Trust Granted Birch Bay Tidelands
By Robyn duPré

Mrs. Jessie Vail of Mt. Vernon has generously donated a Birch Bay tideland parcel to the Land Trust. While the parcel is small, the Trust is hopeful that this donation can be used to add momentum to efforts to gain other tidelands in Birch Bay. In order to promote public ownership of our fragile tidal areas, the Land Trust will transfer the recently received donated parcel to Whatcom County Parks for inclusion in a nearby County held intertidal area.

Because of their aesthetic, recreation and habitat values, shorelines and intertidal areas figured prominently in the county's Natural Heritage Plan. These fragile areas are under increasing threat from human activity. Public ownership of these lands will help to ensure consistent management. Our innovative partnership with Whatcom County places the Land Trust in an ideal position to accept donations like Mrs. Vail's and then work with the county to ensure sound stewardship of these lands into the future. The Land Trust wishes to thank Mrs. Vail for her gift and for her concern for Whatcom County's unique natural heritage.

The Renius Easement
Wildlife Habitat and Open Space
By Chris Moench

We are pleased to announce that Vern and Carol Renius have granted a conservation easement to the Land Trust on their six acres of woodland located west of Chuckanut Drive southwest of its intersection with Renius Road.

The property is currently home to Vern and Carol who have spent the last several years constructing a log house embraced by the land's second growth Douglas firs. Originally containing three lots, each with its own building site, the conservation easement consolidates the three lots into one and assures that no additional buildings will be constructed.

The primary focus of the conservation easement is protection of a steep sided wooded ravine on the south side of the property. This ravine forms an important corridor for wildlife movement from Chuckanut Mountain through developed areas along Chuckanut Drive to Chuckanut Bay. While this easement protects only a short stretch of the ravine, the Renius' and the Trust's Board of Directors hope that this action will inspire adjacent property owners to take similar steps.

Our hats are off to Vern and Carol for their farsighted and generous gift!!!
President’s Message
By Chris Moench

It has been a dramatic year of change for Whatcom County and for the Trust. The last two elections swept less conservation minded politicians into office; coupled with tight government budgets on the local and state levels the possibility of government purchase of natural areas and park lands is very unlikely.

Though we are concerned the new political wind will leave a scar on our environment, we are striving to fulfill the Natural Heritage Plan which was created by the good work of citizens in earlier years. Working toward that goal, our Conservation Coordinator Robyn duPré has contacted hundreds of citizens and land owners. She has several important conservation projects near fruition. Likewise, our Lummi Island Conservation Coordinator, Joe Arnett, is making rapid strides toward conservation of some of the best loved places on the Island.

That this past year hasn't produced any big deals speaks of our changing role in conservation work. There is an inevitable come down from the thrill of engaging and completing massive projects like the 1993 Whatcom County Land Trade which involved thousands of acres, half a dozen agencies, three governments and a major corporation; we on the board realize such thrills are rare. We are renewing our dedication to helping individual land owners achieve their conservation goals. In that vein we are happy to report the Renius Conservation Easement in this newsletter.

Increasingly our work is directed toward stewardship education for the community. Land stewardship has no political stripe and knows no class or economic status. Stewardship thrives where there is open communication, good will and cooperation among all concerned. Robyn and Joe's work is invaluable in this regard, as was the October workshop and field trip to the Canyon Lake Creek old growth forest led by James Agee. On January 6th in Bellingham, and January 7th in Deming the Trust is co-sponsoring two performances of the play *In the Heart of the Wood*. We hope the play will engender informed and sensitive dialogue among all those concerned with forest and logging issues. I encourage Trust members to get tickets early.

Also in this issue you'll find an opportunity to purchase property covered by a conservation easement. Hugh and Judy Ansley are leaving their beloved land at the confluence of the North and Middle Forks of the Nooksack River. While we are sad to see the Anseleys go, we are eager to help them find new stewards for their 14 acres of Elk habitat.

We wish Hugh and Judy our best as they take up new residence in South Carolina. They are visionaries whose love of the land and dedication to community will be felt in Whatcom County for years to come through their gift of a conservation easement.

As always I hope our members and other readers of this issue find it informative. If you would like to know more about any aspect of the Trust don’t hesitate to contact Robyn duPré at 676-2436, or me at 734-9472.

Land Trust Presents!

**IN THE HEART OF THE WOOD**

In January the Land Trust will co-sponsor two performances of an outstanding new play, *In the Heart of the Wood*, which had an extended run in Seattle last summer. It is currently being performed at the Seattle Repertory Theater. The drama was also received with much enthusiasm when performed in Forks during August. The co-sponsor is the Trillium Corporation. We are co-sponsoring because we seek an audience that includes people from well beyond the usual environmentalist community.

We bring the play to Whatcom County because it explores a controversial land-use issue in a dynamic, complex, compelling manner that forces us to think, regardless of our personal position and interests. The land in question is timberland. A discussion will follow the performance.

Walter Parker, a professor at UW, wrote that *In the Heart of the Wood* was “an absolutely fine production . . . The play is so good (theatrically) and so educational (it is social studies) that the more people who see the play the better!"

Two Performances

January 6 at Whatcom County Museum and January 7 at the Mt. Baker High School
7:00 p.m.
Reservations call: 647-1223 or 966-5481
Adults $7.00; Students $4.00

**VERY SPECIAL THANKS TO OUR NEWSLETTER SPONSORS:**
Canyon Lake Creek Old Growth
By Sharon Digby and Rand Jack

On a sparkling first day of October, James Agee led participants in the Land Trust sponsored Canyon Lake Creek Old Growth Forest (CLCOG) Workshop on a walk through that ancient woods. After two hours discussing forest succession, fire disturbance and other factors of forest ecology, Agee, Professor of Forest Ecology at the University of Washington School of Forestry, set off with about twenty of us to experience in the woods what we had been talking about at the Welcome Senior Center.

The CLCOG was passed to the Trillium Corporation by the Department of Natural Resources as part of a large, complex, land transaction in 1993. While the Land Trust strongly supported the transaction with its numerous conservation benefits, we had substantial reservations about the transfer of this old growth parcel from public to private hands, reservations, incidentally, that were shared by Trillium. However, DNR insisted that the CLCOG remain in the transaction. In finally accepting this part of the transaction, Trillium made a commitment to consider seriously conservation alternatives that would protect old growth qualities, if such qualities were to be found in the forest. Trillium also committed to maintain a dialogue with the Trust about plans for the CLCOG.

Subsequently, the Trust and Trillium agreed jointly to hire Jim Agee to do a relatively rapid assessment of the CLCOG. Central to his assignment was to determine whether there are plant or animal species, or biological processes, occurring in the Canyon Lake Creek old growth which are not normally found in comparably located second growth forest. Most surprising of his findings was that in this mixed forest of Yellow Cedar, Mountain Hemlock and Silver Fir, some of the Yellow Cedar trees were over 800 years old.

At the workshop, Agee explained that these Yellow Cedars and some Mountain Hemlocks had probably sprouted on this site about 820 years ago following a major fire. The combination of geographical location, northern exposure and heavy precipitation helped protect this stand from the devastating fires that historically have swept through western Washington, though Agee showed us charcoal evidence of a patchy fire in this forest about 80 years before Columbus arrived in the Americas.

As we stopped in the woods to talk, Agee took out a coring tool and took a core sample of a not particularly imposing Yellow Cedar. Apologizing for the small tool he had brought, he was able to reach less than half way to the center of the tree. Even with that, we counted and guestimated about 400 growth rings.

The work shop provided an opportunity to gain some small understanding of an ancient forest. Though the trees are not large by Douglas Fir old growth standards, they nonetheless have stood their ground since the time of the Crusades. Their broken tops and bearded trunks, the mushrooms on decaying logs, form the stately cloak of an old growth forest.

Trillium has written that it would do nothing in the forest without first notifying us. We will continue our dialogue with them about the future of the forest.
Recently there have been well publicized divisive statements by various well known residents of Whatcom County about development versus preservation in Bellingham and Whatcom County. While there are some obvious circumstances where a choice either to develop or preserve land must be made, there are many more situations where both interests can be accommodated. In my experience as the City of Bellingham's Greenway Program Coordinator, most of our community's interests recognize that compatibility.

In the past four years I have dealt with well over one hundred different property owners in Bellingham. This has included some of the most active developers, prominent businessmen and industrial landowners. I have found these people sincerely care about the quality of the community in which they live. They work to find win-win situations — where appropriate development is accommodated while key wildlife habitat, trail corridors, open space and park lands are preserved. Beyond that, almost $1.4 million of land value has been donated to the City as part of the Greenways Program — virtually all of that from individuals who would be commonly labeled as business and development interests.

The Land Trust's experiences also reflect broad support for preservation from the development community. Land has been donated by some of the County's best known business people. Red Haskell, Bill Herb and Jim Brooks gifted Plover Island to the Trust and North Cascade Audubon Society. The Clark family, of grocery store renown, granted a conservation easement on 78 acres of the most valuable shoreline in the state. The Trillium Corporation worked with great patience and good faith to execute the largest land trade in the State's history to help preserve the Lake Whatcom watershed and Chuckanut Mountain. Farmers, insurance and business people, attorneys, teachers — and many others work with the Trust to preserve lands they own and care about.

While not everyone in Whatcom County feels that preservation of natural areas is an essential part of this area's growth, there was a sixty-eight percent favorable vote for the Greenway Levy proposal four years ago. That election had the highest turnout for a special election in the City in at least 30 years.

Those values are still alive in our community. We need to remember that we all live here, that we all have a role to play in determining the kind of community our grandchildren will inherit — and that more of us think about that than sometimes seems apparent today.

Land Trust Alliance National Rally

The Land Trust's Conservation Coordinator, Robyn duPré recently attended the Land Trust Alliance National Rally. This annual conference brings together land trusts, conservation and historic preservation groups, government conservation officials, estate planning professionals and conservation minded land owners. This year's event, hosted by the Tennessee River Gorge Trust in Chattanooga, was well attended — over 700 participants came from all parts of the country. Ms. duPré was able to attend due to a generous scholarship from the Land Trust Alliance and a donation from the Wilburforce Foundation. Thank you to both organizations for making Robyn's participation possible.

Here are two of the most informative workshops Robyn attended.

FARMLAND PROTECTION AND LAND TRUSTS: What do the American Farmland Trust, The Nature Conservancy and the American Cattlemen's Association have in common? They are working together to preserve fast-disappearing agricultural and range lands. These precious lands produce food and provide open space and view amenities and often provide habitat for migrating waterfowl and other birds. This seminar showcased successful farmland preservation projects by land trusts throughout the country. Robyn will apply this information to protecting the agricultural lands that give our area its rural flavor.

DEALING WITH MULTI-PARTY OWNERSHIPS IN CONSERVATION PROJECTS: This seminar served as a sober reminder for those that own or work for the preservation of land. Plan, plan, plan!!! That's what one family didn't do in time. They owned 3,000 acres of waterfront property with many family members having a stake in its disposition. They were going to discuss the property "someday soon." Sadly, this family will lose their land through court ordered sale. Whether you own 10 acres or 10,000 acres, if you love your land, work with your family, an estate planner and the Trust so that you can achieve your conservation goals and pass your land on to your loved ones.
FOR SALE — Welcome Confluence Easement

A RARE OPPORTUNITY

Eagles, elk, beaver, birds, meadows, woods, creek, rivers — the Ansley Conservation Easement sits in Welcome Valley on the Mosquito Lake Road at the confluence of the North and Middle Forks of the Nooksack River and Canyon Lake Creek. Wilderness foot trails follow elk paths through meadows, slough and woods to the site of the traditional Welcome steelhead hole near Welcome Bridge.

In 1974 the Ansleys acquired the property from the Barter family, who homesteaded the land in the 1930's. After raising their children there, the Ansleys decided to preserve the confluence environment for posterity. In 1990, they worked out a conservation easement with Whatcom County Land Trust, to preserve a historic railroad right-of-way running through the land and the wilderness behind it. The easement, which spells out permitted and restricted uses of the land, is held by Whatcom County Land Trust and passes on to each new owner. In this manner the confluence wilderness area will be preserved for all future inhabitants.

Nooksack legends speak of a summer campground near the creek and a prehistoric nursery for mothers and children in one of the meadows. Early in this century the giant cedars, whose stumps are still evident, were logged off. In 1914 a railroad was constructed and a logging depot was established on the land to transport logs from up the valley into Bellingham. In the 1930's, the Barters turned the property into a small farm, placing their homestead to the east of the railroad right-of-way. Today, the dynamic confluence environment to the west of the right-of-way is marked only by the foot trails of wildlife and a few human visitors.

The 14-acre parcel is for sale. It includes a two-plus acre homesite with a spectacular view of the Mt. Baker foothills. There is a modest trailer, with utilities, which would be suitable to live in while a more permanent home is being built. The asking price is $93,900. For more information, contact Louise Roland of North Haven Real Estate at her home office (206) 592-2174.

THE LAND TRUST'S WISH LIST

The Land Trust is a non-profit organization which depends on its members and supporters for financial and material donations.

