



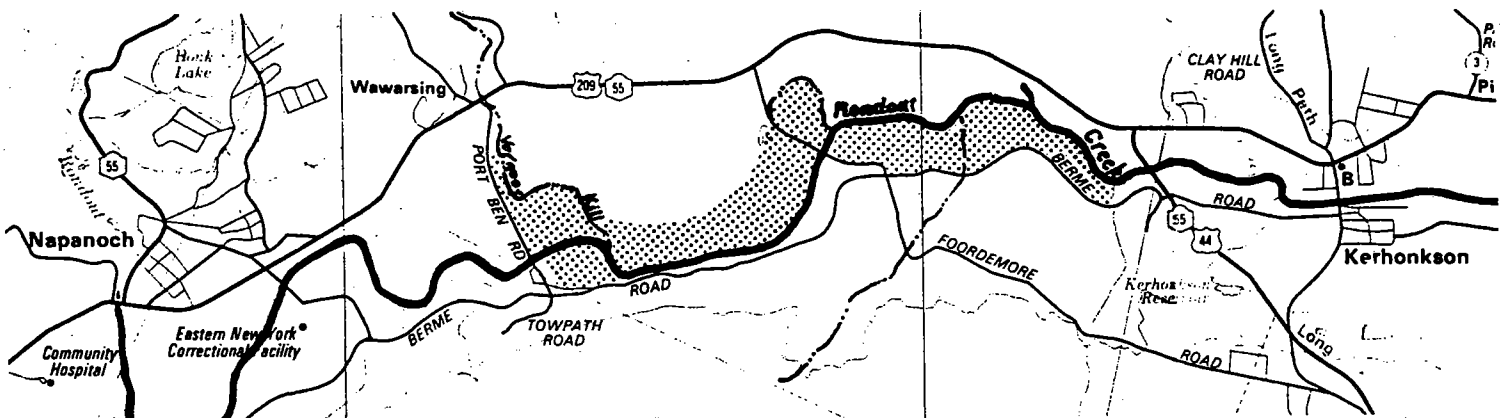
# RONDOUT-ESOPUS LAND CONSERVANCY NEWS

November 1990

## Conservancy Options A Davenport Farm

The Conservancy has entered into a two year option agreement with Gordon and Barth Davenport for their 300 acre vegetable farm in Kerhonkson. The property includes a farmhouse and large barn with two miles of frontage on the Rondout Creek and a mile and a half on the Vernoooy Kill, a pristine stream originating in the Catskill Park. RELC has designed an agricultural subdivision plan and is marketing the property for agricultural use and one residential property.

In order to secure the option agreement, RELC has obtained a loan from the American Farmland Trust, a national farmland preservation organization based in Washington, DC. The Trust makes its Revolving Loan Fund available to local land trusts across the country to assist groups with limited funds to act to protect the nation's finest farmland. The up-front costs of the transaction (legal, survey, subdivision) were paid by RELC's Land Acquisition Fund which was



The soils on this farm are classified by New York State as being the highest quality for agricultural use (mostly Unadilla and Tioga soils) and yield a tremendous amount of produce. This farm represents 6% of the total of the Unadilla and Tioga soil in the Rondout-Esopus Valley. The Valley has 72% of the Unadilla and Tioga soil in all of Ulster County. The bottomland, as it is called, along two miles of the Rondout Creek is a prime example of the silt loam soil that makes the Rondout-Esopus Valley an important agricultural area state-wide.

created last year by a grant from the J.M. Kaplan Fund. Unfortunately, since our Land Acquisition Fund is new and small, this project has the Fund committed until sales of the parcels materialize.

The plan for the property is for agricultural lots ranging in size from 20 acres to 175 acres. The farmhouse and barn is on a 14 acre parcel which includes a beautiful stretch of the Rondout Creek and a mountain stream surrounded by two of the agricultural lots. All the properties will be sold with conservation easements to protect

(DAVENPORT - continued)

the agricultural qualities of the land.

This transaction will enable the Davenports, who operate Davenport's Fruit and Vegetable Stand in Stone Ridge, to consolidate their operations. This is a tremendous opportunity for RELC and the community as a whole. In this age of disappearing farmland and population increase worldwide, the retention and permanent preservation of 300 acres of top quality farmland is a start towards keeping our agricultural heritage and food source right here at home.

