

THURSTON COUNTY OPEN SPACE TAX PROGRAM

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Pursuant to RCW 84.34,
Thurston County Resolutions 11172, 11686, and
13279

I. INTRODUCTION AND GENERAL REQUIREMENTS

INTRODUCTION

This program constitutes Thurston County's rules for implementation of Chapter 84.34, Revised Code of Washington (RCW); popularly known as the "Open Space Tax Act." This law was enacted by the Washington State Legislature in 1971 for the purpose of maintaining, preserving, conserving and otherwise continuing in existence open space lands for the production of food, fiber and forest crops, and to assure the use and enjoyment of natural resources and scenic beauty for the economic well-being of the state and its citizens.

GENERAL REQUIREMENTS

Land which is proposed for classification (and reduced taxation) pursuant to Chapter 84.34 RCW must first meet the requirements of that Act and this program. Such land must satisfy the general requirements of this section, regardless of whether classification is sought under the open space, timber land or agricultural categories of the law, as well as the requirements prescribed specifically for each category and contained in Parts II, III or IV of this program.

1. Fees. The fee for applications under the Open Space Taxation Act shall be paid at the time of filing the application. This fee is refundable if the application is not approved, but is not refundable if an application is withdrawn by the applicant. Fees are determined according to the Development Services Fee Schedule.
2. Payment of Judgments, Fees and Delinquent Property Taxes. A condition precedent to approval of any application pursuant to RCW 84.34 is a certification of nondelinquent property tax account issued by the Thurston County Treasurer. Also, the Board shall deny approval if the landowner has failed to satisfy any judgment the county has obtained against the landowners, or if the landowner owes any fee to the county, or has failed to pay traffic fines or penalties of the Thurston County District Court.
3. Additional Application Requirements. The County requires the applicant to submit materials and information with an application for open space classification. A full description of application requirements is available where application forms are distributed.

II. AGRICULTURAL LAND CLASSIFICATION

ELIGIBLE LANDS

Twenty or more acres of land devoted to the production of livestock or agriculture for commercial purposes, and less than twenty acres of land devoted to agriculture that meets a minimum income from these uses may be eligible for assessment on the basis of the current use under the open space tax law (Chapter 84.34 RCW and Chapter 548-30 WAC).

APPLICATION

The Assessor approves or denies all applications for the farm and agricultural land open space classification. Applications are made the year prior to the year the land is to be assessed at its current use. Application forms are available at the County Assessors Office located in the Thurston County Courthouse, Building #1, 2000 Lakeridge Drive SW, Olympia, Washington, 98502.

For detailed information about the Agricultural Land Tax Classification, please contact the Assessors office at the above address or call 786-5410.

III. TIMBER LAND CLASSIFICATION

Requirements for timber land classification are set forth in Chapter 84.34 RCW. In addition, the following requirements and policies apply.

PURPOSE

In accord with the intent of the Open Space Tax Act (RCW 84.34) and the Thurston County Comprehensive Plan, the goal of the timber lands portion of the Open Space Tax Program in Thurston County is to encourage management of small-acreage timber tracts for commercial timber production on a long-term basis.

CRITERIA FOR CLASSIFICATION OF TIMBER LANDS

1. Management for Commercial Production. To ensure that the site can and will be managed for commercial forest crop production, a management plan shall be submitted which has been prepared by a professional forester who specializes in forest management and who has a bachelor's or higher degree in a forestry-related field from an institution accredited by the Society of American Foresters. The management plan shall include the following:
 - a. Evaluation of long-term commercial viability of the site.
 - b. Management measures which will provide long-term commercial timber productivity for the site.
 - c. An implementation plan which provides general target dates for various management practices for at least one growth, harvest, replant rotation in order to assess whether commercial management is being conducted.
2. Site Suitability for Long-Term Timber Management. Parcel size, configuration and access, as well as adjoining zoning density and uses, shall be evaluated for conflicts with adjoining uses which would make the site unsuitable for active long-term timber management. Minimum site size is five acres.
3. "Primary Use" for Forest Crop Production. Pursuant to RCW 84.34.020, the primary use of the property must be for the production of forest crops. When a use other than timber production exists or is contemplated for the property, the application must exclude a minimum of the acreage required for such use. The minimum acreage excluded for a residential home site,

including accessory structures, is one (1) acre. The Development Services Department may require additional land to be excluded from enrollment if such land is not primarily devoted to the production of commercial forest crops.

