PROPOSED LAND TRANSACTIONS

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GREEN SHEET

Meeting/Workshop: April 11 & 12, 2008
Agenda Item: PROPOSED LAND TRANSACTIONS
Staff Contact: Dan Budd
Presenter: Dan Budd

Background:

The Department is recommending the following actions:

1. Acquisition of a 52.43 acre property in Mason County
2. Acquisition of a 7.62 acre property in Okanogan County
3. Acquisition of a 45.69 acre property in Okanogan County
4. Acquisition of a 1.6 acre public fishing easement in King County
5. Boundary Line Adjustment in Spokane County
6. 40 acre Land Transfer in Pierce County
7. .06 acre Right of Way in Yakima County
8. Fence easement in Chelan County

Policy issue(s) you are bringing to the Commission for consideration:
Protection of critical fish and wildlife habitat, providing public recreation opportunity, and addressing responsible property management.

Public involvement process used and what you learned:

Items 1, 2 &3 were approved through a public review and competitive grant process conducted by the Washington State Recreation and Conservation Office (RCO).

Action requested (identify the specific Commission decisions you are seeking):
Approval of the proposed land transactions as presented.

Draft motion language:
Motion to approve the proposed land transactions as presented.

Justification for Commission action:
This action will protect critical fish and wildlife habitat, provide public recreation opportunity, and addressing responsible property management.

STATE OF WASHINGTON
DEPARTMENT OF FISH AND WILDLIFE
WILDLIFE PROGRAM
LANDS DIVISION
REAL ESTATE SERVICES

April 11, 2008

MEMORANDUM

TO: Jeff P. Koenings, Ph.D.
Director

FROM: Dan Budd
Real Estate Manager

SUBJECT: **ITEM 1: PROPOSED ACQUISITION OF THE 52.43 ACRE JOHNSON PROPERTY, LOWER UNION RIVER ESTUARY PROJECT, SOUTH PUGET SOUND WILDLIFE AREA, MASON COUNTY**

The Washington Department of Fish and Wildlife (WDFW) has successfully negotiated an option to purchase the 52.43-acre Jack and Kathy Johnson property for the Lower Union River Estuary project. This property has been approved for acquisition and funded by the Washington Wildlife and Recreation Program under the Critical Habitat category. Authority for this acquisition is provided by the capital budget.

This property is located on the Union River as it enters Lynch Cove on the east side of Hood Canal just outside of Belfair. This property includes approximately 1,900 lineal feet of waterfront along the easterly bank of the tidally influenced Union River. The property contains around 31 acres of wetlands and about 12 acres of timbered uplands comprised primarily of cedar and red alder. This parcel adjoins existing WDFW ownership.

The Lower Union River Estuary project intends to acquire estuarine salt marsh and shoreline, adjacent to existing WDFW owned uplands and tidelands to provide a migratory pathway for juvenile summer chum and Chinook. The Lynch Cove tidelands are also valuable habitat for shellfish, shorebirds and other marine resources.

The property will be managed in partnership with the Pacific Northwest Salmon Center, who intends on acquiring the remaining 38.09 acres of the Johnson property for fish and wildlife habitat and public recreation. Other project partners and/or supporters include the Hood Canal Coordinating Council, Point No Point Treaty Council, Skokomish Tribe and the Hood Canal Salmon Enhancement Group.

Operation and maintenance costs are estimated at $1,000 annually. There will be no annual payment in-lieu of property tax.

The Department has been successful in negotiating the purchase of this property at the reviewed and approved appraised value of:

52.43 acres $1,685,000

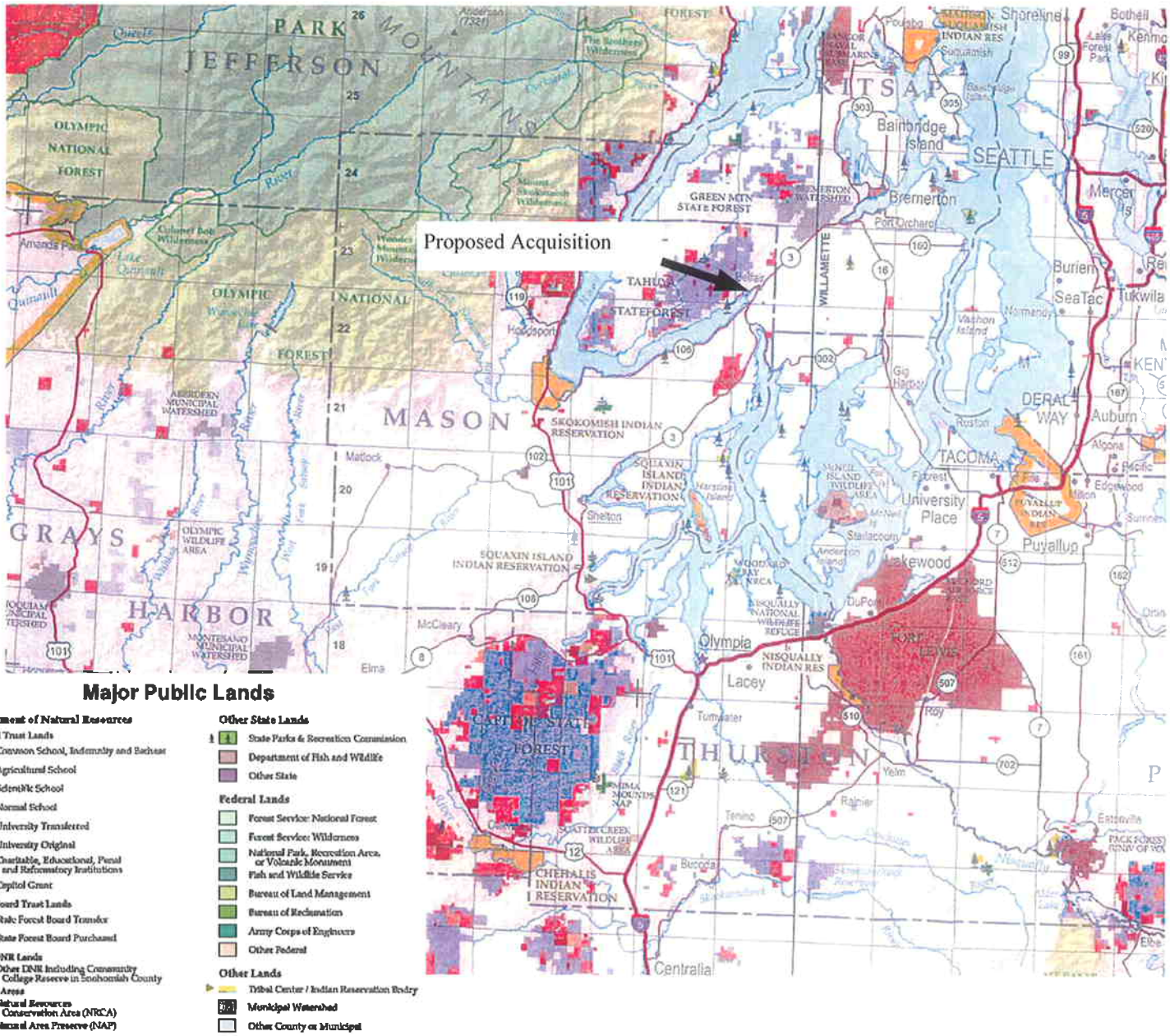
The Department recommends the Commission approve the acquisition of the 52.43-acre Johnson property for $1,685,000.

