

A. LAND TRANSACTION

August 26, 2022

T A B L E O F C O N T E N T S

Proposed Surplus and Disposal of 7+ - acres in Thurston County, Region 6

- Summary Sheet
- Attachment 1 – Map
- Attachment 2 - Structure Photos
- Attachment 3 - 77.12.210, RCW 77.12.220



Fish and Wildlife Commission Briefing Summary Sheet

Meeting date:

8/26/2022

Agenda item:

A. Land Transaction

Author(s):

Karen Edwards – Real Estate Manager

Background summary:

Proposed Surplus and Disposal of 7+ - acres in Thurston County, Region 6

This proposal is to declare a 7±-acre parcel surplus and dispose of it by one of two methods:

- 1) a conveyance determined to be in the public interest; or
- 2) a conveyance through public auction.

On February 19, 2021, WDFW acquired approximately 112 acres in Thurston County for the protection of critical habitat for the Oregon spotted frog, a Washington state endangered and federally threatened species. The property was approved through Lands 20/20 in 2018, by the Commission in October 2020, and purchased at the appraised value of \$610,000 using a Washington Wildlife and Recreation Program Critical Habitat grant from the Recreation and Conservation Office.

The property consists of three tax parcels. One of these parcels, totaling approximately 7 acres, includes significant infrastructure: a home, large barn, several agricultural outbuildings, and related impervious surface. WDFW does not have a conservation or recreation interest in this parcel, but its purchase was required in order to secure a willing seller arrangement for the other two parcels of conservation value. Our current grant agreement requires us to demolish these structures (at an estimated cost of at least \$250,000) or the option to dispose of them and the associated 7± acres. We prefer to dispose of this property for several reasons, including the historic value and local community interest in retaining the structures.

The disposal of this 7±-acre property in the public interest would be at the appraised value, currently \$375,000. The disposal through public auction would have a minimum bid of that same appraised value, which is now \$25,000 above the appraised value at the time of purchase. In either instance, the proceeds of a minimum of \$25,000 will be deposited in the state fish, wildlife and conservation account per [RCW 77.12.170\(3\)\(b\)](#).

The remaining 105 acres of conservation land will be retained for its original intended purpose as Oregon spotted frog critical habitat. Disposal of this 7±-acre property will not adversely affect the remaining 105 acres of Oregon spotted frog critical habitat land and does not contribute to its conservation values.

Staff Recommendation:

Staff recommend approval of this land transaction as proposed.

Policy issue(s) and expected outcome:

Better use of state funding for investment in habitat conservation land instead of demolition costs.

Fiscal impacts of agency implementation:

Disposing of this property will save hundreds of thousands of dollars in state funding on demolition costs, and deposit funds into the state fish, wildlife, and conservation account.

Action requested and/or proposed next steps:

Commission approval to determine this 7±-acre property cannot be used advantageously by the department under [RCW 77.12.210](#), authorize the sale of the property under [RCW 77.12.210](#), and delegate authority to the Director to sell the property by methods established under [RCW 77.12.220](#), the direct sale of the property if consistent with public interest, or [RCW 77.12.210](#), the sale of the property to the highest bidder at public auction.

Draft motion language:

Motion: I move to approve the land transaction as presented by staff.

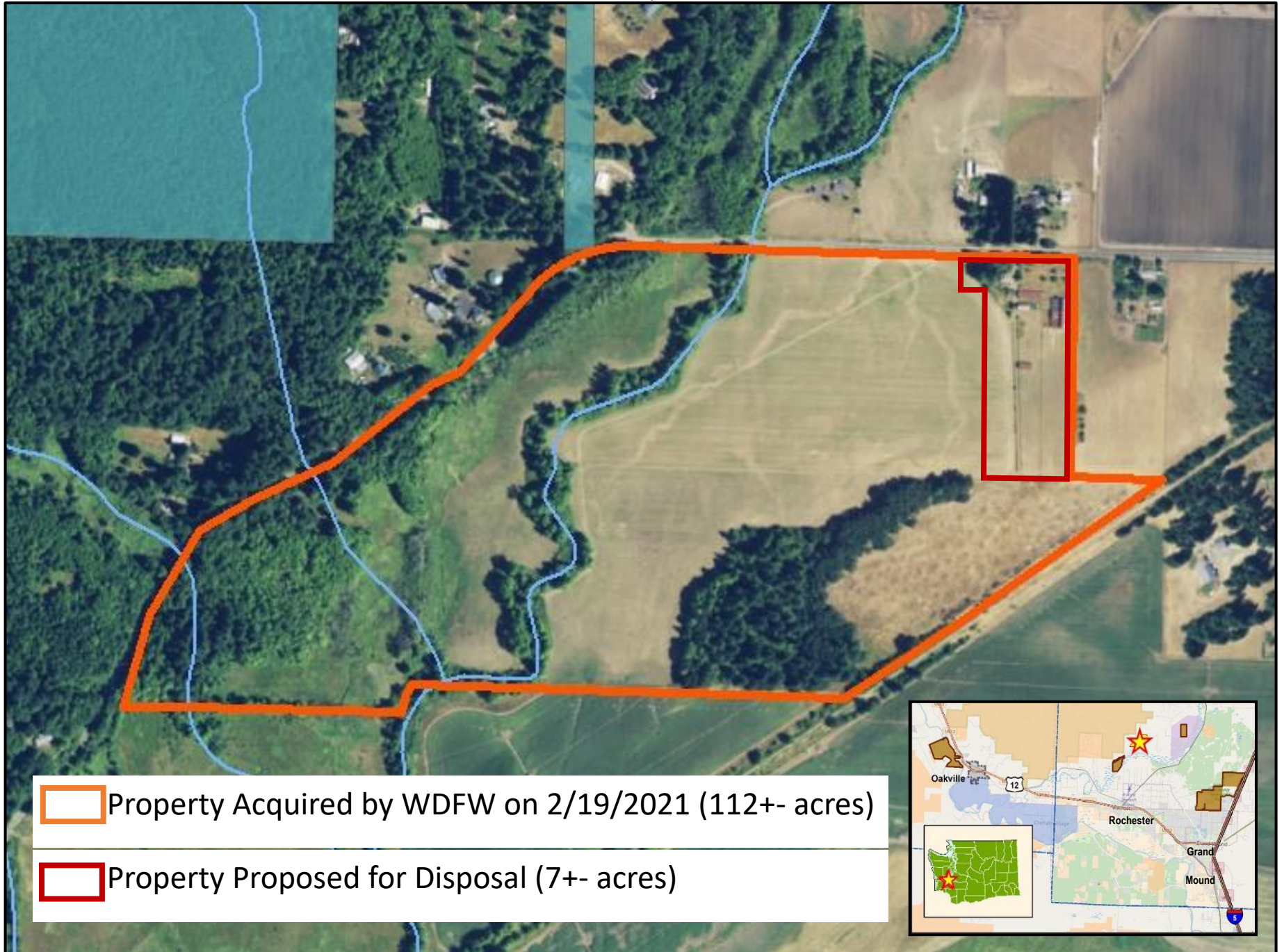
Is there a "second"?

