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February 6, 2019

The Honorable Brian Clem, Chair  
House Committee on Agriculture and Land Use  
900 Court Street, NE, H-470  
Salem, OR 97301

**Re: Preliminary Opposition to HB 2315**

Dear Representative Clem and Committee Members:

Thank you for this opportunity to testify on HB 2315. What appears on first impression as the most innocuous of amendments in this bill may be anything but that. Please look at the intent and implications of this bill carefully.

I am writing on behalf of not only Central Oregon LandWatch and its members, but also for myself. I founded LandWatch in the early 1980s at about the same time that I met Gil and Vivian Staender who had just donated their Sisters area, 160-acre nature preserve called Wildhaven, with its 1,000-year-old juniper trees, to The Nature Conservancy (“TNC”) in 1982.

In the background of HB 2315 is a 37-year-old legacy, a commitment from Governor Tom McCall and a substantial current controversy in the Sisters area. Governor Tom McCall wrote for the Wildhaven Preserve dedication in 1982:

“Just as your house is the crown jewel of Wildhaven, so is Wildhaven a crown jewel among the more than 600 Nature Conservancy preserves. ... Your decision to give Wildhaven to the Nature Conservancy to [be] shared with the public in perpetuity, characterizes your unselfish handling of this property and all of its flora and fauna. It is an act for which future generations will be thankful. ... On behalf of the Nature Conservancy’s National Board of Governors, I thankfully accept this living gift and pledge to you in the name of the Conservancy, that it will always be managed in a manner you would approve. No one can duplicate your hospitality and wise teachings, but our hope is that succeeding generations will at least realize that to the Nature Conservancy, managing Wildhaven is a labor of love.” (Emphasis added.)

What does Wildhaven and its history have to do with the bill currently before you, which concerns allowing land divisions on forest and farm lands and proposes to change the word “purchase” to



“acquire” where nonprofits are involved? It is not clear, but folks in the Sisters area were told to expect this bill and that it was to facilitate dividing up the Wildhaven Preserve for disposal by TNC. TNC announced in 2018 that it intended to transfer ownership of Wildhaven. (See the attached articles)

Attached is my June 4, 2018, to TNC, to which I received no response, along with the transcript of Governor McCall’s 1982 letter, an excerpt from the transcript of the speech of the TNC State Director at the dedication, a letter from the grandson of Vivian Staender and news articles about the preserve and the current controversy.

Given the controversy over this issue and the lack of clarity of what TNC is seeking to accomplish with this bill, and whether the bill’s amendment of statutory language will actually facilitate breaking up the Wildhaven Preserve and whether this is a good policy for the Legislature to support, LandWatch wishes to express its opposition to the bill going forward at this time.

Very truly yours,

*/s/ Paul Dewey*

Paul Dewey,  
Executive Director

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Attach.: LandWatch letter to TNC, 6/4/18  
Governor Tom McCall letter of 7/11/82  
Testimony of TNC State Director Sam Johnson, 7/11/82 (excerpt)  
Marc Carlson, grandson of Vivian Staender, letter to Forest Service  
Bend Bulletin, “Wildhaven Preserve Land Transfer hits a snag,” 8/11/18  
Sisters Nugget, “Wildhaven Preserve may become public land,” 6/13/18  
Sisters Nugget, “The legacy of Wildhaven Preserve,” 4/18/18  
Sisters Nugget, “Caretakers fight transfer of Sisters nature preserve,” 4/9/18  
Sisters Nugget, “Vivian Staender, naturalist, dies at 84,” 5/14/97





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June 4, 2018

Jim Desmond, State Director  
The Nature Conservancy  
Oregon Chapter  
821 SE 14<sup>th</sup> Avenue  
Portland, Oregon 97214

Ian Reid, District Ranger  
Sisters Ranger District  
Deschutes National Forest  
P.O. Box 249  
Sisters, Oregon 97759

Erik Schlenker-Goodrich, Executive Director  
Pete Frost, Attorney  
Western Environmental Law Center  
120 Shelton McMurphey Blvd.  
Suite 340  
Eugene, Oregon 97401

**Re: Wildhaven Preserve**

Dear Mr. Desmond, Mr. Reid, Mr. Schlenker-Goodrich and Mr. Frost:

Central Oregon LandWatch ("LandWatch") is concerned about the proposed transfer of the Wildhaven Preserve from The Nature Conservancy to the Deschutes National Forest. LandWatch is a conservation organization which has advocated for preservation of natural resources in Central Oregon for over 30 years. With over 200 members in Central Oregon, LandWatch has a long history of protecting the forests and streams in and around the Sisters Ranger District. LandWatch's members and supporters live in Central Oregon, including on lands adjoining the Sisters Ranger District, and recreate in the District. Throughout its over 30 year history, LandWatch has devoted particular attention to preserving the area in and around the Sisters Ranger District.

