



OVERLOOK *on the Highlands-Cashiers Plateau*

Landmark view property donated to Land Trust

Winter, 2006/07

INSIDE THIS ISSUE

A GIFT FROM YOUR LAND TRUST

A message from H-CLT Board President Mercedes Heller 2

BLUE RIDGE FOREVER

H-CLT partners with other Western North Carolina land trusts. 4

CONSERVATION AGREEMENTS

(Almost) everything you ever wanted to know about this valuable land preservation tool 6

A VERY GOOD YEAR

In 2006 the Land Trust protected valuable new properties in Highlands and Cashiers 7

Rhodes Big View



In October 20, 2006, Margaret Rhodes Shaffner, Ran Shaffner, Rebecca Rhodes Thomas and David R. Thomas, III, did something wonderful; they donated 10.3 acres of land on Highway 64 known as Rhodes Big View to the Highlands-Cashiers Land Trust in memory of Robert and Antonia Rhodes.

The property was purchased in September 1983, by Robert L. and Antonia Altstaetter Rhodes, parents of Margaret and Rebecca Rhodes, from Beatrice Ravenel. The homesite is directly above vistas that range from

Cold Mountain on the Parkway to Devil's Courthouse on the shoulder of Whiteside Mountain, including Big and Little Sheep Cliff, Bald Rock, Toxaway, Rocky, Chimneytop, Timber Ridge, Sassafras, and Little Terrapin. Some of the earliest pictures of this magnificent panoramic view were taken by George Masa in 1929 and are on display at the Highlands Historic Village, according to Highlands' historian Ran Shaffner. Masa was renowned for his photographs of Western North Carolina's natural landscapes and many Highlands homes. This view has

Big View continued on page 3



The mission of the Highlands-Cashiers Land Trust is to preserve the natural areas, scenic beauty, and green spaces of Highlands and Cashiers for the enjoyment and benefit of the public.



The Devil's Courthouse and Chimneytop Mountain as seen from Rhodes Big View on Highway 64 between Highlands and Cashiers. At certain times of year, the shadow cast into the valley below Whiteside Mountain resembles a bear or razorback hog. Ran Schaffner took this picture in November, 2005.



A gift to future generations from the Land Trust

Yesterday I stood on the sidewalk in Highlands and watched the Christmas parade with its floats, marching Cub Scouts, Brownie Scouts, vintage cars, dancing garden clubwomen, and all the other bright and cheerful participants. This was the 16th Christmas Parade I have attended since moving to Highlands, and the one sight that cheers me most is the look of anticipation on the faces of small children as they eagerly await the next float with the riders throwing candy canes and peppermints to the onlookers. Finally, Santa came on a red sleigh, waving and shouting to everyone, "Merry Christmas!"

The first year we attended, we were astonished to find three live camels being lead by "wise men" garbed in striped bathrobes and terry cloth turbans. This year those camels were again in the parade. This time, the three "wise men" were dressed in finery and gold lamé turbans. Somehow, I think I liked the simplicity of the bathrobes and terry cloth turbans better; but it was fun watching them walk down the street behind a representational Mary on a donkey. Another year there was a "zorse" (supposedly a

cross between a zebra and a horse) being ridden by a young woman elegantly dressed in an English riding habit. Other years brought sights just as spectacular to delight the children. The parade is always a "gift" to all who attend.

After all, the holidays revolve around giving, especially to children. Your land trust is just as involved in the gift process as those enjoying the seasonal festivities. So far, we have preserved over 1,100 acres of land in perpetuity. Moreover, our mission is not complete. We continue to work diligently with landowners to help preserve even more land by purchase, gift, or through conservation easements for future generations to enjoy.

Famed horticulturist Luther Burbank said:
"Every child should have mud pies, grasshoppers, water-bugs, tadpoles, frogs, mud-turtles, elderberries, wild strawberries, acorns, trees to climb, brooks to wade in, water lilies, woodchucks, bats, bees, butterflies, various animals to pet, hayfields, pine cones, rocks to roll, sand, snakes, huckleberries and hornets".

