

# Massawepie Scout Reservation Conservation History

By Tom Duffus<sup>1</sup>

Interest in conserving these amazing 3,668 acres goes way back in time, but for many, like me, it was an introduction as a Scout to the lakes, the trails, the esker on which the road runs, and that first time venturing out to the other-worldly Massawepie Mire. I attended Camp Massawepie in the early-mid 1970's and fell in love with the place and the Adirondacks. This experience as a kid helped inspire my now 36-year career in land conservation.

Fast-forward from those Scout days to 1986. After finishing a Master's degree in Forest Science at Yale, I landed a job with the Adirondack Land Trust/Adirondack Nature Conservancy (ALT/ANC) in charge of conserving special places in and around the six-million acre Adirondack Park – two-thirds of which is private land. Here, I learned that the Massawepie property, and in particular, the Massawepie Mire and the camp's glacial landscape habitats, was an exceptional ecological gem in New York State. It is the largest peatland complex in the state, over a third of which is owned by the Scouts. And my job was now to get it protected for future generations and for biological diversity. This journey also protected it for future generations of Scouts.

Since 1969, the Otetiana Council had a Fish and Wildlife Cooperative Agreement with the New York State Department of Environmental Conservation (DEC). This afforded the Scouts access to state foresters, fisheries and wildlife experts, and others. The Council had a committee to review the land management happenings on the property each year and get updates on natural resource issues from the DEC and others. It was ably chaired by volunteer Bob Hellman. I began participating in these meetings around 1990, but this did not get the land protected, nor was that the purpose of the Agreement.

The Massawepie property was ripe, in my opinion, for one of two things to happen: succumbing to temptation on the part of a well-meaning Board of volunteers seeing they could generate money from selling valuable portions of the property (such as lakeshores) if they ever were in a financial pinch. Or, it was ripe for permanent conservation using a conservation easement.

A conservation easement is a permanent restriction on private land intended to eliminate subdivision and development potential, guide growth for resource-friendly and mission-necessary structures, guide forestry and other land uses, and provide public access appropriate to the land and the owner. New York State's 1990 Bond Act provided funding for the DEC through its Environmental Protection Fund to purchase such conservation easements, and I and my colleagues at ALT/ANC had a lot of experience helping the DEC conserve private land this way.

Having grown up in Rochester, earning my Eagle Scout with Troop 77 in Brighton in 1976, I knew I had a lot of contacts at the Board level of the Council. With help from my father Jim Duffus and Bill Hale (who was chair of my Eagle Board of Review), I arranged a presentation for the Executive Board at the East Avenue office in the spring of 1995. The benefit of a conservation easement, I told the Board, was three-fold: The Council could receive a significant payment for the value of the development potential on land that many generations thought would always be the way it is but for which there were no guarantees. Second, a significant natural resource would be permanently conserved, and nature-based land management would be ensured consistent with Scouting needs; and third, the Town of Piercefield would receive a significant property tax payment from the state for the easement interest on a property that has been exempt from

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taxation for generations (thus alleviating a long-held local complaint about the Camp and helping a poor, rural community).

The Board gave the go-ahead to pursue a conservation easement and assigned some wonderful volunteers to provide leadership – Ed Ince, Frank Crego, Bob Hart – and Deputy Scout Executive Doug Dillow. This proved a remarkable team.

The state's lead was Doug Wilson – a fine man and mentor to me over many years and head of real property in the western Adirondacks for the DEC. Discussions began in earnest in the summer of 1995 and occupied a great deal of everyone's time through the spring of 1998 when it closed. My role was to guide both parties through the process of developing a conservation easement project. This entailed understanding the land and its resources and infrastructure, identifying the Scouts' use and needs, deciphering the potential for compatible public use, and understanding and working through the appraisal/valuation process, local politics and state funding and easement requirements. Ecologist Jerry Jenkins was hired to inventory and make recommendations regarding ecological features and species as well as the overall condition of the forest habitats on the property (protection of these features was a primary interest of ALT/ANC, which lent me to the project).

Camp Massawepie is a complicated property. It had at the time over 84 buildings in Outposts and other base camp areas (like my favorite, Forester, now closed), docks, trails, rifle ranges, gravel pits, miles of roads, and related infrastructure. The infrastructure is juxtaposed around the property's nine lakes, one of the longest eskers in New York, wetlands and forests and of course, the Mire. The process of learning about these issues helped the Scouts envision the future – what elbow room would they need for growth of their facilities? How may this be done in a way compatible with what we were learning about the sensitive natural resources here? What camp structures are not needed? If too little was "given up" in terms of development potential, then the easement would have little financial value. We had to develop a public use plan – what, when and where would public access be appropriate? How would the DEC manage public use? What about public hunting and fishing and camping? Who would build new trails and maintain trails? What to do about the neighbor who would sunbathe in the nude on Massawepie Lake each summer just off Route 3? (This was true!)

