



THE  
EDWARD L. ROSE CONSERVANCY

## Conservancy Currents



**It's Beginning to Feel Like Fall!**

**September, 2014**

**Dear Friend,**

Have you felt that crisp edge to the air? If so, do you dread it and wish you could spend more time in shorts and sandals? I have a confession. Fall is my favorite season. I know winter is coming but I can't help but feel energized by the crispness in the air. I enjoy the pops of color that are just beginning to peak out of the trees. The light seems to change this time of year. Perhaps it is the lack of humidity or the contrast with a brilliant blue sky, but I like the sunlight best in September. I know winter is coming, but I'll deal with that later.

It is a good thing that this time of year energizes me because we have so much work to do at the Conservancy. We are currently working on two new conservation easements and hope to have them completed by the end of the year. We are also working with area

lake residents to build a broader network amongst area lake residents and associations. As always, we are here to help our members achieve their conservation goals for their properties and their communities.

We've had some pretty impressive results from our work. According to the Pennsylvania Land Trust Association, The Edward L. Rose Conservancy ranks #14 out of 71 land trusts in Pennsylvania for protecting land through outright ownership. Just in this beautiful little corner of Pennsylvania, we have permanently protected nearly 1000 acres on our three preserves.

We hope you will continue to support our efforts. If you have any questions, or would like to get involved, give me a call at 570-278-9500. You can also stop by our offices at 241 Church Street in Montrose. The office is open Monday & Wednesday 8 - 3 and Tuesday & Thursday 8 - 5.

I hope you get a chance to enjoy our preserves this fall. The foliage should be beautiful this year. Who knows, I might just see you on the trails!

*Kris Ely*

## Table of Contents

[Living With A Conservation Easement](#)

[Let's Bring Back Enhanced Tax Incentives for Conservation](#)

[After 90 Percent Decline, Federal Protection Sought for Monarch Butterfly](#)

[Wild Things in Your Woodland](#)

[Upcoming Meeting for Area Lake Residents](#)

## Living With A Conservation Easement

Last month, we discussed the types of accessory structures typically allowed in a conservation easement. This month, we planned to discuss timbering and other types of extraction. But there is some time-sensitive information about conservation easements that we would like to share instead. We'll take up the timbering and extraction issue next month.

We've had some questions about the process of placing a conservation easement on a property. As we head in to fall, this is especially relevant. The process typically follows this path:

We visit your property and take a tour to determine if the property would qualify for a conservation easement. During this visit, we talk with the landowner to discuss their conservation goals for the property.



We gather maps, photos and other documents (utility leases, rental agreements, etc.)

and analyze the property to determine if it meets the IRS criteria for a qualified easement donation. We then determine if we can pursue the project.

If the Board of Directors agrees to move forward with the project, we begin talks with the landowner about the restrictions that will be written into the easement.

Once we have a solid draft of the easement and all parties agree to the terms, the landowner lines up an appraiser (assuming they plan to take a tax deduction).

Both parties will consult with their own legal counsel to review the easement and make final suggestions on language.

Once the final terms are put in place, the Conservancy will purchase title insurance.

The Conservancy will prepare a baseline documentation report (in consultation with the landowner) to document the property at the time of the easement donation.

When all documentation is in place, and the final easement language has been agreed upon, the landowner and the Conservancy will execute (sign and notarize) the easement.

The easement will then be recorded with the County Registrar.

You can imagine that all of these steps take time. It is important to know that the process can take several months if everything falls into place easily. If there is any kind of delay (example: appraisers can be booked solid for months at a time) the easement process could take six months to a year. If you are interested in placing an easement on your property in a specific tax year, give yourself plenty of time to get it done. We want to help you meet your conservation (and tax savings) goals. We do everything in our power to move the process along as quickly as possible. However, some of the process is out of our direct control.

If you would like to talk about your property or your specific options, feel free to give Kris a call at 570-278-9500.

## **Let's Bring Back Enhanced Tax Incentives for Conservation**

### **You Can Help!**

We all know that the U.S. tax code is an ever-changing thing. But did you know that you can actually help change it for the better? You can help to make the tax code more conservation friendly.

