

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2008-087

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	SR	2/1/08	RECEIVED FEB 05 2008 WHATCOM COUNTY COUNCIL	2/12/08	NR ./Council
Division Head:	JT	2-1-08			
Dept. Head:	DS	2-4-08			
Prosecutor:	LS	2-4-08			
Purchasing/Budget:	BB	2/2/08			
Executive:	DP	2-5-08			

TITLE OF DOCUMENT: Resolution adopting the Purchase of Development Rights Oversight Committee's ranking of applications and authorization to continue with Purchase of Development Rights acquisitions for Round 6

ATTACHMENTS: Resolution, Application Ranking list and background materials

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

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: As required by the WCC 3.25A – Purchase of Agricultural Development Rights Ordinance, applications submitted by landowners interested in participating in the PDR program were reviewed for program eligibility and ranked pursuant to the PDR guidelines Document Ranking Criteria by the PDR Oversight Committee. County Council needs to review the ranking as submitted by the Oversight committee and affirm or modify that ranking list and authorize the PDR Administrator to proceed with the acquisition process.

COMMITTEE ACTION:
2/12/2008: Forwarded to Council for approval

COUNCIL ACTION:
2/12/2008: Council Approved 6-0, Fleetwood absent Res. 2008-010

Related County Contract #:	Related File Numbers:	Ordinance or Resolution Number: Res. 2008-010
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Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

SPONSORED BY: Consent
PROPOSED BY: Planning
INTRODUCTION DATE: 2/12/2008

RESOLUTION # 2008-010

AFFIRMING THE PDR OVERSIGHT COMMITTEE RANKING AND AUTHORIZING WHATCOM COUNTY PURCHASE OF DEVELOPMENT RIGHTS ADMINISTRATOR TO PROCEED WITH THE ACQUISITION PROCESS FOR ROUND 6 APPLICATIONS

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 No # 2002-040 adopted the PDR Guidelines Document which includes specific direction for program administration and conservation easement acquisitions, and

WHEREAS, The Purchase of Development Oversight Committee met on January 25, 2008 to develop a ranking of all applications received during Round 6 and forwarded that ranking to Council; 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, and

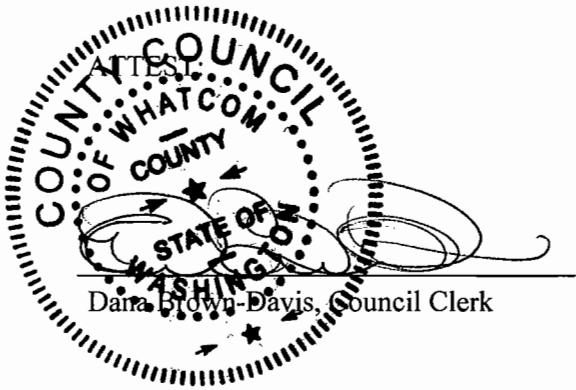
WHEREAS, Council concurs with the ranking and finds that the ranking complies with the requirements of Title 3.25A and the PDR Guidelines Document.

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


1. The PDR Oversight Committee and Administrator proceed with the acquisition of conservation easements in the order of the approved ranking (Exhibit 1) pursuant to the process outlined in the PDR Guidelines Document.
2. Expenditure of Conservation Futures Funds are authorized to cover expenses associated with purchase of conservation easements, including title search and insurance, appraisal services and Whatcom Land Trust fees.

APPROVED this 12th day of February, 2008

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON





Dana Brown-Davis, Council Clerk



Carl Weimer, Chairperson

APPROVED as to form:



Civil Deputy Prosecutor

Pete Kremen, Executive

Date: 2-13-08

2007 Applications
Whatcom County Agricultural Purchase of Development Rights Program
Round VI

EXHIBIT 1

1. Michael & Ruth Bouchard

- Number of Points: 51
- Type of Farm: Seed potatoes rotated with wheat & barley
- Zoning District: R5A
- Parcel Size (acres): 20
- Number of Development Rights: 3
- Target Area: Yes

The property is a productive seed potato farm located on Loomis Trail Road between Stein and Delta Line Roads. The soils are all classified as APO/Prime. It is located within the Stein Rd Target Area and the Loomis Trail Rural Study Area. The property is just over a mile from Birch Bay-Lynden Rd and under 6 miles south of Blaine. Approximately 17 acres are in active production. It is adjacent to the Bauthues property (below).

