

# The Southeast Steward

July 2005



Goosetongue flats, Eagle River Scout Camp, on a flooding tide.

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## Boy Scout Beach Conservation

Juneau residents and visitors alike love hiking the Boy Scout trail to Eagle Beach. The dynamic Herbert and Eagle Rivers, iris and shooting star meadows, wildlife, and spacious vistas of Lynn Canal all make this a truly wonderful walk.

The Scout trail and camp, however, are private lands. We can thank the Southeast Alaska Boy Scout Council for generously allowing the public access to the trail and outer beach. However, another owner or Boy Scout management from a more distant Alaskan or national office could easily end the access

we take for granted.

Southeast Alaska Land Trust has been working with the local Scout Area Council, the City and Borough of Juneau and the Department of Natural Resources to purchase 163 acres of the camp, including the trail, wetlands, and forested dunes for inclusion in the CBJ's Amalga Meadows Natural Area Park, thereby ensuring public access. The Scouts would continue to own the remaining 100-acre camp and buildings.

To match local financing of this project, SEALTrust and partner organizations, have developed a nationally competitive grant application for a

National Coastal Wetlands Conservation Grant from the US Fish and Wildlife Service. Several years ago we were successful in obtaining a similar grant to purchase the Tonggard property, which became part of the Amalga Park. The 2005 grant awards will be announced in October.

The addition of the Boy Scout trail, wetlands and dunes to the Amalga Park would enable the public to enjoy the property's natural values for many years to come.

# Our Board Members Honored

## Judge Stewart receives National Award

SEAL Trust Board member and retired Juneau Superior Court Judge Thomas Stewart was honored in May 2005 at the Alaska State Bar Convention. The American Judicature Society's Herbert Harley Award was presented to Judge Stewart by U.S. Supreme Court Justice Sandra Day O'Connor. Tom was the executive secretary of the Alaska Constitutional Convention, and played a pivotal role in establishing an independent judiciary, with a merit system for



Judge Tom Stewart

selecting judges, for the new state. He is currently writing a book about the formation of the Alaska Constitution, which is considered a model for state constitutions. Tom was a state legislator before and after statehood, and served in Italy during World War II with the U.S. Army's 10<sup>th</sup> Mountain

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## Lifetime Achievements Award for Jim and Mary Lou King

In fall of 2004, the Alaska Conservation Foundation presented an achievement award to long-time SEAL Trust Board member Jim King and his wife Mary Lou King for their decades of conservation work. A biologist with the U.S. Fish and Wildlife Service

for most of his career, Jim was instrumental in establishing nine national wildlife refuges protecting over 23 million acres. Among Mary Lou's accomplishments is her volunteer work coordinating the "Sea Week" Program in Alaska's schools, and her

guidebook, *90 Short Walks Around Juneau.*



Jim and Mary Lou King in their Juneau garden.

# Welcome New Board Members

Four new members accepted appointments to the SEAL Trust Board of Directors at the January 2005 Board meeting. Each of these individuals has a distinguished record of service in Southeast Alaska.

**Andrea Doll** has lived in Juneau for six years. She has work experience as a real estate agent and broker and as a high school and adult education teacher. Andrea is active in environmental and political organizations. She is married (Bob Doll) and has four children.

**Roman Motyka** is

a research professor with the Geophysical Institute, at the University of Alaska, specializing in glaciers and glacial rebound. He is particularly interested in land emergence in Southeast Alaska since the end of the Little Ice Age, around 1750 A.D. He has lived in Alaska since 1973 and has served on boards of environmental organizations in the past.

**Reed Stoops**, a Juneau resident since 1971, is currently a lobbyist representing various business interests. He also undertakes occasional land development projects in

Juneau and elsewhere in Alaska. Reed has former work experience with the Alaska Department of Natural Resources, the Senate Resources Committee, the State of Alaska Washington DC office, and served five years on the Juneau Planning Commission, including one year as Chairman.

**Jon Tillinghast** is a graduate of the University of California Riverside, and Georgetown Law School. He has been practicing natural resource and environmental law in Alaska for 31 years. He is

a partner in Simpson, Tillinghast, Sorensen & Longenbaugh, and he also owns a small travel agency, Safari Nzuri, that books custom non-hunting African Safaris. He is married (Debbie) and has one child (Jeff, 24).

The success of SEALTrust depends on the dedication of the Board of Directors. We are all grateful to each Board member for their willingness to give of their time and expertise.

# Leask Lakes Conservation

Southeast Alaska Land Trust is partnering with the Leask Users Coalition, a group of Ketchikan citizens working to protect and enhance the public resource values of Leask Lakes. The landowner, Alaska Mental Health Trust Land Office (TLO), has awarded a 65-million board foot Leask Lakes timber sale to Alcan for round log export. Southeast Alaska Land Trust and Leask Users Coalition have identified priority recreation and wildlife habitat within the sale areas to be excluded from a timber harvest and placed in a conservation status.

