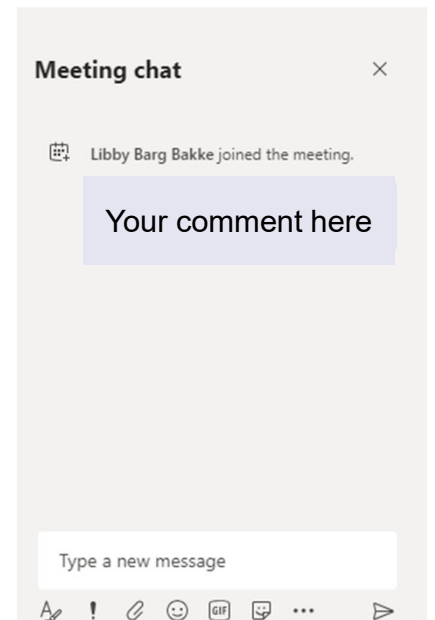


Welcome!

Joining us remotely? Here are some things to know—

- The meeting is being recorded.
- Committee members can use the chat or raised-hand tools to participate in the discussion.
- If you are guest, you can ask questions or comment using chat.





Clark County Parks Advisory Board Meeting Agenda



Tuesday, November 14th, 2023, 4:00 PM – 6:00 PM

4000 NE 78th Street, Vancouver, WA. 98665
Luke Jensen Sports Park in the
LJSP Bud Van Cleve Community Meeting Room, and
Virtual Meeting via Microsoft Teams

PAB Members:

James Kautz, Chair
Teresa Meyer, Vice Chair
Donald Meeks, Secretary
John Jay
Vacant
Tonya Dow
Vacant

School District

Liaisons:

Cale Piland (Evergreen)
AJ Panter (Vancouver)

Parks Foundation:

Vacant

Next Meeting:

December 12, 2023
Microsoft TEAMS and
In-Person

****Motion Needed**

- | | |
|---|----------------|
| 1. CALL TO ORDER | 4:00 PM |
| 2. ADMINISTRATIVE ACTIONS | 5 MIN |
| <ul style="list-style-type: none">a. Meeting structure guidelines for Teamsb. Roll call / guest introductionsc. Approved previous Minutes. Copies of these can be found on the website, via https://clark.wa.gov/public-works/parks-advisory-board<ul style="list-style-type: none">• None | |
| 3. PUBLIC COMMENT | 25 MIN |
| The public is encouraged to participate in the following ways: <ul style="list-style-type: none">• By phone: 213-262-7043 and enter access code: 889 654 535#• Submit public comments to: pab@clark.wa.gov | |
| 4. MANAGERS REPORT | 30 MIN |
| <ul style="list-style-type: none">a. Departmental Updates | |
| 5. UNFINISHED BUSINESS | 5 MIN |
| 6. NEW BUSINESS | 25 MIN |
| <ul style="list-style-type: none">a. Minnehaha Park project – Lynde Wallick (10 minutes)b. Legacy Lands Guidance Manual – Denielle Cowley (15 minutes) | |
| 7. ROUNDTABLE DISCUSSION (PAB Members) | 30 MIN |
| 8. ADJOURN | 6:00 PM |

Parks Advisory Board meetings get recorded and the audio gets posted on the Clark County Parks website.

From: [AARON LUTZ](#)
To: [Cnty Parks Advisory Board](#)
Subject: Harmony parking lot
Date: Monday, October 23, 2023 10:56:22 AM

CAUTION: This email originated from outside of Clark County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello:

My name is Aaron Lutz and I would like to express my desire to get the Harmony parking lot paved and no longer have to wait an hour to get my kid. With such a wonderful venue that all of Clark county gets to use, its frustrating that nothing ever gets done. I've read all the articles about why it hasn't been accomplished already, and I've talked to parents who've been told that something was in the works for many years. Is there any way to get the process rolling a little faster. I was excited when I thought it was going to happen this winter or next summer (thats what some of the people who work at harmony had first told me), but now it looks like we can't expect any improvements until 2025. At the very least can somebody at Harmony take a little more care with the parking lot. By having somebody blade it out more often with a backhoe, and having somebody come by once in a while to make sure that there is an actual way to drive up and drop off our kids and pick them up. And not have people parking wherever they like.

I know you probably get a lot of emails about this problem, but it just seems to be getting worse. And whoever is maintaining the parking lot is terrible. The county should come in and do something right, not just let the harmony people have some old guy with a backhoe every now and then.

Thanks

Aaron Lutz

360-921-6001

From: [Pat Bueter](#)
To: [Amy Arnold](#)
Subject: Park and Recreation Advisory Board meeting
Date: Sunday, October 22, 2023 10:53:19 AM

CAUTION: This email originated from outside of Clark County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Amy,

I am interested in attending a Parks Advisory Board meeting.

I know that they meet the second Tuesday of the month. Can you give me more details on the meeting. Where is it held? It is held live or on Zoom? What are the rules about getting on the agenda to present concerns? What time is the meeting? Any other information that you think I would need, would be helpful!

Thanks for your help,

Pat Bueter

4328 SE 179th Court

Vancouver, WA 98683

360-258-1212 (home phone)

From: [Pat Bueter](#)
To: [Amy Arnold](#)
Subject: RE: Park and Recreation Advisory Board meeting
Date: Thursday, October 26, 2023 2:22:46 PM

Amy,

Is there a way to get on the agenda to present concerns that a group of us has about the Community Centers limited hours for the pools?

Do we have to submit concerns before hand or is there an open forum?

I would like to be at the meeting in person but others might want to join via the Microsoft Teams link. Would that be possible?

Pat Bueter



Clark County Parks Advisory Board



Agenda Item

Date: 11/14/2023

Agenda Item: Update on Minnehaha Neighborhood Park property master plan and park naming

Action Item
Informational Item X

Overview:

The planning team has been working on development of a master plan for Minnehaha neighborhood park property, located on NE 17th Avenue, north of Minnehaha Street in the Northeast Hazel Dell Neighborhood Association. This property was purchased from a private owner in 2016 and developed into an open greenspace, awaiting future development into a neighborhood park.

The planning team would like to review:

- An update on the project
- Concepts that will be presented to residents.
- Park name options

The next open house is planned for Wednesday, Dec. 13 from 6 – 8 p.m. at Minnehaha Elementary School. The final master plan and park name will be presented to the Park Advisory Board before being submitted to Council for approval. This is anticipated in the first quarter of 2024.

Prior Action by PAB: None
Action Requested: Provide feedback
Attachment: Presentation
Prepared By: Lynde Wallick



Clark County Parks Advisory Board

Agenda Item



Date: 11/14/2023

Agenda Item: Legacy Lands Guidance Manual

Action Item
Informational Item X

Overview:

Legacy Land guidance manual was approved by PAB and county commissioners on June 3, 2013. A revision and adoption of this manual takes place every 10 years. According to RCW84.34.200 and Clark County Code Chapter 3.24, the guidance manual facilitates the conservation futures levy program goals and objectives.

The following are high level recommendations from the guidance manual:

- The language has been updated to reflect the conservation futures name change to Legacy Lands
- Project application updated with schedule and evaluations.
- Watershed subareas have been included in project locations instead of individual properties. This will allow flexibility as opportunities become available.
- Updating list of Legacy Lands purchased properties.
- Information on the conservation futures levy has been updated.

In July, the initial draft of the guidance manual will be presented to the PAB for their review. The PAB will offer feedback during the August meeting. In September, the second draft will return to the PAB for their additional feedback. County staff presented information on the Legacy Lands and the guidance manual during a council work session on September 27. Public comments were accepted from September 14 to October 18. The ultimate draft recommendation is set to be submitted to the PAB for a recommendation for approval in November 2023. County Council will receive the recommendation from PAB in early 2024 for adoption.

Prior Action by PAB: None
Action Requested: Approval
Attachment: Draft Guidance Manual
Prepared By: Denielle Cowley

Preserving our community's legacy of open spaces

DRAFT

Legacy Lands property along the East Fork of the Lewis River

LEGACY LANDS PROGRAM GUIDANCE MANUAL

November 2023



Clark County Public Works - Parks & Land Division
4700 NE 78th Street, Vancouver, WA 98665
564.397.2285

www.clark.wa.gov/public-works/legacy-lands-program

Acknowledgements

This document represents the efforts and cooperation of Clark County staff, the Clark County Parks Advisory Board, and the Clark County Council. Thank you to all who participated in the creation of this guidance manual.

Clark County Council

Karen Dill Bowerman, Council Chair, Councilor District 3
Glen Yung, Councilor District 1
Michelle Belkot, Councilor District 2
Gary Medvigy, Councilor District 4
Sue Marshall, Councilor District 5

Clark County Parks Advisory Board

James Kautz, Co-Chair
Teresa Meyer, Vice Chair
Donald Meeks, Secretary
John Jay
Tonya Dow
Vacant, ex-officio, Parks Foundation of Clark County Executive Director
Vacant, ex-officio, Vancouver Public Schools representative
Cale Piland, ex-officio, Evergreen Public Schools representative

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Denielle Cowley – Lands Coordinator

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This document and additional Legacy Lands program information is available on the Clark County website.
Text in document that is [green](#) is a webpage or hyperlink.

Chapter 1 – General Information

History

The Conservation Futures program was established by the Washington Legislature via [chapter 84.34](#) of the Revised Code of Washington RCW. The Clark County Council (council) adopted the Conservation Futures levy in October 1985 via [Clark County Code chapter 3.24](#) and changed the name of the program to Legacy Lands in 2006. The general purpose of conservation futures legislation is to conserve open space, farmland, and timber land, as defined by the statute. This manual, an update to the 2013 manual, explains how the Clark County Legacy Lands program operates, including relevant legislation, policy, and procedures.

The goals and objectives of Conservation Futures are aligned with the following legislative declaration in **RCW 84.34.200**:

“Acquisition of open space, etc., land or rights to future development by counties, cities, or metropolitan municipal corporations—Legislative declaration—Purposes.

.... [development is] eliminating, numerous open areas and spaces of varied size and character, including many devoted to agriculture, the cultivation of timber, and other productive activities, and many others having significant recreational, social, scenic, or esthetic values. Such areas and spaces, if preserved and maintained in their present open state, would constitute important assets to existing and impending urban and metropolitan development, at the same time that they would continue to contribute to the welfare and well-being of the citizens of the state as a whole.....”

Clark County meets the intent of Conservation Futures legislation by:

1. **Practicing current use assessment** which provides tax incentives for property owners who leave qualifying tracts of land in open space, or who continue to manage property for timber or agricultural production ([CCC Chapter 3.08, Ord. 1982-02-65](#)). Refer to the assessor’s office website for more information on this program.
2. **Use of the Conservation Futures levy.** The statute authorizes county governing bodies to impose by resolution a property tax of up to 6 1/4 cents per \$1,000 of assessed valuation on all taxable property within a county for the purpose of acquiring fee simple or lesser interest in open space, farmland, and timber land ([CCC Chapter 3.24, Ord. 1985-10-86](#)).

Vision

Clark County’s diverse natural landscape is made up of broad river valleys, narrow river canyons, wetlands, lakes, riparian zones, forests, mountains, meadows, foothills and farms. Legacy Lands protects these lands highly valued for habitat, scenic corridors, recreation and other qualities that enhance our local environment and livability of our community.

Mission

Clark County Legacy Lands will create an interconnected system of habitat and greenways along the county's rivers and streams, and preserve other sites that have unique or rare conservation values, to protect the environmental integrity of our community.

Goals

- **Coordinate with community jurisdictions** to strategize on priorities for conservation.
- **Acquire and make available to the public** properties that enhance recreational opportunities, including connections to developed parks and trails.
- **Leverage partnerships and funding** to acquire conservation properties.
- **Complete acquisitions and apply restoration techniques that protect and enhance** water quality, wildlife habitat and environmental connectivity.
- **Provide public outreach** to educate residents about the value of conservation and environmental protection.
- **Develop and implement clear maintenance and operations objectives** for each site including, the support of partners and volunteers, through the development of stewardship plans.

Program overview

Legacy Lands was created to protect valuable open space from threats such as urban development and habitat degradation. These open spaces are of varied size and character, including many devoted to agriculture, the cultivation of timber, and other productive activities. Other sites may have significant recreational, social, scenic or aesthetic values. Such properties, if maintained in their present open state, preserve vital “green infrastructure” that connects our community. These properties would continue to contribute to the well-being of the citizens of our community and state. Conserving green spaces helps to protect our water and air, preserves corridors for wildlife and protects historically significant sites. The acquisition of interests or rights in real property for open space preservation constitutes a public purpose for which public funds may properly be expended or advanced within this program.

This guidance manual describes the framework for the Natural Areas Acquisition Plan, NAAP, and how it operates in Clark County to protect and preserve open space for future generations. There are several complimentary documents for this program that further outline stewardship and property management (Figure 1):

- **The Natural Areas Acquisition Plan:** The NAAP articulates the acquisition strategies and prioritization structure, public involvement and potential funding support for the program, including partners and stewardship. It includes details about the key natural areas for acquisition by both the county and eligible agencies (project sponsors). NAAP project opportunities are updated annually in the Parks Capital Improvement Plan, CIP. The NAAP is updated every seven years as part of the Parks, Recreation and Open Space Plan.
- **Stewardship plans:** Project sponsors are strongly encouraged to develop stewardship plans for each acquisition based on its watershed within Clark County.

These plans identify conservation property locations, document existing conditions, and articulate the goals and objectives for the properties, including conservation, maintenance and recreation activities. The documents are meant to guide the future planning and development of properties to reach their full conservation potential, as well guide public access for the sites. Templates are provided to sponsors of all awarded projects.

- **Clark County Parks and Lands Property Management Guidelines:** County owned properties are managed according to property management guidelines including planning, maintenance, acquisition, records, documentation, management leasing and surplus disposition.

