

# Ripples

A Publication for Members and Friends  
Killbuck Watershed Land Trust

Volume 2, Issue 3

Winter 2013

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Killbuck Watershed Land Trust  
 is a tax exempt organization  
 pursuant to Section 501(c)3 of  
 the IRS Code.

## Easements in era of shale drilling are topic for annual meeting presentation Feb. 20

The annual meeting of Killbuck Watershed Land Trust, Inc. will be held Wednesday, Feb. 20, at Gault Family Learning Center in Wooster. Members, easement holders and other supporters are invited to the 7:30 p.m. meeting.

President Maryanna Biggio will give an overview of KWLT activities during 2012

including sponsorship of three farms in the Ohio Agricultural Easement Purchase Program.



Trustees will elect officers for 2013.

The meeting will feature a presentation by Wooster attorney Robert Stutzman, a

new member of the KWLT board. With the recent rise of oil and gas drilling in Ohio's deep shale formations, many landowners have become interested in signing new leases for their land. However, some of these owners already have, or hope to, permanently conserve their property from further

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## Don Beam remembered as friend of KWLT

Don Beam, manager of our Brinkhaven Oak Barrens Preserve and a great friend of KWLT, died of a heart attack at his home on January 6. He was 56 years old.

A passionate and accomplished botanist, Don established his own business, Stucker Meadow, in 1993. Named for a native prairie that he restored on his property in Holmes County, Stucker Meadow is widely known to and visited by botanists throughout the region. He sold native plants and seeds and contracted with homeowners and businesses to create and maintain unique water gardens, prairie gardens and other natural habitats.

Don attended grade school at Beall Avenue Elementary in Wooster. His boyhood school, renovated a decade ago and reopened as Gault Family Learning Center, now houses the Killbuck Watershed Land Trust office. He enjoyed visiting the KWLT office

with its top-floor view of a huge white oak tree.

After graduating from Waynedale High School Don went on to Ohio State University, earning a degree in natural resources. For 15 years he worked as a research associate in the Entomology Department at the Ohio Agricultural

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**DON BEAM** was always at home in the great outdoors. Here he poses with a huge old tree in an area cemetery.

*Promoting, protecting and preserving our natural heritage*

## Yes, KWLT board members 'get their hands dirty'!

Recently, during a conversation with landowners who are considering a conservation easement for their farm, the question was asked whether the members of the KWLT Board of Trustees "get their hands dirty." We took this to mean: Do all our board members participate and invest in the necessary obligations involved in the successful operation of our small land trust. The answer is unequivocally, "Yes!"

Every person on our board willingly brings a special talent or profession to help with the unique responsibilities facing us on a day-to-day basis. For instance, two of our newest board members featured in this issue of Ripples, Barry Cavanna and Robb Stutzman, are a career conservationist and a lawyer whose practice emphasizes land use, respectively. They agreed to be on our board knowing that we would call on them for their special knowledge when the situation warranted it, and also to help with a multitude of odds and ends related to land trust activities.

Nearly 70 percent of our trustees have voluntarily placed a conservation easement on their land (We currently have 11 people on the board). Two other trustees are seriously considering easements and two trustee are urbanites – the poor

fellows don't own a farm (nor is that a prerequisite for any KWLT trustee). But we couldn't do without their energy and creativity - so valuable! The point is, we practice what we preach. We've been through the motions and are able to speak with confidence about the business of the land trust.

We are hosting our annual meeting on Wednesday, Feb. 20, at 7:30 p.m. at our office in the Gault Family Learning Center, 716 Beall Ave., Wooster. We hope that as members, supporters and landowners you will join us. It is your opportunity to meet with the board and administrator of KWLT, see our beautiful office, mingle with landowners and get a pretty good idea of where, in a seven-county area, are the more than 6,000 acres under our protection.

There will be refreshments, fun, and a very informational program on the hot, hot topic of oil and gas leases. And you know what? This annual event is your chance – your responsibility – to participate and "get your hands dirty" with us. How else will we know how we can better serve you?

See you on the 20<sup>th</sup>!

*Maryanna Biggio, President  
KWLT Board of Trustees*

## Stutzman, Cavanna join KWLT Board of Trustees



**BARRY CAVANNA** takes notes at the James Tobias farm in Ashland County. The farm is one of three that KWLT sponsored for 2012 in the state's Agricultural Easement Purchase Program.

Robert A. (Robb) Stutzman and Barry Cavanna, both of Wooster, have joined the Board of Trustees of Killbuck Watershed Land Trust. Stutzman will complete the final year of a three-year term as a Wayne County representative. Cavanna will serve the last two-years of a three-year at large position, through the end of 2014.

Stutzman is an associate with the law firm of Logee, Hostetler, Stutzman & Lehman in Wooster. He is a graduate of Case Western Reserve University School of Law in Cleveland.

