

ESSB 5035. 3191: For the Department of Fish and Wildlife

Mitigation Projects and Dedicated Funding (20082048)

The appropriations are subject to the following conditions and limitations: The department must prepare an inventory of their agricultural land holdings. Agricultural land holdings are department owned lands that support agricultural activities, including raising nonnative crops for sale or use by wildlife, or grazing of domestic animals. The inventory must be submitted to the appropriate committees of the legislature by December 1, 2013. The inventory must also be submitted to the recreation conservation office for inclusion in the office's computer system for lands the department acquired through grants from recreation conservation office programs. The inventory must describe:

- (1) The size, location, and amount of any water right of each parcel used for agricultural activities;
- (2) The date of acquisition of the parcel, the amount and source of funds for the acquisition, and the intended purpose of the land at the time of acquisition;
- (3) The nature of the agricultural activities over the past five years;
- (4) Whether the activities are conducted by department employees or through a contract or lease to a private agricultural operator and the terms of any lease;
- (5) The amount of the harvest and revenue received from the agricultural activities; and
- (6) A description of current leasing policies and procedures for leasing department lands for agricultural uses.

ESSB 5035. 3191(1): Water Right Data for Agricultural Parcels

The size, location, and amount of any water right of each WDFW parcel used for agricultural activities is listed by parcel on the attached spreadsheet entitled “Water Right Data for WDFW Parcels with Agricultural Activity – By Parcel.” The parcel is identified by the “Parcel ID Number” shown in the left-most column. That Parcel ID Number can be found on the larger table, also attached, which is described in Section 2, below.

ESSB 5035. 3191(2): Parcel Information

Each WDFW parcel which has agricultural activity on all or part of it is identified by Parcel ID Number and location on the attached spreadsheet entitled “WDFW Agricultural Activity Inventory – By Parcel.” In addition, the spreadsheet shows the date of acquisition of each WDFW parcel, the amount and source of the acquisition funds, and the intended purpose of the land at the time of acquisition. The data responsive to this request is found in the columns with a blue header.

ESSB 5035. 3191(3): Nature of WDFW Agricultural Activities

Agricultural activities on WDFW lands include grazing by permit and crop production by lease or by agency staff.

Livestock grazing on WDFW lands is permitted where consistent with desired ecological conditions for those lands, or with the department’s Strategic Plan. Grazing is used to manipulate vegetation for fish and wildlife, accomplish a specific habitat objective, or facilitate coordinated resource management. Managed grazing is used to control invasive weeds that decrease habitat quality. Grazing is also used to stimulate the growth of plants that provide food for wildlife.

Grazing is integrated with other uses to ensure the protection of all resource values, the most important of which is maintaining ecological integrity. The allowed number of livestock and on/off dates are set to achieve a specific objective. The department’s grazing permits are detailed in the attached WDFW Agricultural Activities Inventory.

WDFW participates in several grazing Coordinated Resource Management planning efforts where entities with diverse interests work together to coordinate management. The process is used to bring people together, improve communications, reduce conflicts, address problems,

reach consensus and implement actions to improve natural resource management on associated private and public lands.

Crop production on WDFW lands includes both leases to farmers and crops planted by WDFW staff referred to as food plots. Plantings provide food and cover for fish and wildlife. Agricultural leases include agreements where the lessee plants and manages crops. For the use of state public property, the lessee pays the department a fee. The fee may be cash or in-kind value that might include crops left standing or services provided. A portion of crops may be left standing to provide food and cover for wildlife. Services provided might include the requirement to plant a winter cover crop after harvest that also provides food and cover for wildlife and manages soil health and stability. The department's agricultural leases are detailed in the attached WDFW Agricultural Activities Inventory.

Crop production on WDFW land includes both dryland and irrigated production. Crops grown on WDFW lands are very diverse and include root crops, vegetables, corn, wheat, alfalfa, and other plants depending on the goals of the farmer and the needs of wildlife.

Agricultural leases on department lands also include areas enrolled in the federal Conservation Reserve Program (CRP). The CRP is a land conservation program administered by the Farm Service Agency (FSA). Farmers lease department lands and enroll them in the program which pays the farmer to plant species that will improve environmental health and quality. The long-term goal of the program is to re-establish valuable land cover to help improve water quality, prevent soil erosion, and reduce loss of wildlife habitat. Contracts for land enrolled in CRP are typically ten years in length where the farmer is responsible for maintaining the plantings.

