The Florida Forest Steward

A Quarterly Newsletter for Florida Landowners and Resource Professionals

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A University of Florida Cooperative Extension Service and Florida Division of Forestry joint project:

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Conservation Easements

Conservation easements are an ideal option for landowners wanting to protect their land from future residential and commercial development, and those who want to reduce their heirs' inheritance tax liability. Here's how it works.

A conservation easement is a voluntary, legally binding agreement between a landowner and a government or nongovernment conservation organization that keeps land in agricultural and/or open space uses. The agreement is customized to meet the landowner's objectives and, in most cases, is perpetual. In essence the landowner sells his or her right to develop all or part of their land for non-agricultural or non-open space uses to the conservation organization. Current uses, including residential and recreational uses, agriculture, forestry, and ranching can continue. The easement will protect some unique quality of the property such as wildlife habitat, open space, forest management or aesthetics. In addition, public access to your property is not a requirement to participate in this type of conservation program.

In most states conservation easements are donations rewarded by certain tax benefits to the

landowner. In Florida conservation easements, if perpetual, are purchased through payments to the landowner. The payment is equal to the difference between the fair market value of the land without the easement and the current use value of the land with the easement.

For example, Joe Landowner has property in Alachua County with planted pines, old pastures and mixed hardwoods. Joe and his family are interested in growing and harvesting pines, hunting, birdwatching, and some future forestry and wildlife habitat improvements on the property. They want the property protected from residential and commercial development and they plan on passing the property on to their children with a minimal tax burden, so Joe decides to establish a conservation easement. Being close to a growing urban area, the land has a fair market value of $4,500 per acre. The overall current use value of the property with a conservation easement is $1,000 per acre since no major residential or commercial development can occur on the property at any time in the future. Therefore Joe would receive $3,500 per acre for the easement, and since the selling of the easement reduced the value of the property the heirs' estate tax liability will be reduced.

Since a conservation easement is customized to meet your specific objectives, you can and should leave as much flexibility in the agreement to allow for potential future uses. Try to anticipate the types of uses that you or your heirs may want to allow on the property in the future. For example, you currently do not want to harvest or plant pines on your land, but you may want to allow those uses in the future. A conservation easement is forever, so it is important to consider all potential future uses before finalizing the agreement. It is also essential that the landowner carefully review the implications of the easement with legal and financial advisors before the final agreement. Bear in mind that your easement may be subject to periodic visits by the conservation organization to verify compliance with the agreement.

What organizations will purchase a conservation easement? The major state agency involved with conservation easements is the Department of Environmental Protection (DEP). In addition, most water management districts are particularly interested in buying easements, usually in large blocks, in order to protect watersheds. The Nature Conservancy is a nongovernment organization whose mission is to protect open spaces from residential and commercial development. They are involved in conservation easements and other land purchases around the country. Conservation easements are good for these organizations because they can protect more land for less money since they are only buying the development rights of the land, and the landowner benefits through potential financial rewards and guaranteed protection of the property from undesired uses.

The information for this article was provided by Zac Ryan, a certified property appraiser in Green Cove Springs, FL..

The Suncoast Parkway

I decided to include this article for four reasons: (1) the implications of this issue (i.e., land use and taxes) are important; (2) forest landowners are important stakeholders in any regional, large scale land use decision; (3) this issue ties in well with the article on urbanization in a past issue of the Florida Forest Steward (vol. 7 no. 2); and (4) it emphasizes the importance of landowner involvement in local and regional planning.

The Suncoast Parkway, a two-phase, $500 million toll road proposed to run from the Veterans Expressway (SR 589) near Tampa to US 19/98 near Crystal River, is the subject of a debate between those that believe the toll road is necessary to handle future growth and improve economic opportunities for the now rural areas of Pasco, Hernando and Citrus Counties, and those that believe the toll road is a means for development interests to introduce urban sprawl into this rural area.

One of the first conflicts to arise in the process of planning the Suncoast Parkway was associated with flawed traffic projections by a San Francisco based consulting firm. In 1992 the firm forecasted that the Suncoast Parkway would generate $70 million in 2002 and $119 million in 2010, which persuaded the state to proceed with planning. However, as of February 2000 their projections dropped dramatically to $14 million in 2002 and $31 million in 2010. The same firm had previous problems projecting use of other Florida toll roads.