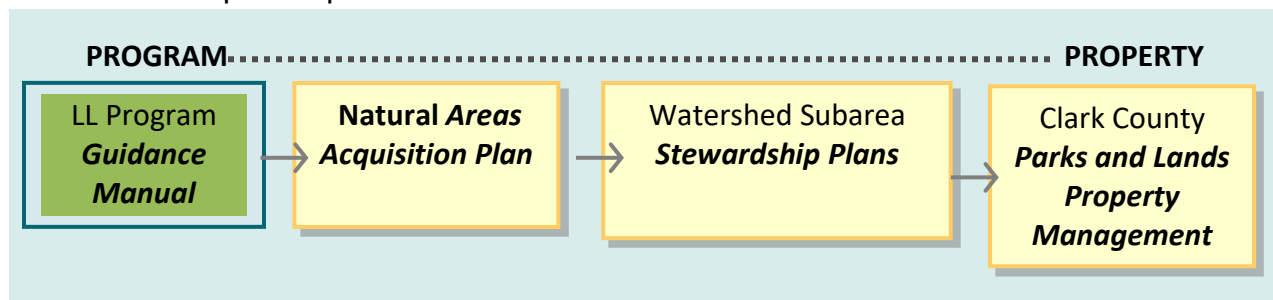


Figure 1 - Program workflow

Council adopted the Conservation Futures levy in October 1985. In implementing this program, council applied the levy at the rate of 6 1/4 cents per \$1,000 assessed value (0.0625) for the five-year period 1986-1990. At a public hearing on August 2, 1989, council extended the Conservation Futures levy indefinitely. The following table provides revenues collected, forecast amount, and levy rate from 2014-2023. Funds generated by the levy are primarily used for acquisitions, with a limitation on use of funds for maintenance set at 25% of the prior year's levy.

Conservation Futures Levy 2014-2023		
Year	Revenue Collected	Levy Rate
2014	\$ 2,319,185.00	0.0534
2015	\$ 2,366,920.00	0.0506
2016	\$ 2,413,465.00	0.0462
2017	\$ 2,470,726.00	0.0431
2018	\$ 2,587,282.00	0.039
2019	\$ 2,562,943.00	0.0376
2020	\$ 2,687,992.00	0.0362
2021	\$ 2,743,445.00	0.0334
2022	\$ 2,819,185.00	0.0287
2023	*\$ 2,865,898.00	*0.0274

Figure 2 - Levy funds

* Estimate/Forecasted amounts

In counties with a population greater than one hundred thousand people, the use of conservation funds shall be distributed equitably throughout the county per [RCW 84.34.240 \(2\)](#). This distribution fits with the mission and goals of Clark County's program to create an interconnected system of green spaces and corridors throughout the county and its communities, for the benefit of all residents. The program's procedures attempt to align, to the greatest extent possible, with the Washington Recreation Conservation Office, RCO, guidelines to ensure compatibility with state program goals and grant eligibility.

Funding considerations

The Conservation Futures levy funds may be used for:

- ***Acquiring fee simple*** or lesser interest in open space, farm, and timber land as defined by the statute. The statute expressly forbids the use of eminent domain to acquire property.
- ***Acquiring mineral rights***. Sponsoring agencies may enter into leaseback agreements.
- ***Acquiring rights and interests*** in real property.
- ***Maintenance and operation of any property*** acquired with these funds, not to exceed twenty five percent of the total amount collected from the tax levied in the preceding calendar year.

Other sources of revenue may be used to improve properties acquired with Conservation Futures funds, provided any improvements fall within the intent of the legislation. Included in [Appendix F](#) is a legal opinion from the Clark County Prosecuting Attorney's office discussing the level of improvements that would be allowed. In those cases where only development rights are acquired, the sponsoring agency should also be aware that any improvement may be considered a gift of public funds because the underlying owner is not the sponsoring agency.

Types of funding that have contributed to the *Legacy Lands* acquisitions in the past, and may be considered in the future, are shown in the table below.

Type of revenue	Use	Note
Conservation Futures Levy	Acquisition, O/M, management	Primary Funding Source
Regional Real Estate Excise Tax	Site improvements / restoration	As funds are available
Park Impact Fee	Acquisition, capital development	Managed by Parks dept.
Recreation Conservation Office	Acquisition, capital development	Per grant cycle
Dept. of Ecology grants	Site improvements / restoration	Per grant cycle
DNR Trust Land transfer	Acquisition	As available
USDA NRCS programs	Acquisition and restoration	Farm/Ranch/Wetlands
USDI programs	Acquisition	NAWCA through USFWS

Land/Water Conservation RCO	Acquisition improvements	As available – FED.
LCREP Habitat Restoration prog.	Restoration	Per grant cycle
Lewis River Aquatics Fund	Restoration	PacifiCorp
East Fork Lewis River Legacy Fund	Acquisition, improvements	Community Foundation
Donations	Acquisition, capital development	Coordinate with Partners
General Fund*	Operation and maintenance	As available for Maintenance

Figure 3 - Examples of funding used

* Other revenue sources that support this program include the timber payments and leases (e.g., house rentals, agricultural leases, use agreements, etc.) from the individual properties.

The funds that are collected from this levy are managed by the Public Works department in a dedicated fund within the annual budget. Program staff track all program revenues as well as expenditures against the fund. Typical expenditures include acquisitions (including property costs, processing requirements, etc.), program management and maintenance expenses, and debt service. Expenses may be incurred from several county departments as described in the later sections addressing operations and maintenance activities. The Legacy Lands program coordinator is responsible for grant coordination with appropriate county staff and granting agencies.

Fund balance policy

Conservation Futures is in the process of establishing a fund balance policy that is in line with revenues and expenditures. To maintain stable service delivery, meet future needs, and avoid financial instability, the fund balance policy establishes minimum levels for these designated funds. The detailed draft fund balance policy once approved will be added as [Appendix K](#).

Legacy Lands project sponsors

Agencies eligible to utilize levy funds under provisions of the Conservation Futures legislation include “... Any county, city, town, metropolitan park district (MPD), metropolitan municipal corporation, nonprofit, historic preservation corporation as defined in [RCW 64.04.130](#), or nonprofit nature conservancy corporation or association, as such are defined in [RCW 84.34.250](#)...”

Within the boundaries of Clark County, the following jurisdictions and organizations have been identified as eligible applicant agencies. This list does not preclude eligible not-for-profit conservation organizations such as farm and land trusts, nature conservancies or metropolitan park districts, from applying).

Sponsors	
Clark County Legacy Lands	Clark County Parks
City of Camas	City of Vancouver
City of Battleground	City of La Center
City of Washougal	City of Ridgefield
Town of Yacolt	Columbia Land Trust
Nature Conservancy	Washington Farmland Trust

Figure 4 - Example of approved sponsors

Historically, the **Legacy Lands program** has benefited properties throughout Clark County as shown on the map at the end of this chapter. Over 5,420 acres have been protected since the program's inception.

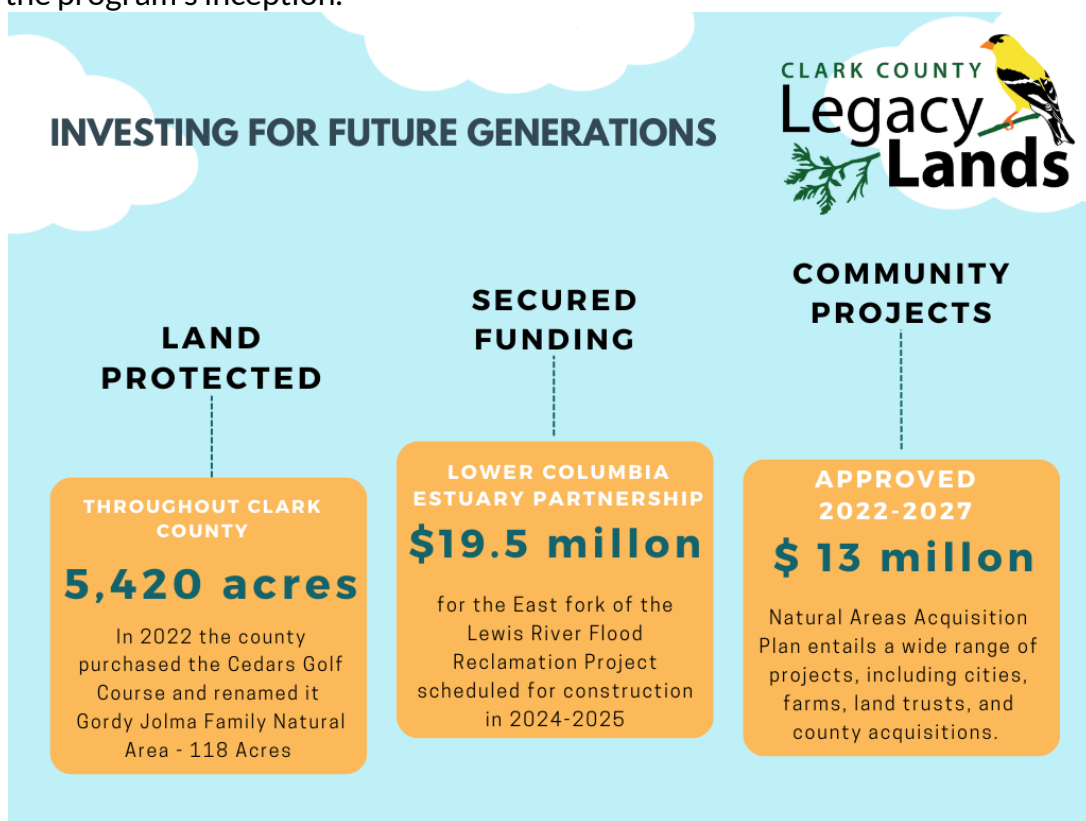


Figure 5 - Current statistics

Program schedule

Legacy Lands is an on-going program that will utilize the following schedule for the various components of the program:

- **The program guidance manual** will be updated every 10 years to reflect current business practices.
- **The Natural Areas Acquisition Plan, NAAP**, will be updated every seven years as part of the Parks, Recreation and Open Space Plan process and schedule.

- **NAAP six-year priority list** will be updated annually to show six years of priorities.
- A call for non-county-sponsored acquisitions will be made as often as the fund balances allow, usually every three years, or twice during a typical six-year NAAP cycle. County acquisitions are considered by sub-area prioritization and on an individual parcel analysis as opportunities arise.

The Legacy Lands program will utilize the Natural Areas Acquisition Plan to review the strategic priorities of the program when developing a six-year priority list for conservation acquisition. The priority list will be based on applications submitted by eligible agencies (application form available in [Appendix A](#)). The Legacy Lands program will accept applications for properties twice within the six-year plan period. All eligible agencies will receive notification that the county is accepting applications for acquisition funds. Notice will be delivered at least ten weeks prior to the due date for submitting completed applications.

The Clark County Parks Advisory Board evaluates acquisitions for inclusion into the Natural Areas Acquisition Plan and six-year priority list. Program staff will review all applications for completeness and prepare the information for review by the Parks Advisory Board. Parks Advisory Board utilizes the evaluation questions and criteria listed in this document in consideration of scoring the various acquisition. Acquisitions will move forward for acquisition based on available funding (both through Legacy Lands and contributing funds) and approval from council.

Program management and coordination

Clark County is the managing jurisdiction for the Legacy Lands in our community. The application and project evaluation process are managed for Clark County by the Parks and Lands division of the Public Works department. Program staff coordinate with the county's real property acquisition staff, prosecuting attorney's office, GIS staff and partner agencies and organizations. Project files include all relevant correspondence, application information and necessary documentation for the future property file. Program staff manages all aspects of the acquisition per the Clark County Parks and Lands Property Management Guidelines.

All applications, questions and correspondence about the program should be directed to:

Clark County Public Works
Parks and Lands Division
ATTN: Legacy Lands Program Coordinator
PO Box 9810
Vancouver, Washington 98666
PWConservation@clark.wa.gov

Property uses

Properties acquired all or in part with Legacy Lands funding meet the legislative intent of the funding. Conservation properties in Clark County serve a variety of purposes for a diverse set of users. Some of the properties are utilized as regional parks with multiple uses, including recreation areas, trails, passive use areas and wildlife habitat areas. Several properties that have been acquired serve as habitat and water quality protection sites with only limited recreational access.

It is beneficial to document the intent for each property and the level of future use. Many of the project files have this information documented for future reference, especially in the original project funding application. Several properties that are slated to become future regional parks will require the development of a master plan that will clarify the future site priorities, partners, funding, site amenities, challenges, and development phasing. Any site development planning will require public outreach and input to ensure all opportunities for the site are consistent with the intended purpose of the funds ([Appendix F](#)).

Program maintenance and operations

The county utilizes several techniques for the maintenance and operations of properties. County maintenance activities may utilize some of the levy funds for property management activities. At the time of annexation or requested internal transfers, Legacy Lands can transition properties acquired with Legacy Lands funds to other agencies for long-term property management, operation and maintenance obligations.

Acquisitions sponsored by other jurisdictions and organizations are often acquired by the sponsors with financial support of Legacy Lands. In such instances, project sponsors are responsible for maintenance and operations immediately upon closing of the purchase.

Public Works Noxious Weed Management. Trained Noxious Weed Management staff assist in the control of noxious weeds on county-owned conservation properties. The staff also execute many enhancements on the properties, such as restoration plantings, and contribute to development of stewardship goals for properties.

Public Works Parks Operations. Public Works Parks Operations has trained staff and resources to maintain many of the county-owned conservation properties. Scope of activities may include basic maintenance operations such as mowing, tree pruning or removal, garbage pick-up, trail maintenance and basic site repairs. The list of activities may change based on available funding and staffing resources as well as property priorities.

Public Works volunteer program. County staff assist in the coordination of volunteers through single-event volunteer clean-ups, a property adoption program, and service projects. Some service projects include community groups that assist in maintenance and or capital improvements.

