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## Habitat & Recreation Lands -- Acquisitions and Disposals – Criteria, Authorities, Communication

	Dept. of Natural Resources	Dept. of Fish & Wildlife	Washington State Parks & Recreation Commission
1. Criteria for acquiring/disposing property?			
<b>Natural Area Preserves</b>	By statute (79.70 RCW), natural area preserves (NAPs) must be consistent with the Natural Heritage Plan. <ul style="list-style-type: none"> <li>- representative examples of the highest quality native ecosystems</li> <li>- rare or diminishing plant or animal populations (priority in NH plan)</li> </ul>	By statute (79.70 RCW), natural area preserves (NAPs) must be consistent with the Natural Heritage Plan. <ul style="list-style-type: none"> <li>- representative examples of the highest quality native ecosystems</li> <li>- critical wildlife habitat for populations of E,T and S or rare or diminishing animal species</li> </ul>	By statute (79.70 RCW), natural area preserves (NAPs) must be consistent with the Natural Heritage Plan. <ul style="list-style-type: none"> <li>- representative examples of the highest quality native ecosystems</li> </ul>
<b>Other conservation lands</b>	<b>Natural Resources Conservation Area (NRCA)</b> Areas with high priority for conservation, natural systems, wildlife and low-impact public use values;  Criteria: Flora, fauna, geological, archaeological, scenic or similar features; native ecological communities; connectivity between protected areas; protection of NAP core area; and opportunities for low impact public use	<b>Wildlife Areas</b> Habitats that are necessary to recover, maintain or enhance the integrity and/or habitat diversity of Washington ecosystems.  Nine criteria: priority species, habitat values, biodiversity, availability & accessibility, research & education, economics, fiscal accountability, stewardship, partnership & citizen involvement.	<b>C.A.M.P. designations:</b> Natural Area Preserves, Natural/Natural Forest Areas, Resource Recreation Areas, Recreation Areas, and Heritage Areas.  Protect a view shed; or for stewardship of natural and cultural resources.  Nine criteria: significance, popularity, experiences, uniqueness, flora and fauna, scenery size, condition and revenue. Consistent with the Centennial 2013 Vision.
<b>Recreation lands</b>	DNR does not commonly buy land just for recreation purposes. State trust land is managed primarily to generate revenue with a secondary purpose of providing recreational and public use. Suitability for recreation purposes is generally not part of the criteria used for the identification of trust land for acquisition.	WDFW will acquire property to provide wildlife-related recreational opportunities for the public and for the purpose of WDFW administrative support.  Criteria include: Avoid or correct public health and safety code violations; protect assets; protect environment (fish and wildlife and their habitats); protect capital investments; support agency strategic goals; engineering, permitting, cost feasibility	WSPRC acquires parkland for outdoor recreational opportunities for the public;  Nine criteria: significance, popularity, experiences, uniqueness, flora and fauna, scenery size, condition and revenue.  Consistent with the Centennial 2013 Vision.
<b>Criteria for Disposal</b>	NAP lands may not be disposed of except for	Property that does not serve an appropriate habitat,	Parkland not needed for state park purposes may be

