

SPRING/SUMMER 2005

NORTHCOAST REGIONAL LAND TRUST



Robert Benson

*Cold Springs: Last Meditation of the Summer, 2001
Watercolor on paper*

Freshwater Farms By Shayne Green

NRLT Completes its Second Acquisition

On April 28 the Northcoast Regional Land Trust assumed ownership of 54-acres of former tidelands located along the Freshwater Creek Slough near Three Corners (along Old Arcata Road between Eureka and Arcata). The purchase by NRLT is an important step in the effort to re-establish natural tidal flow to the property and restore estuarine wetlands that are vital to many resident and migrating fish and wildlife species. The project will also create unique opportunities to enhance agricultural, educational, and recreational values associated with the property and adjacent lands.

Freshwater Farms is one of many ongoing NRLT projects that collectively support wildlife habitat, outdoor recreation, and strong agricultural, fisheries, timber, and tourism economies. Although sometimes pitted against one another, such diverse values together comprise the high quality of life we experience here on the North Coast. Freshwater Farms is notable in that it includes multiple interests in a single package.

Freshwater Farms also demonstrates the promise of creativity, collaboration and public/private partnerships in crafting constructive solutions

Continued on page 4

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Letter from the Executive Director

Dear Friends,

As supporters of the Northcoast Regional Land Trust, we all know that protecting meaningful places can improve our economies, the health of our ecosystems, and our communities for years to come. We also know that this can often feel daunting in the face of rapid growth and development.

As a friend of the Northcoast Regional Land Trust, each of us has consciously chosen to embrace the positive and build new ground with diverse stakeholders. So, in a time when terms like "cumulative effects," "degraded water quality," and "loss of prime farmland" can become abysmal, I find it important to focus ahead on what we're doing right. What motivates me are inspiring local examples that affirm we can have a healthy economy and a thriving ecology by working together. Two recent examples that excite me are: 1) the Humboldt Creamery's latest announcement about their new national distribution of locally produced ice cream; and 2) seeing Six Rivers to the Sea landowners voluntarily initiating salmon habitat restoration on their land and sharing their experiences with others.

Clearly, we are fortunate to be living and working in a region where people are devoted and connected to the landscape. That strong local commitment is anomalous to many other places in our country.

Unfortunately, the conservation action that has been so successful in our mission to protect the working and wild lands of the North Coast is in an unprecedented dilemma.

At this moment, the future of private land conservation across the nation is at stake. Rand Wentworth, President of the national Land Trust Alliance called the recent conditions

At this moment, the future of private land conservation across the nation is at stake.

in Washington D.C. the "Perfect Storm" for conservation in the USA. The primary incentives to landowners - whether they are

land-rich and cash-poor, coping with an estate transfer or in need of a tax break - are tax deductions available for conservation easement donations. These core conservation incentives are under threat because of a recent report by Congress's Joint Committee on Taxation, which recommends dismantling tax deductions for landowners who volunteer to conserve their land - a program that makes private land conservation, and the work we do at the NRLT possible.

Landowners throughout our region care deeply about the future of the North Coast, and as a result are willing to protect important resources on their property in order to preserve its working and wild heritage. The only things making this a financially reasonable option in the face of rising property values and development pressures, are the well-deserved income and estate tax deductions that are currently available. These

Local Land Trust Contacts

tax incentives have been in place for more than 25 years, and have led to the voluntary conservation of more than 35 million acres of land across the nation – and now the federal Joint Committee on Taxation has proposed to effectively eliminate them.

Their proposal would not allow any deductions for donating a conservation easement on the property on which a landowner lives, it would slash the deductions allowed for donating a conservation easement (from 100% of what the easement is worth, to no more than 33% of its value), and it would limit deductions for donating land to the price the landowner originally paid for the property. This would eliminate most conservation easements, make it unaffordable for agricultural landowners to donate land, and discourage long-term landowners from donating land.

To grasp the severity of the changes being proposed, imagine a landowner holding a few hundred acres of land along Eel River.

The landowner has sustainably harvested the forest there for three generations, and would like to place a conservation easement on the property that will keep hundreds of acres of forest in sustainable production while preserving the rich wildlife habitat and salmon-bearing streams on the property. Under the current tax law the landowner can be a resident on the property, and still retain the rights for very limited future building if desired, while receiving a fair 100% deduction on the value of the easement (the difference of appraised value before and after the easement).

