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POLICY 6010

Cancels: WDFW Policy 6011

See Also: RCW 77.12.037, [RCW 77.12.210](#), [RCW 77.12.220](#), [220-500 WAC](#)
[Federal Public Law 91-646 - UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES FOR FEDERAL AND FEDERALLY ASSISTED PROGRAMS](#)
[Executive Order 21-02 - Archaeological and Cultural Resources](#)
[WDFW Policy 5007 - Consultation and Coordination with Tribal Governments](#)

This policy applies to all WDFW Employees. However, if policies or procedures are in conflict with or are modified by a bargaining unit agreement, the agreement language shall prevail.

Approved by: /s/ Amy Windrope

POL-6010 ACQUIRING AND DISPOSING OF REAL PROPERTY

Definitions:

Employee: Permanent, temporary, or volunteer worker.

Real Property: Real property includes interests, benefits and rights inherent in the physical ownership of the land and appurtenances affixed thereto, e.g., fences or buildings.

Purpose of WDFW Acquisitions and Disposals of Real Property

WDFW acquires real property to secure habitats that are necessary to recover, maintain or enhance the integrity and/or habitat diversity of Washington ecosystems, to provide fish and wildlife-related recreational opportunities for the public, and for the purpose of WDFW administrative support. Property which does not serve an appropriate habitat, recreational, or administrative support function may be considered surplus and may be disposed.

1. Real property Will be Acquired and Disposed of in Conformance with State and Federal Regulations and Contractual Obligations.

Governing regulations include: the Revised Code of Washington (RCW), the Washington Administrative Code (WAC) and Federal Public Law 91-646 as amended. Real property may be acquired through purchase, partial or full donation, exchange, transfer, condemnation, and devise.

2. WDFW Real Estate Services Coordinates the Process to Determine Agency Review and Commitment of Potential Acquisition Through a Standard Operating Procedure.

The Standard Operating Procedure (SOP) called Lands 20/20 will be posted online for easy access to both internal and external audiences. Lands 20/20 will consist of applications, local community outreach, cross programmatic agency review as well as tribal consultation and public and commission review.

Lands 20/20 applies to all future land acquisition projects regardless of fund source, ownership or sponsorship, including donations, exchange of properties, fee simple, mitigation lands, conservation easements and pass-throughs.

3. The WDFW Director Makes the Final Decision to Approve Projects to Move Forward to Pursue Funding for Land Acquisitions.

4. The Washington Fish and Wildlife Commission Approves All Acquisitions and Disposals Before WDFW Makes Any Commitment to Acquire or Dispose of Real Property.

5. WDFW Real Estate Services Manages All Acquisitions and Disposals.

Only employees authorized by the Real Estate Manager will negotiate to acquire or dispose of real property.

6. WDFW Staff Will Notify Appropriate Real Estate Services Personnel When They Identify Potential Real Property for Acquisition or Disposal.

7. WDFW Holds Title in Fee Simple or Less than Fee Simple Estates.

The Department may hold the following interests in real property:

- a. Fee Simple Estate - ownership of the fee estate.
- b. Conservation easement - a restriction that limits the future use of a property to the preservation or conservation of the real property.
- c. Public hunting, fishing or recreational easement - a right to allow the

public on land of another for hunting, fishing or recreational purposes.

- d. Easement/Right-of-way - a privilege to pass over the land of another for access or utility use.
- e. Leasehold interest - contract for possession of land for a period of time.
- f. Other fractional interests - other enforceable legal interest in property.

8. WDFW Real Property Acquisitions and Disposals Require Appraisals.

Real Estate Services will conduct or contract all appraisal report services required to establish market value of the proposed acquisition and disposal property, including review appraisals, if required.

Appraisals are not required for leases, easements and other partial interests.

9. WDFW Real Property Acquisitions Require Environmental Assessments

Real Estate Services will conduct or contract environmental assessments on all proposed acquisition properties to ensure they do not carry an environmental concern or liability.

Environmental Assessments are not required for leases, easements, and other partial interests.