

CLARK COUNTY STAFF REPORT

DEPARTMENT: Environmental Services – Legacy Lands

DATE: April 26, 2016

REQUESTED ACTION: Review this progress report on the Eleanor Pearson grant conversion/surplus property process and provide direction to staff on next steps. Progress report concerns two tax parcels near Paradise Point State Park for which the Board of County Councilors had previously requested that we pursue a grant conversion with the State Recreation and Conservation Office and surplus the parcels.

Consent

Hearing

County Manager

BACKGROUND

On August 11, 2015, through final staff report SR 163-15, the Board of County Councilors considered the requirements of the Washington State Recreation and Conservation Office (RCO) for consideration of grant conversion processes and the fiscal impacts of compliance with those requirements and authorized initiation of grant conversion and surplus property processes for AP #s 209739-000 and 209695-000.

On December 15, 2015, through final staff report SR 238-15, the required Alternatives Analysis discussing implications of avoidance of the conversion request and identifying potential replacement properties was presented, along with the public comments received regarding the conversion and surplus property processes. At that time, the Board of County Councilors directed staff to continue with the conversion and surplus property processes.

Since then, an appraisal of the two properties has been completed. The value of AP #209739-000, the 5-acre property with the house, was determined to be \$440,000, and the value of AP #209695-000, the undeveloped 15-acre parcel surrounding the house, was determined to be \$220,000. Staff also contacted owners of 28 parcels with frontage on the Lower East Fork Lewis River between Paradise Point Park and Daybreak Park, to inquire if any are interested in selling the property to Clark County to close gaps in public ownership, with a goal of developing a river-oriented trail system along the greenway.

Three property owners responded positively to the inquiry and staff has had further discussions with them. Next step is to appraise the properties to determine if they are of equivalent market value to the Pearson parcels under consideration for grant conversion and potential surplus.

COUNCIL POLICY IMPLICATIONS

The Acting County Manager informed Environmental Services that members of the Board of County Councilors may wish to reconsider continuing the grant conversion/surplus property processes for the subject parcels and requested preparation of this progress report. Environmental Services believes it would be best that the council review this matter prior to contracting for appraisals of potential replacement properties. If, after review of this report, the Board of County Councilors wishes to continue with the processes, several steps remain, including:

- Fair market value of the proposed substitute properties has to be established through appraisals and review appraisals of the properties to assure equal market value to the properties proposed for conversion and surplus.
- Substitute properties may only be acquired from willing sellers and for prices substantiated by the appraisals. Notices of voluntary transactions by, and just compensation to, landowners must be provided.
- Due diligence studies, such as legal lot determinations and property boundary surveys, must be completed for substitute parcels including a level 1 environmental assessment.
- RCO would have to find that proposed replacement properties are of equal market value and equivalent recreational value to the properties proposed for conversion and approve the proposed replacement properties.
- Purchase and Sale Agreements for the approved replacement properties need to be executed by the Board of County Councilors.

If the Board of County Councilors does not wish to continue with the grant conversion/surplus property processes, Environmental Services will submit a letter to the State Recreation and Conservation Office withdrawing the conversion request.

If termination of the grant conversion/surplus property processes is the Board of County Councilors preference, staff would like authorization to continue potential acquisition negotiations with the three landowners that expressed interest in potential sale of property to the county for conservation and trail alignment. This would entail the same steps as noted in the above bullets, with the exception that no RCO approval would be required. If staff receives such direction, we will look to leverage county conservation futures revenues with grants and partnerships to successfully complete negotiations and acquire the parcels of interest.

ADMINISTRATIVE POLICY IMPLICATIONS

The request is consistent with existing administrative policy. However, it is critical to note that our current annual expenditures for maintenance on these Legacy Lands and Park properties from the Conservation Futures fund is bouncing up against the statutory 15% maximum limit. Without additional budget allocations from other funds or the sale of lesser desirable properties, we cannot continue to properly maintain any additional acreage purchases with current conservation futures revenue under the current RCW governing Conservation Futures taxation.

COMMUNITY OUTREACH

Community outreach pertaining to the Board of County Councilors' decision to initiate the grant conversion and surplus property processes is discussed in final staff report SR 163-15. An article on the Board's decision was published in The Columbian newspaper on August 11, 2015. The Clark County Parks Advisory Board was briefed on the grant conversion process at the October 9, 2015, meeting. The Public Review Draft Alternatives Analysis document was posted on the Clark County web site on October 20, 2015, with a public comment period running through November 25, 2015. A press release calling for public comments on the Alternatives Analysis was issued on October 26, 2015, and published in The Reflector newspaper on October 28, 2015. The Columbian published an article on November 19, 2015, discussing the property and proposed conversion and highlighting the pending public comment deadline for the Alternatives Analysis. The Washington State Recreation and Conservation Funding Board were briefed on the conversion request at the November 19, 2015, public meeting. Public Comments received on the required Alternatives Analysis document were attached to final staff report 238-15. The Neighborhood Associations Council of Clark County submitted a letter to the Board of County Councilors on February 22, 2016, commenting on the conversion/surplus request.

BUDGET IMPLICATIONS

YES	NO	
x		Action falls within existing budget capacity.
		Action falls within existing budget capacity but requires a change of purpose within existing appropriation
		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.

The budget implications of the grant conversion and surplus property processes were described in final staff report SR 163-15 along with a fiscal impact attachment. Additional budget capacity of \$685,243 was requested in the re-adopt of the 2015-16 budget (item ENV-04) to provide the fiscal capacity necessary to complete the grant conversion and surplus property processes. Again, it is critical to note that our current annual expenditures for maintenance on the Legacy Lands and Park properties from the Conservation Futures fund is bouncing up against the statutory 15% maximum limit. Without additional budget allocations from other funds or the sale of lesser desirable properties, we cannot properly maintain any additional acreage purchases with current conservation futures revenue under the current RCW governing Conservation Futures taxation.

DISTRIBUTION

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



Patrick T. Lee
Legacy Lands Program Coordinator



Don Benton
Environmental Services Director

APPROVED: 
Marc Boldt, Chair
CLARK COUNTY, WASHINGTON
BOARD OF COUNTY COUNCILORS

DATE: April 26, 2016
SR # SR 090-16

APPROVED: _____
Mark McCauley
Acting County Manager

Date: _____