TITLE: **ITEM 1: PROPOSED ACQUISITION**
JOHNSON PROPERTY
LOWER UNION RIVER ESTUARY

COUNTY: **MASON COUNTY**

LEGAL: **SECTION 32 TOWNSHIP 23N, RANGE 1W, W.M.**

ACRES: **52.43 ACRES**



TITLE: **ITEM 1: PROPOSED ACQUISITION**
JOHNSON PROPERTY
LOWER UNION RIVER ESTUARY

COUNTY: **MASON COUNTY**

LEGAL: **SECTION 32 TOWNSHIP 23N, RANGE 1W, W.M.**

ACRES: **52.43 ACRES**

STATE OF WASHINGTON
DEPARTMENT OF FISH AND WILDLIFE
WILDLIFE PROGRAM
LANDS DIVISION
REAL ESTATE SERVICES

April 11, 2008

MEMORANDUM

TO: Jeff P. Koenings, Ph.D.
Director

FROM: Dan Budd
Real Estate Manager

SUBJECT: **ITEM 2: PROPOSED ACQUISITION OF THE McNAE PROPERTY, METHOW WILDLIFE AREA, OKANOGAN COUNTY**

The Department of Fish and Wildlife (WDFW) has successfully negotiated an option to purchase a 7.62-acre island from McNae in the Methow River. This property has been approved for acquisition and funded by the Washington Wildlife and Recreation Program under the Riparian Habitat category. Authority for this acquisition is provided by the capital budget.

This property is located in Okanogan County, approximately 5 miles north of Twisp and 6 miles south of Winthrop. The property has the main channel of the Methow River flowing on the east side and a now-flowing slough of the Methow River on the west side. The island is across the slough from the 45.69-acre O'Bannion property also optioned for purchase, and just 1,000 feet upriver from other WDFW-owned property.

The property provides important habitat for migrating anadromous salmonids. Other critical habitat on the property includes cobble and riffle spawning habitat, side channels for high flow refugia and juvenile rearing habitat. The riparian forestlands provide significant habitat for songbird breeding, nesting, rearing, and foraging. The area also provides habit for mule deer, which assures the requisite prey base for recovery of large carnivores in the North Cascades.

The property will be managed within the Wildlife Program by Kim Romain-Bondi as part of the Methow Wildlife Area. Operation and maintenance costs are anticipated to be $500 annually to address weed control and litter issues. Funding will be provided from the existing wildlife area budget.

The Department has been successful in negotiating the purchase of this property at the reviewed and approved appraised value of:

$61,000 for the 7.62 acres.

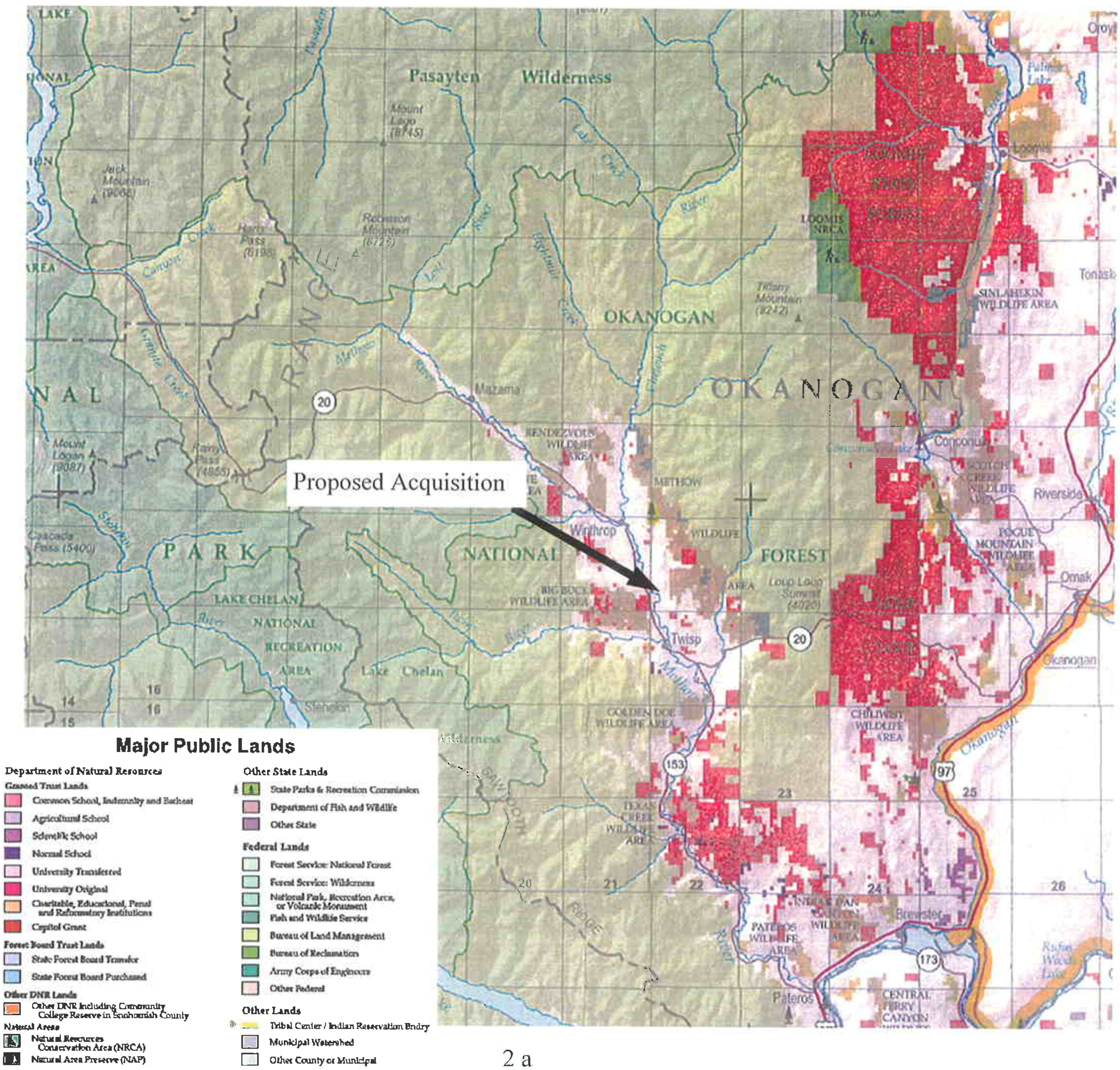
The Department recommends the Commission approve the acquisition of the 7.62-acre McNae property for $61,000.

TITLE: ITEM 2: PROPOSED ACQUISITION
Mc NAE PROPERTY

COUNTY: OKANOGAN COUNTY

LEGAL: SECTION 30 TOWNSHIP 34N, RANGE 22E, W.M.

