

SPRING 2020



WallowaLands

Newsletter from Wallowa Land Trust

**The East Moraine
Community Forest
Edition**

Keep It Rural!



STAFF

Executive Director

Kathleen Ackley

Conservation Program Manager

Eric Greenwell

Outreach & Communications

Tia Hatton

Office Administrator

Heidi Wilson

BOARD

Paul Flanders, **Chair**

Angela Bombaci, **Treasurer**

Yun McFall, **Secretary**

Benjamin Curry

Nick Lunde

David Mildrexler

Jean Pekarek

Office Address

116 S. River St.
Enterprise, OR 97828

Mailing Address

PO Box 516
Enterprise, OR 97828

541.426.2042

info@wallowalandtrust.org

www.wallowalandtrust.org



This document is printed
on 100% post-consumer
waste paper.



LETTER FROM THE EXECUTIVE DIRECTOR

"Everybody needs beauty as well as bread, places to play in and pray in, where nature may heal and give strength to body and soul." ~John Muir

While our world has been upended in the past few months and I dread seeing the news, not a day goes by that I don't find delight and pleasure in the wonders outside my window. Being quarantined has given me the opportunity to witness the unfurling of spring in a way I have never before. The birds are singing and daffodils are peeking joyfully up from flower beds, reminding me daily of the ongoing resiliency and beauty of the natural world around me.

For me, this connection to the land is as critical to my well-being as food, air and water. Even if I am stuck at home, unable to wander the wilds of the forest, just knowing it is there brings me great comfort and solace. To that end, we are hoping that this issue of WallowaLands can bring you some level of joy from afar.

As of January this year, almost 1,800 acres of Wallowa Lake's East Moraine is in public ownership, meaning more than 80% of this ancient and fragile landscape is now permanently protected. To acknowledge and celebrate this victory, we are devoting this WallowaLands issue to the East Moraine.

What was formerly known as the RY Timber or Yanke property is now owned by Wallowa County. The property will be a model for how rural communities can sustainably manage a mixed-use landscape while protecting native plants, wildlife habitat and cultural resources. It was a huge effort made successful by vast community support and a committed partnership.

This newly acquired property is the fifth East Moraine property to now be protected. And without your support, we could not preserve such unparalleled places. While times remain uncertain, we remain certain that you understand the necessity of working to preserve wonderful, natural places for the health of the mind, body, and soul. Our federal government recognized this too, in their recent passing of the CARES Act, which provides incentives for individuals to make charitable gifts to organizations like Wallowa Land Trust. For example, you will now be able to deduct up to \$300 of donations to charities, whether you itemize your deductions or not.

In the end, I hope you can join me in celebrating the preservation of the East Moraine for our community and the state of Oregon. I'm glad, these days, we can bring this bit of good news to your mailbox. If anything demonstrates how a generous, thoughtful and committed group of people can make positive change in the world, it's the story of the East Moraine.

Take care of yourselves and stay safe.

MINDING THE MORAINES

HOW 30+ YEARS OF GRASSROOTS EFFORTS TO PROTECT THE MORAINES SPARKED WALLOWA LAND TRUST AND THE CAMPAIGN FOR THE EAST MORAINE

It started with a whisper more than 30 years ago, which grew into a community vision of land conservation. The recent purchase of the East Moraine is the highlight of a long journey of fighting to protect the moraines. It's a journey along which formed Wallowa Land Trust.

From housing developments to resort destinations, attempts to irrevocably change this rare and cherished landscape have been almost continuous. Its preservation was no happenstance, rather it was the persistent dedication of concerned citizens working towards a shared vision. At times it seemed the existing solutions wouldn't cut it - so people had to get creative. Throughout all the threats of land development, and really to this rural way of life, the question persisted, *how do we permanently preserve the moraines?*

By Katy Nesbitt & Tia Hatton

Cover | Photo: Leon Werdinger
Pg 3 | Photo: David Jensen

MINDING THE MORAINES

THREATS BEGIN

To understand how we got to this point in time, we need to travel back to the early 1990's. This was when two housing developments were proposed for the foot of Wallowa Lake near the terminal moraines.

