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**Subject:** Approach to TNC regarding Gustavus Forelands Preserve

**Date:** Monday, February 5, 2024 12:16:54

Thanks, Nate, for sharing your perspective as one of the key folks here who worked so hard to move the Legacy lands from being at risk under Mental Health Trust ownership to more secure stewardship by The Nature Conservancy. I am truly grateful for your long involvement and continuing efforts to assure the future of the Gustavus Forelands Preserve. Below are my thoughts as a council member. I’m copying Mayor Owens and City Clerk Liesl Barker, plus the folks on your distribution list as well.

It’s easy to underappreciate how at-risk our Gustavus Forelands Preserve lands were, and may continue to be, despite Ivy Spohnholtz’s assurances. TNC’s priorities change over time, often creating concerns among donors. TNC both nationally and within the State of Alaska now has a program and policy to transfer TNC lands to American Native groups with the expectation that those Native groups will manage the lands for their conservation values as TNC would have. We are proud that the largest tract of TNC-purchased lands in Alaska is our Forelands Preserve. Transfer of TNC properties to Native groups is an appropriate policy at many locations in the US and world, such as environmental destruction through deforestation in the Amazon, but not for our Forelands Preserve lands. The people of Gustavus donated and worked hard to preserve these important community lands in perpetuity, and as responsible and engaged stewards, we know the lands best.

We did not intend to give the lands to people in an outside community.

Ivy Spohnholtz could not assure us that the possible transfer of our lands here in Gustavus to HIA is *forever* off the table—only that it is off for the time being and that we would be consulted before any transfer. That was good news, but we must remain vigilant. Hank said that HIA indicated they aren’t actively prioritizing transfer of the Preserve lands to HIA but Hank gathered that if the lands were offered, HIA would take them. TNC Alaska has a strong and active program of working with HIA on land rehabilitation and conservation projects. It is the focus of key staff members, and some may still intend to effect a transfer of the Gustavus Forelands Preserve to HIA.

Gustavus for too long took the Preserve lands for granted, feeling they were forever safe in TNC hands, with the interlocking covenants and conservation easements on much of them. It was the stated intention in the TNC April 15, 2004, Real Estate Project Abstract that the new City of Gustavus would *“become a major partner in long-term monitoring and management of the site, including possible transfer of title subject to conservation easement held by the Conservancy or a local land trust.”* However, the intended shared management never emerged. There was also no follow up to the 2020 offer by James DePasquale to discuss a possible transfer. When that 2020 offer came to light just recently, many asked us why the City failed to jump on it. I think the pandemic intervened and it fell by the wayside for both organizations. Then, two years later TNC held discussions and met with HIA about a possible transfer to them, without discussing it with

Gustavus first. Despite the assurance that nothing is about to happen, it could suddenly re- emerge in the not-distant future.

Shelley suggested reopening the land transfer discussions suggested by DePasquale in

order to put the City clearly on record as willing to take responsibility for the lands if/when TNC feels the need to pass them off. Twenty years after both the land purchase and the City’s incorporation, we hope now to restart the dialogue with TNC to sustain the Preserve’s long-term protection. We don’t necessarily expect TNC to begin a transfer any time soon, but we need to be ready and clearly the partner of choice. Our Title 10 Code for property acquisition includes language authorizing the City to accept land transfers and to co- manage lands under agreements with other agencies, as we do for the Beach Park and the Salmon River Harbor. As a municipality we can fund the land management and enforce regulations for land protection. We comprise the local community, intimately familiar with the lands, and we have highly-qualified people for conservation management.

The City Council should, in my view, appoint an official local advisory committee soon to advise the City on land acquisition and management. The committee, formation of which was discussed by the City Administrator and TNC representative, could work with TNC to develop co-management plans for the Forelands Preserve and to meet any other expectations of the Real Estate Project Abstract. Through that, we would take more active responsibility for assuring that the Forelands Preserve remains our community’s vital, intact, natural resource far into the future. If and when TNC does wish to transfer the lands, we will be fully ready to step into the driving seat.

There is real value in having a diversity of organizations responsible for land conservation. Putting all the eggs in a government basket has its risks. The private ownership model, as pioneered and perfected by TNC, is less subject to political winds. The private owner can more easily accomplish things that are hard under the public processes of government.

Absent sufficient conservation easements, a city council could endanger city-owned conservation lands. The Gustavus Legacy Lands purchase established distributed conservation easements and ownership across multiple agencies, public and private. If TNC is willing to assure the lands will remain safe and will work with us to share management, it would be fine for the lands to remain in TNC ownership. But if TNC policies and goals are changing then a transfer to the City of Gustavus may become the safest model.

The Council has discussed re-engaging with TNC toward the original (2004) goal of having a co-management role. At the zoom meeting with Ivy, I suggested that we begin that process this spring when she intends to visit. However, any major role changes by the City, including taking full ownership, would require a public hearing and council approval.

I hope you will stay closely involved! With kind regards,

Mike

Mike Taylor, MS

City Council Member City of Gustavus, Alaska