



Paul Schissler
CEP Oversight Committee Chair

Alexander Harris
CEP Outreach Coordinator

Whatcom County Council
CANR Committee
August 6, 2025



Whatcom County
Conservation Easement
Program

Update from the CEP



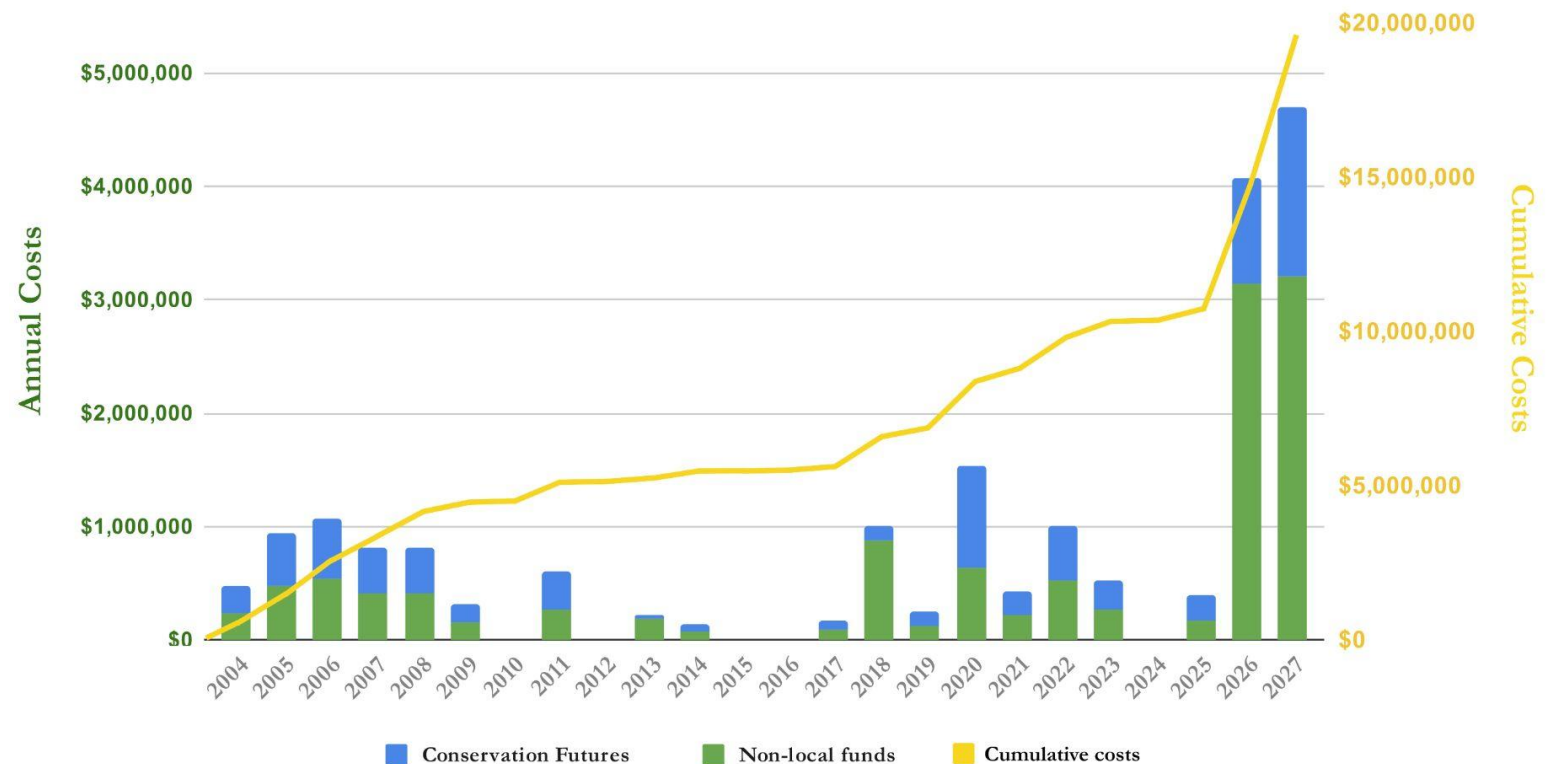
CEP 2002-2024

- \$10.4 million
- Over half covered by grants
- 39 easements
- 1,920 acres
- 208 development rights

