

# PROPOSED LAND TRANSACTIONS

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October 18th, 2019

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## Summary Sheet

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**Meeting dates:** October 18 – 19, 2019  
**Agenda item:** Proposed Land Transactions  
**Presenter(s):** Julie Sandberg, Real Estate Services Manager

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### Background summary:

**Item 1:** Grayland Phase 2 Property – This proposal is to acquire the second and final phase of the Grayland Project which adds approximately 560 acres of habitat and recreation land to the Elk River Unit of the Johns River Wildlife Area near Westport, in Grays Harbor County. This property provides hunting and other recreational opportunities and offers year-round habitat for Roosevelt elk, black-tailed deer, black bear, cougar, salmon and numerous waterfowl and other bird species.

The appraised value of this property is \$1,070,000. Initial operations and maintenance (O/M) costs for necessary survey, fencing and weed control will be covered by grant funding used for this acquisition. Agency budget requests now include longer term O/M costs which are anticipated to be \$52/acre. The acquisition is funded by a Recreation and Conservation Office (RCO), Washington Wildlife and Recreation Program (WWRP), and the Critical Habitat grant.

**Item 2:** Cowiche Watershed/Van Wyk Phase 2 Property and Stewardship Easement to Forterra NW – This fee title proposal will add 900 (+/-) acres to the Cowiche Unit of the Oak Creek Wildlife Area in Yakima County. The goal of the Cowiche project is to achieve a significant and lasting conservation impact by protecting this large, diverse landscape where the forested foothills of the Cascades converge with shubsteppe of the lower elevations. The property is bisected by South Fork Cowiche Creek which is designated as critical habitat for bull trout and is an important spawning area for steelhead. Year-round habitat is provided for elk, mule deer, western gray squirrel and golden eagles. This property will provide hunting, fishing, and other recreational opportunities.

The appraised value of this property is \$954,810. Initial operations and maintenance (O/M) costs for necessary survey, fencing and weed control will be covered by the grant funding. Agency budget requests now include longer term O/M costs which are anticipated to be \$52/acre. The acquisition is funded by a Recreation and Conservation Office (RCO), Washington Wildlife and Recreation Program (WWRP), and the Critical Habitat grant.

WDFW has partnered with Forterra NW and Rocky Mountain Elk Foundation on the purchase of this property. In order to commit to and demonstrate stewardship capacity, Forterra NW proposes to hold a permanent stewardship easement on both phases of the Cowiche/ Van Wyk property. Forterra NW proposes to undertake restoration, interpretive elements, or stewardship actions to enhance the conservation values of the property. As this is a permanent easement it requires Commission approval.

**Item 3:** Fir Island Farm Dike Right of Way Amendment – This request is for authority to amend a 1946 Right of Way at the Fir Island Farm Unit of the Skagit Wildlife Area. This is the final step of a restoration project to restore more than 130 acres of tidal marsh. The project is expected to significantly contribute to the recovery of Skagit Chinook salmon.

The amendment will be an exchange as the Diking District is relinquishing its rights at the original location of the dike and replacing it with a right of way at the location of the new structure.

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The Commission was briefed on this larger project by the Region 4 Director on January 8, 2016 and a copy of that briefing is attached to this summary.

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**Policy issue(s) and expected outcome:**

Protecting critical fish and wildlife habitat and providing public recreational opportunities.

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**Fiscal impacts of agency implementation:**

See Operations and Maintenance costs above.

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**Public involvement process used and what you learned:**

Items 1 and 2 were approved through the agency's Lands 20/20 Process.

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**Action requested and/or proposed next steps:**

Approval of the Land Transactions as presented.

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**Draft motion language:**

Motion: I move to approve the 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.

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**Post decision communication plans:**

WDFW will distribute a press release informing the public of these actions and proceed to closing.