Partner agencies. Numerous fish and wildlife habitat restoration and enhancement projects are carried out on county conservation properties, often including public access and site facility improvements. These projects typically involve numerous partners and funding sources, including capital grants. It is anticipated that the Legacy Lands program coordinator will continue to work with partners to improve the resource value, property integrity and public access to all conservation properties. Examples of past partnerships include:

- **Clark Public Utilities** – restoration plantings
- **Columbia Land Trust** – real property acquisitions and conservation easements
- **Cowlitz Tribe** – restoration designs
- **Ducks Unlimited** – habitat improvements
- **Fish First** – habitat improvements
- **Lower Columbia Estuary Partnership** – habitat improvements and public education
- **Lower Columbia Fish Enhancement Group** – habitat improvements, public access
- **Washington Farmland Trust** – farm conservation easements
- **Watershed Alliance of Southwest Washington** – restoration plantings

Program planning

Legacy Lands program incorporates input on conservation priorities from several sources during the Natural Areas Acquisition Plan update and individual project efforts with local stakeholders. Many long-range and strategic plans prepared by partner agencies and organizations are critical to identifying conservation priorities for our community, including, but not limited to:

- **Clark County Comprehensive Parks, Recreation and Open Space Plan**
- Comprehensive Parks, Recreation and Open Space Plans prepared by cities within the county.
 - City of Camas
 - City of Vancouver
 - City of Washougal
 - City of Battle Ground
 - City of Ridgefield
 - Town of Yacolt
 - City of La Center
- **Clark County Lewis and Clark Regional Trail**
- **Clark County Equestrian Plan**
- **Clark County Agricultural Preservation Report**
- **Clark County and City Shoreline Management Plans**
- **Clark County Stormwater Management Plan**
- **Lower Columbia Salmon Recovery and Fish & Wildlife Sub-basin Plan**
- **Lower East Fork Lewis River Aquatic Habitat Restoration Plan**
- **East Fork Lewis River Alternative Restoration Plan**
- **Department of Ecology Watershed Management Plan (WRIA 27 & 28)**

- The Intertwine Conservation Strategy (Regional Conservation Strategy Plan)
- Washington Department of Fish & Wildlife 2011-2017 Strategic Plan
- Washington State Department of Natural Resources 2022-2025 Strategic Plan
- Comprehensive plans and property master plans prepared by Clark County and other jurisdictions
- Various sub-area plans
- Strategic plans and objectives articulated by many non-profit conservation organizations including, Columbia Land Trust, Lower Columbia Fish Enhancement Group, Fish First, Vancouver Audubon Society and various “Friends” groups

Program inventory

The Legacy Lands program has developed an impressive portfolio of properties since the inception of the program in Clark County. The [Legacy Lands](#) webpage has general information about the priority areas considered for conservation. Many properties shown in Figure 4 were acquired with various partners and funding sources. As of 2023, the program has protected over 5,420 acres of riparian corridors, wetlands and lakes, recreational areas, forestlands, and upland features.

One of the most recent acquisitions was the former Cedars on Salmon Creek golf course in 2022, which has been renamed the Gordy Jolma Family Natural Area. It includes 117 acres of land, with two miles of upper Salmon Creek. This property is known to support many native fish species and connects with Salmon Morgan Creek Natural Area.



Figure 6 - Gordy Jolma Family Natural Area

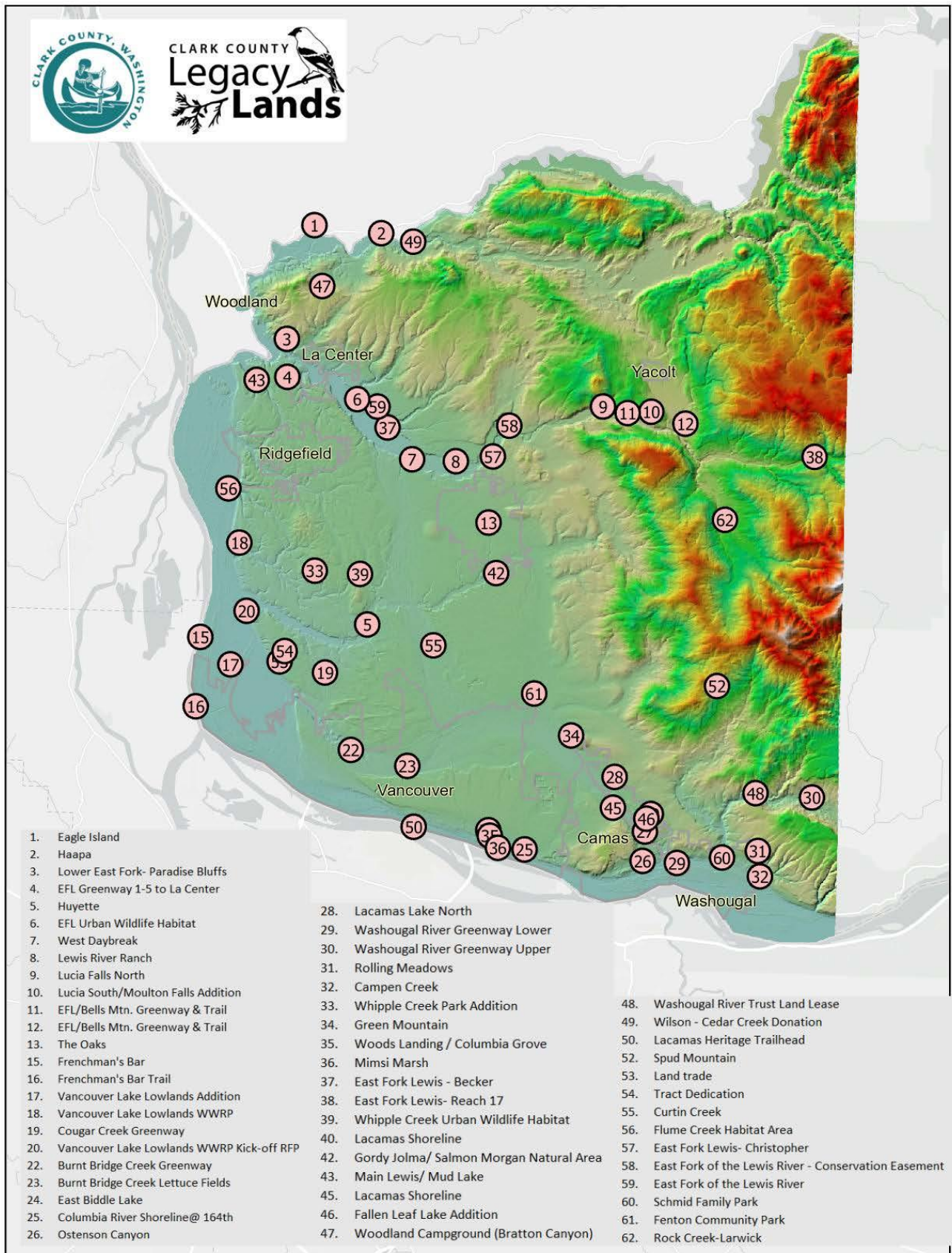


Figure 7 - Legacy Lands acquisitions

Program outreach

The [Legacy Lands website](#) offers the most up-to-date information about the program and its importance in our community. As stated in the program goals, it is the intent of the county to continue to educate the public about the value of conservation properties, our current inventory and future opportunities.

There are several means to inform the public about this program in place currently, including:

- **Clark County Legacy Lands webpage** – This webpage has general information about the program such as the acquisition priorities, farm preservation, links to master planning efforts for individual properties, salmon recovery efforts and information about the protected lands.
- **Other webpages** – When a property occurs in a city jurisdiction, that agency may provide additional information on their web page. Information may include property location, site amenities, applicable rules for use and general site information.
- **News releases** – When a property is purchased, the county may provide information to local media outlets (newspaper, radio, television) via news releases.
- **Public meetings** – Meetings are used primarily during the various planning phases of the program such as the acquisition planning or site-specific plans.
- **GIS/MapsOnline** - Clark County has robust geographic information, including layers for viewing such as all publicly owned land, county park lands, Legacy Lands, and high-value conservation lands as defined in the Natural Areas Acquisition Plan.
- **Site visits** – Special events may warrant an organized site visit to educate neighbors, stakeholders, volunteers and the public about specific sites.
- **Signage** - All sponsored acquisitions will have signage showcasing that Legacy Lands funds were used to purchase the acquisition. A Legacy Lands logo template will be provided at the time of acquisition and is required to be installed and maintained by the sponsor.
- **Volunteer opportunities** – Volunteering is a good tool to educate the public about the value of conservation. Numerous volunteers and community members regularly participate in volunteer events that include informal hikes, bird watching, trail maintenance, special feature installation (i.e., trailhead kiosks, boot brush stations, benches, etc.) and restoration plantings.
- **Social media** – Engaging the local community on social media platforms like Facebook, Instagram and Nextdoor with important announcements, acquisitions, volunteer events and program goals and the use of the county's Legacy Lands funds.

Input from the public has typically been coordinated through the various county and regional planning efforts previously discussed. The efforts typically include news releases, public comment forms, public meetings, stakeholder discussions and attendance at advisory board meetings and public hearings.

Chapter 2 – Acquisition & Application

Eligible acquisitions

In the Conservation Futures legislation [RCW 84.34.020](#), open space land is defined as: a) any land area so designated by an official comprehensive land use plan adopted by any city or county and zoned accordingly, or b) any land area, the preservation of which in its present use would:

Conserve and enhance natural or scenic resources.

- ***Protect streams*** or water supplies.
 - ***Promote conservation*** of soils, wetlands, beaches, or tidal marshes.
 - ***Enhance the value to the public*** of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space.
 - ***Enhance recreation*** opportunities.
 - ***Preserve historic*** sites.
 - ***Farm and Timber land properties.***
 - ***Preserve visual quality*** along highway, road, or street corridors or scenic vistas.
- Retain in its natural state tracts of land not less than one acre*** situated in an urban area and open to public use on such conditions as may be reasonably required by the legislative body granting the open space

Typical Application Timetable:	
Month	Activity
January	Legacy Lands call for project proposals sent to approved sponsors
March 1st	Submittal of proposals from project sponsors
March to June	Lands Coordinator reviews proposals for completeness and statutory compliance. Required On-site tours conducted
June	Project sponsors present proposals to the Clark County Parks Advisory Board (PAB) Subcommittee. PAB subcommittee evaluates project proposals and provides ranking and recommendations for PAB and Clark County Council.
July - August	Request work session with Clark County Council to review PAB recommended projects and seek feedback.
September	CIP updated to include NAAP approved acquisitions.
November	Clark County Council hearing to approve recommended Legacy Lands project projects as part of the Parks CIP. Lands Coordinator notifies the sponsors of final decisions upon approval.

December - Following year (January - March)	County Manager approves Interlocal agreement with approved sponsor.
Due each 6 months	Awarded project sponsors submit 'Interim Progress Report'.
Three-year window	Implementation.
Application expected each third and sixth years of the NAAP.	

Figure 8 - Program timetable

Eligible agencies may refer to the Washington regulations governing Conservation Futures ([RCW 84.34.010-020](#) and [RCW 84.34.200-250](#)) for definitions and guidelines concerning the types of property eligible for Conservation Futures funding. In particular, [RCW 84.34.020](#) provides definitions of open space, farmland, and timber land.

Eligible agencies wishing to submit a proposal for consideration under Clark County's Legacy Lands Program must complete the following steps:

1. **Application.** The sponsoring agency must complete a *Project Application* form provided by Clark County for each project (refer to [Appendix A](#)).
2. **Evaluation.** The project sponsor presents the proposal to the Clark County Parks Advisory Board, PAB, subcommittee. PAB subcommittee evaluates and ranks proposals and recommends priority acquisitions to PAB and council, who will make the final funding decisions.
3. **Future maintenance.** The project sponsor must demonstrate a willingness and ability to operate and maintain the property proposed for acquisition. This should be described in the application.
4. **Agreement.** The project sponsor must be willing to enter into an interlocal agreement with Clark County, which outlines the terms and conditions by which Clark County will provide funds from its Conservation Futures fund to non-county agencies, and a Deed of Right which dedicates land in perpetuity for Legacy Lands purposes unless otherwise agreed to by the council (Agreement template in [Appendix B](#)).

PROJECT MATRIX

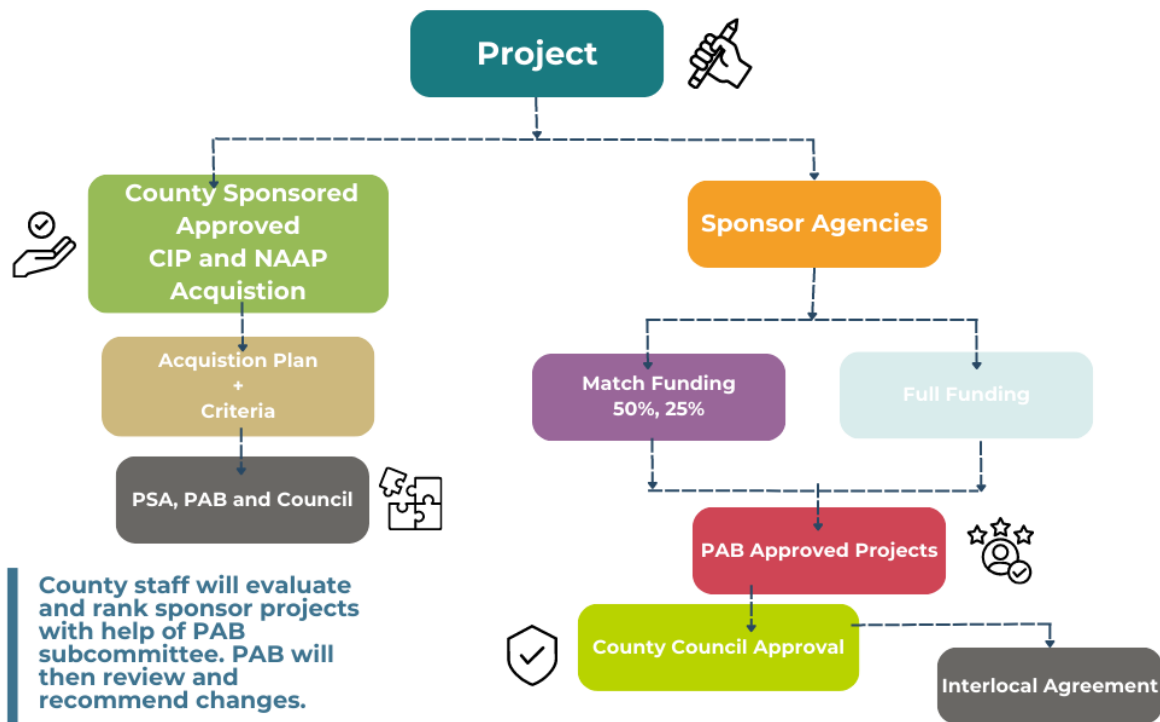


Figure 9 - County and agencies matrix

Properties purchased with Legacy Lands funding must always remain in the ownership of an eligible party defined by [RCW 84.34.010-020](#) and [RCW 84.34.200-250](#). Transfer outside of the ownership will require a conversion if conservation values can't be met. See Exhibit H.

Acquisitions priorities

During the acquisition project evaluation process, program staff will utilize the [Natural Areas Acquisition Plan \(NAAP\)](#) to ensure that the highest priority areas are addressed. To help shape key priorities in Clark County, stakeholder comments, project sponsor input and public input have been incorporated into the plan.

