

Anacortes Community Forest Lands

Permanent Protection of City Forest Lands Nears Half-Way Mark!

— Brenda Cunningham

Who would have predicted that this headline would appear so soon? It was just 6 ½ years ago, in October 1998, that the City of Anacortes approved the Conservation Easement Program designed to protect 1,500 acres of the Anacortes Community Forest Lands. To date 715 acres have been protected with easements held by Skagit Land Trust. The 750-acre midpoint is expected to be reached this fall.

Anacortes Community Forest Lands (ACFL), which now incorporates within it the former Heart Lake State Park, had about 2,200 acres of forested hills, wetlands and lakes within the city limits of Anacortes back in 1998. They had become city property over a period of many years through a combination of purchase and donation. Approximately 700 acres were protected under deed restrictions placed on the land at the time of donation. This left 1,500 acres vulnerable to logging to help city revenues, a management practice in place until the late 1980s.

Up to the plate stepped Friends of the Forest who dedicate themselves to the preservation of the ACFL (see inset). As an active member of Friends and one of three founders of Skagit Land Trust, Gene Murphy, along with others, worked with the city to create the Conservation Easement Program.



*Lake protected in
Anacortes Community Forest Lands.*

Under this program the city places conservation easements prohibiting logging, mining, commercial development or its sale or lease at the rate of one acre for every \$1,000 donated to the City's Forest Land Endowment Fund.

So far, 16 separate easement documents have been signed and recorded, placing 715 acres of forest lands under conservation easement protection with Skagit Land Trust. The Trust, the City, Friends of the Forest and the many people who have donated time and money to the program have made it a success. As a result of their support, these lands will be available for the enjoyment of many generations and for the myriad of plants and animals who inhabit these forests.

FRIENDS OF THE FOREST

—Denise Crowe

*Education and Outreach Director - Anacortes
Community Forest Lands*

The Friends of the Forest is a non-profit organization dedicated to the preservation of the 2,800-acre Anacortes Community Forest Lands through education, outreach and stewardship. Formed in 1987, The Friends were integral to the creation and ongoing promotion of the Conservation Easement Program (CEP).

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Skagit Update

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Drawings by Brenda Cunningham

From the Executive Director

The Times, They are a Changing

As I write, Congress is working on legislation that will affect the way private land conservation works. Many of you saw the “rustlings of change” coming two years ago when a Washington Post series highlighted certain conservation transactions that were not transparent or that didn’t make conservation sense overall.

The Post series initiated a Senate Finance Committee Investigation. The committee will introduce reform legislation this year. Besides examining the prominent Nature Conservancy, **Congress was concerned that throughout the USA, there were some exaggerated appraisals for conservation easements and land donations. They were also concerned that some protected lands did not hold significant conservation value** (i.e. were really people’s backyards) and thus should not be eligible for charitable gift status.

Most under scrutiny are conservation easements (landowner protection agreements) and land donations. Because conservation easements often lower a property’s market value, existing tax law allows the donor to take a charitable gift deduction for the value they give up. The same holds true for land donations. Most landowners who donate a conservation easement or land are motivated by the love of their land. Many cannot use all or even part of the charitable gift deduction due to modest income levels. However without such incentives, many landowners would simply be unable to afford to donate land or keep a working farm in the family. The alternative – development of the land or selling the land unprotected – is increasingly a risk for our community.

These tax incentives have helped protect millions of acres of wildlife habitat, working farms and ranches and forest lands including places like the March’s Point Heronry, Skagit River shoreline and Skagit farmland.

However because there are greedy people out there, a tax deduction such as this has potential for abuse. In fact there are 20 rogue land trusts currently under investigation by the IRS for schemes such as putting conservation easements on golf courses and taking a tax deduction for conserving “open space”. More power to the IRS for shutting these straw land trusts down. However, the committee’s proposed solutions would have gutted the critical land conservation done by the hundreds of legitimate land trusts, at a time when we are losing farmland, forest and wildlife habitat to sprawl at a dizzyingly fast pace.

Initially proposed solutions ranged from severely limiting the charitable gift deduction for donated conservation easements; not allowing a charitable gift deduction if you lived on a property; having a government board okay all conservation easements; if donating land, only allowing a charitable donation for the original price you paid for the property etc. These are fairly draconian measures for the 99% of us who deal in voluntary land conservation of places that are vital parts of our natural heritage.

