



Whatcom County

COUNTY COURTHOUSE
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Agenda Bill Master Report

File Number: AB2022-071

File ID:	AB2022-071	Version:	1	Status:	Approved
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Department:	Planning and Development Services Department	File Type:	Resolution		
Assigned to:	Council Natural Resources Committee			Final Action:	02/08/2022
Agenda Date:	02/08/2022			Enactment #:	RES 2022-007

Primary Contact Email: rsnijder@whatcomcounty.us

TITLE FOR AGENDA ITEM:

Resolution affirming the Conservation Easement Program Oversight Committee ranking and authorizing Whatcom County Conservation Easement Program Administrator and Whatcom County Executive to proceed with the acquisition of conservation easements on the Vander Veen, Rethlefsen, Savage, and Moors applications

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Conservation Easement Program update, please see attached staff memo for full summary.

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
02/08/2022	Council Natural Resources Committee	RECOMMENDED FOR APPROVAL	
		Aye: 3 Donovan, Elenbaas, and Galloway	
		Nay: 0	
		Absent: 0	
02/08/2022	Council	APPROVED	
		Aye: 7 Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner	
		Nay: 0	
		Absent: 0	

Attachments: Staff Memo, Proposed Resolution, Ranked Applicant List, Presentation

SPONSORED BY: Planning
PROPOSED BY: Planning
INTRODUCTION DATE: 2/8/22

RESOLUTION # 2022-007

**AFFIRMING THE CONSERVATION EASEMENT PROGRAM OVERSIGHT
COMMITTEE RANKING AND AUTHORIZING WHATCOM COUNTY
CONSERVATION EASEMENT PROGRAM ADMINISTRATOR AND WHATCOM
COUNTY EXECUTIVE TO PROCEED WITH THE ACQUISITION OF
CONSERVATION EASEMENTS ON THE VANDER VEEN, RETHLEFSEN, SAVAGE,
AND MOORS APPLICATIONS**

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 the PDR Program Administrator; and

WHEREAS, The Whatcom County Council adopted the PDR Guidelines Document 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 Document, must affirm or modify the properties as submitted by the CEP Oversight Committee; and

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

WHEREAS, Council has determined the ranking in accordance with their policy priorities and the requirements of Title 3.25A and the Conservation Easement Program Guidelines Document; and

WHEREAS, The Washington State Recreation and Conservation Office has approved matching funds to support acquisition of the agricultural and forestry conservation easements on the Rethlefsen and Moors projects; and

WHEREAS, The United States Department of Agriculture has approved matching funds to support acquisition of the agricultural conservation easements on the Vander Veen and Savage projects; and

WHEREAS, The CEP Oversight Committee met on October 22, 2021 to develop a ranking of active applications received to date and forward that ranking to Council; and

WHEREAS, The CEP Oversight Committee considered the ranked list of active applications and recommended at their October 22, 2021 meeting that County Council authorize the CEP Administrator and County Executive to proceed with the acquisition of conservation easements on the Vander Veen, Rethlefsen, Savage, and Moors applications.

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

1. The CEP Oversight Committee and Administrator proceed with the acquisition of four (4) conservation easements on the Vander Veen, Rethlefsen, Savage, and Moors applications pursuant to the process outlined in the CEP Guidelines Document.
2. The Executive is authorized to enter into a Purchase and Sale Agreement for the Vander Veen, Rethlefsen, Savage, and Moors 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 18th day of February, 2022

ATTEST:


Dana Brown-Davis, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Todd Donovan, Council Chair

APPROVED as to form:

Approved by email/C Quinn/B Snijder
Civil Deputy Prosecutor