Please feel free to contact the office if you have any questions about the project or know of anyone interested in purchasing one of the properties.

## We Have A New Name

At the May Board of Directors meeting, it was decided that the Rondout Valley Land Conservancy will become the Rondout-Esopus Land Conservancy (RELC). Why Esopus? Because it was the feeling of the Board that we should reflect accurately the geography of the region. RELC is active in the Town of Olive and has accepted a conservation easement along the Esopus in Lomontville. These areas are not geographically in the Rondout Valley and we would like to be of the places that are to be protected.

We have applied to the New York State Secretary of State to officially change the name.

## Speaking Of Esopus

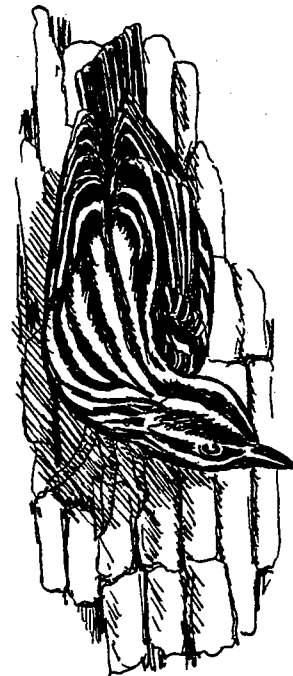
The Esopus Creek, after descending from the Ashokan Reservoir and creating rich farmland in Marbletown and Hurley, turns north through more prime farmland in Kingston and the Town of Ulster to Saugerties where it flows into the Hudson River. In May, Ira Stern, RELC's Executive Director, met with representatives of Saugerties Concerned Citizens (SCC), a non-profit organization. SCC formed a committee to investigate private land preservation and how it could work in their town. After hearing of some of the

accomplishments of the RELC to date, the group felt that this approach would be welcome by many landowners in the town. We look forward to helping landowners in Saugerties protect their special lands.

In the Town of Olive, the heart of the Esopus Valley, RELC has produced a brochure outlining the goals of the organization and tools employed in private land preservation. The brochure was funded by the New York State Council on the Arts. It was mailed by Grassroots, an organization seeking responsive government and balanced land growth in the Town of Olive.

## Program Coordinator Hired

The Conservancy has hired Elaine Hayes to fill the newly created position of Program Coordinator. Elaine will be working on coordinating public events, fundraising, publicity and membership development. Before coming to RELC, Elaine was Director of Education for the New York City Partnership, and has her MBA in Marketing from Pace University. Elaine lives in Accord with her husband and two children.



## **“Think Globally, Act Locally”**

by Bowen Northrup,  
RELC Board Member



Where Have All the Birds Gone? is the title of a new book by Duke University biologist John W. Terborgh. And, indeed, ornithologists, biologists and birders around North America have noticed some alarming changes among the five billion or so birds that travel each year between North and South or Central America.

Something like 250 species of birds that nest in the eastern United States make the mighty pilgrimage. And many scientists, Professor Terborgh prominent among them, believe that many of the migrant species – including some of the most beloved songbirds – are declining drastically in numbers.

Nature Conservancy scientists in Arlington, Va. say breeding populations of “neotropical migrants” like the Wood Thrush and Northern Oriole have dropped by 70% in Washington D.C.’s Rock Creek Park. Black and White Warblers, Hooded Warblers and Kentucky Warblers are gone, they say. Red-eyed Vireos are down by 84% and Ovenbirds down by 90%. In Ulster County, Mohonk Preserve ranger/naturalist Bob Larsen says he is seeing much less of many species, particularly warblers, this year.

Why the decline? The scientists disagree. Some of them question if there even is a problem. One major culprit is deforestation in the tropical forests of Central and South America where the birds winter. Another suspect, however, is fragmentation of the forest at this end of the migratory odyssey.

It seems clear that the way Ulster County landowners manage their holdings – even tiny plots – can have a powerful effect on which birds come to settle, build nests and breed.

“Fragmentation of the land” is the major hazard to many species, says Bob Larsen. “Little spots of trees here and there just don’t do the trick for many species. They need larger stands.”