The proposed developments were a 63-lot subdivision on the Marr Ranch, where the Wallowa River flows out of the lake, and a 28-lot Joseph Point subdivision on the Terminal Moraine. This was despite the fact that since its inception in 1977 the Wallowa County Comprehensive Land Use Plan had included a policy that "All the Wallowa Lake Basin Moraines will be preserved." The proposals riled up local citizens.

According to Diane Daggett, who was working as the Wallowa County commissioners' executive assistant at the time, "Citizens were up in arms. Letters poured in asking the County not to develop the moraines."

One of Wallowa Land Trust's founding board members, Jean Pekarek, became deeply involved with land use issues at that time in an attempt to retain the rural culture of Wallowa County she so deeply loved. "I was taking my kids to the lake all of the time and thinking, 'This will all end,'" says Jean. "I studied what had happened in other places in the West and I knew the progression."

In front of a packed courtroom, the County Court approved the Marr Ranch 63-lot development much to the public's dismay. The approval prompted a protest to the Oregon Land Use Board of Appeals. Jean took action by going to the County planning office and getting contact information for 40 people who were against the proposal. She got them to sign on to one of several appeals, along with 1,000 Friends of Oregon, the Confederated Tribes of the Umatilla Indian Reservation, and the Nez Perce Tribe.

As Jean recalls, "The appeal went on for a long time and was pretty complicated. Ultimately it was remanded back to the County and never went anywhere." The other proposed 28-lot Joseph Point development on the Terminal Moraine ended up being divided into two homesites. To date, only one of the homesites has been built on.

Fresh off their grassroots win to stop these housing developments on the moraines, Wallowa County locals started thinking about restrictions on land use that went beyond state law. Jean and many others understood that this would not be the last development proposal they would face. And even though the County land use plan said the moraines should be protected, there were no details and no teeth to enforce it. What could Wallowa County do to truly protect a landscape that was beloved by the vast majority of residents?

WALLOWA LAKE BASIN ADVISORY COMMITTEE

In 1993, the Wallowa County Planning Department formed the Wallowa Lake Basin Advisory Committee to review conservation and development. Jean was invited to join agency representatives on the 18-member committee.

The committee met monthly for several years and Eastern Oregon University students helped conduct biological and cultural surveys and created maps of the moraines. During this same time, Diane, now the County planning director, met with more than 70 moraine landowners at their kitchen tables about how increased restrictions would decrease their land value.

By 1996, the "Goal 5 protections" for the moraines were adopted into the County's code. Goal 5 directed where development could and could not occur on the East, West and Terminal Moraines in order to protect the scenic, geological, historic, cultural and wildlife resources valued by the community.



GETTING CREATIVE: THE FORMATION OF WALLOWA LAND TRUST

CONTINUED THREATS

As significant an accomplishment as the Goal 5 protections were, it didn't mean that the moraines were fully protected. In fact, in 1998, the Ronald C. Yanke Family Trust, the East Moraine's largest landowner, asked the County to designate areas zoned for destination resorts. The landowner proposed placing a resort on the East Moraine to tie into a ski area on Mt Howard.

The request to the County brought into sharp focus that threats would continue, and highlighted the need for ways beyond state and local laws to conserve private property, especially on the moraines. Driving this point home was the passage of the sweeping Measure 37 in 2004. This statewide ballot measure required state and local governments to either waive land use regulations or compensate long-time landowners when a regulation reduced a property's fair market value.

Former Wallowa County Commissioner Mike Hayward expressed, "I think a lot of folks, including me, thought that the Goal 5 protection would keep the bulk of the East Moraine from being developed because there were so many barriers, but then along came Measure 37 and that changed the ball game."

Pg 4 | *Photo: David Jensen*
Pg 5 | *Photo: Ellen Morris Bishop*

All these repeated attempts to develop the moraines finally got a group of residents thinking that there had to be a better way to protect this spectacular landscape. The community had repeatedly and vocally voiced their support for protecting the moraines. The County had tried to protect it through land use planning, but it still wasn't enough. What if there was another way to work with landowners to permanently protect the moraines?