If the Joint Committee's Proposals go through, this landowner will have no deduction incentive whatsoever for donating an easement on property that holds a residence, making it widely discouraging to take such conservation measures. If, for example, there was not a residence on the property, the landowner would still only receive a deduction of 33% of the value of the easement, again hardly making it a worthwhile venture when enormous sums of cash are commonly offered for subdivision of such properties.

In a time when the wildness and the working lands of our region are under relentless pressure, we need policy that will encourage landowners with financially reasonable incentives to promote conservation on their lands, not policy discouraging responsible stewardship and charitable donations.

What private landowners and land trusts around the country have accomplished in the past three decades deserves celebration, but it is only a sliver

of what is possible. To continue with this very important public service – to provide clean air and water, a viable agricultural base, natural lands and wildlife habitat for future generations – we are asking you to please take action. The current incentives program is simply the best way to achieve conservation of America's natural legacy in the 21st century, and with your help we can steer the Joint Committee on Taxation's proposals in a positive direction. See "What you can do" box, above.

Special thanks to project coordinator Erik Wilson for contributing to this report.

What you can do to help:

Contact Senators Boxer and Feinstein and Congressman Thompson and tell them how important it is to preserve our conservation incentives. Information and a sample letter, including elected officials addresses, is available on our website: www.ncrlt.org

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Freshwater Farms

Land Conservation as Part of a Bigger Picture

Continued from Page 1

where we otherwise tend to get stuck in the mud. The project already involves funding and participation by diverse stakeholders such as adjacent

The project represents the promise of collaboration... in crafting constructive solutions where we otherwise tend to get stuck in the mud.

landowners, non-profit organizations (NRLT and Redwood Community Action Agency), local firms (Freshwater Farms Nursery, McBain & Trush, Inc., SHN Engineers), state and federal agencies (Coastal Conservancy, California Department of Fish and Game, NOAA Fisheries), and a variety of community supporters, including local residents and their representatives.

NRLT intends to use the Freshwater Farms property to restore estuary habitat considered vital to the recovery of salmon, steelhead, and other fish and wildlife populations that were historically more abundant around Humboldt Bay (see *Estuaries*,

next page). In addition to rebuilding fish populations, implementing such projects at strategic locations within regional watersheds will likely play an important role in the recovery of a fisheries economy that was far more robust in years past. Perhaps stories of fish so plentiful “you could walk across small streams without getting your feet wet,” will one day be more than just reminiscence by the older generation among us.

The FWF restoration project is being designed in part to help alleviate seasonal flooding that has reduced rangeland productivity on an adjacent agricultural property. Construction of new slough channels is proposed to facilitate the flow of freshwater from

upstream pastures onto the FWF property, thereby bolstering the

enhancement of wetlands. This component of the project will augment the primary restoration activity: removal of a tidegate located along Freshwater Slough to allow tidal backflow of water onto the property via the Wood Creek channel during high tides.

NRLT is crafting agreements that will enable the neighboring *Freshwater Farms Nursery* to harvest wetland plant cuttings and seeds for propagation and use in restoration projects at Humboldt Bay and



Wetlands such as this will be expanded and enhanced by the planned restoration project.