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While there have been abuses and errors, there was great concern that Washington was reacting to isolated cases in a way that threw the baby out with the bathwater. As John Wright, a professor who studies land trusts says. *"Real land trusts are not Enron. The work is simply too hard and the financial rewards too modest to attract the sharks of the world. Landowners who donate conservation easements are not shady dealers, they are your neighbors – farmers, ranchers, woodlot owners; families with deep roots in the landscapes they love. If problems exist with easement process, let's calmly look at the facts and fix them. If the existing appraisal standards need tightening, let's tighten them and stop any abuses. But if Congress and the press are looking for wholesale corruption, look elsewhere."*

Fortunately, the people of America, including many of you, spoke out strongly in favor of the work land trusts are doing and the need for incentives for private conservation. In June Congress held a hearing on private land conservation. Although we are still awaiting the reform legislation, the overall tone during the hearings was supportive and positive regarding private land conservation from The Nature Conservancy on down to small all-volunteer land trusts. **The reform legislation that we now believe will ensue later this year, seems reasonable.**



The steps we imagine we will see are summed up by the following themes.

- ❖ Strict rules establishing minimum qualifications for appraisers and appraisals.
- ❖ Stricter penalties for inflated appraisals.
- ❖ Prohibit deductions for donations most subject to abuses (i.e. golf courses, driving ranges, backyards).
- ❖ Higher scrutiny on conservation easements under 10 acres in size.
- ❖ Make the tax code fair for working farmers and ranchers (i.e. allow deductions to be a higher percentage of their gross income over a longer period, so they are not penalized by having modest incomes).
- ❖ Institute a strong accreditation process for land trusts.

At Skagit Land Trust we welcome the reforms, should they be as we now imagine - aimed at maintaining the incentives for private land conservation while helping to stop abuses. **Thank you to all of you who helped educate your legislators on the good work of private, voluntary land conservation in the Skagit and elsewhere.** We believe Congress heard! Stay tuned!

Complete information from the congress's hearing can be found at <http://finance.senate.gov/sitepages/hearing060805.htm>. For a synopsis I recommend <http://naturenoted.blogspot.com>.

A handwritten signature in dark ink, appearing to read "Molly D." with a stylized flourish at the end.

Friends of The Forest, *continued from page 1*

The astounding success of the program can be found in the years of collaborative groundwork that was laid prior to its implementation, and the network of groups and individuals that have seen it through.

Our group continues to directly support the CEP to legally preserve our forest in perpetuity, yet this is just one aspect of our work. It is becoming increasingly obvious that our forest is feeling the pressures of increased border development and human use. As we look to the day when our forest is fully

preserved in deed, we know that true preservation of the forest's health will depend on a community of human care and awareness.

What does that mean? We invest in nature literacy.

The core of our work has been a multi-layered education program that strives to meet the needs of all Fidalgo Island residents. By maintaining collaborative relationships with the Anacortes School District, the City of Anacortes, and tremendous community fundraising support, we have been able to lead 1,000 to 1,500 people of all ages on

guided forest trips each year since 1990. Guided hikes help people become more familiar with the forest. They learn practical things like the way of a trail, multiple use etiquette, and low impact skills. They begin to learn the native plants and understand the behavior and needs of wild animals. Increasingly, studies show the need humans have for contact with nature. And once we've fallen in love with the forest, the feeling endures. A lifetime of exploration and belonging await. From there, it is only natural to want to give back in a multitude of ways.

Skagit Land Trust's 2nd Annual Bus Tour



Stewardship Director, Brenda Cunningham, describes a Great Blue Heron nest.



Touring a conservation easement

Annual Meeting

Skagit Land Trust's 13th Annual Meeting was held March 18th at Maple Hall in La Conner. The membership voted in updated Trust bylaws and elected in new board members Bob Boudinot and Ralph Heft. Catherine Dostart left our board at this meeting due to moving out of state - but not before being a huge part of organizing this annual meeting and successful auction. Thank you Catherine!

For the second year in a row, we held the business meeting in conjunction with an auction. Due to the generosity of our supporters, our auction has grown large enough that we will be separating these two events in the future. Thus, you'll have two opportunities to support local land conservation instead of one - through an educational event and through an auction and party!

Grants Received

Skagit Land Trust has been awarded a much appreciated grant of \$5,500 from the **Skagit Community Foundation** made possible by the Clarence Stewart Endowment Fund. This grant was awarded to further the Trust's work of protecting Skagit County's natural heritage for the benefit of current and future generations. The Skagit Community Foundation, founded in 1991, acts as a facilitator and catalyst for charitable giving throughout Skagit County. For more information visit www.skagitcf.org

Skagit Land Trust received a generous grant of \$10,000 from **The Burning Foundation** of Seattle, to help protect our county's threatened rivers and forests, wildlife habitat and open space. This is the third grant we have received from The Burning Foundation, who have generously supported our work since 2001.