Bob notes studies in Ohio showing that Pileated Woodpeckers need unbroken woodlots of well over 100 acres. Mohonk, with more than 5,000 acres, is just now seeing a resurgence of those big birds. A Connecticut land trust noted that the Hermit Thrush, Yellow-Throated Vireo and Black-Throated Green Warbler seem to require unbroken stands of 100 acres or more.

Clearcutting, or anything approaching it, naturally is a disaster for nesting birds. But even a wide corridor such as the entrance to a housing development – “a barrier that breaks up a green space,” says Bob Larsen, can cause many birds to seek a haven elsewhere.

Fragmentation naturally occurs when an area is developing. Large tracts are broken into smaller ones. And that creates inviting opportunities for songbird predators that live “on the edge,” such as raccoons, crows and Blue Jays.

Fragmentation also favors a predator of another kind: the Brown-Headed Cowbird, which deposits its eggs in the nests of other birds and lets them do the child-rearing, to the detriment of their own offspring. Scientists say the cowbirds have become a virtual plague among eastern songbirds.

But – there are things that landowners can do to encourage habitat for their

## **"Think Globally, Act Locally" - continued**

favorite songbird species and discourage predators. Harrowsmith Magazine, in a recent article, mentioned some of them. One, obviously, is discouraging fragmentation – not building that new road through the forest or trying to locate it on an existing edge like along a field or an existing road – or not clearing an area that could just as well remain wild.

Another tactic is promoting undergrowth. Those stands of brambles and heavy undergrowth are just what many songbird species want for nesting and raising their young. Many birds nest on or near the ground.

The magazine noted also that planting native trees and bushes on one's property is a boon for the birds. This attracts them, gives them shelter and habitat, and brings the insects upon which they feed. It naturally helps to resist the use of pesticides and herbicides on or around one's property.

Diversity is the secret, says Paul Huth, Director of Research at Mohonk. "The more diversity (of habitat), the more benefit, the greater diversity of species," he says. Some people, for that matter, may like cowbirds.

Habitat enhancement and preservation in this developed and developing age are all these songbirds can rely upon. Our actions and our property management affect that lovely singer outside.

## **RELC Begins Children's Education Effort**

Two volunteers, Hilton Purvis (graphic designer) and Franny Hertz (educator), have created a presentation model of a farm property facing the prospects of a land use change. The three dimensional model shows the property in three phases: the original farm, a major subdivision of the farm following current zoning, and a limited development plan for the property.

The model, entitled "Choices", was presented to students at the Saugerties High School Earth Day Fair. Through the presentation, students become familiar with the concept of zoning and the possibilities that may await their favorite places. The message of the model is that private landowners have the right to decide what should happen to their land and

that there are ways to accommodate growth, the cash needs of landowners, and the protection of important land.

On May 22, RELC Executive Director Ira Stern participated in Cornell Cooperative Extension's 4-H Conservation Field Day at Shellbark Farm in Accord. Ira used the model with 12 classes from Rondout Valley, Ellenville, and the West Hurley School Districts.

The classes had the opportunity to develop their own plans for the farm by siting movable houses on the land. The comments and ideas of the students were fascinating and the model proved to be an intriguing educational tool.

Anyone interested in having the model presented should contact RELC at (914) 626-4849.

## Farmland Preservation Efforts Outlined

This past spring RELC had a seminar on farmland preservation issues and efforts attended by about forty people involved or interested in agriculture in our area.

The main speaker was Bob Wagner, Director of the Northeastern office of the American Farmland Trust. Bob gave a presentation which covered the public and private tools available to farmers and government to protect valuable farmland. On the public side, much of the discussion centered around the idea of the Purchase of Development Rights (PDR), a much used tool among all the Northeastern states except New York. PDR is when the State will purchase the development rights of a farm for the appraised value of those rights. It is a way for the farmer to extract equity from the land while retaining ownership of it. Bob reported on legislation introduced by Senator Kuhl which would create a state-wide PDR program in New York State.

We would like to thank Ulster County Community College for the use of their fine facility for the meeting.

