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Big News
By Kyler Wolf, Kaniksu Land Trust

It has been a while since we have had a chance to put out any news, so we are excited to share some updates with you. Our name change process is complete. Changing your name as a business can be a daunting task, but we are happy to announce that the transition from Clark Fork – Pend Oreille Conservancy to Kaniksu Land Trust has been well received by all. Thank you for your support!

Our other big news is that last December we closed two very special conservation projects. Though similar in size, about 140 acres each, they could not have been more different in scope.

The first project is a conservation easement on the property that people around town refer to as the Sherwood Forest, a large part of the syringa trails network. The conservation easement was donated by Redtail, LLC owners, Mark and Susan Kubiak. It is a conservation easement that allows for limited public access and the continued use of the trails on the property under some specific guidelines. The landowners retain the ownership of the land and many of their property rights, but specific uses and subdivision have been prohibited forever.



conservation corner

The easement is rather unique, as it includes a public use component. More on that in a bit...

The second project is a conservation servitude on an especially environmentally sensitive section of the East Fork Bull River in Montana. The conservation servitude is similar to a conservation easement; however it is used under Montana statutes when a corporate entity holds the restricted rights instead of a land trust or government entity. This particular project protects vital Bull Trout habitat and the servitude was purchased by Avista as part of their environmental protection work under the Clark Fork Settlement Agreement. It is designed to permanently protect Bull Trout habitat and prevent property development along this section of the river. The landowner still maintains ownership and many property rights, however the servitude restricts uses that would

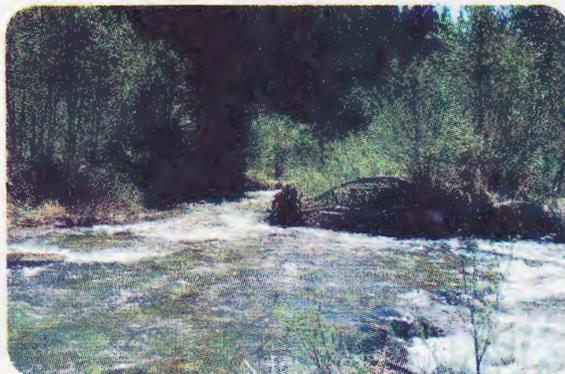
be detrimental to the wildlife habitat and protects the scenic beauty of the area. In this instance the protection does not allow for any public use.

So what is a public use component, and why is it important? A common misconception is that conservation easements necessarily allow the public to use the land that is protected or that now the public owns the land. This is not the case. Only in specific instances where the landowner grants access to the public, may outsiders be allowed on the property. When there is a public use component, often times it is restricted or controlled, and those guidelines must be adhered to ensuring that the landowners' wishes and the environment are still protected. This is the type of public access that has been incorporated into the Sherwood Forest easement.

The Landowner decides when and how the public can use the land and can alter or restrict the use if the rules they set are not complied with. In the case of the Sherwood Forest there has been a good effort by the public, Pend Oreille Pedalers and other groups to ensure that the trails are maintained and cared for. There has been concern by the users that the space is respected, that

damage to the ecosystem is kept to a minimum, that there is no litter or vandalism. These are the types of things that could affect the future of this amazing recreational and scenic resource.

The Kaniksu Land Trust will monitor the Sherwood Forest property on a regular basis and look for any signs of damage or abuse. We will also enforce violations of the easement. So now there is another layer of protection for the property and a system of checks and balances to protect the wildlife habitat and the scenic beauty that so many of us enjoy on a regular basis. The rule of thumb with this is simple: leave it as you found it and make it better when you have the chance. If everyone makes that commitment, I am confident that the landowners will continue to let the public use the trails for a long time to come.



If you would like to check out our previous Conservation Corner articles you can find them all on our website: WWW.KANIKSU.ORG. For more information about the Kaniksu Land Trust, please contact Eric Grace or Kyler Wolf at (208) 263-9471 or by email: info@kaniksu.org... and don't forget to like our Facebook page: www.facebook.com/CFPOC

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