The area excluded shall be documented by the Thurston County Assessor, and a map showing the excluded area shall be included with the application.

ADDITIONAL PROVISIONS

1. Periodic Evaluation. An update wherein the landowner describes progress to date on implementation of the plan may be required, coinciding with the Assessor's reappraisal cycle.
2. Timber Management Plan Updates. Pursuant to RCW 84.34.020(3), a timber management plan shall be filed with the County legislative authority at the time an application is made for classification as timber land or when a sale or transfer of timber land occurs and a notice of classification continuance is signed.

**IV. OPEN SPACE CLASSIFICATION
PUBLIC BENEFIT RATING SYSTEM**

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A. SUMMARY OF REQUIREMENTS FOR OPEN SPACE CLASSIFICATION IN THURSTON COUNTY

PRIORITY RESOURCES

Thirteen kinds of open space priority resources are identified for classification as open space. Detailed definitions and criteria for classification have been developed for each priority resource. (See Section C, page 9)

RATING SYSTEM

A property tax reduction for all or a portion of a parcel results from classification as open space because the land or portion of land is valued for tax assessment purposes at a percentage of assessed value based on a Public Benefit Rating System. This system and the amount of property tax reduction is based upon the number of eligibility points for which a property or a portion of property qualifies (see Sections C and D). The Public Benefit Rating System shall be used to value property for tax assessment purposes, as provided in this program.

ELIGIBILITY POINTS

Eligibility and the Public Benefit Rating System is based on a point system. The point system is composed of the following rating factors: (See Section C, page 9, for further description.)

1. Priority Resources. Resources are rated according to high, medium or low priority. At least one point must be earned under this rating factor to qualify for classification. (See Sections C and E).

High = 3

Medium = 2

Low = 1

2. Public Access. Between 1 and 4 points depending on the type of public access allowed. (See page 5)
3. Permanency of Resource Protection. This rating factor applies when a conservation or historic easement that permanently preserves the resource is in effect on the property (See page 6). Lands with at least one priority resource and a conservation or historic easement qualify for the largest assessed valuation reduction.

MINIMUM REQUIREMENTS

Properties with at least one priority resource and receiving at least 3 points are eligible. Minimum lot size is five acres, except as provided in Section E, Priority Resources Eligibility Criteria.

INELIGIBLE LANDS

Ineligible lands are:

1. Those not containing a listed priority resource.
2. Open space areas associated with and which contribute to a development's receiving its maximum development potential under land use regulations.
3. Lands containing structures, except the following:
 - a. Historical structures eligible as "Historical Sites" priority resources;
 - b. Recreation structures eligible as "Private Recreation Areas"; and
 - c. Agricultural buildings on land eligible as "Farm and Agricultural Conservation Land".

PENALTIES FOR REMOVAL OR WITHDRAWAL

Once land is classified, the owner must provide a notice of withdrawal from the program in order to remove the classification. Upon withdrawal, payment of the tax savings plus interest for the previous seven years must be paid. If the required notice is not made, or if the land is classified for less than ten years, an additional penalty is applied. For more specific provisions see RCW 84.34.