To ensure future acquisitions comply with regulatory guidelines, all project proposals will receive an initial screening by Clark County program staff including the review of the following criteria:

1. **Would the property qualify for “current use” classification** as defined in chapter [84.34 RCW](#) (i.e., does the property fall within definitions of open space, farm and agricultural land, or timber land as such are defined in [RCW 84.34.020](#))?

2. Does the property have “significant recreational, social, scenic, or aesthetic values,” such as:

- Unique or critical habitat
- Unique natural features and/or natural resources
- Historically or culturally significant lands and/or structures
- Critical/sensitive lands such as wetlands, priority habitat, floodplains, geological hazards, critical aquifer recharge areas or shorelines
- Desirable agricultural and forest working lands characteristics

3. Is the property threatened by growth, spreading urban development, mineral extraction, mature timber harvest and/or water impoundment?

4. Will the applicant agency prepare a stewardship plan or otherwise manage the property to allow appropriate public access to the property while preserving those characteristics which made the property eligible for Legacy Lands funding?

5. Is there significant partner and project support for the acquisition, such as a nonprofit or partnering agency?

- Nonprofit, partnering agency.
- Letters of support.

6. Is there funding appropriated for this acquisition for ongoing maintenance and monitoring activities?

- Sponsor demonstrates maintenance and operations funding is available for the acquisition.
- Sponsor has communicated a plan for securing maintenance and operations funding.

7. Is there match funding for this acquisition?

- Sponsor has committed its own funds to the acquisition.
- Sponsor has obtained a grant for the project.
- Sponsor has identified a partner willing to contribute funds towards acquisition.

8. Is the project sponsor ready for acquisition?

- Sponsor has completed appraisal and review appraisal demonstrating market value.
- Sponsor has completed due diligence studies.
- Sponsor has negotiated a purchase and sale agreement.
- Sponsor is ready to go to leadership for final approval of acquisition.

9. Is this a new project?

- Sponsor has not already acquired property and seeking retroactivity.

Application process

Clark County has utilized a standard process for soliciting and completing acquisitions since the inception of the Legacy Lands program. The process has been adjusted over time

to comply with changes in legislation, roles of the partners and updates to county programs and policies. Listed in this section are the steps in the project proposal process.

- ***Notification of intent to receive proposals*** - Clark County will notify all eligible agencies in Clark County of its intent to receive project proposals for funding consideration under its Legacy Lands program as resources allow (two, three-year cycles during that NAAP). This notice will include an overview of Legacy Lands, project application forms, and information concerning the project evaluation system. Eligible agencies will also be notified of a due date for submitting project proposals.
- ***Submittal of proposals*** - The due date for project proposals will normally be at least ten weeks after staff distributes the notice of intent to receive proposals. All proposals should be submitted by the due date. If an agency will not be able to meet this deadline, it should notify program staff as early in this process as possible. An extension may be granted at the discretion of the Legacy Lands program coordinator.
- ***Proposal review for completeness and statutory compliance*** - It is the county's intent that the agency sponsor provides completed application forms and all required attachments at the time of the application submittal. The sponsoring agency will be informed of identified deficiencies in their application or if additional information is required. Applicants are encouraged to review the state legislation to ensure acquisitions meet eligibility requirements ([refer to Chapter 1](#) for webpages). All acquisitions will receive an initial screening to assure that they meet statutory guidelines. Sponsoring agencies will be notified if acquisitions don't comply with state law.
- ***On-site tour (required)*** - An on-site tour of properties to be considered for funding will be coordinated with the project sponsor, staff, and members of the PAB subcommittee. A meeting will be scheduled with sponsoring agencies both to review applications and to conduct the on-site inspections.
- ***Advisory subcommittee evaluation*** - The PAB subcommittee will evaluate acquisitions submitted for funding consideration. Subcommittee ranked projects will be considered by PAB for final approval.
- ***Project evaluations*** - A series of questions and criteria are established for the evaluation process, as noted in [Appendix E](#). The evaluation questions and criteria will be applied to all acquisitions in the same manner. The sponsoring agency will be requested to participate in the presentation of its project(s). The sponsoring agency's representative will have the opportunity to give a brief overview of their project, how it responds to the criteria and ask any questions about the process.

- **Advisory committee recommendations** - Staff will compute the final scores for all applications with the advisory committee. Staff will prepare final recommendation to be presented to council in a work session. The recommendations will be based on the acquisition priorities, evaluation scores and available funding. A fiscal analysis will be prepared for consideration.
- **County council hearing** – County staff will present PAB recommendations in a work session. County council may either adopt or modify PAB’s recommendations. All projects will be integrated into the Parks Capital Improvement Plan and approved through a public hearing. If county council chooses to move forward on a project different from the committee’s recommendations, staff will document the reasoning behind the change for the program record.
- **Notification of funding** – County staff will notify all project sponsors of the action taken by the council. Agencies with approved acquisitions will be required to enter into an interlocal agreement ([Appendix B](#)) with the county outlining the terms and conditions of the project and managing properties acquired with Legacy Lands funds. The interlocal agreement shall be completed and signed by all parties prior to reimbursable funds.
- **Implementation** - Implementation of the project will then proceed with the procedures as outlined in the Parks and Lands Property Management Guidelines for acquisition and management, as applicable.
- **Reporting** – The project sponsor will need to submit interim progress reports every six months during the project period that document: project status; funding revenue and expenditure data; partner involvement; development plan implementation; and, other key aspects of the project. If there are delays in the schedule from the original application, those should be identified with possible solutions to complete the project as proposed. A final report shall be submitted by the project sponsor when the property has filed all necessary paperwork to complete the acquisition and the property is open for public use and management. Refer to [Appendix D](#) for reporting formats.

Acquisition proposals

The sponsoring agency must complete a project application proposal for each project submitted for funding consideration, including Clark County acquisitions. All project proposals for Legacy Lands funding must include the following information as described in application form in [Appendix A](#):

1. **Project narrative:** Provide a narrative that summarizes your proposal and the value of the property to your community per the attached application. This information should include site data, project partners, funding information, maintenance and operations goals, acquisition timeline, etc. Information shall include:

- ☐ Sponsoring agency.
 - ☐ Acquisition location.
 - ☐ Existing conditions and use.
 - ☐ Type of interest to be acquired.
 - ☐ Site description.
 - ☐ Proposed improvements.
 - ☐ Proposed uses.
 - ☐ Anticipated project cost (expenses and revenues, including in-kind).
2. **Site location map:** On a map of Clark County or a map of the sponsoring agency's jurisdictional boundaries, clearly identify the location of the proposed acquisition. Include an aerial photograph with the location identified. Include a minimum of one mile radius around the site for context and label significant features and/or landmarks including roads. Label with parcel numbers.
 3. **Project boundary map:** On a quarter section map or other map of sufficiently small scale, identify the boundaries of the proposed project. The dimensions and configuration of the parcel should be easily seen (in some cases, the site location map may also serve this purpose).
 4. **Images/photographs:** Provide a minimum of six representative images of the property. The images should show terrain, plant communities, waterfront, man-made features, access roads, etc.
 5. **Development plan:** Provide a schematic or master plan of the project site showing proposed uses and improvements. If not available, provide a detailed description of the uses and improvements that are planned for the site.
 6. **Maintenance and operations plan:** Include a summary of the sponsor's approach to operation of the site (i.e., uses, programming, facilities, etc.) as well as maintenance plans (i.e., daily, annual, asset management, asset preservation, etc.). Annual monitoring of the property is required, and reports need to be available for review by the county's Legacy Lands coordinator.

Chapter 3 – Project Evaluation

This chapter provides information about the process that is used to review acquisitions and develop funding recommendations for Clark County's Legacy Lands program funding cycle. Program staff will provide technical assistance to PAB and answer any questions about the program.

Evaluation process

All acquisitions submitted for funding consideration are reviewed by staff for completeness prior to review by PAB. Staff will work with the project sponsor to clarify all

necessary information in the application. The application will also be reviewed against established priorities within the Natural Areas Acquisition Plan for relevancy.

A series of evaluation questions and criteria will be applied in the same manner to all acquisitions. The evaluation questions and the corresponding scoring criteria and instructions are included in [Appendix E](#). Project sponsors are encouraged to read them carefully.

PAB will evaluate acquisitions submitted for funding consideration. The sponsoring agency will be requested to participate in the presentation of its project(s). The sponsoring agency's representative will have the opportunity to give a brief overview of sponsors project, how it responds to the criteria and ask any questions about the process.

The evaluation system is not intended to be regulatory or absolute, but rather it is intended to provide objective guidelines for evaluating acquisitions and allocating funds. Council may either adopt or modify the funding recommendations. The county may not necessarily obligate all available revenues as part of any year's evaluation process, depending on other funding needs for that funding cycle. The intent of this process is to create a prioritized list of acquisitions to inform the six-year Parks Capital Improvement Plan.

Project sponsors will be informed of all recommendations adopted by council. All acquisitions that have been authorized to move forward will be directed to move to the next phase of the process, including drafting of an interlocal agreement at the appropriate time. Timing of acquisitions may be influenced by the county's budget process and no project work shall proceed without prior written authorization.

Chapter 4 – Program Acquisition Process

Overview

This chapter explains the required interlocal agreement between Clark County and the sponsoring agency receiving Legacy Lands funds. This chapter also describes the deed of right dedicated to Clark County for properties acquired, all or in part, with Legacy Lands funds. The interlocal agreement will be executed as soon as is practicable following the approval of project recommendations by the council and dependent upon county budget and the six-year Parks Capital Improvement Plan. The deed of right is executed and recorded at the time of the closing of a project. A template of the interlocal agreement ([Appendix B](#)) and deed of right ([Appendix C](#)).

Funding of project

The total cost of the property to be acquired under terms of the interlocal agreement is estimated by the project sponsor in its project application. In the application, the project sponsor requests that Clark County pay all or some percentage amount of the total estimated project cost. The county will not require the project sponsor to incur the expense of a standard appraisal prior to execution of the interlocal agreement; cost

estimates may be based on assessed values, comparable sales, or other land value data. An appraisal will not change an approved reimbursement request by sponsors unless authorized by council.

Once a project is approved for funding, fair market value shall be determined utilizing standard professional appraisal procedures as set forth in the Parks and Lands Property Management Guidelines. Payment of conservation future funds from the county to the project sponsor will be on a reimbursement basis following submittal of appropriate documentation of eligible expenses. Eligible expenses may include related incidental and administrative costs, such as surveys, appraisals, and other due diligence if outlined in the interlocal agreement.

Acquisition procedures

The project sponsor agrees to comply with the terms and intent of acquisition procedures as outlined in the Property Parks and Lands Management Guidelines. The project sponsor shall designate a primary contact to coordinate the acquisition of the subject property with the county per the guidelines. The project sponsor may request county staff to manage the acquisition process, but the county's ability to do so is dependent on available staff time and other resources.

The project sponsor shall have two years from date of interlocal agreement execution by council to complete its project. Council may extend the acquisition period at its discretion. To secure an extension, the project sponsor should send written notice to the Legacy Lands program coordinator, at least 90 days prior to the end of the acquisition period. The notice shall state the need for an extension and explain the reasons for the request. If an amendment to the interlocal agreement is necessary to extend the expiration date, the program coordinator will submit a staff report and proposed amendment to council for consideration.

The program coordinator will notify the project sponsor of the council's decision as soon as it is practicable. Typically, this may take two months or more from the date of submittal of the extension request, depending on the ability to place the item on the council agenda given competing council requests.

The program staff will review all easements, restrictions, and other encumbrances that appear in the preliminary title insurance policy to assure that they do not impact, to an excessively negative degree, the Legacy Lands purposes for which land is to be acquired. Clark County will not release funds for land purchases until this requirement is met.

This agreement will remain in effect in perpetuity, unless otherwise provided for in the "Acquisition Period" section of the interlocal agreement. Changes that are requested by the project sponsor shall be submitted in writing for review and discussion to the Legacy Lands program coordinator.

Project sponsor performance

The project sponsor agrees to manage acquired properties in a manner consistent with the legislative declarations and objectives set forth in RCW 84.34.010-020 and RCW 84.34.200-250 and in Chapter 3.24 of the Clark County Code.

At a minimum, the project sponsor agrees to operate and maintain the acquired property as follows:

1. *Site safety.* The property and any improvements to the property shall be kept safe and clean.
2. *Uses.* The project sponsor shall make reasonable effort to control unauthorized uses, such as hunting, vandalism, and illegal camping.
3. *Public health.* Sanitation and sanitary facilities shall be maintained in accordance with applicable state and local public health standards.
4. *Site improvements.* The project sponsor shall submit to the Legacy Lands program coordinator any plans for improving the subject property to assure statutory compliance. Work shall not commence without written approval from the Legacy Lands program coordinator.
5. *Agreements.* The project sponsor shall submit to the Legacy Lands program coordinator any proposals for lease-back agreements, as provided in RCW 84.34.210, easements, rights-of-way, or other conditions or restrictions which limit the use of or alter the character of the subject property.
6. *Public access.* The property shall be kept open for public use at reasonable hours and times of year. The property shall be open for the use of segments of the public without restriction because of race, creed, color, sex, religion, national origin, or residence of the user. User fees shall be reviewed prior to implementation for recreational uses. Some access restrictions may apply based on protection of habitat or wildlife.
7. *Maintenance and operation standards.* Roads, trails, tables, benches, and other improvements shall be kept in reasonable repair throughout their estimated lifetime to prevent undue deterioration that would discourage public use or create a hazard. The project sponsor should operate and maintain the facility in accordance with all applicable federal, state, and local laws and regulations.
8. *Stewardship.* Sponsors are strongly encouraged to review the county's relevant stewardship plans to ensure that any property within a watershed subarea is maintained in accordance with the standards outlined in the stewardship plans, if they are accessible. These stewardship plans aim to establish a uniform approach to conservation objectives within specific regions of Clark County, regardless of property ownership.

Conversion

The project sponsor, in consideration of monies in whole or in part from Legacy Lands, will dedicate the property to be acquired under terms of the interlocal agreement in perpetuity for the public's use and enjoyment and to promote the purposes of Legacy Lands through a deed of right.