2. Don & Irma Bauthues

- Number of Points: 50
- Type of Farm: Seed potatoes rotated with wheat & barley
- Zoning District: R5A
- Parcel Size (acres): 12
- Number of Development Rights: 1
- Target Area: Yes

The property is a productive seed potato farm located on Loomis Trail Road between Stein and Delta Line Roads. The soils are all classified as APO/Prime. It is located within the Stein Rd Target Area and the Loomis Trail Rural Study Area. The property is just over a mile from Birch Bay-Lynden Rd and under 6 miles south of Blaine. Approximately 8 acres are in active production. It is adjacent to the Bouchard property (above).

3. Vernon Derr

- Number of Points: 50
- Type of Farm: Heifers; grass & corn silage
- Zoning District: Ag 40
- Parcel Size (acres): 82
- Number of Development Rights: 1
- Target Area: Adjacent

This is a productive farm located on Matz Road east of Enterprise Road along the Nooksack River. The property is comprised of APO/Prime soils and contains water rights. Approximately 74 acres are in active production. It is located adjacent to the South Custer Target Area & Harksell Rural Study Area.

2007 Applications
Whatcom County Agricultural Purchase of Development Rights Program
Round VI

EXHIBIT 1

4. Harold & Ellen Carbee

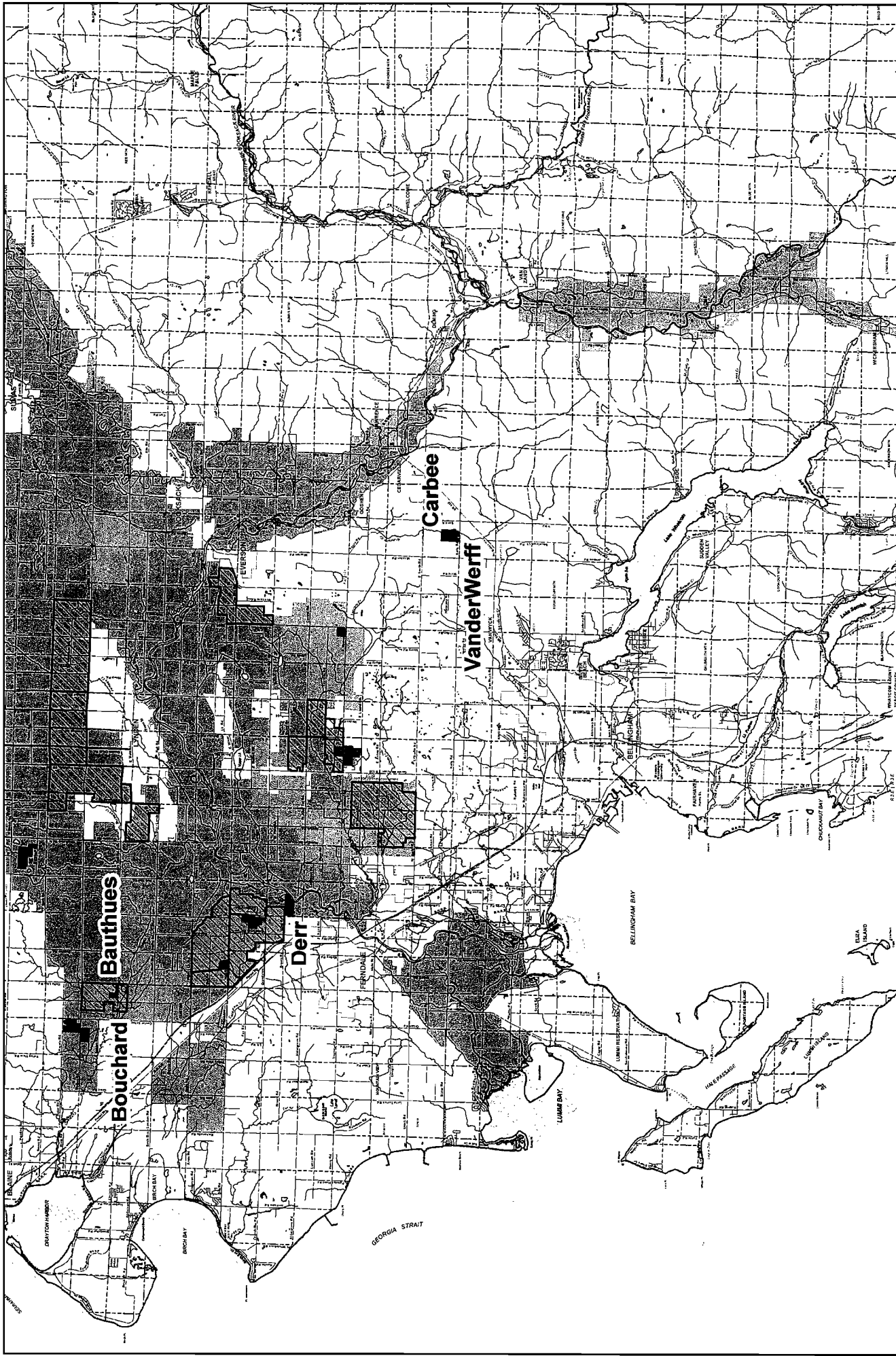
- Number of Points: 39
- Type of Farm: Heifers, pasture
- Zoning District: R5A
- Parcel Size (acres): 73
- Number of Development Rights: 13
- Target Area: No

