

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, 2011 through June 30, 2011**

July 27, 2011

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, 2011  
Reporting Period: January 1, 2011 through June 30, 2011**

**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 lands 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 2011 is 60,000 acres. During the first half of the year, DEP solicited 30,347 acres.

Projects Signed to Purchase Contract

During the first half of 2011, the City signed 39 purchase contracts representing 3,130 acres of land in fee or conservation easement in the Catskill/Delaware system. Program-wide for Cat/Del, DEP alone has secured a grand total of 96,109 acres throughout the Cat/Del at a cost of \$344 million (additional "soft" costs of about \$29 million). During the first half of 2011, the Farm Easement Program that is managed by WAC (also see below) secured an additional 315 acres, bringing total lands protected by DEP and WAC under the FAD in Cat/Del since 1997 to 117,682 acres<sup>1</sup>. The attached tables provide additional details about signed contracts.

Land and Conservation Easements Acquired

During the first half of 2011, DEP closed 33 contracts totaling 3,635 acres. In all, as of the end of this period, the City has closed 1,112 purchase agreements in the Cat / Del system totaling 83,058 acres (fee simple and conservation easements). WAC has closed on 19,946 acres of the 21,573 acres signed to contract.

Conservation Easements

As of the end of this reporting period, DEP had secured 23,159 acres and WAC had secured 21,573 acres. Of the 117,682 acres secured in the Cat/Del overall by DEP and WAC, 38.0% (44,732 acres) are protected under conservation easements.

Farm and Forest Easement Programs

WAC and DEP spent the subject period negotiating both an extension of the current Farm Easement Program contract beyond its September 15, 2012 termination date and to add \$23 million, as well as to frame the \$6 million five-year pilot Forest Easement Program as

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<sup>1</sup> This total includes about 135 acres in the Croton system and 700 acres entirely outside of the Cat/Del 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.

outlined in the 2010 Water Supply Permit (Special Condition 31). Total funding 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 (contract under negotiation):	\$23m
Pilot Forest CE Program pursuant to 2010 WSP (contract under negotiation):	\$ 6m
<b>Total pending NYC funding of Farm Easement Program:</b>	<b>\$76m</b>

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 tasks were addressed:

- WAC and DEP found it necessary to revise the model WAC Farm Easement deed to provide certain new rights to grantors consistent with the 2010 Stakeholder’s Agreement. Thus, pursuant to Special Condition 16(d)2(b), DEP submitted to DEC a request to modify the deed, which DEC approved on May 27, 2011.
- WAC sent letters to grantors pursuant to Special Condition 16(d)3(b).
- Riparian Buffer Program (Special Condition 29): in early June, the Greene County Land Trust and the Town of Hunter declined further participation in the PDI report or the Riparian Buffer Program. DEP is currently working to find replacement organizations and to otherwise complete requirements of this deliverable.
- Enhanced Land Trust Program (Special Condition 33): DEP has continued to work with many stakeholders and land trust partners to ensure this program will be implemented per the WSP.
- Taxes on WAC Conservation Easements (Special Condition 19a): The City submitted inter-municipal agreements to 23 municipalities; the agreements provide that Watershed Agricultural Easements acquired after January 1, 2011 will be taxed in accordance with proposed State Legislation. As of June 30, 2011, the City had executed agreements with 14 of these municipalities.
- Tax Litigation Avoidance Program (Special Condition 25b8): During the reporting period, the City finalized language for the Tax Litigation Avoidance Program Contract with the Catskill Watershed Program, and has begun the City procurement process to register same.

Transfer of Conservation Easements on Fee Acquisitions to NYS

Since January 1, 2011 DEP has modified the model DEC CE in accordance with Special Condition 16. A set of 13 conservation easements covering 230 LAP-acquired properties representing over 15,600 acres have been prepared using this new model document, and those easements are planned for submission to DEC in the second half of 2011. DEP’s program-to-date easement conveyances to DEC total 53 CEs on 656 DEP properties comprising a total of 42,394 acres.

