



Signature Report

Motion 15513

Proposed No. 2019-0288.2

Sponsors Upthegrove, McDermott, Kohl-
Welles and Dembowski

1 A MOTION approving project eligibility criteria for the
2 selection of projects to be funded by conservation futures;
3 and rescinding Motion 11144.

4 WHEREAS, in 2000 by Motion 10895, the conservation futures citizens
5 committee was directed to draft project eligibility criteria, including definitions of the
6 open space criteria specified in Ordinance 13717, for transmittal to the King County
7 council by a motion approving the project eligibility criteria, and

8 WHEREAS, the committee developed project eligibility criteria and general
9 conditions that the council approved in 2001 as Attachment A to Motion 11144, and

10 WHEREAS, in 2018 the committee recognized the need to update the project
11 eligibility criteria to incorporate open space equity criteria and the match waiver
12 authorized in 2018 by Ordinance 18774, and

13 WHEREAS, in 2019 the committee completed updated project eligibility criteria
14 and general conditions attached to the motion as Attachment A;

15 NOW, THEREFORE, BE IT MOVED by the Council of King County:

16 A. The council hereby approves the project eligibility criteria and general
17 conditions in Attachment A to this motion for the selection of projects to be funded by

18 conservation futures revenues.

19 B. Motion 11144 is hereby rescinded.

20

Motion 15513 was introduced on 7/1/2019 and passed by the Metropolitan King County Council on 9/11/2019, by the following vote:

Yes: 9 - Mr. von Reichbauer, Mr. Gossett, Ms. Lambert, Mr. Dunn,
Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles
and Ms. Balducci



KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

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Rod Dembowski, Chair

ATTEST:

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Melani Pedroza, Clerk of the Council

Attachments: A. Application Evaluation Criteria and General Conditions, King County Conservation Futures (CFT), dated August 13, 2019

**APPLICATION EVALUATION CRITERIA AND GENERAL CONDITIONS
KING COUNTY CONSERVATION FUTURES (CFT)**

APPLICATION EVALUATION CRITERIA

Not listed in priority order

1. OPEN SPACE RESOURCES

A. WILDLIFE HABITAT OR RARE PLANT RESERVE: The property contributes to a functioning wildlife habitat system or corridor in an urban or rural area that provides habitat for feeding, resting, wintering, reproduction, nesting, cover, or a migration link. Identify the habitat functions of the site, as related to the larger landscape. Note key species observed or likely found given the habitat. Discuss the sufficiency of the size of the property and adjacent protected properties or buffers to support the species. Identify major plant communities, including succession stages (e.g., mature second growth forest). Note if habitat improvement is planned for the site that will increase the habitat value (e.g., native plantings, removal of shoreline or bank armoring, forest thinning for ecological health, installation of rain garden or pollinator garden).

- **Low:** Limited potential habitat value on site, supporting highly common or non-native plant and animal species (e.g., Himalayan blackberry, starlings, ornamental plants). Consideration is given for a project that plans meaningful habitat restoration on a site that currently offers less habitat opportunity.
- **Medium:** Moderate habitat value on site, including a dominance of native species over non-native species, and some structural complexity (e.g., water source, snags or downed logs, native shrub thickets, some tree canopy cover). Property supports semi-common species such as raptors, black-tailed deer, and coyote. Property contains native vegetation, tree canopy or patches of native shrubs that support migratory birds and pollinators; has proximity to other natural areas or a key part of a natural corridor through urban areas. Consideration is given for a project that plans meaningful habitat restoration on a site that currently offers less habitat opportunity.
- **High:** Unique habitat such as old-growth forest, bog habitat, salt marsh, or a community of uncommon native species. Property is large in size and/or provides good connectivity to other large blocks of habitat and is predominantly composed of native plant species. Site may support species listed by state or federal government as candidate, sensitive, threatened or endangered, such as salmonid species, great blue heron nest colonies or rare shellfish, or may support uncommon animal species such as black bear, pileated woodpecker, osprey, or forage fish. Urban areas may be smaller in size but include a key piece completing a green corridor through the built environment that functions as a movement corridor for migratory birds and pollinators and/or for larger species, or a significantly large patch of rare habitat (e.g., old-growth remnant patch). Consideration is given for a project that plans meaningful habitat restoration on a site that currently offers less habitat opportunity.

