

DRAFT 2/16/12
ISLAND COUNTY
CONSERVATION FUTURES PROGRAM
APPLICATION FOR CONSERVATION FUTURES FUNDS

SECTION I

1. **PROJECT TITLE:** City of Langley's Noble Creek

2. **AMOUNT REQUESTED:**

3. **PROJECT SPONSOR:**

Name: City of Langley
Address: P.O. Box 366, Langley WA 98260
Sponsor Type: City

4. **PROPOSED PROJECT OWNER:** City of Langley

5. **CONTACT PERSON:**

Name: Jeff Arango
Address: P.O. Box 366, Langley WA 98260
Phone: (360) 221-4246 x 26
Fax: (360) 221-4265
e-mail:landuse2@whidbey.com

6. **DOCUMENTATION:**

Date this application was approved by sponsor's legally responsible body in a public meeting: February 20, 2012

Private/Non-Profit organizations must submit a copy of each of the following:

1. Articles of Incorporation
2. Bylaws
3. Board Roster
4. Organization Chart
5. Proof of IRS Standing (501)(c)(3):
6. Minutes or Resolution approving of this application

SECTION II

PROJECT DESCRIPTION: This project would permanently protect 11.4 acres of property that includes a perennial stream, wetland and ____ footage of waterfront property within the Langley City limits. The Noble Creek property will provide open space and potential beach access for the residents of Langley. The Noble family currently has the property listed for sale on the open market, and this request is for \$ _____ for a fee simple acquisition to be held by the City of Langley. No subsequent phases of the project are currently planned.

Noble Creek is an important critical area corridor described in the Parks, Open Space and Trails Elements of the Langley Comprehensive Plan. The mixed-species forest of red alder, Douglas fir and Western Red Cedar creates a corridor connecting forests south of Langley to the shoreline. The property includes the nearshore within the Geographic Area 2 of the Salmon Recovery Plan.

(Short narrative, limit to 150 words; indicate whether or not this is a phased project)

1. **PROJECT LOCATION:** The three contiguous tax parcels are aligned along Noble Creek east of Camano Ave., and north of Sandy Point Rd. The property lies just behind the District 3 Fire Station and homes on Manchester Way and includes the ravine north of Edgecliff Dr. just east of Noble Circle that extends to the shore.

2. **PROJECT DATA:**

Number of parcels (list tax parcel numbers): R32903-4850, R32903-506-4880, R32903-567-4730

Acreage: 6.938 acres, 3.345 acres, 1.15 acres = total 11.433 acres

Zoning: RS 7200

Other GMA designation: City of Langley proposed designations for the 2012 SMP update, Aquatic Conservancy and Shoreline Residential.

Existing Structures/Facilities: no existing structures

Type of interest to be acquired: fee simple

Current Use: natural

3. **SITE DESCRIPTION:** Briefly summarize (limit 500 words) the physical characteristics of the property which is proposed for acquisition, including: vegetation, topography, surrounding land use and relationship to other natural areas, parks, trails or open space, if any. Identify and describe existing and/or future access to site. Enclose area and parcels maps for the site.

The site's main characteristic is Noble Creek and its associated wetlands. The creek begins in the forested wetland south of Sandy Point Rd. and flows in a distinct channel with sand and gravel substrate through the property for about 1,950 feet to its terminus at the beach. The flow is steady throughout the summer, owing to its origin in an intact wetland system. The creek flows through two culverts, one at Sandy Point Rd. and the other under Edgecliff Dr. The gradient is gradual and the creek meanders through mucky soils before crossing under Edgecliff Dr. where well-drained soils are found in the steeper slopes of a shallow ravine that descends to the beach.

The beach bluff is forested along the length of the steep slopes on the Langley shoreline, and at Noble Creek the bluff is slowly eroding and deepening the ravine. The overhanging trees above the backshore of the beach provide shade and contribute to the ample woody debris that collects along the shoreline. The trees on the forested slope also protect the slope from erosion, and when they do fall, provide complexity and structure to the backshore. The shoreline vegetation supports the food web for juvenile salmon, by increasing insects and benthic invertebrates that populate the stream and beach.

