainage north of the estuary. The corridor includes productive farmland and timberland, as well as important ecological, cultural, and scenic resources. Protection of this area will also enhance public recreational opportunities for fishing, hunting, birding, and canoeing. In addition, a portion of the corridor overlies a major aquifer and includes several key recharge areas. This area has the potential for the development of a major greenway across northern Rensselaer and southern

Washington counties linking the Rensselaer Plateau with the Green Mountains in Vermont and the Taconic Mountains along the Massachusetts–NY state line. Local initiatives toward such a greenway have already been commenced by the Town of Hoosick and Village of Hoosick Falls. Furthermore, the Hoosick River is already a DEC–designated Public Fishing River, and as such, DEC should continue efforts to obtain public fishing rights.

- **Hudson River Valley Corridor/Hudson River Estuary**

Several projects have been identified within this regionally significant area that will enhance protection of, and improve access to, the scenic, natural, cultural, and recreational resources of the Hudson River, its tributaries, and the surrounding Hudson River Valley. This may include protection of new public lands or expansion of existing parkland and public open space. These initiatives will also contribute to meeting the goals and objectives established in the Greenway Act of 1991, including creation of linkages between municipalities along the River. Specific priorities within this protection area include the following:

- Hudson River Greenway Trail and linkages between other trail systems
- Significant scenic vistas, including the Olana viewshed
- River and tributary access parcels
- Proposed and potential Hudson River Water Trail sites
- Significant biodiversity sites
- Important farmland
- Inter–agency State land transfer parcels (from OGS to DEC and/or OPRHP)
- Hudson–Fulton–Champlain Quadricentennial project areas

In addition to the above, the Hudson River Estuary Plan recommends a commitment to secure 4,000 or more acres through fee and easement acquisitions to further on–going conservation efforts within the Hudson River Valley.

- **Long Path**

The Long Path is a 300+ mile corridor extending from New York City through Schenectady County. State acquisitions would protect the trail corridor and allow sections of the trail to be rerouted off public roads thereby enhancing public enjoyment and safety. The significant progress that has been made in northern Greene County should be continued, and further work is necessary in Schoharie County, including key threatened parcels in the Town of Middleburgh.

- **Mohawk River Valley Corridor/ Barge Canal**

Priority should be given to protecting significant scenic, cultural, recreational, and natural resources along the Mohawk River in addition to securing river and tributary access parcels that would enhance public enjoyment of these resources. Areas of particular concern in the Mohawk River corridor include “The Noses,” two prominent landmarks of significant scenic and cultural value; Wolf Hollow, which exhibits unique geological, botanical, and cultural importance; and the Great Flats Aquifer in Schenectady County, designated by the EPA as one of just five Sole Source Aquifers in upstate New York. Protection efforts should also be directed toward securing buffer land adjacent to the newly created Mohawk River State Park in Schenectady County. Finally, it is also important to protect linkage parcels that contribute to the continuity of a statewide Canalway Trail system.

- **Oomsdale Farm and Surrounding Landscape**

The focal point of this project area is Oomsdale Farm, which occupies approximately 350 acres in Chatham, Columbia County, and includes high quality farmland, significant habitat for grassland nesting birds, and spectacular scenic vistas from the high open fields. Also included in this landscape complex are the Kinderhook Creek corridor and associated floodplains, forestland, and open grassland fields. This area represents an outstanding opportunity to preserve a productive working landscape while protecting a sizeable expanse of nesting habitat for increasingly uncommon grassland birds, as

well as the significant contributing features of the surrounding landscape.

- **Rensselaer Plateau**

This area of Rensselaer County includes the fifth largest unfragmented forest in New York State and a portion of the Tomhannock Reservoir Watershed, which provides water to over 100,000 County residents. In addition to the expansive forest, the Plateau supports several unique wetland communities (including sedge meadow, dwarf shrub bog, spruce-fir swamp, and kettle hole bog), an impressive mammal diversity not typical of the greater Capital District (including black bear, fisher, otter, bobcat, and moose), and is included on National Audubon Society's list of Important Bird Areas in New York, which specifically mentions a high diversity and abundance of forest breeders, including many State listed species. Protection activities in this area would not only serve to secure these significant features, but would also contribute to a long-term vision shared by a number of organizations to establish an open space corridor and trail system across the Plateau connecting Dyken Pond Center to Grafton Lakes State Park, Pittstown State Forest, Capital District Wildlife Management Area, Dickinson Hill Fire Tower, and other recreation and environmental education facilities.

- **Schoharie Valley Corridor**

The Schoharie Valley Corridor is one of the oldest settled landscapes in the State and a setting of dramatic scenery and significant agricultural production. While the highest priority areas for protection are located from the Town of Esperance south to Gilboa, provision of public access and protection of Schoharie Creek and its tributaries are important throughout Montgomery and Schoharie counties. Of particular concern is conserving farmland throughout the Valley; protecting unique karst formations and associated aquifers; preserving Native American archaeological sites and the remains of pre-Revolutionary War forts; and securing bald eagle nesting habitat south of Middleburgh.

- **Susquehanna River Valley Corridor**

This major river valley corridor, which encompasses portions of Otsego and western Delaware counties, is an important component of the federal priority Chesapeake Bay drainage basin. Continued open space protection within this area contributes to maintaining high water quality and secures a significant warm water fishery and public recreational area. Protection of parcels along the Susquehanna corridor would also provide needed public access to the river and its tributaries thereby enhancing recreational opportunities while providing economic benefits to the local communities. Also within this area is Franklin Mountain, which encompasses a ridgeline separating the Susquehanna and Delaware River watersheds in northern Delaware County. Franklin Mountain provides outstanding opportunities for viewing seasonal raptor migrations, as evidenced by the area's inclusion in National Audubon's list of Important Bird Areas in New York State. Publicly-owned parcels at critical overlook sites could provide secure access with relatively small acreage acquisitions. Finally, the 1,200-acre Meridale Farms project area, which presents a unique opportunity to integrate agriculture with conservation of grassland habitat, scenic vistas, and water resources, is recommended for protection within this corridor.

- **Taconic Ridge/Harlem Valley**

The Taconic Ridge/Harlem Valley is an important scenic, recreational, and natural resource area of eastern Rensselaer and Columbia counties. While substantial progress has been made with land protection in this area, key portions demonstrating high biodiversity, scenic views, working forests and farmland, and potential connections to other protected lands remain unprotected. Specifically, extensions of the Taconic Crest Trail and the Harlem Valley Rail Trail should be pursued and further land conservation efforts in the Route 22 corridor remain important. This corridor is characterized by prominent ridgelines and includes scenic vistas, productive farmland, and wetland habitat

supporting endangered and threatened species. Also within this corridor is Shaker Swamp, an almost 500-acre wetland complex supporting a high biodiversity and serving as an important aquifer recharge area. In addition, the Shaker Swamp and surrounding active farmland were formerly owned by the Shakers and continue to be regarded as historically significant.

· **Woodlawn Pine Barrens–Wetlands Complex**

This area of Schenectady County is situated immediately northwest of the Albany Pine Bush Preserve and includes several remnant features of the Pine Bush, including sand plain and dune formations, pitch pine–scrub oak barrens, and historic Karner blue butterfly habitat, which while currently unoccupied, may be restored as a future reintroduction site. The area also supports several important wetlands forming a unique complex of pine barrens and wetland habitats. Although this area is outside of the protection area designated by the Albany Pine Bush Commission, its attributes have been recognized by the Commission as complementary to the Pine Bush Preserve and protection worthy. Owners of public lands in this area are encouraged to cooperate with state and other agencies to protect this habitat.

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**2009 CAPITAL DISTRICT– REGION 4 OSP ADVISORY MEETINGS**

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March 27, 2008; April 17, 2008; May 15, 2008

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**2009 CAPITAL DISTRICT REGIONAL ADVISORY COMMITTEE MEMBERS**

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SEE FOLLOWING PAGE

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**2009 CAPITAL DISTRICT REGIONAL ADVISORY COMMITTEE MEMBERS**

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**COUNTY REPRESENTATIVES**

Mark Fitzsimmons, Co–Chairman	Albany County
Roland Vosburgh	Columbia County
Nancy Gallup	Delaware County
Ed Diamante	Greene County
Shayne Walters	Montgomery County
Richard Hilary	Otsego County
vacant	Rensselaer County
Donald Snell	Schenectady County
Carl Stefanik	Schoharie County

**COMMISSIONERS' APPOINTEES**

Mark King, Co–Chairman	The Nature Conservancy – Eastern NY Chapter
Judy Anderson	Community Consultants (at–large member)
Charlie Laing	Scenic Hudson, Inc.
Martin Daley	Parks & Trails New York
Tim Barnard	Region 4 Fish & Wildlife Management Board
Deborah DeWan	Catskill Center for Conservation & Development
Alan White	Catskill Landowners' Association
Peter Paden / David Diaz	Columbia Land Conservancy
Mark Castiglione	Hudson Valley Greenway Conservancy

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**ALBANY PINE BUSH PRESERVE COMMISSION**

Chris Hawver, Executive Director



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**EASTERN ADIRONDACKS & LAKE CHAMPLAIN – REGION 5**  
**REGIONAL OPEN SPACE ADVISORY COMMITTEE**

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**COUNTIES**

CLINTON, ESSEX, FRANKLIN, FULTON, HAMILTON, SARATOGA, WARREN, WASHINGTON

**Approved May 23, 2008**

**Revised July 29, 2008**

**Revised February 18, 2009**

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**ISSUES**

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The DEC Region 5 area is very diverse in that it includes roughly 75% of the Adirondack Park as well as outlying areas that are more developed and more typical of other parts of the state. Open space conservation issues in this Region and, in particular within the Adirondack Park, are unique and distinct from any other area in New York State. There are 5,927,600 acres in the Adirondack Park. Approximately 2,732,975 acres (46.1%) are held in fee title by the State and 664,443 acres (11.2%) are under an easement administered by NYSDEC. The Adirondack Park also contains the vast majority of the State's wild, scenic and recreational river system, more than 2,800 lakes and ponds, as well as the highest mountains in the state with 45 peaks rising above four thousand feet. Because of the mixture of public and private lands inside the Park, as well as the more populated private areas outside the Park, community concerns are an important element in open space conservation planning in the Region.

The Region 5 Committee has reviewed a number of contentious issues associated with open space conservation in the Region. Its recommendations embodied in this report try to reconcile many of these issues, including those associated with property taxes, eminent domain policies, agriculture, public access, detached parcels, consultations with local communities about projects and many others. Their recommendations were developed following intensive study and discussion. They reflect a consensus of the Committee (unanimous vote), where noted, and serve as the foundation for the Committee's continued deliberations. Many of these recommendations are carried over from their previous reports because they reflect issues and policies that the Committee still feels strongly about.

**Principles developed by the Committee for Open Space Conservation**

The open space conservation policies of the Region 5 Open Space Conservation Advisory Committee are based on the following principles:

1. The wild forest, water, wildlife, aesthetic, recreational, social and cultural resources of the region, and its biological diversity and open space character are of statewide, national and international significance.
2. The region's open space is now and should continue to consist of both public and private lands. The publicly owned Forest Preserve "shall be forever kept as wild forest lands", as the State Constitution requires, while the private lands within the Adirondack Park presently dedicated to forest management, agricultural and open space recreation should, largely, remain dedicated to such uses.
3. Land acquisition and open space conservation within the region should be consistent with the housing, social, education, health, and economic needs of residents and with the preservation of its sensitive natural areas, productive forests and farms, and open space character.

4. The Committee recognizes the unique mix of public and private lands within the Adirondack Park and the economic consequences on local communities that result. The Committee further recognizes that open space protection has considerable impact on the economic health of the individual communities. We recommend that the State consider local and regional economic implications of open space protection. The Committee intends to comment further with specifics on this issue.
5. Use of building rights to balance interests of open space protection and ability of communities to develop.

When the Adirondack Park Agency Private Land Use Map was created, it contained a finite number of building rights based on APA zoning. As land is acquired by the State for protection of open space, the number of building rights that are available to develop private properties is reduced. In order to preserve the capacity of communities to grow and develop in the future, we believe it is prudent to keep track of the building rights lost to local municipalities in a "bank" that the State can use in some way in the future for the benefit of the residents of the Adirondack Park. The Region 5 Open Space Conservation Advisory Committee will meet with appropriate state agency officials to discuss the "building rights" bank concept and the implementation of such a concept within the Adirondack Park.

6. Habitats of "species of greatest conservation need" should be protected. However, as the habitats may require manipulation to ensure the protection of these species, consideration must be given to selecting the appropriate form of habitat protection. The forms of protection include but are not limited to conservation easements or acquisition of fee from willing sellers by the State, or other arrangement or partnerships with landowners. **Adopted May 23, 2008**
7. The State will acquire land, interest in land, and improvements on land for open space conservation purposes only from willing sellers. Issues Section H of this report, which was approved by this committee in 2005, expounds on this matter. **Adopted May 23, 2008**

### Specific Issues

#### **A. Taxes on State Lands**

Any land acquisition or easement plan should include an ongoing commitment by the State to continue to pay real property taxes on existing and newly acquired lands within the Forest Preserve on the same basis as currently applied to Forest Preserve lands. This commitment should be confirmed by the legislation which establishes funding for any acquisition program. On the assumption that local assessments on State lands are fair and equitable compared to assessments for similar open space private lands, the State should not attempt to place an arbitrary cap on these payments.

#### **B. Recommendations Regarding Timber Tax Exemption Programs**

The Committee unanimously endorses 100% reimbursement of taxes be made to local governments for lands enrolled under Section 480 and 480a of the Real Property Tax Law within the Adirondack Park. [Note: This issue was studied by DEC and the New York State Board of Equalization and Assessment as part of an overall review of the forest tax laws. The Committee further recommends that an acceptable funding source be found.]

#### **C. An Amendment to the State Real Property Tax Law addition Additional Protection to Ensure State Payment of Taxes for Forest Preserve Lands**

WHEREAS, Real Property Tax Law Section 532(a) provides that all wild or forest lands owned by the state within the forest preserve shall be subject to taxation for all purposes, and

WHEREAS, many towns within the Adirondack Park contain high percentages of state forest preserve lands and are therefore dependent on the continued payment by the state of taxes on state forest preserve lands for their continued ability to provide necessary health, safety and welfare services to their residents, and

WHEREAS, continued payment of real property taxes on all wild or forest land owned by the state within the forest preserve is therefore of crucial importance to the welfare of the residents of the Adirondack Park and to the continued viability of local government within the Adirondack Park and their ability to provide necessary services to protect the health, safety and welfare of the residents.

NOW THEREFORE IT IS HEREBY RESOLVED, that the Region 5 Open Space Conservation Advisory Committee hereby supports the amendment of Real Property Tax law Section 532 to add a new subsection (h) as follows:

"532(h) No law repealing or amending subsection (a) hereof, shall be effective unless enacted by the legislature at two successive regular sessions by a two-thirds vote of the Senate and the Assembly."

**D. An Expansion of the State's Existing Forest Tax Abatement Program**

The Region 5 Open Space Conservation Advisory Committee recommends that New York State's forest tax abatement program be expanded to include certain undeveloped open space lands, such as wetlands, wildlife areas and shorelines, which are not exclusively devoted to forest management purposes, provided New York state reimburses localities for all revenues lost resulting from the tax exemption.

**E. Payments in lieu of taxes for state lands outside the Forest Preserve**

The Committee would like the State to consider payments in lieu of taxes for lands held by DEC and OPRHP outside the Forest Preserve.

**F. An Amendment to the Forest Legacy Program**

For any Federal Forest Legacy acquisitions in the Adirondack Park, the title to the property should be structured in such a way that it is acceptable to local communities.

**G. Need for State legislation to preserve open space and promote sound resource management on private lands in the Adirondacks.**

The Region 5 Open Space Conservation Committee has previously recommended that the Open Space Plan incorporate a wide range of open space conservation methodologies and funding strategies, including strategies designed to encourage and support good stewardship of open space lands by private landowners. The Committee has also recognized the importance of viable and sustainable commercial forestry to maintaining open space and promoting economic growth; and it has recognized that the State's forest tax law program places an undue financial burden on local governments and school districts.

Private open space lands are under increasing pressure from rapidly escalating property values and real property tax costs. This encourages fragmentation and development of those lands and undermines the objectives of the State's Open Space Plan. It affects non-commercial lands as well as lands devoted to commercial forest management.

Existing State programs are not sufficient to deter development and encourage good stewardship of these important private lands. Incorporating recommendations for new methodologies and funding strategies in the Open Space Plan, by itself, will not change this. New legislation is urgently required. The Committee calls on the Governor and the Legislature to:

- Amend Section 480-a of the Real Property Tax Law (or enact a new program) to expand the approved land uses to include a variety of natural resource management purposes as alternatives to commercial forest management; simplify State oversight responsibilities; and provide for payment by the State of real property taxes on the exempt value of real property tax assessments on enrolled lands; and
- Encourage more private landowners to convey conservation easements through targeted inducements under the State's income tax law, including income tax credits for donations of conservation easements and for real estate taxes paid on lands protected by such easements.

**H. Recommendation to replace conditional restrictions on the use of eminent domain in the State's Open Space Plan with unconditional "willing seller" requirement.** In 1991, this committee unanimously adopted two detailed resolutions relating to constraints on the use of eminent domain to acquire land and interests in land for open space conservation purposes. One of the resolutions prescribed a consultation procedure with the committee, county and town officials, the landowner, and other interested parties prior to institution of unfriendly eminent domain procedures. The other specified categories of properties that should be wholly or conditionally excluded from the application of unfriendly eminent domain.

These resolutions were intended to reduce the fears of residents and landowners within Region 5 regarding the use of eminent domain for open space conservation purposes. They were incorporated into the State's first Open Space Conservation Plan in 1992, and they have been included in every update of the Plan since that time.

Since 1992, the State has not employed eminent domain to acquire land within Region 5 for open space conservation purposes. The State's demonstrated commitment to consensual acquisition and its willingness to incorporate specific constraints on the use of eminent domain in the Open Space Conservation Plan have reduced public fear about eminent domain within Region 5 and helped to pave the way for an unprecedented program of State land acquisition from willing sellers since the Plan's inception.

The record demonstrates that the State can achieve the purposes of its Open Space Conservation Plan without resort to compulsory proceedings under the eminent domain law. For that reason, this committee believes it is now appropriate to eliminate the previously approved conditional constraints on the use of eminent domain in the Plan and to replace them with a simple, broad and unconditional requirement that the State will acquire land, interests in land, and improvements on land for open space conservation purposes *only from willing sellers*.

In making this recommendation, it is the committee's intent to extend and strengthen the limited protection afforded to residents and landowners within Region 5 by the current conditional constraints on eminent domain; and to ensure that eminent domain will *never* be employed to achieve any of the objectives of the State's Open Space Conservation Plan within Region 5 other than to quiet title to property offered for sale by a willing seller. (This resolution has the unanimous approval of the Committee.)

**I. Framework for Agricultural Recommendations**

Another Committee activity of particular significance is the formation of an Agricultural Subcommittee composed of representatives of the Farm Bureau, the NYS Department of Agriculture and Markets and other agricultural representatives to look at how agricultural issues are addressed in the Plan. This group developed a framework for agricultural recommendations for the Open Space Conservation Plan which was adopted by the full Committee with minor changes. Inclusion of this recommendation in the updated open space plan will have a significant beneficial influence on the attitude of practicing farmers towards this program.

**Preamble**

Taxes, compensation and profitability are the biggest issues facing agricultural operations today. To preserve open space, agriculture and forest landowners need relief from taxes.

It shall be the policy of all state agencies to encourage the maintenance of viable farming (Article 25AA of the NYS Agriculture and Markets Law, Section 305(3)). A conservation easement program conducted as outlined below could benefit the continuation of agriculture and the protection of open space. Currently, this program exists in Essex, Saratoga and Washington Counties. Fulton, Franklin and Clinton are in the process of developing this program.

1. All programs must be voluntary.
2. Programs should be considered which offer tax advantages such as current use valuation or assessment reductions for real property, school and / or estate taxes, and the taxable assessed value of any conservation easement or other program offering a property tax benefit for agricultural lands should be paid by the state in a manner similar to that currently used under Article 49 of the Environmental Conservation Law, where applicable.
3. The following options should be available for agriculture lands on which active agriculture may be practiced: A) Permanent easements; B) Term easements (5 year minimum) or C) Leasing of agricultural lands held for conservation purposes.
4. Programs and projects should be compatible with Articles 25 AAA and 25 AA of the Agriculture and Markets Law and with plans developed by County Agricultural and Farmland Protection Boards and administered in conjunction with these Boards. All proposed agricultural projects will be presented to the local Farmland Protection Boards for review and comment.
5. Objective criteria should be developed with local advice and data for eligibility of any landowner to participate in any programs developed to conserve agricultural lands.
6. There are a variety of different types of owners of farmland that should be taken into consideration in any program offered. Some farms are managed by owners and others are leased for agricultural purposes.
7. Under any program offered, the agricultural operation should remain the sole province of the landowner.
8. Measures should be undertaken to provide the opportunity for local organizations to participate in any agricultural programs offered, such as to monitor and oversee leases.
9. Agricultural programs may be endorsed which make available federal funding for agriculture.

However, any federally funded program must meet criteria governing state sponsored projects as outlined in this framework.

10. Properties that are desirable to conserve for open space purposes, may not always be the most productive farmland.
11. Recommendations proposed for agricultural programs need to be reviewed for their potential to negatively impact the competitive market condition of agriculture and the ability of farmers to raise capital.
12. The burden of any program should not be picked up locally.
13. Recreational activities associated with conservation of agricultural lands should be subordinate to agriculture.
14. The State should actively pursue increased funding for the Farmland Protection Trust Fund.
15. Region 5 Working Farmland/Agricultural Lands. From the beginning of settlement in the region, agriculture played an important role in shaping development, creating working landscapes and the establishment of the rural heritage of the region. Throughout the region important farmland protection projects have been initiated under active farmland conservation easement programs that have been created in Essex, Clinton, Saratoga and Washington Counties. Other counties have developed agricultural and farmland protection plans and are in the process of establishing farmland conservation easement programs. These efforts support the region's agricultural industry, maintain its agricultural character and provide vital grassland and wildlife habitats. NYS should focus commensurate attention and resources in NYS DEC Region 5 on the protection of agricultural lands for working farms – similar to the protection of forested lands for working forests. Existing farmland under consideration should be protected by the purchase of an easement rather than fee simple acquisition in order to enhance future use of the land for agriculture.

**J. Public Access to Adirondack Forest Lands**

The Region 5 Open Space Advisory Committee believes that the present level of all forms of public access including motorized and non-motorized access in the Adirondack Park should be preserved and enhanced. The acquisition of private lands by the State may, by virtue of land classification or Unit Management planning, change said access and use. Therefore, this Committee recommends a cooperative effort involving all interested parties as part of any State Land Master Plan Amendment process with a view toward preserving and / or enhancing the existing level of motorized and non-motorized access to and use of Adirondack forest lands in connection with any Forest Preserve or open space land acquisition program.

**K. Sale or Exchanges of Small Detached Parcels of Existing Forest Preserve Lands In the Adirondack and Catskill Parks**

The State now owns many small, isolated tracts of Forest Preserve land presently under DEC jurisdiction within the Adirondack and Catskill Parks that may serve little or no useful purpose, and, in some instances, impose a management burden upon the State. Therefore, the Open Space Conservation Advisory Committee recommends that the status of all small, detached parcels of Forest Preserve lands within the Adirondack and Catskill Parks be evaluated to determine whether or not these isolated parcels should be offered for sale or exchange through a public process.

This proposal is made in full recognition of the need to include necessary safeguards to insure against disposal of parcels of land that have regional or local significance. Criteria for the disposition of such parcels should be firmly established prior to any disposition activities; and any monies derived from the sale of these lands under the jurisdiction of DEC within the Adirondack or Catskill Parks should be dedicated for future Open Space protection within the respective Parks

**L. Recreational Trail Linkages & Networks**

The Region 5 Committee recognizes the importance of long distance trail linkages and networks, (including water routes) for a variety of motorized and non-motorized recreational uses (such as hiking, skiing, biking, snowmobiling, canoeing, and any other appropriate uses) and as a way for local communities to benefit from neighboring State lands. The Committee further recognizes that the State has an obligation to adequately maintain and police such trails and to protect adjacent private landowners from illegal trespass, poaching, and other nuisances resulting from the inappropriate use of such trails. The Committee recommends an Adirondack region-wide process that will result in a plan that identifies new or existing trails that need to be protected or established through the use of easement, fee title acquisition and other conservation tools from willing sellers. (It is not the intent of this category to achieve broader acquisition.) The result of this exercise will be a regional plan for long-distance trails that ensures protection for landowners as well as the trail system and a permanence for the trail.

The Committee recommends that the DEC with assistance from OPRHP, develop an effective plan to adequately maintain and police such trails and to protect adjacent private landowners from illegal trespass, poaching, and other nuisances resulting from the inappropriate use of such trails.

The Committee believes the establishment of a special category of funding to support these efforts is appropriate.

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**FUNDING & POLICY RECOMMENDATIONS**

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Representatives to the Region 5 Advisory Committee have stressed the need for cautious evaluation of acquisition criteria and the need to develop consensus among Committee members about the future direction of State land acquisition policy in the Adirondacks. They are extremely concerned about impacts of new acquisitions on the local economic base. The Region 5 Advisory Committee has placed emphasis on the need for consensus building and enhanced public participation in the State's Open Space Protection Programs. All members of the public constituent groups and local government officials must develop a better understanding of the State's acquisition goals and objectives in Region 5.

There is a need especially to include local officials in the development and evaluation of the acquisition program through public meetings and hearings, active encouragement to conduct local open space planning, and participation in formal review processes such as the revision of this statewide plan. In this way, local needs and concerns can be better addressed while also gaining support for important resource protection issues in Region 5.

The Committee has had lengthy discussions about the impacts of listing priority projects in the Open Space Plan. There is a general consensus that the property owners of individual priority projects should be notified of the listing process, particularly if the project to be listed refers to an individual landowner. However, the Committee has not come to a consensus about whether properties should be deleted if there is not landowner consent. Currently, landowners of priority projects that are now

listed or being considered for listing in the plan are aware of their listing or potential listing status. It does not appear that any of those landowners have objections to being listed in the Plan. (These issues were contained in a letter dated November 21, 1995 submitted as part of the Committee report for the last Draft Update to the Open Space Plan).

The Region 5 Committee continues to meet regularly, and to take an active interest in open space conservation planning issues. The focus of the Committee's deliberations has been to build on the foundation of recommendations developed for the June 1992 plan, November 1995 update, 1998 update and to review issues not previously addressed by the Committee. The Committee has also been kept up-to-date on activities of the Department, OPRHP, not-for-profit and private landowners with regards to proposed and actual open space conservation planning activities.

Positions taken by the Region 5 Committee which continue to be relevant are listed below (A-). These positions were adopted unanimously, unless stated otherwise.

**A. Continuation of Region 5 Open Space Conservation Advisory Committee.** The future definition and implementation of a State Open Space Conservation Plan affecting Region 5 is a long-term process demanding continued input by the public and representatives of Adirondack county government. The 1990 Bond Act which established the regional advisory committees omitted any provision as to the longevity of said committees. Therefore, the Region 5 Open Space Conservation Advisory Committee hereby records its desire to remain in existence and the State to recognize and support the Committee for as long as the State of New York continues to plan or to implement any program for acquisition of private lands in Region 5 involving additions to the Forest Preserve and preservation of open space.

**B. Representatives on Region 5 Committee.** The make-up of the Region 5 Open Space Committee has changed from its original membership at the request of the Committee. Recommendations from the Committee which address specific qualifications for Commissioner's appointments have been forwarded as vacancies have occurred as follows:

1. A representative from the forest industry be included on the Region 5 Open Space Conservation Advisory Committee selected from a nomination from the forest industry.
2. A representative of private landowners be included on the Region 5 Open Space Conservation Advisory Committee who is either from the Adirondack Landowner's Association or is perceived by the ALA as being representative of the ALA.
3. Also, in order to provide appropriate agricultural expertise to the Committee prior to extensive discussions and recommendation development during 1993, an agricultural representative was added on June 30, 1993.
4. Members previously expressed interest in adding some economic development expertise to the Committee; the committee decided that when economic development expertise is needed, the committee will bring someone with this expertise into the process.