B. GENERAL REQUIREMENTS

ELIGIBLE LANDS--GENERAL

1. The State Open Space Tax Act Definition of Open Space Lands. The Open Space Tax Act, RCW 84.34, provides that the property tax assessment level may be set at land's current use value rather than at its highest and best market value for three kinds of lands: agricultural, timber and open space lands. The open space lands are defined in the State Act in RCW 84.34.020(1) as either:
 - (a) Those lands so designated by an official comprehensive land use plan adopted by [the County] and zoned accordingly; or
 - (b) Any land area, the preservation of which in its present use would:
 - (i) Conserve and enhance natural or scenic resources; or
 - (ii) Protect streams or water supply; or
 - (iii) Promote conservation of soil, wetlands, beaches or tidal marshes; or
 - (iv) Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space; or
 - (v) Enhance recreation opportunities; or
 - (vi) Preserve historic sites; or
 - (vii) Preserve visual quality along highway, road, and street corridors or scenic vistas, or
 - (viii) Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the legislative body granting the open space classification, or
 - (ix) Meet the definition of farm and agricultural conservation land: land that was previously classified [as agricultural land], that no longer meets the criteria of [agricultural land], and that is reclassified as open space; or land that is traditional farmland that is not [designated timber land or classified as timber land, agricultural land or open space], that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.
2. Application of the State Act Definition within Thurston County. Lands within the categories of the State Act definition of open space that will be eligible for classification as open space within Thurston County include those described in Section E, titled " Priority Resource Eligibility Criteria." To be

eligible for the open space tax classification, properties must contain at least one of these priority resources.

3. Verification of Eligible Resources is Required. The presence or occurrence of an eligible resource on a parcel shall be field-checked by an appropriate agency or professional. Agencies may include County, the Washington State Department of Fish and Wildlife or the Department of Natural Resources, Natural Heritage Program, among others.
4. Data Resources. All known data sources for the location of Thurston County Open Space Lands are noted in Section E, Priority Resource Eligibility Criteria or in the Appendices (Section F). When a particular parcel is not located on the lists, but the property owner believes that the specific resource is present, he or she can request the appropriate agency to inspect his site for that resource, or could provide to the County and that agency for their review, a site analysis prepared by a consultant specializing in that area of expertise (i.e., botanist, wildlife manager, geologist, etcetera).
5. Professional Standards. Professional standards may be established by the County for acceptable consultants. The County shall utilize the site analysis and any comments from the agency in determining if the parcel is eligible.
6. Non-Resource Areas. Since some natural features, like wetlands, do not neatly follow a person's property boundaries, up to twenty percent of a single, legal lot that contains non-eligible area surrounding an eligible feature may be classified as open space. This type of non-eligible area does not include home sites or other developed portions of the site, unless otherwise permitted under Section E, Priority Resources Eligibility Criteria. In general, home sites must be excluded from the eligible area of the property (see Primary Use section, below).

In addition, some high priority resources take up a small land area so that there is not much tax benefit to having it classified as open space. For the priority resources listed below, up to five acres of non-eligible area surrounding the eligible resource may be classified as open space:

- a. Archaeological Sites,
- b. Historic Sites,
- c. Geologic and Shoreline Features,
- d. Significant Wildlife Habitat, and
- e. Special Plant Sites.

PRIMARY USE

The primary use of lands classified as open space is the protection of the eligible priority resources, either in their natural states, or as maintenance requires. Generally, structures are not permitted on land classified as open space.

When a use other than priority resource protection exists or is contemplated for the property (such as a house), the application must exclude a minimum of the acreage required for such use.

The minimum acreage excluded for a residential home site, including accessory structures, is one (1) acre. The Development Services Department may require additional land to be excluded from enrollment if such land is not eligible for points under the Priority Resource Eligibility Criteria.

The area excluded shall be documented by the Thurston County Assessor, and a map showing the excluded area shall be included with the application.

MINIMUM AREA ELIGIBLE FOR CLASSIFICATION

The minimum parcel size for land classified as open space is five acres, excluding home sites or other non-eligible areas, except where noted otherwise in section E, Priority Resources Eligibility Criteria.

PUBLIC ACCESS

Public access is not required for most categories of open space. The voluntary provision of public access, however, does provide additional points for open space classification. When public access is proposed, it may be made a condition of approval by the Board as provided in RCW 84.34.037.