The Trust has been awarded \$10,000 by **Pacific Coast Joint Venture (PCJV)** to help conduct an inventory and assessment of lands with important wetland habitat east of Sedro-Woolley. PCJV is a partnership of U.S. and Canadian agencies and private citizens working to protect and restore waterfowl habitat along the Pacific 'Flyway' from California to Alaska. The inventory work will help identify important habitat areas as well as landowners interested in voluntary protection and/or restoration of their wetland property. The Trust will be working closely with Ducks Unlimited to complete this work. We would like to thank Carey Smith, PCJV Coordinator with the U.S. Fish and Wildlife Service, for his help and support on this project.

Frequent Flier Mileage

Do you have frequent flier mileage that you would be willing to donate to the Trust? Are some of your miles going to expire soon? Most frequent flier travel awards can be redeemed and transferred to anyone you designate. We are seeking donated mileage for a round trip ticket to defray the cost of staff attending the Land Trust Alliance national conference in Fall, 2005. This is an unparalleled educational opportunity, bringing together over 1700 leaders in private land conservation from across the country and abroad. Please contact Diane Bednarz, at 360-428-7878 or trustmv@fidalgo.net if you can help.

E-mail Addresses

We are steadily moving into the electronic age. If you would like to receive occasional e-mail notices of upcoming events or land trust updates, please send your name and e-mail address to trustbc@fidalgo.net and we will add you to our email database. *We do not share personal email addresses.*

Francis Road Conservation Easement

Demonstrating our commitment to farmland protection, the Trust recently donated a conservation easement on 88 acres of farmland in the Nookachamps watershed to Skagit County Farmland Legacy Program. The easement extinguished all residential development rights, but allows agriculture and habitat restoration. The land was then sold to a local farmer to keep it in agricultural production. Skagit Fisheries Enhancement Group continues to work with the new landowner planting trees along the river shoreline.



Farmland conservation easement on Nookachamps.

Thank You Volunteers!

Heron nest count -

January 8

Scott Andrews
Joe George
Kay Glade
Ralph Heft
Paul Ingalls
Tim Manns
John Osborn
Jim Scheltens
Levy Scheltens
Jane Zillig

Bald Eagle Festival,

Hurn Field -

February 5 & 6

John Boggs
John Day
Carolyn Gastellum
Ed Gastellum
Bob Knowles
Peggy Ratermann
Gary Richardson

Tree donation for Minkler Lake & Mud Lake properties - February 11

Ralph Heft
Robin LaRue
Keith Wiggers

Minkler Lake tree planting - February 12 & 25 & March 21 & 22

Harry Dawson
John Freeman
Bruce Freet
Paul Gonzales
Ralph Heft

Peter Jepson

Robin LaRue

Steve Manthe

Don Mckeehen

Jim Murphy

Jim Owens

Francis Road tree planting - March 5

Scott Adams
Sara Breslow
Bob Carey
Carol Canfield
Cascades Job Corps
Stu Currier
David Downey
Nick Gubitosi
Ralph Heft
Jim Johnson
Dick Lease
Elaine Lease
John Milnor
Kari Odden
Jerry Nichols
Mike Oster
Samantha Oster
Joanne Polayes
SFEG
Linda Speck
Ingalisa Younger
Ken Willis

Tree donation for Mud Lake - March 12

Gareth Brewer
Kelson Brewer
Marcella Brewer
Rone Brewer
Sarah Huntington
Bob Knowles

Rick Machin

Valerie Normand

Gary Richardson

Ann Schwartz

Linda Speck

Ken Willis

Pat Zitka

Annual Meeting - March 18

Catherine Dostart
Mathias Dostart
Jim Bishop II
Glenn Bordner
Bob Boudinot
Jeanne Glick
Regan Gust
Jerry Haegele
Ben Ibarra
Patsy Martin
Curt Miller
John Milnor
Marlene Moore
John Osborn
Scottie Schneider
Pat Sneeringer
Ray Taipale
Keith Wiggers
Andrea Xaver