Leask Lakes is an intact 4,840 acre mature temperate rainforest area, with muskegs and two

large lakes bordered by extensive meadows and marshland. Leask Creek is about 1.5 miles long from of the lakes to Leask Cove and provides habitat for steelhead, sockeye salmon and coho salmon. The large lakes are inhabited by Dolly Varden and cutthroat trout, and juvenile sockeye and are bordered by extensive wetland meadows, providing excellent waterfowl nesting habitat.

Beaver, wolf and black bear are abundant, with obvious game trails. In mid-March a group of 10 hikers trekked over the frozen muskeg, taking a quick 2 hours to reach Upper Leask. Hikers were pleasantly surprised to see three trumpeter swans preening and

enjoying the mid-morning sunshine.

The Trust Land Office has quasi-private management rights with a mandate to generate maximum revenue for its mental health beneficiaries. The Coalition's approach is raise funds to purchase the marketable stands within the priority recreation and habitat lands, thereby matching or possibly exceeding revenue available from a logging plan alone.

"I would like the Mental Health Trust to consider a proposal that benefits this community, while earning additional money for the people around Alaska that the Trust serves. Because this piece of land is so dear and valuable to local residents, it is of utmost importance that they work with us toward a creative management plan," said LoAnn Swanson, a life-long resident of Ketchikan.

In early March the Trust Land Office announced that a post-logging sale for conservation must include the entire parcel. SEAL Trust and the Leask Users Coalition are evaluating

*"F u t u r e generations may not know how it got there, but they will be extremely grateful for our efforts when they find themselves canoeing across the lake, fishing the creeks or hiking from Harriet Hunt through to Loring," Bill Rotecki, co-chairman of the*

approaches to this condition and have been in discussion with the US Forest Service and Cape Fox Corporation, the two neighboring landowners. Cape Fox has voiced an interest in the purchase and its support for conservation easements and public access to the priority habitat and recreation areas.



Trumpeter swans preening in the mid-morning sun at Leask Lakes.

July 2005

# A Creek Runs Through It

## Community Stream Restoration Project in Haines

Ben Kirkpatrick, a fisheries biologist in Haines, was walking to his office a couple of years ago when he noticed that a culvert along the roadway had become plugged and the stream – Sawmill Creek – had jumped its banks and flooded the property through which it flowed. So began the most recent Sawmill Creek restoration project.

Sawmill Creek meanders through downtown Haines, flowing through private properties, along the highway, through various culverts, by the Alaska Department of Transportation's heavy

equipment yard, and eventually enters the Chilkat River estuary near an old sawmill site. School children have studied the creek over the years, measuring its temperature and flow, sampling the fish that live in it, and participating in other restoration projects.

Tim Shields, a former Haines mayor, was interested in acquiring the vacant lots by Sawmill Creek for a community park. He and Ben, working together with the Takshanuk Watershed Council, used settlement money from the Royal Caribbean Cruise Lines to design a project that would fix a portion of the stream and protect the land around it. A contractor, Interfluve from Oregon, designed a new channel for Sawmill Creek through Phyllis Brown's property, that more closely resembled the stream's original course.

Neil Stichert, of the US Fish and Wildlife Service, awarded a restoration grant for actual stream bed reconstruction work. A local contractor, Mark Sogge, then employed a crew from the Southeast Alaska Guidance Association (SAGA) to do

the shovel work, backfilling the new stream channel with gravel according to the hydrologic design. The property owner, Phyllis Brown, cooperated with the Watershed Council and the contractor on this important phase of the restoration project. The stream bed reconstruction was completed in 2003 and has now been in place for almost two seasons. According to Mark the new channel is performing pretty well considering that it is not fully revegetated. While waiting for the riparian plant community to take hold and fill in the bare spots, he keeps a sharp eye on the channel and moves gravel and woody material around whenever there is high water to protect the new streambanks from excessive erosion.

The Watershed Council now is seeking funds to purchase the property with a conservation easement so it can become the community park they envision. Phyllis Brown is ready to sell the two acre block of potential subdivision land to the council to create the park. About \$20,000 remains from the original

settlement money and is held by SEAL Trust for the project. The Watershed Council is seeking a new matching grant to fund the property acquisition. Some mitigation funds from a highway improvement project will be available from the Haines Borough, so less than a third of the total amount remains to be raised. Thanks to the working partnership of the Takshanuk Watershed Council, the City of Haines, the Fish and Wildlife Service and SEAL Trust, and the continued support of our members, this living community resource will soon be protected and available for all to enjoy.

If you would like to help move this project forward, please contact the SEAL Trust office. You can make a special contribution towards the property acquisition, or volunteer some of your time.

