

Dugualla Heights Conservation Easement – Fact Sheet

Grantor(s): Dugualla Community, Inc.

Current Owner(s): Dugualla Community, Inc.

Acres: 29 acres

Year Protected: 2009

Parcel Numbers: S6515-07-00047, S6515-07-00049, S6515-07-00046, S66515-08-00079, S66515-08-00080, S66515-08-00081, S66515-08-00082, R23317-326-4720, R23316-298-0570, S6515-08-0000D

Location: 701-799 E Dugualla Rd, Oak Harbor, WA 98277

Website Link: <http://www.wclt.org/projects/dugualla-bay-2/>

Description of Property:

The Conservation Easement divides the property into three zones.

Zone A: Beach and Nearshore

Zone B: Community Areas

Zone C: Fish and Wildlife Refuge

Each zone has different permitted uses and defining characteristics as described below. Refer to the Conservation Easement for more details.

Zone A: Beach and Nearshore

Zone A consists of approximately 0.5 acres with 128 feet of frontage on Skagit Bay and is undeveloped except for a tide gate outlet and culverts and an unimproved pedestrian trail from the picnic area to the beach. Zone A is undisturbed and retains its natural, native beach condition characterized by a large accumulation of driftwood and by native beach vegetation, including dunegrass, beach pea, sea plantain, Suksdorf sagewort, and other native species. Zone A is used primarily for pedestrian access to and from the beach.

As of November 13, 2009, a narrow strip of grass just inside the east and west boundaries of Zone A was being mowed along with lawns on the adjacent private properties. The Conservation Easement prohibits continuation of this practice and the grass will be allowed to grow. A narrow strip of grass was also being mowed along the south boundary of Zone A; this practice will also be discontinued.

Zone B: Community Areas

Zone B consists of four separate areas (Zones B1, B2, B3 and B4). Zone B1 consists of land that lies between the road ends of Bay Front Lane and Shorecrest Drive and has a mix of low-lying vegetation, including lawn. Zone B1 is undeveloped except for trails and a picnic table and is used primarily for picnicking, non-motorized access between the two road ends, access to the beach, and other low-impact recreational uses.

Zones B2 and B3 are small areas adjacent to Elkhorn Street and Dugualla Road, respectively. They are undeveloped and consist of grasses (mowed and unmowed) and native trees and shrubs. There is a short trail at the north end of Zone B2 that dead-ends in the brush. This trail leads to a large dumping area (5 ft x 25 ft) for yard debris. The Grantee has been notified and the yard debris will be removed. There are no trails currently in Zone B3.

Zone B4 consists of approximately 1.5 acres, is undeveloped, and consists primarily of tall grasses on the northerly half and mixed native trees and shrubs on the southerly half. There is a dirt access road into the area and occasional pedestrian and dog walking use of Zone B4.

Zone C: Fish and Wildlife Refuge

Zone C consists of two separate areas (Zones C1 and C2). Zone C1 is located on the north side of Dugualla Road and consists of approximately 23 acres. It was once part of a former pocket estuary and now contains a lagoon with approximately six acres of open water, scattered trees, mixed shrub areas, and fields currently used for pasture. Because of significant alteration, the lagoon is now mostly fresh water, with some saltwater input from Skagit Bay through the open tidegate pipe during higher tides. Zone C is undeveloped except for drainage facilities (tidegate, drainage ditches, and culverts), wire and wood post fencing, and gates. Vegetation in Zone C1 includes grass and other herbaceous plants, emergent wetland vegetation, shrubs and trees. Plant species include bulrush, a variety of grasses and sedges, willow, big-leaf maple, snowberry, Nootka rose, Himalayan blackberry, salmonberry, scattered Douglas fir, and occasional western red cedar. A portion of Zone C1 has been and is currently used as pasture for grazing cattle. There is a small yard debris dumping area (5 ft x 2 ft) on the north side of Zone C1, just south of Bayfront Lane. The Grantee has been notified and the yard debris will be removed.

Zone C2 is located on the south side of Dugualla Road and consists of approximately three acres of a healthy, mixed native forest. Vegetation in the forest includes mature Douglas fir, western hemlock, western red cedar, red alder, big-leaf maple, swordfern, salmonberry, salal, and other native understory species. There is a small, perennial stream that flows through the forest and drains into Zone C1. The riparian vegetation adjacent to the stream includes western red cedar, alder, western skunk cabbage, salmonberry, and other typical moist forest species.

Purpose of easement:

The purpose of this Conservation Easement is to:

- Protect, conserve, maintain, restore, and enhance the natural values of the property for salmon recovery, fish and wildlife habitat, water quality, scenic views, and healthy wetland, riparian and forest systems. The purpose includes the protection of habitat as defined in Section 1 of the Conservation Easement.
- Preserve the natural and open space value of the property.
- Permanently protect the educational and scientific values and features of the property.

Human-Made features:

Most of the following features are marked on the map in *Appendix E: Site Map* and/or documented by photos in *Appendix J: Feature Photo Documentation*.

Structures

- A **picnic table** is located in Zone B1.
- The pipe of an old **tidegate** connects the lagoon to Skagit Bay. The tidegate itself was removed leaving an open pipe and wood frame structure, which now connects the lagoon to Skagit Bay.
- **Wire and wood post fencing and access gates** in Zone C1 are currently used to keep cattle in the pasture areas.

- There is a **culvert** under Dugualla Rd that comes into the property from the stream and roadside ditch to the south. There is a painted mark on the road for another culvert associated with the roadside ditch on the northeast side of the property.
- The fire hydrants, storm drain grates and other utility boxes pictured in the photo-documentation are mostly in the road right-of-way but included here for future reference.

Summary of Permitted Uses:

Under the terms of the Conservation Easement, the Grantor has a number of permitted uses. The property has been divided into three zones (A, B and C) and the Conservation Easement describes what level of activity is allowed in each zone. Recreational activities such as walking, wildlife viewing, and dogs are discussed as well as mowing, trimming, and removal of vegetation. To see what activities are permitted in each of the three zones refer to the Conservation Easement. The zone maps with brief descriptions of permitted uses can be seen in *Appendices F, G and H*. ***This is a brief summary of the actual legal rights. For a complete description of these rights, refer to the Grant Deed of Conservation Easement.***

Summary of Prohibited Uses:

Prohibited uses include subdivision, agricultural activities, construction, alteration of land, alteration of water courses, waste disposal, storage, hunting, mining, fish and wildlife disruption, domestic animals, motorized and mechanized vehicles, commercial use, transfer of development or water rights and commercial or industrial activities. Introduction of non-native vegetation and harvesting of native plants are prohibited except as expressly provided in the Easement. ***This is a brief summary of Prohibited Uses. For a complete description of these rights, refer to the Grant Deed of Conservation Easement.***

Monitoring History: First monitored in 2010. Restoration completed in 2017.



