

Draft New York State Open Space Conservation Plan

2005

*Draft New York State Open Space
Conservation Plan & Generic
Environmental Impact Statement*

November 2005

George E. Pataki, Governor

Prepared by:

The Department of Environmental Conservation

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DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

COVER SHEET

Title. New York State 2005 Draft Open Space Conservation Plan and
Draft Generic Environmental Impact Statement

Responsible Agencies. New York State Department of Environmental Conservation
and
New York State Office of Parks, Recreation and Historic Preservation

Project Location. Statewide

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Comments Due. January 18, 2005

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November 2005

Dear Fellow New Yorker:

New York has a long and proud tradition of conserving and managing open space and natural, historical and recreational resources for the benefit of its citizens. More than 100 years ago New Yorkers led the people of our country to understand the significance of open land and the wisdom of setting aside the most remarkable natural areas to meet important human needs.

Under Governor George E. Pataki's leadership, the State is committed to preserving more than a million acres of open space lands across the State in this first decade of the 21st century. The blueprint for this ambitious land acquisition program has been the State's Open Space Conservation Plan. More than 924,000 acres of land identified in the Plan has been conserved during the last several years, an unprecedented level of achievement that provides all New Yorkers with an enduring outdoor conservation legacy to pass on to future generations.

The State's Open Space Conservation Plan is updated every three years, as required by law. The 2005 Draft Open Space Conservation Plan has been prepared to meet this requirement and to maintain New York's leadership role on Open Space protection for the future. It is the most comprehensive Open Space Plan in State history, developed through the hard work of nine regional advisory committees, with input from the staffs of State agencies, local governments and the public. The Draft Plan includes a revised Priority Project list and a variety of recommendations to enhance our open space program and to ensure that every community in New York is aware of the many tools and resources available to undertake local open space programs in partnership with the State. All New Yorkers can be proud of our achievements in land conservation, which have resulted in a nearly 20 percent increase in lands protected from development and available for public recreation including hiking, wildlife observation, fishing, camping, hunting and trapping.

We encourage you to review the Draft Plan, and to provide comments, either at the public hearings listed on the back cover of the Draft Plan, or through written comments, or through the New York State Department of Environmental Conservation's website at: www.dec.state.ny.us. You will be contributing to the future of New York's wonderful outdoor heritage.

Sincerely,

Handwritten signature of Denise M. Sheehan in black ink.

Denise M. Sheehan
Acting Commissioner
NYS Department of
Environmental
Conservation

Handwritten signature of Bernadette Castro in black ink.

Bernadette Castro
Commissioner
NYS Office of Parks,
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Frank P. Milano
First Deputy Secretary of State
NYS Department of State

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NEW YORK STATE'S OPEN SPACE CONSERVATION PLAN 2005 DRAFT FOR PUBLIC COMMENT

A. Introduction

New York has a long and proud tradition of conserving and managing open space and natural, historical and recreational resources for the benefit of its citizens. More than 100 years ago New Yorkers led the people of our country to understand the significance of open land and the wisdom of setting aside the most remarkable natural areas to meet important human needs. Earlier generations had the foresight to protect large tracts of the Adirondacks and Catskills through the creation of the Forest Preserve and provisions of the New York State Constitution, Section 1 of the New York State Constitution which keeps the Preserve “forever wild.” Before that, in 1850, New York designated the first state historic site, Washington's Headquarters in Newburgh. In 1885, New York established this nation's first state park at the Niagara Reservation for the protection and preservation of the natural magnificence of the Great Falls. More recently, the state's Heritage Areas Program has pioneered the coordinated protection, interpretation, and reuse of developed areas of historic importance. As in the case of land conservation, New York is also a leader in adopting programs to clean up its waters to restore their recreational use and ecological value.

All of this has been a bi-partisan tradition with roots reaching deep into the history of our state, nurtured through the efforts of many state leaders. New York's current Governor, George E. Pataki, has committed the State to preserving more than million acres of open space lands across the State in this first decade of the 21st century. As can be seen by the extensive accomplishments listed in Chapter II of this draft update of the Plan, more than 923,000 acres of land identified in the State Open Space Plan have been conserved in the last several years, an unprecedented level of achievement that provides all New Yorkers with an enduring outdoor conservation legacy to pass on to future generations.

At the same time, the State, through the Governor's Quality Communities initiative, has embarked on a comprehensive effort in partnership with local governments, private non-profit conservation organizations and private citizens to promote local open space programs to complement State-level efforts. In short, the

State now possesses the most comprehensive open space conservation program in its history, guided by the priorities identified in the Open Space Plan and funded in large measure through the State's dedicated Environmental Protection Fund.

The State Legislature, in 1993, created the State Environmental Protection Fund (EPF), which among several other environmental purposes, provides funds for the acquisition of priority projects identified in the New York State Open Space Conservation Plan (the Plan). The EPF is now funded at \$150 million annually, and provided \$40 million in 2005 for State-level land acquisitions identified in the Open Space Conservation Plan.

The EPF also provides funds for several other open space-related activities promoted in the Plan, including a State Farmland Protection Program administered by the State Department of Agriculture and Markets, the Municipal Parks and Historic Preservation Grants Program administered by the Office of Parks, Recreation and Historic Preservation (OPRHP), State land stewardship, local waterfront revitalization grants, the implementation of the Hudson River Estuary Action Plan, Biodiversity Stewardship, and local open space and land use planning assistance.

B. Creating New York's Open Space Conservation Plan

The quality and character of the lives of the people of New York depend upon the quality and character of the land on which we live. Our mountains, lakes, rivers, forests and coastline, our natural landscapes, urban parks and historic resources shape the way we spend our leisure time, affect the long term strength of our economy, determine whether we have clean air and water, support the web of living things of which we are a part, and effect how we think about ourselves and relate to other New Yorkers.

New York's fields, forests, waters and wetlands, however, are vulnerable to human intervention. We have the power to change the landscape, to conserve what is valuable to us as a people, or to destroy places which may be important to our future. How we manage change, how we protect and conserve open land and historic sites while providing space for the homes, commercial centers and industrial plants we need, will have a profound impact on future generations.

In the 1600's, the land which is now New York State was a place of remarkable power and beauty, rich in natural resources husbanded by Native Americans. Imagine entering a New York harbor teeming with marine life and surrounded by a great forest, or coming upon Niagara Falls for the first time, or sailing past a hundred miles of unbroken beaches and dunes on the south shore of Long Island, or breaking into a clearing and seeing trees and mountains reflected in the surface of Lake George.

New York's land and water have been changed by hundreds of years of settlement. The natural character of some areas has been diminished by development,

but the land also has been enriched by the lives of a diverse people, by history and fine architecture, and by the work of farmers and foresters. Today, New York's landscape is a quilt of open land and water and developed areas which retains a distinctive character and important natural and cultural values.

Beginning in the 19th century, New York State has devoted public resources to the protection of the State's open space, parklands, natural, cultural, historic and recreational resources. State public open space and park lands now comprise about 4.5 million acres, including the Forest Preserve in the Catskill and Adirondack regions, state reforestation areas, wildlife management areas, wetlands, unique areas and the State Park and Historic Site system including 172 parks, 35 historic sites and 18 Heritage Areas.

Purchase of these areas has been funded through special appropriations made by the State Legislature and the enactment of ten bond acts that have authorized the expenditure of more than \$900 million for various open space, parkland and historic preservation purposes. Since 1994, the State EPF has contributed a total of \$441 million for State land acquisition conducted by the Department of Environmental Conservation (DEC) and OPRHP, and the State Farmland Protection Program administered by the State Department of Agriculture and Markets.

While the conservation of land and water in New York State was often visionary in its scope, important places and resources were not sufficiently protected either because of a lack of knowledge or money, or because there was no expectation they would ever be threatened by change. Still other places were so degraded that they were not recognized as being critical to the future.

By 1990, it was evident that the people of New York State expected their state government to define land and water conservation needs and the means and strategies for meeting those needs much more clearly if they were to maintain their support for land conservation. The first Open Space Conservation Plan was completed in 1992 in response to that challenge. Legislation passed in 1990 required:

- Creation of a state land acquisition plan to guide further state land conservation efforts.
- Creation of nine Regional Advisory Committees to provide information and advice to the State on land conservation policies and priorities within their regions. The Regional Advisory Committees consist of members appointed by counties or the City of New York and by the Commissioners of OPRHP and DEC.

- ❑ Creation and appointment of a State Land Acquisition Advisory Council (SLAAC) to advise the Commissioners of DEC and OPRHP on state open space conservation matters and to review proposed State land acquisition projects.

In approaching the task of creating the Plan, DEC and OPRHP concluded that the planning effort should deal more broadly with land conservation rather than just evaluating the purchase of land by state government. This decision was endorsed by the Regional Advisory Committees; thus, the 1992 Plan became New York State's first Open Space Conservation Plan. The Plan identified a range of open space conservation issues and needs, and positive approaches to meeting those needs. Thus the Plan not only guides land acquisition by the State but also recommends other land conservation strategies.

Apart from these legislative requirements, as the Open Space Plan has gained wider public recognition, it has taken on a life of its own. People have recognized that open land provides a diversity of values to the people of the state. In the twenty-first century, the public is recognizing the economic benefits of open space including drinking water quality protection, air quality protection, quality of life benefits and improve economic values for working farms and forestry. It has also been recognized that those values may not be sustained in the years to come without cooperative citizen action. Such action requires careful planning and priority setting.

The 1990 legislation required an update of the Plan every three years. In 1993 the Environmental Protection Act required that the Plan be reviewed by the Regional Advisory Committees (RAC's) every two years. DEC and OPRHP updated and revised the 1992 Plan with input from the RAC'S to produce the 1995 Plan, the 1998 Plan and the 2002 Plan.

Similar to past versions, the 2005 Draft Plan proposes the open space resources that should be saved for New York State's future and describes how we can conserve and manage these resources in a sensible and affordable way. The Plan does not confine itself to public land acquisition, but recognizes that encouraging private land stewardship is also important. The Plan recognizes that open space conservation efforts must be fiscally prudent and they must go on in good times and bad; because, once forests and fields, lake shores and seashores are developed, it is very difficult to return them to open land again. Similarly, once destroyed, historic and archeological sites cannot be replaced. It also encourages efforts at the local level to promote local open space planning and implementation programs.

The 2005 Plan also has been expanded to include New York State's Coastal and Estuarine Land Conservation Plan, a requirement for coastal states to qualify for federal funds through the Coastal and Estuarine Land Conservation Program (CELCP). CELCP was established in 2002 to protect important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or

are threatened by development. This competitive federal funding source gives priority to lands that can be effectively managed and that have significant ecological value.

In order to suggest the policies and actions which define the kind of New York we leave for those who follow us, the Plan brings together: 1) an objective analysis of the State's resources; 2) the knowledge and insight of professionals inside state agencies; and most importantly, 3) the informed and valuable ideas of the public, local government and the private sector. In addition the Plan identifies the actions taken to conserve and protect priority projects and actions identified in earlier Plans.

C. Developing this Plan

With the assistance of the nine Regional Advisory Committees, DEC, OPRHP and the Department of State (DOS) have developed this 2005 Open Space Conservation Plan Draft for Public Comment. The public comment period will run from November 9, 2005 to January 18, 2005 and include public hearings , published on the back page of the draft and posted on DEC's website, www.dec.state.ny.us.

The following describes the contents of the Plan, and for the purposes of this update, highlights new information, updated material or substantive changes to the 2002 Plan.

• **Chapter I** describes the foundations of the State Open Space Conservation Plan, including a definition of open space, the goals and guiding principles, reasons for creating and updating the Plan, the missions of the Department of Environmental Conservation, the Office of Parks, Recreation and Historic Preservation and the Department of State. In this draft, the Department of State has been included to integrate the Coastal and Estuarine Land Conservation Program (CELCP) within the State's open space program. CELCP is included as appropriate throughout the plan.

• **Chapter II** evaluates the benefit of open space and describes open space conservation successes that have resulted from the Plan.

• **Chapter III** summarizes the available natural and cultural resource inventory data and resource categories used to assess open space conservation needs. It then describes the process DEC and OPRHP use to determine what open space resources are worthy of conservation.

• **Chapter IV** describes the project eligibility and evaluation process used by the State to guide its land conservation program. In this 2005 Draft Plan, the evaluation process as outlined in Figure 6 has been modified slightly to align the revised process with the expanded list of priority projects that are included in Chapter VI. In previous versions of the Plan, major resource areas, linear

corridors and areas of statewide significance were listed separately as part of the State's initial evaluation process (even though projects in those areas are not eligible for funding from the State's Environmental Protection Fund (EPF) because of the EPF's requirement that only priority projects listed in the State Plan are eligible).

Thus, based largely as a result of the work of the Regional Advisory Committees, who have urged the State to include large, landscape level areas as priority project areas, the new priority project areas listed in Chapter 6 of the Plan have largely incorporated major resource areas, areas of statewide significance and linear corridors into the priority project descriptions, eliminating the need to list them separately and improving the public's understanding of how projects get selected for conservation action.

• **Chapter V** contains the recommendations of the nine Regional Advisory Committees appointed by the Commissioners of DEC and OPRHP and by county governments or the City of New York to provide input to the Plan. These regional recommendations are included in this document as submitted so that it is clear how they have been incorporated in the recommendations of the overall Plan itself.

• **Chapter VI** lists the Priority Open Space Conservation Projects that are the focus of conservation attention. These projects were largely developed through the work of the nine Regional Advisory Committees, with input from the staff of DEC, OPRHP, DOS, local governments, conservation organizations and concerned citizens. These projects are eligible for funding from the State's EPF and other state, federal and local funding sources. This Plan modifies the list of priority projects from previous plans. The overwhelming majority of projects have been recommended by the Regional Advisory Committees. Some projects have been removed because they have been successfully conserved or are no longer available for open space conservation, others have been redefined; some have been expanded. Finally, several projects have been added to the list.

The priority project list has grown substantially since the first plan was developed in 1992. It reflects the growing interest by the public, local governments and the Regional Advisory Committee members to continue an aggressive and ambitious open space conservation program. As such, the revised priority project area list incorporates most of the elements of major resource areas, areas of Statewide significance and linear corridors included separately in previous plans. The modifications of the priority project areas result from the systematic project evaluation process that began with the adoption of the 1992 Plan.

➤ **Chapter VII** discusses the importance of providing proper stewardship of both private and publicly held open space resources as a critical component of the State's overall open space program.

➤ **Chapter VIII** includes a variety of recommendations to maintain New York's leadership role in maintaining a comprehensive Open Space Program for the future. It includes recommendations on using conservation tools, building partnerships, new program recommendations and future funding needs.

➤ **Chapter IX** is the Final Generic Environmental Impact Statement.

Appendices:

- **A.** The text of the 1990 legislation and relevant parts of the 1993 EPF.
- **B.** The Project Eligibility Criteria and Definitions.
- **C.** The Resource Value Rating Systems, which includes a new rating system for biodiversity projects.
- **D.** The Projected Relative Index of Recreational Needs.
- **E.** Assessment of Public Comment (not included in the Draft Plan)
- **F.** List of Commenters and their Affiliations (not included in the Draft Plan)
- **G.** The addresses of the OPRHP and DEC Regional Offices.
- **H.** Coastal and Estuarine Land Conservation Program
- **I.** Forest Legacy Expansions

CHAPTER I -

FOUNDATIONS OF THE OPEN SPACE PLAN

Guiding Principles for the Open Space Conservation Plan

- The State should work in partnership with others including local governments, not-for-profit conservation organizations and private land owners to establish and achieve land conservation goals.
- Along with the State's Quality Communities Initiative, the Open Space Conservation Plan strives to combat sprawl through conservation of important ecological areas and community resources through local, regional and state planning to grow intelligently.
- State acquisition of land and easements on land are only two of a number of strategies for conserving open space, recreational, historical and cultural resources with public values. The key to the success of this Plan is fitting the appropriate strategy to the resource.
- Given limited public dollars and overall economic concerns, it is essential to establish careful and understandable priorities for state action to conserve specific open space parcels and cultural resources.
- Such priorities ought to be established through the combination of objective measurements of land conservation needs and broad based citizen opinion.
- In pursuing open space conservation goals, the State must deal fairly and openly with property owners on a willing seller/willing buyer basis, local governments and citizens in general.
- In setting out proposals, the plan should try to define costs of implementation and propose methods for meeting those costs.
- When conveying land for public purposes, the cost of adequate management and stewardship must be taken into account.
- Maintaining working landscapes is important to mitigating the causes of global warming through sequestration of carbon in forests and agricultural fields, while also retaining land in private ownership with public benefits.
- Open space has been shown to have an economic value in the maintenance of water quality, air quality and the quality of life of New York's residents.

A. Definition of Open Space

For purposes of this Plan, open space is defined as land which is not intensively developed for residential, commercial, industrial or institutional use. Open space can be publicly or privately owned. It includes agricultural and forest land, undeveloped coastal and estuarine lands, undeveloped scenic lands, public parks and preserves. It also includes water bodies such as lakes and bays. What land is defined as open space depends in part on its surroundings. A vacant lot or a small marsh can be open space in a big city. A narrow corridor or pathway for walking or bicycling is open space even though it is surrounded by developed areas. And while not strictly open space, this Plan also discusses cultural and historic resources which, along with open space, are part of the heritage of New York State.

B. Goals and Overall Strategy

The Open Space Conservation Plan, which in this update also includes the State's Coastal and Estuarine Land Conservation Plan, adopts the following goals for conservation of open space and historic resources in New York State. The primary strategy for achieving these goals is for State government to work cooperatively and in partnership with local governments, the federal government, not-for-profit organizations,

Goals of The Open Space Conservation Plan

- To protect water quality in New York State including the quality of surface and underground drinking water supplies and the quality of lakes, streams and coastal and estuarine waters needed to sustain aquatic ecosystems and water based recreation.
- To provide high quality outdoor recreation, on both land and water, accessible to New Yorkers regardless of where they live, how much money they have, or their physical abilities.
- To protect and enhance those scenic, historic and cultural resources which are readily identifiable as valued parts of the common heritage of New York's citizens.
- To protect habitat for the diversity of plant and animal species to ensure the protection of healthy, viable and sustainable ecosystems, as well as the conservation and preservation of biological diversity within the State.
- To protect habitat to sustain and enhance populations of endangered species, threatened species and species of special concern.
- To protect habitat to sustain the traditional pastimes of hunting, fishing, trapping and viewing fish and wildlife.
- To maintain the critical natural resource based industries of farming, forest products, commercial fishing and tourism.
- To provide places for education and research on ecological, environmental and appropriate cultural resources to provide a better understanding of the systems from which they derive.
- To preserve open space, particularly forest lands, for the protection and enhancement of air quality.

the private sector and individual property owners to conserve a cohesive framework of open space around which all New Yorkers can build better, more rewarding lives.

While the acquisition of public land and easements by the State is an important part of this strategy, it is central to the recommendations of this Plan that land acquisition by the State is only one of several tools for conservation of open space. Most of New York State's open land is not, nor should it be, publicly owned. Rather it should

include working landscapes managed by farmers, woodland and shoreline owners and non-working open space maintained by private organizations and citizens. In this context it should be clear that when this Plan discusses conservation of land or creation of a framework of open space it does not always imply acquisition by the State.

The State, working in cooperation with others, should continue to focus its attention on conservation of the high priority open space projects described in Chapter VI. Conservation of these areas, before they are lost forever to subdivision or development, has been determined to be critical to achieving the goals of the Plan.

The Regional Advisory Committees have evaluated areas that were identified during the development of this draft Plan. From that evaluation many committees have selected additional projects for potential inclusion on the high priority list. These proposed projects can be found in the respective Regional Advisory Committee reports in Chapter V. Some of the suggested projects have been added to the proposed statewide priority project list. Further evaluation will take place through continuing public participation and through the application of the project selection system.

The approach to land conservation recommended by this Plan involves not just land protection but also ongoing care, management and stewardship.

C. Missions of the Agencies

C.1. DEC

The Department of Environmental Conservation's mission is to protect the quality of New York State's land, water and air, the character of its scenery, and the health and diversity of its fish and wildlife populations and habitats. The Department conserves both living and non-living natural resources for appropriate human use. This includes managing the Forest Preserve in the Adirondacks and Catskills, State Forests and Wildlife Management Areas, protecting forests, wetlands, rivers, lakes and salt water embayments, and serving as stewards of the state's plant and animal species. Saving and managing open land is a key part of this mission. In doing this, however, DEC bases its approach not just on the number of citizens who wish to participate in outdoor activities, but also on the value of the resources themselves to present and future

DEC's Mission and Vision

Our ***Vision*** is to preserve, protect and manage our environment in such a way that when people think of New York State, they think of its superior environmental quality, unique natural resources and rich environmental heritage.

From DEC's 2000 Strategic Plan

The ***Mission*** of the New York State Department of Environmental Conservation is "to conserve, improve and protect New York's natural resources and environment and control water, land and air pollution, in order to enhance the health, safety and welfare of the people of the state and their overall economic and social well-being."

From New York State Environmental Conservation Law, 1-0101

generations.

C.2. OPRHP

The mission of the Office of Parks, Recreation and Historic Preservation is to provide safe and enjoyable recreational and interpretive opportunities for all New York State residents and visitors and to be responsible stewards of our valuable natural, historic, and cultural resources.

Clearly, OPRHP recognizes that others also have a significant role to play in the conservation of recreation resources and delivery of recreation services. As in the past, the agency will continue to make grants available to municipalities and not-for-profit organizations for acquisition, development of open space, recreation and cultural resources. It will provide leadership in maintenance of a statewide recreation inventory, identification of facility needs, and overall conservation of resources and delivery of services.

OPRHP Guiding Principles:

Commitment to Leadership – We recognize the preeminence of the New York State Park and Historic Site System. We are committed to excellence, innovation, professionalism and to forging partnerships. We are committed to seeking the means by which operational and maintenance needs are met as recreational and cultural opportunities are enhanced for our patrons. To meet that challenge, we are committed to pursuing compatible revenue initiatives as we continue our commitment to protect resources.

Commitment to People – We are committed to serving and protecting the public to the best of our ability, with courtesy and respect. We are committed to our employees and volunteers, encouraging teamwork, self-improvement and mutual support.

Commitment to Service – We are committed to equal access and outreach to all segments of our society, recognizing individual needs and interests. We are committed to safety, security, creativity and accountability in providing our programs and services.

Commitment to Preservation – State Parks and Historic Sites are unique and irreplaceable public assets. We are committed to wise acquisition, planning and where compatible, development of recreational facilities; timely and professional care and maintenance; and a responsibility to future generations in whose trust we manage resources. We are committed to providing encouragement to all agencies and individuals to identify, evaluate and protect recreational, natural, historic and cultural resources.

C.3. New York State Department of State

The Department of State, the oldest state agency in the administration of New York State government, continues to perform its historic "Keeper of Records" activities as well as oversee a wide range of additional functions and evolving programs. The Department of State's Division of Coastal Resources is involved in a wide variety of programs and initiatives that help revitalize, promote and protect New York's waterfront resources and communities, including the State's Coastal Zone Management Program and Coastal and Estuarine Land Conservation Plan. Over the past twenty years, the Division has worked with hundreds of local governments and communities to prepare Local Waterfront Revitalization Programs that define a local vision for the waterfront, and has provided technical and financial assistance to hundreds more communities for plans and projects that have expanded public access, reinvigorated urban waterfronts, restored coastal and estuarine habitats, and strengthened local economies.

Activities of the NYS Department of State's
Division of Coastal Resources

Community Improvement - providing readily accessible information on how to protect, restore and revitalize New York's communities and their coasts and waterways.

Local and Regional Initiatives - addressing planning and technical assistance needs through regional and local initiatives geared toward specific environmental, economic, and cultural characteristics of each region and locality.

Consistency Review - assuring that public agency decisions are consistent with the State's enforceable coastal policies.

Grant Opportunities - offering a variety of financial assistance programs to help local governments achieve their community's revitalization goals.

CHAPTER II -

EVALUATING THE BENEFITS OF OPEN SPACE

A. Benefits of Open Space

We recognize that open space, across our landscape, provides numerous benefits to society, direct and indirect, short-term and long-term. Quantifying these benefits can sometimes be difficult. Society's well being, ultimately, depends on the goods and services our earth provides each day. Similarly, the sustainable management of renewable resources, such as our forests, is a vital and integral part of our economy and way of life. Prudent management is essential to ensure we have clean water, clean air, wildlife habitat, abundant food supplies, recreational opportunities, sanctuary and solitude, all provided by open space. Sustainable resource management also provides essential products, such as paper, wood, and agricultural products, and direct economic returns to landowners, workers, businesses, local communities, the State and our nation.

In discussing economics, we also must recognize that the perpetuation, conservation or public acquisition of open space may impose costs and economic impacts on the affected landowner, local community, our State or the nation. These consequences, which vary depending on the techniques employed, need to be understood and considered in developing any open space conservation plan and in identifying and selecting the most appropriate, and cost-effective strategies to apply in given situations

A.1. Economic Impacts

A.1.a. Benefits

Open space as defined in this Plan has significant economic benefits.

⇨ Parks, beaches, scenic landscapes, historic sites, lakes, streams and coastal areas are central to New York's State tourism and travel industry. State Parks and Historic Sites alone generate almost \$500 million in sales to local area businesses from visitors from out-of-state. Another \$20 million is generated through tax revenues.

⇒ New York State is the 4th largest agricultural state in the country. Our agriculture generates \$15.5 billion a year to the state's economy.

⇒ As the source of much of the raw material for New York's forest industry, public forests and private forest landowners generate approximately \$280 million annually from the sale of various industrial timber products. A portion of this income is captured by the State in income tax and by localities where properties under the Forest Tax Law, Section 480-a, return a 6% yield tax on stumpage sold. In 2004, DEC timber sales from State Forests generated \$4.5 million in revenue for the State, from timber sales on 7,560 acres.

⇒ Retaining open land can be the least costly approach to environmental protection. For example, New York City is buffering its watershed from intensive development through the historic watershed agreement, avoiding much of the estimated \$8 billion cost to construct treatment facilities for the Delaware and Catskill sources of its drinking water. In fact, the NYC Department of Environmental Protection has stated that "forests are a preferred land use," and is supporting extensive forest land retention, stewardship and sustainable forest management efforts in the watershed by the Watershed Agricultural Council's Forestry Program.

⇒ Open land, scenic and historic sites and the availability of recreation are important to the state's quality of life and thus are a primary factor in attracting and retaining economic investment. The most rapidly growing states in the country use quality of life to attract growth. New York State will not be able to compete if it cannot retain its natural and cultural assets.

⇒ Protecting open space protects the habitat needed for the State's fish and wildlife, which are a major source of economic activity in the State. The latest survey information available from the United State Fish and Wildlife Service indicated that 3.4 million New Yorkers and 1.3 million non-residents participated in wildlife-related recreation (hunting, fishing, trapping or wildlife observation), spending a total of \$3.5 billion on wildlife recreation in New York.

⇒ The protection of open space is vital to conserving and sustaining fish, wildlife and plant species, as well as the overall biological diversity of the state. The economic value associated with protecting open space for the purposes of conserving and sustaining the diversity and richness of the state's fauna and flora species is staggering. Many critical economic goods and services provided by the preservation of open space and the species and habitats contained within serve as an important source of food, fuel, fiber and medicine. Other critical economic services or benefits associated with the conservation and preservation of these species through open space protection include pollination, recycling, nitrogen fixation and homeostatic regulation. For example, most commercially

exploited fish and shellfish species depend on tidal marshes and other coastal environments for spawning and development. Furthermore, many wild plant species have important commercial value for medicinal, food and energy sources.

⇒ A number of recent studies conducted in the Hudson Valley and elsewhere have demonstrated that undeveloped open space, including forest and agricultural land, generates more in real property tax revenue than it requires in municipal services – representing a net economic benefit to local governments. New residential development in previously undeveloped areas, on the other hand, usually results in a net loss to municipal finances. In other words, the costs for local services (schools, police and fire, roads, solid waste and sewer treatment, etc.) outweigh the increased tax revenue produced by new residential development. Targeting development through careful land use planning and redevelopment of areas already served by existing infrastructure, thereby protecting open space areas, makes economic sense for local governments and helps revitalize urban areas. Parks and open space can also enhance the property values of nearby residences.

⇒ Protection of open space can help shape growth in a way which saves money on public services. Clustered development can reduce the costs of utilities, transportation and public works construction and maintenance. Protected open space requires fewer community-supplied services while providing recreational benefits to the community.

⇒ Open space and trees in urban environments can significantly reduce residential and commercial heating and cooling costs, reduce air pollution, lower consumption of non-renewable fossil fuels, and make our communities more livable at the same time. Recent studies have documented the pollution reduction potential of trees. The U.S. Environmental Protection Agency (EPA) has included tree planting and maintenance in its guidelines to states for development of plans to reduce ozone. In addition to urban tree planting for Air Quality Management, trees reduce storm water runoff and the EPA recognizes the value of trees in agency required municipal storm water management plans. The Department of Environmental Conservation (DEC) and the New York State Energy Research and Development Authority (NYSERDA) have partnered to conduct research on the heat island effect in New York City and to develop mitigation strategies for lowering high temperatures through decreasing sun exposure to impervious infrastructure by planting trees, establishing green roofs and gardens. The study concluded that increases in tree canopy lower temperatures during heat waves.