**C. General Criteria Recommendation for Open Space Conservation.** The geographic area of northern New York contains many incomparable natural and cultural resources that provide significant benefits to residents of and visitors to the greater Adirondack Region and to the environmental integrity of the Region which are therefore worthy of protection.

The general criteria developed below are meant to provide a guideline for the protection of differing land types and resources. It is not meant to provide an exhaustive list of resources to be acquired; nor is it meant to imply that all examples of lands that satisfy these criteria should be acquired. Before actual acquisition, the development of more detailed and specific criteria than presented

here will be required. However, the criteria defined below serves to provide a general outline of land protection needs upon which more detailed criteria can be based.

Lastly, it should be understood that the objectives for protecting critical land, as illustrated by these criteria, can be achieved through a variety of means, such as acquisition of fee simple or easement interests, or voluntary agreements such as registry agreements, management agreements and special purpose deeds. These measures are complimented by local land use planning and the Adirondack Park Agency Private Land Use and Development Plan.

### ***Biological Diversity***

Protection of sufficient variety of habitat and migration corridors, including managed, and wild, and riparian areas, to ensure the long-term existence of the native plant and animal species in the Region by providing connectivity among suitable habitat allowing species to migrate when climate or other external forces degrade their existing range.

In light of the recent findings in conservation biology and global climatology, it is a priority of the state to preserve and restore wide, natural forest buffers and corridors along and around water bodies and wetlands, and to ensure that habitat connectivity is maintained throughout our region. A range of approaches from voluntary conservation easements to state land additions is needed to ensure long-term viability of the connections that many species will need in order to adapt to climate change. Lands available for conservation are thus considered state priorities, even if not otherwise listed in this plan, if they are recognized by biologists as integral to a successful regional conservation network.

Examples in Region 5 include potentially safe passages for wildlife across Interstate 87; lands in the Southern Lake Champlain Valley linking the Adirondacks with Vermont's Green Mountains, particularly in the South Bay and Lake George Narrows areas; and undeveloped lands along the Richelieu and Hudson River Valleys. Equally important are connecting wildlands within the region.

Among the many efforts underway that can help protect and restore habitat connectivity are:

1. the transportation corridor management recommendations and larger "Green Book" being developed by the New York Department of Transportation in cooperation with the Department of Environmental Conservation and the Adirondack Park Agency;
2. the Smart-Growth principles being advanced by these agencies, the Department of State, and the sustainable development community;
3. the Ecosystem Based Management guidelines being advanced by governmental, academic and not-for-profit planners;
4. the Wildlands Network Designs being advanced by conservation groups.

Protection and restoration efforts of waterways and wildways shall uphold the local tax base.

***Water Quality*** – Protection of bodies of surface and subsurface water, and ecologically fragile upland areas (e.g. steep slopes, shallow soils and unique communities, etc.) within the watershed surrounding those water bodies, to prevent degradation of water quality and to reduce pollutants including toxins, pathogens and nutrients to natural levels.

***Administration of Open Space*** – Acquisition to create boundaries (such as roads, rivers and ridge lines) for which the State holds an interest that is feasible from an ecological and / or management perspective.

***Critical Environmental Areas*** – Protection of critical natural resources including, but not limited to: wetlands, natural river systems, certain shorelines, unique and sensitive geological resources (other than significant mineral deposits) waterfowl nesting and feeding areas, fish spawning areas, and threatened and endangered species.

***Recreation*** – Acquisition in order to maintain and / or enhance recreational opportunities, including: motorized and non-motorized access and access for physically impaired persons to waterways, forest preserve and other natural resources.

***Historic & Cultural Resources*** – Protection of significant cultural and historic resources, including: historical and archeological sites and urban waterfront areas. Special effort should be made to provide for maintenance and preservation of cultural resources present on lands being considered for addition to the Forest Preserve.

***Scenic Resources*** – Protection of existing designated Scenic Vistas within the Adirondack Park and the identification and protection of additional, significant scenic resources visible from areas with public access, including: travel corridors (river, trail and road), State lands, and public bodies of water.

***Working Landscapes*** – Protection of productive farm lands and forest lands, mineral resource areas, and lands that provide outdoor recreational opportunities.

***Key Tracts*** – Protection of properties that satisfy a significant number of the above criteria.

**D. A Balanced Approach To Open Space Conservation In Region 5.** The Region 5 Committee recognizes that there are a variety of economic impacts resulting from an open space conservation plan. A balanced open space conservation plan must include components which strengthen the forest products industry, enhance recreational access and aesthetic values on which the tourism industry depends and respects local economies.

An open space conservation plan must be undertaken with the understanding that there will be a permanent commitment by the State to pay taxes of all kinds on Forest Preserve land in the Adirondack and Catskill Parks (see recommendation F). The same commitment must be evident in the fair apportionment and payment of taxes by the State on conservation easements, as now required by law.

Legislation providing for funding for an open space conservation program must establish a permanent, equitable basis for assuring Adirondack local governments of the continuation of tax payments on State Forest Preserve land and on State interest in land.

When acquiring land or interest in land in Region 5, the State, in consultation with local governments, must consider the following factors relative to short and long-term positive and negative economic impacts:

1. Effect on total assessables within Adirondack municipalities
2. Effect of any proposed reduction, cap, or elimination of State land payments.
3. Effect of total area of Forest Preserve and State interest in land in any given town.
4. The need to study and consider revisions to the method of apportioning taxes on lands where the State has a conservation easement.
5. Effect of any acquisition on future possibilities for local economic growth.
6. Effect on affordable housing.

7. Effect on community infrastructure.
8. Documentation of local government consultation for permanent record in the project file.
9. The need for future use of natural resources such as gravel, sand, mineral deposits, and aquifers.
10. The effect on future needs for related uses such a header, sawmill or wood working facility in conjunction with property with easements that can harvest timber.

**E. Consultations with Local Governments on Priority Open Space Projects.**

**Section 49-0209** of the Environmental Conservation Law provides, in pertinent part, that each regional committee shall develop guidelines for use in identifying priorities for open space conservation.

**Section 49-0209 (2) d.**, provides that said guidelines may include:

- (I) The priority ranking of properties for the region;
- (II) The degree to which an acquisition will help to meet a regional or statewide need;
- (III) The future costs and benefits which may be associated with the project;
- (IV) The economic impact on adjacent parcels, the community and the local governments therein and;
- (V) The ecological value of the project.

**Section 49-0209 (2) e.**, directs the Committee to advise the Commissioners of DEC and OPRHP and the State Land Acquisition Advisory Council annually with respect to plans and priorities for the Region;

**Section 49-0209 (2) f.**, directs the Committee to review and make recommendations concerning the Open Space Conservation Plan as it affects the Region;

**Section 49-0207** states that the said acquisition plan shall include an identification of lands of high priority for acquisition;

One letter with four copies will be sent to Town Supervisors with language that encourages them to share with the entire Town Board; with language that says additional copies are enclosed for the use in informing the Town Board of this potential action;

Therefore, the Region 5 Open Space Conservation Advisory Committee hereby agrees to:

1. Consult with the appropriate local governments prior to making Committee recommendations with respect to land areas to be considered for acquisition in fee or easement under the State Open Space Conservation Plan.
2. Actively solicit the participation of appropriate local governments in the consultation process.
3. The said consultations with local governments will be conducted prior to the annual report of the Region 5 Land Acquisition Advisory Committee to the Commissioners and the State Land Acquisition Advisory Council and prior to each three year review of the said plan after 1991.
4. The Region 5 Open Space Conservation Advisory Committee recommends that acquisitions of land or easements after January 31, 1992 be consistent with the Final Land Acquisition Plan, (also called, Open Space Conservation Plan) with the land areas identified in the plan under Section 49-0207 having been reviewed beforehand by the Committee with the appropriate local governments pursuant to the consultation process set forth in Numbers 1, 2, and 3 above.
5. The State will notify local governments in writing when an open space project has been proposed that includes land within their municipality. Additionally, when Environmental Protection Fund monies are being utilized to fund the project and the project was not included

in the original 1992 Open Space Plan, the municipality will be given the opportunity to disapprove the proposed project by resolution passed within 90 days of notification of the project.

**F. Method for Implementation of the 9/20/91 Committee Resolution (Recommendation "E") on Consultation with Local Governments.** In order to implement the Region 5 Open Space Conservation Advisory Committee's recommendation to consult with local governments regarding the Open Space Conservation Plan, the Committee developed the following recommendations:

Since the Region 5 Open Space Committee feels that local government involvement is critical to the successful implementation of this statewide program, a high priority should be given to encouraging local open space planning. (Reference to local open space planning handbook).

Examples of local priorities might include working forests and / or farms; community recreation areas; access points or corridors to lakes, rivers, or public lands; areas of outstanding scenic beauty; and critical wildlife habitats, wetlands or sites having rare or unusual plant species.

In order to facilitate and promote such local planning and involvement, funding should be made available through the Environmental Protection Fund or other sources which would provide local planning grants. An example of this is the funding which has recently become available from the Office of Community Development for use by communities for local planning along the canal corridors. Other assistance could be provided by regional open space committees, agency staff, or by example from other communities who have successfully completed planning.

Conservation of identified lands could be achieved by State purchase of fee or easement, by local zoning regulations, by incentive programs such as current use tax abatement, or by other means.

The Towns should be encouraged to make comments regarding Region 5 OSCAC's resolutions and regarding the statewide Open Space Conservation Plan, which they wish us to incorporate in our final comments and recommendations to the NYS Department of Environmental Conservation and the NYS Office of Parks, Recreation and Historic Preservation.

**G. Lands Outside the Blue Line.** The Region's Committee has addressed most of its efforts to the area within the "Blue Line". Region 5 includes lands outside the "Blue Line" that also need a policy for open space conservation and recreation.

The State should encourage the development of local comprehensive plans for conservation and recreation. These plans should be developed after broad based community input and in cooperation with the NYS Office of Parks, Recreation and Historic Preservation and the Department of Environmental Conservation. Planning for Regional resources should be coordinated with adjoining localities. Final plans should identify acquisition opportunities and identify whether fee or easement interests are recommended; and responsibility for ownership and management.

When the plan has been finalized, it should be adopted by the locally adopted land use regulations currently in place. Parcels identified for local acquisition would become eligible for up to 100% State grants with the locality responsible for the ongoing maintenance of the lands or easements. These parcels might include bike paths, walking trails, horse trails, trails for motorized vehicles and areas for passive recreation. User fees would be a local decision, however, the property would be accessible to the general public equally.

Areas identified for State ownership or management would be acquired based upon previous criteria, priorities to be established and policies already recommended.

- H. Easements.** Conservation easements should be the predominant method of acquiring a State interest in private lands, and fee purchase, when under consideration, should be the subject of a detailed written justification.

DEC and the Office should first consider in each acquisition whether the purchase of a conservation and/or recreational use easement would fulfill the purposes for which the particular acquisition is sought. If an easement would fulfill such purpose, then DEC or the Office should use its best efforts to acquire an easement to achieve the objective of the acquisition, wherever practicable.

Conservation and / or public access easement agreements should include provisions under which the State agrees to defend, indemnify or hold harmless the grantor of the easement or any and all claims arising out of the public's use of the property based on ordinary negligence.

The Committee favors the acquisition by the State of Conservation easements on lands which include productive agricultural or forest lands currently dedicated or suitable for dedication to sound management. Such easements should be crafted to allow such practices to continue. Such easements, in some instances, need not require restrictions on the owner other than the transfer of development rights such as for scenic easements. Recreational access easements should be sought by the State where the property contains important recreational resources.

The DEC began acquiring easements in the late 1960's. To date the DEC in Region 5 holds 50 easements totaling 122,610 acres. Each separate easement is unique and has its own management constraints; for example, public recreational management plans, long-term monitoring of development rights, forest management activities and enforcement of public use and the law. This acquisition tool has become increasingly common in the recent past and has the potential for greater use in the future. Region 5 is uniquely suited to the use of conservation easements due to the high percentage of state land and the need to keep remaining private land in timber production.

The Region 5 Committee believes the State must provide the resources needed to properly administer all of their easements, including but not limited to inventorying, monitoring, stewardship, raising public awareness and enforcing easement provisions.

- I. Resource Inventory Mapping.** The Committee has made the following recommendation on resource inventory mapping as provided for under Article 49 of the Environmental Conservation Law.

The Committee believes that policy and decision making for land acquisition requires accurate and complete inventory information on existing resources. Therefore, it recommends that all mapping by State agencies be done on the same base scale map (e.g., 1:24000) or convertible to a base scale through a computerized system (Geographic Information System) and made available to the public.

Mapping should include all of the resources proposed in the draft "Standards and Guidelines for the Northern Forest Resource Inventory" dated May 20, 1991 prepared by the Northern Forest Lands Council and the USDA Forest Service and Northern Forest Land office. The mapping should also include the additional items listed below:

- State owned lands
- Tax exempt lands such as municipal properties and churches (Word of Life)
- Utilities such as NiMo, cables and sewers and right of ways for water and sewers

- Railroad right of ways and other special uses
- Political subdivisions such as school districts and State agency, county and town boundaries
- APA Land use classification of private lands
- USGS and Soil & Water Conservation Service data
- Public and private conservation easements
- Wetlands
- Slopes – Where building is restricted, under current regulations
- All roads open to the public
- Buildings
- Recognized and potential recreation corridors including legal public access to State and public lands such as snowmobile / cross country ski trails, hiking trails, and fishing access sites
- Waterways and rivers capable of sustaining recreational and commercial travel
- Water quality classification – SPDES • Dams • OPRHP Historic Sites and Landmarks
- Principal and primary aquifers • Mining activities – Sand and gravel and other
- Status of Unit Management Planning on State lands
- Air travel corridors including airports and approach routes and military operating areas
- Private contiguous ownerships of 500 acres or more and type of use
- 480 and 480-a lands

**J. Consistent Open Space Conservation Policies for Adirondack Park Lands in DEC Regions 5 & 6**

WHEREAS, the lands within the Adirondack Park are included in both DEC Regions 5 and 6, and

WHEREAS, the Adirondack Park contains a unique mix of public and private lands, and

WHEREAS, the State Open Space Conservation Plan will make recommendations with respect to the acquisition and conservation of lands in the Adirondack Park and,

WHEREAS, the implementation of the Open Space Conservation Plan will have economic and other impacts on the localities and Park residents both from individual as well as cumulative acquisitions,

NOW THEREFORE BE IT RESOLVED, that the Region 5 and 6 Open Space Conservation Advisory Committees recommend that the State Open Space Conservation Plan shall treat the entire Adirondack Park as a Planning Unit for purposes of the Plan, and be it further

RESOLVED that all policies in the Plan, such as those regarding the use of Eminent Domain, economic impact of acquisitions, taxation policies, etc. shall be Park wide policies, and be it further

RESOLVED, that at all times the incremental and cumulative impact of the Plan will be considered Park-wide.

**K. State Purchase of Tax Sale Properties.** At the tax sale of Adirondack private lands, the State of New York should not have the right to acquire such lands for the taxes due. The Committee hereby recommends the current provision of law be amended to provide that the State be required to pay fair market value for any parcels proposed for purchase.

**L. Study of the Long-term Viability of the Adirondacks' Commercial Forest.** As New York State's acquisition in fee or easement of productive, private forest land in the Adirondack Park has increased in recent years, much debate has arisen regarding the impact of these acquisitions on the future viability of the region's commercial forests and forest products industry. Without the steady wood markets provided by the forest products industry, many forest owners would simply

find it financially impossible to maintain their lands as open space.

The Region 5 Open Space Advisory Committee hereby recommends that a study be conducted to independently determine the relationship between Open Space Protection and the maintenance of a globally competitive commercial forest.

**M. Increased Consideration of Open Space Conservation Efforts Other than Acquisition in Fee or Easement.** The Region 5 Open Space Advisory Committee recommends that the New York State Department of Environmental Conservation and the state Office of Parks, Recreation and Historic Preservation incorporate into the 2001 Open Space Plan a greater number of potential open space conservation methodologies and funding strategies, including but not limited to public recreational leases, term easements, land exchanges, landowner incentives and restrictive covenants, and to explore funding strategies to implement them.

**N. Annual Report Documenting All Open Space Conservation Successes.** The Region 5 Open Space Advisory Committee recommends that in conjunction with a 3-year revision of the Open Space Plan the New York State Department of Environmental Conservation and the state Office of Parks, Recreation and Historic Preservation prepare an annual summary of accomplishments documenting all open space conservation efforts undertaken in a given year, not just acquisitions in fee or easement.

**O. Recognition and Endorsement of Sustainable Forest Certification Programs.** The Region 5 Open Space Advisory Committee recommends that the state Department of Environmental Conservation and the state Office of Parks, Recreation and Historic Preservation send a clear signal regarding their appreciation for the open space conservation efforts of private forest owners by including the following statement in the Open Space Conservation Plan:

“New York State recognizes that the state’s private forest owners, both industrial and non-industrial, play an important role in open space conservation. We salute these landowners for their commitment to protecting our forest resource, especially those who participate in Forest certification programs including but not limited to Sustainable Forestry Initiative, Forest Stewardship Council, GreenWood, and others by integrating the reforestation, managing, growing, nurturing and harvesting of trees for useful products with the conservation of soil, air and water quality, wildlife and fish habitat, and aesthetics.”

**P. Request for full appropriation of the 2001 Environmental Protection Fund.** The Region 5 Open Space Advisory Committee resolved without opposition the following:

“Recognizing the unusual circumstances brought about by the September 11, 2001 terrorist attack, as well as, recognizing and congratulating Governor Pataki’s commitment to funding for open space conservation in previous years, the Region 5 Open Space Conservation Plan Advisory Committee urges the Governor and the Legislature to fully appropriate funding for the Environmental Protection Fund to enable the implementation of the 2001 New York State Open Space Conservation Plan.”

**Q. Support of the Batten Kill Corridor Project**

WHEREAS, the State will only acquire parcels from willing sellers, and

WHEREAS, the Town Government in which a parcel is located will have the right to veto any purchases by the State, and

WHEREAS, the State should pay full town and school taxes on reforestation areas greater than 500

acres in size, and

WHEREAS, the State should make efforts to pay local taxes on any fee acquisitions by classifying parcels larger than 500 acres as reforestation areas or by focusing on smaller parcels contiguous to current reforestation areas, and

WHEREAS, it is recognized that, depending on the project, not all fee acquisitions by the State will lead to full payment of local taxes – wildlife management areas, unique areas, multiple use areas and areas under 500 acres in size are classifications of lands for which the State does not pay full or any local taxes, and

WHEREAS, it is recognized that mechanisms, other than fee acquisition by the State, maybe utilized to protect open space parcels and will not be necessarily pay local taxes on protected parcels, and

WHEREAS the DEC will assist in the development of a Watershed Protection and Management Plan for the Batten Kill.

NOW THEREFORE BE IT RESOLVED, that the Region 5 Open Space Conservation Advisory Committee supports the inclusion of the Batten Kill Corridor Project, as defined in the Region 5 report, as a “Priority Project” in the New York State Open Space Conservation Plan.

#### **R. Health and Viability of the Timber Industry in the Greater Adirondack Region**

The Region 5 Open Space Conservation Advisory Committee recommends a study be undertaken to review, make determinations and recommendations on both the immediate and the long-term health and viability of the timber industry in the Greater Adirondack Region. The study should focus on, but not be limited to:

- The total acreage of working forest lands on which logging is currently or could potentially occur;
- The volume of timber currently marketed and to identify potential markets including bio-diversified products, as well as, carbon credits marketed for carbon sequestration, that may exist in the foreseeable future;
- An estimate of the acreage of sustainable working forest lands required to ensure a viable timber industry;
- An assessment of the economic impact on the local economy by the elimination of sustainable working forests in our communities; and
- Ways to retain our wood fiber within the region.

[NOTE: See Item M above.]

**Adopted May 23, 2008**

#### **SUMMARY**

The Committee continues to take an active interest in a wide variety of policies and issues which affect open space. While much of what the Committee has recommended has been incorporated into the previous editions of the Open Space Plan, the Committee feels that there is still a need to emphasize the issues and recommendations contained in this report. In particular, tax issues including state payment of taxes on forest preserve lands and tax reimbursement to local municipalities for 480 and 480a enrolled property are considered to be priorities, along with local planning issues. Agricultural concerns and a continuing need for more complete inventory data are other areas in need of further attention in order to help make informed decisions about open space conservation. Due to the large percentage of open space lands in the regional ready, as well as the number of large private land holdings for timber management and agriculture purposes, these policies have a large impact on the continuation of the existing open space character of the region as well as the health of the local economies.

The Committee plans to continue to meet on a regular basis to stay informed about Department and Office open space conservation activities and to continue to make recommendations on the implementation of the open space conservation plan.

On a final note, the Committee recommends that the State Legislature pass a technical amendment to change the name of Article 49, Title 2, from "State Land Acquisition" to "Open Space Conservation" to reflect the overall planning process that has evolved.

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**2009 EASTERN ADIRONDACKS – LAKE CHAMPLAIN  
REGION 5 PRIORITY CONSERVATION PROJECTS**

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**Northern Flow River Corridors** – (Regions 5 & 6) Preserve the open space character and enhance public use of important northern river corridors and adjacent lands. The following four sub-projects have been chosen for conservation action at this time: Deer River, St. Regis, Grasse and Oswegatchie Rivers within the Adirondack Park, all of which contain significant stretches of high quality recreational water particularly well suited for canoeing and angling.

**Bog River/Beaver River Headwater Complex** – The Bog River/Beaver River Headwater Complex is an assemblage of remote forestland and lakes with streams and wetlands that flow primarily into the Bog and Beaver Rivers. The large lakes in this complex, including Lows Lake, Bog Lake, Round Lake and Lake Lila are recognized for their scenic value and recreation opportunities. Smaller ponds and large wetland assemblages offer important aquatic habitat and hydrologic connectivity. These vast forests hold the landscape together in a way that is rare in the highly developed Northeast. It also enhances the region's ecological integrity, and provides economic returns through both timber management and recreational opportunities. Ownership within the complex is primarily Forest Preserve and large private holdings, including land acquired by The Nature Conservancy from International Paper. Natural resource protection within the complex should be accomplished through a combination of "Working Forest Easements", Forest Preserve additions and private stewardship.

**Follensby Park** – A 14,600 acre forested tract is located in the Towns of Tupper Lake and Harrietstown, Franklin County. The area contains the 920 acre Follensby Pond, a historic bald eagle nesting site, and is bordered by the Raquette River, a classified scenic river, for approximately ten miles.

**Whitney Park** – A 36,000 acre property in Hamilton County that has been devoted to forest and wildlife management for over 100 years and contains enormous outdoor recreational potential.

**Boeselager Forestry** – Three parcels. One in the Town of Black Brook which is 2,038 acres and the second in the Towns of Saranac and Dannemora which totals 3,426 acres, both of which border State Forest Preserve lands as well as existing timber easements. These 2 projects are proposed as working forest easements with public recreation rights. The third parcel is 16 miles of Railroad bed equaling 200 acres. The third proposed project calls for the acquisition of a recreational easement for public access. The Railroad connects the Village of Dannemora and the Hamlet of Lyon Mountain.

**Douglas Property** – A 140 acre Forest Preserve addition with 3000' of frontage on Silver Lake in the Clinton County Town of Black Brook. This parcel encompasses the last undeveloped shoreline stretch of Silver Lake and would greatly enhance the recreational opportunities and protection of this water body.

**Big Cedar Swamp** – This large contiguous Class I wetland complex in Warren County features a variety of wetland habitat types. The habitat diversity throughout the 900+ acre area supports more than 149 species of birds, mammals, reptiles and amphibians, at least five of which are designated as "species

of special concern.

**Floodwood (Northern New Jersey Council Boy Scout Camp)** – This project includes two parcels of land, one 120 acres situated on the West side of Rollins Pond and the other 260 acres situated on the west side of West Pine Pond in the Town of Tupper Lake, Franklin County. Both parcels are surrounded by Forest Preserve, and are owned by the North Bergen County Council Inc./Boy Scouts of America, Inc.. The state has first option with the Boy Scouts to acquire the land because of an earlier agreement when the state acquired 4,990 acres in 1990. This additional 380 acres will be added to the Forest Preserve. The Town of Tupper Lake has approved this project.

**Adirondack Mountain Club Lands** – The state and the Adirondack Mountain Club (ADK) are currently engaged in discussions regarding the construction of a new Visitor's Service Facility and approximately 300 car parking lot to be located on the Club's Heart Lake property in order to provide public access to the Van Hoevenberg and Indian Pass hiking trails. It is currently envisioned that this new facility will be effectuated by means of a long term lease instead of a fee or easement. However, the property is being proposed as an addition to this version of the Open Space Plan in the eventuality that state acquisition of an easement from the Adirondack Mountain Club is determined to be necessary for the completion of the aforesaid Visitor's Service Facility and parking lot and that conveyance is approved by the Board of Directors of ADK.

**May's Pond Tract** – A 350 acre triangular shaped in-holding that extends into the Pigeon Lake Wilderness Area. A portion of the parcel is located in the Town of Webb, Herkimer County and a portion is in the Town of Long Lake, Hamilton County. The parcel includes half of Mays Pond – the other half is in the Pigeon Lake Wilderness – and a roadway to a seasonal camp on the shore of the pond. Protection of this property will help maintain the continuity of the Forest Preserve holdings, and ensure continued access to Mays Pond and the Pigeon Lake Wilderness Area. The committee strongly encourages the State to use the roadway to allow motorized access to Mays Pond for persons with disabilities if the State does gain an interest in the property.

**Finch Woodlands** – Approximately 161,000 acres with 144 miles of rivers, 16,000 acres of wetlands, more than 90 mountains and 70 lakes and ponds, now owned by The Nature Conservancy. The lands are spread across numerous parcels in 6 counties and 31 towns in the Adirondacks. The property, once owned by paper manufacturer Finch, Pruyn & Company, includes notable natural features such as OK Slip Falls, Essex Chain of Lakes, Boreas Ponds, and portions of Snowy, Panther and Buell Mountains. These extensive lands are remarkable for their ecological diversity, astounding beauty, productive timberlands and location in the heart of the Adirondack Park. Much of the land adjoins the Forest Preserve and contains intact large expanses of ecologically and economically important forests, the benefits of which range from mitigating the impacts of climate change to enhancing the Adirondack Park's draw as a world-class tourist destination.

The northern portion of the woodlands consists of over 134,000 acres located in the Towns of Newcomb, North Hudson and Minerva in Essex County and Long Lake and Indian Lake in Hamilton County. New York State will purchase approximately 59,000 acres in fee and will purchase conservation easements on approximately 75,000 acres. The Nature Conservancy is withholding approximately 1,110 acres to be used for community enhancement projects, such as affordable housing.

The project also includes the 1,500 acre Casey Brook Tract, currently owned by Elk Lake Lands, Inc., which will be swapped for the 1,600 acre Three Brothers Mountain Tract, currently owned by the Nature Conservancy. The Casey Brook Tract is proposed for fee acquisition by State and inclusion in the forest preserve, and the Three Brothers Mountain Tract, which will include a conservation easement to be purchased by New York State.

The souther portion of the woodlands consists of approximately 27,000 acres in 30 tracts in 22 towns. New York State will purchase approximately 8,000 acres in fee for inclusion in the forest preserve, managed by DEC as state forests, or, possibly, managed by OPRHP. Additionally, the State will purchase conservation easements on 19,000 acres.

In total, New York State will purchase approximately 67,000 acres in fee and a conservation easement on about 93,000 acres.

**Adopted May 13, 2008**  
**Revised February 10, 2009**

#### **LAKE GEORGE WATERSHED**

**Undeveloped Lake George Shore** – Lake George is the “Queen of the American Lakes.” Its eastern shore and sections of its western shore still remain undeveloped and represent significant ecosystems and scenic panoramas.

**Pilot Knob** – Located in the Town of Fort Ann, Washington County, this 400 acre tract will provide public access to the summit of Pilot Knob Mountain from Pilot Knob Road on the southeast side of Lake George. It has an infrastructure of trails with panoramic views of the lake and will add recreational opportunity to the Lake George area.

**Lake George Watershed** – undeveloped upland tracts within the Lake George watershed that need to be protected to ensure the protection of the lakes water quality, view shed, and rare or threatened plants, animals, and natural communities.

**Lake George Waterway Access** – parcels along the Lake George shoreline that provide public access to the lake.

**Prospect Mountain Tract** – This 1,450 acre parcel is located on the southern slopes of Prospect Mountain in the Town of Lake George. It borders the Forest Preserve and Town recreation lands. The development of this parcel, much of which lies within the West Brook drainage, could increase stormwater runoff and sedimentation in Lake George. The Town of Lake George supports this project.

