

PROPOSED LAND TRANSACTIONS

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Summary

Meeting dates: March 1 & 2 2013

Agenda item: PROPOSED LAND TRANSACTIONS

Presenter(s): Dan Budd

Background summary:

The Department is recommending the following actions:

Item 1 – Proposed Easements on properties along Issaquah Creek in King County

Item 2 – Proposed Acquisition of 1,613.78 acres in Asotin County

Item 3 – Proposed Acquisition of 195.01 acres in Pacific County

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

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

Public involvement process used and what you learned:

Item 1 - This is an ongoing cooperative project with the City of Issaquah.

Item 2 - The Recreation and Conservation Office conducts a competitive public evaluation process each biennium for projects to be funded under the Washington Wildlife and Recreation Program. This was the number two scoring project in the Critical Habitat category for the 11-13 biennium and the number three scoring project for the 13-15 biennium.

This item was also reviewed with local government and WDFW has received a letter of support for the project from the Asotin County Commissioners.

Item 3 – This is a joint project with Bonneville Power Administration under the Columbia River Estuary Memorandum of Agreement.

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:

Item 1 - Improve hatchery water intake and eliminate a fish passage obstruction.

Item 2 & 3 - Protection of critical fish and wildlife habitat and providing recreational opportunity.

Communications Plan:

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

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

March 1, 2013

TO: Philip Anderson
Director

FROM: Dan Budd
Real Estate Manager

**SUBJECT: ITEM 1: PROPOSED ACQUISITION OF EASEMENTS FOR
ISSAQUAH CREEK HATCHERY REPLACEMENT INTAKE, KING
COUNTY**

The Department of Fish and Wildlife (WDFW) has secured options to acquire easements across several parcels of land along Issaquah Creek in King County to assist the Capital Assets Management Program in the construction of a replacement intake system upstream from the WDFW Issaquah Creek Fish Hatchery. Funding will be provided by the Jobs Now Bill.

The Issaquah Creek Hatchery Replacement Intake project is an ongoing cooperative project between the City of Issaquah and WDFW. The hatchery's current intake was originally built in 1936, as a diversion behind a 9-foot high, 70-foot wide dam, and hasn't been repaired since 1972. The dam is in poor condition and causes significant delay and mortality for migrating fish. The associated fish ladder is undersized and too steep (25% gradient) for upstream-migrating salmon. Additionally, when creek flows are low, salmon often become stranded on the dam's concrete apron and die. Replacement of the existing dam, with a series of rock weirs, would allow unimpeded fish passage to access over 10 miles of high quality spawning habitat upstream from the dam.

The project has been identified as a high priority by federal and state agencies, the Puget Sound Partnership, and more than two dozen cities and counties on the Water Resource Inventory Area 8 Salmon Recovery Council. Funding for the removal of the dam and construction of the new intake and remediation to the creek has been secured. Due to the density of the development in the area, much of the access to the work site is through neighboring properties under private ownership. Cooperation from these landowners for easements and construction permits will be necessary. The department has secured with four landowners the easements and fee interest (to be owned by the City of Issaquah) necessary for this project.

The property interests are as follows:

ERICKSON: This 20,038-square foot property (.46 acres) lies along the Creek, strategically located between the access road and the intake structure. WDFW will assign the Option to purchase this property to the City of Issaquah, which will take fee title to the property,

subsequently granting WDFW an easement to construct and maintain the intake structure. WDFW has no interest in owning this property. The property has been assessed for years at \$200,000 and the landowner, who bought it as an investment, believed he therefore had a \$200,000 property. He has been negotiated down from his initial counter offer of \$200,000, to \$50,000, to the current Option price of \$35,000. This property is critical to the project. The property appraised for \$15,500

ISSAQUAH HEALTH CARE REALTY, LLC: The Option granted for this property is to purchase a 12,888-square foot, in-stream easement, for construction of a permanent intake structure. Because this property is subject to a Deed of Trust with a California Bank, a "Subordination Agreement" must also be obtained, giving WDFW's easement seniority to the Bank's interest. Issaquah Health Care Realty, LLC is headquartered in Nevada, and because of its internal costs and expenses to grant WDFW the easement, and secure the Subordination Agreement from its Bank as required by WDFW, this easement Option is for \$15,000. The easement itself appraised for \$5,050.

