

# stewardship notes

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The Quarterly Newsletter of the Kansas Land Trust

## Preserving the working landscape

### Memories of life in the Flint Hills inspire landowner to participate in easement program

By Lynn Byczynski

Jane Laman remembers when Stewart Udall, secretary of interior in the Kennedy administration, arrived in the Flint Hills by helicopter to start the process of creating a tallgrass prairie national park. He was met by a rancher with a shotgun who told him, "Get off my land."

Ms. Laman understands the sentiment. She has lived in the Flint Hills all her life, most of it on cattle ranches, and she believes that the Flint Hills should remain in agriculture. That's the main reason she agreed to sell development rights to 269 acres and to donate a conservation easement on an additional 20 acres. She is the first landowner to participate in a KLT program to purchase conservation easements with funding from the Army, the Natural Resources Conservation Service, and the state of Kansas.

"This land will always pay taxes, it will always be productive and, hopefully, there will always be somebody who loves it as much as I do," Ms. Laman said at the November 8 signing ceremony for her conservation easement.

The Laman ranch overlooks Tuttle Creek Reservoir, north of Manhattan. Houses stand against the skylines to the east and west, a reminder of the suburban development that will eventually make her land worth more than the amount she received for a conservation easement.

"I don't want it developed," she said. "A developer would be a stranger on this land." But, like the rancher who drove off Secretary Udall back in the 1960s, Laman also would not want her land to become a park, "where people drive around on paved roads and say, 'This is nice,'" she said.

The KLT program that helps landowners sell development rights while retaining ownership of their land turned out to be the perfect compromise.

"It's very possible I would have signed up with the Kansas Land Trust even if I had not been paid," she said, "but it was the proposal to pay for development rights that caused me to go to the first meeting to find out about it."

After that first meeting, Jane was quick to contact KLT and start the process, and she never wavered.



Photograph by Lynn Byczynski.

*At a November 8 signing ceremony on her land, Jane Laman accepts an award from Maj. Gen. Carter Ham, Commanding General of Fort Riley. She is the first landowner to sell development rights under a program administered by the Kansas Land Trust that will preserve land in a buffer area around the Army base.*

Jane grew up on a ranch in Chase County. Her elementary school had five students in eight grades, and her high school had 35 students. After graduation, she attended Kansas State University's Institute of Citizenship, which was an experimental program in which students read the classics and discussed them.

"Our real responsibility was to lead community gatherings," she said. "I worked on opposition to the Tuttle Creek dam."

After graduating, she married Russell Laman, her creative writing professor at K-State, and she settled into a career teaching students with behavioral problems in Junction City. Russell Laman wrote a well-regarded novel, *Manifest Destiny*, published in 1963. They started looking for land, and in 1969 bought the place near Tuttle

Creek. For several years, they came every weekend to cut junipers, hike, hunt, and fish, and in 1973 they built a modest house and moved there for good.

Jane decided the commute was too much, so she quit teaching and took up dog training. She quickly became one of the top Labrador retriever trainers in the country, taking dogs for as long as a year to train them for the highly competitive AKC field trials. The arduous training pays off for the dogs' owners, as champions can sell for as much as \$30,000. "It's as big as horse racing," Jane says of the sport.

Russell died in 1987. Jane continued her work as a dog trainer, traveling all over the country to field trials. In recent years, she has cut back on

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16 E. 13th St.  
Lawrence, KS 66044-3502  
785-749-3297  
roxanne.miller@klt.org  
www.klt.org

Sponsor Member



Editor: Lynn Byczynski  
Designer: Jeannie Houts

# outlook



RoxAnne Miller, Executive Director

In October, I attended the National Land Conservation Conference in Nashville, Tennessee. It was a particular pleasure to be in the Country Music Capital after the past year in which I worked to preserve ranchland in the Flint Hills. Several city blocks of live music venues, and the walls of Robert's Western World lined with cowboy boots brought back fond memories of the Kansas cowboys I've worked with recently.

The conference, an annual gathering for members of the Land Trust Alliance (LTA), attracted more than 1,500 conservation professionals. Tennessee's Governor Phil Bredesen inspired the crowd as he described working with others to establish the Land Trust for Tennessee in 1999. As governor, he has made dramatic progress, including winning significant state funding for open space preservation. In 2005 he worked to establish the Heritage Conservation Trust Fund; the legislature allocated \$10 million in the first year and another \$10 million in the 2006 budget.