## Another Conference, Another Issue

The Dutchess Land Conservancy and the Columbia Land Conservancy recently sponsored a conference in Millerton, NY on "Tax Planning for Family Lands" featuring the author of the book Preserving Family Lands, Steven Small. Mr. Small is a tax attorney from Boston who wrote the IRS regulations on conservation easements. Since that time, he has been advising private landowners on estate planning and has brought creative conservation tax planning to all parts of the country. His message is clear - if you now own the family property and it has become valuable real estate, without estate tax planning your heirs may not be able to pay the estate tax due on the property and it will be lost.

Mr. Small described this as a relatively new problem for land owners due to the dramatic increase in land values over the last decade. Also, estate tax rates are exceptionally high (for estates valued over the exemption amount of \$600,000 the Federal rate could be as high as 55%. There is also a State tax.) Methods described for protecting the family land from a crippling estate tax included conservation easements, bargain sales, limited development, remainder interests and testamentary gifts by will. The donation of a conservation easement is basic to all of these above mentioned tools since the donation of all or part of the development rights to a property will decrease its appraised value. It is a proven way of reducing the value of what is usually the most valuable part of one's estate.

Mr. Small's talk was taped by Board member Sue Merrihew and is available through the office for borrow. Thank you Sue!

We also have copies of Preserving Family Lands available.

## RELC Joins in NY Land Trust Network

An informal network of land trusts active in New York State has begun to meet regularly to share experiences, projects, and new ideas. Besides RELC, land trusts involved include the various chapters of the Nature Conservancy, the Trust for Public Land, Adirondack Land Trust, Dutchess Land Conservancy, Scenic Hudson, Columbia Land Conservancy, Rensselaer-Taconic Land Trust, Open Space Institute, American Farmland Trust and the Finger Lakes Land Trust.

New York land trusts have now become one of many such state networks across the country including the states of California, Wisconsin, Connecticut, and Rhode Island. By being a part of a state network, members feel that they expand their ability to find out about how others do what we all do.

## Grants Received

Two long-time supporters have again given generously to the Conservancy. The New York State Council on the Arts has given RELC a total of \$3,700 to be used towards the creation of a conservation easement monitoring procedure manual, a public information series about the organization and the preservation tools it uses, and an annual marketing plan. The monitoring procedure manual will assist our land monitors to easily and properly inspect properties to ensure that conservation easements are being followed.

A \$15,000 grant from the J.M. Kaplan Fund will be used for general operating support. Joan K. Davidson, President of the Fund, says "We are glad to see that the Conservancy is growing to meet the community's needs, and that it has been transformed from an all-volunteer organization to a more professional one."

## National Rally '90 by Norman Kellar

About 700 people from land trusts all over the United States attended "National Rally '90", a three-day conference sponsored by the Land Trust Alliance (June 16-19, 1990) at Villanova College on the outskirts of Philadelphia. Among the 700 people, it was reassuring to find about 15-20 people from Mid-Hudson area land trusts. Ulster County was represented by RELC Executive Director, Ira Stern and Kingston attorney, Norman Kellar.

The seminar covered a very wide range of interests, and discussion sessions gave participants the opportunity to compare notes. Field trips to land protection projects of hosting organizations in the Pennsylvania, Delaware and New Jersey area were enlightening, not only for persons working within the Land Conservation Movement, but also for laypersons with an interest in land conservation.

The flavor of the conference can probably best be savored by a partial listing of the lectures: Preserving Family Lands; Introduction to Appraising Easements; Public Relations for Land Trusts; Current Tax Issues; Conservation by Design; Current Issues in Farmland Protection, etc.

The conferees were an enthusiastic bunch - local and regional trusts from all parts of the country coming together in force. The wife of one of the attendees remarked that "it was pleasant to be among so many nice people. There seems not to be a disagreeable person on the campus."

The Villanova campus, it should be noted, is itself a noteworthy example of land preservation. Some one or more people had the foresight about a hundred years ago to buy up enough land on the outskirts of Philadelphia to site a large campus with fine stone buildings and decorate the surrounding grounds with copper beeches, oaks, gingkos, lindens, etc. These trees are now in their prime and give the campus an aura of grace and beauty.

The "National Rally '91" will be held next year in September in Waterville Valley, New Hampshire. Anyone interested in the Land Conservation Movement will profit from the lectures, enjoy meeting the friendly people who are the sparkplugs of the Land Conservation Movement; and forget not mid-September is a good time to enjoy the fall foliage in New Hampshire.