**NYC DEP Land Acquisition Program  
1st Half 2011 Semi-Annual Report**

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

**Reporting Period: 1995 to 2nd Half 2010**

<u>R.E. Type</u>	<u># of Contracts</u>	<u>Acres</u>	<u>Avg. Acres</u>	<u>Purchase Price</u>
Fee	1,059	70,954	67	\$277,965,619
CE	144	22,024	153	\$54,097,645
WAC CE	115	21,258	185	\$29,252,943
	<b>1,318</b>	<b>114,236</b>	<b>87</b>	<b>\$361,316,207</b>

**Reporting Period: 1st Half 2011**

Fee	32	1,995	62	\$8,597,757
CE	7	1,135	162	\$3,184,560
WAC CE	2	315	157	\$476,675
	<b>41</b>	<b>3,445</b>	<b>84</b>	<b>\$12,258,992</b>

**Program-to-date Sub-Totals**

Fee	1,091	72,950	67	\$286,563,376
CE	151	23,159	153	\$57,282,205
WAC CE	117	21,573	184	\$29,729,618

<b>Grand Totals:</b>	<b>1,359</b>	<b>117,681</b>	<b>87</b>	<b>\$373,575,199</b>
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**NYC DEP Land Acquisition Program  
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Contracts Closed in the Cat-Del System by Reporting Period and R.E. Type

**Reporting Period: 1995 to 2nd Half 2010**

<u>R.E. Type</u>	<u># of Contracts</u>	<u>Acres</u>	<u>Avg. Acres</u>	<u>Purchase Price</u>
Fee	963	62,603	65	\$238,756,936
CE	116	16,820	145	\$34,477,317
WAC CE	98	18,379	188	\$23,540,093
	<u>1,177</u>	<u>97,802</u>	<u>83</u>	<u>\$296,774,346</u>

**Reporting Period: 1st Half 2011**

Fee	23	1,160	50	\$7,442,479
CE	10	2,475	248	\$5,874,502
WAC CE	10	1,567	157	\$3,587,151
	<u>43</u>	<u>5,202</u>	<u>121</u>	<u>\$16,904,132</u>

**Program-to-date Sub-Totals**

Fee	986	63,763	65	\$246,199,415
CE	126	19,295	153	\$40,351,819
WAC CE	108	19,946	185	\$27,127,245

<b>Grand Totals:</b>	<b>1,220</b>	<b>103,003</b>	<b>84</b>	<b>\$313,678,478</b>
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## NYC DEP Land Acquisition Program

**Parcels Eased or Acquired in Fee Simple: 01/01/2011 to 06/30/2011**

*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>
7028	Delaware	Andes	381.-3-4	Beech Hill Rd.	Fee	4.24	02/25/2011
7028	Delaware	Andes	381.-3-5.1	Beech Hill Rd.	Fee	8.07	02/25/2011
7028	Delaware	Andes	381.-3-6	Beech Hill Rd.	Fee	12.41	02/25/2011
7028	Delaware	Andes	381.-3-27.1	Beech Hill Rd.	Fee	9.20	02/25/2011
7028	Delaware	Andes	381.-3-27.5	Beech Hill Rd.	Fee	5.80	02/25/2011
7028	Delaware	Andes	381.-3-27.6	Beech Hill Rd.	Fee	9.92	02/25/2011
7028	Delaware	Andes	381.-3-27.7	Beech Hill Rd.	Fee	1.74	02/25/2011
7028	Delaware	Andes	381.-3-27.9	Beech Hill Rd.	Fee	24.35	02/25/2011
7657	Delaware	Andes	381.-3-32	Beech Hill Rd.	Fee	7.35	02/25/2011
7657	Delaware	Andes	258.-1-9	State Rd	CE	14.16	05/18/2011
7657	Delaware	Andes	258.-1-10	State Rd	CE	16.21	05/18/2011
7657	Delaware	Andes	258.-1-16.112	State Rd	CE	42.35	05/18/2011
7657	Delaware	Andes	258.-1-16.113	State Rd	CE	28.34	05/18/2011
7657	Delaware	Andes	258.-1-16.2	State Rd	CE	16.24	05/18/2011
7999	Delaware	Bovina	151.-4-20	Martha Ln	Fee	8.34	02/25/2011
6151	Delaware	Delhi	148.-1-8.1	Franklin Rd	WAC CE	121.99	04/05/2011
6151	Delaware	Delhi	148.-1-9	Franklin Rd	WAC CE	0.00	04/05/2011
6156	Delaware	Delhi	169.-2-20.1	West Platner Brk Rd	WAC CE	96.50	02/24/2011
6156	Delaware	Delhi	169.-2-20.2	West Platner Brk Rd	WAC CE	142.44	02/24/2011
6156	Delaware	Delhi	191.-2-2	West Platner Brk Rd	WAC CE	58.28	02/24/2011
6160	Delaware	Delhi	127.-1-22.1	State Hwy 10	WAC CE	107.62	06/02/2011
7999	Delaware	Delhi	151.-8-13.3	Martha Ln	Fee	0.41	02/25/2011
7317	Delaware	Franklin	167.-3-10.12	Freer Hollow Rd	Fee	20.86	03/10/2011
6137	Delaware	Hamden	190.-1-24.131	East Brook Rd	WAC CE	55.25	03/30/2011