#### **LAKE CHAMPLAIN WATERSHED**

**Lake Champlain Shoreline & Wetlands** – In addition to these projects the Region 5 Committee had previously endorsed 5 priority wetland projects along the Lake Champlain Plain which were to have been acquired through funding from the North American Wetland Conservation Act. Two of these projects (**Poultney River Complex** and **Webb Royce Swamp**) have been completed and a third is in progress (Kings Bay). The two remaining projects include **The Narrows** and **Freedom Marsh**. Additional Lake Champlain wetlands projects which are being contemplated as a “Phase III” were endorsed by the Committee at their October 25, 1996 meeting. These include **Monty Bay**, **Dead Creek**, **Bulwagga Bay**, **Huckleberry Mountain Marsh** (also known as Freedom Marsh) and **South Bay**.

These wetland projects reflect priorities along the Lake Champlain Plain only, and are not intended to represent the wetland protection needs of the rest of Region 5.

**Revised May 13, 2008**

**Lake Champlain Watershed Natural Communities & Important Species** – The Lake Champlain Watershed contains many diverse natural communities and important plant and animal species. Conserve high quality examples of the Watershed’s natural communities and habitat for endangered and threatened species, species of special concern, and ‘species of greatest conservation need’ as identified in the Comprehensive Wildlife Conservation Strategy for New York State.

**Fort Montgomery & Associated Uplands** – Approximately 300 acres of land within the Village of Rouses

Point, at the extreme northeast corner of New York State, bordered by Canada to the north and Lake Champlain to the east. Property contains significant remnants of a stone fort constructed in 1844, and listed on the National Register of Historic Places in 1977. The majority of the parcel is wetland, much of it NYS Regulated Class I freshwater wetland.

**Sherman Property** – 445 acres located in the Town of Westport, includes a Forest Preserve addition of 300 acres and a conservation easement on the remaining 145 acres of farmland and forest. The protection of these lands will advance the development of a hiking trail between Westport and Essex, provide a trail to the summit of Twin Hill, preserve rare plants and an important natural community, conserve an historic farm, and protect the view from Coon Mountain Preserve, owned by the Adirondack Land Trust.

**The Saddles on South Bay** – This 2,465 acre tract lies on the east shore of Lake Champlain's South Bay in the Town and Village of Whitehall in Washington County. The tract contains approximately 3,650 feet of shoreline on Lake Champlain, a 70 acre cliff community with endangered species habitat, and a hemlock– northern hardwood forest in good to excellent conditions with pitch pine – oak heath rocky summits. Eight streams, all tributaries to Lake Champlain, can be found on the property – one includes the Devil's Den waterfalls. The tract borders the Adirondack Park and is currently owned by the Nature Conservancy. DEC will purchase the tract in fee from a willing seller and the lands will be managed as a State Forest. This project is a Hudson–Champlain Quadricentennial Legacy Project.

**Adopted May 13, 2008**

**Tub Mill Pond Forest** – 1,215 acre property in the Town of Moriah, Essex County, is adjacent to forest preserve lands in the Hammond Pond Wild Forest. The property contains a large lake, a number of smaller ponds and wetlands. There are significant shorelines along the lake and islands and a healthy naturally reproducing fish community. Bald eagles are regularly sighted on the property. The property is an excellent addition to the forest preserve, in a scenic but unde–appreciated area of the Adirondack Park.

**Adopted July 29, 2008**

#### **HUDSON RIVER PROJECTS**

**Champlain Canal/Hudson River Corridor** – From Waterford to Whitehall, the Champlain Canal is an underused resource serving Saratoga and Washington Counties. The majority of public ownership along its length is under the jurisdiction of the NYS Canal Corporation. Additional open space acquisitions should focus on recreational water access, habitat protection along the Hudson River, completion of the Canal Recreationway Trail and the protection of the historic viewsheds of the Battlefields, Siege and Surrender of Saratoga in 1777.

**Hudson River Access & Wildlife Habitat** – lands that will improve public access to the Hudson River and its shoreline, as well as, protect wildlife habitat in the river corridor.

**Bossert Property** – a parcel of land in the Town of Indian Lake, Hamilton County, which abuts the Hudson Gorge Primitive Area on the southeast. Acquisition of this parcel, which would be suitable for a parking lot and foot trail, would provide the only access into the southeastern portion of the primitive area.

#### **SARATOGA COUNTY**

**Dwaaskill Natural Area** – This proposed nature preserve features a complex of aquatic, wetland, and upland habitat associated with the middle reaches of the Dwaas Kill stream system and its tributaries. The preserve will protect approximately 500 acres within the rapidly growing town of Clifton Park in Saratoga County. The preserve will afford approximately 5 miles of stream corridor protection, assist in preservation of water quality and protect one of the town's major aquifers. Hemlock–laden ravines,

a large wetlands complex and relatively undisturbed riparian habitat provide a solid diversity of native flora and fauna plus important wildlife habitat and travel corridors.

**Kayderosseras and Fish Creek Corridor/ Saratoga Lake** – One of the major tributaries of the Hudson River is the Kayderosseras, Saratoga Lake and Fish Creek. They flow through five towns, three villages and the City of Saratoga Springs in Saratoga County. This major water corridor through the center of the county is important for recreation, fishing, water shed protection as well as providing significant wetlands and natural habitat. Increased public access to both the creeks and the lake are goals of the surrounding municipalities and the County's Green Infrastructure Plan. Protection efforts can be undertaken by state, county and municipal jurisdictions or by other organization and could take the route of either fee or easement acquisitions. **Modified July 29, 2008**

**Mid County Trail System** – A designated county trail system traverses four towns and a Village in the center of the Saratoga County and has the potential to link some of the major residential populations centers. Protection of the wetlands and natural corridors along the trail and establishment of trail linkages into residential areas will advance recreational use and enjoyment. There are opportunities to link the trail to existing DEC, county, town, and Saratoga P.L.A.N. properties.

**Vischer Ferry Preserve/Mohawk Corridor** – Located in Southern portion of Saratoga County, the Vischer Ferry Preserve is a priority open space area for the Town of Clifton Park as well as designated as an Important Bird Area by Audubon. The preserve, managed by the Town and owned by Canal Corporation, has wetland and forest habitats as well as Mohawk River Shoreline. There is opportunity for additional parcels from private landowners to be added to the Preserve complex. One such additional took place in 2004 and other acquisition is planned for 2005. Continued acquisition of available parcels are part of Town's open space plan and would provide increased river access.

**Saratoga County Agricultural Lands** – Throughout Saratoga County, an active farmland conservation easement program has been created with assistance from the County Farmland Preservation and Open Space Fund. Throughout the county, important farmland protection projects have been initiated under the umbrella of a county wide program. These projects maintain the character of the county and also provide vital grassland habitats. NYS should focus commensurate attention and resources in NYS Region 5 to the protection of agricultural lands for working farms – similar to the protection of forested lands for working forests. Any reasonably viable farmland under consideration should be protected, whenever possible, by the purchase of an easement rather than fee simple acquisition, in order to enhance future use of the land for agriculture.

**Wilton Wildlife Preserve and Park** – The town of Wilton has developed a plan to create a 2,500 acre park in the center of the town which will provide recreational and aesthetic open space to complement future development in the fastest growing county (Saratoga) in New York State. A mixture of acquisitions and easements, involving the participation of local, state and federal programs and dollars is contemplated to accomplish this ambitious project. The Town of Wilton is outside of the Adirondack Park. The area also provides an important habitat for the federally endangered Karner Blue Butterfly.

**Blandings Turtle Recovery Area** – Blandings turtles are a threatened species in New York that have recently been found in areas in central and eastern Saratoga County. These lands are outside of the boundaries of the Wilton Wildlife Preserve and Park project. Some of these areas, particularly those in the Towns of Wilton and Northumberland, are facing significant pressure from subdivisions and retail development. DEC will acquire properties, in fee or under easement, containing Blanding's turtle and the properties will become part of the Saratoga Sandplains Wildlife Management Area.

**Adopted May 13, 2008**

**Karner Blue Butterfly Recovery Units** – Three areas in Region 5 support by far the majority of the remaining populations of the state and federally endangered Karner blue butterfly. These areas have been designated recovery units in a draft state recovery plan and are also sites for recovery goals under the draft federal recovery plan for this species. Acquisition and easements will be needed in conjunction with management agreements and other land protection tools to halt the decline of the Karner blue and to create the long-term self sustaining populations necessary to remove the species from the endangered list. The recovery units in Region 5 include, but are not limited to:

- **Saratoga West Karner Blue Butterfly Recovery Unit** – This area contains the largest single remaining Karner blue butterfly population as well as several smaller populations. The Unit includes habitat and areas suitable for habitat restoration which can be used to link populations.
- **Saratoga Sandplains Karner Blue Butterfly Recovery Unit** – This Unit includes the Wilton Wildlife Preserve and Park (WWPP), which has already been included as an Open Space Project. The WWPP includes only part of the Unit, the rest being in the Town of Northumberland. The Northumberland portion contains a particularly good Karner blue population as well as several smaller ones, which can be linked to those in the WWPP.
- **Queensbury Sandplains Karner Blue Butterfly Recovery Unit** – This area contains the northern most populations of the Karner blue in the state. The Unit includes habitat and areas suitable for habitat restoration which can be used to link populations. Management over the long term is necessary to increase and preserve Karner blue butterfly populations. (This project is located in Warren County.)

**Southeastern Adirondack Foothills** – The Palmertown and Luzerne Ranges lie immediately west of booming “Northway Corridor” towns such as Wilton and Queensbury, and in close proximity to the tourism centers of Saratoga and Lake George. This area is the ecological transition zone between the Adirondacks and the Hudson Valley, resulting in high biodiversity and includes the Moreau Lake Forest Important Bird Area. Existing public lands include Lincoln Mountain State Forest, Moreau Lake State Park, City of Glens Falls watershed, Luzerne State Campground, and Prospect Mountain. (Portions of this project are located in Warren County.)

**Sacandaga Corridor** – Lands in the Town of Hadley adjacent to the Stewart’s Bridge Reservoir and the Sacandaga River below the Stewart’s Bridge Reservoir Dam that are currently owned by the Open Space Conservancy and National Grid. The properties include acreage near the shoreline of the reservoir adjacent to FERC required public recreational access to the water; and along the river adjacent to the Town of Hadley Whitewater Recreation area. State ownership of the properties will enhance the existing recreational opportunities and protect the viewshed from the river corridor. The Open Space Conservancy is currently seeking the sell all of its properties – four parcels totaling 281 acres – to the State. National Grid has offered to sell their properties – totaling 197 acres – in the past.

**Stony Creek Reservoir Natural Area, Town of Clifton Park, Saratoga County, NY** – Stony Creek Reservoir and its watershed lands cover over 1000 acres in the Town of Clifton Park, represent a significant, large block of a natural area in the eastern, more developed part of the Town. The reservoir and surrounding land is owned and protected by the Latham Water District (Town of Colonie) as a back-up public water supply, but no public access is available to any of it. This open space area includes the northern reach of the Stony Creek as it flows into the reservoir, surrounding wetlands, Stony Creek groundwater aquifer recharge lands, fish and wildlife habitat, woodlands and opportunities for passive recreation. A significant fisheries habitat is associated with the Stony Creek reservoir and Stony Kill (stream – class A). The Stony Creek Reservoir is the largest water body in Clifton Park and is identified as a specific plan goal and long-range opportunity for protection of water supply and natural resources in the Town of Clifton Park Open Space Plan.

**Adopted May 13, 2008**

## WASHINGTON COUNTY

**Washington County Agricultural Lands** – For more than 200 years agriculture has played an important role in shaping the settlement patterns, working landscapes and rural heritage of Washington County. Throughout the county important farmland protection projects have been initiated under the Washington County Purchase of Development Rights Program that was established in partnership with Washington County and the Agricultural Stewardship Association, a local land trust that operates an active conservation easement program. These projects support the region's agricultural industry, maintain its agricultural character and provide vital wildlife and grassland habitats. NYS should focus commensurate attention and resources in NYS DEC Region 5 on the protection of agricultural lands for working farms – similar to the protection of forested lands for working forests. Existing farmland under consideration should be protected by the purchase of an easement rather than fee simple acquisition in order to enhance future use of the land for agriculture.

**Batten Kill Corridor** – Preserve the variety of open space resources, such as working farmlands and timberlands, scenic views, wetlands, unique areas and significant fish and wildlife habitats; and work to enhance public recreation, such as hunting, fishing, birding, and canoeing, in this river corridor in the Towns of Salem, Jackson, Greenwich and Easton in Washington County. State fee acquisitions and easements will be only two of the numerous means used to preserve open space, protect natural resources and enhance public recreation. Open space conservation, including preservation of working farmlands within the corridor, may also be accomplished by utilizing the means and methods, such as purchase of development rights, identified in Washington County's Farmland Protection Plan. The Batten Kill is a DEC designated Public Fishing River, and as such, the DEC will continue to seek to obtain public fishing rights.

**Washington County Grasslands** – 4,000 acres of the 13,000 acre Washington County Important Bird Area located in the Towns of Fort Edward, Argyle and Kingsbury in Washington County. The grasslands provides wildlife habitat for endangered, threatened and declining grassland nesting birds; lands for agriculture; open space for public recreation and hunting; and the rural character and scenic vistas of the three towns.

Protection of the grasslands will be achieved through a combination of land acquisition and voluntary grassland stewardship strategies. This approach will utilize: 1) Purchase of parcels by fee title and purchase of conservation and management easements from willing landowners; 2) Voluntary agreements between the State, conservation and agricultural land trusts and land owners to include farm properties throughout the Washington County Grassland Important Bird Area; and 3) Town land use planning and zoning ordinances to encourage open space conservation in the Towns of Fort Edward and Kingsbury. Approximately 2,000 acres of land in the core of the grasslands will be purchased in fee by the State of New York, and will be managed to sustain a grassland ecosystem. Another approximately 2,000 acres surrounding and buffering the core will remain private land protected under conservation and management easements. Grassland stewardship agreements with willing property owners will be sought throughout the Important Bird Area.

**Adopted May 13, 2008**

**Hoosic River Corridor** – Conserve the variety of open space resources, such as working farmland and timberlands, scenic views, wetlands, unique areas and significant fish and wildlife habitats; and work to enhance public recreation, such as hunting fishing, birding and canoeing, in this river corridor in the towns of White Creek and Cambridge in Washington County. State fee acquisitions and easements will be only two of the numerous means used to conserve open space, protect natural resources and enhance public recreation. Open space conservation, including protection of working farmland within the corridor, may also be accomplished by utilizing the means and methods, such as purchase of development rights, identified in Washington County's Agricultural and farmland Protection Plan. The Hoosic River is a DEC designated Public Fishing River, and as such, the DEC will continue to seek to

obtain public fishing rights.

Adopted May 23, 2008

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**EASTERN ADIRONDACKS & LAKE CHAMPLAIN – REGION 5  
OSP ADVISORY MEETINGS**

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**2008**

March 19, April 17, April 30, May 13, May 23

**2007**

March 15, August 24, December 4

**2006**

March 3, April 11, July 26, December 20

**2005**

January 28, February 18, March 18, April 15 and May 20

**2004**

January 12, and June 8

**2003**

January 23, and April 24

**2002**

April 26, and July 26

(See Page 209 of the 2002 Open Space Plan for a complete list of committee meetings)

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**2009 EASTERN ADIRONDACKS & LAKE CHAMPLAIN – REGION 5  
REGIONAL OSP ADVISORY COMMITTEE MEMBERS**

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Rodney Brown (Jackie Walker).....Clinton County  
Ron Jackson (Dale French\*).....Essex County  
David Howard (Gary Gifford\*).....Fulton County  
Brian Towers (John Frey\*) .....Hamilton County  
Julie Stokes (Pieter Litchfield\*).....Saratoga County  
Ralph Bentley (Sterling Goodspeed\*).....Warren County  
Robert S. Banks .....Washington County  
Ralph Charles.....Forest Industry  
Brian Houseal (John Davis\*).....Adirondack Council  
David Gibson (Dan Plumley\*).....Association for the Protection of the Adirondacks  
William McCaughin (Bernard Beebe\*) .....Essex County Farm Bureau  
Graham Cox (Laura McCarthy\*) .....National Audubon Society  
Duane Ricketson .....Independent Appointee  
Frank A. Clark (Ross Whaley\*) .....Adirondack Landowners Association  
Neil Woodworth (Marissa Tedesco\*) .....Adirondack Mountain Club  
Teri Ptacek (Maria Trabka\*).....Agricultural Stewardship Association

**\* Indicates alternate representative**



**WESTERN ADIRONDACKS / EASTERN LAKE ONTARIO /  
UPPER MOHAWK VALLEY – REGION 6  
REGIONAL OPEN SPACE ADVISORY COMMITTEE**

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**COUNTIES**

HERKIMER, JEFFERSON, LEWIS, ONEIDA, ST. LAWRENCE

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**ISSUES**

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**STEWARDSHIP**

The Regional committee feels there has been minimal progress on the issue of stewardship funding. The maintenance/stewardship burden is increasing as more people use state lands and more state land is acquired. In addition, when funding for stewardship has been obtained, the means to hire staff to complete a project or even supervise a contractor has been lacking. Acquisition of lands creates special burdens since in many cases significant work must be completed to allow for public use, including boundary surveys. Easement lands in particular require an extra level of effort since the easement terms must be monitored, which add significant effort to stewardship responsibilities. This situation needs to be resolved. The committee recommends the following:

1. Recognition and encouragement of local groups doing maintenance of state lands and waters,
2. Integral stewardship funding provided along with land acquisition projects,
3. The formation of a task force in Albany to address stewardship issues statewide, and
4. Recognize and encourage stewardship on private land.

**CONSERVATION EASEMENTS**

Traditional hunting and fishing camp leases at times have been eliminated when the state purchases a working forest conservation easement. This can end long periods of occupation by friends and families who enjoy recreating in the north woods. This long standing tradition does not necessarily conflict with the purpose of these easements. Working forest conservation easements should generally provide for permanent retained rights for at least some existing hunting & fishing camps, while also maximizing public recreational use and access that is compatible with the conservation purposes of the easement.

**TAXES & OPEN SPACE**

State Parks and Historic Sites , Wildlife Management Areas, Unique Areas, Multiple Use Areas and Public Fishing Rights are non-taxable under current Real Property Law (with a few exceptions). State Forests outside the blue line are not taxable for county taxes. This inequitably burdens local taxpayers and subsequently undermines local support for Open Space Protection. The State of New York should pay real estate taxes on all current or future lands and easements under the jurisdiction of the Department of Environmental Conservation and the Office of Parks, Recreation and Historic Preservation. The Committee recommends that legislation be introduced to this effect.

Easement acquisition by the state outside of the Adirondack and Catskill Parks and the Tug Hill Region could result in a lessening of real property taxes to the local community. The success of the easement program outside the Adirondack Park and the Tug Hill Region is dependent upon both landowner and local government support, neither of which may occur if the tax base is eroded by easement acquisitions. The committee recommends that the taxation issue now be addressed on a statewide basis and that the Open Space Plan should make a positive recommendation with regard to payment of taxes by the State of New York on conservation easements outside the Adirondack and Catskill

Parks and the Tug Hill Region.

The Forest Tax Law (Sections 480 and 480a of the Real Property Tax Law) is an incentive for the landowner to keep large tracts of land in timber production. However, the resulting increased tax burden falls on the local taxpayers. Reimbursements of lost tax dollars to the municipality would help alleviate this burden. This reimbursement should be made permanent if the transfer in the tax burden within that municipality exceeds 1% of assessed value. Since all the people of New York State benefit from this method of open space preservation, they should all share in the cost.

The existing Forest Tax Law provides tax reductions for landowners willing to commit their forestlands to be managed for timber production for a minimum of ten years. While this provides a secondary benefit of protecting the land as open space there is the potential for protecting more land as open space under a tax incentive program if the purposes were broadened to include incentives for restricting development, providing trail corridors, wildlife protection and management or for other kinds of public purposes. The Committee recommends expansion of the existing Forest Tax Law into a comprehensive Open Space/Forest Tax Law, which would provide broader open space protection through property tax relief. The level of relief would depend on the kind and number of public benefits agreed to by a landowner such as those identified above.

#### **SMALL PROJECTS**

This project category is very important to improve and enhance public utilization of the Open Space resources of this region. The Regional Committee has made numerous recommendations for small projects. Current levels of funding are inadequate and have been for years. The Committee believes funding should be increased. Creation of a line item in the State budget with regional allocations or dividing up the available funds among the regions could help solve this.

The Committee feels the acreage limitation and the limitation on value of \$250,000 are no longer appropriate. The \$250,000 limitation on parcel value is too low considering the significant increase in property values statewide since this limitation was originally set. In addition, the acreage limitation seems unnecessary, as a limitation on value effectively limits the amount of acreage that can be purchased. This dollar limit more simply identifies what might be a parcel significant enough to require extra public scrutiny and approval. It allows actual acreage size of a "small project" to vary in relation to the relative values/acre, so that the typical parcel size that can be acquired in the New York City area as a "small project" will be appropriately small in that area of high cost land, and significantly larger in parts of Region 6 where per acre costs are much lower. All acquisitions should be from willing sellers and with local government approval.

#### **LANDOWNER NOTIFICATION**

The Committee recognizes that a need exists to identify a reasonable and feasible mechanism to notify affected landowners when a project is added to the Open Space Plan. The Committee further recognizes that this is a sensitive issue for both the landowner and the agencies developing the Plan. The Committee recommends that a map, showing the approximate shape or extent of lands to be preserved, be produced when a project is added to the Region's priority list.

#### **SURPLUS STATE LANDS**

There continues to be instances where state lands are put up for sale, or otherwise made available to other entities, without a systematic review of their value for open space being done by DEC or OPRHP. The Regional Open Space Committees need to be notified before surplus state lands are put on the market or given away. It is vital that the open space values of these lands be evaluated before they are sold or transferred. This would include all lands controlled by state Departments, Agencies and

Authorities, with no exemptions and full enforcement.

#### **ALL TERRAIN VEHICLES/PERSONAL WATER CRAFT**

Increased use of ATV's and PWC's and the resulting water, land and noise pollution is of concern to the Open Space Committee. Any studies outlining the environmental and economic impacts of these recreational vehicles should be brought before the public.

#### **IMPORTANT BIRD AREAS CONSIDERATION**

The Regional Open Space Committee recognizes the importance of the IBA's and encourage that the review of projects for open space protection include the occurrence of habitats critical for the survival of bird species at risk. These habitats coincide with several current priority projects; Great Lakes Shorelines and Niagara River; St Lawrence River Islands, Shoreline, and Wetlands; Tug Hill Core Forests; and the statewide "State Forest and Wildlife Management Area Protection" project. In Region 6 special attention needs to be given to the associated grasslands adjacent to WMA's in the Lake Ontario Plains and St Lawrence River Valley areas to further the protection of the grassland bird species at risk. Open Space protection strategies can include conservation easements and other programs which encourage continued late season hay cutting and grassland maintenance.

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### **POLICY RECOMMENDATIONS**

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#### **STEWARDSHIP FUNDING**

The ability of the state to provide sufficient stewardship of existing and new lands continues to decline. The Committee's recommendations to deal with this situation are as follows:

- Additional funding sources as well as additional staff must be provided in order to properly care for our heritage of conserved lands; a statewide high level task force should be convened to develop solutions to providing sufficient resources to care for our lands, and
- Volunteers and volunteer organizations should be an important component of strategies developed to improve our stewardship of state lands. This is not intended to absolve the state of stewardship responsibilities.

#### **STATEWIDE SMALL PROJECTS**

This category of acquisition should be funded through a line item in the budget at an annual level which will provide a viable program in each region. The use of habitat stamp funds should also be considered for small projects.

The current limitation requiring small projects to be 200 acres or less in size should be dropped, with the value limitation left as the only criteria for small project qualification. In addition, due to the increase in land values since the small project category was created the dollar value limitation should be increased to \$750,000.

#### **OPEN SPACE PLAN REVISION SCHEDULE**

The main body of the plan should be revised every five years instead of the current 3 years time frame. However, the Regional Committee should evaluate project status and policy and program issues on an annual basis, and revise if necessary.

#### **ALL PROJECTS RATING SYSTEM**

All projects are rated in one or more of 6 resource categories. Projects that can achieve a high rating (greater than 50 points) in more than one category should be provided extra points in their rating. The rating forms currently in use need to be updated to highlight this modification. The important factor is that a project needs to be rated above 50 points in at least one category before it can be considered.

Once a project can be considered, it is pursued for acquisition on its own merits and not compared to other projects which may have scored a few more points.

#### **RIVERS TASK FORCE CREATION**

The Region 6 Committee recommends the creation of a statewide task force to study the State's water resources and advise the Regional Committees on strategies for enhancing the protection of those waters and their tributaries. The task force should develop an inventory of significant water resources in each region; identify specific threats to those resources; analyze the costs and benefits of protecting those resources; and recommend a range of strategies and options for achieving protective measures in a cost effective manner. The Committee will not make findings or recommendations on policy issues relating to recreational use of water resources (that is already done through the Statewide Comprehensive Outdoor Recreation Planning Process by OPRHP). The major focus will be exclusively on assisting the regional committees to help integrate sound watershed protection strategies in the open space planning process. Membership of the task force should have a broad representation to include scientists, conservationists, businessmen, landowners, citizens and local government officials.

#### **ENERGY GENERATION & TRANSMISSION**

The geographic area of Region 6 has a long history of providing for the generation and transmission of energy for all New Yorkers. Water power and hydroelectric generation shaped most of the region's economy and communities. The region is home to many hydro generation facilities, including the state's second largest hydroelectric generation facility at the Robert Moses St. Lawrence power project, the largest wind farm east of the Mississippi River and more than 20 additional proposed wind facilities, has one of the State's three biomass-fired electrical generation facilities, as well as several large transmission corridors of international, statewide and regional significance. Clearly, the region is a major source of carbon free and alternative electrical generation capacity. This energy production and distribution capacity and the potential for future projects are important to New York State and the Northeast as a whole, and the future planning for and siting of electrical generation and transmission facilities has the potential to dramatically affect open space within the region.

In light of the current and future importance and impact to the region of energy generating facilities, the Region 6 Open Space Committee supports the establishment of a statewide planning and siting process that takes into consideration the sustainable development of energy generation and transmission facilities and the impacts that such facilities have on the potential degradation, as well as enhancement of, open spaces within the region. Such a planning and siting process should include broad representation of interests representing statewide and local priorities and needs.

#### **SUMMARY**

Open space protection is important to each committee member. Some members strongly support wilderness preservation while others prefer to see the acquisition of small parcels which enhance the public use and enjoyment of New York State lands. Every member of this Committee agrees that the payment of real estate taxes by the State of New York on all public lands and easements administered by DEC and OPRHP is key to a successful open space program. Equally important, funding at appropriate levels for stewardship of State Lands is essential for the protection and use of these lands.

Open Space protection can be accomplished in many different ways; by ownership by towns, villages, counties, the State, land trusts, private individuals or conservation groups. Conservation easements can prevent unwanted development while keeping valuable lands in timber production or for recreational use. The Committee is anxious to meet on a regular basis to learn about the progress that has been made and new opportunities. By reviewing and revising the project priority list on a regular basis, members can keep their constituents informed and OPRHP and DEC can be made aware of local

concerns regarding open space projects. This process is felt to be very worthwhile for the communities as they plan for the future.

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**2009 PRIORITY CONSERVATION PROJECTS  
WESTERN ADIRONDACKS / EASTERN LAKE ONTARIO /  
UPPER MOHAWK VALLEY – REGION 6**

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**NEW PROJECT PROPOSAL**

**Portaferry Lake** – This Tract has a total of approximately 465 acres of land in the Towns of Pitcairn and Fine, St. Lawrence County, including 215 acres within the Adirondack Park Blue Line. This site has been enjoyed by the public through a cooperative agreement between the Boy Scouts of America and NYSDEC for many years. The goal is to preserve its open space character and insure continued public recreational use by acquiring a car top boat launch, parking areas, designated camping areas and public fishing rights on the property. Public fishing and boating on the 100 acre Portaferry Lake is of primary interest. The acquisition of a conservation easement and/or fee would also limit future development and subdivision of the property and would provide for sustainable forestry practices.

