

Applicant	<b>James Terry Jr.</b>
Address	<b>8512 Spurgeon Creek Rd. SE, Olympia, WA 98513</b>
Location of Property	<b>Olympia</b>
Acres in Application	<b>12.84</b>
Parcel number(s)	<b>11714110000</b>

**A. Site Characteristics & Context**

The parcel under consideration totals 12.84 acres, all of which are proposed for the open space–open space tax program. The property owner is applying for the classification of Significant Wildlife Habitat Area, with no public access. The majority of the subject parcel consists of emergent wetland which includes two ponds, with Spurgeon Creek running northeast to southwest through the property.

***Water Quality Resources***

The Terry and surrounding parcels are zoned within the McAllister Geologically Sensitive Area District (MGSA), an area designated to “provide for residential, commercial, and agricultural uses of a type and density which will minimize the potential for contamination or significant loss in recharge capacity of a vulnerable groundwater aquifer and potable water source of great importance to the general public” (Section 20.23.010 Thurston County Code). Additionally, the subject parcel lies entirely within a Category 2 critical aquifer recharge area (CARA). Critical aquifer recharge areas, protected in the Thurston County Critical Areas Ordinance (CAO) under Thurston County Code Chapter 24.10, are known to be “vital groundwater resources,” and to serve as the county’s chief potable water source. The Terry property is also mapped within a high groundwater hazard review area, in the vicinity of two ponds located in the center of the property.

***Fish and Wildlife Habitat***

The Terry property is situated in the Deschutes Water Resource Inventory Area (WRIA 13) within the Spurgeon Creek basin, on Spurgeon Creek. Spurgeon Creek is the largest lowland tributary to the Deschutes River, is classified as a Type F (fish-bearing) stream, and is documented to support Coho, a declining salmon species that is a state vulnerable (S3) species, a candidate for federal listing, and a CAO Important Species. Spurgeon Creek is also documented to support fall Chinook salmon, chum, winter steelhead, coastal cutthroat trout, and the Olympic mudminnow. Additionally, Spurgeon Creek is listed as a high priority for restoration efforts in the Deschutes River Coho Salmon Biological Recovery Plan.

Based on the Washington Department of Fish and Wildlife (WDFW) Priority Habitats and Species (PHS) map, Coho is mapped on the Terry property, which contains 926.8 linear feet of Spurgeon Creek, running northeast to southwest across the parcel. Additionally, the property is almost entirely covered with emergent wetlands, including two, 0.15-acre ponds (**Appendix A, Figures 1 and 3**). In Thurston County Geodata, ~99.8% of the property is

mapped with emergent wetland, documented as (PEM1C) wetland in the WDFW (PHS map, and a site visit by county staff confirmed that the wetland covers essentially the entire parcel. Wetland vegetation such as hardhack, common cattail, sedges, rushes, and areas of standing water were observed throughout the site (**Appendix B, Figure 1**). Emergent wetland habitat is especially critical to the rearing life stages of Coho salmon, in addition to a variety of other salmonid species during their juvenile stage, as are still water ponds. Additionally, the ponds and wetlands have been observed to support a variety of waterfowl and other birds.

### **Management Proposed: Conservation and Management**

The conservation objectives of the applicant are to maintain the property as open space for fish and wildlife habitat, with invasive weed management proposed, to benefit the people of Thurston County and their shared natural resources. Proposed conservation activities include:

- Management of non-native vegetation such as reed canarygrass, Himalayan blackberry, Scotch broom, and English holly within 200 feet of the creek and freshwater ponds, primarily through mechanical removal methods such as mowing, uprooting, and shading. These activities will allow the recruitment of native riparian vegetation, which support wildlife and provide stream shading.
- Herbicide application will be conducted only if weed infestations become unmanageable by means of mechanical control and would be conducted according to the recommendations on the label and with the proper permits and submission of an Integrated Pest Management Plan (IPM) report.
- In order to prevent soil erosion, habitat, and water quality degradation, motorized access to the property will occur only during the dry season and only as necessary in order to carry out conservation measures.
- Site monitoring will take place every five years for the next twenty years, to ensure the habitat remains intact and undisturbed, and to verify that enhancement and management recommendations are adhered to.

### **B. Public Benefit Rating System**

1. *For which Priority Resources categories does the property qualify?*
  - Significant Wildlife Habitat Area
2. *Which public access category has the property owner agreed to?*
  - No public access is proposed.
3. *Does a conservation easement or historic easement apply to the property?*
  - No conservation or historic easements
4. *Summary of Public Benefit rating:*

Category	Points
Significant Wildlife Habitat Area	3
<b>TOTAL</b>	<b>3</b>

**C. Additional Considerations**

*1. Does the property meet the definition of open space?*

Yes, the Terry property appears to meet the definition of open space and meets the criteria for enrollment under the Significant Wildlife Habitat Area priority resource category.

- The subject property contains a Type F stream, which is documented to support Coho, a CAO Important Species, extensive emergent wetland, and ponds that are crucial rearing habitats for Coho and other juvenile salmon as well as supporting waterfowl and other wildlife (24.25.065 Thurston County Code). Presence and habitat for a CAO Important Species are included in the requirements for this priority resource category.
- The majority of the property contains emergent wetlands.
- Supporting documents, including a habitat management plan (HMP) written by a qualified biologist who completed the environmental assessment, were submitted with the application materials.

The important species documented to utilize the Terry property, in addition to a variety of other wildlife, include:

- Coho salmon (CAO Important Species)
- Wood duck (PHS Species)
- Big brown bat (PHS Species)
- Great Blue Heron (CAO Important Species)

*2. Any other factors relevant to the application in weighing the benefits to the public?*

Providing an incentive to limit development will provide desirable fish and wildlife habitat, reduce aquatic and terrestrial habitat fragmentation, and protect potable water for the general public. Maintaining the subject property as open space will benefit critical aquatic habitat connectivity, floodplain storage, water storage and water quality, and sensitive fish-rearing habitats that support rare, imperiled, and game wildlife species. The management of the property as open space is consistent with the management of other properties in the area. The classification of this land as open space and the subsequent tax relief to the landowner is also consistent with the county's initiatives to preserve open space, significant wildlife habitat, wetlands, and water resources, in particular the Thurston County Strategic Plan, Item 7, "to balance development with the preservation of the County's rural character, natural areas, and open spaces."

Enrollment of this property in Open Space is also consistent with the MGSA District objectives and CAO Critical Aquifer Recharge Area policy to protect and conserve potable water sources for the citizens of Thurston County.