Thankfully, a model for this kind of voluntary conservation already existed in the form of a nonprofit land trust.

Long-time resident James Monteith first brought the idea of forming a land trust to like-minded locals back in 2003. The idea was to form a non-profit organization that could provide alternatives to development to landowners. If a landowner wished to sell their property, a land trust could buy the property. A landowner could also sell the right to develop to a land trust, permanently extinguishing those rights. It wasn't a new idea - land trusts have been around since the 1800's on the East Coast - but there was no local land trust in Wallowa County.

James pulled together a group of visionaries like himself who saw the merit of using a different model for achieving the mission of protecting the moraines, and together in 2004 they created Wallowa Land Trust. Joining the team with James was Jean Pekarek, Rich Wandschneider, Geoff Whiting, David Jensen and Joe McCormack. Each member threw in \$100 to file for nonprofit status and for the first five years the Trust was run by volunteers.

THE SAGA CONTINUES

The threat of Measure 37 persisted, with the potential to hamstring land-use policies and bankrupt municipalities. An attempt to correct this was passed in 2007 in the form of Measure 49, which placed a time limit on the ability for property owners to make claims of harm to property value due to government regulations. In the case of the Yanke Family Trust and the RY Timber property, they were able to submit a Measure 49 claim that granted them the right to build three homes on the crest of the East Moraine despite the Goal 5 overlay.

By this time, Marr Ranch - the center of the previously proposed 63-lot subdivision - was purchased by Oregon Parks and Recreation Department, the Nez Perce Tribe, the Confederated Tribes of the Colville Reservation and the Confederated

Tribes of the Umatilla Indian Reservation and permanently conserved as Iwetemlaykin State Heritage Site in 2007.

Around that same time, those with an eye on conserving the moraine got a boost from Cycle Oregon, an organization which hosts a cycling tour each summer to raise funds to protect special places. Cycle Oregon's first foundation award coalesced around the East Moraine, splitting the money among the Land Trust, Wallowa Resources and Wallowa County. The grant spurred what eventually became the Wallowa Lake Moraines Partnership.

Wallowa Land Trust then organized a Moraine Symposium in 2008. The Trust borrowed artwork of Wallowa Lake for the event, held guided walks on the East Moraine and facilitated a community

discussion around the future of this iconic landscape with Diane Daggett and Mike Hayward serving as co-emcees.

Jean still recalls her worry about no one showing up for the event, but much to the organizers surprise and delight, the turnout was remarkable. "All of these people started coming - and it was a real mix of people," Jean says.

Susan Roberts, who was running for her first term as Wallowa County Commissioner, said it was a pivotal event for commissioners. "The 2008 Forum to discuss the Wallowa Lake Moraines showcased for the County commissioners the value that the citizens, private landowners, tribal members and visitors placed on this landscape," Susan recalls.



EAST MORAINE FOR SALE

In 2011, the Yanke Family Trust announced their intention to sell or develop their 1,791-acre East Moraine property. Despite the restrictions in place, development on their property was significant. Due to Measure 49, they still had the ability to build three houses on the crest. They could also build another twelve homes on the back or east side of the moraine and a conference center towards the head of the lake with a large, private dock.

The Wallowa Lake Moraines Partnership formally came together in response to the Yanke Family Trust's announcement with the goal of securing the property. The Partnership was made up of Wallowa Resources, Wallowa Land Trust, Wallowa County Board of Commissioners and the Oregon Parks and Recreation Department. The Partners' vision for the East Moraine was to maintain balanced uses of forestry and grazing to contribute to the local economy and rural ways of life; to provide public access respectful of the landscape and its scenic beauty; and, to protect open space and habitat for wildlife.