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	imperative and unavoidable public necessity.  RCW doesn't provide for sale or exchange of NRCA lands.	recreational, or administrative support function will be considered surplus and may be disposed.	disposed of and the proceeds used to acquire other parkland better suited for state park purposes.  Disposal: Nine factors: significance, popularity, experiences, uniqueness, flora and fauna, scenery size, condition and revenue.
1. COMMENT & RECOMMENDATION (Action; next step) SSB 6242 thrust: all three agencies should set and share objective criteria for acquisitions and disposals.	<p><b>Opportunities:</b> <u>Natural Heritage program should evaluate WDFW wildlife areas, water access sites and see where sites might get credit in the Nat. Her. Plan as adding to specific protection of an element in the Nat. Her. Plan.</u></p> <p><u>Share criteria of why we buy what we buy and establish a regular framework to coordinate those acquisitions.</u></p> <p><b>Problems:</b> <u>There is a goal to develop management plans for each of these areas, but the planning process does not typically cross jurisdictional boundaries.</u></p> <p><u>The Lands group needs to identify and articulate two sets of improvements for coordination. The first is focused on acquisition the second focused on management.</u></p>	<p><b>Opportunities:</b> <u>All agencies should be coordinating around the NAPs to see if the NAPs are being owned/managed by the most appropriate agency. The Areas management objectives and agency resources and logistics should come into play in this coordination. Add this to the Annual forum agenda.</u></p> <p><b>Problems:</b> <u>WSDOT doesn't have land managers and the biggest problem is long-term management. Also this precludes the viability of public access opportunities for education, birding, and passive recreation. Ideal objective is to dispose of some of these lands by transferring to WDFW or another agency who can better manage the site and perhaps permit and manage public access. Spending \$2.2 m for invasive and weed control only on mitigation sites.</u></p> <p><u>WSDOT doesn't have a complete inventory of mitigation sites.</u></p>	<p><b>Opportunities:</b> <u>Identifying opportunities to coordinate around overlapping conservation objectives (e.g. land connectivity, biodiversity) from different agencies. This should be a primary focus of the annual coordination forum.</u></p> <p><u>The agencies should explore the possibility of land exchanges or easement exchanges to retroactively coordinate past acquisitions. This should be subordinate to proactive forward-looking coordination around new acquisitions and disposals. (Lower priority)</u></p> <p><b>Problems:</b> <u>Too often staff and agency resources are the limiting factor for effective land exchanges or multi-agency acquisitions. Need to engage the state legislature in the resourcing of these larger, more complex projects and acquisition opportunities.</u></p> <p><u>Are there inter-agency management agreements that could be developed to enhance the success of conservation objectives from agencies, cross-jurisdiction. This may simply require action and political will to allow this to happen. Probably does not require legislative or other policy action. Perhaps identify some opportunities to do this at the annual forum?</u></p>
2. Internal nomination/selection process?	NAPs: Sites are proposed by NH/NA staff, reviewed by NH scientists for appropriate acquisition boundary, a recommendation is	NAPs: Sites are proposed by DFW or NH staff, a recommendation is approved by the Natural Heritage Advisory Council	NAPs: Sites are proposed by St. Parks or NH staff, a recommendation is approved by the Natural Heritage Advisory Council

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	<p>approved by the Natural Heritage Advisory Council</p> <p>NRCAs: Can be proposed by any DNR staff; if the area includes a NH feature the proposal is reviewed by NH scientists for appropriate acquisition boundary and the NHAC approves the recommendation; NRCAs may also be established through the TLT process by the CPL based on Trust land managers' recommendations.</p>	<p>Wildlife/Recreation areas: Any department employee may propose land acquisitions: The Regional Management Team, the Agency Lands Evaluation Team, and the Director's Office must review and approve all potential land acquisition projects, regardless of funding source. Land acquisition proposals are ranked using the Lands 20/20 criteria. Acquisition proposals are provided to the Fish and Wildlife Commission and/or the appropriate Commission sub-committee for review and comment.</p>	<p>Parkland: Anyone may propose a property for consideration as an acquisition – staff, other agencies, the public, a group. The Classification and Management Plan (CAMP) process includes setting long-term boundaries for a park or park management area. Within that area, desirable properties will be identified for acquisition. Staff submits final CAMP recommendations to the State Parks Commission for their approval.</p>
<p>2. COMMENT &amp; RECOMMENDATION (Action; next step) SSB 6242 thrust: Identify common practices that all three agencies use in acquisition process, and find "best practices" to share.</p>	<p><b>Common practices across agency</b></p> <ol style="list-style-type: none"> <li>1) Don't condemn</li> <li>2) 3<sup>rd</sup> party appraisal</li> <li>3) Timber cruises if appropriate</li> <li>4) HAZMAT evaluation</li> <li>5) Biological assessment if appropriate</li> <li>6) Title/escrow due diligence</li> <li>7) Survey if appropriate</li> <li>8) Public outreach and community engagement (timing and approaches are different – see recommendation 3.dfw.)</li> </ol> <p><b>Site selection</b></p> <p><b>Opportunities</b>  SP has used DNR/DOT surveyors, timber-cruisers, etc. This can save SP \$. We can be doing more of this – interagency contracts, staff-loans, etc. There is an opportunity to save tax-payer \$ by getting better at sharing these experts across agencies. Need to market within our own agencies and inter-agencies the staff, tools and other resources available to make acquisitions happen.</p>	<p><b>Site selection</b>  Based first on priority species, and second on biological surveys for those species. If this is on private land, then it becomes a acquisition priority.</p> <p><b>Opportunities</b>  How do we coordinate WSDOT mitigation opportunities so that they help to benefit WDFW conservation objectives? This is required by the new ACE mitigation rule – state rule will be developed by Ecology. Rule is expected to streamline the permitting process because its going to accomplish these new goals. Puget Sound Partnership and Watershed entities/councils are working on implementing this.</p> <p><b>Problems</b>  Together the agencies need to be evaluating how multiple objective are being met...Is this something that the monitoring work group 3 should be looking at?</p> <p><b>Need to find a way to coordinate with the PSP Action Agenda near term actions connected to developing a comprehensive prioritized land acquisition strategy. WG 1 and the lands group needs to coordinate with this. There is a PILT program connected to these near term actions that should also be considered by the lands group as well.</b></p>	<p><b>Site selection</b></p> <p><b>Opportunities</b></p> <p><b>Problems</b></p>