The project sponsor will not make or permit to be made any use of the real property or any part of it, acquired under this program, which is inconsistent with those chapters of Clark County Code and Revised Code of Washington that govern the use of Legacy Lands funds, or any use which is inconsistent with the purposes and improvements as described in the project sponsor's grant application at the time of funding approval, unless council consents to the inconsistent use. Clark County will approve any such conversion only upon conditions where the project sponsor can assure it will acquire substitute properties which are of equal or greater value at the time of conversion, which, to the extent feasible, are equivalent in usefulness and location, and which also meet the goals and objectives of the Legacy Lands program. Conversion will be handled in accordance with procedures outlined in [Appendix J](#).

Reports and inspections

The project sponsor shall prepare a final report upon completion of a project, or its early termination as described in [Appendix D](#). If the project is terminated early, the report shall provide a full explanation of the reasons for not completing the project. The project sponsor also agrees to provide interim status reports during the acquisition period on a semi-annual basis to be submitted to the Legacy Lands program coordinator.

The report shall also include all necessary information to complete the property file documentation folder and GIS database system. The project sponsor shall work with county staff to complete all necessary file documentation, including articulating: all revenue types; key milestones; easement files; property inventory reports; etc.

Deed of right

Upon completion of a project, the project sponsor shall record a deed of right against the property conveying certain rights to Clark County. Recording the deed of right will be a condition of reimbursement. The deed of right conveys and grants to Clark County, individually and as the representative of the people of Clark County, the right to use the subject property for the stated purposes in perpetuity. The deed of right further stipulates that the uses shall be consistent with those sections of the Clark County Code and Revised Code of Washington governing the use of Legacy Lands funds and shall be consistent with the project sponsor's grant application. The deed of right also discusses the terms and conditions under which conversion may be allowed. The deed of right is executed at the time of closing of any acquisitions funded through Clark County's Legacy Lands program. A generic deed of right template appears in this manual as [Appendix C](#). Minor variation from the provisions in the template and provisions tailored to any specific acquisition may be included with the mutual consent of the sponsor and the county.

Appendix A – Legacy Lands Acquisition Application Summary



FUNDING CYCLE XXXX

SUBMITTAL DATE:

PROJECT NAME:

SPONSOR INFORMATION

Organization Name:

Agency Address:

Agency Jurisdiction:

Contact Name:

Contact Phone:

Contact E-Mail Address:

PROJECT LOCATION

Property Address(es):

Tax Identification Number(s):

Major Street / Intersection Nearest Property Access Point:

Property Description (type of land use):

Section: Township: Range:

EXISTING CONDITIONS

Number of Parcels:

Addition: Total Project Acres:

Zoning Classification(s):

Existing Structures/Facilities (No. / Type):

Current use:

- ☐ Watershed Name:
- ☐ Waterfront Access and type:
- ☐ Body of Water:
- ☐ Shoreline (lineal ft.):
- ☐ Historical / Cultural Features:
- ☐ Owner Tidelands/Shorelands:
- ☐ Active Agriculture; ☐ Currently leased for agriculture.
- ☐ Threatened / Endangered species present:
- ☐ Utilities on property (list all known):

☐ Potable water available on site: ☐ Well; ☐ Water Service; ☐ Is there a water right?

SITE DESCRIPTION (Discuss physical characteristics of proposed acquisition):

PROPOSED DEVELOPMENT IMPROVEMENTS:

PROPOSED USES ON SITE:

PROJECT PARTNERS:

☐ For purchase, list names:

☐ For use of site, list names:

TYPE OF INTEREST:

Warranty Deed: Easement:

Other (please describe):

Project requires relocation of residents: ☐ Yes ☐ No

PROJECT COST:

Estimated Total Cost:

Estimate Based on:

Will other agencies/groups contribute to project? ☐ Yes ☐ No

Name of Contributor:

Amount of Contribution:

Total Estimated Request from Legacy Lands:

☐ Attach separate sheet with all anticipated:

☐ Revenues for project, including donations, in-kind services, grants, partnerships, and other contributions.

☐ Expenses for project, including permits, fees, staff time,

PROJECT MAINTENANCE PLAN (brief summary of maintenance approach)

Appendix B – Interlocal Agreement Template for Legacy Lands Funding

1. PURPOSE

This Interlocal Agreement sets forth the terms and conditions by which Clark County, Washington, shall provide funds from its Conservation Futures Account, pursuant to RCW 84.34.210 and Chapter 3.24 of the Clark County Code, to the City of [NAME], hereinafter identified as the project sponsor, for the purpose of acquiring fee simple or lesser interest in open space, farm land, or timber land, as such are defined in RCW 84.34.020.

2. AUTHORITY

This Interlocal Agreement by and between Clark County, Washington, and the project sponsor is authorized by Chapter 39.34 of the Revised Code of Washington, which permits a governmental unit to contract for the use of land for park purposes by private negotiation with consent from the County Council. In addition, this Agreement is further contemplated by RCW 84.34, for the preservation and continued availability of open space lands to assure the use and enjoyment of natural resources and scenic beauty for the benefit of all citizens.

3. AQUISTIONS DESCRIPTION

The project sponsor's application to Clark County is attached hereto, Marked as Exhibit A, and is incorporated herein by this reference. The Application is the project sponsor's notification of its intent and commitment to implement and manage the following project in conformance with local and state goals and objectives. The project is described as: [PROJECT NAME]. A specific legal description of the project is to be attached to the Deed of Right, to be filed and recorded herewith.

4. FUNDING OF PROJECT

The total cost of the property to be acquired under terms of this Agreement is estimated by the project sponsor to be \$000,000.

Clark County agrees to pay a total of \$000,000, or 00 percent of the total estimated project cost, or the same percentage of fair market value, whichever is less for the [PROJECT NAME]. The funding provided is limited in its use to the acquisition of the real property or the costs of title insurance, appraisals, and surveys.

Fair market value shall be determined utilizing professional appraisal procedures. Both a fair market appraisal and a review appraisal are required. The appraisal must be in compliance with the Uniform Appraisal Standards for Federal Land Acquisitions (USASFLA). Both the fair market appraisal and the review appraisal reports must be

prepared by qualified real estate appraisers having designation from the Members of the American Institute of Real Estate Appraisers (MAI). The cost of the appraisal, review appraisal and related administrative costs shall be paid by the project sponsor. The project sponsor may request reimbursement from the County for the cost of the land, appraisal, and review appraisal, provided that the total amount of reimbursement sought from the county, does not exceed \$000,000 for the [PROJECT NAME].

In the event fair market value exceeds the project sponsor's estimated project cost, County Council, at its discretion, may increase the approved funding allocation to cover fair market value of the property to be acquired. A written request to this effect should be submitted by the project sponsor to the Legacy Lands Program Coordinator. The request shall include a copy of the appraisal report and appraisal review. The program coordinator shall notify the project sponsor of Council's decision as soon as practicable pending placement on the Council agenda and Council deliberations. In the event County Council does not agree to increase the approved funding allocation, there shall be no obligation by Clark County to fund the project beyond the originally designated amount.

The payment of funds to the project sponsor shall be on a reimbursement basis. The sponsor shall submit all required documentation to support expenses incurred by the project.

5. STATEMENT OF DIFFERENCE IN VALUE

If the property is to be purchased for less than the approved fair market value, a letter from the seller must be submitted that acknowledges that the seller was aware of the approved fair market value and that the seller's decision to sell at less than fair market value was made of his/her own free will.

6. REAL PROPERTY ACQUISITION PROCEDURES

The project sponsor agrees to comply with the terms and intent of the Clark County Code Chapter 3.24, and RCW Chapter 84.34, as now or may be amended, to the extent such amendment is applicable under the law. Clark County staff and the project sponsor shall comply with all policy guidance in the Property Management Guidelines.

7. CONTINGENCIES

The duty of Clark County to pay out funds under this contract depends on:

- A. Strict compliance by the project sponsor with the terms of this contract, and
- B. The availability of funds in Clark County's Legacy Lands Account.

8. ACQUISITION PERIOD

The project sponsor shall have two (2) years from execution of this interlocal agreement by the County Council to complete the acquisition project, as described in the project sponsor's attached Project Application.

The County Council may extend the acquisition period at its discretion. To secure an extension, the project sponsor shall send written notice to the Legacy Lands Program Coordinator, at least ninety (90) days prior to the end of the acquisition period. The notice shall state the need for an extension and explain the reasons for the request. The program coordinator shall notify the project sponsor of the Council's decision as soon as practicable after receipt of the request. This may take two or more months.

Any project that has not been completed within the acquisition period, and for which no extension has been granted, shall be considered withdrawn and all allocated funds not expended for a permitted purpose shall be returned to Clark County. The project sponsor agrees to notify the Legacy Lands Program Coordinator of any circumstances or events during the acquisition period (such as an owner indicating he is no longer a willing seller) which will cause the termination of efforts to acquire the subject properties.

The project sponsor, on forms provided, will advise Clark County at least once every six months of their progress. A final report will be submitted upon completion of the project. Written requests for reimbursement of all reasonable and appropriate costs incurred by sponsor during the reporting periods shall be accompanied by documentation of the expenses and required acquisition documents.

The program staff shall review all easements, covenants, conditions, restrictions, and other encumbrances that appear in the preliminary title insurance policy to assure that they are acceptable to Clark County considering the Legacy Lands purposes for which the land is to be acquired. Clark County will not release funds for land purchases until this requirement is met.

9. DURATION OF INTERLOCAL AGREEMENT

This Interlocal Agreement shall remain in effect in perpetuity, except as otherwise provided for in the "Acquisition Period" section of this Agreement.

10. RELATIONSHIP OF PARTIES

The County Council imposed the Legacy Lands levy to provide a reliable and predictable funding source to help acquire interest in open space, farmland, timber land, and certain classifications of park property. The project described herein, however, is the sole project of the project sponsor and not Clark County. The purpose of this Agreement is to provide the project sponsor monetary assistance which will enable it to complete the Project described herein. Clark County will not acquire any ownership interest in the subject property by virtue of this Agreement, nor will Clark County assume any responsibility for improving or managing the property.

The project sponsor shall be solely responsible for the management of the Project within the terms and conditions of this Agreement and all applicable law. Furthermore, Clark County shall not be deemed a party to any contract between the project sponsor and any third party by reason of having entered into this Agreement.

11. OTHER ORGANIZATIONS

No separate legal or administrative entity shall be created by this Agreement.

12. PERFORMANCES

The project sponsor agrees to manage the subject property in a manner consistent with the legislative declarations and objectives set forth in RCW Chapter 84.34. and Chapter 3.24 of the Clark County Code. Moreover, the project sponsor recognizes that the County Council is the only legislative authority empowered to impose the Conservation Futures levy and that the Board of County Commissioners, having done so, has the responsibility to assure proper use and administration of the Conservation Futures Fund and has a corresponding interest in the management of all properties acquired with the fund. The project sponsor shall operate and maintain the subject property as follows:

- A. The property and any improvements to the property shall be kept safe and clean; and
- B. The project sponsor shall make reasonable efforts to control nonconforming uses, including but not limited to hunting or poaching in wildlife preserves, sanctuaries, structures such as shed, fences and or docks; and
- C. Sanitation and sanitary facilities shall be maintained in accordance with applicable state and local public health standards; and
- D. The project sponsor shall submit to the Legacy Lands Program Coordinator any plans for improving the subject property to assure federal, state, and local compliance. This does not apply to routine maintenance. Improvements that may be allowed under terms of the statute, the plans for which, in any event, should be submitted to the Program Coordinator, include but are not limited to trails, picnic tables, viewpoints, rest areas, docks, benches, boat launches, restrooms, accessory structures, retaining walls requiring engineering, and parking lots. Work shall not commence without written approval from the Parks and Lands Program Coordinator. Though Clark County shall be given the opportunity to review plans for improvements, this should not be construed to mean that Clark County shall participate in the funding of improvements; and
- E. The project sponsor shall submit to the Legacy Lands Program Coordinator any proposals for lease-back agreements, as provided in RCW 84.34.210,

easements, rights-of-way, or other conditions or restrictions which limit the use of or alter the character of the subject properties. Any such proposal shall be reviewed for statutory compliance and consistency with proposed plans and uses as stated in the project sponsor's grant application at the time of funding approval at the sole discretion of Clark County. The project sponsor shall not consummate any such proposal without advance written consent of the Legacy Lands Program Coordinator; and

- F. The property shall be kept open for public use at reasonable hours and times of year. Clark County recognizes, however, that appropriate hours may vary considerably depending on the type of interest that has been acquired, and the existence of leaseback or other agreements that might properly limit public access. Some access restrictions may apply for the protection of habitat and/or wildlife; and
- G. The property shall be open for the use of all segments of the public without restriction because of the race, creed, color, sex, religion, national origin, or residence of the user; and
- H. Roads, trails, tables, benches, and other improvements shall be kept in reasonable repair throughout their estimated lifetime to prevent undue deterioration that would discourage public use; and
- I. The project sponsor shall operate and maintain the facilities in accordance with all applicable federal, state, and local laws and regulations; and
- J. The project sponsor shall execute and record a Deed of Right in substantially the same form as Exhibit B, attached hereto and made a part of this agreement, at the time of property acquisition to guarantee that the restrictions imposed by Legacy Lands Program funding are in the chain of title to the subject property.

13. USER FEES AND CHARGES

User or other types of fees may be charged in connection with areas acquired with the assistance of Legacy Lands funds, provided that the fees and charges are commensurate with the value of recreation services or opportunities furnished and are within the prevailing range of public fees and charges within the state for the particular activity involved.

14. CONVERSIONS

The project sponsor for and in consideration of monies coming in whole or in part from Clark County's Legacy Lands Fund, shall dedicate the property to be acquired under terms of this Agreement in perpetuity for the public's use and enjoyment and to promote the purposes of Legacy Lands.

The project sponsor will not make or permit to be made any use of the real property described in this Agreement, or any part of it, which is inconsistent with those chapters of the Clark County Code and Revised Code of Washington that govern the use of Legacy Lands funds, or any use which is inconsistent with the purposes and improvements as described in the project sponsor's grant application at the time of funding approval, unless the County Council consents to the inconsistent use. Clark County shall approve any such conversion only upon conditions where the project sponsor can assure it will acquire substitute property which is of equal or greater value at the time of conversion, which, to the extent feasible, is equivalent in usefulness and location, and which also meets the goals and objectives of the Legacy Lands Program.

15. REMEDIES

In the event the project sponsor fails to comply with any or all obligations under this Agreement, specific performance shall be the remedy preferred by Clark County.