⇒ Heritage Areas enhance and preserve the character and economic vitality of urban areas. Program grants from 1986 to 2004 totaling \$33.3 million have generated nearly \$100 million in local matching investments.

⇒ New York's forest-based manufacturing and service sectors combined employs approximately 55,000 people with a payroll of more than \$1.7 billion per year (based on 2002 data). The manufacturing sector (lumber and other wood products, pulp and paper, furniture and related products) generates in excess of \$ 4.2 billion in value-added to New York's economy, accounting for 4.9% of the statewide value for all manufacturing.

⇒ Farmland protection provides farmers with immediate economic benefits in the form of property tax reductions and assurance of protection from public acquisition, nuisance suits, and restrictive local ordinances.

⇒ Health professionals are recognizing that it is important to make the environment conducive to physical activity. That means providing open space areas to exercise and be active which in turn increases the overall health of the population. Healthier citizens can mean lower health care costs.

A.1.b. Adverse Economic Impacts

⇒ Taxes are not paid on all State owned lands. If the State or a not-for-profit conservation organization buys land and takes it off the tax roll, other taxpayers may have to bear an additional burden. Similarly, farm and forest tax laws may shift taxes from those lands to other properties or landowners in the community.

⇒ Regardless of whether the State pays taxes or not on the land itself, State acquisition precludes development of that parcel, and may, through limitations on resource availability, limit economic development in the affected or nearby communities. This impact may be more significant in municipalities with a high percentage of publicly owned land or those rural communities with fewer residents to share the tax burden.

⇒ While the purchase of development right (PDR) easements on farms or forest land may help maintain these economic uses in the short run, easements preclude uses of the land that are inconsistent with farming or forestry.

⇒ Public acquisition of land or land rights involves expenditure of public funds, raised either through taxes or sale of long-term bonds.

- ⇒ Additional public acquisition requires additional expenditures for management and stewardship, increasing the permanent burden on the State's taxpayers. Complex easement transactions result in long term costs to the State for monitoring and enforcement.
- ⇒ Intensive public use of a parcel may diminish the value of adjoining properties.
- ⇒ Creation of preserves with scenic value may also raise land costs or assessed values in adjacent areas.
- ⇒ Some citizens believe that land conservation is not a high priority compared to the other problems of the state; they feel that expenditures for this purpose displace other more important things.

A.1.c. Mitigating Measures

These concerns and the benefits derived from open space protection are evaluated throughout the project selection and evaluation process and in the implementation strategies. Several important mitigating measures are suggested:

- ⇒ The use of alternative land acquisition techniques, such as conservation easements, to reduce the need for large scale State fee acquisition, can be designed to minimize the negative economic impacts of land conservation on resource dependent industries.
- ⇒ Programs have been designed to encourage, educate, support and motivate private landowners to practice long-term stewardship of their forests, farms and other open space. This can include outreach, technical assistance and cost-sharing for conservation practices.
- ⇒ Conservation of open space resources, whether through fee simple acquisition or through the use of conservation easements, can help funnel growth and economic development in areas where it is more appropriate and less costly on the overall finances of a community.

A.2. Environmental/Ecological Benefits

Healthy natural systems play an important role in environmental and ecological protection:

- ⇒ Freshwater and tidal wetlands filter and process polluted water.
- ⇒ Forested areas remove carbon dioxide from the atmosphere, thereby mitigating the threat of global warming; trees and parks in urban settings reduce

noise, lower temperatures in the summer, reduce the consumption of non-renewable fossil fuels for residential and commercial cooling and heating, and trap pollutants in the atmosphere.

⇒ Forests are a primary source of clean water; the Adirondacks and Catskills are the sources of several of the state's major river systems. The Catskills also contain much of New York City's reservoirs critical to the needs of millions of New Yorkers. Similarly, undeveloped land protects the quality of underground water supplies. For example, Long Island's sole source aquifer is being protected through the acquisition of lands above aquifer recharge areas.

⇒ Open, undeveloped land is essential if New York State is to retain a diversity of plant and animal species. These species are part of an interrelated web of life on our planet upon which all of our lives depend. Many migratory species use New York for only part of their life cycles; thus ecosystems elsewhere may depend upon protecting habitat here. Certain species also depend on habitats that are rapidly disappearing as many open lands revert to forests and these forests mature, especially the early successional stages and seedling/sapling forests. Retaining the ability to manage such lands, to sustain critical cover types and habitats, is essential for many species of birds, animals and plants.

⇒ Open space systems such as wetlands and barrier beaches buffer settled areas from inland and coastal flooding.

A.3. Social Benefits

The open land and historic and cultural sites discussed in this Plan together make up the heritage of the people of New York State. These places have substantial social benefits to all New Yorkers:

⇒ Parks and preserves can provide the opportunity for escape and relaxation for every New Yorker. Outdoor experiences provide important social values and are an important and inexpensive form of relaxation.

⇒ Open space, in and of itself, provides perceptible benefits to our "built-up" society by its simplicity, quiet, and freedom from roads, traffic, buildings or other human-made structures. It provides the visual and sensory "breathing room" that people need to feel comfortable, even if they never step foot on the property.

⇒ Any society needs food, shelter and a host of manufactured products in order to survive. New York's productive open spaces - farmlands and forests - can sustainably provide food and wood products to meet the needs of present and future generations.

⇒ Parks are sites for active recreation which is so important to young people. In New York's communities, court and field sport opportunities offer an important outlet for constructive outdoor activity and enrichment.

⇒ New York State's natural and historic landmarks are our common heritage; they provide common ground, bind us together, give us a sense of belonging, teach us about the past, and are the foundation for the future. If we can succeed in making parks and other public lands accessible to all New Yorkers, they can provide meeting places which bridge differences among the segments of our society.

⇒ As many have written, wild land has spiritual value. Many New Yorkers may never visit the Adirondack or Catskill Forest Preserve, a State Park or Historic Site, but are glad to know they are there. The awareness that in this state of more than 18 million people, special places are set aside from change by people is a value that is difficult to measure in dollars.

⇒ Heritage Areas include the historic, natural and cultural resources and activities that tell the story of a region's past and provides an identity for the present creates a "sense of place" and makes a heritage area a special place to live and visit.

⇒ Forests and fields, beaches and marshes, historic sites and heritage areas, offer unique opportunities for education of people of all ages about our environment and our history.

⇒ Parks provide opportunities for active recreation and exercise which is important in combating obesity and health issues facing many citizens.

B. Conservation Successes

The State Open Space Conservation Plan has guided an unprecedented level of investment, and subsequent achievement, in a variety of open space protection projects by the State, often in partnership with local governments, non-profit conservation organizations and private land owners. The Plan has helped guide the expenditure of more than \$586 million to protect more than 924,000 acres since its inception, nearly a twenty percent increase in State land holdings since 1995.

Under Governor Pataki's leadership, the State's Environmental Protection Fund has grown to \$150 million annually for a variety of important State and local environmental programs, including funding for State-level land acquisitions and stewardship, farmland protection programs and local park projects.

Highlights include the largest land conservation agreement in the State's history: a monumental working forest conservation easement with the International Paper Corporation covering nearly 260,000 acres of land within the Adirondack Park, in 21 separate tracts covering 34 towns in 9 counties. The deal will simultaneously protect the forest resource on these lands forever (and all the benefits that are derived from forests including superior water quality and wildlife habitat), require sustainable forestry, restrict non-forestry related development on the property, provide new public access and recreational opportunities and enhance the local tax base.

Many other important open space acquisitions have been made during this time period, from the Pine Barrens of Long Island, to remote wilderness areas in the Adirondacks and Catskills, to waterfront properties along the Great Lakes, Lake Champlain and Lake George. Exciting new urban parks in New York City, including the Hudson River Park, and new State Parks in Western New York and on Long Island have been acquired and developed for public use and enjoyment.

Since 2002, the EPF also has provided \$1.5 million to land trusts throughout New York to work with private landowners and local communities to help save important open space resources.

The Department of Agriculture and Markets is successfully implementing New York's Farmland Protection program, working closely with local governments and farmers to preserve about 35,000 acres of productive farmland, using \$80 million in EPF funds that has leveraged significant private donations. It also has focused pro-actively to develop alternative methods to preserve farmland in areas that have not yet experienced strong development pressures.

Through the State's Clean Water State Revolving Loan fund, the Environmental Facilities Corporation has administered low interest loan funding for the acquisition of about 63,000 acres of land within the New York City watershed in the Catskills and Westchester County, and on lands protecting the aquifer that supplies clean water for Long Island residents.

Through the Department of State's Coastal Zone Management Program and its administration of grants under Title 11 of the Environmental Protection Fund (Local Waterfront Revitalization Program), coastal and waterfront communities throughout the state have prepared comprehensive land and water use plans to conserve valuable natural resources and enhance public access while redeveloping their waterfront areas.

\$68 million in Stewardship funding from the Environmental Protection Fund also has helped augment available funding to ensure that existing and newly acquired lands are properly cared for and opened to public use and enjoyment.

In January, 2000, Governor Pataki issued Executive Order No. 102, establishing the Quality Communities Interagency Task Force. An important part of the Quality

Communities agenda has focused on maintaining New York's leadership in Open Space Conservation.

Through the Quality Communities program, the State also has developed several tools to help promote open space planning and protection at the local level, completing a Local Open Space Planning Guide that has been distributed to all local governments throughout the State and which is available on-line through the Quality Communities web site: www.qualitycommunities.org. The Department of State (DOS) also has incorporated the local guide into its on-going training curriculum that it provides to local government leaders. The 2005 EPF also provides \$3 million for DOS to administer a matching grant program to encourage land use and open space planning at the local level

Legislation championed by the Governor was enacted in 2003 to implement the Superfund/Brownfields program, adding staff resources to work closely with local governments and communities to clean up abandoned industrial sites and transform them into productive sites capable of accommodating new uses, thus limiting the need to develop sites in "green" areas.

The Quality Communities Interagency Task Force continues to bring together State agencies to work cooperatively on such important issues as land use planning, local community and downtown revitalization, open space and farm and forest land protection. This concentrated focus at the State level is working to help local governments preserve the important natural resources and open spaces of their communities, clean up the industrial legacies of the past and provide a positive vision for future growth and prosperity based on preserving the character of communities.

The Bird Conservation Area Program (BCA) is modeled after the National Audubon Society's Important Bird Areas Program. The BCA is Program seeks to provide a comprehensive, ecosystem approach to conserving birds and their habitats on state lands and waters, by integrating bird conservation interests in agency planning, management, and research projects, within the context of agency missions. Subsequent to passage of the BCA program, the legislature also authorized the State Natural Heritage Areas program to designate Natural Heritage sites on state-owned lands. To date, 28 BCAs have been designated.

The Coastal and Estuarine Land Conservation Program (CELCP) was established in 2002 to protect important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by development. Since 2002, New York State has received nearly \$10 million through CELCP to fund important coastal land protection projects, including the acquisition of 7 acres to extend the Hempstead Harbor Shoreline Trail in North Hempstead (Nassau County), the acquisition of 35 acres for habitat conservation on Lake Ontario in Parma (Monroe County), and the acquisition of 123 acres for habitat

conservation on Montauk Point in East Hampton (Suffolk County).

The State has secured more than \$10 million in federal Forest Legacy funding for a variety of forest land conservation projects identified in the Open Space Plan, including Sterling Forest, East Branch Fish Creek, and the Adirondack Lakes project. These funds, administered by the United State Forest Service, are focused on conserving forest resources for environmental and economic benefit and are used to augment funding available from the State's Environmental Protection Fund.

The following is an extensive list, compiled regionally, of conservation successes from the priority projects listed in the 2002 Plan. It demonstrates the value of a coordinated, integrated open space program that includes extensive partnerships among various levels of government, private land owners, conservation and land preservation organizations and interested citizens. These partnerships have worked to conserve an enduring outdoor legacy of which all New Yorkers can be proud.

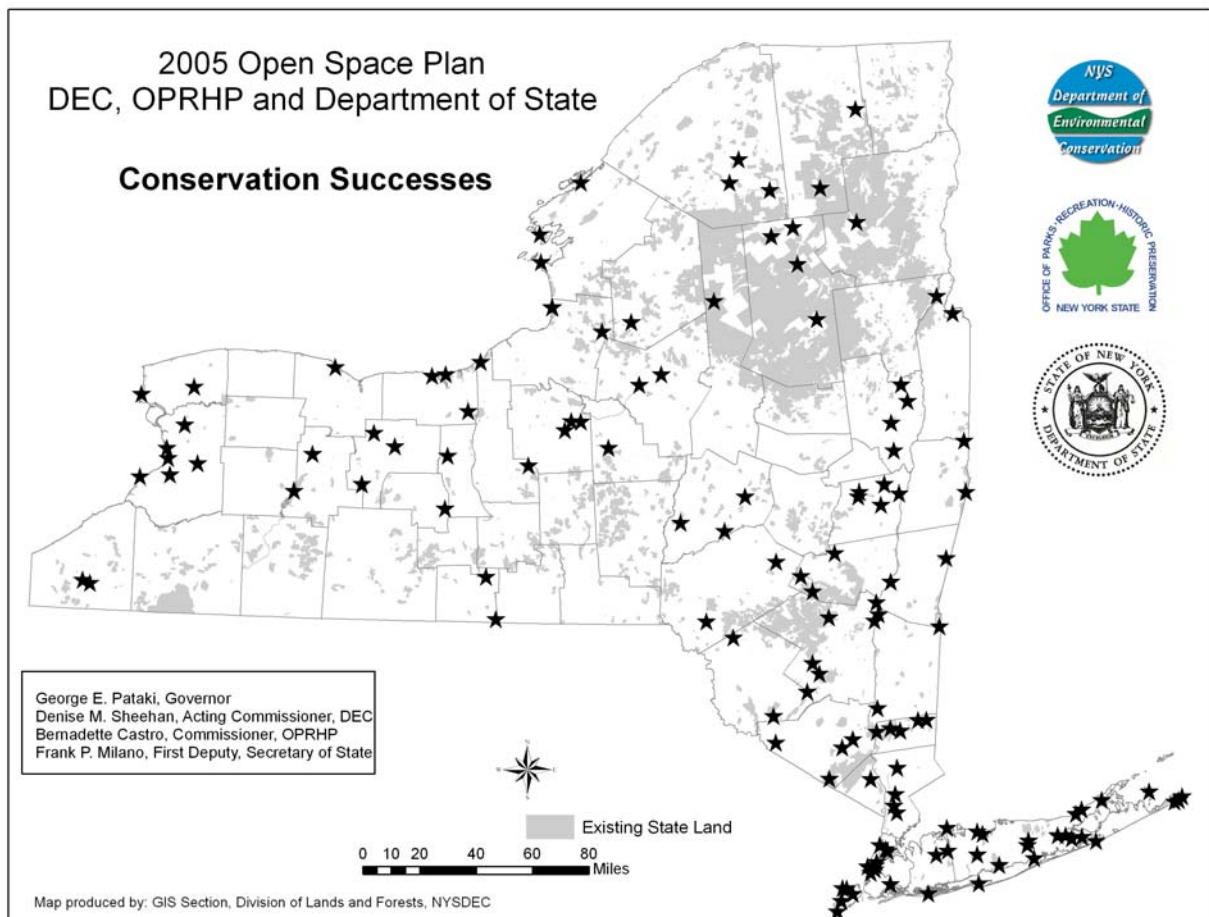


Figure 1: Conservation Successes

Region 1

In his 2000 State of the State Address, Governor George E. Pataki committed to increasing public access to Long Island Sound by opening ten new sites within this decade. The initiative focuses on working with municipalities, environmentalists and community leaders to provide more beaches, boat launches, open space and other recreational access points to the public. To date, three new sites have been acquired including Nissequogue River State Park, Jamesport State Park and Preserve, and Mattituck Creek.

In 2003, the OPRHP acquired 225 acres and more than one mile of shoreline along the north shore of Long Island in the town of Jamesport. The former KeySpan site, now known as **Jamesport State Park and Preserve** is part of 525 acres of open space that was protected for parkland and agricultural use. Approximately 300 acres of land was sold by the Trust for Public Land for agricultural use by local farmers. The proceeds from the sale totaling \$3.3 million will support development and environmental interpretation at the park. The shorefront Park and Preserve encompasses both environmentally significant natural resources as well as areas for more traditional active recreation. Jamesport marks the 7th State park on Long Island to be opened since 1996.

In the Spring of 2000, Clean Water/Clean Air Bond Act funds were used to purchase a 20-acre addition to **Caumsett State Historic Park** located in Cold Spring Harbor. The purchase of this property, which is adjacent to the park, will help protect tidal wetlands threatened by development and expand the natural landscape that is an important element in the diversity of landscapes that characterized this once thriving farm estate.

OPRHP acquired portions of the former Kings Park Psychiatric Center, located in the Town of Smithtown, through a land transfer from the NYS Office of Mental Health. Now known as **Nissequogue River State Park**, the 153-acre property includes significant bird and wildlife habitat, waterfront areas and wetlands. The existing structures are being adaptively reused and the greenhouse is again being utilized. The areas adjacent to the shoreline have been designated as a Bird Conservation Area and canoe/kayak access to the Nissequogue River is currently available. OPRHP added a 22 acre to its **Sunken Meadow State Park** on **Long Island Sound** in Kings Park.

DEC added to its holdings on the western shore of **Mattituck Creek** in the Town of Southold. Since 2002, DEC has purchased three parcels, totaling 5.6 acres. The former Petersen's Marina will be the site for a new public boat launch facility, providing needed **Long Island Sound Access** to the general public.

In addition to the Long Island Access initiative, significant open space has been acquired that increases access to the South Shore, protects environmentally significant areas and expands recreational opportunities.

The South Shore Estuary Reserve was expanded through acquisitions of **Benton Bay** and **Lido Beach** by DEC. Benton Bay is a 127 acre parcel of environmentally sensitive land on the Great South Bay in Oakdale, Town of Islip, Suffolk County and is considered a key component of the State designated South Shore Estuary Reserve.

The site contains a mixture of tidal and freshwater wetlands and associated uplands. DEC acquired more than 60 acres of important tidal wetlands at Lido Beach, Nassau County, resolving longstanding legal issues surrounding these properties.

DEC acquired 2.5 acres on the **Shinnecock Bay** in the Village of Southampton. The acquisition consolidates public ownership of back-barrier marsh important to Shinnecock Bay fish and shellfish stocks. The parcel was paid for, in part, with a \$500,000 Coastal Wetlands Grant from the U.S. Fish and Wildlife Service. To date, approximately 800 acres have been protected by the State, Suffolk County, the Town of Southampton, the Villages of Southampton and Quogue, the Peconic Land Trust and The Nature Conservancy.

Camp Hero State Park on the **Montauk Peninsula** was transferred from “closed” status to “open - passive recreation,” causing 415 acres and 4,000 feet of Atlantic Ocean frontage to be newly available for public enjoyment.

In July, 2005 OPRHP acquired 122 acres of oceanfront land on the bluffs of Montauk Point in the Town of East Hampton for a new State Park. The property, known as **Amsterdam Beach**, includes 54 acres of sensitive wetlands and maritime grasslands and is one of the last remaining significant tracts of undeveloped land in Montauk. The property will become the eighth new State Park to open on Long Island since 1995. The property has over 1,288 feet of ocean frontage on the Montauk Peninsula. The \$16.5 million acquisition will be made by the OPRHP, Suffolk County and the Town of East Hampton. The State's \$4 million share of the purchase will be supported through the Environmental Protection Fund. Additionally, the Town's \$7 million share of the purchase price is supported through a \$1 million grant secured by Congressman Timothy Bishop in 2004 through the federal Coastal and Estuarine Land Preservation Program.

An OPRHP exchange with the Town of Babylon resulted in addition of the 44-acre Oak Beach Inn property to **Captree State Park**, located on the Great South Bay in the heart of the federally designated **South Shore Estuary Reserve**.

The State contributed \$500,000 toward the acquisition of 18.93 acres of environmentally significant land adjacent to the Carman's River and the 2,400-acre Wertheim National Wildlife Refuge in the Town of Brookhaven. The parcel is located just outside the Pine Barrens Core and is considered to be a crucial natural link between the Wertheim National Wildlife Refuge and Long Island Pine Barrens at nearby Southaven County Park. The **Elias Property** was jointly acquired by the town, county and federal government and added to Wertheim National Wildlife Refuge, which is managed by the United States Fish and Wildlife Service.

The old Bethpage Parkway right-of-way in Nassau and Suffolk Counties has been redesignated as **Trail View State Park**. The 488-acre linear park, which spans 7.4 miles, running north from Bethpage State Park to Cold Spring Harbor State Park, offers multi-use trails for hiking, cycling, birding and other trail-related activities.

Gardiner's Island has been encumbered with a donated twenty-year conservation easement, held by the Town of East Hampton. The easement ensures that the 3,400

acre island filled with virgin oak forest and threatened and endangered species will remain in an undeveloped state for at least the next twenty years.

In a cooperative venture, the Town of Southold utilized a \$1 million Coastal Wetland Grant awarded to DEC by U.S. Fish & Wildlife Service to acquire a 47-acre parcel in the **Pipe's Cove** wetland complex on Southold Bay in the **Peconic Pinelands Maritime Reserve**. The Town paid for the \$2.25 million keystone property using DEC's federal grant, Town funds and funds contributed by The Nature Conservancy. Existing Town and County land holdings in Pipe's Cove area were used as land-value match for DEC's million dollar grant.

Using Clean Water/Clean Air Bond Act funds, OPRHP acquired the 339-acre **Sanctuary** property with the assistance of The Nature Conservancy (TNC) to protect this unique ecosystem that exists on the South Fork of Long Island as part of the State designated **Peconic Pinelands Maritime Reserve**. The parcel is now part of Camp Hero State Park and brings the State Park holdings in Montauk Point to approximately 1,500 acres and includes extensive wetlands and scenic views of the Atlantic Ocean.

In October of 2000, OPRHP acquired the 100 acre **Shadmoor** property, which is now Shadmoor State Park. The acquisition was the result of a partnership among OPRHP, the Town, Suffolk County and TNC, that has continued through development and management of the property. The property is located along the shores of the Atlantic Ocean in Montauk and offers more than 2,400 feet of ocean frontage that will provide public access to the shoreline. Two historic World War II artillery fire control stations on the property will be adaptively reused as scenic overlooks and bird watching platforms. The property contains rare and endangered plant species, scenic vistas, bluffs, freshwater wetlands and significant recreational opportunities.

Governor Pataki in July 1995 signed the historic **Central Pine Barrens Comprehensive Land Use Plan**. The regional land use plan covers 100,000-acre groundwater protection area located at the junction of the Towns of Brookhaven, Riverhead and Southampton in Suffolk County. The sandy, excessively drained soils of this pine-oak forest provide filtration necessary for the protection of Long Island's federally-designated sole source aquifer, which supplies water for millions of Long Islanders. The Land Use Plan includes a long-range goal for acquiring land in the 52,500-acre Core Preservation Area of the Pine Barrens and promoting compatible economic development within the 47,500-acre Compatible Growth Area.

The State has contributed nearly \$50 million toward the acquisition of 3,606 acres in the Pine Barrens Core Preservation Area. The State also has provided an additional \$3.7 million to support the work of the Central Pine Barrens Planning Commission. Working cooperatively with the State's partners, Suffolk County, the Towns of Southampton, Brookhaven, and Riverhead, the villages of Quogue and Westhampton Beach and The Nature Conservancy, more than 48,700 acres in the 52,500-acre core area, are now protected, a testament to what can be accomplished by partners working together toward common goals.

On Earth Day 2004, DEC and the Town of Brookhaven together protected 34 acres on the Carmans River in the Hamlet of Yaphank. The property, known as

Connecticut River Estates, had conditional final approval in place for a 25-lot subdivision. The Town bought six lots abutting its Camp Olympia property for \$600,000 and DEC purchased the remaining nineteen lots for \$1.9 million. Located in the Compatible Growth Area, the property also fronts the Carmans (a.k.a. Connecticut) River, a State-designated Scenic and Recreational River and home to the largest naturally reproducing brook trout population on Long Island.

DEC purchased 60 acres of land in the **Core Preservation Area of the Central Pine Barrens Preserve** on Long Island adjacent to State and County preserve lands. The property, encompassing two separate parcels, is located in the Hamlet of Westhampton in the Town of Southampton, Suffolk County. The purchases, 21.8 acres located on Route 31 across from Gabreski Airport and 38.2 acres straddling Sunrise Highway east of Route 31, will consolidate public ownership of dwarf pine plains and are prime habitat for the largest and most dense population of buck moths in New York State.

Suffolk County and the Town of Brookhaven together purchased the **Foxlair-Yaphank** property, 205 acres located primarily in the Core at the southern end of Suffolk County's Warbler Woods. In July 2005, DEC, Suffolk County, and The Nature Conservancy closed on a landmark deal protecting the single largest privately owned parcel remaining in the Core. The **WJF Property** consists of 308 acres of industrially-zoned land in the globally rare dwarf pine plains between Gabreski Airport and Sunrise Highway in Westhampton. DEC and Suffolk County each took title to 154 acres for a combined purchase price of about \$7.4 million. DEC completed six additional acquisitions in the Core totaling 154.73, including 90 acres in the dwarf pine plains.

DEC, Suffolk County and Town of Southampton holdings within the 1,200-acre **Chardonnay Woods** area of Hampton Bays and East Quogue, together with the clustering of residential development, have successfully preserved 667 acres of pine barren watershed forest, including deep drinking water recharge areas, glacial knoll and kettle topography, rare lepidoptera habitat, and red maple tupelo swamp.

DEC, Nassau County and the Town of Oyster Bay preserved 50 acres of the 81-acre **Underhill Property**. In February 2004, DEC acquired 25 acres for \$7.5 million, Nassau County acquired 16.67 acres for \$5 million, and the Town of Oyster Bay acquired 8.33 acres for \$2.5 million. In addition, a conservation easement over an adjoining 15-acre parcel has been donated to the Nassau Land Trust, bringing total protected land to 65 acres. The new public land is comprised of mostly of rolling, grassy hills which will be managed as grassland habitat, and rare kettle hole ponds that were formed by glaciers during the Ice Age. The parcel is located in the **Oyster Bay Special Groundwater Protection Area (SPGA)**.

A transfer of jurisdiction from the New York State Office of Mental Health to OPRHP resulted in creation of the new 52-acre **Brentwood State Park**, located in the **Oak Brush Plains SGPA** in the Town of Islip.

Region 2

In September 2004 Governor George E. Pataki and Mayor Michael R. Bloomberg announced more than \$220 million worth of improvements for **Bronx Parks**. The City Council approved a Memorandum of Understanding (MOU) with the State that allows the City to move forward with the construction of a water filtration plant for the Croton Water Supply System under the Mosholu Golf Course in Van Cortland Park. As part of the agreement, more than \$220 million generated from water and sewer revenue will be spent on improvements to Bronx Parks through 2009. The agreement represents a rare opportunity to invest more than triple what would be spent on Bronx parks through 2009. The projects fall into five categories and include improving neighborhood parks, renovating regional recreation facilities, developing the **Bronx Greenway**, improving and expanding access to the Bronx waterfront, building and "greening" the borough.

The acquisition needs for the **Bronx River Trailway**, a recreational path planned along the Bronx River from the Kensico Dam in Westchester County to the mouth of the river at Long Island Sound, are partially complete. The trail will link neighborhoods in the Bronx and provide access to the shores of the Bronx River. The transfer of jurisdiction for linking parcels from New York State Department of Transportation (DOT) to DEC and from various New York City (NYC) Agencies to the NYC Department of Parks and Recreation is now needed to complete this effort. Progress towards this goal was made in July 2002, when the Governor announced the preservation of a critical parcel of land as an addition to **Soundview Park** in the Bronx. In addition to preserving green space in the community, the parcel serves as a link to the Bronx River Trail. Soundview Park contains one of the first completed portions of the trail. The State, utilizing \$97,100 from the Intermodal Surface Transportation Efficiency Act (ISTEA), purchased the property from the Trust for Public Land (TPL). Under an agreement with the State, TPL acquired the land in 2001 to protect it from development. DOT, which administers ISTEA funding, provided the grant to DEC as part of a larger program for parkland acquisitions along the Bronx River corridor.

In May 2002, Governor Pataki announced a new partnership to transform 67 acres of the Brooklyn waterfront into a magnificent new park. The park will increase access to the East River, protect natural and historic resources in the Fulton Ferry district and transform the abandoned **Brooklyn Piers 1-5** into a waterfront destination. The **Brooklyn Bridge Park** will include open space, a riverside promenade, recreational amenities, cultural programs and some commercial development. The development of the park will be made possible through the commitment of \$85 million from the State through the Port Authority of New York and New Jersey and \$65 million from New York City. State Parks and City Parks will be active participants in the park's design and planning. The new park will be developed and operated by the Brooklyn Bridge Development Corporation, a newly established subsidiary of Empire State Development. In May 2003 Governor George E. Pataki and Mayor Michael R. Bloomberg opened a new segment of Brooklyn Bridge Park. The 1.5-acre segment was converted from a parking lot into lush green parkland.