The forested wetland on the property is dominated by red alder, with skunk cabbage, salmon berry, red elderberry, trillium and false lily of the valley in the understory. The property is part of the first priority of the Parks and Open Space Commission which is to implement the Core Areas and Corridors Concept to create open space linkages between critical areas throughout the City. The upland edges of the property support mature Douglas fir and Western Red Cedar along with sword fern, salal and evergreen huckleberry in the understory. This forest type continues to the south, and connects with the larger forested areas of South Whidbey.

The forest divides the residential development in the eastern section of Langley from downtown, and provides a natural corridor for residents to walk to other parts of the city. There is a primitive trail used mostly by residents from developments along Sandy Point Rd. This trail is identified as a future element in the Open Space, Parks and Trails Element because it will link several other trail segments in the Cedars development and the Langley Middle School trails. The forest also is mentioned because it provides a scenic treeline feature along a main entrance to the city, protecting neighborhoods to the east and forest views from the downtown area.

5. APPLICATION ATTACHMENTS:

Please attach the following items to the completed application form:

1. Site location map: On an Island County base map, or similar map, clearly identify the location of the proposed acquisition. Include a digital file (photo) of the maps in JPEG or TIFF format.
2. Project Boundary Map: On a ¼ section map or other map of sufficiently small scale, identify the boundaries of the proposed project. Include a digital file in JPEG or TIFF format.
3. Photos: Provide a minimum of four (4) representative photos of the property proposed for acquisition. The photos should show various aspects of the property, i.e., natural vegetation communities, wetlands, flora, terrain, structures, roads, etc. Include an aerial photo if available. Include a digital file of the photos in JPEG or TIFF format.

Section III

Evaluation Criteria

PURPOSE: The purpose of the Conservation Futures Program is to acquire lands of public conservation importance through a variety of means, except by eminent domain, and protect them in perpetuity. These lands include open space, wetlands, habitat areas, farm and agricultural, and timber lands (as defined in RCW 84.32.210 and RCW 84.34.020) that are under pressure from increasing urban development. (ICC 3.22A.010).

REQUIRED ISLAND COUNTY CODE (ICC) CRITERIA (not in priority order)

1. *Environmental Benefits of Acquisition (ICC 3.22A.070 1a)*
2. *Cost of Acquisition ((ICC 3.22A.070 1b)*
3. *Threat of Development Resulting in Loss of a Valuable Resource (ICC 3.22A.070 1c)*
4. *Minimum Controlling Interest Obtainable (ICC 3.22A.070 1d)*
5. *Long-term Maintenance Costs (ICC 3.22A.070 1e)*
6. *Compatibility with and enhancement of existing open space land, facilities and programs with similar purposes such as agricultural and forest land core areas, trail networks, habitat areas, etc. (ICC 3.22A.070 1f)*
7. *Productivity of Resource Lands (ICC 3.22A.070 1g)*
8. *Potential for compatible multiple uses (ICC 3.22A.070 1h)*
9. *Availability of grant or matching funds (ICC 3.22A.050 C.1.a.)*
10. *Level of support or sponsorship from individuals, organizations or governmental agencies (ICC 3.22A.050 C.1.b.)*
11. *Consistency with adopted local comprehensive land use plans, zoning ordinances, and park and growth management plans (ICC 3.22A.050 C.1.c.)*

Please concisely address the following questions as they apply to your project. Attach pertinent maps, photos, or other documents as needed to clarify an answer. Reference studies and plans that support a particular answer.

A. CONSERVATION and RESOURCE SIGNIFICANCE. {*Environmental Benefits of Acquisition (ICC 3.22A.070 1a); Productivity of Resource Lands (ICC 3.22A.070 1g)*}

Priority will be given to the quality and function of the habitat or resource lands, the uniqueness, and the demonstrated need to protect it.