Ever since the Staenders purchased the 160-acre Wildhaven property in 1969, Wildhaven has apparently been meticulously preserved against human impacts, with public visitation only allowed by invitation. As a result, Wildhaven is a unique place in an area otherwise lacking in true protection of wild places with undisturbed natural ecosystems. I first met Vivian and Gil soon after moving to the Sisters area in the early 1980s. I remember her being particularly proud of the fact that the land was protected by the Nature Conservancy. I understood that the vision of Vivian and Gil when they donated Wildhaven to The Nature Conservancy was to maintain the property as a true nature preserve, with little to no human impact.

I of course visited their unique home, but I was also invited to visit that amazing old growth juniper grove. I have vivid memories of spending a full moon night in the grove; a magical place, other-worldly ancient trees on hardpan soil in moonlight. I can easily imagine off-roaders tearing the hell out of the place or people cutting up the old growth.

Sisters Ranger District staff were recently reported to say that if the District acquires the property, it would be managed similar to adjoining Forest Service lands that are allocated as deer winter range in the Deschutes National Forest Land and Resource Management Plan ("LRMP"). The Deer Habitat management area (MA 7) in the LRMP is not adequate to maintain the level of protection envisioned by the Staenders for the Wildhaven property when they donated the property to The Nature Conservancy. The Deer Habitat management allocation allows for

- dispersed recreation, including hunting, gathering forest products, and OHV use outside of December 1 to March 31, M7-1,
- programmed timber harvest, M7-3,
- forage and utilization by livestock, M7-8,
- mining, M7-17,
- fuelwood gathering, M7-21, and
- roads, M7-22.

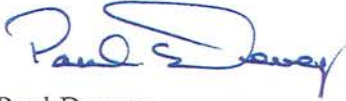
This range of potential disturbance to the Wildhaven property would significantly decrease the special protection and resulting environmental quality present at the site today.

LandWatch requests that The Nature Conservancy and the Sisters Ranger District reevaluate whether a transfer of the Wildhaven property to the Deschutes National Forest is the best option for preserving the quality of Wildhaven for the future. In that regard, we would appreciate receiving a copy of original documentation of the donation of Wildhaven from the Staenders to The Nature Conservancy. I frankly find it hard to believe either Vivian or Gil imagined what is being contemplated now.

We also hope that any concerns of the Western Environmental Law Center regarding the proposed transfer of Wildhaven are heavily considered by The Nature Conservancy and the Sisters Ranger District.

Thank you for considering these concerns.

Very truly yours,



Paul Dewey,  
Executive Director

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cc: Jim Cornelius, The Nugget  
John Allen, Forest Supervisor

Letter from Governor Tom McCall, read on 7-11-1982 at the Wildhaven dedication.

Of all the days that I ought to be in Central Oregon, dear Gil and Viv this is surely it. Only an injury, limiting me to cross town travel is keeping Audery, Sam and me away. I promise you though, that before I exit life, I intend to visit and enjoy Wildhaven.

It has a special meaning for me for several reasons, not the least of which is that dad, brother Harry and I cut Juniper in the high desert for the hungry fireplaces of our ranch in the Crooked River. This went on over a period of some 15 years and in those days there were quite a few of the great Junipers left, the ones now found only in Wildhaven. Dad used to point out to us an occasional clump of bunch grass and warned that once it is plowed it doesn't come back.

So to be in your place, with it's centuries old Junipers and healthy stands of bunch grass, would indeed be nostalgia revisited for Tom McCall. Just as your house is the crown jewel of Wildhaven, so is Wildhaven a crown jewel among the more than 600 Nature Conservancy preserves. Wildhaven is a marvelous example of how it was and it will show how it ought to be, to those who manage their lands less carefully than you.

Few if any of our preserves have ever come to us with their management and education program in place and operating, as at Wildhaven. Already you have given to many a nature experience never to be forgotten and taught the true meaning of the term "environmental ethics" to many hundreds of children. Your decision to give Wildhaven to the Nature Conservancy to shared with the public in perpetuity, characterizes your unselfish handling of this property and all of it's flora and fauna. It is an act for which future generations will be thankful.

On behalf of the Nature Conservancy's National Board of Governors, I thankfully accept this living gift and pledge to you in the name of the Conservancy, that it will always be managed in a manner you would approve. No one can duplicate your hospitality and wise teachings, but our hope is that succeeding generations will at least realize that to the Nature Conservancy, managing Wildhaven is a labor of love.