The remedy of specific performance shall not be the sole remedy and does not serve to exclude any and all other remedies available to Clark County. Clark County may choose to exercise any and all other remedies available together with, or as an alternative to, specific performance, at the sole option of Clark County.

16. REPORTS AND INSPECTIONS

The project sponsor, in cooperation with the Legacy Lands Program Coordinator, shall prepare a final report upon completion of the above-described Project or its early termination for presentation to the County Council. The report shall include a final accounting of all expenditures and a description of the work accomplished. If the Project is terminated early, the report shall provide a full explanation of the reasons for not completing the Project. The project sponsor also agrees to provide interim status reports during the acquisition period as may be requested by the Legacy Lands Program Coordinator.

Property and improvements acquired under terms of this Agreement shall be available for inspection by the Legacy Lands Program Coordinator, or their designee, upon request. As a matter routine, Clark County shall maintain the right to conduct an on-site inspection approximately once a year to assure that the property is being operated, maintained, and used in accordance with this Agreement.

17. ASSIGNMENTS

This Agreement shall not be assignable in whole or in part by the project sponsor except with the express advance written consent of the County Council.

18. HOLD HARMLESS

The project sponsor agrees to defend and hold harmless Clark County, Washington, the County Council and any employees, officials, agents, or elected officials thereof from any and all suits at law or equity or claims or demands, or any loss of any nature, including but not limited to costs and attorneys' fees, suffered, or alleged to be suffered, on the premises, or arising out of use, improvements, operation, or management of the subject property and/or the Project.

Clark County, Washington and all employees, officials, agents, or elected officials thereof, agrees to defend and hold harmless the project sponsor from any and all suits of law or equity or claims or demands, or any loss of any nature, including, but not limited to, costs and attorney's fees, suffered, or alleged to be suffered, as a result of any act or omission on the party of Clark County, Washington, their employees, officials, agents or elected officials, on the premises.

19. NOTICES

Any notices, requests, consents, approvals, and other communications shall be in writing and shall be deemed to have been sufficiently given for all purposes when delivered by hand, or within three days of being mailed by U.S. mail first class postage or certified mail, postage prepaid, addressed as follows:

A. Notice to Clark County

TO: Clark County Parks and Lands
Legacy Lands Program Coordinator
PO Box 9810
Vancouver, WA. 98666
PWConservation@clark.wa.gov

B. Notice to the project sponsor

TO: [City Manager Name] who serves in the capacity as City Manager for the project sponsor and who has been designated as the project sponsor's liaison officer for the purposes of this Agreement, or to such other officer or address as the project sponsor shall have furnished to the Legacy Lands Program Coordinator in writing.

Signed by the project sponsor on this ____ day of _____, 202__

CITY OF [NAME]

By: _____
Mayor, City of [NAME]

Signed by Clark County on this ____ day of _____, 20__

CLARK COUNTY

By: _____, County Manager

APPROVED AS TO FORM ONLY:
ANTHONY F. GOLIK
CLARK COUNTY PROSECUTING ATTORNEY

By: _____
County Deputy Civil Prosecutor

ATTACHMENTS:
Project Application
Deed of Right

Appendix C - Deed of Right

DEED OF RIGHT

For Public Use of Land Acquired Under the Clark County Conservation Futures Program

The XXXX, for and in consideration of monies coming in whole or in part from the Conservation Futures Fund, as established by Chapter 3.24 of the Clark County Code, and in fulfillment of terms contained in the Interlocal Agreement identified below, conveys and grants to Clark County, Washington, individually and as the representative of all the people of Clark County, the right to use the real property described below forever for those purposes described in the abovesaid agreement, which was signed by the XXXXXX on the _____ day of _____, 20____ and by Clark County on the _____ day of _____, 20____, and which is titled Conservation Futures-Interlocal Project Agreement. Project # _____

The XXXX will not make or permit to be made any use of the real property described in this deed, or any part of it, which is inconsistent with those chapters of the Clark County Code and Revised Code of Washington that govern the use of Conservation Futures Funds, or any use which is inconsistent with the purposes and improvements as described in the XXX project application at the time of funding approval, unless the Clark County Council consents to the inconsistent use in writing. Clark County shall approve any such conversion only upon conditions where the XXXXXX can assure it will acquire substitute properties which are of equal or greater value at the time of conversion, which, to the extent feasible, are equivalent in usefulness and location, and which also meet the goals and objectives of the Conservation Futures Program, which means they will be subjected to a similar conservation covenant.

The real property covered by this deed is described in the legal description attached hereto and is incorporated herein by this reference.

This deed shall in no way modify or extinguish the functions of the signatory parties under the terms and conditions set forth in the aforementioned Interlocal Agreement.

Under the authority of CCC 2.33A.090

Dated this _____ day of _____

Kenneth A. Lader, P.E.
Public Works Director / County Engineer

On this _____ day of _____, 2023, personally appeared XXX to me known to be the XXXXXXXX, a municipal corporation of the State of Washington, that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed, of said corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

Notary Public in and for the State of Washington,

Residing _____

My appointment expires: _____

Appendix D – Project Reporting Template

Legacy Lands Interim Progress Report

PROJECT NAME _____

SPONSORING AGENCY _____

As provided in the Interlocal Agreement, the sponsoring agency shall provide every six (6) months Interim Progress Reports for any project funded under Clark County's Conservation Futures Program.

Under each heading, please indicate the status of the above-named project and submit the completed report to:

Clark County Parks and Lands
Legacy Lands Program Coordinator
PO Box 9810
Vancouver, WA. 98666
PWConservation@clark.wa.gov

ANTICIPATED SCHEDULE

APPRAISAL

APPRAISAL REVIEW

NEGOTIATION

CLOSING

COMPLETION

Legacy Lands Final Acquisition Report

PROJECT NAME: _____

SPONSORING AGENCY _____

As provided in the Interlocal Agreement, a final project report is to be prepared for the project at the time of completion or early termination. The report should include:

- ☐ Final accounting of all expenditures
- ☐ Status of final project file documentation including coordination with GIS
- ☐ Description of the work accomplished (include photographs as appropriate)
- ☐ Anticipated schedule of future work to be accomplished on the site.
- ☐ If a project is terminated early, the report should explain the reasons for not completing the project.

- ☐ This report should be submitted to:
Legacy Lands Program Coordinator
Public Works Department
PO Box 9810
Vancouver, Washington 98666
PWConservation@clark.wa.gov

Appendix E - Legacy Lands Evaluation Questions & Scoring Criteria

- 1. TO WHAT EXTENT DOES THE PROPOSED PROJECT CONFORM WITH OBJECTIVES AND PRIORITIES ESTABLISHED IN THE NATURAL AREAS ACQUISITION PLAN, AND PERTINENT SECTIONS OF ADOPTED LAND-USE PLAN, PARK PLAN, AND/OR CAPITAL IMPROVEMENTS PROGRAM RELATING TO OPEN SPACE, FARM, AND TIMBER LANDS?**

Points will be awarded based on the priority given to proposed acquisition within one or more of the above-named plans.

High Priority	16 - 25
Moderate Priority	6 - 15
General Need	1 - 5

- 2. DOES THE PROPOSED PROJECT PROVIDE RECREATION OPPORTUNITIES, EITHER IN ITS UNDEVELOPED STATE OR HAVE A STRONG POTENTIAL TO DEVELOP RECREATIONAL AMENITIES?**

Points are awarded to acquisition that encompass land with significant habitat and/or recreational value.

Very Good	11-15
Good	6-10
Fair	1-5

- 3. WILL THE PROJECT ENHANCE THE VALUE OF ABUTTING OR NEIGHBORING PARKS, FORESTS, WILDLIFE PRESERVES, NATURAL AREAS, OR OTHER PUBLIC OPEN SPACE FOR HABITAT VALUE? DOES THE SITE HAVE STRONG HABITAT PRESERVATION AND/OR RESTORATION POTENTIAL?**

Maximum points will be awarded to acquisitions that link or significantly expand existing public ownerships of valuable habitat properties. Minimum points will be awarded to acquisitions that represent only a minor addition. Points may be awarded to acquisitions that do not actually adjoin an existing public ownership, where it can be demonstrated that the project will significantly enhance or complement a nearby facility. If a property has moderate existing habitat value but a strong potential for restoration (i.e., wetland enhancement, reforestation, etc.), the project may rank higher.

Very Good	11-15
Good	6-10
Fair	1-5

- 4. DOES THE PROPOSED PROJECT MEET FARM, TIMBER, OR AGRICULTURAL PRESERVATION NEEDS?**

If the property is currently in agricultural or timber production and has significant value in future production, the project will rank higher. Evaluators will review

appropriate approved plans for agriculture or sustainable timber harvest to ensure the project follows appropriate sustainable production recommendations.

Very Good	11-15
Good	6-10
Fair	1-5

5. DOES THE PROPOSED PROJECT PROTECT LAND THAT IS KNOWN TO HAVE THREATENED OR ENDANGERED SPECIES, DESIGNATED CRITICAL HABITAT, OR INCLUDE A DNR HERITAGE SITE?

Evaluators should review federal and state lists for threatened or endangered species (i.e., priority habitats) that occur on the site. Sites with known species shall rank the highest. Sites that have high potential shall rank of moderate significance. If no inventories have been conducted on sites, local experts (i.e., Fish and Wildlife Service) should be contacted for potential existence of species on the site (i.e., fish rearing habitat, etc.)

Very Good	11-15
Good	6-10
Fair	1-5

6. ARE ACCESS FACILITIES (ROADS, WALKWAYS, BIKE PATHS, ETC.) AVAILABLE AND APPROPRIATE FOR THE PROPOSED PROJECT SITE, INCLUDING FROM PUBLIC ROADWAYS?

Maximum points will be awarded to acquisition where a complete system of safe and efficient access to facilities is already in place, which is appropriate for the uses of the proposed site. Do not consider planned or proposed road improvements, trail improvements, land acquisitions, etc. Keep in mind that access needs differ depending on the type of site to be acquired. In fact, where habitat or other sensitive environmental properties may be involved, it may be desirable to restrict access (except for maintenance needs).

Very Good	11-15
Good	6-10
Fair	1-5

7. WHAT IS THE LIKELIHOOD THAT THE PROPERTY WILL NO LONGER BE AVAILABLE IF THE ACQUISITION DOES NOT OCCUR WITHIN THE NEXT FIVE YEARS?

Maximum points will be awarded to acquisitions where it appears highly likely that the property will not be available five years from the date of funding consideration. Minimum points will be awarded to those acquisitions that likely will still be available in five years. Property that has a high likelihood of conversion to another use other than conservation in the near future could prompt more immediate attention.

Very Good	11-15
Good	6-10
Fair	1-5

8. DOES THE PROJECT INVOLVE CONTRIBUTIONS FROM GROUPS OR AGENCIES THAT REDUCE THE NEED TO UTILIZE LEGACY LANDS FUNDS FOR ACQUISITION? IS THE FUNDING / IN-KIND DONATION SECURED?

Points will be awarded to acquisitions that include outside funding support and, as a result, reduce the need to utilize Legacy Lands funds. The sponsoring agency must clearly demonstrate that the outside funding support is available. The number of points to be awarded will be based on the percentage of the total project cost that comes from outside sources.

If the sponsoring agency receives points under this category, the level of Legacy Lands funding will consider the outside contribution. If the outside funding support falls through, the sponsoring agency will have to resubmit a modified funding request. The modified funding request could either reduce the scope of the project or seek increased funding from Legacy Lands.

1-10%	2	51-60%	12
11-20%	4	61-70%	14
21-30%	6	71-80%	16
31-40%	8	81-90%	18
41-50%	10	Over 90%	20

9. IS THE PROJECT PROXIMATE TO UNDERSERVED POPULATIONS?

Points will be awarded to acquisitions in close proximity to underserved populations. The *Washington State Recreation and Conservation Plan 2018-2022* should be consulted to identify underserved populations as well as *Clark County Public Works Title VI procedures*, and the *site service area*. Examples of site service areas are neighborhoods, or community parks that are supported within a geographic area. The Recreation and Conservation Office's *Grant Applicant Data Tool* is also a useful reference.

Very Good	11-15
Good	6-10
Fair	1-5

10. DOES THE PROJECT PROMOTE AN EQUITABLE GEOGRAPHIC DISTRIBUTION OF LEGACY LANDS REVENUES?

The Conservation Futures tax is levied countywide. A goal of Conservation Futures legislation and county policy is to assure region-wide distribution of funds. Points may be awarded if a proposed project is in a parks deficient area as identified in the county's *Comprehensive Park Recreation and Open Space Plan*. Fewer points will be awarded if there has been substantial Conservation Futures investment within a concentrated 5-mile radius.

Very Good	11-15
Good	6-10
Fair	1-5

11. HOW READY IS THE PROJECT FOR PUBLIC USE

Maximum points will be awarded to acquisitions that provide a variety of recreational opportunities and uses in their unimproved state without further acquisitions or improvements. Minimum points will be awarded to acquisitions that are unusable or provide limited opportunities until additional acquisitions or proposed improvements occur. If the project proposes adding recreational amenities in the early phases of development, this could raise the ranking.

Very Good	11-15
Good	6-10
Fair	1-5

12. WHAT IS THE MAINTENANCE PLAN ONCE AWARDED OWNERSHIP

Maximum points will be awarded to acquisitions that provide detailed maintenance plans, address management of noxious weeds and nuisance vegetation, timely management of illegal camping, trail maintenance, trash clean up, and fire prevention. Minimum points will be awarded to acquisitions that do not include a detailed plan itemizing planned maintenance activity. If the project proposes maintenance and mitigation of hazards in the early phases of development, this could raise the ranking. Maintenance required in natural areas properties can vary depending on the specific ecosystem and the goals of the property owners or managers. Here are some examples of maintenance activities commonly needed in natural areas:

- Invasive Species Control: Regular monitoring and removal of invasive plant species that can outcompete native plants and disrupt the natural balance of the ecosystem.
- Trail Maintenance: Ensuring that trails are clear and safe for visitors by removing fallen trees, trimming overgrown vegetation, and repairing erosion or damage caused by heavy use.
- Fire Management: Implementing fire fuel reduction, where allowed prescribed burns to mimic natural fire cycles and reduce the risk of uncontrolled wildfires. This can help maintain the health and diversity of certain ecosystems.
- Wildlife Habitat Management: Creating and maintaining habitat features such as nesting boxes, brush piles, and water sources to support diverse wildlife populations.
- Trash Cleanup: Regular litter and debris removal to keep the natural areas clean and prevent pollution.