1. Types of Public Access

- a. **Partial access.** Partial access is defined as public access on a seasonal basis or use by the members of the organization utilizing the facility.
- b. **Substantial access.** Substantial access differs from partial access by being available on a year-round basis, and by being available to the public upon special arrangements. The use fee charged the public should not generally exceed three times the average cost for members, in order to qualify for the open space program.
- c. **Unlimited Access.** This provision provides for year-round access by any member of the public without special arrangements.

2. Signing

For properties where public access is provided, the County may furnish and maintain a standardized sign designating the property as part of the open space tax program and stating the conditions of access.

3. Accessibility

Where public access is provided, access points shall be awarded according to physical accessibility as well as owner willingness for public access. No points shall be awarded if the property is not reasonably accessible.

CONSERVATION AND HISTORIC EASEMENTS

The creation of a conservation or historic easement permanently protecting the resources of eligible properties will qualify the property for additional consideration for classification in the Open Space Tax Program. A conservation or historic easement is a legal means by which a landowner can voluntarily set permanent limitations on the future use of land thus protecting the land's particular attributes. The easement is conveyed to a qualifying conservation organization or public agency, but the land remains in private ownership and the owner retains full control over public access. Donation of a conservation or historic easement may also qualify as a charitable tax deduction on federal income, estate or gift taxes.

1. Minimum Conservation Easement Provisions. A conservation easement shall include those interests or rights authorized to be held or acquired by RCW 84.34.210 or RCW 64.04.130. Among other things, a landowner could convey his rights to harvest timber or graze the property, or to subdivide, intensively develop, construct additional roads, hunt, use insecticides or herbicides, excavate, etc. Conservation easements, in some cases, have been applied to land which is developed, but the easement provides for the retention of a specific natural area that contains an important resource or habitat.
2. Minimum Historic Easement Provisions. Historic easements apply to historically important land areas and historic structures that are listed on the National Register of Historic Places (or are located in and contribute to the historic significance of a National Register Historic District). The easement typically results in a limitation on land development or structure modification which will ensure the ongoing preservation of a historic parcel of land or a historic structure and its setting.
3. Easement Grantee Rights and Responsibilities. Generally, the organization or agency receiving the easement may not conduct any development or management activities on the land, but usually has only the rights to inspect the property periodically to insure that the terms of the easement are carried out, and to enforce the easement in Court if necessary.

INELIGIBLE LANDS

1. Those parcels which do not contain a resource identified as either a high, medium, or low priority are not eligible for classification as open space.
2. Lot, yard and other open space areas required by zoning are not eligible for open space classification. Open space areas dedicated under zoning or subdivision ordinance requirements or used to achieve maximum development potential under zoning are not eligible for open space classification.
3. Parts of tax parcels which do not qualify for open space classification shall be documented prior to classification.
4. Lands containing structures, except the following:
 - a. Historical structures eligible as "Historical Sites" priority resources;
 - b. Recreation structures eligible as "Private Recreation Areas"; and
 - c. Agricultural buildings on land eligible as "Farm and Agricultural Conservation Land".

CURRENT USE VALUATION

The State Open Space Tax Act provides that lands accepted for classification as open space shall have their assessed value for property tax purposes set at their "current use" value rather than at market value based on their highest and best use, provided that the current use value is never to be less than what would be assessed for agricultural use.

Within Thurston County, this current use value will be expressed as a percentage reduction from the market value, and this reduction will be determined according to the Public Benefit Rating System described in Section D. Buildings and other improvements to the land continue to be assessed at market value.

C. PRIORITY RESOURCES AND ELIGIBILITY POINT SYSTEM

PRIORITY RESOURCES

Lands which contain the following resources as determined by the Board of Thurston County Commissioners may be eligible for classification as open space. Lands must contain at least one resource in the categories below in order to qualify for classification. In addition, three points are required under the point system set forth in the following Section, Page 10.