This property is located on Kelly Rd between Mission and Sand Roads. Approximately 39 acres (53%) are actively farmed. No APO classified soils are on this property. The property (along with the VanderWerff property below) is isolated from targeted agricultural areas elsewhere in the county, but is located adjacent to other productive farms.







5. Greg & Heidi VanderWerff

- Number of Points: 32
- Type of Farm: Beef cattle, pasture
- Zoning District: R5A
- Parcel Size (acres): 20
- Number of Development Rights: 3
- Target Area: No

This property is located on Kelly Rd between Mission and Sand Roads. Approximately 17 acres are actively farmed. No APO classified soils are on this property. The property (along with the Carbee property above) is isolated from targeted agricultural areas elsewhere in the county, but is located adjacent to other productive farms.

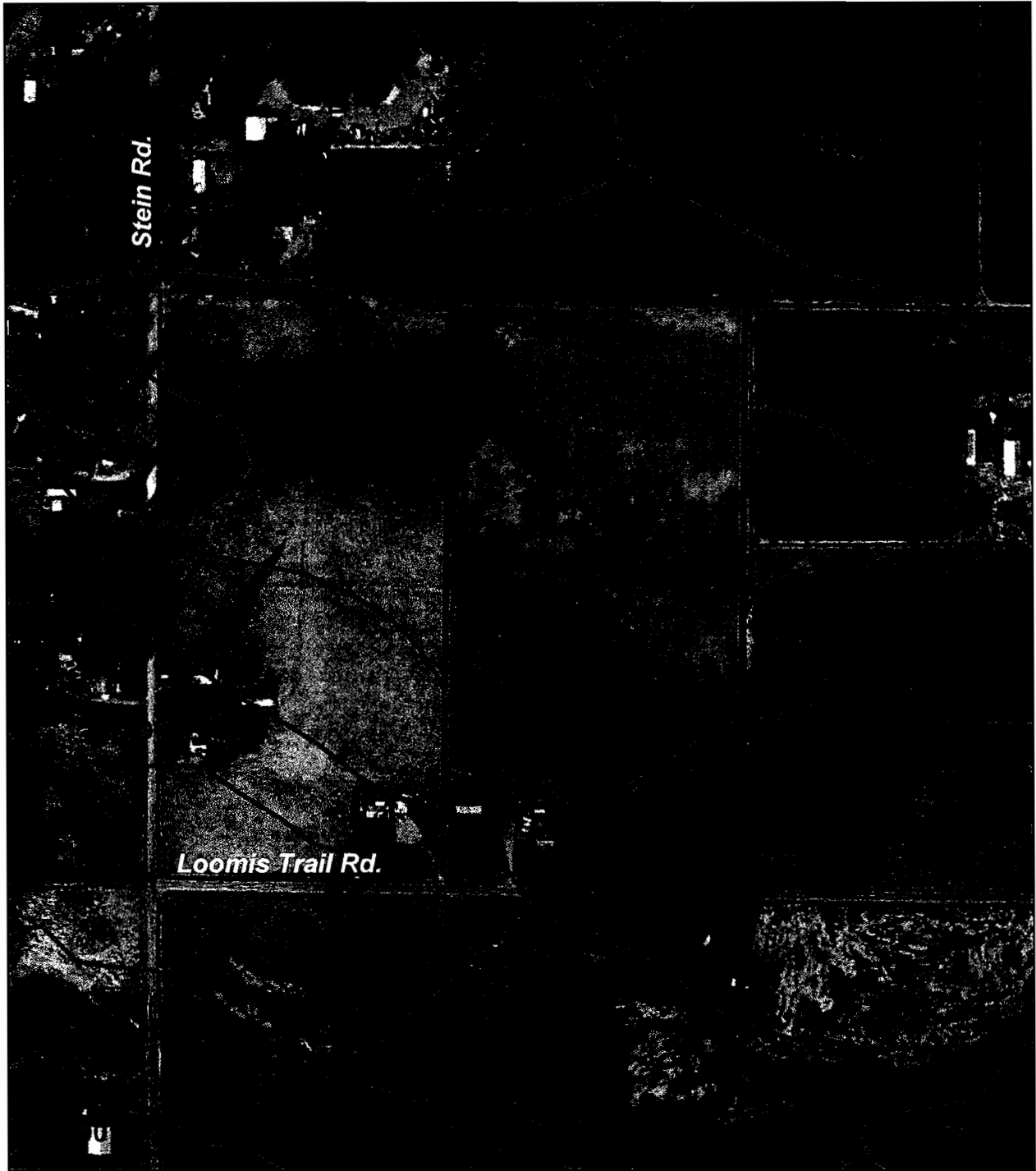


Whatcom County's Purchase of Development Rights Program 2008

-  Round VI Applications
-  Agriculture Zone
-  Purchased Properties
-  City Limits
-  PDR Target Areas
-  Rural Study Areas