- Fence and Infrastructure Maintenance: Repairing or replacing fences, boardwalks, bridges, and other infrastructure to ensure visitor safety and accessibility.
- Native Plant Restoration: Planting native species to restore degraded areas and enhance biodiversity.

It's important to note that maintenance activities should be performed in a way that minimizes disturbance to the natural environment and adheres to any relevant local regulations or conservation guidelines.

Very Good	11-15
Good	6-10
Fair	1-5

Legacy Lands - Evaluation Questions Scoring Sheet

Acquisition Name: _____

Date of Scoring: _____

Reviewers Name: _____

No.	Description	Score (#)	
1.	Adopted Plan conformance		10 maximum
2.	Existing/potential recreation value		10 maximum
3.	Enhance value of abutting/proximate parks & conservation lands		10 maximum
4.	Agriculture/forest resource value		10 maximum
5.	Protected habitat and species value		10 maximum
6.	Available access		10 maximum
7.	Threat/non-availability in five years		10 maximum
8.	Partnership contributions		10 maximum
9.	Proximity to underserved populations		10 maximum
10.	Geographic distribution		10 maximum
11.	Readiness for public use		10 maximum
12.	Maintenance plan		10 maximum
(120 maximum) TOTAL PROJECT SCORE			

REVIEWER COMMENTS:

Use of this scoring sheet will only be a starting point for discussion by the Clark County Parks Advisory Board (PAB) subcommittee. Total scores will not be the de-facto ranking of acquisition. Final project recommendations will be made only after subsequent PAB discussion and deliberation. Final ranking will be determined by Council.

Appendix F – Clark County Prosecuting Attorney Legal Opinion

ALLOWABLE DEVELOPMENT ON CONSERVATION FUTURE PROPERTIES

CLARK COUNTY
INTERNAL CORRESPONDENCE

Date: October 21, 1985.
Reviewed: March 29, 2023

TO: Bill Dygert -
Parks Department

FROM: Richard S. Lowry
Prosecuting Attorney

Subject: CONSERVATION FUTURES

The following summarizes earlier oral advice regarding permissible uses of conservation futures. tax levy revenues and properties acquired therewith.

1. Improvement. Properties acquired with conservation future tax revenues may be improved. RCW 84.34.210 specifically authorizes a county to acquire the fee simple or lesser interest in open space land, farm and agricultural land, and timber land which is 'necessary to protect, preserve, maintain, improve, restore, limit the future use of, or otherwise conserve' such properties. However, in my opinion, the nature and level of development must not be such as would eliminate those characteristics of the property which originally made it eligible for acquisition with conservation future funds. Although such limitation is not expressly stated, I believe it to be necessarily implied from other statutory provisions. For example, in declaring the purpose behind the conservation future statute, the legislature in RCW 84.34.200 found that certain open areas 'if preserved and maintained in their present open state, would constitute important assets to existing and impending urban and metropolitan development' and that acquisition of such properties 'for the preservation of such open spaces and areas constitutes a public purpose . . .' Similarly, 'open space land' is defined in RCW 84.34.020 .in part to be 'any land area, the preservation of which in its present use would [listing of factors]. Finally, utilizing traditional canons of statutory construction would require that the tern 'improve' as utilized in RCW 84.34.210 be read in conjunction with the phrase 'otherwise conserve': that is, improvement is permissible only to the extent that it serves to conserve the affected open space, farm and agricultural land or timber land for public use or enjoyment.

Applying the foregoing limitation, certain types of improvements would appear to be per se permissible: e.g., trails, picnic tables and viewpoints. Conversely, other types of intense recreational development would appear. per se impermissible: e.g., a stadium or swimming pool. Between such extremes, the type and level of permissible improvement will depend upon all the circumstances. For example, utilizing a small and isolated parcel of riverside property to construct a boat ramp could be questionable. On the other hand, constructing a boat ramp within a large green belt area acquired with conservation future tax revenues would be defensible.

Similarly, parking lots and restrooms are certainly justifiable so long as they are reasonably accessory to the purpose for which the property was acquired.

The determination of appropriate improvements to the properties acquired with conservation future funding is primarily for the legislative body so long as its decision is 'reasonably debatable', such decision would withstand judicial review.

Appendix G – Summary of Acquisitions for Legacy Lands Program (1985-2023)

Initial Grantor	Owners	Project	Year	Serial Numbers	Acres	CF Funds
Peery, Mary	Camas	Washougal River Greenway Lower	1988	89911000	6.55	\$ 45,862.00
Courtney, Price etal	Vancouver	Burnt Bridge Creek Greenway	1989	30790352, 30790351, 30790120	11.81	\$ 184,617.00
Hiebert	Vancouver	Burnt Bridge Creek Greenway	1989	29575020, 29575022 ,29575024, 100260000	4.27	\$ -
Falk Road Apartments	Vancouver	Burnt Bridge Creek Greenway	1989	Easement (see Auditor's Document #8911290186, IAC Deed of Right) 30790150	1.18	\$ -
Schmid	Camas	Washougal River Greenway Lower	1989	73134173	0.12	\$ 17,899.00
Dugan (county)	Clark County	Vancouver Lake Lowlands WWRP Kick-off RFP	1990	152601000, 152602000	187.8	\$ 309,871.00
CENEX	Clark County	Vancouver Lake Lowlands WWRP Kick-off RFP	1990	147401000, 147403000	65.3	\$ 222,246.00
Nowlin	Clark County	Vancouver Lake Lowlands WWRP Kick-off RFP	1990	188675000	7	\$ 18,113.00
Norgren	Clark County	Vancouver Lake Lowlands WWRP Kick-off RFP	1990	188226000	1	\$ 3,916.00
Snoey	Clark County	Vancouver Lake Lowlands WWRP Kick-off RFP	1990	183706000, 184840000, 183709000, 184839000	79.5	\$ 189,809.00
Stark	Clark County	Vancouver Lake Lowlands WWRP Kick-off RFP	1990	146447001	0.83	\$ 3,182.00
Delanoy	Clark County	Vancouver Lake Lowlands WWRP Kick-off RFP	1990	184755000	14.66	\$ 25,584.00
Slocum	Clark County	Vancouver Lake Lowlands WWRP Kick-off RFP	1990	184836000	3.55	\$ 12,238.00

Hines	Clark County	Vancouver Lake Lowlands WWRP Kick-off RFP	1990	184835000	5.64	\$ 18,700.00
Mclrvn	Clark County	Vancouver Lake Lowlands WWRP Kick-offRFP	1990	184725000	2.08	\$ 7,490.00
Farrell	Camas	Washougal River Greenway Lower	1990	89877000, 131167000, 73134140	8.39	\$ 44,740.00
Lovell (Big Eddy)	Clark County	Washougal River Greenway Upper	1990	141056000	3.79	\$ 31,704.35
Drews, Laurie	Clark County	Washougal River Greenway Upper	1990	96170000	0.58	\$ -
Bergren, Arnold et.al.	Clark County	Lucia South/Moulton Falls Addition	1990	232468000, 232458000	53.83	\$ 246,178.71
Paladini	Clark County	Lucia South/Moulton Falls Addition	1991	231131000, 231130000, 232669000, 231138000	9.98	\$ 241,662.16
Aluminum Company of America	Clark County	Frenchman's Bar	1991	153719000, 153720000, 500300-004 (Alcoa quit claims tidelands adjacent to uplands; see also Stockwell, Sally)	104.92	\$ 173,836.81
Mettler (Green Lake)	Clark County	Vancouver Lake Lowlands WWRP Kick-off RFP	1991	500150000, 191086000, 190965000, 190862000	198.31	\$ 122,500.00
Lents Industries	Clark County	Vancouver Lake Lowlands WWRP Kick-off RFP	1991	188670000, 188659000, 188209000	83.97	\$ 49,000.00
Stockwell, Sally	Clark County	Frenchman's Bar Tidelands	1992	500201000, 500300000, 500301000 (1/2 interest in tax lots)	4.22	\$ 28,500.00
Columbia Rock Products	Camas	Washougal River Greenway Lower	1992	91045165, 89932000	23.24	\$ 46,428.00
Wolford	Clark County	Lucia South/Moulton Falls Addition	1992	232695000	2.9	\$ 19,062.67
Fralick Robert	Clark County	Lucia South/Moulton Falls Addition	1992	232696000	4.62	\$ 15,878.94
Fralick, Leland/Hannah	Clark County	Lucia South/Moulton Falls Addition	1992	232667000	3	\$ 17,051.78
Dolezal	Clark County	Lucia South/Moulton Falls Addition	1992	232697000	2.98	\$ 15,576.50
Kahn	Clark County	La Center Bottoms	1993	209296000, 062693000	91.97	\$ -
Lewis River Telephone	Clark County	La Center Bottoms	1993	062646000, 209483000	20.05	\$ 15,000.00

James River Paper Co.	Clark County	Columbia River Shoreline@ 164th	1993	122112000, 122177000, 122107000, 122130002, 500744000, 500743000	12.64	\$ 375,000.00
Hentges	Clark County	Washougal River Greenway Lower	1993	89930000, 89917000	9.58	\$ 61,172.00
Longview Fibre	Clark County	Washougal River Greenway Upper	1994	141266000	1.12	\$ 25,000.00
Kessinger	Clark County	Washougal River Greenway Upper	1994	143702000, 143744000, 143745000	2.83	\$ 57,049.96
Malfait	Clark County	Washougal River Greenway Upper	1994	143746000	0.04	\$ 11,254.66
Reber, Elwood & Elaine	Clark County	La Center Bottoms Addition	1994	62659000, 62668000	4.54	\$ 15,400.00
Zimmerly, Judith Ann	Clark County	EFL Urban Wildlife Habitat	1994	214668000, 212103000	110.55	\$ -
Dugan (city)	Vancouver	Vancouver Lake Lowlands Addition	1994	147358000, 152586000, 152587000	102.33	\$ 1,580,000.00
Dullenty, James	Camas	Ostenson Canyon	1994	85865000	2.32	\$ 73,000.00
Castle	Clark County	Whipple Creek Park Addition	1994	182415000	11.44	\$ 114,027.15
Osborn	Clark County	Whipple Creek Park Addition	1994	182413000	9.04	\$ 109,986.54
Lansverk et al - from CLT	Clark County	Whipple Creek Park Addition	1995	182414000	19.97	\$ 172,570.17
Habersetzer -Lucia Falls	Clark County	Lucia Falls North	1995	231185000, 231126000	24.25	\$ 112,520.00
Port of Vancouver	Clark County	Frenchman's Bar Trail	1995	153512000, 153517000, 153519000	47.87	\$ 160,000.00
Mason	Vancouver	Van Lake Lowlands at Whitney Rd	1995	146658000, 147404000	6.15	\$ 39,500.00
Schaefer	Clark County	EFL Urban Wildlife Habitat	1995	211723000, 21237000, 212335000	296.46	\$ 573,983.84
Schaefer Easement	Clark County	EFL Urban Wildlife Habitat	1995	Not Applicable (See deed 9510230319) 211675000, 212377000, 212333000, 212376000, 212377000, 212338000, 212383000	90.51	\$ -
Johnsrud (Happa)	Clark County	Haapa	1995	253132000	4.93	\$ 99,565.24
Pearson, Eleanor	Clark County	EFL Greenway 1-5 to La Center	1996	209745000, 209695000, 209739000	127.03	\$ 567,495.20

Kays, Phyllis	Clark County	EFL Greenway 1-5 to La Center	1996	209489000	11.91	\$13,487.50
Barnhart, William & Don	Clark County	EFL Greenway 1-5 to La Center	1996	209486000	19.5	\$ 25,399.90
Mitcham	Clark County	EFL Greenway 1-5 to La Center	1996	209279000	23.6	\$ 31,882.29
White/Murphy	Clark County	EFL Greenway 1-5 to La Center	1996	209480000	2	\$ 6,394.70
Parker	Clark County	Washougal River Greenway Upper	1996	141395000	0.95	\$ 20,000.00
Sanders, Clara	Clark County	Washougal River Greenway Upper	1996	143527000	1.12	\$ 38,204.39
Morgan	Clark County	Washougal River Greenway Upper	1996	143748000, 143747000	0.76	\$ 55,000.00
Seekins, Helen	Camas	Ostenson Canyon	1996	124812000 (8.8-acre Seekins parcel joined with Tidland parcel per b.l. adjustment)	16.49	\$ 271,000.00
Landerholm, Lansverk, Elmer	Columbia Land Trust	Whipple Creek Park Addition	1997	182391000, 182412000	20.03	\$ 403,038.00
Hazel Dell Sewer Dist.	Clark County	Cougar Creek Greenway	1997	98131044	0.34	\$ 37,500.00
Davis	Clark County	Lucia Falls North Addition	1997	231120000	1.35	\$ 195,734.00
Bergren II	Clark County	EFL/Bells Mtn. Greenway & Trail	1998	232673000, 232459000, 231362000, 231558000	44.86	\$ 560,033.65
Smith, Georgianne	Clark County	EFL/Bells Mtn. Greenway & Trail	1998	232457000, 232668000	22.55	\$ 225,473.51
Dunn	Clark County	EFL/Bells Mtn. Greenway & Trail	1998	232019000	2	\$ 73,337.77
Pearson, Frank	Clark County	EFL Greenway 1-5 to La Center	1998	209747000, 210119000	59.94	\$ 585,657.70
Hazel Dell Sewer Dist.	Clark County	Vancouver Lake Lowlands Addition	1998	146717000, 98363000	8.97	\$ 57,000.00
Sherman/Grevling	Clark County	Lower East Fork Lewis River - Paradise Bluffs	1998	258441000, 258469000, 258470000	16.9	\$ 405,000.00
Nissen Enterprises, Inc.	Clark County	Vancouver Lake Lowlands Addition	1998	188320000	3.8	\$ 29,700.00
Campbell	Vancouver	Burnt Bridge Creek Lettuce Fields	1998	29482000	9.75	\$ 220,229.00

