

**Agenda Item: 6.**

## **MEMORANDUM**

**To:** Programs, Projects and Operations Subcommittee  
**Subject:** Nebraska Land Trust Agreement  
**Date:** 20 February, 2015  
**From:** Jim Becic

The Nebraska Land Trust (NLT) is a 501 C (3) nonprofit organization that has been actively involved in land conservation in Nebraska since 2001. The P-MRNRD (NRD), is a charter member and is represented on the NLT board of directors since its inception. In 2009, the Papio-Missouri River NRD entered into a three year Cooperative Agreement (attached) with the NLT and the NRD provided a financial contribution of \$30,000.00 per year to assist in their operations. This Agreement was extended in 2012 to continue the original Agreement for another three years (Attached, FIRST ADDENDUM, etc.).

In their relatively short existence, the NLT has achieved the status of the only fully accredited land trust in Nebraska by the National Land Trust Alliance. The NLT has nearly 12,000 acres of land in permanent conservation easements in thirteen counties and has raised nearly ten million dollars in matching funds.

To this end, management is proposing that the District continue to assist the work of the Nebraska Land Trust to develop land protection and easement acquisition strategies; develop fund raising plans, develop conservation easement templates; hold public meetings, provide easement education for the general public as well as elected officials and other conservation easement activities for specific areas within the Lower Platte Valley as well as other locations within the District for an additional three year period beginning in Fiscal Year 2016.

**Management recommends that the Programs, Projects and Operations Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed SECOND ADDENDUM to the 18 March, 2009 "Agreement Between Papio-Missouri River Natural Resources District and Nebraska Land Trust for Cooperative Assistance" that allows for an additional three year District commitment in the amount of \$30,000/year, commencing in fiscal year, 2016.**

.....



*Preserving Our Agricultural, Historical And Natural Resources.*

February 19, 2015

John Winkler, General Manager  
Papio-Missouri River NRD  
8901 S. 154<sup>th</sup> St.  
Omaha, NE 68138

Dear John,

As you know, for the past six years the Nebraska Land Trust (NLT) has had an ongoing Cooperative Agreement (CA) with the Papio-Missouri River Natural Resources District (PMRNRD), for the NLT to pursue land preservation in the lower Platte Valley in return for \$30,000 per year from your NRD to support our work. The Lower Platte South NRD has also provided \$30,000 to this partnership for land conservation in this stretch of the Platte. I am writing to ask the PMRNRD to renew its commitment to this partnership by extending our existing CA for another three years.

Looking back on what we've done over the term of this agreement, I hope you'll agree that the NLT has accomplished much. We started by organizing and facilitating a stakeholder process in 2009 to identify Conservation Focus Areas (CFAs) in the lower Platte Valley below Ashland. This diverse group identified five specific areas in Sarpy and Cass Counties (map attached). All agreed that development in these areas could lead to serious erosion, impairment of water quality, fragmentation of valuable wildlife habitat, loss of prime agricultural land, destruction of archeological sites, and the loss of scenic views from public places including four state parks and the Mo Pac Trail.

In addition to gaining a consensus on where future conservation should focus, the NLT has made significant progress in the protection of land in the Schramm Bluffs of Sarpy County, which has been an NLT focus area since 2007. In the past six years, the PMRNRD has provided \$180,000 for this effort through the CA. In return, the NLT has raised \$6,086,650 from state, federal, and private sources for the purchase of conservation easements in this area. To date, we have completed seven conservation easements preserving 957 acres around Schramm State Park, about three times more acres than the park itself (see attached map)!

In 2014, we also extended our reach a bit in the PMRNRD, by completing our first conservation easement in Washington County, protecting a 67-acre farm with oak/hickory woodlands in the Missouri Valley bluffs near Blair. Statewide, the NLT has 11,804 acres under conservation easement in 13 different counties, including another 1,902 acres along the lower Platte in Douglas and Saunders Counties.

In 2015, we hope to complete our most significant project to date – full protection of the nearly 700-acre Patterson Farm, which would make it the second largest protected property in Sarpy County after Fontenelle Forest. With extensive oak/hickory woodlands, two spring-fed streams, significant frontage on Highway 31, and 1,000-year-old Native American lodge sites, this farm is like no other in the county. It is also a rare piece of unfragmented land, where a person could walk from one corner of the property to the other and never cross a county road.

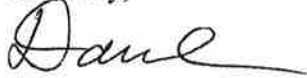
Because the farm is so large and was previously under divided family ownership, preservation has been tackled in increments. Three of the four increments have been completed and we are now working on preservation of the final 283 acres. Once this project is completed, we will begin the process of identifying and prioritizing future projects in the lower Platte Valley.

Of course the funds raised for the purchase and endowment of these easements cannot be used for associated costs like travel, significant staff time, legal expenses, title work, title insurance, federal audits, outreach, printing, and other costs. Support from PMRNRD has been critical in our ability to fund these costs in the past and it would be very difficult for us to maintain our efforts in the future without your support.

I am planning to give a 10-20 minute presentation at an upcoming Subcommittee meeting on March 10. Several members of your staff and at least one board member have also participated in area tours so they could see the protected properties first hand. We are always available to repeat these tours if any of your board or staff are interested.

Thank you so much for your past support, which dates all the way back to 2001 when the PMRNRD became a founding member of the NLT Board. We hope to continue our partnership with the PMRNRD in the future, because of the significant agricultural, historical, and natural resources in the lower Platte Valley that could be lost. As I often say, conservation easements are not about stopping development -- they are about the preservation of special places as development occurs. We have made significant progress in preserving one of these special places – the Schramm Bluffs. With the PMRNRD's continued support, we will do even more in the future.

Sincerely,



Dave Sands  
Executive Director

Cc:  
Jim Becic

Enclosure:  
Schramm Bluffs Protected Property Map

**SECOND ADDENDUM  
TO  
AGREEMENT BETWEEN  
PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT  
AND  
NEBRASKA LAND TRUST  
FOR  
COOPERATIVE ASSISTANCE**

This Addendum ("THIS ADDENDUM") is intended to further extend the AGREEMENT BETWEEN PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT and NEBRASKA LAND TRUST FOR COOPERATIVE ASSISTANCE ("the AGREEMENT") that was executed by the PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT ("the DISTRICT") on March 18, 2009 and by the NEBRASKA LAND TRUST ("the TRUST") on March 16, 2009, and extended by the FIRST ADDENDUM entered into by the parties in March 2012, for an additional term terminating on December 31, 2017.

By executing THIS ADDENDUM the parties hereby agree that the term of THE AGREEMENT should be extended for an additional period of time beginning July 1, 2015 and continuing until December 31, 2017, thus also extending the DISTRICT's commitment made therein to pay the sum of \$30,000 annually during the three years of 2015, 2016, and 2017 to the TRUST for the purpose of partially funding the activities of the TRUST undertaken pursuant to the AGREEMENT.

Except as so extended, the AGREEMENT is ratified and confirmed in all respects.

THIS ADDENDUM is executed by the TRUST on this \_\_\_\_ day of \_\_\_\_\_, 2015.

**NEBRASKA LAND TRUST**

By \_\_\_\_\_

Title: \_\_\_\_\_

THIS ADDENDUM is executed by the DISTRICT on this \_\_\_\_ day of \_\_\_\_\_, 2015.

