

Land Ownership and Protected Lands in the Tug Hill Region

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LAND OWNERSHIP AND PROTECTED LANDS IN THE TUG HILL REGION

Introduction

Protected lands are lands kept in their relatively natural forms for many purposes such as protecting open space and water quality, recreation, wildlife management, forest management or a variety of ecosystem services. These lands can be owned by a private individual or can be owned publicly. Protection can be provided in the form of fee (outright) ownership or through a conservation easement. Public agencies like the New York State Department of Environmental Conservation (DEC) or private not-for-profits such as The Nature Conservancy, The Conservation Fund or local land trusts like Tug Hill Tomorrow Land Trust (THTLT) can own protected land or hold conservation easements. The purpose of this paper is to identify and describe protected lands in the Tug Hill region and to provide a baseline of the quantity of protected lands in the region.

For the purposes of this paper, protected land will be considered property owned outright (in fee) by a public entity or a private land conservation organization for conservation purposes. It will also be considered protected land if a conservation easement exists for the property, which is held by a public agency or private organization in perpetuity as a third party, with the underlying ownership maintained by a private landowner. Please see the Commission's issue paper on Conservation Easements, 2010 for an in-depth discussion of that topic.

The New York Protected Areas Database (NYPAD), which is a Geographic Information System (GIS) layer of lands protected, designated, or functioning as open space, natural areas, conservation lands, or recreational areas (<http://www.nypad.org/>), was used as the basis of information provided in this paper, with the THTLT, DEC and county real property databases also contributing.

The NYPAD is in its early stages and is not complete for the Tug Hill area. As a result, a good amount of information was added or corrected for the purposes of this paper. It is hoped that future renditions of the NYPAD will be more accurate and complete for Tug Hill. We are confident that the modifications we made to the NYPAD for this study provide a good snapshot of the current protected land ownership for 2015. Still, it should be stated that all figures provided herein are approximate. You can view an interactive map of the NYPAD at <http://www.nypad.org/InteractiveMap>.

Geography

According to www.nypad.org, approximately 20% of New York State consists of protected lands. Keep in mind, these lands may be held in public or private ownership and may have varying degrees of protection from forest preserve, which is publicly owned, forever wild and accessible for recreation, to land owned privately by an individual with protection from development via a conservation easement. Protected lands can also have varying public uses and can have permanent or long term protection that can be subject to change.

Protected Lands Ownership Type

There are 1.38 million acres in the Tug Hill region. By our calculations, 18% of those acres are considered “protected” and comprise both privately owned and publicly owned lands with some means of protection from development. Over 65% of protected land in the Tug Hill region is owned by New York State, mainly the DEC and the NYS Office of Parks Recreation and Historic Preservation (OPRHP).