More detailed descriptions of each of the resources named below are contained in the Section E entitled "Priority Resources Eligibility Criteria."

1. High Priority Resources. 3 points each:
 - a. Archaeological Sites
 - b. Farm and Agricultural Conservation Land
 - c. Fish-Rearing Habitat - Ponds and Streams
 - d. Geologic and Shoreline Features
 - e. Historical Sites
 - f. Private Recreation Areas
 - g. Rural Open Space Close to Urban Growth Areas
 - h. Significant Wildlife Habitat Areas
 - i. Special Plant Sites
 - j. Urban Growth Area Open Space

2. Medium Priority Resources. 2 points each:
 - a. Public Lands Buffers
 - b. Scenic Vista or Resources

3. Low Priority Resources. 1 point each:
 - a. Resource Enhancement

ELIGIBILITY POINTS

Eligibility points are accumulated according to the factors and limitations shown below.

Rating Factors	Limitations
1. Priority Resources (at least one priority resource must be present in order to qualify) a. High Priority: 3 points each b. Medium Priority: 2 points each c. Low Priority: 1 point each	Maximum 9 points from any 3 priority resource categories
2. Public Access a. Partial Access: 1 point b. Substantial Access: 2 points c. Unlimited Access: 4 points	Maximum 4 points
<hr/> 3. Conservation or Historic Easement (when combined with at least one priority resource results in maximum tax reduction)	<hr/> Total points maximum: 13

MINIMUM REQUIREMENTS

At least one priority resource and 3 points.

D. ASSESSED VALUATION REDUCTION

The assessed valuation of property which is classified as open space is determined on the basis of the number of points for which the property or any part thereof qualifies in establishing eligibility for classification (see Sections B, C, and E).

The market value of property is reduced by the following percentage (based upon the eligibility points) to arrive at the current use value pursuant to the Public Benefit Rating System:

Point Rating	% Reduction in Market Value Assessment
0 - 2	0
3 - 6	50%
7 - 11	70%
12 - 13	90%
Conservation Easement AND At Least One Priority Resource	90%

E. PRIORITY RESOURCES ELIGIBILITY CRITERIA

HIGH PRIORITY RESOURCES: 3 Points Each

a. Archaeological Site

Definition: All sites and locations of prehistorical or archaeological interest including but not limited to burial sites, camp sites, rock shelters, caves and the artifacts and implements of the culture.

Data Source: Location and details of known sites are on file at the Washington State Office of Archaeology and Historic Preservation. General information is available by request on a square mile basis.

Example: Shell middens on a Henderson Inlet shoreline.

Eligibility: Eligible lands are those which are

1. On file at the Washington State Office of Archaeology and Historic Preservation; or

2. Verified by an expert in the field as containing the same features and acceptable by the State Office of Archaeology and Historic Preservation for addition to their inventory.

HIGH PRIORITY RESOURCES: 3 Points Each

b. Farm and Agricultural Conservation Land (FACL)

- Definition:**
1. Land that was previously classified as "farm and agricultural land", but no longer meets the criteria for continued classification, and for which the owner(s) has applied for reclassification as Farm and Agriculture Conservation Land after receiving notification by the County Assessor that the land will be removed from agriculture classification for that reason.
 2. Or, the land is not classified pursuant to RCW 84.34 or RCW 84.33, and meets the following additional conditions:
 - a. The owner can demonstrate that the land has been used for commercial agricultural purposes, as defined in WAC 458-30-200(12) within the most recent ten years prior to the application; and
 - b. The land has not been irrevocably devoted to a use inconsistent with agricultural uses; and
 - c. If the land is used for a residence, the parcel size is at least twenty acres; and
 - d. The land is within any long-term agriculture zone or district.

Data Source: The Thurston County Development Services Department maintains the Official Zoning Map of Thurston County

Examples: None.

