

**ORDINANCE NO.  
AMENDMENT NO. 8 OF THE 2019 BUDGET**

**WHEREAS**, the 2019-2020 budget was adopted November 20, 2018; and,  
**WHEREAS**, changing circumstances require modifications to the approved 2019-2020 budget; and,

**WHEREAS**, the modifications to the budget have been assembled here for deliberation by the Whatcom County Council,

**NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that the 2019-2020 Whatcom County Budget Ordinance #2018-064 is hereby amended by adding the following additional amounts to the 2019 budget included therein:

Fund	Expenditures	Revenues	Net Effect
Conservation Futures Fund	<u>508,163</u>	<u>(127,500)</u>	<u>380,663</u>
Total Supplemental	<u>508,163</u>	<u>(127,500)</u>	<u>380,663</u>

In addition, Exhibit C – Position Control Changes should be amended to add 1 FTE Engineer to Public Works – River & Flood.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Rud Browne, Chair of Council

APPROVED AS TO FORM:

( ) Approved      ( ) Denied



\_\_\_\_\_  
Civil Deputy Prosecutor

\_\_\_\_\_  
Jack Louws, County Executive

Date: \_\_\_\_\_

<b>WHATCOM COUNTY</b>				
<b>Summary of the 2019 Supplemental Budget Ordinance No. 8</b>				
Department/Fund	Description	Increased (Decreased) Expenditure	(Increased) Decreased Revenue	Net Effect to Fund Balance (Increase) Decrease
<b>Conservation Futures Fund</b>				
Planning & Development	To fund Seed Orchard forestry conservation easement PDR.	236,200	-	236,200
Planning & Development	To fund Broad Leaf Farm agricultural conservation easement PDR.	271,963	(127,500)	144,463
<b>Total Conservation Futures Fund</b>		<b>508,163</b>	<b>(127,500)</b>	<b>380,663</b>
<b>Total Supplemental</b>		<b>508,163</b>	<b>(127,500)</b>	<b>380,663</b>

# Supplemental Budget Request

*Status:* Pending

**Planning & Development Services**

**Planning**

*Suppl ID #* 2737

*Fund* 175

*Cost Center* 17550

*Originator:* Chris Elder

**Year 1** 2019

**Add'l FTE**

**Priority** 1

**Name of Request:** Seed Orchard Forestry Conservation Easement PDR

<p><b>X</b> <span style="float: right; color: blue;">5-14-2019</span></p>	
<b>Department Head Signature (Required on Hard Copy Submission)</b>	<b>Date</b>

<i>Costs:</i>	<b>Object</b>	<b>Object Description</b>	<b>Amount Requested</b>
	6610	Contractual Services	\$12,000
	7320	Land	\$224,200
	<b>Request Total</b>		<b>\$236,200</b>

**1a. Description of request:**

The proposed budget amendment is to cover all associated costs for completion of a forestry conservation easement on the Seed Orchard application. This includes easement cost, easement monitoring and enforcement fees, baseline documentation, and escrow and closing costs.

**1b. Primary customers:**

The community at large benefits from the PDR program due to the permanent protection of the land for forestry purposes. This area will never be developed with additional housing and will stay in low-service cost status in perpetuity. Multiple benefits to forestry, wildlife, water quality, and educational opportunities are among the benefits for the community.

**2. Problem to be solved:**

The focus of the Purchase of Development Rights Program is to permanently protect agricultural and forestry lands from conversion to non-working land uses. This property contains productive forestry soils, is adjacent to thousands of acres of working forestlands and has been recommended for protection by the Purchase of Development Rights Oversight Committee.

**3a. Options / Advantages:**

The Purchase of Development Rights Oversight Committee considers the PDR program to be an integral component of an overall working lands protection strategy. The Growth Management Act requires the protection of resource lands. This is one of several efforts the County is making to comply with the state requirement. Zoning and Open Space Taxation are other programs currently employed by Whatcom County to protect agricultural and forestry lands. PDR easements are valuable partly because they are the only action currently available for the County to achieve permanent protection on agricultural and forestry lands.

**3b. Cost savings:**

Savings are difficult to quantify. Studies indicate that resource lands are the lowest cost properties for community services. Other savings are based on the benefits of not converting the property to some more intensive use. Water quality degradation, excessive stormwater runoff and increased costs for roads and other service provisions are eliminated when conservation easements establish a permanent working land development pattern in a given area. Maintaining a critical mass of viable working lands helps support the forestry economy.

**4a. Outcomes:**

This easement will result in the permanent protection of 84 acres of working forestlands.

**4b. Measures:**

The easement on this property will be purchased with assistance from a title company through a typical

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closing process. The successful closing of the easement purchase marks the outcome of this specific request. Annual monitoring reports are supplied by the Whatcom Land Trust for each completed conservation easement.