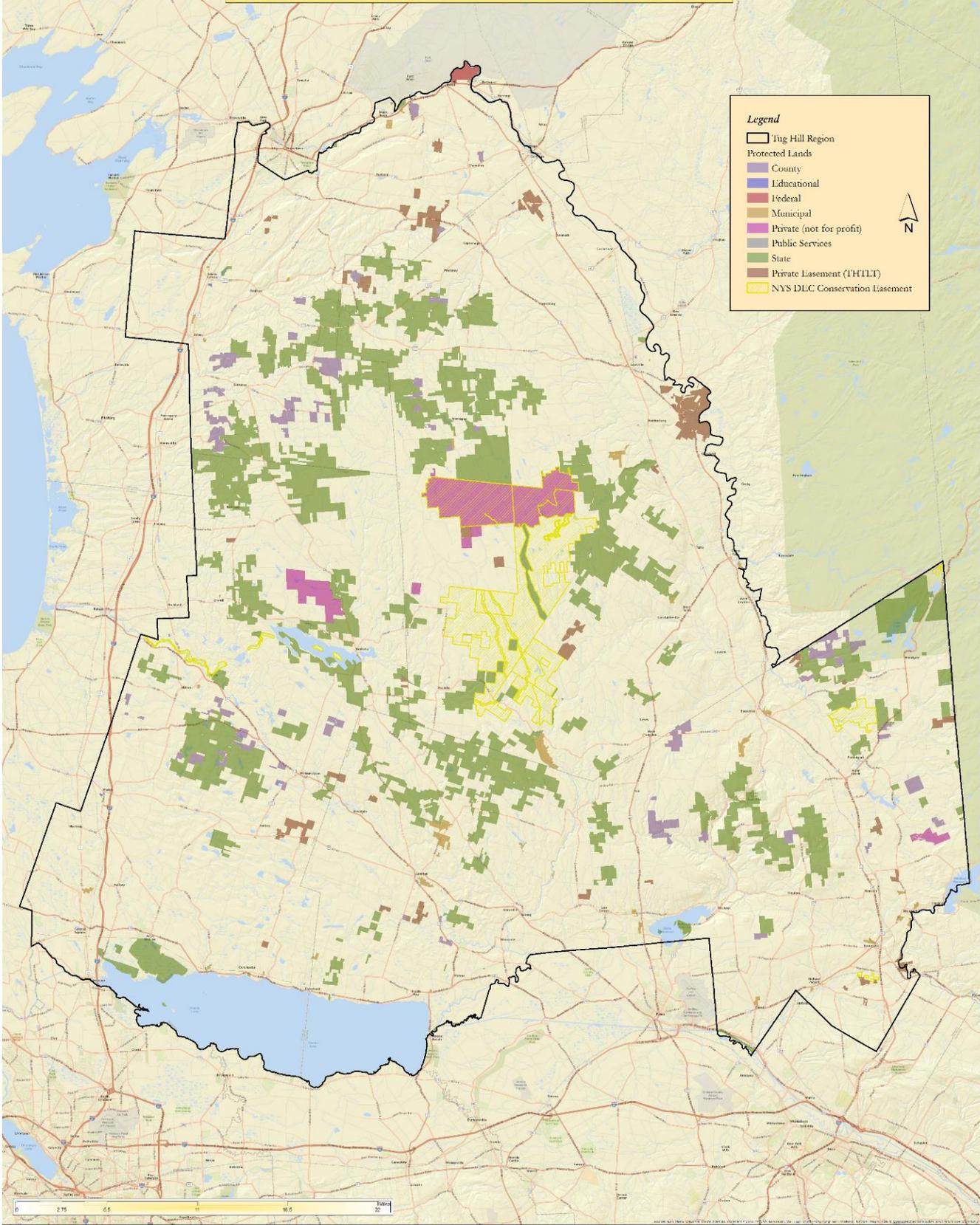
Easements, which are permanent, legal agreements entered into by a landowner and state or local government, or a non-profit land trust, make up 24% of the protected land on Tug Hill. The DEC holds 47,734 of these easement acres and the THTLT trust holds 12,292 of these easement acres. Easements can include acres owned by conservation organizations. Counties, municipalities, the federal government, public utilities and educational institutions own just over 8% of the remaining protected land on Tug Hill.

Private not-for-profits (namely The Nature Conservancy) own a total of 7% of the protected land (19,110 acres) on Tug Hill, but most of these acres are covered by a DEC easement. Not-for-Profit lands without a DEC easement total 4,742 acres, or 2% of the protected land on Tug Hill.

Ownership Type	Acres	Percent of Protected Lands in the Tug Hill Region	Percent of total Lands in the Tug Hill Region
New York State	163,523.79	65.61%	11.82%
Easement¹	60,026.00	24.09%	4.34%
	<i>DEC – 47,734 THTLT – 12,292</i>		
County	16,277.59	6.53%	1.18%
Private Not-For-Profit Conservation Org. (no easement)	4,742.20	1.90%	0.34%
Municipal (Town, City, Village)	4,165.43	1.67%	0.30%
Federal	772.50	0.31%	0.06%
Public Services (Utilities)	269.80	0.11%	0.02%
Educational	54.41	0.02%	0.00%
"Unprotected"			81.98%
Total Protected Lands in the Tug Hill Region	249,220.72	100.00%	100.00%
Total Acres in the Tug Hill Region	1,383,208.00		
Percent of Acres Protected in the Tug Hill Region			18.02%

¹ This figure includes 14,368 acres of private not-for-profit conservation organization owned land.