Since being admitted to practice law in Ohio, he has counseled landowners, businesses and governmental entities regarding the ownership of mineral interests and the leasing of oil and gas rights. He also has assisted landowners with the sale or donation of conservation easements.

Cavanna is new to the board but certainly not new to the field of conservation work. He has 37 years of professional experience as an assistant state conservationist with the Ohio NRCS. After his retirement and move to California he was an environmental planner

and real estate agent with SYAR Industries where he implemented many of their programs geared toward improving the landscape.

He also worked closely with Michael Muir, great grandson of renowned conservationist John Muir. With Michael Barry initiated a successful therapeutic horseback riding program to benefit handicapped people.

This led to his love of the Friesian horse, a gentle giant in the world of horse breeds. He has two magnificent Friesians on his Wayne County farm. About seven years ago Cavanna placed a conservation easement on 60 acres of his Wooster Township farm which overlooks and is adjacent to the Killbuck Wildlife Area.

As a young man, Barry worked with the New Branford Land Trust in Connecticut, so his life's work and passion has always been seeking out special places and working with landowners on ways to protect the land.

We are delighted and privileged to have the expertise and enthusiasm that Robb Stutzman and Barry Cavanna bring to our KWLT board.

# Replenishing the winter woodpile

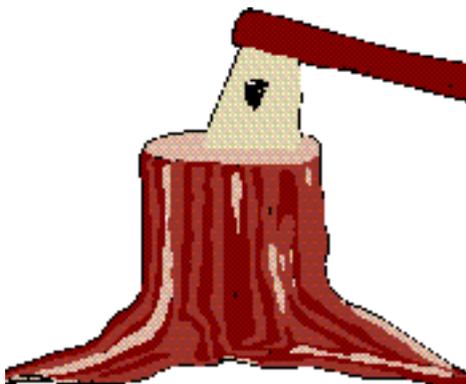
As winter reaches its mid-point and the mercury hovers around zero in the mornings, it is obvious the pile of stacked firewood on the porch is dwindling. My goal in the fall is to have enough wood to last until February 1. By then the daylight hours begin to lengthen, the temperatures climb, and spring isn't too far distant.

Yesterday I left for the woods with a new chain on the Stihl saw, splitting mauls, wedges, and all the other necessities for a good day of woodcutting. The reason I don't have to cut a year in advance is that we use only dead or storm-downed trees, so the firewood doesn't have to be seasoned. It is woodstove-ready.

I like to save several nice seasoned trees for what I call my emergency fuel sources. Trees that are easy to get to, even in deep snow or mud. Edge-of-woods trees.

Right now the conditions are perfect to work in the deeper woods and I'm working on a big white ash that was blown down several years ago. It is off the ground, dry, and ready for the wood stove.

The new saw chain picked up at Holmes Power adds immeasurable ease and pleasure to the task at hand. I tend to file and sharpen the cutting chains for much too long or until sawing through a big log becomes a chore. By then a new chain is especially



appreciated.

As I neared the ash tree, four white-tailed deer ended their foraging and ran through the woods for a short distance, then stopped to watch me until I started the chain saw. The noise of the saw sent them off, white flags waving, to the far end of the farm. Sam, the dog, watched them go, showing no interest in giving chase. He prefers rabbits; something closer to his size.

I usually cut a dozen or so blocks of wood and then I quit and start the splitting and loading the trailer. Our trailer has been in use for many wood seasons. It holds half a cord, or "face cord" (2x4x8 feet) of wood. I use a Monster Maul (12 pounds with a three-pound steel handle) for the splitting.

On ash, one stroke usually does the job. On a 14-inch diameter block, three swings results in four pieces of firewood and the trailer fills up in a short

time.

When I had the trailer filled to three-quarters, I decided to add some smaller pieces of red (slippery or mushroom) elm between the larger pieces of ash. Red elm, unlike the softer white or American elm, never has any woodpecker nesting cavities in its trunk. The wood is much too hard for woodpeckers to even attempt drilling a hole. I leave the dead American elm for the birds.

Once the woodpeckers have nested (woodpeckers, other than flickers, seldom reuse old nesting cavities) many other birds such as chickadees, titmice, nuthatches and eastern bluebirds that don't mind nesting in previously owned housing, will raise their families in the dead American elm.

Hurricane Sandy blew down a red elm along the edge of the hayfield that provided a nice opportunity to round out the trailer, which I did. I piled the cut wood until there was barely room for the saw, maul, and the other tools on top of the load. Then I rested, admired the two hours of labor, called the dog, and headed for home.

My wife helped me unload and stack the firewood on the porch and we both savor the comfort of its heat on these cold, windy, zero degree-days. We should be set until March.

*David Kline, KWL Trustee*

## Requirements change for local sponsorship of AEPP

Killbuck Watershed Land trust co-holds leases for 13 farm properties (ten in Ashland County and three in Wayne County) that were accepted into the state Agricultural Easement Purchase Program. We are working with two additional Ashland County farms to complete the AEPP process.