Whatcom County Agriculture Program
Purchase of Development Rights
Completed Purchases
Summary Table

	Year	Property Name	Protected Acres	# of Dev Rights	Cost of Purchase	USDA Committed \$	Consv Futures Committed \$	WLT Expenses	Closing Expenses	Appraisal & other costs
ROUND 1	2002	Howard Holz	39.62	7	\$480,000.00	\$240,000.00	\$240,000.00	\$22,617.93	\$5,521.98	3585
ROUND 2	2003	Dale Gorsegner	39.4	7	\$230,200.00	\$115,100.00	\$115,100.00	\$12,510.82	\$2,878.49	3000
	2004	Paul Dairy	157	31	\$710,000.00	\$355,000.00	\$355,000.00	\$31,846.06	\$490.00	3000
ROUND 3	2006	Jagtar Alamwala	91	18	\$1,065,000.00	\$532,500.00	\$532,500.00	\$45,837.49	\$651.20	4000
ROUND 4	2007	Dickson	39.88	3	\$170,000.00	\$85,000.00	\$85,000.00	\$10,551.72	\$836.02	4000
	2007	Howard Holz	39.18	1	\$315,000.00	\$157,500.00	\$157,500.00	\$16,471.72	\$1,100.88	4500
ROUND 5	2007	Steve Groen	124.74	2	\$325,000.00	\$162,500.00	\$162,500.00	\$17,558.84	\$1,117.69	4500
	2008	Greg Ebe	40.38	8	\$255,000.00	\$127,500.00	\$127,500.00		\$565.21	4500
		TOTALS:	571.2	77	\$3,550,200.00	\$1,775,100.00	\$1,775,100.00	\$157,394.58	\$13,161.47	\$31,085.00



