

New York City Department of Environmental Protection
Bureau of Water Supply
Land Acquisition Program
Catskill / Delaware System
Semi-Annual Land Acquisition Status Report
Reporting Period: January 1, 2013 through June 30, 2013

July 27, 2013

Prepared in accordance with Section 4.2 of the July, 2007
United States Environmental Protection Agency
Filtration Avoidance Determination

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Watershed Lands & Community Planning
Bureau of Water Supply
Land Acquisition Program
New York City Department of Environmental Protection

**New York City Department of Environmental Protection
Land Acquisition Program
Catskill / Delaware System
Semi-Annual Report Due July 31, 2013
Reporting Period: January 1, 2013 through June 30, 2013**

**Prepared in accordance with the
New York City Filtration Avoidance Determination of July, 2007**

On January 21, 1997 the Watershed Memorandum of Agreement (MOA) was signed, followed immediately by issuance of Water Supply Permit #0-9999-00051/00001 and then on December 24, 2010 by a successor Permit by the New York State Department of Environmental Conservation. These two documents, as well as the 1997, 2002, and 2007 Filtration Avoidance Determinations, provide the framework under which the City undertakes activities that lead to acquisition of real property interests for purposes of watershed protection. This report summarizes progress over the most recent six-month period and for the duration of the program to date.

Solicitation

DEP's goal for solicitation in 2013 has not been formally established, but LAP is using 50,000 acres as the likely goal based on status of the most recent FAD discussions. During the first half of the year, DEP solicited 27,634 acres.

Projects Signed to Purchase Contract

During the first half of 2013, the City signed 19 purchase contracts representing 1,436 acres of land in fee simple in the Catskill/Delaware system. Program-wide for Cat/Del, DEP alone has secured a grand total (fee simple and conservation easements) of 105,391 acres throughout the Cat/Del at a cost of \$386 million (plus an additional \$29 million for "soft" costs). During the first half of 2013, the Farm Easement Program that is managed by WAC (also see below) signed no new acres to contract; total lands protected by DEP and WAC under the FAD in Cat/Del since 1997 thus stand at 128,042 acres¹. The attached tables provide additional details about signed contracts.

Projects Acquired

During this reporting period, DEP closed 28 contracts (fee simple and conservation easements) totaling 1,839 acres. In all, as of the end of this period, the City has closed 1,262 purchase agreements (roughly 1.5 contracts closed per week since 1997) in the Cat / Del system totaling 96,966 acres. WAC has closed on 22,462 acres of the 22,651 acres it has signed to contract in the Cat-Del System.

Conservation Easements

As of the end of this reporting period, DEP had secured 23,633 acres and WAC had secured 22,651 acres under easement. Of the 128,042 acres secured in the Cat/Del overall by DEP and WAC, 36% are protected by conservation easements.

¹ This total includes about 135 acres in the Croton system and 700 acres entirely outside of the City's watershed that were acquired as a part of transactions that were primarily within the Cat-Del system. These lands were acquired because of the difficulty of subdividing certain properties that span the watershed boundary.

WAC Farm and Forest Easement Programs

During the subject period, the new WAC program contract to frame both the Farm Easement Program (adding \$23 million) and Forest Easement Program (\$6 million five-year pilot, as outlined in 2010 Water Supply Permit Special Condition 31, was approved, with full implementation expected to begin in July 2013. A contract to address WAC's long-term stewardship needs (over and above FAD requirements) is being negotiated. Total commitments for the WAC Farm Easement Program can be summarized as follows:

Original 1999 Program Contract – spent:	\$20m
2006 allocation from \$50m Supplementary Fund (per 2/5/04 EPA letter) – spent:	\$ 7m
2007 allocation (approved 12/07) from \$50m LAP Supplementary Fund (per 1/19/06 EPA letter) – funds being spent:	\$20m
Additional funds budgeted pursuant to NYS DOH 4/30/08 letter:	\$23m
Pilot Forest CE Program pursuant to 2010 WSP:	\$ 6m
Total NYC funding commitment for WAC Easement Programs:	\$76m

NYS DEC Water Supply Permit # 0-9999-00051/00001

During this period DEP has followed requirements of the 2010 Water Supply Permit; in addition to the several items outlined above and other WSP requirements that are routinely adhered to as part of LAP operations, the following new tasks were addressed:

- **Riparian Buffer Program** (Special Condition 29): the Catskill Center for Conservation and Development continued to host meetings of the consultative group in furtherance of the PDI Report for the Riparian Buffer Program, which was formally issued on May 1, 2013. During May and June, the City worked on the procurement necessary to hire the vendor (land trust) expected to implement the Program.
- **Enhanced Land Trust Program** (Special Condition 33): The towns of Hunter, Gilboa, Woodstock, Halcott, and Olive originally resolved to opt into the program; in these five towns there were at the time six properties totaling 3,980 acres, most of which remains on the ELTP list of eligible properties. During this reporting period, a land trust made a purchase offer on one property, who's owner has not decided whether to accept the offer. There is insufficient information about solicitation status of the remaining four properties as reported by land trusts; the City will continue to request summaries and/or solicit those properties itself in 2013.
- **Taxes on WAC Conservation Easements** (Special Condition 19a): Pending passage of State Legislation as discussed in Special Condition 19, the City is making tax payments on WAC CE's acquired after 12/31/2010 in accordance with the executed PILOT agreements.
- **Tax Litigation Avoidance Program** (Special Condition 25b8): During the reporting period, CWC began implementation of the TLAP program, including finalizing templates for reservoir lands and impoundments, as well as coordination with watershed towns on TLAP issues related to ongoing litigation (Tompkins, Andes, Middletown and Roxbury) and potential application of TLAP in Marbletown (Ashokan Reservoir). Through April 30, 2013, CWC expenditures for TLAP totaled \$38,111.

Additional Land Trust Support

The City solicited interest in the land trust community for three grants of \$5,000 each for land trust-sponsored seminars or educational events focused on land protection and stewardship within the City's watershed.

Transfer of Conservation Easements on Fee Acquisitions to NYS

During the Reporting Period, DEC recorded three additional CE Deeds, bringing total deeds recorded to 56 covering 709 LAP acquisition parcels on 46,438 acres. An additional 10 signed deeds covering 176 LAP acquisition parcels have been delivered to the State, bringing DEP's program-to-date easement conveyances to a total of 66 CEs on 885 DEP properties comprising 57,996 acres.

Flood Buyout Program

Since Hurricane Irene, the City has worked with three counties (Delaware, Greene and Ulster) to implement and/or assist with FEMA and SEMO Flood Buyout Programs, which are expected to result in the acquisition of several dozen properties by the City or local towns. Future FAD reports will include more information on implementation of this effort.

end of text

**NYC DEP Land Acquisition Program
1st Half 2013 Semi-Annual Report**

Contracts Closed in the Cat-Del System by Reporting Period and R.E. Type

Reporting Period: 1995 to 2nd Half 2012

<u>R.E. Type</u>	<u># of Contracts</u>	<u>Acres</u>	<u>Avg. Acres</u>	<u>Purchase Price</u>
Fee	1,083	72,480	67	\$283,228,022
CE	151	22,648	150	\$56,424,415
WAC CE	120	22,091	184	\$30,520,824
	1,354	117,218	87	\$370,173,260

Reporting Period: 1st Half 2013

Fee	26	1,629	63	\$6,724,975
CE	2	210	105	\$669,728
WAC CE	2	372	186	\$741,111
	30	2,211	74	\$8,135,814

Program-to-date Sub-Totals

Fee	1,109	74,108	67	\$289,952,997
CE	153	22,858	149	\$57,094,143
WAC CE	122	22,462	184	\$31,261,934

Grand Totals:	1,384	119,429	86	\$378,309,074
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**NYC DEP Land Acquisition Program
1st Half 2013 Semi-Annual Report**

Contracts Signed in the Cat-Del System by Reporting Period and R.E. Type

Reporting Period: 1995 to 2nd Half 2012

<u>R.E. Type</u>	<u># of Contracts</u>	<u>Acres</u>	<u>Avg. Acres</u>	<u>Purchase Price</u>
Fee	1,182	80,322	68	\$312,196,222
CE	159	23,633	149	\$68,740,050
WAC CE	123	22,651	184	\$31,925,429
	1,464	126,606	86	\$412,861,701

Reporting Period: 1st Half 2013

Fee	19	1,436	76	\$5,161,619
	19	1,436	76	\$5,161,619

Program-to-date Sub-Totals

Fee	1,201	81,758	68	\$317,357,842
CE	159	23,633	149	\$68,740,050
WAC CE	123	22,651	184	\$31,925,429

Grand Totals:	1,483	128,042	86	\$418,023,321
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NYC DEP Land Acquisition Program
Parcels Eased or Acquired in Fee Simple: 01/01/2013 to 06/30/2013