1. **Why is this site worthy of long-term conservation? Describe in detail what conservation values (open space, wetlands, habitat areas, farm and agricultural lands, timber lands and historic sites) this project will protect. Explain how the site is unique or significant on a statewide, regional, ecosystem, watershed or other level. How does this site compare to others of the same type? Is the size of the property adequate for the intended use? How is the site significant in relation to habitat or resource land quality, connectivity, diversity and rarity?**

The Noble Creek property has long been a treasured asset in the City of Langley. The site has high value for providing open space for residents, and connects neighborhoods through trails, and corridors for wildlife between critical habitats. This 11.4 acre property contains a stream, riparian wetlands, forest, shoreline bluff and beach, making it a small but significant piece of conservation property that protects some of the most valuable habitat types within the city limits. The property is small, but its intended use is solely for public access along existing trails, and the property is large enough to provide an experience of nature for users. In the extensive survey of residents done for the Parks, Open Space and Trails Element of the Comprehensive Plan, respondents ranked activities to prioritized investments, and the top scores were for more beach walks, scenic overlooks and trails for passive uses. This acquisition will increase the potential for these important assets within the city.

There is little access to the beach for the residents of Langley, and this property provides one of the few places where there is a potential for public access. There are very few opportunities to gain more public land on the shoreline within the City of Langley. The shoreline is proposed to be designated as Shoreline Residential with Aquatic Conservancy in the intertidal areas in the City of Langley's 2012 update of the Shoreline Master Program. This designation provides for a high level of development along shoreline given the small lots sizes within the city limits.

The property also provides a habitat corridor to the larger forested system that lies east of S. Langley Rd. and west of Wilkinson and Bob Galbreath Rds. This large forest is partially fragmented, but provides a continuous habitat corridor southward to Hwy 525. The forest on the Noble Creek property contains mature trees around the edges of the property, and continuous tree cover for wildlife movement. The hydrology of the wetland system on the property is relatively unaltered due to the forest to the south, and provides a year round flow through the riparian corridor.

The Parks, Open Space and Trails Elements also identifies an objective of having open space access within ¼ mile walking radius of all residences within the city. While the city is meeting this objective over much of the landscape, this open space acquisition would bring residences to the east within these desired limits. It

also will contribute to the concepts laid out in the plan to preserve critical are corridors and buffers to create open space connectivity through the city.

- 2. How is the site important in providing critical habitat or biological function for wildlife species/communities? What are the significant and/or rare species/communities that will benefit the most from this project? What significant species/communities use the site? Describe the ecological and biological quality of the habitat. How is this habitat important in providing food, water, cover, connectivity and resting areas? What are the benefits to salmonids, migratory bird habitat and forage area, and other fish and wildlife habitat?**

The site contains several critical areas and buffers for important habitat types. The riparian corridor and wetland that leads to the beach keeps the fresh water cool, cleans contaminants from roadways and development, and decreases sediment loads that will enter Puget Sound. Protection of water quality from stormwater is an increasing concern in Puget Sound, and adequate buffers with intact forest and wetlands are the best way to maintain the ecological functions of the nearshore and aquatic environment. Most of the stream systems in Island County are small and waters reach the Sound very quickly, leaving little time for absorption and biological action to reduce toxic loads. Although this is a small stream it is important to maintain these functions wherever possible.

The shoreline provides an important life stage support for juvenile salmon, and nearshore protection is the priority of salmon recovery efforts in Island County. While there are no anadromous fish that can access Noble Creek, the freshwater inputs to the shore, and protection of shoreline processes are important contributions to supporting juvenile salmon rearing habitat. The fish eat insects and invertebrates that are dependent on water and vegetation before migrating to the ocean environment and transitioning their diet away from land-based food. In addition, forage fish spawning habitats on gravel beaches are supported by sediment inputs from natural shoreline processes, and the shade of overhanging vegetation along beaches. The small depositional area at the mouth of the creek provides sediments that will move along the drift cell toward Sandy Point, and contributes to a functioning shoreline along a length much greater than the size of the property.

The forest quality is relatively high, with a mix of mature conifers and deciduous trees in the wetland and a diverse understory. Ground disturbance is also low, and soil conditions have been relatively undisturbed which provides the foundation for sustainability of the current forest conditions. The structural diversity of the vegetation provides both cover for wildlife in the understory, tall trees for roosting and nesting, and decadent trees habitat for cavity nesters. While no Bald Eagle nests are known on the site, there is a known nest within a quarter of a mile,

and the areas is used for perching. Amphibians, song birds and small mammals all use the corridor, and the riparian area supports critical needs for wildlife. Deer are found throughout Langley, and they often use the fragments of open space for resting and foraging.

