

RB. Skagit County Conservation Futures Advisory Committee
Meeting Summary
November 8, 2022

Members in Attendance

Andrea Xaver	Jim Glackin	Audrey Gravley	Hal Hart (ex-officio)
Margery Hite	Owen Peth	Scott DeGraw	Trisha Logue (ex-officio)

Members Absent

Keith Morrison

Staff and Others in Attendance

Heather Spore, Swinomish Indian Tribal Community
Kai Ottesen, Belle Bean Services
Sarah Stoner, Skagit County Public Works

Scott called the meeting to order at 7:10 AM.

Review Agenda

Agenda approved.

September 13 Meeting Summary

Jim made a motion to approve with correction of a minor typo on page 2; Andrea seconded. All were in favor.

Easement Status, Property Updates

The group discussed updates on the six properties currently in queue for agricultural conservation easements. The queued applicants encompass 410 acres and 8 development rights.

Protected farmland properties in 2022 total 295 acres, to-date. These acres include

- 227 acres protected year-to-date through the [Ag Lands Preservation Code](#) (0 development rights extinguished through this protective mechanism), and
- 67 acres protected year-to-date through the Farmland Legacy Program (with three development rights extinguished to-date). A 90.5 acres easement earlier in the year didn't add newly protected acreage; it extinguished one residential development right on already-protected acreage.
- Two queued ag conservation easements are expected to close by year-end 2022, protecting an additional 100 acres (and eliminating two development rights).

Monitoring Update

Kai reported that for current program monitoring, Belle Bean Services is reviewing the County Farmland Legacy easements. Those property reviews should be done by end of year, per the deadline.

Kai noted for the group that regarding third-party USDA easements in FLP, only the easements entered into FLP in 2013 have NST numbers documented. Any USDA-FLP easements prior to 2013 have no record of any NST number. What this brought to Kai's attention is that there hasn't been an easement

with USDA involvement since 2013. Discussion about why this is the case, which, overall relates to the Conservation Futures tax fund currently being able to fund all easements without sourcing additional funding. Kai shares that USDA reps Heather and Carly have been great to work with.

The group makes sure to clarify that any third-party funding only contributes to the appraisal amount. The funding does not increase or match (double, for example) any easement valuation payment.

Marketing & Application Process

FLP + VSP Joint Mailing

Sarah shared that a joint mailing postcard—with Farmland Legacy Program information and Voluntary Stewardship Program information—mails to all owners of Ag-NRL parcels. As far as we know, this is the first joint effort of its kind between the two programs. Postcards will mail by November 11, 2022 to approximately 3,000 separate owners of farmland in Skagit County.

La Conner Weekly News—Display Ad

Sarah shared that an ad currently runs once a month in the La Conner Weekly News. The display ad says, *“Protect Your Farmland. Don’t Wait Until It’s Too Late”* and *“Skagit County pays private landowners for the protection of private farmland, because farmland feeds us all”*

New Applicant Review / Property Ranking

FLP 250

The group tabled the ranking of FLP applicant #250, due to continued family legacy matters regarding pending regarding the existing residential development right.

Easement Review Subcommittee

(Members: Andrea, Keith, Owen)

Purpose: 1. Review the current FLP easement template to identify what might be obstacles to a landowner signing the Conservation Easement; recommend what might be considered for elimination, and/or not relevant to conservation of the ag land; 2. Review the current FLP conservation easement and the Subcommittee’s recommended changes from a legal standpoint to ensure that the contract is watertight and ironclad.

Subcommittee chair: Owen

Owen provided an overview to the full CFAC membership of subcommittee’s findings and suggested changes, with the discussion noted as follows:

Owen reported that the last time the CFAC group met, edits on the easement were submitted to Sarah. Changes requested to the easement by the subcommittee were not drastic and stayed in line with the intent of the program.

Jim asked about the consideration to state in the easement that the land must be ‘ready to be farmed.’ Owen explained that there is language in the existing easement that talk about the soil needing to be maintained. Kai shared that only one FLP (#212) – roughly 10-acre parcel – is currently unfarmed and ‘unready’ to be farmed. Margery offers in the viewpoint that, if the aim is make the program appealing to folks, to have a compulsory farming requirement and punishment component creates a barrier. The group further explored the topic of active farming and its enforcement, noting that American Farmland Trust (AFT) used to include farming enforcement language in its easement template and since removed it; they included instead the right to come out and mow the land.

Margery adds that the Skagit Conservation District (SCD) is available as a resource, with farm planners, who can assist farmland owners with all sorts of support, including grant money. Owen reads Section 10 from the FLP conservation easement template, “The property must be maintained for ag activity.” Again, the consensus approach is that FLP provide resources to landowners who aren’t farming the land.

Additional committee findings and recommendations:

- Environmental Warranty section 15.4 – should be eliminated.
- Fences, fuel storage. Subcommittee recommends this be eliminated.

The group discussed water right, with focus on permanent and temporary transfers of water rights.

Scott shared that he’s heard “every black and white cow out there in a field puts about \$4,000 a year into our local economy.” Scott shared that a Skagit commissioner once pointed out to him that ag land puts more money annually into the county than does a house which requires a school, fire station, etc.

Valuation Process Review Subcommittee (Members: [Scott](#), [Margery](#), [Audrey](#), [Jim](#))

Purpose: make recommendations, if needed, to improve the overall valuation process (versus the appraisal process which is simply one tool for valuation. Evaluate barriers to participation: Is it our appraisal amounts that is the issue? Or do we need to have our appraisals approached differently? See below including a review of the FLP Property Ranking/Scoring Process Review—how the scoring process relates to valuation.

Subcommittee chair: Scott.

Scott reports that the County’s Professional Services Agreement (PSA) for a second ag appraiser on contract for FLP has been routed and approved by the Skagit County Commissioners. Scott proposed to re-appraise FLP #236 property as a test case, for a comparison read on valuations.

Scott explains next step is to clean up our scoring mechanism. Owen points out that not just the land needs to be protected, but the farmer needs to be protected. Owen invites us to really consider that point in reviewing our scoring mechanism.

Final step in the process is to build a ‘multiplier tool’ based on a formula tied to the FLP scoring.

Member Updates

Andrea shares a syndicated article that ran in the November 2, 2022 Skagit Valley Herald by Barbara Intermill. Titled [‘Let’s hear it for farmers; they’re incredible’](#) it points out that fewer than 1% of the population farms, and that feeds 100% of us.

Kai shares that the town of La Conner did vote to keep the ag set back where it was (25 feet) rather than change it to 15 feet. This would have meant, hypothetically, a patio or ADU structure could be 10 feet closer to a property line (that borders a field, say). La Conner town property often adjoins county property, with many homes right along fields. The town rallied and showed up in support of keeping the ag set back where it was at 25 feet.

Financial Summary

The group reviewed the status of the 2022 revenues and expenditures to-date. Total properties closed in 2022 to-date: \$320,000 in easement acquisitions representing 147 acres and three development rights.

Administrative Business

Members agreed to meet in person for the December 13. The meeting will be held at Shawn O'Donnell's Farmhouse in La Conner (13724 LaConner Whitney Road).

CFAC 2022 Meeting Dates

December 13

CFAC 2023 Meeting Dates

January 10	May 9	September 12
February 7	June 13	October 10 (tbd)
March 7	July 11	November 14
April 11	August 8 (tbd)	December 12

The meeting adjourned at 9:00 AM