

2011 Intermountain West Joint Venture Capacity Grant Six Month Progress Report

Bridgerland
Audubon
Society



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Date Submitted: November 2, 2011

Project Title: Bear River Land Conservancy

Project Number: US-UT-18-6

Project Location: Cache County, Utah

Project State: Utah

Congressional District: First

Bird Conservation Region: Great Basin

Bird Habitat Conservation Area (BHCA): 4 – Cache Valley

Organization: Bridgerland Audubon Society

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What progress has been made toward project objectives?

The following tasks from the Budget Table in the year 2 proposal have been accomplished since May 1, 2011:

Item 2.c. Successful Public Relations event at Bear River Bottoms. (See Appendix A. Invitation and Photos of Bear River Bottoms Dedication)

On June 24, Bridgerland Audubon Society (BAS) hosted an event to: 1) dedicate the Bear River Bottoms; 2) publicly thank PacifiCorp for donating the Bear River Bottoms conservation easement on 455 acres of riparian habitat along the Bear River; 3) publicly thank The Nature Conservancy (TNC) for helping to structure the conservation easement by providing financial and staff support for legal work, Phase I environmental assessment, and staff expertise; and 4) announce the formation of the Bear River Land Conservancy (BRLC), a local land trust established in February 2011, to focus on conserving critical lands for public benefit in perpetuity in northern Utah.

The event took place at the Sugar Park in Amalga, UT, overlooking the Bear River floodplain. Approximately 60 people attended and a continental breakfast was provided. Dave Livermore, Executive Director of TNC of Utah, Dean Brockbank, General Counsel of PacifiCorp, and Eve Davies, Principal Scientist for PacifiCorp Hydro Division, offered remarks about the importance of partnerships in protecting sensitive lands. Laraine Swenson, Logan City Councilperson and a member of the Board of Directors of the BRLC, then outlined the purposes of the new organization. During his presentation, Dave Livermore made a surprise announcement that TNC would be contributing \$40,000 toward protection of the BRB and establishment of the BRLC.

After the presentations, approximately 30 people joined a walking tour of the BRB conservation easement, learning about some of the ongoing habitat improvement efforts and plans for the future. The IWJV was mentioned numerous times as a key resource in establishing a mechanism to permanently protect critical lands that are in private ownership.

At the end of the presentations, a couple approached a BRLC board member and handed him an unsolicited check for \$2,000 to be used for the BRB.

The responses from the attendees, including some elected officials, and the unsolicited financial contributions (BLRC is still in the process of obtaining a 501(c)(3) designation) illustrate the support for this effort in the general community.

Item 2.d. Website informing about BRLC.

A website has been established to inform the community about the creation and purposes of the BRLC. See:

www.BearRiverLandConservancy.org

This website will be updated and promoted further after receiving 501(c)(3) status.

Item 2.e. Brochure with logo. (See Appendix B. Brochure)

A brochure articulating the purpose and history of the BRLC has been created and variations of this brochure have been distributed at public events.

Item 2.g. Display and booth for local meetings. (See Appendix C. Photos of display booth)

A table top booth was purchased and a series of photos and maps were mounted for display on the booth to highlight the conservation easements already in existence in Cache County (including the BRB), the

role of the BRLC in establishing more easements, and some of the volunteer efforts so far. This booth has been used at the June 24 public relations event (see above) and at presentations to local groups, and will be displayed at the Bioneers conference at Utah State University on November 4-5.

Item 4.b.iv) At least 2 board members attend LTA's 2011 "Rally" national conference.

Two board members flew to Milwaukee to attend the LTA Rally October 12-16. They each attended two days of half and full day seminars and two additional days of shorter workshops on various topics. The objective was to learn about the most critical organizational requirements in starting and maintaining a local land trust. Seminars attended included:

- Conservation Easement Stewardship (BD 4 hrs)
- Baseline Documentation Principles and Basics (BD 4 hrs)
- Financial Management of Land Trusts (BD 4 hrs)
- Real Estate Fundamentals (BD 2 hrs)
- Preserving Family Lands (BD 2 hrs)
- Great Boards Don't Just Happen: Building the Board You Need (BD 1.5 hrs)
- The Future of Small Land Trusts in America (BD 1.5 hrs)
- Mitigation Banking as a Tool for Conservation (BD 1.5 hrs)
- The Big Picture: Putting All the Pieces Together for a Successful Land Trust (BD 1.5 hrs)
- Real Estate and Tax Law for new Conservation Professionals (NH 7 hrs)
- Drafting Conservation Easements from the Ground Up (NH 7 hrs)
- Preparing for and Responding to Condemnation (NH 2 hrs)
- Scenic Conservation Easements on Scenic Lands (NH 2 hrs)
- Appraising Conservation Easements (NH 1.5 hrs)
- Important Lessons to be Learned from Recent Federal Tax Cases (NH 1.5 hrs)
- Planned Giving: As Easy as 1-2-3 (NH 1.5 hrs)
- The Big Picture: Putting All the Pieces Together for a Successful Land Trust (NH 1.5 hrs)

Will objectives be achieved in the timeline outlined in proposal?

BAS expects to complete all but one deliverable by the end of the contract period, although several have been delayed slightly. The approval of BRLC's 501(c)(3) status has taken significantly longer than expected. BRLC was incorporated in February 2011 and a 501(c)(3) application was filed in March 2011, but it was not until September 2011 that IRS assigned an agent to review the application. In early October BRLC responded to a long list of clarifying questions from the IRS. The IRS agent has indicated that her decision is expected in early November, but that an audit committee within the IRS must review all land trust applications. That review will likely take 1 to 1-1/2 months. Some deliverables, such as some public presentations, a membership and fundraising mailing, and various grant applications, must necessarily be delayed until a nonprofit status has been awarded by the IRS. Others, such as developing a strategic plan and establishing the necessary policies and procedures to responsibly operate a land trust, are ongoing.

The one deliverable that will not be possible is item 4.b.iii) Attendance at 1 regional Land Trust Alliance conference by at least 2 BRLC Board members. The LTA does not have a regional conference scheduled

for the western United States during the IWJV contract period. An amendment will be requested to transfer funding for this item to bolster business planning and land trust establishment.

What direct or indirect on-the-ground conservation work has been catalyzed or is underway?

The purpose of this capacity building project was to establish a mechanism to secure and enhance habitat and other critical lands in perpetuity through the formation of a local land trust. That purpose is ongoing and is being well received in the community.

Part of this organization-establishment effort, however, involves learning how to manage habitat, whether held through a conservation easement or in fee title. As a result, significant efforts have made to improve the habitat at the Morton Section of the Bear River Bottoms. Last spring, BAS volunteers planted almost 900 woody and berry-producing shrubs and cottonwoods. The second year of the avian survey was completed, using a protocol refined by Dr. Frank Howe, Utah State University adjunct professor and Utah Division Wildlife Resources avian specialist. These data are being compiled to calculate population densities of various species utilizing the river bottoms.

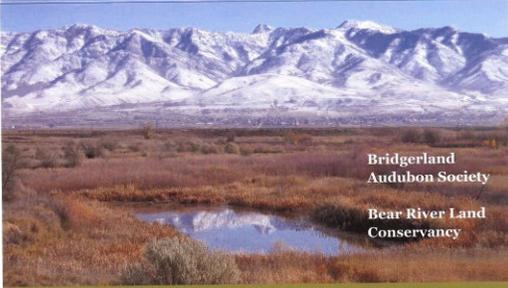
In October, a second round of targeted backpack herbicide application was applied to 70 acres to control several noxious weed species, including dyers' woad, musk thistle, tall whitetop, houndstongue and others. In late October, a contractor was engaged to remove 12 acres of tamarisk by cutting with chainsaws and applying Garlon herbicide to the exposed trunks. Volunteers were utilized to expedite the process by clearing areas as they are being cut. Additional tamarisk removal is anticipated in November.

Already, the BRLC has been asked to provide permanent protection for two critical habitat projects. The Utah Department of Transportation wants to mitigate wetlands being destroyed along a highway project in Logan, Utah by constructing a 5.2 acre emergent marsh and wet meadow wetland complex on 12 acres of reed canary grass floodplains at the BRB. Negotiations are under way to secure adequate funding for perpetual protection of these wetlands. If negotiations are successful, construction could begin in late fall.

