



WASHINGTON STATE DEPARTMENT OF
Natural Resources

Peter Goldmark - Commissioner of Public Lands
Kyle Blum - Deputy Supervisor for State Uplands

PACIFIC STATE FOREST TRUST TRANSFER STATE FOREST REPLACEMENT PROJECT

PROPOSAL

The Department of Natural Resources proposes to transfer 16.7 acres, more or less, of State Forest Transfer Trust property located in Pacific County to natural resources conservation area status.

Proceeds from the timber value will be distributed as provided in RCW 79.64.110, in the same manner as valuable material revenues from other State Forest Transfer Trust lands in the county. The land value proceeds will be deposited to the Park Land Trust Revolving Account and used to purchase replacement State Forest Transfer Trust land within the same county.

BENEFITS

The state and the State Forest Transfer Trust are benefitted by:

- Transferring property encumbered by endangered species-based harvest restrictions to natural resources conservation area status, under which the property will be protected and managed for identified biological, ecological, and social values.
- Replacing the encumbered property with productive working forest land which will provide sustainable revenue to affected counties.

GENERAL LOCATION

The property is located less than 1 mile northeast of the intersection of SR4 and SR401, near the community of Naselle, within Section(s) 3, Township 10 North, Range 9 West, W.M., in Pacific Cascade Region.

ENCUMBRANCES None.

IMPROVEMENTS None.

PRESENT INCOME None.

MARKET VALUE	Timber (1,161 Mbf)	\$474,950
	Land & Reprod.	<u>\$ 25,050</u>
	TOTAL	\$500,000

TERMS OF TRANSFER Cash.

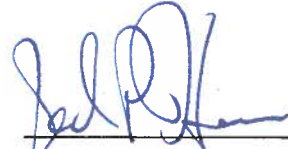
JUSTIFICATION

The transfer is authorized under RCW 79.22.060 and funding is provided by Section 3239, Chapter 19, Laws of 2013.

COMMENTS

Transfer will be by Commissioner's Order. The department will execute and record a real property instrument that dedicates the transferred property as natural resources conservation area and restricts property use to such purposes, as specified by legislation. Property will be reserved as Permit Lands as defined in the department's Habitat Conservation Plan. Mineral rights will be conveyed with the land.