Despite this discrepancy in use projections, supporters of the project believe that the decision to build the Parkway should not be guided by these estimates alone. It is also necessary to consider future growth management needs in the area as well as traffic conditions on US 19 and 41. The Florida Department of Transportation (FDOT) points out that traffic on these primary arteries of Pasco and Hernando Counties is congested and a new transportation corridor is needed to provide some relief. Most of the development in these counties is concentrated along these roads, slowing the movement of traffic. Donald Crane, President of Floridians for Better Transportation, a group in support of the new Parkway, stated that, "this is because of poor planning decisions at the local level." He contends that sprawl development is not a result of highway construction, but rather a result of poor planning and discretion on the part of county and municipal governments. Growth is going to take place with or without the Suncoast Parkway and it is more efficient for road planning to precede development planning. Crane explains that "the Parkway will serve as a backbone to the growth needs of the region. How growth takes place is up to local communities and governments."

Opponents of the Parkway question these growth needs. Flawed revenue projections aside, the proposed Parkway runs between US highways 19 and 41 and is no more than 14 miles from either of these highways along its route. Citizens question the FDOT's assumption that people will drive 5 to 14 miles out of their way to pay a toll to avoid traffic and then return to US 19 or 41.

Other concerns revolve around wildlife habitat and water. Wetlands and upland communities surrounding the Parkway's corridor are home to many wildlife species. Controversy also surrounds the question of whether or not well fields in Pasco County have the capacity to supply water to subsequent residential developments. One proposed development, a 96,000-unit project planned for that county after the Parkway is opened, could increase the number of people served by these well fields by over 300,000. Many citizens feel that the ability of the well fields to meet the water needs of this incoming population has not been adequately addressed. Janet Masaoy, head of Citizens Opposing the Suncoast Tollroad (COST), contends that the toll road is not needed because traffic projections don't justify it and the cost of the project to the citizens of these counties and the state financially, and in terms of environmental quality, would greatly exceed the benefits to commerce and developers. In a letter to Citrus County Commissioners, Masaoy said that the necessity for the project is highly questionable "when you look at and understand the FDOT numbers and when you acknowledge the preponderance of resident opposition to this road."

So what does this have to do with forest landowners? Growth management is perhaps the greatest challenge facing Floridians today. Residential and commercial development down the road and next door to you will likely affect your taxes and property rights. According to Donald Crane, the economic premise of the Suncoast Parkway is that it will attract the high income of retirees and professionals to these rural, low income areas, thereby improving the tax base. The question is, will the additional tax revenue generated by these additional residents pay for the services they require? And how will this new population affect private property rights? People moving to rural areas from urban centers bring with them a set of values and expectations that may differ from those of traditional rural landowners. They may not understand why people cut trees or use herbicides and local forest policy may eventually be influenced by their interests and concerns. Attention to and involvement in development planning at the local level may be the best way to be sure your interests are represented.

For more information about both sides of this issue contact Floridians for Better Transportation at 727-895-5766 and COST at 352-527-1289.

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Effects of Prolonged Drought on Trees

Recent dry spells have caused many landowners to cancel planting operations and some of those that did plant may wish they waited for wetter weather. You may be wondering what kinds of effects prolonged drought has on older trees. Drought triggers a domino effect of changes which result in reduced growth and vigor until adequate soil moisture resumes.

Drought causes water stress: the slowed movement of water from soil to the roots due to the high adhesive force of a thin film of water in the soil. Studies in the late 1950s,1960s and 1970s revealed that water stress negatively affects the production of water-conducting cells called tracheids. Fewer and narrower tracheids are produced when there is a lack of water, which in turn limits the amount of water reaching the crown, reducing crown development and activity. Reduced crown activity restricts photosynthesis, which ultimately impairs the flow of carbohydrates to the bole of the tree (diameter growth). Growth reduction is pronounced when the length of the dry period and rate of transpiration (passage of water vapor from foliage to air) increases. Trees can recover from drought if it is not excessively prolonged and other external factors don't interfere. Trees weakened by water stress are more susceptible to damage by insects and diseases.