**PAPIO-MISSOURI RIVER NATURAL RESOURCES  
DISTRICT**

By \_\_\_\_\_  
JOHN WINKLER, General Manager

**FIRST ADDENDUM  
TO  
AGREEMENT BETWEEN  
PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT  
AND  
NEBRASKA LAND TRUST  
FOR  
COOPERATIVE ASSISTANCE**


This Addendum ("THIS ADDENDUM") is intended to extend the AGREEMENT BETWEEN PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT AND NEBRASKA LAND TRUST FOR COOPERATIVE ASSISTANCE ("the AGREEMENT") that was executed by the PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT ("the DISTRICT") on March 18, 2009 and by the NEBRASKA LAND TRUST ("the TRUST") on March 16, 2009 for a term terminating on December 31, 2011.

By executing THIS ADDENDUM the parties hereby agree that the term of THE AGREEMENT should be extended for an additional three calendar years from and after December 31, 2011, thus also extending the DISTRICT's commitment made therein to pay the sum of \$30,000 annually to the TRUST for the purpose of partially funding the activities of the TRUST undertaken pursuant to the AGREEMENT.

Except as so extended, the AGREEMENT is ratified and confirmed in all respects.


THIS ADDENDUM is executed by the TRUST on this 16<sup>th</sup> day of March, 2012.

**NEBRASKA LAND TRUST**

By   
Title: Executive Director

THIS ADDENDUM is executed by the DISTRICT on this 19<sup>th</sup> day of march, 2012.

**PAPIO-MISSOURI RIVER NATURAL RESOURCES  
DISTRICT**

By   
**JOHN WINKLER, General Manager**

AGREEMENT BETWEEN  
PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT  
AND  
NEBRASKA LAND TRUST  
FOR  
COOPERATIVE ASSISTANCE

THIS AGREEMENT is made and entered into by and between the PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT (hereinafter referred to as the "NRD") and the NEBRASKA LAND TRUST (hereinafter referred to as "the TRUST").

WHEREAS, The TRUST is a 501 (c) (3) nonprofit organization that has adopted Standards and Practices promulgated by the Land Trust Alliance and actively acquires or stewards conservation lands and conservation easements, with the goal of land conservation in Nebraska.

WHEREAS, the mission of the TRUST is to accept conservation easements or gifts of land to preserve lands that remain essentially in their natural state; are ecologically, historically, or archeologically significant; serve as wildlife habitat, and/or are used for low impact agriculture; and,

WHEREAS, the authorities of the NRD include prevention of damages from floodwater and sediment, development and management of fish and wildlife habitat and recreational and park facilities, and forestry and range management, and the NRD wishes to increase its focus on protecting these resources in the lower Platte and Missouri River corridors (hereinafter referred to as "the Corridor"); and,

WHEREAS, the TRUST provides independent oversight to ensure public confidence in voluntary land conservation; and,

WHEREAS, the NRD desires to utilize the expertise and experience of the TRUST to explore the opportunities for acquisition of conservation easements within the Corridor; and,

NOW, THEREFORE, for and in consideration of the foregoing recitals and their mutual covenants hereinafter expressed, the parties agree as follows:

1. The TRUST has prepared A Proposal For The Lower Platte Valley Preservation Project, attached hereto as Exhibit "A" and incorporated herein, and agrees that it shall:

- a. Conduct educational programs with landowners, public officials and others within the NRD for the purpose of explaining conservation easements and the multiple advantages thereof; and,
- b. Develop a land protection strategy and easement templates for the acquisition of conservation easements in the Corridor; and,
- c. Develop a fund-raising plan, target lists and grant writing, record keeping and communications templates specific for the acquisition of conservation easements in the Corridor; and,
- d. Assist the NRD in negotiations and acquisition of conservation easements over priority properties.

2. The NRD agrees that it will cooperate with the TRUST in the Proposal incorporated as Exhibit "A" and will assist the TRUST to develop land protection and easement acquisition strategies for the Corridor; will pay the sum of \$30,000.00 annually, to the TRUST for the purpose of partially funding the activities of the TRUST undertaken pursuant hereto; and, will work with the TRUST to identify prospective donors of conservation easements, additional funding sources and partnership opportunities.

3. The term of this Agreement shall commence upon execution thereof by both parties; and this Agreement shall terminate on December 31, 2011, unless sooner terminated as provided below.

4. The following personnel shall represent the parties in carrying out the terms of this Agreement and are designated to receive notices hereunder:

| For the NRD:                           | For the TRUST:                  |
|--|---------------------------------|
| James Becic, Environmental Coordinator | David Sands, Executive Director |
| John Winkler, General Manager          | John Ellsworth, Chairman        |
|  |                                 |
|  |                                 |

5. This Agreement may be terminated by either party with or without cause on 60 days written notice delivered to the other party. If the NRD terminates the agreement without cause, the TRUST shall not be required to refund the current year's grant.

IN WITNESS WHEREOF, the parties have executed this agreement on the dates hereinafter indicated.

Executed by THE NEBRASKA LAND TRUST, on this 16<sup>th</sup> day of March, 2009.

NEBRASKA LAND TRUST

By David Sands  
David Sands  
Executive Director

Executed by the PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT on this 18<sup>th</sup> day of MARCH, 2009.

PAPIO-MISSOURI RIVER NATURAL  
RESOURCES DISTRICT

By John Winkler  
John Winkler  
General Manager



## **Exhibit "A"**

# **A Proposal For The Lower Platte Valley Preservation Project**

### **Purpose**

It has been 10 years since a vision for the Lower Platte River "Bluffs Region" was first advanced in a collaborative report from the Lower Platte River Corridor Alliance (LPRCA). Citing the region's beauty, geology, productive farmland, and biological diversity, the report called for "a balance between economic expansion and the preservation of rural character."

More recently, this concept of balance has been echoed and amplified by the Nebraska Innovation Zone Commission (NIZC). With a mission to bring economic development to the Interstate-80 Corridor, they have been told by experts that "natural amenities" like the Lower Platte River can be an attractor for families and businesses. In a web survey by the NIZC, 62% of respondents listed "Preservation of environmentally important areas, such as the Platte River valley, hills, streams, and woodlands" as their top priority in developing the I-80 Corridor; more than 20 % higher than any of the other 18 options.

As a result, the NIZC's Draft Regional Comprehensive Plan called for "Limited development south of Exit 432 [essentially the Bluffs Region], with a primary value placed on preservation of views and environmental quality." There are also areas upriver that have high conservation values, like the Yutan Bottoms with large remnants of tallgrass prairie, or Pahuk bluff which has ecological and historical significance. With such valuable resources located in a region projected to have 2,000,000 people by 2050, land protection efforts are a pressing need.

Of course land preservation in the Lower Platte Valley presents significant issues. An expansion of public land is one option, but realistically, a large impact through land purchase is unlikely as the cost would be too high, funds for purchase are scarce, political consensus is very difficult to obtain, willing sellers can be hard to find, and ongoing land management is a financial drain. However, there is one land preservation tool that can avoid or mitigate many of these obstacles – voluntary, permanent land preservation agreements with private landowners.