B. SALMON HABITAT AND AQUATIC RESOURCES: The property will conserve salmonid habitat or aquatic resources, including forested watershed areas that provide surface or ground water supply, spawning gravel replenishment sources, nearshore sediment sources, freshwater or marine buffers, offshore eelgrass beds, kelp forests or mudflats, cool spring water sources, flood refuge areas, river oxbows, estuaries, marshes or back-channels that support the life cycles of salmonid and other aquatic biota. Discuss any adopted or proposed plans for property or broader system restoration, the estimated cost and timeframe. Briefly note how water quality in the larger stream basin beyond the property proposed for acquisition will be maintained or improved. For urban salmonid habitat, please discuss existing or proposed public access and aquatic resource educational uses on the site proposed for acquisition or within the basin.

- **Low:** Property is within a basin containing highly degraded habitat/aquatic resources, requiring significant restoration on the property or within the system, that will likely yield low to moderate improvements.
- **Medium:** Property is within a basin containing degraded habitat/aquatic resources where restoration would likely yield a significant improvement in the system.
- **High:** The property is: 1) within a high quality basin identified in Waterways 2000 or WRIA Plans, or 2) in an urban basin with salmonid habitat for which an adopted basin restoration plan exists; and/or 3) located on saltwater shoreline and provides a sediment source for natural littoral drift processes.

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C. SCENIC RESOURCES: The property can offer scenic resources in multiple ways. The property itself may provide the opportunity to view or experience a natural or cultural scenic resource that is located on-site. The property may serve as a viewpoint, from which a visitor view of an off-site resource (e.g., provide a view of Mt. Rainier), or be within a visual corridor between a public viewpoint and off-site resource, where development of the target property would block the view of the resource from the public viewpoint. The property may contain or be part of a larger greenspace corridor that is viewed from a nearby location (e.g., a green corridor located along a major right-of-way, or a corridor providing visual relief in a dense urban area, or greenspace that is viewed from another public viewpoint).

- **Low:** Property provides little or no natural or cultural scenic resources or views as described above.
- **Medium:** Property provides or protects a view of a scenic resource, such as a creek, a greenspace corridor, or other uncommon natural feature or cultural resource that is visible from a local, county or state park/open space/right-of-way.
- **High:** Property provides or protects a view of a unique scenic resource, such as mountains (e.g., Olympic Mountains), downtown Seattle skyline, a geological feature unique to King County, a major greenspace corridor, or a large body of water or major river (e.g., Lake Washington, Puget Sound, Snoqualmie River).

D. COMMUNITY SEPARATOR: Undeveloped, natural land areas that serve to define edges of separate, distinct communities, neighborhoods, or incompatible land uses, including visual relief. Rivers that flow through cities and do not separate them may be significant community separators, while rivers that actually separate cities are considered regional separators that define King County's regional form.

- **Low:** Property provides some separation but is not a significant greenbelt.
- **Medium:** Property is part of a larger greenbelt that separates major neighborhoods or communities.
- **High:** Property is part of a greenbelt that helps define King County's regional form, separates cities, counties, or is along a major regional waterway.

E. HISTORIC OR CULTURAL RESOURCES: Property must itself be an eligible historical or cultural resource, have situated upon it a structure that is such a resource, or be a buffer for property that is a historic or cultural resource. Structures are not eligible for funding with CFT. Historic or archaeological resources must be eligible for designation on a local, King County, state or federal register.