## Summary

<b>Meeting dates:</b>	January 8, 2016
<b>Agenda item:</b>	Item A - Land Transaction (Fir Island Farms)
<b>Presenter(s):</b>	Bob Everitt, Region 4 Director
<p><b>Background summary:</b> The purpose of this briefing is to provide the Commission with an update on the status of the Fir Island Farm Restoration Project and consult with the Commission prior to entering into an agreement with the Skagit County Consolidated Diking and Drainage Improvement District No. 22 (DD22) to modify existing easements on the property. The easements will be modified once the dike construction is complete and technical performance standards have been met. At a future meeting, the Commission will be asked to approve any changes to such easements before they can be made permanent.</p> <p>The Fir Island Farm Restoration project is located on the Washington State Department of Fish and Wildlife (WDFW) Snow Goose Reserve on Fir Island in the Skagit River Delta. The project will set back approximately 5,500 feet of an existing dike and restore 131 acres of tidal marsh. The Chinook Recovery Plan identifies loss of rearing habitat in the delta as the primary habitat factor limiting recovery of Skagit River Chinook populations. This project will significantly contribute to the recovery of Skagit Chinook salmon and is expected to generate approximately 5 percent of the recovery goal for new smolts production in the Skagit. Funding and support for this project have been provided by WDFW, NOAA, TNC, PSP, USFW, PSAR, and RCO.</p> <p>Project construction began in summer 2015 and is on track to be completed in the fall of 2016. Year 2 construction will begin in mid-April 2016 when the Snow Goose protection window closes and will include installation and testing of the pump station, final completion of the setback dike (includes import of dike select fill to make up for settlement, and top-dressing with gravel), construction of an estuarine berm for erosion protection, installation of the final tidegate, native marsh plant seeding, and removal of the existing (historic) dike.</p> <p>In March 2015, during final design, WDFW signed two landowner agreements with DD22. These agreements, (1) The Fir Island Farm Dike, Tidegates, Drainage Storage Pond Agreement and (2) The Fir Island Farm Pump Station Agreement, are binding agreements that set forth the parties' roles and responsibilities in developing and maintaining flood and drainage Infrastructure, specifically the new marine dike, tidegates, drainage storage pond, the pump station, and a power line associated with the pump station. These agreements describe the standards for construction of the new dike, tidegates, storage pond, and pumps, and generally describe a process for transfer of responsibility for operating those facilities to DD22, once construction is complete and the system performs as designed.</p> <p>WDFW's property at the Snow Goose Reserve is burdened by existing easements to DD22 for diking and drainage purposes. DD22 uses approximately 9.39 acres for interior drainage and approximately 6.97 acres for diking purposes. In order to satisfy the original grant source funding requirements, and allow continued flood protection to the surrounding farmland, WDFW and DD22 will modify the location of the existing Right of Way held by the Diking District to accurately reflect the location of the new dike and drainage infrastructure.</p> <p>The parties are developing an agreement that will outline the terms of a permanent amendment to DD22's existing easements, and will spell out the precise terms under which DD22 will assume responsibility to maintain and operate the new diking and drainage facilities. In that "Right of Way Amendment," DD22 will relinquish the portions of the existing 1946 rights of way that are no longer needed as a result of the project and WDFW will provide DD22 with</p>	

replacement rights of way that will authorize the same activities that were authorized in the 1946 rights of way, but for the new structure. As noted, WDFW will seek future Commission approval of the Right of Way Amendment.

The Commission has delegated authority for the Director to enter into this type of agreement, but requires consultation during the process.

**Policy issue(s) you are bringing to the Commission for consideration:** Consultation with the Commission prior to WDFW entering into an agreement with DD22 requiring future execution of a Right of Way Amendment once construction is complete and the project meets technical performance standards.

**Public involvement process used and what you learned:** This project is funded in part by the Puget Sound Acquisition and Restoration Fund (PSAR), which is a program initiated by the Legislature in 2007 to improve salmon habitat in Puget Sound. Throughout the project there has been extensive stakeholder outreach including public meetings, establishment of a Steering Committee, site tours and a website.