In 2013, conservation easement donors (landowners) could take income tax deductions of up to 50% of their adjusted gross income (AGI) for sixteen years (or until they had deducted the entire value of their easement donation, whichever comes first). Those were commonly referred to as "enhanced tax incentives for conservation easements" and they expired at the end of 2013. Currently, landowners who donate a conservation easement can take a tax deduction of up to 30% of their AGI for six years (or until they have deducted the entire value of their easement donation). This is still a significant deduction, but we'd prefer to have the "enhanced tax incentives" back in place. The good news is, a bill was passed in the U.S. House of Representatives to make those enhanced incentives permanent. The bad news is that the Senate has not voted on a similar bill.

### What You Can Do

If you would like to see these tax incentives made permanent, you can call your Senators and urge them to take up the issue. Senators can join Senator Orrin Hatch (R-UT) and 25 of his colleagues as co-sponsors of the Rural Heritage Conservation Extension Act, [S. 526](#), by sending a signed unanimous consent agreement to the Senate floor. You can reach your Senator by calling the capitol switchboard at 202-224-3121. Just tell the operator where you live and they will connect you to your Senators.

## After 90 Percent Decline, Federal Protection Sought for Monarch Butterfly

### Genetically Engineered Crops Are Major Driver in Population Crash



WASHINGTON- The Center for Biological Diversity and Center for Food Safety as co-lead petitioners joined by the Xerces Society and renowned monarch scientist Dr. Lincoln Brower filed a legal [petition](#) today to the U.S. Fish and Wildlife Service seeking Endangered Species Act protection for [monarch butterflies](#), which have declined by more than 90 percent in under 20 years. During

the same period it is estimated that these once-common iconic orange and black butterflies may have lost more than 165 million acres of habitat - an area about the size of Texas - including nearly a third of their summer breeding grounds.

"Monarchs are in a deadly free fall and the threats they face are now so large in scale that Endangered Species Act protection is needed sooner rather than later, while there is still time to reverse the severe decline in the heart of their range," said Lincoln Brower, preeminent monarch researcher and conservationist, who has been studying the species since 1954.

"We're at risk of losing a symbolic backyard beauty that has been part of the childhood of every generation of Americans," said Tierra Curry, a senior scientist at the Center for Biological Diversity. "The 90 percent drop in the monarch's population is a loss so staggering that in human-population terms it would be like losing every living person in the United States except those in Florida and Ohio."

The butterfly's dramatic decline is being driven by the widespread planting of genetically engineered crops in the Midwest, where most monarchs are born. The vast majority of genetically engineered crops are made to be resistant to Monsanto's Roundup herbicide, a uniquely potent killer of milkweed, the monarch caterpillar's only food. The dramatic

surge in Roundup use with Roundup Ready crops has virtually wiped out milkweed plants in midwestern corn and soybean fields. "The widespread decline of monarchs is driven by the massive spraying of herbicides on genetically engineered crops, which has virtually eliminated monarch habitat in cropland that dominates the Midwest landscape," said Bill Freese, a Center for Food Safety science policy analyst. "Doing what is needed to protect monarchs will also benefit pollinators and other valuable insects, and thus safeguard our food supply."

Monarch butterflies are known for their spectacular multigenerational migration each year from Mexico to Canada and back. Found throughout the United States during summer months, in winter most monarchs from east of the Rockies converge in the mountains of central Mexico, where they form tight clusters on just a few acres of trees. Most monarchs west of the Rockies migrate to trees along the California coast to overwinter.

The population has declined from a recorded high of approximately 1 billion butterflies in the mid-1990s to only 35 million butterflies last winter, the lowest number ever recorded. The overall population shows a steep and statistically significant decline of 90 percent over 20 years. In addition to herbicide use with genetically engineered crops, monarchs are also threatened by global climate change, drought and heat waves, other pesticides, urban sprawl, and logging on their Mexican wintering grounds. Scientists have predicted that the monarch's entire winter range in Mexico and large parts of its summer range in the states could become unsuitable due to changing temperatures and increased risk of drought, heat waves and severe storms.

Monarchs need a very large population size to be resilient to threats from severe weather events and predation. Nearly half of the overwintering population in Mexico can be eaten by bird and mammal predators in any single winter; a single winter storm in 2002 killed an estimated 500 million monarchs - 14 times the size of the entire current population.

"We need to take immediate action to protect the monarch so that it doesn't become another tragic example of a widespread species being erased because we falsely assumed it was too common to become extinct," said Sarina Jepsen, endangered species director at the Xerces Society. "2014 marks the 100th anniversary of the extinction of the passenger pigeon, which was once so numerous no one would ever have believed it was at risk of extinction. History demonstrates that we cannot afford to be complacent about saving the monarch."