Currently the office is in need of the following items:

**FAX MACHINE**

**COPIER**

**LASER OR INKJET PRINTER**

**TYPEWRITER**

All donations to the Trust are tax deductible.

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**The Land Trust Depends On Your Support Please Join Or Renew Your Membership!**

To reduce mail and overhead, memberships are renewed annually. Please send your 1994 dues in the enclosed envelope.

Thanks for your support.
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WHATCOM COUNTY LAND TRUST

NEWSLETTER

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The WCLT NEWSLETTER is published biannually Spring and Fall. Complimentary copies are available by calling 676-2436.
The Land Trust is now well into its contract with Whatcom County to implement the Natural Heritage Plan. This is to tell you about this interesting program and how the Land Trust is working to meet its goals.

The Natural Heritage Task Force was given the mission to identify irreplaceable natural and open spaces, preserve wildlife habitats, protect unique scenic vistas and preserve public access to waterfronts on our lakes and sea shores. To address these ambitious goals, Whatcom County has contracted with the Land Trust to explore voluntary approaches to land conservation in the county.

The Natural Heritage Plan is a broad, visionary document. It identifies many of the lands that make Whatcom County special, and calls for their preservation. There are six types of land identified in the plan: open space including agriculture and forests; habitat areas; river access sites; saltwater access sites; large tracts of saltwater shoreline and trail networks. The Natural Heritage map shows large areas dedicated to open space and habitat, with a comprehensive trail network following river corridors and railroad right-of-way. River and salt water access sites dot the map along the Nooksack River and the county's undeveloped marine shorelines.

As a first task toward implementing the plan, meetings were held with planners, biologists, business people, land owners, developers and environmentalists to learn what areas they saw as priorities and how we might work together for preservation. From these sessions came a sense of how people in the county view the land and their relation to it. It also became apparent the program would require more than simply putting conservation easements on as much land as possible. It would require education and outreach as well.

Program implementation happens on three levels:

- **Conservation for individual pieces of property.**

  This requires working with individual and corporate property owners on conservation plans to protect the lands in their care and identifying conservation opportunities for specific sites. Conservation easements are the primary tool used, reflecting the Trust's traditional emphasis.

- **The landscape approach.**

  The Natural Heritage Plan identifies landscapes of importance i.e. forests and watersheds, ridges, mountains and valleys that make this county...
The past winter has been a season of change for the Land Trust. The Board of Directors extends its thanks to Ann Eissinger for her years of service to the board as our first, and for a long time our only employee. Ann’s dedication to the mission of the Trust provided the board with much needed continuity of support through the Land Trade and other efforts of the Trust during the years of her employment as coordinator for the Trust. Ann is with us once again on a contract basis to help produce this newsletter.

We would also like to introduce our two new employees, Robyn duPre and Joe Arnett. Robyn has been with the Trust since last fall as Conservation Coordinator for our project with Whatcom County and Joe has been with the Trust for three months working under a special private grant to preserve lands on Lummi Island. Robyn and Joe have articles describing their projects in this newsletter. Welcome to you both!

The season of change for Whatcom County never seems to end. The mission of the Land Trust is to save unique lands in Whatcom County forever: to meet that mission the Trust must continue to evolve as the land use policy and political climate of Whatcom County evolve, and continue to find ways to uncover new conservation opportunities while assuring that our existing conservation obligations are being met. As land values increase, the benefits and importance of the preservation of natural and agricultural lands also increase. While the work of Robyn and Joe represents the latest and perhaps most concentrated effort of the Land Trust to preserve lands, it is only the understanding and support of the citizens of Whatcom County that give life to the Trust.

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**Implementing ... (Continued from Page 1)**

unique. This requires a holistic view of conservation goals and human activity in these areas. It means that one must examine the landscape with a view to conservation of natural areas, protection of wildlife habitats, trail creation and enhancement of outdoor recreational opportunities while recognizing that its human use is growing. This approach is exciting and has great potential for conserving larger areas and integrating appropriate human uses into conservation planning.

**Information.**

It is important that county residents become informed about the importance of land stewardship. In an ideal future, we will not need Land Trusts, because everyone will recognize the importance of sound stewardship. Unfortunately, that is not yet the case.

As part of this component, the Conservation Coordinator meets with individuals and groups to discuss the natural values of our land and how we can live on it with a light touch. As part of this outreach program, meetings are held with various county organizations in order to spread the gospel of land conservation and stewardship. If you would like such a session, call Robyn duPre at 676-2436.

The program is a collaborative effort among the Land Trust, county government and the people of Whatcom County. To be effective, it must have your support! As coordinator of the program, I need your help! Hot tips about that piece of property down the road, requests to speak to your organization and information about lands that are special to you are all welcome.

Together we can make a difference in Whatcom County’s natural heritage.

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**NOTICE: SPRING MEMBERSHIP TOUR ... everyone is welcome**

The Whatcom County Land Trust is hosting its second annual membership tour. Everyone is welcome to join us Saturday June 11th and 18th to walk and talk land conservation.

The tours include:
- June 11th, 10:00 a.m. — Teddy Bear Cove and Clark’s Point: led by Sue Webber and Bruce Smith
- June 18th, 9:00 a.m. — Nesset Homestead: led by Michael Durbin and Gordon Scott

Please sign up by phoning 733-9078 for June 11th tour and 676-1506 for June 18th tour. Bring a snack, wear boots and dress appropriately for the weather ... See you there.
The View From Lummi Island
By Joe Arnett

It is clear on Lummi Island that there are absolute limits to space, and accordingly, all natural resources. There is only so much land: open space, suitable building sites, land for agriculture or forestry. Strange as it seems for an island, there is very little public access to the shore.

Like people in the rest of the County, Lummi Islanders are feeling the pressure of development. The bottleneck of ferry lines makes population growth even more evident; numbers of trucks and passenger vehicles signal in obvious ways the degree of change that is occurring.

Early this year the Trust, funded by a local grant, acted to support the conservation efforts on the Island. I was contracted to serve as the Lummi Island conservation coordinator. My job, in supporting the mission of the Trust, is to identify and prioritize land suitable for protection, establish and maintain contact with land owners, and represent the Land Trust in the Lummi Island planning process.

The Island community has a history of commitment to environmental protection, and my work is a continuation of the efforts of many others. Past successes of the Islanders, and allies from the mainland, include the development of the 1979 Lummi Island Plan, the purchase of significant wildlife habitat from the Trillium Corporation by the Washington Department of Wildlife, and the transfer of School Trust lands to a Natural Resources Conservation Area designation.

I am nearing the end of a three month initiation period of identifying areas with potential for conservation easements or other protection, talking with Islanders about their concerns and ideas, and contacting landowners to inform them of the purposes of the Land Trust. There is a sense of great possibilities; people are certainly aware of the need for conservation and enthusiastic about the help the Land Trust has to offer.

Voluntary compliance with a comprehensive Island plan could be an important part of the overall process of shaping the development of the community. Island residents are working together to develop a plan that is a continuation of work completed in 1979. This plan will address aspects of the local ecology such as groundwater, wildlife habitat, and trail plans that are not generally apparent to realtors, developers or newcomers in the community. Below are some of the priorities we identified for the Island:

Develop more access to the water: One paradox of life on the Island is the lack of access to the shoreline. Several landowners have expressed interest in granting public access to private shoreline, and we are examining the potential tax benefits and liability of such permission.

Maintain the natural quality of Lummi Island: The State (DNR and Dept. of Wildlife) and the Federal government own much of the land on the wild south end of the Island, interspersed with a few large private holdings. This undeveloped land is a valuable resource for wildlife and recreation, and will be increasingly valuable in the future.

Protect significant wetlands: Availability of fresh water is a serious growth limitation. Water recharge, an important function of wetlands, was given priority in the 1979 Lummi Island Plan.

Protect the rural, agricultural quality of the Island: Much of the open land on the island is currently grazing land. Property owners are caught between the economic incentive to subdivide and the pressure of increasing taxes.

Develop a system of trails: Many Islanders think a system of footpaths is a wonderful idea, and an undertaking that could connect the community, literally. A group is working on this project.

(Continued on Page 4)
Whatcom County Land Trust
Facilitates City Greenways Purchase
By Rick Fackler

The Whatcom County Land Trust played a significant role in the City of Bellingham’s recent acquisition of an important Greenway link at the top of Samish Hill. The 19.7 acre parcel is strategically located on a major proposed greenway corridor, at the intersection of two major trails which will extend from Lake Padden Park to Whatcom Creek. The site will serve as park and provide a wooded back drop as the surrounding area develops.

The owner of this property originally approached the Land Trust, wanting to preserve the land, yet needing some financial return. He was uncomfortable involving a government agency. Robyn duPre, the Land Trust’s conservation coordinator and board members met with the property owner, discussed alternatives for preservation through acquisition, and arranged a meeting between the owner and a Bellingham Greenway Program representative. Negotiations proceeded and the City acquired the parcel on March 1, 1994. This property had been identified as a key site by Bellingham Greenways and the Land Trust’s attentiveness to City open space priorities and interests made the preservation of the site possible.

The View From Lummi...(Continued from Page 3)

Some of these ideas are realistic and even likely; some seem more like wishful thinking. Balancing individual needs, the requirements of the human community, and environmental health is not easy; it requires imagination and patience and practicality. But if the goals are described and understood, and the priorities clear, then perhaps the process to reach them will be less obscure.

Lummi Island is a unique place, and maybe the confines of the surrounding water can insulate a unity and cohesiveness of purpose not possible in larger, less defined communities. If we plan for open space and trails, if we protect agricultural and forestry land and ensure that people have access to the water, then everyone will benefit. Lummi Island will be a better place to live. And Lummi Island will also be a better place to visit. For information call Joe Arnett, 758-2902.

Fall Old Growth Workshop Planned

Dr. Jim Agee, Professor of Forest Ecology from the University of Washington, will lead a local workshop and field trip to one of the oldest forests in the Pacific Northwest. The 800 year old Canyon Lake Creek forest will be the subject of a morning lecture presentation followed by an afternoon field trip to the site with Dr. Agee. Details will be announced in the newspaper prior to the workshop or for more information call Chris Moench, 734-9472.

A Land Steward’s Personal Statement
by Janet Taylor

Before I knew that the westside trail of Clark’s Point was not open to the public, I frequently walked or ran the length of it, and always felt more at home on the earth there than anywhere else I have ever been. It is a very wild, dramatic landscape, but on a human scale, and it always left me feeling exhilarated yet safe. When I found out it was not a public trail, I was sorry for my sake but very glad for the land, because it seemed too unique and pristine a place to tolerate much human messing-about. I was strongly aware of what the land had given me, and I felt there was nothing I could give it in return except to stay off it. A funny kind of reciprocity: the land gives to me by sharing itself with me, and all I can give in return is to ignore it.

So I was pleased to become a land steward. Now I can actively share my life and human abilities with the land, which I do in a very mundane, ordinary way, by picking up litter regularly, and occasionally talking to people in the public area to increase their awareness of the need for respectful treatment of the land. My next task is to do what I can for the madronas of the Point. Arthur Kruckeberg has told me that the older madronas throughout Puget Sound are dying from a pathogen and that nothing can be done to save them. Nonetheless, I wish there were some way I could ritually or ceremonially acknowledge their impending doom. They are the natural form that has given the most to my eyes, hands and imagination, and it breaks my heart that I have no way to touch or help them in return.
To the special people and businesses who have contributed to the Land Trust, 1993–1994. We THANK YOU

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To reduce your mail and our overhead, we renew memberships annually. Please send your 1994 dues in the enclosed envelope. If you aren’t a member now, then it’s time to join! Thanks for your support.
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WHATCOM COUNTY LAND TRUST
NEWSLETTER

EDITOR          Ann Eisinger
DESKTOP PUBLISHER Rosemary Flora
CONTRIBUTORS:    Joe Arnett
                 Robyn du Pré
                 Michael Durbin
                 Rick Fackler
                 Janet Taylor
SPECIAL THANKS   David Scherrer

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A UNIQUE APPROACH TO LAND CONSERVATION

By Mike Finger

In the coming years the climate for land protection in our county will likely grow more urgent and more complex. Urbanization and industrialization are changing the face of Whatcom County from historical green pastures, forested hillsides and free flowing salmon streams. The Whatcom County Land Trust promotes cooperative and voluntary approaches to land conservation. It is uniquely suited to preserve our natural heritage, even as the pressures to develop mount. The impetus for the Land Trust’s work is most clearly reflected in its mission statement:

...to preserve and protect unique natural, scenic, agricultural and open space land in Whatcom County through acquisition of perpetual conservation easements or other land interests that insure the protection of the resource value.

Achievement of our mission is made possible by our ability to work objectively and privately with land owners and utilize tools unique to the Land Trust. Our philosophy and approach to land conservation is based on four primary strengths.

• First, the Land Trust preserves land without coercion, condemnation or political maneuvering. Our primary tool, the conservation easement, is an entirely voluntary agreement between land owner(s) and the Trust. The easement is formulated through meetings with the land owner and those holding interest in the property. The desires of the land owner are discussed and a conservation easement drafted to reflect the desired donation of specific rights held on the property. Most easements involve the donation of development rights, while other rights may be identified as well. A land owner might, for example, chose to restrict logging on the property while also allowing for a limited number of building sites for future homes. Another land owner might chose not to permit any alteration of the land. In both cases, the land owner decides and does so without being compelled by an outside agency.