What better gift can we give our children, grandchildren and their grandchildren than conserving land so that every child can enjoy those experiences?

Happy Holidays to you and your families from the Highlands-Cashiers Land Trust.

Mercedes Heller
President, Highlands-Cashiers Land Trust

Help Save Our Natural Heritage

Please accept my donation of \$ _____ and put it to work.

I'm not a member of the Highlands Land Trust, but I want to do my part. Please sign me up at the following level (circle one, please):

\$35+ Individual \$100+ Friend \$500+ Patron \$5000+ Satulah Steward
 \$50+ Family \$250+ Conservator \$1000+ Kelsey Benefactor _____ Other

Name _____

Address _____

City _____ State _____ Zip _____

Telephone No. _____ E-mail _____

(memberships are renewed annually in June)

Make checks payable to: **Highlands-Cashiers Land Trust**

P.O. Box 1703, Highlands, North Carolina 28741

OR charge your donation to Visa Master Card American Express

Name on Card _____

Signature _____

Card Number _____

Expiration Date _____

V Code _____

Donations to the Highlands-Cashiers Land Trust are tax deductible. We are a 501(c)3 tax-exempt public charity.

Big View continued from page 3

attracted sightseers and photographers from all over the world.

To quote Margaret Rhodes Shaffner, "It was our pleasure to be able to donate this land, and we're grateful that the Land Trust was available to preserve it."

Rebecca Rhodes Thomas noted, "Our parents would be honored and touched to know that this view, which so captured their love of the North Carolina Mountains, was given in their memory to the Highlands-Cashiers Land Trust. They felt that the preservation of this area was vital to our future generations."

The donation of Rhodes Big View will allow the public to continue to see awesome views of our highland peaks and ridges that stretch up to 27 miles to the rising sun.

Anyone that has stopped to take a picture of the Devil's Courthouse on the north flank of Whiteside Mountain has visited Rhodes Big View. Gary Wein, the executive director of the Land Trust noted that while the View is a small place on the roadside relative to Whiteside Mountain, it provides a huge view of the surrounding landscape. "We are very fortunate and grateful that the Shaffners and Thomases had the foresight and generosity to donate this piece of land so that all can enjoy this mountain view forever," Wein said.



Goldenrod in autumn on Satulah Mountain



Mountain Ash

The small tree, mountain ash, with its ash-like compound leaves, is highly visible in the late summer and early fall because of its bright red fruits. The picture above was taken on the top of Satulah Mountain this fall as I helped our two CEP students, Ellie Bolas and Lucy Page (LP) Chesnut, sample rock outcrops.

Mountain ash, also known as *Sorbus americana*, is in fact not an ash but a member of the rose family and is closely related to the pear and crab apple. This tree is found from Newfoundland along the mountains to North Carolina and to Michigan. In Highlands we are near its southern-most range.

The fruits, which are a pome (like an apple, only a lot smaller), are readily taken by birds and other animals. The tree has a thin bark and is not fire tolerant. It flowers in May-June and sets fruit in August that can hang on the tree through the winter. The tree is also known as roundwood, round-tree, American rowan tree, American servicetree, mountain sumac, dogberry, quickbeam, wild ash, wine tree, witchwood, life-of-man, Indian mozemize, misery-moosey, and moosemisse.

The American mountain ash is very similar to the European mountain ash or rowan tree (*Sorbus aucuparia*) which is renowned for its ability to ward off evil, and bits of wood are supposed to avert disaster. In contrast, the American *Sorbus* bark was used to make a tonic for malarial-like fevers, and the berries are edible if cooked and can be made into jams and homemade wines.

Which goes to show, you can eat almost anything if you add enough sugar and alcohol. Both the American and European mountain ash are sold as cultivars and their orange fruits are common in our front and backyards.

Gary Wein

The Highlands-Cashiers Land Trust is part of a region-wide land protection effort called Blue Ridge Forever, driven by ten western North Carolina land trusts and three national organizations.

