



A FOOT IN THE FIELD

A Resource for Conservation Landowners
in the Finger Lakes Region

Winter 2020

Vol. 11 Issue 1

“Call Before You Dig!” is good advice most people have seen in public service messages, intended to prevent accidental damage to underground utilities. This same phrase is also applicable to conservation easement properties – it’s always a good idea to call the Land Trust to check on limitations or requirements before breaking ground on a new building or other improvement.

A similar catch-phrase that is also apropos to conservation easements would be: Call Before You Cut! The cutting of trees, whether for a commercial timber harvest or other forest management objective, is regulated on all conservation easement properties. However, tree cutting is not treated the same in every conservation easement. Always check your easement, or call the Land Trust, to verify what is permitted and what requirements there are before cutting trees!

For properties on which forest management, including commercial timber harvesting, is permitted, the easement requires involving a professional forester and preparing a management plan that is reviewed and approved by FLLT prior to conducting any forest management activity. In this issue, we try to explain why that is so important. The Finger Lakes Land Trust aims to not only be a partner in protecting land from development, but also in the sustainable management of natural resources for the benefit of future generations.

Chris Olney
Director of Stewardship



Types of Forest Management Allowed on Lands Subject to Conservation Easements Granted to FLLT

Each conservation easement agreement is unique, based on the property's features, landscape context, and the vision for the future agreed to by the landowner and FLLT at the time the easement was granted. As a result, the extent to which forest management is allowed varies across easements.

In all easements, hazard trees may be cut and removed for safety and to protect personal property. For a few easements with the most preservation-minded goals, no other cutting may be allowed.

Some easements allow limited cutting to improve wildlife habitat, provide firewood for personal use, or promote the development of old-growth forest characteristics, except in certain zones designated for maximum environmental protection. Often, the sale of timber is prohibited in this group of easements.

Other easements allow sustainable commercial timber harvesting that follows an approved forest management plan. This allows landowners to gain income from their forest lands while ensuring the woodlands will stay healthy in the long-term.

If, over time, a forest grows in agricultural areas, most conservation easements will allow for the subsequent clearing of those trees and brush to restore fields, so long as measures are taken to prevent erosion and other negative impacts to conservation values.

The diversity of forest management actions and preservation philosophies across conservation easements ensures that in the future, our region will have a diversity of forest and habitat types.

Photo: Bill Hecht

Get (Re-)Acquainted With Your Easement

Do you need a copy of your conservation easement? Contact Hannah for a print and/or digital copy at hannahgeorge@fltt.org or (607) 275-9487.

Not sure what your conservation easement allows, or don't have time to read 9+ pages of fine print? Schedule a "talk-through" with Hannah or Chris to be guided through the document.

The Importance of Forests

With the mighty white pine as our logo, FLLT demonstrates its ongoing commitment to forests. Approximately 60% of the 14,200 acres protected with conservation agreements are currently forested. Although some of the lands subject to conservation easements granted to FLLT exclusively feature meadows or agricultural landscapes, we live in a region where land untouched naturally returns to forest – and forested lands are never far.

Besides the loss of open space to development, climate change is introducing new threats to the Finger Lakes region such as harmful algal blooms in our lakes, non-native pests and diseases in our forests and farms, and increasing erosion along streams and ditches after major storm events. As new problems appear in our region, the importance of forests in reducing and mitigating these impacts is only growing.

Protecting forests is one of the simplest ways to address climate change. Recent research shows that the older a forest is, the more carbon it is able to sequester in both the wood of the trees and the soil. It is estimated that natural climate solutions such as reforestation, avoiding forest conversion, and sustainable forest management have the potential to provide 37% of the climate change mitigation needed between now and 2030 to stabilize warming to below 2°C*.

Some of the impacts of introduced pests can be mitigated by forward-thinking forestry practices that promote a diversity of species and age classes. An even-aged stand of one tree species will suffer more loss and recover more slowly from a serious disease or pest outbreak than a forest with different types and ages of trees.

Nutrient runoff to the Finger Lakes and Chesapeake Bay contributes to the development of harmful algal blooms, but forested buffers along streams and ditches can absorb nutrients and sediment passing through. These buffers can continue to remove nitrates from the water even when trees have gone dormant, through soil bacteria.

Additionally, forests provide important habitat for thousands of species small and large. Many species, such as fishers and hermit thrushes, need large, unbroken tracts of forest in order to thrive.

*Griscom, Bronson W., et al. "Natural climate solutions." Proceedings of the National Academy of Sciences 114.44 (2017): 11645-11650

LANDOWNER PROFILE: Joe and Tammy Gigler

Joe and Tammy own 200 acres in the town of Prattsburg, Steuben County. The property was originally donated to the Finger Lakes Land Trust and then, with the prior agreement of the donor, was sold to the Giglers subject to a conservation easement.



Photo: Provided

FLLT: What are your long-term goals for the property?

J&T: To manage the property for wildlife and outdoor recreation.

FLLT: What was the process of hiring a forester and working with the FLLT like?

J&T: We were lucky in that our realtor who we purchased the land through was also a professional forester. We were able to do a maintenance harvest (not a clearcut, just a thinning) on the mature timber and at the same time harvest the ash trees that were in the early stages of infestation by the emerald ash borer before they were dead. We were able to recoup 25% of the purchase price of the property through the timber sale.