This report is being submitted to NYS DOH, NYS DEC and the Watershed Protection and Partnership Council in fulfillment of Paragraph 22 of the 2010 Water Supply Permit. Maps of these and all other properties acquired are provided by the City on a quarterly basis using the NYC Property ID number for

<u>NYC Property</u>	<u>County</u>	<u>Town</u>	<u>Tax Map Number</u>	<u>Location</u>	<u>R.E. Type</u>	<u>Acquired Acres</u>	<u>Closing Date</u>
2261	Delaware	Andes	343.-1-5	off NYC Hgwy. 30A	Fee	55.88	02/28/2013
2297	Delaware	Andes	344.-1-31.22	Perch Lake Road	Fee	18.76	06/10/2013
2311	Delaware	Andes	280.-1-28.1	Wolf Hollow Road	Fee	17.37	04/08/2013
2644	Delaware	Andes	258.-1-14.2	1565 State Rd.	Fee	102.82	03/14/2013
7383	Delaware	Andes	301.-2-4	Fall Clove Rd	Fee	138.28	04/09/2013
7563	Delaware	Andes	217.-2-3.1	Gladstone Holw	Fee	190.63	03/05/2013
7563	Delaware	Andes	217.-2-5.2	Gladstone Holw	Fee	131.11	03/05/2013
3868	Delaware	Colchester	322.-2-6	Murphy Hill Road	CE	108.20	03/28/2013
6147	Delaware	Colchester	300.-3-4	Terry Clove Rd	WAC CE	48.67	02/13/2013
6147	Delaware	Colchester	300.-3-5.21	Terry Clove Rd	WAC CE	61.16	02/13/2013
8029	Delaware	Delhi	172.-1-16.2	Glen Burnie Rd	Fee	45.97	05/28/2013
6147	Delaware	Hamden	300.-2-14.11	Terry Clove Rd	WAC CE	129.21	02/13/2013
6163	Delaware	Hamden	277.-1-7.11	Basin Clove	WAC CE	108.63	02/13/2013
6163	Delaware	Hamden	277.-1-7.12	Basin Clove	WAC CE	24.14	02/13/2013
4985	Delaware	Kortright	107.-2-6.2	NYS Rt 10	Fee	22.44	06/12/2013
7710	Delaware	Meredith	64.-1-18.11	Elk Creek Rd	Fee	71.58	04/19/2013
7442	Delaware	Middletown	240.-3-13	Small Rd	Fee	23.04	02/06/2013
8368	Delaware	Middletown	285.-2-48.111	County Hwy 38	Fee	105.60	04/26/2013
2240	Delaware	Roxbury	113.-2-8	Old Ferris Farm Rd.	Fee	26.48	03/05/2013
8318	Delaware	Roxbury	177.-2-1	Lower Meeker Hollow Rd.	Fee	14.45	06/17/2013
8318	Delaware	Roxbury	177.-2-2	Lower Meeker Hollow Rd.	Fee	8.24	06/17/2013
8318	Delaware	Roxbury	177.-2-4	Lower Meeker Hollow Rd.	Fee	5.77	06/17/2013
8318	Delaware	Roxbury	177.-2-5	Lower Meeker Hollow Rd.	Fee	3.28	06/17/2013
8318	Delaware	Roxbury	177.-2-6	Lower Meeker Hollow Rd.	Fee	3.44	06/17/2013