• Second, the Land Trust enables land owners to practice responsible land stewardship. By emphasizing the owner’s property obligations and not merely property rights, the Land Trust creates a vehicle by which the private land owner can act out of respect for the land. The benefit of this kind of action to the community as a whole is significant. Many of us know a special place in our neighborhood — a pasture, a stream, or perhaps a stand of forest — that we do not own, yet we value. The conservation easement is a simple and enduring way for owners of special lands to protect them thereby enriching our collective quality of life.

(Continued on Page 2)
President's Message
By Michael Durbin
Interim President

Has Whatcom County ever seen a time of greater conflict and debate regarding land use issues? Public debate swings between the poles of private property rights and environmental land stewardship until one must wonder if balance between the seemingly polar ideals of property right and environmental responsibility is possible. The Whatcom County Land Trust provides an effective forum in which to explore the balance between the rights of land ownership and the responsibilities of land stewardship. The Land Trust can provide unparalleled flexibility for landowners who wish to preserve forever some precious aspect of their land holdings while reserving uses and rights that they may require. The Land Trust is an independent organization dedicated to creating cooperative land conservation opportunities that reap benefit for all parties concerned: the private property owners, the denizens of the forests and wetlands, and the citizens of Whatcom County.

The Whatcom County Land Trust is seeking new opportunities to help land owners become aware of the potential benefits the Land Trust can bring to their land stewardship programs. As described in another article, the Land Trust is embarking on a new project in cooperation with Whatcom County to implement the land conservation goals established in the Natural Heritage Plan. We also are making efforts to become active in facilitating creative and effective approaches to wetlands management. Your support and understanding of the Trust are critical to the success and quality of our projects. During the land swap facilitated by the Land Trust, the voices of concerned citizens created significant impacts upon the course of our negotiations. The Land Trust will inevitably continue to become involved in controversial and difficult projects. We hope to continue to hear both your concerns and your hopes as we navigate the political minefields of land use and conservation. We hope our efforts will be worthy to receive your support.

Your financial contribution to the Whatcom County Land Trust is a commitment to the future of our forests and farmlands: it is a commitment to assure that the Whatcom County received by distant generations remains green, alive and beautiful.

A Unique Approach . . . (Continued from Page 1)

- Third, through the application of the conservation easement, the Land Trust achieves significant land preservation at little cost to the community at large. Other means by which land can be protected — condemnation, outright purchase, or litigation — cost the public substantial sums of money. Conversely, the conservation easement, because it is a voluntary agreement and does not require the land to change ownership, is an inexpensive way to protect land from conversion. As government budgets continue to contract, the conservation easement will become increasingly attractive as a cost effective and positive means to protect our farms, lakes, forests and scenic lands.

- The fourth strength of the Trust is our ability to promote conservation projects outside the scope of other organizations. As a non-political organization that creates voluntary agreements to protect land, the Trust has earned the respect of government agencies, environmentalists, developers and private land owners. The recently completed land exchange involving the Trillium Corporation, Washington Department of Natural Resources, Washington State Parks, Whatcom County and the City of Bellingham, was facilitated by the Whatcom County Land Trust and The Trust for Public Lands. This resulted in the transfer of approximately 20,000 acres of forest land out of which 7,000 were transferred to public ownership in the Lake Whatcom watershed. This is an example of conservation through negotiation and facilitation that the Trust is able to pursue and accomplish successfully.

For the land owner, the Trust provides a simple and enduring means to protect the land he or she knows intimately and uniquely. For the community, the Trust provides an effective, cooperative and inexpensive means to protect the natural heritage of Whatcom County, for us and for our children.

We invite you to become a member of the Whatcom County Land Trust and join us in this important work, a lasting legacy.

VERY SPECIAL THANKS TO OUR NEWSLETTER SPONSORS:
The Trust's Stewards, Our Feet On The Land

By Chris Moench

One year ago we made a plea for volunteers to become Stewards of individual properties under the protection of the Land Trust. We are pleased to report that several responses resulted from the newsletter request and that the Trust's stewardship program is well on its way to becoming the keystone in our efforts to fulfill the monitoring obligations assumed with each property we take under our wing.

The two properties that have required the most active stewarding are Clark's Point on Chuckanut Bay, to which the Trust was granted a conservation easement in 1990, and the Ruth Kelsey property, 20 acres near Lake Terrell gifted to the Trust by Ms. Kelsey in 1992.

Clark's Point has three voluntary stewards, in addition to the members of the Clark family who live on the Point. George and Lois Garlick have undertaken the task of periodically patrolling the shoreline of the Point. As stewards of the Nature Conservancy's Dot Island located just south of Clark Point, George and Lois tour the shoreline by boat at least once a week. Their intent is to keep a watchful eye on the sensitive vegetation and wildlife associated with the shoreline, they also watch for fires, collect trash and report more serious damage resulting from negligent human use.

Janet Taylor is the primary steward for Clark's Point. Since beginning in March, Janet acts as a Land Trust representative as well as steward for the Clark property. As steward she visits the Point several times a month, concentrating on the northern end of property where public access is allowed through an agreement between the Clark family and the City of Bellingham. Her main stewardship tasks involve picking up trash, removing fire rings and maintaining barriers across the many illegal trails extending south on the point. Acting as a representative of the Trust, Janet has met with neighbors and city police in an effort to find solutions to ongoing problems associated with public access to the Point. In April the Clark's Point Stewards, members of the Clark Family, Binda Colebrook, consulting botanist and the Land Trust worked together to obliterate illegal trails and to revegetate bald areas created by foot traffic in locations outside the designated public access. We expect that this work will require ongoing attention in order to succeed. The Clark's Point Stewards will be there to see it is done.

Steve Irving is our steward for the Ruth Kelsey property. Living nearby, Steve keeps watch over the land which involves periodic visits, fence mending and maintaining contact with Tom Reed of the Washington Department of Wildlife with whom the Trust has a joint management agreement. The land is protected as wildlife habitat and although access is restricted Steve has been kept busy controlling access, particularly tracking down and talking to a man who used the twenty acres of forest and wetlands as a private ORV track. Steve has also spent many hours working with the Land Trust and adjacent landowners in an effort to bring additional properties under the protection of the Trust and creating an even greater upland wildlife preserve surrounding Lake Terrell.

The Land Trust Board and supporters of the Trust are grateful for the extended voluntary time and efforts our stewards put into their work. They form the backbone of our presence on the land and to each of our stewards we say THANK YOU!

As the number of properties under the Trust's protection grows we will need additional Stewards. We encourage anyone interested to contact the Whatcom County Land Trust at 647-5484 or 734-9472.
Leave A Lasting Legacy
By Bruce Smith

The Whatcom County Land Trust and the property owners who contribute conservation easements on their property are building a valuable heritage of protected natural lands for future generations. Approximately 450 acres of our area’s most beautiful and productive natural, agricultural and wild lands are currently under protection. We are working with property owners to add other special lands to our trust.

You can make a valuable contribution to this important work, even if you don’t own important conservation property, by making a bequest to the Land Trust on your death, through your will or revocable trust.

Currently, contributions to the Land Trust support our part-time coordinator and general operations. Most of our work is performed by committed volunteers, in particular the members of our board. Gradually, the cumulative responsibility for monitoring our easements and pursuing our mission will exceed our volunteer resources. A gift to our general fund will help us meet the needs of our day to day operations and services to the community at large.

In addition, there are limits to what we can accomplish with donations of conservation easements and in some cases a fee title acquisition is necessary. Much of the most important property is not there for the asking, but it may be purchased. Our Capital Fund is used for this purpose. A gift to the Capital Fund will be used to actually buy land, or conservation easements on these lands.

A bequest is accomplished with the inclusion of simple wording in your will, for example:

I give ten percent of my estate to the Whatcom County Land Trust, a Washington non-profit corporation located in Whatcom County, Washington.

or

I give the sum of twenty-five thousand dollars ($25,000) to the Whatcom County Land Trust, a Washington non-profit corporation located in Whatcom County, Washington.

If you need particular assistance in drafting your bequest, one of our volunteer attorneys can answer your questions, or work with you and your attorney or other advisors.

A gift in a will or trust to the Land Trust qualifies you for an estate tax charitable deduction. But more than that, you can be sure that your contribution will be carefully applied to the preservation of Whatcom County’s beauty and heritage, forever.

JOIN US!

The Whatcom County Land Trust needs your membership support for operations. The Land Trust is a local non-profit, non-governmental land conservation organization. The Trust is directed by a volunteer board representing various professional backgrounds and conservation interests. We are dependent on membership contributions to fund our daily operations and part-time Coordinator. Currently we are supported by a small membership base which needs to grow with the increase in demand for our services.

We invite you as an individual or business to become a member of the Land Trust and join us in this important work for our community, our families and future generations. We have included a membership and contribution envelope for your use to join, renew your membership or make a donation.

Thank You

Historical Note
Helen Loggie, a Bellingham artist, died in 1976. Fortunately, many of her works were donated to the Western Gallery Archives at Western Washington University. Etchings and prints of Pacific Northwest trees are a large part of the collection. For a 1942 exhibit at Western she wrote: If I could strike an answering spark, especially in the hearts of the young people, so that they would realize that natural beauty is the greatest heritage the West has to give her children, so that they would protect what remains of our Northwest, then, I would indeed feel that the years have been well spent.
Conservation Coordinator Hired
By Rick Fackler

The Whatcom County Land Trust is pleased to introduce Robyn DuPré as our new Conservation Coordinator. The Conservation Coordinator position was created to fulfill the terms of a six month contract between the Land Trust and Whatcom County, in which the Land Trust has agreed to help implement the County's Natural Heritage Plan. The Conservation Coordinator will work with property owners who wish to voluntarily preserve their lands for the enjoyment and sustenance of future generations. Robyn's background in environmental education, her knowledge of and commitment to Whatcom County and its natural resources, coupled with her positive attitude and strong people skills make her well suited for the job ahead.

The Natural Heritage Plan was written in 1991 by the Natural Heritage Task Force, a group of citizens appointed by the County Executive and County Council to recommend a strategy for preserving

... those natural features in our landscape which are essential to the County's identity and a sense of well-being for the County's residents.

The Task Force's report recommends voluntary cooperative conservation efforts to preserve lands: significant shorelines, critical watersheds, open space, agriculture, forestry lands, trails, scenic areas and high priority wildlife habitats. Many specific areas are identified as deserving preservation, and other documents which more specifically identify key lands are referenced in the Natural Heritage Plan.

In order to focus her efforts Robyn will organize a workshop for members of the Natural Heritage Task Force, the Whatcom County Land Trust Board and other key individuals to identify specific high priority opportunities and strategies for proceeding. She will also be contacting people who have recently expressed an interest in preserving their lands through conservation easements with the Land Trust. Members of the Land Trust Board will continue to work with property owners on land preservation, but the addition of Robyn will significantly increase our ability to respond to inquiries. It will also enable us to become more proactive in identifying and contacting owners of significant lands throughout the County. This is an exciting expansion of the Land Trust's ability to help retain some of the essential character of Whatcom County in the face of regional growth pressures.

HELP PRESERVE OUR NATURAL HERITAGE BUY A MUG!
Whatcom County Land Trust mugs are now available. Beautifully designed by local graphic artist Mary Ann Warner the mugs are an elegant statement of support for the Trust's efforts to preserve our Northwestern way of life. If you love Whatcom County, you'll love our mugs!

To order your mug(s), send a check for $12 per mug (cost includes shipping in the U.S. only) to:
Whatcom County Land Trust
P.O. Box 4455
Bellingham, WA 98227
or phone 206-647-5484 for more information
*remember — mugs make for a perfect Christmas or Hanukkah gift.
WCLT BOARD OF DIRECTORS

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Coordinator: Ann Eissinger

WHATCOM COUNTY LAND TRUST
NEWSLETTER

EDITOR: Ann Eissinger

DESKTOP PUBLISHER: Rosemary Flora

CONTRIBUTORS: Mike Finger, Michael Durbin, Rick Fackler, Bruce Smith

SPECIAL THANKS: David Scherrer

The WCLT NEWSLETTER is published biannually Spring and Fall. Complimentary copies are available by calling 647-5484.
The best reason to make a contribution of property, money or a conservation easement on land to the Whatcom County Land Trust (WCLT) is to assist the Trust in its work as a powerful and effective agent for the preservation of Whatcom County’s most valuable scenic, natural and agricultural lands.

In addition, any of those gifts can provide tax benefits to the giver and his/her family. Following are examples of such benefits.

**Income Tax Deductions**

The WCLT is a public charity and a gift to the Trust is an income tax deduction. A gift of money in effect reduces taxable income by the amount of the gift. For example, if the top part of your income is taxed at 31%, and you itemize deductions, then a gift of $100 reduces your taxable income by that amount and your income tax by $31.00. The cost of the gift to you is $69.00; the remainder is Uncle Sam’s money.