ESSB 5035. 3191(4): Agricultural Activity by Department Employees, Lease or Permit

The columns with a tan header on the attached spreadsheet entitled "WDFW Agricultural Activity Inventory – By Parcel" show, for each WDFW parcel, whether the agricultural activity is conducted by WDFW employees ("Food Plot"), or through a crop lease to an outside operator ("Agricultural Lease"), or through a grazing permit to an outside operator ("Grazing Permit").

The standard terms for an agricultural lease are attached. The standard terms for a grazing permit are attached.

ESSB 5035. 3191(5): Revenue Information

The revenue received from grazing permits and agricultural leases is shown here.

GRAZING PERMIT FEES:

YEAR	PAYMENT	INKIND SVC	TOTAL REC'D
2010	\$33,564	\$13,601	\$47,165
2011	\$47,017	\$17,924	\$64,941
2012	\$48,320	\$24,114	\$72,434

AGRICULTURAL LEASE REVENUE:

YEAR	PAYMENT	INKIND SVC	LEASEHOLD EXCISE TAX	TOTAL REC'D
2010	\$260,590	\$157,885	\$25,629	\$444,104
2011	\$238,615	\$235,559	\$34,140	\$508,314
2012	\$304,807	\$131,814	\$36,363	\$472,983

ESSB 5035. 3191(6): Policies and Procedures for Grazing Permits and Agricultural Leases

Grazing permits and agricultural leases on WDFW lands are administered following established policy and procedures, shown below, which are designed to provide consistency in application, to provide broad review by fish and wildlife managers, and to comply with House Bill 1309 Ecosystem Standards for State-Owned Agricultural and Grazing Land.

WDFW is currently revising procedures to establishing agricultural leases on department lands. The draft procedure would clearly define public notification of all lease opportunities on department lands including publishing a notice of intention in the Classified Legal Section of two newspapers of general circulation in the locality of the land. It would also require that the department maintain on its website a list of all of the agricultural leases with location and expiration date of current leases.

FISH AND WILDLIFE COMMISSION POLICY DECISION

POLICY NUMBER: C-6003

POLICY TITLE: Domestic Livestock Grazing on Department Lands

See Also:

RCW 79.01.295

Effective Date: December 6, 2002

WAC 232-12-181

WAC 232-12-174

Termination Date: Not Applicable

RCW 77.12.204

RCW 90.58

Approved by: Russ Cahill, Chairman of the Fish and Wildlife Commission

The Washington Department of Fish and Wildlife acquires and manages land to protect fish and wildlife and their habitats, maintain biodiversity and provide opportunities for fish and wildlife related recreation.

GENERAL POLICIES: Domestic livestock grazing on department owned or controlled lands may be permitted if determined to be consistent with desired ecological conditions for those lands, or with the department's Strategic Plan.

1. Livestock grazing on department lands is a practice that can be used to manipulate vegetation for fish and wildlife, accomplish a specific habitat objective, or facilitate coordinated resource management. If permitted, livestock grazing must be integrated with other uses to ensure the protection of all resource values, the most important of which is maintaining ecological integrity.
2. Grazing permits are of agency-wide interest. The department will develop procedures that include a cross-program review to ensure all grazing permits are subject to the best available science.
3. New grazing permits will be made available for Commission review before being forwarded to the Director for approval. All grazing permits, excluding temporary permits, must include a domestic livestock grazing management plan that includes a description of ecological impacts, fish and wildlife benefits, a monitoring and evaluation schedule, and a description of the desired ecological conditions.
4. Coordinated Resource Management Plans will be encouraged where appropriate.
5. The department will promote adaptive management and continued improvement of programs and practices as new knowledge and understanding of habitat ecology becomes available.