**5a. Other Departments/Agencies:**

This is a joint project which involves the Whatcom Land Trust (on-going monitoring/enforcement responsibilities) and Whatcom County – PDR program administration/funding. The Department of Natural Resources will also provide ongoing stewardship and management of the site, ensuring adherence to the easement terms.

**5b. Name the person in charge of implementation and what they are responsible for:**

The Whatcom Land Trust will be responsible for the long-term monitoring under the terms of the conditions in the conservation easement and based on the contract that they have with Whatcom County. Gabe Epperson is the Conservation Director.

**6. Funding Source:**

Conservation Futures Fund (as requested)

The net expenditure after reimbursement will be \$236,200.00.

**WHATCOM COUNTY**  
Planning & Development Services  
5280 Northwest Drive  
Bellingham, WA 98226-9097  
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360-778-5901 Fax



**Mark Personius, AICP**  
Director

## Memorandum

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

THROUGH: Mark Personius, Director, PDS *mp*

FROM: Chris Elder, PDR Program Administrator *CE*

DATE: May 10, 2019

SUBJECT: Supplemental Budget Request to complete a forestry conservation easement acquisition for PDR applicant Seed Orchard

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### **Introduction**

The Whatcom County Purchase of Development Rights (PDR) Program was initiated in September of 2001. The program has successfully purchased 139 development rights on 1,134 acres through 22 agricultural conservation easements.

The Purchase of Development Rights Oversight Committee has recommended purchase of a forestry conservation easement on the Seed Orchard forest property. The PDR Program Administrator is concurrently requesting approval from County Council to authorize the PDR Program Administrator and County Executive to proceed with the acquisition of a forestry conservation easement on the Seed Orchard forest property. This supplemental budget requests include all costs associated with closing of this forestry conservation easement including easement cost, baseline documentation fees, easement monitoring fees, and associated closing costs. This request will support completion of the PDR process on this property.

### **Background and Purpose**

The Seed Orchard forestry conservation easement will represent the 24<sup>th</sup> purchase under the County's Purchase of Development Rights Program and will represent the first forestry conservation easement enacted through the program. Completion of this easement will add an additional 84 acres to the total protected acreage in Whatcom County. This will bring the total protected acreage up to 1,284 acres. Whatcom Land Trust has developed baseline condition reports for the easement area and will be the legally responsible party to monitor and enforce terms of the conservation easement.

### **Seed Orchard - PDR Supplemental Budget Request**

<b>Seed Orchard Forestry Conservation Easement</b>	\$220,000.00
- Easement monitoring and enforcement	\$12,000.00
- Background Documents preparation	\$2000.00
- Escrow and closing costs	\$2,200.00
Subtotal	<u>\$236,200.00</u>

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- **Net cost to Whatcom County** **\$236,200.00**

#### **Request Summary**

This request is complementary to the proposed Resolution being considered by Council on May 21, 2019 which authorizes the PDR Program Administrator and County Executive to enter into a purchase and sale agreement for the forestry conservation easement on this property. The conservation easement is estimated to be completed and recorded by August 2019.

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

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*Status:* Pending

**Planning & Development Services**

**Planning**

*Suppl ID #* 2738

*Fund* 175

*Cost Center* 17550

*Originator:* Chris Elder

**Year 1** 2019

**Add'l FTE**

**Priority** 1

**Name of Request:** Broad Leaf Farm Ag. Conservation Easement PDR

**X**  *5-14-2019*  
**Department Head Signature (Required on Hard Copy Submission)** **Date**

<i>Costs:</i>	<b>Object</b>	<b>Object Description</b>	<b>Amount Requested</b>
	4331.1093	Ag Conservation Easement Prgm	(\$127,500)
	6610	Contractual Services	\$12,750
	7320	Land	\$259,213
	<b>Request Total</b>		<b>\$144,463</b>

**1a. Description of request:**

The proposed budget amendment is to cover all associated costs for completion of an agricultural conservation easement on the Broad Leaf Farm application. This includes easement cost, easement monitoring and enforcement fees, baseline documentation, and escrow and closing costs. RE: WCC Resolution 2017-042 approved the purchase.

**1b. Primary customers:**

The community at large benefits from the PDR program due to the permanent protection of the land for farming purposes. This area will never be developed with additional housing and will stay in low-service cost status in perpetuity. Multiple benefits to agriculture, wildlife, water quality and stormwater retention are among the benefits for the community.

**2. Problem to be solved:**

One of the focus areas of the Purchase of Development Rights Program is to permanently protect prime/productive agricultural land from conversion to non-agricultural uses. This property contains prime agricultural soils and has been recommended for protection by the Purchase of Development Rights Oversight Committee and been approved for purchase by Whatcom County Council via Resolution 2017-042.

**3a. Options / Advantages:**

The Agricultural Advisory Committee has considered the PDR program as an integral component of an overall agricultural protection strategy. The Growth Management Act requires the protection of resource lands. This is one of several efforts the County is making to comply with the state requirement. Zoning and Open Space Taxation are other programs currently employed by Whatcom County to protect agricultural land. PDR's are valuable partly because they are the only action currently available for the County to achieve permanent protection on agricultural lands.