**Action requested:** No action requested - briefing only

**Draft motion language:** N/A

**Justification for Commission action:** N/A

**Communications Plan:** N/A

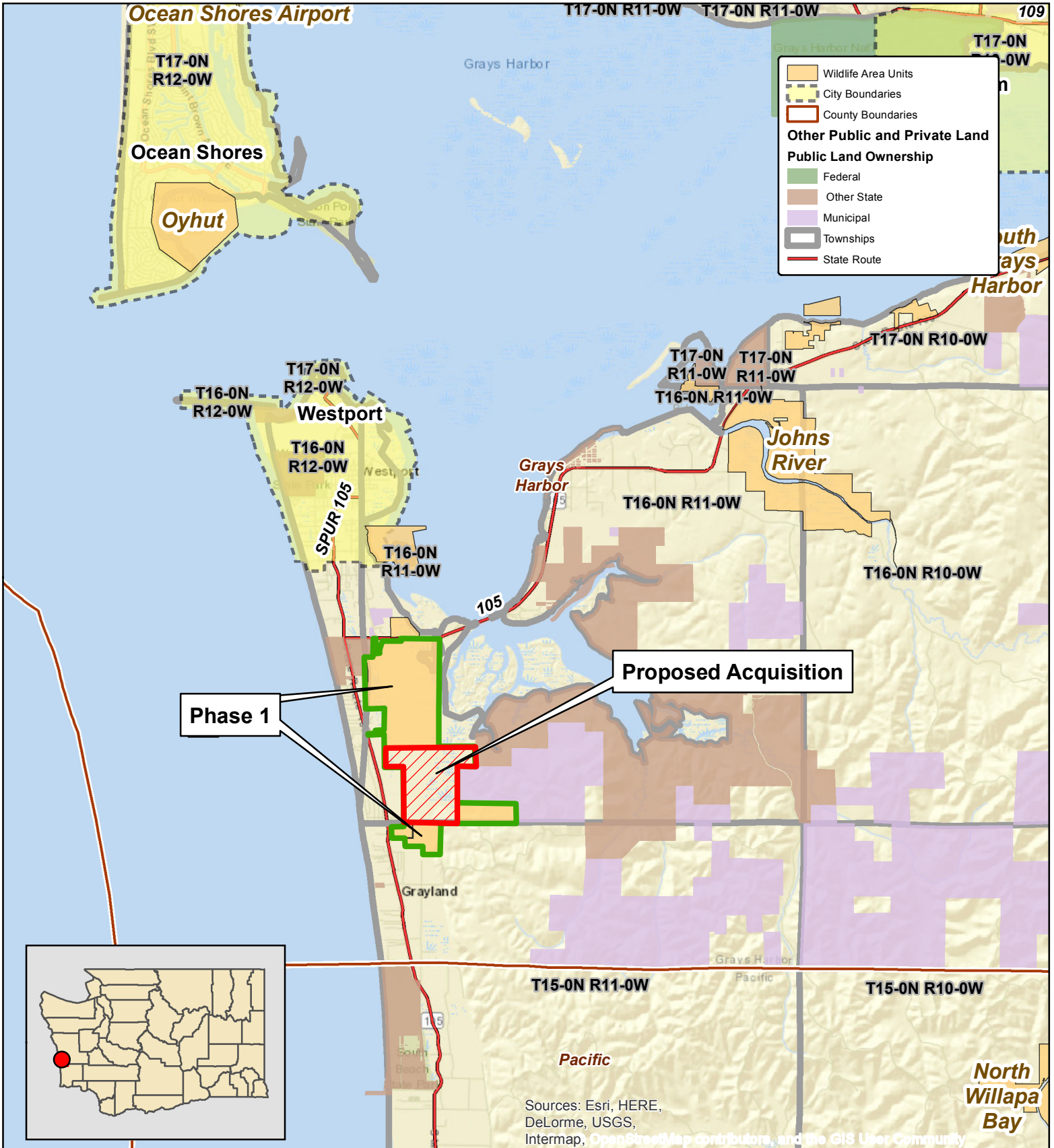
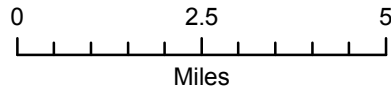
*Form revised 12/5/12*