ACRES: 7.62 ACRES

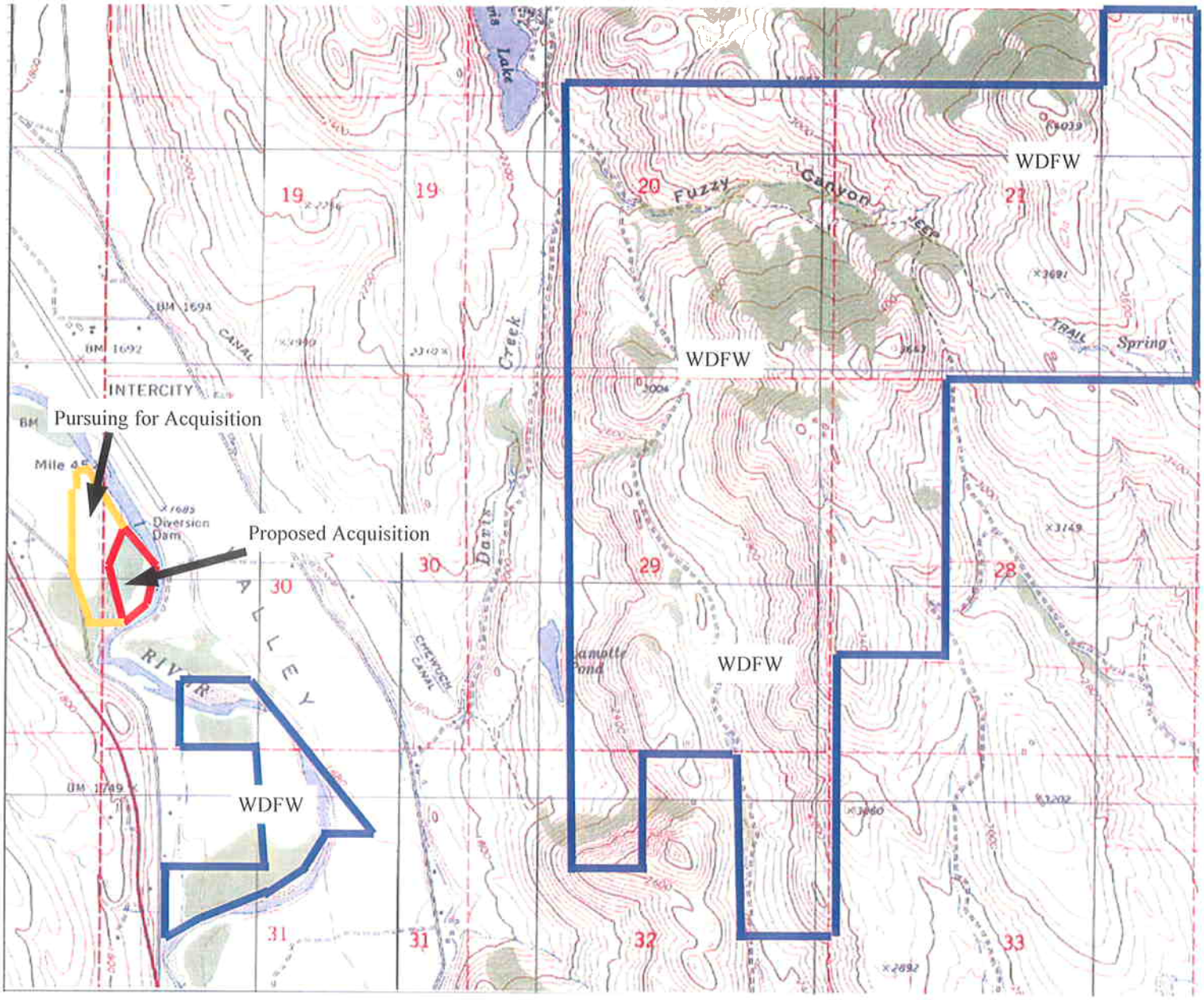


TITLE: **ITEM 2: PROPOSED ACQUISITION**
Mc NAE PROPERTY

COUNTY: **OKANOGAN COUNTY**

LEGAL: **SECTION 30 TOWNSHIP 34N, RANGE 22E, W.M.**

ACRES: **7.62 ACRES**

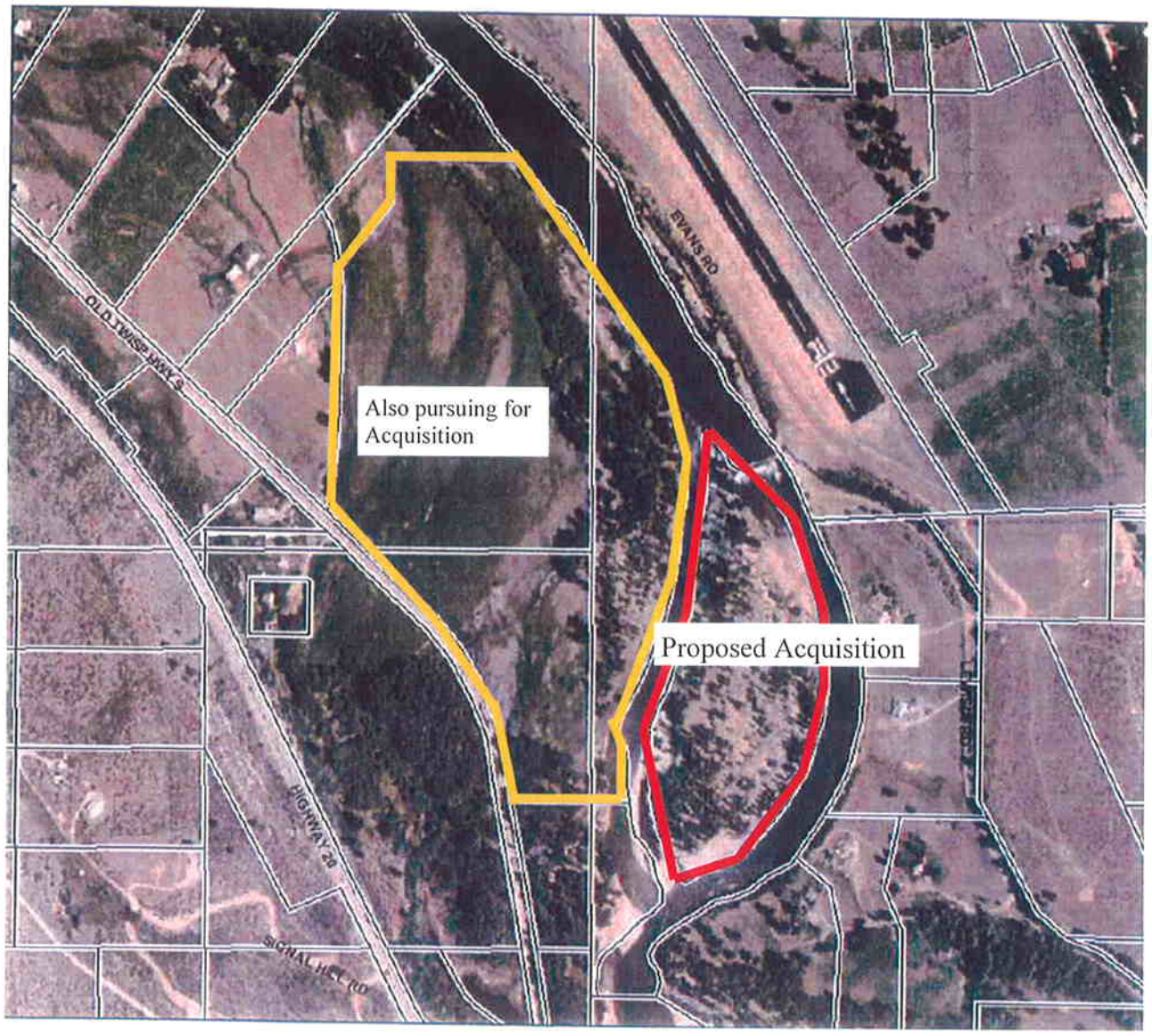


TITLE: **ITEM 2: PROPOSED ACQUISITION**
Mc NAE PROPERTY

COUNTY: **OKANOGAN COUNTY**

LEGAL: **SECTION 30 TOWNSHIP 34N, RANGE 22E, W.M.**

ACRES: **7.62 ACRES**



STATE OF WASHINGTON
DEPARTMENT OF FISH AND WILDLIFE
WILDLIFE PROGRAM
LANDS DIVISION
REAL ESTATE SERVICES

April 11, 2008

MEMORANDUM

TO: Jeff P. Koenings, Ph.D.
Director

FROM: Dan Budd
Real Estate Manager

SUBJECT: **ITEM 3: PROPOSED ACQUISITION OF THE O'BANNION PROPERTY, METHOW WILDLIFE AREA, OKANOGAN COUNTY**

The Department of Fish and Wildlife (WDFW) has successfully negotiated an option to purchase 45.69 acres from O'Bannion on the Methow River. This property has been approved for acquisition and funded by the Washington Wildlife and Recreation Program under the Riparian Habitat category. Authority for this acquisition is provided by the capital budget.

This property is located in Okanogan County, approximately 5 miles north of Twisp and 6 miles south of Winthrop. The property has over 2,000 feet of frontage on the Methow River and is across the slough from the 7.62-acre McNae property also optioned for purchase, and just 1,000 feet upriver from other WDFW-owned property.

The property provides important habitat for migrating anadromous salmonids. Other critical habitat on the property includes cobble and riffle spawning habitat, side channels for high flow refugia and juvenile rearing habitat. The riparian forestlands provide significant habitat for songbird breeding, nesting, rearing, and foraging. The area also provides habit for mule deer, which assures the requisite prey base for recovery of large carnivores in the North Cascades.

