



Trust Land Transfer Revitalization
Pilot Project

Moses Lake Sand Dunes Packet

July 2022



WASHINGTON STATE DEPT OF
**NATURAL
RESOURCES**

Trust Land Transfer Revitalization Pilot Project: **Moses Lake Sand Dunes Packet**

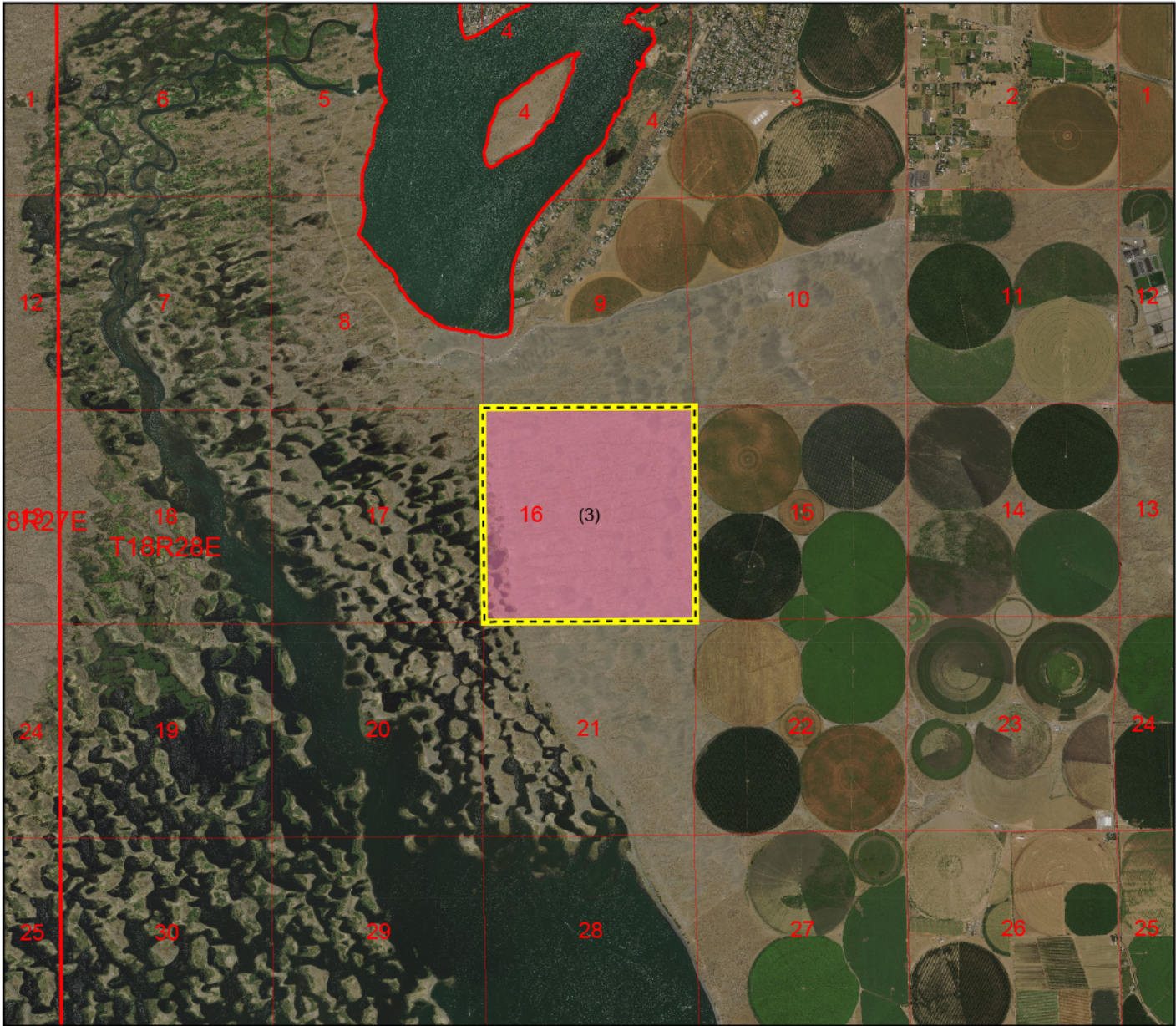
July 2022

Washington Department of Natural Resources (DNR)
Product Sales and Leasing Division
1111 Washington Street SE
PO Box 47014
Olympia, WA 98504-7014