NYC DEP Land Acquisition Program  
**Parcels Eased or Acquired in Fee Simple: 01/01/2011 to 06/30/2011**

<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>
3596	Delaware	Kortright	86.-1-2	Shaw Rd.	Fee	198.52	06/08/2011
6139	Delaware	Kortright	52.-2-3.2	Hobart Hill Rd	WAC CE	48.66	02/24/2011
6139	Delaware	Kortright	52.-2-12	Hobart Hill Rd	WAC CE	119.87	02/24/2011
7101	Delaware	Kortright	84.-1-11	Route 33	Fee	97.81	05/18/2011
7146	Delaware	Kortright	68.-3-5.13	McMurdy Brook	CE	78.63	02/23/2011
6140	Delaware	Meredith	64.-1-18.4	Elk Creek Rd	WAC CE	10.34	03/24/2011
6140	Delaware	Meredith	64.-1-25.121	Elk Creek Rd	WAC CE	31.13	03/24/2011
6140	Delaware	Meredith	83.-1-6.1	Elk Creek Rd	WAC CE	127.23	03/24/2011
6151	Delaware	Meredith	125.-2-22	Franklin Rd	WAC CE	26.08	04/05/2011
3111	Delaware	Middletown	220.-1-11.2	Bragg Hollow Rd.	Fee	2.72	06/14/2011
3111	Delaware	Middletown	220.-1-11.6	Bragg Hollow Rd.	Fee	7.50	06/14/2011
5539	Delaware	Middletown	285.-2-38.1	279 Morse Hill Rd.	CE	117.11	04/28/2011
6134	Delaware	Middletown	283.-2-5	County Hwy 6	WAC CE	151.94	02/24/2011
7751	Delaware	Middletown	261.-3-9.22	County Hwy 6	Fee	10.14	02/04/2011
7751	Delaware	Middletown	261.-3-10.2	County Hwy 6	Fee	19.39	02/04/2011
2119	Delaware	Roxbury	133.-2-15	off Roses Brook Rd.	Fee	57.57	02/22/2011
4857	Delaware	Roxbury	222.-3-39.1	Denver Mt	CE	127.17	03/21/2011
4857	Delaware	Roxbury	222.-3-39.2	Denver Mt	CE	27.00	03/21/2011
4857	Delaware	Roxbury	243.-3-5	Denver Mt	CE	14.12	03/21/2011
4857	Delaware	Roxbury	243.-3-6	Denver Mt	CE	47.45	03/21/2011
6161	Delaware	Roxbury	221.-1-11	Scudder Hill Rd	WAC CE	104.08	06/30/2011
6161	Delaware	Roxbury	221.-1-27	Scudder Hill Rd	WAC CE	27.19	06/30/2011
7033	Delaware	Roxbury	92.-1-8.12	VanAken	Fee	71.12	06/09/2011
2119	Delaware	Stamford	132.-4-10	off Roses Brook Rd.	Fee	81.11	02/22/2011
7317	Delaware	Walton	167.-2-1.2	Freer Hollow Rd	Fee	59.99	03/10/2011
5214	Greene	Ashland	60.00-1-34.112	CASE ROAD	Fee	65.54	05/10/2011

NYC DEP Land Acquisition Program  
**Parcels Eased or Acquired in Fee Simple: 01/01/2011 to 06/30/2011**