Digging holes for trees at Mud Lake - March 19

Ralph Heft
Bob Knowles
Tim Manns
Keith Wiggers

Ryan foot bridge repair - March 28

Ralph Heft
Nancy Swalling

Mud Lake tree planting - April 2

Scott Andrews
Lloyd Brown
Kurt Buchanan
Cub Scout Pack 100 from
Mount Vernon
Pete Haase
Tara Heuple
Jim Johnson
Tim Manns
Rick Machin
Marlies Slostad

Grandy Creek field cleaning - April 18

Ralph Heft
Bob Knowles

Lyman Slough weed pull - May 5

John Freeman
Bruce Freet
Dick Raisler

Bird House design and construction

Bob Knowles

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Artists Helping To Save Land

We are fortunate that several very talented artists, some professional and some superb "hobbyists", help us to protect beloved local land through donation of their artwork or images.

All these artists are Skagit Land Trust members and love the land and the wildlife on it with a passion. This passion is beautifully conveyed in their work. Lee Mann says he hopes that his photographs remind us all to treat our only home, a little more gently. Thais Armstrong says *"I have had the good fortune to travel through many countries in the world. This experience has given me an immense appreciation for our own back yard, Skagit County. I draw on my community as a taproot for inspiration in my art. I have found that by donating to SLT, the energy to preserve what I find so inspiring about our community is amplified immeasurably."*

Thus the next time you receive a card with an amazing photo of a Least Sandpiper, a Hummingbird, or a Wood Duck, think of Jerry Eisner, Phil Green,

Keith Wiggers and Bertha Bridge and the patience it takes to capture these phenomenal creatures so naturally. And if you are looking for a special card, look no further than the Skagit Valley Food Co-op where Thais Armstrong's note cards are best sellers with proceeds donated to Skagit Land Trust. Or visit Lee Mann's gallery or website where this preeminent Northwest photographer so graciously gives back to the land and us through both his work and proceeds.

Skagit Land Trust gratefully recognizes the following artists and photographers who have generously donated their work or images in the last year:

Thais Armstrong	Phil Green
Bertha Bridge	Lee Mann
Bob Butterfield	Betty Miles
Brenda Cunningham	Frank Murdzia
Dr Jerry Eisner	Ed Newbold
Trevor Kyle	Keith Wiggers

If you are an artist or photographer who wants to help protect beloved Skagit land, please contact Diane Bednarz at 360-428-7878 or email trustmv@fidalgo.net. Our strong preference is for artwork that is compatible with our mission of preserving our local natural heritage.



BUSINESS PARTNERS IN NATURE Skagit Wild Bird Supply

Skagit Wild Bird Supply has been a Skagit Land Trust Business Member since 1998. Owner Linda Flemming, sells a wide range of quality products and educational material to help you feed, identify and care for wild birds and other wildlife. Linda and staff member Barb Bashaw both support Skagit Land Trust's work to conserve our natural lands. "I support keeping wild areas wild and keeping wild areas from being developed", says Barb.

Thanks to our Business Partners in Nature, such as Skagit Wild Bird Supply, more of our important wildlife habitat in Skagit County will remain a home for our feathered friends.



*Linda Fleming owner of
Skagit Wild Bird Supply and staff
member Barbara Bashaw.*

To learn more about our **Business Partners in Nature Program**, contact Diane Bednarz at 360-428-7878 or email trustmv@fidalgo.net.

Thank You for Your Support

Trust Builders Major Donors

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In memory of

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In memory of

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Gene & Ginny Murphy
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Jan & Keith Wiggers
Andrea Xavier



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Permit No. 195

Saving Land for Tomorrow

The Tope Ryan Natural Area is a perfect summer sanctuary. This property, donated by renowned local conservationist Tope Ryan, is being restored through the Conservation Reserve Enhancement Program (CREP).

To get to Tope Ryan from I-5 take the Bow Hill Road Exit (# 236) and head east. Cross Old Hwy 99 onto Prairie Road. Drive east on Prairie Road for approximately 3 miles and turn right onto Grip Road. Tope Ryan Natural Area is just a short distance from here, just east of the bridge across the Samish River on the north side of Grip Road. Park in the grass lot with the Skagit Land Trust sign.

The property is bounded by fences and the Samish River. Enjoy a walk in the forest or through the pasture area.

Please, no dogs.

Many other Skagit Land Trust conservation areas are also open to the public. We encourage our members to see up close the lands you are helping to protect. Please call the Trust for access information (360-428-7878).

**This summer, we encourage you
to visit lands you
have helped to protect.**



Tope Ryan Natural Area