Cover: Blakey Island Shoreline photo, Washington Department of Ecology

Map

TLT 2022 - Moses Lake Sand Dunes

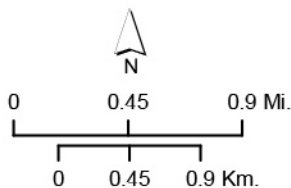


DNR-Managed Trust Lands

- State Forest Transfer (1)
- State Forest Purchase (2)
- Common School (3)
- Agricultural School (4)
- University - Transferred (5)
- CEP and RI (6)
- Capitol Grant (7)
- Normal School (8)
- Scientific School (10)
- University - Original (11)
- Community Forest Trust (48)
- NAP / NRCA (74/75)
- Other DNR-Managed Lands

Located In
Grant County, Washington

Transfer Parcel(s)
Boundaries may vary at time of transfer.



Area of Detail



WASHINGTON STATE DEPARTMENT OF
NATURAL RESOURCES

Disclaimer: Extreme care was used during the compilation of this map to ensure accuracy. However, due to changes in ownership and the need to rely on outside information, the Department of Natural Resources cannot accept responsibility for errors or omissions, and therefore, there are no warranties which accompany this material.

Application and Best Interests of the Trusts Analysis

TRUST LAND TRANSFER APPLICATION

(This application is available electronically.)

Submit by 4:00 PM on June 16, 2022 for consideration for the next funding cycle

The Trust Land Transfer program is an innovative tool for the Washington State Legislature, through the Department of Natural Resources, to address several land management needs. Specifically, this tool enables DNR to achieve the following:

- Transfer out of economically under-performing state trust lands and acquire funds to purchase replacement lands with higher long-term income producing potential
- Conserve lands that have high ecological values or public benefits

Applicant Information	DNR Staff contact (if different)
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Applicant's name: Grant County Barbara J. Vasquez, CMC Clerk of the Board Grant County Commissioners Office <hr/> Address: PO Box 37 35 C Street NW <hr/> City, State, Zip: Ephrata, WA 98823 <hr/> Phone: 509-754-2011 ext 2928 <hr/> E-mail: bvasquez@grantcountywa.gov <hr/> Parcel name/moniker: <u>Grant County Dunes (Moses Lake Sand Dunes)</u>	Staff name: Kathryn Mink, SE ARM <hr/> Address: 713 Bowers Road <hr/> City, State, Zip: Ellensburg WA 98926 <hr/> Phone: (509) 925-8510 or (509) 607-4183 <hr/> E-mail: southeast.region@dnr.wa.gov or Kathryn.mink@dnr.wa.gov
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Property Information

For proposals with more than one trust ownership, or in more than one county, describe parcels separately:

1.	County: Grant	Section: 16	Township: T18N	Range: R28E	B&M	W.M.	Parcel#: 170100000
	County:	Section:	Township:	Range:	B&M		Parcel#:
	County:	Section:	Township:	Range:	B&M		Parcel#:
2.	What is the land currently zoned as?			Public open space			
3.	What is the current land type/land cover?			Undeveloped Sand Dunes			
4.	What are the current uses of the property?			Recreation – No Legal Access			
5.	Total project acres:		647	Total acres forest:	0		
6.	Proposed receiving agency. Grant County						
7.	What trust(s) does this property currently belong to?						
Trust #1	Trust 03 Common Schools			Acres	647		
Trust #2	NA			Acres	0		
Trust #3	NA			Acres	0		

Property Evaluation

Please help us picture the uniqueness or importance of this property for Trust Land Transfer.

Projects are ranked on four criteria: (1) ECOLOGICAL VALUES, (2) PUBLIC BENEFITS, (3) COMMUNITY INVOLVEMENT AND SUPPORT, AND (4) ECONOMIC IMPACTS. This information will help establish your preliminary ranking with the other projects submitted for consideration. You may attach extra pages, if needed.

The questions and statements under each criteria may be used as general guidance to describe the project in more detail. There may be other relevant or unique characteristics of the parcel, not be listed here, for each criteria that may be used to describe the property being proposed for transfer.

CRITERIA: ECOLOGICAL VALUES

This criterion focuses on the attributes of the property and the ecological values protected or gained from the transfer of the property and its resources.