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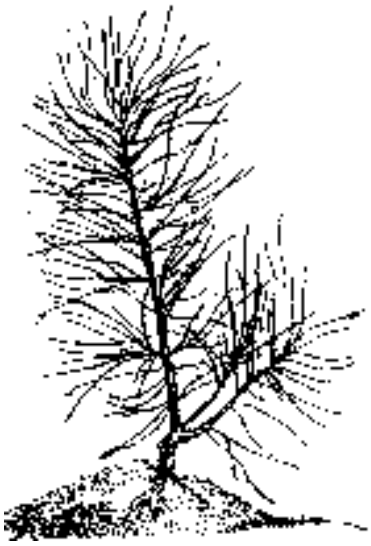
Choosing a Planting Contractor

The key to a successful planted pine stand is attention to detail at the start. Many planting failures can be traced back to improper seedling handling and planting procedures. Here are some helpful guidelines to follow if you are planning to hire someone to plant your trees:



• Choose a contractor that has experience with the species and type of seedlings you want to

plant. This is especially applicable with longleaf pine as it requires careful attention to detail with respect to planting depth and site preparation.

• Ask for references. Paying $5 to $10 more per acre for a reputable contractor may help ensure seedling survival and minimize the possibility of having to buy more seedlings and replant.

• Supervise the operation. Don't assume that the job will get done the way you want if you aren't there. You may want to hire a forestry consultant to find and supervise a planting contractor for you.

Your county forester has a list of planting contractors and forestry consultants in your area: ***DOF Field Offices***

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Timber Price Update

Stumpage price ranges reported across Florida in the 3rd quarter 2000 Timber-Mart South report were: $16-$28/cord for pine pulpwood, $61-$89/cord for pine C-N-S, $87-$116/cord for pine sawtimber, and $100-$114/cord for pine plylogs. Prices were down, up, up slightly, and down for the four products, respectively, compared to 2nd quarter prices. Average hardwood pulpwood prices ranged from $8-$20/cord, which was down from the previous quarter. A more complete summary of 3rd quarter stumpage prices is available at your County Extension Office.

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Ask Joe Steward

Mr. Harris Hill of Osceola County had a good question regarding an insect problem on and near his property. I directed him to Jim Meeker, Forest Entomologist with the Division of Forestry, who provided a very thoughtful response.

Harris Hill: "The Fall 2000 edition of the Florida Forest Steward was very timely for me, particularly the portion about the Attack of the Southern Pine Beetle and other insects... A late summer fire, of moderate proportions occurred on my neighbor's property and spread undetected onto mine. In the ensuing months, it became evident that I would have some mortality related to the fire. Now, however I have had Ips beetles begin to attack the healthy trees. It is still isolated and I have lined up a logger to remove the dead and infected wood. I'm faced with a dilemma, as it appears that even with all my efforts, my neighbor intends to do nothing about the dead and infested material just across the fence.

If my neighbor (does not remove these trees), how wide a swath should I try to sanitize to protect my healthy timber? ...I don't wish to give away any more of this...timber than is absolutely necessary... Is there any rule of thumb, practical experience, research or anything to give me a basis upon which to begin to make some sort of educated decision?"

Jim Meeker: "...If the situation involves Ips engravers and/or black turpentine beetle, and not southern pine beetle, then there is no need to remove a buffer strip of any "healthy" trees. Unfortunately, the problem becomes much more complex when you're trying to determine what's truly "healthy". For example, even in unburned areas trees are likely to be under considerable stress and therefore more susceptible to bark beetle attack and mortality, simply due to the pronounced, repeated and widespread droughts over the last three years. Drought stresses will be even more magnified in typically wet areas where shallow root systems prevail, and in overcrowded/overstocked stands, and/or stands with abundant...competing vegetation, where water is at a premium. When your stand experiences a fire on top of one or more of these conditions, it's no surprise that tree mortality occurs.

Fire further complicates matters because of the range and variability of its impacts, i.e. how light and/or severe was the fire-damage to: 1) the basal/root portion of trees, 2) the bole of trees and 3) the crown portions of trees? The pattern and/or distribution of the various fire-damage(s) is also important with regard to forecasting eventual tree mortality and developing any associated salvage plans. For example, if the fire yielded some small hot spots of <75% crown scorch and little other damage, eventual tree mortality will likely be limited. On the other hand, if the stand had been long unburned prior to the fire resulting in abundant ground fuels, and then the fire burned for days during a drought period such that deep burning produced extensive root damage and /or basal girdling, then all of the trees could be dead and it's only a matter of time (6 - 18 months) before such becomes manifest. When fire girdles a tree at its base, it's like girdling a tree with a chainsaw; the tree can stay green and appear alive for more than a year, until the roots inevitably and eventually starve. If this deep burning is widespread, it's best to cut the entire area that burned, before the insects get going and rapidly devalue the wood.