The property will be managed within the Wildlife Program by Kim Romain-Bondi as part of the Methow Wildlife Area. Operation and maintenance costs are anticipated to be $500 annually to address weed control and litter issues. Funding will be provided from the existing wildlife area budget.

The Department has been successful in negotiating the purchase of this property at $653,400, which is 10% above the reviewed and approved appraised value of $594,000.

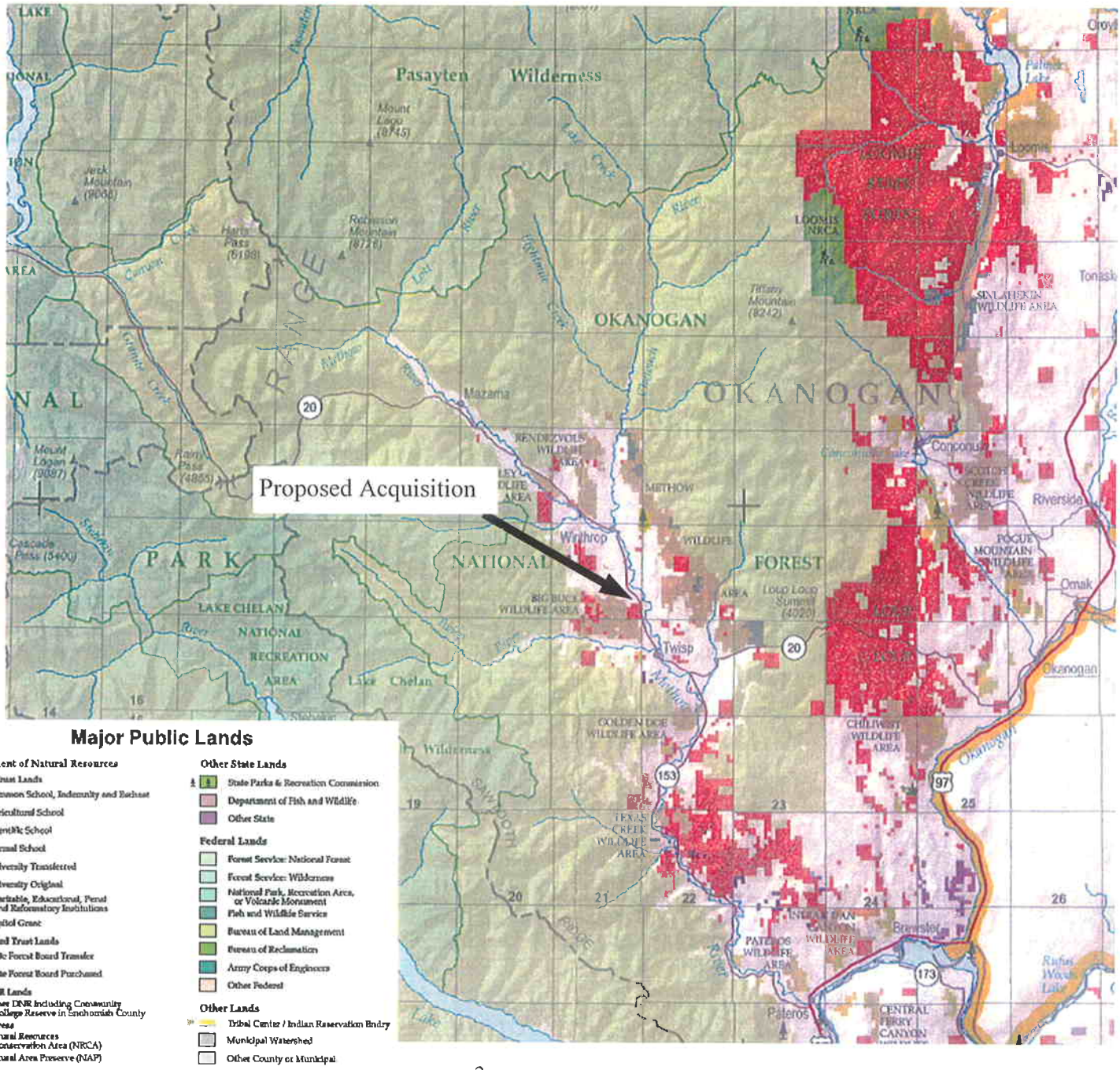
The Department recommends the Commission approve the acquisition of the 45.69-acre O'Bannion property for $653,400.

TITLE: **ITEM 3: PROPOSED ACQUISITION O'BANNION PROPERTY**

COUNTY: **OKANOGAN COUNTY**

LEGAL: **SECTION 25 TOWNSHIP 34N, RANGE 21E, W.M.**
SECTION 30 TOWNSHIP 34N, RANGE 22E, W.M.

ACRES: **45.69 ACRES**

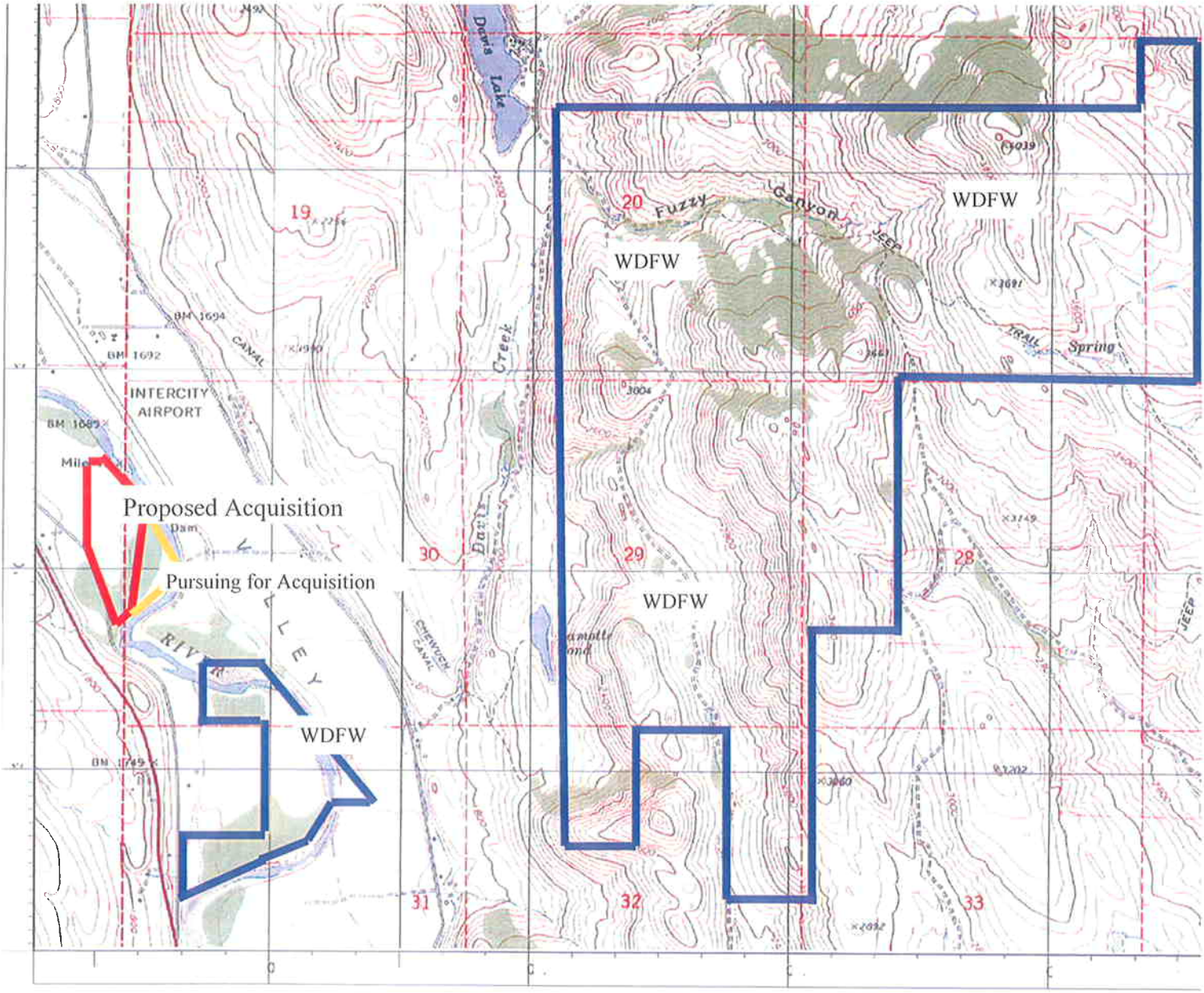


TITLE: **ITEM 3: PROPOSED ACQUISITION**
O'BANNION PROPERTY

COUNTY: **OKANOGAN COUNTY**

LEGAL: **SECTION 25 TOWNSHIP 34N, RANGE 21E, W.M.**
SECTION 30 TOWNSHIP 34N, RANGE 22E, W.M.