Ecological values may include:

- Federal or state endangered or threatened plant, fish, or wildlife species
- Rare or unique plant or wildlife communities
- Site with ecological significance on a global, regional, state, ecosystem, or watershed level
- Habitat for wide-ranging migratory species, especially winter range
- Landscape features or ecosystem services (such as wetlands to reduce flooding, vegetative cover to provide shade and reduce surface temperature, or cover crops to limit erosion) that might alleviate or mitigate natural hazards such as flood, fire, drought, etc.
- Characteristics such as high potential for old-growth habitat, or providing continuity of wildlife corridors
- Watershed protection such as protecting water supply or buffering public drinking water supply
- Describe the parcel's ecological values. Consider factors such as the ecological and biological quality of the habitat and the habitat's role in supporting key species.
- Describe the stewardship or management practices of the receiving agency to perpetuate the ecological values of the parcel. For example, does the agency have the ability to manage, monitor and protect these values once the parcel is transferred? Would the parcel fit within the agency's long-term conservation planning efforts?
- Is the parcel near or adjacent to other protected lands, either public or private?

(Use as much space as needed)

This parcel has ecological values, and remains unused for agricultural leasing, for which it is zoned. The parcel consists of sand dunes, along with some shore land interface with the Potholes Reservoir, on its southwest corner. The entire 647-acre parcel is currently used for recreation. The parcel has no legal access or water rights, and has been leased over the years to the Grant County to establish site control over established ORV recreational use that historically encroaches from neighboring private land. We have tried over the years to find an agricultural lessee who could irrigate and farm the ground, but no one has been interested.

The parcel does include sensitive plants and communities and grasslands.

This parcels is used by multiple species, including the White Pelican, Bald Eagle, Mule Deer, Shorebirds, Waterfowl, and known to be used by the Sagebrush Lizard.

There are two known/documentated cultural sites on this property.

CRITERIA: PUBLIC BENEFITS

Public benefits means a positive effect on the general public or one or more groups of people or community interests.

Examples may include:

- Resource-based outdoor recreation¹, parks, and/or public use, including accessible opportunities
- Public green space or open space

¹ Resource-based outdoor recreation is dependent on a particular element or combination of elements in the natural and cultural environments that cannot be easily duplicated by humans. Examples include but are not limited to trail use, camping, boating, swimming, picnicking, nature study.

- Distinctive scenic or aesthetic features
- Archeological, non-tribal cultural, or historical significance that have been previously documented
- Scientific research
- Outdoor education
- Describe the public benefits that are provided by this parcel now, and would continue upon the transfer, or the public benefits that would be provided by the transfer.
- Cite any publicly reviewed or adopted plans that support the need for the public benefits identified.
- Identify the communities that would be served by the parcel.
 - Include any overburdened community², underserved population³, or vulnerable population⁴ that might receive direct public benefits from this transfer.
 - Describe how proximity to this parcel might increase the stated public benefit.

(Use as much space as needed)

The only use of this site is public use, specifically ORV use. The dunes provide a unique recreation opportunity for both local and non-local recreationalists. The parcel has no other currently viable leasing revenue option or known public benefit.

Grant County began leasing the site in 1991, and paid a balloon payment with the lease; the intent of the balloon payment was that it would be applied to the future purchase price of the property. Once the lease was established and employees/commissioners rotated in and out over the years, the momentum to purchase seemed to stall with both Grant County and DNR. The intent remains.

The lease issued to Grant County allows for them to monitor and control the site effectively, and relieves DNR of SE Region and LEO cost and staff time to monitor and manage the property, particularly without recreation funding or legal access.

CRITERIA: COMMUNITY INVOLVEMENT AND SUPPORT

What is the level of community involvement and support for the proposed transfer?

- To what extent has the community been provided with an opportunity to become informed about the project and provide input?
 - Describe efforts to identify and contact all interested parties.
- Describe the level of involvement and support by the community, including local citizens, local organizations, local elected officials, interest groups, volunteers, public agencies, and others.
- Explain any known opposition to the transfer and any efforts to mitigate or address this opposition. Provide an explanation of why the transfer should be moved forward despite any community opposition.
- Describe any outreach efforts to overburdened communities, underserved populations, or vulnerable populations regarding this proposed transfer and the feedback received.

(Use as much space as needed)

DNR has not conducted community engagement meetings related to the transfer of this parcel, and it's unknown to us whether Grant County has. There is no known opposition to this proposal.

² "Overburdened community" means a geographic area where vulnerable populations face combined, multiple environmental harms and health impacts, and includes, but is not limited to, highly impacted communities as defined in RCW 19.405.020 (ESSSB 5141 Sec. 2 (11)). "Highly impacted community" means a community designated by the department of health based on cumulative impact analyses in RCW [19.405.140](#) or a community located in census tracts that are fully or partially on "Indian country" as defined in 18 U.S.C. Sec. 1151.

