



PRESS RELEASE – April 18, 2008
From Whatcom Land Trust

WHATCOM LAND TRUST BUYS LILY POINT

Supported by a remarkable coalition, Whatcom Land Trust has purchased Lily Point from Welsh Developments, Inc. for \$3,500,000. Appraised at \$4,350,000, this extraordinary 90-acre marine shoreline property, with 40 acres of tidelands, sits at the southeast corner of Point Roberts between Boundary Bay and the Straits of Georgia. Whatcom Land Trust has deeded Lily Point to Whatcom County for use as a marine reserve and public park, retaining a conservation easement “to protect the ecological functions, environmental attributes and wildlife habitat of the Property.”

Land Trust president Chris Moench noted that Lily Point is likely the most culturally and ecologically endowed, privately owned, undeveloped property on the greater Puget Sound shoreline. “For centuries people have come to Lily Point because of its biological richness. Whatcom Land Trust hopes to make sure that public access and biological richness will be maintained for centuries to come.”

The money to purchase Lily Point came from an impressive array of sources. A \$1,750,000 grant from the Estuary and Salmon Restoration Program administered by the Washington Department of Fish and Wildlife was critical to the acquisition. This new program funds early action projects under the guidance of the Puget Sound Nearshore Partnership, a broad stakeholder consortium developing science-driven strategies to protect and restore the beaches, inlets and estuaries of Puget Sound since 2003. Out of 73 applications, Lily Point was ranked number two and awarded 20% of available grant funds. “Whatcom Land Trust’s marathon effort to acquire Lily Point combines protection of vital ecosystem processes and diverse wildlife habitat, a vivid cultural history, and local community engagement. We were pleased to see it at the top of our technical ranking”, observes Paul Cereghino, acting ESRP Program Manager.

The Estuary and Salmon Restoration Program was part of Governor Gregoire’s 2006 push for investment in Puget Sound ecosystem recovery.

With enthusiastic support from Whatcom County Executive Pete Kremen, the Whatcom County Council voted unanimously to appropriate \$600,000 from the Conservation Futures Fund to support the purchase. “This is a very important acquisition for our natural heritage and parks plans. It’s so rich in natural resources as well as historical and cultural aspects,” said County Executive Pete Kremen, “Lily Point is one of the most beautiful spots in the area. It’s one of those places that make Whatcom County so special.”

The Washington Department of Ecology added \$500,000 from fines generated by the 1999 Whatcom Creek gasoline explosion and fire and another \$50,000 through a Coastal Protection Fund grant. “We saw this as an incredible opportunity to protect one of the last pieces of waterfront of its environmental quality in the region,” said Richard Grout, Ecology’s Bellingham Field Office manager. “This fits right in to the governor’s broader Puget Sound-wide efforts.” The project supports the Puget Sound Initiative, a collaborative effort – by local, tribal, state and federal governments, business, agricultural and environmental interests, and the public – to restore and protect the Sound.

“The Olympic Pipe Line incident was an absolute tragedy. But I find it gratifying that positive things are happening in its wake,” said Dale Jensen, Ecology Spills Program manager. “This project ties together a number of land types and habitats, so the whole piece can function as a system, from upland to shoreline to estuary and marine. And it includes the critical element of public access, so people can connect with Puget Sound.”

Whatcom Land Trust raised nearly \$400,000 in private donations from Canada and the U.S. and contributed approximately \$250,000 in its own funds to complete the transaction.

“A great project attracts great partners,” observed board member Rand Jack who worked on acquisition for the Land Trust. “We were blessed with a long list of talented, enthusiastic people who understood the value of protecting Lily Point. At the top of the list is ESRP Program Manager Paul Cereghino, along with Pete Kremen, Dewey Desler, Mike McFarland, and the County Council from Whatcom County, and Richard Grout and Dale Jensen of the state Department of Ecology. Without their help, Lily Point would not be secure today.”

Lily Point hosts a dynamic assembly of ecological processes. Nutrient-filled currents sweep by reefs and tidelands; riparian forests provide shade, bird perches, and insects to the coastal environment; and eroding cliffs supply sand and gravel for spawning fish and beach replenishment. These processes are essential to the health of Puget Sound - the Orca that patrol the Straits of Georgia, salmon that skirt Lily Point on their way to the Fraser and Nooksack Rivers, bald eagles that scour the beach, great blue herons that stalk the tidelands, and waterfowl and shore birds that flock to Boundary Bay - a U.N. Wetland of International Importance RAMSAR Site and a Birdlife International Important Bird Area. At a low tide last June, a delegation from the Land Trust saw nearly 100 eagles on the beach at Lily Point.