ACRES: **45.69 ACRES**

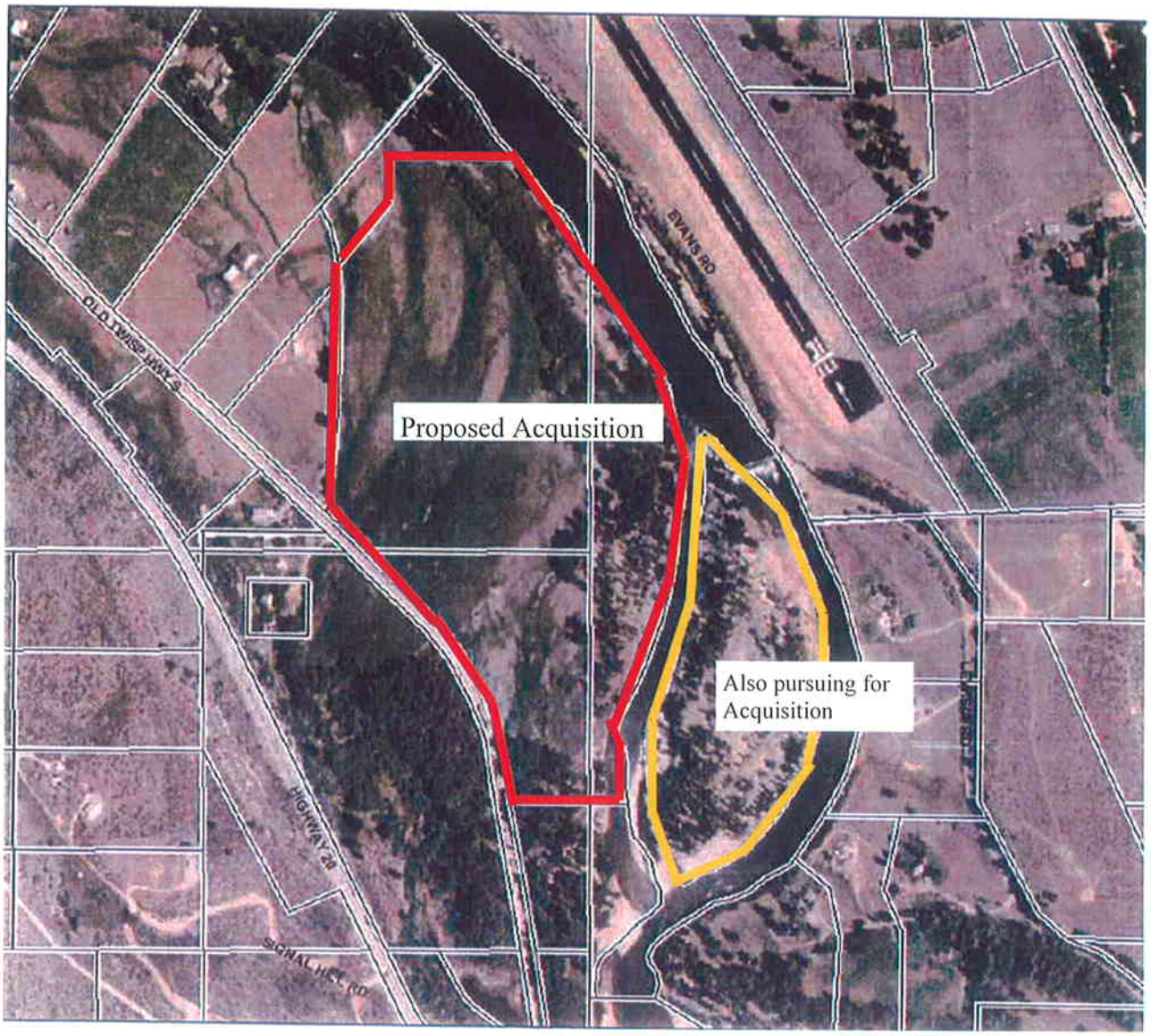


TITLE: **ITEM 3: PROPOSED ACQUISITION**
O'BANNION PROPERTY

COUNTY: **OKANOGAN COUNTY**

LEGAL: **SECTION 25 TOWNSHIP 34N, RANGE 21E, W.M.**
SECTION 30 TOWNSHIP 34N, RANGE 22E, W.M.

ACRES: **45.69 ACRES**



STATE OF WASHINGTON
DEPARTMENT OF FISH AND WILDLIFE
WILDLIFE PROGRAM
LANDS DIVISION
REAL ESTATE SERVICES

April 11, 2008

MEMORANDUM

TO: Jeff Koenings, Ph.D.
Director

FROM: Dan Budd
Real Estate Manager

SUBJECT: **ITEM 4 - PROPOSED ACCEPTANCE OF PUBLIC FISHING EASEMENT FROM THE WASHINGTON DEPARTMENT OF TRANSPORTATION, SOUTH FORK OF THE SNOQUALMIE RIVER, KING COUNTY**

The Washington Department of Transportation (WSDOT) is proposing to complete the transfer of a 1.6-acre public fishing easement on the South Fork of the Snoqualmie River located in the City of North Bend. This easement was to be transferred in 1995 to the Washington Department of Fish and Wildlife (WDFW) when WSDOT reserved an easement benefiting WDFW in the deed to surplus property conveyed to the City of North Bend.

This riverfront easement provides over 140 feet of frontage along the South Fork of the Snoqualmie River for pedestrian access for public fishing purposes. The Snoqualmie River is open for recreational fishing of resident trout June 1st through May 31st and from June through October there is a selective gear rule in place and anglers may keep up to two trout 10 inches or greater. This river system is very unique place for fishing being so close to the greater Seattle area.

This site will be managed for public fishing access by the Wildlife Program. There will be no payment in lieu of property taxes. Operation and maintenance costs are estimated at $1,500 annually for items such as signs and control of weeds and litter.