Bouchard - PDR Round 6 Soils Classification

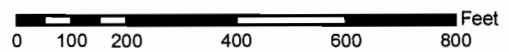
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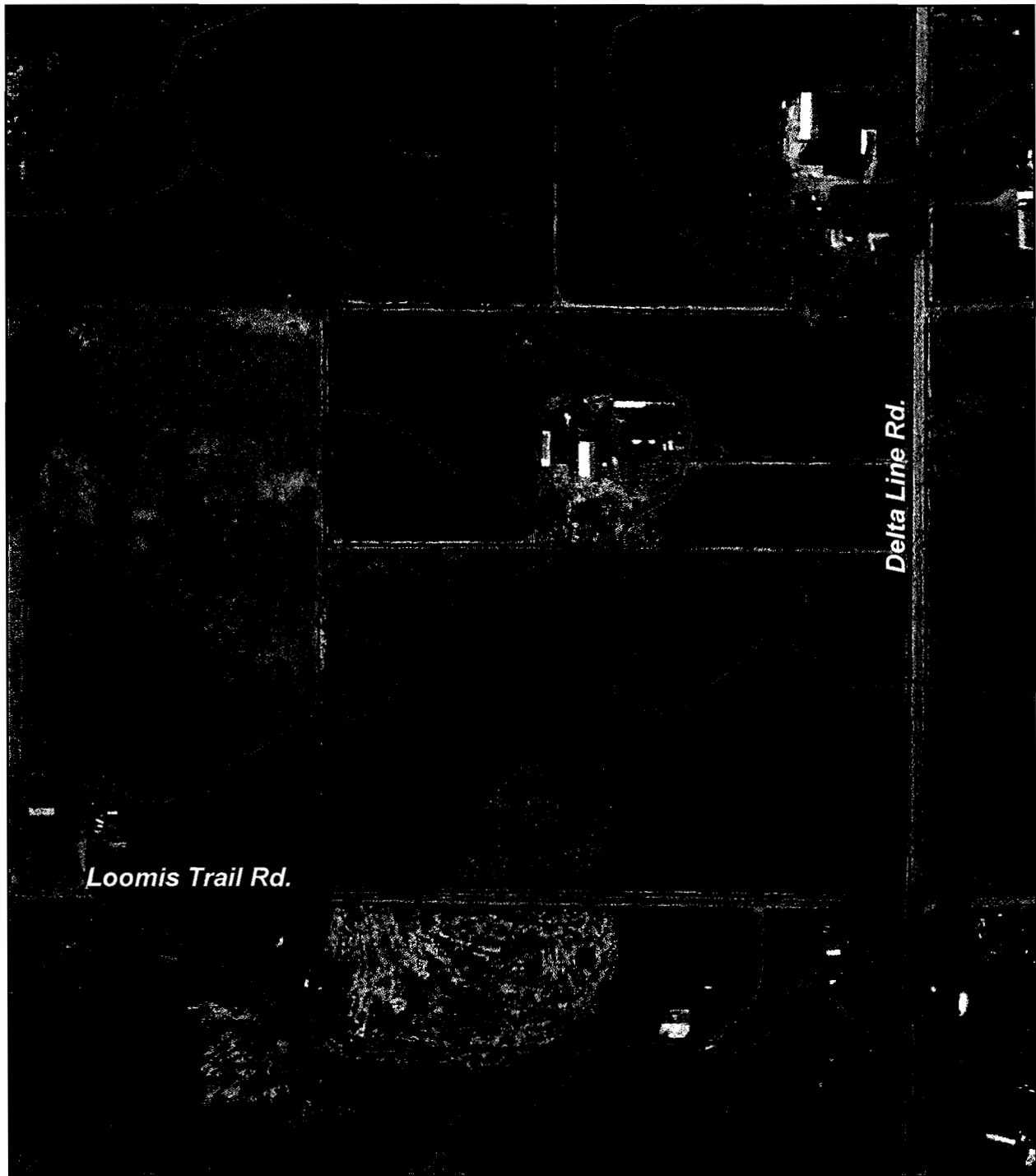
-  Bouchard Property
-  NRCS Soils

45 - Edmonds-Woodlyn loams, drained, 0-2% slopes/ 13.77 ac.
 165 - Tromp loam, 0-2% slopes/ 5.64 ac.



December 2007 sbw.





