

PROPOSED LAND TRANSACTIONS

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Summary

Meeting dates: June 7 & 8, 2013

Agenda item: PROPOSED LAND TRANSACTIONS

Presenter(s): Dan Budd

Background summary:

The Department is recommending the following actions:

- Item 1 – Proposed Conservation Easement on 487 acres in Okanogan County
 - Item 2 – Proposed Acquisition of 4 acres in Mason County
 - Item 3 – Proposed Renewal of Pipeline Right of Way in Grant County
 - Item 4 – Proposed Easement for a Hatchery in King County
 - Item 5 – Proposed Easement for a Fish Bypass Pipe in Yakima County
 - Item 6 – Proposed Correction to a Transaction in Okanogan County
-

Policy issue(s) you are bringing to the Commission for consideration:

Protecting critical fish and wildlife habitat, improving fish passage, and providing public recreational opportunity.

Public involvement process used and what you learned:

Item 1 – This project is being funded by a grant from the US Fish and Wildlife Service Section 6 Program which involves a national competition. This project was approved through the Department's Lands 20/20 process and project information was shared with the Okanogan County Commission and county conservation organizations.

Item 2 – This project is being funded by a grant from the Washington Wildlife and Recreation Program, which involves a public review and evaluation process and a state budget appropriation. The Department's Lands 20/20 process was used and project information was shared with county commissioners and conservation organizations. This has strong local and regional support.

Item 3 – This is a renewal and continuation of a right of way that has been in place for 50 years.

Item 4 – This action is an effort to improve fish passage in Tokul Creek.

Item 5 – This action is part of a larger effort with local landowners, the South Naches Irrigation District, and the Yakama Nation to achieve fish screen compliance.

Item 6 – This is a technical correction to a transaction previously approved by the Fish and Wildlife Commission.

Action requested:

Approval of the proposed land transactions as presented.

Draft motion language:

Move to approve the proposed land transactions as presented.

Justification for Commission action:

This action will provide protection for critical fish and wildlife habitat, improve fish passage, and provide public recreational opportunity.

Communications Plan:

WDFW will provide a press release informing the public of this action and proceed forward to closing these transactions.

**Budget Detail for June 7 & 8, 2013 Fish and Wildlife Commission Meeting
Land Acquisition Agenda Item**

Item	Acres	Purchase Price	Project Name	*Fund Source	Approp. Authority	Approp. Balance	Original Grant Amount	Pre Action Grant Balance	**Post Action Grant Balance
Long Conservation Easement	487.00	\$ 320,000.00	Okanogan-Similkameen Watershed Phase 3	USFWS - HCP	Q53	\$ 12,695,118.00	\$ 1,500,000.00	\$ 1,448,572.00	\$ 1,128,572.00
Kumlue	4.00	\$ 242,600	Lynch Cove Estuary	RCO-WWRP	Z41	\$ -	\$ 1,406,265.00	\$ 1,040,456.00	\$ 797,856.00
Weyerhaeuser Easement	12.10	\$ 1,500	Tokul Creek Hatchery Rebuild Intake	Job Now Act	K17	\$ 6,786,430.00	\$ 3,700,000.00	\$ 3,558,750.00	\$ 3,557,250.00
Maltais Correction	8.22	\$ 56,000	Methow Watershed Phase 7	USFWS - HCP	Q53	\$ 12,695,118.00	\$ 4,500,000.00	\$ 2,354,524.00	\$ 2,298,524.00

USFWS - HCP = US Fish & Wildlife Service Section 6 Habitat Conservation Plan

RCO-WWRP = Recreation Conservation Office - Washington Wildlife Recreation Program

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

June 7, 2013

TO: Philip Anderson
Director

FROM: Dan Budd
Real Estate Manager

SUBJECT: **ITEM 1: PROPOSED CONSERVATION EASEMENT
VONDA LONG PROPERTY
SCOTCH CREEK WILDLIFE AREA, OKANOGAN COUNTY**

The Department of Fish and Wildlife (WDFW) has secured an option to purchase a conservation easement on approximately 487 acres from Vonda Long. This conservation easement acquisition is part of the Okanogan – Similkameen watershed project, which was evaluated and approved through the Lands 20/20 process. The purpose of the project is to enhance riparian, shrub-steppe and big game habitat management opportunities. This project is being funded by grants from the U.S. Fish and Wildlife Service under the Section 6 program and from the Washington Wildlife and Recreation Program. Authority for this acquisition is provided by the capital budget.

This property is located in Okanogan County, approximately 2 miles southeast of Conconully and adjacent to WDFW's Scotch Creek Wildlife Area. The property is primarily natural grasses and shrub-steppe habitat, which provide habitat for mule deer and sharp-tailed grouse. The Scotch Creek Wildlife Area is critical to the recovery of Sharp-tailed grouse populations. Sharp-tailed grouse most likely would have been extirpated in the Scotch Creek Basin if it hadn't been for the protection and enhancement of habitat, and the supplementation of birds from Idaho. The conservation easement will prevent subdivision and development of the property. Conservation easements such as this protect critical habitat for sharp-tailed grouse and lessens the need for further federal action.

The property will be managed within the Wildlife Program by Jim Olson as part of the Scotch Creek Wildlife Area. Because this is a conservation easement, there is no PILT due or operation and maintenance costs. However, monitoring costs are estimated at \$750 annually. Funding will be provided from the existing wildlife area budget.

The Department has secured an option to purchase this conservation easement at the reviewed and approved appraised value of:

487 acres for \$320,000

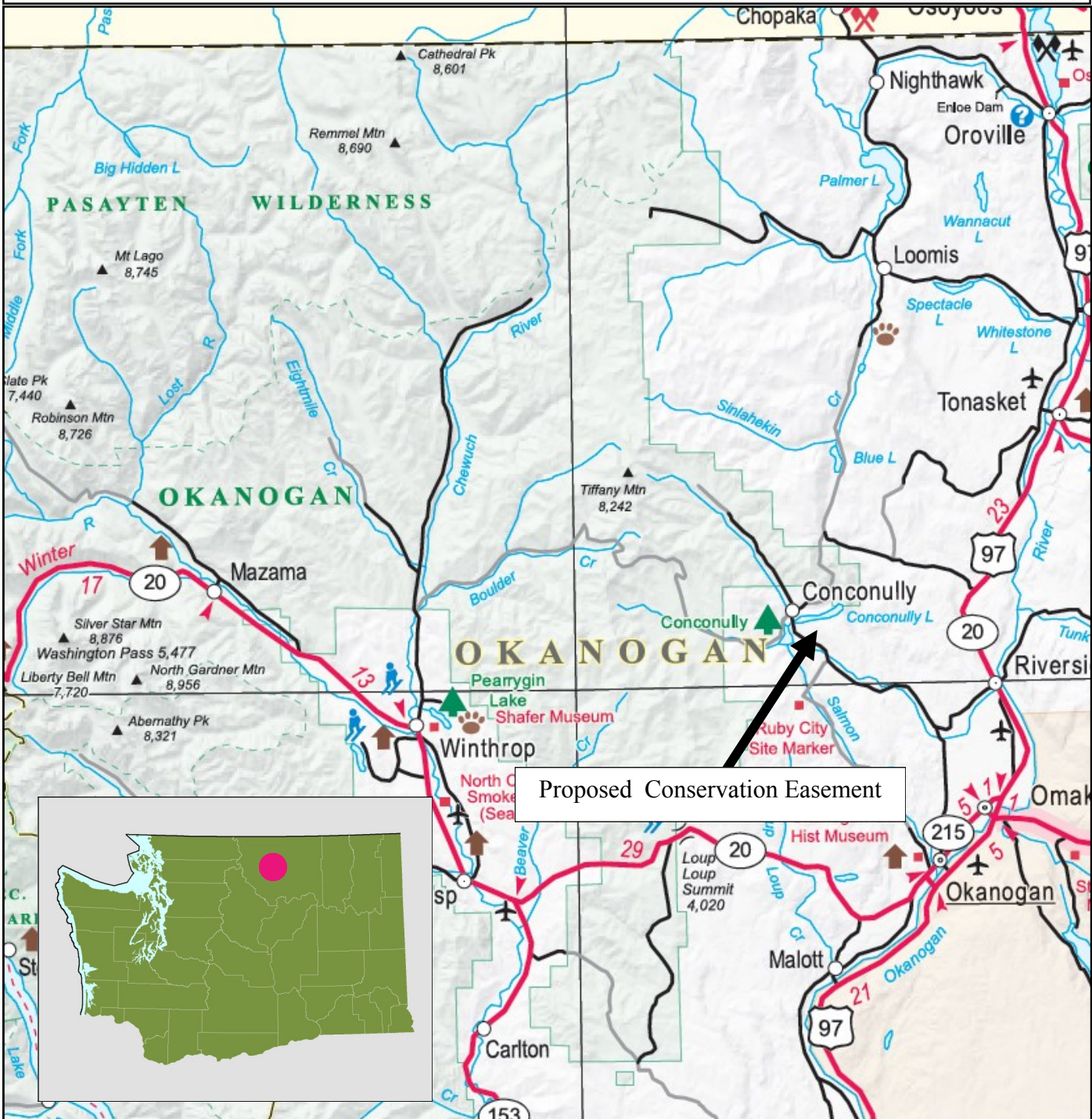
The Department recommends the Commission approve the acquisition of the 487-acre Long Conservation Easement for the appraised value of \$320,000.