OUR SAVIOUR LUTHERAN CHURCH: This property requires both a permanent easement and a temporary, construction permit. The Church granted an Option for the 2,841-square foot permanent easement for its appraised value of \$1,400. They are agreeable to grant the temporary, construction permit for \$10,000. This value was established based on an estimate by the City of Issaquah that to build a similar access road on its adjacent lands would cost \$10,000-\$15,000. The church expressed a strong preference to utilize the existing access located on the Church's property, rather than lose privacy and large trees to construct a new access road on the adjacent property.

ROWLEY PROPERTIES, INC.: This is the largest and most complex property interests in this project, as it requires two permanent, in-stream easements; a lengthy temporary, construction easement; a lengthy permanent, ingress/egress easement; and, a Subordination Agreement. The landowner is agreeable to grant an Option for the 33,729-square foot permanent, ingress/egress easement for the appraised value of \$35,753 and the 51,379-square foot in-stream easements for the appraised value of \$18,851; a total of \$54,604. And because this landowner is a strong advocate for this project, he will grant the temporary, construction easement at no charge.

The Department recommends the Commission approve the acquisition of the property rights necessary to implement this project.

**ITEM 1: PROPOSED EASEMENT
ISSAQUAH INTAKE PROJECT**

COUNTY: KING COUNTY

LEGAL: SECTIONS 33 & 34, TOWNSHIP 24 N, RANGE 6 E, W.M.