You may realize greater benefit by giving appreciated securities or land to the Land Trust. If you have shares of stock that you bought at $30.00 per share more than six months ago, which have now appreciated to $100.00 per share, and you sold the stock, then you would realize a profit (capital gain) of $70.00. The tax on capital gains is 28%, so of your $70.00 profit, $19.60 goes to pay the tax, leaving you with the return of your original $30.00, and $50.40 profit.

If instead you gave the stock to the Land Trust, you would have a tax deduction of $100.00 per share and reduce your income taxes by $31.00 which is 31% of the market value of the gift. The ‘out-of-pocket’ difference to you between selling the stock and keeping the proceeds, or giving the stock to the Trust, is $49.40 ($80.40-$31.00). The Land Trust on the other hand could utilize the full value of the $100.00 by selling the stock.

Another way to benefit the Land Trust and also yourself is to make a gift to the Trust by way of a charitable remainder trust or CRT. A CRT is a trust established by you with your donation. The Trust pays you income during your life or for a period of years, after which the remainder of the trust principal goes to a charity such as the Land Trust.

Suppose, for example, that you have land which you bought for $25,000.00, and today it is worth $100,000.00, but generates no income to you. If you sold the land for $100,000.00 then $21,000.00 would go to capital gains taxes leaving you only $79,000.00 to reinvest (and forgetting in this example about the sale costs). Your investment might yield today a return of 6 percent, or $4,740.00 per year.

If instead you donated the property to a charitable remainder trust, the trust could sell the property and would pay no income tax as the trust is a tax-exempt charity. The charitable remainder trust could reinvest the entire $100,000.00, and pay you 6% of the trust principal each year or $6,000.00.

Meanwhile, your gift to the trust entitles you to an income tax charitable deduction. The size of the tax deduction depends upon the income you have reserved. For example, if you have directed that 6% of the trust be paid to you each year for the rest of your life, and you are 60 years old, then your tax deduction is $37,157.00 which reduces your income tax by $11,518.00 if you are in the 31% bracket.

If the land protected is significant scenic or natural land, a gift of a conservation easement may qualify for an income tax deduction. If the easement reduces the fair market value of the property, as determined by an appraisal, then the amount of the reduction may be claimed as a

*(continued on page 3)*
**Thoughts From The President:**

The Land Trust has grown in breadth and responsibility since assuming our first conservation easement in 1984. Currently we oversee 10 trust lands, we have facilitated the largest land trade in Washington State’s history, and we look forward to the many challenges of 1993. Few days go by without an inquiry about how the Trust can help protect a marsh, a stretch of shoreline, a forest, or open space. Our board of directors are working harder than ever to protect Whatcom County’s precious natural heritage. Yet, we cannot do our work without the support and involvement of businesses and citizens of the community.

I envision our county 50 years in the future. In this future, many thousands of acres of farmland, forest land, wetlands, stream corridors, marine shoreline and wildlife habitat are protected by the Land Trust for the benefit of all who live here. It is a vision where the Trust has become a part of the day to day life of every resident of the county, where each neighbor of a stream is its steward and every farm family lives secure in the knowledge that they will never be forced to sell the land just to pay estate taxes.

My vision may seem optimistic. Yet, the success of our achievements to date and the multitude of new conservation opportunities that compete for our attention make me hopeful that this is not unrealistic. I feel proud and grateful to live in a community that takes protection of its natural heritage seriously and gives such a vision potential.

The Land Trust has a tremendous workload ahead. It is important to remember the Trust’s work just begins with the signing of the conservation easement or deed. The real work will come through the years as we strive to ensure that protection is maintained by ongoing stewardship and monitoring.

Through those years the Land Trust will need the dedicated volunteer and financial support of each of its members as well as the whole community. I encourage each of you to help us ensure the long term stability of the Trust. Consider leaving a bequest to the Land Trust in your Will, or making regular donations earmarked to assist with operations or to build our capital fund, or volunteer your time. As a business owner you can become a newsletter sponsor, or contribute to one of our many special projects. However you decide to contribute to the Trust we need and sincerely appreciate your support! Thank you.

Sincerely,

CHRIS MOENCH

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**Cooperative Wetland Conservation**

By Elaine Gold

The Washington Department of Ecology (DOE) through funding from the Public Involvement and Education Fund, presented a wetland conservation seminar for Land Trusts and local governments in February. Attending the seminar on behalf of the Whatcom County Land Trust (WCLT), board member Elaine Gold reports on the wetland programs and funding ideas for land trusts.

A recurring theme throughout the seminar was that wetlands are much less expensive to acquire and preserve then to recreate or restore. Tom Haensly, an attorney and expert in wetland law stated that it costs approximately **eight** times more to restore a wetland then to purchase and preserve it. With this in mind, a number of funding sources and conservation programs were introduced. Techniques and creative means of utilizing public/private funds for the acquisition and preservation of wetlands was discussed. Additional topics covered were, wetland program development, wetland assessment, developing management plans, land purchase, long term monitoring and maintenance, the feasibility of mitigation banks and estimated costs related to all of the above. These topics will be featured in future newsletters.

**Existing Programs and Funding**

The U.S. Fish and Wildlife Service has funding available for landowners who wish to restore or create wetlands. These wetlands can then be donated to the land trust for permanent protection and monitoring. In cooperation with the USFWS Ecosystems Conservation Program, the Washington Department of Wildlife (WDF) has implemented the Washington State Ecosystems Conservation Program. The goal of the program is wetland and riparian restoration through cooperative ventures between private landowners, local governments and conservation organizations such as the Land Trust. The program has completed 22 cooperative projects this past year. Technical assistance is available and awards are made based on overall benefits including wildlife, ground water recharge, water quality, soil conservation and long term protection.

Other federal programs include the North American Wetlands Conservation Grants Programs which funds wetland restoration, enhancement or acquisition on a 50% non-federal funding match, and the Coastal Wetland Conservation Grants Program making matching funds available to state agencies for acquisition, restoration, enhancement or management of coastal wetlands. The Washington Department of Natural Resources through their Aquatic Lands Enhancement Account (ALEA) has announced the Wetlands Stewardship Grant Program. The program will provide over $200,000 annually for acquiring lands for public access and another million dollars for preventing wetland loss. Program funds are available for local governments, Indian tribes and conservation organizations on a matching basis.

(continued on page 4)
charitable contribution, just as if the gift were an entire parcel.

If the tax deduction is quite large, as it may be in the case of a gift of a conservation easement, then the deduction may not be taken all in one year. If the gift is property held more than six months, then the deduction may be taken in an amount up to thirty percent of the giver’s taxable income in the year of the gift and carried forward to use in up to five more years. If the gift is cash, then the deduction may be taken up to fifty percent of income.

Estate Tax Deductions

Often charitable contributions can substantially reduce estate taxes. Estate taxes only apply to individuals whose assets exceed $600,000 in value, but above that amount, the rate is steep, beginning at 37% and increasing to 50%.

Any portion of the estate which is left to a charity, such as the WCLT, is not subject to estate taxes. And a conservation easement can reduce taxes dramatically, while allowing the heirs to still inherit what they may value most, the undisturbed land.

For example, if an individual owns assets valued at $1 million, then on his/her death the estate taxes on the amount over $600,000 will be approximately $155,000. Land in the estate will be valued for tax purposes at its "highest and best use" which means the highest fair market value it would sell for, for any purpose.

If the individual’s assets include land which would appraise at a high value because of its development potential, then the value could be limited by placing a conservation easement on the property. An easement which restricted development by, for instance, limiting the number of subdivided lots or restricting the use of the land to agriculture, would reduce taxes by reducing the value of the estate. Sometimes property which would otherwise be sold to pay the taxes can be saved, and its true value in the eyes of the landowner preserved for conservation purposes.

Property Taxes

Property taxes are assessed based upon the County Assessor’s determination of the market value of the property. A conservation easement which reduces the value of the property, by removing some of its value for development will then reduce property taxes.

However, sometimes a conservation easement may actually add value to the property, for example by allowing fewer but larger lots, which might command higher prices from wealthy buyers. In addition, a conservation easement might not affect the current taxes on land that is already receiving the benefit of open space property tax classification.

In conclusion, this discussion summarizes some of the tax benefits available by making contributions to the Land Trust. However, much more can be said that undoubtedly would apply to any particular situation. Consider these ideas and talk with your tax advisors.

WCLT FACILITATES ARLECHO PRESERVATION EFFORTS

The largest privately owned old growth forest remaining in the Puget Sound area is located along Arlecho Creek in southern Whatcom County. Totaling 452 acres, the Arlecho forest is a regionally significant remnant of old growth which is both critical habitat for threatened wildlife and, of cultural significance to traditional Native Americans. At this time the forest is threatened by proposed logging.

As an alternative to lengthy legal challenges which only delay logging and rarely remove the threat, the Whatcom County Land Trust recognized the need to organize a cooperative preservation effort. As a result, the Arlecho Coalition was formed. This unique group of tribal governments, state and local agencies and conservation organizations has joined together in a collective effort to seek the means to permanently protect Arlecho. The coalition is proof that potentially opposing views can coalesce for a greater good; in this case the preservation of threatened public resources. The preservation of Arlecho is a priority for all participants in the coalition which includes:

- Lummi Nation, Nooksack Indian Tribe
- The Office of Representative Al Swift
- Whatcom County Council, Whatcom County Planning
- Washington Department of Natural Resources
- Washington Department of Wildlife
- Trust For Public Lands, Whatcom County Land Trust
- Arlecho Creek Defense Group, North Cascades Audubon Society

The Land Trust is facilitating this cooperative, public-private-tribal partnership as a means to heighten the public’s and legislators’ understanding of sensitive lands issues. These issues include the values and functions of sensitive lands including old-growth forest ecosystems, the importance of protecting habitat and species diversity, and the cultural significance of these sites in Western Washington. Most importantly, the Land Trust provides a vehicle for devising a strategy for the preservation of sensitive areas in cooperation with land owners.

At this time the forest is threatened by proposed logging. Acquisition of the forest is the most likely means of preserving the site. Present efforts of the group are to seek funding from federal, state and private sources. The Lummi Nation has taken a notable lead by requesting a federal appropriation for the acquisition of Arlecho. The Arlecho coalition has named the Whatcom County Land Trust as its representative contact and negotiator with Arlecho’s current owner Mutual of New York Insurance Company or MONY.
The Nesset Legacy Lives On

Tom Nesset, 94, died at home on November 20th 1992. Tom was born in Nesset, Norway in 1898. He came with his family to Saxon when he was three years old and with their own hands, the Nesset family crafted a farm that has worked in harmony with its natural surroundings. The Nessets worked hard to protect wildlife and enhance the salmon run in a stream running through their land. Neither Tom nor his sister who shared the farm had children, so in order to preserve the beauty of their land and farm for future generations, they granted a conservation easement for their land in 1989. With the protective easement secure, the farm is destined to become a living museum under the care of Whatcom County Parks.

Cooperative Wetland Conservation
(continued from page 2)

Land Trusts are working cooperatively with local governments to acquire wetlands that serve as critical habitat, natural areas and urban wildlife habitat areas through the Washington Interagency for Outdoor Recreation, as well as to implement cooperative wetland management and education projects through Coastal Zone Management Act funding which is administered by the DOE. On a local level funding will be available for select projects using the Conservation Futures Funds levied and administered by Whatcom County. This county wide levy will begin generating funds in 1993 and will be an ongoing source for purchases of conservation lands or conservation easements. It may also serve as matching funds for such purchases.

Benefits of Conservation

What is the payoff for preserving wetlands? As mentioned before, the cost of restoration or re-creation far exceeds the cost of outright purchase and that cost is passed on to you and me. We all benefit from the functions of wetlands such as storm water runoff retention, flood water control, biofiltration of pollutants, plant, fish and wildlife habitat, ground water recharge, plus the various recreational opportunities and altruistic values.

Private landowners also benefit from wetland preservation by retaining open space and aesthetic quality of the property, retaining the wetland function which could enhance the value of the surrounding land and by granting a conservation easement on the wetland which may result in tax benefits.

The role of land trusts in wetland conservation is an important one, as they can provide education, leverage funding, and assume long term monitoring of protected wetlands. To learn more about wetland preservation and the role of land trusts, obtain a copy of the Capitol Land Trust’s Wetland Preservation: A Resource Manual for Land Trusts by calling the WCLT at 647-5484, or ask to meet with a WCLT member.

Does Farmland Protection Pay?

A new report issued by the American Farmland Trust summarizes two years of research using comparative economics of preservation and residential development. The report finds that farm and open lands absorb only $33 in government services for every dollar in taxes they generate. Residential development on the other hand, was found to reverse the flow of funds, requiring $1.12 in services for every tax dollar generated. Although taxes on agricultural land are less in Whatcom county, this industry generates $25 million dollars in annual production, while requiring minimal county services. Agricultural land preservation is vital to Whatcom County’s economy. Ag land is the foundation of one of the county’s largest industries and is also an important natural resource providing habitat for wildlife and open space for peace of mind. You can help preserve Whatcom County’s precious farming heritage by joining the Whatcom County Land Trust’s Agricultural Committee. Please contact Wym Matthews ph. w. 738-2531 or h. 738-9778 for more information and meeting times.

