

CLARK COUNTY STAFF REPORT

DEPARTMENT: Public Works / Parks / Legacy Lands

DATE: June 14, 2016

REQUESTED ACTION: Approve the resolution authorizing the Director of Public Works to submit grant application #16-1696 to the Lower Columbia Fish Recovery Board and the Recreation and Conservation Office for grant funding assistance through the Salmon Recovery Funding Board. The application proposes acquisition of 49.8 acres along Mason Creek.

 X Consent Hearing County Manager

PUBLIC WORKS GOALS:

- ☐ Provide safe and efficient transportation systems in Clark County
- ☒ Create and maintain a vibrant system of parks, trails and green spaces
- ☒ Continue responsible stewardship of public funds
- ☐ Promote family-wage job creation and economic development to support a thriving community
- ☒ Maintain a healthy, desirable quality of life
- ☒ Increase partnerships and foster an engaged, informed community
- ☐ Cultivate a nimble, responsive work force
- ☐ Make Public Works a great place to work

BACKGROUND

The grant application requests funding to acquire 49.8 acres of land along Mason Creek, a tributary of the East Fork Lewis River. The property contains 3,598 lineal feet of Mason Creek shoreline and 414 feet of East Fork Lewis River shoreline.

Land ownership is in transition. Current owners are aging and, due to personal reasons, have placed the properties on the market within the last year. The landowners contacted the County expressing interest in potential sale for conservation purposes.

The property is in a key salmon habitat restoration location. Clark County owns the 19-acre parcel abutting the acquisition area to the west that includes the mouth of Mason Creek, 1,038 lineal feet of the left bank of Mason Creek and 2,536 of the right bank of the East Fork Lewis River. The reach offers a good opportunity to restore a low gradient tributary of the East Fork Lewis River that will provide suitable main and side channel habitat for a range of life history needs (spawning, rearing, high flow refugia) for Coho, Steelhead and Chum salmon.

The Lower East Fork Lewis River Habitat Restoration Plan, adopted by the Lower Columbia Fish Recovery Board in 2009, identifies 55 potential salmon recovery projects in the lower 15 miles of the river. The proposed acquisition encompasses much of the land on which one of those, the MS-01 project, is proposed.

The Mason Creek MS-01 restoration was ranked in the Plan as the 6th highest value project due to its large size and potential to benefit multiple species. Because of its high ranking, it was one of 12 projects identified in the Plan developed to a preliminary design level. The application is only for acquisition. It could become increasingly difficult and expensive to try to assemble these parcels in public ownership in the future. If acquired, subsequent grant applications and partnerships could be developed to pursue prospective habitat restoration actions.

PW16-062

OK

COUNCIL POLICY IMPLICATIONS

The Lower Columbia Fish Recovery Board and the Recreation and Conservation Office require the governing bodies of potential project sponsors to approve resolutions authorizing submittal of the grant application. The grant application requests \$366,996, or 85% of the estimated cost to acquire the property. A local match of \$64,764, or 15%, is required. Funding for the local match would come from the Conservation Futures fund.

ADMINISTRATIVE POLICY IMPLICATIONS

None.

COMMUNITY OUTREACH

The Conservation Areas Acquisition Plan, adopted by the Board of County Councilors in 2014 identifies acquisition of these parcels as a priority in the 6-year project opportunities list. Clark County actively participated in development of the Lower East Fork Lewis River habitat restoration plan and is a voting member of the Lower Columbia Fish Recovery Board.

BUDGET IMPLICATIONS

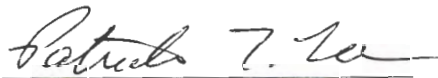
YES	NO	
X		Action falls within existing budget capacity.
	X	Action falls within existing budget capacity but requires a change of purpose within existing appropriation
	X	Additional budget capacity is necessary and will be requested at the next supplemental. If YES, please complete the budget impact statement. If YES, this action will be referred to the county council with a recommendation from the county manager.