ACRES: 3

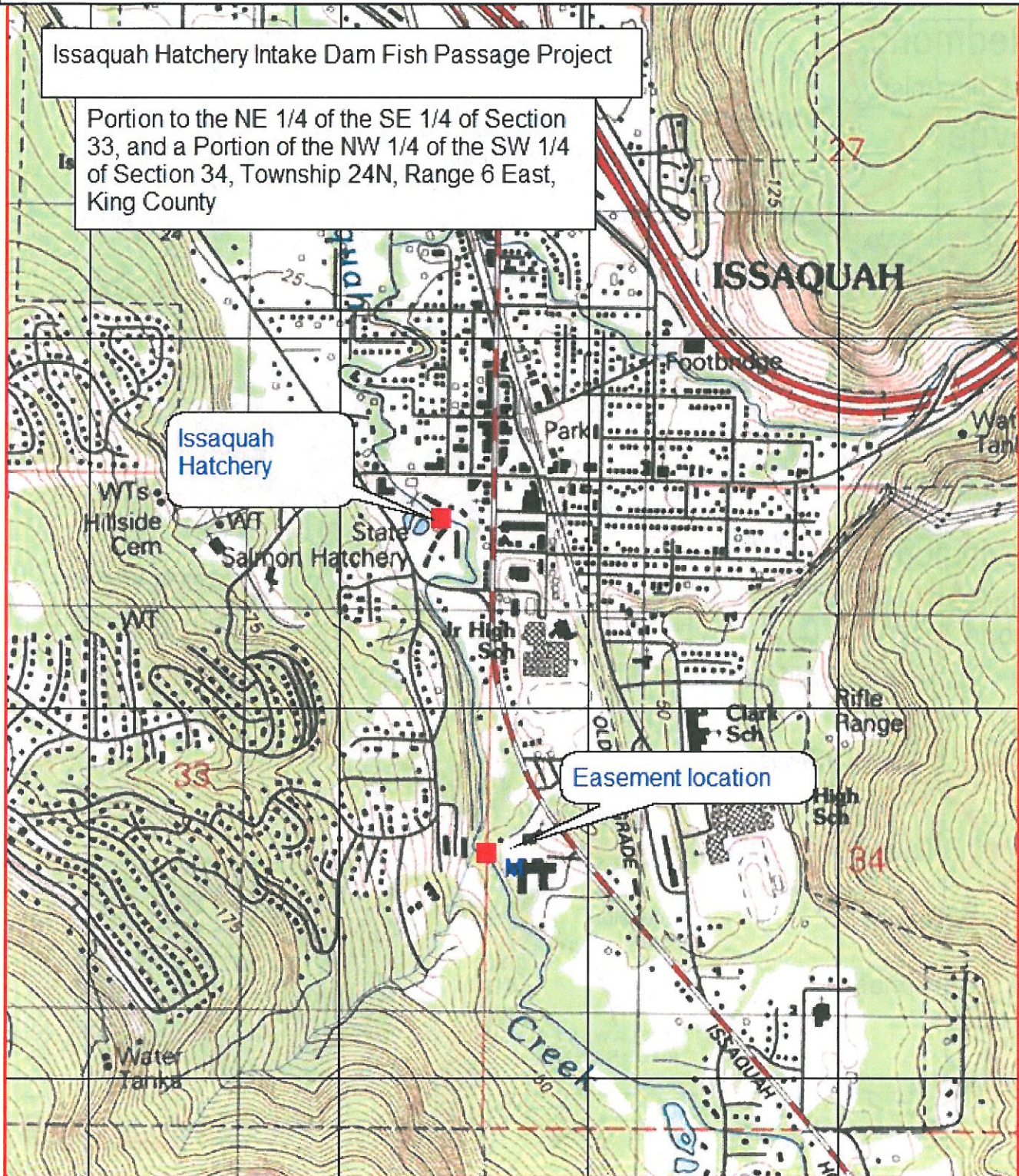


**ITEM 1: PROPOSED EASEMENT
ISSAQUAH INTAKE PROJECT**

COUNTY: KING COUNTY

LEGAL: SECTIONS 33 & 34, TOWNSHIP 24 N, RANGE 6 E, W.M.