Commonly known as "conservation easements," these agreements lower the price of land preservation as they typically cost 40% to 60% less than full value and there are currently exceptional tax incentives for the donation of easements. In addition, land stays on the tax rolls and in productive use such as agriculture, while avoiding the ongoing expense of management. For the landowner who would prefer to preserve their land and keep it in agriculture or wildlife habitat, conservation easements can offer an attractive financial option. Because these agreements are voluntary, they avoid controversy and conflict. **With a phased approach that includes Education, Prioritization, Preservation, Partners, and Funding, significant land protection in the valley is possible.**

## **Exhibit "A"**

### **Education**

In Nebraska, where conservation easements are relatively unknown compared to other states, a broad education program is needed for an effort to succeed. While easements have garnered some attention in the media and the Nebraska Land Trust (NLT) has made progress in raising awareness, much still needs to be done.

A number of strategies should be employed, starting with a simple tri-fold brochure that would be distributed widely through direct mail, events, and other venues. Informational meetings throughout the corridor would be necessary and the LPRCA "Coffee Shop" meetings would be an ideal venue. For landowners with significant interest, detailed information and individual meetings must also be made available. Ultimately, informed landowners will self-select themselves as potential candidates for easement purchases.

Information would be provided to public officials as well, since municipal and county governments must approve easements according to state statute. Any educational effort should also reach out to developers and other real estate professionals, especially since conservation developments are mandated in certain areas of Douglas and Sarpy Counties. Presentations to civic groups would be valuable in building community support.

### **Prioritization**

Conservation easements are not about stopping development; they are about preserving special places as development occurs. This means it is essential to identify special places, so that our limited human and financial resources can be focused in those areas.

There are a number of data sets in existence that could be used to identify "Conservation Focus Areas (CFAs)." Biological data relating to the needs of wildlife and existing native plant communities is available from the Nebraska Game and Parks Commission (NGPC). The Natural Resources Districts also have similar information, in addition to GIS departments and hydrologists. The Platte River Cumulative Impact Study (CIS) will show us what has been lost and what can still be saved. The Nebraska State Historical Society (NSHS) has information on historic and cultural sites. The NIZC has recommendations from an economic development perspective.

There may be some holes to fill, such as an assessment of scenic viewsheds, but mostly, existing information could be pulled together by a group with various interests and expertise, that can provide a holistic look at potential priority areas. Such a group might include NRDs, counties, the NLT, LPRCA, NGPC, USFWS, NSHS, NIZC, and others.

Once conservation focus areas are identified, a second filter will be needed to prioritize individual properties within that area. Whether there are two interested landowners in a given landscape or 20, there should be a transparent, on-the-ground process that provides guidance on individual land protection priorities. The NLT has a model for such a process, which has been used to score prospective easement properties based on agricultural, historical, and natural resources in the Schramm Bluffs of Sarpy County.

## **Exhibit "A"**

### **Preservation**

The actual acquisition of conservation easements will happen in three ways: 1) a complete donation of the easement that results in tax benefits; 2) a "bargain purchase," where a portion of the easement's value is donated while the balance is paid for; or 3) a full purchase of the easement's appraised value.

At the heart of each conservation easement are the Reserved Rights and Restrictions. Understandably, landowners want to play an active and informed role in designing these provisions and they should; it is one of the things that make these agreements attractive. While every easement must be true to the conservation values it is intended to protect, a "building envelope" for a new home or barn, farming, grazing, hunting, and other conservation compatible land uses may be part of the bargain.

Like any real estate transaction, the path to a conservation easement can involve unforeseen twists, turns, and a few dead ends. Success improves with experience and consistency in negotiations, appraisals, easement documents, baseline reports, transaction costs, enforcement, county approvals and more. Consistency and experience also breeds familiarity with the organization and the process, for landowners and county officials.

### **Partners**

**The Lower Platte South (LPSNRD) and Papio-Missouri River (PMRNRD) NRDs** are potential anchors for this effort, as they share jurisdiction and responsibility for natural resources in the Bluffs Region. For example, in **Phase One**, the NLT created a successful model in the Schramm Bluffs of Sarpy County and the PMRNRD was an early supporter, by executing a Cooperative Agreement with the NLT in 2006 to pursue conservation easements in this area. **Phase Two** would start a similar effort on the west side of the river downstream from Ashland, at which point the LPSNRD would become an invaluable partner. **Phase Three** would extend the effort upstream to Fremont (and possibly beyond), at which point the LPNNRD may wish to become a partner.

The NLT's experience in the Schramm Bluffs makes it a good candidate to take the lead in implementing the various phases of this effort, as it has been implementing **Phase One** in this area since 2006 with good results. It also has a track record of land protection in the Lower Platte Valley, including:

- Nearly 2,000 acres of donated and purchased conservation easements, with:
  - Over four miles of Lower Platte River frontage.
  - 20 individual wetlands and several lakes used by migratory waterfowl.
  - Mature oak/hickory woodlands at the very western edge of its range.
  - Mature riparian woodlands along the river used by bald eagles.
  - Grasslands that provide habitat for declining species like bobolinks.
  - Some of the highest rated farming soils in the state.
  - Scenic views from public parks, roads, and places.
  - Two sites listed on the National Register of Historic Places.
- Receipt of a \$1.1 million NET grant to purchase Schramm Bluffs easements.
- Receipt of \$128,000 from the NRCS Farm and Ranch Protection Program and a \$78,000 NET grant to purchase a Platte Valley easement in Saunders County.

## **Exhibit "A"**

- Receipt of more than \$50,000 in grants from foundations to support these efforts.

Other potential partners include the LPRCA, NGPC, NSHS, USFWS, agricultural interests, and conservation organizations, all of whom (including the three lower Platte NRDs) serve on the NLT Board of Directors.

### **Financial Incentives for Conservation Easements**

There should be no illusions that permanent land conservation is cheap or quick. Over the course of many years, millions of dollars would be needed.

While the challenge seems daunting, there is good news in the form of a large increase in federal funding for the purchase of easements through several Farm Bill programs. At the head of this list, the NRCS Farm and Ranch Protection Program (FRPP) will pay up to 50% of the appraised value for a conservation easement. National funding for this program has been doubled, increasing from \$96 million in 2009, to \$200 million in 2012. It allows the landowner to donate up to 25% of the easement's value, which would lower the amount needed from a non-federal source like the NET to 25%. In fact, this is the basic formula the NLT employed to purchase a conservation easement on "Pahuk Hill."

The full donation of conservation easements is another route that will be pursued whenever feasible. For landowners who can utilize a substantial income tax deduction, donation is a faster way to realize a financial benefit, as the Farm Bill also contained a two-year renewal of significantly enhanced federal income tax deductions for these donations. In fact, of the five easements held by the NLT on the lower Platte, four were acquired through donation.

### **Funding for the Work of Conservation Easements**

The Nebraska Land Trust is uniquely positioned to tackle a Platte Valley Preservation Project. Based on their experience in the Schramm Bluffs, the NLT could:

- Design and implement a comprehensive education initiative.
- Convene an advisory group to access existing information on conservation values in the corridor and identify Conservation Focus Areas.
- Identify prospective easement properties through meetings with landowners.
- Implement on-the-ground assessments of prospective easement properties and identify the highest priorities for permanent conservation.
- Obtain funding for the purchase of easements from FRPP, NET, and other sources.
- Negotiate with landowners who wish to sell and/or donate an easement.
- Perform all functions needed to complete the easement process.
- Facilitate media coverage when easements are completed, if appropriate.
- Monitoring and enforcement of easements in perpetuity.