3. **If agricultural or farm land, how important is this farm land to the county, region and state? What are the prime and/or unique soils and/or soils important to the region and appropriate to the anticipated crops? What is its suitability for producing the current or anticipated agricultural products? Is the size of the commercially productive portion of the property adequate for current use or anticipated agricultural use? Is there the likelihood of sufficient income or potential income to maintain farming activities?**

There is no farmland associated with this property.

4. **If forest lands, how important is this land to the county from a forest resource land perspective? Is the property of adequate size to provide for current or anticipated forestry use? Is there the likelihood of sufficient income or potential income to maintain forestry activities on the site?**

The forest on the site is not large enough to sustain commercial activity.

B. IMMEDIACY OF THREAT: *{Threat of Development Resulting in Loss of a Valuable Resource (ICC 3.22A.070 1c)}*

Priority will be given to projects that are imminently threatened with respect to their unique or inherent physical characteristics and conservation values and that are immediately threatened by development and irreversible conversion of use.

Document the magnitude and immediacy of the threats to the property, including ecological threats, human threats, conversion, etc. as they apply to the conservation value of the property. Consider the likelihood of the conversion of the property, existing zoning, potential for rezoning, existing conversion in area, etc. How will the proposed acquisition abate these threats?

The site is within the Urban Growth Area of the City of Langley, and is zoned residential. This property is for sale on the open market, and portions of each parcel could be developed for residences under current regulations. In 2006 a development plan was created, but was not implemented. The owner is now interested in a sale of the property to the City, and is offering the property at ____ less than the appraised value. While the critical areas and buffers within the site cannot be developed, the integrity and functions of the corridor would be compromised by the clearing and residential development that would be allowed under current Critical Areas rules. Acquisition of the property by the City of Langley would eliminate the threat of development, and the property would become protected under Parks and Open Space designations.

Ecological threats at this time are mainly due to an infestation of English ivy that has begun to overtop trees in the northern section of the property. The threat to the forest stand along the shoreline through tree removal or topping is significant however, as loss of tree cover there would damage the sensitive shoreline and increase danger of landslides in the area. Other degrading invasive species include Himalayan blackberry, English holly and poison hemlock. The property is also used by the public, and garbage accumulation is a threat. Once protected, the City of Langley would steward the property and remove these threatening invasive species and maintain the property through citizen involvement.

C. VIABILITY, MANAGEABILITY and ENHANCEMENT. *{Compatibility with and enhancement of existing open space land, facilities and programs with similar purposes such as agricultural and forest land core areas, trail networks, habitat areas, etc. (ICC 3.22A.070 1f)}*

Priority will be given to properties that can be managed over the long-term to protect the identified conservation values of the property.

- 1. Enhancement of existing protected land: Are there other protected lands (public and private) near or adjoining this site that have complementary or compatible land uses for the targeted conservation values? If so, describe the location, connectivity and management of such adjacent lands. How does the protection this property enhance the existing protected lands?**

This site is part of the vision for the City of Langley to achieve their Core and Corridor Concepts described in the Comprehensive Plan. The concept is to connect critical areas and buffers along streams to a network of open spaces that tie together ecological, scenic and recreational lands throughout the city. This site includes 3 of the 7 priority types of properties the City would like to protect. The key ecological linkages nearby include the nearshore areas along the eastern shore of the City, and the forest to the south. The plan relies on a mix of public and private lands containing critical areas to complete the network, and to tie into habitat corridors outside of the city limits. The beach, bluff face and intertidal land along the eastern shore of the City is enhanced by protection of the fresh water input on the site, and by protecting the property from removal of trees and alteration of the hydrology that occurs with development.

