

SPONSORED BY: \_\_\_\_\_  
PROPOSED BY: \_\_\_\_\_ Planning  
INTRODUCTION DATE: \_\_\_\_\_

**RESOLUTION # \_\_\_\_\_**

**AFFIRMING THE PDR OVERSIGHT COMMITTEE RANKING AND AUTHORIZING  
WHATCOM COUNTY PURCHASE OF DEVELOPMENT RIGHTS PROGRAM  
ADMINISTRATOR AND WHATCOM COUNTY EXECUTIVE TO PROCEED WITH  
THE ACQUISITION OF CONSERVATION EASEMENTS ON THE LAKELAND  
FOUNDATION, JONES-BISHOP, MARTIN, VANDERWERFF, KIERA-DUFFY  
FORESTRY, AND KIERA-DUFFY ECOLOGICAL 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**, Council, pursuant to PDR Guidelines Document, must affirm or modify the properties as submitted by the PDR Oversight Committee; and

**WHEREAS**, Council has reviewed the application ranking and background materials at a public meeting, with input by County staff and PDR 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 PDR 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 Jones-Bishop and Kiera-Duffy Forestry projects; and

**WHEREAS**, The Ag Mitigation Fee established to mitigate for impacts to agricultural lands provides matching funds to support acquisition of the agricultural conservation easements on the Martin and VanderWerff projects; and

**WHEREAS**, The United States Department of Agriculture will review applications for the request for matching funds to support acquisition of the agricultural conservation easements on the Lakeland Foundation and Jones-Bishop projects; and

**WHEREAS**, The Kiera-Duffy Ecological project has agreed to a 50% bargain sale; and

**WHEREAS**, The Purchase of Development Oversight Rights Committee met on December 4, 2020 to develop a ranking of active applications received to date and forward that ranking to Council; and

**WHEREAS**, The Purchase of Development Rights Oversight Committee considered the ranked list of active applications and recommended at their December 4, 2020 meeting that County Council authorize the PDR Program Administrator and County Executive to proceed with the acquisition of conservation easements on the Lakeland Foundation, Jones-Bishop, Martin, VanderWerff, Kiera-Duffy Forestry, and Kiera-Duffy Ecological applications.

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

1. The PDR Oversight Committee and Administrator proceed with the acquisition of six (6) conservation easements on the Lakeland Foundation, Jones-Bishop, Martin, VanderWerff, Kiera-Duffy Forestry, and Kiera-Duffy Ecological applications pursuant to the process outlined in the PDR Guidelines Document.
2. The Executive is authorized to enter into a Purchase and Sale Agreement for the Lakeland Foundation, Jones-Bishop, Martin, VanderWerff, Kiera-Duffy Forestry, and Kiera-Duffy Ecological properties, provided:
  - a. Appraisals are completed and conservation easements are drafted which meet the requirements of the Whatcom County Purchase of Development Rights 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 \_\_\_\_\_, 2021

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

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

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Barry Buchanan, Council Chair

APPROVED as to form:

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