I was honored to be a speaker on a three-member panel presenting a workshop on "Military Base Buffers: An Emerging Opportunity for Land Trusts." I spoke about the KLT - Fort Riley buffer project. The other two panel members were from the Sand Hills Land Trust, with a buffer project at Fort Bragg, North Carolina; and Land Legacy, a land trust in Oklahoma with a buffer project at Fort Sill. The workshop was well-attended, which reflects nationwide interest in the funding program that is described in the article about the Laman easement on page 7 of this issue.

One of the most important tasks of the Land Trust Alliance is the Land Trust Accreditation Commission, which is designed for the self-regulation of land trusts. Everyone involved with land trusts wants to be sure that we operate under the highest standards of ethical and professional conduct. LTA anticipates that in 2007 it will offer a Pilot Testing Program to initiate and evaluate the accreditation program. For more information see: <http://www.lta.org/accreditation>.

Shortly after I returned to Kansas, KLT completed two more conservation easements and we are wrapping up yet another. This season causes me to reflect with gratitude on all of life's blessings. And the opportunity to serve you through conservation of important Kansas lands is one blessing at the top of my list.

## 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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*I feel like I could fly.* Photograph of a prairie chicken by Jane Laman.





by Elizabeth Schultz

## The Oregon Trail Crosses Pottawatomie County, Early Afternoon, Late Fall

No one is encouraged to come to Kansas for its fall foliage. The Foliage Network has no spotters in Kansas, and the U.S. Forest Service's Foliage Hotline passes summarily over Kansas. However, having grown up watching the leaves turn incarnadine in northern Michigan, having been leaf-peeping in Vermont and maple-viewing in Kyoto, I can testify that Kansas holds its own in the world of autumnal beauty contests. It started with my stepping out into my own urban backyard after being confined for two days in a darkened room with bothersome respiratory problems. It was noon, the sun was high overhead. The yellow leaves covering the grass fused with the fluttering yellow leaves of rose bushes and lilies as well as with the soaring yellow leaves of the hickory, redbud, elm, maple trees, and I felt surrounded in a globe of quivering golden light. For an epiphanic moment, I believed I beheld light itself—beyond the shape of a single bulb, beyond the diffuseness of a flaming sky—embodied in those glowing Kansas leaves.

So determining to case Kansas for more fall foliage, on a windy day I found myself traveling the scenic and historic roads of Pottawatomie County. North out of Belvue, I followed the Oregon Trail Road west. The gravel road passed across the web of creeks flowing from the Kansas River, with farmlands opening to the south and glacial hills and grasslands swelling to the north. I knew that most of those traveling by wagon in the mid-nineteenth century would have planned to pass this way earlier in the year in the interests of avoiding the onset of winter, and that few of them would have had the leisure I had to focus merely on the sources for color and light. With machines cutting back the last shocks of corn and harvesting some late soybeans, most of the farmlands were laid dark and bare. A few fields, however, were already inscribed with lines of delicate green penmanship signifying that the winter wheat had already been planted anew. Undoubtedly, the enterprising travelers on the Oregon Trail would have been deeply interested in the patterns on these lower fields even as they were confronted with the seemingly unending, unscrolling of grass in the valleys and higher fields.



Winter Robin. Photograph by Jane Laman.

Kansas grasslands have always been assigned qualities which relate them to the immense and primordial—undulating like the sea, shifting like a buffalo hide, rippling like a prehistoric beast. The grass on this day, when I was thinking about the people and their animals moving slowly along the Oregon Trail, seemed more intimate. Walking into the grass on a cut-through, I listened to its whisperings and rustlings, the conversations among stems and leaves and seed heads. The grass burst with the chitter and chatter of sparrows flying upward and then quieted as the sparrows settled back into it. Up close, a bluestem blade in late October retains a streak of green which evolves through a sandy stage to turn maroon at the tip. The botanist who named the big bluestem, perhaps thinking of its collective pools in deep summer, forgot about its autumnal shades, forgot that a swath of bluestem in the fall, amazingly, can appear pink, with an iridescent tint. Other grasses separated themselves out by color and texture—Indian grass swaying, stately and tawny, switchgrass puffed up into pale clusters. Stiff and dark, the stalks of mullein, sunflower, coneflower, and milkweed contrasted with the grasses which retained their suppleness. Yet, as I could see from the silk delicately spinning from the milkweed pods, all these plants had scattered their seeds and were light-headed.