A \$350,000 Environmental Protection Fund (EPF) grant to the New York Restoration

Project NYRP will be used for improvements to **waterfront parkland in the Bronx**. The grant will support the NYRP's efforts, in partnership with the New York City Department of Parks and Recreation, to develop and rehabilitate **Bridge Park**, located adjacent to Robert Clemente State Park along the Harlem River in the South Bronx. Bridge Park was designated as parkland in 1995 but has never been developed. Owned by New York City Parks, the 3.4-acre parcel is located at the base of the George Washington and Alexander Hamilton Bridges. The EPF award will support a rehabilitation project which includes the creation of pathways, barbecues and picnic areas, removal of invasive vegetation, and the installation of fishing piers along the waterfront. The property offers dramatic views of the Harlem River and the Highbridge Park bluffs.

Progress has been made with several **Inner City/ Under served Community Park** properties. These areas include densely populated urban areas with limited or no open space resources and are representative of small parks, community gardens and other open space areas in need of protection. For example, the **Gantry Plaza** property, donated to OPRHP, will provide access to East River waterfront. The 2.5 acre property features two gantry float bridges and four piers jutting into the river. The acquisition of the **Eastern District Terminal** was made in December 2000 using \$8.8 million of the 1999 and 2000 EPF. This 9-acre site provides active recreation and waterfront access in a community under served by open space and is adjacent to an existing city park. Acquisition of the 4-acre **Graniteville Quarry** was also completed in December 2000 using \$1.5 million of the FY-97 Bond Act funds. This parcel contains a unique geological formation which interprets the underpinnings for the entire Staten Island area.

DEC is implementing a plan for the restoration of **Jamaica Bay**, a premier coastal habitat including important marine and terrestrial ecosystems and bird sanctuary located in Brooklyn and Queens. Funds have been made available through a Natural Resources Damages settlement to acquire critical pieces. Funds to develop a Greenway also were secured through an ISTEPA Enhancement Grant.

In September 1998, Governor Pataki announced that the State had agreed to acquire the 145-acre **Mount Loretto**, a crown jewel of undeveloped open space along Staten Island's south shore, overlooking Raritan Bay. The State was assisted in the acquisition by the Trust for Public Land, which reached agreement on behalf of the State with the Archdiocese of New York to acquire the property for \$25 million in EPF and Bond Act funds. The property contains extensive meadows and sensitive shore front with freshwater and tidal wetlands that contain grassland species, a rare ecosystem type in New York City. The grasslands provides an unique natural habitat for bird species, such as the eastern meadow lark and bobolink, both extremely rare in the area. The property is now being managed by DEC to conserve these important natural resources and to provide exciting new outdoor educational opportunities for New York City residents.

Governor George E. Pataki signed legislation that will allow for a one-year moratorium on any development of wetlands in the mid-Island section of **Staten Island** to give New

York City additional time to develop a program to protect the environmentally sensitive "**Bluebelt**" area and to provide for effective storm-water management in the area. The "Bluebelt" program is a pioneer program to preserve streams, ponds, and other wetland areas so that these systems can, through natural means, convey, store and filter storm water. The program will allow the City to save millions of dollars in construction costs which would otherwise be spent on new sewers in southern Staten Island to keep pace with residential and commercial development. Compared to sewers, wetlands management has been determined to be a more environmentally-sensitive and cost-effective method of managing stormwater runoff. The new law authorizes the New York State Department of Environmental Conservation to place a moratorium on issuing building permits in certain designated wetlands in Richmond County for one year. The protected areas are bounded by Great Kills Park to the South, the Staten Island transit line to the West, Sand Lane to the North and Raritan Bay to the East.

Utilizing \$10 million from the Environmental Protection Fund, the State acquired the 24-acre **St. Francis Seminary** and added it to the **Staten Island Greenbelt**, one of the largest urban nature preserves in the United States.

The State has invested more than \$4.3 million to acquire 119 acres of valuable wetlands in the **Harbor Herons Complex** on the west and north shores of Staten Island, including Goethal's Bridge Pond and Old Place Creek.

The State has invested \$1.45 million to acquire 8 acres of valuable class 1 wetlands in the **Staten Island Wet Woods**, adjacent to Arden Heights Woods Park, a class 1 wetland owned by New York City, a 183-acre nature sanctuary. Local residents use this area for birdwatching, nature study and open space. The emergent marsh on the new DEC land, together with adjacent woods, attracts a large number of wildlife including hawks, owls, warblers and sparrows, as well as spring peepers, tree frogs and salamanders.

The **Hudson River Park Project** is a partnership between New York State and City, and is governed by a Board of Directors appointed by the Governor, Mayor and Manhattan Borough President. Created by State legislation in 1998, the park spans the waterfront area between Battery Park and 59th Street in Manhattan. Hudson River Park will eventually encompass 13 piers dedicated to public recreation and a continuous waterside esplanade. The park will add more than 550 acres of open space to New York City and will feature multiple opportunities for recreation and education, including town docks, a river research center, kayak launches, ballfields and concession stands offering bicycle and beach chair rentals. The State has committed to and funded \$100 million in previous budgets for this project.

In May, 2005 Governor Pataki opened the Hudson River Park's 3.2 acre Pier 40 Athletic Field. The new field is the culmination of a joint governmental, philanthropic and community effort to bring more athletic playing fields and public open space to Manhattan and its waterfront. Also in 2005, the Governor committed to an additional

\$15 million in funding, \$5 million in EPF and \$10 million in Port Authority of New York and New Jersey funding, for the **Chelsea segment**. New York City will provide matching funds for this segment

In May 2003, Governor Pataki and Mayor Bloomberg announced the opening of Hudson River Park's **Greenwich Village Segment**, which stretches across more than nine and one-half acres of dry land and three piers, from Clarkson Street to Jane Street. This first new section of the park, known as Segment 4, is linked to the rest of Hudson River Park, as well as the Battery, Battery Park City and Riverside Park along the Route 9A Greenway, which was constructed by the State Department of Transportation. The park will include sunning lawns, a display fountain, two comfort stations, a dog run, food concessions, and magnificent display garden donated by the Garden Club of America. The three piers will include: Pier 45 features a large, partially shaded lawn; Pier 46 features a passive recreation field; and Pier 51 features a playground with a children's ecology stream.

The Governor also announced \$70 million in funding from the Lower Manhattan Development Corporation for completion of the Tribeca section of Hudson River Park into a vibrant community resource.

Governor George E. Pataki signed into law legislation that preserves open space parkland on **Roosevelt Island** in New York City. The legislation designates four parkland areas on Roosevelt Island – Lighthouse Park, Octagon Park, Blackwell Park and Southpoint Park – as statutory open space areas. The legislation ensures that these park areas will be preserved and developed for park purposes, forever guaranteeing public access and appreciation of their priceless views of the Manhattan skyline. Southpoint Park, which will be protected from development by the new law, has been referred to by some developers as one of the most valuable properties in the world.

Region 3

Through a series of acquisitions since 1995, **Clarence Fahnestock State Park** has more than doubled in size, from 6,670 acres to 15,930 acres (over 9,000 acres). This has been accomplished through fee simple acquisitions and conservation easements ranging from 26 acres to several thousand acres. These acquisitions have protected wooded areas, panoramic vistas, geological features, significant habitats, streams, shorelines and watersheds. Through a cooperative effort with the Open Space Institute (OSI), OPRHP acquired the 4,492-Hubbard parcel along Clove Creek. The 1,390-acre Clear Lake Reservation was protected through a conservation easement that was coordinated with the assistance of the Trust for Public Land (TPL) and OSI. This parcel which was provided to OPRHP as a gift from OSI limits future development and provides public access to the trail network on the northern portion of the site. It will continue to be operated as a Boy Scout Camp. Other large acquisitions included 143 acres near Roaring Brook Lake, 700 acres adjacent to the Appalachian National Scenic Trail, 501 acres along East Mountain Road, 261 acres along the ridge of Candle Hill and

a 496 acre conservation easement on the Wiccopee Reservoir.

The State purchased 291-acres in the **Great Swamp**, located in the Town of Patterson, Putnam County. The Great Swamp is one of the largest freshwater swamps in the State and the largest wetland of its type in southeastern New York. It covers approximately 4,200 acres and stretches 20 miles across parts of Dutchess and Putnam counties. The Great Swamp is an ecological treasure that is rich in biological diversity and provides an important source of drinking water for Putnam County and New York City, as well as outstanding recreational and educational opportunities. A portion of the Swamp, including the parcel to be acquired by the State, is within the Croton River Drainage basin and flows directly into the East Branch of the Croton Reservoir, a New York City reservoir. The Great Swamp also anchors the eastern portion of the New York Highlands Resource Area. It contains vital habitat for avian and aquatic species and has been designated as an Important Bird Area by Audubon New York in recognition of its importance for migratory and breeding birds. The State has purchased the 291 acres from The Nature Conservancy using approximately \$1.8 million from the State Environmental Protection Fund.

A comprehensive protection strategy has been completed for a cooperative effort among the State, The Nature Conservancy and local governments to conserve the outstanding resources of the Great Swamp. The State is working with the Friends of Great Swamp (FROGS), conservation and civic groups to protect the integrity of this beautiful and important swamp in Eastern New York. The Governor has committed \$1.2 million in funding for acquisitions from willing sellers here.

Similar to Clarence Fahnestock State Park, a series of acquisitions has resulted in over 860 acres being added to **Hudson Highlands State Park**. This has included the transfer from the Division of Military and Naval Affairs (DMNA) of the summit and slopes of Anthony's Nose. This property is one of the most prominent features in the southern gateway to the Hudson Highlands. Other significant acquisitions included 150 acres of DMNA Camp Smith; nearly 300 acres on the north side of County Route 10 that is key in providing a connection between Hudson Highlands and Clarence Fahnestock State Parks; and 100 acres that abuts the City of Beacon reservoir inholdings and provides trail connections and expansive views of the Hudson River.

The State has agreed to purchase more than 250 acres of open space, known as the Baxtertown property, in the Town of Fishkill, Dutchess County. The land abuts the State Department of Environmental Conservation (DEC)-operated Stony Kill Farm Environmental Education Center and the Town of Fishkill's public water supply well field and contains wetlands, vernal pools, and forests. Purchase of the property will help protect the Town's public water supply by ensuring this land is not developed. The land will be added to the Stony Kill Farm Environmental Education Center and be open to public access for passive recreation and expand the Center's educational offerings.

Hunting and fishing rights have been acquired to a significant portion of the **Neversink**

Gorge in Sullivan County, and additional public access secured. The State has also acquired the 1,693-acre **Leonard** parcel, a critical addition to the Neversink River Unique Area in the Town of Forestburgh, Sullivan County for \$2,050,000 in Clean Water/Clean Air Bond Act funds. This acquisition protects another two miles of the beautiful and biologically rich Neversink River and provides anglers, bird watchers, hikers and other visitors another great reason to come to this magnificent area for recreation and tourism.

Lying midway between public lands in Kent and the Great Swamp in Patterson, Putnam County, **Wonder Lake State Park** is a critical link in the **Northern Putnam Greenway**. OPRHP acquired the 794 acre Wonder Lake property in November of 1998. Acquisition provides extensive trail opportunities as well as protection to the Great Swamp watershed and unique open space areas. Additional acquisitions in 2003 and 2004 have expanded the park to 877 acres. These acquisitions provide the opportunity to increase public access and complete missing segments of the extensive trail network.

In December, 2003 the State acquired the 617 acre **Feldman/Roth property**, part of the **Northern Putnam Greenway** in the Town of Kent, Putnam County. The property contains an excellent example of the oak forest typically found within the rugged Hudson Highlands. The property also contains much of the 90 acre Waywayanda Lake. The acquisition will create an approximately 1,000 acres state forest devoted to sustainable forest management, recreation and watershed protection. The State will pay local property taxes on the parcel. \$2.96 million in EPF funds were used to acquire the property.

OPRHP and PIPC are making progress in the Rockland County Highlands area with the acquisition of 88 acres of the former High Tor Vineyard and various tax parcels. The vineyard abuts the existing **High Tor State Park** and contains a wide variety of natural and cultural resources. The property boasts historically important vineyard activity, a raptor breeding and feeding area, views of the Hudson Valley floor, and views to High Tor.

Schunemunk Mountain which was acquired in 2004 was New York's 163rd State Park. Located in the Orange County towns of Cornwall, Woodbury and Blooming Grove, the 2,466 acre property is nearly 1,700 feet in elevation and extends more than 8 miles. The mountain is covered by deciduous hardwoods, scrub and pitch pine, an understory of blueberry and large stands of mountain laurel. OSI assisted in the acquisition of the site.

The transfer of the 216-acre **Gonzaga Retreat Center** property from the State to Orange County in November 2001 for use as a local park is an example of an effective use of New York's policy to protect surplus State lands. The property is located in the Orange County towns of Monroe, Blooming Grove and Woodbury. The transfer to Orange County restricts the uses of the property for park, recreation and playground purposes. In addition to the establishment of various sport fields, a trailhead and parking area are being considered for development as an existing trail system runs through the

property from Seven Springs Road along the ridge of the **Schunemunk Mountain Range**, a new State Park.

Governor George E. Pataki announced in June 2004 that the State purchased 942 acres of land encompassing five separate parcels, which expanded hiking and recreational opportunities in the Catskills and protected critical natural resources along the **Shawangunk Ridge and Trail** in the Town of Mamakating in Sullivan County. The acquisitions expands and enhances the Shawangunk Ridge hiking trail, providing a link from the Bashakill Wildlife Management Area to the Wurtsboro Ridge State Forest and northeast to the Shawangunk Ridge State Forest. The 'Gunks' hold a special place in the minds of hikers, rock climbers and nature lovers, a remarkable landscape which supports outstanding biodiversity, including eight rare natural communities, 27 rare plant and seven rare animal species. It also provides outstanding recreational opportunities for the 500,000 New Yorkers and visitors to the area each year. The purchase price for the five properties was \$937,700 and was paid for through the State EPF.

In 2003, the State purchased 510-acres of undeveloped forest on the Shawangunk Ridge in the towns of Greenville and Deerpark, Orange County. The property was purchased from the Fini Brothers Partnership for \$826,000 and was funded by the EPF. DEC manages the property as a reforestation area, which is utilized for hunting, hiking, bird watching, nature study and sustainable forestry. The state pays local taxes on the property. The purchase also included a portion of the Shawangunk Ridge Trail.

The State acquired a critical 1,300-acre parcel along the Shawangunk Ridge in the towns of Mamakating and Wawarsing, Sullivan and Ulster Counties. This acquisition furthered efforts to secure the integrity of the entire Ridge for public benefit, natural resource protection and tourism. Acting on behalf of the State, The Trust for Public Land reached agreement with the Lands and Forest Corporation to sell the property to the State for \$1,244,000, which was financed from the State's Clean Water/Clean Air Bond Act. The parcel contains an extensive dwarf pitch pine forest community, one of only two such examples of this forest community in the world. It also contains a portion of the 30-mile Shawangunk Ridge Trail.

Minnewaska State Park has been expanded by 1,773 acres to protect the Schawangunk Mountains and its exemplary natural communities including the globally rare dwarf pine ridge community. The acquisition extends from the edge of the escarpment down to the Rondout Creek valley on the northwest side of the park.

There have been significant acquisitions west of the Hudson River that have resulted in new and expanded State parks including Sterling Forest, Minnewaska, Schunnemunk Mountain, High Tor and Bristol Beach State Parks.

Since the initial acquisition of 15,942 acres in 1998, **Sterling Forest State Park** has now expanded to 18,218 acres making it one of the largest state parks in New York. The acquisition was the result of a cooperative effort by New York, New Jersey, the Federal government and private interests. The property was the last large, privately held open space in the New York City metropolitan region. Its acquisition protects a

major source of drinking water for New Jersey and protects significant forests, lakes, streams and other natural resources. In addition to serving as a watershed for millions of residents in New Jersey and New York, Sterling Forest and its habitats are vital for the survival of many resident and migratory species, including black bear and a variety of hawks and songbirds, as well as many rare invertebrates and plants.

OPRHP acquired the 120-acre **Gaisman** property in July of 1999 with Clean Water/Clean Air Bond Act funds. This is a unique open space area located in a densely developed portion of Westchester County and is now a part of the **Hart's Brook Nature Preserve & Arboretum**. It is managed in partnership with the County and Town.

The State has acquired one of the largest remaining privately held parcels of land in the Catskill Mountains, nearly 5,000 acres of the **Lundy Estate** in the towns of Rochester and Wawarsing, Ulster County. This magnificent new addition to public land in the Catskills will permanently protect more than six miles of the Vernoy Kill, a quality cold water trout stream, and provide miles of new hiking trails for the enjoyment of visitors to this exceptional forest river valley. The State was assisted in the purchase by the Open Space Institute and the Trust for Public Land, two non-profit land conservation organizations that work together as a joint venture. The groups acquired the entire parcel and sold 4,930 acres to the State for approximately \$4 million in Bond Act and EPF resources.

Access opportunities to the Hudson River were enhanced with the 134-acre expansion to **Bristol Beach State Park**. Over one mile of public waterfront is protected along with tidal marshes, mudflats and wooded and shrub swamp. There are opportunities for a boat launch site, trails, passive recreation and environmental interpretation.

Region 3/4

The State has made major investments to protect the historic **Beaverkill -Willowemoc** watershed. The Beaverkill and its major tributary, Willowemoc Creek, are revered in the angling world as the birthplace of American fly fishing and the historic focus of American recreational trout fishing in the nineteenth century. In 1999, the State acquired more than 400 acres of lands along the Willowemoc and several public fishing rights easements have been acquired on the Willowemoc, the Beaverkill and Little Beaverkill. In April 2000, the DEC launched a new initiative to improve the legendary fishery of the Beaverkill and Willowemoc Creek. The initiative will lead to development of a comprehensive watershed management plan with a focus on the trout fishery and watershed factors influencing this fishery. Efforts will include extensive creel and angler surveys, stream flow and water temperature monitoring, research on tributary trout production, trout population estimates, and identification of watershed and habitat influences that limit the fishery. The goal is to use the information collected in collaboration with local communities, businesses, individuals and organizations like Trout Unlimited to make the Beaverkill fishery the best it can be, while setting a new

standard for scientifically sound, community-based management of New York's magnificent natural resources.

The State has acquired a 500-acre tract of land in the Town of Halcott, Greene County providing permanent protection for the vast majority of **Vly Mountain's** summit. The Vly Mountain parcel lies directly east of Bearpen State Forest, which includes the recently acquired summit of **Bearpen Mountain**. Combining the newly acquired **Bearpen** and **Vly** properties with the existing Green-Delaware Reforestation Area, more than 2,600 acres of continuous land is now available for hiking, cross country skiing, camping, nature observation and other public uses.

In October, 2005, Governor Pataki announced that the State will purchase four properties totaling 403 acres of land on Overlook Mountain in the Catskill Park. The lands will be added to DEC's Overlook Mountain Wild Forest in the Catskill Forest Preserve. Funds from the Environmental Protection Fund will be used for the acquisition. DEC was assisted in these land purchases by the Open Space Institute and the Woodstock Land Conservancy, two non-profit conservation organizations who have worked closely with the State to expand open space protection efforts in the Catskills. All four of these parcels are adjacent to existing Forest Preserve lands and were identified as possible future acquisitions by the State in the DEC's Overlook Mountain Wild Forest Unit Management Plan.

The State has acquired 1,045 acres of land along the East Branch of the **Delaware River Tailwaters** in the towns of Hancock and Colchester, Delaware County, for creation of a new State Forest area to be known as the Tomannex State Forest. The property is located on the South side of the East Branch of the Delaware River, between Shinhopple and Harvard. It was paid for using \$844,250.75 in Clean Water/ Clean Air Bond Act funds. Through this purchase, the State is preserving the water quality of the New York City water supply system while also providing Catskill residents and visitors alike with another terrific outdoor recreational opportunity. The acquisition preserves more than two miles of scenic river front land along the East Branch as well as an undeveloped island and a beautiful northern hardwood forest which will be sustainably managed for wood products and natural resource protection.

The State has acquired critical parcels totaling 55 acres along Route 28 in Ulster County, within the **Catskill Interpretive Area**, linking to existing Forest preserve lands on Mount Tobias.

The 187-acre **Peck Hollow** parcel in the Town of Lexington was added to the Catskill Forest Preserve in December 2003. \$197,000 in EPF monies was used for the acquisition. The parcel is within the NYC watershed and links 197,000 acres of existing forest preserve. The purchase increases recreational opportunities and consolidates state lands in the Preserve's Westkill Wilderness Area. It offers camping, hiking, hunting, trapping, fishing and nature observation and will protect the undeveloped shoulders of Mount Sherrill and North Dome, Catskill High Peaks.

The State worked with the environmental organization Scenic Hudson and its land trust to preserve more than 62 acres of open space in the Town of Red Hook, Dutchess County that adjoins the existing **Tivoli Bays Wildlife Management Area** and the **Hudson River National Estuarine Research Reserve**. The parcel will further protect this critical habitat and provide additional public access to the Hudson River.

The waterfront portion of the property is adjacent to, and creates a preservation buffer zone for the Tivoli Bays section of the Hudson River. Tivoli Bays Wildlife Management Area is part of the Hudson River National Estuarine Research Reserve, which protects 4,800 acres of coastal wetlands located along a 100-mile stretch of the river. These areas are prized natural laboratories for research and education and are vital areas for fish, reptiles, mammals and more than 150 species of birds, including bald eagles. The property Scenic Hudson and the State are purchasing is characterized by upland forests that buffer the Bay's cattail marshes, tidal creeks and pools.

The use of conservation easements has been the primary means for the viewshed protection from **Olana State Historic Site**. Maintaining the viewshed and its agricultural and wooded setting is critical for understanding the significance of the historic site.

The **Brown/Cherry Ridge Farm** lies west of the East Shore Railroad corridor south of Rogers Island. Its 37-acres include tidal wetlands, marshes and woodlands on the edge of the Hudson River. This area has remained undeveloped for a number of years and represents a significant addition to Olana.

The state acquired nearly 200 acres of open space known as **Taxter Ridge Park Preserve** in the Town of Greenburgh, Westchester County. This unique parcel is considered the "Gateway to Westchester" and is the largest undeveloped tract of land in the County. It features stunning natural rock ledges, woodlands, streams and wetlands. The site links 400 acres of existing municipal parkland and another 45 acres in the Town of Irvington. The property was acquired with the assistance of TPL and will be operated by the Town of Greenburgh.

Since 1998, **Rockefeller State Park Preserve** has expanded by 387 acres through gifts by the Rockefeller family, conservation easements and fee title. This has included the Rockwood Hall property that comprises 88 acres on undeveloped land on the lower Hudson River. The property contains the largely intact remains of a Frederick Law Olmsted historic landscape, the impressive foundation of the William Rockefeller estate mansion, and magnificent views down the Hudson River to New York City and up to Bear Mountain. The other parcels provide essential links in the equestrian trail network and safeguard the character of the approach to the park from the east.

New York State acquired the **Turkey Point** Multi-Mission property in the Town of Saugerties, Ulster County, through a surplus land transfer from the National Park Service. The no-cost Turkey Point acquisition was a key project of this initiative and Congresswoman Sue W. Kelly was the catalyst to making the transfer a reality. The 8.2 acres of woodland property at Turkey Point has been incorporated into the adjacent DEC Turkey Point Unique Area, a 133-acre parcel of forest and fields. The property also includes a 200-foot wharf on the Hudson River and a navigational light. It is managed for recreation, environmental and historic interpretation, and Hudson River fishing

access. The property is a component of the Hudson River Greenway Trail and also a site for a designated Hudson River Water Trail currently under development. The partners have worked closely with the Coast Guard to develop historic displays of the rich Coast Guard history in the area. The Coast Guard maintains the Hudson River navigational light on the wharf.

The State has acquired some critical trail linkages along the **Long Path** in Schoharie County and parcels totaling 400 acres that will help consolidate the Greene County portion of the **Long Path** hiking trail. The **Long Path** hiking trail stretches from New York City to John Boyd Thatcher State Park in Albany County and provides outstanding long distance hiking opportunities. The Greene County acquisition will connect the Long Path with a 175-acre state-owned parcel on the southwest ridge of Ginseng Mountain in the Town of Windham. State acquisition of the properties guarantees the future of the Long Path Trail in Greene County and will allow hikers to avoid using a one-mile stretch of paved roadway when traveling through the area.

In January 1997, the historic **New York City Watershed Memorandum of Agreement** (“Watershed Agreement”) was signed, which cemented a partnership among New York State, New York City, federal government, environmental organizations, and the 80 Watershed host communities. This landmark agreement formed a new partnership to protect the drinking water supply for nine million New Yorkers, while ensuring the economic vitality of the upstate Watershed communities. This innovative, cooperative watershed protection program is the first and only of this magnitude in the entire Nation.

The Watershed Agreement consists of a comprehensive, long-range watershed protection and water quality enhancement program that consists of land acquisition, watershed regulations, and watershed protection and partnership programs. Implementing such a program will ensure that New Yorkers continue to enjoy high-quality, affordable drinking water into the 21st century.

As part of its commitment in the Watershed Agreement, the State dedicated \$7.5 million for land acquisition within the Croton Watershed. The State initially acquired four parcels totaling approximately 696 acres within the Towns of Yorktown and Cortlandt. This includes the following:

- 215-acre parcel within the Town of Yorktown, Westchester County. The 215-acre parcel contains the 800' Turkey Mountain, with panoramic views of the Croton Reservoir and the Manhattan skyline. The parcel also contains a hardwood forest, a small stream, pond and wetlands, and lies within a mile of New York City's Croton Reservoir.
- 68-acre parcel within the Town of Yorktown, Westchester County. This parcel adjoins the 215-acre Turkey Mountain property and is situated along the western slopes of Turkey Mountain.
- 269-acre parcel within the Town of Cortlandt, Westchester County. A portion of

the property is situated directly adjacent to the New Croton Reservoir. The property contains exceptional views of the New Croton Reservoir, and includes Blue Lake and a large, expansive wetland.

- 144 acre parcel within the Town of Yorktown, Westchester County. The 144-acre parcel is situated on a wooded knoll that overlooks the Croton Reservoir on its southern boundary, and contains extensive woods and open meadows.

Given the success of this program, in 2003, Governor Pataki announced that the State will commit an additional \$10 million towards land acquisition within the Croton Watershed to protect the New York City drinking water supply. Since then, the State has acquired a 291-acre parcel in the Town of Patterson, Putnam County and conservation easements on a 111-acre parcel in the Town of Lewisboro, Westchester County and a 370-acre parcel in the Town of Somers, Westchester County. Nearly 1,470 acres of land have been acquired by the State for water quality protection purposes within the Croton Watershed.

The State has also acquired 1,294 acres of working forest land in the Towns of Stamford and Roxbury in northeastern Delaware County, a new State Forest known as the **Relay State Forest**. The property was acquired using \$894,817 from the Clean Water/Clean Air Bond Act. DEC's professional forestry staff will utilize ecosystem management principles which integrate ecologically sound forestry practices with the protection of water quality, wildlife habitat and outdoor recreation activities. The heavily forested property lies above New York City's Cannonsville Reservoir and contains numerous springs that form part of the headwaters of Roses Brook, a direct tributary of the West Branch of the Delaware River which feeds the Cannonsville Reservoir. The cold clear water from the spring fed streams on this property provides ideal spawning conditions for the wild populations of brook and brown trout, and other fish and aquatic life requiring quality water to survive in the Delaware River System. The forest stands on this property have been actively managed in the past under New York's 480-a Forest Tax Law program that encourages active forest management.

The state acquired 3,877 acres in fee and an additional 4,724 acres in conservation easements along the **Taconic Ridge** in Rensselaer County, further progressing work on the Taconic Crest Trail while also conserving working forest lands and valuable agricultural land. Further south along the Ridge in Columbia County, the State acquired **Harvey Mountain**, the highest point of land in the county and a popular area for hiking, hunting, nature observation and blueberry picking. TPL has assisted the State on this ongoing project area.

In November of 2000, OPRHP acquired 327 acres of the Martineau Property as an addition to **Taconic State Park**. The property runs from the floor of the Harlem Valley up to the second highest elevation in Dutchess County, South Brace Mountain. Running along the Connecticut border at the top of the Taconic Ridge, it fills a substantial gap in the Taconic State Park. In 2005, OPRHP purchased 255 acres of woodlands, the Lubeskind Property located in the Town of North East, Dutchess County

to expand Taconic State Park. The \$830,000 acquisition, which runs along the Taconic Ridge on the New York/Connecticut state line, increases the total size of the park to 6,054 acres. The new property is adjacent to the Rudd Pond Area of the State Park and is a critical link in protecting the Taconic Ridge and insuring the potential for an extension of the South Taconic Trail. It includes part of the steep west escarpment. This parcel, along with the 40-acre Jarvis property, further the effort to eliminate in-holdings within the park. The State acquisition is being supported through the EPF.

Region 4

In the **Albany Pine Bush Preserve**, administered by the Albany Pine Bush Preserve Commission, a total of 3,010 acres has been protected by Commission partners exceeding Governor Pataki's goal of expanding the size of the Preserve by 3,000 acres. A formal protection plan is outlined in the 2002 Albany Pine Bush Preserve Management Plan and Final Environmental Impact Statement, adopted by the Commission in April 2002 to guide the future management and protection of the unique Inland Pine Barrens habitat, home of the endangered Karner blue butterfly.

Since 1995, the State has invested more than \$12 million in land acquisition funds and \$2.9 million to support the work of the Commission from the EPF and Bond Act. The Towns of Guilderland and Colonie, City of Albany and The Nature Conservancy also have acquired lands for inclusion in the Preserve.