The Partnership sought ways to secure the property from development. In 2013, Wallowa Land Trust added an executive director, Kathleen Ackley, and boosted the capacity of the Partnership. The Trust for Public Land, a national land trust, also lent their extensive expertise to help find a permanent solution for the East Moraine. In 2016, the Partnership secured a \$3.9 million grant from the U.S. Forest Service's Forest Legacy Program to purchase the property. Forest Legacy funds are through the national Land and Water Conservation Fund.

However, negotiations with the Yanke Family Trust proved unsuccessful. After the better part of a decade trying to find a mutually acceptable path forward, it was beginning to appear that the Partnership would not be able to acquire the property and a housing development could be on the horizon.

Pg 6 | *Photo: David Jensen*
Pg 7 | *Landowner Jacob Hasslacher; Photo: Leon Werdinger*

LANDOWNERS LEAD THE WAY

While this stalemate with the Yanke Family was disheartening, Wallowa Land Trust made progress on other fronts. The Land Trust worked with four adjacent landowners on the East Moraine, protecting 710 acres of farmland, native bunchgrass prairie, and ponderosa pine woodland. The Partnership also strategized and gathered data around how to turn a social trail along the crest of the moraine into an official, public recreation corridor.

"Even though we were making no progress with the Yankes," says Kathleen Ackley, "neighboring East Moraine landowners were stepping up and leading the way by conserving their land."





2019 - THE CAMPAIGN FOR THE EAST MORAINE

With the \$3.9 million Forest Legacy grant set to expire, the Partnership made the Yanke Family Trust a final offer of \$6 million in November of 2018. To the weary Partnership's surprise, the Family accepted. When the purchase and sale agreement was signed in January 2019, the Partnership had one year to come up with the remaining \$2.5 million to fund the purchase of the property, run the capital campaign, and procure funds to steward the property over the long term. The total fundraising goal, including the Forest Legacy funds, was \$6.5 million.

As Kathleen recalls, "2019 was quite a year – coming up with several million dollars in twelve months was a big lift for the Partnership, but the community rallied behind the project in an awe-inspiring way."

In late January 2020, the 1,791-acre Yanke property was officially purchased and conveyed to Wallowa County. It was fitting that the papers were signed at Wallowa Title Company, under one of the very paintings displayed at the 2008 Moraines Forum in Joseph.

John Hillock, who was elected Wallowa County Commissioner in 2019 and served as the chair of the Campaign for the East Moraine, says he is looking forward to managing the property as a community forest.

"I think the significance for me is that the land remains a working landscape and we are looking to do similar projects in the County in the future," Hillock says. "It's a great model, giving local people a voice to how lands are managed."



In the coming months the Partnership will finish mapping out management plans for habitat, cultural resources, grazing, timber and recreation. Sustainable management of the property is a priority and fundraising for the stewardship fund will be ongoing. Trailheads on the east and west side of the moraine will be improved, with interpretive signs to indicate the geologic, cultural and natural significance of the East Moraine.

After all the unexpected twists and turns, after all the tenacity, it's the future we have to look forward to, and for Paul Flanders, Wallowa Land Trust's board chair, that's exactly where the significance of the East Moraine's story lies. Not in its history, but in its future. "What is most appealing to me is the preservation of this incredible cultural and geologic wonder for future generations," Flanders says. ■

Pg 8 | *January 17th, 2020: Signing day. From left to right: Jean Pekarek, Wallowa Land Trust Board Member; Wallowa County Commissioners: Susan Roberts, Todd Nash, and John Hillock (East Moraine Campaign Chair); Nils Christoffersen, Wallowa Resources Executive Director; Kathleen Ackley, Wallowa Land Trust Executive Director. Photo: Katy Nesbitt.*

Pg 9 | *Photo: Molly Verhey*

EAST MORAINE MANAGEMENT PLAN Q&A

By Tia Hatton



The purchase of the East Moraine was a major milestone, but just the beginning for the County-owned property. On behalf of the Wallowa Lake Moraines Partnership, Eric Greenwell is acting as the project manager for the creation of a multi-use management plan for the East Moraine. I asked him to give us an inside look at the management plan. Here's our conversation:

TIA: What is the purpose of the management plan and why do we need it?