The U.S. Fish and Wildlife Service has also asked the BRLC to accept \$300,000 to be used to acquire a parcel containing wet meadows that support Ute ladies tresses, a plant listed as threatened in Utah. Negotiations are under way with the landowner to establish a purchase price. Part of the funds would be used to establish an endowment for perpetual protection of the site.

Summary of Expenditures, May 1 – October 31, 2011						
Capacity Grant Supported Activities	% Deliverables	Source of funds				Value of Donated Mgmt Time @\$50/hr
		Funds Requested from IWJV	Non-Federal Partner Funding	Federal Partner Funding	Total (\$)	
2. Community Outreach and Public Relations – essential to maximize participation by local government and private resources.						
c. Public Relations Events: A formal event recognizing the donor of the BRB CE (PacifiCorp) and TNC will be held, expressing appreciation and raising general awareness. It will also encourage PacifiCorp and other private donors to contribute funds, technical expertise, and other resources. A specific event will be planned and executed during the year to accomplish this recognition. Other events may be executed as opportunities arise. Deliverable: Successful PR event at BRB.	5.0%	\$ 750	\$ 1,189		\$ 1,939	\$2,100
d. Internet: A new website for the land trust will articulate its mission and programs and also solicit new memberships and donations. An email list will be expanded from the existing Econet to notify the public about significant events. Deliverable: On-line website.	10.0%	\$ 1,500	\$ 2,377		\$ 3,877	\$10,400
e. Graphics and brochure: A simple brochure will be created and printed for distribution via mail or at events. Some graphics design (logo) required. Deliverable: Completed brochure.	5.0%	\$ 750	\$ 1,189		\$ 1,939	\$1,000
g. Display and booth: A simple, table-top display booth will be built to display photographs and simple text, and provide a location for distributing information and soliciting new memberships at local conferences, meetings, and banquets. Deliverable: Complete booth and use at one event.	5.0%	\$ 750	\$ 1,189		\$ 1,939	\$800
3. Fundraising is necessary to ensure long-term viability.						
iv. “Rally,” the national conference, will be held in Milwaukee in October. At least two board members should attend. Deliverable: At least two board members attend 2011 Rally.	5.0%	\$ 750	\$ 1,189		\$ 1,939	\$7,500
Contract Total	30%	\$ 15,000	\$ 23,770	\$ 7,300	\$ 46,070	\$ 91,975
Completed To Date		\$ 4,500	\$ 7,131	\$ -	\$ 11,631	\$ 21,800

Appendix A. Invitation, Press Release, and Photos of Bear River Bottoms Dedication

<div style="text-align: center;"> <p style="font-size: small;">P.O. Box 4565 Logan, UT 84323-4565</p>  <p style="font-size: small;">www.bearriverlandconservancy.org Logan, UT 84323-3901 P.O. Box 3901</p>  </div> <div style="text-align: center; margin-top: 20px;">  <p style="text-align: right; margin-right: 20px;">Bridgerland Audubon Society Bear River Land Conservancy</p> <p style="text-align: center; background-color: #808000; color: white; padding: 5px;">Bear River Bottoms Dedication</p> </div>	<div style="text-align: center; margin-top: 20px;"> <p><i>"When we see land as a community to which we belong, we may begin to use it with love and respect."</i></p> <p>— Aldo Leopold</p> <p><i>"Never doubt that a small group of thoughtful, committed, citizens can change the world. Indeed, it is the only thing that ever has."</i></p> <p>— Margaret Mead</p> </div> <div style="text-align: center; margin-top: 20px; border: 1px solid black; padding: 10px;"> <p style="font-size: x-small; text-align: center;">Please Join</p> <p style="text-align: center;">Bridgerland Audubon Society</p> <p style="text-align: center;">For the dedication of the 455-acre <i>Bear River Bottoms Conservation Easement</i></p> <p style="text-align: center;">With special recognition to our principal partners: PacifiCorp Energy and The Nature Conservancy of Utah</p> <p style="text-align: center;">And announcing the formation of the Bear River Land Conservancy of northern Utah</p> <p style="text-align: center;">-----</p> <p style="text-align: center;">Friday, June 24</p> <ul style="list-style-type: none"> • 9:00 a.m. Continental Breakfast, with pastries from Crumb Brothers • 9:30 a.m. Remarks and Recognition of all of our Partners • 10:30 a.m. - 12:00 p.m. Guided walking tours of the easement property <p style="text-align: center; font-size: x-small;">Amalga Sugar Park 2400 West 6550 North Amalga, Utah</p> <p style="font-size: x-small; text-align: center;">Please RSVP by June 21 to Bryan Dixon, (435) 760-0691, bdixon@mission.com, or Dave Rayfield, (435) 737-9120, dreyfield@gmail.com.</p> </div>
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Invitation to June 24 Bear River Bottoms Dedication (mailed 184; 69 accepted invitation; 59 actually attended).