**ITEM 1: PROPOSED CONSERVATION EASEMENT
VONDA LONG PROPERTY**

COUNTY: OKANOGAN COUNTY

LEGAL: SECTIONS 4, 5 & 9, TOWNSHIP 35 N, RANGE 25 E, W.M.

ACRES: 487

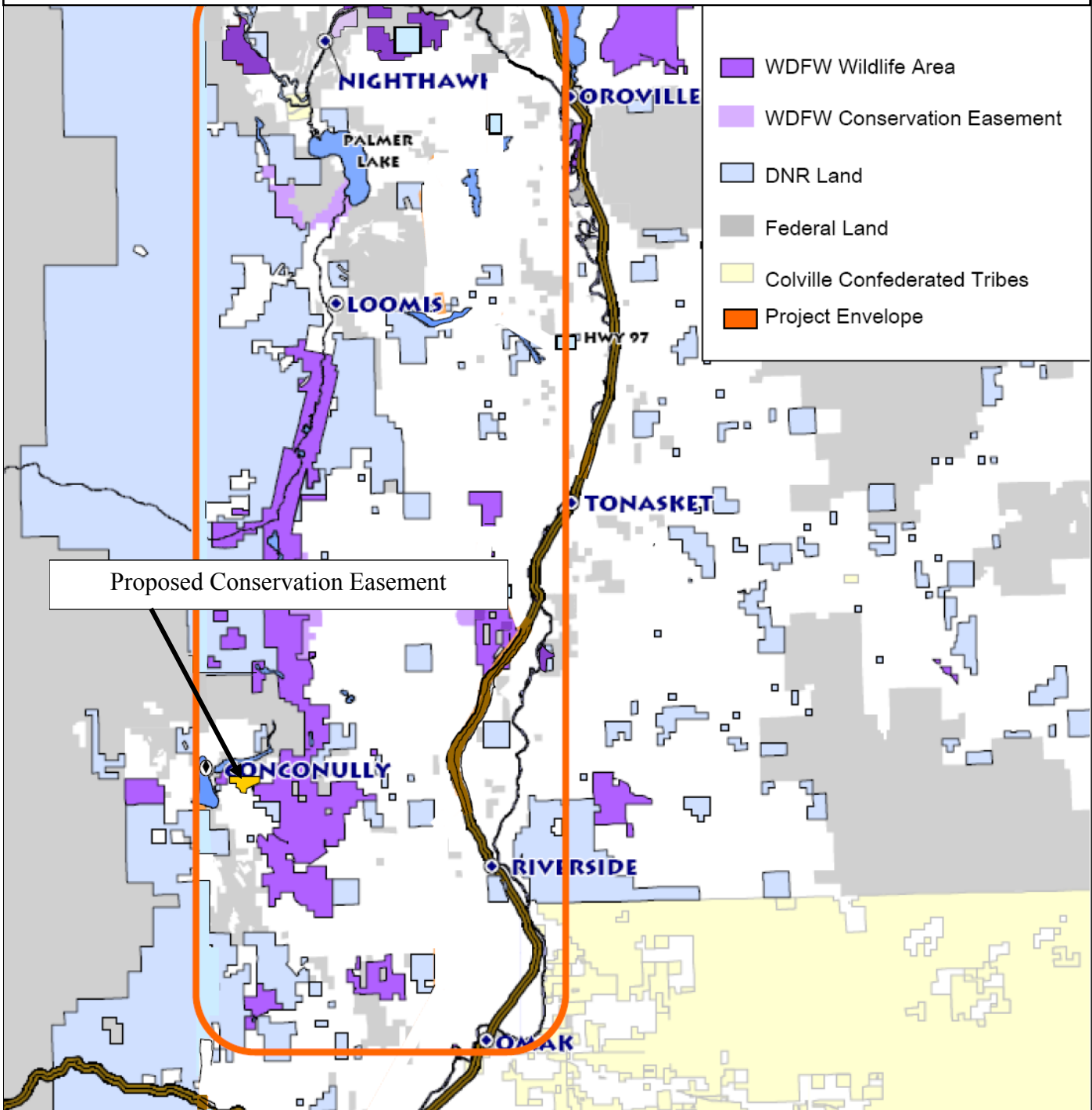


**ITEM 1: PROPOSED CONSERVATION EASEMENT
VONDA LONG PROPERTY**

COUNTY: OKANOGAN COUNTY

LEGAL: SECTIONS 4, 5 & 9, TOWNSHIP 35 N, RANGE 25 E, W.M.

ACRES: 487

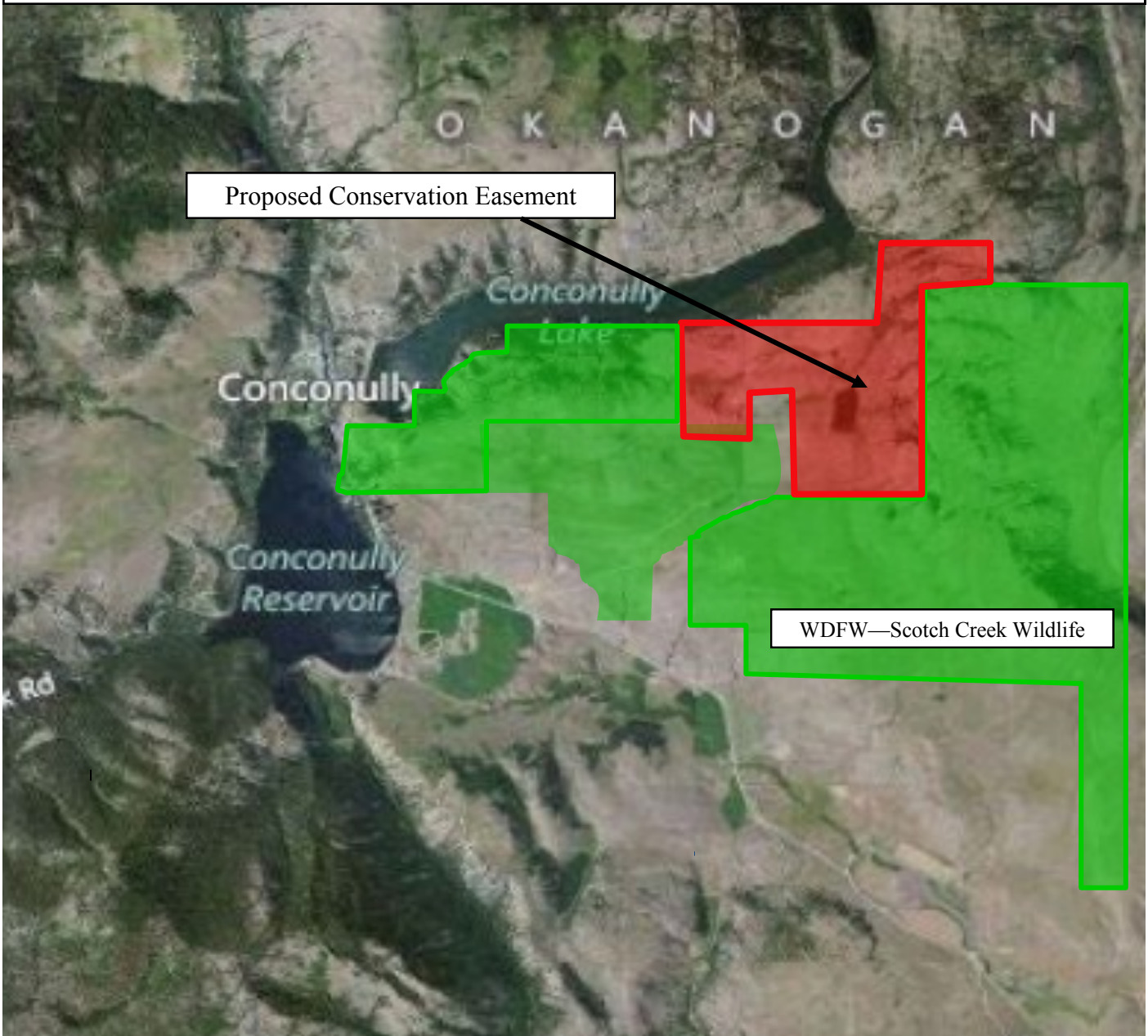


**ITEM 1: PROPOSED CONSERVATION EASEMENT
 VONDA LONG PROPERTY**

COUNTY: OKANOGAN COUNTY

LEGAL: SECTIONS 4, 5 & 9, TOWNSHIP 35 N, RANGE 25 E, W.M.

ACRES: 487



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

June 7, 2013

TO: Philip Anderson
Director

FROM: Dan Budd
Real Estate Manager

**SUBJECT: ITEM 2: PROPOSED ACQUISITION OF THE KUMLUE PROPERTY,
UNION RIVER UNIT, SOUTH PUGET SOUND WILDLIFE AREA,
MASON COUNTY.**

The Department of Fish and Wildlife (WDFW) has secured an option to purchase approximately 4 acres of lowlands and tidelands in Lynch Cove. This acquisition is part of the Lynch Cove project which was evaluated and approved through the Lands 20/20 process. The purpose of the project is to provide a migratory pathway for juvenile summer chum and Chinook and valuable habitat for shellfish, shorebirds, waterfowl, and other marine resources in Hood Canal. This project will be jointly funded by a U.S. Fish and Wildlife Service National Coastal Wetland grant and a Washington Wildlife and Recreation Program grant. Authority for this acquisition is provided in the capital budget.