Division Manager



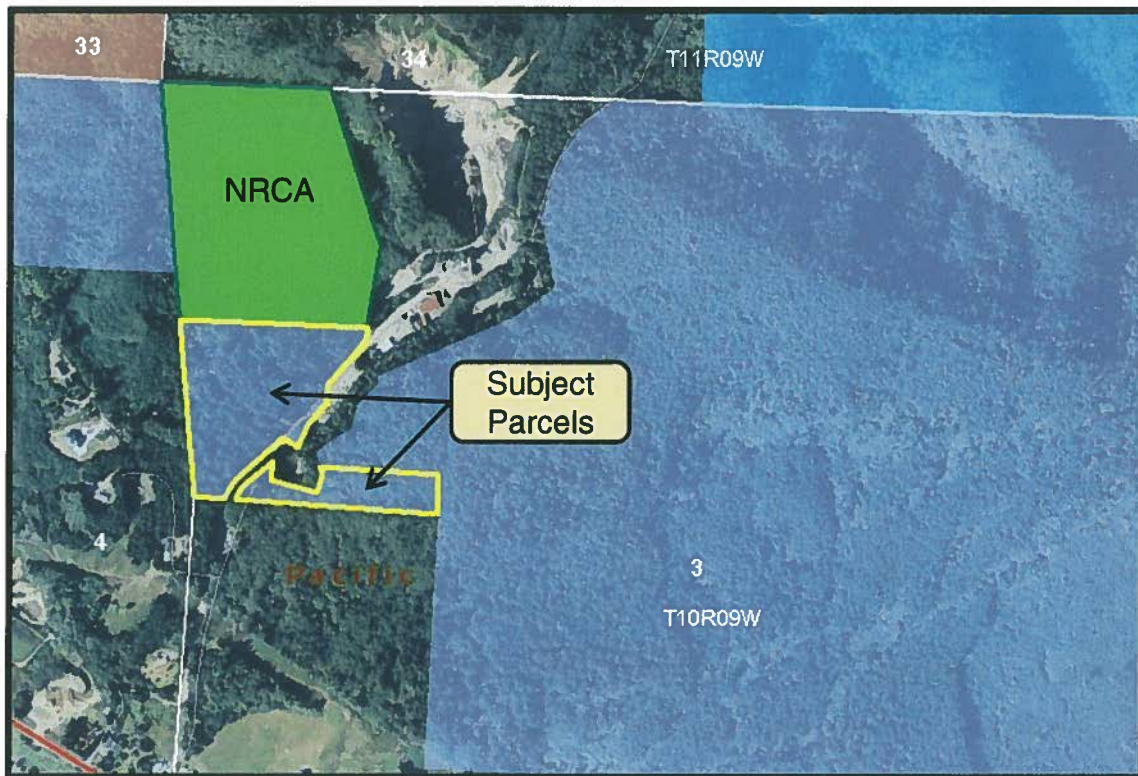
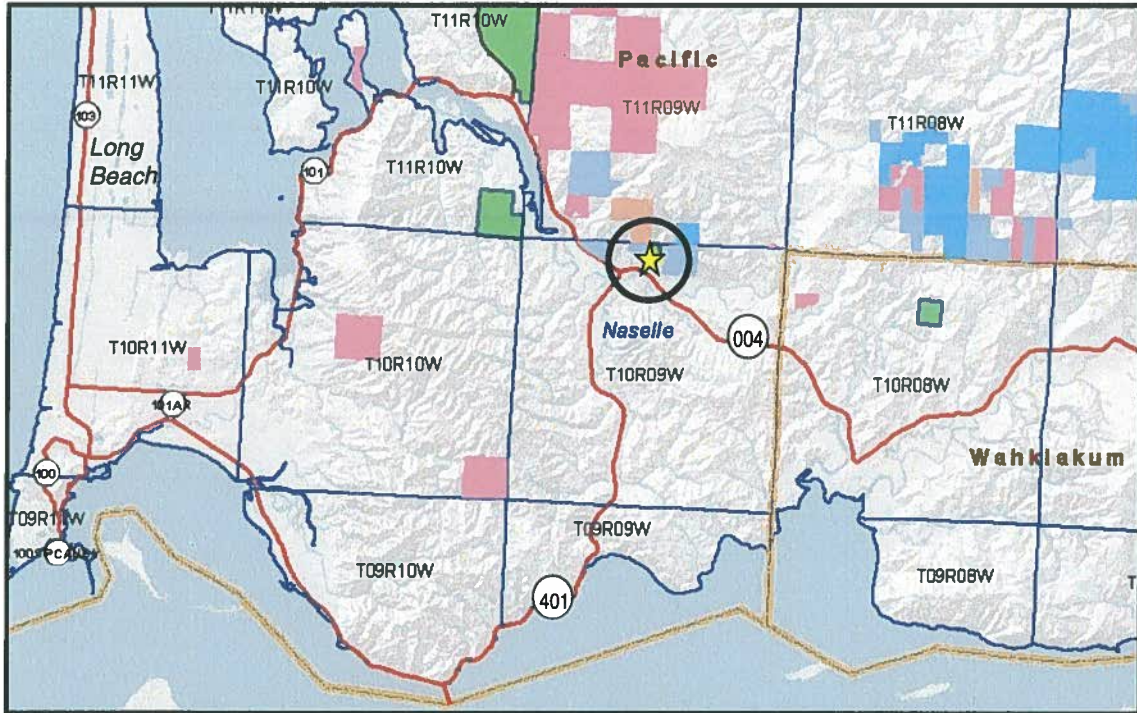
Deputy Supervisor for
State Uplands



Date of Board Approval

**STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES
BOARD OF NATURAL RESOURCES**

PACIFIC STATE FOREST TRUST TRANSFER



Within Section 3, Township 10 North, Range 9 West, W.M., Pacific County

**STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES
BOARD OF NATURAL RESOURCES**

RESOLUTION NO.

A **RESOLUTION** relating to the compensation to the State Forest Transfer Trust for the designation of State Forest Transfer Trust property to be managed as a natural resources conservation area as authorized by Section 3239, Chapter 19, Washington Laws of 2013, and RCW 79.22.060 under Department of Natural Resources Land Transfer File No. 02-091002.

**BE IT RESOLVED BY THE BOARD OF NATURAL RESOURCES,
DEPARTMENT OF NATURAL RESOURCES, STATE OF WASHINGTON, THAT:**

SECTION 1. The State of Washington, acting by and through the Department of Natural Resources, has title to and holds in trust under the provisions of Title 79 RCW the State Forest Transfer Trust property described in Exhibit A.