"The purpose of the Endangered Species Act is to protect species like the monarch, and protect them, now, before it's too late," said George Kimbrell, senior attorney at the Center for Food Safety. "We've provided FWS a legal and scientific blueprint of the urgently needed action here."

"The monarch is the canary in the cornfield, a harbinger of environmental change that we've brought about on such a broad scale that many species of pollinators are now at risk if we don't take action to protect them," said Brower, who has published hundreds of scientific studies on monarchs.

The Fish and Wildlife Service must now issue a "90-day finding" on whether the petition warrants further review.

*The Center for Biological Diversity is a national, nonprofit conservation organization with more than 775,000 members and online activists dedicated to the protection of endangered species and wild places.*

*Center for Food Safety is a nonprofit, public interest organization with half a million members nationwide. CFS and its members are dedicated to protecting public health and the environment by curbing the use of harmful food production technologies and instead promoting sustainable alternatives.*

*The Xerces Society is a nonprofit organization that protects wildlife through the conservation of invertebrates and their habitat. Established in 1971, the Society is at the forefront of invertebrate protection worldwide, harnessing the knowledge of scientists and the enthusiasm of citizens to implement conservation programs.*

## **Wild Things in Your Woodland**

### ***Eastern Screech-Owl (Otus asio)***

*The Eastern Screech-Owl is a small, nocturnal, predatory bird, about 8.5 inches in size. The robin-sized owl has short, rounded wings, bright yellow eyes, and a rounded head with visible "ear tufts."*

*The ear tufts, which the bird raises when alarmed, are otherwise inconspicuous. The facial disc is lightly mottled, with a prominent dark rim along the sides. The tail and the flight feathers of the*

*wings are barred. The eastern screech-owl occurs in two color morphs, red and gray. The red color morph is more common near the coast, and the grey color morph is more common in the interior of the state. Male and female screech owls look alike.*



In the fall, light and temperature conditions mimic those of spring and birds and amphibians sometimes begin calling again, a reactivation of breeding behavior termed "autumnal recrudescence". At this time, the screech owl's tremulous call once again is heard in a variety of habitats including open woodlands, deciduous forests, parks, farms, riparian areas, swamps, old orchards, small woodlots, and suburban areas. This small owl is an often common, nocturnal bird across much of Pennsylvania and New York, though it is uncommon in heavily forested regions, at high elevation, and on Long Island. The screech owl is a year-round resident, spending both the breeding and non-breeding seasons in the same area.

The screech owl nests in natural hollows or cavities in trees, old woodpecker holes, nesting boxes, and occasionally crevices in the sides of buildings. Screech owl pairs may roost together in the same tree cavity during the day throughout the breeding season.

While the female is incubating the eggs, the male will bring food to her at night. The nest is usually about five to 20 feet off the ground. The female lays four or five eggs in wood chips, old leaves, and assorted fur and feathers from their prey.

While insects are a major food source in the summer, a hearty fare of small mammals and birds make up a majority of the screech owl's winter diet. To survive winter, this species must eat quite a bit during the fall months to put on fat stores, and may cache food in holes.

The best way to create habitat for the eastern screech owl is to maintain large trees with natural holes (cavities), or trees with large woodpecker holes. In areas where such trees

are not available, nest boxes designed for screech owls can be attached to trees in open forests, parks, next to woodland clearings, along forest edges, or along wooded stream edges.

To hear the sounds made by the screech owl, visit the Cornell Lab of Ornithology's All About Birds web site at [http://www.allaboutbirds.org/guide/eastern\\_screech-owl/sounds](http://www.allaboutbirds.org/guide/eastern_screech-owl/sounds)

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## Upcoming Meeting for Area Lake Residents

**Come share experiences and information on lake issues while you learn from others!**

The Conservancy will host an information exchange on **September 24th at 6:30** for people interested in the health of lakes and watersheds. Come learn about and share information about fisheries, invasive species, algal blooms, and water quality concerns. All interested parties are invited, lake associations and other organizations are encouraged to attend. Please feel free to bring hard copies of water tests or other materials on your lake to share. A goal for the information exchange will entail how the Conservancy could become a repository of lake and watershed information so we can compare our experiences and learn from them.

**Location:** Conservancy offices - 241 Church Street, Montrose (across from HO Mart)

For more information, call the office at 570-278-9500

### Quick Links

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