**Herkimer Home Viewshed** – The project is designed to protect the vistas to the north of the historic General Nicholas Herkimer Home and buffer properties. Herkimer Home Historic Site currently contains the house where General Herkimer lived until his death, after being wounded in the important Battle of Oriskany in 1777, and 165 acres around the parcel.

**North Pond Tract** – This block of 1,474 acres of private land is bordered by the Independence River Wild Forest to the West and South, and the Ha-De-Ron-Dah Wilderness to the Southeast. It includes the 12 acre North Pond, large areas of wetlands, and North Pond Inlet which feeds directly into Big Otter Lake. The project area has been historically used as a private hunting club with little development and with responsible forest management under the Forest Tax Law (480a). This property may be subject to development or subdivision pressures should it become available on the open market. Protection would ensure maintaining the integrity of the adjoining Wild Forest and Wilderness areas, in addition to further safeguarding the tributaries feeding into Big Otter Lake.

**EXISTING PROJECTS**

**Mays Pond Tract (Sweet) (Joint Region 5 & 6 Priority Project)** – This project provides for protection of the Mays Pond property either for addition to the Forest Preserve to enhance the Pigeon Lake Wilderness Area (which almost surrounds the property), or to maintain its current condition by limiting development and timber removal. This 350 acre triangular shaped in-holding, which is now owned by The Nature Conservancy, extends into the Pigeon Lake Wilderness Area and includes 1/3 of Mays Pond, an undeveloped pond stocked by NYS DEC with brook trout. The balance of Mays Pond is in public ownership. Acquisition of the property in fee or easement will help consolidate the protection of Mays Pond, and insure important public access by use of the existing trail system across the property into the Pigeon Lake Wilderness Area.

**Fort Drum Conservation Partnership Project** – Fort Drum encompasses more than 100,000 acres of land, 80% of which is undeveloped, including a mix of forests, grassland and abandoned farmland reverting to forest which is frequented by wildlife from bald eagles to bear. At the same time, these lands are being used extensively for military training for primarily the 10<sup>th</sup> Mountain Division light infantry units. Lands adjacent to Fort Drum are comprised of a similar mix of habitats and cover types and, in addition, active farmland. Together, these lands comprise a very large sparsely developed rural area where residences are few and the public road network sparse. Fort Drum lands are managed for military use but with a very strong natural resource conservation ethic. In addition, much of the lands

are open to public recreation in cooperation with DEC.

The conservation/open space value of Fort Drum is, of course, only part of the value of the Fort to the North Country. The economic and cultural values of the Fort and its soldiers, military families and employees greatly benefit the entire region. Recent increases in the number of soldiers highlights the need for more areas for training. In addition, existing training areas need to be protected from activities on the adjacent private lands, such as housing development, that could end up limiting the kind of training that can be done on lands adjacent to the development. Addressing these training and conservation needs provides a unique opportunity to enhance the Fort while also enhancing the conservation values the Fort and adjacent lands provide. Establishing a conservation partnership between Fort Drum, local governments, New York State and private conservation organizations is one way to address these challenges.

There are three ways a conservation partnership could provide significant benefits to dual goals of maintaining/enhancing training capabilities and open space/conservation values. First, purchase of lands in fee or easement for conservation purposes, adjacent to the Fort, would provide a buffer to development. This development, if not controlled, would in time encroach upon or otherwise interfere with military training along the base periphery. Training on these lands would only be allowed if it is compatible with conservation/open space values. Also, land could be acquired in fee or easement as mitigation opportunities for wetlands and other environmental values impacted by development of facilities on the Fort so serve a dual purpose of mitigation and buffer. Second, communities could establish land use controls which only allow development compatible with the Fort's training activities. Finally, purchase of land not adjacent to the Fort in fee, or as working forest easement, in holdings generally larger than 4,000 acres could include a reserved right for light infantry or similar military training where compatible with conservation values.

As previously recommended in the report, all local government real property taxes should be paid for fee and easement lands acquired by NYS.

**Black Creek Watershed** – This project will focus on enhancing or consolidating existing public lands under the jurisdiction of the New York State Thruway Authority on Black Creek. These lands are important for watershed protection and for public recreation such as canoeing and fishing. The project runs from County Rte 112 down to Hinckley Reservoir in the Towns of Russia and Ohio in Herkimer County where the State owns lands along the Black Creek. Any DEC or OPRHP land acquisition would be done in concert with or with the approval of the Town.

**Black River Valley and Corridor (formerly Black River Corridor)** – Preserve the open space character, public recreational use and ecological connectivity values of the land within the Black River valley and along the Black River corridor. The Black River Valley is a unique river valley within New York State which supports a broad range of working and ecologically significant landscapes and separates the unique forested landscapes of Tug Hill and the Adirondacks. Protection of key parcels of forest and farm lands to facilitate movement of wildlife and plant species between the Adirondacks and Tug Hill is important for a variety of reasons including genetic exchange within a species, biodiversity and providing corridors as avenues for species movement in the event of long term climatic change. Studies underway will help to better identify the important areas in this valley needed to maintain, protect and enhance existing connectivity.

The Black River flows from its headwaters in the forested southwestern Adirondacks, through the rural agricultural lands between Tug Hill and the Adirondacks, through the urban settings of Watertown and into Lake Ontario. It provides a riverine corridor used for fishing, canoeing, white water rafting,

kayaking and scenic viewing along its 114 mile length, as well as energy generation and water supply. It links, economically, socially and environmentally, the communities that line its banks. The Black River is a designated New York State Blueway Trail with the support of 37 communities along the corridor. These communities and State agency partners, have developed integrated objectives for the future use and development of the corridor including open space projects to protect small forested tracts with high public values, riparian buffers and adjacent productive agricultural lands, and public access and multi-use trails to enhance tourism and public enjoyment of the river.

A beginning has been made through the acquisition of an 1850 acre conservation easement on the Black River in the Towns of Boonville and Forestport which provides public recreational access, and helps enhance wildlife movement while continuing the lands productivity in a working landscape.

**Northern Flow River Corridors (Joint Region 5 & 6 Priority Project)** – Preserve the open space character and enhance public use of important northern flow river corridors and adjacent lands. The following corridors have been chosen at this time: Deer, St. Regis, Grass, Oswegatchie, Raquette and Little Rivers within the Adirondack Park, all of which contain significant stretches of high quality recreational water particularly suited for canoeing and angling. Progress has been made in Region 6 with the recent addition of 51,000 acres of conservation easement lands on the Middle and North Branches of the Grass River and 33,000 acres of conservation easement lands on the Raquette River.

**Bog River/Beaver River Headwater Complex (Joint Region 5 & 6 Priority Project)** – Preserve the open space character of the remaining private lands bordering Bog River Flow in St. Lawrence County through the acquisition of fee and/or easement parcels.

**Recreational Trail Linkages & Networks (Joint Region 5 & 6 Priority Project)** – Long distance trail linkages and networks, (including water routes) for a variety of motorized and non-motorized recreational uses (such as hiking, skiing, biking, snowmobiling, canoeing and other appropriated uses) are important as a way for local communities to benefit from neighboring State lands. The State has an obligation to adequately maintain and police such trails and to protect adjacent private landowners from illegal trespass, poaching and other nuisances resulting from the inappropriate use of such trails. Trails of interest include North Country National Scenic Trail, the Northern Forest Canoe Trail and the Mohawk Valley Heritage Trail. The intent of this project is not to achieve broader acquisition.

**Massawepie Mire** – Preserve this unique ecological community consisting of the Adirondacks' largest fen, adjacent eskers, lands and ponds. The mire and adjoining properties may be subject to development pressures should they become available on the real estate market. Subdivision and development of the parcels currently in private ownership would compromise the ecological integrity of the area. Currently the remaining private landowners are not interested in selling, and are providing an excellent level of stewardship.

**Rome Sand Plains** – Acreage owned by the DEC and The Nature Conservancy should be added in order to protect the unique ecological, historical, geological and scenic characteristics of the area and provide for public use opportunities. To date, 1372 acres have been acquired in fee by NYS. A successful lupine restoration program and new trail development supported by volunteers are recent accomplishments in this area.

**Working Forest Lands** – Acquire, own and manage working forest easements on large tracts of available timber production lands to minimize development, provide recreational opportunities where appropriate, and maintain timber producing lands in private ownership.

**Maumee Swamp** – A unique, undisturbed area consisting of Weaver Lake and the extensive wetland area surrounding it. Protection will preserve and insure future public enjoyment of this unique area. The area, consisting of 1,000 acres, is located in the Town of Warren, Herkimer County.

**State Park Battlefields** – Acquire parcels adjacent to State Park Lands at the Oriskany Battlefield in Oneida County and Sackets Harbor Battlefield in Jefferson County to protect from subdivision and development. At Oriskany there are two (2) parcels with an acreage of 175 acres, and at Sackets one (1) parcel of 75 acres.

**Inman Gulf** – The gulf is a unique geological and biological site on the Tug Hill Plateau in Lewis and Jefferson Counties from Barnes Corners to Rodman. Acquisition in fee and/or easement of private parcels bordering the gulf is needed to protect the integrity of the area.

**Moose River Corridor** – Preserve the open space character and enhance public use of the Moose River Corridor in Herkimer, Oneida and Lewis Counties from Rondaxe Lake and the Fulton Chain downstream to the Black River. Acquisition may consist of a combination of fee and easement holdings.

**St. Lawrence River Islands, Shorelines and Wetlands** – On the St. Lawrence River, including the Thousands Islands portion of the river, conservation priority should go to lands adjacent to existing State Parks; undeveloped islands and shoals, large tracts of forest, grassland, and wetland habitat adjacent to tributaries to the St. Lawrence River; lands with high recreational potential, and scenic, undeveloped shoreline.

A relatively small portion of lands on and near the St. Lawrence River today are in public ownership. Different land protection strategies may be required including but not limited to fee ownership and conservation easements accomplished by one or more parties.

Additional conservation along the St. Lawrence River requires close cooperation with local governments and provides opportunities to work with a number of partners, to include Native American groups, lands trusts, New York State, private landowners and others.

The Canadian side of the St. Lawrence River Thousand Islands has been recognized for its international ecological importance by being designated a biosphere reserve. All open space conservation efforts in this area will enhance the ecological connectivity across the Frontenac Arch, an area extending from the Adirondacks to Algonquin Provincial Park in Ontario.

**Great Lakes Shorelines and Niagara River (Joint Region 6, 7, 8 & 9 Priority Project)** – A major Central and Northern New York resource consisting of islands, sand dunes, bluffs, wetlands, major tributaries, opportunities for shoreline and island access and other significant natural, historic and cultural features. This area contains the largest freshwater dune system in the northeastern United States. Galloo Island, the largest undeveloped island in Lake Ontario measuring approximately 3 ½ miles by 1 ½ mile or 1,934 acres is just one of the undeveloped islands worthy of attention. An example of current development pressures on these shorelines is the proposed wind farm development on Galloo Island which will encompass the entire island.

**Tug Hill Core Forests and Headwater Streams (Joint Region 6 & 7 Priority Project)** – The Tug Hill Plateau is a large, undeveloped forested area that serves as headwaters for several major water courses. These headwaters make a significant contribution to high quality drinking water supplies and the Tug Hill Aquifer as well as wildlife habitat. Major river systems that originate on the Plateau are

the Mohawk River, Lansingkill, Deer River, Salmon River, East Branch of Fish Creek, Sandy Creek and the Mad River to the north of the Salmon River Reservoir. The integrity of these core forests and headwaters should be protected through a combination of easement and fee acquisition of key parcels. Of particular importance is the maintenance of large private tracts managed for forest products to prevent subdivision and development. These forest tracts support a major regional forest products industry, provide important habitat for wide ranging and migratory species, and offer a wide range of recreational opportunities.

**SEE PROJECT SUMMARY CHART AT THE END OF REPORT**

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**2009 WESTERN ADIRONDACKS / EASTERN LAKE ONTARIO / UPPER MOHAWK VALLEY – REGION 6  
OSP ADVISORY MEETINGS**

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March 21, 2006 – Lowville DEC Office  
November 15, 2006 – Wanakena, SUNY Ranger School  
August 15, 2007 – Old Forge, Town of Webb Town Hall  
April 3, 2008 – Lowville DEC Office  
May 15, 2008 – Lowville DEC Office

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**2009 WESTERN ADIRONDACKS / EASTERN LAKE ONTARIO / UPPER MOHAWK VALLEY – REGION 6  
OSP REGIONAL ADVISORY COMMITTEE MEMBERS**

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**COUNTY REPRESENTATIVES**

J. Claude LeCours. . . . .Herkimer Co.  
Bruce Weakley. . . . .Herkimer Co.  
Bruce Armstrong. . . . . Jefferson Co.  
Charles Nevin . . . . . Jefferson Co.  
L. Kelley Dickinson . . . . . Lewis Co.  
Randy Kerr. . . . .Lewis Co.  
Peggy Rotton. . . . . Oneida Co.  
Robert Seager . . . . . Oneida Co.  
Alex MacKinnon. . . . . St. Lawrence Co.  
Lloyd Moore. . . . . St. Lawrence Co.

**COMMISSIONERS' APPOINTEES**

John Bartow, Jr. . . . . Tug Hill Commission  
Robert Boice. . . . .Commission on Adirondacks in  
21st Century, Conservation Fund Advisory Board  
Bruce Carpenter. . . . . New York Rivers United  
Ted Comstock. .Adirondack Landowners Association  
Brian Dam. . . . . Sportsman – Oneida EMC  
Todd Dunham . Adirondack Conservancy/Land Trust  
Peter O'Shea. . . .Resident's Committee to Protect the  
Adirondacks  
Clarence Petty. . . . .Association for the Protection of the  
Adirondacks  
Robert Sauer . . . . .Forest Products Industry  
Daniel Tickner . . . . . Outdoor Recreation Outfitter  
Aaron Vogel – Thousand Islands Land Trust

**DEC REGIONAL CONTACTS – WATERTOWN**

Judy Drabicki, Regional Director  
David Smith, Regional Forester  
Stephen Litwhiler, Citizen Participation  
Specialist  
William Gordon, Regional Wildlife Manager  
Albert Schiavone, Natural Resources  
Supervisor  
Michael Contino, Real Property Supervisor

**DEC – POTSDAM**

Patrick Whalen, Forester II

**DEC – LOWVILLE**

Fred Munk, Forester II

**APA REGIONAL CONTACT – RAYBROOK**

Richard Weber, Conservation Director

**OPRHP REGIONAL CONTACTS –  
ALEXANDRIA BAY**

Kevin Kieff, Regional Director  
Mark Spaulding, Assistant Regional Director

**REGION 6 PRIORITY CONSERVATION PROJECT SUMMARY**

<b>Project</b>	<b>County(s)</b>	<b>Resource Area</b>	<b>Existing Protection</b>	<b>Threat/Resource Need</b>
Massawepie Mire	St. Lawrence	Adirondack Park	Currently held in large tracts for timber production and recreation.	Subdivision & development of surrounding lands. State to acquire, own and manage a combination of fee & easement 10,000 ± acres of land to prevent future development and provide for long-term public use & enjoyment.
Maumee Swamp	Herkimer	Exceptional Biological & Natural Site	Historically held in private ownership by several landowners.	Pollution and development of upland. State to acquire, own and manage approximately 1,000 acres of upland & wetland in fee to enhance public use & protect this exceptional biological site.
State Park Battlefields (Sackets Harbor & Oriskany)	Jefferson Oneida		Core park area is state-owned. Adjoining areas are unprotected.	Intensive development on adjoining parcels. State to acquire & manage adjoining parcels. Sackets Harbor – 70 acres, Oriskany – 145 acres.
St. Lawrence Islands, Shorelines & Wetlands	Jefferson St. Lawrence	St. Lawrence Recreationway & Access	State of New York and Thousand Islands Land Trust own minimal land and easements.	Future development. T. I. Land Trust & State of New York will independently acquire fee and easement on critical open space parcels within the St. Lawrence River corridor.
Rome Sand Plains	Oneida	Exceptional Biological & Natural Site	Portion of the area owned by the Nature Conservancy & State. Balance of area currently held in private ownership.	Development and sand mining. State and The Nature Conservancy will jointly acquire in fee separate parcels totaling approximately 3,000 acres extending from Huckleberry Swamp south to Wood Creek and west to East Branch Fish Creek, to adequately protect and provide for public use of this exceptional site. The project area includes the Wood Creek, Brandy Brook and lower Fish Creek Corridors.
Great Lakes Shoreline and Niagara River	Jefferson	Great Lakes Shoreline	Private ownership	Undeveloped islands, shorelines, lands adjacent to State Parks and wetlands properties are a scarce resource and represent natural habitats, scenic beauty and potential recreational areas.
<u>Northern Flow River Corridors</u> : Grass, Oswegatchie, St. Regis, Deer, Raquette Rivers and Little Rivers (located in Town of Fine, St. Lawrence Co.)	St. Lawrence	Adirondack Park	Currently held in large tract for timber production. Wild, Scenic and Recreational Rivers Act.	Development of the shoreline in the corridors. State of New York to acquire, own and manage a mixture of fee and easements in river corridors from headwaters downstream to Adirondack Park boundary.
Working Forest Lands	Herkimer Lewis Oneida St. Lawrence	Adirondack Park and Tug Hill	Currently held in large tracts for timber production and recreation.	Subdivision and development of timber lands. State to acquire, own and manage working forest easements on large tracts of available timber land to minimize development, provide for public recreational opportunity where appropriate and maintain timber producing lands in private ownership.

Project	County(s)	Resource Area	Existing Protection	Threat/Resource Need
Bog River/Beaver River Headwater Complex	St. Lawrence	Adirondack Park	Large tracts in private ownership, managed for timber production.	Subdivision and shoreline development. Acquire remaining private lands bordering Bog River Flow in fee and/or easement.
Inman Gulf	Jefferson Lewis	Tug Hill Plateau	Mixed parcels of State Reforestation, County reforestation and private lands.	Subdivision and development. Acquire in fee and/or easement 2000± acres along Inman Gulf from Barnes Corners downstream to Rodman.
Moose River Corridor	Herkimer Oneida Lewis	Adirondack Park	Large tracts in private ownership, managed for timber production.	Subdivision and shoreline development. Acquire in fee/and easement lands along Moose River from Rondaxe Lake and Fulton Chain downstream to confluence with Black River.
Tug Hill Core Forests & Headwater Streams	Herkimer Jefferson Lewis Oneida	Tug Hill Plateau	Mixed parcels of State Reforestation, and private lands. Large tracts in private timber production.	Subdivision and development. Acquire key parcels in easement and/or fee to maintain timber producing lands in private ownership.
Recreational Trail Linkages & Networks	Herkimer, Oneida	Trailways & Greenways and Waterways		Long distance trail linkages and networks are important as a way for local communities to benefit from neighboring state lands.
Fort Drum Conservation Partnership	Jefferson	Wildlife habitat and biodiversity	Existing State reforestation and private ownership.	Protect the current open character of the area.
Black Creek Watershed	Herkimer	Recreation-way and watershed	Existing State lands on Hinckley Reservoir.	Over development of shoreline/protection of habitat.
Black River Valley & Corridor	Jefferson Lewis Oneida	Black River Recreational access and wildlife habitat	State fishing access sites and boat launches, Blueway designation	Over development of shoreline/protection of habitat, fragmentation of ecological connectivity corridors between Adks. and Tug Hill
Mays Pond	Herkimer	Adirondack Park	Long-term, private stewardship has kept the property mostly undeveloped with the exception of a seasonal camp. The remote location of the property and limited access has helped to prevent development of the property.	The property adjoins a large protected wilderness area (Pigeon Lake). Even limited subdivision and development in this sensitive area would have a significant impact on the public lands and wilderness area. An existing public trail through the property could be cut off by new landowners.
Portaferry Lake	St Lawrence	Adirondack Park and Recreational Access	The Boy Scouts have a done a good job of stewardship for many years, but need to sell the property.	Preserve the Open Space Character and insure continued public recreational use by acquiring a car top boat launch, parking areas, designated camping areas and public fishing rights on the property.

**CENTRAL NEW YORK – REGION 7  
REGIONAL OPEN SPACE ADVISORY COMMITTEE**

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**COUNTIES**

BROOME, CAYUGA, CHENANGO, CORTLAND, MADISON,  
OSWEGO, ONONDAGA, TIOGA, TOMPKINS

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**POLICY RECOMMENDATIONS**

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**FAST & CERTAIN LAND ACQUISITION**

Currently, the mechanisms in place for state agencies, local municipalities and non-profits to access funds to acquire land identified as priorities in the Open Space Plan are lengthy, cumbersome, and highly competitive, not allowing for any degree of certainty that the funds will be forthcoming. Opportunities for these types of acquisition are quickly dwindling and typically must be acted on with great speed, optimally in a climate of certainty of funding. The Advisory Committee recommends that the state develop solutions to these problems to allow all of the land protection partners opportunities to access fast, accountable, and certain funds for land acquisitions identified as priorities in the Open Space Plan.

**SHORELINE PROTECTION & WATER TRAILS**

The demand for recreational access to Finger Lakes and Lake Ontario shoreline, as well as the need to protect the remaining natural shoreline, continues to increase while opportunities to acquire shoreline become more expensive and harder to find. Additionally, shoreline parcels that are typically isolated from adjoining state-owned land, don't fit neatly into the type of land acquisition work currently being done by OPRHP or DEC, and stewardship of those lands can be more difficult given the high values and normally close proximity of neighbors to the parcels. Access is needed to accommodate a diverse community of shoreline users, including kayakers, boaters, swimmers, bird watchers, hunters, anglers, and those simply seeking solitude by the water. While the character of these shoreline sites might vary along with permitted recreational uses, each would provide opportunities for kayakers and canoeists, at a minimum, to access the shore. It is presumed that these sites would also allow for low-intensity uses such as waterfowling, fishing and bird watching.

In order to effectively conserve remaining shoreline parcels that are of special significance, the Advisory Committee recommends that DEC and OPRHP work together to: 1) clarify, and possibly redefine, their respective priorities within this resource area, 2) creatively identify models and mechanisms that could facilitate land protection along the Finger Lakes and Lake Ontario shoreline, including leveraging resources by partnering with a local municipality or a non-profit land protection partner to acquire and manage threatened shoreline parcels, 3) in conjunction with tourism agencies define and create a network of "water trails" consisting of strategically spaced publicly accessible shoreline open space parcels, and perhaps shoreline businesses, to allow public access to the waterfront and its amenities, and 4) communicate these priorities and strategies to their land protection partners.

**REFORM OPRHP PARKS GRANTS PROGRAM**

The Advisory Committee recommends that the state implement improvements to OPRHP's Grants Program that were identified in 2007 at a Grants Reform Conference. While the Committee still strongly encourages the state to pursue developing Fast and Certain Land Acquisition options, as stated above, it is clear that improvements, such as Timing, Communication, Funding and Open Projects can enhance OPRHP's existing competitive grants program. The Committee considers that it is crucial to ease matching requirements as soon as possible.

**SUPPORT APPLICATION OF THE COMMUNITY PRESERVATION ACT  
TO MUNICIPAL OPEN SPACE ACQUISITION & PROTECTION IN REGION 7**

We support creation of open space preservation options, including the Community Preservation Act which funds acquisition through use of a Real Estate Transfer Tax, local bond initiatives, and public-private partnerships, for use in the increasingly critical acquisition, protection and preservation of local municipal open space opportunities.

**DEVELOPMENT & STEWARDSHIP**

It is critical that the legislature recognize that conservation of Open Space includes the crucially important responsibility for care and protection of the resource once it is acquired. Stewardship of lands and easements is frequently time consuming and expensive and must be funded at levels necessary to fulfill these obligations. There is an on-going and increasing need for maintenance of natural area acquisitions and development of the infrastructure for new parks. While currently stewardship dollars are vastly insufficient for the maintenance and capital improvements needed on existing lands, acquisition of additional critical areas must continue to ensure protection of adequate open space for future generations. In recent years the State has acquired more than 1 million additional acres of land for Open Space. Greatly increased allocations for maintenance and capital improvements on state open space lands must be made available to support the increased acquisitions.

In addition, state agencies should develop management plans that address stewardship concerns and make the most efficient utilization of such alternatives as agency based volunteer groups, intergovernmental agreements, and/or nonprofit organizations

Currently, there are few examples of successful partnerships between the state and a local municipality where the municipality manages and stewards land on behalf of New York State. The Advisory Committee would like to see more of these types of partnerships, as they address the stewardship burden, noted above, which is currently a drain on state resources and staff, while allowing for increased governmental efficiency. One way such partnerships could be encouraged is to create a website that contains sample Memorandum of Understanding that have been used successfully in New York State, so that each time a partnership is formed there is no need to recreate the wheel.

**STAFF RESOURCES**

To accomplish the goals of Development and Stewardship and achieve timely acquisitions to provide appropriate protection of vulnerable open space priority projects, funding should be substantially increased to support additional staff for these time-consuming and labor intensive responsibilities.

**COORDINATE STATE EFFORTS ON OPEN SPACE & FARMLAND PROTECTION**

Thousands of acres of productive farmland in the Finger Lakes Region are now under protection through New York State's highly successful Farmland Protection Implementation Program. The Advisory Committee recommends that staff from DEC, OPRHP and Ag & Markets meet annually to review open space and farmland protection programs, and identify opportunities to enhance one another's work. One example of an opportunity to enhance a program is to incorporate model Resource Protection Area language into the standard conservation easement template for the Farmland Protection Program, to encourage farmers and their sponsoring agencies to consider opportunities to protect riparian buffers or other key natural resources while still supporting farm viability.

**REAL ESTATE TAX PAYMENTS ON STATE LANDS**

The Advisory Committee continues to encourage adoption of legislation that would provide for a consistent state-wide practice for payment of taxes to local taxing entities for state land and/or

easements within their jurisdiction. The current system of taxing of state land, with its wide variety of payment levels and exceptions, is confusing, inconsistent and unfair. It often is an impediment to the acquisition and preservation of an otherwise important natural area.

#### **TAX INCENTIVES FOR PRIVATE LANDOWNERS TO DONATE LAND & CONSERVATION EASEMENTS**

Private lands are under increasing development pressure that threatens to fragment open space and undermine the State Open Space Plan. The Committee recommends continuation of the recently enacted legislation that encourages private landowners to donate land and easements for conservation of open space. These incentives address the single greatest barrier to easement donations by providing relief from property tax burdens on the donated lands. Where appropriate and possible, public access should be incorporated into any conservation easement. The Region 7 Open Space Committee believes that the heavy New York State Property Tax burden is detrimental to the preservation of Open Space. The Committee therefore requests that NYS address other new, meaningful ways to mitigate the property tax burden.

#### **PROTECTION OF EXISTING CANAL LANDS & WATERS**

The State has many miles of shorelines and large acreages of lands associated with the Erie and Barge Canal network, which is a major focus of scenic, historic, ecological, and recreational interests. The Committee views these lands and waters as an extremely high priority resource to protect for the benefits of present and future generations. Accordingly, the Committee recommends that the NYS Canal Corporation cease surplus canal lands and waters, and instead steward them for the benefits and uses of New York State residents and visitors now and in the future.

#### **SURPLUS LAND**

There is a need to establish a process for systematic review of surplus state lands for their open space values before the lands are disposed. State agencies should put increased emphasis on identifying and exchanging surplus land with other state, local and federal agencies. Disposition of state land should follow a process similar to acquisitions under the Open Space Plan. The Open Space Regional Advisory Committee should be notified of the availability of the land. Sufficient time must be allowed for a detailed inspection and review prior to disposition. If no level of government seeks ownership of the surplus land after ample time has been provided for review, then sale of the property on the open market should occur, potentially returning the land to the local tax roles. Revenue generated from the sale should be made available for land acquisition under the Open Space Plan.

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#### **2009 CENTRAL NEW YORK PRIORITY CONSERVATION PROJECTS**

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Immediately following the title of a priority project, the agency or agencies involved and whether it is a new, modified or continuing project are shown in parentheses.