³ Underserved populations ([34 USC § 12291\(a\)\(39\)](#)) means populations who face barriers in accessing victim services, and includes populations underserved because of geographic location or religion, underserved racial or ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age) and any other population determined to be underserved by the Attorney General or the Secretary of Health and Human Services, as appropriate.

⁴ "Vulnerable populations" means population groups that are more likely to be at higher risk for poor health outcomes in response to environmental harms (ESSSB 5141 Sec. 2 (14)). "Vulnerable populations" includes, but is not limited to: (i) Racial or ethnic minorities;11 (ii) Low-income populations;12 13 (iii) Populations disproportionately impacted by environmental harms; and14 15 (iv) Populations of workers experiencing environmental harms.

Grant County is involved with the management of this parcel, and the County desires to own the parcel to enhance its future management of the site. In addition, there are multiple ORV web sites promoting the use of these sand dunes for recreation. From the Grant County website:

“The Grant County Sheriff's Office is proud to provide public safety services to our off-road recreation communities. The ORV Unit currently consists of two full-time commissioned deputies who works with a number of community groups to ensure safe off-road recreation. The ORV Deputy travels the state educating users of the Sand Dunes and other areas as to the laws and safety equipment required in off-road activities.”

CRITERIA: ECONOMIC IMPACTS

Examples of economic industries could include the following:

- Commercial leasing
- Local Recreation
- Local Tourism
- Forest products
- Non-forest products
- Local public services
- Shellfish
- Agriculture
- Other

Describe the potential positive or negative economic impact and extent of the impacts from the transfer.

(Use as much space as needed)

Use for Agriculture and Clean Energy leasing has been evaluated and does not exist at this time, or likely in the future. With that, there are no known opportunities for trust revenue on this site; there is potential for significant management cost if it weren't transferred due to recreation use that isn't funded through DNR's Recreation program.

Applicant's Comments Section

Other comments you may wish to add about your Trust Land Transfer proposal or property uniqueness.

This transfer would fulfill historical intent by both DNR and Grant County, and is supported by SE Region.

Receiving Agency Information Section

1. Proposed receiving agency: DNR's Natural Areas
2. Has the proposed receiving agency been contacted and confirmed interest in this proposed transfer?
Yes No Other

If yes,

Please provide contact information at the proposed receiving agency	Contact name: Rebekah M. Kaylor, Grant County	Phone Number	Email rmkaylor@grantcountywa.gov
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3. Is there a comprehensive or landscape management plan that would apply to this property once transferred?
Yes No
If yes, please send a copy with your application

4. Describe how this parcel fits within the context of the receiving agency's long-term management plans. Please include any information that supports the agency's capacity for managing the parcel and preserving the ecological value and/or public benefits associated with the parcel. If forested, does the receiving agency have the resources and/or any plans for ensuring forest health and reducing fire risk?

Liens and Encumbrances Section

Liens and Encumbrances

Please list any and all liens and encumbrances on the property proposed the Trust Land Transfer Program. Examples of liens and/or encumbrances include: utility easements, public rights of way, water flow or water use restrictions, septic systems or water easements, dump sites, long-term harvest deferrals, other environmental hazards, transportation corridors, etc.

None of record.

Testimony and Affiliation

The information in this application is true to the best of my knowledge and beliefs.

Kathryn Mink

7/6/2022

Signature

Date

SE ARM

DNR

Title/position

Organization

E-Mail the completed application to:

TLT – Best Interests of the Trust Analysis:
Moses Lake Dunes (647 acres)
Date: 7/4/2022, Bob Winslow

Quantitative assessment (Productivity and Operability)

1. Forest lands Productivity	a. Site index score: N/A	Parcel is not forested
	b. Tree type: N/A	
	c. Stand condition/Base age: N/A	
	d. Net Present Value (NPV): N/A	
	e. Topography: Flat to Rolling with sand dune features.	
	f. Climate: Great Basin	
	g. Timber Volume: N/A	
	h. Planned Harvests: None	
2. Non-forest lands productivity	a. Current Use: Open Space and recreation. No current revenue.	2.g. – Former recreation lease to Grant County for off-road vehicle (ORV) recreation. Former lease document during the last term had no rental revenue. The 2022 assessor value is \$472,050, but counties no longer need to update values to government owned parcels. Market value provided later by other DNR staff.
	b. Lease type/revenue: No leases. Former recreation lease cancelled.	
	c. Harvest levels/crop, if any: None.	
	d. Soils (identified farmlands of commercial significance): Unknown.	
	e. Water rights: One water right and on BOR irrigation area.	
	f. Infrastructure improvements: None.	
3. Physical	a. Access/lack of access: No current legal road access. See explanation.	3.a. – Closest public road is Sand Dunes Road SE, but no legal access to the property. May be 4-wheel drive ORV trails/road to this property from the Grant County property located immediately north.
	b. Unstable or steep slopes/ <i>acres affected</i> : Dune topography over most of the parcel with unstable soils due to wind deposition.	3.b – Sand dune soils and vegetation are inherently somewhat unstable and mobile in nature and cover majority of the parcel. A