ACRES: 3

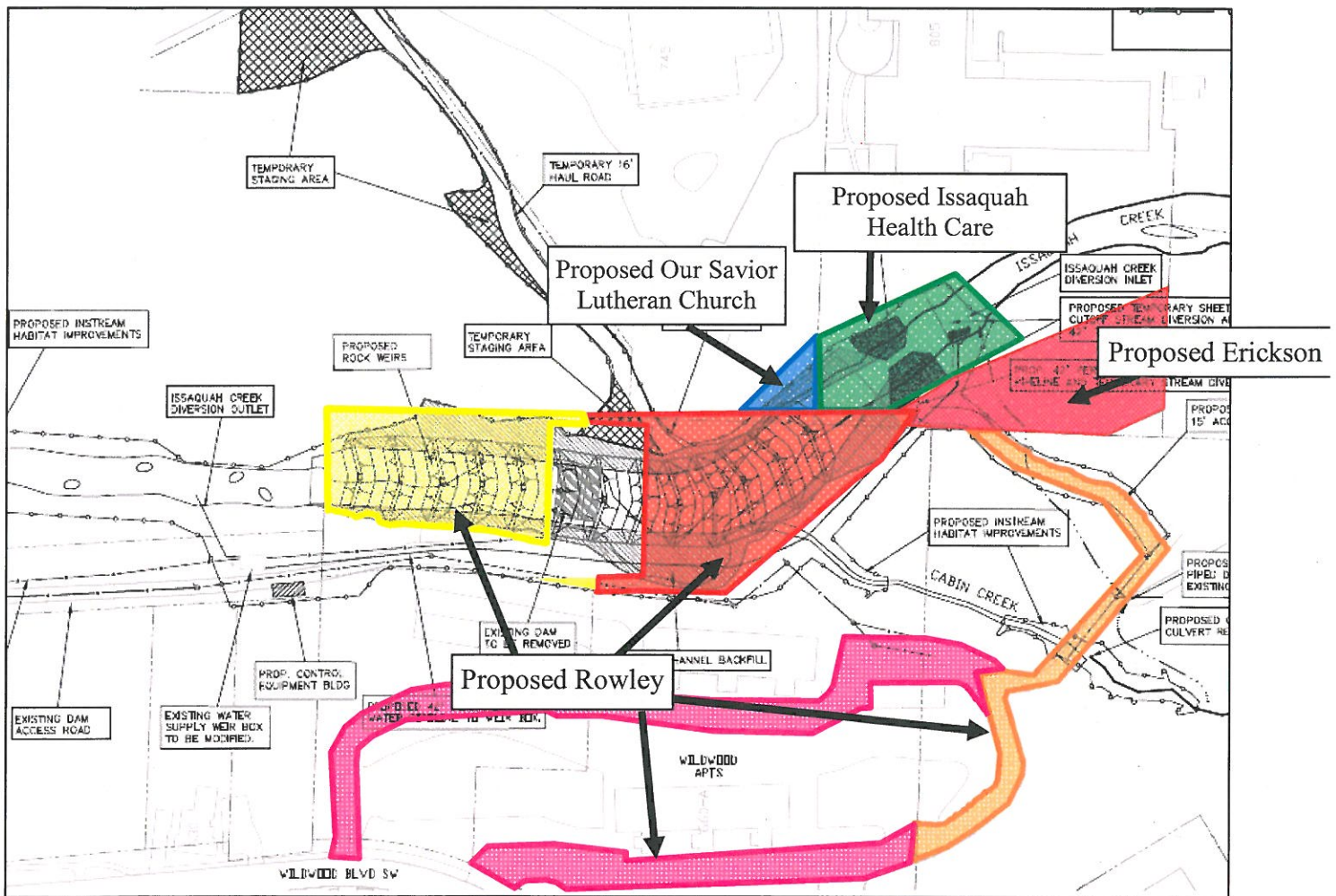


**ITEM 1: PROPOSED EASEMENT
ISSAQUAH INTAKE PROJECT**

COUNTY: KING COUNTY

LEGAL: SECTIONS 33 & 34, TOWNSHIP 24 N, RANGE 6 E, W.M.

ACRES: 3



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

March 1, 2013

TO: Philip Anderson
Director

FROM: Dan Budd
Real Estate Manager

SUBJECT: ITEM 2: PROPOSED ACQUISITION OF THE ODOM/4-0 LAND & LIVESTOCK, LLC PROPERTY, GROUSE FLAT UNIT, BLUE MOUNTAIN WILDLIFE AREA, ASOTIN COUNTY.

The Department of Fish and Wildlife (WDFW) has successfully negotiated an option to purchase, in multi-year phases, approximately 11,973 acres from Milton Odom, II and 4-0 Land & Livestock, LLC. Phase 1 was purchased on January 5, 2012 and covered 2,181.55 acres. The current Phase 2 proposed acquisition covers 1,613.78 acres.

This acquisition is part of the Mountain View project which was evaluated and approved through the Lands 20/20 process. The purpose of the project is to protect miles of creek and river riparian zone for the benefit of steelhead and bull trout, and to manage terrestrial habitat for the benefit of deer, bighorn sheep and elk. This phase is being funded by a grant from the US Fish and Wildlife Service.