#### **Regions 3, 4, and 7**

**Delaware River Branches and Main-stem Corridors (DEC, continuing)** – The region encompassing the Delaware River Corridor is identified in the Open Space Plan as a Major Greenway and Recreationway in Regions 3, 4 and 7, and the entire Delaware River corridor from Hancock (Delaware County) to Cherry Island (Orange County) is designated as a National Scenic and Recreational River. The East and West Branches of the Delaware River, as well as the Main Stem of the Delaware River, are exceptional cold-water fisheries, with the Main Stem Delaware also being critical as a waterway open to fish migrating to and from the ocean. These rivers also offer numerous recreational opportunities, such as fishing, canoeing, rafting, and eagle watching, which bring in many visitors and boost the regional

economy. These rivers and their watersheds are also critical biological resources, from both aquatic and terrestrial standpoints, with many rare, unique, threatened, and endangered species living in this area, including the bald eagle, timber rattlesnake, American shad, and several plant species. The East and West Branches of the Delaware River are part of the New York City Water Supply System, which is the nation's largest unfiltered municipal water supply, and protection of these watersheds is critical for the continuation of a clean drinking water supply for millions of people. Currently, only a tiny percentage of land along the Delaware River Branches and Main-stem corridors is permanently protected, especially the area outside and downstream of the New York City Watershed.

#### **Regions 4, 6 and 7**

**Central Leatherstocking – Mohawk Grasslands Area** – Multi-Regional priority project which includes significant grassland habitat extending from Western Montgomery, Northwestern Schoharie, and Northeastern Otsego Counties in Region 4 west thru Herkimer, Oneida, Madison and Southeastern Onondaga Counties in Regions 6 and 7. This area, which is referred to as, "Grassland Breeding Bird Focus Area #4" in, "A Plan For Conserving Grassland Birds in New York" is regarded by Audubon as the most significant of such habitat in any portion of Region 4. According to the above grassland bird conservation plan, focus area #4 supports several of the State's bird species of greatest conservation need; is a particularly important nesting area for NYS threatened upland sandpipers and northern harriers; and provides wintering habitat for the NYS endangered short-eared owl. Additionally, one of only four possible breeding records for the NYS endangered loggerhead shrike during the 2000–2005 NYS Breeding bird Atlas was reported from this area. Protection of large grasslands in this area by fee or easement acquisition is desirable under this project or under the multi-regional State Forest, Unique Area and Wildlife Management Area Protection Priority Project.

#### **Regions 6, 7, 8 and 9**

**Great Lakes Shorelines and Niagara River (DEC and OPRHP, continuing)** – A major New York State resource consisting of islands, sand dunes, bluffs, embayments, wetlands, major tributaries, escarpments, lake plain, significant bat and avian migratory flyways, opportunities for shoreline and island access, and other significant natural, recreational and cultural resources. The near shore areas provide spawning and nursery habitat for the various fish species including those that are threatened and endangered such as the lake sturgeon. This area also provides nesting, feeding and resting habitat for waterfowl. The lake plain and escarpment, especially where the escarpment is relatively close to the lake, define important avian and bat migratory flyways, providing important resting and feeding areas during migratory periods and critical airspace for migrating birds and bats. The lake plain and escarpment also provide important and unique nesting and wintering habitats for critical avian species, including the American Bald Eagle and other species of conservation concern. The Lake Erie and Niagara Escarpments are noted geographical features that provide a diversity of ecologically significant habitats along their shore, as well as important historic, cultural and scenic assets. Recreation in the waterways continues to be a primary concern as urban areas demonstrate increasing demand for swimming, boating and fishing opportunities. This system begins at the St. Lawrence River in Jefferson County and extends to New York/Pennsylvania border on Lake Erie. The Niagara River corridor with its tributaries is featured in the "Niagara River Greenway" project. The western end of Lake Erie lake plain has been designated as part of the Lake Erie Concord Belt heritage area. This area also features the Sackets Harbor Battlefield Historic Site, and Sandy Pond, the largest freshwater dune system in the northeastern United States. Galloo Island, the largest undeveloped island in Lake Ontario measuring approximately 3 ½ miles by 1 ½ mile or 1,934 acres is just one of the undeveloped islands worthy of attention. Braddock Bay Complex and Niagara Falls, as well as smaller, but important areas such as Camp Trumansburg, are also at the risk of development.

## Region 6 & 7

**Tug Hill Core Forests and Headwater Streams (DEC, continuing)** – The Tug Hill Plateau is a large, undeveloped forested area that serves as the headwaters for several major water courses. These headwaters make a significant contribution to high quality drinking water supplies and the Tug Hill Aquifer as well as wildlife habitat. Major river systems that originate on the Plateau are the Mohawk River, Deer River, Salmon River, East Branch of Fish Creek, Fish Creek, Sandy Creek, and the Mad River to the north of the Salmon River Reservoir. The integrity of these core forests and headwaters should be protected through a combination of easement and fee acquisition of key parcels. Of particular importance is the maintenance of large private tracts managed for forest products to prevent subdivision and development. These forest tracts support a major regional forest products industry, provide important habitat for wide ranging and migratory species, and offer a wide range of outdoor recreational opportunities.

## Region 7

**Camillus Valley/Nine Mile Creek (DEC, continuing)** – Onondaga County, Towns of Camillus, Marcellus, and Geddes. Expansion of recent acquisitions by DEC and a local land trust to preserve this ecologically sensitive valley that supports a wide diversity of breeding bird and migratory bird species as well as being the most esteemed and widely used trout stream in Central New York. This project encompasses the Nine Mile Creek Valley running from Otisco Lake to Onondaga Lake, including enhancing the DEC-administered Camillus Forest, the Nine Mile Creek Critical Environmental Area, the Erie Canal Corridor, and the Water Trail in the Towns of Camillus and Marcellus, which are under immediate development pressure. The project will buffer important attributes from development and provide public waterway access.

**Carpenter Falls/Bear Swamp Creek Corridor (DEC, continuing)** – Bear Swamp Creek contains a significant portion of the watershed of a drinking water supply for the City of Syracuse. The corridor includes about 6,000 acres of woods and high quality wooded wetlands containing a number of rare and protected plant species, of which 3,300 acres are managed by DEC as the Bear Swamp State Forest. The creek corridor also contains a pristine ravine with a 90-foot high waterfall (Carpenter Falls) and a series of cascading falls and rapids leading to Skaneateles Lake. The project would protect water quality, preserve scenic resources and expand the trail system in Bear Swamp State Forest.

**Develop a State Park In Cortland County (OPRHP – Central, continuing)** – Cortland is one of only two counties in New York State outside the Adirondack and Catskill parks that does not host a state park facility. Within Cortland County there are many natural assets. Excellent accessibility from Interstate 81 would enable vacationers, eco-tourists, and recreationists from this and the surrounding regions to access and enjoy the splendor of Cortland County.

**Fair Haven Beach State Park – (OPRHP-Finger Lakes, continuing)** –Fair Haven Beach State Park in Cayuga County is a highly utilized facility that serves as a key access point on Lake Ontario with exceptional scenic and wildlife resources. Additional parcels would fully integrate the water access site with the park proper and enhance recreational opportunities.

**Genny Green Trail/Link Trail (DEC & OPRHP, continuing)** – The project would provide for major trail connections between existing trails and state-owned lands in Chenango, Madison, Cortland, and Onondaga Counties, including the Finger Lakes Trail, the North Country National Scenic Trail, the Old Erie Canal trail, the statewide snowmobile corridor trail route and other smaller trails in the area. Utilizing Bowman Lake State Park and state forests and wildlife management lands in the area, more than 150 miles of continuous trails and trail loops could be developed and managed jointly by DEC, OPRHP and local governments.

**Nelson Swamp (DEC, continuing)** – A biologically significant area with special natural beauty and rare flora. This northern white cedar swamp contains ancient trees in excess of 400 years old and approximately 369 species of vascular plants, including the threatened spreading globeflower and the endangered striped coral root. Nelson Swamp is currently the only site in New York State where the coral root has been identified. Further protection of this 1,500-acre swamp will reduce the fragmented ownership pattern, further the management objective of perpetual protection of this unique natural resource and enhance compatible public use opportunities.

**North Shore of Oneida Lake (DEC, continuing)** – The North Shore Oneida Lake Open Space project is located in the Towns of Constantia, West Monroe and Hastings in Oswego County. Its primary goals are to provide additional recreational access sites to Oneida Lake and the protection and enhancement of wetlands in Big Bay Swamp and Toad Harbor Swamp. The wetland acquisitions would be incorporated into the Three Mile Bay Wildlife Management Area. The acquisition area contains high value wetlands consisting of deep emergent marsh, maple-ash swamp, maple-hardwood swamp, and northern white cedar swamp. It also contains some valuable upland forests. Threatened or special concern species occurring in the area included Henslow's sparrows and northern harriers.

**Old Erie Canal State Historic Park Trailhead Development, Buffer & Historic Protection (OPRHP – Central, continuing)** – Includes several properties adjacent to the Old Erie Canal State Historic Park within the Central New York Region where acquisition will provide opportunities for trailhead development and/or historic site protection buffering from future encroachment.

**Onondaga Escarpment (OPRHP–Central, New)** – A group of hard limestones and dolostones of Devonian age, the formation extends from the Hudson River, passing south of Syracuse, to southern Ontario. Within the Syracuse area, the escarpment is prominent with unique natural features that should be protected. This section includes Clark Reservation State Park that contains a meromictic lake and rare species of flora and fauna. Conservation measures are needed in areas outside and upstream from the park in order to protect these critical resources. The formation also encompasses Green Lakes State Park and Minoa Lakes. Acquisition of surrounding open space will not only protect existing park resources and provide recreational opportunities, but also provide linkages to the Old Erie Canal State Historic Park.

**Peter Scott Swamp (DEC, continuing)** – A large Class I wetland of approximately 1,000 acres adjacent to and hydrologically linked to the Oneida River and the Erie Canal. It consists of several wetland types: cattail marsh, shrub swamp, wooded swamp, wet meadow and open water. Peter Scott Swamp is an important migratory stopover for thousands of waterfowl, contains a great blue heron rookery, and provides valuable spawning habitat for fish. Public ownership will provide increased and perpetual protection and enhance compatible public use of this valuable wetland.

**Salmon River Corridor (DEC, continuing)** – A scenic and recreational corridor in Oswego County. The Salmon River is a nationally recognized fisheries resource, containing trophy size trout and salmon. Presently, there are areas of private ownership which interrupt use of the 17 miles of acquired public land and easements along a 20 mile stretch of the Salmon River from Redfield downstream to Pulaski.

**State Parks Greenbelt/Tompkins County (OPRHP – Finger Lakes, continuing)** – A greenbelt of four state park facilities connected by the Black Diamond Trail Corridor is experiencing impacts from encroaching moderate to high-density development. Acquisition of inholdings and large parcels adjacent to the parks is necessary to protect these valuable open space recreational resources.

**Summerhill Fen & Forest Complex (OPRHP & DEC, continuing)** – This project will acquire upland forests, wetlands and adjacent upland buffers along Fall Creek using fee ownership and conservation easements to secure lands recognized for both their biological and recreational significance. Extensive wetlands along Fall Creek provide habitat for a variety of birds and other wildlife as well as 18 orchid species. Plant diversity is especially high due to the presence of wetland fens, and a number of rare plants are documented there, including the globally rare Spreading Globeflower. Forests in and around nearby Summerhill State Forest also have been recognized for biological significance through the National Audubon Society's designation of the Greater Summerhill Important Bird Area. This area encompasses one of the region's larger remaining blocks of contiguous forest. The State Forest's fragmented ownership pattern, however, makes it particularly vulnerable to habitat fragmentation due to conversion of adjacent private lands. In addition to their biological significance, this area also offers significant recreational resources. Public access to Fall Creek's trout waters is already provided through several DEC-maintained sites. Hiking opportunities include trails within Fillmore Glen State Park as well as a one-mile loop within the Finger Lakes Land Trust's Mclloy Sanctuary. The State Forest is a popular destination for hunters and snowmobilers. Conservation of key parcels would ensure the continued protection of natural and recreational resources while creating new opportunities, such as a network of hiking trails that could link Fillmore Glen State Park with Mclloy Bird Sanctuary and Moravia with Lake Como.

**Two Rivers State Park (OPRHP – Finger Lakes – continuing)** – Tioga County was one of four counties in New York State outside the Adirondack and Catskill parks that did not host a state park facility. County and town officials worked with the New York State Office of Parks, Recreation and Historic Preservation to locate property within the Susquehanna and Chemung River Corridors Resource Area that highlights the county's natural assets and helps support the growing tourism industry in the county. Approximately 480 acres were acquired near the village of Waverly that form the core of the new state park. Additional parcels that will provide more acreage to expand recreational program development and buffer the new park from adjacent residential development will be acquired.

## **Region 7 & 8**

**Emerald Necklace (DEC & OPRHP – continuing)** – The Emerald Necklace is an arc of forested hills and valleys stretching from east to west in the vicinity of Ithaca. Within this crescent lie more than 50,000 acres of public land, including nine state forests, Connecticut Hill Wildlife Management Area, Cornell University's Arnot Forest, and Finger Lakes National Forest. These forested lands serve as the headwaters for streams draining into the Finger Lakes as well as the Susquehanna Watershed. Approximately 55,000 acres of the Crescent are identified in the Tompkins County Comprehensive Plan as important Natural Features Focus Areas for resource, recreation and open space protection. Two Audubon designated Important Bird Areas (Greater Connecticut Hill and Finger Lakes National Forest) are located within this area as well as at least 22 sites designated as Unique Natural Areas by Tompkins County's Environmental Management Council. A diversity of wildlife species utilize this area, ranging from a full array of nesting neotropical songbirds to an increasing number of black bears. Public lands within the crescent have a long history of recreational use and in recent years, use has increased dramatically. In addition to traditional activities, such as hunting, these lands are seeing growing use for mountain biking (particularly at Shindagin Hollow SF), cross country skiing (particularly at Hammond Hill SF) and hiking on the Finger Lakes Trail. For many years, private lands adjacent to these public holdings have traditionally been managed for compatible uses such as firewood cutting and deer hunting. With increasing residential development in the Ithaca area, however, these lands are increasingly being sought out as home sites. In some cases, such development fragments forested habitat while limiting recreational uses on adjacent state lands and increasing administrative costs. By consolidating existing state holdings while also ensuring linkages between these sites, there is the potential to create a world class ecological, recreational and

educational resource. A long-term grassroots approach to conserving these lands could achieve this vision while ensuring the ecological viability of existing state land and also enhancing recreational opportunities. It is recommended that development of a plan for educational interpretation and enhancement of access to these sites be developed concurrently with any land protection conservation plans for the area.

**Finger Lakes Shorelines (DEC & OPRHP – continuing)** – While the Finger Lakes Region is identified in the 2002 Plan as a Major Resource Area (pg. 296), and strategies such as acquisition of additional public access and consolidation of existing State projects are mentioned, the shorelines of these unique lakes are tied up in private ownership to a degree seldom seen in other states, so that most citizens have little direct experience of these beautiful lakes, even though their length provides hundreds of miles of shoreline. Public access for swimming, photography, shoreline fishing, and canoeing is minimal. Natural, forested shoreline is itself a scarce resource, incrementally lost over time to home site development.

The Finger Lakes support a large and diverse population of waterfowl and raptors, which in turn generates significant public interest and educational opportunities. Seneca, Cayuga, Canandaigua and Southern Skaneateles Lakes are all designated Important Bird Areas by New York Audubon. They are a significant wintering area for waterfowl. Forested areas along and above the lakeshores provide habitat for raptors and neotropical songbirds.

Projects to preserve portions of the shoreline of these lakes for public access or wildlife could utilize acquisitions, easements, or additions to existing public segments. Parties including New York State, local governments, and non-profit organizations need to be prepared to capitalize on opportunities which will become increasingly critical as shoreline development and prices continue to climb. While it is not possible to predict future opportunities, several potential lakeshore protection projects can be listed now:

- **Finger Lakes Water Trails** – a network of strategically spaced open shoreline parcels to support low intensity and passive recreational uses, including: kayaking, boating, birdwatching, angling, hunting, and simply seeking solitude by the water.
- **Owasco Flats** – a 2,000 acre project area along Owasco Inlet at the south end of Owasco Lake has several opportunities for acquisitions or cooperative management agreements.
- **Camp Barton** – a Boy Scout camp with extensive frontage on Cayuga Lake (Region 7). NYS Parks is interested in acquiring this property.
- **On Cayuga Lake** (Region 7), a tract owned by NYSEG and including 500 acres and 3,000 feet of undeveloped lake frontage in the Town of Lansing has already been identified as a priority.
- **B&H railroad property at the south end of Keuka Lake in Hammondsport** (Region 8) – which lies between a pocket park and a protected wetland, and next to a small public beach, the only such beach on that lake besides others at the far north end of Keuka Lake.
- **Extending the eastern terminus of the Outlet Trail to the Seneca Lake shoreline at Dresden** (Region 8).
- Additional analysis is needed in order to identify other priority sites, especially on **Seneca Lake** where some of the greatest opportunities for currently **undeveloped shoreline may exist**.

**Northern Montezuma Wetlands (DEC – continuing)** – This 36,000 acre multiple ownership land conservation project is New York State's Flagship Project under the North American Waterfowl Management Plan. This project lies within its own Major Resource Area: The Montezuma Marshes. Partners involved are the US Fish and Wildlife Service (US FWS), Ducks Unlimited, Pheasants Forever, The Nature Conservancy, National Audubon Society, and many others. The Montezuma Wetland Complex is a registered National Natural Landmark and is New York's first Audubon Society designated

Important Bird Area. Strategies to conserve this premier wetland complex include fee acquisition by DEC and the US FWS, purchase of conservation easements by government and not-for-profit partners, and execution of Cooperative Management Agreements between partners and landowners. State funding can be matched with federal funding through the North American Wetlands Conservation Act. State funds have also been committed to the development of a new environmental education facility here.

*SEE PROJECT CHART SUMMARY AT THE END OF REPORT*

#### **SUPPLEMENTAL PROJECTS\***

**Baltimore Woods** – Town of Marcellus, Onondaga County. Acquisition of lands adjacent to the Baltimore Woods Nature Center for use in educational activities and to buffer existing lands.

**Beaver Lake Nature Center** – Town of Lysander, Onondaga County. Completion of efforts to acquire ecological and physical buffers to existing lands at the Nature Center and to gain holdings of additional habitat types.

**Caughdenoy Dam** – Town of Schroepfel, Oswego County. Acquisition of fishing access on the Oneida River.

**Chenango River** – Town of Lebanon, Madison County. Acquisition of fishing access at Randallsville on the Chenango River.

**Fall Creek Fens and Forests** – Town of Cortlandville, Cortland County, Towns of Dryden and Groton and Village of Freeville, Tompkins County. Expansion of efforts for the protection of the exceptional grouping of ecological communities and geological features along Fall Creek and its tributaries, and along Beaver Brook and its tributaries. The area contains numerous and varied fens, bogs, swamps and glacial landforms.

**FLLT Biodiversity Site** – Town of Danby, Tompkins County. State acquisition of a conservation easement over the Finger Lakes Land Trust's Lindsay-Parsons Biodiversity Preserve.

**Fischer Old Growth Forest** – Town of Newfield, Tompkins County. Protection of sufficient buffer for old growth forest on slopes above Cayuga Inlet.

**Mud Pond (Silver Lake) Fen** – Town of Oswego, Oswego County. Protection of rare plant and animal habitat at Mud Pond (Silver Lake).

**Muskrat Creek Canoe Trail Project** – Town of Cato, Cayuga County. Acquisition of access points to create or enhance canoeing and kayaking opportunities between Parker's Pond and the Seneca River as proposed by Cayuga County.

**Old Fly Marsh** – Town of Pompey, Onondaga County. Acquisition of additional lands at Save The County's preserve at this site.

**Paine Creek Old Growth Forest** – Town of Ledyard, Cayuga County. Protection of old growth forest in the ravine along Paine's Creek on the east side of Cayuga Lake.

**Purchase & reclamation of Homer Man-made Ponds** – Town of Homer, Cortland County. Purchase and reclaim the man-made ponds in Homer to create fishing and recreational opportunities. These ponds were created when NYSDOT mined the gravel needed to construct Interstate 81, and have little

or no access for swimming or canoeing.

**Tioughnioga River Access** – Cortland County. Develop access points along the Tioughnioga River in order to create fishing and recreational opportunities in conjunction with local government development of a trail along the river to access one of the most important natural resources in Cortland County.

**Tracey Lake** – Town of Tully, Onondaga County. Protection of sufficient buffer around the Tully Lakes, a group of kettlehole lakes in a segment of the Valley Heads moraine.

**Tully Valley/Onondaga Creek Conservation Initiative** – Towns of Tully, Lafayette, Onondaga and the City of Syracuse, Onondaga County. Onondaga Creek runs from Route 80 North through the Tully Valley, Onondaga Nation and City of Syracuse eventually reaching Onondaga Lake. Open Space preservation is important to preserve existing open space and further protect the Creek and the Lake. Areas of special interest include farmland protection, Fellows Falls, Emerson Gulf, open space currently owned by Honeywell, and potential urban open space opportunities along Onondaga Creek in the City of Syracuse.

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*\* The Regional Committee reviewed and consolidated the supplemental project list for the 2009 Plan to remove completed projects and eliminate duplication of projects. Chenango Valley State Park, and Fort Ontario and Lorenzo State Historic Sites were removed from the list because they were covered by the statewide priority project: State Park & Historic Site Protection {131}. McDonald's Point on Cayuga Lake, and Owasco Flats were removed because they are covered in the Finger Lakes Shoreline priority project. Michigan Hollow is covered by the Emerald Necklace priority project and Beaver Brook Wetlands Complex was combined in the Fall Creek Fens and Forests supplemental project.*

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**2009 CENTRAL NEW YORK – REGION 7 OSP ADVISORY MEETINGS**

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October 20, 2006 – Cascade Grill, Morovia  
October 26, 2007– Two Rivers State Park, Waverly  
April 22, 2008 – Cortland DEC Office  
May 2, 2008 – Cortland DEC Office  
May 14, 2008 – Cortland DEC Office  
January 21, 2009 – Binghamton  
January 22, 2009 – Syracuse  
March 17, 2009 – Cortland DEC Office

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**2009 CENTRAL NEW YORK – REGION 7 OSP ADVISORY MEETINGS  
OSP REGIONAL ADVISORY COMMITTEE MEMBERS**

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<b>MEMBER</b>	<b>AFFILIATION</b>
Danny Ross	Cortland County
Charles Banner-Haley	OPRHP State Appointment
Katherine W. Borgella	Tompkins County
Frank Evangelisti	Broome County
Robert Geraci	Onondaga County

Richard Harrington	OPRHP State Appointment
Robert H. Hazelton, Jr.	DEC State Appointment
Gordon Heisler	OPRHP State Appointment
Elaine D. Jardine	Tioga County
Mary Kunzler-Larmann	OPRHP State Appointment
Stacy Merola	DEC State Appointment
Steven Lynch	Cayuga County
Wayne Outwater	Chenango County
Charles Parker	Oswego County
James Pasco	DEC State Appointment
James Petreszyn	Madison County
Sandra Souder	DEC State Appointment
Zachary Odell	DEC State Appointment
Andrew E. Zepp	OPRHP State Appointment

**STATE AGENCY SUPPORT STAFF**

<b>NAME</b>	<b>TITLE</b>	<b>AGENCY</b>	<b>LOCATION</b>
Dan Bishop	Regional Fisheries Manager	DEC	Cortland
Diane Carlton	Citizen Participation Specialist	DEC	Syracuse
Robert Hiltbrand	Regional Director	OPRHP	Jamesville
Tim Joseph	Regional Director	OPRHP	Trumansburg
Marie Kautz	Regional Wildlife Manager	DEC	Cortland
Kenneth Lynch	Regional Director	DEC	Syracuse
Les Miller	Sr. Engineering Technician	OPRHP	Jamesville
Janet O'Hara	Secretary	DEC	Cortland
Richard Pancoe	Supervising Forester	DEC	Cortland
Sue Poelvoorde	Natural Resources Planner	OPRHP	Trumansburg
Jerry Rasmussen	Natural Resources Supervisor	DEC	Cortland
Dave Sinclair	Regional Forester	DEC	Cortland
Glenn Wolford	Real Property Supervisor	DEC	Syracuse



PROJECT	CATEGORY	COUNTY(S)/TOWN	RESOURCE AREA	EXISTING PROTECTION	OPEN SPACE CONSERVATION OBJECTIVE
Camillus Valley/ Nine Mile Creek	Greenways	Onondaga County Towns of Camillus, Marcellus & Geddes	NY Canal/Rec	Partial	Protective Buffer & Public Recreation
Carpenter Falls/Bear Swamp Creek Corridor	Watershed Protection	Cayuga County Towns of Niles & Sempronius	Finger Lakes	Partial	Watershed Protection & Public Recreation
State Park in Cortland County	Parklands	Cortland County	Resource of Statewide Importance	None	Public Recreation
Fair Haven Beach State Park	Parklands	Cayuga County Town of Sterling	Great Lakes Shoreline, Islands & Tributaries	Partial	Protective Buffer & Public Recreation
Genny Green Trail/Link Trail	Trailways	Chenango, Cortland, Madison, Onondaga Counties	North Country National Scenic Trail/Trails	Partial	Public Recreation
Nelson Swamp	Unique Area	Madison County Towns of Cazenovia, Fenner & Nelson	Exceptional Biological and Natural Sites	Partial	Protection of Area of Ecological Significance
North Shore Oneida Lake	Enhancement of Public Lands	Oswego County, Towns of Constantia, West Monroe & Hastings	NY Canal/Rec	Partial	Shoreline Protection, Public Access & Wildlife Management
Old Erie Canal	Parklands	Onondaga & Madison Counties, Towns of Manlius & Sullivan	NY Canal/Rec	Partial	Protective Buffer & Public Recreation
Onondaga Escarpment Corridor	Parklands	Onondaga County Towns of Dewitt & Manilus	Resource of Statewide Importance	Partial	Protective Buffer & Public Recreation
Peter Scott Swamp	Freshwater Wetlands	Oswego County Town of Schroepfel	NY Canal/Rec	Partial	Protection & Management of Wildlife Habitat
Salmon River Corridor	Greenways	Oswego County, Towns of Albion, Orwell, Redfield, & Richland	Salmon River Corridor	Partial	Protective Buffer & Public Recreation
State Parks Greenbelt	Parklands	Tompkins County, Towns of Enfield, Ithaca, Ulysses & City of Ithaca	Finger Lakes	Partial	Protective Buffer & Public Recreation
Summerhill Fen & Forest Complex	Exceptional Forest & Plant Community	Cayuga County Towns of Locke & Summerhill	Exceptional Biological & Natural Sites	Partial	Protection of Area of Ecological Significance
Two Rivers State Park	Parklands	Tioga County	Resource of Statewide Importance	None	Public Recreation

REGION	PROJECT	CATEGORY	COUNTY(S)/TOWN	RESOURCE AREA	EXISTING PROTECTION	OPEN SPACE CONSERVATION OBJECTIVE
3, 4, 7	Delaware River Branches & Main-stem Corridors	Watershed Protection	Delaware, Broome, Sullivan & Orange Counties	Catskill-Delaware Region	Partial	Public Recreation; and Habitat & Watershed Protection
6, 7, 8, 9	Great Lakes Shorelines & Niagara River	Shoreline Protection	Chautauqua, Erie, Niagara, Orleans, Monroe, Wayne, Cayuga, Oswego, Jefferson & St. Lawrence Counties	Great Lakes Shoreline & Island	Partial	Public Recreation & Protection from Development
6, 7	Tug Hill Core Forests & Headwater Streams	Watershed Protection	Oneida, Oswego, Jefferson, & Lewis Counties	Tug Hill Plateau	Partial	Public Recreation & Protection from Development
7, 8	Emerald Necklace	Enhancement of Public Lands	Tompkins, Tioga, & Schuyler Counties	Resource of Statewide Importance	Partial	Public Recreation & Protection from Development
7, 8	Finger Lakes Shoreline	Shoreline Protection	Cayuga, Onondaga, Tompkins, Livingston, Ontario, Schuyler, Seneca, Steuben, & Yates	Finger Lakes	Partial	Public Recreation & Protection from Development
7, 8	Northern Montezuma Wetlands	Freshwater Wetlands	Cayuga, Seneca & Wayne Counties	Montezuma Marshes	Partial	Wildlife Management & Public Recreation

**WESTERN FINGER LAKES – REGION 8  
REGIONAL OPEN SPACE ADVISORY COMMITTEE**

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**COUNTIES**

CHEMUNG, GENESEE, LIVINGSTON, MONROE, ONTARIO,  
ORLEANS, SCHUYLER, SENECA, STEUBEN, WAYNE, YATES

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**WESTERN FINGER LAKES – REGION 8  
REGIONAL OPEN SPACE ADVISORY COMMITTEE MEETINGS**

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The goals of the Committee were to review the New York State Open Space Conservation Plan 2006 (2006 Plan); to evaluate the status of all previously listed projects and to update and develop a new regional priority list. This year's plan would also include Environmental Justice issues along with State land stewardship, State tax payments on land it owns, enhancing local government capacity to develop and implement complementary local open space protection programs, fully integrating the State Wildlife Grant program into the State Open Space Plan, enhancing private landowner conservation incentive programs, farmland protection and addressing global climate change.