This property is located in Mason County, on State Route 3, just south of Belfair and is integral to a large, public land protection complex that includes additional lands owned by WDFW, two land trusts, State Parks, and the local school district, protecting most of the cove.. The majority of the property is low lying area covered with alder and blackberry bushes and salt marsh that covers with water during high tides. A small area, approximately 2/3rds of an acre adjacent to the highway, is an in-filled area with a modest restaurant and unpaved parking area. This acquisition and protection of these properties is an action item for the Puget Sound Chinook and Summer Chum recovery plans and also provides important waterfowl hunting access.

The property will be managed within the Wildlife Program by Jim Gerchak as part of the Union River Unit, South Puget Sound 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 secured an option to purchase this property at the reviewed and approved appraised value of:

\$242,600 for approximately 4 acres

The Department recommends the Commission approve the acquisition of the 4-acre Kumlue property for the appraised value of \$242,600.

**ITEM 2: PROPOSED ACQUISITION
KUMLUE PROPERTY**

COUNTY: MASON COUNTY

LEGAL: SECTION 32, T23N, R1W, W.M.

ACRES: 4

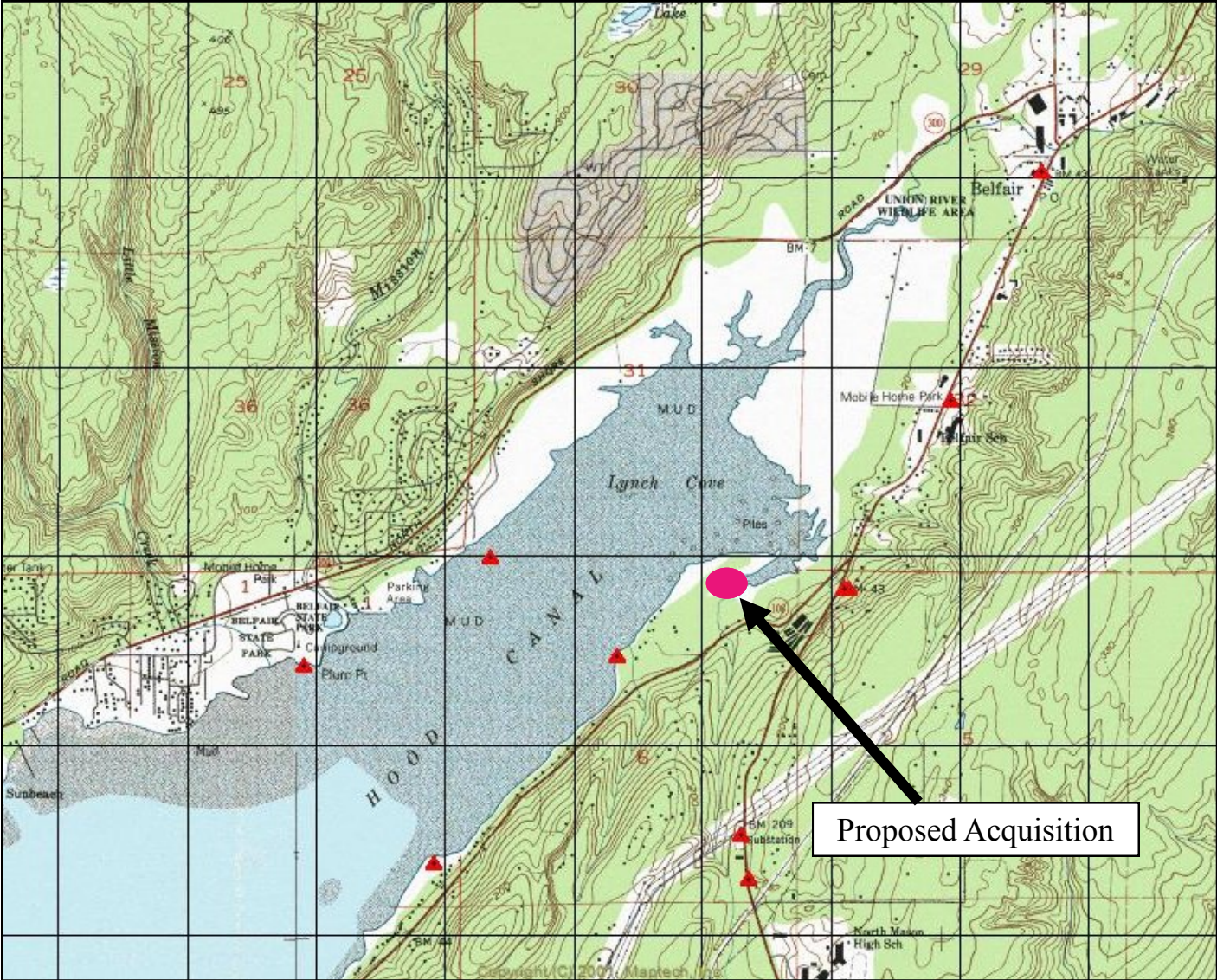


**ITEM 2: PROPOSED ACQUISITION
 KUMLUE PROPERTY**

COUNTY: MASON COUNTY

LEGAL: SECTION 32, T23N, R1W, W.M.