- 2. Long-term Viability: Describe the management needs for the property and how it will be managed over time to maintain the desired conservation characteristics. Who will maintain it and what human and financial resources are available to do it? Is restoration needed and, if so, how will this be accomplished? What is happening across the landscape that may affect the viability of the site in the future and how will these be mitigated?**

The City of Langley will steward this property into the future. The creation of the Parks and Open Space Citizen Board has brought more focus and planning for City properties and they are able to organize and galvanize volunteers. Funding for parks continues to be a challenge, but the city is committed to maintaining the quality of life and the attractiveness of the city, and citizens are interested in volunteering to protect these community assets. In the future there may be an

allocation in the City budget to support the Parks and Open Space program. Since there are no major restoration activities that need take place on the property, with the exception of invasive removal and replacement plantings, volunteer support is expected to maintain the integrity of the property.

This small piece of land is already surrounded by development, and no new development in the residential area is likely to occur. Although pressure on the resource will increase as the property becomes public land, and as the population increases, the basic integrity of the site will be maintained because there will be no development of infrastructure allowed within the site. Working with neighbors to protect and respect boundaries will be part of opening the trails and space to the public.

- 3. On-going stewardship: Describe the on-going stewardship program for the property that will address long-term control of noxious weeds, invasive plants, inappropriate public use and facilities maintenance.**

The property will become part of the Parks and Open space network in the city of Langley, and volunteers will perform stewardship activities. The city has an active volunteer program, and a small amount of funding is available to support the program under the management of the Director of Public Works. The removal of invasive species will require ongoing maintenance, and volunteers to monitor the outcomes. Volunteers will also remove garbage as it is accumulated, and the increased public use will potentially decrease the inappropriate uses that may be occurring. There are no facilities that need maintenance on the site.

- 4. For agricultural and farm lands: Describe why the property is and will continue to be viable for agriculture, addressing agricultural support facilities, farming infrastructure, market access, and adjacent threats to farming.**
- 5. For forest lands: Describe why the property is and will continue to be viable for forestry. Address the compatibility of forestry management activities with surrounding land uses.**
- 6. Threat Abatement: Describe the threats to the identified conservation values on the property and how these threats will be abated or minimized. Address adjacent land uses, noxious and invasive species, etc.**

The largest threat, after conversion to residences, to the site is invasive species. This is as true on this small scale as it is worldwide. Invasive species are one of the largest challenges we face in preserving diversity. Invasive species will be prioritized and removed from the site, and annual maintenance will take place.



Some of the site has additional buffers (the fire station natural area), but contact with neighbors will be important for prevention of further infestations.

D. PUBLIC VALUES AND PRIORITIES: {*Consistency with adopted local comprehensive land use plans, zoning ordinances, and park and growth management plans (ICC 3.22A.050 C.1.c.); Level of support or sponsorship from individuals, organizations or governmental agencies (ICC 3.22A.050 C.1.b.); Potential for compatible multiple uses (ICC 3.22A.070 1h)*}

Priority will be given to proposals in which the proposed uses and passive improvements are clearly appropriate to the character and conservation values of the property. In some cases, the best use of a property may be to have no public use or improvements, e.g., heron rookery or peregrine falcon nesting area.

1. Public support for the project: describe and document.

During the 17 months of developing the Park, Open Space and Trails Element of the Comprehensive Plan, a series of meetings and a large survey took place to understand what activities residents were interested in. The three highest ranking activities were beach walking, passive observation the Sound, and walking on unimproved trails. Since the majority of parks in the City of Langley are urban pocket parks, and the city has little undeveloped public lands that can be used for passive enjoyment, it has become a priority to acquire and protect natural lands within the City.

The desire to acquire the property date back to the early 1980's, when Ernie Noble began discussions with the City. Now his sons are continuing the discussion. Over the years there have been many people engaged in this conversation, and the continued inclusion of the property in planning documents demonstrates the hope that someday it would become part of the City network.

2. Consistency with adopted plans, particularly local plans, such as growth management plans, salmon recovery plans, comprehensive plans, etc.: describe and document.