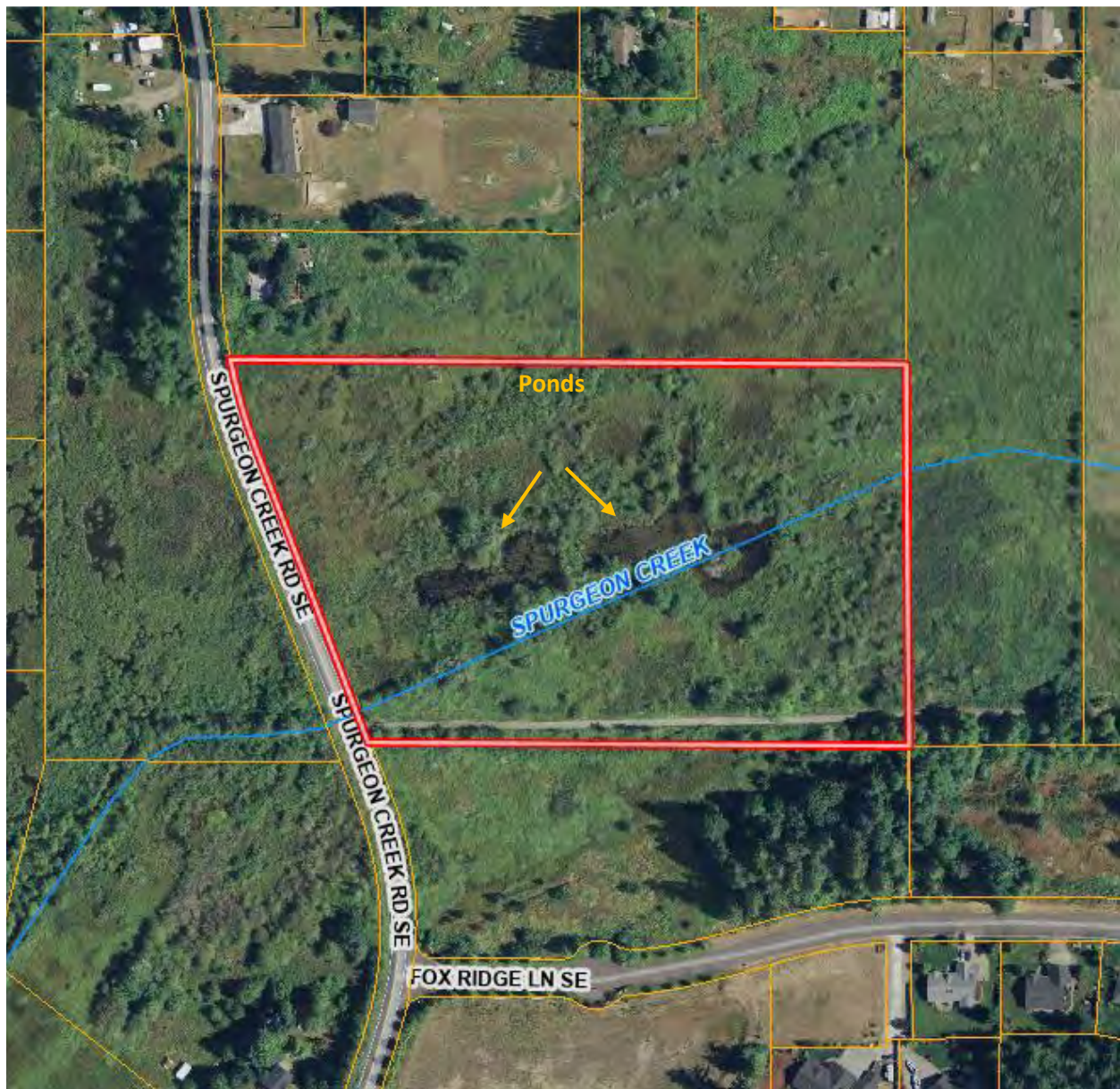
#### **D. Findings**

The Terry property meets the criteria for enrollment under the Board's Significant Wildlife Habitat Area priority resource category, scoring 3 points under the Public Benefit Rating System. This makes the enrolled land (12.84 out of 12.84 acres) eligible for a 50% reduction. This assessment is based on the following factors included in RCW 84.34 and in the Thurston County Open Space Program Guidelines:

- The subject property is documented to support a CAO Important Species
- Much of the property contains emergent wetlands
- Supporting documents, including a habitat management plan (HMP) completed by a qualified biologist, were submitted.

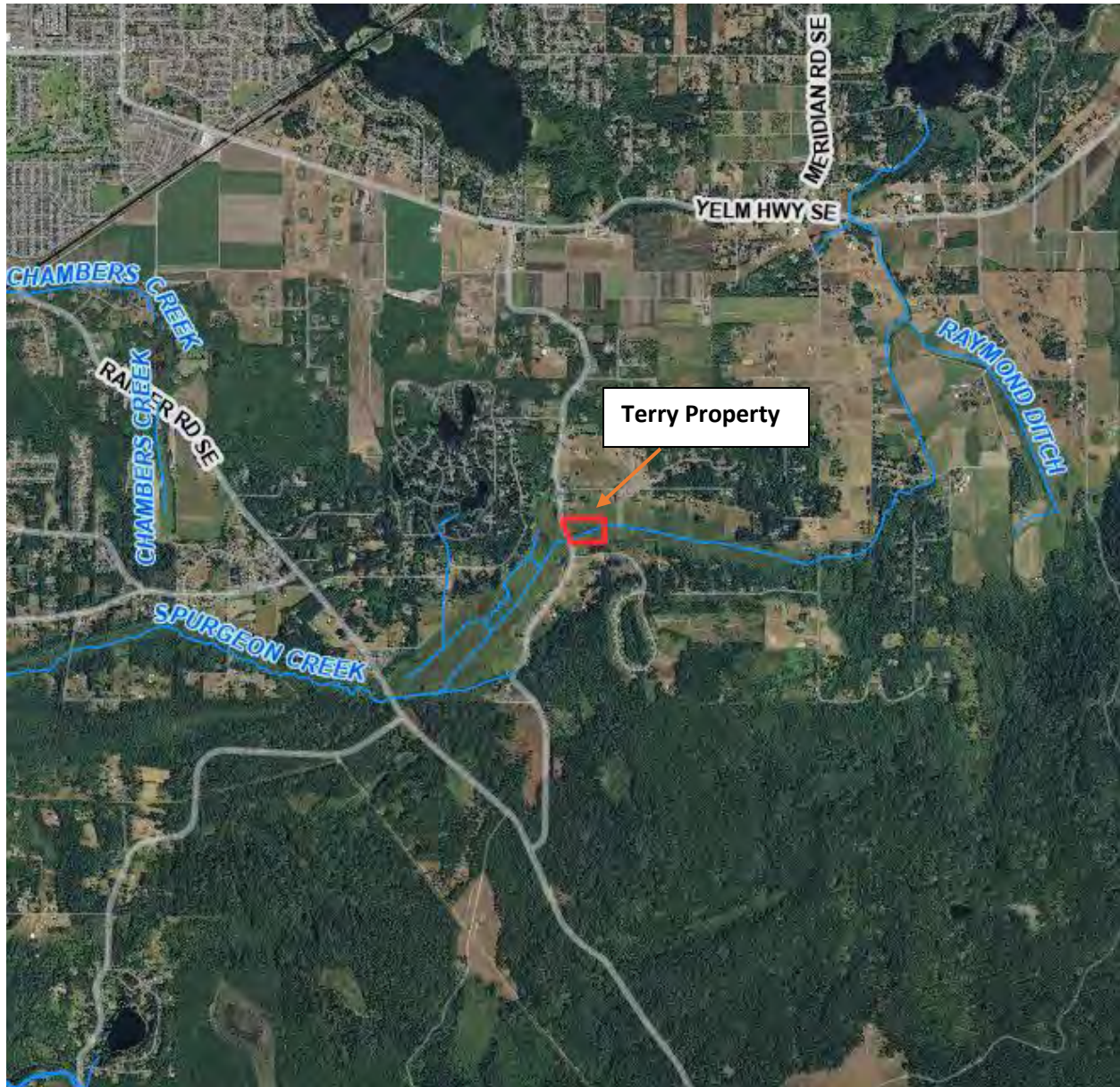
Attachments: 1. Master Application and Open Space Application, which includes the Habitat Management Plan  
2. Appendices (this document), which include:  
3. Site Map  
4. Vicinity Map  
5. Site Photos