Future demand

- 11 prospective easements
- ~2,000 acres
- ~90 development rights
- ~\$9 million needed
- ~\$6 million in matches secured
- Local funding needed: ~\$1M/yr

Conservation Easement Costs Over Time



CEPOC Letter to Executive + WCC (07.23.25)



Exploration of alt. funding sources:

- **Real estate transfer fee fund (REET 3)**
 - Allowed under RCW 82.46.070
 - 1% = \$24-36 million/yr
 - 0.25% = \$6-9 million/yr
- **Conservation Futures levy lid lift**
 - 2001: 6.25 cents/\$1,000
 - 2025: 2.31 cents/\$1,000
 - 2025 revenue = \$1.4 million
 - If restored: ~\$3.8 million
- **Commit half of CF funds to CEP easements**
 - Coordinate with Parks and Public Works

MEMORANDUM

TO: Whatcom County Executive Satpal Singh Sidhu
CC: Whatcom County Council Members
FROM: Whatcom County Conservation Easement Program Oversight Committee
DATE: July 23, 2025
SUBJECT: Promoting the Success of the Conservation Easement Program

The Conservation Easement Program Oversight Committee (CEPOC) members would like to make **three recommendations to address key challenges** preventing the Conservation Easement Program (CEP) from fulfilling its mission and implementing adopted County policies.

CEPOC will report to the County Council in August that, after adding an outreach coordinator position to the program last year, the CEP has received eleven landowners' applications for voluntary conservation easements covering approximately 2,000 acres of working farmland and forestland. If funded, these easements will double the total acreage protected by the CEP over the past 20 years and will retire roughly 90 development rights, ensuring that these farmlands and working forestlands are protected in perpetuity.

Purchasing these easements will require an estimated \$9,000,000 spread out over the next three years. This is an unprecedented demand for the CEP program (see Figure 1, below). Fortunately, in the past year, CEP staff have secured \$6,000,000 in nonlocal, matching grant funding to help pay for these easements, including two new funding sources: the USFS Forest Legacy Program and the WA Department of Ecology Puget Sound Riparian Systems Lead grant program. These grants will cover approximately 70 percent of the easement costs; however, the CEP will require an estimated \$3,000,000 from the Conservation Futures Fund (CFF) or other sources over the next three years.

One of the common concerns we hear from prospective CEP applicants is how long it takes for an easement transaction to close. CEP easements generally take two to three years to close, primarily due to the timelines required to secure nonlocal matching grants and the CEP's limited access to the CFF. In the past, the CEP has used an average of \$220,000 per year. In contrast, Skagit County's Farmland Legacy Program typically closes on Skagit working farmland easements in six months due to the Legacy Program's exclusive access to Skagit's CFF, requiring no matching funds.

As federal and state matching funding becomes more volatile and uncertain, and as real estate prices continue to rise, it will be important to have more, consistent local funding dedicated to protecting working lands and conserving lands, rivers, and shorelines that provide fish and wildlife habitat and robust recreational opportunities.

To continue building the momentum of the Whatcom CEP program, additional funding will be needed to keep up with CEP applications and to implement adopted County policies for preserving farmland, commercial forests, and important ecological areas.