Greatfully Yours,  
Tom McCall

(and these junipers by the way when he refers to the great junipers these are the old timers some of which are 1,000 or more years old)

1 Tom: Of course, we're delighted because he was the greatest environmentalist of the  
2 governors we've had in the 50 states and he was in the forefront in that great era of the  
3 environmental movement and the many things he did they were right in there with him and  
4 worked very hard, one in particular on the bottle bill which Oregon pioneered and now many of  
5 the states are beginning to follow suit. But this is the letter from Governor Tom McCall who  
6 because of his situation physically is – he would have been here I assure you and he's not  
7 physically very well to have not been here today. "Of all the days I ought to be in Central  
8 Oregon, dear Gil and Viv, this is surely it. Only an injury limiting me to cross-town travel is  
9 keeping Audrey, Sam and me away. I promise you, though, that before I exit life, I intend to  
10 visit and enjoy Wildhaven. It has a special meaning for me for several reasons, not the least of  
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12 our ranch in the Crooked River. This went on over a period of some 15 years and in those days  
13 there were quite a few of the great junipers left, the ones now found only in Wildhaven." And  
14 these junipers, by the way, when he refers to the great junipers, these are the old timers, some of  
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1 ethic' to many hundreds of children. Your decision to give Wildhaven to the Nature  
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6 manner you would approve. No one can duplicate your hospitality and wise teachings. But our  
7 hope is that succeeding generations will at least realize that to the Nature Conservancy managing  
8 Wildhaven is a labor of love. Gratefully yours, Tom McCall." [clapping] Gil and Vivian, I  
9 wouldn't – I wouldn't presume to add to that beautiful acknowledgment and at this point I call  
10 on our State Director, Sam Johnson. And, Gil, for you and Vivian. Vivian, there you go.

11 Vivian: Thank you, Tom.

12 Tom: Alright.

13 Mr. Johnson: Well, I have to say that my first duty as a State Director when I came on  
14 board was to be involved with the acceptance of Wildhaven as a preserve and I don't think I  
15 could have started my job with a better project. This definitely is probably one of the best  
16 preserves we have in Oregon and perhaps in the country. Since the last year that I've known Gil  
17 and Vivian, it seems like I've met probably 200 or 300 people around the country and around  
18 Oregon that know Gil and Vivian. Everybody seems to know them. People everywhere. One  
19 person that knows them very well that has been a good friend of the Conservancy is a man by the  
20 name of David Bohn. David is a photographer of national renown and has done considerable  
21 amount of work for the Conservancy over the years and putting together albums and so on to  
22 help us with our fundraising and generally to keep records of our projects. And David being a



Marc Carlson  
3219 Queens East St  
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United States Forest Service  
Sisters Ranger District Office  
US-20 & S Pine St. Sisters, OR 97759

To Whom It May Concern,

I am writing on behalf of the surviving members of the family of Vivian Staender concerning the Wildhaven Preserve. It is my understanding that there is currently a proposed transfer of the property from The Nature Conservancy to the United States Forest Service. While I have considerable doubts as to the legality of the transfer under the terms of the original contract between Gil and Vivian and The Nature Conservancy, it is not my intent to debate that in this letter. The purpose of this letter is to reinforce the original intent of both Gil and Vivian in transferring their property to The Nature Conservancy, and by inference their intent of any future transfer to a third party, in this case The Forest Service.

My first memories of Wildhaven were as a child in 1972. At that time Wildhaven was a concept for the future of 160 acres of undeveloped forest. I can remember spending summers gathering rocks and lodge pole pine with my grandparents to form the walls and roof of the lodge. Even then, it was apparent to me that they were building a legacy of conservation through their land long before environmental pursuits were fashionable. Gil's work as a school teacher in Sisters was not without conflict as he attempted to teach environmental concepts that have long since become accepted fact. Vivian's contribution was her writing and teaching of visiting groups to Wildhaven. The underlying theme behind all of this was the idea that the land and the lessons drawn from it would long outlive any particular group of people, and would instead live for generations specifically because of its preservation.

That The Nature Conservancy would reach a point where their professed central mission of ecological preservation is applied selectively is reprehensible and would shock both Gil and Vivian to the core. I cannot even imagine the distress it would cause were they alive to see it. Fortunately, if it should come to pass, The Forest Service has an opportunity to provide a local conservation example in the community that both Gil and Vivian served for decades. I believe you will find that there are a significant number of people who would be willing to help maintain what appears to now be a local conservation effort, just as they will fight any attempt to do otherwise.

Finally, Wildhaven is a significant piece of property that was donated to serve the cause of conservation. It is certainly the expectation of both my mother and I, as Vivian's only direct descendants with Gil having none, that Wildhaven be preserved and treated with the respect that is due such an important community treasure.