The partnership aims to raise the awareness and support to achieve the five-year goal of protecting 50,000 acres in the Southern Blue Ridge Region. Working together, the conservation organizations have an increased opportunity to meet the rising land conservation challenges in the region. The WNC land trust community hopes to solidify into a more interconnected model so that even more staff time can be spent on the ground protecting land.

“The land trusts have a variety of specialties in their protection work — for instance, high-elevation scenic views, lands adjacent to the Parkway, river corridors, farmland, and conservation developments,” said Megan Riley, Blue Ridge Forever coordinator, based in Asheville. “Collectively, we are a powerful force.”

The partnership will promote its shared, nationally recognized identity of the Blue Ridge, while maintaining each of the land trusts’ local identities. The organizations are located in Asheville, Boone, West Jefferson, Franklin, Hendersonville, Morganton, Highlands, Lynn and Raleigh.



Blue Ridge Forever to focus on stewardship

By Emily Nuchols, Southern Appalachian Highlands Conservancy 's (SAHC) AmeriCorps member

Western North Carolina land trusts are working together as part of the Blue Ridge Forever initiative to enhance stewardship practices — ensuring the properties they conserve will be protected in perpetuity.

“The stewardship staff of the Western North Carolina land trusts carry a diverse breadth of knowledge and experience in conservation easement monitoring and proper documentation,” said Megan Riley, Blue Ridge Forever Coordinator. “This stewardship enhancement project is a chance for them to share this knowledge, as well as answer all those questions that pop into their heads while out in the field.”

The Highlands-Cashiers Land Trust is part of this coalition of 13 conservation organizations, called Blue Ridge Forever, devoted to protecting land and water resources in the Southern Blue Ridge Mountains. The five-year goal of the campaign is to protect 50,000 acres by 2010. The coalition is about halfway to meeting that goal.

The Southern Blue Ridge Mountain region is known worldwide for its natural and cultural resources. The temperate forests of this region are some of the most biologically diverse on the planet. This area is also the main water source for many rivers and communities in the Southeast. The region is threatened by a dramatic increase in development and suburban sprawl. As a result, the Southern Blue Ridge is losing tens of thousands of acres each year. Blue Ridge Forever is working to protect some of this land for present and future generations. Much of this land is protected through conservation agreements between the landowner and the land trust.

With every conservation agreement, land trusts are committed to completing a baseline document, which outlines the outstanding characteristics of the property to be protected, documents the property’s condition with photographs and maps the location. In addition, land trusts mark the boundar-

ies of the property and monitor the land annually.

These practices not only ensure the properties are protected forever, but will help the organizations gain accreditation from the Land Trust Alliance. LTA is a national service organization that serves as the convener, strategist and representative of land trusts across the country. In 2008, LTA will be overseeing an accreditation process, which will publicly recognize land trusts that are implementing the practices from Land Trust Standards and Practices — guidelines for the responsible operation of a land trust. Accreditation will provide for enhanced credibility and respect with donors, partners, members and others. The Blue Ridge Forever partners have agreed to have all the stewardship policies and practices in place by year-end 2007 to be ready for LTA accreditation.

“Collaboration among the partners on fully

implementing LTA’s Standards and Practices for Conservation Easement Programs is important to the stewardship enhancement project,” said Tom Kenney of Foothills Conservancy, the stewardship project leader of Blue Ridge Forever. “By learning from each other, sharing model policies, and perhaps even mentoring or helping individual partners with some areas of their easement programs, all Blue Ridge partners can benefit and efficiently work to implement the practices.”

While working to meet conservation goals in Western North Carolina, Blue Ridge Forever hopes to be a model in collectively enhancing stewardship practices for other coalitions within the state and nationally.

This project is funded in part by the Land Trust Alliance Southeast Matching Grants Program with support of The Charles Stewart Mott Foundation.

Land Trust Welcomes New Board Members

At the October 2006 meeting the H-CLT Board of Directors nominated and elected two new Board members. We welcome Ann McKee Austin of Cashiers and James P. Tate of Highlands to three years of service with the H-CLT Board of Directors. Ann will serve on the education committee while James will join the stewardship committee.