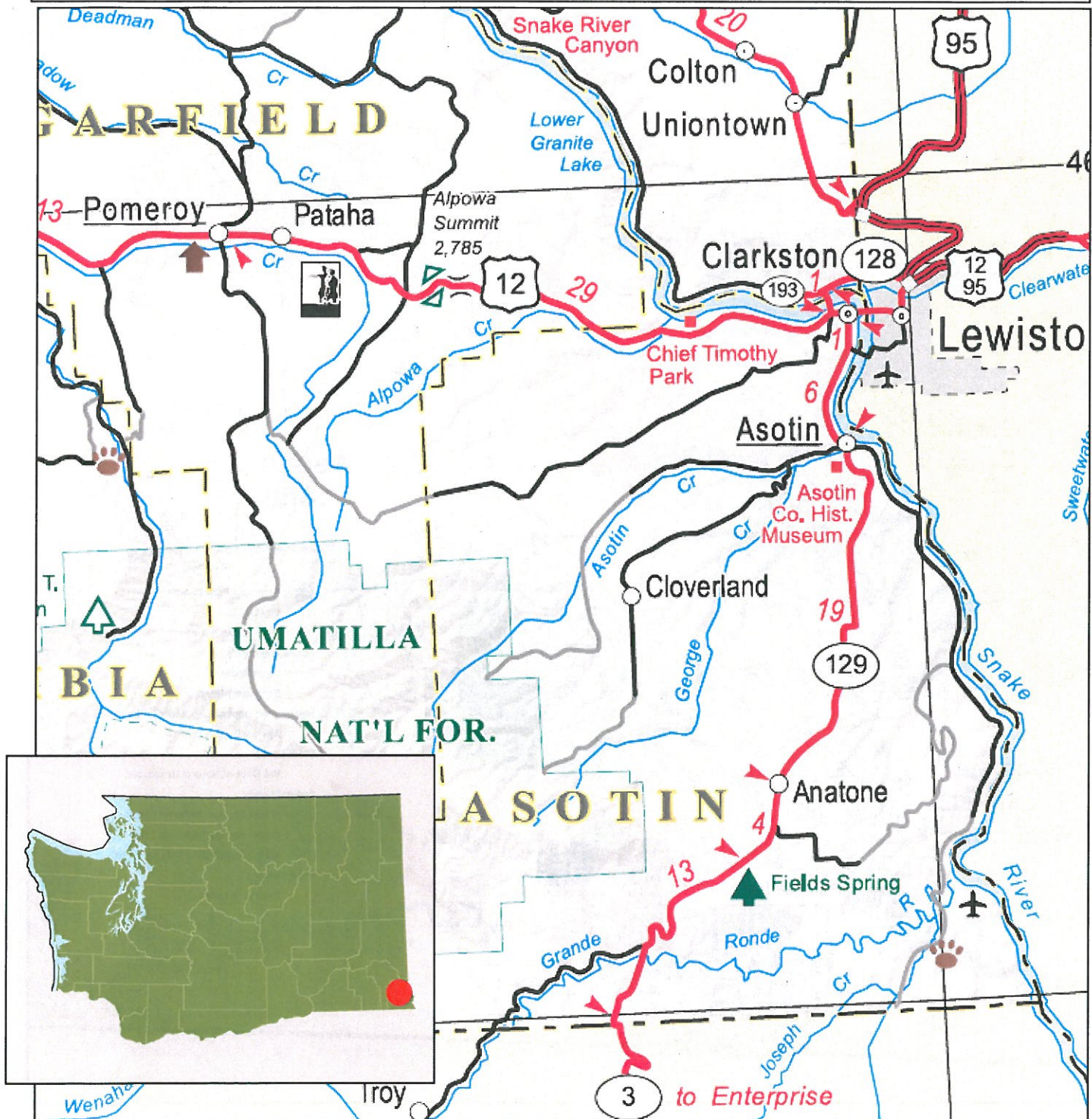
This property is located in Asotin County, approximately 22 miles southwest of Anatone. The total project area contains about seven miles of frontage on the Grande Ronde River and contains numerous creeks, most notably Wenatchee Creek, Cougar Creek and Grouse Creek. Historically, the property has been managed with a focus on wildlife habitat providing trophy big game hunting opportunities. Management practices include scattered dry land farming, moderate cattle grazing and timber production. The land is a mix of gently rolling hills and meadows, sloping and steep hillsides, and benches. The value of this property to wildlife includes riparian habitats beneficial to endangered fish species and forestland and high meadow complexes beneficial to ungulates including bighorn sheep, deer and elk. It is bordered extensively by public lands owned by the US Forest Service (Umatilla National Forest) and the Bureau of Land Management and WDFW.