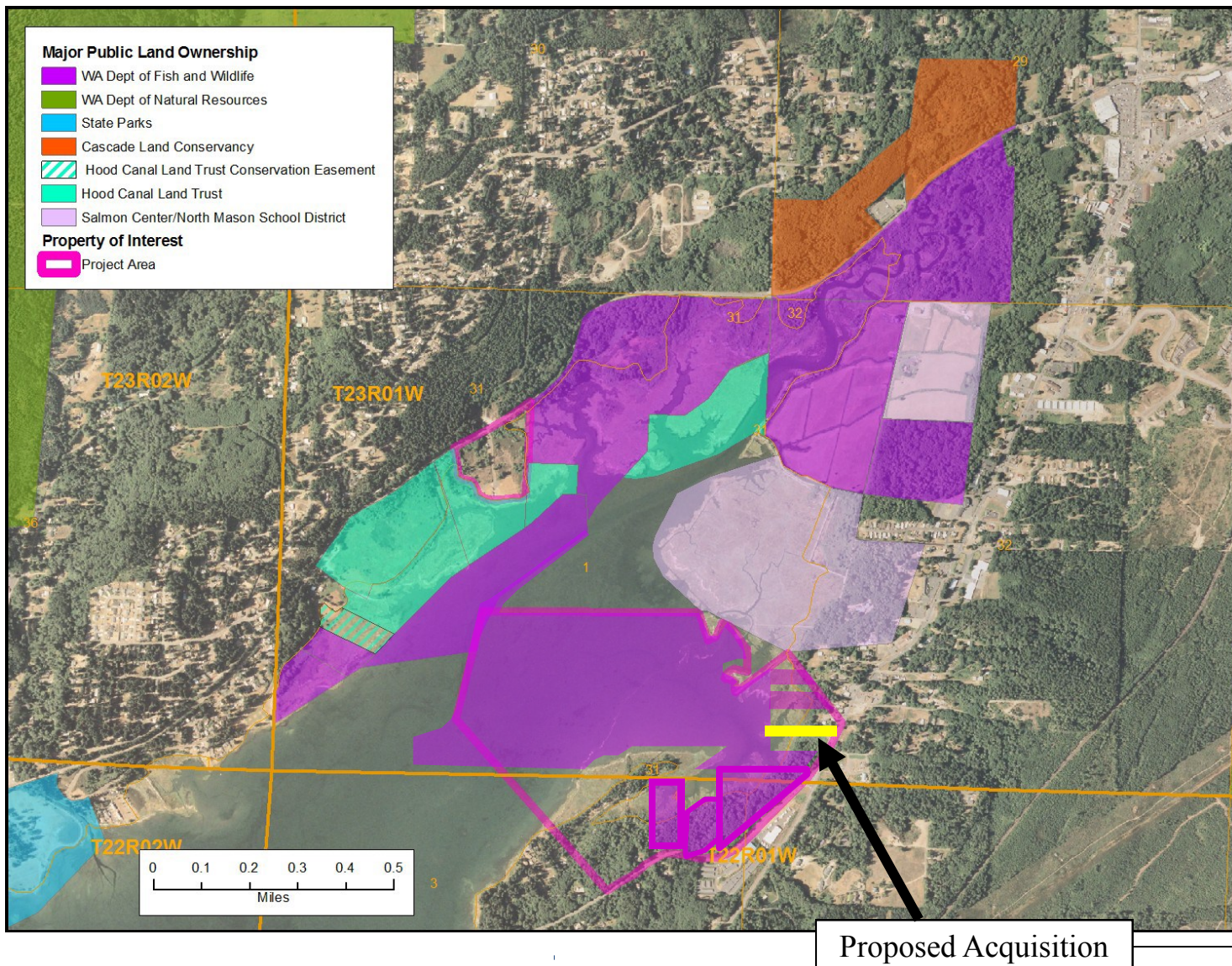
ACRES: 4



**ITEM 2: PROPOSED ACQUISITION,
KUMLUE PROPERTY**

COUNTY: MASON COUNTY

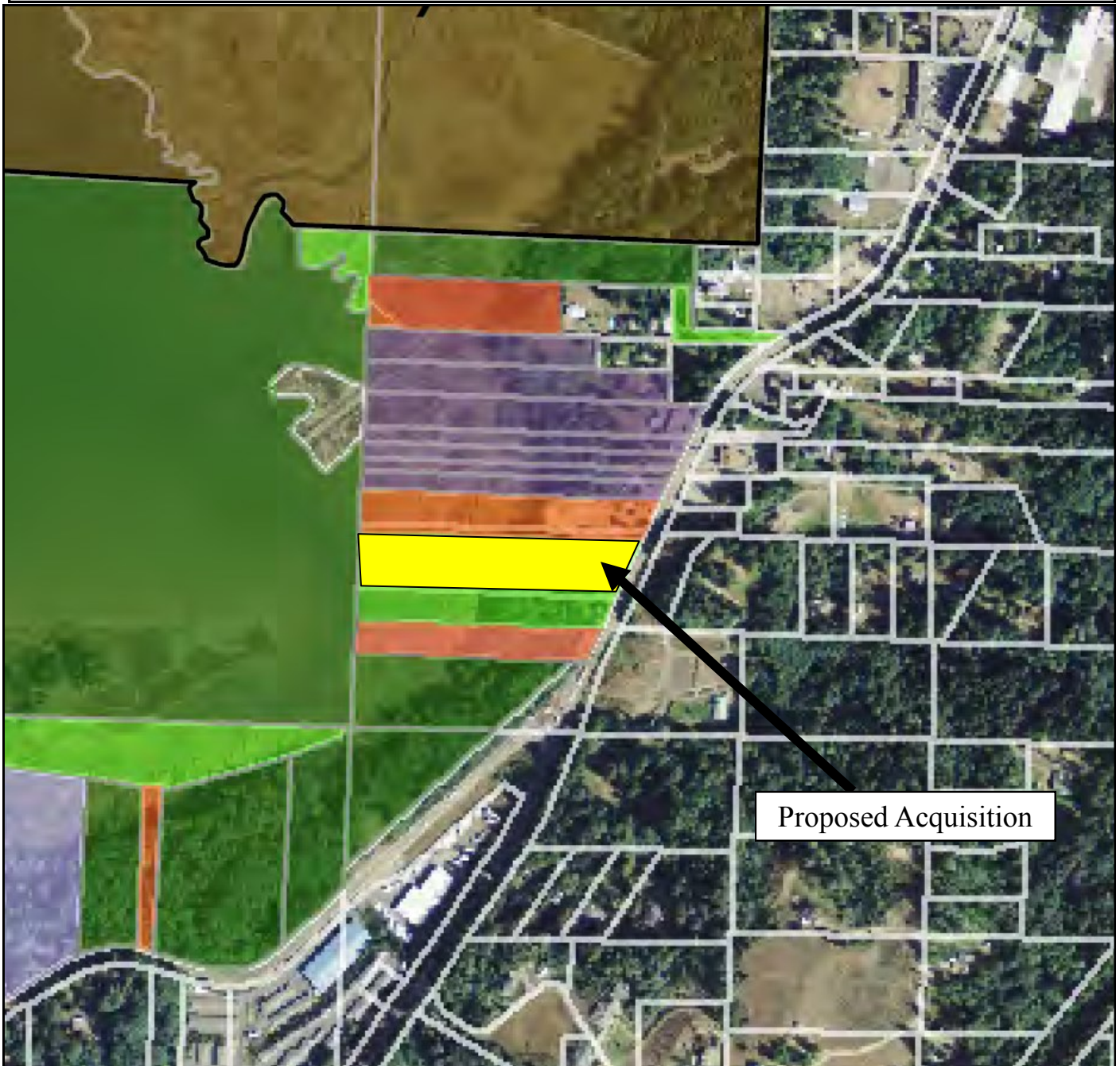
LEGAL: SECTION 32, T23N, R1W, W.M.



**ITEM 2: PROPOSED ACQUISITION,
 KUMLUE PROPERTY**

COUNTY: MASON COUNTY

LEGAL: SECTION 32, T23N, R1W, W.M.



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

June 7, 2013

TO: Philip Anderson
Director

FROM: Dan Budd
Real Estate Manager

**SUBJECT: ITEM 3: PROPOSED RENEWAL OF PIPELINE RIGHT OF WAY,
YELLOWSTONE PIPELINE COMPANY, COLUMBIA BASIN FISH
HATCHERY, GRANT COUNTY**

The Department of Fish and Wildlife (WDFW) has received a request from the Yellowstone Pipe Line Company to renew its long-standing right of way across the Columbia Basin Fish Hatchery property in Grant County. This pipeline has been in place since 1962 under a right of way granted by the Department of Game. Similarly, the proposed renewal will be for fifty years and will be limited to operation, maintenance and repair of a pipeline for gas and oil. In addition, this renewal incorporates the cathodic protection area amended into the right of way in 1972 and adds new liability and commercial general liability insurance requirements (\$5M per occurrence/\$10M aggregate).

The 100-foot-wide right-of-way, which amounts to approximately 7.4 acres, is situated on WDFW's 160-acre hatchery property on Road K NE in Moses Lake. The pipeline is underground and runs east-west along the county road at the northern boundary of the property. The underground cathodic protection cables run 590 feet southeasterly into the property.

Yellowstone has offered the appraised value of \$12,300 for the renewal. Department staff has evaluated the request and recommends its approval.

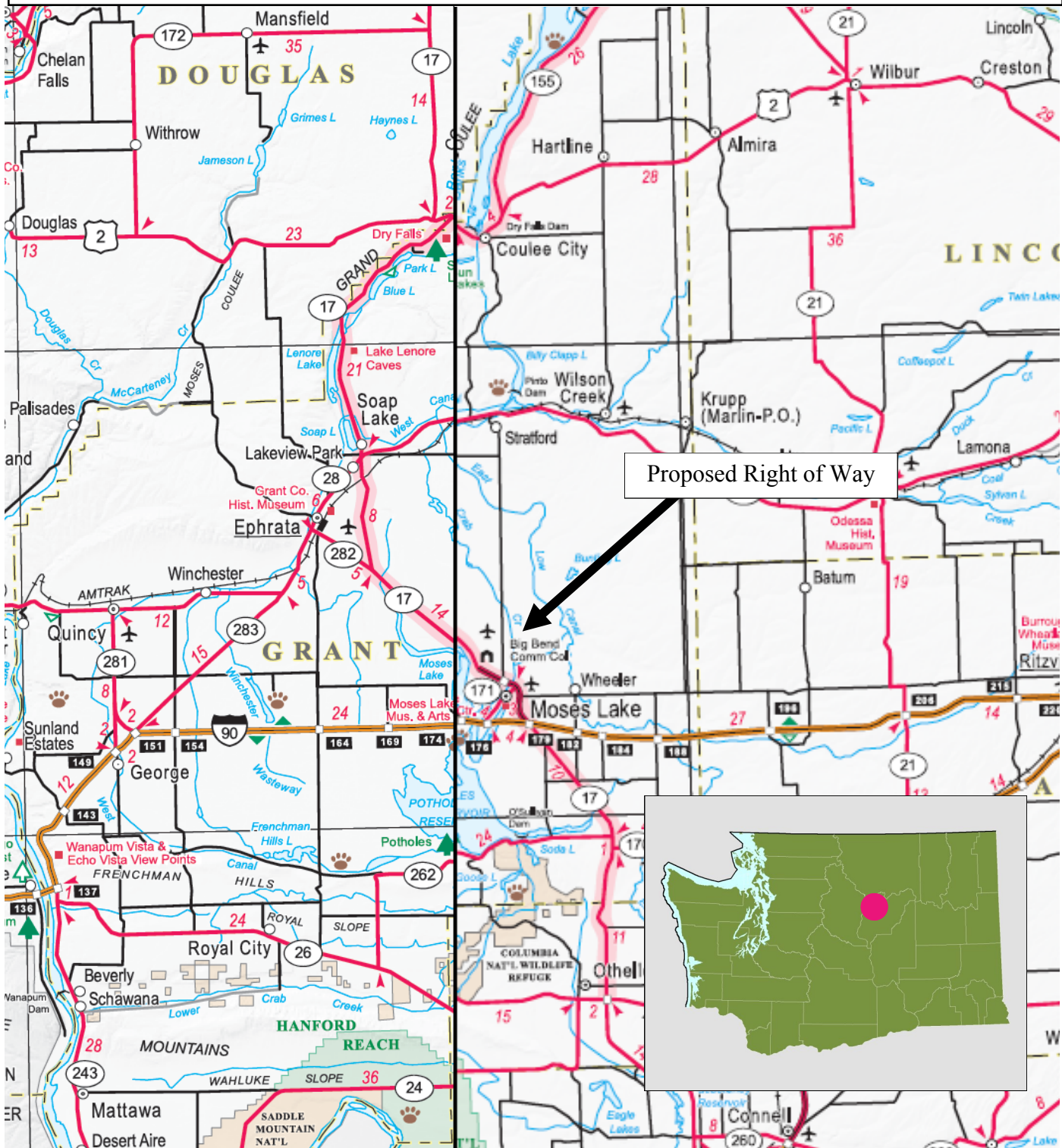
The Department recommends the Commission approve the renewal of the Yellowstone Pipe Line Right of Way for the appraised value of \$12,300.

**ITEM 3: PROPOSED RENEWAL OF RIGHT OF WAY
YELLOWSTONE PIPELINE**

COUNTY: GRANT COUNTY

LEGAL: SECTION 36, TOWNSHIP 20 N, RANGE 28 E, W.M.

ACRES: 7.4



**ITEM 3: PROPOSED RENEWAL OF RIGHT OF WAY
YELLOWSTONE PIPELINE**

COUNTY: GRANT COUNTY

LEGAL: SECTION 36, TOWNSHIP 20 N, RANGE 28 E, W.M.

