

## MEMORANDUM

**To:** Programs, Projects and Operations Subcommittee

**Subject:** Nebraska Land Trust Agreement

**Date:** 23 February, 2009

**From:** Jim Becic

The Nebraska Land Trust is a 501 C (3) nonprofit organization that has been actively involved in land conservation in Nebraska since 2001. In this relatively short time, they have elevated themselves as a recognized leader in the development and acquisition of conservation and habitat easements within our District and throughout Nebraska.

The P-MRNRD, has had an active member on the NLT board of directors since its inception. The NRD has also contributed \$5,000 in two previous years to assist the Nebraska Land Trust with cash flow, to gain a legitimate track record and to enhance its authenticity with the general public.

Thus far, the NLT has performed in an exemplary manner. Their progress, projects and tapping into diverse funding mechanisms is evident and their ability to pull together difficult projects is ongoing

The staff would like to increase the use of voluntary conservation easements for many of its projects and encourage the Trust to broaden its activity within the boundaries of the NRD – in particular along the state's flood prone and highly diverse and 'development desirable' river systems to include those within the Lower Platte Valley.

To this end, staff is proposing that the District assist the work of the Nebraska Land Trust to develop land protection and easement acquisition strategies; continue to develop a fund raising plan, 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. The attached Lower Platte Valley Preservation Project would also be funded and carried out in conjunction with the Lower Platte South NRD. It's proposed that each District provide \$30,000 per year for a three year period towards this effort.

- **It is the staff recommendation that the Programs, Projects and Operations Subcommittee recommend to the Board that the General Manager be authorized to execute the proposed "Agreement Between Papio-Missouri River Natural Resources District and Nebraska Land Trust for Cooperative Assistance" providing for District contributions over three years in the amount of \$30,000/year for the Lower Platte Valley Preservation Project.**

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 \_\_\_\_\_ day of \_\_\_\_\_, 2009.

NEBRASKA LAND TRUST

By \_\_\_\_\_  
David Sands  
Executive Director

Executed by the PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT on this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

PAPIO-MISSOURI RIVER NATURAL  
RESOURCES DISTRICT

By \_\_\_\_\_  
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

Staff Salaries*	\$55,000
Legal Fees**	9,000
Appraisals***	12,000
Title & Closing Costs	2,000
Printing	2,000
Travel/Mileage	5,000
Administrative Expenses	5,000
<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

LPSNRD Cooperative Agreement	\$30,000
PMRNRD Cooperative Agreement	30,000
Grants and Individual Donations	30,000
<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.





# Nebraska Land Trust

## *Permanent Preservation* **Walz Conservation Easement**



The last half mile of a Schramm Bluffs tributary enters the Platte on the Walz property.

### *A First Step*

With a goal to create a large block of protected bluffs and woodlands around Schramm State Park, the Walz Conservation Easement is a significant first step in that direction. Initiated by a mitigation agreement involving construction of the new Interstate 80 Platte River Bridge, the Nebraska Land Trust (NLT) agreed to accept funds from Hawkins Construction Company for the purchase of a conservation easement that preserved natural Platte River frontage.

The NLT found the ideal prospect for these funds in 90 acres owned by John and William Walz, on the river adjacent to Schramm State Park. Since the appraised value of the easement greatly

exceeded the funds available from mitigation, the landowners generously agreed to donate 32% of the conservation easement's value. This still left a need for additional funding for the "bargain purchase," which was satisfied by using a portion of a grant from the Nebraska Environmental Trust obtained to preserve land as part of the Schramm Bluffs Preservation Project.

Funding to cover other expenses associated with this project was also critical to success. Fortunately, these funds were provided by the Cooper and Woollam Foundations of Lincoln, and the Papio-Missouri River NRD.

The many conservation values that will be preserved by this easement are worth noting, as they are indicative of other private land protection opportunities in the immediate area.

### *Natural River Banks*

By some estimates, more than 50% of the Platte's riverbanks below Interstate 80 have been stabilized by concrete rubble and other materials. Bank stabilization can change the natural processes and hydrology of a river which is a concern for fish and wildlife, especially the federally endangered interior least tern and pallid sturgeon, and the threatened piping plover.

In keeping with the Memorandum of Agreement that provided the initial funding for this project, this conservation easement will preserve nearly one-half mile of natural riverbanks adjacent to additional protected river frontage at Schramm State Park.





Natural riverbanks on the Walz Property, free of bank stabilization, are increasingly rare on the lower Platte.

### ***Scenic Views***

The Walz property is highly visible from many surrounding vantage points and the conservation easement will preserve these scenic views. Among other places, the property can be seen from Highway 31, Fishery Road, the Eastern Nebraska 4-H Center, and Schramm State Park, all of which adjoin the property. The land and river frontage can also be viewed from Mahoney and Platte River State Parks, Camp Kitaki, the Lied Bridge, and Quarry Oaks golf course.



Quarry Oaks golf course is directly across the river and the property is highly visible from other public places, including Mahoney and Platte River State Parks.

### ***Wildlife Habitat***

A wide diversity of songbirds, shorebirds, and raptors has been known to frequent the Schramm area, leading to its designation as an Important Bird Area by the National Audubon Society; the only IBA on the lower Platte River. The Walz property is also in a reach of the river that has been designated as a Biologically Unique Landscape by the Nebraska Natural Legacy Project. This easement will preserve 25 to 30 acres of riparian woodlands adjacent to Schramm State Park, creating a larger block of contiguous protected habitat in this important area. The large cottonwood trees on the property are especially attractive to bald eagles.



Riparian woodlands near the river provide valuable habitat for bald eagles and other species of birds.