Bear River Bottoms Conservation Easement to be dedicated to wildlife; new land trust formed

LOGAN, Utah, June 16, 2011 — Bridgerland Audubon Society is dedicating in perpetuity its Conservation Easement for approximately 500 acres of Bear River bottomlands near Trenton, Utah, for birds, wildlife, and people. BAS recognizes all of its partners in the successful effort to establish this easement, especially Rocky Mountain Power and PacifiCorp Energy, The Nature Conservancy, and many volunteers. BAS plans to turn over the easement to the Bear River Land Conservancy, a new land trust organization established to form and hold conservation easements throughout northern Utah.

Rocky Mountain Power and PacifiCorp Energy, divisions of PacifiCorp, acquired these lands in 1981. The property is part of the Bear River Bottoms, an extensive area of riparian and wetland habitat along the Bear River in Cache County. Rocky Mountain Power and PacifiCorp Energy donated the value of the conservation easement.

“Company employees and management showed great foresight in recognizing the habitat value of these riparian lands and seeking ways to secure those conservation values for the public,” said Val Grant, president of the Bridgerland Audubon Society. “Our members and volunteers have dedicated over 3,300 hours to develop baseline data, build boundary fences, and manage weeds. This spring, they have begun to restore native plant species that will provide food for birds and other wildlife. As a relatively small and local conservation organization, we certainly could not have put together such a large project without the excellent scientific and legal help provided by The Nature Conservancy. One of our key objectives is to continue working with private landowners, especially our agricultural neighbors.”

Bryan Dixon, manager of the Bear River Bottoms, also noted, “Many agencies and programs have provided funding and technical assistance to help us manage the property, including the Natural Resources Conservation Service, U.S. Fish and Wildlife Service, Utah Division of Wildlife Resources, neighboring farmers and ranchers, Utah Conservation Corps, Utah State University, and the Cache County Weed Department. Several local businesses have also provided on-the-ground resources, including Cirrus Ecological Solutions, Bio-WEST, Juniper Systems, and Providia.”

Dave Rayfield, a founding member of the Bear River Land Conservancy acknowledged special funding from the Intermountain West Joint Venture, a multi-state partnership of public and private conservation interests that provided essential “capacity-building” grants to help establish the local land conservancy. “Many private landowners have expressed interest in protecting their lands through conservation easements. This new land conservancy provides that capacity, and the Bear River Bottoms is one example of the marvelous good that volunteers can accomplish.”

The Nature Conservancy recognized the need to secure and protect these lands as habitat for birds and other wildlife. “This kind of riparian habitat is really very rare in the western United States, but it is rich in its wildlife values”, said Dave Livermore, Executive Director of Utah Chapter of The Nature Conservancy. “Riparian zones are critical for 75 percent of Utah’s bird species, but account for less than one-quarter of one percent of the land in the Great Basin. Land owners are essential partners in protecting these values.”

Dean Brockbank, vice-president and general counsel for PacifiCorp Energy agreed. “As a public utility, our company explicitly includes environmental protection as part of our mission and we recognize that the Bear River Bottoms are a natural treasure,” Brockbank said. “However, we are limited in what we can do to enhance these kinds of lands if they aren’t directly tied to a hydroelectric project. That’s why we’re so excited about turning over management to a local conservation group.”

The dedication will take place at the Sugar Park in Amalga, Utah, on Friday, June 24, and volunteers will offer short walking tours into the conservation easement to demonstrate progress so far.