ACRES: 7.4

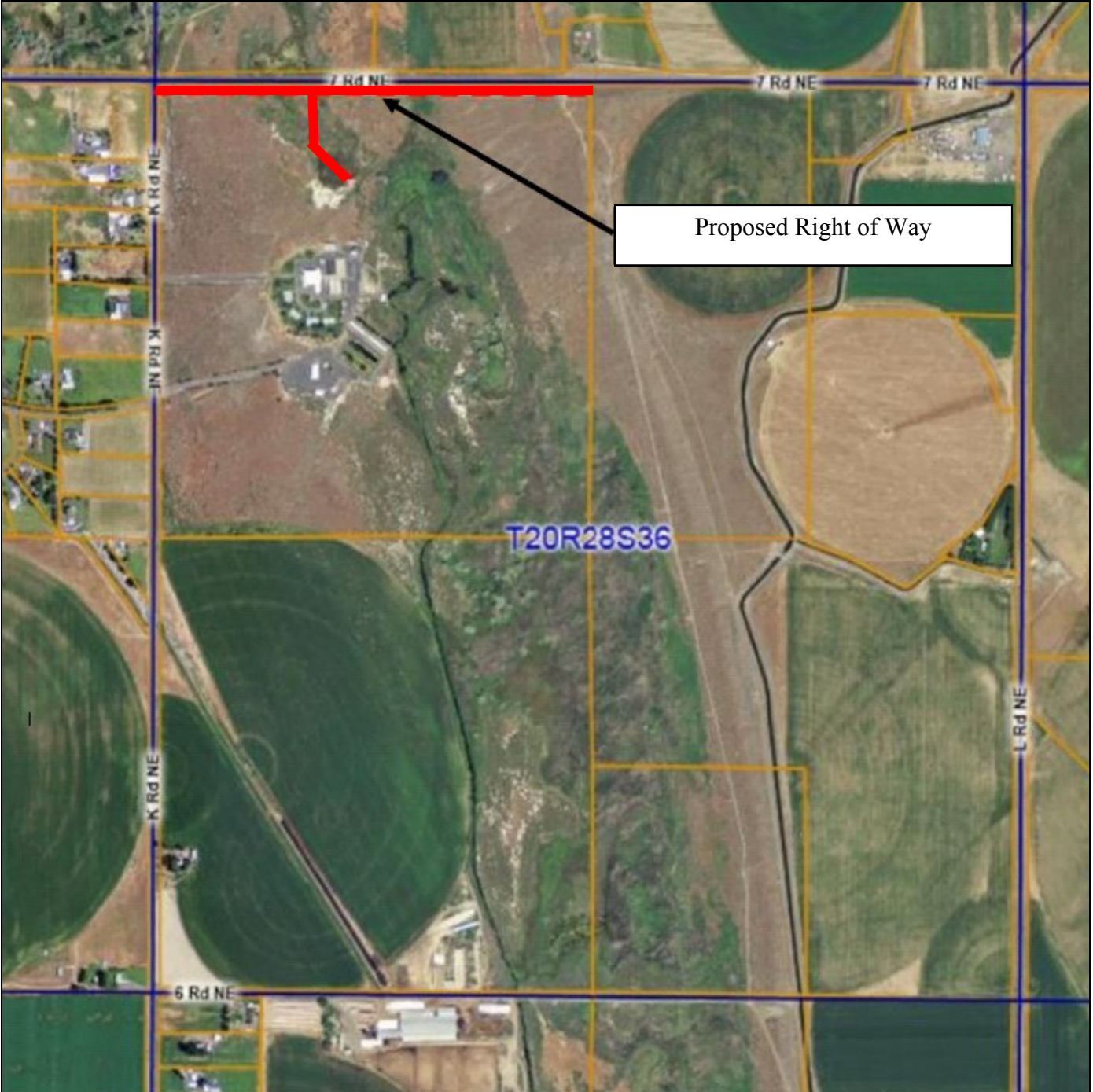


**ITEM 3: PROPOSED RENEWAL OF RIGHT OF WAY
YELLOWSTONE PIPELINE**

COUNTY: GRANT COUNTY

LEGAL: SECTION 36, TOWNSHIP 20 N, RANGE 28 E, W.M.

ACRES: 7.4



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

June 7, 2013

TO: Philip Anderson
Director

FROM: Dan Budd
Real Estate Manager

**SUBJECT: ITEM 4: PROPOSED EASEMENT FROM WEYERHAEUSER
TOKUL CREEK HATCHERY, KING COUNTY**

The Department of Fish and Wildlife (WDFW) is seeking to make improvements at the Tokul Creek Fish Hatchery in central King County that would create fish passage at the hatchery's diversion dam. This is a Jobs Now Act project which would stabilize stream sediments at the diversion dam and bring the intake screening up to current standards while providing all fish passage in Tokul Creek.

The current diversion dam and fish ladder straddle the property line between WDFW's ownership and that of Weyerhaeuser under a permit dating back to 1951. The new construction is a good opportunity to obtain a perpetual easement for the construction site and upstream areas. Weyerhaeuser has offered to the department an easement of approximately thirteen acres for \$1,500, provided that WDFW cover the associated costs of the transaction.

Public interest in keeping the hatchery operational has been high, but the current facilities do not allow for fish passage above the diversion dam. This hatchery was part of the 2003 settlement with the Wild Fish Conservancy in which WDFW agreed to improve fish passage. Finally, with the availability of Jobs Now funding, the department is able to finish permitting and begin construction.

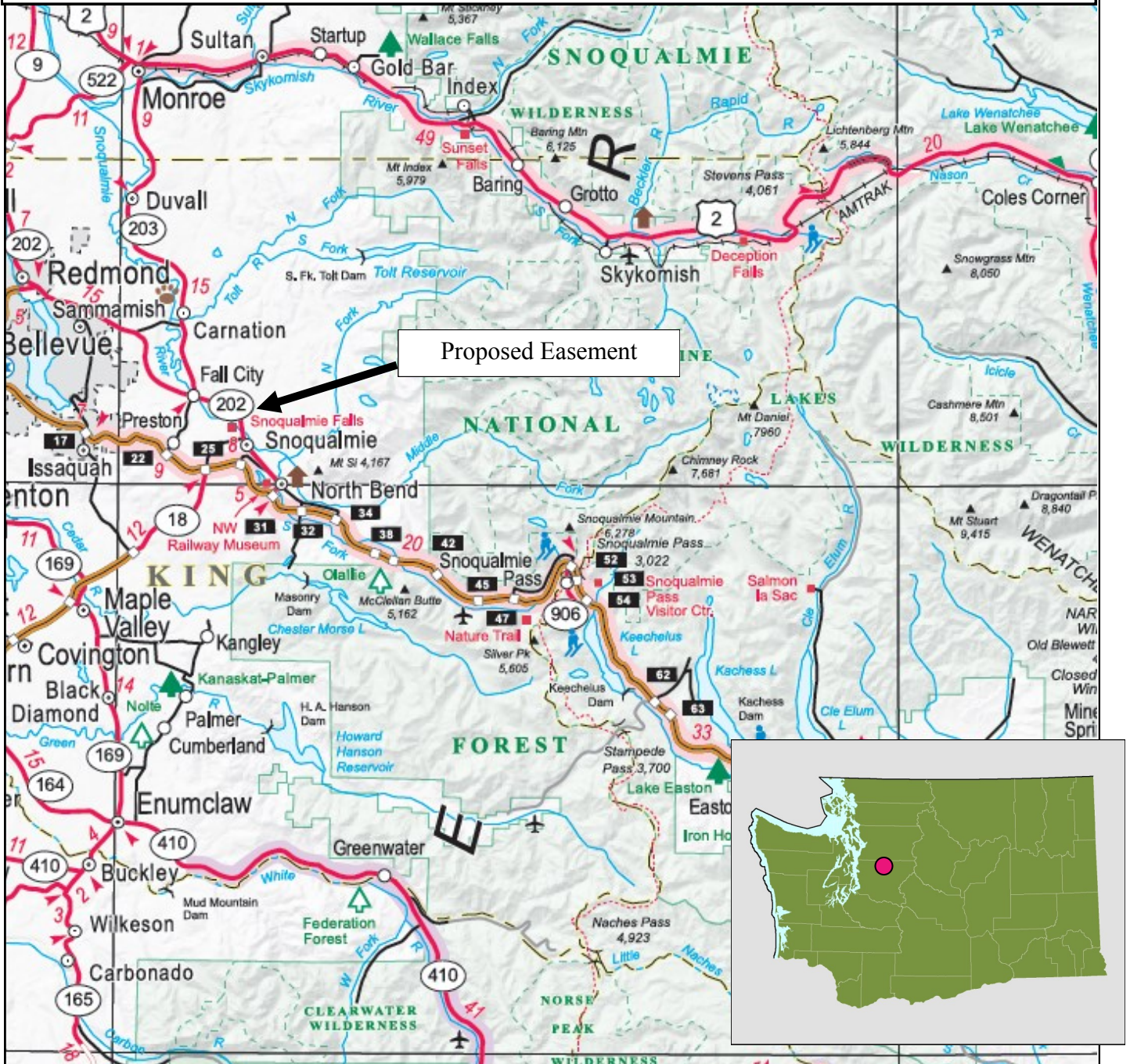
The Department recommends the Commission approve the acquisition of the 12.1-acre Weyerhaeuser easement for \$1,500.

**ITEM 4: PROPOSED EASEMENT
TOKUL CREEK HATCHERY**

COUNTY: KING COUNTY

LEGAL: SECTION 19, TOWNSHIP 24 N, RANGE 8 E, W.M.