The property will be managed within the Wildlife Program by Bob Dice as part of the Grouse Flat Unit, Blue Mountain Wildlife Area. Operation and maintenance costs for this phase are estimated at \$13,000 to address weed control and litter issues. Payment in-lieu of property tax is estimated at \$1,732. Funding will be provided from the existing wildlife area budget. Phase 2 will be acquired for the reviewed approved appraised value of:

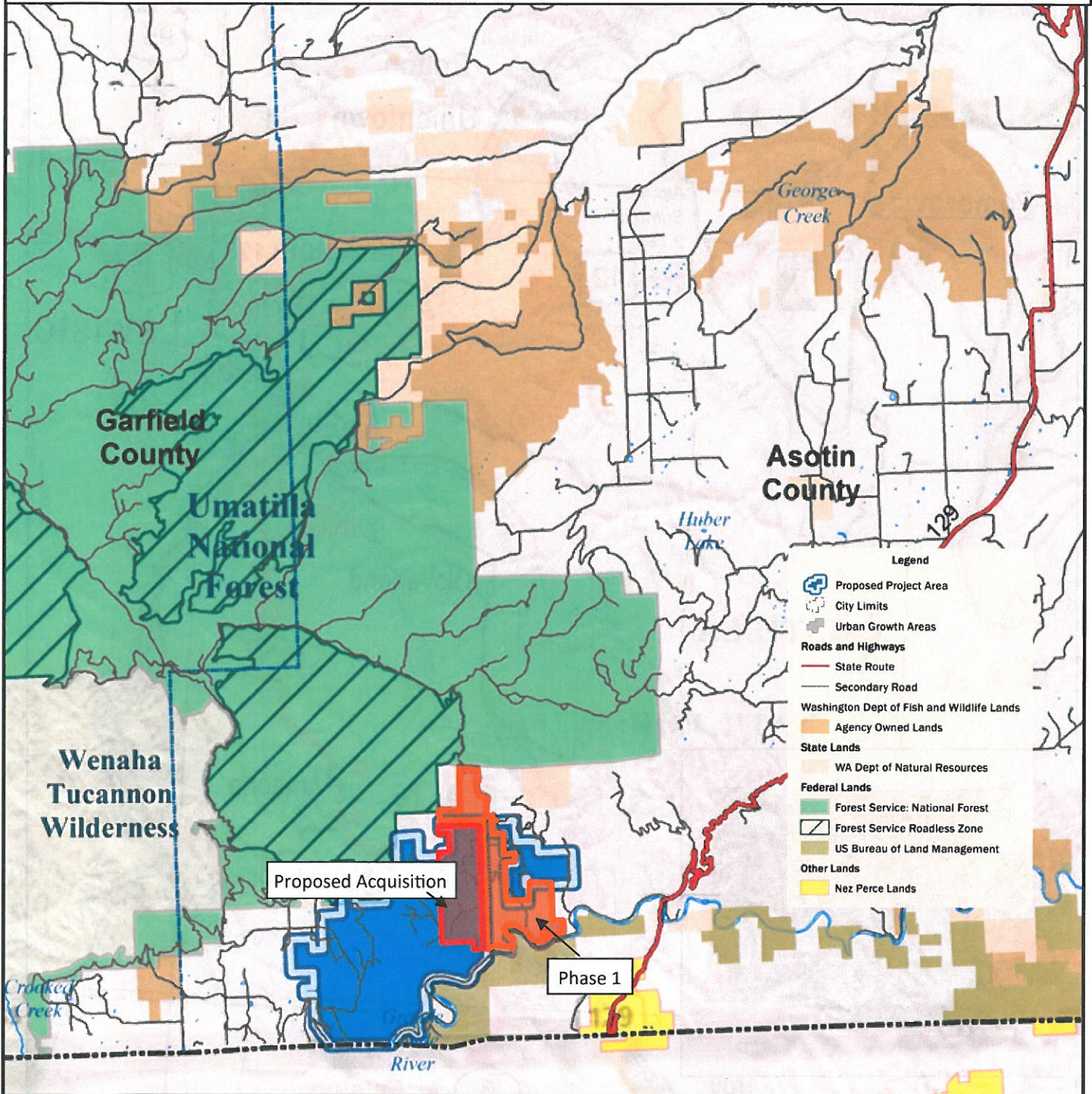
\$3,010,683 for 1,613.78 Acres

The Department recommends the Commission approve the acquisition of the 1,613.78-acre 2nd Phase of the Milton Odom, II and 4-0 Land & Livestock, LLC property for \$3,010,683.

