



Abundant native wildflowers at a prairie remnant south of Topeka. Photo by Kathy R Denning

CONSERVATION EASEMENTS:

Kansas Land Trust's Legal Tool for Preservation of Landowner Wishes

by Liz Weslander, KLT Communications Specialist

The native prairies of Kansas are ecological treasures thousands of years in the making. In 1990, a single plow destroyed one of these treasures overnight.

The destruction of the 70-acre Elkins Prairie west of Lawrence was carried out by a new landowner who wanted to ensure that the land would be available for development. Ignoring requests from the county, city and local advocates to preserve the land, the owner plowed the prairie in the dark hours of an early November morning.

While the destruction of the Elkins Prairie was a tragic event, it was also a catalyst for positive change.

“Once the Elkins Prairie was plowed, all those ecological values of that particular prairie were gone forever,” said Kansas Land Trust Director Jerry Jost. “But the folks who loved that prairie got together and thought about what they could do to prevent other prairies like this from being destroyed in the future.”

The first action the group took was establishing the Kansas Land Trust. Recognizing the land trust needed a tool that would allow landowners to conserve their land, KLT worked in collaboration with a variety of agricultural and environmental organizations to

promote and bring about state legislation that authorized the use of conservation easements in Kansas.

A conservation easement is a recorded deed that a landowner can voluntarily place on a piece of property to specify the allowed land uses, and restrict future development on the land. These rights and restrictions stay with the land through all future landowners. Conservation easements are the central tool used by KLT, as well as other land conservation organizations in the state such as the Ranchland Trust of Kansas and The Nature Conservancy.

“A conservation easement locks in current land uses on a property for future generations,” said Jost. “It allows the farmer, rancher or landowner to continue farming the cropland or grazing the prairie, and it also allows that landowner, and all future landowners, the opportunity to improve and restore habitat. What the easement restricts is plowing prairies or clear-cutting woodlands. It also restricts residential development or non-ag commercial development. It’s really a tool to protect open space.”

Since its founding in 1990, the Kansas Land Trust has established 77 conservation easements across 22 counties in Kansas. The easements protect a total of nearly 40,000 acres of land -- a conservation footprint equal to the size of Topeka.

In contrast to Audubon of Kansas sanctuaries, KLT does not take on ownership or management of the land where it holds conservation easements. Instead, it works with the landowners by doing annual monitoring to make sure that the current land uses are in agreement with the easement donor's wishes to conserve the wildlife habitat and agricultural uses on that land.

"We work with voluntary landowners who want to leave a conservation legacy," said Jost.

"Our job is to enforce the conservation easement terms and thereby enforce the conservation of the natural heritage of that land for future generations."

Although their tools for land conservation differ, Jost said that KLT and AOK share a common interest in protecting the natural heritage and natural resource base in our state, which includes protecting habitat for wildlife, birds and insects.

While many of KLT's conservation easements protect important bird habitat, two conserved properties near Fort Riley in Manhattan are particularly significant because they provide habitat for bird species of concern in the northern Flint Hills. A 289-acre easement north of Manhattan donated by Jane Laman in 2006 protects native tallgrass prairies that are home to the threatened Greater Prairie-Chicken. The 261-acre Mohler easement near Milford Lake, established by Mark and Deborah Mohler in 2010, has a healthy population of the rare Henslow's Sparrow on its protected native tallgrass prairies.

Both of these protected properties are part of a conservation partnership between KLT and Fort Riley through the Army Compatible Use Buffer Program (ACUB). This program provides funding for KLT to work with voluntary landowners near Fort Riley who want to conserve their land. The Fort Riley military installation is the largest tract of federally owned tallgrass prairie in the U.S. and has been recognized by the American Bird Conservancy as a "Globally Important Bird Area."

While much of KLT-protected land is located on private property, a handful of the properties are open to the public. The 187-acre Willis Prairie at Prairiewood in Manhattan is open for limited hours each Sunday and the woodland trails at the Lawrence Nature Park in west Lawrence are open daily.

Landowners interested in leaving a conservation legacy are encouraged to contact Jerry Jost at the Kansas Land Trust. To learn about upcoming events and read stories about all the lands they conserve, visit www.klt.org and sign up for their monthly e-news.



Two-spotted longhorn bee (*Melissodes bimaculatus*) collecting pollen from purple poppymallow (*Callirhoe involucrata*) in the author's pollinator-friendly garden in Lenexa.

Photo by Kathy R. Denning