Protected Lands in the Tug Hill Region



Comparisons to Other Areas of the State

The Tug Hill region, as the third-largest forested region in New York State, is often compared and contrasted with the Adirondack and Catskill Parks, which are the first and second largest forested regions in the state respectively. In many ways, however, Tug Hill is very different from both of these constitutionally defined State Forest Preserves.

In size, Tug Hill is almost twice as big as the Catskills, but only about a quarter of the size of the Adirondacks. In ownership patterns, Tug Hill is mostly privately owned (either with or without protection), with 87% owned by individuals, not-for-profits, or corporations, and 13% owned by state, county, federal or local government or educational institutions. This differs greatly from the Adirondack Park, which is 5.8 million acres and 50% owned by the state (as of May 2014, according to the Adirondack Park Agency website, <http://apa.ny.gov/gis/stats/colc201405.htm>). This also differs greatly from the Catskill Park, which is 705,500 acres, and 47% owned by the State or New York City (according to the 2008 Catskill Park State Land Master Plan and 2013 Amendment at <http://www.dec.ny.gov/lands/43013.html>).

	Tug Hill		Adirondacks		Catskills	
State Owned Acres	163,524	12%	2,524,088	43%	288,704	41%
NYC Owned Acres	-	-	-	-	40,500	6%
Other Publicly Owned Acres	21,270	1%				
Private Owned Acres (with and without protection)	1,198,414	87%	2,962,780	51%	379,866	53%
Water			334,415	6%		
Total Acres	1,383,208	100%	5,821,282	100%	705,500	100%

Calculations were made using GIS and other sources.

Why are some Tug Hill lands protected?

A public or private landowner may limit development on their property for many different reasons. These may include maintaining or increasing wildlife diversity, protecting water quality to support public water supply, securing recreational opportunities, passing property on to future generations, or maintaining land for agricultural and forestry uses, to name just a few. Conserved land can contain any number of cover types, such as forest, pasture, grassland, cropland, shrub land, wetland, stream or pond.

In some instances, landowners and organizations may work together to protect a larger, contiguous area. Maintaining a blend of different types of habitat throughout a large geographic area helps provide for a larger diversity of wildlife species. Large blocks of forested land make forest management easier and more profitable. Contiguous agricultural lands maintain a necessary acreage of tillable land to support dairy and other farming operations.

New York State makes clear its conservation goals in its Open Space Conservation Plan, first adopted in 1990 and revised every three years since 1992. The most recent version, completed in 2014 and still in draft form, can be found here (<http://www.dec.ny.gov/lands/98720.html>). The Open Space Conservation program was designed to ensure citizen input to the land acquisition decisions made by the DEC and OPRHP. The State's conservation goals, as they apply to the Tug Hill region, can be found in Appendix A.

Private conservation organizations state their reasons for conserving lands in their individual mission statements and strategic plans. They may or may not use the terms "land trust" or "conservancy" in their organization's name. These organizations work with willing landowners who negotiate the terms of sale or easement according to the landowners' needs and how well the project fulfills the conservation organization's mission. Most private land trust organizations are certified as 501(c)3 charitable organizations in order to accept donations of land or conservation easements from landowners, and to be able to provide income tax charitable giving benefits to those landowners.

What tools are used to protect land in the Tug Hill region?

To protect land, a landowner may choose either to sell or donate all or part of their property to New York State or to a qualified not-for-profit organization whose mission includes conserving land in a manner consistent with the landowner's wishes. Additionally, a landowner also may choose to enter into a conservation easement agreement with the State or a qualified not-for-profit organization, which maintains the landowner's ownership of the property but provides additional protection from the outside organization. A conservation easement agreement has monetary value, as determined by independent appraisal, and so can be sold or donated to a government agency or not-for-profit conservation organization.

What public agencies protect land, and by what methods?

