ISLAND COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA BILL

MEETING DATE:
11/26/24
Agenda Item No 14
☐ CONSENT AGENDA
☐ REGULAR AGENDA
☐ PUBLIC HEARING/MTG
Resolution/Ordinance No:
C-58-24

DEPARTMENT: **PUBLIC HEALTH**

DIVISION: DEPT. OF NATURAL RESOURCES

STAFF CONTACT: Jen Schmitz

DEPT. HEAD: Taylor Lawson, Deputy Director

AGENDA SUBJECT: Conservation Futures Fund (CFF) Citizens Advisory Board (CAB) Update on Resolution, Evaluation Criteria, and 2025 Application

BACKGROUND/SUMMARY: **WORK SESSION DATE:** *(If applicable) 11/13/2024*

A review of the 2024 Work Plan project involving updated CFF Project Evaluation criteria to integrate concepts of environmental justice and health equity, as well as bringing a revised CFF Resolution, C-58-24, for consideration and approval by the BOCC.

FISCAL IMPACT/FUNDING SOURCE:

RECOMMENDED ACTION:
☒ Approve/Adopt
☐ Schedule Public Hearing/Meeting
☐ Continue Public Hearing/Meeting
☐ Information/Discussion
☐ Other *(describe)*_____

SUGGESTED MOTION:
Adopt Resolution C-58-24

[BELOW TO BE COMPLETED BY CLERK OF BOARD]

BOCC ACTION:
☐ APPROVED
☐ DENIED
☐ TABLED/DEFERRED/NO ACTION TAKEN
☐ CONTINUED TO DATE: ____/____/____ TIME: _____
☑ OTHER Copy to Melissa MR

05242024

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF REVISING PROCEDURES FOR THE ISLAND COUNTY CONSERVATION FUTURES PROGRAM

Resolution No. C- 58 -24

WHEREAS, the Board of Island County Commissioners established the Conservation Futures Fund to be used solely for the purpose of acquiring rights and interests in open space land, farm and agricultural land, and timberland as provided in RCW 84.34.210 and 84.34.220 and for the maintenance and operation of any property that has been acquired with these funds; and

WHEREAS, the Board of County Commissioners established the Conservation Futures Program to coordinate and evaluate applications for funding from the Conservation Futures Fund; and

WHEREAS, the Board of County Commissioners adopted by resolution procedures for the Conservation Futures Program (C-69-19); and

WHEREAS, the Board of County Commissioners has identified further improvements to the Conservation Futures Program to increase the Program's effectiveness; and

WHEREAS, the Board of County Commissioners wishes to revise procedures for the operation of the Conservation Futures Program; **NOW, THEREFORE,**

BE IT HEREBY RESOLVED by the Board of County Commissioners as follows:

1. Resolution C-69-19 is superseded by this resolution.
2. Exhibit A is adopted as the Island County Conservation Futures Program Procedures and evaluation criteria.

ADOPTED November 26, 2024.

BOARD OF COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Jill Johnson, Chair

Melanie Bacon, Member

Janet St. Clair, Member

BOARD OF CO. COMMISSIONERS EST ISLAND COUNTY 1853 WASHINGTON

ATTEST:

Jennifer Roll, Clerk of the Board

Exhibit A
Conservation Futures Program Resolution C-58-24
Island County Conservation Futures Program
Procedures

Conservation Futures is a land preservation program that protects, preserves, maintains, improves, restores, and limits the future use of threatened areas of open space, timberlands, wetlands, habitat areas, culturally significant sites, and agricultural farmlands within Island County.

The Washington State Legislature first granted the authority for a Conservation Futures tax levy in 1971 when RCW 84.34 was enacted and later amended in 1988. RCW 84.34.200 declares that the acquisition of interests or rights in real property for the preservation of open spaces and areas constitutes a public purpose for which public funds may properly be expended or advanced. RCW 84.34.230 declares the county may levy any amount not to exceed 6.25 cents per $1000 of assessed value of all taxable property within the county for the Conservation Futures Fund.