**3b. Cost savings:**

Savings are difficult to quantify. Studies indicate that resource lands are the lowest cost properties for community services. Other savings are based on the benefits of not converting the property to some more intensive use. Water quality degradation, excessive stormwater runoff and increased costs for roads and other service provisions are eliminated when conservation easements establish a permanent agricultural development pattern in a given area. Maintaining a critical mass of viable agricultural land supports a vibrant agricultural economy. \$127,500 will be reimbursed with matching funds provided by the Natural Resource Conservation Service (NCRS) Agricultural Conservation Easement Program (ACEP).

**4a. Outcomes:**

The PDR program originally targeted 10,000 acres for purchase. Since that time the Council endorsed a

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Rural Land Study that has targeted some 25,000 acres of agricultural lands within rural zoned land that they would like to see with additional protection. This additional acreage will require significant increase in funding for the PDR program as well as the development of additional innovative techniques. The addition of this farm to the PDR land base will occur in 2019

**4b. Measures:**

The easement on this farm will be purchased with assistance from a title company through a typical closing process. The successful closing of the easement purchase marks the outcome of this specific request. Annual monitoring reports are supplied by the Whatcom Land Trust for each completed agricultural conservation easement.

**5a. Other Departments/Agencies:**

This is a joint project which involves the Whatcom Land Trust (on-going monitoring/enforcement responsibilities) and Whatcom County PDR program administration/funding. 50% reimbursement funding comes from the Natural Resource Conservation Service Agricultural Conservation Easement Program Agricultural Land Easement.

**5b. Name the person in charge of implementation and what they are responsible for:**

The Whatcom Land Trust will be responsible for the long-term monitoring under the terms of the conditions in the conservation easement and based on the contract that they have with Whatcom County. Gabe Epperson is the Conservation Director.

**6. Funding Source:**

Conservation Futures Fund (as requested)

Therefore the total coming out of will be \$271,963.13, though the NRCS will reimburse Whatcom County for a total of \$127,500 towards this transaction. The net expenditure after reimbursement will be \$144,463.13.



**WHATCOM COUNTY**  
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360-778-5901 Fax



**Mark Personius, AICP**  
Director

## Memorandum

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

**THROUGH:** Mark Personius, Director, PDS *MP*

**FROM:** Chris Elder, PDR Program Administrator *CE*

**DATE:** May 10, 2019

**SUBJECT:** Supplemental Budget Request to complete agricultural conservation easement acquisition for PDR applicant Broad Leaf Farm

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### **Introduction**

The Whatcom County Purchase of Development Rights (PDR) Program was initiated in September of 2001. The program has successfully purchased 139 development rights on 1,134 acres through 22 agricultural conservation easements.

The Purchase of Development Rights Oversight Committee has recommended purchase of an agricultural conservation easement on the Broad Leaf Farm property. Whatcom County Council has approved the PDR Program Administrator and County Executive to proceed with the acquisition of these easements through Resolution 2017-042. This supplemental budget requests include all costs associated with closing of this agricultural conservation easement including easement cost, baseline documentation fees, easement monitoring fees, and associated closing costs. This request will support completion of the PDR process on this property. A previous supplemental budget request was approved for this purchase in 2018, but completion of an agricultural conservation easement was not completed by the end of 2018 and therefore a new supplemental budget request is being issued for project completion in 2019.

### **Background and Purpose**

The Broad Leaf Farm conservation easement will represent the 23<sup>rd</sup> purchase under the County's Agricultural Purchase of Development Rights Program. Completion of this easements will add an additional 66.2 acres to the total protected acreage in Whatcom County. This will bring the total protected acreage up to 1,200 acres. Whatcom Land Trust has developed baseline condition reports for the easement area and will be the legally responsible party to monitor and enforce terms of the conservation easement.

The Broad Leaf Farm conservation easement was selected to receive matching funds through the Natural Resource Conservation Service (NRCS) Agricultural Conservation Easement Program (ACEP). These funds represent 50% of the actual easement cost.

### **Broad Leaf Farm - PDR Supplemental Budget Request**

<b>Broad Leaf Farm Agricultural Conservation Easement</b>	\$255,000.00
- Easement monitoring and enforcement	\$12,750.00
- Background Documents preparation	\$2000.00
- Escrow and closing costs	\$2,213.13
Subtotal	<hr/> \$271,963.13
- Reimbursement from NRCS ACEP	(\$127,500)
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- <b>Net cost to Whatcom County after reimbursement</b>	<b>\$144,463.13</b>

#### **Request Summary**

This request is consistent with Resolution 2017-042 which authorizes the PDR Program Administrator and County Executive to enter into a purchase and sale agreement for the agricultural conservation easement on this property. The conservation easement is estimated to be completed and recorded by July 2019.

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