ERIC: Since the East Moraine is going to continue to have dynamic aspects like forestry and grazing, while also providing for public access, a multi-management plan allows for both the flexibility and accountability needed on a working landscape. The plan is designed to guide the ongoing stewardship in a way that protects key conservation values.

TIA: How did the Moraines Partnership start thinking about the pieces of the management plan?

ERIC: We looked at the historical record of the landscape and its uses. In this sense, we're taking into account what occurred on the landscape 5 days ago, 5 years ago, 5 hundred years ago, and 5 thousand years ago. This is how we began looking at management planning through lenses of habitat, cultural resources, forestry, grazing, and recreation.

These are also the values of the Moraines Partnership, who came together in 2011 specifically to secure this landscape.

Individuals, agencies and foundations donated more than \$6.5 million to help us conserve these values.

TIA: Who is providing input on the management plan?

ERIC: The Partnership looked for people who represented different professional capacities and views. These professionals, which range from foresters and biologists to ranchers and cultural resource administrators, lead committees and submit management recommendations. These recommendations are the threads we intend to weave together with public input into a comprehensive, multi-use management plan.

The Partnership will be seeking public input through a survey and at least one public forum. The public's experience can help us fill in gaps and provide the perspective we need to understand values and uses on the East Moraine.

TIA: How do the committees operate?

ERIC: The committee heads and I ideally meet every month. In between these meetings, the

committees themselves will meet and discuss their objectives and generate goals, current conditions of the property, management and monitoring strategies, etc. - for the management plan. Those monthly "touch points" are important. We begin to see how uses contrast and dovetail.

TIA: What are some of the challenges that have arisen?

ERIC: One is that our community's vision for this property isn't going to happen quickly. It will evolve as the property evolves, and be adjusted as we collect data and information, and as we witness how uses play out across the landscape.

Another huge challenge has been the timeline. We've had, essentially, one year and six months for fundraising, conveying the property, and drafting a conservation easement and a management plan. When the timeline is that short, I think you have to accept that you can't be as comprehensive as you might want to be, but you can identify the areas where you'd like to know more and make a plan for the future. ■

PORTRAIT OF THE EAST MORAINE NATURAL LANDSCAPE

HABITAT TYPES

By Eric Greenwell

1 PONDEROSA PINE WOODLANDS

Ponderosa pine woodlands are comprised of widely spaced ponderosa pine trees with occasional Douglas-fir trees and grand/white fir. They have a relatively open understory of grasses and herbaceous flowering plants called forbs. Traditionally, fire crept along these open understories and burned at low heat. Ponderosas are fire-tolerant – which means they evolved to withstand occasional low-intensity fires – but fire suppression in recent years has allowed species with a tolerance for shade, like grand fir, to move in and outcompete ponderosas. These species are also less resistant to drought and pests, which are expected to increase in our warming climate. Nationally, ponderosa pine woodlands are in the top 20 threatened bird habitats.

MULE DEER - The East Moraine is ideal winter habitat for Rocky Mountain mule deer: not too much snow, some food, and close to their summer habitats, which ranges from lower elevation agricultural lands to higher elevation in the mountains. The bunchgrass prairie and ponderosa pine woodland below 5,000 feet on the property sustain forage longer in colder months, when mule deer increase foraging of grasses and forbs and are most vulnerable, especially during severe winters. Drive by the East Moraine during the winter and there's a good chance you'll see a mule deer - identifiable by its thin white tail with a black tip and large ears reminiscent of a mule. Rocky Mountain mule deer were once more abundant but habitat fragmentation, conversion of habitat, and competition with other species have reduced their numbers.



2 MIXED CONIFER FORESTS

The higher elevations of the East Moraine and Mt. Howard experience more precipitation and snowpack than lower elevations. The soil here has lower temperatures and water permeates deeper and remains longer in the ground. While ponderosas may be present, mixed conifer forests sustain denser canopies and a higher diversity of conifers (cone-bearing trees) which are moisture-demanding and cold-tolerant, including Douglas-fir, western larch, Englemann spruce, lodgepole pine, grand fir, and subalpine fir. The understories are also defined by thicker vegetation, including huckleberry, serviceberry, oceanspray, and snowberry.