About Rocky Mountain Power and PacifiCorp Energy

Based in Salt Lake City, Rocky Mountain Power is one of the lowest-cost electric utilities in the United States, providing safe and reliable service to more than 1 million customers in Utah, Wyoming and Idaho. The company works to meet growing energy demand while protecting and enhancing the environment. As part of PacifiCorp, Rocky Mountain Power and Pacific Power serve some 1.7 million customers in seven Western states. PacifiCorp Energy is the division of PacifiCorp that produces more than 10,600 megawatts of electrical generation from coal and natural gas-fueled combustion turbines, and renewable hydro, wind, and geothermal power.

About Bridgerland Audubon Society

Bridgerland Audubon Society (BAS) is a local and independent chapter associated with the National Audubon Society and is a member of the Utah Audubon Council. BAS welcomes all to its educational meetings, field trips and conservation projects. Organized as a public charity under IRS 501 (c) (3), BAS invites all of the public to its quarterly meetings from September through May. Information is available from www.bridgerlandaudubon.org.

About The Nature Conservancy

The Nature Conservancy is a leading conservation organization working around the world to protect ecologically important lands and waters for nature and people. To date, the Conservancy and its more than one million members have been responsible for the protection of more than 135 million acres worldwide. In Utah, the Conservancy has helped to protect nearly 900,000 acres, and has long supported the protection of critical lands and waters in Cache County. Visit www.nature.org/utah.

About the Bear River Land Conservancy

The Bear River Land Conservancy is a non-profit land trust based in Logan, Utah. Its purpose is to conserve and enhance private lands for wildlife habitat, working farms and ranches, land and trails of recreational or historical significance, watersheds, and critical vistas, using conservation easements and sound management, to benefit the people of northern Utah, today and in perpetuity.

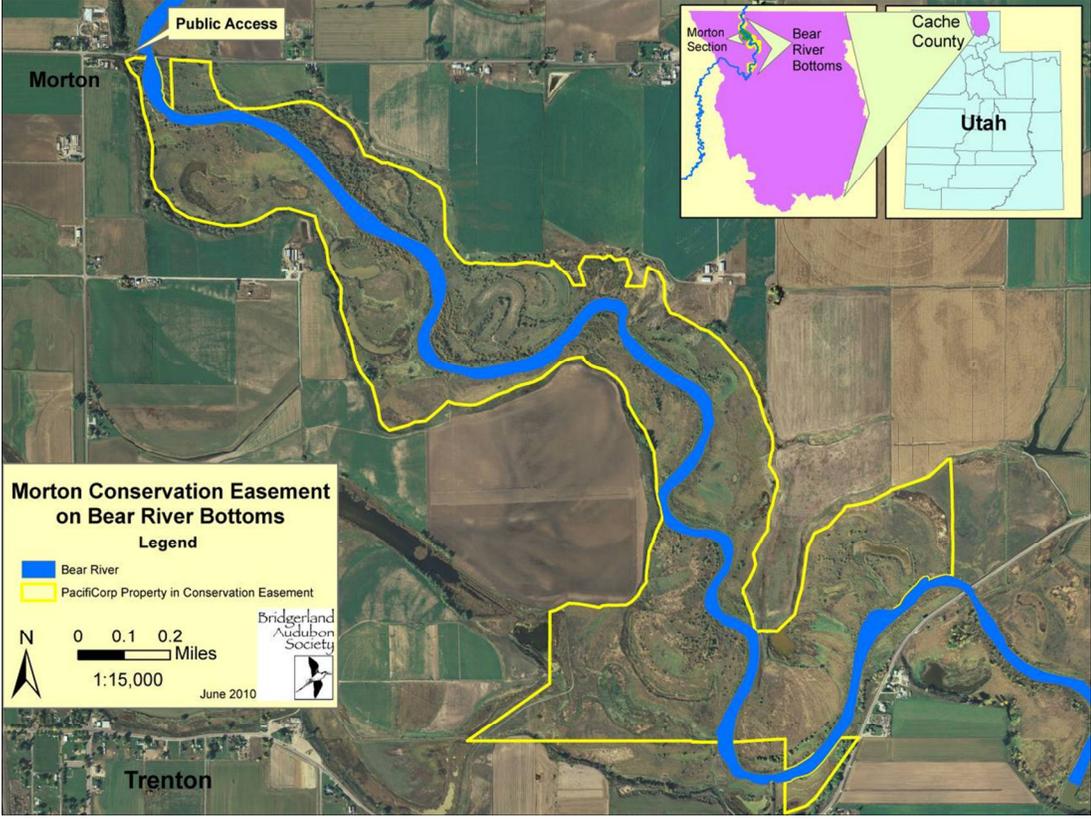
For information, contact:

Bridgerland Audubon Society: Bryan Dixon, 435-752-6830

Rocky Mountain Power/PacifiCorp: David Eskelsen 801-220-2447

The Nature Conservancy: Joan Degiorgio, 801-238-2327

The Bear River Land Conservancy: Dave Rayfield, 435-757-9120





Dave Livermore, Executive Director of TNC Utah offers remarks at BRB Dedication.



Dean Brockbank, General Counsel for PacifiCorp, offers remarks at BRB Dedication.



State Senator Lyle Hillyard (second from right) and Robert Fotheringham, Cache County Water Department Director (right) visit at the BRB Dedication.

Appendix B. Brochure

HISTORY

The Bear River Land Conservancy was incorporated as a non-profit organization in February 2011 to help conserve private lands that provide public benefits in northern Utah. These lands provide habitat, ground for farming and ranching, vistas and open space, and recreational opportunities. Historical preservation becomes a focus when it compliments another benefit.

As with many of the 3,000 land trusts in the United States, BRLC emerged from the need to protect and enhance a particular place, the Morton Section of the Bear River Bottoms. Bridgerland Audubon Society accepted a conservation easement on 455 acres of the BRB, a riparian floodplain along the Bear River, from PacifiCorp Energy in 2009. BRLC is stewarding this important habitat, and will accept assignment of the easement in 2011.

The directors of the BRLC come from diverse backgrounds – an environmentalist, a sportsman, a city councilperson, an attorney, and a landscape architect – but they have one thing in common: a belief that future generations will greatly value lands we set aside today for food, habitat, community identity, and outdoor recreation.



**Bear River
LAND CONSERVANCY**

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**Bear River
LAND CONSERVANCY**





BEAR RIVER BOTTOMS

In 1981, PacifiCorp Energy acquired approximately 1,900 acres of the Bear River floodplain between the Idaho state line and Benson, Utah to resolve complaints from local landowners about flooding during very high water years.

Beginning in 1988, the Utah Division of Wildlife Resources leased approximately 1,400 acres of this land for 15 years, named it the Bear River Bottoms (BRB), and developed plans to improve it for upland game management. Due to budget cuts in the early 1990s, DWR's habitat improvements were never completed.

Bridgerland Audubon Society (BAS)

recognized the importance of the BRB for avian and other habitat. When the DWR lease expired in 2003, BAS began working with The Nature Conservancy to acquire a conservation easement on 455 acres of the BRB near Trenton, Utah. The easement was signed in 2009 and BAS began working with a long list of partners, including neighboring farmers and ranchers, to develop and implement a management plan that would protect and enhance the conservation values on this easement.

OUR PURPOSE

"...to conserve and enhance private lands for wildlife habitat, working farms and ranches, land and trails of recreational or historical significance, watersheds, and critical vistas, using conservation easements and sound management, to benefit the people of northern Utah, today and in perpetuity."

BAS also immediately began looking for a more permanent holder of the conservation easement, a land trust organization that was established to secure and protect such lands in perpetuity. In 2011, the Bear River Land Conservancy (BRLC) was formed, took over management responsibilities for the BRB easement, and eventually, BAS expects to assign the conservation easement to the BRLC.

PUBLIC OUTREACH

Protecting public values and benefits is much easier when the public appreciates the need for land protection. BRLC accomplishes this through an on-line newsletter, email alerts, presentations at local organizations and events, and special events. BRLC also offers opportunities for volunteers to participate in land management efforts that improve the conservation values of its easements.

To be added to our protected email distribution list, request a presentation for your organization, or for more information about volunteer opportunities, contact brlc@BearRiverLandConservancy.org.



Appendix C. Photo of display booth



Attendees examine information booth for BRLC at BRB Dedication.