The history of Lily Point attests to its fecundity. Archeologists date human occupancy back at least 9,000 years. For centuries, the Coastal Salish Native Peoples maintained their primary reef net fishery and a summer village for as many as 500 people at Lily Point. Here the Lummi ancestors each year performed their most important "first salmon" ceremony to ensure the annual return of the fish central to their culture. They called this place Chelhtenem - “hang salmon for drying.” An 1881 newspaper reported 10,000 salmon caught by 3 reef nets in 6 hours. The Lummi Nation supports the Land Trust’s purchase of Lily Point.

Whatcom County now owns the four corners of Point Roberts – Monument Park, Lighthouse Park Maple Beach (a gift from Whatcom Land Trust), and finally, Lily Point, by far the most ecologically important of the four corners.

A celebration of the acquisition and protection of Lily Point is planned for June 4, 2008, when a minus 4.4 mid-day tide will reveal the full splendors of Lily Point

Visit the Lily Point website:<http://www.jackex.com/lilypoint>

By separate emails we will send you some Lily Point photographs. If you are interested in a higher resolution version of any of these pictures, please call Rand Jack at 360-592-5169 or Eric Carabba at 360-650-9470. Whatcom Land Trust owns or has permission to use for any purpose all of the photos.

Contacts:

Whatcom Land Trust – Rand Jack - 592-5169, 650-9470, 714-0900; Chris Moench – 734-9472; Gordon Scott – 650-9470; Eric Carabba – 650-9470

Washington Department of Fish and Wildlife – Paul Cereghino – 360-902-2603 or 206-948-6360

Whatcom County – Pete Kremen – 676-6717; Parks Director Mike McFarland – 733-2900

Washington Department of Ecology – Richard Grout – 715-5200

Excerpt from Lily Point Marine Reserve Conservation Easement held by Whatcom Land Trust:

I. DESCRIPTION OF PROPERTY

The Lily Point Marine Reserve (the Property) is located at the southeastern point of Point Roberts between Boundary Bay and the Strait of Georgia in Whatcom County. The Property consists of approximately 90 acres of uplands and 39 acres of Class II tidelands. Several regionally important ecosystems comprise the Property:

1. Marine riparian forests that provide shade, benthic prey for salmon, large woody debris recruitment, nutrient deliver, slope stabilization, eagle nesting and roosting habitat;
2. Exceptional near-shore sediment source in the form of large natural landslides and sandy cliffs that provide sediment to the area beaches, spawning substrate for forage fish and beach to nourishment Boundary Bay;
3. Tidelands that support forage fish spawning habitat, shellfish habitat, herring spawn habitat, shorebird and waterfowl feeding areas, and;
4. Healthy mature forested uplands that filter and provide high water quality for healthy marine vegetation supporting marine wildlife habitat.

These ecosystems are essential to the health of Puget Sound and associated wildlife that utilize the Property, including Orca whales that patrol the Straights of Georgia, salmon that skirt Lily Point on their way to the Fraser and Nooksack Rivers, bald eagles that scour the beach, great blue herons that stalk the tidelands, and waterfowl and shore birds that visit Boundary Bay.

The upland portion of the Property contains a diverse mix of native forest plants found at sea level on the shores of Puget Sound and Georgia Strait. Mature Douglas fir, western red cedar, red alder, big-leaf maple and willow, along with forbs and shrubs, dominate

the upland sections of the Property. Numerous ad hoc walking trails crisscross the upland area.

A 200+ foot high sand cliff located on the east facing portion of the Property is naturally eroding and provides a consistent supply of sediment that nourishes the beaches and marshes of Boundary Bay to the north. The beach in front of this cliff is sandy with several small boulders. This tideland area contains some eelgrass beds.

On the extreme southeastern tip of the Property is a flat level area about 7 acres in size supporting willows, small alders, and salt tolerant vegetation. This is the site of a historic Salish Indian fishing village and reef net location. It is also the site of the former Alaska Packers Association salmon cannery and fish trap. The beach surrounding the flat area is composed of small gravels, sand, cobbles and small boulders. At extreme low tide the beach is exposed for several hundred feet to the southeast.

On the southern tip of the Property a 5-acre rotational fault block of sand and clay is eroding naturally into Georgia Strait. Remnants of the upland forest ride jumbled and tipped on the slowly descending block. The beach fronting the fault block land slide is a narrow sandy beach with cobbles below the high tide line. The only existing walking access from the upland to the beaches on the Property meanders down the hillside on the eastern edge of the fault block feature.