Skagit Conservationists Form a New Land Trust

The Skagit Land Trust is the newest land trust in the region and has gained its first easement within its first few months of formation. The Skagit Land Trust will complement the existing Skagitonians to Preserve Farmland by concentrating their conservation work on non-farmland areas, including wildlife habitat, wetlands, river frontage and other natural areas. Additionally, Whatcom County Land Trust will work closely with the Skagit group to secure those special, often overlooked natural areas spanning our county lines. With well over 100 members, the Skagit Land Trust is on its way to becoming another active conservation organization in Northwest Washington. For more information please write to the Skagit Land Trust, P.O. Box 1017 Mount Vernon, WA 98273.
**INVEST IN WHATCOM COUNTY'S FUTURE LIVEABILITY**

The Whatcom County Land Trust needs your membership support to continue operating. The Land Trust is a local non-profit, non-governmental land conservation organization. The Trust is directed by a volunteer board representing various professional backgrounds and conservation interests. We are dependent on membership contributions to fund our daily operations and part-time Coordinator. Currently, we are supported by a small membership base. This membership represents less than 1% of Whatcom County's population. With a scope of work which potentially benefits all the county's citizens, a volunteer board and staff working to capacity, and a growing demand for the Trust's services, it is obvious that we need to reach out to the community and ask for help with our 1993 projects, which include:

* **Working with individual private landowners to achieve the desired conservation goals for their land through conservation easements and other mechanisms;**
* **Assist farmers and the agricultural community to find reasonable solutions to maintain the county's agricultural land base;**
* **Secure protection of critical bald eagle winter habitat on the upper Nooksack River;**
* **Implement a Voluntary Land Conservation Program in cooperation with local business, industry and government;**
* **Facilitate the Arlecho Coalition of tribal governments, local and state agencies and conservation organizations in an effort to protect Puget Sound's largest remaining privately owned old growth forest;**
* **Provide assistance to community groups and neighborhood organizations in their quests to protect special lands;**
* **Continue community outreach education through educational workshops and presentations.**

You are investing in Whatcom County's liveability and natural heritage by joining the Whatcom County Land Trust. As a member you will receive the satisfaction of contributing directly to the preservation of our special lands through cooperative and voluntary approaches, and to the promotion of responsible land stewardship.

**We invite you to become a member of the Land Trust and join us in this important work for our community, our families, and future generations.**

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**You're Cordially Invited to a Special Membership Workshop and The Nessel Homestead Tour**

Come and enjoy the beautiful south fork valley. Learn how the Land Trust operates, how you can participate as a volunteer and meet other Trust members. The day will start with a membership workshop at the Acme Presbyterian Church, and conclude with a tour of the Nessel homestead located along the scenic South Fork Nooksack River at the base of the Twin Sisters. The Nessel homestead is the site of a future county park.

The Nessel tour will be guided by Rand Jack and Russ & Cindy Pfeiffer-Hoyt. The tour will include a discussion of the history of the farm, the Nessel's land conservation ethic, the natural history of the area, the importance of preserving the site, and introduce a stream enhancement project.

Bring a brown bag lunch. Beverages and dessert will be provided. Dress for the weather, wear good walking shoes or boots, and be prepared for an engaging day of activity.

**Date:** Saturday, June 5th, 1993  
**Time:** 10:30 am - 2:30 pm  
**Location:** Acme Presbyterian Church  
2054 Valley Hwy (Hwy 9), Acme WA  
**RSVP:** Please phone: Chris Moench 734-9472 or Hilda Bajema 384-1220
# WCLT Board of Directors

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**WHATCOM COUNTY LAND TRUST NEWSLETTER**

**Editor:** Ann Eissinger  
**Desktop Publisher:** Mary Cutbill  
**Contributors:** Bruce Smith, Elaine Gold, Ann Eissinger, Chris Moench  
**Photographs:** David Scherrrer

The *WCLT Newsletter* is published biannually Spring and Fall. Complimentary copies are available by calling 647-5484.
AG LAND ... GOING, GOING, WILL IT BE GONE?

by John Gillies

No doubt about it. Whatcom County continues to lose agricultural land every year. Census of agriculture data shows that from 1945 to 1990 land in farms declined from 202,000 acres to just over 125,000 acres. That is an average annual loss of more than 1,700 acres per year, almost 5 acres per day! At this rate Whatcom County will see its last acre of farm land converted to a higher and better use sometime around 2065.

But statistics lie, don't they? Maybe, yet a disturbing thought is that conversion of ag land may accelerate rapidly if we are not careful. Land in a critical mass of farm acreage is needed to keep the service and support industries such as feed and fertilizer dealers, equipment dealers, veterinary clinics, processing plants and myriad other ag support industries viable. Without markets or support services remaining farms will be short lived.

The above scenario almost seems impossible, considering that today agriculture in Whatcom County represents a 207 million dollar industry. This amount just includes the basic value of production or farm gate income. When the support and service industries, jobs and other spin-offs are considered, the 200 million is multiplied several times over.

Agriculture has always been a mainstay of the local economy. Whatcom is the nation's tenth largest dairy county. Almost one-third of Washington's milk is produced by Whatcom County farms. The county ranks first in the state in red raspberry, blueberry, and certified seed potato production. Peas, bush beans, carrots and strawberries are also important crops. Bellingham Frozen Foods, a vegetable processor and Bellingham Cold Storage are located at Squalicum Harbor. Carriage House Foods, a berry and vegetable processor, is located in Lynden along with Versicold Inc., operator of a cold storage facility. Darigold, in Lynden, operates the largest powder milk plant in the nation.

It's easy to place economic importance on agriculture, yet equally important is the role agriculture plays in providing a unique quality of life for all Whatcom County residents. Picturesque farms, uncluttered landscapes, wildlife habitat, clean air and water, are also benefits brought by agriculture in this county.

In 1945 there were 4,854 farms on Whatcom County's 202,000 acres of farm land. Today 1,400 farms, including 370 dairies, remain on 125,000 acres of farm land. Tomorrow?

The Irreplaceable Bottom Line: prime soils

Prime farmland or lands of prime soil types, are an irreplaceable resource. Between 1967 and 1977, twenty one million acres of America's farmland were paved over and built on to make room for houses, schools, shopping centers, roads and highways. Even for a country as richly endowed with land as the United States, the loss was staggering and eye-opening. Secretary of Agriculture Bob Bergland commented at the time:

"I don't know where it is going to stop. But stop it must. Continued destruction of cropland is wanton squandering of an irreplaceable resource that invites future tragedy not only nationally, but on a global scale."

Although the rate of farmland conversion declined during the 1980s, this may have been a temporary lull caused by extremely high interest rates. Indications are that the rate of conversion is again on the increase.

(Continued on Page 2)
Ag Land... (continued from Page 1)

Conversion of Whatcom County prime farmland parallels the national trends. Originally, about 99,000 acres of Whatcom County's land base were prime farmland. Today, 75 to 80,000 acres of prime land are available for agriculture.

A basic question is, what constitutes prime farmland and where is it located in the county? Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops. The soil has the fertility, growing season, and moisture needed to produce sustained high yields of crops when managed according to modern farming methods. A second criteria is that the land must be available for such use, not paved over or built upon.

The Soil Conservation Service has specific quantitative criteria for determining whether or not a specific soil is prime. Of the 192 soil types found in Whatcom County, only 14, or 7%, are prime under natural conditions. Another 29 types are prime if all the criteria above are met through management such as irrigation, flood control and drainage. Oddly enough, the 14 types that constitute the best agricultural soil are also among the most highly sought for development.

This year over 400 acres of prime soils were lost in the annexation of Lynden. This land has been converted to housing, golf course and commercial development. There is a compelling need to protect prime farmland for optimal food production, to maintain a healthy economy and to ensure a future for agriculture in Whatcom County.

Whatcom County Farmland Protection
by Carl Batchelor and Ann Eissinger

Whatcom County has a solid history of planning and zoning for agricultural land preservation. Past agricultural comprehensive plan policies and pattern of agricultural zoning and regulations appear to have averted significant incompatible uses and conversions of agricultural land. Yet, zoning will not fend off the tremendous growth pressures driving up the price of rural land, plus, the less favorable economic times have upped the ante for farmers to sell out. Fortunately, Washington's Growth Management Act has required a more aggressive approach to prevent the loss of our productive land base and may offer some relief.

In order to comply with GMA, Whatcom County organized an intensive committee process to formulate an agricultural land comprehensive plan proposal. The fourteen-member advisory committee included farmers, food processors, interested citizens, planners and other government officials. Following an eight-month process the committee completed its recommendations and the resulting proposal was adopted by the County Council in March of this year. The Agriculture Resource Lands Comprehensive Plan sets goals for the preservation of farmland, designates agricultural land areas and land use policy, and sets forth an action plan for land evaluation and review. In addition to the Comprehensive Plan, the county also adopted a Right-To-Farm ordinance.

Farmland Conservation Options

As part of the Agricultural Resource Lands Comprehensive Plan, Whatcom County clearly states the need to preserve agricultural land through private non-regulatory means. Procurement of conservation easements by the Land Trust is encouraged in agricultural areas of the county and are specifically suggested for the following purposes:
- to conserve prime soils
- to conserve agricultural operations
- to conserve wildlife habitats
- to conserve scenic resources

Conservation easements are legally binding agreements negotiated between the land owner and the Whatcom County Land Trust. Once finalized the easement is monitored and enforced by the Land Trust. In many situations the granting of an easement will result in a tax benefit to the land owner.

The transfer or purchase of development rights (TDR) or (PDR) is another conservation option. Although a mechanism for TDR and PDR in the agricultural zone has not yet been developed, it is likely that the county will implement a system to allow land owners this option in the future. The transfer or purchase of development rights insures the conservation of agricultural lands by reducing the economic pressures on ag land owners to convert the land to other uses. It also provides incentive to retain large contiguous blocks of land for farming.

An obvious and probably the most familiar land conservation option available to farmers is the Open Space Taxation Program. Whatcom County offers a reduced tax assessment for qualified lands registered under the program. Currently there are 111,350 acres of farm and agricultural land in the open space program county wide.

(Continued on Page 4)
Old Barns of Beauty, Heritage and Habitat
by Brett Gaussoin

Old Barns — an eyesore or an endangered species? The classic old dairy barn is a window on the past. Most of the real beauties we see dotting the landscape range in age from 50 to 100 years old. Styles and methods of construction vary, but the fundamental principles of function are the same. Hay and grain are stored upstairs and stalls downstairs are used for milking or bedding.

When these barns were built, they were the largest structures on the farm. The pride in their construction is evident in the fact that many are still standing tall today. More than this, they are a man-made testament to a period of agricultural development in our whole region. When the white man immigrated to these parts he brought with him what he knew. Here in Whatcom County that was a whole lot of dairy. The Nooksack River had a broad flood plain that was diked, much like the homeland of many of the Dutch settlers.

Many of the remaining old barns are the oldest of their kind, built long before power tools. The architecture and construction techniques alone warrant historical significance. They remain symbols of the area’s cultural roots.

As these great old barns fell into history with the advent of modern dairy practices, native wildlife soon began to utilize what the dairy farmer was leaving behind. In many cases these wild animals may have been co-habitating with the dairy for some time, their presence considered just a part of the dairy.

The wildlife which frequent these old barns consists of both birds and mammals. Eleven species of birds commonly nest in barns, from the tiny house wren to the shy barn owl. Other species include barn swallows, cliff swallows, flickers, robins, Bewick’s wrens, pigeons, starlings and English sparrows. Screech owls, kestrel and great-horned owls may also nest in barns, although this is much more common to the east side of the Cascades. Coopers hawks and sharp-shinned hawks commonly forage inside these structures, preying on the pigeons, starlings and sparrows that live there.

There are seven species of mammals that are regularly associated with old barns. Of course, rats and mice are the most common, but both local species of bat, the little brown bat and the big brown bat, often choose barns to live in. Other mammals include skunks, raccoons, opossums and occasionally rabbits, weasels and even mink.

I began visiting barns in Whatcom County twelve years ago and have visited over 200. During this time 31 have been lost to wind, fire or, most commonly, the wrecking bar or bulldozer. The barns cost money to maintain and owners are taxed for them, used or not. Therefore, many of the old barns are coming down.

Modern dairy practice dictates single story structures made of tin, steel and concrete. There is no place for the wild here. The derelict old barn, an eyesore to some, is often a home for many. These beautiful old barns are fading from our landscape and our heritage. The Whatcom County Land Trust would like your ideas on how to keep these precious structures standing. Please call us at 647-5484 or write to P.O. Box 4455 Bellingham, WA 98227.

The author is a local raptor biologist and falconer with years of professional field experience. He is president of Pellets, Inc; a distributor of owl pellets nation-wide.
Whatcom County Land Trust
Ag Committee Assists Landowners
by Henry Bierlink

Agricultural land preservation was the impetus for the creation of the Whatcom County Land Trust in the mid-eighties. It remains one of the Trust's highest priorities.

The Agriculture Committee of the WCLT meets bimonthly to determine priority areas for protection from development and to seek ways to communicate what the WCLT can do for Agricultural landowners.