SECTION 2. The real property described in Exhibit A and known as Pacific State Forest Trust Transfer is authorized for transfer for the purpose of replacing State Forest Trust lands encumbered by endangered species-based harvest restrictions with productive, working forest lands, by Section 3239, Chapter 19, Washington Laws of 2013, and RCW 79.22.060.

SECTION 3. The Board of Natural Resources finds that it is in the best interest of the State Forest Transfer Trust to transfer and set aside the real property described in Exhibit A to natural resources conservation area status.

SECTION 4. The Board of Natural Resources finds the appraised market value of the real property described in Exhibit A to be \$500,000, consistent with the valuation method used to establish the value of the fee simple interest of the property without consideration of management or regulatory encumbrances associated with wildlife species listed under the federal endangered species act.

SECTION 5. The Board of Natural Resources approves of the use of the Declaration of Covenants, Conditions, and Restrictions related to the Dedication of Pacific State Forest Trust Transfer as a Natural Resources Conservation Area and Management Commitment, set forth in Exhibit B., as evidence of the transfer of the property described in Exhibit A to natural resources conservation area status.

SECTION 6. Should the transfer authorized by this resolution be consummated, the State of Washington, Department of Natural Resources shall:

- A. Upon receiving payment of the value stated in SECTION 4 above, properly authorize and record the "Declaration of Covenants, Conditions, and Restrictions" shown in form as Exhibit B and take whatever steps are necessary to designate the property described in Exhibit A as a Natural Resources Conservation Area. Use shall be restricted for purposes consistent with Ch. 79.71 RCW.

The property shall be retained as Permit Lands as defined in the Department of Natural Resources' Habitat Conservation Plan. All mineral rights will be conveyed with the land. The term of the natural resources conservation area status shall be perpetual.

- B. Disburse the proceeds from the transfer to natural resources conservation area status as follows:
1. In accordance with RCW 79.64.110, deposit \$118,738 of timber value into the Forest Development Account, and the remaining \$356,212 of timber value to Pacific County; and
 2. Deposit the land value of \$25,050 into the Park Land Trust Revolving Account and hold said funds, together with accrued interest, for the purpose of acquiring desirable replacement property for the State Forest Transfer Trust in future purchases to be approved by the Board.

APPROVED AND ADOPTED by the Board of Natural Resources, Department of Natural Resources, State of Washington, this _____ day of _____, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Commissioner of Public Lands.

PETER GOLDMARK
Commissioner of Public Lands

Approved as to form this 19th day
of August, 2014.


Assistant Attorney General

**STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES
RESOLUTION**

EXHIBIT A

LEGAL DESCRIPTION

The South 200.00 feet of the Southwest Quarter of the Northwest Quarter of Section 3, Township 10 North, Range 9 West, W.M., Pacific County, Washington lying easterly of that certain parcel as shown as "Private" on that survey recorded July 20, 1977 in Book 1 of Surveys at Page 190, records of Pacific County, Washington, being a portion of those lands within said Section 3 as described by that document recorded April 2, 1975 in Volume 276 at Page 323, records of Pacific County, Washington.

TOGETHER WITH

That portion of the Northwest Quarter of Section 3, Township 10 North, Range 9 West, W.M., Pacific County, Washington lying westerly of that certain parcel as shown as "Private" on that survey recorded July 20, 1977 in Book 1 of Surveys at Page 190, records of Pacific County, Washington, being a portion of those lands within said Section 3 as described by that document recorded April 2, 1975 in Volume 276 at Page 323, records of Pacific County, Washington.

EXCEPTING THERFROM

That portion of the Northwest Quarter of Section 3, Township 10 North, Range 9 West, Willamette Meridian, Pacific County, Washington, more particularly described as follows; Beginning at the NW corner of said Section 3, and considering the west line of the NW1/4 of said Section 3 to bear N 4°39'02" W, with all bearings contained herein relative thereto; Thence S 87°46'41" E along the north line of the NW1/4 of said Section 3 a distance of 874.98 feet to the east line of a parcel shown as "State" on that survey recorded July 20, 1977 in Book 1 of Surveys at Page 190, records of Pacific County, Washington; Thence southerly along said east line S 17°41'41" E a distance of 858.10 feet; Thence S 8°43'19"W along said east line a distance of 426.16 feet; Thence N 87°46'41"W a distance of 970.78 feet to the west line of the NW1/4 of said Section 3; Thence N 4°39'02"W along said west line a distance of 1239.10 feet to the Point of Beginning, being a portion of those lands within said Section 3 as described by that document recorded April 2, 1975 in Volume 276 at Page 323, records of Pacific County, Washington.