Sincerely



Marc Carlson

cc: Sisters School District  
The Nature Conservancy

# Wildhaven Preserve land transfer hits a snag

8/11/18

By Stephen Hamway  
The Bulletin

Nine months after The Nature Conservancy announced plans to donate Wildhaven Preserve to the U.S. Forest Service, the parcel remains in the hands of the conservation organization following a series of delays.

The organization is saying that any transfer likely

wouldn't take place until the end of the year, at the earliest.

"We're kind of in a holding pattern," said Derek Johnson, director of protection and stewardship for the Oregon chapter of The Nature Conservancy.

Plans to get rid of the 160-acre private nature preserve located northeast of Sisters have been swirling for more

than a year, according to Johnson. Last December, the organization told long-time caretakers Leslyn and Mark Grape they would have to leave the property in June due to its forthcoming transfer to the Forest Service. Two months after the deadline passed, however, the Grapes remain at the property on a month-to-month lease.

Johnson said several factors have delayed the transfer, including a long-dormant mineral right on the property and the challenge of finding a use for the 2,000-square-foot cabin that sits atop a bluff in the preserve. Despite that, Johnson expressed confidence that the transfer will eventually be completed.

See Wildhaven / A5

## Wildhaven

Continued from A1

The property that would become Wildhaven Preserve was originally purchased by environmentalists Gil and Vivian Staender in 1969. The property, best known for its iconic old-growth juniper trees, some of which are more than 1,000 years old, was turned over to The Nature Conservancy 13 years later.

Former Oregon governor Tom McCall, a former member of The Nature Conservancy's board of directors and a friend of the Staenders, wrote a letter for the dedication of the property, where he pledged the property "always be managed in a manner (the Staenders) would approve."

After being asked to leave Wildhaven, their home for 20 years, the Grapes expressed frustration with The Nature Conservancy. The couple said during the spring that the organization's decision to give the land to the Forest Service went against the wishes of the Staenders, and represents a betrayal of its promise to safeguard the land in perpetuity.

Paul Dewey, executive director of Central Oregon LandWatch, echoed those concerns. On June 4, Dewey wrote a letter to the Forest Service, in which he expressed his fondness for the parcel and noted that the Forest Service's management of the forest surrounding Wildhaven, as winter range for



Mark and Leslyn Grape stand in front of some of the old juniper trees on the Wildhaven Preserve outside Sisters in April.

(Joe Kline/Bulletin file photo)

deer and elk, would be a poor fit for an area as unique and delicate as Wildhaven.

"It really feels like no-man's land, like the Forest Service has lost control," Dewey said Friday of the surrounding area.

Dewey added that he didn't understand why The Nature Conservancy, which had affirmed its support for the property when it was dedicated, had shifted its approach so dramatically since then.

"Things aren't adding up, and we want to get more information," he said.

However, Johnson said The Nature Conservancy's focus has evolved over the past four decades. He said the organization in recent years has prioritized working more holistically on issues like forest health and biodiversity,

forcing it to be more careful about maintaining individual properties.

"The world just wasn't the same place ... 30 years ago, 40 years ago, when Wildhaven came into the fold," Johnson said.

However, the transfer to the Forest Service was initially delayed by a residual third-party mineral right on the property. Johnson said the Forest Service has a blanket rule against accepting parcels with these types of claims, forcing The Nature Conservancy to get the residual mineral right removed. Johnson said the organization was ultimately able to track down the claim's owner, and get it expunged earlier this summer.

He added that the organization needs to have a plan for



(Greg Cross/Bulletin graphic)

the cabin sitting on the property before it can transfer the property, which has proven to be tough sledding. However, Johnson said that Sisters School District has expressed interest in the cabin.

With Central Oregon's wildfire season in full swing, Johnson said the Forest Service currently has other priorities, and said it was likely that a transfer won't be completed until 2019. Still, he reiterated his support for the Forest Service, saying he expects them to be a good steward for the land.

"We're not in a hurry here," he said. "The main thing is to do it right."

— Reporter: 541-617-7818,  
shamway@bendbulletin.com

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June 3, 2018

4/10/2018 12:53:00 PM  
**Wildhaven Preserve may become public land**

By Jim Cornelius  
News Editor

Land that has been a private preserve under the auspices of The Nature Conservancy (TNC) for the past 35 years may become public, to be administered and managed by the Sisters Ranger District.

TNC Director of Stewardship Derek Johnson told The Nugget that the organization intends making a donation of the 160-acre preserve in Stevens Canyon north of Sisters to the U.S. Forest Service in order to "move resources into places where they can have more impact."