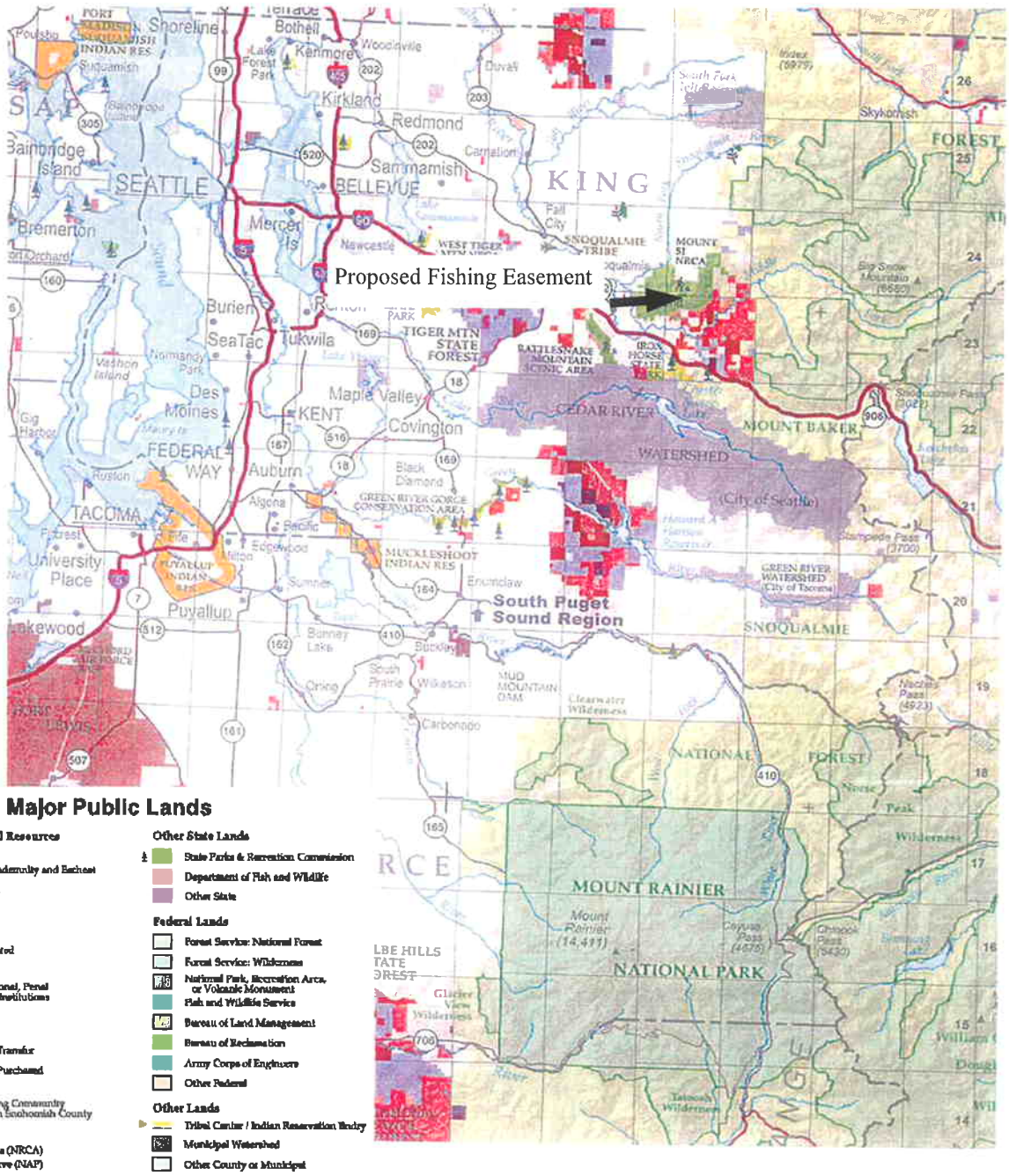
The Department recommends the Commission accept the transfer of the 1.6-acre WSDOT public fishing easement on the South Fork of the Snoqualmie River.

TITLE: **ITEM 4: PROPOSED ACCEPTANCE OF FISHING EASEMENT, SNOQUALMIE RIVER**

COUNTY: **KING COUNTY**

LEGAL: **SEC 9, TOWNSHIP 23N, RANGE 8E W.M.**

ACRES: **1.6 ACRES**

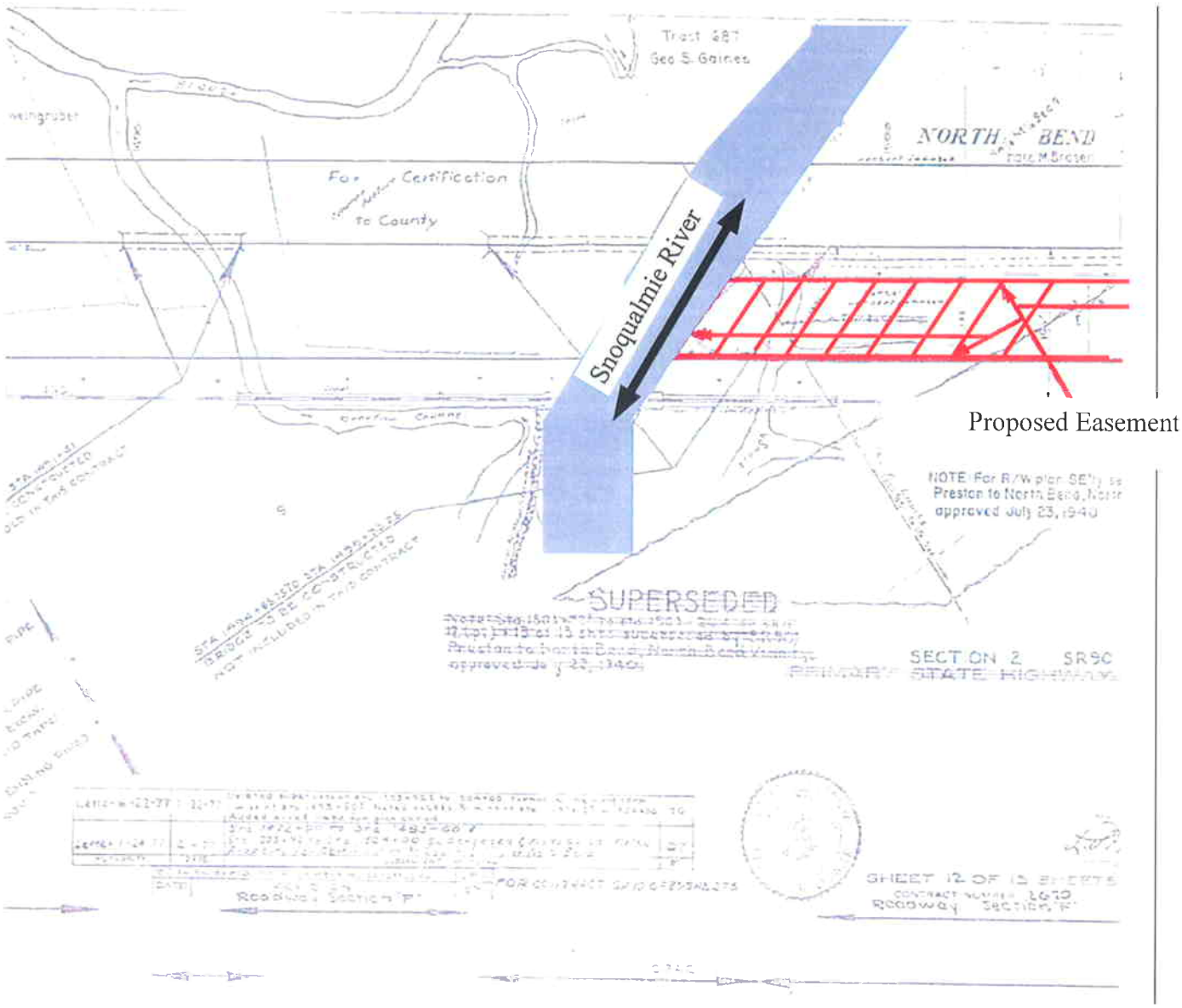


TITLE: **ITEM 4: PROPOSED ACCEPTANCE OF FISHING EASEMENT, SNOQUALMIE RIVER**

COUNTY: **KING COUNTY**

LEGAL: **SEC 9, TOWNSHIP 23N, RANGE 8E W.M.**

ACRES: **1.6 ACRES**



STATE OF WASHINGTON
DEPARTMENT OF FISH AND WILDLIFE
WILDLIFE PROGRAM
LANDS DIVISION
REAL ESTATE SERVICES

April 11, 2008

MEMORANDUM

TO: Jeff Koenings, Ph.D.
Director

FROM: Dan Budd
Real Estate Manager

SUBJECT: **ITEM 5 - PROPOSED BOUNDARY LINE ADJUSTMENT ELOIKA LAKE, SPOKANE COUNTY**

The Department is proposing to complete a boundary line adjustment with its adjoining neighbor at Eloika Lake in Spokane County. The purpose of the boundary line adjustment is to correct an erroneous legal description currently on record with the county.