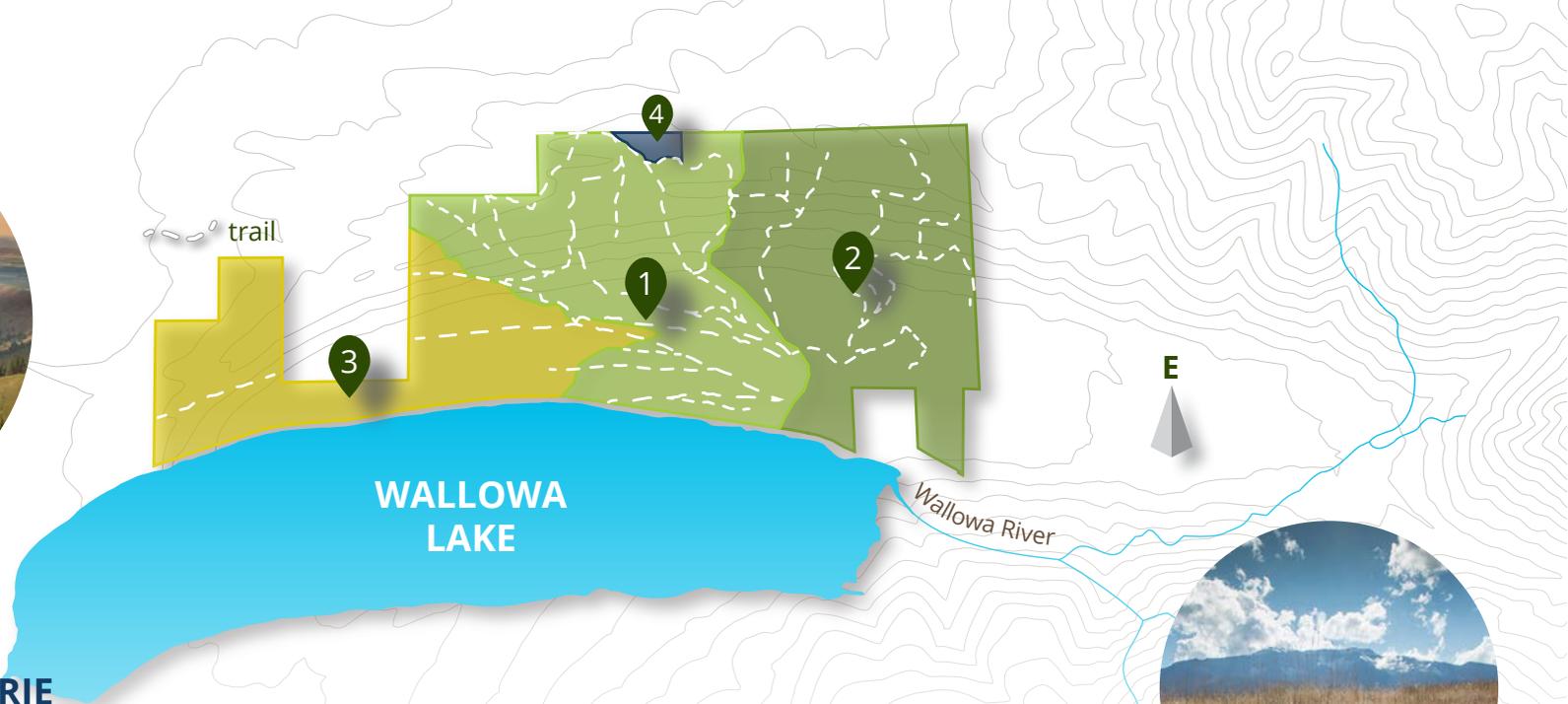
OCEANSPRAY - Oceanspray is one of the most widespread flowering shrubs in the western US, and it's found on the East Moraine. Its name is derived from the mass of loose plumes at the end of its slender arching branches. If you're familiar with hiking the Moraine during the winter months, you've likely noticed masses of dark brown fluff, which comes from oceanspray that has gone to seed, but when it first blooms it's a creamy white. Various insects and butterflies enjoy the flowers, and it provides cover for birds.