Fort James Foundation from CLT via MOA	Clark County	Camp Currie	1998 to county 2003	175929000,175930000,172958000,172959000,173166000,173179000	248.76	\$ 2,403,079.00
Finsand	Clark County	Cougar Creek Greenway	1998	98037000	1.62	\$ 119,000.00
Gardner Family Trust, Cannard et al trustees	Battle Ground	The Oaks	1999	91103171, 91103125, 91103174	12.55	\$ 619,000.00
Natta	Vancouver	Burnt Bridge Creek Lettuce Fields	1999	29483000, 29461000	5.02	\$ 101,761.00
Kerr Trust etal from CLT via MOA	Washougal	Campen Creek	1999 to City 2011	134227000	13.73	\$ 733,804.00
Kerr Trust etal	Washougal	Rolling Meadows	1999	132578000, 132793000	14.23	\$ 636,500.00
Fort James Foundation under MOA Camas	Columbia Land Trust	Fallen Leaf Lake	1999	90245000, 90229000, 90850000	43.48	\$722,657.00
Schriber, Barbara	Clark County	EFL Urban Wildlife Habitat	1999	211474000, 209281000, 211480000	241.5	\$ 858,618.00
River Bend Co.	WDFW from Clark County 2011	Eagle Island	2000	252022000 (Clark County) EA0807001-006; EA0908002-004; EA0909001-017; EA0910001-009 (Cowlitz County}	284.67	\$16,369.00
Lewis River Ranch	Clark County	Lewis River Ranch	2000	227019000	89	\$ 761,765.00
Egger Farms, Inc.	Clark County	Vancouver Lake Lowlands Addition	2000	153309000, 188456000	167.09	\$ 440,000.00
Dunkerly et.al. - from CLT MOA 2003	Clark County	East Biddle Lake	2001	122591000	7.33	\$ 292,333.00
Ibrahim et.al (Range Site Inc.) per MOA with Clark County	Columbia Land Trust	West Daybreak. CLT returned 225219000 to county in 2010 and other parcels in 2019	2002	225383000, 225396000, 225396000, 225219000, 225189000, 225220000, 225162005, 225190000	112.54	\$1,067,647.00
DNR	Clark County	Green Mountain	2003	171486000, 171488000, 171489000, 171490000,171491000,171492000,171493000	360	\$ -
Fort James Camas LLC - CLT under MOA Camas	Camas	Fallen Leaf Lake Addition	2004	124541000, 90230000, 90808000	20.76	\$ 317,500.00

Clark College Foundation from Langsdorf	Clark County	Frenchman's Bar Tidelands	2004	500300003,500201000, 500300000, 500301000 (Assessor's records show DNR owner of 500301000 5.23 acres)	28.19	
Maitland/Wood from CLT / CF 2004 project proposal	Columbia Springs	Woods Landing / Columbia Grove	2005	122619000, 500735001	2.5	\$ 395000.00
MacDonald	Vancouver	Mimsi Marsh	2005	122571000	7.46	\$ 300,000.00
Becker	Clark County	East Fork Lewis - Becker	2006	212149000, 212102000, 212113000	52.17	\$ 307,812.40
Habersetzer - Reach 17	Columbia Land Trust	East Fork Lewis-Reach 17	2006	249112000	168.92	\$ 565,000.00
Van Buren Living Trust	Clark County	Whipple Creek Urban Wildlife Habitat	2006	181935000	40	\$ 2,330,441.00
Anderson Diversified Inc	Camas	Washougal River Greenway Lower Addition	2006	091045-164	7.24	\$ 510,000.00
Daybreak Homes (aka Christopher) CLT under MOA with Clark County	Clark County	East Fork Lewis-Christopher	2007	225820000	11.8	\$ 305,000.00
Morris	Camas	Lacamas Shoreline	2007	178253000	7.26	\$ 137,524.00
Saunders	Clark County	Salmon/Morgan Creek Greenspace	2007	194385000, 194601000, 194555000	81.3	\$ 1,674,200.83
DNR- Mud Lake	Clark County	Main Lewis/ Mud Lake	2009	210782000, 210783000, 210784000, 210785000	120	\$ 2,300,000.00
Hartwood Homes Inc.	Washougal	Rolling Meadows Addition	2010	986028-914	5.97	\$ 185,000.00
Koch RP Holdings I, LLC	Clark County	Lacamas Shoreline	2011	124244000, 175703000, 177886000, 177896000, 178099000	64.39	\$ 837,097.17
Koch RP Holdings I, LLC	Camas	Fallen Leaf Lake	2011	90248000, 90811000, 90812000, 90941000	54.8	\$ 380,000.00
DNR	Clark County	Woodland Campground (Bratton Canyon)	2011	256071000	80	\$-
DNR	DNR	Washougal River Trust Land Lease	2011	141753000	41	\$ -
R.W.Wilson & J. Quann	Clark County	Wilson - Cedar Creek Donation	2011	260885000	4.5	\$ -

Lakeside Communities	Camas	Lacamas Heritage Trailhead	2012	986030087	1	\$ 30,000.00
Paula K. Larwick	Columbia Land Trust	Rock Creek-Larwick	2015	250782000, 250784000	51.52	\$ 45,000.00
WGS, LLC (Dorn Swigert)	Clark County	Flume Creek Habitat Area	2015	216245000, 986036567	150.33	\$ 1,105,925.00
DNR	Clark County	Spud Mountain	2015	986036-566	153.67	\$
CLT	Clark County	Paradise Bluffs	2016	258467-000, 258468-000	11.2	\$ 13,000.00
Huyette	Clark County	Huyette	2016	186199-000	6.02	\$ 35,000.00
Schmid	Washougal	Schmid Family Park	2016	131880-000	17.81	\$ 229,500.00
Erickson Farms Tract	Clark County	Tract Dedication	2017	188669000	4.54	\$ -
Warner Erickson	Clark County	Land trade	2020	188676000	4	\$ -
Hinton	Clark County	Curtin Creek	2018	199477-000	19	\$ 819.27
Buma	Camas	Lacamas Lake North	2018	986050873	22.63	\$ 532,842.75
Dens	Camas	Lacamas Lake North	2019	177905000	32.69	\$ 2,047,157.00
Fenton	Vancouver	Fenton Community Park	2019	159095000, 195163000	44.78	\$ 250,000.00
Warner Erickson		Warner Erickson Land Trade				
Green Mountain Addition	Camas	Green Mountain Connection	2022	986047279	55	\$ 1,250,000.00
Optimist Club	Columbia Land Trust	East Fork of the Lewis River - Conservation Easement	2022	224081000, 224078000	43	\$ 339,500.00
Mason Creek	Clark County	East Fork of the Lewis River	2022	212116000, 212161000	48.03	\$ 675,000.00
Gordy Jolma Family Natural Area	Clark County	Salmon/Morgan Creek Greenspace	2022	986063220	117.57	\$ 2,571,134.00
Sandor	Clark County	Vancouver Lake	2022	98210002	0.71	\$ 8,700.00

DNR-Hantwick Trail	Clark County	Hantwick Reconveyance	2023	98606522	78.8	\$ 50,000.00
Trails at WC Inc.	Clark County	Trails at Whipple Creek	2023	986064881	0.14	\$30,719.05

Appendix H – County Parks and Lands Property Management Guidelines

Currently in process, the draft will be submitted to the County Manager for approval.

Appendix I – Clark County’s Wavier of Retroactivity

We recognize that properties may become available for sale outside of the Legacy Lands call for projects cycle. Some of these properties may have time-sensitive factors. As such, we are offering eligible sponsors the opportunity to apply within the 3-year project cycle to seek reimbursement for their acquisitions. These acquisitions will be assessed using the same criteria as all other projects, in accordance with the guidelines provided in this manual. It's important to emphasize that reimbursement is not assured, and adherence to acquisition guidelines is mandatory when applying for acquisition funds.

To begin a request for a Waiver of Retroactivity, it is mandatory to submit the standard [Acquisition Proposal](#) and all associated documents prior to the property's closing.

Waiver of retroactivity requires a minimum 30-day advance notice.

If available, please include the appraisal, review appraisal, and any other relevant documents for the purpose of review.

Appendix J – Clark County’s Conversion Process

Step 1: Initial Assessment and On-Site Visit

The Sponsor contacts the coordinator of the Legacy Lands program to discuss the proposed change. After this initial contact and a visit to the site, Legacy Lands staff determines whether the action will result in a conversion.

Step 2: Submission of Conversion Requested by Sponsor

The Sponsor must formally submit a written request to the county for approval of the conversion and potential replacement.

The written request should include the following:

- Description of the original project.
- Description of the proposed conversion.
- Clear map and site plan indicating the conversion area.
- Description of potential replacement properties or project areas, if known.

Step 3: Agreement on Conversion Area by Sponsor and Legacy Lands Staff

Legacy Lands staff and the Sponsor come to an agreement on the conversion area. The Sponsor establishes the value of the conversion area, following Legacy Lands appraisal requirements.

Step 4: Identification of Potential Replacements by Sponsor

The Sponsor identifies potential replacement property and submits descriptions and maps along with an analysis demonstrating how the replacement property will offer comparable value and usefulness. These replacement properties must meet the eligibility criteria set by the Legacy Lands program. Legacy Lands staff reviews and verifies the eligibility of the potential replacement property.

Step 5: Submission of Appraisal Reports for Conversion Area

The Sponsor submits the appraisal and review appraisal reports for the conversion area. Legacy Lands staff confirms compliance with acquisition policies. The value of the conversion area is used to determine the minimum value required for the replacement property.

Step 6: Recommendation by Parks Advisory Board (PAB) and Approval by the County.

Staff prepares a decision memorandum and presents the request to PAB, who makes a recommendation to the county manager or council. Approval of the conversion is contingent on the Sponsor completing the approval process and submitting the necessary documentation to finalize the conversion.

Step 7: Finalizing the Conversion

Sponsor submits the following for the replacement property:

- Legal description and map for the deed of right.
- Final title insurance policy.
- Conceptual site plan and development timeline for public access.

Sponsor submits a legal description of the conversion area (entire or partial) and a map for releasing the deed of right for the conversion area. Sponsor will draft the release of the original deed of right and the deed of right for the replacement property. The Sponsor needs to record the fully executed deed of right documents with the county auditor. The Sponsor will provide copies of all closing documents to the Legacy Lands program coordinator.

Appendix K – Draft Legacy Lands Fund Balance Policy

Currently in process, the draft Legacy Lands Fund Policy will be submitted to the County Council for approval and adoption.

Appendix L – Public Comment

Feedback from Monica Tubberville, Senior Planner from the City of Vancouver, is presented in black text and pertains to the guidance manual. Responses from the County's Legacy Lands Program Coordinator are identified in blue text.

City of Vancouver Feedback: The following comments are respectfully provided for your consideration regarding the Legacy Lands Program Guidance Manual. Thank you for the opportunity to comment on the update to support this valuable program to preserve the community's beautiful open spaces that are the foundation of our quality of life.

Stewardship plans:

Pg. 6 - Is this a new policy, or just not previously implemented? Discussions regarding stewardship plan have not occurred in the past for City of Vancouver project that I am aware of. Does the county provide support or funding assistance in the grant program to develop, implement and monitor stewardship or enhancement plans?

This is strongly recommended, although it is not mandatory. Funding for such endeavors, even if not formally sanctioned as part of the acquisition, aligns with the masterplan initiatives. The data gathered for informed decision-making in applications can often serve as valuable reference points for a stewardship plan.

Management Guidelines

Pg. 8 - Are CF funds available for maintenance of non-county projects as part of a grant acquisition proposal? With the challenges for all jurisdictions to meet maintenance needs, more equitable distribution of the 25% maintenance funding should be considered for all Legacy Lands properties.

Funds are currently unavailable for maintenance initiatives. The county's Legacy Lands properties have traditionally utilized these funds to upkeep properties when they are no longer within a parks district.

Pg. 8 - The program goals note coordination with community jurisdictions and the RCW mandate for funding to be distributed equitably through the county RCW 84.34.240). The City of Vancouver strongly supports this program to protect conservation areas county wide and provide recreation sites to serve residents of all jurisdictions, but improvement is needed to distribute funding more equitably throughout the county and respective jurisdictions.

The program is appropriately focused on watersheds and critical lands with concentrations of these natural resources in some areas more than others. The City of Vancouver has approximately 18 miles of Columbia River shoreline located within the Vancouver Lake Lowlands and Columbia South Slope subareas of the Acquisition Plan, much of the Burnt Bridge Creek subarea, and portions of the Lacamas subarea. The Legacy Land manual shows a map with considerable distribution of projects, but the proportions of funding may show a different picture. Further analysis is needed to meet this goal for equitable distribution.

Based on a 2021 estimate, the City of Vancouver contributes approximately 36% or more of the Conservation Futures Funding. However, over the life of the CF program it has received approximately 9% of the grant funding. The number increases to 12% if all County sponsored and owned projects now annexed in the city limits are included, such as Frenchman's Bar and the Lowlands.

The county places a high priority on securing funding for watershed conservation and fully acknowledges the significance of preserving the Columbia South Slope. As new properties become accessible, we encourage you to submit projects aligning with the Legacy Lands programmatic objectives.

Historically, our primary focus has centered on less densely populated and more rural areas, where lands have been more readily obtainable. Our county's program operates under a willing seller initiative, and it's evident that the open space within the City of Vancouver has become scarcer due to ongoing development. Nevertheless, our unwavering commitment persists in investing in areas within Vancouver, particularly Vancouver Lake and Frenchman's Bar, with the intent of fostering habitat connections that will yield benefits for both the city and the county.

Pg. 20 – As with RCO grants there should be a waiver of retroactivity process to allow agencies to act promptly when properties are threatened but remain eligible for CF funding. Stating that the Fenton property was 'already purchased' this issue was the PAB justification to disqualify a 2021 grant request for additional funding for the Fenton property from the City of Vancouver. At the time of the application, the community park service area included 48,000 residents, 67% of which were Clark County residents. The County only provided only 4% of the funding in 2019 to acquire this property. A waiver process should be a consideration for the program to avoid this type of situation recurring and recognizes the escalating land costs and the challenges all jurisdictions face to protect conservation and recreational lands.

This is a reasonable approach, and we will prepare a waiver for retroactivity for acquisitions made within the three-year window of the grant round.

Appendix E

Pg. 44: The guidelines reference the RCO Data Tool for the identification and justification of underserved populations. This tool references only the census block that the property is specifically located in rather than recognizing the service area of the site as whole. I recommend inclusion of a provision to improve on the RCO data tool with the identification of the demographics of residents within the site service area if applicable, such as in the case of a neighborhood or community park services areas or to provide equitable geographic distribution. This information is available through Clark County GIS.

Extending the service area is a justified modification, and we will include the updated language in the criteria for awarding points.

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