State Conservation Lands

The State owns approximately 163,524 acres of land in the Tug Hill region, which mostly comprises State Forests and Wildlife Management Areas (all managed by DEC), and State Parks (managed by OPRHP). Salmon River Falls near Altmar and the Raywood forest property in the Town of Lewis are the only State Unique Areas in the Tug Hill region. The Von Steuben Memorial in the Town of Steuben is the region's only State Historic Site, and the region contains three State Parks: Whetstone Gulf, Pixley Falls, and Delta Lake. Interestingly, a few parcels of NYS Forest Preserve land are found in the region, often referred to as Detached Forest Preserve parcels. Those properties were acquired before the Adirondack Park's boundary was delineated, when the entirety of all those counties were considered Forest Preserve in the late 1800s.

Additionally, DEC holds conservation easements in the East Branch of Fish Creek headwaters, and is actively working on acquiring additional conservation easements around the Salmon River Reservoir from National Grid (formerly Niagara Mohawk).

County Conservation Lands

The Tug Hill region consists of portions of four counties: Jefferson, Lewis, Oneida, and Oswego. Each county owns a certain amount of land within their borders that is designated as forest land, and management of these lands varies from county to county.

Jefferson County's forest properties are managed by the County Soil and Water Conservation District (SWCD) for multiple purposes, including timber harvest and recreation. The County Board of Legislators approves the management plan for the County's approximately 5,465 acres of forest, all within the Tug Hill Region. Management involves a sustained yield of forest products annually, in addition to maintaining several miles of trails, including the Washington Park Day Use Facility in the Town of Lorraine.

Oswego County owns approximately 2,587 acres of County reforestation properties within the Tug Hill region (2,859 total). The Oswego County Soil and Water Conservation District's District Forester is responsible for these properties, and manages the lands according to a sustainable forest management plan.

Lewis County owns approximately 4,067 acres of forest land with about 1,245 acres within the Tug Hill region. Most of the properties are conifer plantations of Norway Spruce, Red Pine, Scotch Pine and White Pine. Primarily, Lewis County forests are managed for recreation.

Oneida County owns approximately 6,300 acres of forest land, with approximately 5,780 acres in Tug Hill, and its forester works out of the Oneida County Soil & Water Conservation District.

Town Conservation Lands

Towns can also protect land for specific purposes, such as recreation. In the Town of Trenton, for example, private landowners with adjacent ownerships have protected their properties with conservation easements, and the town has designated its adjoining property as park land. It would take an act of the New York State legislature to change this designation by the town, and so ensures that the land will likely stay in its current use.

What private conservation organizations work in the Tug Hill region?

The three main conservation organizations that conserve land in the Tug Hill region include the Tug Hill Tomorrow Land Trust, the Nature Conservancy and the Adirondack Land Trust.

Tug Hill Tomorrow Land Trust (THTLT)

THTLT is a regional, private, nonprofit organization founded in 1990 by a group of Tug Hill residents, and incorporated as an independent, nonprofit 501(c)3 organization in 1991. THTLT primarily serves the portions of Jefferson, Lewis, Oneida, and Oswego counties that fall within the boundaries of the legislatively designated Tug Hill region in northern New York State. They will also work with landowners outside the region if there are no other organizations available and it fits into their mission and has public conservation values (such as the Army Compatible Use Buffer program around Fort Drum north of Watertown and the West Canada Creek in Herkimer County). THTLT was formed for two purposes:

- to help increase awareness and appreciation of the Tug Hill region through educational materials, field trips & special events
- to help retain the forest, farm, recreation and wild lands of the region through voluntary, private land protection efforts

As of October 2015, THTLT has worked with 47 Tug Hill land owners to protect some 12,292 acres using conservation easement agreements. THTLT also protects an additional 4,436 acres outside the Tug Hill region through conservation easements. The 142-acre Joseph A. Blake, Jr. Wildlife Sanctuary, located in the Town of Rutland, is the first property that the land trust owns. For more information about Tug Hill Tomorrow Land Trust, visit www.tughilltomorrowlandtrust.org, or contact them at 315-779-8240.

