



Memorandum

TO: Honorable Whatcom County Councilmembers
Honorable Jack Louws, Whatcom County Executive

THROUGH: Mark Personius, Director, PDS

FROM: Chris Elder, PDR Program Administrator

DATE: May 10, 2019

SUBJECT: Presentation of the Purchase of Development Rights Program, update on grant application requests, and request for approval to proceed with acquisition of one conservation easement

Whatcom County PDR Program staff would like to update Council with an overview of current applications to the Purchase of Development Rights (PDR) Program including a request for approval to purchase easements on three projects.

The PDR Program continues to experience ongoing success both in terms of applications received and funding secured. In 2018, Whatcom County purchased four agricultural conservation easements protecting 235 acres and extinguishing 12 development rights. Matching funds for these four easements was secured from the United States Department of Agriculture (USDA) Natural Resource Conservation Service's (NRCS) Agricultural Conservation Easement Program (ACEP), Washington State Recreation and Conservation Office (RCO) Washington Wildlife and Recreation Program's (WWRP) Farmland Preservation Account, and Whatcom Land Trust's Farming for Wildlife program. Total easement costs for these four projects totaled \$1,010,000 though Whatcom County only contributed \$140,000 from the Conservation Futures Fund.

Whatcom County Council has previously granted approval to purchase easements on PDR applicants Brar, Greenwood, Carbee, Sigurdson, and Broad Leaf Farm and staff is currently working to close these easements in 2019. These five projects, once complete, will protect an additional 326 acres and extinguish 43 development rights. Total easement cost for these projects total approximately \$1,300,000, though federal and state match funding partners will pay \$1,100,000, leaving Whatcom County to pay the remaining \$200,000.

Whatcom County has also been awarded \$1,300,000 through the NRCS Regional Conservation Partnership Program (RCPP) to coordinate with the Whatcom Conservation District, Whatcom Land Trust, and AgWaterBoard to enact agricultural conservation easements in priority areas within Whatcom County. This award serves as secured funding that allows Whatcom County to more effectively work with agricultural community partners to prioritize and protect prime agricultural lands. Partners will review the first round of applications for this specific award in the fall of 2019.

In 2018, Whatcom County Council approved an update to the PDR Program and PDR Program Guidelines that included allowing staff to pursue purchase of development rights

and corresponding easements on properties that contain significant working forestland values or ecosystem values in addition to the previous program focus area of agricultural lands. This programmatic expansion has already recruited applications that would help protect these additional forestry and ecosystem values. These applications will be presented at the Natural Resources Committee meeting.

Due to an expected surplus in funding, the Washington State RCO WWRP has reopened the Farmland and Forestland Protection grant application periods. PDR Program staff will submit four applications for matching funds in both farmland and forestland categories for current PDR applications Rethelfsen, Bishop, Squalicum Forest, and Kiera-Duffy. Several PDR applications have been awarded matching funds through the NRCS ACEP, though grant agreements have not yet been issued and signed.

PDR Program staff wants to provide a program update and request approval to proceed with acquisition of appraisal services and to enter into a Purchase and Sale Agreement to acquire development rights and a forestry conservation easement on the Seed Orchard application parcels. The Seed Orchard application is accessed off of Y Road and provides primary access for forestry activities for the Department of Natural Resources (DNR) and other adjacent private forestland owners. This application will result in the elimination of two development rights and effectively protect hundreds, if not thousands, of acres of working forestlands on Stewart Mountain. This easement will be enacted in coordination with the DNR's acquisition of the property. The DNR intends to maintain a seed orchard at this site and has also identified this site as a primary access point for future recreational opportunities as identified in the Bellingham to Baker Non-Motorized Recreation Plan.

Thank you for receiving this program update and considering the above referenced request.

Request Summary

PDR Program Staff requests approval of the ranked list recommended by the PDR Oversight Committee and approval for the Administrator to proceed with the acquisition of title search and appraisal services for the Bishop, VanderVeen, Newell, TeVelde, Seed Orchard, Rethelfsen, Squalicum Forest, and Kiera-Duffy applications pursuant to the process outlined in the PDR Guidelines and to authorize the Executive to enter into a Purchase and Sale Agreement to acquire a forestry conservation easement on the Seed Orchard application, provided appraisal is completed, conservation easement is drafted which meets the PDR Program guidelines, landowners have agreed to the offer price and conservation easement conditions, and budget authority has been adopted by Whatcom County Council.

Please contact PDR Program Administrator Chris Elder at (360)778-5932 with any questions.