> **RCW 84.34.230 Acquisition of open space, etc., land or rights to future development by certain entities - Additional property tax levy authorized.**
> Conservation futures are a useful tool for counties to preserve lands of public interest for future generations. Counties are encouraged to use some conservation futures as one tool for salmon preservation purposes. For the purpose of acquiring conservation futures and other rights and interests in real property pursuant to RCW 84.34.210 and 84.34.220, and for maintaining and operating any property acquired with these funds, a county may levy an amount not to exceed six and one-quarter cents per thousand dollars of assessed valuation against the assessed valuation of all taxable property within the county. The limitations in RCW 84.52.043 shall not apply to the tax levy authorized in this section. Any rights or interests in real property acquired under this section after July 24, 2005, must be located within the assessing county. Further, the county must determine if the rights or interests in real property acquired with these funds would reduce the capacity of land suitable for development necessary to accommodate the allocated housing and employment growth, as adopted in the countywide planning policies. When actions are taken that reduce capacity to accommodate planned growth, the jurisdiction shall adopt reasonable measures to increase the capacity lost by such actions.

The Legislature found that Conservation Futures Funds are a useful tool for counties to preserve land of public interest for future generations and are encouraged to use some conservation futures as one tool for salmon preservation purposes. The Legislature also declared that up to twenty five percent of the Conservation Futures Fund may be used for the maintenance and operation of any property acquired with Conservation Futures Funds.

In 1992 Island County established its Conservation Futures levy and program. Island County's Comprehensive Plan identifies that unique or distinctive lands may be preserved in recognition of the irreplaceable character of such resources and of their importance to the quality of life of residents and visitors to Island County. The Conservation Futures Program is an important source of funding to achieve those goals.

Organizations located within Island County eligible to apply for Conservation Futures Funds are Island County government cities, towns, special purpose districts, non-profit nature conservancy organizations (as defined in RCW 84.34.250), and non-profit historic preservation organizations (as defined in RCW 64.04.130).

FINDINGS AND DECLARATION OF PURPOSE

The acquisition of property interest as provided by this Resolution and ICC Chapter 3.22 is in the public interest and constitutes a public purpose of Island County. It is the purpose of this Resolution, together with ICC Chapter 3.22, to implement Chapter 84.34 RCW as it relates to Conservation Futures.

It is further the purpose of the Island County Conservation Futures Program to acquire from willing sellers by purchase, gift, grant, bequest, devise, lease, or otherwise, except by eminent domain, the fee simple or any lesser property interest, development right, easement, covenant, or other contractual right necessary to protect, preserve, maintain, improve, restore, or limit the future use of, or otherwise conserve selected open space, wetlands, habitat areas, farm, agricultural, and timber lands for the equitable public access and enjoyment of these lands, and as one tool for salmon preservation and climate resilience purposes.

MANAGEMENT AND COORDINATION OF THE CONSERVATION FUTURES PROGRAM

The management and coordination of the Conservation Futures Program will be assigned by the Board of County Commissioners to the appropriate County department.

Property Acquisition Costs. Appropriate and reasonable property acquisition costs or a portion thereof may be paid by the Island County Conservation Futures Fund.

- Applicants may request funding for property acquisition costs related to surveys, appraisals, closing costs, environmental assessments, management/stewardship plans as budgeted parts of their proposed project submission.
- Projects seeking funding to acquire real property interests shall include the creation and adoption of a management/stewardship plan, or similar, if one does not already exist.

Maintenance and Operation Funding. Organizations owning real property purchased with Conservation Futures Funds in Island County may apply as part of the Cycle for funds to maintain and operate properties purchased with Conservation Futures Funds. Appropriate property maintenance and operations costs or a portion thereof may be paid by the Island County Conservation Futures Fund.

- The annual allocation for maintenance and operation purposes is limited up to twenty five percent (25%) of the total amount collected from the tax levied under ICC 3.22.020 in the preceding calendar year.
- Conservation Futures funds for maintenance and operation may not be used to supplant existing maintenance and operation funding for the property.
- An allocation for maintenance and operation may fund up to two (2) years activity.