Starting out to look for trees, I had once again returned to grasses. Yet the trees—cottonwood, oak, hickory, hackberry, honey locust—along the Oregon Trail Road were always in my vision. They filled the valleys and came crowding down to the creeks, arching over them in tangles, while their yellow leaves were caught by the wind and swirled into the waters' eddies. They formed the far horizon, edging remote fields and grasslands, with a band of glistening orange. Not the rich brocade of northern states, dependent on rich reds and purples, these fall Kansas trees revealed a full palette of yellow—from buttercup to sepia to old gold—always reflecting light, changing color with the hour and with passing clouds. Yet, I knew that it is the actual loss of daylight which depresses the leaves' green chlorophyll, exposing their hidden, golden interiors.

And I knew, too, that as for the child in Gerard Manly Hopkins' brief and profound poem, "Spring and Fall: To a Young Child," which opens with the query, "Margaret, are you grieving / Over Goldengrove unleaving?" autumn's Goldengroves seem invariably imbued with anxiety. Along the Oregon Trail in Pottawatomie County, two cemeteries lie close to each other. One was easily visible on a knoll among the grasslands, fenced off from cattle. The tall, elegant monument commemorating Louis Vieux, the French-Pottawatomie man who, for a sum, took the Oregon travelers across Vermillion Creek and who later became an Indian spokesman in Washington, presided over the small worn slabs for his two young wives and their several infant children dying one after the other. The other cemetery crouched back from the road. A crude fence surrounded three rough stones, and a sign cites an Oregon Trail diarist's comments that in this vicinity more than fifty people, dead of cholera, had been buried. On only one of the three stones was there a legible name: T. S. Prather, May 27, 1849. Leaving the cemeteries, I passed the Louis Vieux elm, once designated the largest tree in the world, now an enormous grey stump futilely waving a single grey branch.



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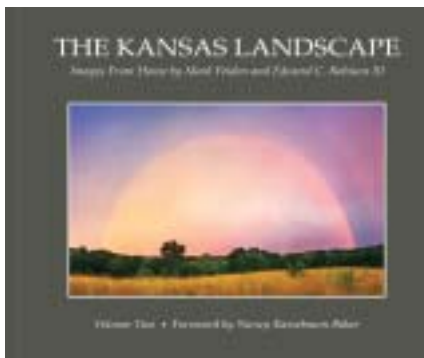


The Kansas Land Trust would like to thank Coleman Company for the generous donation of 63 high-quality items valued at \$10,000. KLT offers these Coleman products to the public through an on-line auction being held from December 1st through 10th. Items will be shipped in time for the holidays.

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## Officials gather in Flint Hills to sign easement

By Lynn Byczynski

On an unseasonably warm November morning, more than 100 people gathered on a ridgetop high in the Flint Hills to celebrate the Kansas Land Trust's first purchased conservation easement in a buffer area near Fort Riley.

The booming and clucking of prairie chickens, recorded by a neighbor of landowner Jane Laman, drifted over the gathering, and the prairie glowed in the autumn sunlight. Officials from Washington, D.C., exclaimed over the beauty of the place while local organizers expressed relief at the perfect weather.

The event recognized a new partnership, first proposed by KLT, in which a conservation easement was purchased with funds from two federal programs and one state agency:

- The Army Compatible Use Buffer program, which is designed to preserve land around military bases from development that might impede training activities on the base;
- The Farm and Ranchland Protection Program, administered by USDA's Natural Resource Conservation Service, to prevent development of valuable food-producing lands;
- The Kansas State Conservation Commission, which received funding from the Kansas Legislature to provide the local match for the federal funds.

The three funding sources provided a total of \$241,726 to Ms. Laman for the bargain sale of development rights to her 269 acres northeast of Fort Riley. She, in turn, donated 25% of easement value along with a cash contribution to KLT's Stewardship Funds.

"It's a win-win situation for the landowner, the military installation, the environment, and wildlife," said Merlyn Carlson, USDA's deputy under secretary for natural resources and environment. "It allows us to pay tribute to the working landscape."

Under the terms of the conservation easement, Ms. Laman can continue to use her land for grazing cattle and other agricultural uses.

Alex Beehler, an assistant deputy under secretary of defense, said that acquiring development rights for land around Fort Riley was a high priority for the Pentagon because of the planned expansion of military population on the base, which is once again the headquarters of the Army's 1st Infantry Division. The base expansion is expected to bring 30,000 people to the Junction City-Manhattan area. The military wants to ensure that new housing and other development doesn't get too close to the base itself, where training exercises, aircraft, and other equipment can create a lot of noise.