Thomas C. Brundage
Registered Geologist

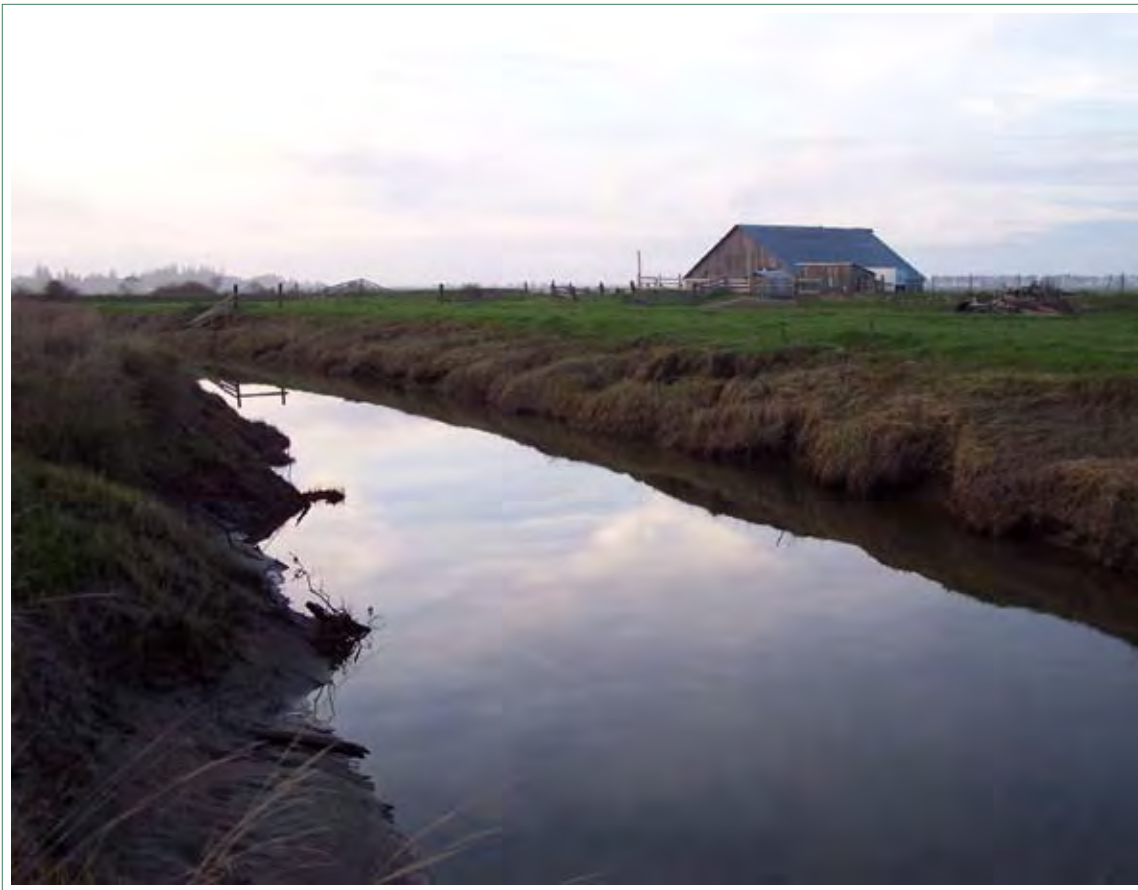
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elsewhere. In fact, the restoration project is in large part the brainchild of nursery owner Rick Storre, who originally purchased the property with the idea of returning it to its former tidelands glory and using the land as a source of native wetlands plants for his nursery operations.

Continued on Page 6



The sky's reflection on Freshwater Slough hints at a quiet life on Humboldt Bay's bottom lands. The slough is an important estuary for salmon and other fish and wildlife species.

Estuaries By Shayne Green

and the Humboldt Bay Watershed

The significance of the FWF project is best understood within the context of the greater Humboldt Bay ecosystem and ongoing efforts to restore its fish populations to historic levels. The 20,000 acre Freshwater Creek watershed is a major tributary of Humboldt Bay and has been a focus of local fish recovery efforts. The watershed harbors coho & Chinook salmon, steelhead trout, sea-run cutthroat trout, and numerous other fish and wildlife species. Within the

Freshwater Creek watershed and other tributary streams of Humboldt Bay, lack of estuary habitat has been identified as a key limiting factor for salmonid populations¹. It is estimated that around 90% of Humboldt Bay's historic tidelands have been converted to other uses such as agriculture, commercial and residential development, and roadways since European settlement. Estuaries are important areas where steelhead and salmon acclimate to the shift in salinity and prepare their internal osmotic balance

for going to the ocean as juveniles and returning to spawn as adults. Functioning estuaries provide backchannel habitat and other slackwater refugia where young fish find shelter during periods of heavy rain and high water. Scientific studies indicate that juvenile fishes reared in estuaries, one of the most productive habitats on earth, grow faster and have higher survival rates than those without access to such habitats. A variety of other marine fishes, including commercially harvested groundfish species, utilize estuaries as juvenile rearing habitat.