ESTABLISHMENT OF THE CONSERVATION FUTURES PROGRAM CITIZENS ADVISORY BOARD

To ensure the properties purchased with Conservation Futures tax dollars are used in the best possible manner, the Conservation Futures Program Citizens Advisory Board ("CAB") is created by the Board of County Commissioners to evaluate and make recommendations on project applications, as well as programmatic updates or changes as directed. The Board of County Commissioners shall make all appointments to the committee consistent with the following guidelines:

- The CAB is composed of nine (9) voting members that represent conservation and community planning expertise and technical knowledge. Within the nine (9) voting members, there shall be two (2) members representing each commissioner district and three (3) members representing the county at large.
- Terms for CAB members will be three (3) years from the date of approval by the Board of County Commissioners. Committee members may be re-appointed but shall serve no longer than three terms consecutively.
- CAB members may be removed by a majority of the Commissioners for good cause. The CAB may also recommend removal of a member based on the Program bylaws.
- Membership of the CAB shall be unpaid. Expenses may be reimbursed consistent with Island County policy.
- Technical, non-voting members of the CAB may be appointed for any application cycle by the Board of County Commissioners in order to provide subject matter expertise or special knowledge or experience that would be beneficial in evaluating applications to the Program during a specific application cycle. Applications are regularly reviewed by Departmental staff.
- A quorum of the CAB for the purposes of conducting business in regard to administration of the Conservation Futures Fund Program applications, shall be a majority of the currently appointed CAB members. If a quorum of the CAB is established at any given meeting for the aforementioned purposes, any voting action taken by a majority or more members at that given meeting shall constitute an advisory recommendation by the CAB to the Board of County Commissioners.
- The members of the CAB shall select a Chair, and a Vice Chair at their first meeting of any application cycle to serve until the end of the application cycle. If neither the Chair nor Vice Chair is able to attend any individual meeting of the CAB, the members present shall select an alternate Chair for that meeting only.
- Each voting member of the CAB shall have one (1) vote on any matter duly before the CAB.

Conflict of Interest. Any CAB member employed by or serving as a current board member of an applicant organization that has applied for funding in either the M&O or acquisition category(ies), shall recuse themselves from the CAB evaluation of that category(ies). No Commissioner, CAB member or county employee shall directly or indirectly benefit from or have an ownership or financial interest in any real property acquired or in any way funded by the Program.

Meetings and Records. The Program shall reflect Island County's commitment to open and transparent governance. CAB meetings (with the exception of site visits) shall be open to the public and conducted as if subject to the Open Public Meetings Act, Chapter 42.30 RCW.

- Public notice for any CAB meeting to hear applicant presentations shall be in the form of a press

release (including date and time of such meeting) sent to local newspapers of general circulation in Island County as well as other public platforms including County websites, social media, etc.

- All records of the CAB unless specifically exempted by State Law, shall be public documents and shall be made available to the public upon request.

Duties of the Conservation Futures Program Citizens Advisory Board (CAB). To guide and direct the CAB, the Commissioners assign the following duties to the CAB:

- In each application cycle, the CAB shall hold at least one (l) public meeting to review acquisition applications to the Program and hear applicant presentations,
- More than one public meeting may be needed to consider complex applications or to take public input in meetings on both Whidbey Island and Camano Island when appropriate.
- When making recommendations to the Board of County Commissioners, the CAB should provide, at a minimum, the following:
    1. Written findings and conclusions as to how the applications satisfy the CFF evaluation criteria approved by the Commissioners, and the ranking of each application.
    2. Minutes of the proceedings from the CAB/Applicant public meeting
    3. Any other concerns of the CAB which it desires to be considered by the Commissioners.

APPLICATION EVALUATION CRITERIA

Evaluation criteria are a tool to determine which projects best support the preservation and conservation goals of the County. The evaluation criteria will be applied to all applications in a similar manner. All acquisition applications will be reviewed by the CAB using specific, detailed, and consistent evaluation criteria as adopted by resolution of the Board of County Commissioners.

Evaluation criteria shall remain in effect until amended or superseded by subsequent resolution adopted by the Board of County Commissioners. At least every five (5) years, the Board of County Commissioners shall review and amend, if needed, the Program procedures and evaluation criteria. The review process shall be determined by the Board.