ACRES: 12.1

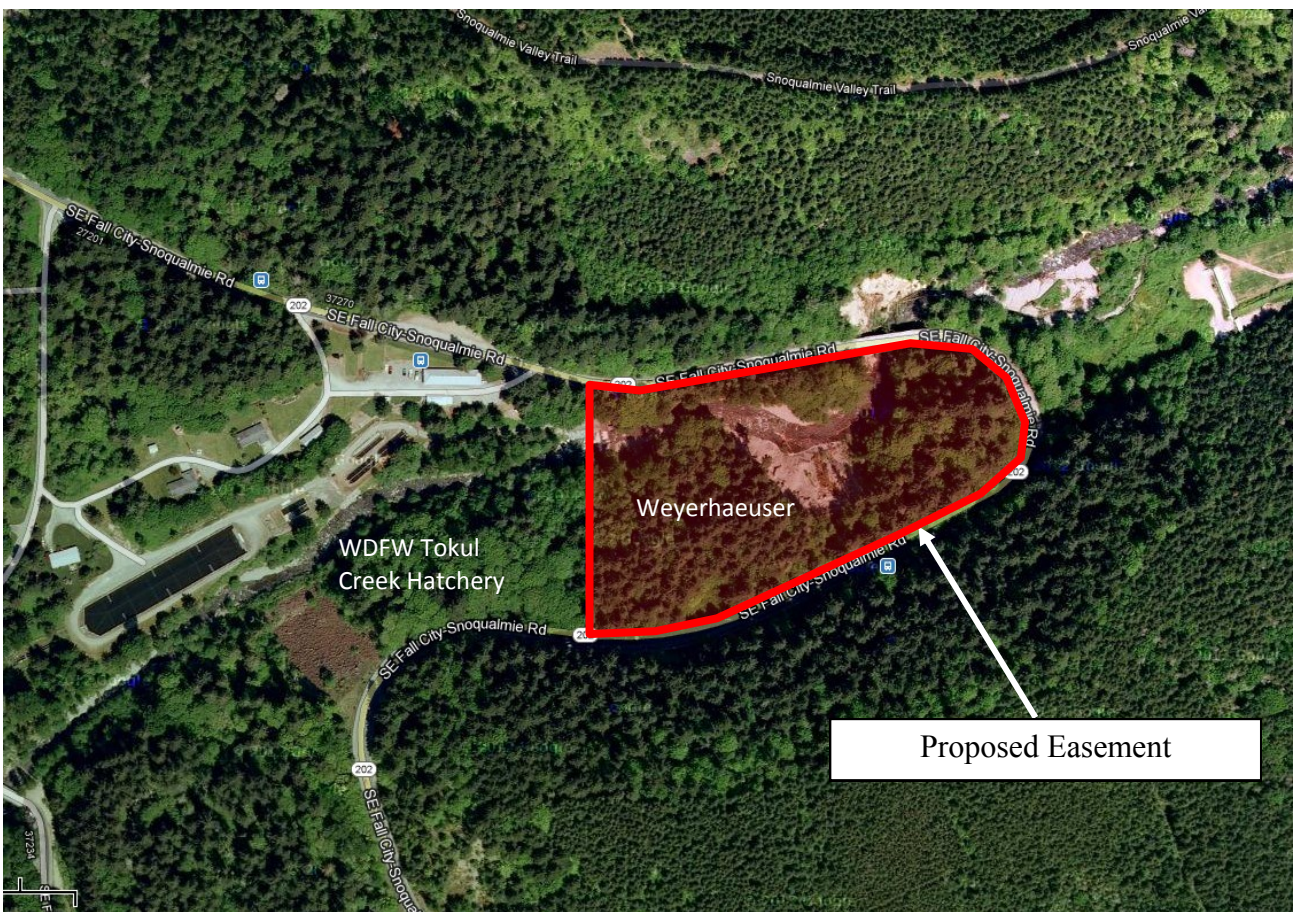


**ITEM 4: PROPOSED EASEMENT
TOKUL CREEK HATCHERY**

COUNTY: KING COUNTY

LEGAL: SECTION 19, TOWNSHIP 24 N, RANGE 8 E, W.M.

ACRES: 12.1

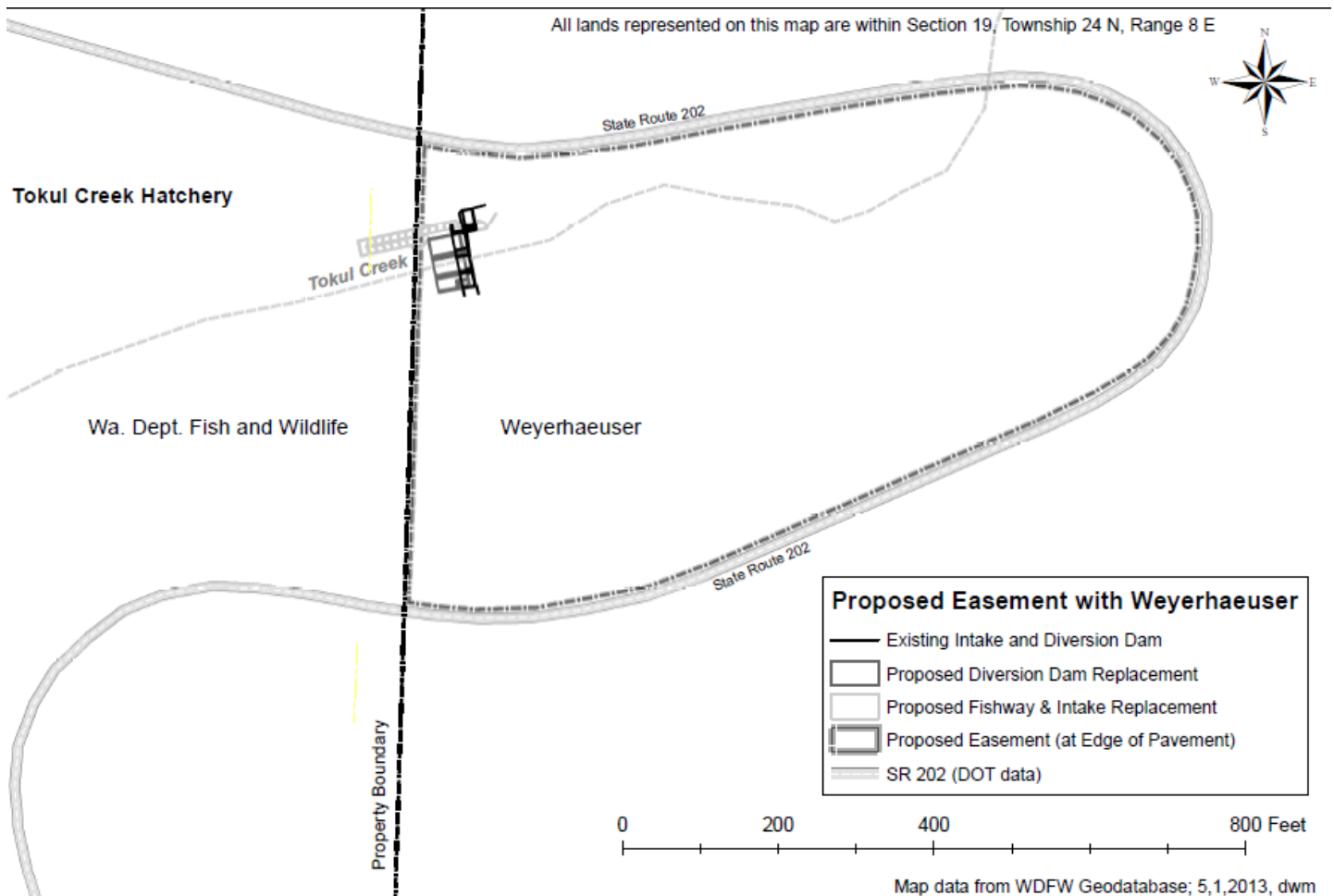


**ITEM 4: PROPOSED EASEMENT
TOKUL CREEK HATCHERY**

COUNTY: KING COUNTY

LEGAL: SECTION 19, TOWNSHIP 24 N, RANGE 8 E, W.M.

ACRES: 12.1



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

June 7, 2013

TO: Philip Anderson
Director

FROM: Dan Budd
Real Estate Manager

**SUBJECT: ITEM 5: PROPOSED EASEMENT FROM PRIVATE LANDOWNER
SCOTT DITCH FISH BYPASS, KITTITAS COUNTY**

The Department of Fish and Wildlife (WDFW) has spent many years working with private landowners, the Bonneville Power Administration, the Yakama Nation, and the South Naches Irrigation District to protect native salmonids, including ESA-listed species, from entrainment into the Scott Ditch near Naches in Yakima County. Scott Ditch receives about one-third of the water from the South Channel of the Naches River. The Naches River and its tributaries are major producers of Chinook, coho, steelhead and bull trout. A five-foot-wide easement across private land – running 76 feet between the Scott Ditch and the South Channel – is necessary for an underground fish bypass pipe. The pipe will allow out-migrating juvenile salmonids to safely return from the Ditch to the Channel. This is a high-priority project because this is the last remaining diversion on the South Naches Channel to be updated to current screening standards to protect salmonids.

This effort has required many partners. The BPA and the Yakama Nation funded necessary WDFW-designed upgrades to the fish screening facility. The Irrigation District will operate and maintain the fish screen and has purchased the bypass pipe easement from the private landowner, Dennis Kuehn. Mr. Kuehn has requested that WDFW hold the easement for the bypass.