The CEPOC would like to ask the County to consider the following three recommendations:

1. Consider the pros and cons of establishing a real estate transfer fee fund for conservation. The CEPOC asks that the County consider the pros and cons of a ballot measure asking voters to approve a real estate transfer fee, sometimes called REET 3, as allowed under RCW 82.46.070, for acquisition and maintenance of conservation areas. A transfer fee of up to 1.00 percent fee is allowed. As an example, a

Other CEPOC Updates



- **Landowner Survey**
 - Receive feedback from CEP landowners
 - Improve program to better meet the needs of commercial farmers
- **One CEPOC vacancy**
 - Farmer or forester
- **Updated Business Rules**
 - CEPOC approves contingent upon funding
 - Staff secure funding
 - Council approves purchase



New Funding Secured



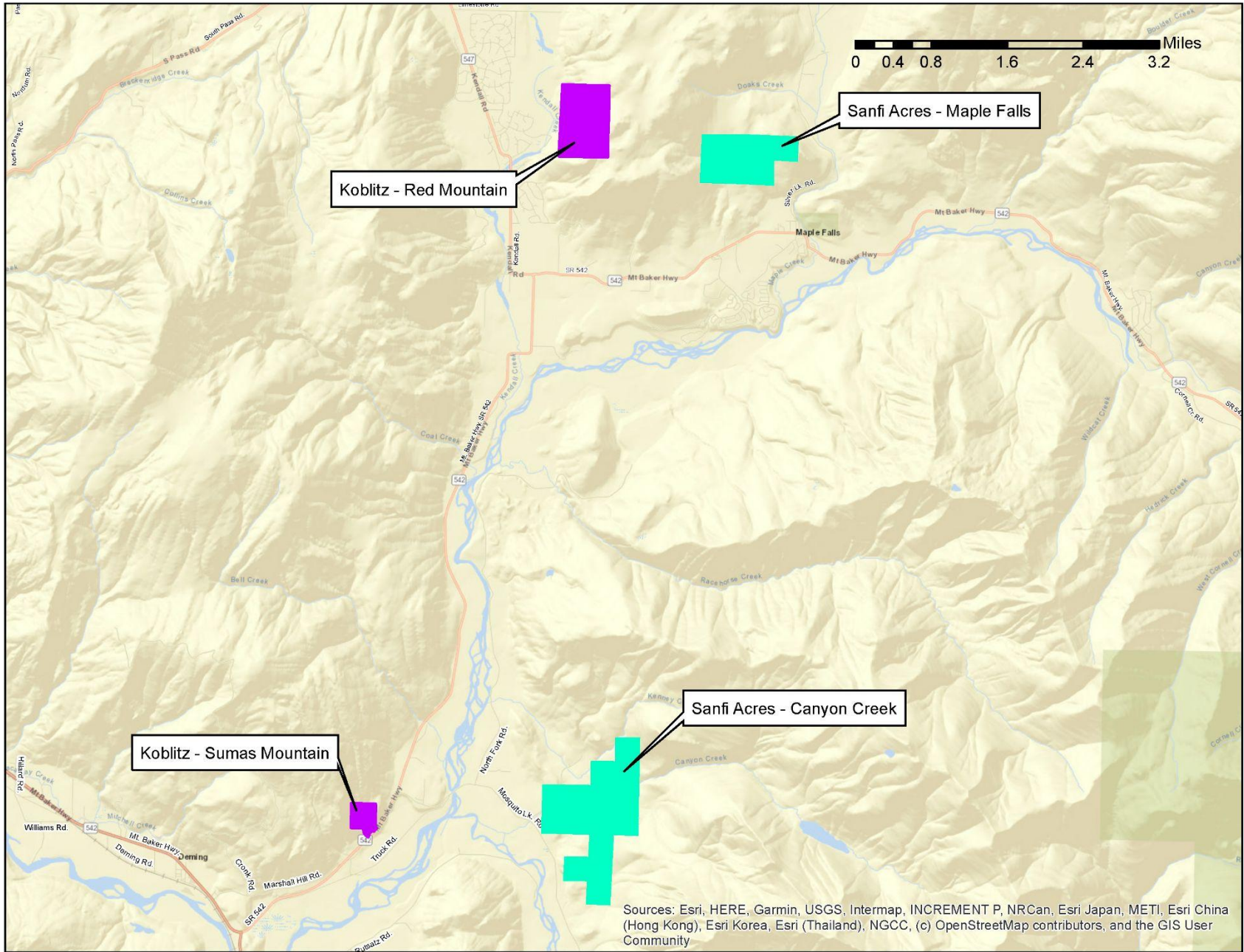
Forest Legacy Program

- US Forest Service & WA DNR
- Working forest easements
- Up to 75% match
- \$1,000,000 awarded