BUDGET DETAILS

Local Fund Dollar Amount	\$64,764
Grant Fund Dollar Amount	\$366,996
Account	Conservation Futures Fund
Company Name	Washington State Recreation and Conservation Office

DISTRIBUTION:

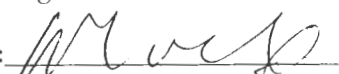
Board staff will post all staff reports to The Grid. <http://www.clark.wa.gov/thegrid/>



Patrick T. Lee
Legacy Lands Program Coordinator



Mark McCauley
Acting County Manager

APPROVED: 
CLARK COUNTY, WASHINGTON
BOARD OF COUNTY COUNCILORS

DATE: June 14, 2016

SR# SR 121-16

RESOLUTION NO. 2016- 06-09

Authorizing the Director of Public Works or his designee to submit applications for grant funding assistance from the Salmon Recovery Funding Board Lower Columbia Fish Recovery Board to the Washington State Recreation and Conservation Office.

WHEREAS, under the provisions of the Washington State Salmon Recovery Board (SFRB), as provided in Revised Code of Washington 77.85, Washington Administrative Code 420, and subsequent legislative action, Clark County may request state grant assistance to aid in financing the cost of a salmon recovery project; and

WHEREAS, any grant assistance received by Clark County pursuant to the requested aid through the SFRB program will be used for direct costs associated with implementation of the projects referenced above; and

WHEREAS, Clark County expects that the county's matching share of project funding will be derived from the Conservation Futures Fund , and that pursuant to WAC 420-12-040 the county must certify the available match at least one month before funding approval; and

WHEREAS, Clark County will be responsible for supporting all non-cash commitments to this project that do not materialize; and

WHEREAS, Clark County acknowledges that the grant assistance, if approved, will be paid on a reimbursement basis, and that pursuant to the terms of the grant, Clark County will only request payment from the RCO after incurring eligible and allowable costs and remitting payment to our vendors, and that the RCO will hold retainage until the project is deemed complete; and

WHEREAS, Clark County acknowledges that any property owned by Clark County that is developed, renovated or restored with grant assistance must be dedicated for the purpose of the grant in perpetuity after the project is complete unless otherwise provided and agreed to by

Clark County and the Recreation and Conservation Funding Board in the project agreement or an amendment thereto; now, therefore,

THE BOARD OF COUNTY COUNCILORS OF CLARK COUNTY, STATE OF WASHINGTON, HEREBY RESOLVE AS FOLLOWS:

1. The Director of Public Works or his designee is authorized to make formal application on behalf of Clark County to the Recreation and Conservation Office for grant assistance for application 16-1696, Mason Creek Acquisition project; and

2. The Board will sign the attached resolution (Attachment A) created by the RCO as a requirement to qualify for grant funding for the above project; and

3. The Director shall submit this resolution and the attached document as part of Clark County's formal application to the RCO for assistance;

4. The recitals above are adopted as findings in support of this resolution.

ADOPTED this 14th day of June, 2016.

Attest:

Rebecca Fita
Clerk to the Board

BOARD OF COUNTY COUNCILORS
FOR CLARK COUNTY

By:

Marc Boldt
Marc Boldt, Chair

Approved as to form only:
ANTHONY F. GOLIK
Prosecuting Attorney

Amanda Migchelbrink
Amanda Migchelbrink,
Civil Deputy

By:

Jeanne E. Stewart, Councilor

By:

Julie Olson, Councilor

By:

David Madore, Councilor

By:

Tom Mielke, Councilor

BUDGET IMPACT ATTACHMENT

Part I: Narrative Explanation

I. A – Explanation of what the request does that has fiscal impact and the assumptions for developing revenue and costing information

Submittal of the grant application falls within existing budget capacity. If the county application is competitive and grant funds awarded, a formal grant agreement will need to be executed between Clark County and the state Recreation and Conservation Office. Grant funding decisions are not made until December 2016. If the application is successful, the Board of County Councilors would consider execution of the grant agreement in the first quarter of 2017. The 2017 Spring supplemental budget will be amended to recognize the terms of the grant agreement, if executed.

Part II: Estimated Revenues

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	GF	Total	GF	Total	GF	Total
3085, Conservation Futures	0	0	0	\$64,764	0	0
State SRFB grant	0	0	0	\$366,966	0	0
Total	0	0	0	\$431,760	0	0

II. A – Describe the type of revenue (grant, fees, etc.)

State Salmon Recovery Funding Board Grant (85% of total) and Clark County Conservation Futures fund (15% of total).