The committee is keenly aware that the current farm economy is such that there is often more financial reward in selling land to developers and speculators than in continuing to farm the land at marginal profits. Farmers often desire to see their land remain in productive agriculture yet find themselves forced to sell land to the highest bidder in order to generate an adequate retirement income. This economic climate causes many to question how agriculture can survive in the long-term future of the county.

The Land Trust has tools available that can help landowners conserve farmland yet insure adequate funds for retirement. Agricultural landowners are welcome to attend a committee meeting or to contact a committee member. The next meeting is scheduled for 7:30 pm, November 24, at the USDA Conservation District Office, 6975 Hannegan Rd., Lynden. For more information call committee chair, Henry Bierlink 354-3514.

Farmland Protection . . . (Continued from Page 2)

Right-to-Farm

One of the age-old conflicts between farmers and neighboring property owners arises when people who are unfamiliar with farming move into an agricultural area for the rural charm and pastoral setting. Frequently these people become offended by the noises, odors and slow moving traffic that are necessary results of normal farm activities. When people are bothered by such things their tendency is to ask the farmer to stop or to threaten legal action. In many cases the courts have ruled against farmers severely restricting their operation. Due to these and other pressures many farmers choose to subdivide their land thereby destroying the setting that was so attractive in the first place.

In response to this conflicting scenario, farmers nation-wide have sought legal protection under what is known as right-to-farm laws. The Whatcom County Council adopted a Right-to-Farm Ordinance this year. The purpose of the ordinance is to promote a good neighbor policy between farmers and non-farming property owners. First it notifies property owners before they even buy the property or build a house that they are in an area where agriculture is the preferred use. Second, the hold harmless portion of the law requires that those obtaining special use permits or subdividing agricultural land sign an agreement to refrain from taking legal action against the farmer or Whatcom County for normal, legal agricultural practices.

The Whatcom County Land Trade:
Update Notes

The land trade is progressing in a favorable direction. Thanks to the hundreds of letters sent to the Washington State Parks Commission supporting the acquisition of Chuckanut Mountain as an addition to Larrabee State Park and the professional assistance of the Trust For Public Lands, the Commission ranked Chuckanut 9th in the state! Additional funding for Chuckanut was sought from by the Washington Interagency for Outdoor Recreation (IAC). The IAC distributes funds from the Washington Wildlife Recreation Program (WWRP) fund to State Parks and other state agencies as well as providing supplementary funding for priority land acquisitions. As part of the process IAC reviews and prioritizes project proposals. The IAC ranked the Chuckanut acquisition twelfth, a good but uncertain position that will depend on the state legislature's maximum appropriation toward the WWRP this session. Letters to legislators will be needed to ensure WWRP funding; without it, purchase of Chuckanut and many other projects state wide could be in jeopardy.

The city/county portion of the Chuckanut acquisition was ranked by the IAC as NUMBER 1 out of applications state wide. State matching is now very likely. Additionally, the City and county Councils both have agreed to the dedication of funds for their half the Chuckanut acquisition.

In the larger land trade picture, DNR, Trillium and Whatcom County are completing assessments of the trade lands. The assessments include a detailed economic review and valuation of the trade lands, an analysis of vegetation, natural features (soils, slope, etc.) and an evaluation of ecological values based on existing information. In order to facilitate the county's extensive review effort the Land Trust hired an intern to assist in the process. Funding for the intern's position was provided by a grant from the Bullitt Foundation and a contribution from North Cascades Audubon Society.

The land trade is progressing into its final stages and is expected to be substantially completed by the end of this year.

- Bellingham Cold Storage Co. - San Juan Sailing
President's Message:

A STEWARDSHIP OPPORTUNITY
by Chris Moench

With this issue of our newsletter I invite our supporters to take a personal role in a vital function of our mission as a land trust. I invite you to consider becoming one of our Land Stewards. An increasingly important component of the Whatcom County Land Trust's efforts are devoted to monitoring and protecting our trust lands. We do this through our stewardship program. When we accept responsibility for protecting a parcel of land through grant of a conservation easement or by an outright gift, one or more individuals are assigned by the Land Trust as Stewards.

The tasks of the Land Steward, who works under the direction of the Land Trust Monitoring Committee, include gathering descriptive information about the property, annually updating the information and maintaining good relations with the property owners through regular contact. The Land Steward becomes familiar with the property and its owner and serves as the main link between the property owner and the Land Trust.

We need Land Stewards for: Teddy Bear Cove and Clark's Point south of Bellingham, the Nesset property on the South Fork of the Nooksack River at Saxon, a property on Birch Point and the Kelsey property near Lake Terrell. There will soon be several more properties in various parts of the county.

Stewards need not be members of the Land Trust Board of Directors, and there could be more than one steward for a given piece of property. The main requirement for a steward is that he or she be willing to watch the land on an ongoing basis.

I urge you to consider joining our Stewardship program. If you are interested, contact me, Chris Moench, at my home: 734-9472, or work: 733-0212.

Gifts to Capital Fund

In Memory of Margaret Cowling

We would like to extend our appreciation to those who generously contributed to the Land Trust in her memory. Those contributions will be dedicated to the Capital Fund.

Margaret was a friend and supporter of the Land Trust. She will be missed.

Welcome on Board: three new directors

The WCLT Board of Directors has expanded its professional talent with three new members. We heartily welcome:

Michael Durbin, CAD Manager/Civil Designer for Associated Project Consultants Inc.

Rick Fackler, Bellingham Parks Planner and Coordinator of the Bellingham Greenways Program.

Elaine Gold, Wetlands Scientist and owner of Pegasus Eco-Terrestrial Services.

Membership

Since our Spring newsletter and membership drive we have gained 80 members to the WCLT! We are thankful for the generous support and look forward to adding new members to our roster. If you haven't joined the Land Trust's efforts, please join. Our part-time staff position and day to day operations are dependent on your membership contributions. As a member you will not receive erroneous mail solicitations, a bumper sticker or discount travel packages to exotic lands. Instead, you receive a newsletter and the satisfaction of knowing you have contributed to direct action for the preservation of open space, wildlife habitat and farmland in Whatcom County.

Volunteers Needed: WCLT needs help with specific tasks. If you have time on your hands, special skills — or would like to learn — and have a willingness to help with any of the following jobs, please let us know by phoning Ann at 647-5484.

Newsletter Mailing
Mailing List Management
Fund Raising
Community Outreach
Special Events

Please Join Us Today!

WHATCOM COUNTY LAND TRUST
P.O. Box 4455 – Bellingham, WA 98227
206-647-5484
Thank You
For the past ten months the Whatcom County Land Trust has orchestrated negotiations for a colossal land transaction that would catapult Whatcom County into the future of conserving our natural heritage. The discussions have included the Department of Natural Resources, the State Parks Department, Whatcom County, the City of Bellingham, the Trust for Public Land, and the Trillium Corporation. Though the transaction is far from certain, significant progress has been made in developing a plan for moving critical properties owned by the Trillium Corporation into public ownership. Three areas of Whatcom County are involved in the proposal:

Chuckanut Mountain: Approximately 1200 acres atop Chuckanut Mountain would be transferred from private to public ownership. This land protrudes like a finger into the heart of Larrabee State Park and offers spectacular views in every direction — the San Juan Islands, Mount Baker, the Twin Sisters, Bellingham and the Canadian Cascades. In addition to the ridgetops, the property includes rich habitat and well used hiking trails which many people falsely assume are already part of Larrabee State Park.

Lake Whatcom Watershed: Between 4,000 and 5,000 acres of timberland in the Lake Whatcom Watershed would come under public ownership. This includes property in and south of the Smith Creek drainage including shoreline on the east side of the Lake and property in the Austin Creek drainage above Sudden Valley. In addition to boosting protection of the public water supply, this would also provide wonderful recreational opportunities in the watershed.

South Fork of the Nooksack: Included in the transaction are two parcels on the South Fork of the Nooksack River — the Goodyear/Nelson property adjacent to the Nesset farm and the old Galbraith homestead farm. As you may recall, the Land Trust negotiated a conservation easement and an eventual gift of the 108 acre Nesset homestead to Whatcom County through the generosity of Tom and Ingeborg Nesset. The Goodyear/Nelson parcel provides access to the Nesset farm, a precondition of the gift. When combined, the Galbraith homestead, the Goodyear/Nelson property and the Nesset homestead will make a county park with approximately two miles of frontage on the South Fork of the Nooksack.

(Continued on Page 2)
Thoughts From Our New President:

1991 was a banner year for the WCLT. We acquired conservation easements on three new properties. These protect significant shoreline and woodlands on Birch Point, river bottom elk habitat in Welcome, a greenbelt parcel adjacent to Lake Padden Park on Padden Creek in Bellingham and 20 forested wetland acres near Lake Terrell.

1992 started with the successful purchase of Teddy Bear Cove by the County, for addition to the County Park system. The Land Trust engineered this transaction and is grateful for the willing participants who made the process succeed. A conservation easement was also granted to WCLT on this newest of County Park property. These properties bring our total to over 450 acres.

With all the success and growth of the organization has come the increased task of monitoring the protected lands, a responsibility that is perpetual. It is in this context that the word trust in our name really begins to have meaning. These lands, which we have vowed to protect, are the heritage of all who live here. This open space, farmland, shoreline and forest will be here, as it is today, for the children of the grandchildren of all who call this county home.

In order to guarantee that the Land Trust will be here to fulfill its mandate in future years, we begin 1992 by becoming a membership organization. Becoming a member means you have a full and vital commitment to the long term stewardship of Whatcom County.

Please join us in preserving the natural gifts of this beautiful and fertile place on earth. A better investment can not be found.

Sincerely,
Chris Moench

A View for the Future (Continued from Page 1)

This treasure trove of property would be acquired by the public through a combination of land trades involving the Department of Natural Resources, Whatcom County and Trillium. Part of the Chuckanut property will be purchased by Washington State Parks, Whatcom County and Bellingham. A portion of the property will be a gift from Trillium Corporation.

In the past few months, some important steps have been taken on the journey from dream to reality. In December, the Washington State Parks Commission voted to add the Chuckanut property to its acquisition list. The Department of Natural Resources has made a firm commitment to pursue the land trade aspects of the transaction. Ann Anderson accomplished the Herculean task of getting the State Senate to agree to a $500,000 capital appropriation to apply toward the purchase of the Chuckanut property. Harriet Spanel worked diligently on the House side to keep the appropriation in the budget. The Trust for Public Land agreed to keep the transaction on track at the state level.

All local legislators have been supportive, as has Bellingham Mayor Tim Douglas. Shirley Van Zanten has shown stellar leadership in this major step toward implementation of the Whatcom County Natural Heritage Task Force report. We are now preparing for a public meeting of the Whatcom County and Bellingham City Councils to present details of the proposal.

Years ago a growing Vancouver had the foresight to set aside the land that is now Stanley Park. Today we have the opportunity to exercise the same foresight to protect our brilliant jewel. The Whatcom County Land Trust has been deeply involved in mediating the transaction between the Trillium Corporation and public agencies. There may never be another opportunity to do so much so quickly to preserve our natural heritage. We urge your support.

By Rand Jack

Please show your support by attending the Public Meeting
April 23, 7:00 p.m. at Pacific First Bank
Home at the Welcome Confluence

A heady musk rises from the plants and wet.
Winter wren beckons from a meadow copse.
Ouzel bobs on a rock in the creek,
Kingfisher rattles in an alder.
Great Blue Heron lumber aloft from a cedar roost.
Eagle soars against a blue sky.
Beaver dives from the moonlit dam.
Salmon eggs sleep in the gravelly stream.
Elk prints emboss the winter grass.

The air is clean. Here is our home.

Hugh and Judy Ansley, 1991

New Board Members Welcomed

Three outstanding community members have joined the WCLT Board of Directors in 1992. The new board members are Judy Ansley, Carl Batchelor and Mark Taylor.

Judy is long time citizen activist, poet, artist and dependable friend of the Land Trust. She and her husband Hugh are the donors of a precious conservation easement at the confluence of the Middle and North Fork Nooksack. Additionally, Judy has accepted the demanding job of Publicity Chair for the WCLT.

Carl is planner for Whatcom County and provides a professional asset to the Land Trust. He has provided valuable advice and assistance in the Teddy Bear Cove and other transactions. Carl is a member of the Monitoring Committee.

Mark is Executive Director of Big Brothers - Big Sisters of Whatcom County and brings to the board non-profit organization expertise, grant writing experience and a business perspective.

WE WHOLE HEARTEDLY WELCOME JUDY, CARL AND MARK TO THE BOARD OF DIRECTORS!

Ruth Kelsey Donates

A Little Piece of Paradise

Ruth Kelsey, Associate Professor Emeritus of Art of Western Washington University, has generously deeded her 20 acre farm to the WCLT. The property is located between North Starr Road and the Lake Terrell Game Refuge west of Ferndale.

Although WCLT holds the deed for the Kelsey place, it will be managed as part of the State Refuge following the terms of a management plan drafted in cooperation with the Washington State Department of Wildlife and the Land Trust.