**ITEM 1: PROPOSED GRAYLAND PHASE 2**

**COUNTY: GRAYS HARBOR**

**LEGAL: TOWNSHIP 16N, RANGE 11W, SECTIONS 31 & 32**

**ACRES: 560 (+/-)**



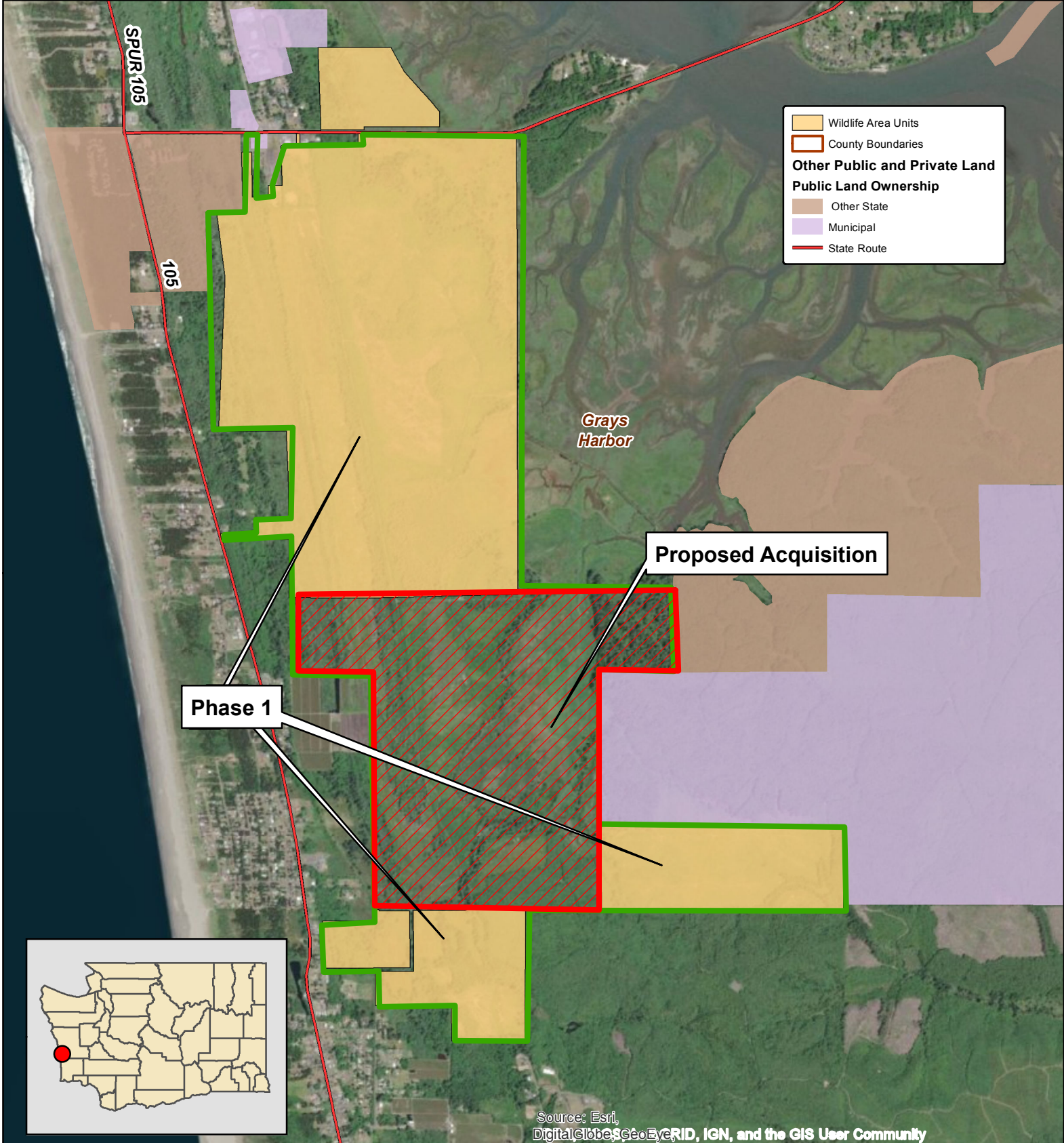
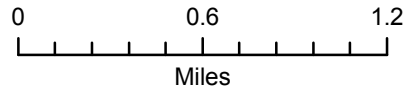


