§ 45-0105. Definitions.

As used or referred to in this article unless a different meaning clearly appears from the context:

1. The term "trust" shall mean the state nature and historical preserve trust continued by section 45-0107 of this article.

2. The term "trustee" shall mean the commissioner of environmental conservation.

3. The term "real property" shall mean lands and waters, including improvements thereon, structures, and hereditaments, title to which may be in fee simple absolute or any lesser interest, including but not limited to, easements, rights of way, uses, leases, licenses and every estate, interest or right, legal or equitable.

4. The term "preserve" shall mean the state nature and historical preserve, as referred to in section 4 of article XIV of the State Constitution.

5. The term "lands of ecological significance" shall mean state-owned lands and waters that harbor plants, animals or ecological communities that are rare in New York state or exemplary occurrences of more common ecological communities. For the purposes of this article, the term "exemplary occurrences of an ecological community" means a representative, high quality example of a given ecological community type, characterized by a distinctive assemblage of interacting plant and animal populations, including old-growth forests.

6. The term "old-growth forest" shall mean a parcel of at least ten acres which includes all of the following: an abundance of late successional tree species, at least one hundred eighty to two hundred years of age in a contiguous forested landscape that has evolved and reproduced itself naturally, with the capacity for self perpetuation, arranged in a stratified forest structure consisting of multiple growth layers throughout the canopy and forest floor, featuring canopy gaps

formed by natural disturbances creating an uneven canopy and a conspicuous absence of multiple stemmed trees and coppices. Typically, old-growth forest sites also are characterized by an irregular forest floor containing an abundance of coarse woody materials which are often covered by mosses and lichens, show limited signs of human disturbance since European settlement, have distinct soil horizons that include definite organic, mineral, alluvial accumulation, and unconsolidated layers, and have an understory that displays well developed and diverse surface herbaceous layers.