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	<p><b>Problems</b>  <u>WSDOT cannot acquire ag lands – but could do enhancement work on ag lands. This may be an opportunity for coordination between WSDOT and WSCC, and other local ag preservation initiatives? WWRP Farmland preservation acct? (Consv. Easments?)</u></p>	<p><u>NEXT STEP – Contact PSP and make sure that they are working with us—visa-versa.</u></p> <p><b>Problems</b></p>	
<p>3. Is the public engaged in your decision-making process for <b>acquiring or disposing of property by exchange or public sale?</b></p>	<p>Yes. DNR staff notifies potentially affected landowners within a proposed acquisition boundary, adjacent landowners, and local officials and holds an initial informational <u>community meeting</u>. A <u>public hearing</u> is then held on the proposed boundary near the location of the proposed NAP or NRCA.</p> <p>Site recommendations are presented to the <u>Natural Heritage Advisory Council meetings</u> which are open to the public.</p> <p>The Commissioner of Public Lands considers public comments, the NHAC recommendation and staff suggestions (if any) and establishes through Commissioner Order the proposed or expanded proposed boundary for natural area sites.</p>	<p>Yes. The Lands Advisory Council and the DFW Commission review land sales &amp; acquisition proposals. <u>Some DFW plans listed above include public involvement &amp; comments from advisory councils.</u> The public has 30 days' notice prior to <u>Commission meetings</u> where such proposals are approved.</p> <p><u>Contact local governments in advance of acquisitions (wrrp requirement) and disposals (statutory)</u></p> <p><u>[Elizabeth will revise this section].</u></p>	<p>Yes, for both.  During the one-year CAMP process, staff conducts several <u>local-area meetings</u> to inform the public and gather information and preferences from the public. Advisory groups are often part of the process. Public comment is solicited via Parks' <u>web site and public service announcements</u> as well. Local governments are notified of all CAMP and <u>Commission meetings</u>, so are made aware of all matters brought for action by the Commission.</p> <p><b>DISPOSAL</b>  Parks staff mails an “interested parties” letter to owners within 1000 feet of the proposed transaction; conducts a public hearing to take testimony for the record for the Commission’s consideration; submits the proposed transaction to the Commission for their action during a regularly scheduled Commission meeting; provides notice through public service announcements of all Commission meetings</p> <p>Commission meetings are open to the public.</p>
<p>3. <b>COMMENT&amp; RECOMMENDATION</b>  (Action; next step)  SSB 6242 thrust: Do all three agencies have a</p>		<p><u>Opportunity:</u>  <u>We need to involve the local county governments and elected officials earlier in the WDFW's planning process. Consider modeling this after the Natural Heritage Program and the CAMP process.</u></p>	