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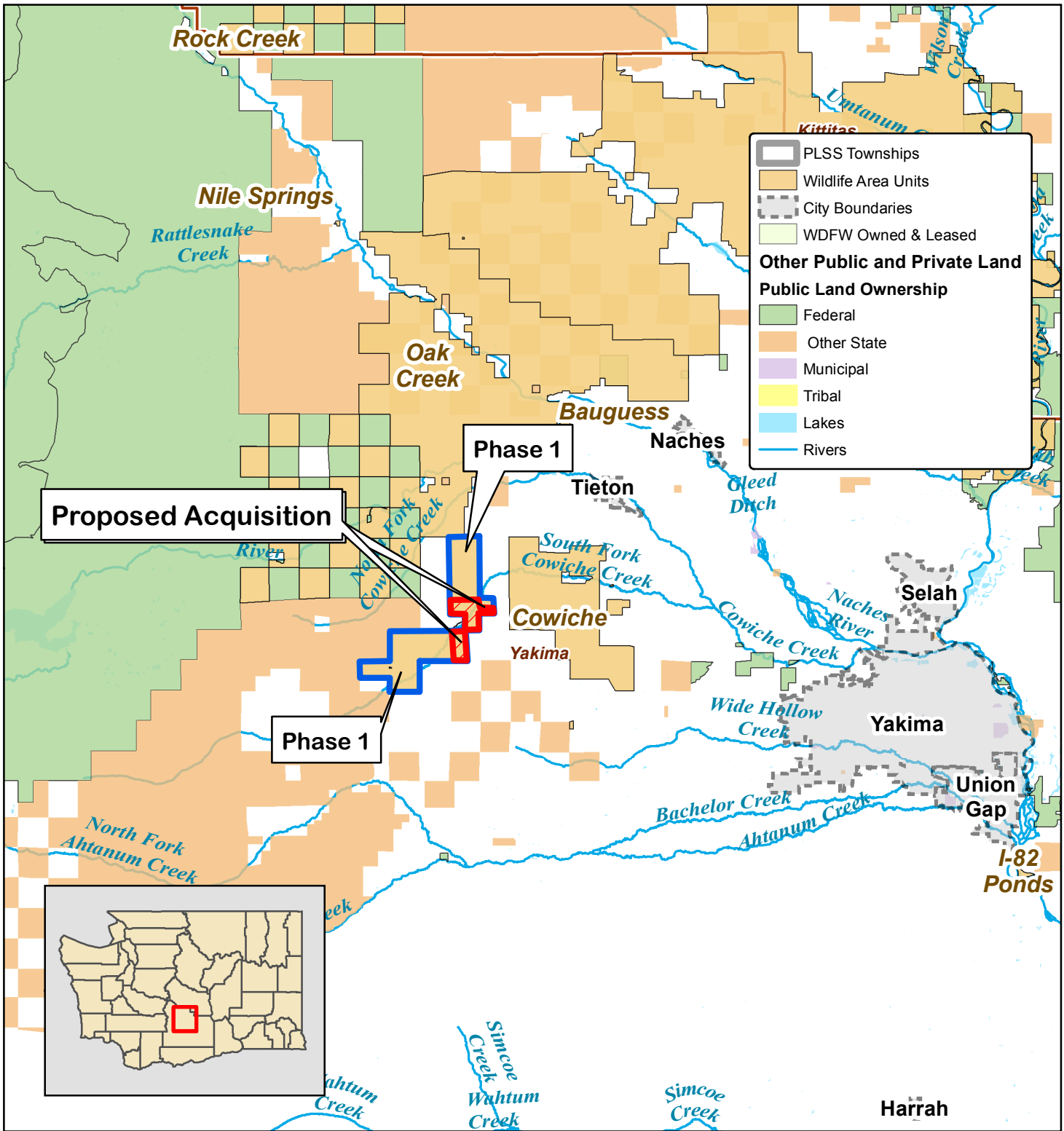
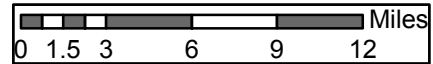