Photograph by Lynn Byczynski.

*KLT President Bev Worster hands the pen to landowner Jane Laman after signing a document that places a conservation easement on Laman's land. Also pictured, from left, are Col. Thomas T. Smith, Garrison Commander of Ft. Riley, Greg Foley, Executive Director of the Kansas Conservation Commission, and Harold Klaege, State Conservationist, NRCS.*

"It becomes imperative that buffers around the base are preserved to allow the Army to have maximum use of its land," Mr. Beehler said.

Congress has appropriated \$40 million this year to buy conservation easements around Army bases nationwide, and Fort Riley received \$1.3 million of that for its buffer program. Funding is expected to continue for many years into the future. KLT is already working on a second easement near the boundary of the military installation and expects to close it before the end of the year.

Other officials who participated in the ceremony were: Lieutenant Governor John Moore; Maj. Gen. Carter Ham, Commanding General of Fort Riley; Col. Thomas Smith, Garrison Commander of Fort Riley; Harold Klaege, Kansas NRCS State Conservationist; Rod Vorhees, Chairman of the State Conservation Commission; and Bev Worster, KLT Board President.

Others in attendance included several state legislators, local government officials from Manhattan and Junction City, friends and family of Ms. Laman, KLT staff and board members, and several neighbors who are considering conservation easements.

### Laman continued from page 1

the training business, which is hard physical work, but she does still train a few dogs every year.

Now, in her 75th year, Jane is enjoying yet another career - as a wildlife photographer. She spends months every year at a cabin on the Republican River in north-central Kansas, where she has no computer or telephone, just splendid scenery and abundant wildlife. She sells her photographs at art shows across the Midwest.

"She's a role model," said Dave McKee, a nephew who is an archaeologist in Custer, South Dakota. "She decided to become a dog trainer,

and she became one of the best; a few years ago, she decided, 'I'm going to become a wildlife photographer' and that's what she's doing now. I spent a lot of time here growing up and I remember it could be 10 degrees outside and she would say 'What a beautiful morning!'"

Jane's heirs support her decision to place a conservation easement on the land, her nephew said. Through his work with native peoples, he has learned to always consider future generations. "That's the vision my aunt has, so more power to her!" he said.

Another scene is bright in Jane's memory: The

year they moved to the land, she and Russell went to a New Year's Eve party at a neighbor's ranch. As they returned home late that night, with the moon shining on new fallen snow, they decided to get out of the car and walk across the hills to their house. That was 33 years ago, but she still can hear the crunch of their boots in the dry snow and feel the pure joy of being on the prairie in the still of a cold night.

Because she acted to preserve the land, that prairie will always be there, and the moon may light the way home for others who will love it as much as she does.

# Mark your calendars

## Buy your holiday gifts & support the Kansas Land Trust.

See page 6 for details on the KLT On-Line Auction of Coleman products: tents, gas grills, lanterns, coolers and more. Retail values range from \$18 to \$1960.

### KLT Community Supper on February 10, 2007.

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## KLT supporters enjoy celebration on Flint Hills ranch

It was easy to identify the ranchers who attended the Bacon easement celebration on September 16 at the RK Cattle Company in Morris County; in the gusting 30-mile-an-hour wind, their hats stayed put! Guests enjoyed music by the Tallgrass Express String Band, a chuckwagon meal provided by the Flying W. Ranch, served from a 5th generation Hoy family chuck wagon, and original poetry recited by Rose Bacon. The Flying W Ranch and Mother Earth News helped sponsor this event.

Before officials from Natural Resources Conservation Service, the State Conservation Commission, KLT and the landowners signed the easement, they offered remarks that highlighted the beauty of the land and appreciation for the "first time" participation of the state in providing the necessary 25% matching funds. All encouraged SCC to continue and expand their support for preservation in the Flint Hills.

Following the ceremony, Rose, Kent and Greg Bacon treated the guests to lessons in cattle roping and a hayride that took them across a dry creek and up to a high ridge that offered a 360-degree view of miles of open prairie.

In the photo at right, Rose Bacon describes her family's reasons for placing a conservation easement on their 500 acre ranch. Shown are Rose and Kent Bacon (front) and their son Greg.



Photograph by James Worster.

KLT looks forward to a long relationship with the Bacons as they continue to graze cattle on their land, knowing that its future is protected.