Ann’s roots are in Western North Carolina having grown up in Asheville, spending every summer in Cashiers working at the High Hampton Inn — that is, when she wasn’t riding horses at the Inn. She is a resident of Cashiers and vice president of McKee Properties. She was a partner, with brother William McKee, in the development of Wade Hampton Golf Course. She received a BA degree in art history from Hollins College in Virginia. She is a founding member of the Cashiers Historical Society, Village Conservancy, and Designer Showcase. Ann brings an important Cashiers perspective to the Board.

James is a fifth-generation native of the Highlands Plateau and owns Tate Landscape Services, a landscape design, installation, and maintenance company located in Highlands. His respect for the Highlands area and the significance of its environment developed from strong family connections and stories as told by his grandparents and father. His experience in the nursery business began as a teenager working at Tate’s Nursery, and was formalized



Above, new H-CLT board members Ann McKee Austin of Cashiers and James P. Tate of Highlands.

with a BS degree in landscape architecture from the University of Georgia. James is a member of several town of Highlands governmental boards and is a trained emergency medical technician for the Macon County Urban Search and Rescue Team. James will provide the Board of Directors with an important historical outlook and a committed conservation land ethic.

According to Mercedes Heller, president of H-CLT, “Ann Austin and Jimmy Tate will bring much needed historical knowledge and diverse experiences that will assist us in attaining our mission. We welcome them.”

FACTS ABOUT CONSERVATION AGREEMENTS

The conservation agreement is an effective means of protecting and conserving land in North Carolina. Conservation agreements (sometimes called easements) have been used to protect lands as varied as mountain ridge tops, piedmont river corridors, farms and coastal beaches.

Because conservation agreements have only recently become popular, most landowners are unaware of how useful this land protection tool can be. Conservation agreements enable landowners to preserve their land, maintain ownership of it, and usually realize significant tax savings or other financial incentives.

What is a conservation agreement?

A conservation agreement is a written agreement between a landowner and a qualified conservation organization such as Highlands-Cashiers Land Trust in which:

- the landowner (Grantor) promises to keep the land in its natural condition without extensive disturbance, and
- the land trust or conservation organization (Grantee) is granted the right to enforce the covenants of the agreement and to monitor the property.

The conservation agreement is similar to a declaration of restrictive covenants in a subdivision. That is, it contains a series of restrictions relating to various uses of land. There are different types of conservation agreements, and they go by several different names. For example, a conservation agreement may also be referred to as a deed of conservation easement, a grant of development rights, a historic preservation agreement, a farmland agreement, a façade easement, a working forest easement and an agricultural easement.

Conservation agreements are intended to preserve property in its natural, undeveloped condition providing a benefit to the public by conserving open lands, forests, farmland, stream banks, and significant natural resources. Because of the public benefit, there are federal, state, and local tax incentives for the landowner who donates a conservation agreement.

On August 17, 2006, President Bush signed into law significant new tax incentives for conservation agreement donations. The new law, which expires December 31, 2007:

- raises the deduction a landowner can take for donating a conservation agreement from 30% of their adjusted gross income in any year to 50%;
- allows qualifying farmers and ranchers to deduct up to 100% of their adjusted gross income; and
- increases the number of years over which a conservation easement donor can take those deductions from 6 to 16 years.

What conservation purposes are recognized by the Internal Revenue Service?

To qualify as a charitable contribution for federal tax purposes, a conservation agreement must be perpetual, must be made to a qualified Grantee (usually a land trust), and it must meet one or more of the following conservation purposes:

- protection of relatively natural habitats of fish, wildlife, or plants;
- preservation of open space including farm and forest land;
- preservation of land for public outdoor recreation or education;
- preservation of historically important land or buildings.

To determine whether the land will qualify under one or more of these conservation purposes, a natural resource inventory including maps, photographs of existing buildings and roads, a description of natural habitats, and a survey of wildlife should be prepared. The inventory allows the owner to decide which conservation purpose is met and will distinguish ecologically sensitive areas from other areas that might be appropriate for other uses.