- **Low:** Property may be eligible for designation; requires a letter from a local, county, state or federal preservation officer stating that the property is eligible for listing on a register.
- **Medium:** Provides a buffer to a historic or cultural resource listed on a local, county state, or federal register.
- **High:** Contains a historic or cultural resource listed on a local, county, state, or federal register.

F. URBAN PASSIVE-USE NATURAL AREA OR GREENBELT: Property is itself, or contributes significantly to a larger system of, undeveloped natural area that will be used as a passive-use community or regional urban open space, wildlife corridor or trail corridor. The system must be located in an incorporated city or urban area designated in accordance with the Washington State Growth Management Act (GMA).

- **Low:** Property provides or contributes to a passive-use natural area/greenbelt of under 1 acre in size.
- **Medium:** Property provides or contributes to a passive-use natural area/greenbelt between 1 and 3 acres, or enhances water access to a pond, lake, or creek.
- **High:** Property provides or contributes to a passive-use natural area/greenbelt greater than 3 acres in size, or enhances water access to Puget Sound, Lake Washington/Union, Lake Sammamish, or the Green/Duwamish, Cedar, Snoqualmie or Sammamish Rivers.

G. PARK, OPEN SPACE, OR NATURAL CORRIDOR ADDITION: The property is adjacent to or is demonstrated to be integrally linked to a park, open space, or natural corridor system. Describe the attributes of the property that will provide a meaningful contribution to the existing open space, such as size, allowing an important function to occur, or removing a development threat that would adversely affect an existing open space. For urban areas: properties that provide stepping stones of habitat (e.g., pollinator gardens) or movement corridors (e.g., for pollinators, songbirds, or meso-predators like coyotes, fox, raptors) and act in conjunction with other pocket parks to facilitate movement of wildlife through urban landscapes.

- **Low:** Property provides a moderate contribution, but is not critical for the integrity of the park or system.

- 109 • **Medium:** Property provides a significant natural buffer or a significant contribution to the function of an
 110 existing park, open space, or natural corridor, or navigation through an urban landscape.
 111 • **High:** The proposed acquisition is a critical link or inholding in an existing park, open space, or natural
 112 corridor and will provide a highly significant addition by virtue of its size or by providing a habitat/movement
 113 corridor through a densely urban landscape.
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115 **H. PASSIVE RECREATION OPPORTUNITY IN AN AREA WITH UNMET NEEDS:** The property will
 116 create, enhance, or preserve a passive recreation use in an area having a deficit in passive park or open space
 117 resources. Need may be documented in a park, open space, community or comprehensive plan, adopted in
 118 conformance with the State Growth Management Act. Passive recreation includes uses such as hiking, walking,
 119 biking, gardening, children’s play, or nature viewing (refer to Conservation Futures General Conditions for more
 120 information on passive-use recreation). How many people will the proposal directly or indirectly serve and how
 121 does this relate to needs assessments that have been conducted by the local jurisdiction?

- 122 • **Low:** Low need
 123 • **Medium:** Significant need
 124 • **High:** Critical need

125 **I. PROJECTS THAT SEEK TO REDRESS HISTORIC DISPARITIES IN ACCESS TO OPEN SPACE**
 126 **IN OPPORTUNITY AREAS:** This criterion focuses on the need to fund projects that would provide open space
 127 in the most underserved parts of the county, where there is evidence of a history of inequities, discrimination,
 128 injustices, and limited regional investment, including investment in open space. Acquisition projects that meet this
 129 criterion would help reduce or eliminate disparities in access to public open spaces and trails in communities with
 130 the greatest and most acute needs. These parts of the county are referred to as “opportunity areas.” Projects in
 131 opportunity areas may be eligible to receive CFT funds for the entire project cost without providing match dollars.
 132 KCC 26.12.003.J establishes two ways by which a property may qualify as being in an opportunity area.