What the NLT cannot do is tackle this effort with its current financial and human resources. It would necessitate the hiring of additional staff and require a large share of the Executive Director's time. Expenses associated with the project would escalate as

## **Exhibit "A"**

well, such as legal fees, travel, printing, appraisals, title commitments, closing costs, surveys, and more. As the attached budget shows, **at least \$90,000 would be needed to fund Phase Two** of the project, and more would be needed to implement **Phase Three**. It should also be noted that **Phase One** is ongoing and will continue as **Phase Two** is implemented. Multi-year commitments from partners would be essential for success. **If funding was reasonably assured, the NLT could begin Phase Two in 2009.**

### **Phase Two Operating Budget**

**(Includes ongoing costs for Phase One. Does not include cost of easement purchases)**

#### **Projected Annual Expenses**

|                                       |                     |
|---------------------------------------|---------------------|
| <b>Staff Salaries*</b>                | <b>\$55,000</b>     |
| <b>Legal Fees**</b>                   | <b>9,000</b>        |
| <b>Appraisals***</b>                  | <b>12,000</b>       |
| <b>Title &amp; Closing Costs</b>      | <b>2,000</b>        |
| <b>Printing</b>                       | <b>2,000</b>        |
| <b>Travel/Mileage</b>                 | <b>5,000</b>        |
| <b><u>Administrative Expenses</u></b> | <b><u>5,000</u></b> |
| <b>TOTAL</b>                          | <b>\$90,000</b>     |

\* 50% of Executive Directors time and 80% of new staff member's time.

\*\* Based on three easements at \$3,000 each.

\*\*\* Based on three appraisals at \$4,000 each.

#### **Projected Annual Revenues**

|   |                      |
|---|----------------------|
| <b>LPSNRD Cooperative Agreement</b>           | <b>\$30,000</b>      |
| <b>PMRNRD Cooperative Agreement</b>           | <b>30,000</b>        |
| <b><u>Grants and Individual Donations</u></b> | <b><u>30,000</u></b> |
| <b>TOTAL</b>                                  | <b>\$90,000</b>      |

## **Exhibit "A"**

### **Three-year Timeline**

#### **2009**

- Continue implementation of **Phase One** in the Schramm Bluffs, which has moved into the Preservation stage with a \$1.1 million NET grant to purchase easements.
- Hire new staff to begin implementation of **Phase Two** on other side of the river.
- Schedule informational meetings and implement other aspects of education program, focusing on the west/south side of the valley, possibly as a part of the LPRCA "Coffee Shop" meetings.
- Convene working group to gather data and identify Conservation Focus Areas (CFAs) downstream from Ashland on west/south side of the river, as well as the addition of any new areas (besides Schramm) on the east/north side of the valley.
- Apply for NET grant to fund easement purchases in newly identified CFAs.

#### **2010**

- Through group and private meetings with landowners, identify those with land in CFAs who are interested in conservation easements.
- Begin prioritization of prospective properties with on-the-ground assessments.
- Begin negotiations with landowners of priority properties downstream from Ashland if NET funding is obtained.
- Submit a new NET request (if needed) and/or FRPP grant to fund easement purchases in CFAs on both sides of the valley.
- Continue to acquire easements in Schramm area as funding allows.
- Begin implementation of **Phase Three** as funding allows, with educational meetings upstream from Ashland, identification of CFAs in this area, and identification of interested landowners.

#### **2011**

- Ongoing negotiations and easement purchases with landowners involved in **Phase One** and **Phase Two**.
- Begin negotiations with priority landowners in CFAs upstream from Ashland, subject to available funding.
- Submit additional funding requests as needed.

#### **Ongoing**

- Education
- Performance of all duties necessary to implement easements, including negotiations, document drafting, appraisals, baseline reports, title reports, press coverage, county approvals, acquisition of Stewardship Funds for monitoring and defense of easements, and more.
- Fundraising for operating costs.
- Monitoring and defense of existing lower Platte conservation easements.

| ska Land Trust Conservation Easements  |                |          |               |   |           |                             |          |  |                 |                  |  |
|--|----------------|----------|---------------|---|-----------|-----------------------------|----------|--|-----------------|------------------|--|
| Original Owner   | Current Owner  | Acres    | Date Acquired | How Acquired                                | Location  | Township/Range              | Zip Code | Primary Conservation Values Protected  | Monitored       | Time on Property |  |
| Dave Janke   | Barry James    | 227.71   | 12/6/2002     | Transferred                                 | Douglas   | T-14N/R-10E                 | 68069    | About 3/5 mile of natural Elkhorn River shoreline, hydrologically connected oxbow wetland, pond, grasslands, riparian woodlands, scenic views from Q St.   | 11/21/2014      | 1.5              |  |
| Clarence Werner  | Same           | 577      | 12/20/2002    | Donation                                    | Douglas   | T-16N/R-9E                  | 68064    | Over 1 mile of Platte River shoreline along dike, cropland, 18 delineated wetlands, pond, slough, grasslands, and woodlands.   | 12/2/2014       | 0.5              |  |
| Ginger Woods Reserve, L.P.   | Luke Janke     | 213.66   | 6/24/2003     | Donation                                    | Douglas   | T-16N/R-9E and T-15N/R-9E   | 68064    | About 2 miles of natural Platte River shoreline, wetlands, ponds, scenic views, wet meadows, grasslands, riparian woodlands.   | 10/20/2014      | 1                |  |
| William Hanley (S&B Part.)   | Pete Hanley    | 37       | 12/10/2004    | Donation                                    | Saunders  | T-15N/R-9E                  | 68070    | About 1/3 mile of natural Platte River shoreline, seasonal pond, wetland, grassland, historical site, scenic views, adjoins wetland mitigation bank.   | 12/1/2014       | 0.5              |  |
| Wanda Clark/Monica Dunse   | Same           | 644      | 12/28/2007    | Donation                                    | Lincoln   | T-11N/R-28E                 | 69151    | Critical habitat for elk and endangered American burying beetle, virgin mid-grass prairie, scenic views, ranching, adjoins Wapiti WMA.   | 6/25/2014       | 1.75             |  |
| Pat and Nancy Shanahan   | Same           | 257.6    | 4/11/2008     | Bargain Sale using FRPP and NET funds       | Saunders  | T-17N/R-7E                  | 68015    | One-half mile of natural Platte River shoreline, oak/hickory forest at western extreme of range, Pahaku cultural site, scenic views, prime farmland, adjoins Gilbert CE land and Scout Camp.   | 4/30/2014       | 1                |  |
| John and William Walz  | Jarel Vinduska | 90.38    | 10/21/2008    | Bargain Sale using NET and mitigation funds | Sarpy     | T-12N/R-10E                 | 68028    | One-half mile of natural Platte River shoreline, one-half mile of a Platte River tributary, riparian woodlands, farming, scenic views, adjoins Schramm State Park.   | 6/9/2014        | 1.75             |  |
| John Dunse   | Same           | 343      | 11/17/2008    | Bargain Sale using NGPC funds               | Lincoln   | T-11N/R-28W                 | 69151    | Critical habitat for elk and endangered American burying beetle, virgin mid-grass prairie, scenic views, ranching, adjoins Clark/Dunse CE land.  | See Dunse/Clark | See Dunse/Clark  |  |
| George Krueger   | Same           | 438.9    | 6/23/2009     | Donation                                    | Seward    | T-12N/R-28W                 | 68439    | Riparian woodlands along Lincoln Creek and conservation farming practices such as terraces and grass waterways.  | 11/12/2014      | 1.75             |  |
| Theodore (Ted) and Ramona (Mona) Thierman  | Same           | 160      | 7/17/2009     | Donation                                    | Boone     | T-22N/R-7W                  | 68652    | Native grassland habitat on the eastern fringe of the Sandhills and ranching.  | 9/25/2014       | 1                |  |
| Nine Penny Ranch – Kris Fisher and the L. Wayne Davidson and Chestyne K. Davidson Revocable Living Trust | Same           | 949.05   | 5/20/2010     | Full Purchase using NET and FRPP funds      | Lincoln   | T-12N/R-28W                 | 69151    | Critical habitat for elk and endangered American burying beetle, virgin mid-grass prairie, scenic views, ranching.   | 6/25/2014       | 1                |  |
| Ron and Carol Patterson  | Same           | 56.62    | 6/15/2010     | Bargain Sale using NET and FRPP funds       | Sarpy     | T-13N/R-10E and T-12N/R-10E | 68028    | Oak/hickory woodlands, flowing stream, significant archeological sites, farmland in an urbanizing county, and scenic views from Hwy 31.  | 8/12/2014       | 1.75             |  |
| Sunny Brook Ranch, FLP (Roy and Steve Breuklander)   | Steve B.       | 1,124.57 | 8/11/2010     | Full Purchase using NET and FRPP funds      | Keya Paha | T-33N/R24W                  | 68778    | Ranching; 4 of the 6 ecosystems found in the Niobrara Valley (ponderosa pine forest, eastern deciduous forest, mid-grass prairie, & tallgrass prairie); 1.3 miles of river front on the Niobrara NSR; contiguous to TNC Niobrara Valley Preserve; scenic views from the river and River Road; recreational uses; 9 archeological/historical sites; | 6/19/2014       | 5                |  |
| OPM Partnership  | Same           | 830.8    | 8/23/2010     | Transferred from Fontenelle Forest          | Saunders  | T-16N/R-9E                  | 68025    | Extensive wetlands, 1.5 miles of river frontage, riparian woodlands, grasslands.   | 10/16/2014      | 1                |  |
| Dean and Wayne Fedde   | Same           | 157.8    | 3/30/2011     | Bargain Sale using FRPP and NET funds       | Sarpy     | T-12N/R-10E                 | 68028    | Oak/hickory woodlands, flowing stream, archeological site, farmland in an urbanizing county, adjacent to Schramm State Park, currently an organic farm, and scenic views from Hwy 31.  | 4/21/2014       | 3                |  |
| Ron and Carol Patterson  | Same           | 178.99   | 4/7/2011      | Bargain Sale using FRPP and NET funds       | Sarpy     | T-13N/R-10E                 | 68028    | Oak/hickory woodlands, flowing stream, significant archeological sites, farmland in an urbanizing county, and scenic views from Hwy 31.  | See Patterson I | See Patterson I  |  |