Eligibility: Lands meeting the definition above are eligible. The following additional terms apply:

1. A Land Conservation Plan must be provided showing measures that will be taken to maintain and protect the property for future commercial agricultural use. Measures should include periodic large brush and tree clearing, and soil erosion control.

2. Since the intention of this category is to encourage the conservation of agricultural lands for future agricultural use, lands eligible under this category may earn additional points for only the following additional priority resource categories: Historical Sites; Private Recreation Areas; Rural Open Space Close to Urban Growth Areas; and Scenic Vista or Resources.

For property owners seeking points for both the Farm and Agricultural Conservation Land priority resource, and one or more of the priority resources listed above, the land must meet all of the criteria for each category in order to be eligible for points in each category. The remaining priority resources not listed above are intended for the protection of the natural resource, and their purposes are not consistent with the purpose of retaining lands for future agricultural use.

Points enhancements for conservation easements or public access are not affected by the exclusions noted above.

3. The following uses are inconsistent with future commercial agricultural use, and lands with these uses are not eligible as Farm and Agricultural Conservation Land:
 - a. Non-agricultural buildings;
 - b. Special uses, such as golf courses, cemeteries, mineral extraction, junkyards, solid waste disposal.

HIGH PRIORITY RESOURCES: 3 Points Each

c. Fish-Rearing Habitat: Ponds and Streams

Note: This category may be combined with "Resource Enhancement" for a higher point rating.

Definition: Types 1, 2, 3, 4 and 5 waters, as defined by WAC 222-16-030.

Data Source: *Catalog of Washington Streams*, Washington State Department of Fish and Wildlife; and Thurston County stream type maps

Examples: Nisqually River

Eligibility:

1. Eligible lands contain water bodies designated as Types 1 through 5 by the Washington State Department of Natural Resources.
2. Lands are not eligible under this category if they are also eligible as a "Natural" Shoreline Environment, of Thurston County.
3. The eligible area must include a minimum of 500 feet of contiguous shoreline length or ponds and lakes greater than one acre. Eligible contiguous upland buffer area (any area beyond the ordinary high water mark, 100-year flood plain, or associated wetland boundary) is limited to one acre per 100 feet of shoreline length for streams, and four times the lake or pond area.

HIGH PRIORITY RESOURCES: 3 Points Each

d. Geological and Shoreline Features

Definition: Those special features that are unique in Washington, which can be destroyed easily and which can be effectively protected in a natural area, generally including but not limited to special geologic locations (fossils), works of geomorphology (waterfalls), and works of glaciation (patterned ground); or those unique and undeveloped shoreline features of Puget Sound including spits, lagoons or points.

Data Source: No county inventory is available of geological features, but the Washington State Interagency for Outdoor Recreation has done an inventory of the rare dry accretion beach shoreline features (spits/points/barrier berms); see Appendix 1 for this list.

Examples: Mima Mounds, Kennedy Falls, Ellis Cove, Tumwater Falls

Eligibility: Patterned Ground: Due to the large number of potential sites, the minimum eligibility requirements shall generally be consistent with one of the following:

1. A unit, generally larger than 10 acres, which provides a clear sense of the natural mound environment and is visually buffered from intrusions or adjacent development; or
2. Parcels in single or multiple ownership larger than 160 acres which contain a substantial majority of an entire geologic feature (i.e., 67%); or
3. A parcel which is acceptable as a Natural Heritage Preserve administered by the Department of Natural Resources.

Shoreline or Other Geological Features: Minimum area eligible for classification, whether in single or multiple ownerships, is 90 percent of the feature. Eligibility for geological features must be verified by a qualified geologist. A qualified geologist is a person who has earned a degree in geology from an accredited college or university, or a person who has equivalent educational training and has experience as a practicing geologist.

HIGH PRIORITY RESOURCES: 3 Points Each

e. Historical Site

Definition: A building, structure or site which is of significance to the County's cultural heritage including, but not limited to, Native American and pioneer settlements, old buildings, forts, trails, landings, bridges or the sites thereof, together with interpretive facilities, and which are identified on a local, state or national register of historic places.