- 133 1. The project area meets all three of the following specified criteria:
 134 (a) “located in a census tract in which the median household income is in the lowest one-third for median
 135 household income for census tracts in King County;
 136 (b) “located in a ZIP code in which hospitalization rates for asthma, diabetes, and heart disease are in the
 137 highest one-third for ZIP codes in King County; and
 138 (c) “is within the Urban Growth Boundary and does not have a publicly owned and accessible park or open
 139 space within one-quarter mile of a residence, or s is outside the Urban Growth Boundary and does not
 140 have a publicly owned and accessible park or open space within two miles of a residence.”
 141 2. Alternatively, a project may qualify if “the project proponent or proponents can demonstrate, and the
 142 advisory committee determines, that residents living in the area, or the populations the project is intended
 143 to serve, disproportionately experience limited access to public open spaces and experience demonstrated
 144 hardships including, but not limited to, low income, poor health, and social and environmental factors that
 145 reflect a lack of one or more conditions for a fair and just society as defined as “determinants of equity” in
 146 K.C.C. 2.10.210.”

147 Projects in opportunity areas should have community engagement and collaboration, which can be demonstrated
 148 through at least two letters of support, and a description of community outreach held to date or planned in the
 149 future.

- 150 • **Low:** Proposals that meet opportunity area criteria but do not have demonstrated community engagement
 151 and collaboration as evidenced through two letters of support and/or a description of outreach carried out
 152 to date.
 153 • **High:** Proposals that meet opportunity area criteria and can demonstrate community engagement and
 154 collaboration as evidenced through two letters of support and/or a description of outreach carried out to
 155 date.
 156

158 2. ADDITIONAL FACTORS

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160 **A. EDUCATIONAL OR INTERPRETIVE OPPORTUNITY:** The property will provide, now or potentially,
 161 the setting for meaningful education or interpretation of natural systems or other historic/cultural resources
 162 described in the section above.

- 163 • **Low:** Fair to poor access; low anticipated use; resources common.
- 164 • **Medium:** Moderate access; irregular use by small groups; less common resources.
- 165 • **High:** Good to excellent access; anticipated regular use by groups or individuals from outside the local
 166 jurisdiction or community; a resource that is unique to King County.

167
 168 **B. IMPACT TO OPEN SPACE RESOURCES:** Note whether the open space resources described in Section 1
 169 above will be negatively impacted if this application is not funded. Consider also open space resources on this
 170 property could be lost as a result of activities off-site in a larger connected system (e.g., could a nearby clearcut
 171 negatively impact a salmon run or wildlife on the property?). In the case of properties which currently have few
 172 on-site resources, indicate whether preserving this property provides opportunity to create or restore open space
 173 resources (e.g., a built-out site can be restored to provide a community gathering place and greenspace).

- 174 • **Low:** For properties which already have significant open space resources, there is little or no demonstrated
 175 threat. For properties that lack significant resources on site, there is little opportunity to create/restore open
 176 space resources.
- 177 • **Medium:** For properties which already have significant open space resources, development is proposed, but
 178 permits have not been issued, and such action would have a serious impact on open space resources. For
 179 properties that lack significant resources on site, there is a moderate opportunity to create/restore open space
 180 resources.
- 181 • **High:** Development is imminent or a potentially damaging water rights application has been granted; a
 182 building or subdivision permit application has been approved; SEPA review completed; a logging, grading, or
 183 clearing permit is approved, and such action would have a serious impact on open space resources. For
 184 properties that lack significant resources on site, there is significant opportunity to create/restore open space
 185 resources.

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 187 **C. FEASIBILITY: OWNERSHIP COMPLEXITY, WILLING SELLER(S), COMMUNITY SUPPORT:**
 188 How many properties are proposed for purchase and what property interests (i.e., fee simple, conservation
 189 easement) are proposed for each parcel? Which parcels have willing sellers? If a multi-parcel proposal, discuss
 190 how the remaining parcels could be acquired. Is there community support or opposition that could affect the
 191 feasibility or success of the proposal?