Puget Sound Riparian Systems

- Dept. of Ecology
- No match required for riparian protection zone.
- Coalition of jurisdictions supported application
- \$2,000,000 awarded



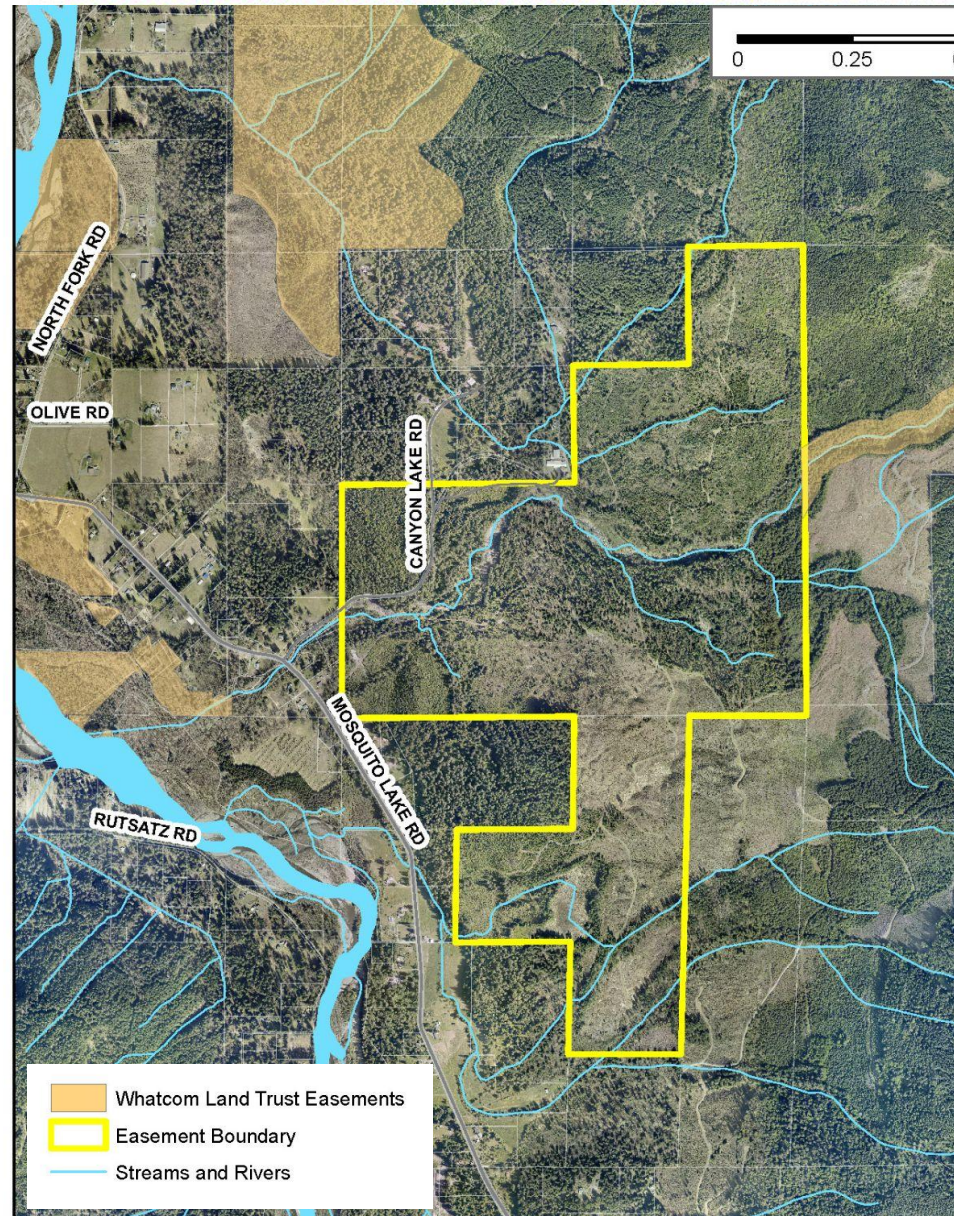


Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Sanfi Acres – Canyon Creek



- **CEP Score:** 72.4
- **Acreage:** 610 acres
- **Development Rights:** 30
- **Zoning:** RF
- **Location:** Mosquito Lake Road
- **Soils:** Majority Site Class II
- **Application Date:** 2024
- **Estimated Easement Cost:** \$1,830,000
 - RCO: \$500,000
 - NRCS \$915,000
 - CFF: \$415,000



Sanfi Acres - Canyon Creek Working Forest Total Score: 72.4 (out of 100)

General Site Evaluation Score (20%): 16

Total parcel size: 610.5 acres | Score: 100
Proximity to existing conserved land: 0 miles | Score: 100
Legal lots of record: 30 | Score: 100
Medium to high priority areas: 3 | Score: 100
Removal of all remaining development rights: No | Score: 0

Development Pressure Score (20%): 10

Remaining development rights: 22 | Score: 100
Threat of conversion: 76 parcels in 1/4 mi | Score: 50
Proximity to major road/intersection: 7,149 feet | Score: 0

Working Forest Score (40%): 35.2

In Rural Forestry Zone or Designated Forest Land: Yes | Score: 100
Forest soils evaluation: Score: 41
Closest existing forest: 0 mi. | Score: 100
Access to other forest: Yes | Score: 100
Priority forestland based on State Forest Action Plan:
Priority A or B | Score: 100

Special Considerations Score (10%): 6.2

Near existing or proposed trails: No | Score: 0
Forest management beyond minimum: Yes | Score: 100
Contains conservation values: Yes | Score: 100
Watershed water flow recommendation:
Protection Conservation/Restoration | Score: 50

