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Greed and Generosity

The following is excerpted from Rand Wentworth's speech at the Welcoming Dinner at Rally 2012: The National Land Conservation Conference in Salt Lake City. For the full text and video, see www.lta.org/rallyinreview.

Gene Wheadon wore a red flannel shirt, green work pants and an old white cowboy hat. At 80 years old, Gene had a small, wiry frame and was always on the move. Since the 1930s, Gene raised sheep, cattle, turkeys, chickens and all kinds of vegetables on prime farmland in the Salt Lake Valley.

There was something different about Gene. He never married. Every morning he made himself a shake of orange juice, bananas and cayenne pepper. And he had a generous heart. During the Great Depression, miners from the Bingham Mine would stand in a breadline, and Gene would drive out and give them fresh vegetables. As the years passed, Salt Lake City expanded south and developers made offers to buy Gene's farm for the next high-end subdivision, but Gene turned them down. He had something else in mind. A friend introduced Gene to Wendy Fisher at Utah Open Lands, and the day after they met, Gene called her at 5:30 a.m. to talk about conservation easements. It is hard to believe, but Gene called Wendy every morning at 5:30 for a year and a half!

In the end, Gene donated an easement on the farm. Wendy asked him why he decided to conserve his land, and Gene replied, "You can't eat money." The Governor of Utah came out to the media celebration and said he hoped more landowners would share Gene's generous spirit: **"We only get one chance at this."**

Even after Gene signed the easement, he kept calling Wendy every morning. As many of us know from our work in conservation, this is more than a real estate deal—it is a friendship born from a common love of the land. One morning, two months after the closing, Wendy didn't get a call until 7 a.m. It was the friend who had introduced her to Gene, telling her that Gene had died that morning under his favorite cottonwood tree on the farm.

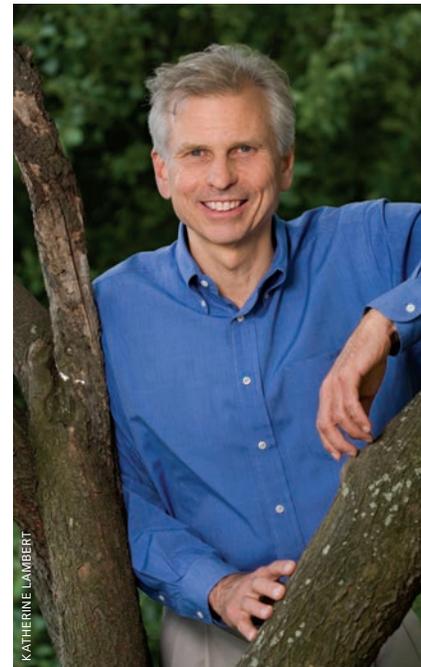
Gene did what he needed to do.

We only get one chance at this.

But that is not the end of the story. The bank handling the estate sued to break the conservation easement, claiming that Gene was mentally incompetent. If successful, distant heirs would get millions and the bank would get a 9% commission. But Utah Open Lands stood up to the legal challenges and today the farm is protected and home to two organic CSAs.

Standing Together

Greed is nothing new in this world. In the late 1880s Collis Huntington, owner of the Central Pacific Railroad, had a sign in his office with two lines: First: "Whatever is not nailed down belongs to me." Second: "Whatever can be pried loose is not nailed down." Half of land trusts say that they have experienced legal challenges, and this will increase dramatically as land is transferred to new owners. Conservation easements are still a new legal tool and there is little





Gene Wheadon on his Utah farm

WENDY FISHER/UTAH OPEN LANDS

case law to guide judicial decisions. A few bad court decisions could jeopardize the permanence of conservation everywhere.

Because few land trusts have the funds to fight a protracted legal battle, the Land Trust Alliance set out to design a way to pool our risks. We have completed the planning, received the regulatory approvals and raised the required \$5.5 million in capital to create Terrafirma—a charitable risk pool owned and operated by and for land trusts to fund the legal costs of

defending conservation lands [see pg. 13]. No longer will a single land trust be alone in the face of a well-funded adversary. We will stand together and we will prevail.