Procedures to Accomplish the Fish and Wildlife Commission Policy on Domestic Livestock Grazing on Department Lands

- Wildlife Area (WA) Manager identifies grazing justification in Wildlife Area Plan
- WA Manager consults with the district team and Range Ecologist to develop and produce the following documents:

<ul style="list-style-type: none"> - Grazing Plan with location map and Priority Habitat and Species (PHS) maps (Request maps from PHS staff and allow two weeks to receive maps) - One page plan summary - HB 1309 Ecosystem Standards Checklist - Approval Signature Sheet - Draft Grazing Permit (unsigned) 	<p>Grazing plan must include maps showing PHS polygons and points, wetlands and stream types; a description of habitat types, fish and wildlife benefits, and ecological impacts; and strategies to protect priority habitats and species. For example: buffers and fences around riparian areas and wetlands; # AUMs and timing to protect shrub steppe conditions and sensitive species in the area, etc.</p>
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- WA Manager and Range Ecologist sign the Approval Sheet.
- District Fish, Habitat and Wildlife Bios review the plan. Indicate approval by signing Approval Sheet.
- Regional Wildlife Program Manager (RWPM) reviews materials and signs Approval Sheet.
- RWPM obtains approval signatures from Regional Fish and Habitat Managers and Regional Director. Then sends materials to Real Estate Services, 600 Capitol Way North, Olympia, WA 98501
- Real Estate Services reviews materials and forwards to WA Section Manager.
- WA Section Manager signs Approval Sheet.
- Lands Division Manager signs Approval Sheet.
- Assistant Director signs Approval Sheet.
- Wildlife Program, through the Director’s Office, initiates 30-day Fish and Wildlife Commission review. If no objection from Commission, proceed with public auction process unless specific circumstances preclude the auction process. For renewals, no 30-day review period applies. However, copies of the renewal package are provided to the Commission for their information.

- Real Estate sends two original permits to WA Manager to obtain permittee’s signature.
- WA Manager returns two signed permits to Real Estate Services.
- Real Estate Services obtains Lands Division Manager’s signature on both permits and provides copies of completed permit and materials to permittee, WA Manger and WA Section Manager. Real Estate keeps records in files.
- WA Manager provides fully signed permit to Permittee.
- WA Manager inspects permit area at least two times per year to evaluate conditions and determine if permittee is in compliance, if permit is achieving desired results, and if habitat protections are working.
- WA Manager completes Grazing Evaluation Forms and Report of Livestock AUMs Form. Manager keeps originals and sends copies to Real Estate Services.
- WA Manager completes and sends Grazing Permit Statement Form to the permittee for payment and also sends the form with cost accounting to Real Estate Services along with documentation of in-kind work or materials provided in lieu of any cash rental fee.

Procedures to Accomplish an Agricultural Lease on Department Lands

- Wildlife Area (WA) Manager identifies agriculture justification in Wildlife Area Plan
- WA Manager consults with the district team and Range Ecologist to develop and produce the following documents:

<ul style="list-style-type: none"> - One page agriculture lease summary - HB 1309 Ecosystem Standards Checklist - Approval Signature Sheet - Draft Agriculture Lease (unsigned) - Area Map 	<p>Lease summary must include the purpose and goal of the lease including fish and wildlife benefits, a description of habitat types adjacent to agriculture, any ecological impacts, and strategies to protect priority habitats and species. For example: buffers around riparian areas and wetlands; timing of activities to protect sensitive species in the area, etc. Also include terms of the lease including number of acres, crop type and rental fee.</p>
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- WA Manager and Range Ecologist sign the Approval Sheet.
- Regional Wildlife Program Manager (RWPM) reviews materials and signs Approval Sheet.

- RWPM obtains approval signature from Regional Director. Then sends materials to Real Estate Services, 600 Capitol Way North, Olympia, WA 98501
- Real Estate Services reviews materials and forwards to WA Section Manager.
- WA Section Manager signs Approval Sheet.
- Lands Division Manager signs Approval Sheet.
- Assistant Director signs Approval Sheet.
- WA Manager proceeds with public auction process unless specific circumstances preclude the auction process.
- Real Estate Services or the WA Manager sends two original leases to WA Manager to obtain Lessee's signature.
- WA Manager returns two signed leases to Real Estate Services.
- Real Estate Services obtains Lands Division Manager's signature on both leases and provides copies of completed lease and materials to WA Manager and WA Section Manager. Real Estate keeps records in files.
- WA Manager provides fully signed lease to lessee.
- WA Manager monitors agricultural activities to evaluate conditions and determine if lessee is in compliance, if lease is achieving desired results, and if habitat protections are working.
- WA Manager completes Agricultural Lease Statement and cost accounting and provides copy to lessee and Real Estate Services along with documentation of in-kind work or materials provided in lieu of any cash rental fee.

(End of Procedure)