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transparency around acquisitions and disposals?		<p><u>Early engagement of community members and leaders can really improve the process and transparency of acquisitions and disposals. It can help identify the community's conservation and recreation objectives and find ways to integrate those, address them or mitigate for them.</u></p> <p><u>Sharing facilitators and managing meetings with public relations staff that are highly qualified and experienced in doing this could increase the effectiveness of this and save tax payer \$. Having some good models for community meetings and outreach processes.</u></p> <p><u>Recommend a common approach to early community outreach and public processes for land acquisition processes so that the county government folks are familiar with the process regardless of which agency is making the request.</u></p> <p><u>Within the confines of sensitivity of parcel identification, we might want the IT team to help develop a 10-year projection of acquisitions that are in the queue.</u></p>	
4. What are your sources for acquiring?  Which of these sources evaluate or set CRITERIA for acquiring?	<p><u>Federal grants:</u> Section 6 Federal Grant Program to acquire Important Habitat Lands in Support of Endangered Species and HCPs; wetlands protection (past)</p> <p><u>State grants:</u> WWRP (CRITERIA)</p> <p><u>Other:</u> direct appropriations, Trust Land Transfer, land donations; federal appropriation with a non-federal match (25%)</p>	<p><u>Federal grants:</u> Pittman-Robertson Fund (past), wetlands protection (past), LCWF (CRITERIA), Cooperative Endangered Species Conservation Fund, National Coastal Wetlands Conservation Fund, North American Wetland Conservation Fund</p> <p><u>State grants:</u> WWRP (CRITERIA)</p> <p><u>Other:</u> direct appropriations (portion of collected state taxes), Trust Land Transfer, land donations</p>	<p><u>Federal grants:</u> LWCF occasionally (e.g., St. Edward State Park) (CRITERIA)</p> <p><u>State grants:</u> WWRP (Recreation &amp; Conservation Office) 50-80% of our funding for acquisitions (CRITERIA)</p> <p><u>Other:</u> spending authority; direct budget appropriations; Trust Land Transfer; land donations; "bridge" loans (e.g., Columbia Land Trust; San Juan Preservation Trust) Parks' Parkland Acquisition Account (monies derived from sale of surplus parkland) LITTLE/ NO CRITERIA</p>
4. COMMENT&			

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RECOMMENDATION (Action; next step) SSB 6242 thrust: Legislature wants to be involved when we acquire with federal grants.			
	<u>Spending authority for federal funds is approved by OFM. So we recommend a reporting mechanism from OFM to the legislature. Share this with WG 5.</u>  <u>OFM natural resource budget analysts should be an observer/participant in the annual forums.</u>		
5. How are acquisition priorities set?	DNR Special Lands Acquisition staff pursue the “core” properties within an identified acquisition boundary, those with the highest conservation value.  Priority is to acquire fee simple, but may also acquire less-than-fee interest in property for inclusion in NRCAs	WDFW biologists, regional and program staff confer on priorities and submit acquisition proposals to the Lands Division.  Acquisitions are strategic. The highest assurance for conservation is achieved through fee acquisition, but may also seek conservation easements or landowner cooperation on management.	Historically, more opportunistic; however, the Centennial 2013 Vision core values focus on resource protection and preservation.  Priority is to acquire fee simple title, but may also seek conservation easements, or a combination of fee simple and less-than-fee. May involve environmental staff.
5. COMMENT& RECOMMENDATION (Action; next step) SSB 6242 thrust: We could do better at using a strategic approach to acquisitions and disposals.	<u>Time to do strategic prioritization should be happening in the planning phases (1 &amp; 2 above). The annual forum is where the agencies should be sharing information about near-term priorities.</u>	<u>What is the minimum threshold for staff management of habitat and recreation lands? Staffing for land management is inadequate. Should the lands group identify the need for additional resource management staff?</u>  <u>Coordinate with WSCC, Biodiversity council, and RCO with land-owner incentives, conservation easements, etc.</u>	
6. Does your agency coordinate with other agencies for acquisition or disposal?	DNR is a member of the 15-member Natural Heritage Advisory Council, which includes cross-state representatives from scientific disciplines, forest and agricultural industries and government agencies.  DNR scientists cooperate with other state or	DFW is a member of the Natural Heritage Advisory Council.  DFW contacts local officials prior to submitting grant proposals. Each granting agency (e.g., WWRP) approves projects. The Governor’s office and legislature review acquisition lists & proposals prior to	State Parks is a member of the Natural Heritage Advisory Council.  We don’t coordinate with other agencies at the planning stage. But after Parks’ planning dept. decides to acquire or dispose, we coordinate interagency or Trust Land transfers; we notify local and state governments and agencies prior to