In November 2001, the State announced the acquisition of 11.5 acres of the State Employees Federal Credit Union (SEFCU) property located on New Karner Road in Albany. This acquisition continues to preserve the unique and fragile ecology of the Pine Bush and the existing two-story facility will be used to house the Albany Pine Bush Discovery Center. The Discovery Center will enable thousands of school children, families and other visitors to learn about and enjoy this magnificent resource. In June 2002, the Governor announced that Trustco Bank Corp NY will donate \$1 million to create an endowment for the operation of the Discovery Center. In addition, OPRHP has provided three awards totaling \$350,000 towards the design and retrofitting of the SEFCU building into the interpretive center.

The State acquired two properties adjacent to the **Five Rivers Environmental Education Center** totaling 57 acres through the use of EPF monies in partnership with Five Rivers, Ltd., a local support group for the Center. This acquisition will expand the Center property to 402 acres and will provide open space protection in an area experiencing accelerated development. The State plans to develop new trails and footpaths on the properties that will further enhance the outdoor recreational and educational opportunities for the ever-growing number of visitors that come to the Center each year.

Extending north from **John Boyd Thacher State Park**, 569 acres have been acquired to protect the open space on the top of the Helderberg Escarpment. These additions to the Park contain rolling to hilly terrain with wooded areas, cleared fields and deep

ravines. There are trail opportunities and good vistas.

Acquired in 1999, OPRHP added 145 acres to **Thompson's Lake State Park** in Albany County. Located in the area of the Helderberg Escarpment, this acquisition assists in providing a link to nearby John Boyd Thacher State Park and preserves the viewshed of the natural geological features of the escarpment. The abandoned farm and farm complex also increases access to the park which has become increasingly popular.

In January 2001, Governor Pataki announced the creation of a working group to evaluate ways to protect the **Tivoli Preserve** and to expand opportunities for the public to enjoy the natural resources in Albany's Arbor Hill Community. DEC, OPRHP, the City of Albany, and community groups, including the Arbor Hill Environmental Justice Corporation, will work together to develop this project. The Preserve has a rich history as an urban park and provides a good opportunity to expand public access through the greenway linking the historic Hudson River to the Preserve and other natural resource areas in the city. Under DEC's Hudson River Estuary Grant Program, the Arbor Hill Environmental Justice Corporation was awarded a \$62,531 grant for their Upper Hudson River Streamkeeper project, which is designed to get the community involved in the conservation and protection of Hudson River ecosystems and to promote stewardship of resources such as the Tivoli Preserve and Patroon Creek.

Betty and Wilbur Davis State Park is a scenic 190 acre hilltop property in the town of Westford donated to OPRHP. Two-thirds of the park is forested with a mix of northern hardwoods and conifer plantations. The remainder of the property is open field that was once actively farmed. The park is near Cooperstown and Glimmerglass State Park and is used primarily as a day use area.

Governor George E. Pataki announced in July, 2005 the acquisition of three properties totaling more than 2,500 acres in Otsego County, including 1,036 acres in the Towns of Milford and Maryland that is being donated to the State for the new **Robert V. Riddell State Park**. The property was a gift from the family of Robert V. Riddell of Colliersville and is the 22nd State Park to be opened by the Governor since 1995.

The State also is acquiring 1,130-acres that will become the new **General Jacob Morris State Forest** in the Town of Morris, and 392 acres to expand State Forest land in the Town of Plainfield. Together, the three properties will open up new public recreational opportunities, protect water quality and natural resources and promote sustainable forestry in the county.

Region 5

In October 2004, a \$320,000 grant from the Federal Land and Water Conservation Fund was made to the Town of Clifton Park in Saratoga County, for the acquisition of 250 acres toward the creation of the **Dwaas Kill** Natural Area, one of the last undeveloped open spaces in the region. The Dwaas Kill Watershed is a critically important natural area and includes several diverse ecotypes for birds and other wildlife. The 250 acres are approximately half of 500-acres known as the Dwaas Kill Natural Area. The site is adjacent to the local historic site, the Stone Viaduct, and close to the Northway (I-87) Exit 10, Ushers Road and an active rail line. The property will be owned and managed by the Town for public access including natural and cultural interpretation and recreational use such as hiking and fishing.

Using available State and federal funding, the State, in partnership with The Nature Conservancy, has protected several key wetlands along the shore of **Lake Champlain**, including the Poultney River Complex and the Webb Royce Swamp.

Governor George E. Pataki announced an agreement to permanently preserve approximately 10,000 acres in the heart of the High Peaks region of the Adirondack Mountains, including the headwaters of the Hudson River and the historic site of the abandoned Village of Adirondac in the Town of Newcomb, Essex County. The preservation of these lands, which includes the site of the former **Tahawus** Club and the first iron ore mining operations in the Adirondacks, will protect the upper Hudson River watershed and the "southern gateway" to the High Peaks Wilderness Area. The Open Space Institute (OSI) purchased the **Tahawus** property for \$8.5 million from NL Industries using a loan it received from the State's Clean Water State Revolving Fund (SRF) and private funds. OSI is working closely with the State to add approximately 6,000 acres on the northern portion of the property, immediately adjacent to the High Peaks Wilderness Area, to the State Forest Preserve. Of the remaining 4,000 acres, approximately 3,000 acres remains a working forest and several hundred acres comprising the historic Village of Adirondac will be managed as an historic district. Both the forest management area and the historic district will be protected by conservation easements to be purchased by the State. The working forest conservation easement requires sustainable forestry, provides for public access and preserves the mineral deposits known to exist on a portion of the lands. During its ownership, OSI will continue to pay property taxes on the parcel. Originally settled in 1826 as the Village of Adirondac, the historic site retains many important structures, including the McIntyre Works and other early blast furnaces, which illustrate the evolution of iron smelting technology. Also on the site are a dam and water wheel system, several domestic foundations, and the community cemetery. Industrial operations in the Village were abandoned in 1856, but a portion of the property was redeveloped 20 years later into a sportsmen's club, the Tahawus Club, the oldest such organization in the Adirondacks. In September 1901, then Vice President Theodore Roosevelt was staying at the McNaughton Cottage at the Tahawus Club when he received the news that President

William McKinley had been shot. Roosevelt immediately embarked from the club on an historic midnight carriage ride along the back roads of the Adirondacks to the North Creek Railroad station. At the station, Roosevelt received a telegram informing him that President McKinley had died. As a result, Roosevelt became the nation's 26th president. The Tahawus Club and the Village of Adirondac (also known as McIntyre) are part of the Upper Works: Adirondack Iron and Steel Company, a 400-acre site on the National Register of Historic Places.

In 2004, **Saratoga Spa State Park** was expanded with the acquisition of two properties totaling 345 acres in the Town of Malta and the City of Saratoga Springs. The acquisitions increase the size of Saratoga Spa State Park, a National Historic Landmark, to 2,545 acres and provide greater public recreational access along the north and south banks of Kayaderosseras Creek. The 239 acre Malta parcel is on the south side of Kayaderosseras Creek and north of Old Post Road and the 106 acre property in the City of Saratoga Springs is on the north side of the Creek and east of Route 50. Improvements will be made for canoe, paddling and fishing access to the Creek. The purchase will also provide further protections for environmentally sensitive wetlands. The addition of these parcels will ensure the viability not only of the Kayaderosseras wetlands but the quality of adjacent upland forested areas. The wetlands are critical to the protection of the water quality of the Creek which is a major tributary to Saratoga Lake. These parcels also greatly enhance the protection of the Kayaderosseras Creek corridor, which in turn contributes to the quality of the ecosystems along Geyser Creek, which also flows through the Park.

Working closely with the Lake George Basin Land Conservancy, a non-profit conservation organization affiliated with The Nature Conservancy, the State has protected more than three miles of **Undeveloped Lake George Shore**, encompassing more than 640 acres which will be added to the Lake George Wild Forest. The projects have been financed with nearly \$4 million in EPF and Clean Water/Clean Air Bond Act funds. In December 2003, the preservation of 1,310 acres of open space on Lake George in the Town of Bolton, Warren County was announced. The acquisition of the Northwest Bay property will protect valuable lands in the region, helping to enhance water quality in Lake George and critical habitat of the area. The Northwest Bay property includes Pole Hill Pond, a pristine, spring-fed pond that drains into the Northwest Bay of Lake George. The property is adjacent to thousands of acres of Adirondack Forest Preserve lands, stretching north to the Pharaoh Lake Wilderness Area, south across Tongue Mountain Range, and to the lake's eastern shore to include Black Mountain and parts of Washington County. The State purchased the parcel from The Lake George Land Conservancy with funds from the EPF. Maintaining the intact woodland is important to preserving Lake George's pristine water quality. This land is the watershed of Northwest Bay Brook, one of the largest streams that feeds Lake George. The woodlands and wetlands of Lake George act as natural filters to catch impure nutrients before they reach the lake's water. The most cost-effective method of preserving water quality in Lake George is to protect the natural lands surrounding the

lake.

Long thought of as the “crown jewel” of private land holdings within the Adirondack Park, in December 1997, Governor Pataki announced that the State had reached agreement to purchase 14,700 acres of **Whitney Park**, including all of Little Tupper Lake, the largest privately-owned lake in the Northeast for \$17.1 million in EPF and Bond Act resources. This magnificent property was open to the public in the summer of 1998 for the first time in more than a century. The bulk of the property has now been classified by the Adirondack Park Agency (APA) as the William C. Whitney Wilderness area and has been visited by thousands of hikers and paddlers, who can now enjoy this easily accessible wilderness experience in the heart of the Adirondacks.

Working cooperatively with the Town of Wilton and The Nature Conservancy, the State has helped add more than 160 acres to the **Wilton Wildlife Preserve and Park**, a planned 2,500-acre preserve in the Town of Wilton, Saratoga County. The area contains important habitat for the federally endangered Karner Blue butterfly and also provides outstanding passive recreational opportunities in this rapidly developing part of the State.

Governor Pataki announced in early 2005 that the State reached agreement with The Nature Conservancy and Lyme Timber Company to ensure the protection of 104,000 acres of Adirondack forestland formerly owned by **Domtar** Industries, Inc. in the "**Sable Highlands**" region of Clinton and Franklin counties. The agreement represents the third largest land acquisition in State history. The Lyme Timber Company, a private timber investment company headquartered in Hanover, New Hampshire, has purchased 84,448 acres of forestland from Domtar Industries and will continue harvesting timber on the property. New York State will acquire a working forest conservation easement on these lands that will require sustainable forest management and timber harvesting, prohibit residential development and restrict subdivision, and create a balance of public recreational access and continued traditional private recreational leasing on the property. The Nature Conservancy purchased 19,960 acres of the remaining Domtar property, which it will hold for ultimate transfer to the State. Of these lands, 16,918 acres will be added to the State Forest Preserve including Lyon Mountain and its fire tower, the highest peak in the northern region of the Park, and a portion of Ellenberg Mountain. The remaining 3,042 acres, located in the Town of Dannemora, will become State Forest land. Local property taxes will continue to be paid on all of the properties. The agreement provides full public recreation rights to more than 47,000 acres of lands and waters that are not under private lease agreement and have not previously been open to the public. Public recreational opportunities will include hiking, camping, hunting, fishing, cross-country skiing and snowmobiling. Partial public recreation rights, including opening more than 44 miles of recreational corridors for public motorized access, will be acquired on more than 56,000 acres of Lyme Timber's lands that are currently leased to private hunting clubs. The agreement also permanently secures public hiking trails on Lyon Mountain, Owls Head, and the Norton Range. Lyme Timber

is retaining the right to maintain private recreational leases, and no hunting clubs on Lyme Timber's land will be eliminated. Since 2000, Domtar's lands have been enrolled in the Forest Stewardship Council (FSC) forest certification program, an independent entity that certifies adherence to a comprehensive set of sustainable forestry requirements. The easement the State will acquire requires Lyme Timber to maintain FSC certification or another independently audited certification system, assuring that timber harvesting on the land is conducted in a sustainable and environmentally-sound manner. The agreement protects habitat for a wide array of mammals, such as moose, black bear, and pine marten, as well as forest nesting birds such as warblers and thrushes, and pristine streams that harbor native brook trout and other fish species. It also ensures the conservation of significant wetlands, high rocky summits, and extensive northern hardwood and spruce-fir ecosystems.

With the assistance of the Open Space Institute and through an agreement with DEC, the acquisition of more than 3,200 acres of the Spier Falls –Sherman Island Dam Impoundment upland area has greatly expanded **Moreau Lake State Park** and linked the park to the Hudson River. Located in the Towns of Moreau and Corinth in Saratoga County and in the Towns of Lake Luzerne and Queensbury in Warren County, this property provides the opportunity to increase public access to the river and trail opportunities.

More than 400 acres of pristine shoreline and 15 islands on **Blue Mountain Lake** and Utowana Lake in Hamilton County were added to the Adirondack Forest Preserve for the public to use for hiking, fishing, primitive camping and canoeing. The property includes a 137.4-acre forested and undeveloped property on the north shore of Blue Mountain Lake called Castle Rock, a popular hiking destination, as well as 15 forested and undeveloped islands in the lake totaling approximately 49 acres. The State acquired the property using \$1,418,000 in EPF resources.

Interpretation of the actual events that occurred at the **Bennington Battlefield State Historic Site** was greatly enhanced with the 145-acre acquisition of the Cottrell Farm. The acquisition is important since it now allows the telling of the full story of the Battle by protecting the earthworks on the two hills that controlled the route from Saratoga to Bennington. This includes the Tory Fort Hill site that remains very much intact as it was in the 18th century.

Region 5/6

In January 2001, the Nature Conservancy announced the purchase of 26,562 acres of valuable recreational and timber lands in the Adirondacks from the International Paper Company. The purchased lands, referred to as the **IP Lakes Property**, will help create the Northeast's premier canoe route system, linking Little Tupper Lake and Rock Pond with Round Lake, Low's Lake, the Lake Lila complex and the Bog River Flow. It will also

support the creation of exciting new long distance snowmobile trail opportunities, important to the way of life and economy of the local communities. The Nature Conservancy is conveying the property to the State to add it to the Adirondack Forest Preserve.

International Paper has donated 17 miles of shoreline along the **Raquette River** and the remaining area is being further protected in cooperation with the Conservation Fund.

The State acquired a working forest conservation easement from the Long Pond Timber Company on 18,950 acres of productive timber lands, known as the **Horizon tract**, in the towns of Colton and Claire, St. Lawrence County. The easement provides public recreational access to the property while guaranteeing the land remains a privately owned working forest that is managed for sustainable timber production. The State pays taxes on the conservation easement value of the property, which reduces the timber company's tax burden while maintaining local government tax revenues. In addition to its timber assets, the property is valued for its unique natural resources, as it contains the headwaters of the **North Fork of the Grasse River** as well as numerous ponds, marshes and wetlands.

The **Bartlett Carry** acquisition by the State includes nearly three miles of shoreline along Middle and Upper Saranac Lakes in the Town of Harrietstown, Franklin County. The acquisition preserves canoe routes, protects three miles of Saranac shoreline in an area that has long been recognized as a key linkage in the wonderful Adirondack canoe routes that paddlers enjoy along the Saranac chain of lakes. The NYS DEC acquired the parcel using \$2,464,000 in Clean Water/Clean Air Bond Act funds. The acquisition includes 776 acres of land in fee and a conservation easement protecting an additional 216 acres. The State's stewardship of the property, which is adjacent to the Saranac Lakes Wild Forest, will ensure that the scenic, pristine character of Middle Saranac Lake remains.

In December 1998, Governor Pataki announced an agreement for the protection of 139,000 acres in the Adirondacks. The agreement was part of a comprehensive transaction coordinated by The Conservation Fund involving 300,000 acres of **Champion** International lands in New York, Vermont and New Hampshire. The New York land is in three noncontiguous blocks known as the Santa Clara, Tooley Pond and Croghan tracts, covering portions of 10 towns in St. Lawrence, Franklin, Herkimer, and Lewis counties. New York State and The Conservation Fund worked on the agreement with a private timber management organization, The Forestland Group, LLC (TFG). The Conservation Fund purchased all of Champion's lands in New York and simultaneously sold the land. TFG purchased 110,000 acres of Champion's commercial timber land in the Adirondack Park, and 4,300 acres outside the Park. The State then purchased a working forest conservation easement on the 110,000 acres of TFG land in the Adirondack Park, making the land available for hiking, hunting, camping, nature observation, motorized access and other outdoor recreational activities. The State

purchased 29,000 acres along the Deer, Grass, St. Regis and Oswegatchie rivers for addition to the Adirondack Forest Preserve. The lands contain more than 70 miles of river corridors as well as ecologically sensitive wetlands and boreal forest. The State paid \$24.9 million for the land and easements using Clean Water/Clean Air Bond Act funds. The New York State DEC will develop Unit Management Plans with public input to guide long-term public use of the land. DEC developed a land management plan with TFG to guide public recreational uses of the land on which the State purchased an easement. Private hunting and fishing clubs that have leased parts of the easement lands will be allowed to remain until 2013. TFG will retain exclusive right to the land during big-game season through the year 2013 to allow use by the existing clubs. During this time, the easement property is closed to the public, with the exception of primary roads or trails. After the lands will be open to public year-round. The easement prohibits logging along the river corridors and adjacent to other environmentally sensitive water bodies. Thirteen subdivisions, ranging in size from 2,500 acres to 12,000 acres, were made on the land to be owned by TFG to make the land affordable for smaller-scale, local timber operations in the future. TFG pays its share of all local, school and county taxes with the State paying the balance of these taxes on the easement lands. The State also pays full taxes on the 29,000 acres it purchased.

Governor Pataki announced the protection of nearly 16,000 acres in the heart of the Adirondack Park through a working forest conservation easement on lands owned by **International Paper** in the Town of Long Lake, Hamilton County. The easement, one of the largest ever donated to New York State, is a gift from International Paper in honor of its former Chairman and Chief Executive Officer, John Dillon. The working forest conservation easement consists of a total of 15,810 acres, including two adjacent parcels – the 2,166 acre Whitney Triangle, and the 13,644 acre Sperry Grampus tract – separated by Route 30. The easement will allow DEC to work with IP and Paul Smith's College to develop **International Paper John Dillon Park** containing wilderness style recreational facilities for people with disabilities on Grampus and Handsome Lakes. The property is located immediately east of the William C. Whitney Wilderness Area and south of the Horseshoe Lake Wild Forest. It abuts the 26,000 acres of land preserved under an agreement with The Nature Conservancy and announced by Governor Pataki in January 2001 (IP Lakes). The Sperry Grampus tract includes Sperry Pond, Grampus Lake, Handsome Pond, Mohegan Lake, and Moonshine Pond, and is surrounded by forested hills, low mountains, and wetlands. The Whitney Triangle parcel includes Bog Stream and Buck Mountain. It is bounded on two sides by the Sabattis Circle Road, which links visitors to Little Tupper Lake at the William C. Whitney Wilderness Area. Both properties are currently heavily forested and will be managed under the terms of the easement for sustainable forestry activities that help support the regional economy. The working forest conservation easement will limit new industrial, commercial or residential development of the parcel and require sustainable forestry activities to protect water quality and other natural resources. Existing camp leases on the property will not be affected. The State will pay property taxes on the easement.

On Earth Day 2004, Governor Pataki announced the largest land conservation agreement in State history – an agreement between the State and the **International Paper Company** to preserve nearly 260,000 acres encompassing 9 counties and 34 towns within the Adirondack Park. The State will purchase working forest conservation easements on more than 255,000 acres, subject to local government approval, and will purchase an additional 2,000 acres in fee to provide new recreational opportunities for residents and visitors to the Adirondack Park, while supporting the local economy through the continuation of sustainable forestry. The lands consist of 21 separate tracts, spanning nine counties within the Adirondack Park, including Warren, Washington, Franklin, Clinton, Hamilton, St. Lawrence, Essex, Saratoga and Herkimer. The properties represent nearly all of IP's Adirondack Park holdings, covering about 9 percent of the Park's privately-owned forest land. They include productive forest land, miles of rivers and stream corridors and a wealth of recreational opportunities, including more than 250 miles of existing or potential hiking and snowmobile trails. This agreement is one of the largest ever brokered within the Northern Forest region of New York, Vermont, New Hampshire and Maine and was facilitated by The Conservation Fund, an Arlington, Virginia-based non-profit conservation organization that works to protect America's land and water legacy including wildlife habitat, working landscapes and open space.

The easement will restrict subdivision and further development on the property, provide public recreation rights and require sustainable forestry operations that protect water quality and wildlife habitat to ensure the long term maintenance of the forest resource. The State will pay its proportionate share of local taxes on the easements it holds within the Park. Also as part of the agreement, the State will acquire full public recreation rights on about 84,000 acres and partial public rights, including the ability to maintain and build hiking and snowmobile trails, on about 171,000 acres. IP will retain ownership of these lands. The agreement was structured to preserve the rights of various private recreation club organizations that currently lease large portions of the property for hunting, fishing and other outdoor recreational activities, while expanding public recreational opportunities. The State will fund the acquisition through the Environmental Protection Fund.

Region 6

The State has acquired from the Otetiana Council of Boy Scouts, a conservation easement over much of the 3,600-acre camp property in the **Massawepie Mire** in St. Lawrence County using \$1,760,000 in EPF monies. The agreement continues the Otetiana Council's 40-year tradition of stewardship of the Mire in partnership with DEC, while enabling expansion of the Scout facilities in suitable areas, and providing for the permanent preservation of the unique Mire complex valued for its outstanding biodiversity.

An agreement was made in June 2003 between the State, the Adirondack Nature Conservancy and the Northeastern Loggers Association to protect the 840-acre

Minnehaha Tract. The tract includes lands in the **Moose River Corridor** and the **Adirondack Scenic Railway** in the Town of Webb, Herkimer County. The agreement transfers 333 acres to the Forest Preserve, which includes 5 miles of shoreline along the Moose River. A working forest conservation easement on 512 acres supports sustainable forestry and outlines public recreation rights that provide access to opportunities on an extensive network of trails, including a snowmobile trail that will help relocate an existing trail off State Route 28.

Working closely with The Nature Conservancy, the City of Rome, Oneida County and the Izaak Walton League, DEC has acquired more than 1,000 acres of land within the ecologically significant **Rome Sand Plains** in the City of Rome, Oneida County, using more than \$600,000 in EPF and Bond Act resources. This ongoing project area seeks to preserve the unique pine barrens and wetland system of the Rome Sand Plains, one of only a handful of inland pine barrens in the nation. Its unique combination of high sand dunes and low peat bogs makes it a truly rare natural feature. Mixed northern hardwood and pine barrens forests opening abruptly into meadows, wetlands and peat bogs characterize the habit. Several rare vegetative community types are contained within the area being protected which include rare and uncommon species such as the frosted elfin butterfly, the spotted turtle and the red shouldered hawk. In addition, the project area encompasses part of historic Wood Creek, used by Native Americans and early American settlers as a major canoe route linking the Mohawk River to the Great Lakes.

Undeveloped islands, shorelines, lands adjacent to State Parks, and wetland properties are a scarce resource in the **St. Lawrence River Islands/Waterfronts** area. The acquisition of the 48-acre **Bayhaven** site, which contains a 42-slip protected marina and 900 feet of shoreline frontage, has furthered the protection of these critical areas and expansion opportunities for **Grass Point State Park**.

In September, 2005, Governor Pataki announced the approval of plans to transfer more than 720 acres of New York State Canal Corporation-owned lands in Oneida County to the Office of Parks, Recreation and Historic Preservation to expand **Delta Lake State Park**. The lands, identified as surplus to the needs of the Canal System, will more than double the size of Delta Lake State Park and provide new and expanded opportunities for waterfront recreation in the region.

Delta Lake State Park is located on a peninsula with views of Delta Lake and offers camping, a boat launch, fishing, picnic areas, swimming, playgrounds, ballfields, and hiking trails as well as cross-country skiing, snowmobiling, and ice fishing in the winter. State Parks has held a permit to operate and maintain the park on approximately 350 acres of land currently owned by the Canal Corporation since 1962. The land transfer agreement will allow State Parks to formally acquire those lands, as well as an additional 370 adjacent acres to expand and protect additional natural resources near the park and connect to a network of local trails.

Region 6/7

In partnership with The Nature Conservancy and Oswego County, DEC has purchased 191 acres of lands along the **Eastern Lake Ontario shoreline**, protecting a magnificent complex of sandy beaches and freshwater dunes unique in New York, using more than \$500,000 in EPF and Clean Water/Clean Air Bond Act funds.

In April 2002, Governor Pataki announced the State is acquiring the former **Golden's Marina** property in the Town of Lyme, Jefferson County. The acquisition and restoration of this property expands public access to Lake Ontario, while also offering a safe harbor for boaters on this active waterway and protecting lands along the eastern shore of Lake Ontario. The 13-acre parcel, purchased using funds from the State Environmental Protection Fund (EPF), is located on a strip of land leading out to Point Peninsula, and includes 800 feet of lake frontage. This site, which will be managed by DEC, will be utilized as a public boat launch with mooring docks and upland open space for local residents and visitors. In addition to the recreational benefits from the restoration of the site, the development of a launch site for recreational boaters and commercial anglers will bolster the local economy and seasonal tourism industry by making it easy for more people to access Lake Ontario.

In 2003, the State acquired 970 acres of valuable habitat along the eastern shoreline of Lake Ontario on Point Peninsula in the Town of Lyme, Jefferson County for \$285,000 in EPF resources. The Nature Conservancy assisted the State in the acquisition, which includes more than a half mile of undeveloped coastal sand and gravel barrier beach and extensive wetlands. The property provides habitat for the endangered short-eared owl and black tern, as well as blanding turtles and northern harriers, both listed as threatened species in New York. The project is part of the Eastern Lake Ontario shoreline and Islands priority project area.

Oswego County developed **Sandy Island Beach**, which compliments State efforts to encourage public access to the shore in appropriate locations while protecting fragile dune ecosystems. OPRHP is now administering the Sandy Island Beach, which was transferred to them by Oswego County in October 2003. Due to fiscal constraints and in jeopardy of permanently closing, the 13-acre scenic park along Lake Ontario, also part of the Eastern Ontario Dune and Wetland Area stretches a white sandy shoreline 17-miles from Oswego to Jefferson County. It is the only significant freshwater dune site in the northeastern United States, attracting and providing a unique habitat for several species of migratory birds and waterfowl to its sand dunes, wetlands, woodlands, creeks, and ponds. The scenic property will continue to offer premium waterside recreation for public use, a spectacular view and unique natural resources. Committing to further enhance the park and its facilities for patrons of all ages, General Electric with assistance of Sithe Energies, has provided \$250,000 through the County Industrial Development Agency for construction of the beach's bathhouse.

After the acquisition by DEC of the 1067-acres Wehle property in southwestern Jefferson County, the property was transferred to OPRHP for development of a new state park, **Robert Wehle State Park**. The park has approximately 17,000 linear feet of shoreline with spectacular vistas of Lake Ontario. The park offers trail, day use and

hunting opportunities along with the rental of the main house. Prior to Wehle family ownership the property was used by the US Army as a gunnery range before and during World War II.

In June 2002, Governor Pataki announced a landmark agreement between the State and The Nature Conservancy of New York to preserve 44,650 acres of forest lands, known as the **East Branch of Fish Creek Project**, in the Tug Hill Plateau in Lewis County. Under the agreement, the State will provide \$4.6 million through the EPF and State-administered federal funding sources to assist in the preservation of this property. The overall cost of the project is \$9.1 million, with The Nature Conservancy and other partners, including the Northern Forest Protection Fund (administered by the Open Space Institute), using non-State sources to purchase the lands and conservation easements. The property is the largest privately-owned parcel on the Tug Hill Plateau, the westernmost extension of the Northern Forest, which stretches from New York to Maine. The purchase will create a variety of public recreational uses on the property, including hiking, camping, canoeing, hunting and fishing, snowshoeing, cross-country skiing, and snowmobiling and will protect the area's diverse natural resources and a critical drinking water supply for central New York residents.

The **East Branch of Fish Creek Working Group**, a coalition of local residents, hunting club members, conservationists, snowmobilers, town officials, and representatives of DEC, The Nature Conservancy and the Hancock Timber Group, played a key role in determining the plan to protect and preserve this unique area. The group, established in 1995 with support from the State Tug Hill Commission, recommended that the property be protected in a way that safeguards water quality and natural resources, ensures sustainable forestry, and maintains recreational access.

Region 7

In 1999, OPRHP acquired a 51-acre parcel that was added to **Clark Reservation State Park** to help protect its natural and geological resources. This parcel consists of natural valley through which flow the outfalls of Clark Reservation's unique meromictic lake. State ownership will help augment the conservation of resources in and surrounding this ecologically significant site. This acquisition is part of a larger land inholding within the watershed of the park's unique lake.

Progress has been made to protect the 17th century Seneca Village at **Ganondagan State Historic Site**. The purchase of 295 acres between 1998 and 2004 by OPRHP allowed the rejoining of Ganondagan's village core and associated burial grounds on Boughton Hill to the Fort Hill granary site and provides added protection to the viewshed of this significant historic property. The acquisition will allow the continuation of an existing interpretive trail system on each site and will allow the development of an accessible trail opportunity to the Fort Hill area.

In 2001, **Fair Haven Beach State Park** was expanded with the acquisition of 89 acres.