**March 11, 2008:** This first meeting consisted only of staff from Office of Parks, Recreation and Historical Preservation (OPRHP) and Department of Environmental Conservation (DEC). The purpose of the meeting was to develop a pool candidates for the Committee's at-large members. In addition, OPRHP and DEC discussed the format of the draft 2008 report and timetables.

**April 2, 2008:** The second meeting was introductory in nature and outlined how this year's process would be administered. A general format for meeting agendas was also discussed. Stewardship issues were brought up at the first meeting and became a strong theme throughout the process. Staff from the DEC and OPRHP presented success stories generated by the 2006 Plan.

Several projects were removed from the Priority Projects Category and listed under the Multi-Region priority project STATE FORESTS AND WILDLIFE MANAGEMENT AREA PROTECTION for DEC lands or STATE PARK AND STATE HISTORIC SITE PROTECTION for OPRHP lands. Successful DEC and OPRHP projects included Junius Ponds, Sonnenberg Gardens and Indian Hills Golf Club, respectively. On a local level, the B&H Railroad Property on Keuka Lake was acquired. This property was categorized as a Region 8, Additional Project

A review of all 32 projects contained in the 2006 Plan was completed during this meeting. This review created the foundation for establishing recommendations for the 2009 Open Space Plan. Members were asked to present issues at the meetings that would be incorporated into the Regional Report.

**April 16, 2008 :** There was a comprehensive discussion on stewardship. A draft policy document was reviewed by the Committee which provided the background and outlined the issues surrounding stewardship.

The Committee discussed how government agencies and private organizations involved in ensuring that New York's most important open spaces are conserved sometimes find that short and long-term management and maintenance of these open spaces presents a challenge. By accepting responsibility for conserving the open space, a responsibility for stewardship of the area is also assumed to ensure that the reasons for the designated open space area was protected in the first place, continues into the future. This burden of providing adequate stewardship sometimes becomes problematic over time as human and fiscal resources are stretched. Criticism for not providing stewardship of an area erodes

credibility and weakens support for future protection efforts. In addition, the Committee decided to adopt an updated (abbreviated) version of the nomination form used during the 2006 Open Space planning process.

Experience has shown that protecting New York's open spaces often is a short-term objective that can be achieved through purchase of development rights, protective easements, acquisition, or other tools discussed in the Open Space Plan when funds are available. Stewardship, however, is a long-term proposition and the future availability of resources to achieve stewardship needs is most often unpredictable and tenuous without a dedicated funding stream. Not all open spaces require the same level of stewardship. It is true that some open spaces do not require (and should not receive) continuous expensive management activities other than occasional patrol to guard against intrusions and conflicts, or to ensure the terms of an easement are being met. Some open spaces require intensive management to remain viable and achieve the purpose of protection. It is likely that most areas that are protected as open space probably fall somewhere between these two extremes of stewardship need.

The Committee agreed conceptually on the need and challenges regarding stewardship issues. Options were then discussed that would have the potential to address resources required to properly implement stewardship initiatives. The use of volunteers, user fees, in-kind service agreements and endowments were discussed.

Implementing user fees drew considerable discussion and was not generally supported by the group. It was felt that the acquisition had already been supported through taxes (regardless of the future stewardship needs).

The use of volunteers drew considerable support but as the committee analyzed approaches, obstacles were uncovered. Training, liability, coordination and skills were some of the issues discussed.

A successful technique used on some Wildlife Management Areas is to accept services-in-lieu of payment for certain uses of the public land area. For example, where good agricultural land is present, these lands are made available to a farmer through a competitive bid process. In lieu of requiring the farmer to pay a fee based on his bid, the farmer provides stewardship activities on the area. Management of timber resources also can incorporate services in lieu of payment to provide needed management. On some open space areas owned by organizations, stewardship activities is required of some of the users of the areas for special purposes.

Chemung County nominated the Great Eastern Trail project that, after discussion, could be included in Region Eight's priority project CATHARINE VALLEY COMPLEX.

**April 30, 2008:** Stewardship was the focus of the discussion at this meeting. A second draft was distributed to the Committee. The 2006 Open Space Plan identifies a number of agencies and organizations may utilize to achieve stewardship needs. Use of volunteers, "Friends" groups, and programs such as the Adopt-a-Natural Resource program now exist but are probably under utilized, as these tools do require commitments of time and money by the stewarding entity. However, State agencies have had success in implementing these types of programs.

The issue of user fees was once again discussed. An overall consensus, however was not achieved. The Committee began to deliberate Environmental Justice and Local Government Open Space Initiatives and agreed to provide specifics at the next meeting. Department staff also provided an overview of the State Wildlife Grants program and the role it plays in the open space planning process.

Local governments have found that insurance, workman's compensation and disability coverage and collective bargaining agreements were some of the major issues municipalities are faced with when attempting to utilize volunteers. Several counties presented their specific problems in implementing volunteer programs.

Monroe County presented the Brighton Borrow Pit project. The Committee reviewed the proposal and agreed that the project had significant local potential and should be categorized as an additional project in the next New York State Open Space Conservation Plan.

**May 14, 2008:** This meeting was held at the City of Rochester's Water Filtration Plant on the north end of Hemlock Lake. It is this watershed, along with that of Canadice Lake that the DEC hopes to acquire from the city. This potential acquisition has been listed as a priority project in every Open Space Plan and is currently identified as the Western Finger Lakes: Conesus, Hemlock, Canadice and Honeoye Region 8 project. The City gave a brief history on the development of the watersheds and lakes as a public water supply. The meeting concluded with a tour of the filtration plant.

Once again stewardship dominated the discussion as the committee reviewed a third draft of a policy statement during the May 14, 2008 meeting. Although an overall consensus regarding a policy statement was not yet reached the Committee was able to refine the draft where common ground was within reach.

Ensuring that stewardship was an elevated consideration in the unit management plan process for State Lands was a common theme. In addition, it was agreed that stewardship needs must be highlighted early on in the acquisition process (IE. When the GA-56 is processed). However, it was recognized that local Open Space needs vary considerably from those at the State-wide level. The use of the Environmental Protection Fund as a revenue source was supported. But identifying a specific percentage was not recommended.

Environmental Justice issues were discussed and it was agreed that the topic would be best suited as a Statewide or Multi-Region Project. The Committee also felt that addressing Environmental Justice on a statewide level promotes "green-space" in urban areas. Those green-spaces can also provide additional contributions in addressing climate change issues.

The Committee then examined agricultural interests as it applies to open space planning. The Department has a standing policy of securing an endorsement of an acquisition by the Department of Agriculture and Markets. Wayne County and the Genesee Land Trust brought up the importance of farmland preservation. The use of Purchasing Development Rights (PDR) grants has been successful in off-setting development of agricultural lands. One mild conflict was recognized by the Genesee Land Trust with the PDR program as it applies to open space and the application of pesticides and herbicides. Ontario County recommended that Maryland's 1995 Rural Legacy Program be examined for ideas to preserve farmland interests.

Monroe County presented eight local projects which the committee agreed to categorize as additional projects in the next Open Space Plan. However, six of the proposals would qualify as priority projects under the Great Lakes Shorelines and Niagara River. Ontario County presented the Grimes Glen project. The Committee agreed that the project was local in nature and should be identified as an additional project in the next Open Space Plan. The Finger Lakes Land Trust identified a potential acquisition to the Galen Wildlife Management Area in Wayne County.

The Finger Lakes Trail Conference recommended that the following narrative be included in the multi-region priority project LONG DISTANCE TRAIL CORRIDORS: "Special priority should be given to protection of trail routes' private access to public lands, since these are increasingly vulnerable segments of any trail's continuity. For example, many of the state forests the Finger Lakes Trail enjoys are reached from road crossings only through private land permissions."

This language would be inserted at the end of the of the introductory paragraph of the Long Distance Trail Corridors, on page 314 of the 2006 New York State Open Space Conservation Plan.

The Committee discussed the concept of developing a new priority project for the Genesee River Corridor in Region 8, specifically targeting areas in the City of Rochester and Monroe County. This type of proposal would capture projects related to environmental justice, farmland protection and potential access points to the Genesee River.

**May 28, 2008:** The goals for this meeting was to formalize policy recommendations on stewardship, farmland protection and enhancing local government capacity to develop and implement complementary local open space protection programs. The Committee made substantial progress on these issues and specific members volunteered to draft language to be incorporated into the report.

The Genesee Land Trust provided a description for a new priority project discussed at the previous meeting, which was unanimously approved by the Committee. By approving this project, another Monroe County project (Genesee River Sites) would be categorized as a priority project.

The Finger Lakes Trail Conference proposed that the following language be included in Chapter 8, Section B.2. (Page 346), Enhancing the Role of Land Trusts, Conservation, Recreation and Preservation Organizations: "The State's park and trails represent an important portion of the protected open space within the State. Hundreds of park and trail not-for-profit organizations and local governments play a critical role in expanding and managing that open space through park and trail creation and stewardship. In recognition of their contribution to the continued expansion and stewardship of these open space resources, the state should establish a grant program, funded through the EPF and jointly administered by Parks & Trails New York and OPRHP, to improve the capacity of park and trail not-for-profits, which often work in partnership with local governments, to create and steward the State's trails and parks." The recommendation was discussed and unanimously approved by the Committee.

Seneca County recommended that the Junius Ponds Project remain as a priority project in the 2009 plan. Since Junius Ponds is considered an Unique Area it may not be eligible for future EPF acquisitions under the STATE FORESTS AND WILDLIFE MANAGEMENT AREA PROTECTION project. The Committee recommended that Unique Areas be added to this category. If accepted, the Junius Ponds project could be transferred to his category. This meeting also included a presentation and tour of the Northern Montezuma Wildlife Management Area.

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## ISSUES

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With resources being stretched, it was discussed on several occasions the importance of developing long-term partnerships as a means to properly manage and maintain state-owned lands. The Committee recognized that stewardship was the primary issue facing open space conservation in order to protect natural resources and utilize best management practices.

The issue of managing open space and public lands on the local level was of concern to several of the county representatives when involving volunteers and/or not-for-profit organizations. Liability insurance coverage, workman's compensation and disability coverage and conflicts with collective bargaining agreements were obstacle that most counties are currently faced with.

Real property tax payments after State acquisition depends on the land classification under which the property is purchased. State Forest and Unique Areas continue local school and county tax payments. Wildlife Management Areas typically do not pay real property taxes unless specific legislation is enacted. The Committee agreed that local governments can address this issue by working closely with their State legislators.

Environmental Justice concerns, especially in urban areas have a unique but important role in open space planning. Increasing open space in urban areas lends itself to not only diversifying the landscape but has an element of addressing issues related to climate change. However, Environmental Justice areas are not limited to urban settings. Many agricultural areas also qualify as Environmental Justice districts, adding to the importance of farmland protection.

Agriculture plays a vital role in New York's economy and food production needs. Preservation of these interest is of paramount concern of Region Eight's Regional Advisory Committee. Development pressures are the greatest threats to continued operations followed by taxation. Rising assessments of agricultural lands leads to increased taxation, compelling landowners to sell their properties to non-agricultural interests.

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## POLICY RECOMMENDATIONS

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### STEWARDSHIP

The Committee devoted much of its allocated time to discussing stewardship of open space lands, and developing suggestions for improving stewardship of state lands, and by inference, of other open spaces held in trust by other government agencies and private organizations in New York. Acquisition of important open spaces is exciting; stewardship of those spaces is more mundane, but equally if not more important. It is widely accepted that stewardship of New York's open spaces is under-funded and not entirely meeting the public's expectations for the care of open space resources.

The Committee developed a number of suggestions for providing additional resources for stewardship, which are highlighted below. Not all points offered below had unanimous support of the Committee. For example, there was not agreement on the topic of user fees to fund stewardship.

There was agreement within the committee that some of these approaches vary in their potential to work, depending upon the open space application or scenario. A flexible, multi-tiered approach may be needed to reach stewardship goals. Each tract of protected open space offers unique challenges and opportunities to accomplish stewardship needs. Some open space areas have intensive infrastructure development and use (e.g., state parks). Others benefit from community interest and strong local partnerships, for example with a town or county government or nonprofit organization. Other less intensively used but large tracts require more resources for adequate monitoring. The Committee recommends that a host of strategies be considered for meeting the varied stewardship needs of open space lands under the jurisdiction of OPRHP, DEC, local governments and nonprofit organizations.

The Committee's stewardship discussion was important and fruitful, and many ideas were generated. However, due to the time constraints of the 2009 Open Space Plan updating process relative to the

significance of the stewardship issue and the implications of some of the suggested measures, the Committee recommends that additional examination of proposed stewardship strategies is needed. This could occur through a task force of representatives from OPRHP and DEC, Committee members from across the state and other key resource people. This task force should spend more time evaluating the practicality, social desirability, fiscal impacts, and potential effectiveness of the suggestions coming from the several Regional Advisory Committee reports across the state, and result in a thoughtful analysis on Stewardship Needs and Practices and Recommendations for Open Spaces in New York State.

#### **COMMITTEE SUGGESTIONS FOR GENERATING RESOURCES FOR STEWARDSHIP**

- Agencies and organizations holding open space tracts should consider appointing a volunteer "coordinator" to provide appropriate stewardship activities to areas under their responsibility using volunteers. A cooperative organizational network of volunteers can be developed and implemented to recruit, deploy, and reward volunteers over several tracts of open space to reduce costs and increase effectiveness.
- Consider giving volunteers who provide stewardship to appropriate open spaces in New York an income tax deduction or credit. This would require an amendment to the Tax Code.
- The issue of volunteer liability and workmen's compensation insurance while working on public lands should be uniformly addressed across the state, as this is often a disincentive for volunteerism for both the volunteers and the agencies and organizations which host them.
- There is generally little or no support from the committee to charge user fees where such fees are not now collected. Most state parks, historic sites, and marine parks now charge an entrance fee of which a portion is made available for park stewardship. State Wildlife Management Areas, Multiple Use Areas, State Forests, and other lands administered by DEC, typically do not charge an entrance fee, due primarily to the inherent difficulties of enforcement/compliance and administration and general absence of high maintenance infrastructure on these lands. It is noted that user fees may discourage economically disadvantaged people from enjoying open space areas, and probably would reduce attendance at publicly owned lands. The Committee generally supported the concept that public lands should be maintained by public (tax) resources, rather than just the users of those lands.
- Consider, where appropriate, the use of a "services in lieu of payment" approach to provide revenues for stewardship. Revenue from timber sales, agricultural uses, mineral extraction, and other sources that are a normal, approved part of the area's management, could be at least be partially earmarked for stewardship programs on the area affected. If needed, this practice should be formalized by the appropriate administration as an official policy, or if necessary, be sanctioned in statute. The temptation to over utilize a natural resource on public land simply to derive revenues for stewardship benefits needs to be avoided. A balanced use of an area's resources to support stewardship is encouraged to protect the public interest, and such use must be clearly addressed in each area's planning and policy documents to avoid inappropriate uses of resources.
- Agencies and organizations should always undertake the delicate negotiations with land donors to contribute funds to the property's stewardship endowment in advance or as part of the acquisition process. If the stewardship endowment cannot be supported by the land donor, the agency or organization should consider other ways to fund the endowment. Establishment of an adequate stewardship endowment should be considered part of the open space acquisition process.

- A percentage of the land acquisition portion of the Environmental Protection Fund could be allocated annually for stewardship activities. The enabling legislation should be amended if needed to affect this. A dedicated and earmarked source of funding such as this is needed to address on-going stewardship of open spaces in New York State.
- The Committee encourages OPRHP and DEC to continue to seek and utilize partnerships with federal, state, and local governments, private organizations and individuals, to provide stewardship on open spaces. Several successful examples of management agreements now exist (Braddock Bay, Onanda Park in the Town of Canandaigua, Montezuma Wetlands Complex, Oak-A-Wanda Foundation, and others) where agencies and/or organizations have formal written agreements to partner together to steward public lands for the common good. Such partnerships usually are more cost-effective in meeting stewardship needs than each agency going it alone.
- Stewardship activities and costs should be addressed not only as a part of the acquisition planning process, but also integrated into Management Plans that should be prepared for all open space areas. Recognition and priority given to the long-term stewardship requirements of each area should be elevated in the planning processes the agencies undertake both prior and subsequent to acquisition.
- As noted above, the DEC and OPRHP should consider appointing a "task group" at the state level, comprised of representatives having both regional and agency perspectives. This group should review all the Regional Advisory Committee reports regarding stewardship topics, explore the issues in more depth, and develop specific action items to provide better stewardship of public lands under their jurisdiction.

#### **FARMLAND PROTECTION**

The Committee recognizes that farmland contains many important open space values worth permanently protecting, such as soil resources, scenic quality, wetlands, habitat protection, food security, implementing Smart Growth and Quality Community initiatives, and the reduction of carbon emissions necessary for the long-haul transportation of crops from the mid-west and west. The committee also recognizes the success of the current NYS Department of Agriculture and Markets (NYSDAM) farmland protection efforts as created in Article 25-AAA, including the purchase of development rights (PDR) program and funding the creation of county and municipal farmland protection planning efforts. Unfortunately, the budgeted allocation for these programs is underfunded, and gives preference to those farms that have high quality soils and face significant development pressure. The other values highlighted above are not strongly weighted when selecting recipients of this competitive NYSDAM program.

The Committee recommends continued use and increased funding for the current NYSDAM PDR program. Additionally, DEC and OPRHP should investigate opportunities to include farmland protection as a goal when considering open space conservation. This would act to supplement the NYSDAM program, thus including the other natural values often found on farmland, such as scenic quality, historical and cultural significance and habitat protection.

#### **ENHANCEMENT OF LOCAL GOVERNMENT CAPACITY FOR LAND CONSERVATION**

County and other municipal governments are in excellent position to implement many of the policies espoused in this Open Space Plan if we can enhance their capacity to do so. Every effort should be made by the State legislature and regulatory agencies to enable the use of land use tools and partnerships to achieve desired land conservation goals, in the most effective and efficient manner.

Braddock Bay/Salmon Creek Monroe County	Great Lakes Shorelines & Niagara River	Priority Project
Devils Cove Monroe County	Great Lakes Shorelines & Niagara River	Priority Project
Genesee River Monroe County	New Genesee River Corridor	Priority Project
Island Cottage Woods Monroe County	Great Lakes Shorelines & Niagara River or State Forest & Wildlife Management Area Protection	Priority Project
Rita Shaw Estate Monroe County	Local Project	Additional Project
Summit Wetlands Monroe County	Local Project	Additional Project
Webster Wellfield Monroe County	Great Lakes Shorelines & Niagara River	Priority Project
West Spit Monroe County	Great Lakes Shorelines & Niagara River	Priority Project
Oak Orchard Orleans County	Great Lakes Shorelines and Niagara River	Priority Project
Grimes Glen Ontario County	Local Project	Additional Project
Galen Wildlife Management Area Acquisition Finger Lakes Land Trust	State Forest and Wildlife Management Area Protection	Priority Project
Genesee River Corridor Genesee Land Trust	New	Priority Project

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### 2009 PRIORITY PROJECTS NARRATIVE

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#### LAKE ONTARIO AND LAKE ERIE SHORELINE AND ISLANDS AND NIAGARA RIVER (Regions 6, 7 ,8 & 9) –

A major New York State resource consisting of islands, sand dunes, bluffs, wetlands, major tributaries, opportunities for shoreline and island access and other significant natural and cultural resources. The near shore areas provide spawning and nursery habitat for the various fish species including those that are threatened and endangered such as the lake sturgeon. This area also provides nesting, feeding and resting habitat for waterfowl. Recreation in the waterways continues to be a primary concern as urban areas demonstrate increasing demand for swimming, boating and fishing opportunities. This system begins where Lake Ontario enters the St. Lawrence River in Jefferson County and extends to New York/Pennsylvania border on Lake Erie. The Niagara River corridor with its tributaries is featured in the "Niagara River Greenway" project. This area features the Sacketts Harbor Battlefield Historic Site, the largest freshwater dune system in the Northeast, Galloo Island (largest undeveloped island on Lake Ontario), the Braddock Bay Complex and Niagara Falls.

**NORTHERN MONTEZUMA WETLANDS ( DEC, Regions 7 & 8)** – This 36,000 acre multiple ownership land conservation project is New York State's Flagship Project under the North American Waterfowl Management Plan. This project, located in Wayne, Seneca and Cayuga Counties, lies within its own Major Resource Area: The Montezuma Marshes. Partners involved are the US Fish and Wildlife Service (US FWS), Ducks Unlimited, Pheasants Forever, The Nature Conservancy, National Audubon Society, and many others. The Montezuma Wetland Complex is a registered National Natural Landmark and is New York's first Audubon Society designated Important Bird Area. Strategies to conserve this premier wetland complex include fee acquisition by DEC and the USFWS, purchase of conservation easements by government and not-for-profit partners, and execution of Cooperative Management Agreements between partners and landowners. State funding can be matched with federal funding through the North American Wetlands Conservation Act. State funds have also been committed to the development of a new environmental education facility here.

**EMERALD NECKLACE (Regions 7 & 8)** – The Emerald Necklace is an arc of forested hills and valleys stretching from east to west in the vicinity of Ithaca in Schuyler, Tompkins and Tioga Counties. Within this necklace lie more than 50,000 acres of public land, including nine state forests, Connecticut Hill Wildlife Management Area, Cornell University's Arnot Forest, and Finger Lakes National Forest. These forested lands serve as the headwaters for streams draining into the Finger Lakes as well as the Susquehanna Watershed. Approximately 55,000 acres of the Necklace are identified in the Tompkins County Comprehensive Plan as important Natural Features Focus Areas for resource, recreation and open space protection. Two Audubon designated Important Bird Areas (Greater Connecticut Hill and Finger Lakes National Forest) are located within this area as well as at least 22 sites designated as Unique Natural Areas by Tompkins County's Environmental Management Council. A diversity of wildlife species utilize this area, ranging from a full array of nesting neotropical songbirds to an increasing number of black bears. Public lands within the Necklace have a long history of recreational use and in recent years, use has increased dramatically. In addition to traditional activities, such as hunting, these lands are seeing growing use for mountain biking (particularly at Shindagin Hollow SF), cross country skiing (particularly at Hammond Hill SF) and hiking on the Finger Lakes Trail. For many years, private lands adjacent to these public holdings have traditionally been managed for compatible uses such as firewood cutting and deer hunting. With increasing residential development in the Ithaca area, however, these lands are increasingly being sought out as home sites. In some cases, such development fragments forested habitat while limiting recreational uses on adjacent state lands and increasing administrative costs. By consolidating existing state holdings while also ensuring linkages between these sites, there is the potential to create a world class ecological, recreational and educational resource. A long-term grassroots approach to conserving these lands could achieve this vision while ensuring the ecological viability of existing state land and also enhancing recreational opportunities. It is recommended that development of a plan for educational interpretation and enhancement of access to these sites be developed concurrently with any land protection conservation plans for the area.

**FINGER LAKES SHORELINES (Regions 7 & 8)** – While the Finger Lakes Region is identified in the 2002 Plan as a Major Resource Area (pg. 296), and strategies such as acquisition of additional public access and consolidation of existing State projects are mentioned, the shorelines of these unique lakes are tied up in private ownership to a degree seldom seen in other states, so that most citizens have little direct experience of these beautiful lakes, even though their length provides hundreds of miles of shoreline. Public goals for shoreline protection include public access and wildlife protection. Public access for swimming, photography, shoreline fishing, and canoeing is minimal. Natural, forested shoreline is itself a scarce resource, incrementally lost over time to home site development. The Finger Lakes support a large and diverse population of waterfowl and raptors, which in turn generates significant public interest and educational opportunities. Seneca, Cayuga, Canandaigua and Southern

Skaneateles Lakes are all designated Important Bird Areas by New York Audubon. They are a significant wintering area for waterfowl (especially Pied-billed Grebes, Redheads, Mallards, Common Goldeneye, Canvasback, and the threatened American Black Duck). Forested areas along and above the lakeshores provide habitat for raptors and neotropical songbirds, including the threatened Cerulean Warbler (especially southern Skaneateles Lake). The shorelines are also important to geese, gulls, shorebirds, pipits, and Snow Buntings for feeding, and even nesting for wetland species. There is a woeful lack of publicly accessible shoreline from which to observe these avian species, with birders often stopping along shoulderless roads or busy state highways to view portions of the flocks between cottages, creating traffic safety hazards. Projects to preserve portions of the shoreline of any of these lakes, either for public access or for wildlife, could include acquisition, easements, or additions to existing public segments. Parties including New York State, towns, and non-profit organizations need to be prepared to capitalize on these opportunities which will become increasingly critical as shoreline development and prices continue to climb. While it is not possible to predict future opportunities, several potential lakeshore protection projects can be listed now: 1. Camp Barton – a Boy Scout camp with extensive frontage on Cayuga Lake (Region 7). NYS Parks is interested in acquiring this property, 2. On Cayuga Lake (Region 7), a tract owned by NYSEG and including 500 acres and 3,000 feet of undeveloped lake frontage in the Town of Lansing has already been identified as a priority, 3. Extending the eastern terminus of the Outlet Trail to the Seneca Lake shoreline at Dresden.

**GENESEE RIVER CORRIDOR (New Project)** – This project will protect the variety of habitats and landscapes found along the Genesee River as it flows north from Pennsylvania to Lake Ontario. From the Waterfalls of Letchworth State Park, the verdant valley of open grasslands and farm fields along Nations Road in Geneseo (both listed by Audubon as New York State Important Bird Areas) to the gorge in the heart of the City of Rochester, nearly the entire length of the Genesee River is in New York. Protection of this lineal corridor along 150 miles of river as it flows north providing links to existing public lands, enhancing public access points, protecting migratory and resident bird habitats supporting farmland protection and advancing environmental justice projects.

**CATHARINE VALLEY COMPLEX** – This unique Southern Tier complex extends from the southern end of Seneca Lake in Schuyler County, south to the Village of Horseheads in Chemung County. The complex is composed of three major environmental areas with varying habitats and recreational opportunities. Just south of Seneca Lake are towering shale cliffs bordered by *Rock Cabin Road*. This site harbors a rare plant community and an uncommon plant that is the exclusive food source for three butterflies considered rare in this region. The Wild Nodding onion, a rare species and listed on the NYS list of protected plants, grows in profusion on the cliffside. In addition more than 120 wildflower species have been identified on this site. Adjacent to Rock Cabin Road is the Queen Catharine wetland, identified as an Important Bird Area by the National Audubon Society. The second environmental area in this complex is the *Horseheads Marsh*, a Class 1 wetland and the largest freshwater wetland in Chemung County. The marsh is the headwaters for Catharine Creek, a world class trout stream and provides the stream with water quality and flood control functions. In addition, the marsh provides habitat for many species of birds (some on the endangered species list), wildlife and reptiles. The third focus in this complex is the abandoned *Chemung Canal* property, which passes through Horseheads Marsh. Purchase of this property will allow the Catharine Valley Trail connection to the Village of Horseheads by developing a trail along the historic Chemung Canal towpath. This complex offers opportunities to treasure and protect the biodiversity present in the area and to expand recreational and educational opportunities in the valuable open space lands of the Southern Tier.

**HI TOR/BRISTOL HILLS** – Located in the Finger Lakes Major Resource Area in Yates and Ontario Counties, the Hi Tor/Bristol Hills area is marked by extensive, and largely unfragmented, forests that

blanket the steep hills, gullies and eroded cliffs carved by the glaciers. The area offers exceptional scenic vistas of the Naples Valley, Canandaigua Lake and Honeoye Lake, and provides opportunities to preserve working forest lands. The area also has high ecological values: the NYS Natural Heritage Program, working under contract to The Nature Conservancy, has identified the Bristol Hills as the largest occurrence of an Appalachian oak-hickory forest in all of New York. More than 13,000 acres of this forest type have been identified in the Bristol Hills. The Hi Tor WMA is a popular recreational area attracting visitors from a wide area. Land conservation efforts by the state and not-for-profit organizations, through fee and or easement, will ensure that key tracts of land remain as open space in this area of increasing development pressures.