## Appendix A. Site Maps



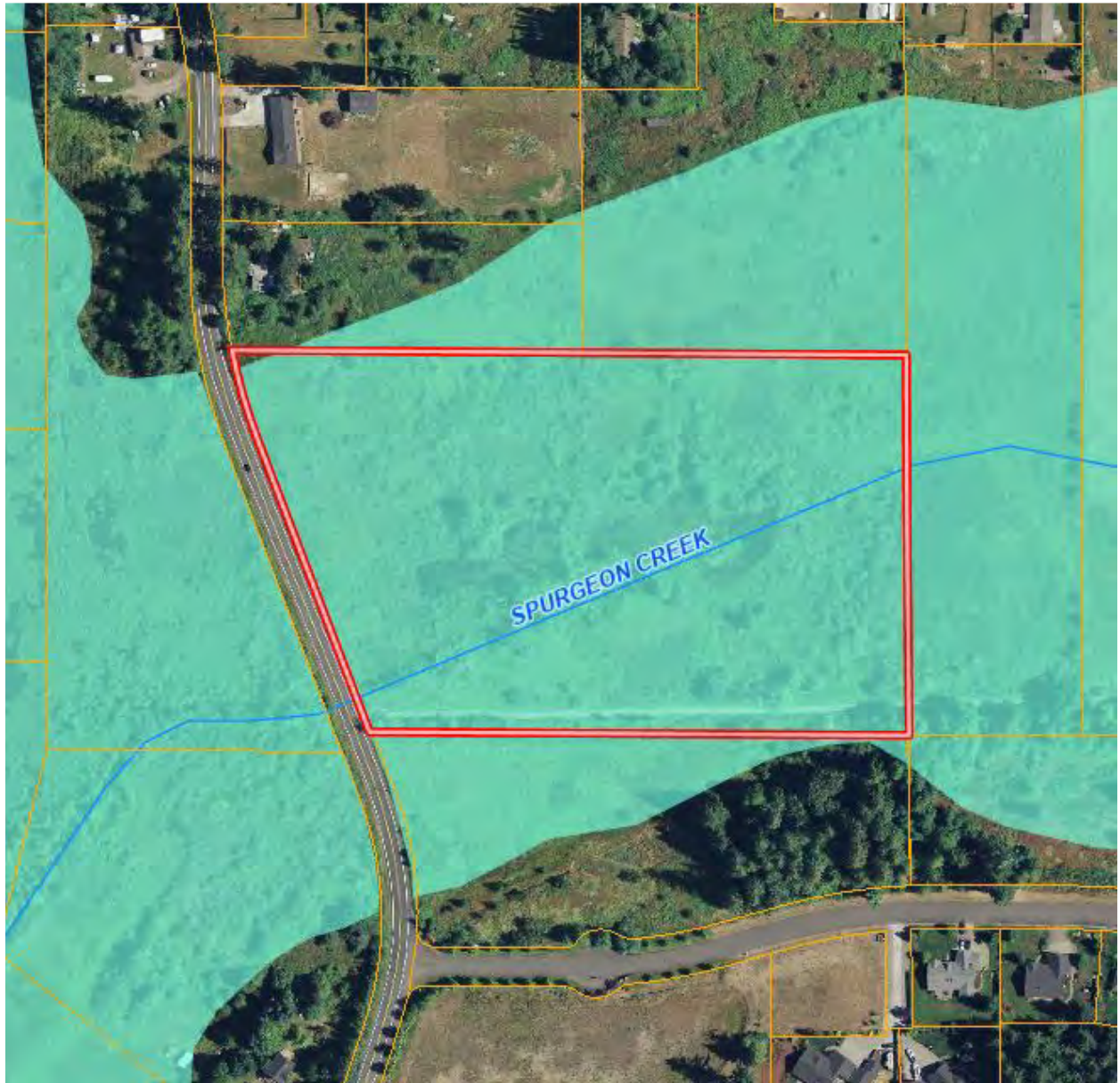
**Figure 1.** Terry property, with Spurgeon Creek and adjacent ponds in view.





**Figure 2.** Terry property zoomed out, with Rainier Rd. SE (to southwest), Yelm Highway SE (to north), Spurgeon Creek, and surrounding creeks in view.





**Figure 3.** Mapped wetland on Terry property



## Appendix B. Site Photos



**Figure 1.** Central portion of Terry wetland facing W. (top left), ponds facing W. (top right, second row left) and N. (second row right), and Spurgeon Creek where it enters the S.W. portion of the property (bottom row left). Reed canarygrass and Scotch broom onsite, to be controlled through mechanical removal, shading, or herbicide treatment (bottom row, right).





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**Thurston County Planning Department**

2000 Lakeridge Dr. SW  
Olympia, WA 98502  
(360)754-3355 / (360)754-2939 (Fax)  
Email: permit@co.thurston.wa.us  
www.co.thurstonplanning.org

**OPEN SPACE CLASSIFICATION APPLICATION  
FOR CURRENT USE-BASED PROPERTY TAX ASSESSMENT**

**IMPORTANT:** Please read the Instructions, Things to Know, and Eligibility Criteria sheets before completing this form.

Name(s) of Applicant(s) James Terry Jr.

Mailing Address 5238 Boston Harbor Rd NE  
Olympia WA 98506

Day Phone Number(s) 360 790 4120  
360 236 0881

Tax Parcel Number(s) 11714110000

General Location of Property

8512 SPURGEON CREEK RD SE Olympia WA

1. Legal Interest in Property:

☒ Owner ☐ Contract Purchaser ☐ Other (Describe) \_\_\_\_\_

2. Total Acreage of Property 12.84

3. Acreage to be Enrolled in Open Space Program 12.84

4. What is the Property Currently Used for? Not Used

5. What kind of public access do you propose? (Note: Public access is not required for program eligibility.)

☒ **None**

☐ **Partial Access** (1 point): Public access on a seasonal basis or access by members of the organization utilizing the facility.

☐ **Substantial Access** (2 points): Year-round access to members and available to the public upon special arrangement. Any user fees may not exceed three times the average cost for members.

☐ **Unlimited Access** (4 points): Year-round access to the public without special arrangement.

Please describe or explain:

6. Do you propose to apply a conservation easement or historic easement to your property?

- ☐ Yes (type: \_\_\_\_\_) Does one exist now? ☐ Yes (type: \_\_\_\_\_)  
☒ No ☐ No

Who will hold (or does hold) the easement? \_\_\_\_\_

7. **Before completing this part of the application**, use the blue "Eligibility Criteria Checklist" to determine if your property qualifies for any of the Priority Resource categories. (Property must be eligible for at least one Priority Resource and at least 3 points in order to be classified as open space.) Use the list below to indicate which Priority Resource categories you can document eligibility for. Refer to the gray "Help List" for sources of assistance, if needed.

**HIGH PRIORITY RESOURCES** (3 points each)

# Acres

- \_\_\_\_\_ a. Archaeological Sites
- \_\_\_\_\_ b. Farm and Agricultural Conservation Land (FACL)
- 12.84 ~~c. Fish-Rearing Habitat—Ponds and Streams~~ MW
- 12.84 ~~d. Geological and Shoreline Features~~ MW
- \_\_\_\_\_ e. Historical Sites
- \_\_\_\_\_ f. Private Recreation Areas
- \_\_\_\_\_ g. Rural Open Space Close to Urban or Growth Areas
- 12.84 h. Significant Wildlife Habitat Areas
- 12.84 ~~i. Special Plant Sites~~ MW
- \_\_\_\_\_ j. Urban or Growth Area Open Space

**MEDIUM PRIORITY RESOURCES** (2 points each)

# Acres

- \_\_\_\_\_ a. Public Land Buffers
- \_\_\_\_\_ b. Scenic Vista or Resources

**LOW PRIORITY RESOURCES** (1 point each)

# Acres

- \_\_\_\_\_ a. Resource Restoration



8. **IMPORTANT! Read all of the following information regarding tax liabilities before signing this application form.**

You will owe to the County the following additional taxes, interest and penalties when your property is removed or withdrawn from current use classification. The following is a summary of state law. Consult RCW Chapter 84.34 for details.