Every detail was discussed, analyzed, and agreed upon over three years, resulting in the language that you see in the conservation easement and related Baseline Documentation Report, and in the excellent signage the DEC has put up on site and the information provided on their website.

Valuation of a conservation easement is a tricky, highly specialized endeavor. It requires an experienced real estate appraiser who values the land "before" the easement in an as-is condition of what the current market would pay for the land, and in an "after" condition that incorporates the restrictions placed on the property by the proposed conservation easement. In both situations, the development potential must be determined and for that, a thorough analysis was done of the Adirondack Park Agency Private Land Use and Development rules. How much, where, and what type of development would be allowed under current rules? Quite a bit, as it turns out. CNY Pomeroy Appraisers and KLV Appraisal Group were hired to each appraise the conservation easement, which appraisals the DEC would review to determine the value. Most of the 59 potential "building rights" – those not grandfathered prior to APA - would be given up in the easement, with some of these building rights being constrained within defined compounds. What impact to value would public use have? What value is there to limiting the extent of and commercial use of gravel pits? What properties have sold recently from which comparisons could be made? What is the value of the timber? The appraisers would have to tackle this.

By this time - August of 1996, enough was known of what the conservation easement would look like for the appraisers to start their work (which would take them through late winter 1997). And, enough was known for the Committee to make a report to the Otetiana Council Board in June of 1996 – which did not

go well. We had more work to do to ensure adequate Scout use and growth, compatible public use, and that full and maximum value was achieved for the easement – often conflicting mandates.

Over the ensuing time, the Scout Easement Committee, Doug from the DEC and I made refinements to the conservation easement acceptable to all parties. In the end, the “before” value was determined, in 1997 dollars and market conditions, to be \$3.33 million and the “after” value to be \$1.57 million, yielding a conservation easement value (the difference) of \$1.76 million. The 28 acres owned by the Scouts north of Route 3 were in the end left out of the easement and eventually sold as extraneous.

When the value was determined, the state made its offer and then needed some time to go through the usual real estate transaction due diligence such as title work and surveying. The conservation easement was signed by the Scouts on April 7, 1998, accepted by the state on April 30 and recorded in the St. Lawrence County Clerk’s Office on May 6, 1998. A celebration was held that May, presided over by Governor Pataki who was joined by Town of Piercefield dignitaries, Otetiana Scout Council Board and staff and community members. It was one of the proudest moments of my career to that point and remains as such to this day. Later that summer, just prior to my departure for my next opportunity with The Nature Conservancy in Minnesota, I was able to celebrate with the Scout Easement Committee – Ince, Crego, Hart and Dillow in Rochester. A job well done by all.

The conservation easement did more than generate an endowment and help take care of significant deferred maintenance at the Camp. It created a land use and management template for the Scouts – where to grow, where not to grow, how to manage the lands best, how to work with the state on resource and recreation use issues.

I am told that to this day, the conservation easement is doing just what it was intended to do – save the land, allow reasonable and responsible land use for Scouting and other educational programs, and provide manageable public recreation in an outstanding, beautiful place.

But there is more. The Massawepie Conservation Easement project sparked conservation of other lands in the northwest Adirondack landscape – the South Branch of the Grasse River and Grasse River Railroad north of Massawepie Mire (now a recreational trail) was purchased from the Sykes Family (the prior owners of Camp Massawepie) through ALT/ANC by the DEC, 5,000 acres of Niagara Mohawk lands abutting the Camp to the east were conserved, and more. Just to the north, the Champion Paper Company lands were put up for sale and rescued by The Conservation Fund (TCF) and conserved with the state in 1999 including over 20 miles of the South Branch of the Grasse River and 139,000 acres. And in 2005 additional lands nearby owned by International Paper Company were likewise conserved by TCF and DEC with conservation easements over 255,000 acres. That has led to 8,000 acres near Cranberry Lake being conserved by this same duo in 2021 including over 4 miles of the South Branch of the Grasse River linking the Sykes purchase to the Champion purchase.

The Massawepie Conservation Easement project lit a fire of conservation in this predominantly privately-owned corner of the Adirondack Park, helping to ensure the stability of a unique landscape for wildlife, recreation, working forests, and, well, for nature and Scouts to do their things. The conservation easement also proved invaluable recently as Scout properties across the country became vulnerable to sale and conversion to generate funds for the victims of past sexual abuse – Massawepie was off the list largely due to the conservation easement. The story presented here also led directly to the conservation of the NYC Council’s [Ten Mile River Reservation](#) in the southern Catskills (some 10,000 acres).