

**Skagit County Conservation Futures Program Advisory Committee  
(CFAC)**

**Meeting Minutes**

Tuesday, February 12, 2013

**Members in Attendance:**

Keith Wiggers                  Andrea Xaver  
Alan Merritt                    Mike Hulbert

**Staff in Attendance:**

Kendra Smith, Program Director  
Linda Christensen, Skagit County  
Ryan Walters, Skagit County

**Others in Attendance:**

Allen Rozema, Skagitonians to Preserve Farmland (SPF)

**Open**

Meeting opened at 7:05 a.m.

**Agenda Review**

Mike Hulbert announced that he would need to leave the meeting by 8 a.m. Keith Wiggers amended the agenda by moving the Van der Veen impervious surface item ahead of old business.

**Member Update**

Andrea Xaver mentioned the February 3, 2013 Skagit Valley Herald newspaper article that was about solar windmills on prime agriculture land in California.

Allen Rozema referenced the flood issue talk that he and others presented to the CFAC a few months ago. The project team is presently putting together a grant application that will strategize a plan to protect 20,000 acres of farmland. He is also working on a Memorandum of Understanding between SPF and Skagit County to assist with farmland signs on conservation easements. Additionally, Allen is contracting with consultants for a Skagit County agricultural industrial cluster analysis. This project will study the economical impact related to agriculture industries in the county. The first phase is federally funded passed through the state, then to The Nature Conservancy and then to Western Washington Ag Association. A draft report will be ready in about 14 months.

Keith spoke about the drought west of the Mississippi River, except for Washington State.

### **Meeting Minutes**

Keith moved to approve the January 8, 2013 meeting minutes, and Mike Hulbert seconded. The motion passed.

### **Financial Update**

Kendra Smith said there is nothing new to report; spending money on properties hasn't occurred due to delays from USDA.

### **Old Business**

#### USDA

Kendra reported that there is no new information on the 2013 funding cycle. There have been conversations between Kendra and USDA about hazardous material sightings within a half mile from some of the properties. Additionally, she has not received a response regarding the lot split waiver requests. In response to the USDA delays and other concerns, the Board of County Commissioners has written a letter to Roylene Rides At the Door, Washington State Conservationist.

### **New Business**

#### Van der Veen Impervious Surface

Kendra distributed impervious surface (IS) easement language and talked about general IS guidelines and USDA guidelines. The CFAC asked "what is our definition of a farmstead?" Each easement could have a different definition based on the baseline. Keith suggested that each easement be reviewed to define its individual farmstead. Allen Rozema responded with a "keep it simple" suggestion that the definition of farmstead could be defined from this point forward and address other easements on an as-needed basis.

Kendra continued by mentioning that this property owner is requesting additional IS allowance, up to 5% to provide a need for a future sale of the property to a dairy farmer. The current easement is written with a 2% allowance. USDA allows additional IS for dairies. Kendra asked the CFAC if they would support a request to increase the impervious surface. Allen Rozema said re-define the farmstead and/or go to USDA to request for additional impervious surface. Keith said we need to develop a policy regarding IS before we make any amendments to a CE (Conservation Easement). If a "Farmstead" was included in the original baseline, then it needs to stay in and count as part of the IS.

Andrea mentioned the 3 items the owner mentioned in his letter that he feels are easement language errors: The property impervious surface is 3.45 acres and the easement allows 2%. A special note is made that Mr. Van der Veen is not the original owner.

This discussion is tabled for a future CFAC meeting where more members can be in attendance. Mike asked Kendra to look at the Triple J easement and how it relates to this discussion. Alan Merritt asked Kendra to make a list of the possible effects of various scenarios that could result if the easements are amended to possibly remove a farmstead area and adding 5% IS. Legal review would be obtained as well.

#### Property Division Discussion

As a result of requests where owners are requesting divisions on their protected properties, a discussion with Ryan Walters, Skagit County civil attorney, was requested for today's meeting. Kendra gave an overview and examples of how farming in the valley is shifting where boundary line adjustments are happening and farmers are splitting off land to their heirs for estate planning purposes. USDA would need to approve any changes made to the easement, if they were a funding partner.

The discussion today involves a violation of the conservation easement, not a violation of land division code. USDA indicates that the protected property can't be divided or partitioned. Each land division request will bring with it different issues: impervious surface splits, monitoring, and others.

Alan Merritt said the Board of County Commissioners need to know about the implications in the future on decisions made today. We want to keep viable property, no matter how many acres and how many owners purchase the protected properties. He also said there are two issues here; one is a public policy and the other is county policy. Alan said there are two possible solutions for this particular situation; do nothing or inform USDA about what has occurred. Keith mentioned that there needs to be a policy or procedure on property monitoring overall, no matter how the land is divided. Kendra suggested a subcommittee can be formed to draft up the policy or procedure. Ryan suggested that we ask USDA how they want to handle the violation.

Kendra will be traveling to Washington D.C. in the next few weeks and plans on speaking with USDA staff about land division concerns and how USDA responds to our requests and how we can prepare for the programs future.

Appraisal Revision

A new applicant's appraisal was revised due to added acreage. The CFAC will discuss the revised property value at a future meeting where additional CFAC members are in attendance. The property owner is responsible for the added appraisal cost.

The meeting adjourned at 9:20 a.m.

Submitted by:   
Linda Christensen

Approved by the CFAC Board on: May 14, 2013

  
Chair Carolyn Kelly