|  |      |                 |            |  |               |                           |       |   |                 |                 |
|--|------|-----------------|------------|--|---------------|---------------------------|-------|---|-----------------|-----------------|
| Paul, Lori, and Gregory Hosford          | Same | 546             | 12/27/2011 | Bargain Sale using wind mitigation funds       | Boone         | T-20N/R-5W and T-19N/R-5W | 68620 | Farming, Native American lodge sites, Native American mounds, potential burial sites, riparian woodlands along the Beaver and O'Neill Valley Creeks, meandering unchanneled portions of these creeks, unplowed and restored tallgrass prairie, and educational use by local schools.  | 9/25/2014       | 1.75            |
| Gary and Nancy Fisher                    | Same | 546.51          | 12/29/2011 | Full Purchase using NET, FRPP, and other funds | Dawes         | T-31N/R-51W               | 69339 | Ranching, key wildlife habitat between two large parcels of public land, key bighorn sheep habitat, a large stocked pond and a portion of West Ash Creek (a trout stream), scenic views from public lands and W. Ash Creek Rd.  | 6/18/2014       | 1.5             |
| Chief Dull Knife College                 | Same | 1,121.36        | 3/27/2012  | Full Purchase using NET, FRPP, and other funds | Sioux         | T-31N/R-53W               | 69346 | Adjacent to Ft. Robinson State Park and the Petersen WMA, critical lambing habitat for bighorn sheep; historical significance as the site of the Cheyenne Breakout of 1879; has a locally rare wetland, scenic views from public lands and Hwy 20; continued ranching; potential for education.   | 6/17/2014       | 0.75            |
| Stan Swanson and Connie Anderson-Swanson | Same | 36.44           | 7/26/2012  | Bargain Sale using NET funds                   | Sarpy         | T-12N/R-10E               | 68028 | Oak/hickory woodlands, significant archeological sites including trail ruins, farmland in an urbanizing county, demonstration plot for cedar removal, and scenic views from 204th St.   | 4/25/2014       | 1.25            |
| Francis and Margaret Kennedy             | Same | 262             | 7/3/2013   | Bargain Sale using FRPP, NPPD, and USFWS       | Sarpy         | T-12N/R-11E               | 68028 | Oak/hickory woodlands; unhardened Platte River shoreline, farmland in an urbanizing county, scenic views from Hwy 31, the MOPAC Trail (which crosses the land), and Platte River State Park; habitat for endangered pallid sturgeon, least terns, and threatened piping plovers; some archeological sites; rare oak woodland on the river with Chinquapin oaks, the first documented in Sarpy County; | 4/17/2014       | 2.25            |
| Ron and Carol Patterson                  | Same | 174.84          | 7/5/2013   | Bargain Sale using FRPP and NET funds          | Sarpy         | T-12N/R-10E               | 68028 | Oak/hickory woodlands; flowing stream; pond; significant archeological sites; farmland in an urbanizing county with soils of statewide importance, some native prairie; and scenic views.   | See Patterson I | See Patterson I |
| Brent and Mary Boerkircher               | Same | 1,038.31        | 12/9/2013  | Donation                                       | Lincoln       | T-11N/R-28W               | 69151 | Habitat for the endangered American burying beetle; habitat for wild elk; native prairie; historical marker, cattle ranching; adjoins John Dunse Easement.  | 6/25/2014       | 3               |
| John and Julia Schutz                    | Same | 80              | 12/26/2013 | Donation                                       | Merrick       | T-14N/R-8W                |       | Grassland with some native components; grassland habitat in a farming area; native woodlands; hay production.   | 11/12/2014      | 0.75            |
| Claudeen Penry                           | Same | 160             | 12/27/2013 | Donation                                       | Holt          | T-30N/R-15W               | 68713 | Native grassland habitat in a farming area; some virgin prairie; fruit trees and honey production; hay production and grazing; potential outdoor classroom for education.   | 9/23/2014       | 0.5             |
| Ken and Diane Hansen                     | Same | 67              | 6/19/2014  | Donation                                       | City of Blair | T-18 & 19 N/R-11E         | 68008 | High quality native oak-hickory woodland on Missouri River bluffs and productive terraced farmland in an urbanizing area.   | New             | -               |
| Robert and Cheryl Robart                 | Same | 80              | 12/29/2014 | Purchase using wind funds                      | Jefferson     | T-1N/R-3E                 | 68516 | Virgin tallgrass prairie in Sandstone Prairies BUL with intermittent stream and associated native woodlands.  | New             |                 |
| Terrance and Karen Waite                 | Same | 685             | 12/30/2014 | Donation                                       | Lincoln       | T-16N/R-33W               | 69101 | Native Sandhills prairie and portions of Birdwood Creek   | New             |                 |
| Todd and Laura McWha                     | Same | 720             | 2/10/2015  | Donation                                       | Lincoln       | T-16N/R-33&34W            | 69101 | Native Sandhills prairie and portions of Birdwood Creek   | New             |                 |
| <b>TOTAL</b>                             |      | <b>11804.54</b> |            |  |               |                           |       |   | <b>2014:</b>    | <b>34.25</b>    |





*Preserving Our Agricultural, Historical And Natural Resources*

# *The Landscape*

*News from the Nebraska Land Trust*

*2013 Annual Report*



The Kennedy farm stretches from the Platte River to forest and pasture on the bluffs, traversed by scenic Highway 31 and the MoPac Trail.