CONSERVATION FUTURES FUND ANNUAL APPLICATION PROCESS

Applications. Island County utilizes a standard process for soliciting and evaluating applications for proposed projects.

- All applications shall, at a minimum, be made in accordance with the application materials provided by the program and set forth how the proposal satisfies the evaluation criteria.
- The Commissioners may accept an out-of-cycle application at their own discretion and designate the timeline to process such an application. Out-of-cycle applications may be evaluated by the CAB and Department staff in a manner similar to the regular evaluation process or other process as determined by the Commissioners.

Application Evaluation Process. Each year that the Commissioners accept applications to the Program, the Annual Application Cycle ("Cycle") shall be:

- In the previous December, a press release will be sent to local newspapers of general circulation in Island County, as well as other public forums including County websites, social media, etc., providing

information on the Conservation Futures Program and annual application cycle.

- The County shall provide written notice to eligible organizations within Island County, no later than January 15, that applications may be submitted to Island County.
- The application deadline shall be at the close of the business day, March 1. If March 1 falls on a weekend, the application deadline shall be the close of business on the Monday following March 1.
- During the period of March 1 to May 20, submitted applications will be:
    1. Reviewed for completeness by the Program Coordinator. The Program Coordinator may require applicants to provide additional information, or to clarify the application, prior to the application being submitted to the CAB.
    2. Submitted to Island County Planning Department for its review of the proposed acquisition of rights or interest in real property to determine, as required by RCW 84.34.230, whether the acquisition would reduce the capacity of land suitable for development necessary to accommodate the allocated housing and employment growth, as adopted in the countywide planning policies. The Planning Department shall submit a written report with its analysis and conclusions to the Program Coordinator no later than April 25.
    3. Evaluation reports submitted by Planning and other County Departments will be distributed to the CAB and included in the final recommendation packet presented to the Board of County Commissioners.
- During the above review period, the CAB will conduct any property site visits that are needed prior to the applicant presentation public CAB meetings. These meetings will be conducted between April 5 and April 15. The Board Commissioners will receive a preliminary introduction to the applications between April 15 and April 30.
- The CAB shall meet to evaluate acquisition project applications typically during the first weeks of May. The CAB shall forward its recommendations to the Board Commissioners for consideration no later than May 20.

Timeline for CFP Annual Process	
January	**Date**
Application cycle opens	15
February	
March	
Application Deadline	1
CAB Site Visits Begin	15
Department Reviews Begin	20
April	
Public Meeting w/Applicant Presentations	5-15
Department Reviews Due	20-25
Staff Update to BOCC	15-30
May	
CAB Recommendations Due	20
BOCC Meeting to present recommendations and applicant presentations	20-31
June	
BOCC Meeting to present recommendations and applicant presentations	10

BOARD OF COUNTY COMMISSIONERS' PUBLIC MEETING

Following receipt of the annual CAB recommendations, the Board of County Commissioners will hold a public meeting to consider the CAB's recommendations and take public comments on such recommendations. At the public meeting, each applicant whose project is recommended by the CAB for award of funding will be given the opportunity to make a brief presentation about its application. No later than 60 days following the public meeting, the Board of County Commissioners shall consider the allocation of funding for real property acquisition projects. The Board of County Commissioners may, at its sole discretion, reject any application or proposed project.

IMPLEMENTATION

Applicants will be informed by program staff of all recommendations adopted by the Board of County Commissioners. Organizations with approved projects will be required to enter into a contract between itself and Island County which outlines the terms and conditions of expending Conservation Futures awards. Projects shall be complete within two (2) years from the date of contract execution by the County. The Board of County Commissioners may extend the term of the contract at its discretion.

- To secure an extension, an organization should send a written request to the County's Program Coordinator, at least thirty (30) days prior to the end of the contract period.
- The Program Coordinator will notify the organization of the Board of County Commissioners decision within thirty (30) days of receipt of the request, or as soon thereafter as practicable.

Interim Progress Reports. The organization is required to submit Interim Progress Reports (no later than January 15 for the previous year) for their approved project that documents project status including related financial information as specified in the contract for project funding. Delays in the schedule from the original application shall be identified with possible solutions to completing project as proposed.