The Nature Conservancy (TNC)

Established in the early 1900's, TNC is a global conservation organization that works to protect ecologically important lands and waters for nature and people. The TNC chapter that covers Tug Hill is the Central and Western New York Chapter (CWNYS), headquartered in Rochester, N.Y. Staff at the CWNYS Northern New York field office in Pulaski oversees their Tug Hill program. TNC CWNYS was a major partner in protecting the 44,500-acre East Branch of Fish Creek watershed area, assuming outright ownership of 14,000 acres of headwaters, and transferring land and easements to the DEC that protect the remaining 31,850 acres. TNC subsequently

negotiated conservation easement agreements on its 14,000 acres to be held by the DEC, which are also now in place.

The East Branch of Fish Creek conservation easements resulted in approximately half the watershed being placed under permanent protection from subdivision and building development. The East Branch of Fish Creek easement and acquisition program continues to be TNC's largest easement project in New York State. For more information about The Nature Conservancy's Central and Western NY Chapter, visit www.nature.org/wherewework/northamerica/states/newyork/preserves/art13583.html or contact the chapter's Rochester office at 585-546-8030, or their Northern New York Project office in Pulaski at 315-387-3600.

Adirondack Nature Conservancy and Adirondack Land Trust (ANC/ALT)

Established in 1984, the Adirondack Land Trust (ALT) is dedicated to protecting open space, working landscapes such as farmlands and managed forests, as well as other lands contributing to the quality of life of Adirondack residents. ANC and ALT are separate organizations that operate under one roof. Each organization has their own volunteer Board of Trustees who direct the activities of the organization. ALT and the Conservancy solidified their partnership in 1988 to become a combined local conservation force distinguished by its ability to accomplish a broad range of ecological goals while also preserving local people's livelihoods.

ALT currently holds conservation easements protecting the Black River Environmental Improvement Association's lands near Boonville. Public access is granted on these lands for hiking, cross-country skiing, and horseback riding.

Summary

To summarize, there are many different ways land can be conserved or protected. Compared to the other two large forested areas in the state, the land in the Tug Hill region is largely privately owned and has less permanent protection. This points to the importance of private landowners and their land management goals and objectives. While only 12% of the Tug Hill land is owned by the State of New York, the State of New York holds 2/3 of the land that is protected on Tug Hill.

APPENDIX A

Excerpts from the 2014 Draft NYS Open Space Conservation Plan

The *Draft New York State Open Space Conservation Plan 2014*, which can be found here, http://www.dec.ny.gov/docs/lands_forests_pdf/osp14draftplan.pdf, provides an excellent overview of the kinds of lands, statewide, that are protected for open space. This Plan provides a statewide strategy for land conservation and lays out conservation goals for sustaining unique ecosystems. The State's Conservation Goals relative to Tug Hill region are found in the following pages. The following are excerpts of the Plan that specifically address Tug Hill. This is not a comprehensive list. For more information, please visit the entire Plan.

SPECIES AND HABITATS OF GREATEST CONSERVATION NEED

In New York, our varied geology creates habitats that support a rich species diversity that is part of our natural heritage. Unfortunately, in many parts of the State, the loss and fragmentation of habitat has been a cause of decline of many native plants and animals. Therefore, protection of habitat through open space planning is a key strategy in securing the future of this biological diversity. The 2013 priority project list identifies projects that will help sustain species of greatest conservation need (SGCN) as identified through state conservation planning processes.

The importance of habitat connectivity is critical and needs the cooperation of state agencies, conservation groups, biologists, and local experts to identify and protect lands essential to habitat connections, providing corridors through valleys among key areas, such as the Adirondacks, Vermont's Green Mountains, the Tug Hill Plateau, Ontario to the Catskills, and lands along water courses. Such areas of continuous protected forest will be necessary, as global warming forces some species to move northward or upward to adapt, especially vulnerable boreal and cold-water species.

IMPORTANT BIRD AREAS CONSIDERATION

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

Town of Western "Wilderness Camp" – This 540-acre tract of land provides better access to and consolidation of Buck Hill and Clark Hill State Forests. It will help preserve a significant area of contiguous forest cover in the Adirondack-Tug Hill Connectivity Corridor.

