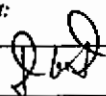


CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Kraig Olason	KO	11/9/05	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <b>RECEIVED</b>                       NOV 15 2005                       WHATCOM COUNTY                      COUNCIL                 </div>	11/22/05	Natural Resource Council
Supervisor: Troy Holbrook	TH	11-10-05			
Dept. Head: Hal H. Hart	HHH	11/10/05			
Prosecutor: Royce Buckingham	RZ	11-10-05			
Purchasing/Budget:	BB	11/14/05			
Executive: 	PR	11-15-05			

**SUBJECT:** Resolution for authorization of the purchase of a conservation easement on the Paul Dairy property.


**ATTACHMENTS:** Memo, Resolution, Memo-Royce Buckingham, , Letter of acceptance of price and conservation easement conditions, the conservation easement and site map.

SEPA review required? ( ) Yes ( x ) NO      Should Clerk schedule a hearing ? ( ) Yes , ( X ) NO  
 SEPA review completed? ( ) Yes ( ) NO      Requested Date:

**SUMMARY STATEMENT:** Authorization of purchase of a conservation easement under WCC 3.25A – Purchase of Agricultural Development Rights Program. This is the third purchase under the PDR program. Matching funds have been authorized by USDA for 50% of the purchase price. A supplemental budget request has been included in Supplemental Budget #12, 2005

**Distribution Request**

Indicate those who should receive a copy after Council action.  
 List specific names to the right.

ADS Facilities Management	
ADS Finance	
ADS Human Resources	
ADS Info Services	
Assessor	
Auditor	
Cooperative Extension	
District Court	
Executive	Pete Kremen
Health	
Hearing Examiner	
Jail	
Juvenile	
Parks	
Planning	Hal. H. Hart
Prosecutor	Royce Buckingham 
Public Works	
Sheriff	
Superior Court	
Treasurer	
Other	

**COUNCIL ACTION TAKEN:**  
 11/22/05: Approved in committee  
 11/22/2005: Approved 7-0, Res. #2005-070

**Related County Contract #:**

**Related File Numbers:**

**Ordinance or Resolution Number (this item):** Res. #2005-070

INTRODUCTION DATE: November 22, 2005

**RESOLUTION NO. 2005-070**

**AUTHORIZING WHATCOM COUNTY EXECUTIVE TO PURCHASE  
DEVELOPMENT RIGHTS ON PAUL DAIRY PROPERTY**

**WHEREAS**, Whatcom County government recognizes agriculture as a major contributor 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 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, wetlands, farm and agricultural land, and timber land; and

**WHEREAS**, Ordinance #2002-054 authorized the creation of a Purchase of Development Rights program for agricultural land within Whatcom County, and

**WHEREAS**, Ordinance #2002-054 established a Purchase of Development Rights Oversight Committee to provide review and assistance to the PDR Administrator, and

**WHEREAS**, Resolution # 2002-040 adopted the PDR Guidelines Document which includes specific direction for program administration and conservation easement acquisitions, and

**WHEREAS**, Resolution # 2003-025 affirmed the ranking of the applicants from Round 1 and Resolution #2004-002 affirmed the ranking of applicants for Round 2 and authorized the PDR Administrator to proceed with acquisition process, and

**WHEREAS**, The Paul Dairy property has been appraised and a conservation easement has been drafted which meets the requirements of both the Whatcom County Agricultural Purchase of Development Rights Program and the Federal Farm and Ranch Land Protection Program, and

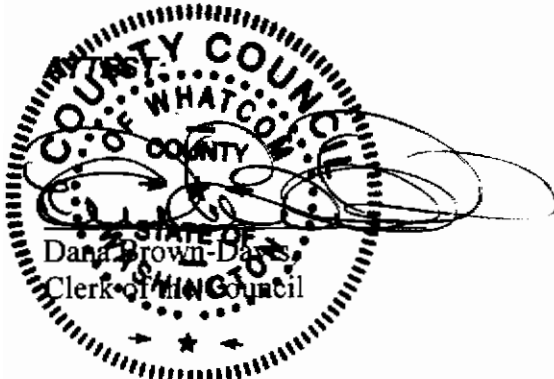
**WHEREAS**, Matching federal funds will be provided by the Natural Resource Conservation Service from the Farm and Ranch Land Protection Program to cover 50% of the purchase price, and

**WHEREAS**, The landowners have agreed to the offer price and conservation easement conditions.

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

1. The Executive is authorized to purchase the development rights of the property as identified in Exhibit 1 of this resolution (the Conservation Easement) for the full appraisal amount and to expend any additional funds necessary to cover other purchase related costs provided that all terms and conditions of the purchase are satisfied.

ADOPTED this 22 day of November, 2005



**WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON**

*Laurie Casty-Schreiber*  
Council Chair

**APPROVED** as to form

Approved  Denied

*[Signature]*  
Royce Buckingham,  
Civil Deputy Prosecutor

*[Signature]*  
Pete Kremen, Executive

Date: 11-29-05