Johnson said, "We regularly assess lands we own and how they can contribute to the goals that we have, the conservation objectives we are trying to achieve."

The property is an in-holding surrounded by lands administered by the Forest Service. Johnson said that TNC has worked with the Forest Service on many conservation projects in the area and, "this just seemed like a natural next step in our partnership."

Sisters District Ranger Ian Reid told The Nugget that "If acquired, the property would be managed with a conservation emphasis similar to adjoining public lands that are allocated as deer winter range in the Deschutes National Forest Land and Resource Management Plan." The area would likely be open to hunting.

Johnson does not expect significant changes in how the property is treated and that part of the donation involves "making sure that the conservation values of the property are maintained."

That is no comfort to Mark and Leslyn Grape, who have served as onsite caretakers for the property since 1998. They were given 90 days notice in March that they will have to leave the property, where they have lived in a stone cottage called Nature House, hand-built by the original donors Gil and Vivian Staender.

"Not only will we be losing our home of two decades, but Wildhaven as we know it will become public domain and cease to exist as it has for decades, a private property, established as a preserve and meant to protect the old-growth junipers, flora, fauna and all of the animals that reside here." Mark Grape wrote in a lengthy essay to The Nugget. "All of the mothers who birth their children on the preserve, all of the wildlife that has been safe for decades, will now be threatened by the encroachment of the public. The elk, bobcat, deer, badger, coyote, turkey, rabbit, ground squirrel, chipmunk, owl, nighthawk and many other species will be vulnerable to man's gun. I have come home to a young male mountain lion laying up against the front of the Nature House watching the birds in the birdbath and have looked into the eyes of a two-year-old lion standing only feet away from me through a thin pane of glass. In both instances, I did not see savage beasts with bared fangs; I saw innocent, curious, young cats. All of these children of mother earth have only known safety here."

Johnson said that the Grapes "have been great people to work with. They've done a great job taking care of the property."

In his letter, Grape asserted that the transfer of the land to the Forest Service violates the intent the Staenders had when they donated the property to TNC in 1983.

"We are well aware, as many others are, that neither Gil nor Vivian would have approved or allowed this transfer to occur," Grape wrote. "It would have angered Gil and broken Vivian's heart and if they had still been alive, they would have surely contested it. They did not want Wildhaven to be in the hands of a public entity, that's why they gave it to the TNC."

On that point, Johnson, he and TNC respectfully but strongly disagree with the Grapes.

"We strongly consider the intent of the donor," Johnson told The Nugget.

He said that TNC talked to Staender in 2014 (he died in 2016) and that Staender was aware of the possibility that TNC would donate the land to the Forest Service.

"We directly asked him if he was comfortable with transferring the property, including the building he built, to another conservation organization or agency," Johnson said.

The transfer is not yet underway, but Johnson said it is not too far off - and likely would be completed within this calendar year.

"If it's going to happen, it's not years down the road," he said.



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Nature House was built by hand by Gil and Vivian Staender. It has been the home of the Wildhaven Preserve caretakers, Mark and Leslyn Grape. photo provided

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## Commentary...

# The legacy of Wildhaven Preserve

By Leslyn Grape

Caretaker of Wildhaven Preserve

Concerning the article on April 11 titled "*Wildhaven Preserve may become public land*," (*The Nugget*, page 1): As the caretaker of Wildhaven Preserve I would like to add some insight into this continuing saga.

In the article, Derek Johnson states that The Nature Conservancy (TNC) talked to Gil Staender in 2014 (he died in 2016) and that Staender was aware of the possibility that TNC would donate the land to the Forest Service.

This statement is just NOT TRUE!

TNC never specified the USFS as a possible steward. This was conjured up in their own minds knowing that they had previously worked with the USFS and other government agencies. At that time and from Gil's perspective all he knew was that Wildhaven had been a private, protected nature preserve for 44 years. With that in mind there was no reason for him to believe that it wouldn't continue to be managed and protected by a similar entity in the same manner that it had been for the many decades before.

If he had been told directly that the USFS was on the list of possible transfers he would not have supported that choice. This sentiment has been corroborated by all of the people who knew Gil and Vivian over the years as well as the remaining family members.

So even though TNC maintains that they received Gil's "blessing" for this transfer to the USFS, this is only a partial truth. The truth is that they did not give specifics and are hiding behind this mistruth as a means of justification for what they're doing. In my previous dialog with a TNC liaison and the TNC Oregon Director, they have always maintained that they did ask Gil if he was comfortable transferring Wildhaven to a comparable conservation entity. However, when pressed by me for specifics, they both confirmed that they did not mention the USFS as a possibility at that time. It is only since we have gone public, and the heat is on, that TNC is changing their story and claiming that they specifically named the USFS as a possible steward for Wildhaven.