If so, then motion maker discusses basis for motion; other Commissioners discuss views on motion; amendments, if any, proposed and addressed.

Post decision communications plan:

WDFW will distribute a press release informing the public of this action.

Map



Pictures of structures



Home



Detached Garage



Pump House



Barn



Ag Bldg #1



Ag Bldg #2



Ag Bldg #3

RCW [77.12.210](#)

Department property—Management, sale.

The director shall maintain and manage real or personal property owned, leased, or held by the department and shall control the construction of buildings, structures, and improvements in or on the property. The director may adopt rules for the operation and maintenance of the property.

The commission may authorize the director to sell, lease, convey, or grant concessions upon real or personal property under the control of the department. This includes the authority to sell timber, gravel, sand, and other materials or products from real property held by the department, and to sell or lease the department's real or personal property or grant concessions or rights-of-way for roads or utilities in the property. Oil and gas resources owned by the state which lie below lands owned, leased, or held by the department shall be offered for lease by the commissioner of public lands pursuant to chapter [79.14](#) RCW with the proceeds being deposited in the fish, wildlife, and conservation account created in RCW [77.12.170](#)(3): PROVIDED, That the commissioner of public lands shall condition such leases at the request of the department to protect wildlife and its habitat.

If the commission determines that real or personal property held by the department cannot be used advantageously by the department, the director may dispose of that property if it is in the public interest.

If the state acquired real property with use limited to specific purposes, the director may negotiate terms for the return of the property to the donor or grantor. Other real property shall be sold to the highest bidder at public auction. After appraisal, notice of the auction shall be published at least once a week for two successive weeks in a newspaper of general circulation within the county where the property is located at least twenty days prior to sale.

Proceeds from the sales shall be deposited in the fish, wildlife, and conservation account created in RCW [77.12.170](#)(3).

[[2020 c 148 § 9](#); [2009 c 333 § 33](#); [2000 c 107 § 218](#); [1987 c 506 § 30](#); [1980 c 78 § 38](#); [1969 ex.s. c 73 § 1](#); [1955 c 36 § 77.12.210](#). Prior: [1947 c 275 § 30](#); Rem. Supp. 1947 § 5992-40.]

RCW [77.12.220](#)

Acquisition or transfer of property.

For purposes of this title, the commission may make agreements to obtain real or personal property or to transfer or convey property held by the state to the United States or its agencies or

instrumentalities, units of local government of this state, public service companies, or other persons, if in the judgment of the commission and the attorney general the transfer and conveyance is consistent with public interest. For purposes of this section, "local government" means any city, town, county, special district, municipal corporation, or quasi-municipal corporation.

If the commission agrees to a transfer or conveyance under this section or to a sale or return of real property under RCW [77.12.210](#), the director shall certify, with the attorney general, to the governor that the agreement has been made. The certification shall describe the real property. The governor then may execute and the secretary of state attest and deliver to the appropriate entity or person the instrument necessary to fulfill the agreement.

[[2000 c 107 § 219](#); [1987 c 506 § 31](#); [1980 c 78 § 39](#); [1955 c 36 § 77.12.220](#). Prior: [1949 c 205 § 3](#); [1947 c 275 § 31](#); Rem. Supp. 1949 § 5992-41.]