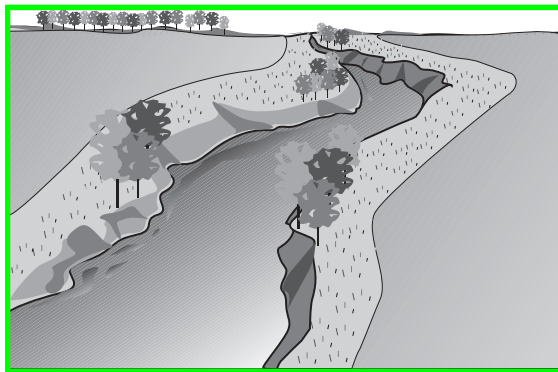


Buffalo River Tributaries

Along tributaries to the Buffalo River in Arkansas, easements are forming a protected corridor at least 100 feet wide on each side of the streams. These buffer zones control erosion and protect the water from excessive animal waste runoff and nutrients. People who use the Buffalo River for recreation don't want to swim or canoe in a polluted river. If they stayed away, this would have a negative economic impact on the entire area.

Who pays for this land?

The conservancy pays for the land. In the Buffalo River area, this conservancy consists of local businesses as well as businesses and recreationalists from outside the Buffalo watershed.



For more information or if you have questions about conservation easements please contact:

- Kansas Land Trust—P.O. Box 1116, Lawrence, KS 66044-8116. (785)749-3297.
- The Nature Conservancy, Kansas Chapter—820 S.E. Quincy Street, Suite 301, Topeka, KS 66612. (785) 233-4400.
- Kansas Department of Wildlife and Parks, 900 S.W. Jackson St., Suite 502, Topeka, KS 66612 (785)296-2281
- KDHE, Division of Environment, Bureau of Water, Nonpoint Source Section—Bldg. 283, Forbes Field, Topeka, KS 66620. (785) 296-4195.
- Kansas State University, Landscape Architecture program in the College of Architecture, Planning and Design—Laurence A Clement Jr. JD, Associate Professor, (785)532-5961.

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PROTECT DRINKING WATER

EMPOWERING LOCAL DECISION MAKERS

I N K A N S A S

Conservation Easement

TO PROTECT SENSITIVE AREAS



A TOOL TO HELP
ASSURE QUALITY OF LIFE
IN LOCAL COMMUNITIES

What is a conservation easement?

A conservation easement allows landowners to sign over land that has significant conservation value to a conservancy — that is, either the government or a qualifying conservation or historic preservation organization. The easement protects this natural resource from being destroyed or altered by urban development or agricultural pressure.

To qualify as being of “significant” conservation value, the land must in some way protect the environment, especially surfacewater and groundwater. Examples include forests, wetlands, endangered species habitats, beaches, scenic areas, and more.

Terms of the easement can vary. In some cases, no further development is allowed. In others, the amount and type of development is less than would otherwise be allowed. Ev-

ery easement is tailored to a particular landowner’s goals and land. After the easement is signed, it is recorded with the county register of deeds and applies to all future owners or heirs of the land.

The procedures and details for completing a conservation easement are as varied as the reasons that people have for using them. Often the landowner will take 2 years or more to think, plan, and complete the process in conjunction with a trusted attorney. For sources of additional information, look at the back of this brochure.

Does the easement cover all of a landowners’ property?

No. Most easements cover only a portion of the total property; for example, if someone owns 80 acres, of which 25 are wetland, the easement could restrict development only of the wetland area.

How does the landowner benefit?

The landowner can benefit in many ways—financially as well as psychologically. Protecting water resources can safeguard an area’s economic well-being as well.

In addition to helping an area remain economically viable, contributors have a personal financial incentive. The conservancy might pay landowners an amount comparable to what they could make with crops or livestock, so the donor would have no financial loss.

Many landowners can deduct a conservation easement from their income tax. The Internal Revenue Service allows a deduction if the easement is perpetual and donated “exclusively for conservation purposes.” In addition, donors may receive estate and property tax benefits.

Most importantly, however, landowners have the satisfaction that their contribution preserves valuable natural resources for their children and grandchildren as well as other Americans.

Who owns the granted land?

The landowner retains full rights to control and manage the property, within the easement’s limits. The conservancy, on the other hand, assumes the obligation to enforce the terms of the easement in perpetuity.

It monitors the property to ensure compliance, but has no other management responsibility and no direct control over other activities on the land.