The Staenders always believed that by donating Wildhaven to TNC that it would be kept protected from all forms of gross human encroachment. In fact, the commitment of TNC at that time was eloquently expressed in a letter that Tom McCall wrote for the dedication of Wildhaven to TNC in 1982: "I thankfully accept this living gift and pledge to you in the name of the Conservancy, that it will always be managed in a manner you would approve. No one can duplicate your hospitality and wise teachings, but our hope is that succeeding generations will at least realize that to The Nature

Conservancy, managing Wildhaven is a labor of love."

As much as we appreciate TNC's many accomplishments in protecting sensitive lands and ecosystems and the fact that we have had a very good working relationship with them over these last 20 years, we are surprised and deeply troubled by their decision to dishonor the Staenders' wishes in this manner. They can try to justify it as much as they want but it is not ethical or moral unless they take the necessary steps to ensure that Wildhaven will continue to be protected in the way that the Staenders had intended.

The "conservation" styles of TNC and the USFS are not comparable. The land and house will be going from a privately protected nature preserve of 48 years to becoming unprotected public domain. This will directly go against the Staender's wishes as it will now be open to hunters, trappers, poachers and anyone who decides to walk upon the land. The fragile ecosystem, animals, ancient junipers and Nature House will all be threatened as the demise of Wildhaven becomes a real and present danger.

The legacy that Gil and Vivian created and trusted the TNC to protect in accordance with their wishes is in imminent danger of being lost forever. This is a betrayal of the donors and a travesty in the deepest sense.

Published April 9, 2018 at 05:18AM / Updated April 9, 2018 at 05:26AM

## Caretakers fight transfer of Sisters nature preserve

Nature Conservancy seeks to shift control to Forest Service, welcoming public



Mark and Leslyn Grape stand in front of some of the old juniper trees on the Wildhaven Preserve outside Sisters on Wednesday, April 4, 2018. The Grapes have lived in a house on the 160-acre Preserve and acted as caretakers of the land since 1998. The Preserve has been owned by the Nature Conservancy, but the organization plans to transfer ownership to the Forest Service. (Joe Kline/Bulletin photo)

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### SISTERS —

The first time he drove up the road leading into Wildhaven Preserve, up a bluff dotted with gnarled, moss-covered juniper trees more than a millennium old, Mark Grape burst into tears.

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Since that day in 1998, Grape and his wife, Leslyn, have lived in a secluded cabin on the preserve without running water — chasing off poachers, watching the flowers bloom during the spring and smelling the junipers after a summer rain.

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That changed in December with a visit from a representative from The Nature Conservancy, the conservation organization that had owned the preserve for 35 years. The Grapes were told they had to leave by June, because the conservancy planned to donate the preserve to the U.S. Forest Service.

The donation allows the nonprofit conservancy to focus on the acquisition of larger parcels while giving Wildhaven to a steward that already owns the surrounding land.

But the Grapes are concerned that opening up the private preserve to the public is a betrayal of what the preserve’s previous owners intended for the parcel.

The couple fears permanent damage to its fragile ecosystem, which has been protected and managed privately since 1969.

“You don’t take something that’s been private for 48 years and then give it to a public entity,” Leslyn Grape said. “You’re breaking your promise.”

## **Wildhaven in the beginning**

In 1969, environmentalists Gil and Vivian Staender bought the 160-acre parcel of land from Jack Shumway, a sheep farmer who claimed he won the land in a poker game. Rather than develop the land, the Staenders converted it into an early nature preserve, available to view by appointment and invitation only.

For the first seven years the Staenders spent on the property, they lived in a small wooden structure that Mark Grape calls “the Packrat Hotel.” In 1974, however, the Staenders began building a 2,000-square-foot cabin which would come to be known as

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Gil Staender lived in Nature House until 1982, when he gave Wildhaven to The Nature Conservancy. Mark Grape said former Gov. Tom McCall, a friend of the Staenders, was going to be the keynote speaker at the dedication, but health issues forced him to write a letter instead.

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In the spring of 1998, the Grapes responded to a classified ad calling for people willing to be caretakers for the rustic parcel in exchange for room and board. To the pair, it seemed perfect.

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The couple married under an 800-year-old juniper tree that August, three months after moving into Wildhaven. Mark Grape tells a story of three ravens landing near them during the ceremony, each cawing in turn.

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## A private reserve going public

The Nature Conservancy began exploring options for the 160-acre preserve in 2014. The conservancy owns more than 100 million acres in 72 countries, but Derek Johnson, director of protection and stewardship for the nonprofit's Oregon chapter, said the organization will look at what parcels it can donate — if there's a good fit for the property under different ownership — as a way to advance the conservancy's goals.

