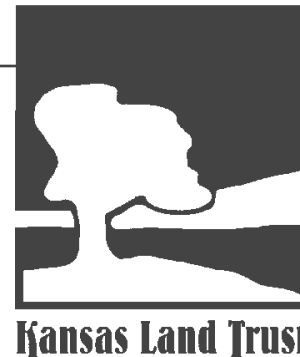


# stewardship notes

Fall 2006  
Volume 17, Number 3



The Quarterly Newsletter of the Kansas Land Trust

## Preserving land on the urban edge is still a priority

By Lynn Byczynski

At the northwest edge of Lawrence, housing developments are arising from farm fields and prairies at a rapid pace. Several new shopping centers are approved for construction in the next few years, and the highways leading to and from the area are being widened to accommodate the increase in traffic. The landscape of that part of Kansas has changed forever.

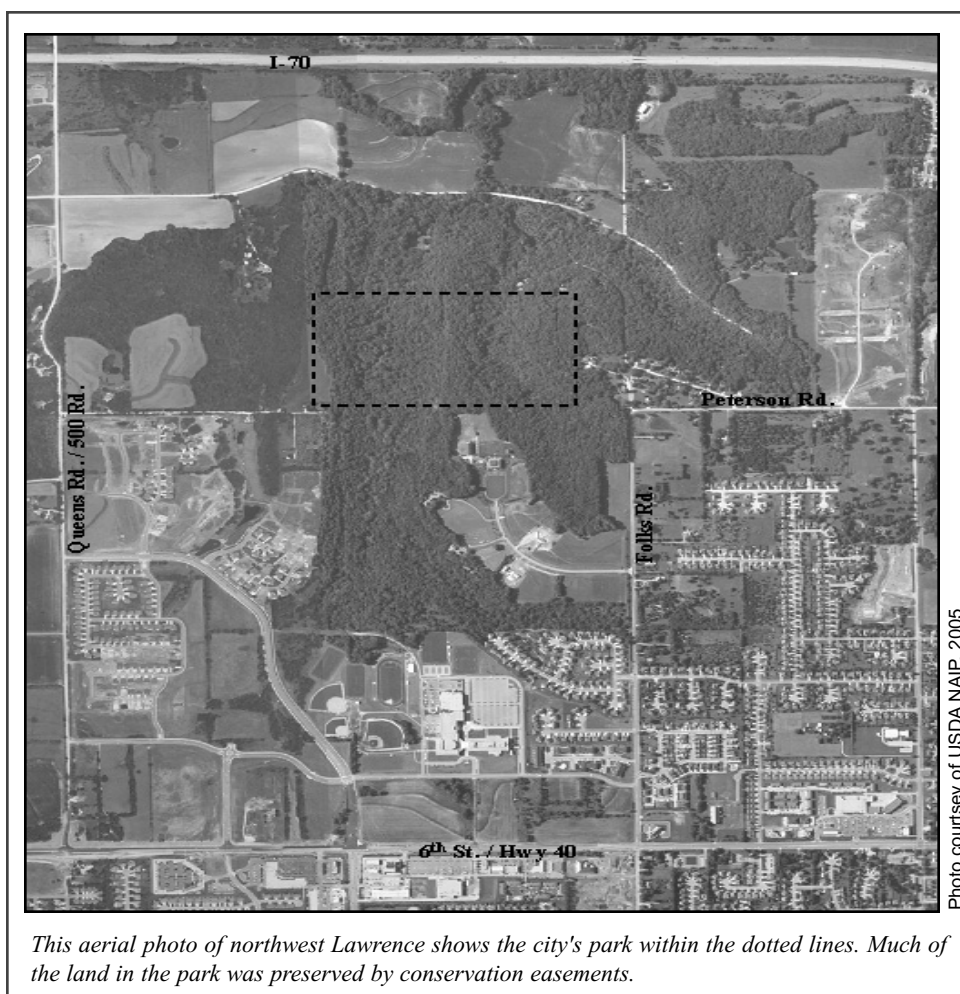
But one parcel of land in the midst of all the development will never change. The Kansas Land Trust holds conservation easements on 51 acres of mixed oak and hickory woodlands, savannah, and grasslands. The easements were donated in 2001 by the Lichtwardt family and in 2002 by the Kelly/Varvil family. They are part of a 96-acre parcel at the corner of Folks and Peterson roads that the city of Lawrence intends to use for a natural park area with hiking trails. When KLT accepted these easements, the land was at the very edge of development; today, development is encroaching from the west.