At the December board meeting, KWL Trustee discussed new regulations for land trusts and other entities to become certified as local AEPP sponsors. Board members voted to complete the application for certification though at that time the regulations had not yet been finalized.

KWL Board President Maryanna Biggio and others from Wayne County attended a mid-January meeting in Columbus where the new regulations were discussed. The KWL office hosted a follow-up meeting on January 31.

Wayne County Commissioner Ann Obrecht told the group

that the county would like KWL to apply for certification and pledged the continued support of Wayne County offices from which AEPP documentation is required.

As the regulations stand, local applicants must sign a Memorandum of Agreement holding the state harmless from any legal action that might arise. Attorney Ron Holtman, who serves as KWL Vice President, said the MOA is problematic.

Following extensive discussion, Biggio said she plans to complete the Application for Local Sponsor Certification and submit it with an unsigned MOA along with comments. Biggio said it is important that KWL be able to assist farmers in preserving their land, and AEPP is one of several important tools we must be able to utilize to help them.

*Melody Snure, KWL Executive Administrator*

# Tax alert: Stay tuned for details

In a recent issue of Ripples we pledged to keep KWLTL members and supporters up to date on tax incentive legislation being considered by the U.S. Congress as 2012 came to an end.

At the eleventh hour, Congress passed a “fiscal cliff” deal that renewed the enhanced income tax deduction for conservation easements through 2013, and retroactive to the beginning of 2012. This incentive will

help land trusts work with farmers, ranchers and other modest-income landowners to increase the pace of conservation by about a third.

The enhanced income tax is an important tax benefit for landowners to consider. We urge you to consult your own tax advisor to discuss the impact of this short-term renewal.

We will have more information later as this situation unfolds.

## MEETING

### Continued from Page 1

development by donating a conservation easement. At first glance, these activities may seem at odds with each other but a peaceful co-existence is possible.

Stutzman’s presentation will cover the intersection between oil and gas development and the donation and management of conservation easements from a legal perspective.

His presentation will include real-world examples of where the donation of easements intersect with Ohio oil

and gas law, ways in which a landowner can accomplish both oil and gas development and conservation, the effect of oil and gas development on the deductibility of a conservation easement, and strategies for conservation organizations that manage easements on property where oil and gas development occurs.

### **Tell us you’re coming!**

We urge all KWLTL members and friends to attend the annual meeting. To help us plan for seating and refreshments, please call Executive Administrator Melody Snure at 330-263-8963 or e-mail her at [jgrad72@yahoo.com](mailto:jgrad72@yahoo.com) to tell her how many of you are coming.

Gault Family Learning Center is at 716 Beall Avenue, a block north of Bowman Street. Come in the main door off the parking lot and a staff member will direct you to the meeting room.

### **Your KWLTL membership helps to conserve area lands**

Your membership in the Killbuck Watershed Land Trust helps to maintain the rural atmosphere that has made our area a desirable and unique place to live. Your 2013 membership dues will be used for:

- Conservation education
- Public outreach
- Land acquisition and management
- Legal action to monitor and maintain conservation easements

Annual membership levels are:

- Friend, \$50
- Steward, \$100
- Conservator, \$250
- Protector, \$500

To become a new member or to renew your membership for 2013, write a check payable to Killbuck Watershed Land Trust. Mail it to Killbuck Watershed Land Trust, 716 Beall Ave., Wooster, OH 44691. Killbuck Watershed Land Trust is a tax-exempt organization pursuant to Section 501(c)3 of the Internal Revenue Service Code. Donations are tax deductible.



**DON BEAM** enthusiastically led an Oak Barrens tour in September 2004. *KWLTL file photo*

## DON BEAM

### Continued from Page 1

tural Research and Development Center in Wooster.

Don was a driving force behind our acquisition of the 120-acre Brinkhaven property in 2004 with Clean Ohio funds and local contributions. He had managed that Holmes County property for KWLTL since then, organizing workdays to keep the native prairie area clear, maintaining signage and basic access, and leading tours of student groups and others who appreciate the property’s unique characteristics.

Don leaves behind his wife Miriam and four children including daughter Elizabeth and sons Zeb (her twin), Jonathan and Jacob. All three sons were state qualifiers in wrestling at Waynedale where their father also wrestled. Don attended all of his sons’ matches and was “a fixture at Waynedale wrestling meets for more than a decade,” according to the coach.

Don took videos at nearly every match, made season highlight DVDs, drove a van to camps and “pitched in wherever needed.”

Zeb (a freshman) and Jonathan (a junior) now wrestle on the Ashland University team. Jacob lives in Ashland with wife Kaley and daughter Ava.

*Melody Snure, KWLTL Administrator*