Our forester also enrolled us in the New York State 480a Forest Tax Law Program which is a ten-year agreement which gives us a substantial tax break for maintaining the forest. Our forester created a custom ten-year 480a plan for our property that was then reviewed and approved by the DEC and the FLLT. For example, per the plan this spring we planted 200 walnut trees and 100 red oaks where the ash trees were harvested. The trees were bare root seedlings we purchased from the DEC during their annual spring seedling sale. We planted all of the seedlings ourselves on a three-day weekend using a dibble (a special digging bar for planting trees).



Photo: Provided

This and opposite page: Views of the property throughout the seasons.

FLLT: Were there any secondary benefits (such as trails for recreation or wildlife habitat work) of conducting a timber harvest, besides income?

J&T: The timber harvest has stimulated new growth now that the canopy is open and improved the habitat for wildlife. We now have a road network throughout the property for access and hiking. By maintaining the forest, we should be able to do another timber harvest in about 15 years.



Photo: Provided

FLLT: Do you have any advice for other conservation easement landowners who may be considering a timber harvest?

J&T: The key to having a successful timber harvest is having a qualified forester. Our forester submitted bids to a number of logging companies so that we got top dollar for our harvest. The work involved in creating a management plan is extensive. Every acre of the property is categorized by tree type and each stand is managed differently. Also, our forester was intimately familiar with the 480a Program and how to comply with the regulations.



Photo: Provided

Steps To Sustainable Forestry

Photo: Trish Steel / CC BY-SA 2.0

Below is the typical process for a sustainable timber harvest on conservation easement land.

1. **CHECK YOUR EASEMENT** to see if a commercial timber harvest is permitted!
2. Call Chris Olney, Director of Stewardship, to talk about your forest management goals and timeline.
3. Hire a professional forester to develop a forest management plan that incorporates your goals and objectives while adhering to the requirements of the conservation easement. A copy of the conservation easement should be shared with the forester for this purpose. The finished plan should be provided to both you and FLLT for review.
4. A representative of FLLT reviews the plan and does a site visit to see if the trees marked for harvest reflect the forest management plan and the conservation easement, discusses best management practices, etc.
5. FLLT either issues approval to move forward with the harvest, or asks for revisions to the forest management plan.
6. The forester puts the job out to bid, awards the job to a logger if the landowner approves, and then coordinates and supervises the logging work. The forester must ensure that best practices to minimize soil and stream disturbances (outlined in the forest management plan) are used, and only the marked trees are harvested.
7. FLLT stewardship staff visit the property after the logging is complete to ensure that the job was conducted according to the approved plan, and determine if any follow-up work is needed.
8. For plans covering separate harvests over several years, continue to notify FLLT as trees are marked for harvest, for review prior to cutting.
9. After the forest management plan expires, typically after a period of 10-20 years, determine whether a new plan should be created depending on your forest management and habitat goals.
10. Be prepared to address the establishment of non-native, invasive trees and shrubs that take advantage of increased sunlight and disturbance associated with logging and the creation of woods roads or skidder trails.

The Forest Management Plan

Too often, timber harvests are conducted without the landowner knowing the full value of their trees. In these situations the logger usually comes out as the winner, while the landowner and the land lose. Your conservation easement protects you and your land from poor forestry practices and possible loss of revenue by requiring the involvement of a professional forester.

A consulting forester works for the landowner and looks out for the best interest of the owner's investment and the health of the forest. Preparation of a forest management plan (hereafter 'plan') is a critical requirement prior to any timber harvest taking place.

A consulting forester may be paid by a percentage of the total harvest, by the hour, or a flat fee. A professional forester must meet certain educational qualifications.

The plan typically covers at least 10 years, and details the landowner's objectives, a forest stand analysis/inventory, what forestry or habitat management activities will be conducted (including creating access lanes, stream crossings, and log landings), when and where the activities will be conducted, and which best management practices for preventing erosion and damage to resources will be employed.

In addition to describing sustainable forestry practices that will maintain a quality forest, the plan is often also required to address regeneration of desirable, native species, promotion of multiple age classes, retention of trees and features that provide excellent wildlife habitat, the impact on soil, water quality, and sensitive natural areas, and more.

A good management plan provides a comprehensive view of the goals and proposed activities, and ensures that the landowner is in the know about the condition and potential of their land.

◆◆◆◆◆◆◆◆◆◆ Plant the Forests of Tomorrow ◆◆◆◆◆◆◆◆◆◆

The NYS Department of Environmental Conservation's spring seedling sale is happening now through May 15, 2020! To order low-cost seedlings, visit: <https://www.dec.ny.gov/animals/9395.html>



Photo: FLIT

Former logging roads can be maintained as excellent recreation trails, such as on this conserved property in the town of Dryden, Tompkins County.

The Finger Lakes Land Trust is a member supported non-profit conservation organization that works cooperatively with landowners and local communities to conserve forever the lands and waters of the Finger Lakes region, ensuring scenic vistas, local foods, clean water, and wild places for everyone.

Afoot in the Field is provided for landowners in the Finger Lakes who own conservation easement properties, or who are otherwise committed to land conservation and wildlife habitat protection. For questions or concerns regarding your conservation easement, please contact Chris Olney by calling the Land Trust at (607) 275-9487 or email chrisolney@flt.org



Finger Lakes Land Trust
202 East Court Street, Ithaca, NY 14850
(607) 275-9487
www.flt.org

Cover photo by Nigel Kent