Can the land be subdivided, sold, mortgaged, or bequeathed after the agreement is granted?

Yes, you can sell, mortgage, or otherwise convey the property. However, the land will remain subject to the conservation agreement.

Will the public have access to land under the conservation agreement?

In almost all cases, a conservation agreement will not require or allow entry by the public. However, two types of conservation agreements do require either visual or physical access by the public to qualify as charitable contributions under the IRS Code. These agreements are:

- scenic and open space agreements, in which the scenic character of the land is critical to its conservation value (visual, rather than physical, access to or across the property is sufficient);
- land areas set aside for recreation or education for the general public (these agreements are granted infrequently due to the extensive public access and use they require).

On the other hand, conservation agreements that protect significant natural environmental systems, such as fish, wildlife, or plant habitat, or forestland and farmland, will not require public access.

For further information about conservation agreements contact the Highlands-Cashiers Land Trust office or stop by and talk to our Executive Director, Gary Wein.

2006 Was a Great Year for Conservation

Through land donations and conservation easements the Land Trust will protect more than 80 acres in the Highlands-Cashiers area. Three pieces of property were donated to the Land Trust this fall: a ten-acre tract at Rhodes Big View, a 6.5-acre tract on Bald Rock Mountain at the Divide, and a two-acre tract on Hardscrabble Road. Three conservation easements are expected to be granted by the end of 2006 at Laurel Knob, The Hedges on Satulah Mountain and Lonesome Valley.

The Thomas and Shaffner families donated Rhodes Big View from which thousands of pictures of the Devil's Courthouse and the Chattooga River headwaters have been taken. This ten-acre tract has a huge view. Read more about this donation in the lead article.

The Bald Rock property was donated by the owners of Westmark Development, Dave Bauer and Mark Falb. Dave Bauer noted his company's hallmark has been its sensitivity to environmental issues such as setting aside the bog in Bald Rock and this property being deeded. Originally the deeded property was to become sites for cabins, but Dave and Mark thought that preserving it to protect the bog made more sense. The 6.5-acre tract is adjacent to the Tray Island Creek wetland/mountain bog that is already protected by the homeowners association at the Divide. The protection of this tract will provide an important upslope buffer for this wetland system. The site is forested with a young and healthy oak forest.

Larry and Nancy Fuller, joined by their neighbors David and Barbara Postles, graciously donated a two-acre tract on Hardscrabble Road. This beautiful piece of property will ensure that some green space will remain in the Hardscrabble development.

Dr. and Mrs. German are on track to grant the Land Trust an easement on Laurel Knob. The easement on this 32.5-acre tract has been in the works for the past year. With the new federal tax deduction guidelines for 2006 and 2007, the German's were able to grant an easement on the entire tract. This property, with its incredible views, is at the top of one of the highest vertical cliff faces east of the Mississippi River. This site is one of the finest examples of a sensitive rock outcrop plant community in western North Carolina. We are the envy of the North Carolina land trust community.

Frank and Eleanor Burke donated an easement on The Hedges located in the Satulah Mountain Historic District. This easement will protect six of its eight acres. This property has magnificent views and several headwater streams that flow into Clear Creek. The land is within 500 feet of the Land Trust's holdings on the summit of Satulah Mountain.

It is expected that an easement will be deeded on 26 acres at Lonesome Valley by the end of 2006. Lonesome Valley is a unique community deeply rooted in the beauty of one of nature's true marvels at the foot of Laurel Knob and Cow Rock. This property has been owned by the Jennings family since 1895 and its protection under an easement will protect important green space, awesome views, important habitats and the Jennings' family legacy.



Above, the forest at The Hedges on Satulah Mountain.



Right, Lonesome Valley in the foreground and Laurel Knob in the distance. Conservation easements are pending for both properties.

Highlands-Cashiers Land Trust

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Carolina Environmental Program student Ellie Bolas helped H-CLT executive director Gary Wein sample rock outcrops on top of Satulah Mountain this fall.