The adopted Comprehensive Plan is the main document that guides the development of the City, and this plan specifically identifies a lack of public access to wetlands, ravines, stream corridors and steep slopes within the City. The majority of the parks are in the historic core of the City, and several residential areas (such as the neighborhood on the east side of Langley) do not have access to an open space within ¼ mile. The plan also identifies a lack of connectivity between existing parks and trails and the Noble Creek property would provide several of these missing connections. The protection of scenic entries to the City, and protection of treeline are also goals within the Comprehensive Plan.

3. Appropriate Public Use Opportunities:

Describe the public use opportunities, how they are appropriate for this site, and how such uses will be managed to ensure conservation values are protected.

OR

Describe why public use is not appropriate for this site and how the site will be managed to limit or restrict public use.

A primitive dirt boot track trail is currently used by Langley residents. Once the trail is acquired by the City, a trail plan for the site will be created, and the trail will be brought up to public standards. Opportunities for developing a new public access to the beach from Edgecliff Drive will be considered and planned for as it is our understanding that historically there was a trail and beach access in this location. The use of the site for public access and use as open space will be encouraged, while protecting the value of the forest and buffer areas.

4. Other Public Values: Describe and document.

a) Viewshed: The City of Langley has envisioned protection of the scenery of the main roadway entrances to the City by preserving treelines, and buffers between residential communities. The Noble Creek Property lies along an important scenic entry to the City along the eastern boarder of the City from the South.

b) Aquifer Recharge: Keeping fresh water on the land to return water to the sole source aquifer of Whidbey Island is extremely important. Open spaces that allow percolation of rainwater into the ground help protect this vital resource since all the drinking water on Whidbey originates from rain. Forests and wetlands contribute to percolation to ground water, and it is possible that the mucky soil of the Noble Creek wetland overlays a more permeable layer of gravels and sand that would allow for even greater aquifer recharge. The perennial flows of the creek provide a constant cycling of water to the system. A site specific evaluation of the underlying geology of the site has not been done.

c) Educational potential: The Noble Creek property lies across the street from the Langley Middle School, and within easy walking distance from the South Whidbey Children's Center. The linkages to other forested areas and the variety of ecosystems in a small space make this site well suited to educational opportunities.

d) Historic sites: There are no historic sites preserved on the property.

e) Other unique public benefit:

E. COST EFFICIENCIES: {Availability of grant or matching funds (ICC 3.22A.050 C.1.a.); Level of support or sponsorship from individuals, organizations or governmental agencies (ICC 3.22A.050 C.1.b.); Long-term Maintenance Costs (ICC 3.22A.070 1e); Minimum Controlling Interest Obtainable (ICC 3.22A.070 1d; Cost of Acquisition ((ICC 3.22A.070 1b))}

Priority will be given to projects that significantly reduce the need for Conservation Futures Funds and that provide a plan to significantly reduce or eliminate maintenance and operation costs.

1. Does the project demonstrate efficiencies that reduce the cost of acquisition to the Conservation Future Fund and future Island County costs? Describe and document such efficiencies which might include:

- a) **Minimum controlling interest obtainable (where appropriate for the specific property, acquisition methods, such as purchase of development rights and conservation easements should be preferred over fee simple purchase (ICC 3.22A.070 1d);** The property is not currently available for purchase of a conservation easement or purchase of development rights. The owner and the City of Langley prefer fee simple ownership.
- b) **Partial land donation by landowner, i.e., bargain sale;** Negotiations are ongoing with the land owner.
- c) **Cash donations from the public or organizations;** There are no public or private donations for this purchase at this time.
- d) **Matching grant funds from non-county sources;** No matching grant funds are available at this time.
- e) **In-kind contributions, such as volunteer work, acquisition and real estate work, labor and materials, etc.** In kind contributions from the City of Langley include preparation of this grant application, negotiations with the landowner and coordination with stakeholders, and a formal appraisal.
- f) **Long-term stewardship of site by non-county entities.** Long-term stewardship will be accomplished by volunteers in the City of Langley.

2. Does the property contain any liabilities (e.g., hazardous wastes) which will incur significant costs for removal, clean-up etc.?

The site has been in continuous ownership of the same family for many years, and no liabilities such as hazardous waste have been found on the site. This has been confirmed several times by site evaluations done for the City.

Noble Property - Conservation Futures Application



Legend



Project Parcels