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(b) Do you share information with other agencies to assist with or integrate your planning and management efforts? (e.g., GIS-based database)	<p>federal agency staff in establishing NAPs and NRCAs</p> <p>Staff notifies potential receiving agencies for disposals through TLT (e.g., DFW, State Parks, local governments, Natural Heritage Council, stakeholders). Final list of properties to be transferred is sent to OFM as part of the agency capital budget request.</p> <p>(b) Not in any formalized or consistent way.</p>	<p>granting spending authority.</p> <p>Staff biologists &amp; land conservation managers cooperate with other agencies and NGOs on nine Ecoregional conservation assessments &amp; a state biodiversity conservation opportunity framework to identify potential biodiversity and fish &amp; wildlife habitat acquisition sites.</p> <p>(b) No (??Yes, WDFW provides information on locations of priority habitats and species to agencies and others willing to sign sensitive information agreement. General information on proposed acquisitions is available on WDFW Endangered Species webpage and through RCO PRISM.)</p>	<p>disposals. Other governmental agencies and stakeholders are often included in our Technological Advisory or Citizen Advisory groups.</p> <p>The agency Budget Decision Package – Commission Action – Capital Budget Request -- OFM—legislative spending authority process applies to all transactions.</p> <p>(b) Not in a formalized or policy-driven manner.</p>
<p>6. COMMENT&amp; RECOMMENDATION (Action; next step) SSB 6242's main thrust seems to be legislature's concern with counties' loss of revenue when the state removes private land from the tax rolls. So acquisition proposals should include proof we've given sufficient notice.</p> <p>(b) To make the planning process efficient and reliable, the three agencies should create and routinely share a "universal" standard GIS-based database that tracks land under</p>	<p><u>Implement SSB 6242 and ensure success of lands group.</u></p>		

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consideration for acquisition and disposal. From the 2005 report <u>Toward a Coordination Strategy for Habitat and Recreation Land Acquisitions in Washington State</u> : "Generally, there is no single repository for the information, where, for example, the knowledge gained from a salmon recovery planning can be combined with information concerning fish, wildlife and plant habitat obtained from other efforts."			
7. Who are your primary partners in <b>acquisition</b> ? (e.g., other agencies, NGOs)	Land trusts and conservation groups, such as The Nature Conservancy, often partner with DNR in developing NAP recommendations and/or acquiring property within our boundary that is at imminent risk of development, as well as with management of established sites.	USFWS, USFS, USBLM, USBOR, DNR; land trusts; conservation groups	Land trusts and conservation groups, such as The Nature Conservancy, often partner with State Parks in acquiring property within our CAMP long-term boundary that is at imminent risk of development. They may also provide "bridge" loans.
7. <b>COMMENT &amp; RECOMMENDATION</b> (Action; next step)	<u>Include these entities in off-year annual forum coordination? Two day format for annual forum for 2010? Consider this for the 2<sup>nd</sup> annual forum. Partner with WALT and the other partners – invite their regional staff and agency equals to find space to meet and coordinate by eco-region?</u>		

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