This is a case of a deed that does not meet the intentions of the parties. The Department purchased approximately one acre in 1967 for public use as lake access. The purchase option, appraisal, and pre-purchase survey all contain one legal description. The property to be purchased was then fenced according to that legal description.

However, it appears that when it came time for the deed to be written, someone misunderstood the survey notations, adding 35.4 feet to one leg of this irregularly shaped parcel. As shown on the enclosed maps, the Department seeks to return the legal description to what was originally intended. Fortunately, the fence line did not follow the erroneous legal description; the Department has been managing the parcel as originally intended.

The Department is proposing to complete a boundary line adjustment and file corrected deeds to cure this situation. The Office of the Attorney has reviewed the facts and concurs with the Department's proposal.

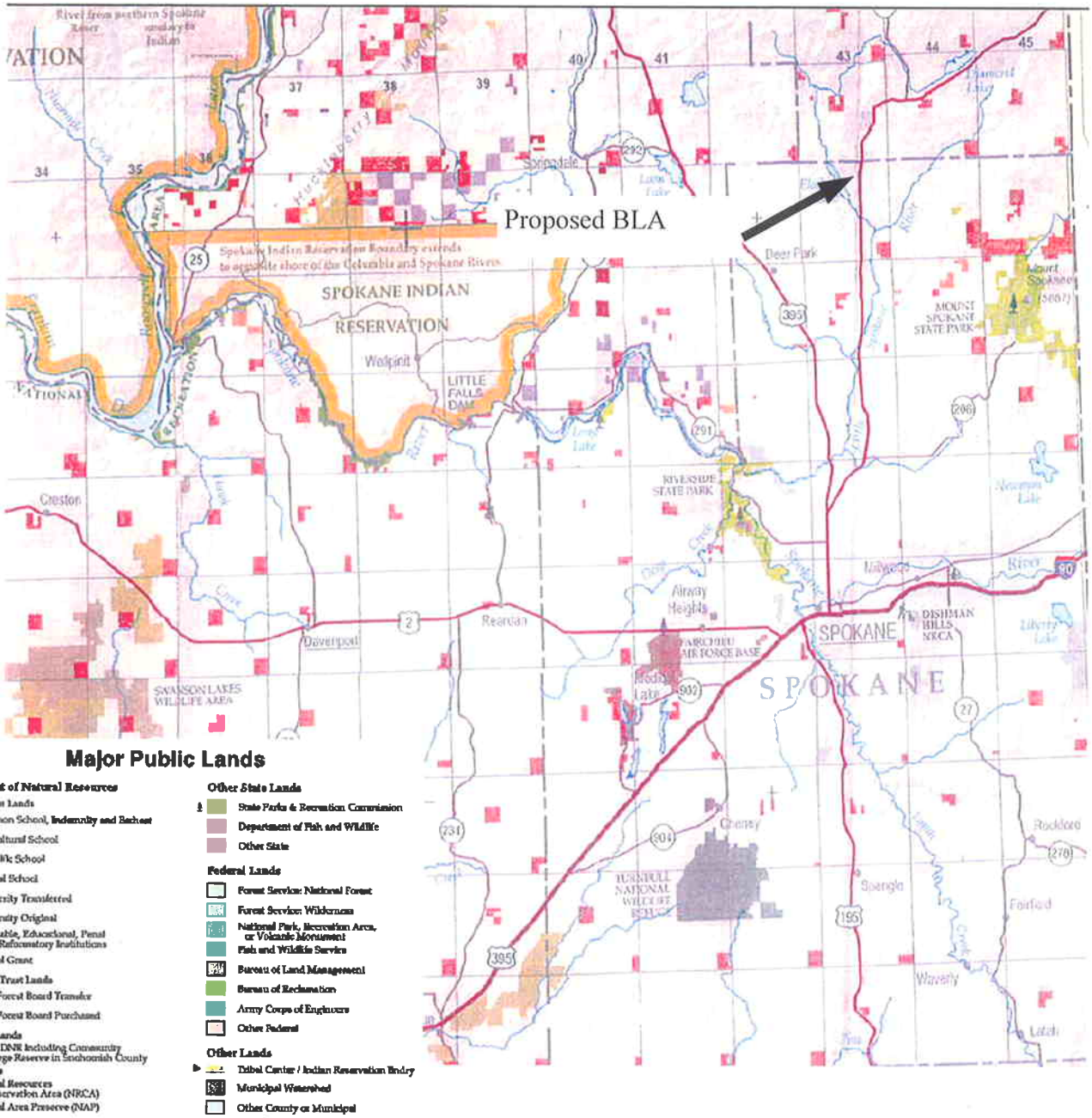
The Department recommends the Commission approve the filing of a boundary line adjustment and corrected deeds on the Eloika Lake access site to correct the erroneous legal description.