This is a milestone in the history of land conservation and a great way to celebrate the 30th anniversary of the Land Trust Alliance. We are all grateful to the land trusts that had the foresight to create the Alliance and to the hundreds who have served as faculty, advisors, advocates, donors and board members. Together, we have raised

the effectiveness and political strength of land trusts around the country. And we have grown to a community of 5 million members that has conserved 50 million acres. We convinced Congress to strengthen tax incentives for conservation easements, created accreditation and Terrafirma and doubled the pace of conservation. Taken together, these will make a strong foundation for our growth for years to come.

This afternoon I was on a field trip to an aspen grove and learned that each tree looks like it stands as an individual unit, but under the surface the roots are intertwined and share identical DNA. Land trusts are like that. We each have our own identity, but, beneath the surface, we are united by common standards, accreditation, a commitment to permanence and a dedication to conserving the places that matter most.

Now we face our greatest challenge. So far, Congress has failed to approve expanded conservation tax incentives or the Farm Bill, and we face the prospect of major tax reform that could undermine the reasons why private landowners donate easements. Eventually, Congress will have to make decisions and we are determined to be at the table. With your help in building relationships with members of Congress, we can increase the political power of the land trust community.

The Next 30 Years

Here is a picture of what lies ahead for land trusts over the next 30 years:



Gene's farm is now home to two community supported agriculture farms.

UTAH OPEN LANDS



The Gregory Alan Grening Preserve in Pennsylvania

CENTRAL PENNSYLVANIA CONSERVANCY

- The United States will add 100 million in population and triple the amount of land covered by buildings and pavement.
- In 30 years, the majority of Americans will not be descended from northern Europeans.
- Technology and social media will transform how we collaborate, plan conservation and monitor easements.
- Anyone will be able to go online and see a map with ecological features of all conserved land in America.
- The majority of new conservation will be voluntary partnerships with private landowners.
- Many land trusts will transition from saving land to engaging their communities and connecting people to nature.
- The local food movement will flourish and land trusts will be at the heart of making this possible.
- America will come to recognize and value the health benefits of time in nature.
- The next generation of conservation leaders will invent new tools beyond conservation easements.
- Land trusts will double the amount of land they have protected to 100 million acres, but they will measure their success more by the ways in which the community is engaged and the number of people served.

A Spirit of Generosity

When Greg Grening was 3 years old, he had his own tree house at the edge of the woods near his house in Pennsylvania. Greg overheard his father talking to the owner of the land, who said that he was selling it to developers. Greg wrote to the neighbor, asking: "Deer John, Please don't sell the woods. Love, Greg." The neighbor decided not to sell the woods.

When Greg was a teenager, his neighbor tried to sell the land again and Greg was visibly upset, muttering, "They're going to ruin the woods." After high school, Greg joined the Marines. He survived Iraq and was honorably discharged. As soon as he came home, he went for a walk in the woods with his mother and said, "Who has been running four-wheelers here? If I had the money, I'd buy it and keep them out."

**Thanks to Beverly Grening for sharing her son's story with Andy Loza of the Pennsylvania Land Trust Association.*



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As Greg was preparing a good life for himself, his mother got a late-night telephone call from a hospital. Greg had died in an accident. In the depth of her grief, she decided to use his life insurance to buy the land he loved. She said, "If we have to bury Greg, we should bury him in the woods."

Working with the Central Pennsylvania Conservancy, she bought the woods and created the Gregory Alan Grening Preserve. "A young boy, turned young man, who will never grow old, will finally have his wish that no one will ruin the woods."*

Conserving land takes a generous heart. Gene Wheadon giving vegetables to workers in the breadline. Greg Grening putting his life at risk in service to his

country. A mother in grief giving what her son most wanted. Thousands of landowners making a gift of a conservation easement. The spirit of generosity of the land trust leaders freely sharing what they know. And all in this room tonight who are giving their time to conserve land for people they may never meet. What greater act of generosity can there be than to save land that will heal and renew people for generations to come?

We only get one chance at this.

Rand Wentworth