Part III: Estimated Expenditures

III. A – Expenditures summed up

Fund #/Title	FTE's	Current Biennium		Next Biennium		Second Biennium	
		GF	Total	GF	Total	GF	Total
3085, Conservation Futures	0.11	0	0	0	\$431,760	0	0
Total	0.11	0	0	0	\$431,760	0	0

III. B – Expenditure by object category

Fund #/Title	Current Biennium		Next Biennium		Second Biennium	
	GF	Total	GF	Total	GF	Total
Salary/Benefits	0	0	0	\$20,560	0	0
Contractual						
Supplies						
Travel						
Other controllables						
Capital Outlays	0	0	0	\$411,200	0	0
Inter-fund Transfers						
Debt Service						
Total	0	0	0	\$431,760	0	0

RESOLUTION No. 2016 - 06-10

Authorize the Director of Public Works or his designee to submit a grant application for a salmon recovery project to the Salmon Recovery Funding Board as provided in Revised Code of Washington 77.85, Washington Administrative Code 420, and subsequent legislative actions.

Project Sponsor: Clark County

Project: Grant application 16-1696, Mason Creek Acquisition

WHEREAS, under the provisions of the Salmon Recovery Act, state grant assistance is requested to aid in financing the cost of acquisition; and

WHEREAS, Clark County considers it in the best public interest to complete the project described in the application.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Director of Public Works or his designee is authorized to make formal application to the Salmon Recovery Funding Board for grant assistance.
2. Our organization has reviewed the sample project agreement on the Recreation and Conservation Office's Web site at:
www.rco.wa.gov/documents/manuals&forms/SampleProjAgreement.pdf and authorize Mark McCauley, County Manager, or Heath Henderson, Director of Public Works, to enter into such a project agreement, if funding is awarded. We understand and acknowledge that the project agreement will contain the indemnification and other terms and conditions that are contained in the sample project agreement.
3. Any grant assistance received will be used for direct costs associated with implementation of the project referenced above.
4. Our organization expects our matching share of project funding will be derived from the County's Conservation Futures fund and meets the requirements of Washington Administrative Code 420-12-040. In addition, our organization understands it is responsible for supporting all non-cash commitments to this project should they not materialize.
5. We acknowledge that if the Salmon Recovery Funded Board approves grant assistance for the project, the Recreation and Conservation Office will pay us on only a reimbursement basis, except for a specially approved advance payment. We understand reimbursement basis means that we will only request payment from the Recreation and Conservation Office after we incur eligible and allowable costs and pay them. The Recreation and Conservation Office also may determine an amount of retainage and hold that amount until the project is complete. The Recreation and Conservation Office may approve advance payments in limited circumstances, pursuant to Washington Administrative Code 420-12-060 and the policy outlined in Manual 8, Reimbursements.

6. We acknowledge that any property acquired with grant assistance be dedicated for salmon recovery purposes for perpetuity unless otherwise agreed to by our organization and the Salmon Recovery Funding Board. We agree to dedicate the property in a signed "Deed of Right to Use Land for Salmon Recovery Purposes" for fee acquisitions, or an "Assignment of Rights" for conservation easement acquisitions, to be recorded on the title of the property with the county auditor.
7. We acknowledge that any property acquired in fee title must be accessible to the public unless the Recreation and Conservation Office director or the Salmon Recovery Funding Board agrees to other restrictions.
8. This application authorization becomes part of a formal application to the Salmon Recovery Funding Board for grant assistance.
9. We provided appropriate opportunity for public comment on this application.
10. We certify that this resolution was properly and lawfully adopted following the requirements of our organization and applicable laws and policies and that the person signing as authorized representative is duly authorized to do so.

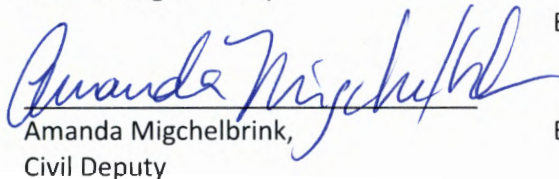
This resolution was adopted by our organization during the meeting held at Vancouver, Washington on this 14th day of June, 2016.