Bauthues - PDR Round 6 Soils Classification

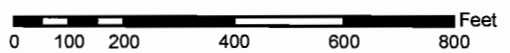
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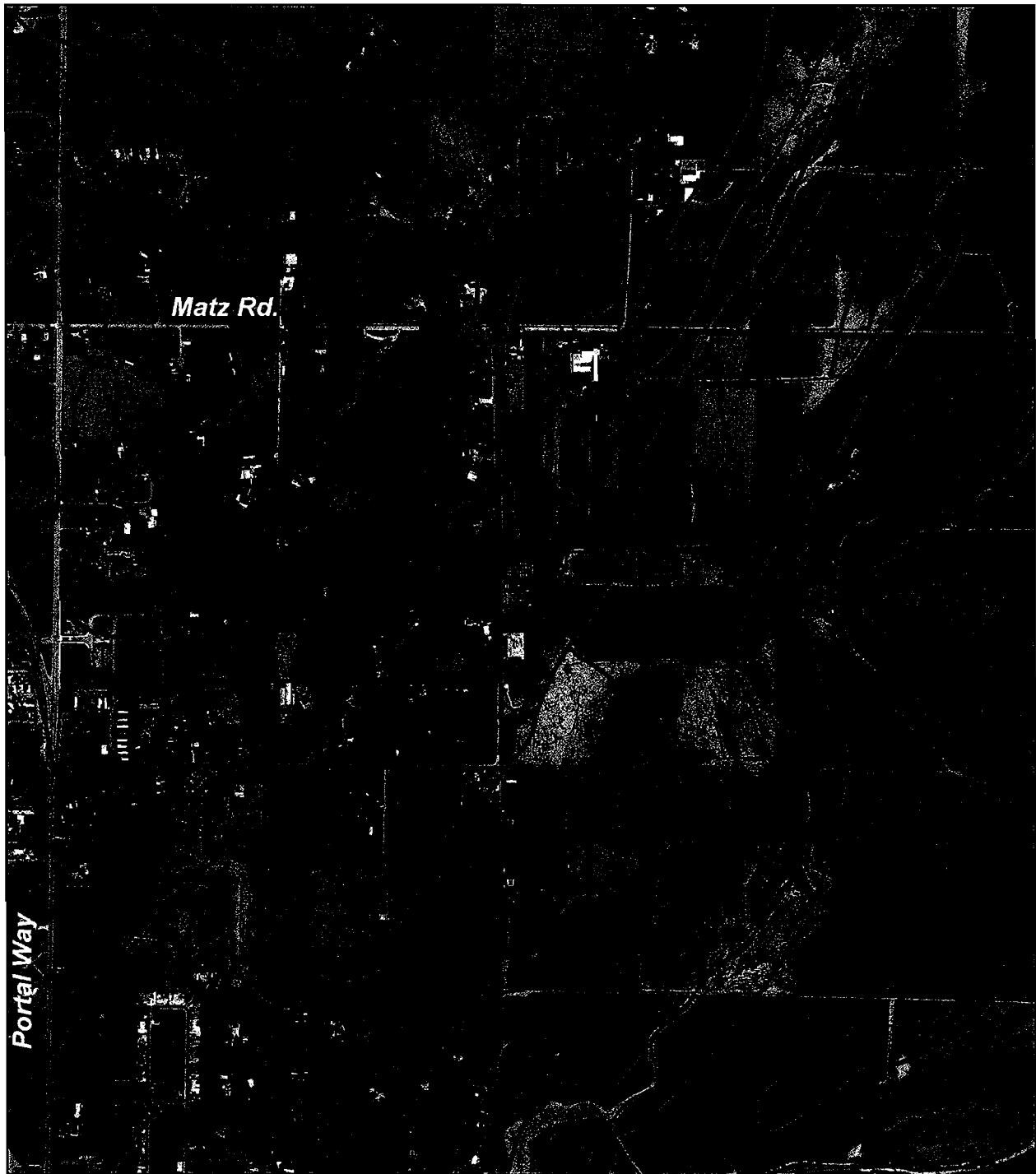
-  Bauthues Property
-  NRCS Soils

165 - Tromp loam, 0-2% slopes/ 10.69 ac.



December 2007 sbw.