Preserving parcels of land on the urban edge has long been a priority for KLT. Although it seems obvious that land in the path of development is most in need of protection, many land trusts don't concern themselves with these relatively small easements. Instead, they work almost exclusively to protect large landscapes, covering thousands of acres.

KLT considers landscape-scale projects a priority, too, especially in the Flint Hills where two large parcels are now fully protected by KLT easements. "Flint Hills work receives a lot of attention; there is growing momentum for that work" says KLT Executive Director RoxAnne Miller. "But we also work on preservation of smaller tracts with significant conservation values. We are committed to helping landowners preserve the land they love."

KLT's mission is broad. We can accept conservation easements on a wide variety of lands as long as they offer a value deserving long-term preservation. This includes prime farmland, ecologically significant areas, scenic views, historic sites, and urban-edge land.

But urban-edge land presents its own unique challenges for preservationists. The first is financial. Land in the path of development is usually expensive land, and that can often rule



*This aerial photo of northwest Lawrence shows the city's park within the dotted lines. Much of the land in the park was preserved by conservation easements.*

out the possibility of purchasing a conservation easement. Historically, KLT's easements on urban-edge land have all been donated by landowners who voluntarily give up development rights. However, it's important to note that landowners may receive significant tax breaks for donating conservation easements, and those benefits are greater for high-income landowners who protect land around cities.

Another challenge with urban-edge easements is creating a management plan for the land that will preserve its ecological value in the future. For example, wildlife populations and

water quality may suffer on even the most pristine piece of land when it is surrounded by pavement and human activity.

"Some people are under the impression that once development is encroaching upon an area, the land isn't worth preserving," Miller said. "But KLT doesn't see it that way. We think urban-edge easements can be tremendously important for a number of reasons."

Most visibly, protected land in urban areas creates green space that provides a welcome haven for people. Even if the land does not allow public access, the very sight of natural

*continued on back cover*

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Published quarterly by the

## Kansas Land Trust

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## mission statement

"The Kansas Land Trust is a nonprofit organization that protects and preserves land of ecological, scenic, historic, agricultural, or recreational significance in Kansas." As a land trust, the organization uses a variety of long-term land protection mechanisms but primarily accepts conservation easements from willing landowners. Conservation easements are legal agreements by which landowners voluntarily restrict the type and amount of use permitted on their property. The Kansas Land Trust (KLT) is tax-exempt as described in Section 501 (c)(3) of the Internal Revenue Code. Donations of easements or land to KLT for conservation purposes may have potential tax benefits for donors. KLT is funded by individual contributors, private foundations, corporations, and government agencies.

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# outlook



RoxAnne Miller, Executive Director

I recently received a call from a landowner who wants to preserve 100 acres in Johnson County. As we discussed the option of a donated conservation easement, I was reminded again of the valuable service KLT provides to people who love their land. Many people, as they get older and see development moving closer, begin to wonder, "What will my land look like in 10 or 20 years?" They know they want to preserve the land beyond the time in which they own it, and so they begin to investigate their options. They soon learn that there are limited choices - either a conservation easement or deed restrictions.

A conservation easement is a voluntary agreement between a land trust and a landowner that establishes how the land can be used in perpetuity. The land trust has responsibility for managing the easement and ensuring that the future landowners comply. Deed restrictions are placed on the property by the landowner and beneficiaries of the deed restrictions are responsible for ensuring that future landowners comply. With deed restrictions, there is no guarantee the land will remain preserved and not be developed, because the beneficiaries of the deed restrictions may not have the financial resources to fund enforcement of deed restrictions or the expertise to manage the easement.

A land trust has expertise and the capacity few beneficiaries have. Land trusts not only maintain resources to enforce, they maintain knowledge and sound preservation practices, as well as regular contact with landowners. Through this contact they help each future owner understand the restrictions. This proactive education often prevents problems caused by a lack of understanding of the easement. Once landowners understand these issues they are usually happy they can choose to grant a conservation easement to a land trust. Unfortunately, there are few land trusts that accept easements on urban edge land - the very land that is under the most development pressure. Because of your support, I am proud to say that the Kansas Land Trust offers this service and provides both experience and dedication to landowners who wish to preserve their land, wherever it is located.

