

Published May 13, 2008 08:24 am - Members of the Kansas Livestock Association formed Ranchland Trust of Kansas as a mechanism for grazing lands owners to perpetually protect the working ranch landscape of the state.

Wide open spaces

Conservation easement protects historic ranchland from development

by Mark Parker

FARM TALK (cover story)



The land that Jim Hoy's family has operated as a working cattle ranch for generations will be forever protected from development thanks to a conservation easement Jim and his wife, Cathy, donated to the Ranchland Trust of Kansas.

There are places in the Kansas Flint Hills where it's damned inconvenient to find a convenience store and the nearest Wal-Mart isn't near at all.

It's a sea of native range, speckled with cattle, spilling out over every horizon and reaching back across history.

It's wide open spaces and a ranching legacy teeming with tales of people and places that brought us to here and now.

Jim and Cathy Hoy would like to keep it that way. On December 20 of 2007, the Hoys donated a conservation easement on 655 acres of Flint Hills ranchland north of Cassoday to the Ranchland Trust of Kansas.

In a nutshell, the Hoys continue to own the property and continue to use it as a working ranch. They determine who comes and goes and, should they choose, they can sell it.

What they can't do with the land is develop it in a manner contrary to the conservation easement agreement which, in this case, means it must continue as a working ranch and not be developed in any other way.

And, whenever the deed for the property is transferred, that agreement goes right along with it.

So, no matter how fast the world spins, you'll never see a convenience store, or a subdivision, or a plowed field, or a car lot, or any other kind of development on the Hoy place.

It will forever be a working ranch and that's exactly the way Jim and Cathy Hoy want it.

"We feel like we'll be leaving more than just land," Cathy explains. "We'll be leaving our family heritage and helping to preserve the ranching legacy of the Flint Hills."

The Ranchland Trust of Kansas was formed in 2003 when members of the Kansas Livestock Association saw a need to preserve "working landscapes"---the ranchland itself as well as the purpose it has fulfilled for generations of Kansas stockmen and their families.

Mike Beam is the executive director of the organization which stands as a separate entity from KLA and he's gratified by the choice Jim and Cathy Hoy made.

"The Hoys are accomplishing a lot with this easement," he says. "In addition to preserving the land and the working ranch legacy, they're helping get this effort going---their parents were pioneers and they are pioneers."

Beam points out that a conservation easement isn't for every landowner but it can be an important tool for many. The donation of an easement often qualifies as a charitable contribution under federal tax laws and there can be estate succession advantages.

Because the easement limits future use, it may reduce the value of the property, thereby reducing estate or gift taxes and making it easier to pass property on to the next generation.

Landowners may also be paid for easements although funds for such purchases are currently limited in Kansas. USDA's Grassland Reserve Program has provided funds to purchase conservation easements on more than 22,000 acres of grazing lands in Kansas and more money for that purpose may be available in the future, depending on the outcome of the current farm bill.

While all easements have basic requirements in common, they can be tailored to a large extent to better reflect what the landowner wishes to accomplish.

Hamilton, Kan., rancher Mike Collinge was the chairman of Ranchland Trust of Kansas when it was organized and remains on its board. He emphasizes that the trust does not go out and solicit easements.

“We don’t target people or property,” Collinge explains. “This is absolutely voluntary. We let people know it’s available and try to help those who are interested come up with an arrangement that fits their needs.”

There are, in fact, several different land trusts across the country and they work together toward the common goal of preserving the landscape, whether it’s farm forest or ranch.

Both Beam and the Hoys point out that much of the initial work on RTK’s first easement was done by the Nature Conservancy of Kansas and Beam credits that group with providing support and expertise in the Hoys’ easement transaction.

Anyone driving through Cassoday, Kan., would likely have trouble imagining shopping malls and subdivisions cropping up in the near future.

You wouldn’t have to travel far to the southwest into Butler County, however, to find dramatic changes in the Flint Hills landscape as the urban influences of Wichita are extended into the countryside. Or, look to the counties within daily driving distance of Kansas City and consider the ever-increasing “bedroom communities.”

And then there is the fact that the future isn’t limited to this year or next:

“It’s hard to see what’s ahead,” Mike Collinge concludes. “We don’t really know what’s going to happen but we do know that we want grazing lands and working ranches to be part of that future.”

Mike Collinge and Mike Beam of Ranchland Trust of Kansas discuss the conservation easement with Cathy and Jim Hoy at a cabin on the family ranch near Cassoday, Kan