**STATEMENT OF ADDITIONAL TAX, INTEREST, AND PENALTY DUE UPON REMOVAL OF CLASSIFICATION:**

- A. Upon removal of classification, an additional tax shall be imposed which shall be due and payable to the county treasurer 30 days after removal or upon sale or transfer, unless the new owner has signed the Notice of Continuance. The additional tax shall be the sum of the following:
  - a. The difference between the property tax paid as "Open Space Land" and the amount of property tax otherwise due and payable for the last seven years had the land not been so classified; plus
  - b. Interest upon the amounts of the difference (a), paid at the same statutory rate charged on delinquent property taxes.
  - c. A penalty of 20% shall be applied to the additional tax if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal process, or except as a result of those conditions listed in (B) below.
- B. The additional tax, interest, and penalty specified in (8A) above shall not be imposed if removal resulted solely from:
  - a. Transfer to a governmental entity in exchange for other land located within the State of Washington.
  - b. A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power.
  - c. A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of such property.
  - d. Official action by an agency of the State of Washington or by the county or city where the land is located disallows the present use of such land.
  - e. Transfer of land to a church when such land would qualify for property tax exemption pursuant to RCW 84.36.020.
  - f. Acquisition of property interests by State agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 (See RCW 84.34.108(6)(f)).



- g. Removal of land classified as farm & agricultural land under RCW 84.34.020(2)(e) (farm homesite).
- h. Removal of land from classification after enactment of a statutory exemption that qualifies the land for exemption and receipt of notice from the owner to remove the land from classification.
- i. The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120.
- j. The creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.
- k. The sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.

**Removals and withdrawals from the program are processed by the Thurston County Assessor.**

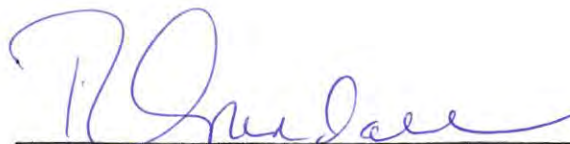
I (We) the undersigned, swear under the penalty of perjury, that I (We) am (are) the owner(s) or contract purchaser(s), of the land described above and that the above responses are made truthfully and to the best of my (our) knowledge. I (We) also understand that, should there be willful misrepresentation or willful lack of full disclosure on my (our) part, the granting authority, which may hereafter classify said land under the provisions of Chapter 84.34 RCW, may subsequently remove the classification. In addition, I (we) am (are) aware of the potential tax liability described above.

DATE: 9/8/21

OWNERS:   


SUBSCRIBED and SWORN to before me this 8<sup>th</sup> day of SEPTEMBER, 2021.





Notary Public in and for the State of Washington, residing in Thurston County



JAMES TERRY JR  
5238 BOSTON HARBOR ROAD SE  
OLYMPIA, WA 98506

Real Estate Excise Tax Paid None  
By D. Dougherty Deputy

## QUITCLAIM GIFT DEED

THIS QUITCLAIM GIFT DEED IS MADE THIS 23<sup>RD</sup> DAY OF APRIL, 2014, BY THE TERRY FAMILY LIVING TRUST, ETHEL M. TERRY, TRUSTEE, GRANTOR, RESIDING IN THE STATE OF WASHINGTON, IN FAVOR OF, JAMES TERRY JR. INDIVIDUALLY, GRANTEE. THIS QUITCLAIM GIFT DEED IS ISSUED FOR LOVE AND AFFECTION OF ETHEL M. TERRY, TRUSTEE FOR THE TERRY FAMILY LIVING TRUST, FOR HER SON, JAMES TERRY JR. THIS QUITCLAIM GIFT DEED CONCERNS THAT CERTAIN REAL ESTATE PROPERTY LOCATED AT AND COMMONLY KNOWN AS 8512 SPURGEON COUNTY ROAD RD. SE., OLYMPIA, WA, 98513, AND LEGALLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 17 NORTH, RANGE 1 WEST, W.M., LYING EASTERLY OF COUNTY ROAD KNOWN AS SPURGEON CREEK ROAD; EXCEPTING THEREFROM THE NORTH 730 FEET. ALSO EXCEPTING THEREFROM THE NORTH 387.2 FEET OF THE SOUTH 447.2 FEET OF THE EAST 225 FEET OF SAID PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER LYING SOUTHERLY OF THE NORTH 730 FEET THEREOF. SITUATE IN THURSTON COUNTY, WASHINGTON.

THE COUNTY ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER IS

11714110000.

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GRIFFIN & WILLIAMS, P.S. ATTORNEYS AT LAW  
253-460-2973







## Assessor's Section Map

### Legend

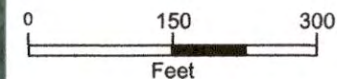
- Parcel Boundaries
- Roads - Major
  - Major Roads
  - Ramp
  - I 5; US 101
- Roads (Large Scale)
- Railroads
- County Border

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Scale 1: 3,474



Map Created Using GeoData Public Website

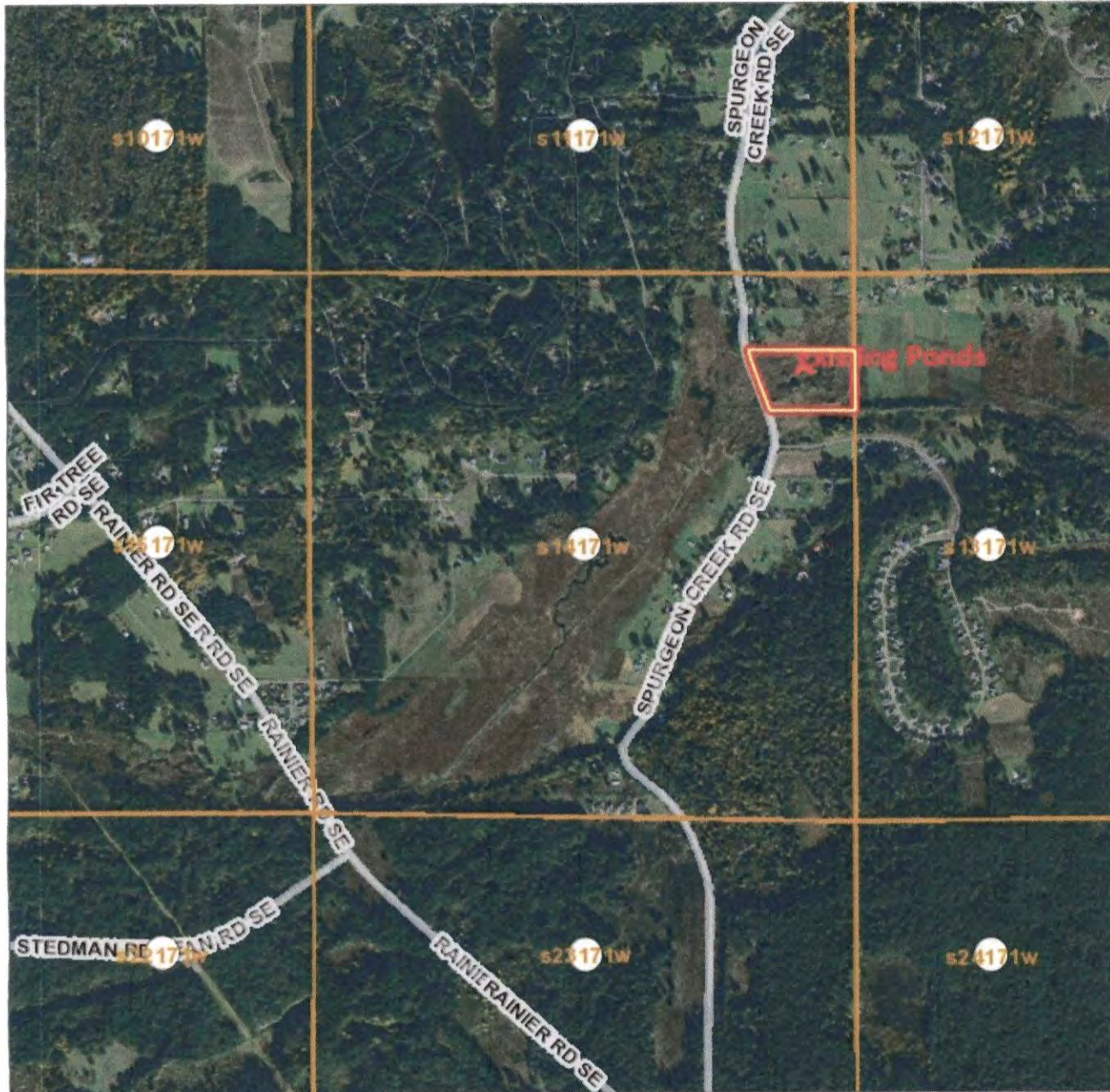
Published: 9/7/2021

Note:



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## Aerial Photo

### Legend

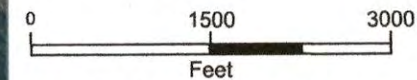
- Sections - Public Land Survey System
- Roads - Major
  - Major Roads
  - Ramp
  - I 5; US 101
- Roads (Large Scale)
- Railroads
- County Border

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The 12.84 acre parcel is a wetland, containing two spring/Spurgeon Creek fed ponds. The parcel includes a fish-rearing habitat, significant wildlife habitat, and protected plant life. The area could also be a significant archaeological site. With regard to the native history for the Squaxin and Nisqually tribes. During the time my family has own this property the ponds have never gone dry. The Thurston County Shoreline Master Program has identified this parcel as being a Rural Conservancy. Apparently, someone agrees with maintaining his parcel as an open space.

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**Habitat Management Plan  
For  
James Terry Jr Property – Open Space**

**Thurston County Tax Parcel: 11714110000  
Situs:**

**Prepared by:**  
Mara Healy, Senior Habitat Restoration Specialist, Thurston Conservation District

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JAN 24 2023  
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**January 9, 2023**



## **Introduction**

James Terry Jr. has applied to Thurston County to put 12.84 acres into the Open Space – Open Space Tax Program, under the category of Fish-Rearing Habitat: Ponds and Streams. The property is in Section 14 Township 17 North, Range 01 West Willamette Principal Meridian, of Thurston County, Washington. Maps that outline the property boundary, and relevant natural resources have been submitted as supplemental documentation in the application package.

Following a remote desktop survey of the site, a field review was conducted on September 19, 2022. The goal of the applicants is to maintain the property as open space which is managed in habitat and conservation practices to benefit the people of Thurston County and their shared natural resources. In particular, the conservation of critical aquatic habitat connectivity, floodplain function, water storage, quality and quantity, and the sensitive fish-rearing habitats that support and benefit rare, imperiled and game species.

## **Priority Habitats**

The property contains several priority habitats that have been identified as significant by Washington Department of Fish & Wildlife (WDFW), U.S Fish and Wildlife Service (USFWS), Washington Department of Natural Resources (WDNR), Thurston County, and the Deschutes Habitat Work Group. These habitats include freshwater creeks, freshwater ponds (PUBHx), and palustrine freshwater emergent wetlands (PEM1C). According to the Washington Department of Natural Resources Forest Practices Application Mapping Tool, the Terry property contains both stream and pond habitat recorded as Type F/Type 1. See attached FPAMT Report.

- Spurgeon Creek, Type F, 926.8 linear feet
- Unnamed Pond, Type F, 0.15 acre
- Unnamed Pond, Type N, 0.15 acre

Upland area adjacent to the creek, pond, and it's associated wetland and floodplains is extremely limited, measuring 0.03 acres of the 12.84 acres proposed for Open Space. The property is mapped by Thurston County as 99.8% Wetland, and 96% High Ground Water Hazard Review Area. It is also mapped by Thurston County as containing 100% categories 2 and 3 Critical Aquifer Recharge Areas.

In it's current natural state, this property helps to maintain desirable fish-rearing habitat, wetland habitat, critical aquifer recharge area, floodplain function, and habitat connectivity by providing natural open space for fish rearing and wildlife habitat.

## **Priority Species**

There are several priority species which utilize the parcel. Fall Chinook, Fall Chum, Winter Steelhead and Coho salmon, as well as Wood duck (*Aix sponsa*), and Big brown bat (*Eptesicus fuscus*) are known to utilize the parcel. Abundant non-priority species were observed on site including several species of waterfowl and Great Blue Herron. Emergent wetland habitats are critical to the rearing life stages of Coho salmon, a declining species which is a candidate for federal listing.

## **Existing Conditions**

This parcel is currently held and managed for conservation. Vegetation within the parcel includes mature trees and shrubs, emergent and obligate wetland vegetation, and woody vegetation

corridor adjacent to Spurgeon Creek, which drains to the Deschutes River. Existing vegetation provides adequate habitat functions, vegetation structure and biodiversity. Prominent species include Douglas Spirea, Red Osier dogwood, Salix, Pacific Crabapple, and Carex. Non-native vegetation on the site was minimal, with robust and healthy populations of native vegetation providing appropriate control on the non-native vegetation.

#### **Habitat Management Recommendations**

The following management recommendations are designed to propose long-term viability of the important critical habitats and species present on the property.

1. The landowner will manage noxious weeds within 200 feet of the freshwater ponds, and Spurgeon Creek, to promote continuing natural regeneration of native vegetation, and prevent the spread of noxious weeds. Noxious weeds degrade the habitat function and value of wetland and riparian systems, and should be managed appropriately to ensure the long-term viability of the fish-rearing, and sensitive aquatic habitats on the property. Extent and methods of removal will follow recommendations provided by the Thurston County Noxious Weed Control Board, or other reputable professional source.
2. Pesticides and herbicides will not be used in the Open Space area unless it is to control or eradicate a weed infestation. Any chemical application should be done by following the recommendations on the label and with the proper permits, if necessary.
3. The property will be managed to reduce any potential future resource concern impacts to the existing priority habitats. Future management efforts include, but are not limited to, those allowable through the implementation of an NRCS approved Natural Resources Management Plan.
4. Due to the sensitive aquatic environment on the site, motorized access poses a threat of soil erosion, habitat and water quality degradation and should be limited. Motorized access to the property will be limited to the dry season, and for purposes supporting, upholding, or allowing activities in-line with this habitat management plan.

**Review Procedures**

It is recommended that the property be evaluated every five years for the next twenty years to ensure there is no habitat degradation, and that enhancement and management recommendations are being followed. A short evaluation report should be sent to the county every five years for documentation.

Dated this 9th day of January 2023

X

Landowner

X

*Maura Healy*

Senior Habitat Restoration Specialist



**MITIGATED  
DETERMINATION OF NONSIGNIFICANCE**

Proponent: Friend & Friend, Inc.  
P.O. Box 2  
Aberdeen, WA 98520

Joyce Cuning  
P.O. Box 663  
East Olympia, WA 98540

Description of Proposal: Large Lot Subdivision of one approximately 20-acre parcel into 4 parcels approximately 5 acres each in the Rural Residential--One Dwelling Unit Per Five Acres Zoning District.

Location of Proposal: 8518 Spurgeon Creek Road

Section/Township/Range: 13/17/1W Tax Parcel No.: 11713240101,  
11713240100

Threshold Determination: The lead agency for this proposal has determined that it does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement is not required under RCW 43.21C.030(2)(C). This decision was made after review by the Lead Agency of a completed Environmental Checklist and other information on file with the Lead Agency. This information is available to the public on request.