The Property is bordered on the west and north by small residential lots and vacant lands subject to large-scale urban resort and residential development. Puget Sound and Georgia Strait border the Property to the east and south.

Lily Point's strategic location, its relatively large undeveloped and natural shoreline, and its combination of mature upland forests, riparian vegetation, feeder bluffs, and ecologically abundant tidelands make the Property one of the most important undeveloped marine properties in Puget Sound-Georgia Strait.

II. PURPOSE

The primary purpose of this Conservation Easement is to protect the ecological functions and processes, environmental attributes, and wildlife habitat of the Property. Secondary purposes are to preserve the aesthetic qualities of the Property and permit passive, nature-oriented public access that does not significantly infringe upon the primary purpose of the Conservation Easement. This statement of purpose is intended as a substantive provision of this Conservation Easement. Any ambiguity or uncertainty regarding the application of the provisions of this Conservation Easement will be resolved so as to further these purposes.

III. GRANT OF CONSERVATION EASEMENT

Grantor hereby grants and conveys to Grantee, its successors and assigns, in perpetuity, a Conservation Easement pursuant to Revised Code of Washington RCW 84.34.210, over

the Property legally described in Exhibit "A." The Conservation Easement consists of mutual rights and obligations and is subject to the reservation of rights set forth below. Rights, obligations and reservations all operate as covenants running with the Property in perpetuity.

IV. PERMITTED USES

With regard to the Property, Grantor reserves the following rights, uses and practices:

1. Use as a public conservancy park restricted to passive nature-oriented, non-motorized (except for handicapped access and Property maintenance) public recreational use such as hiking, picnicking and wildlife viewing.
2. Construct and maintain park amenities such as picnic tables, shelters, trails, signs, native plantings and landscaping, wildlife viewing blinds, toilets, mitigation areas, and a parking lot; provided that any park amenities will be in scale, color, design and materials compatible with the surroundings and the purposes of this Conservation Easement and will not adversely affect the primary purpose of this Conservation Easement to a significant extent. Amenities, other than the existing trail to the beach, will not be visible from overlooks on the bluffs without consent of Grantee. Grantee must approve any park plan and trail locations.
3. Cut and trim trees as necessary for public safety and park development in a manner compatible with protection of the natural habitat and ecosystem processes; provided that Grantee must agree to the cutting of any living tree in excess of eight inches in diameter four feet from the ground, unless such cutting is for reasons of public safety.
4. Plant native plants and trees.
5. Remove invasive species.
6. Remove pilings and other historic debris if determined to have a detrimental impact on the environment.
7. Enhance habitat.
8. Permit traditional Native American ceremonial uses that will not adversely affect the purposes of this Conservation Easement to a significant extent.
9. Permit legal fishing and gathering of shellfish as allowed by the Washington Department of Fish and Wildlife.
10. Protect archeological and historical sites.
11. Provide information regarding the stewardship of marine resources, including information about proper shellfish harvesting, seasons and limits.

V. PROHIBITED USES

Except as provided in Section VI, and as may be necessary to carry out those rights reserved, the Grantor shall not do or permit any of the following activities on the Property:

1. Subdivide the Property in any manner.
2. Erect or permit placement of any building, structure or improvement unrelated to public park and recreation uses, provided that no big-game-proof fences are permitted on the Property.
3. Remove live trees or other native vegetation.
4. Excavate or grade the Property or otherwise materially alter the landscape or topography or shoreline.
5. Explore for or extract minerals, hydrocarbons, soils or other materials.
6. Install, maintain or use outdoor lighting.
7. Hunt or trap, except as necessary to manage the Property for park or conservancy purposes and with the consent of the Grantee. Grantor shall not charge a fee for recreational activities licensed by the Washington Department of Fish and Wildlife, such as hunting, trapping, or fishing.
8. Make commercial use of the Property that is unrelated to park or conservancy use.
9. Use of motorized vehicles.
10. Permit dwelling for human habitation.
11. Drain or fill wetlands or otherwise denigrate wildlife habitat.
12. Allow overnight camping or recreational fires.
13. Allow removal, excavation or disruption of archeological, cultural or historic resources, except for scientific or educational purposes according to the rules of the Washington State Office of Archeological and Historic Preservation and state law, or if such resources are determined to present an environmental hazard.
15. Otherwise use the Property inconsistent with the reservation of rights and the purposes of this Conservation Easement.