**SENECA ARMY DEPOT CONSERVATION AREA** – Located in the Towns of Varick and Romulus, Seneca County, this project is necessary to protect a unique population of white deer. The lands comprised part of a U.S. Army installation developed in the early 1940s and closed in the 1990's. The land is traversed by tributaries of four streams, and contains a 60-acre pond and nearly 500 acres of wetlands. The fenced perimeter allowed for the protection and management of the white deer herd, which is believed to be the largest, single herd of white deer in the world with approximately 200 individuals. The area also provides habitat for many species of birds and small game. As plans are devised for the development of the Depot, this project offers a unique open space opportunity.

**WESTERN FINGER LAKES: CONESUS, HEMLOCK, CANADICE AND HONEOYE** – More than 10,000 acres in Livingston and Ontario counties surrounding Hemlock and Canadice Lakes and covering the southern end of Honeoye Lake are included in this unique project. The project includes more than 7,000 acres of land surrounding Hemlock and Canadice Lakes currently owned by the City of Rochester, which manages these lands primarily for watershed protection. Nearly 3,000 acres of land at the southern end of Honeoye Lake include parcels adjacent to existing State holdings (Honeoye Inlet WMA and Harriet Hollister Spencer State Park) and parcels adjacent to holdings by other not-for-profit groups. This project is unique because it contains the only remaining Finger Lakes with shorelines that are wholly or largely undeveloped.

**CHEMUNG RIVER GREENBELT** – Located in Chemung and Steuben Counties this project expands and enhances significant recreational resources in a unique, scenic landscape while protecting important wildlife habitat. A Chemung River watershed greenway was first proposed in the Southern Tier Central Regional Planning Board's 1976 Comprehensive Plan. The project would include the Chemung River Basin Trail, an existing series of boat launches that is part of the Chesapeake Bay Gateways program, and the rivers' flood plains and highlands. In addition to recreational resources provided by both the river corridors and land-based trail, preservation of open space in the area would link valuable wildlife habitats for timber rattlesnakes, black bear, and bald eagles. Several areas of state land would also be linked including the Cameron State Forest, the Cameron Mills State Forest, Tracy Creek State Forest, Pinnacle State Park and Erwin Hollow State Forest. Additional protected lands include 1,200 acres held by the Finger Lakes Land Trust, the Nature Conservancy, and Tanglewood Nature Center. The Department owns and has permanent easements along the Chemung River for flood control purposes. Increased suburban sprawl in Elmira-Corning area and scattered residential development on the more rural areas threaten the project area. Specific projects would include but not be limited to: 1. Open space protection of undeveloped floodplain with a focus on high quality wildlife habitat, 2. Additional boat launches and fishing access points along the Canisteo and Cohocton as addition to the Chemung Basin River Trail, 3. Protection of the Chemung Palisades, a scenic and wildlife habitat resource, and blocks of contiguous forest on both sides of the river in the Town of Big Flats and 4. Additional hiking, biking trails and camping facilities, connecting existing public facilities. Detailed conservation planning that builds upon existing planning and resource management efforts is needed to prioritize specific projects. This nomination capitalizes on the interest and progress to date of multiple

organization and governmental entities in protecting this unique and diverse landscape, with an emphasis on protection of important wildfire habitat, recreational access and scenic vista preservation. Acquisitions have the potential to connect, extend, and/or add value to 2002 Open Space Projects **Steege Hill/Chemung Palisades, Mossy Bank, Valley Rim Trail, West Hill Lands** (considered threatened under the New York State Natural Heritage Program) and the Town of Erwin's Green Infrastructure Plan.

**WOLF GULLY** – Located in the Town of Naples, Ontario County this site was identified in The Nature Conservancy's planning sessions for the Western Finger Lakes Landscape Conservation Area. It is a forested landscape situated around an Ice Age glacial meltwater channel. Wolf Gully has exceptional biological diversity, most notably in ferns where 31 species have been described over the years.

**WESTBURY BOG** – This project, located in a large wetland complex in the Town of Butler, Wayne County, is intended to protect the habitat of an endangered reptile. This species was recently documented at this site. Long term conservation of the site through a variety of tools is proposed, including upgrading the wetland's regulatory classification, negotiating easements, implementing cooperative agreements and undertaking land purchases. Partnering between state and federal agencies, landowners and local colleges to achieve conservation objectives will likely be more successful than individual actions.

**GENESSEE GREENWAY/RECREATIONWAY (Regions 8 and 9)** – The Genesee Valley Greenway (GVG) is a 90 mile long corridor that extends from the city of Rochester in Monroe County through to the Village of Hinsdale in Cattaraugus County. It passes through woodlands, wetlands, river and stream valleys and rolling farmlands providing connections to Letchworth State Park, local parks, major trail systems and historic villages and towns in Monroe, Livingston, Wyoming, Allegany and Cattaraugus Counties. The cinder path of the former rail bed provides a trail for hiking, biking, cross country skiing, snowshoeing, nature observation, horseback riding, and snowmobiling. While the State has acquired this corridor, serious encroachments and gaps exist that prevent full use of this significant recreational trail. In addition, two other corridors (Groveland Secondary and Erie-Attica) offer opportunity to expand this system. Since the Lehigh Valley railroad (which intersects the GVG) was completed in the Fall of 2004, important progress has been accomplished in establishing a network of trails that will improve the quality of life in western New York State.

**TONAWANDA CREEK WATERSHED (Regions 8 and 9)** – This project would serve to protect one of the major tributaries of the Niagara River in Genesee, Erie and Niagara Counties. The Tonawanda Creek and its four major tributaries – Ellicott Creek, Mud Creek, Murder Creek and Ransom Creek, plus a number of minor tributaries provide an impressive variety of aquatic life as well as an example of biodiversity that covers a five-county area. The diverse community represented by this watershed includes the threatened Longear Sunfish, the Brindled Mad Tom, a species of special concern and over 20 species of freshwater mussels. The Tonawanda Creek also has its own self sustaining walleye population. Associated wetlands and open field habitat are common in the basin. Also of importance is the occasional occurrence of forest with old growth characteristics that are found scattered amongst the second growth forest. The Tonawanda Creek system faces threats from new development, bank erosion, pollution problems and storm water runoff.

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#### ADDITIONAL PRIORITY PROJECTS

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**LEEDY'S ROSEROOT** – The isolated shoreline cliffs on the west side of Seneca Lake in Yates County, encompassing approximately 5 acres, exhibit well defined, highly fractured shale rock layers. These fractured shale cliffs and talus slopes support a population of plants, Leedy's Roseroot, listed as

“threatened” on the federal level and “endangered” on the State level. In recent years these shale cliffs have become development targets, as more suitable lake front lands are already developed.

**LITTLE LAKES CORRIDOR** – This corridor is comprised of six parcels of land in Steuben and Schuyler counties, currently owned by New York State Electric and Gas Corp. (NYSEG), and connecting Waneta, Lamoka and Keuka lakes. The properties include an abandoned generation plant and surrounding land on Keuka Lake; a canal connecting the plant and Waneta Lake; parcels on and around Waneta and Lamoka Lakes and Bradford Dam and surrounding wetlands. This corridor is an important open space project because of the habitat it provides, the glacial geologic features present and the opportunity to develop a trail along the corridor to Keuka Lake and connecting with the Finger Lakes Trail.

**MONROE COUNTY PATHWAYS** – These linear trails will connect several public open space areas in Monroe County. The lands include the Rochester Running Track, a 7.5 mile multi-use trail connecting High Falls Park, Seneca Park, Seaway Trail and Sea Breeze Trail. The Falls Road Branch is a 16 mile multi-use railway, south and parallel to the NYS Canal, connecting historic villages. These former railway lands provide an opportunity to develop trails that will connect several cultural resources and provide scenic areas along the NYS Canal system.

**ZURICH BOG** – This property is owned and managed in part by the Bergen Swamp Preservation Society, Inc. The unique wetland/bog community includes sphagnum muskeg, shrub bog, bog forest, and swamp forest vegetative types. It is located in Wayne County in one of the two outstanding drumlin fields in North America. It is also the resident habitat of an endangered species. Wetland drainage activities have threatened the natural values of this area. Proposed is the purchase of easements and land in fee to provide additional protection to this unique resource.

**PINNACLE HILL** – Pinnacle Hill is comprised of about 33 acres within the City of Rochester and the Town of Brighton. This site is a kame developed during the last glacial period in this area. It is part of the Pinnacle Range which includes Cobb's Hill, Highland Park, and Mount Hope Cemetery. This hill is characterized by steep and erodible slopes that are held in place by a mature deciduous woodland. Pinnacle Hill has the highest elevation in the Town of Brighton. Because of its natural characteristics, the danger of erosion from development and the magnificent view to the south from its slopes, Pinnacle Hill was listed as a “High Priority” site for preservation measures in the report, Preservation of Environmentally Sensitive Areas in Monroe County.

**GREAT BEND** – This project is located in the Town of Mendon and is bordered on the north and east by a Lehigh Valley railroad bed right-of-way and adjacent to the Totiakton Native American site on the west. A drumlin is present on the site and Honeoye Creek runs through the more than 230 acre parcel. The parcel has a diversity of environmental features ranging from dense woodlands, some on steep slopes, to open meadow found along the railroad bed. These features provide excellent habitat for plants, birds and animals. Protection of this site by county, town or land trust acquisition is recommended.

**BERGEN SWAMP** – Located just twenty miles from Rochester in Genesee County, Bergen Swamp is a 2300-acre system of wetlands that harbors an incredible diversity of plants and animals, including 40 species of rare, threatened, or endangered plants and the endangered Massasauga Rattlesnake. Although more than 1600 acres of the swamp is owned by the Bergen Swamp Preservation Society, there is a need to complete protection of core areas and to acquire upland buffer that can protect the swamp from residential development.

**CALEDONIA SPRINGS** – This project is to provide protection to the high-quality water source that supplies the Caledonia Fish Hatchery in Livingston County, the oldest in the nation. Locally known as Spring Brook, this resource and the associated wetlands are surrounded by development. It also provides a significant wintering habitat for thousands of waterfowl.

**DRESDEN FLATS** – The Dresden Flats consists of about forty acres of land in the Town of Torrey and Village of Dresden, in Yates County. These lands are within the federal flood plain and designated as wetlands by NYSDEC. Located on the north side of the Keuka Lake Outlet, this property is critical to extending the Outlet Trail and the Outlet Park Greenway the last mile to Seneca Lake. Acquisition will create new public access to the shore of Seneca Lake, to the first two locks of the historic Crooked Lake Canal, to the mouth of the Outlet Creek and to many other recreational, historic and environmental assets of the property. Local support for the project is evident with participation from local corporations, the two municipalities, Dresden and Torrey, and several not-for-profit organizations and private individuals.

**FOSSIL CORAL REEF** – This 100 plus-acre property located in the Town of LeRoy, Genesee County has been on the US Department of Interior, National Park Service's Registry of National Natural Landmarks since 1967. It is known locally as the "Bradbury Quarry." It contains an abandoned limestone quarry and woodlands. It is abundant with ancient fossils, wildlife and trails. Specimens of fossils date back 350 to 400 million years ago. Geologically, the quarry contains the only preserved and well exposed Middle Devonian Onondaga Coral Reef in Western New York. Rare fossil and flank deposits are abundant in the reef and include numerous tabulate and rugose corals, crinoids, gastropods and trilobites. The site is visited on a regular basis by paleontology groups from local colleges.

**BUTTERMILK FALLS ON OATKA CREEK** – Buttermilk Falls is an approximately 70 foot waterfall in Oatka Creek. It is the point where the creek drops over the Akron-Bertie Onondaga Dolomite and Limestone Formation in the Town of LeRoy, Genesee County. During periods of low rainfall (perhaps several weeks during the summer) the creek "disappears into the bedrock upstream of the falls and reappears either at the base of the falls or at points on the rock face. It is a very scenic area, but currently unavailable for public viewing.

**BRIGHTON BORROW PIT** – This area, located between Elmwood Avenue and Westfall Road in the Town of Brighton, Monroe County, was recommended for acquisition in the Town's 1990 and 2001 Master Plans. It is significant for its location as well as its natural features, and has some historical significance as the site of a clay mine to support the early brick making industry in the town. Environmental features include an open water pond, 30 acres of Class I NYSDEC wetlands, 40 acres of federal wetlands, 40 acres of Buckland Creek's floodplain, and 40 acres mapped as Woodlot Environmental Protection Overlay District. The low elevation of the area relative to surrounding properties makes it an important storm water detention area for Buckland Creek. The location of this parcel is also important because it provides the opportunity for a trail connection between the Town Halland neighborhoods located north of Elmwood Avenue with Town parkland south of Westfall Road.

**RITA SHAW ESTATE** – The Rita Shaw Estate is approximately 29 acres and is one of the last large wooded tracts in the Town of Irondequoit, Monroe County. This site has a very high potential for development. There are three steep-sloped ridges, one of which is an esker, two large valleys and two winding streams on the estate. The oak-hickory climax woodland has oaks that are an estimate 200 to 250 years old. Some oaks have a thirteen to fourteen foot circumference. Other trees found on-site include tulip poplar, maple, beech, pine, aspen, ash, and cottonwood. The understory consists of dogwood, spice bush, arrowwood, honeysuckle, barberry, and sumac. In addition, there are protected ferns and fields of wildflowers that make this an attractive site.

Counties and other municipalities should be authorized to collaborate in the use of modern and effective land preservation and conservation techniques, particularly to target efforts to high environmental and cultural resource value areas. Additional incentive funding should be provided to stimulate local and non-governmental partnerships that achieve the objectives of Open Space, Agricultural, Conservation, and Cultural Resource Lands Protection.

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**2009 WESTERN FINGER LAKES PRIORITY CONSERVATION PROJECTS**

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**NEW PROPOSED PRIORITY PROJECTS**

**GENESEE RIVER CORRIDOR (Region 8)** – The Committee recommends that this project be included in the 2009 New York State Open Space Conservation Plan (description provided in Region 8 Open Space Conservation Projects).

**ENVIRONMENTAL JUSTICE (Multi-Region)** – The Committee discussed Environmental Justice issues and its role in the open space planning process. The discussions blended with the concept of creating the Genesee River Corridor and its location in the City of Rochester (mentioned above). Specific guidelines on how projects should be evaluated should be developed on a state-wide basis.

**STATE FORESTS AND WILDLIFE MANAGEMENT AREA PROTECTION** – The Committee recommends that Unique Areas be included.

**LONG DISTANCE TRAIL CORRIDORS** – The Committee recommends that this Multi-Region project include the following as described above: "Special priority should be given to protection of trail routes' private access to public lands, since these are increasingly vulnerable segments of any trail's continuity. For example, many of the state forests the Finger Lakes Trail enjoys are reached from road crossings only through private land permissions."

**NEW PROPOSED ADDITIONAL PROJECTS**

The Committee recommends that the following four projects be included as Additional Projects in the 2009 New York State Open Space Conservation Plan (description provided in Region 8 Open Space Conservation Projects):

- **Brighton Borrow Pit**, Monroe County, Region 8
- **Rita Shaw Estate**, Monroe County, Region 8
- **Summit Wetlands**, Monroe County, Region 8
- **Grimes Glen**, Ontario County, Region 8

**2009 PROJECT RECOMMENDATIONS**

The comprehensive nature of the 2006 New York State Open Space Conservation Plan, provided a straightforward means of analyzing nominated projects. Projects nominated for the 2009 Open Space Plan and how they were categorized were as follows:

NOMINATION / SPONSOR	OPEN SPACE PROJECT	CATEGORY
Great Eastern Trail Chemung County	Catharine Valley Complex	Priority Project
Brighton Borrow Pit Monroe County	Local Project	Additional Project

**SUMMIT WETLANDS** – This parcel located near the Erie Canal in the Town of Brighton, Monroe County. The parcel has had in the past a very vigorous population of Western Chorus Frogs (WCF). The WCF population has diminished over the last two years due to habitat removal in the southeast area of the parcel. This entire area is a wooded wetland.

**GRIMES GLEN** – Grimes Glen located in the Village of Naples, Ontario county is comprised of roughly 34 acres and is accessed on the end of Vine Street in the village. It is composed of the central valley of Grimes Creek and includes a number of waterfalls and unique incised valley habitats. The area is proposed for acquisition by Ontario County with the goal of opening a county park. The area provides hiking trails and scenic views. The area is home to the oldest known Devonian tree fossil in New York.

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**2009 WESTERN FINGER LAKES – REGION 8 OSP ADVISORY MEETINGS**

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March 11, 2008, DEC Region 8 Sub-Office, Bath  
April 2, 2008, DEC Region 8 Headquarters, Avon  
April 16, 2008, DEC Region 8 Headquarters, Avon  
April 30, 2008, Chemung County Community Center, Big Flats  
May 14, 2008, City of Rochester Water Filtration Facility on Hemlock Lake, Hemlock  
May 28, 2008, Montezuma Audubon Center, Savannah

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**2009 WESTERN FINGER LAKES – REGION 8  
OSP REGIONAL ADVISORY COMMITTEE MEMBERS**

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**COUNTY REPRESENTATIVES**

John Pastrick	Chemung County
Paul Osborn	Genesee County
Heather Ferrero	Livingston County
Paul A. Johnson	Monroe County
Kristen Mark-Hughes	Ontario County
Wayne Hale	Orleans County
Harriet Haynes	Seneca County
Vacant	Schuyler County
Amy Dlugos	Steuben County
Sharon Lilla	Wayne County

**DEC REGIONAL CONTACTS**

Randall C. Nemecek, –  
Supervisor for Natural Resources  
Linda J. Vera – Citizen Participation  
Specialist  
Michael Wasilco – Regionall Wildlife Manager  
John Gibbs – Regional Forester  
Webster Pearsall – Regional Fisheries  
Manager

**OPRHP REGIONAL CONTACTS – GENESSEE**

Richard Parker – Regional Director

**COMMISSIONERS' APPOINTEES**

Eric Grace	Genesee Valley Conservancy
Betsy Landre	Finger Lakes Land Trust
Peter Landre	At-Large Committee Member
Evelyn Gay Mills	Genesee Land Trust
Tim Noble	ADK
David Odell	Friends of Montezuma
John Plummer	Town of Greece
Don Root	City of Rochester
Mona Rynearson	Bergen Swamp
Irene Szabo	Finger Lakes Trail Conferenc
David Woodruff	Private Landowner – Sportsmen Preservation Society, Inc.
Lee Younge/ Gretchen Wainwright	TNC

**OPRHP REGIONAL CONTACTS – FINGER LAKES**

Tim Joseph – Regional Director  
Sue Poelvoorde – Natural Resources Planner

**WESTERN NEW YORK – REGION 9**  
**REGIONAL OPEN SPACE ADVISORY COMMITTEE**

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**COUNTIES**

ALLEGANY, CATTARAUGUS, CHAUTAUQUA, ERIE, NIAGARA, WYOMING

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**ISSUES**

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**INTRODUCTION**

The Regional Open Space Advisory Committees(RAC) initial meeting for this update of the Open Space Conservation Plan(OSP) was held **April 9, 2008** at the Wales Center Community Center in Wales Center, Erie County. Several vacancies in the RAC had developed since the last update in 2006. A new county and one State appointed representative were needed for Erie County and two new State appointed representatives were needed for Chautauqua County. At the time of this first meeting only one of the State appointments for Chautauqua County remained unfilled.

The meeting centered around information concerning the schedule for submitting the draft OSP to Albany by May 23, 2008 and the discussion of dates for individual county meetings. The RAC had received some criticism in the past for not holding enough county meetings so a schedule was drafted with a date, time and location for each of Region 9's counties. A follow up meeting of the entire RAC was also scheduled so that discussion could be held on recommendations coming out of the individual county meetings and any necessary changes to OSP categories could be made.

A draft outline for the agenda of the county meetings was proposed with each meeting to be started with an introduction as to why the meeting was being held, brief introductions of State representatives and RAC members present, a power point presentation on the history, objectives and successes of the OSP, and then a review of the categories in the 2006 OSP that applied to Region 9. The meeting would then be opened for presentations and questions from the public.

Other discussion centered around current Regional and multi-Region categories and topics which Albany had requested that Regional submissions address. There was discussion about possible changes to 2006 categories such as Grassland Preservation and Restoration (123) to address acquisition of grassland areas near existing Wildlife Management Areas and Lake Erie Tributary Gorges (125) to address the need for additional property at the Lake Erie end of Canadaway Creek.

There was also discussion regarding an opportunity to elaborate on the Statewide Farmland Protection category(134). Additional emphasis on the Environmental Justice category was discussed as well as community gardens and an urban farm in the Buffalo area .

The RAC also discussed their desire to see a renewed Region 9 request for a Forest Legacy area in the Region . Although it was explained to the RAC that currently the use of the Forest Legacy category in the State was inactive due to lack of federal funding the RAC felt that a renewed request for a Forest Legacy area in Region 9 was necessary in case increased federal funding became available.

RAC members expressed interest in putting together biographical information for each member. It was requested that this information be emailed to the Regional Citizen Participation Specialist where the information would be combined and shared with the entire RAC and State representatives.

It was agreed that a press release would be prepared in partnership with OPRHP to announce the upcoming public meetings.

COUNTY MEETINGS' MINUTES

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**NIAGARA COUNTY**

The first county meeting was held in Niagara County on **April 21, 2008**. The host site was the Cornell Cooperative Extension Office in Lockport, NY.

This meeting and the others to follow opened with State Representative and RAC member introductions and then proceeded with a power point presentation that reviewed the following topics:

1. Principles, goals and history of New York State's Open Space Plan
2. Overview of the current plan
3. Regional acquisitions for each county in Region 9
4. Regional Advisory Committee
5. Opportunities for public input and involvement

The remainder of the meeting was devoted to public input. Pat Szarpa, the Executive Director for the Western New York Land Conservancy gave a detailed PowerPoint presentation on her organization's proposal for the Niagara Escarpment Legacy Project. Several other attendees were equestrians and were interested in promoting areas open to horseback riding. Several other questions related to how wetlands are classified and the permitting process for activities in wetlands.

**CHAUTAUQUA COUNTY**

The Chautauqua County meeting was held on **April 28, 2008** at the Roger Tory Peterson Institute in Jamestown, NY. This meeting followed the same format as the first and several presentations were made by meeting attendees. A presentation was made requesting a category for the Chautauqua County Lake Erie Shoreline, Lake Plain and Escarpment Complex. It was proposed that the requested listing would provide recognition that this area has a unique and irreplaceable open space resource that includes exceptional ecological, wildlife, recreation, scenic and historic values.

A presentation was made concerning a proposed hotel complex adjacent to the Tom's Point Wildlife Mgt. Area on Chautauqua Lake in the Town of North Harmony. It was requested that the State should make every effort to acquire the site in order to stop development.

Several presentations were made regarding the need to protect open space in Chautauqua County in order to preserve bird habitat areas and protection of Important Bird Areas as critical open space.

A presentation regarding the preservation of the remaining undeveloped portions of Chautauqua Lake as well as the tributaries of Lake Erie and Chautauqua Lake provided support for current Open Space Plan priority categories. It was also requested that more emphasis be placed on protection of the headwater forests on tributaries.

**ERIE COUNTY**

The Erie County meeting was held on **April 29, 2008** at Woodlawn Beach State Park in Blasdell, NY. Following introductions and presentation of the standardized formal program several presentations were made by both attendees and several members of the RAC.

A representative of the Western New York Land Conservancy gave a presentation on the need to provide additional protection to portions of the Hunters Creek area in the Town of Wales in Erie County. It was suggested that additional acreage was needed to supplement Hunters Creek Park that is already owned by Erie County and the Kenneglenn Scenic and Nature Preserve which is owned by the Western New York Land Conservancy.

RAC member Robert Reynolds, an Erie County Legislator spoke out in support of farmland protection and support of the Queen City Farm. Queen City farm would transform 2.25 acres of vacant urban lots in the City of Buffalo into productive vegetable growing property and would give the City of Buffalo the national distinction of having the largest farm located in an urban setting RAC member Rock Termini spoke out on farmland and working forest preservation and the need to utilize conservation easements to accomplish these protections.

Members of the Western New York Horse Council requested that the needs of recreational horseback riders be considered in the update of the Open Space Plan.

#### **ALLEGANY COUNTY**

The Allegany County meeting was held on **April 30, 2008** at the Crossroads Commerce and Conference Center in Belmont, NY. Following introductions of attending State and RAC representatives the standardized formal program was given. Several presentations were made by attendees.

A presentation was given by Allegany Trails, Inc. which urged the State to complete the acquisition and develop the 10.4 mile trail from Weidrick Road south of Wellsville to the Pennsylvania line for public use and enjoyment. The presenter also believes that additional extensions are possible that would link the WAG Trail to the Genesee Valley Greenway to the north and Coudersport, Pa. To the south. Other comments were made which it was felt would improve the use of both the Greenway and WAG Trails.

RAC member Kier Dirlam spoke about the development of a comprehensive countywide recreation and open space plan for Allegany County.

Additional comments were made about the removal of properties from the tax rolls when purchased by the State and the need to pay property tax on existing State lands were taxes are not paid.

Comments were made about having a Genesee River corridor category and to add Cuba Lake to InLand Lakes category 124.

#### **CATTARAUGUS COUNTY**

The Cattaraugus County meeting was held on **May 1, 2008** at the Cattaraugus County Office Building in Little Valley, NY. Following introductions of attending State and RAC members the formal presentation was made. Public presentations were made by several attendees.

A representative of the Cattaraugus Local Development Corporation spoke in favor of converting former railroad corridors into public trails. His group successfully completed the 12.4 mile Senator Pat McGee Trail that is getting tremendous usage. There is a move to convert a former rail line that runs from Orchard Park to Colden and on to West Valley. There is a real need to identify all unused railroad corridors and their current owners. It was suggested that NYS should apply a uniform tax abatement on former corridors and take them over so local municipalites can turn them into usable trails for public land stewardship. It was mentioned that forest tracts also need a program to keep them intact and to maintain their integrity.

A officer of the Cattaraugus County Snowmobile Association spoke in favor of snowmobile trails and the need to have a better way to ease the land owner's liability in allowing trails on private property and simplify the process of managing trail systems. His local club needs sign offs from over 370 separate property owners in order to maintain the trail system. It was felt that if liability issues could be reduced, more property owners would be willing to allow trails on their lands.

Allegany County Legislator William Dibble mentioned Allegany County's new Comprehensive Open Space and Recreation Plan and the need for a State Park in Allegany County.

RAC member Rock Termini spoke out on farmland and working forest preservation and the need to utilize conservation easements to accomplish these protections.

A resident of the Town of Perrysburg spoke out on the desire of Cattaraugus County to transfer Bob's Pond in that town to the State. Public and administrative access needs to be improved and repairs to the dike surrounding the pond.

#### **WYOMING COUNTY**

The Wyoming County meeting was held on **May 7, 2008** in the Sheldon Town Hall. Following introductions of attending State and RAC members the formal presentation was given. No presentations were given by attendees but several questions were addressed by State and RAC representatives.

Questions centered around whether the State would be interested in purchasing wetlands currently enrolled in the federal Wetland Reserve Program and how does the State interact with other agencies and NGO's when it considers buying property. It was suggested that DEC and OPRHP interface with other agencies and NGO's interested in protecting open space so that common goals could be discussed. Other questions involved the State Farmland Protection category, establishing hiking trails on private property and additional acquisition along the Genesee Valley Greenway.

Several attendees stated that they were recreational horseback riders and that they didn't want to lose any existing horse trails on state land. They are willing to volunteer time to maintain trails and build new ones.

#### **REGIONAL OSP ADVISORY COMMITTEE**

Regional Advisory Committee Meeting was held on **May 15, 2008** at Woodlawn Beach State Park. Representatives of DEC and OPRHP met with members of the Regional Advisory Committee to discuss comments provided during the six county meetings.

The meeting started off with a presentation by a member of an organization called "Grassroots Gardens of Buffalo". To better understand community garden projects in the City of Buffalo, the Region 9 RAC invited the speaker so as to learn more about the community garden projects currently underway. The speaker reviewed current community garden projects, goals and challenges. His presentation helped the RAC recognize the tremendous potential partnership opportunities between state, municipal, and local community groups that community garden projects represent. Especially in the Buffalo area, there are multiple groups in which partnership efforts to promote community gardens could be pursued, given the appropriate open space program mechanisms and guidance. Community garden projects in Buffalo are currently completed on properties leased by community groups from the city. Obtaining ownership of these properties continues to be a challenge for local community garden groups and could represent an opportunity for assistance through the state's Open Space Plan.