The Brinn Family Grants Easement — Donates Land for Greenway

On December 27, 1991 the Brinn family, Steve, Joan and children Mark, Paul and Lucy, granted a conservation easement on a portion of upper Padden Creek Gorge in Bellingham. The property is part of a beautifully forested stream corridor extending from Lake Padden west.

The land was donated to the Bellingham Greenways program and will remain in its natural state. The Brinn’s gift is exemplary and will be appreciated by those of us who cherish upper Padden Creek Gorge.

Teddy Bear Cove A DONE DEAL!

In successful culmination of more than a year and a half of planning and negotiations, the Whatcom County Land Trust achieved preservation of Teddy Bear Cove. The property, located just south of Bellingham City limits on Chuckanut Drive, consists of approximately 11 acres of steep forested hillside and 1430 feet of waterfront. Once the site of a brick factory, in recent years the cove has been enjoyed by the public for picnics and sunbathing.

For more than 30 years the property was owned by John Cox, David Ireland and Judy Ireland. With its expansive, coveted views of Chuckanut Bay and accessible waterfront Teddy Bear Cove seemed to be prime for residential development. However, the owners wished to see its natural values preserved.

(Continued on Page 4)
Teddy Bear Cove A Done Deal! (Cont’d from Page 3)

In late 1990 they contacted local realtor Chet Mathison who, searching for conservation minded buyers, contacted the Land Trust.

Then, through the ingenuity and hundreds of hours of hard work by the Land Trust’s board member Rand Jack, a deal was engineered. With funds loaned by several private citizens, the Land Trust purchased an option to buy the waterfront and trail corridor up the hillside to Chuckanut Drive. This was followed by the purchase of the property by Whatcom County for inclusion in the county parks system. The Land Trust continues its involvement with Teddy Bear Cove by monitoring the conservation easement on the property and its development as a park.

This transaction is an example of the type of cooperation between private property owners and local government that the Land Trust strives to foster. In the words of John Cox, “the other evening... I drove down Chuckanut, it seemed to me as though we really had not sold anything. My feelings were extremely good and I felt comfortable that everyone, including the Ireland and Cox clan can now enjoy Teddy Bear Cove even more.”

The Land Trust is indebted to those individuals from the City of Bellingham, Whatcom County, and private citizens who’s time, dedication and generosity ensured a successful outcome. Now, Teddy Bear Cove is for all to enjoy for generations!

By Chris Moench

During the few years allotted to each of us, we are the guardians of the earth — we are the custodians of our heritage and of the future.

— James Michener

WHATCOM COUNTY LAND TRUST BECOMES A MEMBERSHIP ORGANIZATION

Since 1984 the Whatcom County Land Trust has worked to preserve our priceless natural heritage. Over the past eight years we have protected over 450 acres in Whatcom County through donations of land and conservation easements. Today, you have the opportunity to join us in this demanding task and help us further our accomplishments. The WCLT Board Of Directors have recently voted to invite friends and supporters of the Trust to the organization as non-voting members.

This is an exciting time for the Land Trust as we grow and become involved in more and more conservation projects. The increased need for our services by land owners wishing to preserve their land, the land trade and other activities have become demanding on our volunteer board and part-time coordinator. We need a supportive membership base to meet adequately these demands.

Become a part of the Land Trust. — Join us as a member and participate in accomplishing the WCLT mission:

... to preserve and protect unique natural, scenic, agricultural and open space land in Whatcom County through acquisition of perpetual conservation easements or other land interests that insure the protection of the resource value.

As a member you will also receive our newsletter, be invited to special events, workshops and field trips. In addition numerous volunteer opportunities will be available for those members who wish to be more active in the work of the Land Trust.

If we are to continue to succeed at our mission, we must have your help. Your vision, commitment and grassroots support is the foundation upon which a lasting legacy of open space, farmland, wildlife and recreation areas will be assured for our children, grandchildren and generations to come.

Please join us and help preserve the beauty and heritage of Whatcom County.
NOTIFICATION OF PUBLIC MEETING

WHATCOM COUNTY LAND TRANSACTION

THURSDAY, APRIL 23, 1992
7:00 P.M.
PACIFIC FIRST FEDERAL BANK BLDG.
(corner of Cornwall and Magnolia)

Please join the City and County Councils as representatives from DNR, State Parks, the Trust for Public Lands, and the Whatcom County Land Trust share information about:

1200 ACRES ON CHUCKANUT MOUNTAIN

4000 ACRES IN THE LAKE WHATCOM WATERSHED

THE GOODYEAR/NELSON PROPERTY AND A 200 ACRE FARM NEAR ACME

YOUR SUPPORT IS NEEDED!

WE NEED YOUR PARTICIPATION TO ENSURE THE SUCCESS OF THIS LAND TRANSFER. PLEASE ATTEND AND HELP WHATCOM COUNTY GAIN VALUABLE NEW ADDITIONS TO ITS OPEN SPACE, GREENWAYS, AND PARKLANDS.
# WCLT Board of Directors

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Coordinator: Ann Eissinger

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**WHATCOM COUNTY LAND TRUST**

**NEWSLETTER**

**EDITOR** Ann Eissinger

**DESKTOP PUBLISHER** Rosemary Flora

**CONTRIBUTORS:**
- Rand Jack
- Chris Moench
- Judy and Hugh Ansley

**SPECIAL THANKS** Mark Bergasa

The WCLT NEWSLETTER is published biannually in Spring and Fall. Complimentary copies are available by calling 647-5484.
LAND TRUST OBTAINS OPTION ON TEDDY BEAR COVE

In June 1991 the Whatcom County Land Trust obtained an option to purchase Teddy Bear Cove. This extraordinary beach with beautifully wooded uplands immediately south of the city limits has long been a popular swimming and sunning area for residents of Bellingham and Whatcom County. The property on which the Land Trust has taken an option includes approximately ten acres and 1400 feet of waterfront, plus adjacent tidelands. Under the option the Land Trust can hold the property until January 10, 1992. The sole purpose in obtaining the option is to transfer the property to Whatcom County so that it can be made into an exquisite park accessible by the Interurban Trail.

The Land Trust began its quest to obtain the property in reaction to the fact that Teddy Bear Cove property had been listed for sale. In January at the request of County Executive Shirley VanZanten, County Parks Director Roger DeSpain convened a meeting of representatives from state and local government as well as from the private sector. Participants at the meeting quickly agreed that the best plan for the property was as a public park with access by foot and by small boat. Everyone also agreed that it was very unlikely that the $1.1 million asking price could be found to purchase the property. In the closing minutes of the meeting, the Whatcom County Land Trust was asked to explore the possible purchase of the property, including all of the waterfront. What resulted was a long and delicate negotiation with the property owners which culminated five months later in an option to purchase the waterfront and a substantial trail corridor for $275,000. It is hard to find anyone who does not agree that this is an extraordinary piece of property at a very good price.

Since city dwellers will be among the primary users of Teddy Bear Cove, Tim Douglas, Bellingham mayor, has pledged $50,000 toward the purchase price. The County hopes to obtain a large portion of the remaining purchase price through grants from the State Interagency Recreation Commission. The County Council has given authority to County Executive Shirley VanZanten to proceed with the purchase.

Obtaining the option has been an exceptional team effort which came about only through the cooperation and assistance of a large number of people -- Craig Cole, Sharon Schayes, Shirley VanZanten, Roger DeSpain, Chet Mathison, Pat Scott, Russ Pfeiffer-Hoyt, the County Planning staff, particularly Carl Batchelor, the property owners David Ireland, Judy Ireland and John Cox and many others, including those generous individuals who had agreed to make interest free loans to the Land Trust to purchase the option. Such cooperation and enthusiasm to obtain a community goal has been an encouraging part of this whole process.

By Rand Jack

ANSLEY CONSERVATION EASEMENT

On the fifth of May, 1991 Hugh and Judy Ansley granted a conservation easement to the Land Trust on their 30 acre property located at the confluence of the Middle and North Forks of the Nooksack River. The berm of an abandoned railroad divides the property. To the north of the berm the Ansley's home and a second building site rests amid pasture land, adjacent to Mosquito Lake Road. Under the conservation easement all future development will stay north of the railroad berm.

Property south of the berm will be left undisturbed. Here the land is laced with small water channels and covered with a thick growth of big leaf and vine maple which overhang a labyrinth of animal trails. In
LAND PROFILE: The Nesset Story

In the spring of 1902, Lars and Anna Nesset left their native Norway. The Nessets had no land in Norway, as it is the custom there that the oldest son should take over the family farm. Leaving Sirdal, the small farming community high in the mountains of Norway, the Nessets sought a new life along the South Fork of the Nooksack. Three children accompanied their parents, Alice the oldest, Gertrude and Tom. (Olga, George and Ingeborg were born in Whatcom County.) Tom, who is the last surviving Nesset, was three at the time his family traveled first by boat across the Atlantic, then by train across the U.S. arriving at their destination and stepping off with their worldly belongings at the Saxon Spur.

In 1905, after living three years in Acme, the Nessets purchased the land that their cousin Louis Sinnes had homesteaded in Saxon since 1887. However, before moving, Louis sold the timber on the property and the Ferguson Logging Camp was established there while the logging operation was under way.

Faced with a sea of stumps, the Nessets went to work. With hands and backs using simple tools and two strong horses the Nessets slowly reshaped the stubmland into a farm. They built up a dairy of Guernsey cows and made a living milking twenty head by hand. Resourcefulness was the watchword. Using native materials, the Nessets constructed many of the buildings and tools for the farm. The Nesset farm is a place where one can recognize that humans really do belong to this earth.

Tom Nesset, who still lives on the farm, vividly recalls as a young boy watching the big timber come down. The image of the bare, burned over hillside has stuck with him all his life. As the trees grew back, he and his brother George would salvage log in their woods, but never wanted to see the whole hillside cut again. The desire to preserve the big trees was a major factor in prompting him and his sister Ingeborg to protect their land for future generations to admire and enjoy. With the help of the Whatcom County Land Trust the Nesset legacy will live on.

For Tom, salmon have always been a source of strong fascination. As a boy, he frequented the Nooksack Indian encampment located at the Saxon bridge where the Nooksack's caught and dried salmon. The annual return of silver salmon to Nesset Creek has long been a source of pride and enjoyment for Tom. Chief Cooper, of the Nooksack's told Tom about the silver run stating, "Them are the dependable ones." Tom and George placed log structures in Nesset Creek improving spawning beds long before the term habitat enhancement. Each summer when the creek got low, they would dip-net out the salmon fry, moving them to deeper pools. One to two hundred silvers return to tiny Nesset Creek each fall as a living memorial to the Nesset's efforts. Protection of the salmon and other wildlife is the second key element of the Nesset conservation easement.

People have always been welcome on the Nesset farm. Together with the surrounding farms of Norwegian families this corner of the valley has been a little Sirdal, home to all the Norwegians so far from home. But the Nesset's welcome never stopped with Norwegians. People of all nationalities and opinions have been welcome here, as the Nessets sought to stress our common bonds as people. Visitors quietly absorbed the lessons of harmonious life learned on the farm, while enjoying a bowl of canned plums covered with cream and honey. In an effort to carry on this tradition of sharing their way of life with others, the conservation easement and other documents make provisions for the farm to eventually become a county park. The purpose of the park is to keep the tradition of the early settlers alive and to show how people can live in harmony with this earth.

Imagine the sense of the importance of the family farm developed through centuries of life in a Norwegian valley. The farm is a thread of life weaving together the family and the land over a span of generations. This sense of the family farm came over in the boat with the Nesset family.

With none of the Nessets having children, the family farm seemed doomed. Establishing a conservation easement was a great relief for Tom and Ingeborg. The provisions of the conservation easement will help preserve both the land and the fruits of much of the labor to which the Nesset lives have been dedicated.

By Russ Pfeiffer-Hoyt
THE WHATCOM COUNTY LAND TRUST

THE BEGINNING

It started ten years ago when Roger Van Dyken, a young state legislator from Whatcom County, read an article about land trusts. He was a farmer and interested in preserving farmland from encroaching development in his home county. The article suggested a way.

Later at a conference at WSU, Roger met Jennie Gerard, Land Trust Program Director for the Trust for Public Land (TPL), and shortly after, he contacted the San Francisco office of TPL. TPL transferred Craig Lee from San Francisco to Washington State as the area’s new field representative. Aware of Roger’s inquiries, Craig initiated a meeting in Lynden with Roger and other interested community members.

Stimulated by that first meeting, Ron Polinder, Director of Concerned Christian Citizens, and Bob Muenscher, an interested farmer, arranged for TPL’s Gerard and Lee to facilitate a seminar. Held on March 22, 1983, at the Dutch Mothers Restaurant, the seminar directed the participants in land trust functions and conservation easements.

Efforts to create a local land trust ensued. One month later, again in Lynden, a gathering of eighteen dedicated individuals proceeded by selecting an executive committee. The committee members included Fred Colvin, Chair; Hilda Bajema, Secretary; Herman Miller, Bob Muenscher, Henry F. Polinder, John Vanderhage, Jim Wynstra and Cornie Noteboom. The committee then advanced by formulating its Bylaws, incorporating and planned for a twenty-seven member Board of Directors.