**Conditions/Mitigating Measures:**

**1. SEE ATTACHMENT**

Jurisdiction: Thurston County  
Lead Agency: Planning Department  
Responsible Official: Fred Knostman, Acting Planning Director

Date of Issue: October 13, 1993  
Comment Deadline: October 28, 1993

  
Paula Ehlers, Environmental Review Officer

This Determination of Nonsignificance (DNS) is issued under 197-11-340(2); the lead agency will not act on this proposal for 15 days from the date of issue. No permits may be issued, and the applicant shall not begin work until after the comment deadline has expired and any other necessary permits are issued. If conditions are added, deleted, or modified during the 15 day review period, a modified DNS will be issued. Otherwise, this DNS will become final after the expiration of the comment deadline.

**NOTE:** Pursuant to RCW 43.21C.075 and Thurston County Code 17.09.160, a project denial based upon environmental information, and a conditioned or mitigated DNS may be appealed by any agency or aggrieved person. Appeals may only be filed for those conditions or mitigating measures identified in this DNS and the threshold determination is not appealable. Appeals are filed either with the Planning Department when there is also an underlying government action or with the Board of County Commissioners if there is no underlying governmental action. Appeals to the Board must be filed within ten (10) working days of the issuance of the written decision (refer to the Thurston County Code for time periods on appeals filed with the Planning Department).


**NOTE:** The issuance of this Determination of NonSignificance does not constitute project approval. The applicant must comply with all applicable requirements of Thurston County Departments and/or the Hearing Examiner prior to receiving construction permits.

Thurston County Planning Department, Environmental Review Officer  
Building #1, Administration  
2000 Lakeridge Drive SW  
Olympia, WA 98502 (206) 786-5554

56:em

cc: Department of Ecology (2)  
Thurston Co. Building & Fire Safety  
Thurston Co. Environmental Health Dept  
Department of Fisheries  
Robert Smith

Sub-Area #5  
Adjacent Property Owners  
Thurston Co. Roads & Transportation Serv  
Thurston Co. Development Review

10/13/93 

ATTACHMENT

SEPA NO.: T-93-155

CASE NO.: LL-0804

1. A wetland area has been identified on the subject property and has been delineated by a professional wetland biologist using the Federal Manual for Identifying and Delineating Jurisdictional Wetlands (1989). the wetland has been classified using the Washington State Department of Ecology Wetland Rating System for Western Washington (1991). The wetland boundary and classification has been confirmed in the field by Thurston County staff.

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2. Wetlands, marshes, bogs and swamps over one acre in size are designated as "Environmentally Sensitive Areas" per Chapter 20.36 of the Thurston County Zoning Ordinance. As a condition of approval, the following shall also be placed on the survey/recording document: "Placement of fill within a wetland, as defined by the Thurston County Zoning Ordinance, is prohibited. No clearing, filling, grading of other construction activities shall be allowed within the wetland or buffer area except where exempted by and when prior authorization is obtained from the Planning Department."
3. The existing development on Lot 4 of the proposal within the wetland buffer area shall be allowed. Any future development on this lot shall be subject to the conditions of the subdivision.
4. Access to Lots 1, 2, and 3, shall be east along the southern boundary of Lots 2 and 3 and through Tucker Road. The existing residence on Lot 4 shall be the only homesite to be accessed from Spurgeon Creek Road to the west. The temporary roadway along the boundary of Lots 1, 3, and 4, shall be abandoned and obliterated so it cannot be used for vehicular traffic.
5. If the proposal includes more than 5000 square feet of impermeable surface, the applicant shall provide an engineered drainage plan for the subject property which complies with the Drainage Design and Erosion Control Manual for the Thurston Region.
6. Any groundwater withdrawals in excess of 5,000 gallons per day or for the irrigation of more than one-half acre of lawn or noncommercial garden will require a Water Right permit from the Department of Ecology.
7. Section 63 of the Growth Management Act requires an applicant to submit evidence of an adequate water supply before a building permit can be issued for any building requiring potable water.

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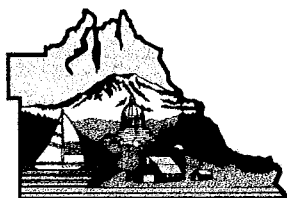
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WASHINGTON  
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THURSTON COUNTY  
DEVELOPMENT SERVICES

## OPEN SPACE TAX PROGRAM

### ELIGIBILITY CRITERIA CHECKLIST OPEN SPACE CLASSIFICATION

Use this checklist to help you determine whether your property is eligible for open space classification. For assistance in obtaining information you need, see the Help List.

The following list includes the Priority Resources of the Thurston County Public Benefit Rating System. The checklist embodies the eligibility criteria for each Priority Resource.

- ♦ Where a criterion ends with "**AND**" the following additional criterion must be met.
- ♦ Criteria separated by "**OR**" indicate that either criterion (or set of criteria) is sufficient to qualify.

Your rating may not exceed 9 points from this list of Priority Resources. Also, your public benefit rating is limited to a maximum of 3 Priority Resources from the list.

#### **HIGH PRIORITY RESOURCES (3 points each)**

##### **a. Archaeological Sites**

☐ Is the site on file with the Washington State Office of Archaeology?

**OR,**

☐ Has an archaeologist determined the site to be eligible for open space classification? **AND**

☐ Has the site been accepted for inclusion in the State's inventory?

##### **b. Farm and Agricultural Conservation Land (FACL)**

☐ Has the land been previously classified as agricultural land, but now is no longer eligible for continued classification as agricultural land? **AND**

☐ Has the County Assessor notified you that the land will be removed from agricultural classification because it is no longer eligible? **AND**

- ☐ Is any contiguous upland area (defined as land outside the ordinary high water mark or any associated wetland or flood plain) limited to the equivalent of one acre per 100 feet of shoreline length, or four times the pond or wetland area? (Note: upland area beyond these limits is not eligible for classification and must be excluded) **AND**
- ☐ Is the land also eligible as Fish-Rearing Habitat for open space classification? (Note: land may not receive points in both categories.) **AND**
- ☐ Do you have a Habitat Management Plan developed by a qualified wildlife habitat biologist, that you will agree in writing to follow, and that contains the required elements listed above?

**OR,**

- ☐ Is the site within the "canyon", "drainage ditch buffer", or "associated wetland of Black Lake" as identified in the Percival Creek Corridor Plan of 1986? **AND**
- ☐ Do you have a Habitat Management Plan developed by a qualified wildlife habitat biologist, that you will agree in writing to follow, and that contains the required elements listed above?

**OR,**

- ☐ Does the site contain Class I wetlands regulated under the Thurston County Critical Areas Ordinance (TCC 17.15)? **AND**
- ☐ Do you have a Habitat Management Plan developed by a qualified wildlife habitat biologist, that you will agree in writing to follow, and that contains the required elements listed above? **AND**
- ☐ Has the Class I wetland been confirmed by either an appropriate state agency or a competent professional whose findings are substantiated by the appropriate state agency?

**OR,**

- ☒ Does the site contain important habitats or species regulated under the Thurston County Critical Areas Ordinance (TCC 17.15)? **AND**
- ☒ Do you have a Habitat Management Plan developed by a qualified wildlife habitat biologist, that you will agree in writing to follow, and that contains the required elements listed above? **AND**
- ☒ Has the important habitat or species site been confirmed by either an appropriate state agency or a competent professional whose findings are substantiated by the appropriate state agency?

☐ Is the site at least 40 acres in size? **AND**

☐ Is the site visible to significant numbers of the general public from a public right-of-way?

**OR,**

☐ Is the area visible from a public right-of-way designated as scenic highway or byway by a local, state, or federal government agency; **AND**

☐ Is the site of sufficient size to substantially preserve the scenic resource value?  
**AND**

☐ Is the site at least 40 acres in size?