## Victory for land conservation:

### *New law increases income tax incentives*

On August 3, 2006, the U.S. Congress approved a tremendous expansion of the federal conservation tax incentive for conservation easement donations. On August 17, the President signed it into law. The new law allows landowners to get a much larger benefit for donating the development rights on very valuable land. These more generous conservation tax incentives will help landowners protect their land without putting their families' economic future at risk.

It is also important to note that this only applies to easements donated in 2006 and 2007. KLT and the Land Trust Alliance will work hard to make this change permanent. For more information, please visit [www.lta.org](http://www.lta.org).

The new law:

- Raises the maximum deduction for individuals who donate a conservation easement from 30% of their adjusted gross income in any year to 50%;
- Allows qualifying individual and corporate farmers and ranchers to deduct up to 100% of their adjusted gross income; and
- Extends the carry-forward period for a donor to take tax deductions for a voluntary conservation agreement from 5 to 15 years.

*This is a great victory for conservation!*

# Community forum on Kansas environmental issues

The 5th annual Community Forum on Kansas Environmental issues sponsored by the Kansas Natural Resources Council and Prairie Village Environmental Committee will be held Thursday, October 12, at the Village Presbyterian Church, 6641 Mission Rd. in Prairie Village, Kansas.

This year's theme is "Growing Food as if the Future Matters." The guest speaker Ken Warren, PhD, Managing Director of The Land Institute in Salina, Kansas, will discuss the urgency of rethinking how food is grown in the U.S.

The Community Forum will begin at 5:30 on Oct. 12th with exhibits by Kansas environmental organizations and appetizers. A light supper of locally grown foods catered by the *blue bird Bistro* will be served at 6:00. The program starts at 7:00. A \$15.00 donation is requested for the evening event. Advance reservations are needed by Sept. 23rd. Send your name, address, and email or phone number with number of reservations and check made to KNRC/Community Forum to: Community Forum, 7301 Mission Rd., Suite 248, Prairie Village, KS 66208

## senses of place



### ROAD, RAILROAD, RIVER: CHASE COUNTY, AFTERNOON, SUMMER HIGH

by Elizabeth Schultz

It's high summer in Kansas. The sky is bleached blue, except for a flake of moon, which will be absorbed by blue before the afternoon is out. The farm report is bleak: "Field crops continue to suffer from hot, dry conditions, with no more than one-third of any crop rated good or better." Temperatures are above 100 all week, and agricultural experts rate soil moisture lousy. Driving west from Lawrence to Emporia, I notice the corn in one field after another standing yellow, turned to shocks long before Halloween. Milo heads shake like rusty rattles. Along the road, foliage has shrunk back into the earth, taking on the colors of dust. Even the sumac, which I usually count on to signal fall's first blaze, is desiccated and dull. Yearning for water, on this day, I realize that the other side of the fence is not necessarily greener, and I head for Chase County's major waterway, the Cottonwood River.

The Cottonwood cuts deep across Chase County. The river came first, and human history dictated that the railroad and Route 50 would follow its course. All three continue to bear heavy traffic—the railroad endless lines of flatbed container cars, the road innumerable high-balling long-distance trucks, and the river a diversity of fish, turtles, insects, logs, brush, bobbing containers, and a plethora of cast-off flotsam and jetsam. But the river moves according to its own design and logic, carving through layers of limestone, a living impulse, curving and slithering, while the railroad tracks and road, built to human demands and needs, keep things on the straight and narrow. Although one might imagine the Cottonwood rising up and roaring between its

banks were it to rain forty days and nights, it pursues its twisting design with quiet intent. Its waters on an afternoon in high summer tinkle coolly like music played on the piano's soprano keys, whereas the traffic of trains and trucks booms and blasts through the afternoon heat.

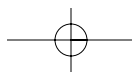
To connect with the Cottonwood's quiet and cool depths, I turn off Route 50 and cross the railroad tracks to points where bridges span the river. The first of these detours is at Strong City, where I follow Route 177 to Cottonwood Falls. Lording it regally over the south end of Broadway, the town's main street, is its acclaimed 1873 red-roofed, limestone courthouse, while at the opposite end, a once majestic double-arched bridge with an elaborate Italianate balustrade, built in 1914 to carry two lanes of traffic, crumbles. This bridge connects the river's banks with their jumble of limestone rocks, hung with hackberry and willow. Below the bridge, the Cottonwood breaks over a set of low falls. Here, its brown waters are churned to white, its quietude to clatter and chatter, before the river flows on beneath the bridge's main arches and among the sets of small, triple arches within them. A gar, also elegantly designed with its peculiar snout, its scales arranged like iridescent green tiles on a Chinese roof, and its speckled tail, lies bleeding on the bridge, hooked and abandoned. Looking down into the river as it nudges its way gently around a sand bar, I see the dead gar's shadow—another fish—undulating in the shallow waters. All around me dragonflies—blue darning needles—flash briskly in the air.

