

THE ASPEN TIMES

Important lands closed forever to development

Land trust reaches historic deal to preserve Carbondale ranch

By Scott Condon
December 21, 2005

The Aspen Valley Land Trust felt John Nieslanik's ranch on a mesa hanging over Carbondale was so important to preserve that it did something it's never done before.

AVLT bought a conservation easement on the ranch rather than try to negotiate a donation. When the \$1 million deal was completed Tuesday, it was the first time AVLT made a purchase in 100 transactions involving conservation easements on about 13,000 acres over 38 years.

The land trust was willing to alter its policy because the 166 acres where Nieslanik raises grain and alfalfa and runs cattle is a "linchpin property" on East Mesa, according to AVLT associate director Shannon Meyer. If it was developed, there is a good chance all the 2,500 acres of private land on the mesa would be developed, essentially doubling the size of Carbondale. Now that it is preserved, AVLT officials hope to build off that momentum and preserve the four neighboring ranches.

"Purchasing this conservation easement is crucial, not just for this individual parcel of land but as leverage for the conservation of up to an additional 2,500 more in the years to follow," an AVLT description of the project says.

The conservation easement allows Nieslanik and his sons to keep operating the ranch as they always have. They surrendered development rights on the 166 acres.

That's exactly what Nieslanik wanted.

"The good Lord gave you the land - take care of it," Nieslanik said. "The soil and water is some of the best in Garfield County."

Now he said he can rest easy on the knowledge that the ground will be worked by his family rather than turned into a high-end housing development.

"We don't want no damn old bulldozer up there tearing up the ground," he said.

Ranch used to grow potatoes

Nieslanik's ranch is on White Hill Road, a short distance east of St. Mary of the Crown Catholic Church. After growing up on a ranch in Spring Valley, between Missouri Heights and Glenwood Springs, Nieslanik started buying his own ranch land in 1957 after he returned from the Korean War.

He and his brothers Paul and Bob eventually acquired 800 acres on East Mesa. They divided their holdings in 1991.

The 166 acres that John retained were purchased by his family in 1960. The land has been ranched since 1890, first by Charlie Mow, then by Evans and Louise Blanc. Nieslanik is only the third owner in 115 years.

He said he raised potatoes on a patch of that ground for 30 years. He stopped in 1991 because mechanized potato

pickers couldn't operate in the thick soil and labor costs climbed too high.

If market prices rise high enough, the land will grow potatoes again, according to Nieslanik and his son Mark. They are thrilled that option exists.

"It's a unique piece of ground that needed to stay undeveloped," Nieslanik said.

The family retained 11 acres with the intent of providing homesites for Nieslanik's four sons.

Five years in the making

Meyer has been working with the Nieslaniks for five years to acquire the conservation easement. Details in the complicated deal kept delaying closing dates and, at times, even threatening the deal.

Meyer said it was apparent from the start that the Nieslaniks wanted to find a way to make it work.

"We allowed them to do something they wanted to do anyhow," she said.

The easement was valued at \$1.5 million. The family donated a third of the value to AVLTL, knocking the purchase price down to \$1 million. The land trust doesn't have that type of money available, Meyer said, so she started knocking on doors for grants.

The biggest contribution came from the U.S. Department of Agriculture's Farm and Ranchland Protection Program. Other donors were Great Outdoors Colorado, the Colorado Conservation Trust, the Environment Foundation of the Aspen Skiing Co. and River Valley Ranch homeowners.

Pitkin County contributed funds by purchasing a conservation easement on land AVLTL owns on Independence Pass.

AVLTL felt the Nieslanik land was important enough to take action that may force it to change the way it does business. Meyer acknowledged that other landowners might now seek payment for conservation easements rather than make donations. However, donations are still a quick tool to acquire tax advantages, she said.

Meyer claimed that Nieslanik's neighbors are "very aware" of the deal that was arranged and watching the outcome with interest. She said she hopes to start negotiations with ranch owners Paul and Bob Nieslanik as well as Emma Danciger and Terry Considine as soon as possible to see if conservation easements can be acquired.

Mark Nieslanik said his family's deal was important for what it might start.

"It sets a precedent and lets everybody know there are options out there to selling to a developer," he said.

Scott Condon's e-mail address is scondon@aspentimes.com

[BACK](#) 