Final Report. A Final Project Report shall be submitted within sixty (60) days of project completion. This report shall describe the completed project (including maps, GIS coordinates and photographs), briefly discuss how the completed project benefits the citizens of Island County and a final accounting of all revenues and expenditures.

ADMINISTRATION

The department designated to coordinate the Conservation Futures Program shall:

- Administer the application process according to the adopted policy and procedures.
- Monitor the financial performance of the Conservation Futures Fund and promptly inform the Board of Island County Commissioners of any matters requiring its attention.
- Review reimbursement requests to ensure such costs are eligible for reimbursement under the terms of the grant award.
- Maintain Conservation Futures Program information on the County's website.
- Prepare an annual Conservation Futures Program budget submittal as part of the overall county budget.
- Prepare and submit to the Board of Island County Commissioners an annual program report (ICC 3.22.060) no later than Oct 1. This report will include:
    1. Conservation Futures Fund financial performance.
    2. Summary of completed projects and projects still ongoing during the reporting period.
    3. Summary of data and statistics reported by each grantee and project financed in whole or in part with Conservation Futures funds.
    4. Relevant updates regarding the administration and analysis of historical program data. including acres protected by conservation easements and acres acquired by the County.

ECOLOGICAL SYSTEMS:

A. Biological Function:
   a. Protect, conserve, enhance or restore a species, habitat, resilience or community with special status
   b. Reduce or eliminate the threat of invasive species
   c. Long-term viability
   d. Soils undisturbed by chemical amendments and mechanical compaction which support native plants

B. Environment:
   a. Provide connectivity to and/or enhancement of other protected lands or/ water bodies.
   b. Restoration of degraded environments
   c. Significance to larger ecosystems locally, regionally, or statewide
   d. Reduce or eliminate ecological threat

C. Resources:
   a. Protect groundwater resources
   b. Prevent, reduce or mitigate surface water discharge or flooding risk
   c. Reduce, remove, or eliminate significant hazard to resources

D. Human well-being and health:
   a. Improve air quality or create a fire buffer
   b. Provide lasting connections to nature, especially in proximity to underserved communities
   c. Provide equitable and open public access to low-impact recreation such as walking trails, wildlife viewing areas and/or the protection of scenic views
   d. Provide approaches to stewardship that enhance well-being and support equity in delivering value to all communities
   e. Provide access to natural environments and programs that offer culturally appropriate exposure and education for all age categories, including traditionally underserved populations about ecosystems and natural food sources
   f. Easy to reach by walking, human- powered transport, or public transit and/or applicant-supplied transport
   g. Create or currently have ADA access to all or a portion of the project

E. Climate Resilience and adaptation to climate-related stressors:
   a. Carbon sequestration and ecosystem processes that moderate climate phenomena
   b. Support reductions in transportation to site
   c. Strategies that account for attempts to reduce future risks, costs and losses associated with climate-related damage

AGRICULTURE:

A. Quality and condition of soils
B. Resource suitability for current and long- term production and income
C. Site's significance of agricultural resources on a local, regional, or statewide scale
D. Contribution to local and regional food security

FORESTRY:

A. Timberland quality and condition
B. Suitability for current and long-term timber production and income
C. Significance of timber resources on a local, regional, or statewide scale
D. Implementation and alignment with stewardship or management plan
E. Natural food source or part of a supply chain

ALIGNMENT AND LEVERAGE:

A. Priority in a local adopted plan for conservation, climate resilience, public access
B. Partners (collaborators, organizations, citizens) involved or that derive benefit (not simply a letter of support)
C. Acquisition cost efficiencies and financial strategy (including matching funds) to leverage CFF funds

RISKS OF NOT FUNDING:

A. Immediacy of loss of conservation, cultural significance, food source, supply chain, equity and/or climate resilience
B. Unique or time-limited opportunity with landowner

STEWARDSHIP, MANAGEMENT & MAINTENANCE:

A. Stewardship and/or management plan that includes land condition, landowner's goals, and strategies.
B. Long-term costs of maintenance and capital improvements.
C. Strategy for managing future costs, liability, and risk.
D. Description of structures and O&M plans, for any occupied or unoccupied structures.