

SPONSORED BY: _____
PROPOSED BY: _____ PDS
INTRODUCTION DATE: _____

RESOLUTION # _____

**AUTHORIZING WHATCOM COUNTY CONSERVATION EASEMENT PROGRAM
STAFF AND WHATCOM COUNTY EXECUTIVE TO PROCEED WITH THE
ACQUISITION OF CONSERVATION EASEMENTS ON FOUR PROPERTIES**

WHEREAS, Whatcom County government recognizes agriculture and forestry as major contributors to the local economy and a high quality of life for Whatcom County citizens; and

WHEREAS, The Growth Management Act and the County Comprehensive Plan support the retention of agricultural and forestry lands of long term commercial significance and encourage the use of innovative techniques to do so; and

WHEREAS, Ordinance #92-002 enacted a property tax levy known as the Conservation Futures Tax as authorized by RCW 84.34.230 to provide a funding source to assist in acquiring “open space land, farm and agricultural land, and timber land, and a significant Conservation Futures fund balance is available for additional farm land protection efforts”; and

WHEREAS, Ordinance #2002-054 adopted Whatcom County Code Title 3.25A that authorized the creation of a Purchase of Development Rights (PDR) program that offers voluntary farm agreements that include the purchase of agricultural conservation easements on farmable land within Whatcom County; and

WHEREAS, Ordinance #2002-054 and WCC 3.25A established a Purchase of Development Rights Oversight Committee to provide review and assistance to PDR staff; and

WHEREAS, The Whatcom County Council adopted the PDR Guidelines through Resolution #2002-040 which includes specific direction for program administration and conservation easement acquisitions; and

WHEREAS, Ordinance #2018-065 amended Whatcom County Code Title 3.25A to direct the PDR Program to also offer voluntary agreements to purchase forestry and ecological conservations easements on working forestlands and important ecosystem areas within Whatcom County; and

WHEREAS, Ordinance #2021-037 amended Whatcom County Code Title 3.25A to change the program name to be the Whatcom County Conservation Easement Program (CEP); and

WHEREAS, Council, pursuant to Conservation Easement Program Guidelines, must affirm or modify the properties as submitted by the CEP Oversight Committee; and

WHEREAS, Council has reviewed the applications and background materials at a public meeting, with input by County staff and CEP Oversight Committee members; and

WHEREAS, Council has determined the proposed conservation easements are in accordance with their policy priorities and the requirements of Title 3.25A and the Conservation Easement Program Guidelines; and

WHEREAS, The Natural Resources Conservation Service (NRCS) has approved matching funds to support the acquisition of easements on the Taylor property and Sanfi Acres Canyon Creek property; and

WHEREAS, The US Forest Service has approved matching funds through its Forest Legacy Program to support the acquisition of working forest easements on the Sanfi Acres Maple Falls property and the Koblitz Red Mountain property; and

WHEREAS, The Washington State Recreation and Conservation Office (RCO) has approved matching funds to support the acquisition of the agricultural conservation easements on the Sanfi Acres Canyon Creek property and the Sanfi Acres Maple Falls property; and

WHEREAS, The CEP Oversight Committee voted on January 30, 2025 to update their business rules, allowing staff to secure approval from CEPOC on specific properties before funding is secured; however, approval is conditioned upon staff lining up matching funding before requesting approval for purchase from Whatcom County Council; and

WHEREAS, The CEP Oversight Committee met on January 30, 2025 and approved easement purchases on the Sanfi Acres Canyon Creek property, the Sanfi Acres Maple Falls property, and the Koblitz Red Mountain property, contingent upon matching grant funding being secured; and

WHEREAS, The CEP Oversight Committee met on February 20, 2025 and approved the Taylor property contingent upon matching grant funding being secured.

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that:

1. The Conservation Easement Program proceed with the acquisition of four (4) conservation easements on the following properties pursuant to the process outlined in the CEP Guidelines:
 - a. Sanfi Acres Canyon Creek property (FCE2024-02)
 - b. Sanfi Acres Maple Falls property (FCE2024-01)
 - c. Koblitz Red Mountain property (FCE2024-04)
 - d. Taylor property (ECE2020-01)
2. The Executive is authorized to enter into a Purchase and Sale Agreement for easements on these four properties, provided:
 - a. Appraisals are completed and conservation easements are drafted which meet the requirements of the Whatcom County Conservation Easement Program, and
 - b. Landowners have agreed to the offer price and conservation easement conditions, and
 - c. Budget authority has been adopted by the Whatcom County Council.

3. Expenditures of Conservation Futures Funds, within budget authority, are authorized to cover expenses associated with purchase of conservation easement, including title search and insurance, appraisal services, easement monitoring, and enforcement fees.

APPROVED this _____ day of _____, 2025

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Cathy Halka, Council Clerk

Kaylee Galloway, Council Chair

APPROVED as to form:

Approved via email on 07/11/25 by Kellen Kooistra

Senior Deputy Prosecuting Attorney