# ITEM 2: PROPOSED COWICHE /VAN WYK PROPERTY PHASE 2

COUNTY: YAKIMA

LEGAL: TOWNSHIP 13 N, RANGE 16 E., W.M. , SECTIONS 4, 5 & 8

ACRES: 900 +/- Acres

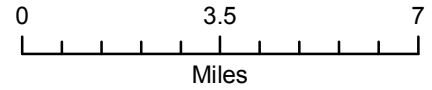




# ITEM 3: PROPOSED FIR ISLAND RIGHT OF WAY AMENDMENT

COUNTY: SNOHOMISH

LEGAL: TOWNSHIP 33N, RANGE 3E W.M., SECTION 22



**Proposed Right of Way**

**Legend**

- County Boundaries
- Lakes
- Rivers
- City Boundaries
- Wildlife Area Units

Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P,

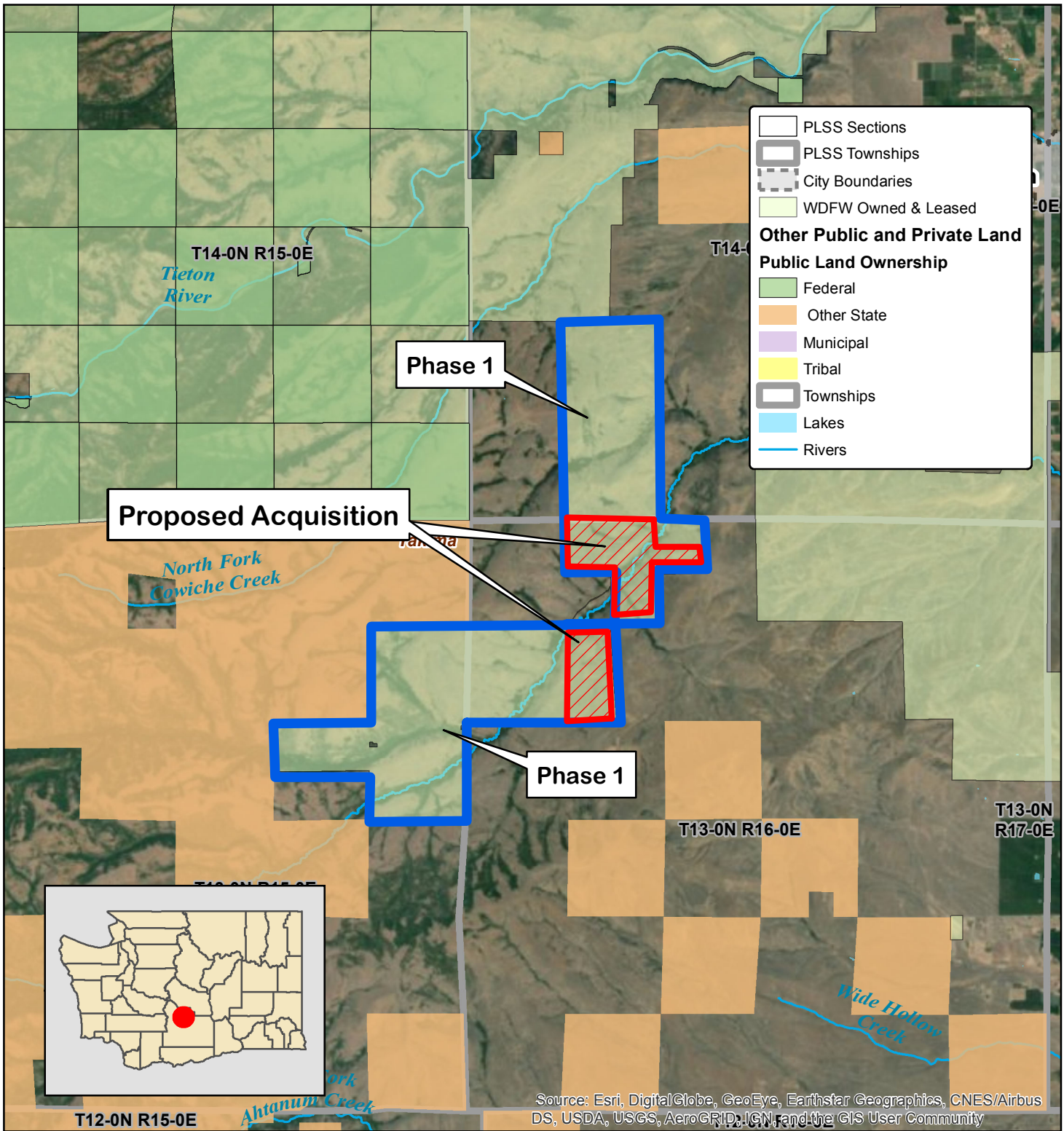