Derr - PDR Round 6 Soils Classification

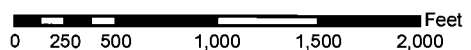
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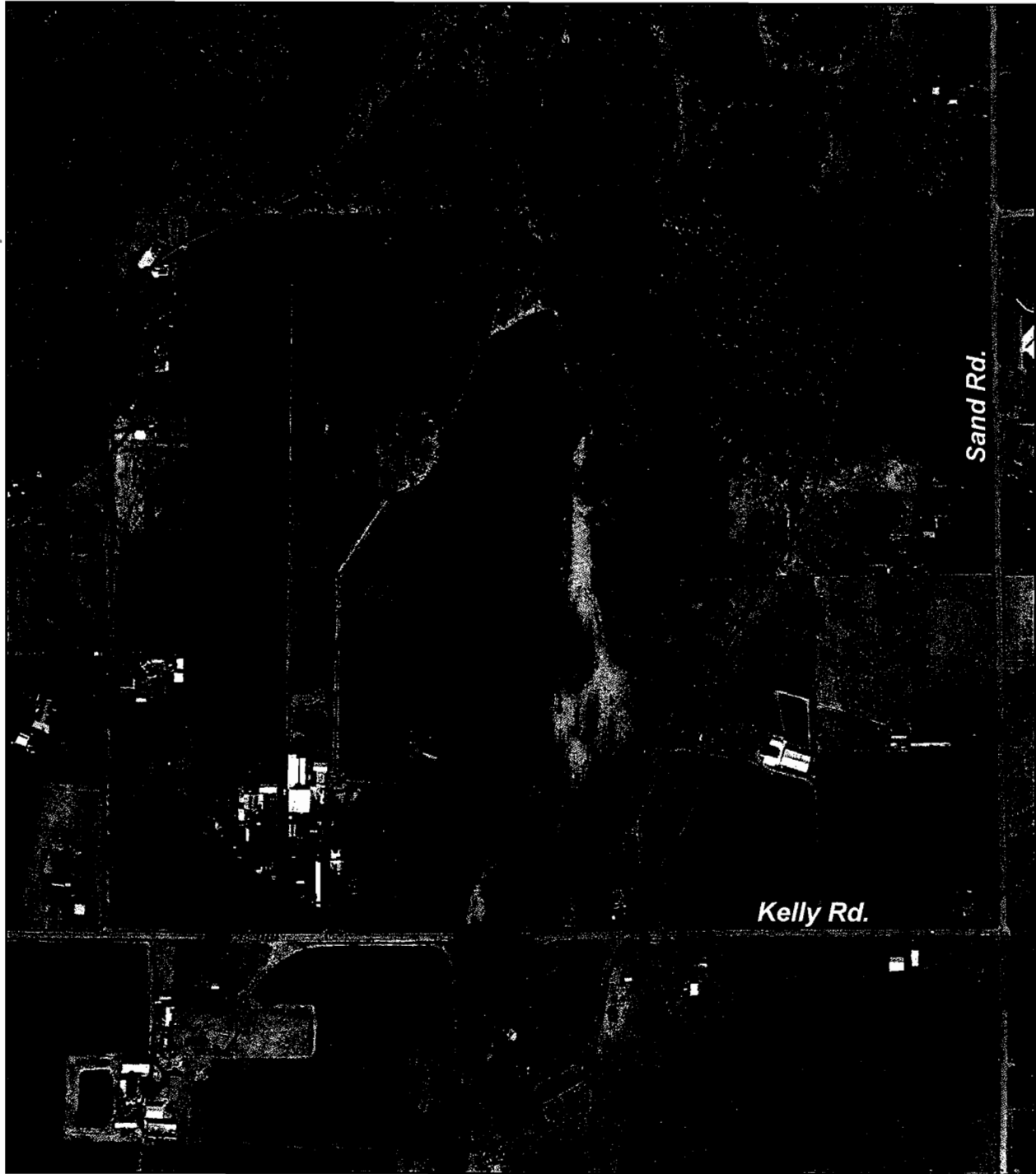
-  NRCS Soils
-  Derr Property

- 45-Edmonds Woodlyn loams, drained, 0-2% slopes/ 14.93 ac.
- 54-Fishtrap muck, drained, 0-2% slopes/ 2.62 ac.
- 72-Histosols, ponded, 0-1% slopes/ .92 ac.
- 107-Mt. Vernon fine sandy loam, 0-2% slopes/ 20.47 ac.
- 116-Pangborn muck, drained, 0-2% slopes/ 1.02 ac.
- 151-Snohomish silt loam, drained, 0-2% slopes/ 19.06 ac.
- 165-Tromp loam, 0-2% slopes/ 21.13 ac.



December 2007 sbw.