This acquisition will protect the entire area of Sitt's Bluff and provide an additional 3,000 feet of shoreline along Lake Ontario. The site includes a significant wetland that provides a staging area for migratory water birds such as loons, grebes and a variety of ducks.

Since 1995, OPRHP has been acquiring lands that provide protection to the unique meromictic lakes and the potential for recreation expansion and relocation at **Green Lakes State Park**. Efforts have been advancing to acquire lands adjacent to the park and within the drainage basin of the lakes. OPRHP has acquired three parcels totaling 529 acres. These scenic undeveloped areas are adjacent to the park and their acquisition provides additional protection to the surrounding drainage basin of Round Lake.

Using \$175,000 from the EPF and Bond Act, DEC has added more than 300 acres to its existing holdings at the biologically significant **Nelson Swamp** that boasts 400-year old white pines and rare flora.

In July, 2005, the Finger Lakes Land Trust, acting on behalf of the State, acquired **Carpenter's Falls**, a picturesque, 90-foot waterfall over which Bear Swamp Creek, a major tributary to Skaneateles Lake, flows. Carpenter's Falls and the entire Bear Swamp Creek corridor is an identified priority in the Open Space Plan in recognition of the importance of the area for water quality protection, outdoor recreation and scenic appreciation. The Finger Lakes Land Trust will transfer the property to the State.

A gift of 83 acres to OPRHP provides a buffer for **Old Erie Canal State Park**. Located in Onondaga County, the parcel protects the watershed northward from upper elevations of Poolsbrook Day Use Area and places a relatively large section of vulnerable wetland in state ownership.

In a settlement with Niagara Mohawk, the State will receive 2800 acres of open space, once subjected to sub-division and private development, along the **Salmon River** in Oswego County. A nationally renowned Salmon and Steelhead fishery, home of the Salmon River Fish Hatchery, the River attracts tens of thousands of fishing enthusiasts every year making it the most intensively fished river in the State. The property includes over 15 miles of shoreline along the River and the Redfield Reservoir with 19 parcels of land located on or near the Salmon River in the Towns of Albion, Redfield, Orwell, and Richland, and in the Villages of Altmar and Pulaski.

Made possible in part by the support of local communities, the DEC now will be able to protect this high quality watershed, including habitat to bald eagles, and ensure public recreational access to the largest cold water tributary to Lake Ontario, providing the largest run of both stocked and natural salmon and trout to the lake. Future plans of the DEC also include the construction of a hiking and fishing access trail system along the banks of the River.

DEC has put a full time **Salmon River Corridor** Coordinator in place to focus

State efforts on improving the nationally recognized fishery resources of the Salmon River, developing a Salmon River Greenway and enhancing public access throughout the corridor, in recognition of the vital role the corridor plays in the economic future of the region. Bond Act funds have been used to acquire critical public access parcels for this ongoing project, including one 318-acre parcel acquired since 1998.

OPRHP has been awarded a \$574,000 enhancement grant to design, acquire and develop the **Black Diamond Rail Trail** in the **Cayuga Inlet Corridor**. Since 2000, 68 acres have been acquired to develop and protect the trail corridor.

In spring 2005, **Two Rivers State Park** was created with the purchase of 474 acres in **Tioga County** and later expanded with the acquisition of 73 additional acres. The park is the first State Park within the county. Located in the Village of Waverly, north of the New York-Pennsylvania border where the Chemung River joins the Susquehanna River, the mix of open grass lands and forested areas makes the park an ideal location for a variety of day-use and overnight recreational opportunities.

Region 7/8

Cooperative efforts among the state and federal governments, and not-for-profit organizations working with landowners have added to the **Northern Montezuma Wetlands**, one of the premier waterfowl areas in the North American flyway. The Nature Conservancy bought a 120-acre farm along the Seneca River and Barge Canal in the town of Montezuma using \$230,000 from a federal North American Wetlands Conservation Act grant. The property features 3,000 feet of frontage on the Seneca River. The farmland on the property will be restored to wetlands to provide habitat for migratory birds. The land will be transferred to the State for addition to the Montezuma Wildlife Management Area. TNC also purchased an 82-acre parcel of forestland, wetlands and farmland along Crusoe Lake in Savannah adjacent to the site of the new environmental education center to be built in partnership with the National Audubon Society. The property will be transferred to the State. Using more than \$2 million in Clean Water/Clean Air Bond Act and North American Wetland Conservation Act (NAWCA) funds, the State has acquired 2,144 acres to add to this DEC Wildlife Management Area. Support and funding from Ducks Unlimited and the State's Migratory Bird Stamp Account were used to secure the NACAW funding. The Nature Conservancy also has transferred title of three parcels to the State. In May 2000, Governor Pataki announced that the State will contribute \$500,000 to build a visitor center at the wetlands complex in the Town of Savannah in Wayne County, which will become the focus of educational and outreach efforts to acquaint the public with the important natural resources at Montezuma.

Region 8

A \$200,000 EPF grant went to the Town of Greece in June 2004 to acquire a 49-acre parcel that extends the **Braddock Bay State Wildlife Management Area**. The parcel will link the WMA to the 140-acre Frisbee Hill Park. Braddock Bay is identified by the Audubon Society as an Important Bird Area because of its significance as a raptor, waterfowl and songbird flyway and a habitat for several rare birds and fishes. It was in addition to a June 2003 purchase of 71.6 acres for \$587,218 with EPF grants, in partnership with the Town of Greece, the county, and the Trust for Public Land. The State is planting native grasses, trees, and shrubs to provide additional bird habitat and the formation of nests structures to help foster the growth of native migratory bird populations. The land is available for public fishing, hiking, birding, hunting, cross-country skiing and other day-use activities. Input on a management plan will be provided by a committee, compromised by area homeowners, local and State officials, sporting groups, and birding groups.

The **Sonnenberg Gardens and Mansion**, a Finger Lakes landmark in the city of Canandaigua, will be acquired as a State Historic Park. The Queen Ann-style mansion welcomes tens of thousands of visitors a year and is recognized by the Smithsonian Institution as having “one of the most magnificent late Victorian gardens ever created in America”. Developed between 1863 and 1923, the 52-acre estate is listed on the State and National Register of Historic Properties.

Three parcels, totaling 2,000 acres along the south end of **Honeoye Lake** in the Finger Lakes region were acquired from The Nature Conservancy using \$1.1 million in funds from the 1996 Clean Water/Clean Air Bond Act and the EPF. The lands acquired are a mix of wetlands, oak-hickory forests, and open meadows. A new Wildlife Management Area will protect critical habitat for a variety of plants, birds, mammals, and other wildlife that thrive in this wetlands ecosystem with opportunities for hiking, canoeing, birdwatching, fishing, and hunting.

In June 2002, the State acquired 3.2 miles of Public Fishing Rights on **Cayuta Creek**, in Chemung and Schuyler counties. The acquisition on Cotton-Hanlon Lumber Corporation, was part of an ongoing effort to acquire 5.9 miles of public fishing access along the creek's outstanding brown trout fishery. The Chemung Federation of Sportsmen provided invaluable assistance to DEC in identifying prospective properties and helping to create an overall strategy for public fishing rights on Cayuta Creek. The easements also allow DEC to maintain the stream banks stability through tree and shrub planting.

The State paid \$138,000 for a 0.48-acre parcel using Clean Water/Clean Air Bond Act funds to expand DEC's popular, but often overcrowded, Seneca Lake Fishing Access Site at **Severne Point** on the west shore of Seneca Lake, in the town of Milo, Yates County. This provides additional parking for 20 cars and trailers, doubling the size of the

existing two-acre site with launch ramp. The site also provides additional off road parking, thus reducing the congested parking on Severne Road.

The State accepted a gift in February 2004 of 40-acres of wetland property along the **Lake Ontario Shoreline** in the Town of Huron. The waterfront property is bordered by the State's Lake Shore Marshes Wildlife Management Area-Beaver Creek Unit that provides critical habitat and unique recreational opportunities. The transaction was facilitated by The Nature Conservancy and includes 1,200 feet of undeveloped shoreline providing access for angling, beach walking, birding, hunting and wildlife observation.

Nearly 89 acres of land were purchased by OPRHP in the Town of Portage from the Nunda Rod and Gun Club. This land has been added to **Letchworth State Park** to enhance and enlarge the open space attributes of the park. It consists of second generation growth mixed hardwoods, conifer plantations, a 5-acre pond and minor wetland features.

Beechwood State Park, formally a Girl Scout Camp, was acquired in 1999 by OPRHP. The property is located on the shores of Lake Ontario in the Town of Sodus, Wayne County. It consists of 172 acres of marsh land and mature forests and 3,500 feet of shoreline. The diversity of the natural communities possesses significant habitats and plant and animal species that provide excellent opportunities for an educational and environmental interpretive programs.

Region 8/9

The **Genesee Valley Greenway** links the City of Rochester to Letchworth State Park, and continues south to Allegany County. The trail follows the now defunct Genesee Valley Canal and the old Pennsylvania Railroad Rochester Branch right-of-way. Using a \$2 million Intermodal Surface Transportation Efficiency Act (ISTEA) grant, DEC, OPRHP and the Friends of the Genesee Valley Greenway purchased and began developing the 90-mile trail. In 2000, the State was awarded additional transportation enhancements funding to complete the development of the trail, which has been recognized as a model partnership between various levels of government, communities, landowners and non-profit organizations.

Region 9

The Nature Conservancy, in coordination with DEC, is working with local landowners and governments to preserve riparian habitat in the **Alder Bottom/French Creek** drainage, part of the upper Mississippi River drainage system in Chautauqua County.

The State has acquired a portion of the Cheney Farm, an undeveloped 1,200 foot lakefront parcel on **Chautauqua Lake**, one of western New York's richest fishery and recreational resources. The State used Clean Water/Clean Air Bond Act funds for the purchase of the 10.3-acre site.

In an agreement with the State and the Chautauqua Watershed Conservancy, Inc., \$800,000 in EPF funds went to the purchase of the 18.6 acre Stow Farm Lakeshore property, one of the few remaining undeveloped parcels on **Chautauqua Lake**. The Conservancy contributed \$115,000 toward the acquisition from the Stow family and then turned it over to the State. The Ralph C. Sheldon Foundation, Johnson Foundation and Arnold Holmberg Foundation of Jamestown with more than 300 individuals, businesses and organizations were involved in preserving this parcel. The Lake is designated as a Statewide Important Bird Area. The purchase protects important fish and bird habitats along the lakeshore and culminates several years of work by the Chautauqua Watershed Conservancy and the DEC to preserve this ecological sensitive portion of the shoreline.

Governor Pataki has announced that the State has agreed to acquire a 56-acre parcel, known as **Hampton Brook Woods**, in the Town of Hamburg to expand opportunities for recreation and protect rare wildlife that inhabit the area. The property is near a portion of Hampton Brook Woods already owned by the Town of Hamburg and used as public green space. The parcel includes 2,700 feet of shoreline along 18-Mile Creek. DEC will purchase the property using \$338,000 from the 1996 Clean Water/Clean Air Bond Act and will develop a plan to guide the long-term management of the property.

The 106-acre **Woodlawn Beach** located on the east shore of Lake Erie in the Town of Hamburg was acquired by OPRHP with the assistance of the Trust for Public Land to enhance water recreation opportunities. This unique site will provide enhanced water access and recreation for the Buffalo Metropolitan area. The Park contains sensitive environmental areas that will serve as an environmental education resource.

The Niagara Frontier Transportation Authority will be transferring their Small Boat Property along Lake Erie to OPRHP. Formerly known as Gallagher Beach, **Buffalo Harbor State Park and Marina** will continue to provide public recreation along the waterfront in downtown Buffalo. The site includes over 80 acres of lakefront, underwater lands, a 1,024-slip marina. It is another step forward in continuing to revitalize the Outer Harbor and reconnect our communities with their waterfronts.

\$1.7 million in EPF grants were used in Niagara and Erie Counties for recreation, historic preservation, and waterfront revitalization. In May 2004, \$658,500 went to completing the development of **Lockport's Historic Canal Park**, spurring growth of the Niagara Region's recreational facilities and contributing to long-term waterfront revitalization and historic preservation. Designated as one of the first NYS Quality Communities in 2002, the acquisition will complete the development of the Lockport Historic Canal Park Project, establishing a public park and interpretive museum. In addition, Niagara County received \$280,376 for development of a Gateway Point and restoration of the historic Carnegie Art Center Library in North Tonawanda, rehabilitation of a pier and boat launch in South Waterfront Park on the Niagara River, and for public access enhancements on the Niagara River in the Village of Lewiston.

The EPF grants in Erie county included: \$350,000 to Buffalo to restore the former Delaware-Ashbury Church for re-use as an entertainment venue; \$87,423 to the Town of Lancaster to acquire and preserve remaining parcels of the historic Warren Hull House and Farmstead; \$300,000 to the Town of Evans to develop **Sturgeon Point Bluffs Park** on Lake Erie as a multi-use public recreation area; \$40,000 to the City of Tonawanda to construct a 640-linear foot dock to accommodate increase boating in the Gateway Harbor and provide boater access to Longs Point Park, the Canalway Trail and downtown businesses; and \$12,500 to the Town of Grand Island for the development of a master plan for the Bicentennial Park/Scenic Woods. All projects are used to reconnect local businesses to the historic waterway.

Amherst State Park was acquired by OPRHP in January of 2000. It is an open space area containing fields, orchards and wooded areas within an urban area. The 77-acre Amherst State Park is managed in partnership with the Town of Amherst.

In July of 2000, OPRHP acquired the 633-acre **Knox Farm State Park** in East Aurora. The former **Ess-Kay Farm** property is a significant open space resource near a major metropolitan area. The park protects a variety of forests and fields, ponds and historic structures. The site provides a variety of trail and environmental education/interpretation opportunities such as hiking, horseback riding and birding, field activities and working farm experiences.

The 51-acre **DeVeaux Woods State Park** was acquired by OPRHP in 2001. The former "DeVeaux School" contains 5 acres of old growth forest and abuts the Robert Moses Parkway, immediately to the east of Whirlpool State Park. The park offers tennis courts, soccer and baseball fields along with various structures.

Multi-Region

In May, 2005, Governor George E. Pataki unveiled a bold new vision to create "The **Erie Canal Greenway**," representing a new chapter in the future development of the Canal. This new direction for the Canal will restore, revitalize and afford greater protection of one of New York's most valuable resources and become a central link in the Governor's long-term strategy of ceating an **Empire State Greenway**.

Carmella R. Mantello, formerly the Executive Director of the Hudson River Valley Greenway Communities Council and Greenway Conservancy for the Hudson River Valley and Director of the Hudson River Valley National Heritage Area, was appointed Director of the New York State Canal Corporation to oversee this major initiative.

A potential Greenway designation would incorporate 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 an Erie Canal Greenway would strengthen local ties across the Canal Corridor and protect and enhance its natural and

cultural resources for future generations.

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.

In 1992, the State Legislature transferred stewardship of the Canal System to the Canal Corporation, a subsidiary of the New York State Thruway Authority, and created the Canal Recreationway Commission (CRC) as an advisory body. The Canal Corporation has relied on the Thruway Authority's ability to build, operate and maintain transportation networks and also relied on guidance from the CRC on matters pertaining to long range planning and land management.

To begin the planning process for establishing the Erie Canal Greenway, Governor Pataki called on the Canal Corporation to form an interagency task force that will be led by Ms. Mantello. The Task Force will conduct an extensive outreach campaign in the ensuing months to gather input and ideas from federal, State, and local planners, as well as from Canal interest groups and be responsible for developing a comprehensive set of recommendations to create the new Greenway.

The interagency task force will be comprised of the following key stakeholders involved in Canal development: the New York State Thruway Authority, State Office of Parks, Recreation and Historic Preservation, Empire State Development, Office of General Services, Department of Transportation, Department of Environmental Conservation, Department of State and local government representatives from communities along the Canal.

The Task Force will make recommendations on setting up an administrative structure for the new Greenway's management as well as examine certain roles and responsibilities currently assigned to the Canal Corporation that may also become the purview of the Greenway. These recommendations will form the basis for legislation that the Governor will propose and submit to the State Legislature next year to create the Erie Canal Greenway.

The State has protected over 613,000 acres under **working forest conservation easements**. These easements maintain the economic vitality of forest lands while allowing for public recreational access to thousands of acres of privately owned forest land. Any development of those lands is also prevented with the exception of that associate with continued timber production. Much of the working forest conservation easement acreage are included in a few large easements: Champion, International Paper and Domtar/Sable Highlands. Descriptions of these projects can be found in the sections for Regions 5 and 6.

OPRHP has protected a total of over 30,000 acres to improve access, eliminate in-holdings and provide buffers to protect the resources as well as to enhance recreational and cultural opportunities at our existing **State Parks and State Historic Sites**. These

were accomplished through fee acquisition and gifts. Please note that many of these acres have already been described previously in this chapter and may meet the criteria for more than one priority project.

The Department of Agriculture and Markets has awarded **farmland protection** planning funds totaling over \$2 million to 51 counties and 45 farmland protection plans have been completed by their respective county governments and approved by the Commissioner of Agriculture and Markets. Each county agricultural and farmland protection board is eligible to receive up to \$50,000 from the State to assist in the development of such plans.

Since 1996, the Department of Agriculture and Markets has also awarded nearly \$80 million State funds to local municipalities to purchase development rights or conservation easements on eligible farms totaling over 33,000 acres. To date, 81 conservation easements on farms totaling over 14,140 acres have been permanently protected. An additional \$16 million are included for this program in the State's 2005/2006 Budget.

Since 1995, DEC has purchased more than 40 equivalent miles of Public Fishing Rights covering more than 115 acres.

CHAPTER III -

SUMMARY OF RESOURCE INVENTORIES, RESOURCE CATEGORIES AND AN ASSESSMENT OF NEED

Protection of open space and natural, cultural and recreational resources is central to the missions of the DEC and OPRHP. In addition to being stewards of open space, the two agencies, along with other state and federal agencies, develop and maintain resource inventories and assess open space needs that can be used by local governments, interest groups and others conserving open space.

This chapter brings together information from several sources to delineate the need for additional open space conservation in New York State including:

- Resource inventory material summarized below;
- The types of land protection needs defined through past bond acts and related State land acquisition programs;
- The evaluation of recreational need developed through the State Comprehensive Outdoor Recreation Plan (SCORP) and the tourism analysis associated with that plan;
- Other past evaluations of needs for recreation and conservation land; and
- Citizen input obtained during the development of the initial Open Space Plan (1992), and subsequent revisions of the Plan (1995 - 1998 - 2002), including the work of the nine Regional Advisory Committees and from past statewide public hearings.

When taken together and applied to the landscape of New York State, the resource inventories and assessments of need provide the basic building block to help answer the question, “what open space should be conserved.” Chapter V contains the recommendations of the Regional Advisory Committees, while Chapter VI identifies the priority projects of the Plan.

A. Summary of Resource Inventories

Section 49-0205 of the Environmental Conservation Law (<http://caselaw.lp.findlaw.com/nycodes/c37/a167.html>) requires an inventory of environmental, cultural, historic and recreational resources in New York State. The legislation appropriately requires that decisions about open space conservation must be based both on analysis of resource data and on citizen opinion. The inventories below identify the natural, cultural and recreational resources and protected lands maintained by federal and state agencies, thus aiding decisions about what lands and resources may need further protection. This data has been available to, and used by, the staffs of the two agencies and the Regional Advisory Committees throughout the development of this Plan.

The inventories are contained in numerous published and unpublished reports, files and computer data bases. Much of it is under continuous expansion and revision as part of the Agencies' regular activities. The following summaries describe the inventory programs that exist, the types of data available, and the location of that data. The State, as part of its open space conservation responsibilities, has developed Geographic Information Systems to assure accurate, readily accessible and usable information about its open space, land and water resources.

A.1. NYS Office of Technology

The New York Office for Technology (OFT) serves as the central coordinating body in State government for the development and delivery of GIS data and services. OFT established the free, user-friendly Data Sharing Cooperative that includes all State agencies, a number of federal agencies and many local governments and nonprofit organizations. Its membership currently stands at over 600 organizations. In 2000, the State Library, in partnership with OFT, created an internet based NYS GIS Clearinghouse (<http://www.nysgis.state.ny.us/>). The clearinghouse is a repository of GIS data and information describing data sets held by many different organizations. Two levels of data are available through the clearinghouse: that which is available to the public for download directly from the clearinghouse; and secured data available as a download from the clearinghouse to Data Sharing Cooperative members with a password. Some data sets are not available for download, but contact information is provided guiding users on how to obtain those data sets. The clearinghouse contains extensive information about New York's GIS coordinating body, the Data Sharing Cooperative, applications to view and download digital orthographic photographs, information on and links to GIS education and training opportunities, other state and federal GIS resources, GIS user groups throughout New York, and GIS-related list servers.

In September 2002, when the Office of Cyber Security and Critical Infrastructure Coordination (OCSCIC) was created, all GIS coordination responsibilities were

transferred from OFT to OCSCIC. The NYS GIS Clearinghouse continues to be maintained and developed by OCSCIC.

Organizations and individuals interested in open space planning and conservation are encouraged to visit the web site and to join the Data Sharing Cooperative.

A.2. Open Space, Forest Land and Park Land Owned by Governmental Entities

OPRHP and DEC are the two principal state agencies responsible for providing recreational and cultural opportunities and conserving and managing important natural and cultural resources.

Other state agencies including the Office of General Services, the Departments of Corrections, Transportation, Education, the Offices of Mental Health and Mental Retardation and Developmental Disabilities, the New York State Canal Corporation housed within the New York State Thruway Authority, and the State University System incorporate recreational elements and financial support for recreational programs in their procedures. Similarly, the New York State Power and Thruway Authorities and the Olympic Regional Development Authority all stress the enhancement of recreation in their respective development and service delivery programs.

The federal government administers a system of recreational facilities, historic places, wildlife refuges, and water access areas in New York State. State owned lands administered by DEC and OPRHP are identified in Figure 2 and Table 1. Also, many of New York State's local governments administer open space and parklands.

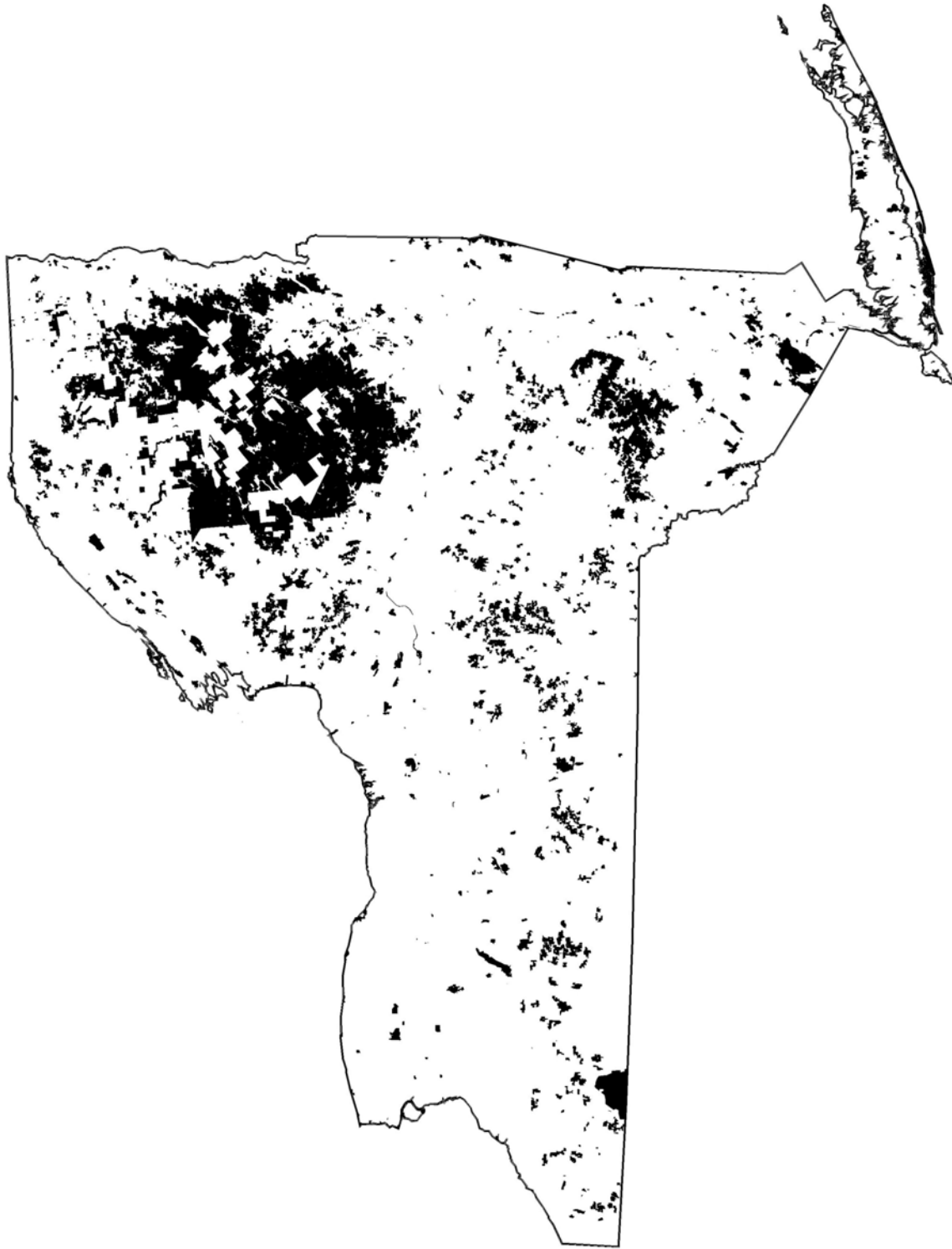


Figure 2: OPRHP and DEC Land Ownership

GOVERNMENT UNIT	ACRES (ROUNDED TO NEAREST THOUSAND)		ADDITIONAL INFORMATION AVAILABLE FROM
DEC	Adir & Catskill Forest Preserve State Forest, Reforestation & Multiple Use Areas Wildlife Management Areas Conservation Easements	3,000,000 776,000 190,000 690,000+*	DEC Regional and Central Offices (maps, brochures) http://www.dec.state.ny.us/website/map/index.html http://www.dec.state.ny.us/website/msmaps/navigator/index.html
OPRHP	State Parks (172) Historic Sites (35)	311,000 7,000	OPRHP Regional and Central Offices (maps, brochures) http://nysparks.state.ny.us/parks/
Thruway Authority	Barge Canal Lands Reservoirs	24,000 12,000	NYS Thruway Authority Office of Canals 200 Southern Blvd Albany, NY 12201 http://www.canals.state.ny.us/index.html
Federal Gov	Wildlife Refuges Historic Sites Recreational Facilities National Forest	140,000 16,000	US Fish & Wildlife Service 300 Westgate Center Drive Hadley, MA 01035 http://northeast.fws.gov/index.html Finger Lakes National Forest 5218 State Route 414 Hector, NY 14841 http://www.fs.fed.us/r9/gmfl/fingerlakes/index.htm
Local Gov	County City/Village Town	100,000 51,000 45,500	Appropriate County Clerk
NYC Watershed	Fee Conservation Easement	60,000 16,000	NYC Department of Environmental Protection http://www.ci.nyc.ny.us/html/dep/watershed/home.html
Agriculture and Markets	Farmland PDR	36,000	NYS Department of Agriculture and Markets http://www.agmkt.state.ny.us/AP/agservices/farmprotect.html
Total Land Area of NYS		31,106,541	

TABLE I: GOVERNMENT LANDHOLDINGS
*SOME ACREAGE PENDING CLOSURE

A.3. Forest Land in Private Ownership Under Sections 480 and 480-a

Section 480-a of the Real Property Tax Law was developed to provide forest owners with an incentive to retain and manage forest land. Owners of qualifying woodland can apply for a partial property tax exemption of up to 80% by committing their forest land to an approved forest management plan. Prior to RPTL Section 480-a, the Forest Tax Law was RPTL Section 480. RPTL 480 provides for a freeze of property value assessment but does not require a management plan. It is no longer open to new registrants. Table II shows the amount of forest land enrolled under the two tax laws. Additional information on the forest tax law is available from the NYS DEC, Bureau of Private Land Services, 625 Broadway, Albany, New York, 12233-4253, website <http://www.dec.state.ny.us/website/dlf/privland/privassist/taxlaw.html>.