## **Kennedy Farm protects scenic views, habitat, river and bluffs in Sarpy County**

It was the kind of afternoon that makes one feel lucky to be outside, as the Nebraska Land Trust (NLT) baseline team went about their work on the 262-acre Kennedy farm in southern Sarpy County. Francis and Margaret Kennedy preserved their land through a conservation easement with the NLT in 2013 and prior to completion of all easements, a baseline report is needed to document conditions on the land when the easement is conveyed. The NLT takes a team approach, by calling on our board members to provide needed expertise in many pertinent areas.

The team was scouting an unusual oak woodland on the banks of the Platte River when a shout went out for everyone to “get over here!” Gary Garabrandt (Fontenelle Forest) and Scott Luedtke (Nebraska Game and Parks Commission) had found a natural grove of Chinquapin oaks; an eastern tree on the far northwestern edge of its range in America, and the first ever documented in Sarpy County.

*(See Kennedy Farm, page 3)*

## **Nebraska Land Trust earns national recognition**

After an extensive evaluation following years of preparation, the Nebraska Land Trust (NLT) was awarded national accreditation in 2013 by the Land Trust Accreditation Commission. The NLT is one of 254 land trusts from across the country that have been awarded accreditation to date, which is about 15% of the land trusts nationwide. The NLT is also the first accredited land trust based in Nebraska.

*(See Accreditation, page 4)*

## **Boerkircher Ranch preserved in Loess Canyons**

Sometimes, an unlikely event can lead to an outstanding conservation opportunity. For Brent and Mary Boerkircher, who own a 1,038-acre ranch in the Loess Canyons southeast of North Platte, it was a mistake made on the title when they transferred a

*(See Boerkircher Ranch, page 4)*



The Loess Canyons are a large area of unfragmented mid-grass prairie southeast of North Platte, providing habitat for wild elk and other grassland species.



# Wild Thoughts

*from Dave Sands, Executive Director*

Recently, I celebrated one of those “milestone” birthdays that end in a zero. More than one friend advised that it’s “just a number on the calendar,” but milestones do make you think about how far you’ve come and those who have helped you to get there.

Organizations have milestones too and the Nebraska Land Trust (NLT) reached several in 2013. Foremost is the achievement of national accreditation, a milestone that has only been reached by about 15% of the 1,700 land trusts nationwide. It isn’t meant to be easy, as dozens of standards and practices must be met, from nonprofit management to land protection.

At its heart, the program is intended to help land trusts meet the promise of preserving land in perpetuity. It also demands a continued quest for excellence, which is a journey that never ends. As a statewide organization devoted to the permanent preservation of private land, Nebraskans deserve no less.

While the NLT did not have a milestone birthday in 2013, other notable milestones did involve numbers. We surpassed 10,000 acres of permanently preserved private land; we completed our 25th conservation easement; we added two new counties to our project list for a total of 11; and we completed the most agreements ever in a single year with five.

Of course no assessment of progress is complete without recognition that we didn’t reach these milestones alone. It all starts with the landowners who seek to leave a legacy of permanently preserved land. Then there are all of the generous individuals who support the NLT, which enables us to work with interested landowners across the state and turn conservation opportunities into achievements.

Finally, there are the organizations and people listed to the right, who serve on the NLT Board of Directors. They represent a wide range of interests with at least one thing in common; support for private property rights, including the right of a landowner to permanently preserve agricultural, historical, and natural resources on their land.

## Board of Directors

### At-large Members

Michael Linder/Neal Ratzlaff/Michael Siedschlag/Katie Zulkoski

### Fontenelle Forest

John Ellsworth/Jeanine Lackey/Nancy Roberts (General Counsel)

### Lower Platte River Corridor Alliance\*

Meghan Sittler

### Lower Platte North

### Natural Resources District

John Hannah/Bob Heimann/John Miyoshi

### Lower Platte South

### Natural Resources District

Glenn Johnson (Vice Chair)/Dan Schulz

### National Park Service\*

Steve Thede

### Nebraska Cattlemen

Warren Arganbright (Chair)/Rod Christen/Kristen Hassebrook

### Nebraska Game and Parks Commission

Jim Douglas/Tim McCoy

### Nebraska Sportsmen's Foundation

Scott Smathers

### Nebraska State Historical Society

Trisha Nelson/Michael Smith (Treasurer)

### Nebraska Wildlife Federation

Duane Hovorka/Dave Koukol (Secretary)

### Niobrara Council

Lance Kuck

### Papio-Missouri River

### Natural Resources District

Jim Becic

### Platte River Basin Environments\*

Hod Kosman

### Sandhills Cattle Association

Carl Simmons

### United States Fish and Wildlife Service\*

Kenny Dinan/Robert Harms

### Wachiska Audubon Society

Tim Knott/Joe Francis/Don Pepperl

### \*Advisory, non-voting members

Each organization receives one vote.

## Staff

Dave Sands, Executive Director

Jacob Alishouse, Stewardship Associate

Lee Kottmeyer, Intern

**For more information:** Call (402) 438-5263

Mail to 9200 Andermatt Drive, Suite 7, Lincoln, NE 68526

Email [admin@nelandtrust.org](mailto:admin@nelandtrust.org);





### Kennedy Farm

(continued from page 1)



The observation tower at Platte River State Park rises above a hilltop across the river, where visitors can get a birds-eye view of the Kennedy Farm.

While it is the NLT's job to document the finer points of properties we preserve, it does not take a botanist to appreciate the beauty of the Kennedy Farm. Scenic Highway 31 crosses the property as does a new segment of the MoPac Hike/Bike Trail. The farm is across the valley from Platte River State Park and anyone who has ever climbed their observation tower has gazed down upon the Kennedy Farm.

The farm is also one of a few area properties that stretch from the river into the bluffs maintaining an important corridor for wildlife. The unhardened river bank helps to preserve the natural hydrology of the river, which benefits the endangered pallid sturgeon, interior least tern, and threatened piping plover.

Next to the river there are woodlands that host nesting bald eagles, and a pond that attracts migratory waterfowl including trumpeter swans. The bluffs are a mosaic of grasslands and woodlands that provide habitat for songbirds and other wildlife.

In fact, it was the land's importance for wildlife and agriculture that allowed the NLT to partner with the Nebraska Public Power District (NPPD), the Natural Resources Conservation Service (NRCS) and the U.S. Fish and Wildlife Service, who all provided funds for the bargain purchase of the conservation easement. It was a bargain purchase because the family generously donated a substantial portion of the easement's value to make preservation possible.

NPPD became a partner through the relicensing of the Cooper nuclear power station near Brownsville. In looking at potential impacts to endangered species, it was determined that something should be done to benefit the pallid sturgeon.