Rynea L. Edwards, PLS 45158
Land Description & R/W Specialist
Land Survey Unit
Engineering Division
PO Box 47030
Olympia, WA 98504-7030

**STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES
RESOLUTION**

EXHIBIT B

**DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS RELATED
TO THE DEDICATION OF _____ STATE FOREST TRUST TRANSFER
_____ AS A NATURAL RESOURCES CONSERVATION AREA AND
MANAGEMENT COMMITMENT**

_____ County

Grantor: State of Washington, by and through the Department of Natural Resources

Grantee: State of Washington, by and through the Washington Department of Natural Resources, Natural Areas Program

**Abbreviated
Legal Desc:**

Tax Parcel #:

THIS DECLARATION is made this ____ day of _____, 2014, by the State of Washington, Department of Natural Resources (DNR).

RECITALS

WHEREAS, the State of Washington owns that certain real property legally described as set forth on Exhibit A and Exhibit B attached hereto and incorporated herein by this reference (the Property);

WHEREAS, Peter Goldmark, Commissioner of Public Lands, following the approval of the Board of Natural Resources, designated the Property as a natural resources conservation area pursuant to the requirements of Ch. 79.71 Revised Code of Washington; and

WHEREAS, DNR desires to place a Declaration of Covenants, Conditions, and Restrictions declaring that the Property shall be utilized perpetually as a natural resources conservation area and desires this Declaration to be recorded as a covenant running with the land to bind the Property according to the terms of this instrument.

NOW, THEREFORE, DNR hereby declares that the Property shall be used perpetually as a natural resources conservation area only subject to further restrictions of use as set forth herein.

Section 1. Restriction on Use of Property. The _____ Natural Resources Conservation Area was established for the Property to protect for public benefit an area that is important for scenic and ecological values. No uses are to be made of the Property except those consistent with its designation for the term specified herein. No additional or future restrictions may be placed on the Property without the approval of the Commissioner of Public Lands. DNR shall manage the Property consistent with its designation as a natural resources conservation area, and subject to any management plan that is adopted pursuant to RCW 79.71.070. Any other use or activity on the Property which is or may become inconsistent with the purposes of the _____ Natural Resources Conservation Area, the preservation of the Property in its natural condition, or the protection of its ecological features, or any management plan that is adopted, is prohibited.

Section 2. Applicability of Habitat Conservation Plan. The Property is located within an area that is subject to the State of Washington, Department of Natural Resources Habitat Conservation Plan and amendments thereto adopted in connection with Incidental Take Permit No. PRT-812521, as supplemented by Permit No. 1168, and the Implementation Agreement for the Washington State Department of Natural Resources Habitat Conservation Plan dated January 30, 1997, and any amendments to said permits and agreement. The Property is also to be used consistent with management as "PERMIT LANDS" as defined in the Habitat Conservation Plan Implementation Agreement as long as the Habitat Conservation Plan Implementation Agreement is in effect.

Section 3. This Declaration does not convey to the public the right to enter the Property for any purpose whatsoever, except as is set forth in any management plan adopted for the _____ Natural Resources Conservation Area.

Section 4. The covenants and restriction of this Declaration shall run with the land and bind the Property in perpetuity.

Section 5. This Declaration, and any future changes duly authorized in writing by the Commissioner of Public Lands, shall be recorded in the Auditor's Office of _____ County.

Section 6. Each covenant, condition, and restriction contained in this Declaration may be enforced by DNR or any owner of the Property if the Property is subsequently transferred from the State of Washington to another person or entity.

Section 7. This Declaration shall be governed by and construed in accordance with the laws of the State of Washington.

Section 8. This Declaration shall take effect when recorded.

This Declaration is executed and delivered pursuant to RCW 79.71.050 pursuant to Commissioner's Order No. _____, dated _____, entered by the Commissioner of Public Lands with the approval of the Board of Natural Resources, State of Washington.

IN WITNESS WHEREOF, this _____ day of _____, 2014.

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES

PETER GOLDMARK
Commissioner of Public Lands

Approved as to form this _____ day
of _____, 2014.

Assistant Attorney General