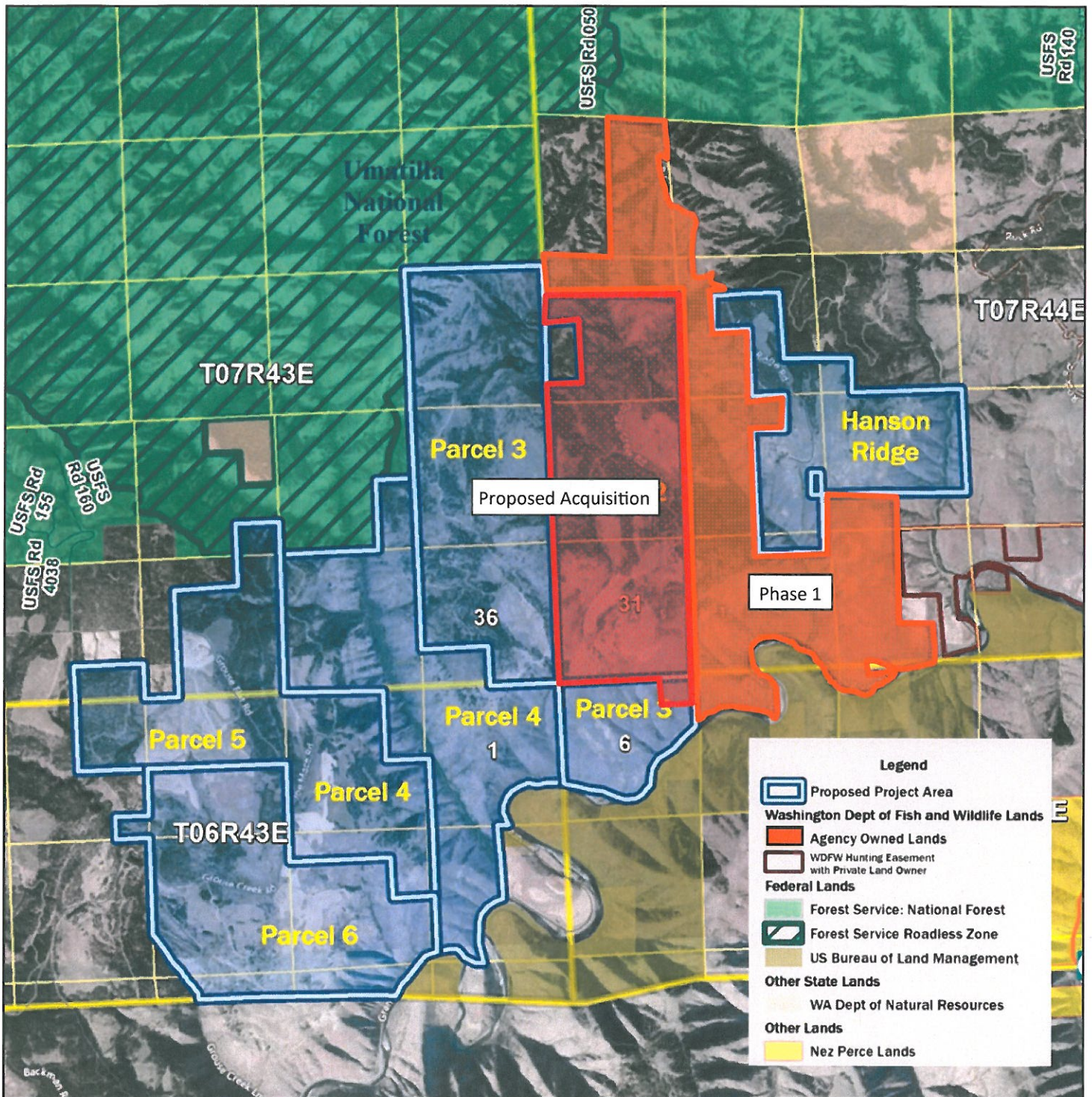
ITEM 2: PROPOSED ACQUISITION ODOM/4-0 PHASE 2
COUNTY: ASOTIN COUNTY
**LEGAL: SECTIONS 19, 30 & 31, TOWNSHIP 7 N, RANGE 44 E,
SECTION 6 TOWNSHIP 6 NORTH, RANGE 44 E, W.M.**
ACRES: 1613.78