<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>
7279	Greene	Ashland	60.00-1-43	Route 32C	Fee	7.69	02/17/2011
7279	Greene	Ashland	60.00-1-44	Route 32C	Fee	11.42	02/17/2011
7694	Greene	Ashland	93.00-2-4.12	Route 23	Fee	11.10	04/06/2011
7358	Greene	Halcott	125.00-1-9	128 Steinfeld	CE	139.80	02/01/2011
2749	Greene	Hunter	165.00-2-4.12	CR #23C, Maude Adams, Cranberry, Kip Rds	CE	21.55	04/28/2011
2749	Greene	Hunter	165.00-2-37	CR #23C, Maude Adams, Cranberry, Kip Rds	CE	721.60	04/28/2011
2749	Greene	Hunter	165.00-2-43	CR #23C, Maude Adams, Cranberry, Kip Rds	CE	9.23	04/28/2011
2749	Greene	Hunter	166.00-2-30	CR #23C, Maude Adams, Cranberry, Kip Rds	CE	123.72	04/28/2011
4125	Greene	Hunter	166.01-2-7		CE	156.69	04/28/2011
2749	Greene	Jewett	149.00-2-20	CR #23C, Maude Adams, Cranberry, Kip Rds	CE	99.20	04/28/2011
2749	Greene	Jewett	149.00-2-27	CR #23C, Maude Adams, Cranberry, Kip Rds	CE	148.03	04/28/2011
7273	Greene	Jewett	132.00-8-8	Route 23C	Fee	25.08	06/16/2011
603	Greene	Lexington	126.00-1-37	Beech Ridge Rd.	CE	168.60	05/13/2011
2077	Greene	Lexington	160.00-2-31.1	Sprucecon Rd.	Fee	37.59	05/17/2011
7679	Greene	Prattsville	90.00-1-4	Route 2 & Ski Run	Fee	45.78	02/17/2011
3977	Greene	Windham	97.00-4-8	Pinekill Meadows Rd.	Fee	36.04	05/04/2011
3977	Greene	Windham	114.00-1-17	Pinekill Meadows Rd.	Fee	53.74	05/04/2011
5085	Greene	Windham	61.00-7-8.2	SIAM RD	Fee	36.14	04/11/2011
6132	Greene	Windham	78.00-6-1	Hickory Hill	WAC CE	148.33	03/01/2011
6162	Greene	Windham	46.00-1-77	Cty Route 10	WAC CE	85.36	03/31/2011
6162	Greene	Windham	61.00-1-77	Cty Route 10	WAC CE	104.42	03/31/2011
80	Putnam	Carmel	53.-2-51		Fee	35.86	04/13/2011
7099	Putnam	Kent	43.-2-63	Gipsy Trail Rd	Fee	20.73	02/04/2011
1973	Sullivan	Neversink	30.-1-6.2	Seeman Rd.	Fee	15.70	06/27/2011
2910	Sullivan	Neversink	30.-1-4	Seeman Road	CE	75.83	06/27/2011
2910	Sullivan	Neversink	30.-1-39.1	Seeman Road	CE	67.21	06/27/2011



## NYC DEP Land Acquisition Program

**Parcels Eased or Acquired in Fee Simple: 01/01/2011 to 06/30/2011**

<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>
2910	Sullivan	Neversink	30.-1-60.1	Seeman Road	CE	47.07	06/27/2011
623	Ulster	Hardenburgh	11.3-1-1	off Millbrook Rd.	CE	74.45	06/20/2011
623	Ulster	Hardenburgh	11.3-1-3	off Millbrook Rd.	CE	1.14	06/20/2011
623	Ulster	Hardenburgh	11.3-1-4	off Millbrook Rd.	CE	34.46	06/20/2011
623	Ulster	Hardenburgh	11.3-1-5	off Millbrook Rd.	CE	36.93	06/20/2011
623	Ulster	Hardenburgh	11.3-1-6	off Millbrook Rd.	CE	20.84	06/20/2011
7084	Ulster	Olive	36.3-3-6.2	Rt 28A	Fee	8.19	05/17/2011
736	Ulster	Shandaken	5.14-1-7.120	Peck Hollow Road	Fee	24.68	02/23/2011
7609	Ulster	Woodstock	37.2-3-8	Montoma	Fee	5.93	06/21/2011

**Grand Totals:**Count: **85****5,201.61**