

Skagit County Conservation Futures Advisory Committee
Meeting Summary
October 12, 2021

Members in Attendance

Andrea Xaver	Jim Glackin	Audrey Gravley	Hal Hart
Margery Hite	Scott DeGraw		Trisha Logue

Members Absent

Keith Morrison	Owen Peth
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Staff and Others in Attendance

Allen Rozema, Skagitonians to Preserve Farmland
Sarah Stoner, Skagit County Public Works

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

Member Updates

The group exchanged introductions with Hal Hart and Trisha Logue. Hal and Trisha are present as ex-officio CFAC members. Skagit County Code (Chapter 3.18 Conservation Futures Fund) outlines that the County Finance Director (Trisha) and the County Planning Director (Hal) serve as nonvoting ex-officio members. Trisha Logue also serves as County Administrator.

Andrea brought to the group’s attention the recent Skagit Food Co-Op *Natural Enquirer* article titled “FCCs: Could They Forever Change Our Rural Valley?” addressing concerns about fully contained communities; as well as noting the information Margery has provided the community about FCCs.

The group asked Hal to provide a status report on the FCC inquiry. Hal explained that, as with all projects through Planning, an EIS (Environmental Impact Statement) must be provided by the applicant, with an independent reviewer of the concept proposed, and explained that Peter Gil is the lead in this case. Hal offered to keep the group updated and informed along the way at CFAC members’ request.

Scott brought to the group that he was approached via email with an offer to host part of a battery substation on five acres of his farmland, accompanied by a substantial offer for the lease agreement. Scott stated that he’s unclear if this is even an acceptable use of ag-zoned land. The group discussed similar uses of ag land such as cell tower hosting, with cows that graze around it, noting the boost to farmer income and little impact to land being different than a battery substation.

Topic of appraisals came up, by Jim Glackin, to bring Trisha and Hal up to speed that this is an ongoing topic of discussion for the group. Margery weighed in that property values are skyrocketing. Trisha pointed out that in her recollection, the committee did bring a proposal to the commissioners to allow a valuation range, which was given thumbs down at that time. Allen recalls that the commissioners were okay with a 15% to 20% valuation range provided there was solid methodology offered in support.

Attendance within the CFAC group was brought up by Scott; he believes we should set an attendance standard, or perhaps the board attendance standards exist already. Sarah will check with County admin

to research existing standards. Margery wants to be sure there's a way for members to report their reason for absence.

September Meeting Summary

Margery requested a correction regarding seed store staff, to reflect it was FLP who gave them an offer.

Jim made a motion to approve the September 14, 2021 meeting summary with the noted change; Scott seconded. All were in favor.

Existing Easement Update

Sarah provided update on Breckenridge/Nelson boundary line adjustment (BLA) request.

The group discussed FLP appraisal offers. Scott would like to determine what it has taken "to get the deal to go through." – which means comparing the appraised offer to the total amount paid to the landowner. Scott wants to also add in accountability for timing of the length of the closing process. The group discussed their questions of how to determine the shelf life of pending appraisal offers, referencing queued applicant FLP #209 whose appraisal offer is from March 2019.

Monitoring Update

Sarah reported on the FLP property monitor Kai's behalf. All 59 monitoring reports for USDA easements were complete by the end of their fiscal year annual deadline of September 30.

The group discussed meeting attendance protocols of former monitoring contractors and the helpfulness of attending CFAC meetings. It was noted that former monitoring contractors attended CFAC meetings only once a year, or a few times a year at most. Sarah will touch base with Kai about current attendance.

Marketing/Application Process

The group discussed the pros and cons of purchasing conservation easements on Ag-NRL land without development rights (DRs). Margery suggests that there's a baseline question for the committee: If you're not buying a DR, what is it that you are buying?

Jim Glackin offered that Skagit Land Trust (SLT) buys conservation easements; they sometimes ask the landowners for stewardship funds if SLT believes the property is valuable enough without a DR. Audrey agrees with this approach, and asks how is it that CFAC evaluate the purchase? In the instance of the Minkler Road 20-acre property with no-DR on the table for current discussion, the question is, what would we be appraising? Jim believes that the feed store right below the casino would be a property at high risk to consider but can't see how the Minkler Road property is at high-risk of development.

Scott gives the example of the power grid's lucrative lease offer mentioned earlier in the meeting – his neighboring properties have conservation easements on them, so use of those properties is limited. Scott suggests that it might be better to consider buying easements *before* development pressure, when costs and impact to Conservation Futures funds is greater.

Hal was invited to weigh in on the easement options for landowners and the CFAC committee. Hal suggests the group consider the long-term strategic goal. Also, he invites for consideration: Who's in charge at the moment vs. who will be in charge in the long run.

The “39-and-1 split” (aka [Agricultural Land Preservation Code, SCC 14.16.860](#)) conservation easement option was discussed. Allen suggests that it’s a benefit to the public to be able to sell the house or the farmland separately, as this code allows via the subdivision. Perhaps the farmer wants to buy an additional plot of land to farm –which means they don’t pay the additional costs for the homesite or managed finding a tenant for the house.

Jim suggests that CFAC hold a study session, or an ad-hoc committee, to focus on this topic since it’s a key issue to address—how to address these properties with no development rights. Ultimately, the group would have to go to the Commissioners with a specific proposal including selection criteria.

Group concurs that a study session would be useful, for two topics: the appraisal process and the ranking/assessment of properties, with no development rights and development rights. Scott and Sarah will discuss outside of the meeting and bring a proposal to the group regarding study session.

Property Rankings

The group ranked FLP applicant #236, comprising 40 acres and 1 development right, located 1.5 miles east of I-5 and the Skagit Valley Casino, off Prairie Road. The property scored as follows: *Original Criteria 39, Core Criteria 49, Edge Criteria 72.*

Sarah noted that the applicant withdrew their separate application for a non-adjoining parcel that included their primary residence. Although they want that land protected, they prefer compensation. The applicant feels strongly that the farmhouse should not be separated from the ag land; they do not want to pursue a 39-and-1 subdivision option. Applicant holds an existing FLP easement, 78 acres enrolled in 2020. The additional easement would protect 118 acres of historic Jarman Prairie.

Property Updates

Sarah reviewed the status of all applications in process. The queued applicants encompass 487 acres and 10 development rights.

Sarah noted two new columns added to the Pending Easement & Budget Information report. A column for offer per acre and offer per development right is added. The group requested a column to show appraisal amount vs. total paid to landowner, which will be added to the November report.

Financial Summary / Conservation Futures Fund

The group reviewed the status of the 2021 revenues and expenditures to-date. Total properties closed in 2021 to-date: \$1,465,000 in Conservation Futures tax funded easement acquisitions representing 770 acres and 17 development rights.

The meeting adjourned at 9:10 AM