ITEM 2: PROPOSED ACQUISITION ODOM/4-0 PHASE 2
COUNTY: ASOTIN COUNTY
LEGAL: SECTIONS 19, 30 & 31, TOWNSHIP 7 N, RANGE 44 E,
SECTION 6 TOWNSHIP 6 NORTH, RANGE 44 E, W.M.
ACRES: 1613.78



ITEM 2: PROPOSED ACQUISITION ODOM/4-0 PHASE 2
COUNTY: ASOTIN COUNTY
**LEGAL: SECTIONS 19, 30 & 31, TOWNSHIP 7 N, RANGE 44 E,
SECTION 6 TOWNSHIP 6 NORTH, RANGE 44 E, W.M.**
ACRES: 1613.78



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

March 1, 2013

TO: Philip Anderson
Director

FROM: Dan Budd
Real Estate Manager

**SUBJECT: ITEM 3: PROPOSED ACQUISITION OF THE MATTSON PROPERTY,
CHINOOK RIVER ESTUARY, CHINOOK UNIT, JOHNS RIVER
WILDLIFE AREA, PACIFIC COUNTY.**

The Department of Fish and Wildlife (WDFW) has secured an option on the Mattson property to purchase 195.01 acres of lowlands in the Chinook River Estuary. This acquisition is part of the Bonneville Power Administration (BPA) Chinook River Estuary project which was evaluated and approved through the Lands 20/20 process. The purpose of the project is to provide more lands for tidal inundation for increased salmon habitat and increase SBU's (Survival Benefit Units) of salmon. Authority for this acquisition is provided in the capital budget.

This property is located in Pacific County, approximately 3 miles southeast of Ilwaco, with significant frontage on Chinook Valley Road. The land is uniformly flat and has had a variety of uses over time, including cottonwood tree production, hay production, and its current use, cattle grazing. The significant benefit of acquiring this property is increased tidelands for salmon habitat restoration and increased salmon habitat, through inundation of existing lowlands. Secondly, it is adjacent to the WDFW-Chinook Unit of the Johns River Wildlife Area and would greatly improve public access and benefit of the WDFW lands. The property is bisected by Brown Slough and fronts on Chinook River.

The property will be managed within the Wildlife Program by Kyle Guzlas as part of the Johns River Wildlife Area. Operation and maintenance costs are anticipated to be \$1,600 annually to address weed control and litter issues. Funding is anticipated to be provided by Bonneville Power Administration. The Department has secured an option to purchase this property at the reviewed and approved appraised value of:

\$550,000.00 for 195.01 acres

The Department recommends the Commission approve the acquisition of the 195.01 acre Mattson property for the appraised value of \$550,000.00.

ITEM 3: PROPOSED ACQUISITION MATTSON PROPERTY

COUNTY: PACIFIC COUNTY

LEGAL: SECTIONS 31 & 32, TOWNSHIP 10 N, RANGE 10W, W.M.

ACRES: 195.01



**ITEM 3: PROPOSED ACQUISITION
MATTSON PROPERTY**

COUNTY: PACIFIC COUNTY

LEGAL: SECTIONS 31 & 32, TOWNSHIP 10 N, RANGE 10W, W.M.

ACRES: 195.01



**ITEM 3: PROPOSED ACQUISITION
MATTSON PROPERTY**

COUNTY: PACIFIC COUNTY

LEGAL: SECTIONS 31 & 32, TOWNSHIP 10 N, RANGE 10W, W.M.

ACRES: 195.01