Matching Funds Score (10%): 5

Matching funds secured or bargain sale: 50 | Score: 50

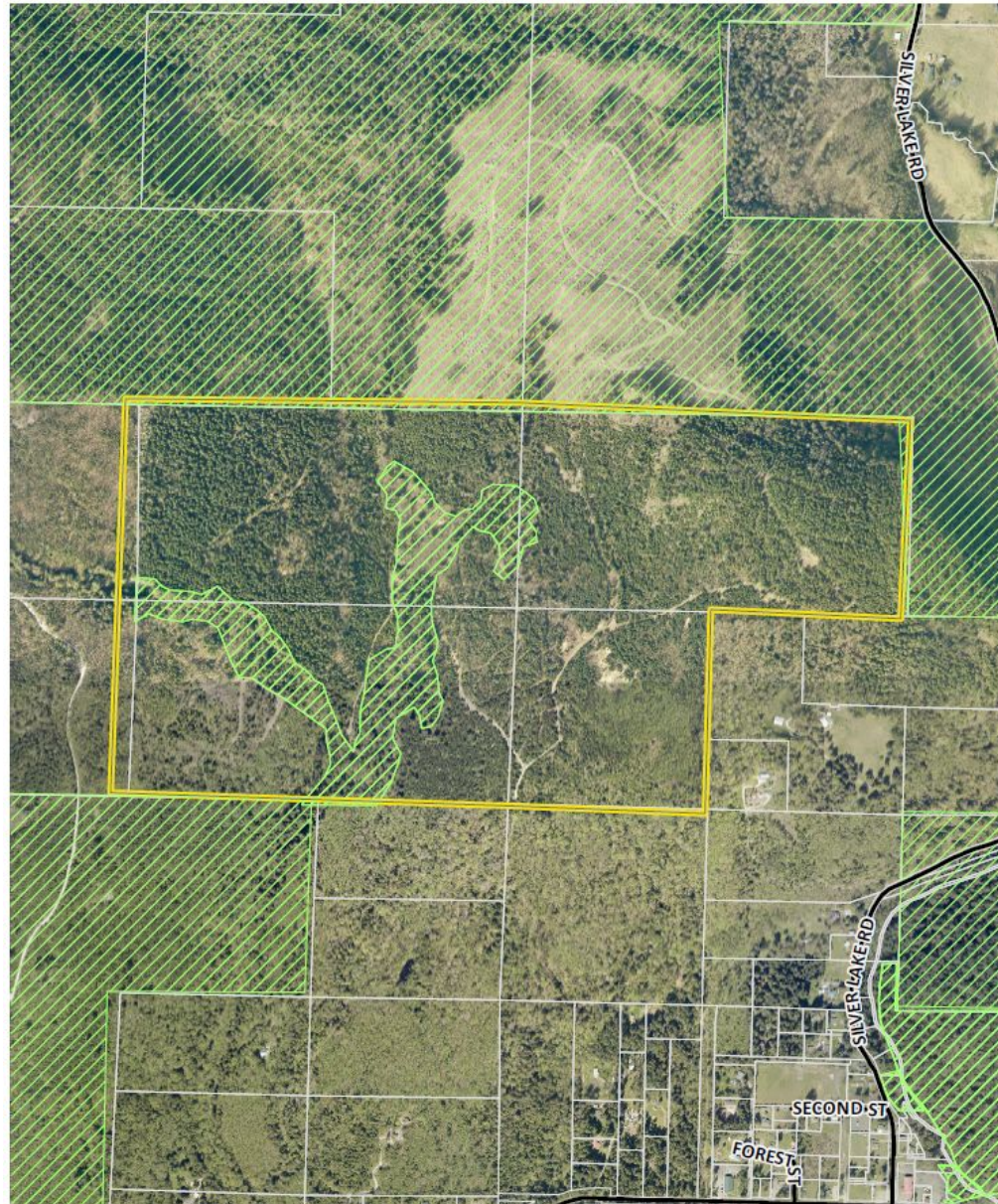


Sanfi Acres – Maple Falls



- **CEP Score:** 65
- **Acreage:** 280 acres
- **Development Rights:** 14
- **Zoning:** RF
- **Location:** Maple Falls
- **Soils:** Majority Site Class II
- **Application Date:** 2024
- **Estimated Easement Cost:** \$840,000
 - RCO: \$420,000
 - USFS: \$420,000**
 - CFF: \$0

**DNR to hold the CE



Sanfi Acres - Maple Falls Working Forest Total Score: 65 (out of 100)

General Site Evaluation Score (20%): 16
Total parcel size: 292.1 acres | Score: 100
Proximity to existing conserved land: 0 miles | Score: 100
Legal lots of record: 14 | Score: 100
Medium to high priority areas: 3 | Score: 100
Removal of all remaining development rights: No | Score: 0

Development Pressure Score (20%): 10.6
Remaining development rights: 4 | Score: 60
Threat of conversion: 33 parcels in 1/4 mi | Score: 100
Proximity to major road/intersection: 2,631 feet | Score: 0

Working Forest Score (40%): 27.2
In Rural Forestry Zone or Designated Forest Land: Yes | Score: 100
Forest soils evaluation: Score: 40
Closest existing forest: 0 mi. | Score: 100
Access to other forest: No | Score: 0
Priority forestland based on State Forest Action Plan:
Priority A or B | Score: 100

Special Considerations Score (10%): 6.2
Near existing or proposed trails: No | Score: 0
Forest management beyond minimum: Yes | Score: 100
Contains conservation values: Yes | Score: 100
Watershed water flow recommendation:
Protection Conservation/Restoration | Score: 50

Matching Funds Score (10%): 5
Matching funds secured or bargain sale: 50 | Score: 50



Koblitz– Red Mountain



- **CEP Score:** 63.6
- **Acreage:** 240 acres
- **Development Rights:** 12
- **Zoning:** RF
- **Location:** Columbia Valley
- **Soils:** Site Class II & III
- **Application Date:** 2024
- **Estimated Easement Cost:** \$768,000
 - USFS: \$576,000**
 - CFF: \$192,000

**DNR to hold the CE



Koblitz-RedMountain Working Forest Total Score: 63.6 (out of 100)