...There are a variety preexisting stand conditions and fire effects that should be considered and/or evaluated in decision-making. With regard to the insects and their activities, an important question to answer is: are they presently attacking and infesting trees that are otherwise representative of the rest of the stand? If so, they will likely continue to attack others, even if you successfully eliminated all of them temporarily by cutting out infested trees and the groups thereof... The insects you mentioned are responders to weakened, damaged and/or stressed trees. They are not aggressive tree killers. Therefore, as long as susceptible trees exist, these beetles will be back. In fact, partial harvests which treat beetle spots like tumors often aggravate and prolong beetle problems because of the additional disturbance and unavoidable injury to some leave trees, and the creation of fresh and powerful attractive odors emanating from the cutting operation.

On the other hand, if beetles are only working on a few trees that are obviously more damaged and/or otherwise more susceptible to beetles (e.g. suppressed trees, trees with fusiform rust stem galls/cankers), and the uninfested trees are relatively "healthy", then it may be best to let the beetles run their course. Barring any additional disturbance and unfavorable weather, the beetle activity and associated tree mortality should decline and dissipate as fewer susceptible trees remain and the survivors recover over time.

...A quick assessment of the preexisting stand conditions and the nature and extent of fire damage and pest activity should point you in the right direction. ...Other factors to consider include the age and species of your trees (e.g. slash and longleaf more resistant to fire and pests when compared to loblolly), their location (i.e. could southern pine beetle be a factor in the future?), surrounding levels of pest activity (e.g. are there other noticeable bug spots within a 5 mi. radius?), and current moisture conditions (e.g. the statewide drought index map indicates that most of the state is exceptionally dry and is likely to become drier, imparting additional stress...)."

Write, call or email the editor of the Florida Forest Steward with your questions and we will print the answers in the next issue. We welcome questions about articles in this or back issues of the Steward, specific management practices, economic or financial issues, forest policy issues, or anything else relating to resource management. The **contact information for the editor** is in the box under the issue contents.

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Workshops and Events

January 23, 24, 25, 2001. A Focus on Forestry Workshop Series. This workshop series is actually a spin-off of the Florida Forestry Forum. Each night will feature the same program so you need only attend one. Topics will include "Longleaf Pine Reforestation and Management", "Prescribed burning, and "Balancing Your Land Management Objectives".

* January 23: Pensacola Jr. College Student Center, Building 4200, 5988 Hwy. 90, Milton.
* January 24: Neil Civic Center, in Blountstown.
* January 25: Holmes County High School, in Bonifay.

A meal will be provided so please register. Participants attending the Bountstown and Bonifay workshops can register by calling the Chipola District DOF office in Panama City at 850-872-4175. Those attending the Milton workshop can call the Blackwater Forestry Center office in Milton in at 850-957-6140.

Feb. 6 - March 20: Master Tree Farmer 2001. Most of you have probably received the brochure for this year's Master Tree Farmer program. If you are interested in participating, please register by January 10, 2001 to enable us to order the manuals at a reasonable cost. However, we will accept registrations after January 10 since we want as many people as are interested to participate in the program. For more information go to the MTF2001 web site at http://www.mtf2000.net/index3.html, or contact us at 352-846-2375 or 352-846-0891.

February 24, 2001: Wild Turkey Field Day. The Florida Fish and Wildlife Conservation Commission, in partnership with the National Wild Turkey Federation, will host a Wild Turkey Woodlands Field Day at Dennis Andrew's property in Levy County. The field day is free and will begin at 8:30 a.m. Come learn about management techniques and practices that will benefit both wildlife and timber resources.

The event is free but preregistration is required and is limited to the first 100 participants. For directions and registration, contact Andy Adams with the National Wild Turkey Federation at (803)637-3106, ext. 3074. Registration deadline is February 22, 2001!!

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