*"Each of my family members has a favorite memory of a special spot. It may not be the same spot but it is at the same place. The family farm. We all love the land, views, wildlife and sounds we can hear during a quiet moment. It is our connection to our family heritage. It links us to our parents, grandparents and great grandparents. It is also our link to the future.*

*We have a responsibility to future generations to preserve the land for their enjoyment, so they too can have favorite memories of that special spot and moment. We also feel a responsibility to those that may be passing through the area on a family drive or a hike on the MoPac Trail that runs along Highway 31. The beauty and the sounds will give them a break from the hustle and bustle and a chance to bond in nature.*

*We believe Nebraska Land Trust shares our vision and goals not only for our land but for the Schramm Park area. With a new set of eyes, we discovered even more about our land from them and how we could preserve it, while also preserving compatible new uses for the future."*

Colleen Kennedy Smart

The Platte River provides critical habitat for the species that is affected by bank stabilization which often results from development on the shore. Given the farm's location in the state's fastest growing county, with scenic views and a lake that could have easily been developed for housing, the threats to the river and land were very real.

Rich bottomland on the farm represents an endangered resource of a different sort – farmland in an increasingly urban county. This qualified the farm for NRCS funds aimed at preservation of prime farmland near cities.

Francis likes to refer to the land by its historic name, Peaceful Valley Ranch.

Thanks to Francis, Margaret, and their family, it will remain a peaceful haven for wildlife and people who enjoy the lower Platte Valley.

## Accreditation

(continued from page 1)

National accreditation has been a cornerstone of the NLT's commitment to the permanent preservation of private land through voluntary agreements known as conservation easements. When working with private landowners, there is nothing more important than trust, and accreditation enhances trust and confidence in the quality of a land trust's work.

Each accredited land trust must submit extensive documentation and undergo a rigorous review. "Through accreditation, land trusts conduct important planning and make their operations more efficient and strategic," said Tammara Van Ryn, Executive Director of the Land Trust Accreditation Commission. "Accredited organizations have approved systems for ensuring that their conservation work is permanent."

"Land trusts are gaining higher profiles with their work on behalf of citizens and the seal of accreditation from the Land Trust Accreditation Commission is a way to prove to their communities that land trusts are worthy of the significant public and private investment in land conservation," noted Land Trust Alliance President Rand Wentworth.

In the words of NLT executive director Dave Sands, "Accreditation is about the pursuit of excellence, both in what we preserve and how we preserve it. We are a much better land trust for having tackled this challenge and achieved it."



The NLT is now able to display the above seal of accreditation, affirming that it meets national standards for excellence, upholds the public trust, and ensures that conservation efforts are permanent.

## Boerkircher Ranch

(continued from page 1)

small portion of their land to a next door neighbor. The neighbor was John Dunse, who completed a conservation easement with the NLT on his ranch in 2008. As conservationists who care deeply about their land, Brent and Mary became interested and donated a conservation easement to protect their ranch in 2013.

To understand the significance of the Boerkircher's donation, one must realize that the adjacent 987-acre Dunse Ranch adjoins the state's 1,920-acre Wapiti Wildlife Management Area. Named for wild elk that still roam this unfragmented prairie region, the Wapiti WMA was also set aside to benefit the endangered American burying beetle. Completion of the Dunse

*"To us the ranch is our sanctuary, an investment in future generations, and an opportunity to enjoy what we currently are stewards of. It is a growing, ongoing project, and the conservation easement gives us peace of mind to know that our investment in stewardship will be preserved and monitored for generations to come. We are so blessed to have the land and never take it for granted. Our family, kids and grandchildren have memories that only could be made possible by such a magical place!"*

Mary Boerkircher

Easement enlarged this block of protected habitat by half and with the contiguous Boerkircher Ranch Conservation Easement, the protected block of habitat has now more than doubled.

Even with the generous donation of the conservation easement, the NLT's transaction costs must be paid and a Stewardship Endowment is also needed. The Nebraska Big Game Society agreed to partner on the project by paying the transaction costs, while the stewardship endowment came from a fund to benefit the American burying beetle through the Rainwater Basin Joint Venture.

Above all, the Boerkirchers feel blessed to own the land. Through the conservation easement, they have extended a blessing to future generations by preserving its beauty, habitat, and productivity.



## ***Loss of grasslands spurs interest in protection***

Nebraska is number one, but not in a good way. Instead, United States Department of Agriculture data show that Nebraska had more grassland converted to cropland (54,876 acres) between 2011 and 2012 than any other state in America. That represents a loss of nearly 85 square miles of grassland habitat.

In 2013, two landowners donated conservation easements to the Nebraska Land Trust to make sure that their grasslands will continue to provide habitat for wildlife and forage for livestock.

Claudeen and Francis Penry of Atkinson protected their 160 acres of native prairie “out of respect for Claudeen’s parents,” Francis said. “They loved the land and broke up only what was necessary to produce grain to feed their livestock. Our quarter of land is one of the few places where the jack rabbit survived so we call the land Jack Rabbit Flats. We contacted the NLT and discovered that they offered what we desired; protection of the land after we depart this life.”

John and Julia Schutz and John’s sister Mary Helen Shortridge also wanted to honor generations of their family’s stewardship in Merrick County. “Over time, with all that is changing in this world, we have come to realize the importance of preserving a parcel of native woods and grassland that has been in our family for five generations,” John explained. At the planning commission hearing to approve their easement a commissioner agreed. “You know, we are losing too much grass and trees around here,” she said.



**The Penry Prairie near Atkinson provides an oasis of grass and trees for wildlife, in a sea of cropland.**

## ***Prescribed Fire: Medicine for our grasslands***

*By Jacob Alishouse*

In the last half-century the Great Plains grasslands have seen the reintroduction of a time-tested management tool, prescribed fire. Although fire was once widely present in the Plains through lightning and intentional ignition by Indians, it has been suppressed since European settlement.

Since the 1960s, fire research has sparked land managers to rethink using fire in an effective and safe manner. It must be clarified that there is a difference between wildfires and prescribed fires. A wildfire is unplanned, while prescribed fire follows a land management plan so the burn occurs at a particular time and space, while accounting for environmental conditions to ensure predictable fire behavior. An example of how data are analyzed for a particular burn to meet a land management plan is that desirable plants would be dormant and soil moisture sufficient to sustain plant growth post-fire.

It is important to note that prescribed fire is not a “cure-all” that will reverse the entirety of past management failures. Although, when used in conjunction with other management practices it does produce considerable benefits. In grasslands, prescribed fire may increase the availability, yield, nutritive quality, and palatability of grass. While at the same time it may reduce hazardous fuels, suppress unwanted plants, and improve wildlife habitat.

One specific use for prescribed fire is to suppress the growth of eastern red cedars that are invading many Nebraskan landscapes. The spread of eastern red cedar has reduced forage production as it shades-out herbaceous cover under its canopy. This has only become more of an issue as management is overlooked and red cedars increase their numbers. The great benefit of prescribed fire is that it is an inexpensive method to reduce red cedar growth in comparison to alternative methods, such as mechanical removal or herbicide.

Fire is also beneficial to our wildlife species through increasing habitat diversity, nutritive quality, availability and yield of forage. Despite the common misconception that wildlife are killed in fires, most

actually escape by moving away from the fire. Birds will fly away, ground animals will run, and burrowing animals will go underground. Many upland birds, such as game birds, are nesting in May, so an early April burn will avoid most nest destruction.