<i>FOREST TAX LANDS</i>		
<i>PROGRAM</i>	<i># OF PARCELS</i>	<i>ACRES</i>
480	311	815,503
480-a	2,201	595,942
TOTAL	2,512	1,411,445

TABLE II: FOREST TAX HOLDINGS

A.4. Protected Wetlands

<i>NEW YORK'S WETLANDS</i>	
Vegetated Tidal Wetlands	25,000 ac
Freshwater Wetlands	2,500,000 ac

TABLE III: WETLANDS

New York has abundant, albeit not complete, information about its wetlands resource. Inventory information for tidal wetlands was collected for the Tidal Wetlands regulatory program, and is comprehensive and carefully verified in the field. Although no single inventory of all the state's freshwater wetlands exists, the most comprehensive survey at this

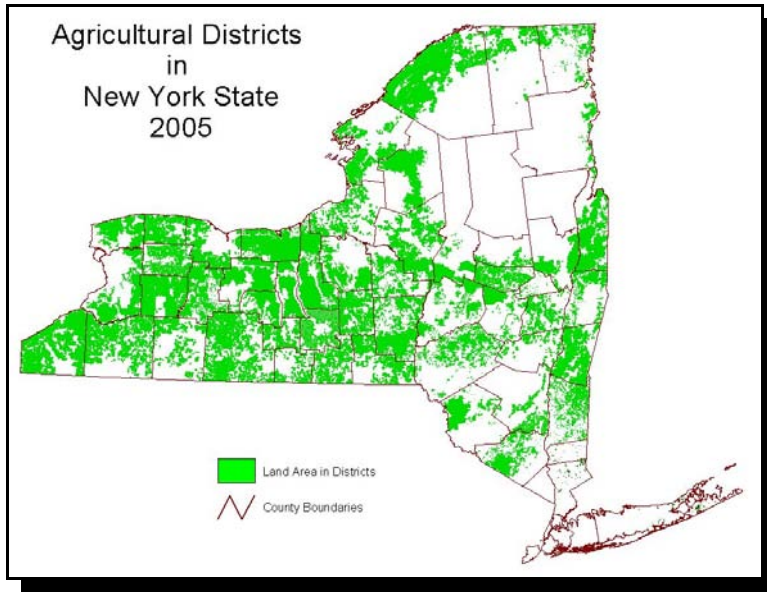
time is through the U.S. Fish and Wildlife Service's National Wetlands Inventory (<http://wetlands.fws.gov/>); it was recently updated for the lake plains region, although this mapping was not done inside the Adirondack Park. A statewide freshwater wetlands inventory is also complete, outside the Adirondack Park, for the state's regulatory program, but these maps only show those wetlands larger than 12.4 acres in size and certain smaller wetlands of unusual local importance, which are subject to regulation. In the late 1990s a freshwater wetlands status and trends study was conducted and the estimates of freshwater wetland acreage in Table III were derived from that study. Almost three-quarters of the state's wetlands occur in the flat terrain of the lake plains, south of Lake Ontario, and in the expansive peatlands of the Adirondack ecoregion.

Freshwater wetland regulatory maps are available for public inspection at local government clerk offices or at DEC Regional Offices. Wetlands maps for those portions

of the Adirondack Park that are completed may be viewed at the Adirondack Park Agency, P.O. Box 99, Ray Brook, NY 12977. Tidal wetland maps are housed at the DEC Bureau of Marine Resources, East Setauket, NY 11733 and at the DEC Regional Marine Habitat Protection Offices in Regions 1-3. Digital data are available for those with GIS capabilities through Cornell University Geospatial Information Repository (CUGIR) at: <http://cugir.mannlib.cornell.edu>. DEC envisions providing web access to its regulatory maps in the foreseeable future.

A.5. Agricultural Areas, Including Agricultural Districts

Article 25-AA of the Agriculture and Markets Law provides a number of benefits and protections designed to encourage continued agricultural production and the retention of farmland for agricultural use. The law establishes a framework for the creation, review, modification, and dissolution of agricultural districts based on the viability of active farming and other factors. It provides for the review of government sponsored projects involving farmland acquisition or the advance of public funds and the mitigation or avoidance of anticipated adverse impacts to agricultural practices against private nuisance suits and unreasonably restrictive local mandates. Table IV shows the extent of enrollment in New York’s agricultural districts.



AGRICULTURAL DISTRICTS	
NUMBER OF DISTRICTS	312
NUMBER OF FARMS	21,264
ACRES IN FARMS	6,216,749
TOTAL ACRES ENROLLED	6,238,325

**TABLE IV w/FIGURE:
AGRICULTURAL DISTRICTS**

Maps of the state's agricultural districts and an inventory of other agricultural areas are on file in the NYS Department of Agriculture and Markets, 10B Airline Drive, Albany, NY 12235, website <http://www.agmkt.state.ny.us>. Cornell University's Institute for Resource Information Systems, County Planning Offices, County Cooperative Extension, County Soil and Water Conservation District, and Natural Resources Conservation Service offices are additional sources of information on agricultural lands.

A.6. Water Resources

A.6.(1). Wild, Scenic and Recreational Rivers

Table V: Wild, Scenic and Recreational Rivers		
Designation Class	Number of Segments	Mileage
Wild	16	152.1
Scenic	49	573.6
Recreational	44	623.4
Total	109	1349.1

The Wild Scenic and Recreational River System Act establishes a means of providing protection for river corridors from development through land use controls. Rivers are placed in the system by legislative enactment. Regulated corridors are administered by the DEC except for private lands within the Adirondack Park where the Adirondack Park Agency has administrative responsibility. DEC regulations implementing the program are found at 6 NYCRR Part 666. The three major classifications are: Wild, Scenic and Recreational. Wild has the most restrictive limitations while Recreational has the least restrictive. After inclusion in the system, no structure or improvement may alter the natural flow of designated river segments unless expressly authorized. Existing land uses within the corridors of a river segment prior to designation may continue provided there is no interruption of more than one year. Where an activity is not listed as allowed or will exceed performance criterion, it is presumed to be incompatible. Table V lists the approximate mileages of designated river segments. The inventory of regulated rivers is maintained by the NYS DEC, Bureau of Habitat, 625 Broadway, Albany, NY 12233-4756, website <http://www.dec.state.ny.us/website/dcs/wsrr/index.html>.

A.6.(2). Aquifer Recharge Areas

Article 15 of the ECL calls for the prohibition of incompatible uses over federally designated sole source aquifers. Map sets locating the boundaries of the 18 primary aquifers as designated by the NYS Department of Health can be viewed in NYS DEC's

Central Office at 625 Broadway in Albany in the Division of Water's Geotechnical Services Section, website <http://www.health.state.ny.us/nysdoh/water/swap.htm>. The Long Island aquifer maps are also available in NYS DEC's Region 1 office in Stony Brook. Map sets locating the boundaries of the 18 primary aquifers as designated by the NYS Department of Health, Figure 3 gives an overview of the state's aquifers.

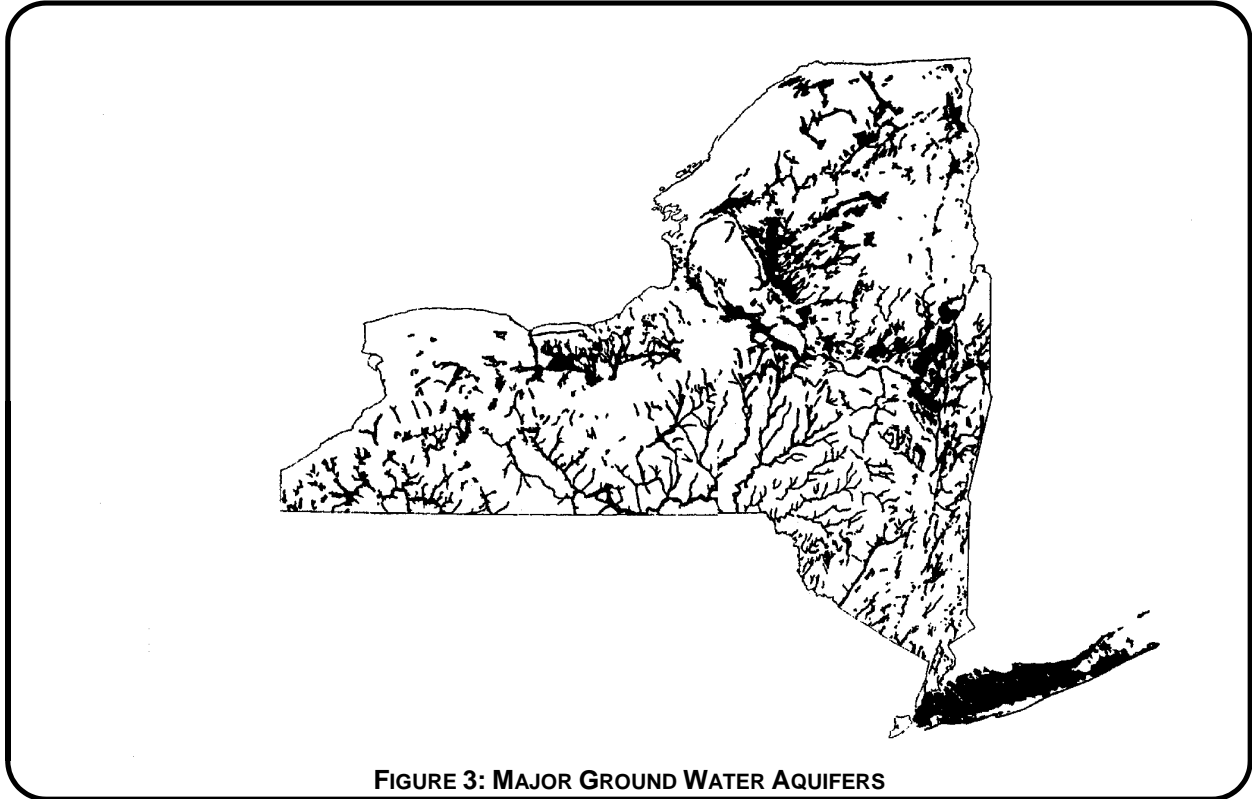


FIGURE 3: MAJOR GROUND WATER AQUIFERS

A.6.(3). Protection of Waters

The policy of New York State as set forth in Title 5 of Article 15 of the ECL is to preserve and protect state waters including streams. The Protection of Waters Program regulates four categories:

- 1) Disturbances of the bed or banks of a protected stream (streams classified as AA, A, B, or C(t) or C(ts);
- 2) construction and maintenance of dams or Impoundment structures;
- 3) construction, reconstruction, or repair of docks and installation of mooring structures in, on or above navigable waters lying above underwater lands not owned by the State; and

4) excavation and/or filling in navigable waters.

Individual stream classifications may be found in 6NYCRR Parts 800-941, website <http://www.dec.state.ny.us/website/dow/bwam/stdsclass.html>. Any regulated activity described and to be undertaken on a protected stream requires a permit from NYS DEC. Information on permit requirements for particular streams may be obtained at the appropriate DEC Regional office, Bureau of Habitat, website Waters <http://www.dec.state.ny.us/website/dcs/streamprotection/index.html>.

A.6.(4). Floodplains

Article 36 of the ECL requires the State and local communities to participate in the National Flood Insurance Program. The federal government has identified and mapped flood prone areas for the purpose of reducing flood hazards and losses and to enable communities to regulate development in floodplains. There are 1,443 flood prone communities with over 26,000 miles of rivers, streams and shorelines affected. Maps and a status listing of all affected communities are on file in the NYS DEC regional offices and the DEC's Bureau of Program Services and Flood Protection, 625 Broadway, Albany, NY 12233.

A.7. Marine and Coastal Resources, Including Coastal Erosion Hazard Areas

A.7.(1). Coastal Erosion Hazard Areas

<i>COASTAL EROSION HAZARD AREAS</i>		
<i>COMMUNITIES WITH HAZARD AREAS</i>	<i>REGULATED NATURALLY PROTECTED SHORELINE</i>	<i>REGULATED STRUCTURALLY PROTECTED SHORELINE</i>
83	494 miles	68 miles

TABLE VI: COASTAL EROSION AREAS

Natural protective features are found in coastal erosion hazard areas as defined pursuant to Section 34-0104 of the ECL. These natural protective features include beaches, dunes, bluffs,

shoals and barrier islands and serve to maintain and stabilize the quality of contiguous and associated saline and fresh waters. Table VI shows the number of New York communities and miles of shoreline affected. Maps of coastal erosion hazard areas are on file in NYS DEC's regional offices and with the DEC, Bureau of Flood Protection, 625 Broadway, Albany, NY 12233, website <http://www.dec.state.ny.us/website/dow/bprfp/cem/index.htm>.

<i>DESIGNATED SIGNIFICANT COASTAL FISH & WILDLIFE HABITATS</i>	
<i>COASTAL REGION</i>	<i>DESIGNATED HABITATS</i>
Long Island	100
New York City	15
Hudson River	39
Great Lakes	50
Jefferson & St. Lawrence Co.	42
<i>TOTAL</i>	<i>246</i>

TABLE VII: COASTAL HABITATS

improve its GIS.

Coastal maps may be viewed at the NYS Department of State, Division of Coastal Resources, 41 State Street, Albany, New York 12231, website <http://www.nyswaterfronts.com/index.asp>. The Division coordinates its GIS activities through the NYS GIS Data Sharing Cooperative and provides public access to its data via the NYS GIS Clearinghouse.

A.7.(2). Coastal and Estuarine Resources

DOS, Division of Coastal Resources has developed a variety of GIS data to support the State's Coastal Management Program and Local Waterfront Revitalization Programs (LWRPs) which are prepared and implemented in cooperation with local governments. The DOS's GIS contains digital data sets for the State's coastal area boundary, the coastal nonpoint pollution control program boundary, designated significant coastal fish and wildlife habitats and scenic areas of statewide significance (SASS), benthic habitats of the south shore estuary of Long Island. DOS recently developed a GIS-based open space analysis for the South Shore Estuary Reserve of Long Island and continues to expand and

<i>DISTRIBUTION OF LOCAL RECREATIONAL FACILITIES</i>		
<i>OPERATOR</i>	<i>FACILITIES</i>	
	<i>NUMBER</i>	<i>ACREAGE</i>
County	452	100,039
City/Village	2,519	50,575
Town	2,063	45,524
<i>TOTAL</i>	<i>5,034</i>	<i>196,137</i>

TABLE VIII: LOCAL GOVERNMENT ADMINISTERED OPEN SPACES

A.8. Local Government

County, city, village and town facilities manage significant open space areas throughout the State. These sites tend to be smaller than State administered open space areas but there are considerably more of them. Table VIII identifies the distribution of recreation facilities among local governments. Combined they represent more than 35 percent of the total number of public and private recreation facilities statewide.

A.9. Open Space Lands, Forest Lands and Park Lands Owned by Non-Governmental Entities

Lands protected by entities other than government that serve ecological, wildlife management, forest management or recreational purposes are also significant in New York State. Organizations involved in such efforts include land trusts, private preserves, universities, sporting and recreation clubs, scouts, conservation groups, school districts, and the private sector.

The Land Trust Alliance (LTA) of New York serves as a resource center for many of the more than 80 land trusts that operate in New York State. Combined, land trusts in New York hold about 185,000 acres of land through fee and easement acquisitions. More information about land trusts in New York can be found at: LTA New York, P.O. Box 729, Saratoga, NY 12866, phone (518) 587-0774 or contact the National Land Trust Alliance at [http:// www.lta.org](http://www.lta.org).

A database of conservation easements held by not-for-profit organizations is maintained by the NYS DEC, Bureau of Real Property, 625 Broadway, Albany, NY 12233. An inventory of New York State's Outdoor Recreation Facilities is maintained by NYS OPRHP, Bureau of Planning, Empire State Plaza, Albany, NY 12238, website <http://nysparks.state.ny.us/hist/>.

A.10. Lands of Statewide or Regional Significance

Throughout the state there are numerous lands and sites valuable for their historic, cultural, ecological, open space and outdoor recreation benefits. Many of these lands are useful for resource protection or wildlife management purposes. Others are valuable educational resources which provide understanding through the study of natural systems. Typical of sites providing access for open space are the DEC & OPRHP maintained Boating Access Sites located throughout the State on major waterways, lakes, and rivers. Numerous privately owned or local government operated launch sites also contribute to open space and waterway entry.

A.10.(1). Significant Ecological and Wildlife Resources

The New York Natural Heritage Program is a partnership between DEC and The Nature Conservancy (<http://nature.org/wherewework/northamerica/states/newyork/>), and operates as a contract unit housed within DEC's Division of Fish, Wildlife, & Marine Resources. Its mission is to enable and enhance conservation of imperiled animals, rare plants, and significant natural communities (different types of forests, wetlands, grasslands, etc.). NY Natural Heritage maintains the most comprehensive database on the status and locations of New York's rare species (including those listed as endangered or threatened) and natural communities.

<i>NUMBER OF LOCATIONS</i>	<i>RARE ANIMALS</i>	<i>RARE PLANTS</i>	<i>SIGNIFICANT NATURAL COMMUNITIES</i>	<i>TOTAL</i>
Observed since 1980	2,944	2,745	1,659	7,348
Last observed before 1980, possibly still existing	541	2,133	3	2,677
Extirpated from Site	44	678	6	728

NY Natural Heritage provides information on the location, conservation, and management of rare species and significant natural communities to a broad audience of natural resource decision-makers. Further, amendments to the Environmental Conservation Law in 2003 now allow state agencies to voluntarily designate areas on state lands as Natural Heritage Areas when they support imperiled animals, rare plants, and/or significant natural communities.

Table IX shows the number of location records in the NY Natural Heritage database for imperiled animals, rare plants, and significant natural communities as of November, 2004. New locations are constantly being added to the database as NY Natural Heritage biologists and other experts find them across the state. NY Natural Heritage data are accessible to all DEC staff via DEC's Master Habitat DataBank. Since information on the locations of rare species is considered sensitive, a data release policy guides the level and type of data appropriate for release in different circumstances. Subject to the provisions of this data release policy, NY Natural Heritage data are available from every NYS DEC regional office as well as from Information Services, NY Natural Heritage Program, 625 Broadway 5th Floor, Albany, NY 12233-4757, website www.dec.state.ny.us/website/dfwmr/heritage/.

A.10.(2). Wildlife Management Areas

Wildlife Management Areas (WMAs) are lands owned by New York State under the control and management of the Department of Environmental Conservation's Division of Fish, Wildlife and Marine Resources. These lands have been acquired for the conservation of wildlife and for public use including hunting, trapping and fishing. There are 104 wildlife management areas across New York State totaling 190,000 acres. Maps of individual Wildlife Management Areas are available for viewing at DEC regional offices. Information on some Wildlife Management Areas is also provided on DEC's website at <http://www.dec.state.ny.us>.

A.10.(3). Important Bird Areas and Bird Conservation Areas

Important Bird Areas (IBAs) are sites that have been formally recognized by National Audubon Society as providing essential habitat to one or more species of breeding or non-breeding birds. The sites vary in size, but are usually discrete and distinguishable in character, habitat or ornithological importance from surrounding areas. To date, approximately 150 IBAs have been identified that provide the most important bird habitat in the State. These areas are described in a 2005 update of an earlier publication "Important Bird Areas in New York State", published in 1998 by National Audubon Society of New York State. Additional information and maps for all IBAs in New York are available from Audubon New York, Important Bird Areas Program, c/o Cornell Laboratory of Ornithology, 159 Sapsucker Woods, Ithaca, NY 14850 website: <http://www.audubon.org/bird/iba/ny.html> or <http://www.audubon.org/chapter/ny/ny/iba/index.html>. Much of this information was made available to the Regional Advisory Committees.

The State modeled its Bird Conservation Area Program (BCA) after the National Audubon Society's IBA Program. The BCA Program seeks to provide a comprehensive, ecosystem approach to conserving birds and their habitats on state lands and waters, by integrating bird conservation interests in agency planning, management, and research projects, within the context of agency missions. Subsequent to passage of the BCA program, the legislature also authorized the State Natural Heritage Areas program to designate Natural Heritage sites on state-owned lands. To date, 28 BCAs have been designated. <http://www.dec.state.ny.us/website/dfwmr/wildlife/bca/>.

A.10.(4). Historic Preservation

The State and National Registers of Historic Places programs provide listings of historic resources of national, state and local significance. In New York State, OPRHP coordinates statewide historic preservation efforts, administers State owned historic sites and facilities, and along with the New York State Museum, maintains an inventory of archaeological sites.

Historic site and historic preservation data may be accessed by contacting NYS OPRHP, Bureau of Historic Sites, Peebles Island, Waterford, NY 12188. Archeological data may be accessed through NYS OPRHP, Historic Preservation Field Services Bureau, Box 189, Peebles Island, NY 12188, and at the New York State Museum, Anthropological Services, CEC 3097, Albany, NY 12230, website <http://nysparks.state.ny.us/hist/>. Many local museums, universities and colleges can provide information on archaeological resources.

Archaeologic sites require protection because of their religious, educational or historic values. They must be protected from disturbance when changes are made in

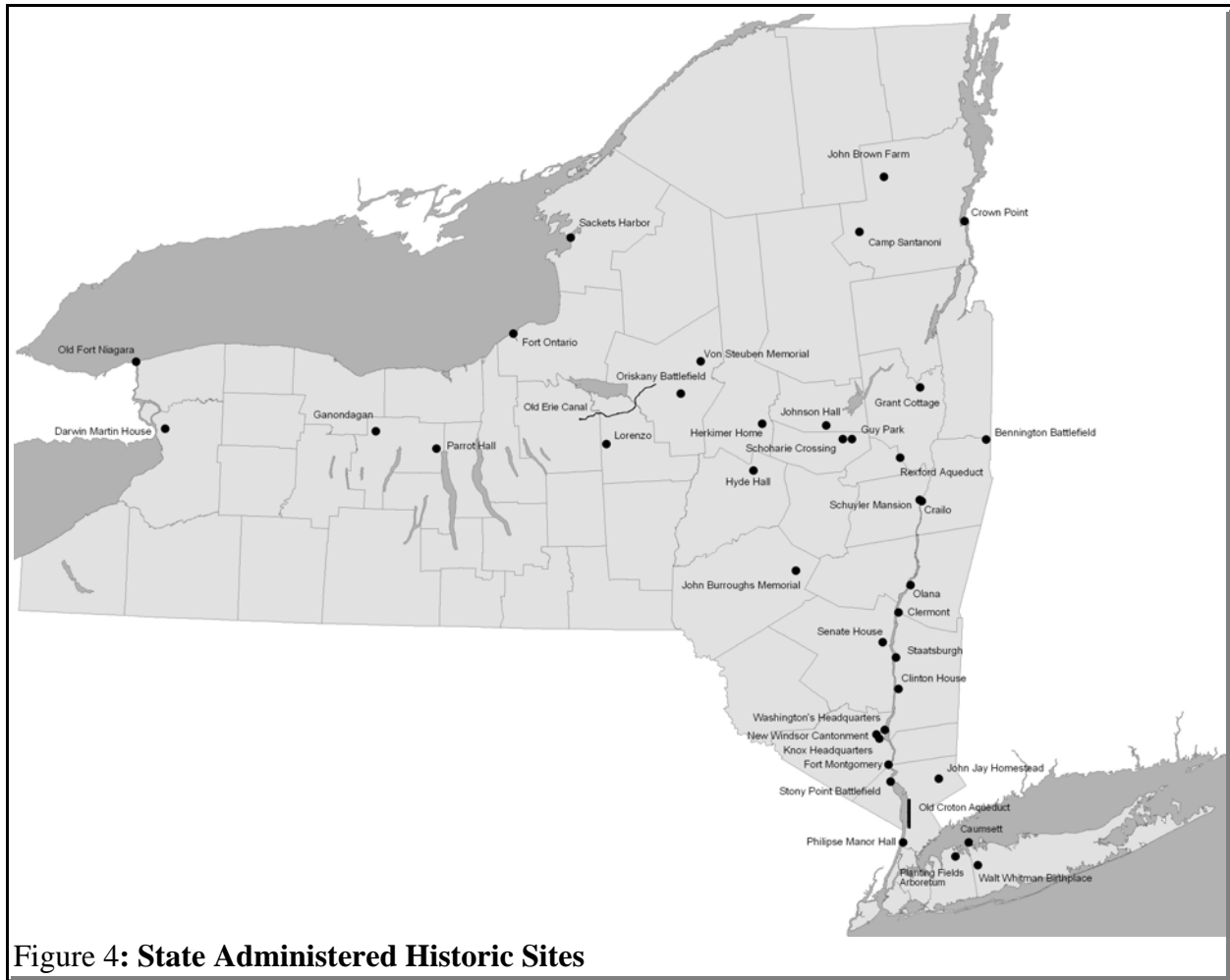


Figure 4: State Administered Historic Sites

the use of the land, and guarded against pilferage and unauthorized collecting. Information on these sites is in the care of the State Museum, DEC and OPRHP.

A.10.(5). State Heritage Areas

Figure 5 shows the locations of New York's Heritage Areas. Additional information can be obtained from NYS OPRHP, Heritage Areas, Box 189, Peebles Island, Waterford, NY 12188.

Over 25 years after the development of the Urban Cultural Park system, there are 18 active Heritage Areas encompassing over 400 municipalities. The system remains the oldest and one of the largest, statewide heritage systems in the country.

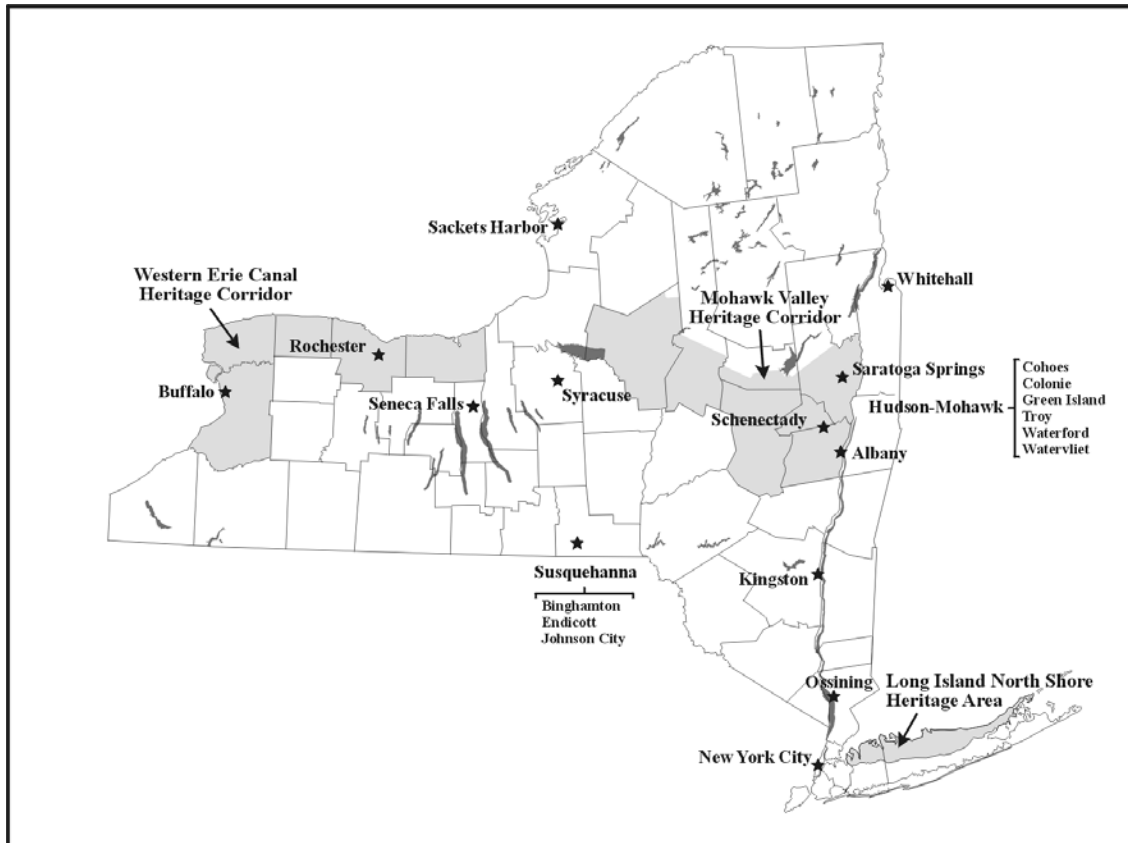


Figure 5: State Designated Heritage Areas

A.10.(5). a National Heritage Areas

National Heritage Areas are designated by Congress and funded through the National Park Service budget. There are twenty-three designated Heritage Areas or equivalents (e.g., Heritage Corridors). The National Park Service's role is provider of technical expertise. Congress enacted the National Heritage Act of 1995 to establish guidelines for the designation of National Heritage Areas.