Signed and approved by the following authorized representative:


Attest:


Clerk to the Board

Reviewed
Approved as to form only:
ANTHONY F. GOLIK
Prosecuting Attorney


Amanda Migchelbrink,
Civil Deputy

BOARD OF COUNTY COUNCILORS
FOR CLARK COUNTY

By: 
Marc Boldt, Chair

By: _____
Jeanne E. Stewart, Councilor

By: _____
Julie Olson, Councilor

By: _____
David Madore, Councilor

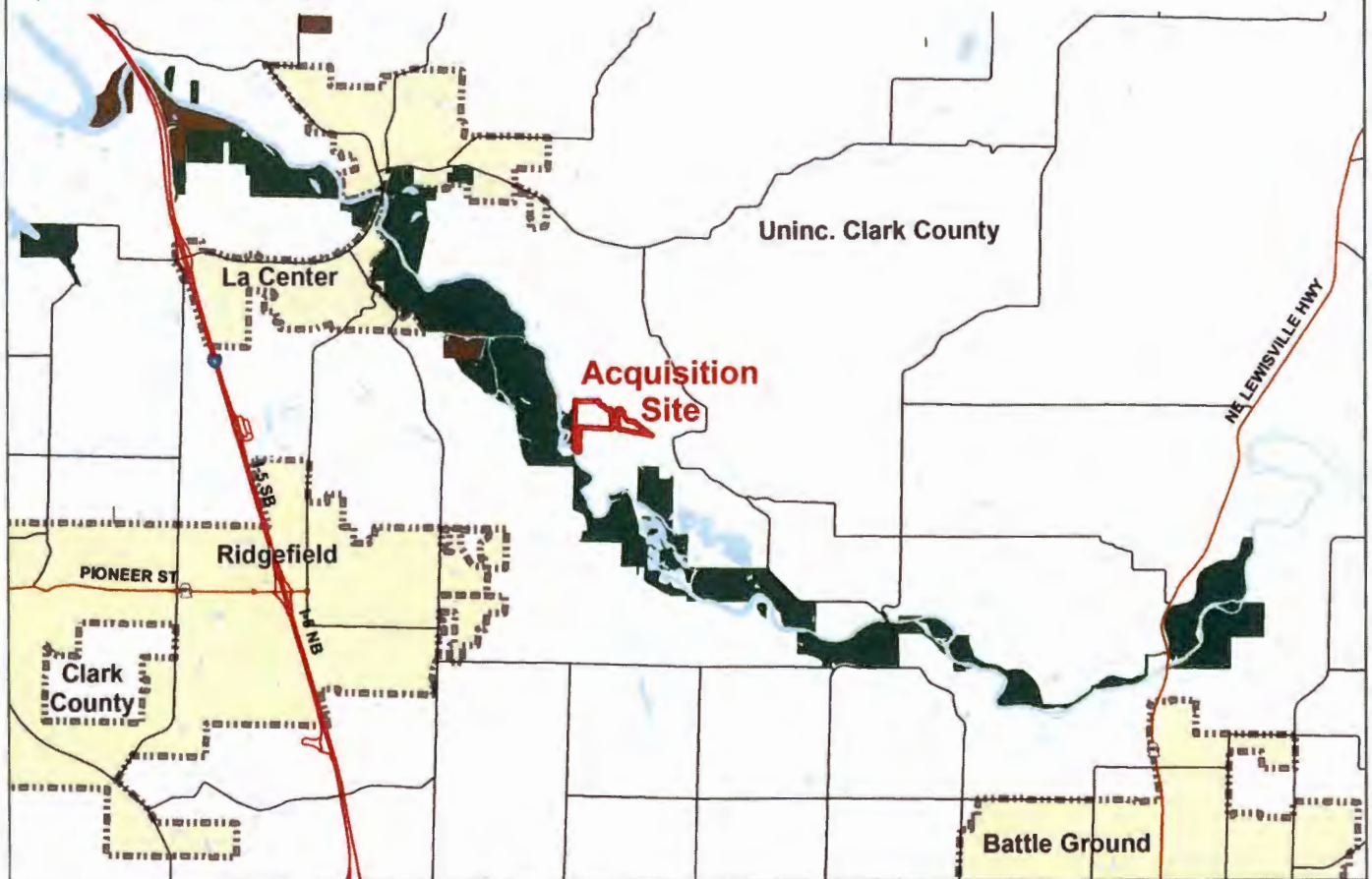
By: _____
Tom Mielke, Councilor

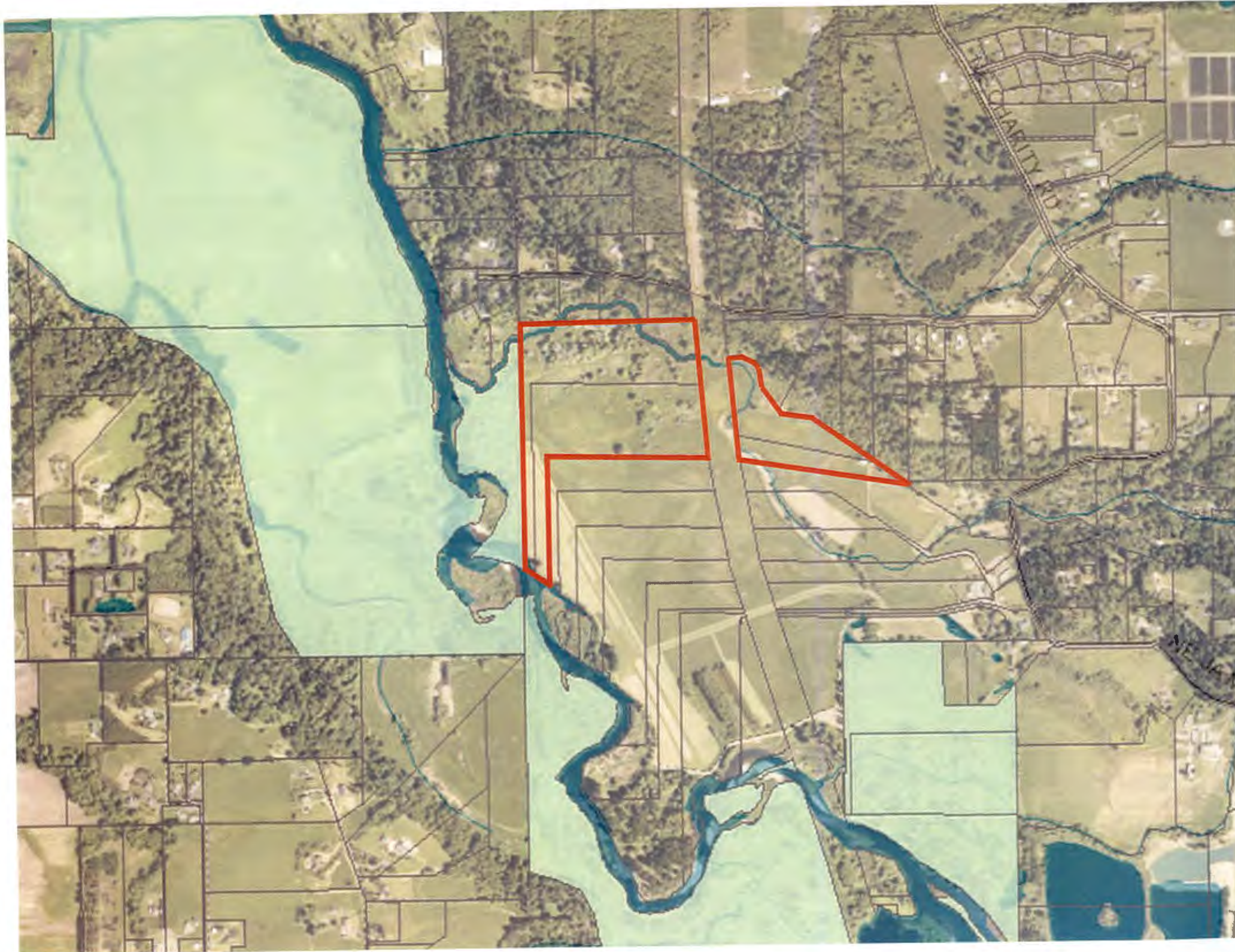
REGIONAL LOCATION MAP - EAST FORK LEWIS RIVER GREENWAY

Project: Mason Creek Acquisition (16-1696)

Program: Salmon Recovery Funding Board

Sponsor: Clark County





Mason Creek

Section MS-01 (2027)

River Mile 1

East Fork Lewis River

2027