Safety is the primary concern when planning and conducting prescribed fire. The burn plan must be detailed, an experienced person must supervise the execution, and the fire crew must be competent and reliable. Nebraska law requires all prescribed burn plans to be submitted to the local fire chief. If there are no issues with the burn plan, an open burning permit will be administered for the prescribed fire.



File photo, National Park Service

There are places where prescribed fire should not be used, like sandy soils subject to wind erosion, steep slopes greater than 30 percent at risk of erosion, or when the environmental conditions are not within the burn plan's guidelines. Factors considered include relative humidity, air temperature, and wind speed with a consistent direction.

Fire has emerged as a leading land management practice. When properly applied it can benefit cattle, wildlife, and aid in the removal of invasive species while costing the landowner less than comparable practices. Keeping prescribed fire as a tool for land management is both environmentally and fiscally beneficial for the landowner.

## ***Welcome Jacob Alishouse***

In 2013, Jacob Alishouse was hired as the Nebraska Land Trust's Stewardship Associate, our first full-time position devoted to easement monitoring, baseline documentation, and working with landowners to enhance conservation values after easements are completed.

## ***Northern Cheyenne launch fundraising effort to complete monument***

On the cold, winter morning of January 9, 1879, after four days without food, water, or heat, Chief Dull Knife and 149 Cheyenne People escaped from their inhumane imprisonment at Fort Robinson and began a long dangerous journey back to their home in the north. In their fight to survive, 39 Cheyenne men and 22 women and children lost their lives.

In 2001, tribal members, elders and supporters began the planning and construction of a new historical monument west of Fort Robinson State Park to establish a place of remembrance, respect, honor and healing to acknowledge the sacrifices made by their Cheyenne ancestors.

Although the planning and construction efforts began in 2001 the Monument was half finished when existing funds ran out. It is the desire of many Cheyenne to finally finish the Monument for all people to visit and remember what happened at Fort Robinson. It is hoped that it will provide a chance for all people to heal from the senseless tragedy.



The Nebraska Land Trust holds a conservation easement on this land and works to assist landowners who wish to enhance their conservation values. The monument would greatly enhance the land's historical value by helping people to understand what occurred.

In 2014 the Northern Cheyenne Breakout Legacy Fund was established as an affiliated fund of the Nebraska Community Foundation to receive donations for the monument. For information on the fund, please go to [www.nebcommfound.org](http://www.nebcommfound.org). For additional information on the Northern Cheyenne Breakout Monument project please contact: Major Robinson at (406) 438-1420 [redstonemt@gmail.com](mailto:redstonemt@gmail.com) or Dave Sands at (402) 438-5263 [dsands@nelandtrust.org](mailto:dsands@nelandtrust.org).

### ***Would you make an investment that provides a 10 to 1 return for conservation?***

The Nebraska Land Trust (NLT) is a very efficient organization that accomplishes big things on a relatively modest annual operating budget. This approach is greatly facilitated by our Board of Directors, who provide many in-kind services needed by land trusts, from map making to biology.

Even so, the NLT must raise significant support every year to allow everything else to happen, including the raising of funds for direct land protection through the purchase of conservation easements.

Since 2008, the total NLT operating budget for all six years was \$953,457. During this same period of time, NLT staff raised \$9,851,054 to purchase land protection agreements. **For every dollar of support from our annual donors since 2008, we have raised \$10 to purchase land protection agreements. Please consider a tax-deductible gift to the Nebraska Land Trust today. Not only does it represent a sound investment decision, the true dividend is paid forward to future generations through permanently preserved land!**

### **Family of Friends**

The Nebraska Land Trust thanks the following individuals and organizations that have contributed to our success during 2013.

#### **Conservation Easement Donors**

Brent and Mary Boerkircher  
Francis and Margaret Kennedy  
Carol and Ron Patterson  
Claudeen and Francis Penry  
John and Julia Schutz

#### **Stewards**

John and Jane Ellsworth  
John and Carmen Gottschalk  
Jim and Lori Hruska  
Lawrence and Jeanette James  
Helen Kenefick  
Hod Kosman  
Dr. Daniel and Dorothy McKinney  
Neal Ratzlaff  
Julie Schroeder  
Gail and Michael Yanney

#### **Friends**

Tom and Jane Allman  
Warren and Sue Arganbright  
Britton and Barbara Bailey  
Laurine Blankenau  
Dr. Mark J. Brodkey  
Mary and Douglas Campbell  
Elizabeth Conley  
Dr. James Commers  
Maurice Dixon  
Marv and Vickie Ehly  
Dr. Larry and Peggy Fletcher  
Judy and Jeff Greenwald  
John Hannah  
Linda Hillegas and Jim McKee  
Paul and Lori Hosford  
Shirley and Clint Johannes  
Bruce and Marge Kennedy  
Robert Krohn  
Terry Lassek  
Jean Lewis  
Bob and Mary Nefsky  
Martin and Ruth Massengale  
Todd and Laura McWha  
John Miyoshi  
Doug and Kristin Pauley  
Don and Joanne Pepperl  
Greg Prorok  
Nancy Rakes  
Nancy Roberts  
Ernie Rousek  
Dave and Tracy Sands  
Kathy Schwery  
Richard Sieling  
Lawrence Shackman  
Mary Helen Shortridge  
Jan and Steve Thelan  
Dave and Sue Van Horn  
Ione Werthman  
Susie Windle

#### **Foundations**

Abel Foundation  
Adah and Leon Millard Foundation  
Claire M. Hubbard Foundation  
Cooper Foundation  
J.A. Woollam Foundation  
Nebraska Game and Parks Foundation  
Peter Kiewit Foundation

#### **Organizations and Businesses**

Audubon Society of Omaha  
Land Trust Alliance  
Lower Platte South Natural Resources District  
Natural Resources Conservation Service  
Nebraska Big Game Society  
Nebraska Environmental Trust  
Nebraska Game and Parks Commission  
Nebraska Public Power District  
Papio-Missouri River Natural Resources District  
United States Fish and Wildlife Service



9200 Andermatt Drive, Suite 7  
Lincoln, NE 68526

## ***The Landscape***

## ***2013 Annual Report***

### **Additional land preserved on Patterson Farm**

Sometimes, preservation of agricultural properties must be done in increments, as ownership of various parcels becomes fragmented over the decades among family members. In these situations, separate conservation easements must be completed for each parcel. This was the case on the Patterson Farm in Sarpy County, when Ron and Carol Patterson started working with the Nebraska Land Trust toward a goal to someday preserve the entire farm.



**View of the Platte Valley from Patterson Farm**

The NLT made the commitment to pursue this long-term strategy because of the farm's unique attributes that include spring fed streams, oak/hickory woodlands, high visibility with frontage on Highway 31, prime farmland in an urban county, and significant cultural and historical sites.

In 2013, the NLT completed a third conservation easement on the farm, bringing an additional 174 acres under permanent protection. When combined with two previous agreements, 410 acres of the farm are now preserved near Schramm State Park making it the largest protected property in the Schramm Bluffs (larger than Schramm State Park). With funding already in place to complete the fourth and final conservation easement, the NLT will be working to bring the

entire farm under protection in 2014. All of the agreements have been made possible through funding from the Nebraska Environmental Trust, the Natural Resources Conservation Service and generous donations of easement value from Ron and Carol Patterson.