An agenda was passed out which summarized the comments received in each of the county meetings. The Regional Advisory Committee and State Representatives discussed each comment and decided how to address it. As a result of this discussion the following changes were recommended to the "A List" Categories:

**Buffalo/Niagara River Corridors** – will be changed to **Buffalo River Watershed**. The Niagara River is already included in several other categories which should meet any needs identified associated with its watershed. This change will allow to more adequately address the habitat concerns and limitations on fish and wildlife populations in the entire watershed for the Buffalo River.

**Cattaraugus Creek and Tributaries** – will have a statement added to indicate additional pressure is being placed on the natural resources of this system by the expansion of the Route 219 expressway.

**Chautauqua Lake Access, Vistas, Shore lands & Tributaries** – will be modified to include increased emphasis on protecting tributary headwater forests.

**Ecological Corridors** – will be modified to include the Genesee River and the references to the Senator Pat MaGee Trail and Chautauqua Rail to Trail will be moved to a new category for **Trails and Trailways** which will be moved up from the previous B List.

**Inland Lakes** – will be modified to include Cuba Lake in Allegany County and Silver Lake in Wyoming County to the Improved Public Access portion.

**Niagara Escarpment** – will be changed to **Trails and Trailways** and the Niagara Escarpment will be included in Category 129.

**Great Lakes Shorelines and Niagara River** – will be modified to include the escarpments and lake plain habitats associated with the Niagara and Lake Erie escarpments. The importance of the Lake Erie escarpment in regards to avian and bat migratory movements will be included.

**Statewide Farmland Protection** – will be modified to include a recommendation for the creation of a Regional Farmland Preservation Board.

**Statewide Small Projects** – It was suggested that an additional sub category be added that will address the need to provide protection for designated Important Bird Areas that do not fall under an existing category.

**Environmental Justice** – The Regional Advisory Committee recommends the creation of a Multi-Region category. The committee recognizes the importance of regional environmental justice projects, and addressed environmental justice during its draft Open Space Conservation Plan updating process. The RAC also recommends that specific program guidelines be established to help regional committees establish environmental justice related priorities, and encourages the development of program mechanisms enabling regional committees to offer specific assistance to municipalities for community garden acquisitions through partnership efforts. Potential environmental justice projects identified in the Buffalo area include community garden partnership and the Queen City Farm Project.

**Forest Legacy** – The RAC again recommends that the Allegheny Hills and Niagara Frontier be added to the Forest Legacy Areas in New York State.

WESTERN NEW YORK 2009 PRIORITY CONSERVATION PROJECTS

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*Recommendations that have been updated since the 2006 Plan are italicized.*

**Regions 8 & 9**

**GENESEE GREENWAY/RECREATIONWAY** – The Genesee Valley Greenway (GVG) is a 90 mile long corridor that extends from the city of Rochester in Monroe County through to the Village of Hinsdale in Cattaraugus County. It passes through woodlands, wetlands, river and stream valleys and rolling farmlands providing connections to Letchworth State Park, local parks, major trail systems and historic villages and towns in Monroe, Livingston, Wyoming, Allegany and Cattaraugus Counties. The cinder path of the former rail bed provides a trail for hiking, biking, cross country skiing, snowshoeing, nature observation, horseback riding, and snowmobiling. While the State has acquired this corridor, serious encroachments and gaps exist that prevent full use of this significant recreational trail as well as connections to potential support facilities such as the McKinney Stables. In addition, two other corridors (Groveland Secondary and Erie– Attica) offer opportunity to expand this system. Since the Lehigh Valley railroad (which intersects the GVG) was completed in the Fall of 2004, important progress has been accomplished in establishing a network of trails that will improve the quality of life in western New York State. Efforts should be made to include the Genesee Valley Greenway in the Erie Canal and Empire State Greenway announced by Governor Pataki in 2005.

**TONAWANDA CREEK WATERSHED** – This project would serve to protect one of the major tributaries of the Niagara River in Genesee, Erie and Niagara Counties. The Tonawanda Creek and its four major tributaries – Ellicott Creek, Mud Creek, Murder Creek and Ransom Creek, plus a number of minor tributaries provide an impressive variety of aquatic life as well as an example of biodiversity that covers a five-county area. The diverse community represented by this watershed includes the threatened Longear Sunfish, the Brindled Mad Tom, a species of special concern and more than 20 species of freshwater mussels. The Tonawanda Creek also has its own self sustaining walleye population. Associated wetlands and open field habitat are common in the basin. Also of importance is the occasional occurrence of forest with old growth characteristics that are found scattered amongst the second growth forest. The Tonawanda Creek system faces threats from new development, bank erosion, pollution problems and storm water runoff.

**Region 9**

**ALLEGHENY RIVER WATERSHED** – Because of its geology and ultimate connection to the Ohio and Mississippi rivers, this watershed supports one of the most biologically diverse aquatic systems in the northeastern states. The major tributaries which include the Conewango, French and Olean Creeks provide diverse faunal communities and associated valuable wetland communities. A number of rare species and habitat communities are present. These areas provide recreational and educational opportunities as well. Additional public access is desired throughout this watershed.

***BUFFALO RIVER WATERSHED** – This project will serve to protect the Buffalo River corridor as well as the three primary tributaries , Cayuga Creek, Cazenovia Creek and Buffalo Creek. A secondary benefit of this could be improved access for users of the the Canoe Trail in the Buffalo River. The remaining undeveloped flood plain forest and meadow areas in the metropolitan Buffalo area, including the towns immediately upstream, are critical for the enjoyment of fish and wildlife for low mobility citizens and for the ecological and green infrastructure functions they provide to the region. Without protection from further development these relatively undisturbed areas could contribute to further degradation of the Buffalo River, rather than fulfilling their promise as source areas for the rivers restoration. Origins of the tributaries include lands in the towns of Holland and Sardinia in Erie County, and the Towns of Arcade, Java and Sheldon in Wyoming County. Protection of upstream habitats and*

*establishing greater connectivity between forested areas should help improve water quality in the system as well as further our State's response to climate change.*

**CATTARAUGUS CREEK & TRIBUTARIES** – This system is the single most important Lake Erie tributary for the salmonid fishery within the State. The spring and fall migrations of steelhead (rainbow)trout attracts thousands of anglers to the creek each year and increased public access has become a high priority. The system also provides watershed protection and access to Lake Erie by boaters. The creek and its tributaries includes habitat that is currently utilized by steelhead for spawning and nursery areas. This natural propagation of the primary sport species is helpful in supplementing the overall DEC trout stocking program to create an extraordinary tributary steelhead fishery. The Connoisarauley Creek Tributary and Falls is a unique geological area of public access interest. The Zoar Valley Multiple Use Area is situated on portions of both the main branch and South branch of Cattaraugus Creek and additional protection of this area through land acquisition is desirable. *Expansion of the Route 219 Expressway into Cattaraugus County is expected to place additional development pressure on the farmland and forest resources on portions of this watershed.*

**CHAUTAUQUA LAKE ACCESS, VISTAS, SHORE LANDS & TRIBUTARIES** – Securing adequate public access to Chautauqua Lake is critical due to the extremely developed shoreline. Without open space availability, this superb warm water fishery which includes muskellunge, walleye and black bass will not meet the demands of the angling and boating public to continue the recreational advantages of this resource. Preserving additional shoreline for undeveloped, natural littoral zones should insure adequate fisheries habitats for the continuance of the world-known muskellunge fishery. Surrounding sloping hillsides, susceptible to erosion should they be further developed, provide important scenic value to this tourist area. The lake outlet, which contains extensive wetlands, is an ecological oasis. *Water quality issues stemming from activities on the lakes tributaries are a concern and may be addressed by easements or acquisition to protect riparian and upland habitat such as head water forests on the lakes tributaries.*

**ECOLOGICAL CORRIDORS** – *Protection of existing ecological corridors to link existing public lands, protect important fish and wildlife habitats such as riparian zones along rivers, wetlands and forested areas and coastal ecological areas to provide recreational access and habitat protection for areas that may also be contiguous to water bodies or existing lineal corridors. Projects include but are not limited to the Niagara River and Genesee River Corridors.*

**EXCEPTIONAL FOREST COMMUNITIES** – This acquisition project seeks to preserve the region's remaining forest remnants that exhibit old growth characteristics. Examples may be found at Allegany State Park, Reinstein Woods, Zoar Valley; *and the Niagara Gorge slope and talus communities.*

**GRASSLAND PRESERVATION & RESTORATION** – This project will serve to protect existing grassland habitat and also provide for restoration of native grassland species. Emphasis would be placed on sites where protection of endangered or threatened grassland birds is necessary and where additional nesting habitat could be provided for upland game birds and waterfowl. Sites with sufficient acreage to be effectively managed, or situated so as to be subsequently added to in order to achievemanagement goals would receive primary consideration. Projects include but not are limited to: the Towns of Porter, Wilson, Hartland, Newfane and Somerset in Niagara County, and the Towns of Covington and Middlebury in Wyoming Co.

**INLAND LAKES** – Protection of undeveloped shoreline, associated wetlands and critical tributary habitat. Provide protection of water quality and important fish and wildlife habitat. Secure adequate public access for recreational use through acquisition or easement. Projects include but are not limited to:

- Improved public access – Findley Lake and Bear Lake (Chautauqua County)
- *Silver Lake (Wyoming County), Cuba Lake (Allegany County)*
- Shoreline protection – Bear Lake (Chautauqua County), Silver Lake (Wyoming County)
- Cassadaga Lakes (Chautauqua County), *Cuba Lake (Allegany County)*

**LAKE ERIE TRIBUTARY GORGES** – This project seeks to acquire public access to these unique ecological and geological areas. Chautauqua Gorge is the primary public water source for the Village of Westfield. Several hundred acres of this watershed are currently owned by the Village. Gages Gulf and Twenty Mile Gorge are located in the Town of Ripley. Twenty Mile Creek is an important trout stream, provides unusual steep gorge terrain and ecological habitat, has scenic, recreational and educational value. Canadaway Creek which includes Shumla Falls and Arkwright Falls lies in the Town of Arkwright in Northern Chautauqua County. Access to these attractions is primarily limited to crossing private lands and some very steep slopes. Acquisition of this 4 + plus mile trailway/greenway project along Canadaway Creek would not only provide needed access and protection of natural communities, but would also serve to enhance and connect the existing Tarbox and Evanke Trails with the eastside Overland Trail and the Canadaway Creek Wildlife Management Area. Other areas of interest include 18 Mile Creek Gorge and Cazenovia Creek Gorge in the Towns of West Seneca and Elma, Erie County.

**TRAILS & TRAILWAYS** – *Protect existing lineal corridors and provide for acquisition or easement of existing trails and trailways or additional undeveloped linkage to connect existing trails. Examples would be unused or abandoned railroad corridors, and existing trails upgraded by not for profit groups that do not meet the criteria of long distance corridors. An example would be the WAG Trail in Allegany County and the need for additional linkage as well as the Senator Pat MaGee Trail in Cattaraugus county and The Chautauqua Rail to Trail in Chautauqua Co. These trails should promote compatible multi-use in order to meet public demand for recreational trail use.*

**SIGNIFICANT WETLANDS** – Protection of significant natural wetland communities which provide ecological diversity for flora and fauna and protection of water quality. Important for the recreational, educational and ecological enhancement opportunities provided. Examples include Keaney Swamp, Bird Swamp and Hartland Swamp.

**URBAN WETLANDS** – Urban wetlands, because of their size, habitat type and quality, provide resident and migration habitat for wildlife which would otherwise be absent from urban landscapes. Valuable wildlife viewing and outdoor teaching opportunities are obtained from these natural communities. Two examples are the Klydel and Tiffet wetlands, which provide habitat for forest birds such as Cooper's Hawk, and marsh birds such as Least Bittern within urban settings. The protection of wildlife habitat associated with urban wetlands often requires wetland acquisition and the establishment of a protected upland buffer zone through acquisition or easement of adjacent properties. Other examples exist in Tonawanda, North Tonawanda, Amherst, Cheektowaga, Lackawanna and the cities of Buffalo and Niagara Falls.

### **Regions 6, 7, 8 and 9**

**GREAT LAKES SHORELINES & NIAGARA RIVER** – A major New York State resource consisting of islands, sand dunes, bluffs, embayments, wetlands, major tributaries, escarpments, lake plain, *significant bat and avian migratory flyways*, opportunities for shoreline and island access, and other significant natural, recreational and cultural resources. The near shore areas provide spawning and nursery habitat for the various fish species including those that are threatened and endangered such as the lake sturgeon. This area also provides nesting, feeding and resting habitat for waterfowl. Recreation in the waterways continues to be a primary concern as urban areas demonstrate increasing demand for swimming, boating and fishing *opportunities. Lake plain and escarpment, especially where the escarpment is relatively close to the lake, define important avian and bat migratory flyways, providing*

*important resting and feeding areas during migratory periods and critical airspace for migrating birds and bats. The lake plain and escarpment also provide important and unique nesting and wintering habitats for critical avian species, including the American Bald Eagle and other species of conservation concern. The Lake Erie and Niagara Escarpments are noted geographical features that provide a diversity of ecologically significant habitats along their length, as well as important historic, cultural and scenic assets.* This system begins at the St. Lawrence River in Jefferson County and extends to New York / Pennsylvania border on Lake Erie. The Niagara River corridor with its tributaries is featured in the "Niagara River Greenway" project. *The western end of Lake Erie lake plain has been designated as part of the Lake Erie Concord Belt heritage area.* This area also features the Sacketts Harbor Battlefield Historic Site, the largest freshwater dune system in the northeastern United States, Galloo Island (largest undeveloped island on Lake Ontario measuring approximately 3 ½ miles by 1 ½ mile or 1,934 acres), the Braddock Bay Complex and Niagara Falls as well as smaller, but important areas such as Camp Trumansburg.

### **Multi-Region**

**STATE FOREST, UNIQUE AREA & WILDLIFE MANAGEMENT AREA PROTECTION** – State Forests, Unique Areas, and Wildlife Management Areas provide valuable natural, cultural and recreation resources that are enjoyed by millions of visitors each year. Protection and enhancement of existing State Forests, Unique and Wildlife Management Areas is critical to long term stewardship of these resources. It is important to improve access, eliminate in-holdings and provide buffers to protect the resources as well as to enhance recreational and cultural opportunities.

**NEW YORK STATE CANAL SYSTEM** – An important recreation corridor and primary trail system from Waterford west to Buffalo (with branches from Waterford north to Whitehall and from Syracuse north to Oswego) that provides hiking, bicycling, water access and other recreational opportunities. This canal links the major upstate cities of Albany, Schenectady, Utica, Rome, Syracuse, Rochester and Buffalo. Extensive funding to the completion of the Canal Trail within the Canal Recreationway has been committed. Also, federal legislation has been passed that recognizes the national significance of the waterway and adjacent lands.

In May, 2005, Governor Pataki announced the creation of the Erie Canal Greenway. The new Canal Greenway initiative will be the first key step in realizing Governor Pataki's long-term plans to create an "Empire State Greenway." The Empire State Greenway will be comprised of three distinct parts – the Erie Canal Greenway, Niagara Greenway and Hudson Valley Greenway. Each of the Greenways, while continuing to operate separately, will collectively represent one of the largest Greenways in the nation. A Greenway designation incorporates a more regional approach to land-use planning, tourism, recreational trail development and other collaborative initiatives. The fundamental concept behind a Greenway is to partner with communities and assist them in local grassroots planning that balances their economic and environmental resources. The establishment of the Erie Canal Greenway will strengthen local ties across the Canal Corridor and protect and enhance its natural and cultural resources for future generations.

In December 2000 the Erie Canalway National Heritage Corridor Act (PL 106- 544, title VIII) was adopted by the US Congress. This designation applies to all 234 municipalities adjoining the 524 miles of navigable waterway that comprise the New York State Canal System, including the Erie, Champlain, Cayuga-Seneca and Oswego; the historic alignments of these canals, including the cities of Albany and Buffalo; and related navigable lakes, including Seneca and Cayuga Lakes. The legislation acknowledges the instrumental role the canals played in the growth and development of the United States, and affirms a national interest in the preservation and interpretation of the Corridor's important historic, cultural, recreational, educational, scenic and natural resources. The National Heritage Corridor will

serve as an “umbrella” to unite and coordinate existing federal, state, and local plans and multiple points of view, focusing on partnerships that cross jurisdictional boundaries and build on mutual interests. In June 2005, a Draft Preservation and Management Plan and Environmental Assessment was released for public review and comment.

**WORKING FOREST LANDS** – Recent trends in the forest products industry suggest that there is an increasing demand for wood products from northeast timber, but for some companies the current economics of long term forest land ownership are difficult. Private forest ownership is essential to the future of rural New York State for sustaining strong natural resource based industries and for continuing the recreational and ecological values produced by working forests. The sale of easements to the State over such lands may improve the long term economic and ecological sustainability of working forest lands.

The Working Forest Lands category relies upon the use of conservation easements (through acquisition, donation, or land exchanges), held by the State and local governments and qualified not-for-profit organizations. These easements combine three specific aspects, 1) the acquisition of development rights whereby any commercial or residential development of those lands is prevented with the exception of that associate with continued timber production; 2) public recreational rights i.e. hiking, wildlife observation, fishing, camping, hunting and trapping, and; 3) sustainable forest management practices, to secure the long-term protection of productive forest lands. State acquisition of conservation easements over working forest lands authorized under this category must meet the following conditions:

1. Acquisition projects funded through the Environmental Protection Fund must comply, when required, with the local government notification and review provisions set forth in Articles 54 and 56 of the Environmental Conservation Law;
2. The lands must be of a size and character that are suitable for long-term forest management use;
3. The purchase must be from a willing seller; and
4. Acquisition of fee title to the land or directly adjacent parcels under the same ownership requires separate approval through the Open Space Plan process.

**STATE PARK & STATE HISTORIC SITE PROTECTION** – State Parks and Historic Sites provide valuable natural, cultural and recreation resource that are enjoyed by millions of visitors each year. Protection and enhancement of the existing parks and historic sites is critical to long term stewardship of these resources. It is important to improve access, eliminate in-holdings and provide buffers to protect the resources as well as to enhance recreational and cultural opportunities.

**STATEWIDE FARMLAND PROTECTION** – Farmland protection is a critical component of the State’s overall efforts to conserve open space. This land provides fresh produce, scenic open space, vital wildlife habitat, and the economic backbone to many rural communities. A 1997 report by the American Farmland Trust ranked the Hudson Valley as part of the tenth most threatened agricultural region in the country, where prime agricultural soils and suburban development pressures are on a collision course. Many municipalities in the Hudson Valley as well as Saratoga and Washington Counties, and the Agricultural Stewardship Association, a land trust, have generated local funding for farmland protection which could be augmented with State funding. Many regional advisory committees, including particularly the Region 3, Region 5, Region 8 and Region 9 committees, have noted that the preservation of farmland, in the face of rapid development pressures, is critical to the future of the State. The Region 3, Region 5, Region 8 and Region 9 committees support that any reasonably viable farmland under consideration should be protected, whenever possible, by the purchase of an easement rather than fee simple acquisition, in order to enhance future use of the land

for agriculture. *The Region 9 committee further recommended the creation of a “farmland preservation board” in each Region which would encourage municipal and regional collaboration on protecting farmland.* The Governor’s Quality Communities Task Force reached the same conclusion and has made many recommendations to improve the viability of farming in New York, which are discussed in the Plan. The Plan has long recognized the importance agriculture and how it contributes to the protection of open space in New York State.

- **Urban Community Gardens** – defined by Agriculture & Markets Law Article 2–C, and urban farming provide a variety of benefits to the state’s urban population. Community gardens and urban farms provide needed green space in areas where public parks are scarce; grow nutritious fresh foods for neighborhood families, emergency food sites, schools, farmers' markets, local restaurants and community supported agriculture programs; educate community members about the natural world, local foods, nutrition and environmental stewardship; provide safe spaces for exercise in communities with poor access to physical activity outlets; deliver environmental benefits such as reduced city heat, decreased storm water run–off, safer soil, composting sites and natural habitats; and bring community members together, filling an important social function in neighborhoods where gathering spaces are limited. Land trusts are currently underutilized mechanisms for protecting community gardens and urban farms. Trust for Public Land has pioneered community garden land trusts in New York State by acquiring 64 community gardens in NYC and partnering with community gardeners to create three community–based not–for–profits to own and operate the gardens. These are the only land trust community gardens currently operating in New York State urban areas. This project in part aims to provide permanent access to land for use as community gardens and urban farms.

**LONG DISTANCE TRAIL CORRIDORS** – Land and water trail corridors provide important connections between communities, recreation areas, existing open space, and natural and cultural resources. They offer recreational opportunities for millions of hikers, bikers, joggers, equestrians, cross–country skiers, snowmobilers, natural enthusiasts, kayakers, and other motorized and non–motorized users. Wider trail corridors also provide significant travel corridors for wildlife. The function of a trail can range from serving a local community to being part of a statewide or national long distance trail system. Various methods such as fee acquisition, easements and landowner permits are utilized in developing a trail and/or securing the continued continuity of a trail. Unused or abandoned railroads, in particular, provide good opportunities for the development of trails and linkages. The Federal Transportation Enhancement Program (TEP) recognizes the need to protect and preserve these abandoned corridors while technologies are created and needs determined, providing for the interim upgrades of the corridor for the creation of multi–use trails. These are generally one time opportunities that need to be carefully evaluated and acted upon. Changing private ownership patterns and increased development continues to threaten the integrity of many trail systems and the opportunities to create new connections. The Appalachian Trail, Long Path Trail, Highlands Trail, Finger Lakes Trail, Erie Canalway, Long Island Greenbelt Trail System and North Country National Scenic Trail are just a few of the many trail systems in which it is important to provide permanent public access and safe travel routes. This project is intended to provide permanent public access and safe travel routes for long distance trails such as:

- The **Appalachian Trail**; a continuous 2,100 mile trail from Mount Katahdin in Maine to Springer Mountain in Georgia. In New York it runs from the Wallkill River in Orange County across the Hudson Valley, leaving the state near Dover Plains in Dutchess County.
- The **Long Path** is a hiking corridor with the vision of linking New York City with the Adirondacks. Currently the Long Path has been established from the City extending through the Catskill Park and north into Albany County, some 330 miles. This project will also provide watershed protection, including the New York City watershed, as well as enhancing access to State Forests and other public lands. The Long Path is the main north/south trail corridor in New York State; protection,

by public ownership, will ensure continued recreational opportunities and watershed protection for generations to come.

- The **Finger Lakes Trail** is a primitive foot trail which connects the Allegheny Mountains with the Catskills by passing through remote areas of the Southern Tier of New York State. While public land agencies have worked to accommodate the trail on state park lands, reforestation areas, forest preserve lands and other public lands along its 562-mile route across NY, the majority of the trail traverses private lands. Increased public ownership and easements will protect this valuable and unique hiking experience.
- **Erie Canal Greenway** see discussion in NEW YORK STATE CANAL SYSTEM. The Genny-Green Trail/Link Trail is a multiple use, long distance trail system that would provide for major trail connections between existing trails and state-owned lands in Chenango, Madison, Cortland, and Onondaga Counties, including the Finger Lakes Trail, the North Country National Scenic Trail, the Old Erie Canal Trail, the statewide snowmobile corridor trail route and other smaller trails in the area.
- The **Long Island Greenbelt Trail System** is a recreational and educational footpath network, which is accessible to approximately 2 million state residents. The Nassau-Suffolk (26 miles) and the Long Island Greenbelt Trails (34 miles) connect the Long Island Sound and South Shore resource areas. Further east, the evolving Paumanock Trail will stretch some 100 miles across the length of the Peconic Bay and Long Island Pine Barrens resource area from Rocky Point to Montauk Point.
- The **North Country National Scenic Trail** is a 4,600 mile trail that winds from the plains of North Dakota through Minnesota, Wisconsin, Michigan, Ohio, Pennsylvania and into Western New York where it follows the route of the Finger Lakes Trail until the NCT veers northward toward the Adirondacks. The eventual Adirondack route remains a topic of study, but the Congressionally mandated eastern end is at Crown Point.
- The **Remsen-Lake Placid Travel Corridor** is a 122 mile long abandoned railroad corridor which traverses some of the most remote lands of the Adirondack Park.
- The **Northville-Lake Placid Trail** is a long distance hiking and backpacking trail that extends 133 miles from Northville to Lake Placid.

**STATEWIDE SMALL PROJECTS** – This category includes six subcategories of small projects and brief descriptions of examples of acquired small projects and criteria used to define them: Public Fishing Right Easements, Waterway Access, Enhancement of Public Lands, Significant Rare Habitats, Significant Historic Archeological Resources, and Trail and Greenway Connections. Individual items within this project are not to exceed \$250,000 in cost or 200 acres in size.

**1) Public Fishing Stream & River Access Projects:** Provide access for angling through easements along rivers and streams. *Example:* Easements on about 3/4 mile of the Ausable River in Essex County, acquired in 2000 for \$24,775 using Bond Act funds.

**2) Waterway Access:** Provide access to state waters for boating activities, including canoeing and kayaking. *Example:* A 1.4-acre parcel was acquired in 1997 in Sullivan County to provide access to the Delaware River, using EPF monies.

**3) Enhancement of Public Lands:** Provide access to public lands with no access or access severely limited due to geographic barriers; or enhance land management functions by securing inholdings or adjacent parcels to public lands. *Example:* In 1995 the last remaining inholding (4 acres) in J. B. Thatcher State Park was purchased at \$16,000.

**4) Rare Habitats:** Protects habitats for rare plant or animal species or rare natural communities. Rarity is defined as 25 or fewer sites in the state. *Example:* Habitat for the endangered bog turtle was protected with a \$40,000 purchase of a 2.8 acre wetland addition to the Bog Brook Unique Area in Putnam County.

**5) Historic & Archeological Resources:** Protects historic and archeological resources that are eligible for listing or are listed on the state or national register of historic places. *Example:* The Wetterhahn Site is an archaeological site of a small precontact St. Lawrence Iroquois village (circa 1400 AD) in

Jefferson County. The site, comprising 11 acres, was jointly acquired by DEC and OPRHP in 2000. Fee ownership of seven acres was purchased for \$16,000. An additional four acres which contains a part of the resource was protected by a donated Conservation Easement. This site represents only the third Iroquois site in protected state ownership.

**6) Trail & Greenway Connections:** Provide connecting links to fill small gaps in existing trails, such as the Appalachian Trail, Northville – Lake Placid Trail, Long Path, Finger Lakes Trail; to make connections between trails, and fill gaps in greenway corridors such as the Niagara River Greenway.

*Example:* A 4-acre parcel in the Town of Arkwright, Chautauqua County was acquired in 2000 to provide a trail connection over the Canadaway Creek linking to State-owned parcels at a cost of \$16,200.

**7) Stream Buffer Easements:** Provide for maintenance of stream buffers to protect water quality and wildlife habitat. Stream buffers have been shown to protect watersheds from pollution in stormwater runoff and from flooding caused by stormwater. Easements could incorporate vegetation types and conservation plantings. This category could be used as part of a watershed protection program for surface drinking water sources and for aquifer recharge areas.

**8) Important Bird Areas:** *Provide additional protection through acquisition or easement for areas designated as Important Bird Areas (IBAs) which are currently unprotected. These areas have received the recognition of being IBAs under the Audubon Societies program which recognizes that these sites provide essential habitat for one or more species of birds. These sites provide habitat for one or more of the following activities; breeding, wintering, and/or migratory use and generally have unique qualities which them important for birds.*

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**2009 WESTERN NEW YORK – REGION 9 OSP ADVISORY MEETINGS**

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April 9, 2008

Wales Center Community Center, Wales Center, Erie County

April 21, 2008

Cornell Cooperative Extension Office, Lockport, Niagara County

April 28, 2008

Roger Tory Peterson Institute, Jamestown, Chautauqua County

April 29, 2008

Woodlawn Beach State Park, Blasdell, Erie County

April 30, 2008

Crossroads Commerce & Conference Center, Belmont, Allegany County

May 1, 2008

Cattaraugus County Office Building, Little Valley, Cattaraugus County

May 7, 2008

Sheldon Town Hall, Wyoming County

May 15, 2008

Woodlawn Beach State Park

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