In New York State, two areas have been given the National Heritage Area designation - the Erie Canalway National Heritage Corridor and the Hudson River Valley National Heritage Area. New York State is working in partnership with the National Park Service, other State agencies and local government and organizations to implement the plans for these two areas. <http://www.cr.nps.gov/heritageareas/FAQ/INDEX.HTM>

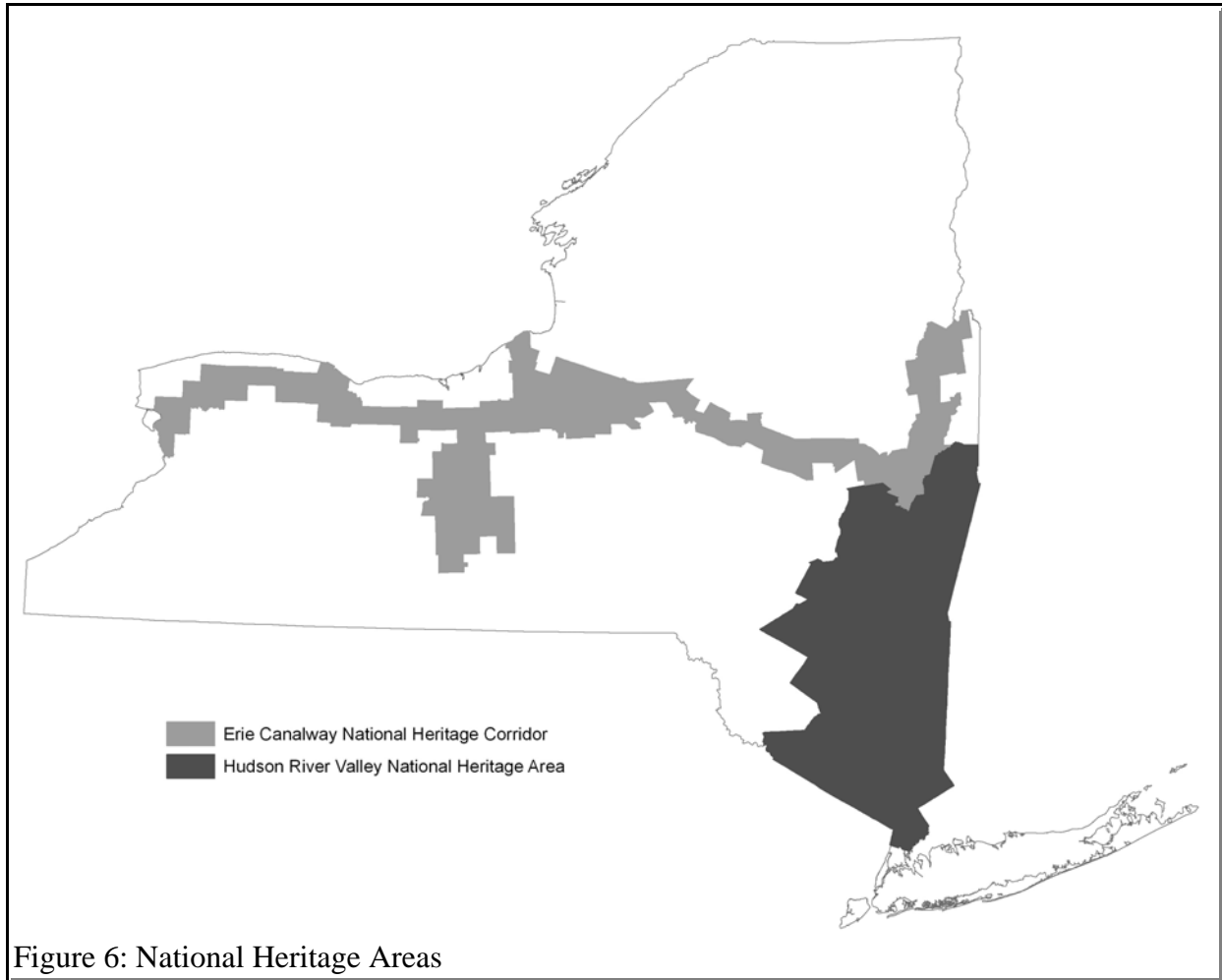


Figure 6: National Heritage Areas

A.10.(6). Geologic Resources

The State Geologist, in cooperation with the New York State Geological Society and the geology departments at many of the state's colleges and universities, has identified many areas of geologic importance for study and research.

This inventory is available from the State Geological Survey, State Education Department, Albany, New York 12230, website <http://www.nysm.nysed.gov/gis/>.

A.10.(7). Adirondack and Catskill Forest Preserve

The Adirondack and Catskill Forest Preserve consists of lands owned by New York State within the Adirondack and Catskill regions under the management of the Department of Environmental Conservation's Division of Lands and Forests. Forest Preserve lands are protected as "forever wild" by Article XIV, Section 1 of the State Constitution. Forest Preserve lands are acquired for the preservation of open space and

for public recreation. In the Adirondack Park, there are 2,700,000 acres of Forest Preserve. The Catskill Park contains 281,000 acres of Forest Preserve lands. Maps of the Forest Preserve are available for viewing at DEC offices in Regions 3, 4, 5 and 6, or at the Division's Forest Preserve Bureau at: NYS DEC, 625 Broadway, Albany, New York 12233-4255, website <http://www.dec.state.ny.us/website/df/publands/index.html>, and the APA website <http://www.apa.state.ny.us/> .

A.10.(8). State Forests

State Forests are lands owned by New York State under the management of the Department of Environmental Conservation's Division of Lands and Forests. These lands are acquired pursuant to Title 5 of Article 9 of the ECL for open space and watershed protection, timber production and recreation. There are 776,000 acres of State Forests across New York State. Maps of State Forests are available for viewing at DEC regional offices or on the DEC website <http://www.dec.state.ny.us/website/df/publands/index.html>.

The State Recreational Lands Interactive Mapper is available on the DEC website. It shows most recreational trails, parking lots and access points in DEC regions 3, 4, 7, 8 and 9, along with a statewide trail dataset for MAPPWD (Motorized Access Permit for People With Disabilities). Starting from a statewide view, this application enables users to search for State lands. Zooming to a closer scale, the user can view the different types of recreational trails that are available, as well as parking, roads and water. Additionally, users can identify the name of an individual State land unit, as well as view a more detailed description page where the latter has been developed. Topographic maps can be printed for many areas. Please note that the trails shown are DEC officially recognized trails on lands managed by the Division of Lands and Forests, mainly on State Forests and Forest Preserve lands. DEC plans on improving and working towards including trails located on wildlife management areas, State environmental education centers and State campgrounds. This effort is a work in progress. More information will be added in the future providing the public expanded information for State land recreation.

A.10.(9). Conservation Easements

Conservation Easements are lands on which the DEC purchased less than the full fee title. Most conservation easements are managed by the DEC's Division of Lands and Forests. Typically, the DEC acquires the development rights and some public recreational rights to a conservation easement, while the right to manage for forest products in a sustainable fashion is retained by the fee owner. Conservation easements are acquired for open space protection, public recreation and the continuation of forest management.

The State, through Agriculture and Markets, has provided matching funds for the development and implementation of local farmland protection efforts, including a purchase of development rights (PDR) program described elsewhere in this Plan

(<http://www.agmkt.state.ny.us/AP/agsservices/farmprotect.html>) . PDRs are a form of easement that restricts the use of lands under easement. To date, the State has preserved more than 35,000 acres of farmland with this program.

B. Resource Categories

In order to structure an evaluation of open space conservation needs it is helpful to continue the past New York State practice of dividing need into useful categories. This Plan identifies seven major resource categories whose protection is a matter of concern. These categories are a synthesis of over a century of resource protection on the part of both agencies and their predecessors. The function of these seven categories and their subcategories (Table X) is to identify all of the various types of resources that are the subject of conservation attention. Each represents a discrete resource serving a separate function. Given the great diversity of resources found within the Adirondack and Catskill Parks, land conservation projects proposed for protection in either park may be evaluated using any of the 23 land protection subcategories. Also, many land conservation projects fulfill criteria of different categories, and thus receive additional points in the rating system.

Forest Protection	Water Resource Protection	Significant Ecological Areas	Recreational Opportunity	Distinctive Character	Enhancement of Public Lands	CELCA
Forest Preserve Additions	Aquifer Recharge Area	Exceptional Forest	Metropolitan Parks & Shorelines	Historic Preservation	Access	CELCP Priorities
Forest Land Easements	Floodplain Preservation	Shoreline Protection	Parklands	Working Landscapes	Buffer	Conservation
		Unique Areas	Public Fishing Rights	Heritage Areas	Consolidation & Inholdings	Ecological
		Wetlands	Trailways & Greenways	Scenic Resources		Recreation/ Access
		Wildlife Habitat	Waterway Access			Historic/ Aesthetic
		Biodiversity				

Table X: Land Protection Categories & Sub-Categories

*Coastal & Estuarine Land Conservation Area (CELCA) category is new in the 2005 update.

FOREST PROTECTION - A land conservation project which adds to the Forest Preserve lands within either the Adirondack or Catskill Parks and is located outside the limits of any incorporated city or village or the Towns of Altona and Dannemora in Clinton County. Once acquired, these lands will be protected by the “forever wild” provision of Article XIV of the State Constitution (<http://www.dec.state.ny.us/website/dlf/publands/artxiv.html#top>).

Additions

A Forest Preserve addition is a project to acquire land, in fee, for inclusion in the Forest Preserve within either the Adirondack or Catskill Parks. Only through acquiring in fee does the land become part of the Forest Preserve and subject to the forever wild provision of Article XIV of the New York State Constitution, enacted in 1894.

Easements

A conservation easement within either the Adirondack or Catskill Park does not result in the acquisition of fee; rather the fee title, and typically the right to manage for sustainable timber production, remain in the fee owner. The department acquires a conservation easement which restricts the fee owner from development of the property thus perpetuating both the open space value and the forestry use. Conservation easements are not subject to the "forever wild" clause of the New York State Constitution.

WATER RESOURCE PROTECTION - A land conservation project to protect lands for the purpose of preserving and protecting a public water supply such as an aquifer recharge area or a watershed protection area; and/or to protect biological integrity and the ability of the water body to support self-sustaining fish populations in order to meet the fishable and swimmable standard of the Clean Water Act; and/or to preserve floodplain lands which if developed would constitute significant hazards, or would impede the function of natural flood storage areas. These lands are protected from uses which have the potential to pollute the water supply or degrade the biological capacity of the water, either through surface runoff or flow through ground water which discharges to reservoirs and streams. (<http://www.dec.state.ny.us/website/dow/index.html>)

Watershed Protection

Watershed protection projects protect lands within the watershed of a publicly owned water supply reservoir. The lands are protected from uses which have the potential to pollute the water supply either through surface runoff or flow through ground water which discharges to reservoirs and streams.

Aquifer Protection

Aquifer recharge projects protect either lands through which water enters the soil and moves to the water table to replenish the underlying groundwater reservoir or lands needed for wellhead protection zones which protect water supply wells. The major groundwater aquifers are identified in Figure 3.

Floodplain Preservation

Floodplain preservation projects protect lands which, if developed, would constitute an extreme hazard to the development, or lands which are a natural benefit by providing significant amounts of natural flood storage, thus reducing flood threats downstream and maintaining natural riverine environments. Floodplain preservation also protects floodplain areas from uses which may pollute the waters of the state when pollutants are inundated and transported by floodwaters. In coastal and riverine areas, floodplain preservation can help protect shorelines from erosion.

SIGNIFICANT ECOLOGICAL AREAS - A land conservation project to protect lands characterized by the presence of sensitive plant species and/or plant communities, or animal species and/or animal communities, or other natural and cultural resources which require special management considerations or protection for the preservation of the resource.

Within this category are six subcategories: Exceptional Forest, Shoreline Protection, Unique Areas, Wetlands, Wildlife Habitat and Biodiversity. (<http://www.dec.state.ny.us/website/dfwmr/heritage/ecology.htm>)

Exceptional Forest or Plant Community

The subcategory of Exceptional Forest or Plant Community includes any type of plant community that is significant and requires special management for its continued existence; or habitat with the potential for the reintroduction of extirpated species. Exceptional forest lands are characterized either by old growth forest cover or by natural communities of plants that are relatively rare such as Pine Barrens.

Shoreline Protection

Shoreline Protection projects, whether on coastal waters, inland lakes or in river corridors, contribute to the protection of fish and wildlife values, scenic resources, and water quality of the water body.

Unique Areas

The Unique Area subcategory provides for the inclusion of several types of conservation of natural resources that do not neatly fit under the remaining subcategories of the "Significant Ecological Area" category but do nonetheless, meet the definition of a significant ecological area, notably lands of natural beauty, of geological significance and some wilderness character lands.

Wetlands

Wetlands projects preserve either freshwater wetlands as defined in Article 24 of the ECL or tidal wetlands as defined in Article 25 of the ECL. In either case, conservation may include adjacent upland necessary for the viability or management of the wetland. Tidal and freshwater wetlands are valuable natural resources which provide flood protection and function as natural water purifiers. Wetlands provide critical habitats for a variety of fish and wildlife species, including endangered and threatened species as well as migratory species.

Wildlife Habitat

Wildlife Habitat projects protect habitats for many wildlife species that have specific habitat needs, particularly those that are endangered, threatened or rare. Many of these areas, such as coastal dunes, boreal forests, fens, bogs and undisturbed forest communities are rare in occurrence. The perpetuation of specific fish and wildlife species is dependent upon the protection of the few sites where these habitats are found. It also is important to protect good quality sites: 1) where species have been extirpated but the potential for their restoration still appears feasible, or 2) that are important to critical life stages of specific migratory species.

Biodiversity

Biological diversity or biodiversity refers to the variety of life forms including the different plants, animals and microorganisms, the genes they contain, and the ecosystems they form. This subcategory emphasizes the interrelated nature of the living world and its processes. It considers the variety of living species; the genetic information contained in the individual plants, animals, and microorganisms; and the variety of habitats, biotic communities, and ecological processes, including the diversity present within ecosystems in terms of habitat differences and the variety of ecological processes.

While it is recognized that the biodiversity subcategory contains similar elements or characteristics of other existing subcategories (e.g., Wildlife Habitat, Wetlands), each of these subcategories has a particular focus in mind. The intent of the biodiversity subcategory is to bring together these elements, emphasizing their importance individually, but also acknowledging cumulatively the critical interaction of these subcategories with each other and the resulting natural resource/biological benefits derived thereof.

RECREATIONAL OPPORTUNITY - A land conservation project providing for public use and enjoyment of the state's outdoors and enhancing natural resource oriented recreational opportunity.

Metropolitan Parks & Shorelines

This sub category provides for the protection of, or access to, lands or shorelines to meet the recreation and open space needs of metropolitan areas. Additions to urban open space resources include lands that help to alleviate significant open space shortfalls in densely populated urban areas. These include land for active and passive recreation found in urban forests, recreation areas, neighborhood playgrounds, vest pocket parks and community gardens.

Parklands

The Parklands sub-category provides for the preservation of open space resources for use as parklands not only for recreation purposes, but also for environmental education, research and environmental quality purposes.

In general, the greatest need for additional open space is in or near the metropolitan areas of the state. Unfortunately, less land is available in those areas. Open space areas, where available, are often small in size, expensive and subject to high competing demand for development use. Therefore, open spaces outside the metropolitan areas often have to be considered to satisfy the needs generated by the population in such areas. Parklands managed by OPRHP generally serve large geographic areas, whereas municipal facilities serve a smaller area. Even in larger geographic areas of the state where there appears to be sufficient open space, localized or special situations may exist. This is particularly true where resource attractions (e.g., the Finger Lakes, Lake George, Jones Beach) draw people from across the state and from out of state.

While the greatest need for open space to provide recreational opportunity exists in or adjacent to urban or metropolitan areas, additional needs exist in rural areas as well. In some cases, where there may be large open space areas within rural areas, the land may not be available for public use. Wildlife Management Areas, Reforestation Areas and Multiple Use Areas are examples of lands located in rural environments which provide recreational opportunity outside of metropolitan regions for both rural and urban residents. Also, certain recreational activities (e.g., hunting) are compatible only with rural areas. In addition to providing recreational opportunity, open space in urban, suburban and rural areas serves scenic, ecological and quality of life purposes. Preserving open spaces will help protect the view and the aesthetics of neighboring resources, retain and buffer natural resources such as woodlands and wetlands, contribute to greenways and trailways, sustain important or endangered flora and fauna and provide access to other public lands.

Public Fishing Rights

The Public Fishing Rights category provides for purchasing permanent fishing easements (or in some cases fee title) on privately owned streambanks. These acquisitions make a critical contribution to providing public access to some of the best salmonid fisheries in the northeastern United States. Fisherman parking areas as well as “rights-of-way” are also needed to complement the easements. (<http://www.dec.state.ny.us/website/dfwmr/fish/pfr/>)

Trailways & Greenways

The Trailways & Greenways category provides for recreationways and linear parks which connect open space and natural resource areas, conserve irreplaceable scenic and cultural resources, and accommodate a variety of trail uses, water-oriented recreation, and other forms of recreation. A recreationway functions as a recreation facility in itself; provides access between recreation destination points; and conserves irreplaceable scenic and natural open spaces, shorelines, highland areas, linear corridors and also provides wildlife benefit. This category provides for the acquisition of lands or easements necessary to the completion of this statewide system of trailways and greenways.

Waterway Access

The Waterway Access category includes projects to obtain public access to water resources such as lakes, streams, beaches and ocean fronts. Both DEC and OPRHP are involved in developing water access sites. DEC's primary focus is on fishing, while OPRHP directs its efforts at the full range of recreational boating and water recreation. The Department of State also promotes access to the coastline within the coastal zone through its coastal access policies and Waterfront Revitalization program.

DISTINCTIVE CHARACTER

A land conservation project to protect lands which contain cultural, natural or scenic resource values of singular quality.

New York's resources are not only natural; they are cultural as well. The Distinctive Character category, through its four subcategories – Historic Preservation, Working Landscapes, Scenic Resources and Heritage Areas – provides both the recognition of the value of these resources and the vehicle for their protection.

Historic Preservation

This category, through its preservation of historic places, contributes to the cultural values of New York and its citizens. The ability to understand our past, through experiencing it at a historic site, provides all New Yorkers with an appreciation of the diverse cultural heritage and an ability to deal with the present day, and the future, where that diversity continues to broaden becoming a grand mosaic. Ever since the Legislature designated Washington's Headquarters at Newburgh as an historic site in 1850, the State has recognized the importance of preserving historic resources. Thirty-five are operated as State Historic Sites by OPRHP.

Working Landscapes

The cultural resources of New York are not limited to historic sites; the state's Working Landscapes are also cultural resources. Their preservation is not only economically beneficial, it is also culturally important since it preserves a certain atmosphere that has, in significant measure, disappeared as a result of the urbanization of our society.

People who use farmlands, forests and shorelines for commercial purposes are not only stewards of the land but business people who must support families, employees and stockholders. They cannot be expected to maintain the character of the landscape as a public service.

Farmland and forest lands have always provided multiple resource values to their owners and to the people of New York State. Productive forest land and prime agricultural soils are themselves scarce, valuable and vulnerable resources. Working forests have long been used for hunting, trapping, fishing and other forms of recreation while protecting water and air quality.

The objective of the working landscape category, as applied to **working forests**, is to allow the purchase of easements over such land so that landowners are paid to limit their right to develop their land while retaining it as private property dedicated to resource use. To be most effective, expenditures for protection of these landscapes should take place on blocks of land so that the resource uses like forestry and recreation can continue over the long run without interference from other land uses.

New York's farms are major contributors to the natural and cultural resource fabric of the state. Not only do they protect productive soil, but they also provide wildlife habitat, attractive scenery and a rural culture enjoyed by New Yorkers. Farms also contribute significantly to New York's economy and anchor many rural communities.

The protection of **working farms** was a major recommendation of the original Open Space Conservation Plan. The State has moved forward aggressively to put in

place a Farmland Protection Program authorized in Article 25-AAA of the Agriculture and Markets Law, administered by the Department of Agriculture and Markets in coordination with local and county agricultural and farmland protection boards. Funds for the planning and implementation of the program are included in the EPF. More information about this program is described in Chapter VII of this plan in the “Protecting Viable Agricultural Lands” policy section.

This Plan defers to the Farmland Protection Program (<http://www.agmkt.state.ny.us/AP/agservices/farmprotect.html>) administered by the Department of Agriculture and Markets for the evaluation of projects. Therefore, no project eligibility criteria and resource value rating system is provided in this Plan for **working farms**.

New York's long and diverse shorelines have nurtured marine and lake based industries for centuries. The harvest of aquatic resources, recreational use of the waters, and commercial sight-seeing and tourist boats have made significant contributions to the culture and economy of these areas. The high real estate values accorded waterfront property threatens to displace commercial and public access to the waterfront. Protection of these **working waterfronts** by the state coastal policies ensures the perpetuation of their multiple resource values.

The protection of working waterfronts was also a major recommendation of the original Open Space Plan. The Department of State, through its Coastal Zone Management Program, administers several programs which operate to protect and enhance working waterfronts (http://nyswaterfronts.com/waterfront_working.asp). Funding for these programs come from the EPF.

This Plan defers to those programs and the DOS for the evaluation of projects. No eligibility criteria and resource value rating system is provided in this Plan for working waterfronts.

Heritage Areas

In 1982 the NYS Legislature created the NYS Urban Cultural Park System. The Legislature declared:

“...there are historic settings in large and small urban areas across the state where natural features, historic events and trends and the record of the people who lived there combine to reveal a special character that reflects man's important attainments from the past to the present. These areas represent important chapters of cultural development in the state's history. It is in the state's interest to protect, preserve, enhance and promote the natural and cultural resources found in significant historic settings that reveal the state's heritage.”

In 1994, State legislation was enacted to establish a New York State Heritage Areas system. This law designated the Mohawk River Valley as the first area in the system and provided that all components of the Urban Cultural Park system are now part of the Heritage Areas system. In effect, the Heritage Areas Program will apply the Urban Cultural Park concept to other, non-urban, parts of the state. The Heritage Areas Program has enormous potential for conserving significant parts of New York State's landscape, through the creation of local-private-state partnerships.

There are now 17 State designated Heritage Areas encompassing over 400 participating municipalities ranging in size from New York City to the Village of Sackets Harbor. Each Heritage Area represents at least one of the nine themes of the state's historical development. Each Heritage Area is managed according to a locally prepared and State approved management plan. For more information see: <http://nysparks.state.ny.us/info/heritage.html>.

Scenic Resources

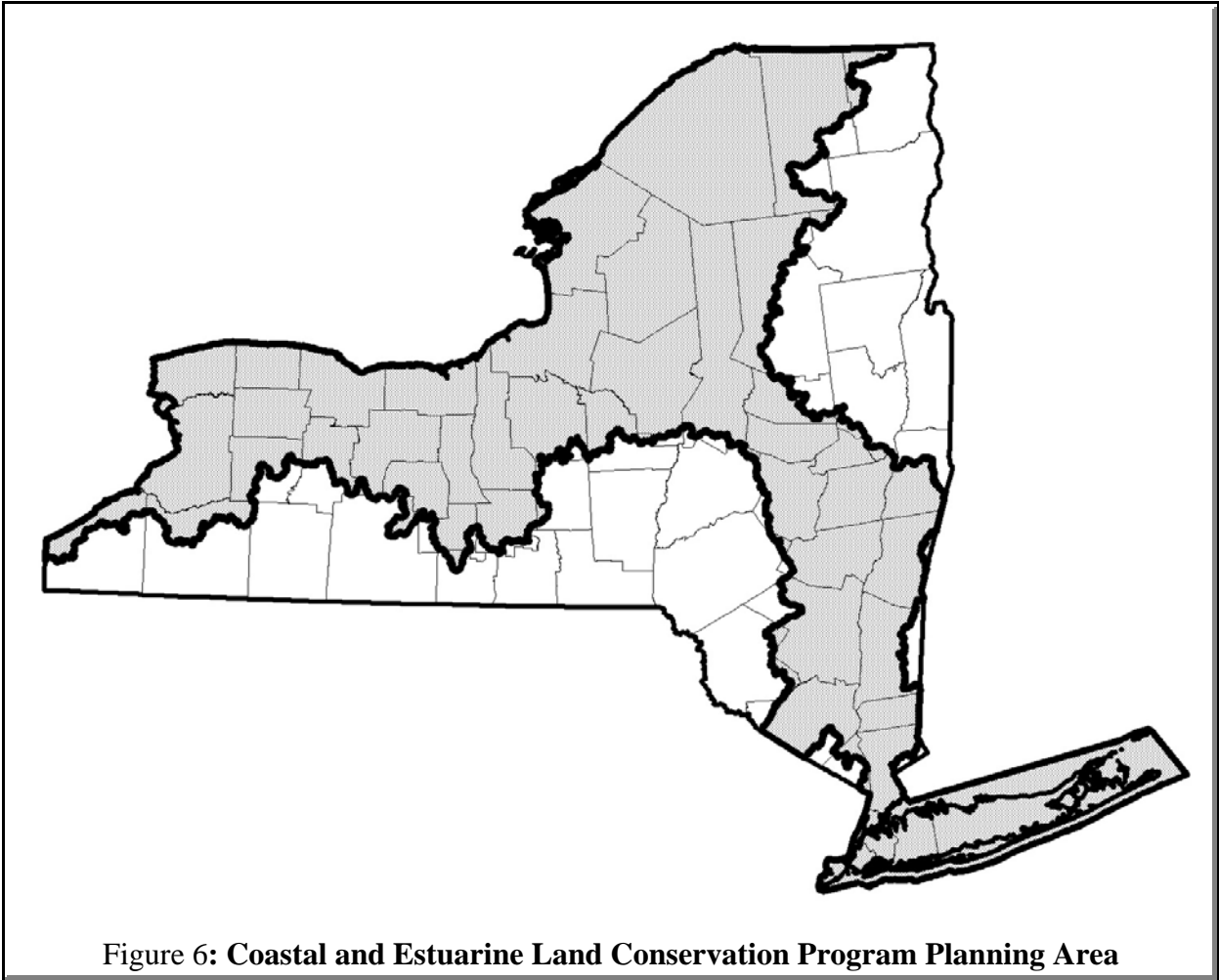
Lands are also of distinctive character when they possess significant scenic qualities or significantly contribute to scenic values. Such areas exhibit outstanding arrangements of natural or man-made features including water features and/or land forms and/or vegetative patterns that provide inspiration, hold interest and command attention of the viewing public.

ENHANCEMENT OF PUBLIC LANDS

A land conservation project to conserve lands that: 1) provide or improve access to any public land; or 2) consolidate public ownership by eliminating gaps in ownership between two or more parcels of public land; or 3) that are adjacent to public land where acquisition will increase the management capability of the land. Enhancement of public lands projects are undertaken to improve the administration of the lands, to protect existing resources, and promote public access to and enjoyment of them.

COASTAL AND ESTUARINE LAND CONSERVATION AREA -

The Coastal and Estuarine Land Conservation Area category determines the significance of a project's conservation, recreation, ecological, historical, or aesthetic values, and the potential level of threat posed by development, resulting in an assessment of the project's eligibility and potential competitiveness for federal funds under the Coastal and Estuarine Land Conservation Program (CELCP). To be eligible to be considered under this category, a project must be located within New York's Coastal and Estuarine Land Conservation Program planning area, which coincides with the state's coastal watershed boundary (Figure 6) and must meet the following requirements:



- non-federal funds must be available to match federal CELCP funds on a 1:1 basis;
- land must be held in public ownership (fee simple or conservation easements) and provide conservation in perpetuity; and
- access or some other benefit must be provided to the general public, as appropriate and consistent with resource protection.

C. Needs Assessment

C.1. Statewide Recreation Needs Assessment Process

The Statewide Comprehensive Outdoor Recreation Plan (SCORP) is the principal tool used in determining outdoor recreational demand. SCORP, produced every five years, is part of an ongoing planning process to assess existing and future recreation demands, evaluate current recreational opportunities and estimate needs. This translates into major natural, cultural and recreation resource initiatives and actions.

Seeking input from the citizens of New York State is an ongoing process. It takes the form of surveys, meetings with citizens and interest groups, and public meetings. Unsolicited letters from the public are also received. In 2005, a revised General Citizen Survey was distributed that will provide the basis for the 2008 SCORP update.

The 2003 SCORP indicates that demand for recreation will remain strong. Approximately 93% of those surveyed stated that they wished to visit parks at least as often, if not more often, than they did in the prior 12 months.

As in past surveys, support for most recreational and environmental issues remained strong – with some modest geographical variation. There was very strong support for government acquisition of land and for the purchase of water access rights. Other issues that the public supported included increased spending for park maintenance and repair, outdoor recreation facilities and historic sites. The results of the 2000 Park Professional Survey were similar. However, park professionals felt more strongly that additional money should be spent on public park maintenance and repair. There were some differences between urban and non-urban areas. In particular, the need for additional open space was considered more critical in urban areas, while trail facilities were high priority needs in non-urban areas.

SCORP demand and supply ratios provide measures of relative pressure on 18 recreational activities for each county. Appendix D identifies the outdoor recreation needs by county.

SCORP also ties together many of the planning initiatives that impact recreation and open space resources. This includes six major recreation resource areas: urban recreation; trail-recreationway-greenway systems; water recreation; fish and wildlife resources; forest resources; and agricultural resources. In addition, it focuses on wetlands; open space; stewardship and the State's outdoor recreation system.

Many of the planning initiatives identified in SCORP as well as other recreation needs assessments are supported by more detailed plans or studies. The Statewide Trails Plan, Statewide Snowmobile Plan, specific greenway plans, and national trail

plans address local, state, and federal recreation trail issues. The Citizen Task Forces on Deer Management address recreational needs such access availability in addition to biological issues on deer management.

Several information sources are used by DEC to evaluate fish and wildlife related recreational needs. Cornell University, on behalf of DEC, is conducting sequential surveys to obtain information on the availability of land for public use. Information on the amount of area privately posted in the state is gathered. Cornell is also conducting studies to gather information on public participation in wildlife related recreational activities and freshwater fishing. Similarly, the U.S. Fish and Wildlife's National Survey of Hunting, Fishing and Wildlife Related Recreation provides information on public needs for utilizing fish and wildlife resources.

As part of the evaluation of New York State's recreational needs, the trends, participation rates and public attitudes within New York are compared to those of the nation. The United States Department of Agriculture Forest Service conducted a survey of the American public. The 2000 National Survey on Recreation and the Environment was performed by interviewing approximately 22,000 Americans. The survey provided information on 50 recreation activities.

All of these sources, in conjunction with other data, help assess and guide the development, management and protection of open space recreation resources.

SCORP documents a continued need for the rehabilitation of municipal parks and recreation facilities including courts, play fields, pools, and picnic areas, particularly in urban areas; restoration and rehabilitation of historic resources; enhancements to the Heritage Areas System; and identification and protection of environmentally sensitive and unique properties. The projections suggest that the supply of recreation facilities and open space will not satisfy the demand. Experience with the Environmental Protection Fund further demonstrates the extent of the deficiency in meeting resource stewardship needs for municipalities and not-for-profit organizations. There has been a 5:1 ratio between unfunded and funded projects for funds requested in this program.