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## Board Honors

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Division. He was married to the late Jane Stewart, a musician and founder of the Juneau Symphony, Juneau Lyric Opera, and other performing groups.

# “Stewarding Lands You Cherish”

Perhaps you’re a member of the Southeast Alaska Land Trust, or thinking about joining, but don’t know much about what SEAL Trust does. Our mission statement is a good place to start:

“The Southeast Alaska Land Trust cooperates with communities and landowners to ensure that vital natural areas remain in place for the well-being of each generation.”

How does SEAL Trust fulfill this mission? One important tool we use is a voluntary landowner agreements, called a conservation easement, in which a property owner willingly limits the right to engage in certain development activities on his/her property. SEALTrust holds the easement and ensures that activity on the property, by its current or future owners, is conducted in accord with the terms of the agreement. In this way, certain values of the land will be conserved, and protected, in perpetuity. Conservation easements specify what activities are allowed, and permanently restrict others that would damage the conservation values of the

land. SEAL Trust’s role is to safeguard these agreements through routine monitoring visits. We are stewards of the easement terms for the property over time, even if ownership changes hands.

The donation of a conservation easement benefits the public by permanently protecting natural lands and land values, such as wildlife habitat or recreation. As such, it may qualify as a tax-deductible charitable donation.

Think about the unique land values around your community. How might SEAL Trust’s mission help keep those vital natural areas intact for the next generation?

We hope knowing more about our organization’s mission and our work will help you share this information with your friends and neighbors. We welcome your ideas. For more information, log on to our web site: [www.southeastalaskalandtrust.org](http://www.southeastalaskalandtrust.org) or contact our SEAL Trust staff or volunteers anytime.



A graceful landing at Eagle River Scout Camp.

## How Can I

- ⇒ Become a member.
- ⇒ Make a tax-deductible donation.
- ⇒ Volunteer your time.
- ⇒ Tell a friend about SEALTrust.

With your help, the Southeast Alaska Land Trust can continue the work to ensure that each generation has the opportunity to experience those places that we all cherish. SEALTrust depends almost entirely on membership donations to pay our operation expenses. As a member, you join a team of friends and neighbors concerned about safeguarding these vital natural areas.

## Southeast Alaska Land Trust



*Stewarding Lands You Cherish*

119 Seward Street, Suite 15 Juneau, AK 99801 586-3100

**Yes!** You can count on my continued financial support to help protect vital natural areas in Southeast.

- |   |  |
|---|--|
| <input type="checkbox"/> \$500 Visionary        | <input type="checkbox"/> \$250 Trustee |
| <input type="checkbox"/> \$100 Partner          | <input type="checkbox"/> \$50 Steward  |
| <input type="checkbox"/> \$35 Individual        | <input type="checkbox"/> \$ _____      |
| <input type="checkbox"/> My check is enclosed.  |  |
| <input type="checkbox"/> Charge my credit card. |  |

Card Number \_\_\_\_\_ Exp. \_\_\_\_\_

Signature \_\_\_\_\_

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City, State, Zip \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

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# Congressional Threat to Private Land Conservation

In recent months abuse of land conservation tax deductions has received wide media coverage. In response, the Land Trust Alliance (LTA), the national organization representing more than 1500 land trusts across the country, has called for reasonable reforms that target abusers without preventing good conservation. LTA supports stronger standards for conservation property appraisals and increased penalties for exaggerated appraisals. To insure that member land trusts operate with the highest ethical standards, members of LTA must adopt LTA's *Standards and Practices* which addresses all aspects of land trust organization,

operation, and land transactions.

Recently the Senate Finance Committee held a hearing on “The Tax Code and Land Conservation: Report on Investigations and Proposals for Reform”. Among the recommendations of the Finance committee of interest to land trusts are:

- The IRS should consider suspending or revoking the tax exempt status of organizations that regularly and continuously fail to monitor and enforce conservation easements.
- The IRS should issue guidance regarding what factors may be necessary to establish minimum levels of compliance regarding

monitoring of easements... These factors may include... a stewardship fund dedicated to each easement.

- The Congress should consider implementing an accreditation program for land trusts.
- The Congress should consider limiting charitable contribution deductions for certain small easement donations and consider providing the IRS with authority to require pre-approval of tax deductions for such donations.

To address specific concerns of the Senate Finance Committee, SEALTrust has been and will continue to be committed to steward the

conservation easements we hold; the interest from a stewardship fund supports the annual monitoring and legal defense of conserved properties.

As a member of LTA, SEALTrust is working to keep Congress focused on constructive reforms. Please visit the LTA website [lta.org](http://lta.org) for the latest information on LTA and Congressional action. You may also reach the LTA site through our own website [southeastalaskalandtrust.org](http://southeastalaskalandtrust.org)



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