TITLE: **ITEM 5: PROPOSED BOUNDARY LINE ADJUSTMENT ELOIKA LAKE**

COUNTY: **SPOKANE COUNTY**

LEGAL: **SEC 10, TOWNSHIP 29, RANGE 43W, W.M.**

ACRES: **0.12 ACRES to WDFW**
0.18 ACRES from WDFW

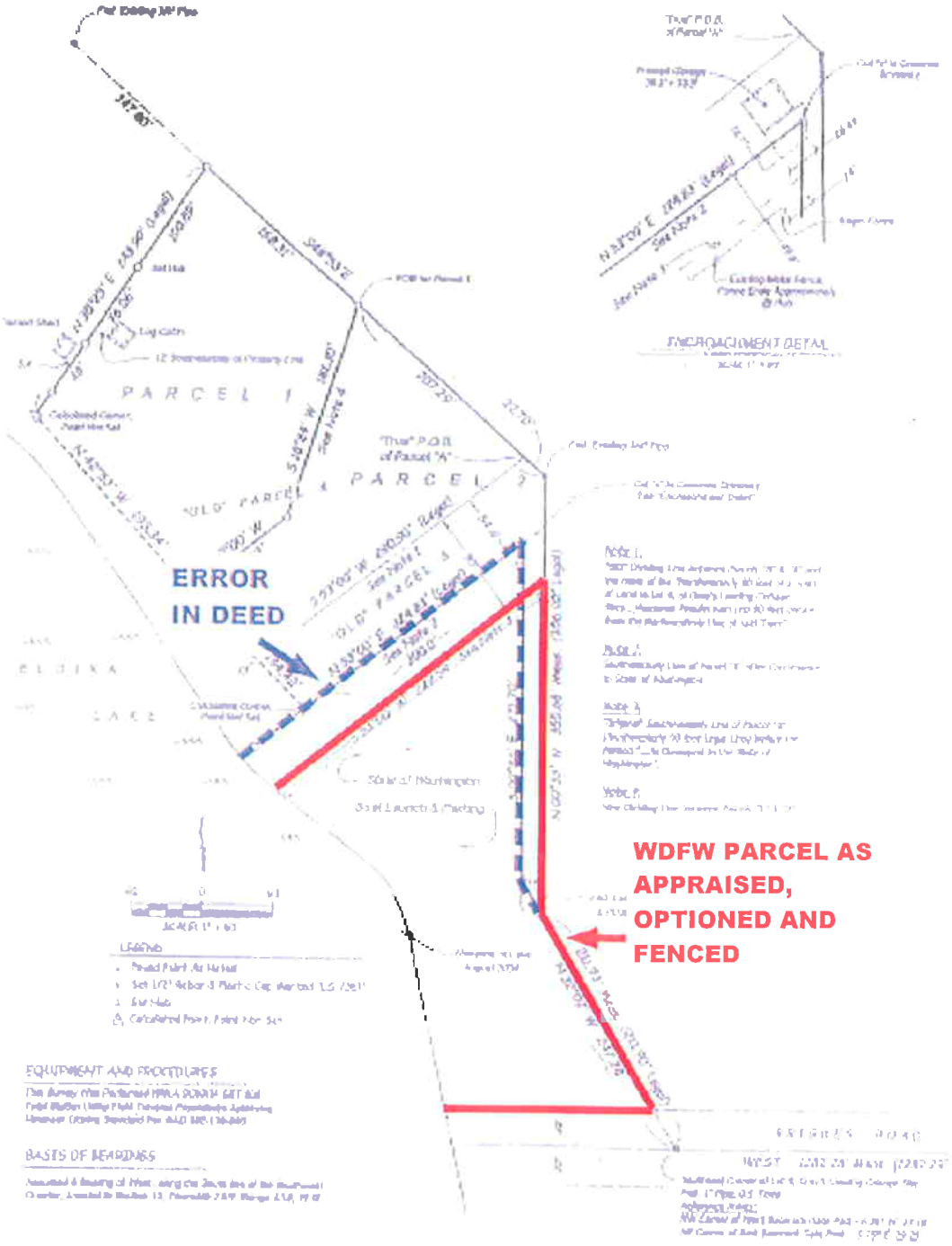


TITLE: **ITEM 5: PROPOSED BOUNDARY LINE ADJUSTMENT ELOIKA LAKE**

COUNTY: **SPOKANE COUNTY**

LEGAL: **SEC 10, TOWNSHIP 29, RANGE 43W, W.M.**

ACRES: **0.12 ACRES to WDFW**
0.18 ACRES from WDFW



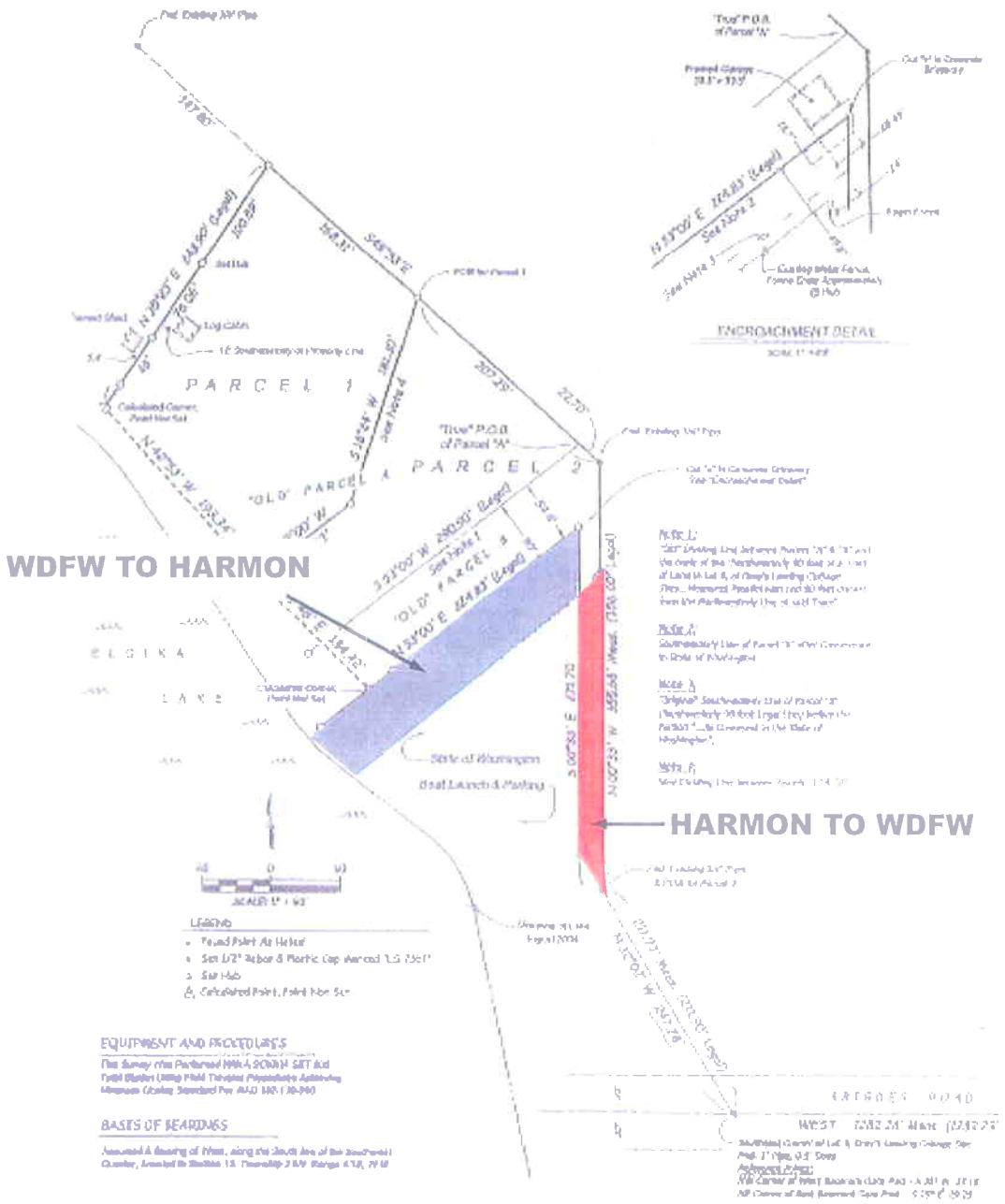
TITLE: **ITEM 5: PROPOSED BOUNDARY LINE ADJUSTMENT ELOIKA LAKE**

COUNTY: **SPOKANE COUNTY**

LEGAL: **SEC 10, TOWNSHIP 29, RANGE 43W, W.M.**

ACRES: **0.12 ACRES to WDFW**
0.18 ACRES from WDFW

PROPOSED BOUNDARY LINE ADJUSTMENT



STATE OF WASHINGTON
DEPARTMENT OF FISH AND WILDLIFE
WILDLIFE PROGRAM
LANDS DIVISION
REAL ESTATE SERVICES

April 11, 2008

MEMORANDUM

TO: Jeff Koenings, Ph.D.
Director

FROM: Dan Budd
Real Estate Manager

SUBJECT: **ITEM 6 - PROPOSED TRANSFER OF LAND NISQUALLY LAND TRUST OHOP VALLEY, PIERCE COUNTY**

The Department of Fish and Wildlife has received a request to transfer ownership of 40 acres of land to the Nisqually Land Trust, a nonprofit organization that owns land in the Nisqually River watershed for fish and wildlife habitat. The parcel is an in-holding within a 255-acre area owned by the land trust. The transfer would require that the land be managed in perpetuity for habitat and for public use that is consistent with fish and wildlife needs.

The Nisqually Land Trust, which currently owns 1,700 acres in the Nisqually watershed, is working with the U.S. Fish and Wildlife Service, the Pierce County Conservation District, the Nisqually Indian Tribe, the Citizens for the Restoration of Ohop Valley, and the South Puget Sound Salmon Enhancement Group under a restoration grant from the Salmon Recovery Funding Board to restore Ohop Creek's natural meander and in-stream habitat diversity to benefit five species of salmon, including threatened Chinook and steelhead as well as pink and coho salmon and cutthroat trout. This phase of the $10 million restoration project will restore the creek on the WDFW parcel and areas upstream. Future phases will continue the restoration further upstream as well as downstream to the Nisqually River.

WDFW received the 40-acre parcel in 1990 at no cost from the U.S. Fish and Wildlife Service as a result of a farm foreclosure. The terms of that transfer required the land to be managed in perpetuity for habitat and retained a reversionary interest to the U.S. Fish and Wildlife Service. Currently, this property is a very challenging site for WDFW to operate and maintain as it is isolated from other WDFW properties and has no legal access.

The Department has considered the Nisqually Land Trust's request and has determined that the proposal is beneficial to the Department. This is an opportunity to assist in a federal-state-local partnership with immediate and long-term benefits for fish and wildlife, and it relieves WDFW's land management burden. The Department believes that both the restoration project and long-term management of the land will be much more efficient and effective under one consolidated ownership.

The Department recommends the Commission approve the transfer of this 40-acre parcel of land with conservation restrictions to the Nisqually Land Trust.