General Site Evaluation Score (20%): 16

Total parcel size: 239.2 acres | Score: 100
Proximity to existing conserved land: 0 miles | Score: 100
Legal lots of record: 12 | Score: 100
Medium to high priority areas: 3 | Score: 100
Removal of all remaining development rights: No | Score: 0

Development Pressure Score (20%): 10

Remaining development rights: 8 | Score: 100
Threat of conversion: 61 parcels in 1/4 mi | Score: 50
Proximity to major road/intersection: 2,700 feet | Score: 0

Working Forest Score (40%): 26.4

In Rural Forestry Zone or Designated Forest Land: Yes | Score: 100
Forest soils evaluation: Score: 34
Closest existing forest: 0 mi. | Score: 100
Access to other forest: No | Score: 0
Priority forestland based on State Forest Action Plan:
Priority A or B | Score: 100

Special Considerations Score (10%): 6.2

Near existing or proposed trails: No | Score: 0
Forest management beyond minimum: Yes | Score: 100
Contains conservation values: Yes | Score: 100
Watershed water flow recommendation:
Protection Conservation/Restoration | Score: 50

Matching Funds Score (10%): 5

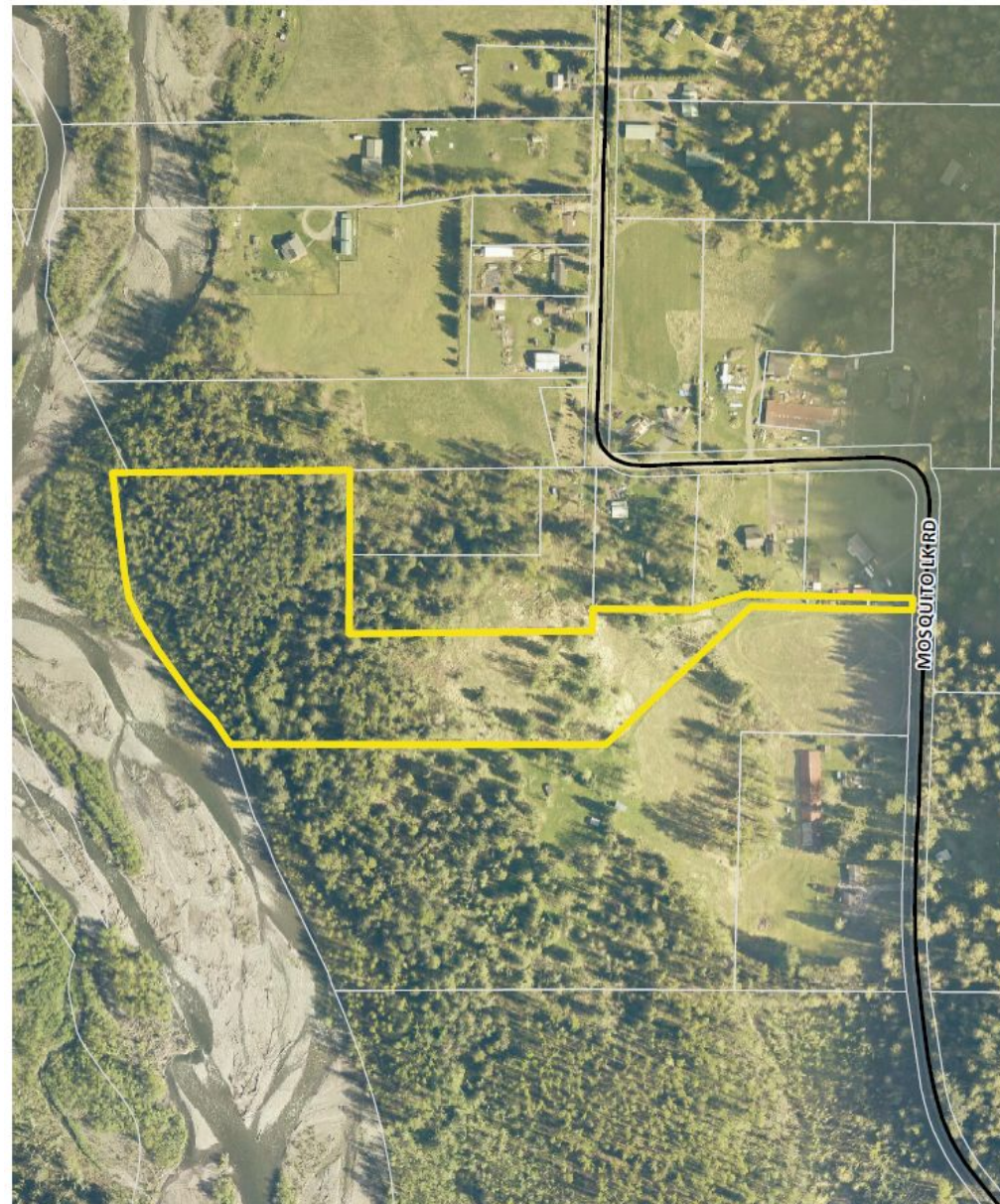
Matching funds secured or bargain sale: 50 | Score: 50



