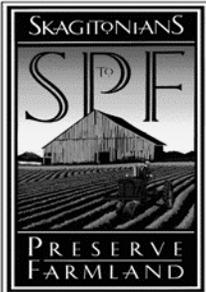


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414A Snoqualmie St.
P.O. Box 2405
Mount Vernon, WA
98273

360.336.3974
Fax 360.336.9269

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SPF Agrees to Suspend Wetland Mitigation Bank Appeal; Signs Historic Settlement Agreement that Secures \$ 1.45 Million for Farmland Development Rights and Prohibits Future Wetland Banks on Farmland in Skagit County

In our recent winter news bulletin we announced SPF was filing a Notice of Appeal with the Skagit County Board of Commissioners (BOCC) to appeal the Skagit County Hearing Examiner's Decision to approve the construction of a commercial wetland mitigation bank on approximately 396 acres of farmland in the Nookachamps basin.

After filing our Notice of Appeal and at the request of Skagit County, SPF and Clear Valley, LLC, the proponent of the wetland mitigation bank--each believing that it would prevail in the BOCC Appeal Hearing, and in any subsequent appeals and litigation--sat down in the interest of finding a solution to a prolonged litigation battle that, in the end, would not serve the best interests of Skagit Valley and its farming community.

On Wednesday, March 11th, after 42 days of negotiations, the SPF Board of Directors approved a historic and precedent-setting agreement with Clear Valley that calls for the mitigation of farmland converted to the wetland mitigation bank and the permanent prohibition of any future wetland mitigation banks on prime agricultural lands within Skagit County. The settlement over time will provide \$1,450,200 to Skagit County's Farmland Legacy Program to fund the purchase of development rights on agricultural lands to offset Clear Valley's conversion of farmland to a wetland mitigation bank. The settlement also calls for the permanent protection of 220 acres of farmland that Clear Valley still owns.

"While the best short-term outcome would have been to halt the project, the long-term costs and impacts would have been too great," said Bob Hart, SPF Board President.

There was the likelihood that the farmland now owned by Clear Valley would be sold off as residential building lots if the wetland mitigation bank was not constructed. In addition, SPF and other agricultural groups would be forced to appeal and litigate each future wetland mitigation bank proposal.

In filing an appeal of the hearing examiner's decision, SPF was focused primarily on the broader policy implications of farmland preservation over the long-term.

"The focus on long-term policy guided the SPF Board in its deliberations and negotiations on the settlement agreement," said Hart. "We asked ourselves: *'What would be in the best interest of Skagit Valley agriculture 10, 50 and 100 years from now?'* SPF could have continued to pursue stopping the current project from being built, but we would have failed to address the long-term issue and impact of placing commercial wetland mitigation banks on farmland."

This negotiated settlement establishes a precedent for the long-term preservation of farmland in Skagit Valley, rather than a short-term victory over a single land use action. The current loss of farmland is mitigated so that additional farmland may be protected and the proposed amendment to Skagit County's zoning code assures the Skagit agricultural community of a change that prohibits wetland mitigation banks from being built on agricultural lands in the future, all of which supports SPF's long-term strategic goal to permanently protect our Valley's remaining critical mass of farmland.

The mission of Skagitonians to Preserve Farmland is to ensure the economic viability of Skagit County's farmers, farming and farmland through land protection, advocacy and outreach and education.

Wetland Mitigation Bank (continued)

“Our message is clear: Farmland in the Skagit Valley will be protected, said Hart. “Any conversion efforts will be fought and/or mitigated to ensure that we have a critical mass to continue farming for the benefit of future generations.”

Moving forward, SPF pledges to continue working for the successful adoption of a county and statewide “no-net loss” policy for agricultural lands.

“The erosion of farmland must end if we want to preserve for those who will follow us a productive agri-ecosystem that grows delicious, safe, secure food and provides critical habitat from more intensive urban use,” said Hart. “The agricultural heritage and quality of life that we enjoy today in the Skagit Valley are a testimony to the hard work of many, and SPF is committed to preserving both.”

Skagit County’s Board of Commissioners is considering a proposed amendment to the County’s zoning code that would prohibit wetland mitigation banks from being built on agricultural lands. We would like your support for this zoning code change. Please contact the County Commissioners Office at 360.336.9300 or commissioners@co.skagit.wa.us. Mailing address is 1800 Continental Place, Suite 100, Mount Vernon, WA 98273.

Thank you to all of our SPF members and supporters for your ongoing encouragement during this historical process and moving forward. Your support makes possible our collective goal to keep Skagit Valley farming!

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Skagitians to Preserve Farmland
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Wetland Mitigation Bank: *What are the terms of the settlement agreement?*

This historic and precedent-setting agreement stipulates that SPF’s appeal to the Board of County Commissioners (BOCC) will be stayed for a period of 60 days to allow time for the BOCC to consider and adopt a permanent ordinance that deletes private wetland mitigation banks as an allowed use on Ag-NRL (farmland) zoned lands. If the BOCC adopts the permanent ordinance deleting wetland mitigation banks as an allowed use on Ag-NRL zoned lands the following actions will take place:

1. Clear Valley will make payments to the Skagit County Farmland Legacy Program that will over time provide approximately \$1,450,200 to fund the purchase of development rights on agricultural lands to offset the conversion of farmland within Clear Valley’s project site; and
2. Clear Valley will place agricultural conservation easements on the remaining 220-acres of farmland that they own; and
3. SPF will withdraw our Notice of Appeal to the BOCC.

If the BOCC does not adopt a permanent ordinance prohibiting wetland mitigation banking on Ag-NRL zoned lands, the settlement agreement becomes invalid, and SPF will resume with an appeal hearing to the BOCC.

More information about the settlement agreement is available on the SPF website, www.skagitians.org, under “Publications / Documents.”