Because Gil Staender was the founder of the preserve, the conservancy sought his opinion about potentially transferring the property to another entity, though Johnson said the Forest Service was not mentioned by name. Staender said he was open to a transfer, according to Johnson.

“Being the original donator, his wishes matter,” Johnson said.

Still, Baker and the Grapes believe he would not have signed off if he'd known the Forest Service was involved. They emphasized that the Staenders understood how vulnerable the ecosystem is and wouldn't want to open it up to the public after keeping it closed for nearly five decades. Baker added that the Staenders were broadly skeptical of the federal government's management of public land.

Johnson said the nonprofit does look at the cost of land ownership when deciding what parcels to dispose of, but emphasized that it looks for fit first. He added that the conservancy has worked with the Deschutes National Forest on forest thinning projects, and thought the federal agency would be a good fit for the parcel.

“I think what makes Wildhaven an opportunity is that we have a really good partner in the Forest Service,” Johnson said.

Ian Reid, Sisters district ranger for the Deschutes National Forest, said the nonprofit reached out last year about a potential transfer. Forest Service employees toured the facility in March to evaluate the fit for the agency.



## Commentary...

# The legacy of Wildhaven Preserve

By Leslyn Grape

Caretaker of Wildhaven Preserve

Concerning the article on April 11 titled "*Wildhaven Preserve may become public land*," (*The Nugget*, page 1): As the caretaker of Wildhaven Preserve I would like to add some insight into this continuing saga.

In the article, Derek Johnson states that The Nature Conservancy (TNC) talked to Gil Staender in 2014 (he died in 2016) and that Staender was aware of the possibility that TNC would donate the land to the Forest Service.

This statement is just NOT TRUE!

TNC never specified the USFS as a possible steward. This was conjured up in their own minds knowing that they had previously worked with the USFS and other government agencies. At that time and from Gil's perspective all he knew was that Wildhaven had been a private, protected nature preserve for 44 years. With that in mind there was no reason for him to believe that it wouldn't continue to be managed and protected by a similar entity in the same manner that it had been for the many decades before.

If he had been told directly that the USFS was on the list of possible transfers he would not have supported that choice. This sentiment has been corroborated by all of the people who knew Gil and Vivian over the years as well as the remaining family members.

So even though TNC maintains that they received Gil's "blessing" for this transfer to the USFS, this is only a partial truth. The truth is that they did not give specifics and are hiding behind this mistruth as a means of justification for what they're doing. In my previous dialog with a TNC liaison and the TNC Oregon Director, they have always maintained that they did ask Gil if he was comfortable transferring Wildhaven to a comparable conservation entity. However, when pressed by me for specifics, they both confirmed that they did not mention the USFS as a possibility at that time. It is only since we have gone public, and the heat is on, that TNC is changing their story and claiming that they specifically named the USFS as a possible steward for Wildhaven.

The Staenders always believed that by donating Wildhaven to TNC that it would be kept protected from all forms of gross human encroachment. In fact, the commitment of TNC at that time was eloquently expressed in a letter that Tom McCall wrote for the dedication of Wildhaven to TNC in 1982: "I thankfully accept this living gift and pledge to you in the name of the Conservancy, that it will always be managed in a manner you would approve. No one can duplicate your hospitality and wise teachings, but our hope is that succeeding generations will at least realize that to The Nature

Conservancy, managing Wildhaven is a labor of love."

As much as we appreciate TNC's many accomplishments in protecting sensitive lands and ecosystems and the fact that we have had a very good working relationship with them over these last 20 years, we are surprised and deeply troubled by their decision to dishonor the Staenders' wishes in this manner. They can try to justify it as much as they want but it is not ethical or moral unless they take the necessary steps to ensure that Wildhaven will continue to be protected in the way that the Staenders had intended.

The "conservation" styles of TNC and the USFS are not comparable. The land and house will be going from a privately protected nature preserve of 48 years to becoming unprotected public domain. This will directly go against the Staender's wishes as it will now be open to hunters, trappers, poachers and anyone who decides to walk upon the land. The fragile ecosystem, animals, ancient junipers and Nature House will all be threatened as the demise of Wildhaven becomes a real and present danger.

The legacy that Gil and Vivian created and trusted the TNC to protect in accordance with their wishes is in imminent danger of being lost forever. This is a betrayal of the donors and a travesty in the deepest sense.