Pg 10 | *Fox & mule deer photo: Leon Werdinger; Oceanspray photo: Susan McDougall*

Pg 11 | *Lake view photo: Rick McEwan; Badger photo: David Bridges; Idaho Fescue photo: Ellen Morris Bishop; Spalding's Catchfly photo: Kendrick Moholt*

Back | *Northern goshawk photo: Jeff Baird*



3 BUNCHGRASS PRAIRIE

Located at the southernmost extent of the Zumwalt Prairie, one-third of the Property (approximately 600 acres) is composed of high to mid-elevation grassland plant communities. This habitat is some of the most imperiled in the West, with 50-90% lost depending upon the region, often converted to other uses. Depending on the maturity of these plant communities, native bunchgrasses like Idaho fescue and bluebunch wheatgrass are prevalent. In less mature and drier communities, like those on west-facing slopes, species such as arrowleaf balsamroot, creamy buckwheat and yarrow abound.

SPALDING'S CATCHFLY - Wallowa Land Trust and our partners have monitored this rare wildflower since 2011. Listed as threatened on the federal Endangered Species Act list and endangered in the state of Oregon, Wallowa County is the only place in the state it is known to occur. Found across the moraines, it blooms in late spring, when most other forbs have dried out. The name Catchfly comes from the plant's sticky texture. Its decline can be attributed to development and till farming in the heart of its traditional range. The Land Trust and its partners work on conservation strategies and monitoring for this threatened species. The East and Terminal Moraines of Wallowa Lake are a US Fish and Wildlife Service Key Conservation Area for the species, where higher concentrations of the species occur.



4 WETLANDS

On the east side of the Property, the West Fork of Prairie Creek is one of the only locations on the East Moraine where surface water is present year-round. It creates a type of wetland known as a "freshwater emergent marsh." The soils in these small-patch wetlands are generally mucky and contain a variety of glacial sediments, sand, and silt. They are also prone to seasonal flooding. All these qualities make them nutrient-rich. Wetlands provide excellent habitat, especially for birds that find cover in broad-leaved riparian vegetation, including willows, aspens, and cottonwoods.





WALLOWA LAND TRUST
PO BOX 516
ENTERPRISE, OR 97828

Wallowa Land Trust's mission is to protect the rural nature of the Wallowa Country by working cooperatively with private landowners, Indian tribes, local communities and governmental entities to conserve land.

A special thanks to our major donors for supporting the East Moraine Campaign!

US Forest Legacy Program ~ Oregon Department of Forestry ~ Oregon Parks & Recreation Department ~ Private Individuals ~ Nez Perce Tribe ~ Collins Foundation ~ Oregon Community Foundation ~ Conservation Alliance ~ Yarg Foundation ~ Land Trust Alliance ~ Oregon ACE Program ~ Rose E. Tucker Charitable Trust ~ Walker Family Foundation ~ Travel Oregon ~ Eastern Oregon Visitors Association ~ Cycle Oregon

INTO THE WALLOWA OUTINGS

Our annual *Into The Wallowa* event series will run late May – September with a theme of Wallowa Works. We will visit lands and people around the County and learn about the myriad of ways land provides. In addition to tours, we'll have stewardship volunteer days and hikes. All events are free and open to the public.

We will be advertising these events as soon as we receive more clarity on the COVID-19 outlook, and will postpone events if necessary. We look forward to getting out on the land with you as soon as it's safe to do so!

The East Moraine Celebration and ribbon-cutting ceremony is scheduled for September 12, 2020 at Wallowa Lake State Park.

PROTECTING THE RURAL NATURE OF THE WALLOWA COUNTRY