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

The conservation/open space value of Fort Drum is, of course, only part of the value of the Fort to the North Country. The economic and cultural values of the Fort and its soldiers, military families and employees greatly benefit the entire region. Recent increases in the number of soldiers highlights the need for more areas for training. In addition, existing training areas need to be protected from activities on the adjacent private lands, such as housing development, that could end up limiting the kind of training that can be done on lands adjacent to the development.

In 2009, Ft. Drum entered into a partnership with Ducks Unlimited and Tug Hill Tomorrow Land Trust to address these training and conservation needs through a unique program called the Army Compatible Use Buffer (ACUB) Program. The Program provides funding for purchasing conservation easements on lands adjacent to Fort Drum while also enhancing the conservation values the Fort and adjacent lands provide. Many of these projects are on working farms and this program is a win-win providing needed income to support local agriculture, reducing encroachment which protects military training opportunities, and forwarding the mission of the conservation organizations.

There are two ways this conservation partnership provides significant benefits to dual goals of maintaining/enhancing training capabilities and open space/conservation values. First, purchase of lands in fee or easement for conservation purposes, adjacent to the Fort, would provide a buffer to development. This development, if not controlled, would in time encroach upon or otherwise interfere with military training. Also, land could be acquired in fee or easement as mitigation opportunities for wetlands and other environmental values impacted by development of facilities on the Fort so serve a dual purpose of mitigation and buffer. Second, communities could establish land use controls which only allow development compatible with the Fort's

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

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

The Black River flows from its headwaters in the forested southwestern Adirondacks, through the rural agricultural lands between Tug Hill and the Adirondacks, through the urban settings of Watertown and into Lake Ontario. It provides a riverine corridor used for fishing, canoeing, white water rafting, kayaking and scenic viewing along its 114 mile length, as well as energy generation and water supply. It links, economically, socially and environmentally, the communities that line its banks.

This project began with an 1850-acre conservation easement on the Black River in the Towns of Boonville and Forestport which provides public recreational access, and helps enhance wildlife movement while continuing the lands productivity in a working landscape. An additional 518 acres of land were purchased in 2013 to become a new State Forest. There is a pending additional conservation easement that would be contiguous to these two other parcels bringing a total of about 3000 acres under protection in this unique Adirondack-Tug Hill Wildlife Connectivity Corridor.

The Black River is a designated New York State Blueway Trail with the support of 37 communities along the corridor. These communities and State agency partners have developed integrated objectives for the future use and development of the corridor including open space projects to protect small forested tracts with high public values, riparian buffers and adjacent productive agricultural lands, and public access and multiuse trails to enhance tourism and public enjoyment of the river.

The Black River Trail Scenic Byway also parallels the Black River Canal in Rome through Oneida, Lewis and Jefferson Counties to the mouth of the River on Lake Ontario. With the support of communities along the byway a pending amendment (S. 3494/A. 4637) to State Highway Law would formally designate this Byway. The Byway provides access opportunities and marketing/promotional benefits to the entire Black River Valley.

Through both the Blueway Trail and Scenic Byway there are tremendous opportunities for small scale acquisitions and development that provide access to the Black River and scenic overlooks along the corridor. In addition there are numerous opportunities for trail development and park development throughout the Valley that should be given priority.

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

Tug Hill Core Forests and Headwater Streams (Joint Region 6 & 7 Priority Project) – The Tug Hill Plateau is a large, undeveloped forested area that serves as headwaters for several major water courses. These headwaters make a significant contribution to high quality drinking water supplies and the Tug Hill Aquifer as well as wildlife habitat. Major river systems that originate on the Plateau are the Mohawk River, Lansingkill, Deer River, Salmon River, East Branch of Fish Creek, Sandy Creek and the Mad River to the north of the Salmon River Reservoir. The integrity of these core forests and headwaters should be protected through a combination of easement and fee acquisition of key parcels. Of particular importance is the maintenance of large private tracts managed for forest products to prevent subdivision and development. These forest tracts support a major regional forest products industry, provide important habitat for wide ranging and migratory species, and offer a wide range of recreational opportunities.