Organizing the Whatcom County Land Trust into a working body took nearly two years. During this time the group secured its non-profit 501 (C) (3) status, received start-up monies from Lynden Transfer Inc., Peoples State Bank and Rainier Bank and gained a graphic identity with a new logo and promotional brochure. The group also worked long hours formalizing its first conservation easement, for the farm of Herman and Diane Miller and obtaining a farmland preservation policy statement from the Whatcom County Council. Additionally, new members joined the group, offering further leadership, these were: Phyllis Graham, Rand Jack, Pat Milliken and Kerry Thalhofer.

The first business meeting of the twenty member board was November 19, 1984 at the home of Bob and Joan Muenscher. On May 14, 1985, Craig Lee led a workshop on Financing a Land Trust held, as is so often the case in our history, at Dutch Mothers. The first annual business meeting in December 1985 saw the election of Roger Van Dyken, President. Rand Jack became Vice-President, Hilda Bajema, Secretary and Gerben De Boer, Treasurer. By now, WCLT was a position to carry forward its missions to preserve farm land, retain scenic and recreational areas, sustain wild life habitats and safeguard open spaces for future generations.

By Hilda Bajema

ANSLEY EASEMENT (Continued from page 1)

several places the forest opens, creating small glades where elk graze in the winter. The river bottom is also frequented by bald eagles, Canadian geese and other animals for whom wetland and river are natural habitat.

In recent history the property was the site of a logging camp. The berm of a related railway siding and a wood lined well are the only remains of those busy days.

Hugh and Judy Ansley have owned the property for many years. As owner operators for Mayflower Moving Company, they drove hundreds of thousands of miles through every state in the country. They did a lot of sightseeing, but nothing compared to the land on the Nooksack.

The Ansley's granted the Land Trust this easement with commendable foresight. In the near future they intend to divide their property, and sell a parcel containing a second homesite. The conservation easement will cover the new parcel, thus allowing someone to purchase property already protected by a conservation easement. This action highlights the advantage of using conservation easements to conserve natural or agricultural lands.

Entering a conservation easement is entirely a voluntary act by the property owner. It places no restriction on the property owner's ability to sell the property, yet it insures that the property will perpetually retain the natural, agricultural or other values protected by the easement.

Likewise, any prospective purchaser of a property protected by a conservation easement is made fully aware of its details and by purchasing the property embraces its goals. The Ansleys feel that protecting their land with a conservation easement has actually increased its value and marketability to conservation minded buyers.

By Chris Moench

ESTABLISHING A CAPITAL FUND

The Whatcom County Land Trust took the lead in negotiating a plan that will place one of Chuckanut’s signature beaches into public ownership. The process of securing the Teddy Bear Cove option required hundreds of volunteer hours and personal loans totalling over $30,000.

In an effort to build a capital fund for future projects like Teddy Bear Cove, the Land Trust is requesting your support. Working capital is essential for the Land Trust’s continued success. A contribution of $300 is requested, more or less depending on your means is appreciated. Please send your tax deductible contribution to:

WHATCOM COUNTY LAND TRUST
P.O. Box 4455 - Bellingham, WA 98227
Thank You
# WCLT Board of Directors

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**WHATCOM COUNTY LAND TRUST**

**NEWSLETTER**

**EDITOR**

Ann Eissinger

**DESKTOP PUBLISHER**

Rosemary Flora

**CONTRIBUTORS:**

Rand Jack
Chris Moench
Russ Pfeiffer-Hoyt
Hilda Bajema

The WCLT NEWSLETTER is published biannually Spring and Fall. Complimentary copies are available by calling 678-0848.
DEAR FRIENDS,

This is the first issue of our Whatcom County Land Trust (WCLT) newsletter. You are receiving it because you have shown an interest in the preservation of the natural environment in Whatcom County. Our organization is dedicated to the protection of the outstanding natural heritage we find all around us - on the farm, in the woods and on the shore.

The WCLT has made tremendous progress since its beginning in 1984. Properties including Clark’s Point; two county farms, a pocket beach on Lake Whatcom and Plover Island are now protected by conservation easements. We often work closely with the Bellingham and Whatcom County Park Departments when donations involve potential park land.

The WCLT responds to inquiries and actively researches special areas for preservation. We need your support to continue our work. Through your donations and involvement the Land Trust will continue as one of the most effective efforts in preserving the unique natural lands of Whatcom County.

Sincerely Yours,

Sue Webber, President

JOIN US FOR OUR OPEN HOUSE

The 1st Annual Whatcom County Land Trust OPEN HOUSE is set for Saturday, June 1st from 5 to 9 p.m. at Bellingham’s historic Roeder Home, 2600 Sunset Drive. This is the perfect opportunity to meet members of the Board of Directors and learn more about the Land Trust’s activities. The open house will include live folk music, informational displays, delectable deli delights, a door prize and a special guest speaker.

Mark Bergsma has generously donated one of his exceptional photographs of Clark’s Point for the door prize. Tickets for this beautiful framed triptych are available at the door or in advance from any board member for $5.00 each. The winning ticket will be drawn at the open house following our guest speaker.

Shirley Van Zanten, Whatcom County Executive and WCLT board member will appear as our guest speaker. At 7:30 p.m., Shirley will discuss the WCLT’s potential role in addressing the goals set forth by the Whatcom County Natural Heritage Task Force.

Join us for an eventful evening. Everyone is welcome and it’s FREE! See you there...For more information phone: Sharon Schayes 733-2540 or Ann Eissinger 676-0848.

LAND PROFILE: The Miller Farm

Driving east on the Ten Mile Road today you might notice the newer homes dotting the landscape where pastures and dairy cows once dominated the scene. Then suddenly the random homes are left behind and a stretch of country opens up off both sides of the road. 160 acres of productive agricultural land, pasture and occasional woods buffer the Miller’s farm from the enroaching sprawl. But, the land itself cannot fend off the pressures of development. The Millers as responsible stewards recognized the threat in time and transformed it into an opportunity.

Herman Miller recalls growing up on the farm. His parents moved to the Ten Mile Rd. in 1911. At that time they lived on the north side of the road where Herman was born in 1918. In 1924 the family moved across the way into a white two story farmhouse which was moved by draft horse team from Hemmi Road to the present homesite. Relocating from the north to the south side of the road allowed the land to be cleared and irrigated for farm use.

Continued on page 2.
WHAT IS THE WCLT? Continued from page 1

to this trend has expanded its original scope and diversified its Board of Directors, as a means of expressing its commitment to the county as a whole.

Since its founding, the WCLT formalized easements totaling 390 acres county wide. Among the land owners granting easements are:

Herman and Diane Miller, were the first residents of Whatcom County to protect their agricultural land with a conservation easement. Located on rich soils near Laurel, the Miller easement sets a positive role model for those concerned with farm land preservation.

Tom and Ingeborg Nesset, worked with the WCLT and Whatcom County Parks to provide a future park. The Nesset Homestead near Saxon is nestled in a setting of towering firs and hemlocks, open meadows, clear streams and wildlife.

Douglas and Peggy Clark, concerned with the ecology of their shoreline property signed a conservation easement to guide the future use of their land known as Clark's Point. Located south of Bellingham the Point flaunts intricately carved sandstone bluffs, pocket beaches and a wind swept forest cover. Once highly sought after real estate the point is now a scenic backdrop for all to enjoy.

Bill Herb, Frank Brooks, Murray Haskell and David Rhea deeded Finkbonner (Plover) Island to the WCLT and the North Cascades Audubon Society. Situated at the mouth of Lummi River, the island provides an important salt marsh/mud flat refuge for an abundance of shorebirds, ducks, herons and wintering raptors.

Robert and Patricia Brown provided a much needed public access to Lake Whatcom by donating a pocket beach to Whatcom County Parks.

At the heart of the WCLT's mission is the act of stewardship. As expressed by Aldo Leopold, "We abuse the land because we regard it as a commodity belonging to us. When we see the land as a community to which we belong, we may begin to use it with love and respect." This effort to see the land as not a mere commodity but as a community of which we are members is what the WCLT is all about. Many, feeling the truth and necessity of such an effort have joined us to "love and respect" the incomparable land of Whatcom County. We invite you to do the same.

NEW DIRECTOR NAMED

Recognizing that volunteer labor alone cannot keep up with the growing workload generated by our organization, the Whatcom County Land Trust has selected Ann Eissinger as its first Executive Director. The director's position is part-time, requiring a pioneering spirit and a love for challenges such as coordinating a twenty seven member board. Ann thrives on such challenges and brings with her a broad base of experience with non-profit organizations, business management, volunteer coordination, grant writing and community education. Growing up in Whatcom County on a small farm, Ann has developed close ties with the land and its inhabitants and has continued to cultivate those ties through the years. Outside the Land Trust, Ann works as a field biologist researching a small tree-nesting seabird known as the Marbled Murrelet and devotes her spare time to wildlife and habitat preservation.

LAND PROFILE Continued from page 1.

the road, Herman refers to as his "big move in life." Herman's father was a logger in the early years, using draft horses he followed the logging industry to the foothills, then turned to farming.

Starting with a small herd of Guernseys and a flock of laying hens the Millers made a go of it, Herman claims, "in those days if you had 15 to 20 cows and 500 laying hens you could make a living." Over the years the Millers did well by gradually expanding their herd and eventually replacing it with Holsteins. During those years Herman learned to run the farm and ultimately, was handed the reins of the business by his father. For about 35 years Herman didn't miss more than a dozen milkings and according to Diane, "nothing has changed." Herman sold his dairy herd in 1980 and now manages 150 head of beef and 100 heifers along with a few dairy animals for their domestic milk supply.

Herman's bond with the land is uncompromising. When he and Diane requested wording in their wills restricting the future use of their land to agriculture, the lawyer responded with the statement "you can't control it from the grave." Dismayed with the lawyer's remark Diane and Herman agreed to search for the means to perpetuate their stewardship role, beyond the grave.

As members of the Concerned Christian Citizens (CCC), Diane and Herman had received notification that Craig Lee from the Trust For Public Lands (TPL) was scheduled to
speak. The description of TPL and the conservation easement concept appealed to the Millers and in Diane’s words they thought "...this may be what we were looking for." As a result of that meeting, the Millers and others learned that a conservation easement was the answer they were seeking and the Whatcom County Land Trust was conceived.

On the 11th day of February, 1986 the Miller’s signed a conservation easement with the purpose of preserving and protecting in perpetuity the scenic and agricultural features and values of their land by fostering the continuation of responsible agricultural practices and limiting residential uses. Herman hoped by taking the lead more land owners, friends and neighbors would follow his example similarly to ensure their property’s agricultural future. The response has been slow despite efforts by Herman, Diane and members of the Land Trust. Diane speculates that fear has held back prospective easement grantors. "It’s a complicated concept to understand" Diane remarked, "some people who don’t understand the Land Trust see it as a threat...but, it’s not a threat, it’s an opportunity!"

Ann Eisinger

THE CONSERVATION EASEMENT:
A Unique Tool

The most versatile preservation tool available to the land trust is the conservation easement. The legal basis for a conservation easement is the fundamental property law concept that ownership of land is like possession of a bundle of sticks. Each stick in the bundle represents specific legal rights, and the sticks, or rights in the land, can be separated and owned by different people.

A conservation easement transfers ownership or control of certain specifically-defined rights to develop or use the land. When the property owner grants those rights to the land trust, the owner and anyone later acquiring the land is denied the right to use the land in ways prohibited by the conservation easement.

In all cases, preservation of property with a conservation easement requires three essential elements: 1) land appropriate for protection, 2) a conservation-minded property owner, and 3) a land trust.

Land is appropriate for protection if it has unique scenic, agricultural, wildlife habitat or recreational qualities. Because that general description covers a lot of territory, the land trust’s board of directors must determine whether the particular parcel fits into the trust’s preservation policies.

The land trust discovers appropriate land in several ways. Often landowners seek out the land trust because they have serious personal values about preserving their land. Often estate tax considerations encourage a landowner to reduce the "market value" of land by restricting future development. Sometimes a trust member learns about an important site and initiates contact with the owner.

The details of each easement are carefully worked out with the owner and are tailored to meet the desires of the owner and the needs of the property. For example, restrictions may concern the cutting of trees, and the location or number of additional homesites.

The land trust is a non-profit corporation, and actually owns the development rights granted to it in the conservation easement. It has the power to enforce the protections of the easement, in court if necessary, and monitors the property to make sure the easement is observed. Because the land trust is recognized by the Internal Revenue Service as a charity, a gift of a conservation easement often qualifies the landowner for a charitable deduction.

The grant of a conservation easement to a land trust offers the landowner a flexible and increasingly popular method of land preservation. Currently more than 3000 acres in the United States are held under conservation easements by more than 800 land trusts.

Bruce Smith & Phyllis Graham

BECOME A FRIEND OF THE LAND TRUST

The Whatcom County Land Trust needs your support to continue its work to protect the special places of our county. We invite you to become a friend of the Land Trust and offer whatever help you can. As a friend you will receive a copy of the WCLT Newsletter and the satisfaction of contributing to an on-going preservation effort.

Please, send your tax-deductible donation to:

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WHATCOM COUNTY LAND TRUST

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