### ***Education***

The Eastern Nebraska 4-H Center and Aksarben Aquarium which are adjacent to the Walz property, educate nearly 18,000 school children and adults every year. This easement will preserve the wild setting that is so important to an outdoor education experience. As one educator put it, "When the school buses wind down into the Platte Valley on Highway 31, to the children, it is like entering another world."

### ***Agriculture***

In our more urban counties, the amount of farmland is steadily decreasing. This property includes roughly 35-40 acres of good level cropland that may continue to be farmed in the future, while preserving the open space and rural character that is essential to preserving the Schramm Bluffs.



OMAHA DAILY HERALD FOUNDED 1865  
OMAHA DAILY WORLD FOUNDED BY GILBERT M. HITCHCOCK 1885  
OMAHA WORLD-HERALD FIRST PUBLISHED JULY 15, 1889

# Sunday World-Herald

TERRY KROEGER, *Publisher*

MIKE REILLY, *Executive Editor* GEITNER SIMMONS, *Editorial Page Editor*

C. DAVID KOTOK, *Managing Editor*

## The right spirit

**S**ome things are more important than maximum dollars, a fact thankfully recognized by the Walz brothers, who agreed to restrict development on a beautiful piece of ground they own in Sarpy County. The pact provides a wonderful example of how cooperation and environmental responsibility can bolster recreation areas throughout the Midlands.

Bill and John Walz easily could have sold the 90 acres, located in southwestern Sarpy County next to Schramm Park State Recreation Area, for big-bucks development. It's the kind of natural area coveted by many residential developers.

But the brothers instead decided to protect the park and the land, in

**Walz brothers  
are right  
to restrict  
development  
near Schramm.**

their family for 100 years, for the future. The easement bought by several environmental groups and the Nebraska Environmental Trust, with a contribution from a construction company, will ensure that the Walzes' portion of the bluffs and woodlands around the park will remain pretty much as it is, protecting the attractions of Schramm — with its attractive wooded areas and trails — and harboring wildlife such as bald eagles.

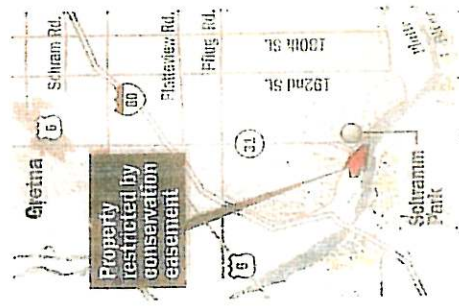
The Walz property could be the first piece of a preservation puzzle to fall into place. Perhaps other nearby parts of the Platte River bluffs, woods and wildlife areas will join it in the future, strengthening Schramm Park as the wonderful resource it is.



# MIDLANDS

**Political icon**  
Bernice Labeled represented south C  
20 years on the Douglas County Boa  
and in the State Legislature. Page 4!

OMAHA WORLD-HERALD MONDAY, NOVEMBER 17, 2008 OMAHA.COM



THE WORLD-HERALD

## Views beyond self-interest

By Joe Deyna  
WORLD-HERALD STAFF WRITER

Baltimore orioles and indigo buntings flutter about a creek that runs through the Walz property in southwest Sarpy County.

"It's pretty unique down here," said Bill Walz, 59. "It's really a pretty piece of Sarpy County."

Walz and his brother, John, 63, have agreed to permanently re-

**Undeveloped land next to Schramm Park will be kept that way under an easement provided by its owners.**

strict development on their 90-acre property next to Schramm Park State Recreation Area, a move that's being hailed by environmentalists.

The brothers, whose family has owned the property for more than 100 years, have con-

ple public and private parties to secure the easement.

The creek on the property spills into the Platte River at a natural riverbank, a wild feature coveted by environmental groups. Downstream from Interstate 30, as many as half the banks are piled with concrete rubble to discipline the winding current.

The Walz brothers, who both  
See Easement Page 2

## Easement: Land serves as buffer for park habitat

*Continued from Page 1*  
live out of state, retain ownership of the property, located southwest of Nebraska Highway 31 and Fishery Road.

Farming, fishing and one house will be allowed on the property. But the easement keeps out development, protecting scenic views and habitat.

Preserving the parcel beside the 330-acre park has a double benefit of buffering it from encroaching development and expanding protected wildlife habitat, Sands said.

"In essence, you're protecting a public investment by buffering it from unwanted development."

Natural riverbanks are essential to river processes and hy-

drology, Sands said. The Walz easement will protect nearly one-half mile of natural riverbank adjacent to protected riverfront at the park and the last half-mile of the creek, which flows out of the Schramm bluffs into the river.

The National Audubon Society has designated the park as an important area for birds. Migratory songbirds frequent the area each spring. The easement will preserve 25 to 30 acres of woodland adjacent to the park, including large cottonwood trees that are used by bald eagles, Sands said.

The bluffs have drawn increasing interest from real estate developers. The Sarpy County Board has proposed building an I-80 interchange at

Plung Road, where the Seldin Co. hopes to build a business park. The company also owns land in the area.

John Walz said he and his brother grew up in the Nebraska Sand Hills, children of Depression-era parents who taught them a "strong conservation ethos."

Protecting the property "seemed like a very logical thing to do," he said.

"We have some other property, and we may very well sell that for development some day, but this was just too perfectly situated to not consider this opportunity. There's more to life than money."

The easement came about through a partnership among the

The construction company paid for about a third of the easement's costs as environmental mitigation for the new six-lane I-80 bridge built across the river. Another third came from the Nebraska Environmental Trust.

The Cooper Foundation and J.A. Wooliam Foundation also provided funding.

Contact the writer:  
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