NYC DEP Land Acquisition Program

Parcels Eased or Acquired in Fee Simple: 01/01/2013 to 06/30/2013

<u>NYC Property</u>	<u>County</u>	<u>Town</u>	<u>Tax Map Number</u>	<u>Location</u>	<u>R.E. Type</u>	<u>Acquired Acres</u>	<u>Closing Date</u>
8318	Delaware	Roxbury	177.-2-7	Lower Meeker Hollow Rd.	Fee	2.24	06/17/2013
8318	Delaware	Roxbury	177.-2-8	Lower Meeker Hollow Rd.	Fee	9.35	06/17/2013
8491	Delaware	Roxbury	156.-1-10.2	Andrew Gray Rd.	Fee	4.13	02/11/2013
3077	Delaware	Stamford	88.-1-16.111	Town Brook Rd	Fee	34.81	02/05/2013
2874	Delaware	Walton	250.-2-13.1	Pines Brook Rd.	Fee	48.55	06/13/2013
2874	Delaware	Walton	250.-2-18.112	Pines Brook Rd.	Fee	38.87	06/13/2013
1645	Greene	Ashland	93.00-2-28.2	Route 23	Fee	140.07	02/28/2013
2372	Greene	Ashland	60.00-1-2.2	325 Route 32C	Fee	131.91	04/01/2013
3646	Greene	Ashland	92.00-5-2	Mail Rte Rd - County Route 5	Fee	46.67	04/17/2013
5873	Greene	Jewett	129.00-5-16	RICE ST	CE	101.88	03/04/2013
8356	Greene	Lexington	110.00-1-32.1	Rt 23C	Fee	11.49	03/07/2013
8356	Greene	Lexington	110.00-1-32.2	Rt 23C	Fee	12.67	03/07/2013
4729	Schoharie	Conesville	202.-4-25.212	135 Wood Rd	Fee	16.75	02/28/2013
4729	Schoharie	Conesville	202.-4-25.22	135 Wood Rd	Fee	19.27	02/28/2013
743	Sullivan	Neversink	28.-1-3.1	John George Road	Fee	15.10	05/20/2013
4325	Sullivan	Neversink	18.-1-8.2	Moore Hill Rd.	Fee	34.16	02/04/2013
8353	Sullivan	Neversink	5.-1-4	Sugar Loaf Rd	Fee	4.83	02/11/2013
8509	Ulster	Denning	58.-1-24.110	Yeagerville Road	Fee	31.32	06/28/2013
8455	Ulster	Olive	45.4-2-69.211	Brodhead Road	Fee	41.50	02/11/2013
Grand Totals:			Count: 43			2,210.72	

NYC DEP Land Acquisition Program

Semi-Annual Closed Properties by Watershed System and R.E. Type as of 06/30/2013

(WAC CE's excluded)

Closed - Half Year Starting: 1/2013

<u>System</u>	<u>R.E. Type</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	CE	2	210	\$669,728
CAT-DEL	Fee	26	1,629	\$6,724,975
		28	1,839	\$7,394,703

Closed - Half Year Starting: 7/2012

<u>System</u>	<u>R.E. Type</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	CE	9	1,566	\$4,333,796
CAT-DEL	Fee	30	2,554	\$7,909,353
		39	4,119	\$12,243,149

Closed - Half Year Starting: 1/2012

<u>System</u>	<u>R.E. Type</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	CE	7	1,239	\$5,246,119
CAT-DEL	Fee	22	1,453	\$7,334,366
		29	2,692	\$12,580,485

Closed - Half Year Starting: 7/2011

<u>System</u>	<u>R.E. Type</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	CE	8	703	\$6,463,043
CAT-DEL	Fee	45	4,710	\$21,784,888
		53	5,413	\$28,247,931

Closed - Half Year Starting: 1/2011

<u>System</u>	<u>R.E. Type</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	CE	10	2,475	\$5,874,502

NYC DEP Land Acquisition Program

Semi-Annual Closed WAC Conservation Easements by Watershed System as of 06/30/2013

(NYC DEP Deals Excluded)

Contract Closed - Half Year Starting: **1/2013**

<u>System</u>	<u>R.E. Type</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	WAC CE	2	372	\$739,855
		2	372	\$739,855

Contract Closed - Half Year Starting: **7/2012**

<u>System</u>	<u>R.E. Type</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	WAC CE	4	568	\$816,562
		4	568	\$816,562

Contract Closed - Half Year Starting: **1/2012**

<u>System</u>	<u>R.E. Type</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	WAC CE	5	768	\$1,132,378
		5	768	\$1,132,378

Contract Closed - Half Year Starting: **7/2011**

<u>System</u>	<u>R.E. Type</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	WAC CE	3	809	\$1,403,951
		3	809	\$1,403,951

Contract Closed - Half Year Starting: **1/2011**

<u>System</u>	<u>R.E. Type</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	WAC CE	10	1,567	\$3,552,765
		10	1,567	\$3,552,765

Contract Closed - Half Year Starting: **7/2010**

<u>System</u>	<u>R.E. Type</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
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CAT / DEL Parcels Closed or Under Contract as of 06/30/2013

Sorted by Status and Priority Area

Status: Signed, Not Closed

<u>Priority Area</u>	<u># of Parcels</u>	<u>Acres</u>	<u>Cost</u>
1A	5	168	\$1,121,420
1B	6	265	\$11,302,645
2	1	34	\$323,843
3	24	2,358	\$6,984,929
4	63	5,787	\$19,981,962
Sub-Total for Signed, Not Closed:	99	8,613	\$39,714,800

Status: Closed

<u>Priority Area</u>	<u># of Parcels</u>	<u>Acres</u>	<u>Cost</u>
1A	121	4,634	\$31,265,785
1B	315	16,749	\$120,836,316
2	165	11,335	\$32,983,375
3	312	33,462	\$68,837,113
4	471	53,248	\$124,386,486
Sub-Total for Closed:	1,384	119,429	\$378,309,074