	<p>Approximately 50 acres of the parcel is below the water level.</p> <p>c. Site encumbrances/<i>acres affected</i>: See 3.b.</p> <p>d. Unharvestable areas/<i>acres affected</i>. Not actively cropped.</p> <p>e. Other: none</p>	<p>portion of the property is under water (50+/- acres) and has been underwater since irrigation water came to this area from Grand Coulee and potholes and seeps began to form.</p>
4. Ecological	<p>a. Water resources/<i>acres affected</i>: Approximately 50 acres of the parcel is below the water level.</p> <p>b. Unique site features (bogs, cliffs, landscape features, etc. /<i>acres affected</i>): Dune topography; Pothole lake.</p> <p>c. Endangered or protected species/<i>acres affected</i>: See explanation.</p> <p>d. Protected plant species/<i>acres affected</i>: See explanation.</p> <p>e. Protected cultural resources/<i>acres affected</i>: Two listed sites.</p> <p>f. Proximity to other conserved or scenic lands: See explanation.</p> <p>g. Other: none</p>	<p>4.c. – One state candidate threatened species that may use the potholes lake habitat, American White Pelican. One state candidate species uses dune habitat on or near the site, sagebrush lizard (<i>Sceloporus graciosus</i>). Priority Habitat and Species (PHS) concentration area for bald eagles, mule deer, shorebirds, waterfowl, western grebe.</p> <p>4.d. – One uncommon plant species, Needle and thread grassland (<i>Hesperostipa comata</i>). Mapped wetland types on the section.</p> <p>4.f. – Grant County has ORV recreation parcel located immediately north that is used for recreation and conservation.</p>
Qualitative Assessment		
5. Social Pressure	<p>a. Public use/trails: Yes, historic public use.</p> <p>b. Proximity to urban areas: Yes, near Moses Lake</p>	

	<p>c. Proximity to residential land: Somewhat distant, but a few miles north.</p> <p>d. Other: none</p>	
6. Environmental Pressure	<p>a. Public concerns with natural resource management pertaining to perceived/real environmental conditions on the property: See explanation.</p> <p>b. Other:</p>	6.a. – Most of the public likely desire for this property to be used for motorized ORV recreation. Some individuals and stakeholders may alternatively desire for this property to be managed as uncommon dune habitat for plant and wildlife species, but past recreational use has impacted the site.
7. Policy Risk and Governance	<p>a. Resource Management challenges: See explanation.</p> <p>b. Impacts to Harvest levels: None.</p> <p>c. Impacts to Current Use: See explanation.</p> <p>d. Proximity to other DNR managed land (or) Isolation from other trust lands: This section of land is isolated from other DNR parcels.</p> <p>e. Other: none</p>	<p>7.a. – Recreationists using the Grant County property to the north for ORV recreation likely do not know the DNR property line boundary, and may not respect it either for existing motorized recreation. This is especially true since this area was leased in the past for public recreation but no longer is leased.</p> <p>7.c.- Zoning restricts use for solar or wind and there is also a current temporary moratorium countywide regarding solar or wind power permitting, Grant County Ordinance 22-043.</p>
8. Land Use Analysis	<p>a. Current zoning: Public Open Space</p> <p>b. Comprehensive Plan designation: Open Space</p> <p>c. Existing development trends: Irrigated zoning and development to the east and southeast. Government Open Space undeveloped to north, south, and west.</p> <p>d. Other: none</p>	<p>8.a. – Current zoning and comprehensive plan permitted uses are <u>very limited</u>. Primary use for the public open space zoning is for resource conservation and low-impact recreation. Only permitted uses other than wildlife habitat, open space and low impact recreation might be one caretaker residence, conditional mining, conditional equestrian riding club, or golf course.</p> <p>Zoning and lack of water rights and federal restrictions on number of acres for State irrigation limit expansion of irrigation uses onto the property under DNR ownership.</p>
9. Other DNR program opportunity	<p>Program Name: Public Auction Direct Transfer for cash Land Exchange</p>	<p><u>Public auction</u> – Deemed not the best trust transaction option due to the current lack of legal access and physical roads and restrictive public use zoning. Deemed much less likely than TLT.</p>