C.2. Open Space/Natural Resource Needs Assessment Process

Statewide protection of natural resources is guided by DEC's mandate to protect vulnerable plants and animals, fragile ecosystems, wildlife habitats, wilderness areas, wetlands, forest resources, and fish and wildlife and to manage the Forest Preserve in the Adirondack and Catskill Parks. DEC's efforts are supplemented by more site and area-specific natural resource protection efforts by OPRHP at State Parks and Historic Sites, and by the Museum Science Service in inventorying biological resources, by the Department of State in protecting coastal areas and other public entities.

In 2005 DEC released a draft New York Comprehensive Wildlife Conservation Strategy for public review. This strategy addresses species of greatest conservation need not traditionally funded for management purposes. Critical habitats, stressors/impacts to natural resources, research, survey, and restoration needs, and priority conservation actions are identified.

Wildlife habitats critical to the survival of rare and endangered wildlife species continue to be identified by the New York Natural Heritage Program (<http://www.dec.state.ny.us/website/dfwmr/heritage/>) established as a cooperative effort between the DEC and The Nature Conservancy in 1984. The Heritage Program is an ongoing effort designed to establish and maintain an up-to-date inventory on the locations and status of rare plant and animal species as well as rare and exemplary natural communities. This database also includes records of historically occupied plant and animal locations.

Information from the Heritage Program is one of many existing natural resource data layers (e.g., Regulatory Freshwater Wetlands, Breeding Birds Atlas Data, and many others) included in a computerized geographic information system known as the Master Habitat Data Bank. The natural resource coverages in this data system can be used to evaluate the known natural resource protection needs for any area of New York State.

The state's aquatic resources are also constantly being assessed to assure their protection. Water analysis on chemical and biological parameters have been conducted by the Adirondack Lake Survey Corporation (ALSC) on 1,469 waters in the Adirondacks and 223 waters in the Hudson Highlands, Catskills and Rensselaer Plateau regions of the state. ALSC was originally developed as a cooperative effort between DEC and The Empire State Electric Energy Research Corporation in 1983. In addition to the Adirondack Lake Survey Corporation's efforts, chemical, biological and physical data, collected in field surveys since the 1930's for each of the state's 18 watersheds, serve as the basis for development of DEC's Biological Survey database of the state's aquatic resources.

The Upstate Groundwater Management Program and The Long Island Groundwater Management Program provide the basis for protection of New York's ground waters. Maps of primary water supply aquifers, of important unconsolidated upstate aquifers and of the Long Island Aquifer system identify the resources of greatest importance.

For surface waters, the protected uses and water quality standards are listed in 6NYCRR Parts 800-941.

The identification of management needs and planning for the Hudson River Valley and estuary has been a major focus during the past several years, guided by the

Hudson River Action Plan (<http://www.dec.state.ny.us/website/hudson/actionplan.html>) developed by DEC's Hudson River Estuary program with support from many other agencies including the Hudson River Greenway (<http://www.hudsongreenway.state.ny.us/>), DOS, OPRHP, the Hudson River Foundation and others. The protection of open space and natural and cultural, and recreational resources is a fundamental part of the Hudson River Valley Greenway's mission as defined in the Hudson River Valley Greenway Act of 1991.

Implementation of a similar effort to identify management needs and planning for Long Island's south shore – the Long Island South Shore Estuary Reserve Comprehensive Management Plan – has been a priority of the Department of State and the numerous local governments on the South Shore. The paramount importance of the acquisition and protection of open space is identified in the plan, which acknowledges the diverse natural and cultural resources values associated with open space.

Other major, on-going resource planning initiatives include the Long Island Sound Comprehensive Conservation and Management Plan, an inter-state effort among Connecticut and New York State, coordinated by the USEPA as part of the National Estuary Program (NEP) authorized by Congress in 1987. Projects identified through this plan are included as priorities in the Open Space Plan. Similarly, the Peconic Estuary program has been working since 1992 with USEPA and several local and State partners to preserve the natural resources of the North and South Forks of eastern Long Island. Also, since 1998, New York and New Jersey have worked with USEPA NEP to protect the resources of the New York Harbor.

Since 1990, New York State also has been working with the State of Vermont and the Provincial government of Quebec to implement the Lake Champlain Basin Program to protect the water quality and the natural resources of the Lake Champlain basin, coordinated through USEPA and including many other federal, state and local partners.

Site-specific planning to provide long term goals for the protection of and the need for additional natural, cultural and recreational resources on state lands is achieved through DEC's Unit Management Planning Process (<http://www.dec.state.ny.us/website/dlf/publands/ump/index.html>) and OPRHP's Management Planning and Master Planning Process. These processes provide an assessment of existing resources and short and long term directions for their management and protection. DEC currently is implementing a strategic plan to complete all outstanding unit management plans in the Catskill and Adirondack Parks with enhanced funding and staff provided through the budget process at the urging of Governor Pataki.

CHAPTER IV -

PROJECT ELIGIBILITY and EVALUATION PROCESS

The previous chapter identified the kinds of land which ought to be conserved to meet the open space needs of New York State. In order to implement a plan to address those needs, a system is required to:

- establish priorities for land conservation actions given limited public resources;
- provide for statutory and reasonable outside input into the project evaluation process;
- identify specific places with exceptional natural resource value (NRV) or recreational value which may be threatened by land use change or which could serve critical recreational needs;
- determine the most appropriate strategy for conserving the resource values of those places including what action should be taken by DEC, OPRHP or DOS;
- evaluate the costs and benefits of individual land conservation actions;
- when State acquisition of land is the most appropriate strategy, ensure that land is worthy of public investment and clearly meets the goals of this Plan.

This chapter describes the unified system for evaluation of land conservation projects which is used by DEC, OPRHP and DOS. It is designed to meet the objectives outlined above and, most important, to convey to the citizens of New York State that decisions on land conservation action by these state agencies are being made in a rational way which directs the expenditure of state funds to the most important and worthy land conservation projects.

A. Priority Project Area Selection Process

The legislation which established the Regional Advisory Committees, identified these committees as the initial means to provide the Department and the Office with advice and recommendations from the public on the implementation of the Open Space Conservation Plan. The committees serve as the primary mechanism for the general public, local governments and other interested groups to advance potential projects for consideration. Among the advice and recommendations provided by the committees is a list of priority projects areas for each DEC region of the State. The process, through which the priority project areas are identified, involves an extensive analysis of each region's open space resources. Committees receive information on the open space and natural resource needs of their region from individuals, not-for-profit organizations such as Audubon and The Nature Conservancy, and work in consultation with the staffs of DEC, OPRHP and DOS. The RAC reports, including regional priority project lists, are included in Chapter V.

After receiving the RAC reports, staff from DEC and OPRHP compile the list of statewide priority projects. The majority of these projects come from the RAC reports. The statewide priority project list is located in Chapter VI. These priority project areas represent the resource areas considered to be important for protection. This is a refinement of the statewide resource areas that were identified in previous plans. The priority project areas range from focused areas such as a specific State Park to broader geographic areas such as the Long Island Sound Coastal Area. Priority projects included on this list are eligible for funding from the State's Environmental Protection Fund, and other State, federal and local funding sources.

B. Project Identification Process

B.1. Individual Project Identification

The request to consider a potential land protection project is an ongoing process in which any citizen, organization, or governmental body in the state can make a proposal. This includes the Regional Advisory Committees, individuals, organizations and groups, local governments, property owners, other state agencies, and OPRHP and DEC regions – anyone interested in the protection of open space and the natural and cultural resources of the state. Such a request should be made to the appropriate regional offices of the DEC or the OPRHP.

Similarly, any citizen, organization or governmental body in the state may request a potential land protection project be considered for federal Coastal and Estuarine Land Conservation Program funding if they believe the project addresses that program's priorities. Such requests should be made to the appropriate Regional Advisory Committee or to the Department of State's Division of Coastal Resources.

B.2. Comprehensive Project Inventory

Project proposals are organized at the regional level into comprehensive project inventories. The Agencies consult with each other to determine which agency will conduct the project review and approval process for any proposed project.

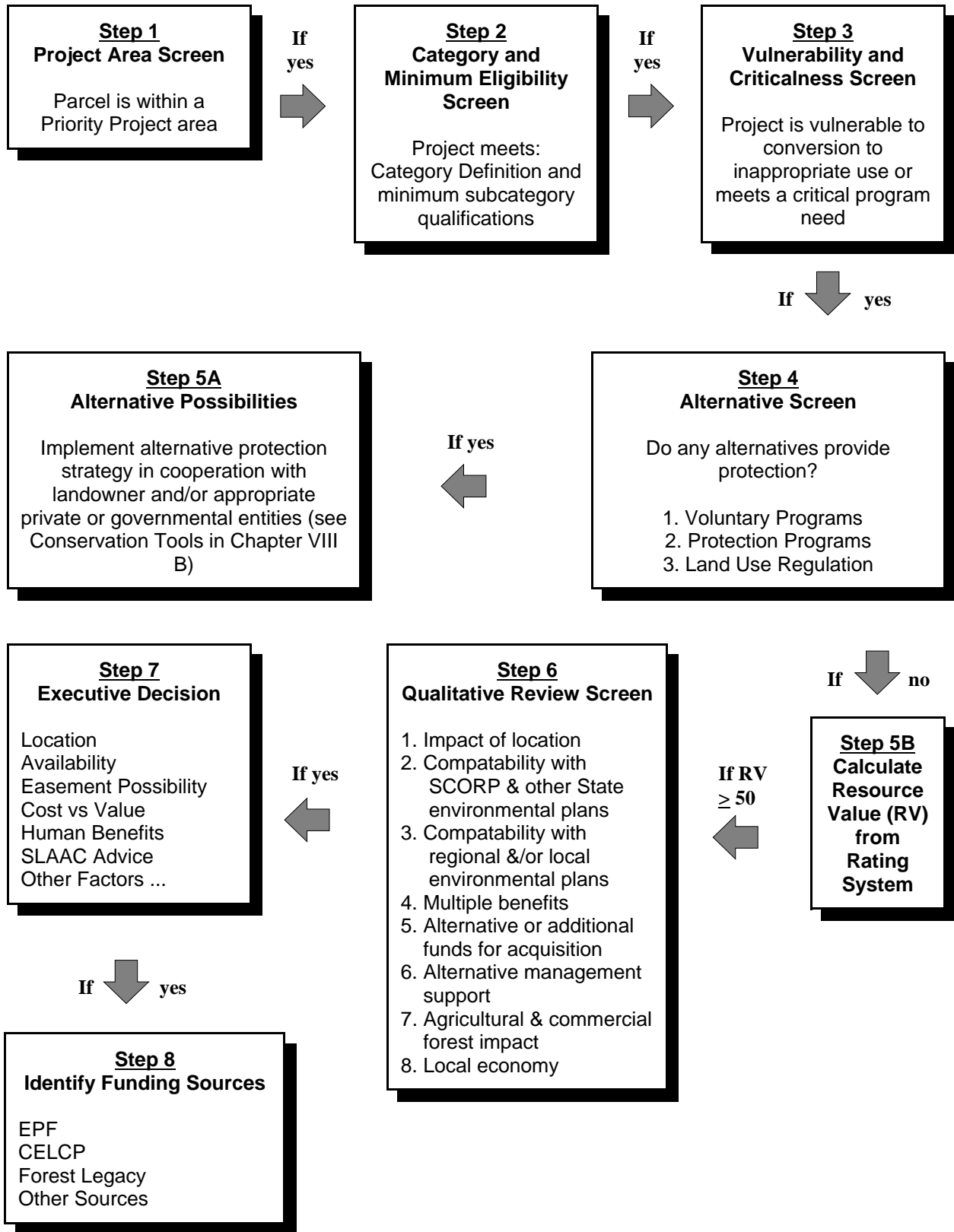
C. Project Review and Approval Process

Potential State land conservation projects undergo a review process from identification to completion as shown in Figure 6. Steps 1 through 5 are initially completed in the appropriate regional office. Upon completion, the regional office submits the results of its review and its recommendation to the central office program division for review and recommendation. The program division or bureau then forwards its recommendation to the program Deputy Commissioner for consideration in conjunction with the factors outlined in the Qualitative Review Screen (#6). The process is described as follows:

C.1. Classification and Eligibility

Whichever of the methods of project initiation is involved, the first step in the review process is the investigation of all potential projects by the appropriate DEC or OPRHP regional office. That investigation begins with a determination of whether the project is within one of the priority project areas identified in Chapter VI. It proceeds with a determination of whether the project meets the minimum eligibility requirements which include meeting a category definition contained in Chapter III and the minimum qualifications of a subcategory set forth in Appendix B.

Figure 7: Project Review and Selection Process



C.2. Determination of Vulnerability or Criticalness

Once a project has been reviewed and qualified on these priority project area and category and minimum eligibility screens, the vulnerability or criticalness of the project is examined. Vulnerability is the appropriate question for projects whose focus is the protection of the quality of the resource, while criticalness is the appropriate question for all other projects including those with a recreational or administrative focus.

Vulnerability is the measure of the degree of urgency for protection in order to preserve the resource. Vulnerability is expressed as a yes or no determination for each project that has been found to meet the previously described resource area and category and minimum eligibility requirements. The determination is based on the reasonable expectation of substantial adverse impact to the resource occurring within two years if the project is not protected. In determining the expectation of impact the following factors, together with such additional factors as may be appropriate, may be considered:

- the present condition of the site;
- any announced plans for the site, including their nature, timing, scope and environmental compatibility;
- any pending applications for any form of governmental approval for the use or development of the site;
- the transfer or proposed transfer of ownership of the site including the public offering of the site for sale;
- the relationship of any proposal to any local land use plans;
- the land use pattern and development trends in the area.

Criticalness is expressed as the importance of the project in relation to the achievement of State objectives for enhancing the enjoyment or administration of public lands. The assessment uses the following factors together with other appropriate measures:

- the ability of the project – based upon its physical and natural characteristics – to achieve a program objective, other than preservation (such program objectives include access, resource management, facilitation of public use and enjoyment, and administration of public land);
- the availability or lack thereof, of alternative sites, or mechanisms to achieve program objectives.

C.3. Alternatives

Upon a determination that the proposed project is either vulnerable or critical, the project moves to the alternative screen. The intent of the alternative screen is to focus attention on methods, other than acquisition by the State of a fee or an easement, which will provide adequate protection or meet the program objective. The question, in its simplest form, is stated thus: *“Is there some other way to achieve the desired objective?”*

There are a variety of alternative conservation tools available. Figure 7 in Chapter 6 summarizes many of them. If the project is a preservation project and one of these alternative protection mechanisms adequately protects the property, then the decision would be to implement that alternative and to forego acquisition. If, on the other hand, none of the alternative protection mechanisms provide adequate protection, then the project would proceed to the subcategory resource value rating screen.

There are, of course, projects that are not conservation oriented (e.g., access projects) and others where the conservation objective is coupled with a broader management objective (e.g., wetlands restoration). For these projects, the question of alternatives is not whether an alternative protection mechanism affords adequate protection; but rather, if there is any alternative to State acquisition that will meet the desired objective. It may be that the landowner is willing to enter some type of management or access agreement that may accomplish the same end. If so, then such an alternative would be pursued. If, on the other hand, the landowner wishes to sell in fee and is not interested in alternative strategies and there are no other viable alternatives that meet the objective, then the project proceeds to the subcategory resource value rating screen.

The tools for open space conservation identified in Chapter VIII are not meant to be a comprehensive listing of all such methods of conservation that are available. Others may exist or may be developed. The approach in considering tools is to ask whether or not there is some way other than State acquisition to protect this land. This may involve action by other levels of government, or action by private landowner to preserve the resources deserving of protection. For a comprehensive list of open space protection methods see the Local Open Space Planning Guide developed by DEC in conjunction with the Department of State’s Quality Communities Program.

For the question, *“Is there some other way to achieve the desired objective?”*, no illustrative mechanisms have been included, although some exist. Fish and Wildlife Management Area cooperator agreements, for example, may be a viable alternative to acquisition where the program objective is provision of lands for recreational opportunity. Entering into the State’s forest tax law may achieve conservation goals of protecting water quality and wildlife habitat instead of outright acquisition. Other types of

agreements may be appropriate methods of achieving water level management objectives or other management activities. These and other similar approaches need to be considered and evaluated before a decision to acquire a fee or easement is made.

The final executive decision to purchase must take account of many other factors, including the landowner's willingness to sell. Among the other factors is the statutory requirement to consider the possibility of an easement. It is at this point – the executive decision to purchase – that the final decision on fee or easement is made.

C.4. Resource Value Rating

Should a decision be made that there are no viable alternatives, a project is then moved to the subcategory resource value rating screen. Using the resource value rating system for the appropriate subcategory (see Appendix C for the rating systems), a rating is determined for the project. The rating, expressed as a number, is the professional technical staff's evaluation of the resource value of the project. The rating is expressed numerically, as χ out of 100 where χ is the rating for any individual project.

Projects located within the Coastal and Estuarine Land Conservation Program (CELCP) planning area will also be evaluated using the Coastal and Estuarine Land Conservation Area resource value rating system, resulting in a numerical value, χ out of 100. Similar to the other resource value rating results, this represents the professional technical staff's evaluation of the project as it relates to the CELCP Plan priorities and establishes an early assessment of the potential competitiveness of the project for federal funding under the Coastal and Estuarine Land Conservation Program.

The maximum achievable score that can be obtained from the criteria in each rating (for each subcategory) is 100 points. Because of the advantages of avoided purchase costs, gifts of land, either in fee or easement, are awarded 10 extra points towards the 100 total.

Projects which meet the minimum qualifications of multiple subcategories also qualify for additional points. These points, for a project demonstrating multiple benefits, may go towards the 100 total or are added onto the 100 score (for projects already achieving the 100 score through the NRV rating). Projects that meet one additional subcategory qualify for three additional points; projects that meet more than one additional subcategory qualify for five additional points.

The purpose of rating the project is to provide a sense of the resource worth of the project. While each subcategory rating system uses a 100 point scale, they are individually unique and are designed so that the resource value of individual projects can be compared only within a given subcategory. They are not intended to provide a basis for, or a method of, making individual project comparison between different subcategories.

In order to provide a minimum threshold, this Plan requires that a project must

achieve a score at or above the midpoint of the resource value rating system for the appropriate subcategory. However, this is a minimum; DEC or OPRHP are free to raise this minimum and to adjust it as may be necessary, provided however, that any adjustment may not reduce the threshold below the midpoint. Only those projects that meet or exceed the minimum threshold established by this Plan, or DEC or OPRHP acting pursuant to this provision of this Plan, may proceed to the Program Executive for review.

Similarly, a project must achieve a score at or above the midpoint (50 points) of the Coastal and Estuarine Land Conservation Area resource rating system for it to proceed to Program Executive for review as a possible nomination for federal CELCP funding.

C.5. Qualitative Review Screen

Should a project achieve a rating at or above the minimum threshold, it is submitted, together with a professional staff recommendation of priority, to the Program Executive for review and recommendation. In addition to the resource rating, Coastal and Estuarine Land Conservation Area resource rating, and the professional staff recommendation, the Program Executive will consider nine factors known as Qualitative Review Criteria. These nine factors include:

- the impact of the location of the project on its ability to achieve the objective;
- the compatibility of the project with SCORP and other State environmental plans;
- the compatibility of the project with regional and/or local environmental plans;
- the multiple benefits afforded by the project;
- the availability of alternative or additional funding for purchase of the project;
- post acquisition management needs and the availability of post acquisition management support;
- the extent to which the project encompasses agricultural lands;
- the fiscal and economic benefits and burdens resulting from the project, including those on the local government and on the local economy;
- the compatibility of the project with the Coastal and Estuarine Land

Conservation Program (CELCP) priorities.

The review of the effect of the location of the project is designed to assess the degree to which land use patterns in the area of the project may impact the ability of the project to achieve its objective. The greater the adverse impact, the less the likelihood of the project achieving the objective. Given the finiteness of any resources that may be available, DEC or OPRHP must pursue those projects that are more likely to achieve their objective as compared to those that are less likely to do so. This criterion is the opportunity for the consideration of that factor and the screening out of those projects that are less likely to achieve their objective because of location.

The determination of compatibility of the project with existing environmental plans, policies, goals and objectives is necessary in order to ensure coordination of the various programs within DEC or OPRHP and other levels of government. This criterion is the mechanism whereby the project's compatibility with existing environmental plans can be determined and any potential conflicts can be avoided. In an instance when a proposed project is identified in the same location as a proposed action identified in a local or regional plan that may impact the natural/cultural values of the site, then the significance of these resources would have to be weighed against the uses identified in the local/regional plan. An alternative may need to be considered to satisfy both objectives.

The concept of multiple benefits is intended to permit review of the extent to which the project meets the minimum qualifications of subcategories other than the subcategory to which the project is assigned. It is evaluated here as well as through the resource value rating systems. To the extent a project provides multiple benefits, it may be considered as a more attractive acquisition than a project that does not provide multiple benefits. Given the finiteness of resources it may be more effective to acquire, for example, a watershed protection project that also qualifies as an exceptional forest project, than to purchase a watershed protection project that has no multiple benefits, all other things being equal. This criterion provides the mechanism for reviewing multiple benefits and permitting a more informed acquisition decision to be made cognizant of the multiple benefits, if any, provided by the project.

The availability of alternative or additional funding for the acquisition includes a variety of possible scenarios: federal participation by a grant under any federal program, including the Coastal and Estuarine Land Conservation Program, Forest Legacy, cooperative projects with local governments, private donations, joint ventures with not-for-profit corporations, or partial gifts from an owner in the form of a bargain sale. To the extent that any of these, or others, relieve the State's financial burden in meeting the purchase price, the acquisition may be more attractive since it permits the State to leverage its resources. Consideration of this criterion, then, is an appropriate mechanism for focusing attention on this issue.

The three agencies also evaluate potential fiscal and economic benefits and

burdens associated with proposal projects.

The analysis of economic factors includes project impact on:

- real property tax base;
- local and regional retail sales businesses and service businesses;
- real estate values;
- traffic flow;
- land use patterns;
- funding by bonding, direct allocation, gift, federal funds, or private funding sources;
- farming and forestry resource base in the town or county.

Post-acquisition management needs are a valid concern in the project selection process. The information necessary to address this criterion includes the identification of such needs and an estimate of their cost for a five-year time frame.

However, this information is not intended to be in the type of detail contained in a Unit Management Plan, or Park Master Plan, but rather reasonable estimates of cost based on obvious stewardship needs. To the extent that the cost of whatever post-acquisition management is needed can be shared with others, either through the provision of funds or in-kind services or management agreements, the State's stewardship responsibilities are aided. Thus, a project that offers the opportunity for such support may be more attractive than one which requires the same level of post-acquisition management but offers no non-State support.

In reviewing these factors, the program executive has an opportunity to consider any comments or recommendations that may have been received from involved local governments. Such comments or recommendations may prove particularly useful in relation to local environmental compatibility and local economic impact. EPF requirements for local government review is further defined in Section B.8.

None of these factors either separately or in combination are necessarily designed to determine project approval; all of them are designed to provide data necessary for an informed decision. The process provides the opportunity for a final screen before projects are submitted to the Commissioners of each agency for their decision on acquisition. If, for example, the process reveals a project that is not very likely because of location to achieve its objective, is not compatible with existing environmental plans and offers no multiple benefits, the program executive may determine that such a project should not continue, even if the project enjoyed non-State financial support. The essence of the process is the program executive's judgment, based on these qualitative review criteria, of which projects submitted for review should continue on to the Commissioner for final decision. For this reason, no numerics can be associated with the process. The factors and their respective parameters have, however, been set forth in this Plan for use by the DEC and OPRHP.

C.6. Executive Decision

Upon completion of the review of the Qualitative Review Criteria, should the program executive approve the project, such recommendation is forwarded to the Commissioner. The Commissioner, in whom the decision regarding purchase is vested, will consider the project. Potential funding sources will be considered for approved projects, including EPF and CELCP. For projects eligible for CELCP funding, the Commissioner will work closely with the Secretary of State to decide which projects to nominate to be considered under that federal funding program. The Secretary of State is responsible for nominating CELCP projects for federal funding and DOS's Division of Coastal Resources will be responsible for completing the CELCP nomination package and forwarding it to the National Oceanic and Atmospheric Administration.

In making the acquisition decision, the Commissioner will consider not only the results of the various screens in the selection process but also other factors including:

- the extent to which the project's location contributes to the geographical balance and availability of the state's diversity of resources, as well as a fair distribution of the available monies across the state;
- the availability of the project for acquisition by purchase, gift or partial;
- the suitability and practicality of a conservation easement, or other less than fee acquisition strategies, as required by ECL Section 49-0203(2);
- the cost of the project in relation to its resource value;
- the social, cultural and educational values, benefits, and potential of the project;
- the comments of the State Land Acquisition Advisory Council (SLAAC) created by ECL Section 49-0211 to which each project is referred for review and recommendations;
- any other factors that may be appropriate.

Once the Commissioner has made a decision to proceed with acquisition, the Commissioner has the discretion to establish priorities for approved projects. The decision to acquire property will be implemented by designated agency staff.

Any project not approved can be reactivated for further consideration whenever there is a change of circumstance or other appropriate reason that would warrant reevaluation.

C.7. Environmental Protection Act

The Environmental Protection Fund, the primary source of State funding for State-level open space conservation, requires that acquisition funds only be used with willing sellers except in extenuating situations. This requirement is consistent with the intent of the State Open Space Conservation Plan which recommends that any pursuit of acquisitions with unwilling sellers be as a last resort and resulting from unique circumstances.

The 1993 Environmental Protection Act includes a local government consultation process, at ECL §54-0303(5), which provides that if a particular open space land conservation project is not “listed” in the state land acquisition plan which was in effect when the EPF was enacted into law (i.e., is not contained in the list of priority acquisition projects in the June 19, 1992 edition of the plan), then the Commissioner of DEC or OPRHP may not acquire such project using EPF funding until after completion of a local government notification process. The statute provides that before proposing such a project for acquisition the appropriate commissioner must provide notification of the project to any town, village or city within which such a project is located. If the municipality takes no action within 90 days of such notification, then the appropriate commissioner may proceed with the acquisition using EPF funds. However, if the municipality passes a resolution objecting to the project within 90 days of such notification, EPF funds may not be used for the acquisition. Such a resolution is to be transmitted to the appropriate Commissioner via the regional land acquisition advisory committee.

The State Finance Law requires that individual priority open space conservation projects that are proposed for funding through the EPF be listed in the capital project budget prepared each year. As part of this process, the Department and the Office submit project recommendations for inclusion by the Governor. Priority projects included in the final budget, as approved by the Legislature, will then be implemented by the agencies within funds available.

C.8. Coastal and Estuarine Land Conservation Program Requirements

The Coastal and Estuarine Land Conservation Program (CELCP) was established pursuant to the Department of Commerce, Justice, and State Appropriations Act of 2002 (Public Law 107-77) to protect important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural or recreational state to other uses. Priority is given to lands which can be effectively managed and protected and that have significant ecological value.

The National Oceanic and Atmospheric Administration (NOAA) established guidelines which were published in the Federal Register on June 17, 2003. The guidelines provide eligibility requirements for projects funded under the program and

establish procedures to select projects through a competitive process. The guidelines outline a three-stage process for competitive funding under the program: development of a state coastal and estuarine land conservation plan; a process for identifying and ranking qualified projects within the state and nominating them to a national competitive selection process annually; and a process for conducting peer review and selection of projects at the national level.

Federal funds awarded under this program must be matched with funds from non-federal sources on a 1:1 basis. The non-federal share of funding may be derived from state, local, non-governmental or private sources in the form of cash or the value of non-monetary or in-kind contributions, such as the value of donated lands or interests therein, or services such as on-site remediation, restoration, enhancement, or donated labor and supplies, provided that the in-kind contributions are necessary and reasonable to accomplish the objectives of the project.

In order to qualify to receive funds under this program, a coastal state must develop a Coastal and Estuarine Land Conservation Program plan (CELCP plan) that provides an assessment of priority conservation needs and clear guidance for nominating and selecting land conservation projects within the state. The 2005 revision of the Open Space Plan has been expanded to address and include federal Coastal and Estuarine Land Conservation Program priorities that will enable New York to compete for National Oceanic and Atmospheric Administration 1:1 matching funds for the acquisition of coastal and estuarine lands.

To that end, the 2005 Open Space Plan includes the following CELCP requirements:

- a map or description of the coastal and estuarine land conservation program planning area;
- a description of the types of lands or values to be protected;
- identification of "project areas" that represent the state's priority areas for conservation, including areas threatened by conversion, based on state and national criteria for the CELCP program;
- a description of existing plans that are incorporated into the plan;
- a list of state or local agencies that are eligible to hold title to protected lands;
- a description of the state's process for reviewing and prioritizing proposals to the national selection process; and
- a description of public involvement and interagency coordination.

The New York State Department of State, responsible for the administration of New York's coastal management program, is lead state agency for state administration of the Coastal and Estuarine Land Conservation Program, and as such is responsible for nominating projects for consideration under this federal program, would be the recipient of such funds, and would be responsible for their re-distribution.