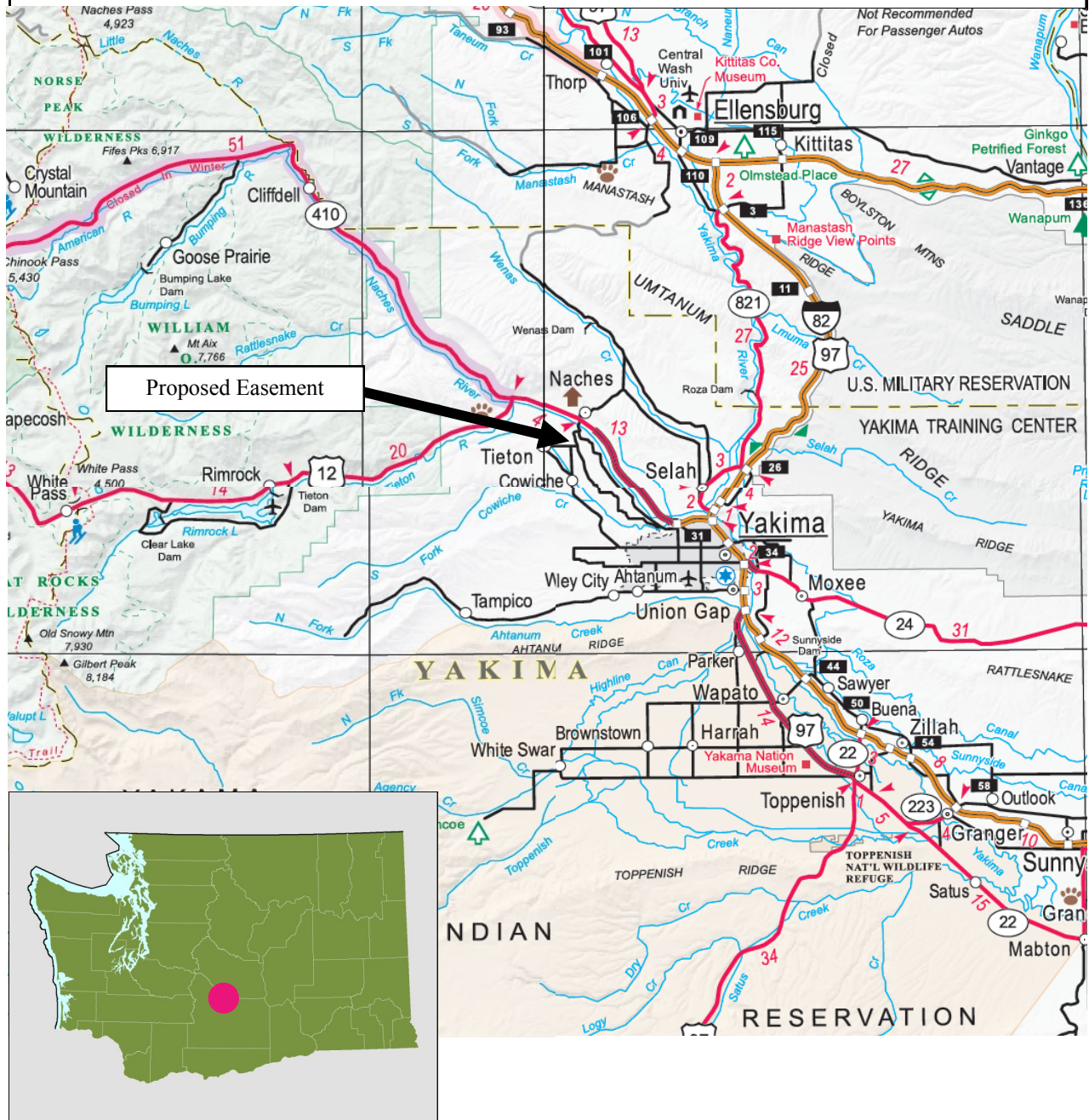
The Department recommends that the Commission, at no cost to the Department, accept an easement measuring five-feet-wide by 76.1 feet in length from Mr. Kuehn to perpetually protect the fish bypass.

**ITEM 5: PROPOSED EASEMENT
SCOTT DITCH FISH BYPASS**

COUNTY: YAKIMA COUNTY

LEGAL: SECTION 4, TOWNSHIP 14 N, RANGE 17 E, W.M.

ACRES: 0.009 (5' X 76.1')

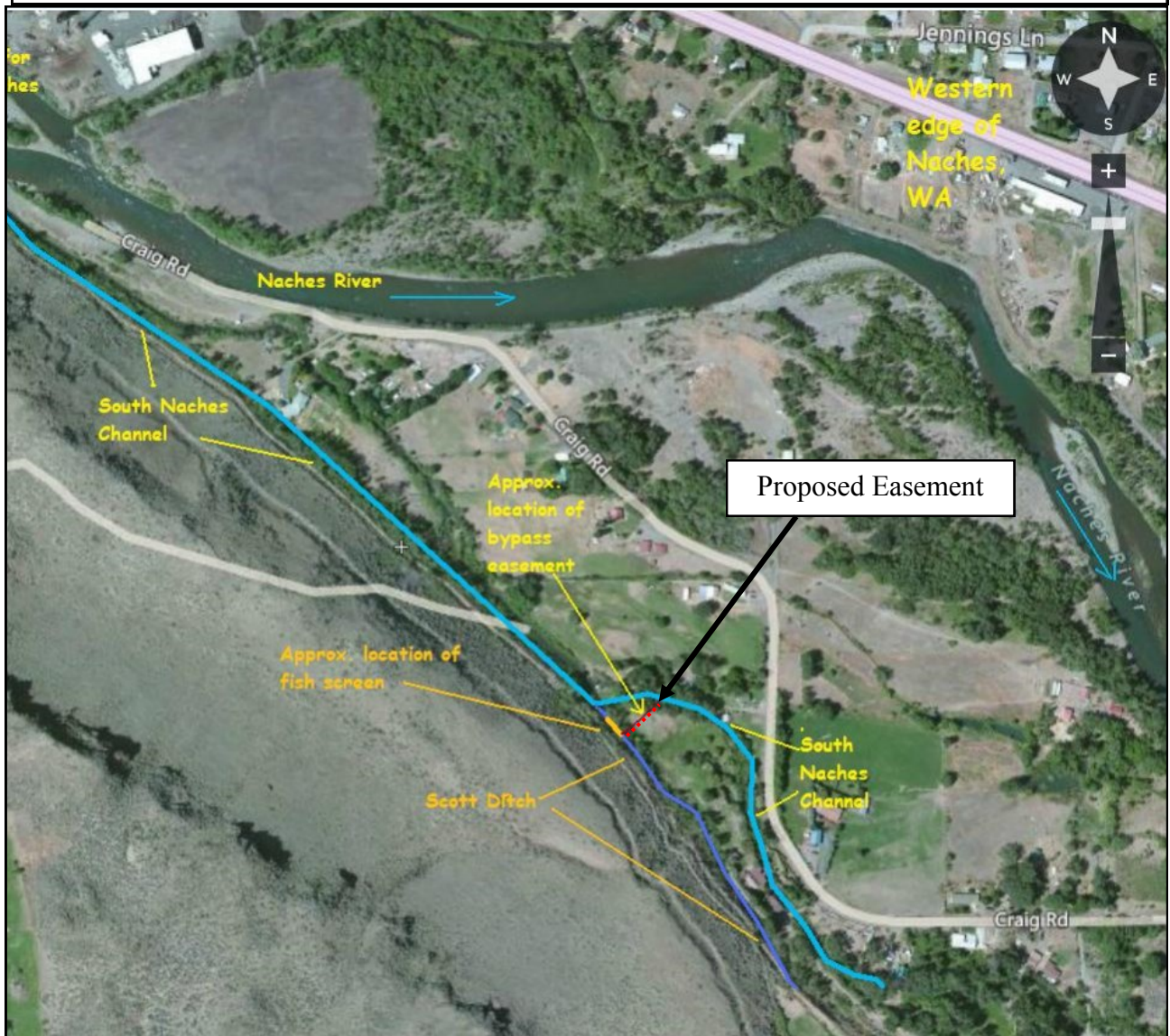


**ITEM 5: PROPOSED EASEMENT
SCOTT DITCH FISH BYPASS**

COUNTY: YAKIMA COUNTY

LEGAL: SECTION 4, TOWNSHIP 14 N, RANGE 17 E, W.M.

ACRES: 0.009 (5' X 76.1')



**ITEM 5: PROPOSED EASEMENT
SCOTT DITCH FISH BYPASS**

COUNTY: YAKIMA COUNTY

LEGAL: SECTION 4, TOWNSHIP 14 N, RANGE 17 E, W.M.

ACRES: 0.009 (5' X 76.1')



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

June 7, 2013

TO: Philip Anderson
Director

FROM: Dan Budd
Real Estate Manager

SUBJECT: ITEM 6: PROPOSED CORRECTION TO THE MALTAIS PROPERTY TRANSACTION, FRAZER UNIT, METHOW WILDLIFE AREA, OKANOGAN COUNTY.

On December 14, 2012, The Fish and Wildlife Commission (Commission) approved the Department of Fish and Wildlife's (WDFW) recommendation to purchase the 79.68 acre Maltais property for the appraised value of \$554,000. The purchase was based on a price per acre appraisal evaluation. This is the offer that was presented to Mr. Maltais, which he accepted, and was subsequently presented to and approved, by the Commission. However, it has been determined through the closing, title, and surveying process that the acreage of the property acquired is actually 87.90 acres.