- 192 • **Low:** There are many properties for which little is known about the intent of the owner(s) to sell, but the
 193 applicant or agency has notified the owners. No demonstrated community support, or community opposes
 194 proposal.
- 195 • **Medium:** The applicant or agency has obtained a signed letter of interest from key landowner(s) to sell the
 196 identified property interest(s). Local community is aware of the proposal and does not oppose it.
- 197 • **High:** The applicant or agency can provide a copy of an irrevocable purchase option or purchase and sale
 198 agreement for purchase of the identified key property interest(s). Demonstrated strong community support for
 199 proposal.

200
 201 **D. PARTNERSHIPS:** Describe any public or private partnerships that will enhance this project: Will the project
 202 provide partnerships with other governments or private groups, such as provision of funding or volunteer efforts
 203 towards property acquisition, provision of allowable facilities, stewardship, restoration of a significantly degraded
 204 resource, outreach to local businesses, community education, etc. In addition, please list any actual funds
 205 expended, committed, or donated through in-kind services for restoration, stewardship, education, interpretation
 206 or other enhancement directly associated with the project.

- 207 • **Low:** A group conducts one to three of the above activities annually or provides modest funding support.
- 208 • **Medium:** A group conducts three to four of the above activities annually or provides moderate funding
 209 support.
- 210 • **High:** A group conducts five or more of the above activities annually or provides significant funding support.

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212 **E. IS THE PROPERTY IDENTIFIED IN AN ADOPTED COMPREHENSIVE PLAN, PARK OPEN**
 213 **SPACE, HABITAT, CULTURAL RESOURCE, OR COMMUNITY PLAN?** Please identify the name of the
 214 plan and the date adopted, and reference appropriate pages, but do not provide copies of the plan.
 215

216 **F. TRANSFER OF DEVELOPMENT RIGHTS (TDR) PARTICIPATION:** Is the property a proposed
 217 sending site in an adopted transfer of development rights (TDR) program? Is the property located in or near a
 218 formally designated receiving area in an authorized TDR program, as evidenced by an ordinance or interlocal
 219 agreement between cities and/or King County? Describe how this project will further the goals of the program.

- 220 • **Low:** No adopted TDR program or interlocal agreement between the applicant city and King County exists.
- 221 • **Medium:** An adopted TDR program or interlocal agreement exists between the applicant city and King
 222 County.
- 223 • **High:** An adopted TDR program or interlocal agreement exists between the city and county and the sending
 224 site is approved.
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226 3. STEWARDSHIP AND MAINTENANCE

228 How will the property be stewarded and maintained? Does the property lend itself to volunteer stewardship
 229 opportunities? Briefly discuss short-term “hold and protect” measures and longer-term stewardship plans for the
 230 proposal site. How will proposed stewardship and maintenance efforts be funded?
 231

- 232 • **Low:** Applicant lacks stewardship experience and makes no funding commitment.
- 233 • **Medium:** Applicant has stewardship experience but does not identify funding source.
- 234 • **High:** Applicant can demonstrate a stewardship track record, make a funding estimate and commits to
 235 ongoing funding.
 236

237 REGIONAL SIGNIFICANCE

238 King County Code (KCC) 26.12.010.C1.e requires that the advisory committee shall also include in its
 239 recommendation to the executive “a description of how projects contain a demonstrable regional visibility, use,
 240 ecological, cultural, historical or other natural resource significance.” Regional significance describes a property
 241 or system that contains a unique or highly important open space resource to King County (e.g., saltwater
 242 shoreline), or may be highly visible from a major public right-of-way, or may be a major destination for residents
 243 from throughout King County. If the advisory committee concludes that a project has regional significance, the
 244 committee will include that information its recommendation report.
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247 **GENERAL CONDITIONS**