Taylor



- **CEP Score:** 55
- **Acreage:** 14 acres
- **Development Rights:** 1
- **Zoning:** R5A
- **Location:** Mosquito Lake Road
- **Habitat:** Middle Fork Nooksack River
- **Estimated Easement Cost:** \$100,000
 - NRCS: \$50,000
 - CFF: \$50,000
- **Application Date:** 2020



Taylor Ecological Total Score: 66.4 (out of 100)

General Site Evaluation Score (20%): 13.4

Total parcel size: 14.1 acres | Score: 15
Proximity to existing conserved land: 0 miles | Score: 100
Legal lots of record: 1 | Score: 20
Medium to high priority areas: 4 | Score: 100
Removal of all remaining development rights: Yes | Score: 100

Development Pressure Score (20%): 8

Remaining development rights: 0 | Score: 20
Threat of conversion: 36 parcels in 1/4 mi | Score: 100
Proximity to major road/intersection: 14,502 feet | Score: 0

Ecological Asset Score (40%): 40

Water quality/quantity landscape analysis score average: 4.8 | Score: 100
Ecological important aquatic area landscape analysis score average: 4.4 | Score: 100
Ecological important terrestrial area landscape analysis score average: 4.4 | Score: 100
Important ecological area not included in landscape analysis: Yes, high importance | Score: 100

Special Considerations Score (10%): 5

Near existing or proposed trails: No | Score: 0
Ecosystem restoration beyond minimum: Yes | Score: 50
Watershed water flow recommendation: Highest Protection | Score: 100

Matching Funds Score (10%): 0

Matching funds secured or bargain sale: 0 | Score: 0



Summary



Closing	Property	Type	Acres Protected	DRs Extinguished	Total Cost	WA RCO	Forest Service + DNR	NRCS	Conservation Futures
2025	Taylor	Ecological	14	1	\$100,000			\$50,000	\$50,000
2026	Sanfi Acres Canyon Creek	Working Forestland	610	30	\$1,830,000	\$500,000		\$915,000	\$415,000
2026	Sanfi Acres Maple Falls	Working Forestland	280	14	\$840,000	\$420,000	\$420,000		\$0
2026	Koblitz Red Mountain	Working Forestland	240	12	\$768,000		\$576,000		\$192,000
TOTAL			1,144	57	\$3,538,000	\$920,000	\$996,000	\$965,000	\$657,000

**81.5% covered by
non-local funds!**

AB2025-565



□ **Approval to Purchase 4 Easements Per CEP Oversight Committee Recommendation**

- Taylor property (ECE2020-01)
- Sanfi Acres Canyon Creek property (FCE2024-02)
- Sanfi Acres Maple Falls property (FCE2024-01)
- Koblitz Red Mountain property (FCE2024-04)

□ **Total Conservation Futures ask: \$657,000 (2025 and 2026)**

- CFF Balance as of July 24, 2025: \$752,251

Questions?

www.whatcomcounty.us/cep