This transaction was initially a much larger parcel; at the request of the landowner it was reduced in size and restricted to north of Highway 20. Consequently, as it continued through closing, a Boundary Line Adjustment (BLA) was necessary. During this BLA process, WDFW's surveyor determined the acreage being acquired was 87.90 acres, or an additional 8.22 acres. This discrepancy in acreage, although determined by survey was only recognized after the closing. The appraiser was presented with this new acreage figure and determined that the actual appraised value of the property acquired should have been \$610,000, or an additional \$56,000.

To comply with WDFW and US Fish and Wildlife Service just compensation requirements, WDFW is requesting the Commission approved payment of the correct amount and authorize WDFW to retain ownership of the entire 87.90 acre block of land it has acquired. As an alternative, WDFW would need Commission approval to deed back 8.22 acres of the property to comply with the December 14, 2012 Commission action.

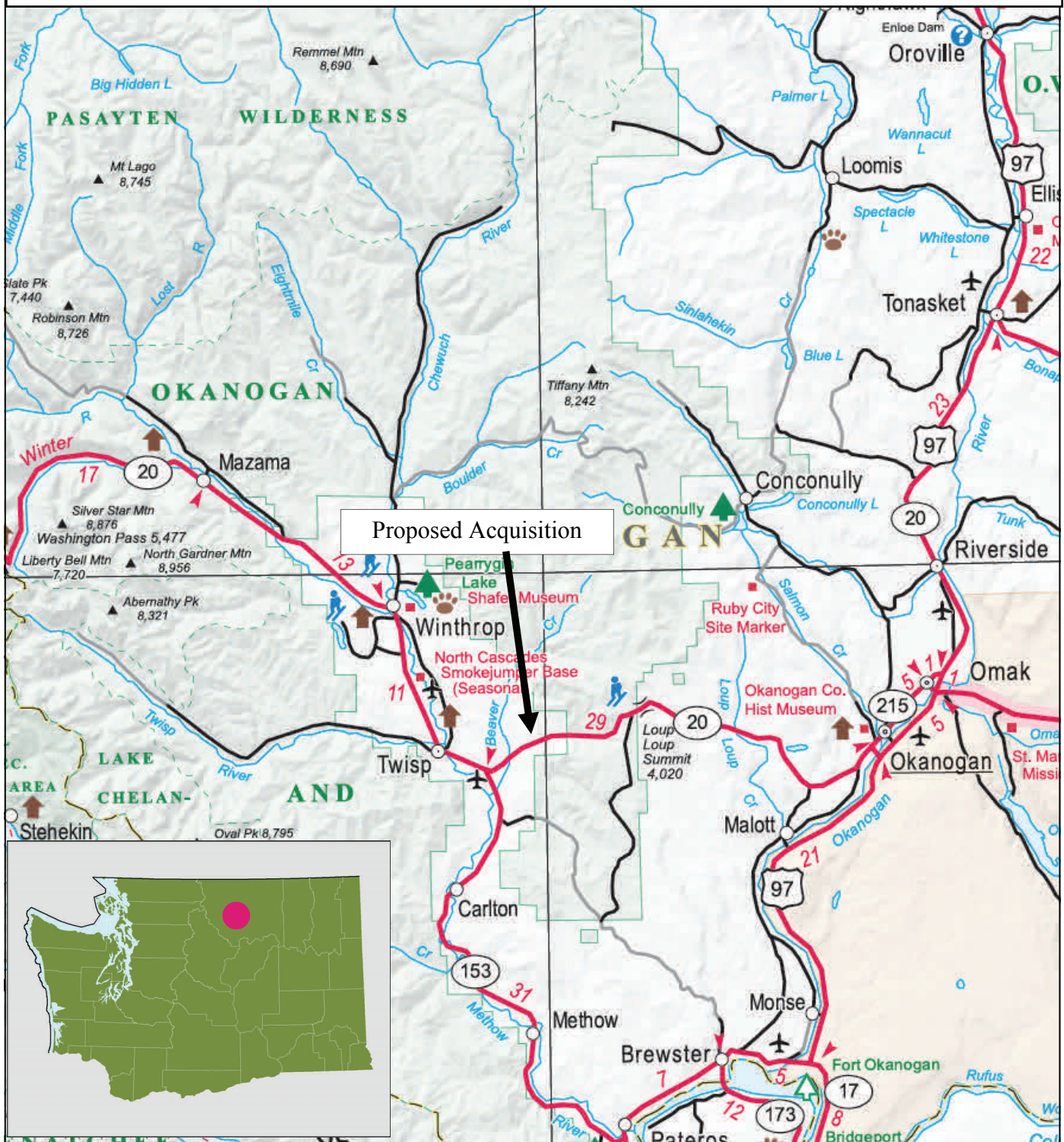
The Department recommends the Commission approve the corrected just compensation of \$56,000 for the retention of the 8.22 acres of the Maltais property for its reviewed and approved appraised value.

**ITEM 6: PROPOSED ACQUISITION
MALTAIS PROPERTY**

COUNTY: OKANOGAN COUNTY

LEGAL: SECTIONS 7 & 8, TOWNSHIP 33 N, RANGE 23 E, W.M.

ACRES: 79.68 87.90

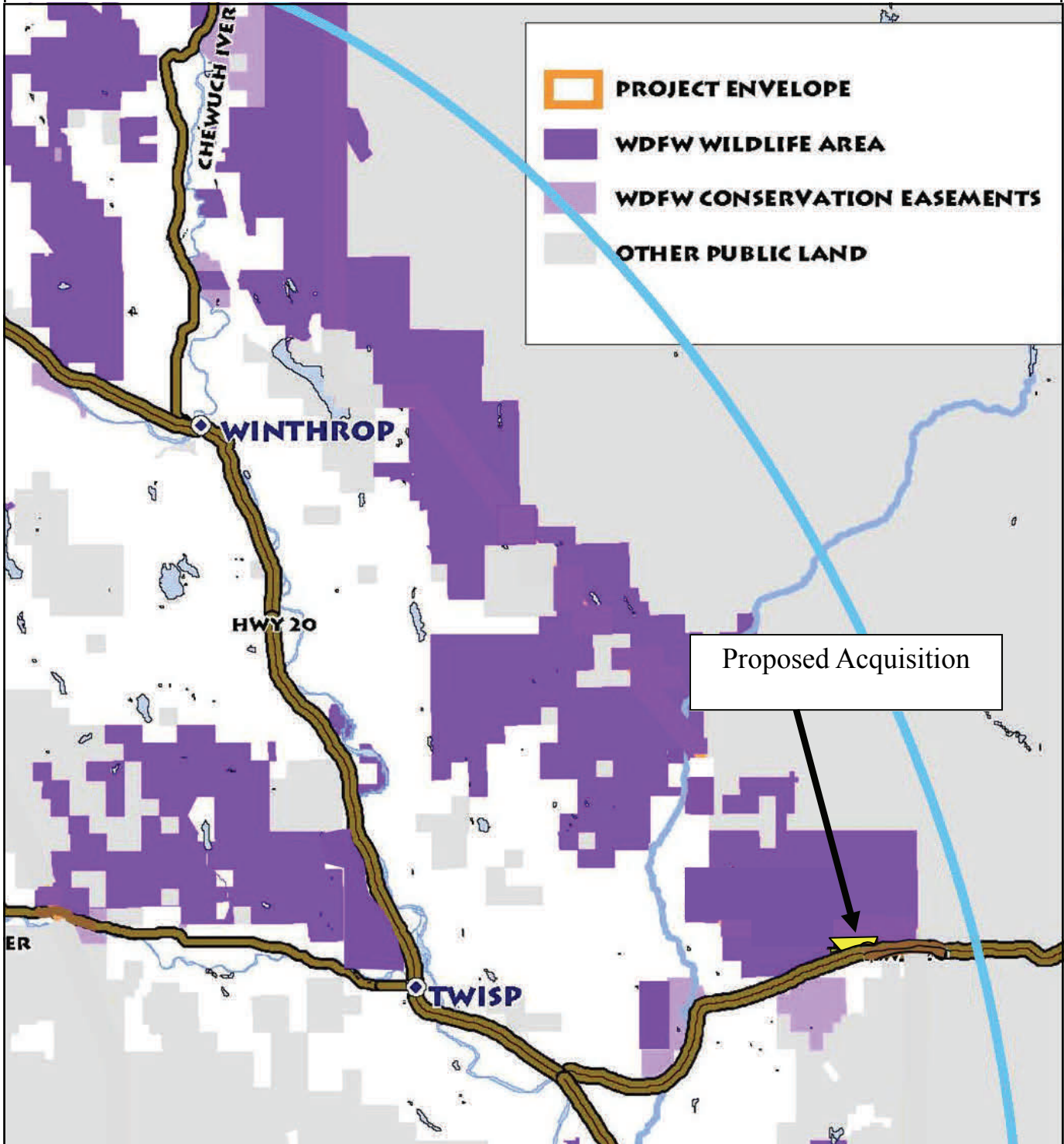


**ITEM 6: PROPOSED ACQUISITION
MALTAIS PROPERTY**

COUNTY: OKANOGAN COUNTY

LEGAL: SECTIONS 7 & 8, TOWNSHIP 33 N, RANGE 23 E, W.M.

ACRES: 79.68 87.90



**ITEM 6: PROPOSED ACQUISITION
MALTAIS PROPERTY**

COUNTY: OKANOGAN COUNTY

LEGAL: SECTIONS 7 & 8, TOWNSHIP 33 N, RANGE 23 E, W.M.

ACRES: 79.68 87.90