- 248
- 249 1. Properties eligible for funding from CFT collections must meet the definitions of open space lands under
- 250 RCW 84.34.020 and meet one or more of the CFT Application Evaluation Criteria.
- 251 2. Project applications may include one or more parcels of land. Proposed acquisitions may include fee simple
- 252 or less than fee acquisitions such as conservation easements.
- 253 3. Future use of the property is restricted to low impact, passive-use recreation, which means that development
- 254 of facilities to support organized/structured athletic activities such as ballfields, courts, and gyms is not
- 255 allowed. Small playgrounds for children are allowed, within the 15% non-vegetative impervious surface limit
- 256 described below, not to exceed 5,000 square feet, and compatible with the other open space values of the
- 257 property. Future use is further limited to non-motorized use, except as is necessary for the following types of
- 258 uses (and provided in a way that protects open space resources): maintenance, staging areas, entrance roads,
- 259 and parking to provide public access.
- 260 4. A maximum of 15% of the total surface area of a proposed acquisition project may be developed or
- 261 maintained with non-vegetative impervious surfaces. Trail surfaces (soft-surface or paved) are not included in
- 262 the calculation of this restriction. This percentage may be adjusted in instances where the Advisory
- 263 Committee recommends, and the King County Council determines, that parking or other developed features
- 264 necessary for the use of the site are required, are compatible with open space resources, and would exceed the
- 265 15% limit (e.g., scenic viewpoints).
- 266 5. CFT project funds must be expended within two years of approval by King County Council. Unspent funds
- 267 may be reallocated to a previously approved project or to a new project, unless applicant demonstrates to the
- 268 Advisory Committee a compelling reason for continuance of CFT funding for the project beyond the two-year
- 269 limit.

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271 **MATCHING FUNDS GUIDANCE**

272 Except for projects in opportunity areas as defined in KCC 26.12.003.J and discussed below, a recipient of CFT

273 funding must commit to providing a matching contribution of no less than the amount of CFT funds awarded to the

274 project before conservation futures tax funds are reimbursed. Eligible matching fund sources include:

- 275 • Cash
- 276 • Land match with a valuation verified by a reviewed appraisal (a property appraisal performed by an
- 277 independent state-certified real estate appraiser with a current general real estate appraiser license and
- 278 reviewed by an independent state-certified general real estate appraiser)
- 279 • The cash value, excluding King County Conservation Futures contributions, of other open spaces acquired
- 280 within the previous two years from the date of submittal of the application and not already used as match for
- 281 CFT projects
- 282 • Properties used as land match and cash value of other open space acquisitions should be directly linked to the
- 283 property under application, and meet conservation futures general conditions.

284 Projects in opportunity areas may be eligible to receive CFT funds for the entire project cost without providing

285 match dollars. KCC 26.12.003.J establishes two ways by which a property may qualify as being in an opportunity

286 area.

- 287 1. The project area meets all three of the following specified criteria:
- 288 (a) "located in a census tract in which the median household income is in the lowest one-third for median
- 289 household income for census tracts in King County;
- 290 (b) "located in a ZIP code in which hospitalization rates for asthma, diabetes, and heart disease are in the
- 291 highest one-third for ZIP codes in King County; and
- 292 (c) "is within the Urban Growth Boundary and does not have a publicly owned and accessible park or open
- 293 space within one-quarter mile of a residence, or is outside the Urban Growth Boundary and does not
- 294 have a publicly owned and accessible park or open space within two miles of a residence."
- 295 2. Alternatively, a project may qualify if "the project proponent or proponents can demonstrate, and the
- 296 advisory committee determines, that residents living in the area, or the populations the project is intended
- 297 to serve, disproportionately experience limited access to public open spaces and experience demonstrated
- 298 hardships including, but not limited to, low income, poor health, and social and environmental factors that
- 299 reflect a lack of conditions for a fair and just society as defined as "determinants of equity" in K.C.C.
- 300 2.10.210."

301 The CFT Committee will make a determination as to whether the project meets opportunity area criteria and
302 qualifies for a match waiver. The Committee will then determine whether to recommend to King County Council
303 that the project receive a CFT funding award.