CAT KOSHKIN,
Attorney & Counselor at Law
Helping families preserve land
for the next generation



(Footnotes)

¹ Redwood Community Action Agency and Humboldt Bay Watershed Advisory Committee 2004. *Draft Humboldt Bay Watershed Salmon Recovery Plan*. Unpublished document.

Freshwater Farms Acquisition

Continued from Page 4

To the extent that it dovetails with Storre's innovative business endeavor, the estuary enhancement project will contribute not only to an innovative



The Freshwater Slough floodgate currently limits flow of water into the wetlands enhancement area.

form of local agriculture, but also to the North Coast's promising restoration industry.

NRLT will eventually provide for public access to the property for scenic, educational, and recreational enjoyment. Access by foot and watercraft are planned. An access plan will be developed as part of the Management Plan being prepared during 2005.

FWF fits within a larger strategy of restoring fisheries and protecting prime agricultural lands that support local dairies, farms and ranches. NRLT is currently



Former owner Rick Storre envisions returning the property to its former tidelands glory and using the area as a sustainable source of native wetland plants.

developing a Farmland Conservation Plan (FCP) that identifies key areas for conserving farmland based on a range of criteria that includes soil productivity, parcel size, zoning, and threats from development. The FCP should help to identify opportunities and constraints in the planning of future habitat protection and restoration projects. Restoring estuary habitat and protecting agriculture are seen by NRLT as two sides of the same coin, a currency by which thriving North Coast ecosystems, communities, and economies maintain steady purchase.

Restoration planning, permitting and fundraising activities are expected to take place through 2006, with the project implemented (including all construction) by the end of 2007.

Leave a Legacy for North Coast Open Lands

A legacy gift to the Northcoast Regional Land Trust will not only ensure that some of our most beautiful and important lands on the North Coast are preserved, but could also provide you with income for life, a reduction in capital gains taxes, and other benefits.

There are many ways that you can be a part of our North Coast Legacy:

- Remember NRLT in your will or living trust
- Name NRLT as a beneficiary of your IRA or Qualified Retirement Plan
- Name the NRLT as a beneficiary of a life insurance policy

If you currently have a will, you can easily add a codicil (an amendment) to include a bequest (a gift in your will) to the Northcoast Regional Land Trust. An example of appropriate language for inclusion in your will or living trust is:

"I give, devise and bequeath to the Northcoast Regional Land Trust, a California nonprofit public benefit corporation with the mailing address of Post Office Box 398, Bayside, California, 95524, the sum of _____ dollars [or otherwise describe the gift or asset] for its general purposes and use at the discretion of the Northcoast Regional Land Trust's Board of Directors."

If you are interested, please contact your personal financial planner or attorney. For basic information, please contact the Northcoast Regional Land Trust at 707.822.2242.



Eel Canyon Farms

Thank You NRLT 2004-2005 Supporters!

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NRLT Seeks Conservation Buyers!

If you or someone you know is interested in purchasing land for conservation purposes, please call us at 707.822.2242. We may know of a good fit for you.

Mission: *The Northcoast Regional Land Trust is dedicated to the protection of working landscapes, farms, forests and grazing lands, and to the preservation and protection of land for its natural, educational, scenic and historic values.*

Grant funding provided by: Columbia Foundation
Resources Legacy Fund Foundation

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Cover Art



The cover painting by Robert Benson, *Cold Springs: Last Meditation of the Summer*, was featured at Humboldt State University's First Street Gallery in May of 2003, in an exhibit of Benson's work entitled *Meeting Ground: Thirty Years of Painting Done on Site*. Benson's plein-air, abstract watercolors are deeply rooted in place, and are inspiring to the Northcoast Regional Land Trust as we work to protect special places on the North Coast.

A member of the Tsnungwe Tribe, Benson was raised on a small ranch near Willow Creek. His early outdoor experiences, tied to seasonal rhythms and activities, have been a lifelong inspiration in his work - particularly his connectedness to nature drawn in part from close observation and intuition.

Benson's work is also a call to others to achieve this connection, and out of this, to protect and steward this land. In the eloquent accompanying essay to the First Street Gallery exhibit, Ken Weiderman writes, "If one feels connected to the land and all the things on it, then the entire natural world becomes a community... Benson... challenges the viewers to observe their own landscapes with the same depth...charging all of us to become better stewards of this land that is inseparable from our being."