*Norman Kellar is with the law firm of Kellar and Kellar in Kingston.*



## Volunteers Boost Our Efforts

We would like to thank volunteers Virginia Schoonmaker, Franny Hertz, Hilton Purvis, and Sydney Blum for their help in a variety of RELC activities. We welcome volunteer support in our efforts.

### Letter

To The Original Board of Directors;

As the Town of Olive joins the geographic area of the Rondout Valley Land Conservancy, which has graciously changed the name to include "Esopus", I would like to express my appreciation for all the founding work that went into establishing the organization.

I find it interesting to know that the RELC had its beginnings in response to a few local situations in the Town of Rochester and that the founding Directors were drawn together by a common concern - that as the area began to develop, there were some places that were so special that they should be protected somehow.

After the completion of a Master's thesis on private land preservation in the Catskills and Shawangunks by our now Executive Director, this founding group had a get-together that was addressed by two representatives of the Trust for Public Land, a national organization which helps organize local land trusts. Well, needless to say, the group was enthusiastic and never dreamed that they would get beyond Rochester and maybe Marbletown.

To these individuals whose interest in protecting our land for agriculture and from overdevelopment, I give my sincere thank you.

I realize, as we expand, so should the Conservancy change in activities and structure to accommodate progress, to insure the best for the Town of Olive and our neighbors.

Very truly,  
Olive Merrihew

## Thank You!

We would like to thank the following people for their financial contributions since the last newsletter. We rely on community support to fund our activities and greatly appreciate the assistance.

S. Allen, L. Alpert, J. Bierhorst, P.E. Biscayne, E. Boice, L.N. Bowker, S. Brett, K.L. Carlson, M.P. Caulfield, J.L. Confino, P. Davis, M. Dickas, J. Duffy, A. & M. Embree, G. Finger, A. Fitzgerald, W.T. Golden, J.P. Green, H. Hansen, J.C. Hawley, Jr., R. Herbert, R.P. Hubbell, Jr., M. & B. Johnson, J. Kander, J. Kellar, J.L. Klaiss, T. Klein, A. Klotz, M. Kolb, R. Larsen, B. Lawrence, F. & R. Leon, M. & D. Markle, O. Merrihew, S. Newton, B. Northrup, W. & J. O'Connell, E. Parsons, S. & C. Perfit, H. & M. Phillips, R. & H. Romano, E. Rosenberg, B. Rubin, M. Sadowy, M. Sage, A. Saks, D.S. Sampson, D. & A. Schlegel, C. & D. Scofield, K. SeeKamp, W. & H. Seidler, N. & M. Shedrofsky, R. Silverman, R. Smith, S. & A. Sperber, P.J. Vidich, G. & B. Vogel, J. & A. Weil, M/M P. Weinberg, S. Zielin, P. Zimroth

### Special Gifts In Memory of Howard Sykes

These gifts will be used to further our land protection efforts in an area that Mr. Sykes cared for so much. We are grateful to the Sykes family for remembering RELC during this difficult time by directing memorial contributions to us. Our thanks to all those who sent donations.

### IBM Donates Furniture

We would like to thank the IBM Corporation for the donation of a much needed drafting table.

Thanks to Nancy Copley for donating a legal size file cabinet.

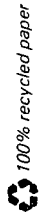
We also need office equipment (i.e. self-correcting typewriter, computer table, map case, and slide projector). Perhaps your company has a laser printer that is no longer needed. Gifts of equipment are tax deductible and much appreciated.

**Rondout-Esopus Land Conservancy**  
P.O. Box 307  
Main Street  
Accord, NY 12404  
(914) 626-4849

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The Rondout-Esopus Land Conservancy depends upon your support to keep our open country land productive and beautiful. Please help out by sending your contribution today!

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Checks should be made payable to "Rondout-Esopus Land Conservancy." Please mail your tax-deductible contribution to:  
Rondout-Esopus Land Conservancy  
P.O. Box 307  
Accord, NY 12404

Please contact me regarding preservation of land in my area. \_\_\_\_\_

Name \_\_\_\_\_ Date \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_

THANK YOU VERY MUCH!