	Lease for Alternative Land Use	<p><u>Direct transfer for cash</u> – Grant County has an interest in being a steward for the property but county does not have funds set aside for this purchase and the county has M&O funding needs and other capital needs for Grant County parks. County has been aware of TLT and TLT was deemed a more likely transfer scenario.</p> <p><u>Land exchange</u> – DNR has not been approached by any parties desiring a land exchange. Restrictive zoning is likely prohibitive for private parties without a re-zone. This option was deemed much less likely than TLT.</p> <p><u>Lease for alternative land use</u> - This parcel is not suitable for alternative energy development leases for the reasons already stated on this form. In addition, the parcel is not suitable for solar power because the parcel is less than 1,000 acres. Solar developers prefer sites of at least 1,000 acres, so smaller sites are not as marketable.</p>
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Summary of Property Assessment:

This property does not possess features that look favorable for long-term trust management which include:

- Restrictive public zoning
- Lack of sufficient water rights for crop irrigation
- Restrictions on federal irrigation water for the State due to federal rules
Current county restrictions on green energy development and no power transmission lines nearby
- Restrictions on residential development
- Sand dune topography
- Low probability of obtaining trust income
- Few transaction options for this property
- Past heavy public use and to some degree abuse
- Ongoing annual costs creating a negative trust revenue situation

Best Interests of the Trust DNR Recommendation:

Recommend keeping this parcel on the TLT parcel list for the pilot project

Internal staff administrative valuation of entire parcel

Based on fair market value | For internal use only; does not constitute an appraisal

Date: 7/6/22	Provisional estimate: \$427,500	Summary: <ol style="list-style-type: none">1) Inclusion of location, asset class, trust, acres, land and improvement value, and projected cash flow2) Identify industry standards for fair market value (FMV)3) Obstacles/encumbrances/assumptions that might affect FMV
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Formal appraisal summary: Formal appraisal will be completed if transfer is funded for TLT funding by the Legislature.

Date:	Appraisal:	Summary: <ol style="list-style-type: none">1) Inclusion of location, asset class, trust, acres, land and improvement value, and projected cash flow2) Identify industry standards for fair market value (FMV)3) Obstacles/encumbrances/assumptions that might affect FMV
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Additional Information



GRANT COUNTY
OFFICE OF THE
BOARD OF COUNTY COMMISSIONERS
P O Box 37
EPHRATA WA 98823
(509) 754-2011

April 26, 2022

Assistant Division Manager
PS&L Division
Washington Department of Natural Resources.

Re: Acceptance of property under the 2023-2025 Trust Lane Transfer Program

Mr. Gordon:

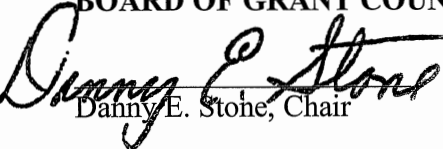
The Grant County Board of Commissioners hereby confirms our interest in the receipt of the 640-acre Parcel number 170100000, which constitutes all of Section 16, Township 18 North 28 East W.M., Grant County, Washington.

The County intends to maintain its current use of open space for outdoor recreation as an ATV park. Secondary uses and continuing public benefits will include the preservation of its natural geographic features, water access and a buffer for nesting waterfowl and migratory shorebird areas.

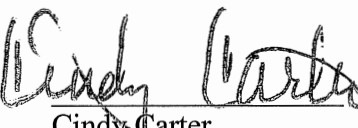
Our lead contact is Rebekah Kaylor, Grant County Chief Civil Deputy Prosecutor. She can be reached by e-mail at rmkaylor@grantcountywa.gov.

Sincerely,

BOARD OF GRANT COUNTY COMMISSIONERS


Danny E. Stone, Chair


Rob Jones


Cindy Carter

KJM:bjv

CC: Kevin J. McCrae, Prosecuting Attorney
Rebekah Kaylor, Chief Civil Deputy Prosecuting Attorney
Darryl Pheasant, Treasurer
Tyler Lawrence, Interim Planning Director
Sam Castro, Public Works Director
Tom Jones, Grant County Sheriff

Danny E. Stone
District 1

Rob Jones
District 2

Cindy Carter
District 3