Near Clements, a town of three dwellings, two bridges cross the Cottonwood, not far

apart. One, 127 feet long, built in 1886 of immense, stepped, limestone blocks, with the mason's chisel marks still visible, no longer carries traffic. From the road passing over the other, built in 1992, it is possible to see the older bridge's magnificent arches soaring over the river. The steep river banks between the two bridges are charged with dense greenery—shrubbery obscuring the trunks of cottonwoods and aspens—and the persistent rasping of grasshoppers and cicadas. Here, too, I am accompanied by the darting blue dragonflies. Beyond the river, ranchland, edged with sunflowers, thistles, tall joe-pye weed, and flickering yellow swallowtails, spreads to the Flint Hills' distant high plateaus and knobs. The letters, "CLEMENTS," spelled out in white rocks, fades into the slope of one of these plateaus. The river remains, a thick brown snake, gliding and rippling, through this green summer canyon.

A narrow bridge crosses the Cottonwood leading into the town of Cedar Point. The entrance to this town of fifty four is guarded by an 1876 five-story, limestone mill overlooking bridge and river. However, as the river tumbles nonchalantly over a small dam beneath the mill, the mill itself tilts toward drowning in the river, gaps showing among its stones and its roof askew. West of Cedar Point, a truss bridge of rusted iron surprisingly crowns the river. A blue heron, startled by my appearance, soundlessly unfolds from the bank, cruises over the water, and vanishes back into the shade around a bend. The dragonflies enliven the air here, too, stitching the dark summer river together into a moving path of light.





Preserving land continued from page 1

landscapes can provide solace to urban-weary souls.

Preserved spaces can create an oasis of wildlife habitat, too. Many animal species depend absolutely on undisturbed natural habitat for food and shelter. Cheri Varvil and Frances Kelly say their land is home to a wide variety of animals, including deer, wild turkeys, raccoons, snakes, foxes, indigo buntings, hawks, owls and at least one bobcat family.

Preserving land on the edges of cities often

means saving farmland for food production. More than 85% of the nation's fruits and vegetables and 63% of our dairy products are produced in urban-influenced areas.

Two other often overlooked benefits of conservation easements in urban areas are flood prevention and water quality. When land is developed, more of it is covered with nonporous surfaces such as streets, rooftops and parking lots, causing more rainwater to run off rather than soak into the soil. This runoff washes across

lawns and streets, carrying pollutants into nearby streams and increasing the severity of flooding. Preserving land in a natural state can both keep water clean and prevent flooding, because it soaks up rainwater and serves as a giant filter to remove pollutants.

For these reasons, KLT will continue to preserve land near Kansas cities. If you have land that you love and want to keep undeveloped, wherever it is located, contact KLT for information about conservation easements.



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you're invited to an **easement dedication**

**Kent & Rose Bacon Ranch--RK Cattle Company  
1181 Four Mile Road, Council Grove, KS  
September 16, 2006, noon to 4 p.m.**



We are celebrating the first time ever that the State of Kansas has provided the 25% matching funds for purchasing an easement under the USDA's Farm and Ranch Lands Protection Program. KLT wishes to thank our elected officials and the State Conservation Commission for recognizing and supporting this important conservation program.

**Timeline of Events:**

- 12:00** Meal from the Flying W. Ranch, Gwen and Josh Hoy, includes pulled pork, tortillas, beans, rice, radishes, cilantro, cobbler, water and tea, served from a 5th generation Hoy family chuck wagon
- 12:30** Music provided by the Tallgrass Express String Band, Annie Wilson, Loren Ratzloff and Charlie Laughridge
- 1:30** Signing and Dedication Ceremony
- 2:00** Activities and demonstrations provided by the RK Cattle Company: hayride, roping demonstration and contest, cattle handling demonstration, and RK branding souvenirs for everyone

We wish to thank the following for helping sponsor this event:



**Reservations required. \$15 per person, includes meal and all activities.**

Please send payment, including name(s), address, & phone# by 9/10 to Bacon Event, KLT, 16 East 13th St., Lawrence, KS 66044-3502. You will receive a confirmation postcard with directions to the ranch.

*Space is limited.*