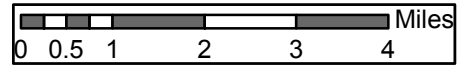
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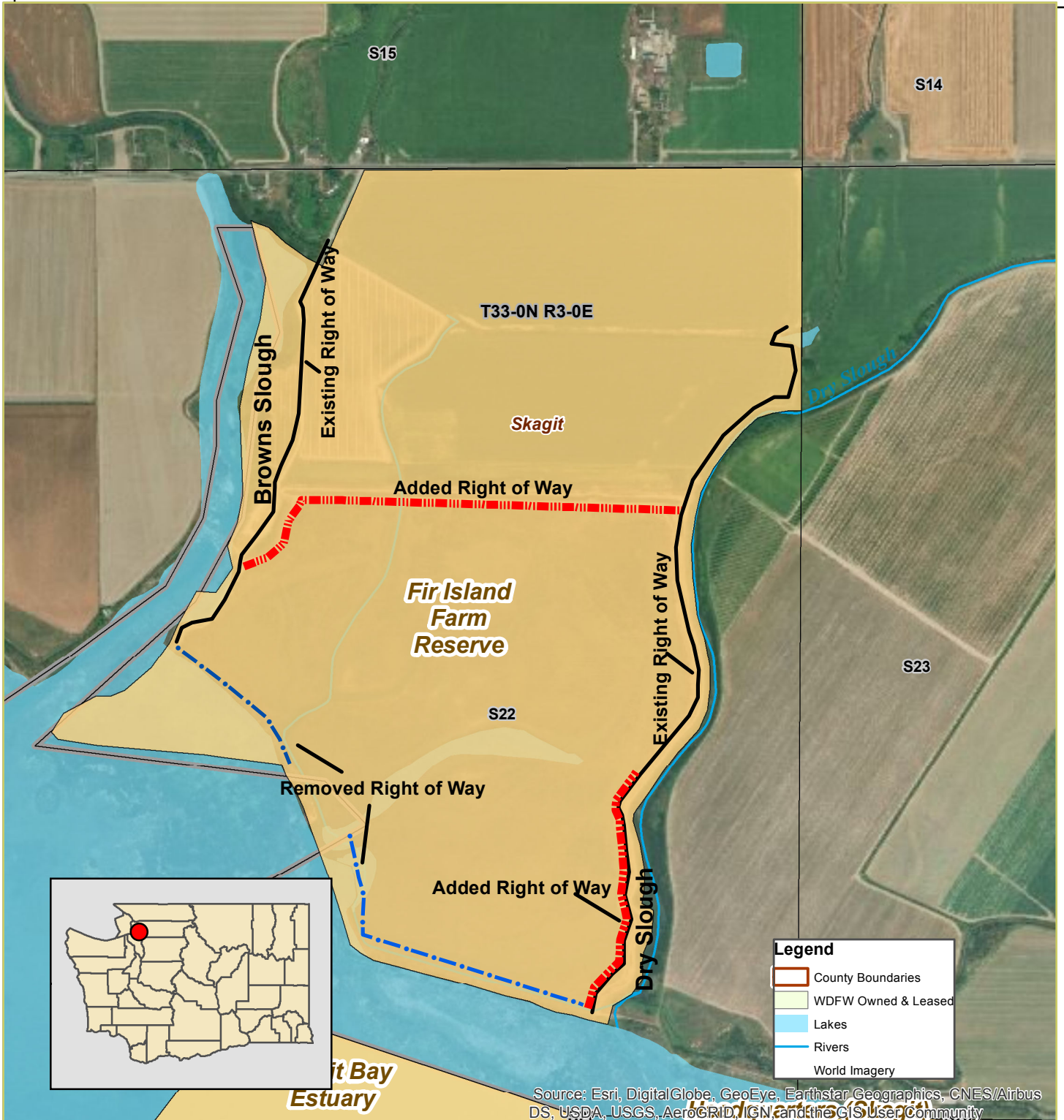
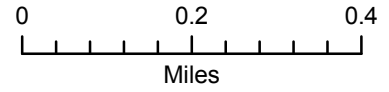
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



# ITEM 3: PROPOSED FIR ISLAND RIGHT OF WAY AMENDMENT

COUNTY: SNOHOMISH

LEGAL: TOWNSHIP 33N, RANGE 3E, SECTION 22



**Legend**

- County Boundaries
- WDFW Owned & Leased
- Lakes
- Rivers
- World Imagery

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community