Program Totals**1,483****128,042****\$418,023,874**

* Includes NYC Fee, NYC CE and WAC CE transactions

NYC DEP Land Acquisition Program
Semi-Annual Signed Contracts by Signed, Watershed System and Basin as of
06/30/2013

Contracts Signed - Half Year Starting: 1/2013

<u>System</u>	<u>Basin</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	Ashokan	1	21	\$175,780
CAT-DEL	Cannonsville	2	128	\$279,144
CAT-DEL	Pepacton	8	706	\$2,302,626
CAT-DEL	Schoharie	8	581	\$2,404,069
		19	1,436	\$5,161,619

Contracts Signed - Half Year Starting: 7/2012

<u>System</u>	<u>Basin</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	Ashokan	1	34	\$323,843
CAT-DEL	Cannonsville	13	1,449	\$4,318,869
CAT-DEL	Kensico	1	104	\$10,400,000
CAT-DEL	Pepacton	7	773	\$2,729,897
CAT-DEL	Rondout	3	47	\$250,684
CAT-DEL	Schoharie	8	321	\$1,892,857
CAT-DEL	West Branch	1	6	\$265,000
		34	2,733	\$20,181,150

Contracts Signed - Half Year Starting: 1/2012

<u>System</u>	<u>Basin</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	Cannonsville	7	642	\$1,697,446
CAT-DEL	Pepacton	14	1,109	\$3,989,501
CAT-DEL	Rondout	4	123	\$776,462
CAT-DEL	Schoharie	8	757	\$2,710,153
		33	2,630	\$9,173,562

Contracts Signed - Half Year Starting: 7/2011

<u>System</u>	<u>Basin</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	Ashokan	2	91	\$572,500
CAT-DEL	Cannonsville	4	224	\$613,792
CAT-DEL	Pepacton	12	1,146	\$4,148,386
CAT-DEL	Rondout	4	468	\$1,369,605
CAT-DEL	Schoharie	12	1,160	\$3,574,943

NYC DEP Land Acquisition Program *
 CAT / DEL Parcels Closed or Under Contract as of 06/30/2013
 Sorted by Status and R.E. Type

Status: Signed, Not Closed

<u>R.E. Type</u>	<u># of Parcels</u>	<u>Acres</u>	<u>Cost</u>
CE	6	775	\$11,645,906
Fee	92	7,649	\$27,405,398
WAC CE	1	189	\$663,495
Sub-Total for Signed, Not Closed	99	8,613	\$39,714,800

Status: Closed

<u>R.E. Type</u>	<u># of Parcels</u>	<u>Acres</u>	<u>Cost</u>
CE	153	22,858	\$57,094,143
Fee	1,109	74,108	\$289,952,997
WAC CE	122	22,462	\$31,261,934
Sub-Total for Closed	1,384	119,429	\$378,309,074

Program Totals	1,483	128,042	\$418,023,874
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* Includes NYC Fee, NYC CE and WAC CE transactions

NYC DEP Land Acquisition Program

Semi-Annual WAC Signed Contracts Summarized by System and R.E. Type as of 06/30/2013

*(NYC DEP Deals Excluded)***Contracts Signed - Half Year Starting: 1/2012**

<u>System</u>	<u>R.E. Type</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	WAC CE	2	428	\$1,201,258
		2	428	\$1,201,258

Contracts Signed - Half Year Starting: 7/2011

<u>System</u>	<u>R.E. Type</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	WAC CE	4	647	\$979,747
		4	647	\$979,747

Contracts Signed - Half Year Starting: 1/2011

<u>System</u>	<u>R.E. Type</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	WAC CE	2	323	\$476,675
		2	323	\$476,675

Contracts Signed - Half Year Starting: 7/2010

<u>System</u>	<u>R.E. Type</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	WAC CE	6	1,145	\$2,054,243
		6	1,145	\$2,054,243

Contracts Signed - Half Year Starting: 1/2010

<u>System</u>	<u>R.E. Type</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	WAC CE	12	1,873	\$3,793,103
		12	1,873	\$3,793,103

Contracts Signed - Half Year Starting: 7/2009

<u>System</u>	<u>R.E. Type</u>	<u>Count</u>	<u>Acres</u>	<u>Price</u>
CAT-DEL	WAC CE	7	1,293	\$1,977,738
		7	1,293	\$1,977,738