**LOW PRIORITY RESOURCES** (1 point each)

**a. Resource Enhancement**

☐ Is the resource being enhanced eligible for open space classification; **AND**

☐ Do you have an enhancement plan developed in cooperation with the Natural Resources Conservation Service (USDA), the U.S. Fish and Wildlife Service, and/or the Washington State Department of Fish and Wildlife, which contains clear steps and timelines for completion?

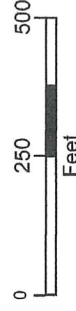


# Terry CARA

## Legend

- |                                    |                                    |
|------------------------------------|------------------------------------|
| <b>Critical Aquifer</b>            | Water Bodies (River - Small Scale) |
| <b>Recharge Areas</b>              | Water Bodies (Other)               |
| 1                                  | Parks                              |
| 2                                  | Cities                             |
| 3                                  | Capital Forest                     |
| Parcel Boundaries                  | County Background                  |
| <b>Roads - Major (Large Scale)</b> | <b>Roads - Major</b>               |
| <all other values>                 | <all other values>                 |
| I 5 ACCESS; US 101                 | I 5 ACCESS; US 101                 |
| ACCESS; US 101 SB OFF RAMP         | ACCESS; US 101 SB OFF RAMP         |
| I 5; US 101                        | I 5; US 101                        |
| <b>Roads (Large Scale)</b>         | <b>Roads</b>                       |
| Railroads                          | Railroads                          |
| County Border                      | County Border                      |
| Olympia Municipal                  | Olympia Municipal                  |
| Airport                            | Airport                            |

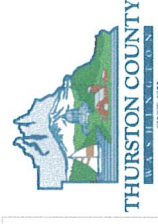
Scale 1: 5,868



Map Created Using GeoData Public Website

Published: 12/30/2022

Note:



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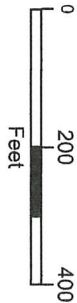


# Terry Wetland

## Legend

- High Groundwater ☐ Olympia Municipal
- Hazard Areas ☐ Airport
- Water Bodies (River - Large Scale) ☐ Water Bodies (Other)
- Salmon Creek High Groundwater Hazard ☐ Parks
- Wetlands ☐ Cities
- Parcel Boundaries ☐ Capital Forest
- Roads - Major (Large Scale) ☐ County Background
- <all other values> ☐ Roads - Major
- 15 ACCESS: US 101 ACCESS: US 101 SB OFF RAMP ☐ 15 ACCESS: US 101 ACCESS: US 101 SB OFF RAMP
- Roads (Large Scale) ☐ Roads
- Railroads ☐ Railroads
- County Border ☐ Railroads

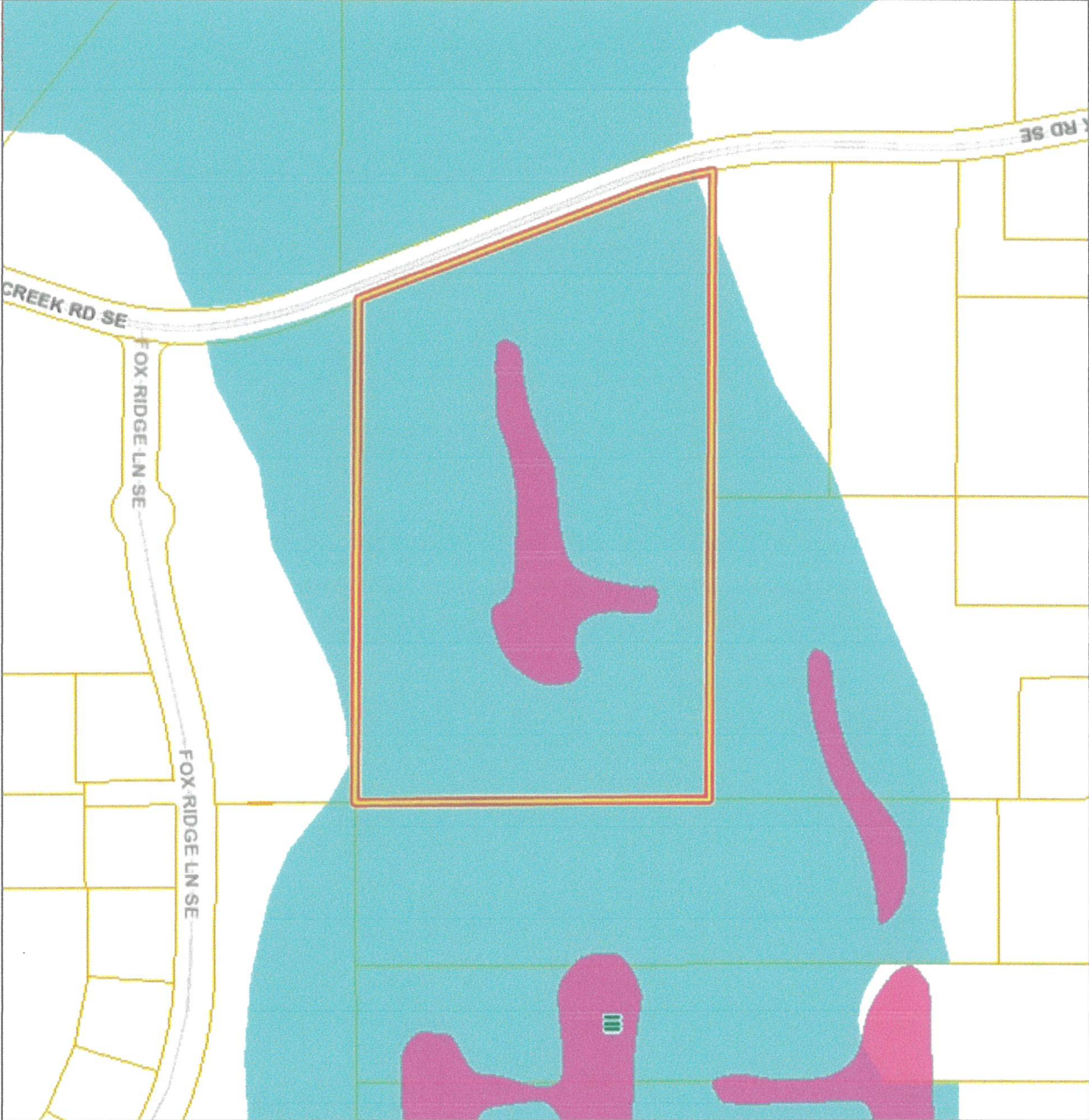
Scale 1: 4,743




Map Created Using GeoData Public Website


Published: 12/30/2022

Note:





THURSTON COUNTY  
SINCE 1852

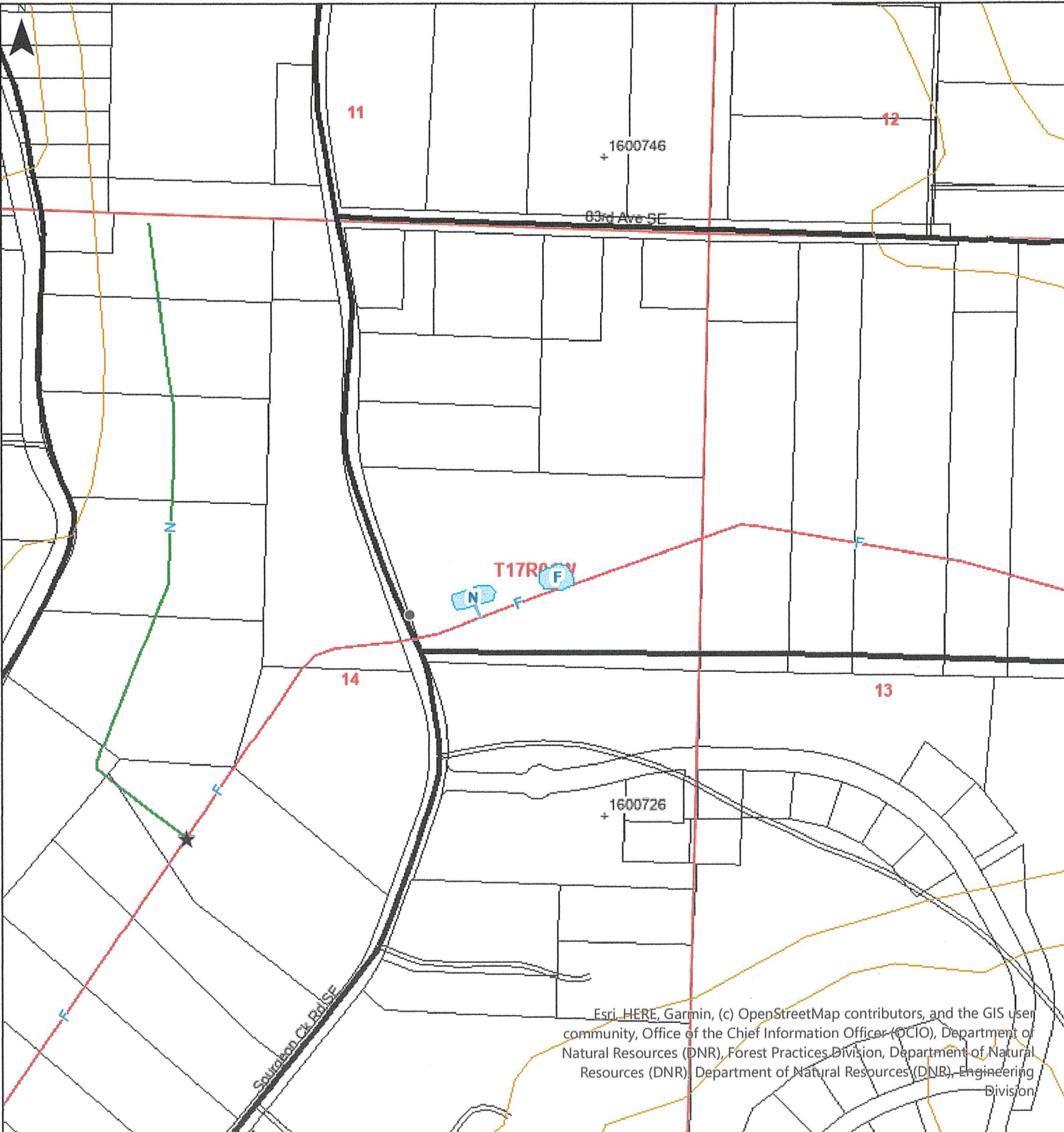


Thurston County  
GeoData Center


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Forest Practices Activity Map - Application # 21111055



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Office of the Chief Information Officer (OCIO), Department of Natural Resources (DNR), Forest Practices Division, Department of Natural Resources (DNR), Department of Natural Resources (DNR), Engineering Division

Map Symbols	Additional Information	Legal Description
<div><div>--- Harvest Boundary</div><div>--- Road Construction</div><div>~ Stream</div><div>RMZ / WMZ Buffers</div><div>Rock Pit</div><div>Landing</div><div>Waste Area</div><div>Clumped WRTS/GRTS</div><div>Existing Structure</div></div>		<div>S14 T17.0N R01.0W, S11 T17.0N R01.0W, S13 T17.0N R01.0W, S12 T17.0N R01.0W</div>
<div> WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES</div>	<div>Extreme care was used during the compilation of this map to ensure its accuracy. However, due to changes in data 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 that accompany this material.</div>	<div>Approximate Scale : 1:4,800</div> <div>0 200 400 800 Feet</div> <div>Date: 12/30/2022 Time: 11:51 AM</div>



**MITIGATED  
DETERMINATION OF NONSIGNIFICANCE**

Proponent: Friend & Friend, Inc.  
P.O. Box 2  
Aberdeen, WA 98520

Joyce Cunning  
P.O. Box 663  
East Olympia, WA 98540

Description of Proposal: Large Lot Subdivision of one approximately 20-acre parcel into 4 parcels approximately 5 acres each in the Rural Residential--One Dwelling Unit Per Five Acres Zoning District.

Location of Proposal: 8518 Spurgeon Creek Road

Section/Township/Range: 13/17/1W Tax Parcel No.: 11713240101,  
11713240100

Threshold Determination: The lead agency for this proposal has determined that it does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement is not required under RCW 43.21C.030(2)(C). This decision was made after review by the Lead Agency of a completed Environmental Checklist and other information on file with the Lead Agency. This information is available to the public on request.

**Conditions/Mitigating Measures:**

**1. SEE ATTACHMENT**

Jurisdiction: Thurston County  
Lead Agency: Planning Department  
Responsible Official: Fred Knostman, Acting Planning Director

Date of Issue: October 13, 1993  
Comment Deadline: October 28, 1993

  
Paula Ehlers, Environmental Review Officer

This Determination of Nonsignificance (DNS) is issued under 197-11-340(2); the lead agency will not act on this proposal for 15 days from the date of issue. No permits may be issued, and the applicant shall not begin work until after the comment deadline has expired and any other necessary permits are issued. If conditions are added, deleted, or modified during the 15 day review period, a modified DNS will be issued. Otherwise, this DNS will become final after the expiration of the comment deadline.


**NOTE:** Pursuant to RCW 43.21C.075 and Thurston County Code 17.09.160, a project denial based upon environmental information, and a conditioned or mitigated DNS may be appealed by any agency or aggrieved person. Appeals may only be filed for those conditions or mitigating measures identified in this DNS and the threshold determination is not appealable. Appeals are filed either with the Planning Department when there is also an underlying government action or with the Board of County Commissioners if there is no underlying governmental action. Appeals to the Board must be filed within ten (10) working days of the issuance of the written decision (refer to the Thurston County Code for time periods on appeals filed with the Planning Department).

**NOTE:** The issuance of this Determination of NonSignificance does not constitute project approval. The applicant must comply with all applicable requirements of Thurston County Departments and/or the Hearing Examiner prior to receiving construction permits.

Thurston County Planning Department, Environmental Review Officer  
Building #1, Administration  
2000 Lakeridge Drive SW  
Olympia, WA 98502 (206) 786-5554

cc: Department of Ecology (2)  
Thurston Co. Building & Fire Safety  
Thurston Co. Environmental Health Dept  
Department of Fisheries  
Robert Smith

Sub-Area #5  
Adjacent Property Owners  
Thurston Co. Roads & Transportation Serv  
Thurston Co. Development Review

10/13/93 

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**THURSTON COUNTY SEPA FILES NOTES**

SEPA # T-93-155 Received On 6-24-93 File Complete           

Missing: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

44-0804

## ACTION

Enter Tracking System, Tracking # TC/5404920

**DATE**

612593

### SEPA Site Plan Review:

Env. Health

6/29/93

## Development Review

6/29/93

City &amp; County

6/29/93

T-43-404

BLA-1373

AA-93-01A

Site Visit & Interview Robert Smith, John Smith 9-3-93

9-3-93

road alignment, strategy for eliminating through traffic - will make cul-de-sac at boundary of lot 1, 2 & 3 (at parkville), will construct abutment with edge of cul-de-sac, make a new access for driveway to Jennings house further west of current access (Just north of first curve of road) and illustrate roadway in between driveway & cul-de-sac

→: Access for lots 1, 2 & 3 will be toward back road only; driveway from Lot 4 (Crownway) only

### Final Threshold Determination

           DNS   X   MDNS            DS

10-1393

## Comment Period Ends

10-28-93

### Final Tracking System Entry

4/17/93