Published April 9, 2018 at 05:18AM / Updated April 9, 2018 at 05:26AM

## Caretakers fight transfer of Sisters nature preserve

Nature Conservancy seeks to shift control to Forest Service, welcoming public



Mark and Leslyn Grape stand in front of some of the old juniper trees on the Wildhaven Preserve outside Sisters on Wednesday, April 4, 2018. The Grapes have lived in a house on the 160-acre Preserve and acted as caretakers of the land since 1998. The Preserve has been owned by the Nature Conservancy, but the organization plans to transfer ownership to the Forest Service. (Joe Kline/Bulletin photo)

[Buy photo](#)

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“There are certainly some benefits,” Reid said.

There are drawbacks as well. Johnson said the property has a residual mining right attached, which the conservancy is working to remove ahead of a potential transfer. Reid added that Nature House poses a challenge for the Forest Service to utilize on public land. With a large facilities backlog already, Reid said the Deschutes National Forest is reluctant to commit to a use.

Johnson said The Nature Conservancy would love to see the house and preserve used for outdoor education for children, which he said would align with the wishes of the Staenders while exposing more kids to the area. However, Baker had a gloomier prediction.

“If the house survives, it’ll be a miracle,” he said.

## **An uncertain future**

No one can say for sure what will happen to Wildhaven.

After being notified in December that a land transfer was likely, the Grapes wrote letters and searched for legal avenues to contest the transfer but didn’t find any. Reid said the donation does not require public comment and can’t be appealed by members of the public.

Johnson emphasized that the donation is not final, and the conservancy will be meeting with the Forest Service on April 16 to discuss the transfer.

“We’re really confident, but you never know with real estate deals,” Johnson said.

While they acknowledged there likely isn’t anything legally unsound about the donation, the Grapes described it as morally wrong to open up the preserve, citing the impact on wildlife that has used it as a safe haven for nearly five decades.

Jim Desmond, The Nature Conservancy's Oregon state director, said the Grapes' concerns are overblown and don't do justice to the stewardship work the Forest Service has done in the past.

"People are jumping to all sorts of extreme worst-case scenarios," he said.

Both Reid and Johnson said they understand the Grapes' predicament, but added they believe this is the best option for the parcel.

"We're human beings, and we certainly empathize with their situation," Reid said. "But our mandate is really to provide the greatest good for all Americans."

As for allowing the couple to stay on the property after the donation, Reid noted that Forest Service rules make it difficult for the agency to assume ownership of occupied structures.

The Grapes received a formal 90-day eviction notice in March and compared the experience of leaving the home they lived in together for 20 years to losing a family member. But despite the way it ended, Leslyn Grape said she was still grateful for the opportunity to live at Wildhaven.

"It's been a love story," Mark Grape added. "A very painful ending, but a very wonderful love story."

— Reporter: 541-617-7818, [shamway@bendbulletin.com](mailto:shamway@bendbulletin.com)

# Vivian Staender, naturalist, dies at 84

*By Jim Cornelius*

Naturalist, mountaineer and author Vivian Staender, who founded the Wildhaven wildlife sanctuary near Sisters, died May 1. She was 84.

Staender was a pioneering environmentalist and an avid rock climber and mountaineer. She logged many achievements in her long and active life, including the first ascent of the famed Monkey Face at Smith Rock in January, 1960.

Staender's passion for mountaineering and the outdoors led her and her husband Gil naturally toward a concern for the environment. But, according to her daughter Lynette Carlson, it was a seminal experience with birds that launched her into a career as a protector of wildlife.

"There was a family of blue-

for the U.S. Fish and Wildlife Service. They found traces of pesticide impact even in that remote region, and noted the decline of bird populations.

In 1968, the couple spent a full year in the Alaskan wilderness in a 12-foot-by-14-foot cabin with an oil drum for a stove. At the end of their year-long study, the Staenders floated by raft 200 miles back to civilization.

The following year, the Staenders moved to their 160-acre property near Sisters, which they later donated to the Nature Conservancy.

Vivian Staender operated Wildhaven there, as what she called "an exaggerated example of environmental living in hopes that others would learn to use resources better."

Staender wrote two books

birds that was in trouble," Carlson said. "They gave them a room in the house."

At the time, Rachel Carson's "Silent Spring" was alerting Americans to the impact of pesticides on birds and other wildlife. The Staender's bluebirds were apparent victims, and their plight launched the Staenders into intensive studies.

Throughout the 1960s the couple traveled to the Brooks Range in Alaska where they studied birds and took samples

about her Alaskan experience, and offered numerous educational slideshows and presentations at Wildhaven.

Staender served from 1971 to 1980 on the Governor's Trails Council.

Because she was so extraordinarily active, Carlson said "it's hard to sum up her life.

"She gave a lot back," Carlson said.