Carbee - PDR Round 6 Soils Classification

Legend

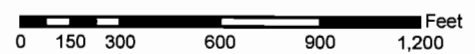
 Carbee Property

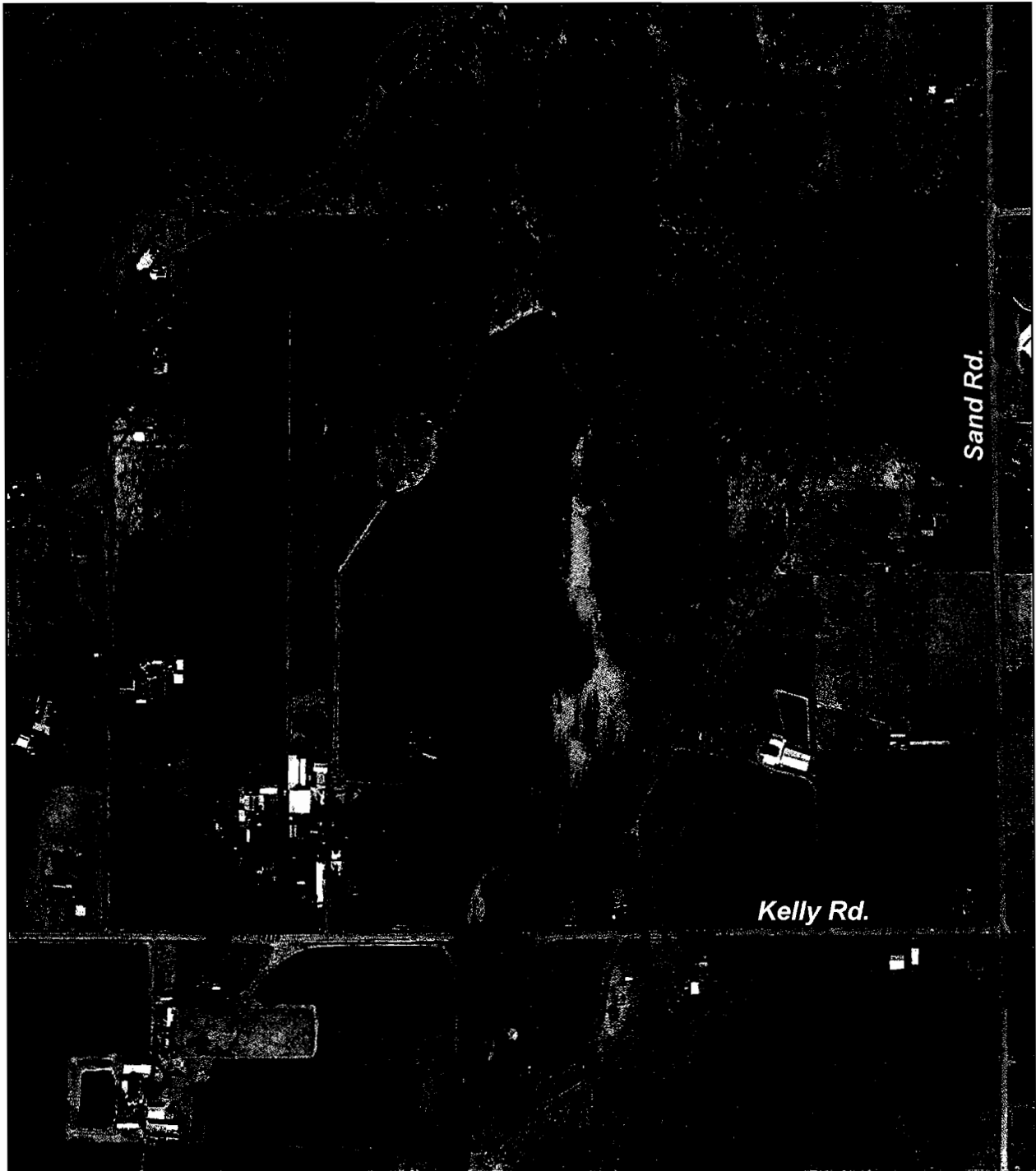
 NRCS Soils

94 - Labounty silt loams, 0-8% slopes/ 74.08 ac.



December 2007 sbw.





VanderWerff - PDR Round 6 Soils Classification

Legend

 VanderWerff Property

 NRCS Soils

94 - Labounty silt loams, 0-8% slopes/ 19.4 ac.

182 - Whatcom-Labounty silg loams, 0-8% slopes/ .52 ac.



December 2007 sbw.