Data Source: Thurston County's Historic Preservation Program maintains an inventory of sites on its Historic Register. Also refer to the State or National registers and inventories at the State Office of Archaeology and Historic Preservation. The cities of Olympia, Lacey, Tumwater and Yelm maintain historic registers as well.

Examples: Medicine Creek Treaty Site, Seatco Prison Site.

Eligibility: Properties eligible for open space classification are lands associated with properties listed on a local, State or national register of historic places or any local register of historic places which is developed in the future. Improvements to the land, including structures, are not eligible.

HIGH PRIORITY RESOURCES: 3 Points Each

f. Private Recreation Area

Definition: An area devoted to facilities and equipment for recreational purposes, including swimming pools, tennis courts, golf courses, playgrounds, and other similar uses whether the use of such area is limited to private membership or open to the public upon the payment of a fee. Recreational vehicle parks are not eligible.

Data Source: No county inventory available.

Examples: Evergreen Sportsmen's Club
Capitol Golf Course
Tumwater Valley

Eligibility: Eligible lands are those meeting the above definition. Improvements to the land, including structures, will not be eligible. Lands with clubhouses, restaurants, parking areas, and other non-recreation structures are not eligible.

HIGH PRIORITY RESOURCES: 3 Points Each

g. Rural Open Space Close to Urban Growth Areas

Definition: Fifty or more acres of land, open to the public, located within two miles of an Urban Growth Area designated by Thurston County. For the purposes of this definition, land shall be considered open to the public if it qualifies for receiving any points for public access under the Public Access section of this Open Space Tax Program (refer to page 5). However, land which is open only to those paying a membership or initiation fee shall be considered open to the public only if the following conditions are met:

1. Membership or other access is available without discrimination on the basis of race, creed, ethnic origin or sex; and
2. In the case of land affording recreational opportunities, it is open to use by organized groups from schools, senior citizen organizations or bona fide educational or recreational organizations managed by a governmental entity or managed or sponsored by an organization qualifying for tax exempt status under subsections 501(c)(3), (4), (5), (6), (7), (8), (10) or (19) of the Internal Revenue Code [26 USC 501(c)(3), (4), (5), (6), (7), (8), (10), (19)] upon payment of no more than a reasonable user fee.

Data Source: Urban Growth Areas are designated within the *Thurston County Comprehensive Plan*. Refer to Appendix 3.

Examples: Olympia Golf and Country Club.

Eligibility: Eligible lands are those meeting the definition above.

HIGH PRIORITY RESOURCES: 3 Points each

h. Significant Wildlife Habitat Area

Definition: An area which is characterized by the presence of important habitats and species¹ or other animals in such frequency and diversity for critical ecological processes occurring such as breeding, nesting, nursery, feeding and resting.

Data Sources: Washington State Department of Natural Resources, Natural Heritage Program Database (Tier 1 wetlands); *Shoreline Master Program for the Thurston Region* (Natural Shoreline Environments); *The Percival Creek Corridor Plan*; Washington State Department of Fish and Wildlife, Priority Habitats and Species Database.

Examples: Nisqually Delta, Gull Harbor, Kennedy Creek, oak woodlands, Bald eagle nest sites.

Eligibility:

1. "Tier 1" Wetlands identified by the Washington State Department of Natural Resources, Natural Heritage Program; or
2. "Natural" Shoreline environments, where a minimum of 500 feet of contiguous shoreline length is included, and the contiguous upland buffer area (any area beyond ordinary high water mark, 100-year flood plain, or associated wetland boundary) is no greater than one acre per 100 feet of shoreline length; or
3. Those areas within the "canyon," "drainage ditch buffer" and "associated wetland of Black Lake" identified within the *Percival Creek Corridor Plan* (terms are defined within that document); or
4. Class I wetlands regulated under the Thurston County Critical Areas Ordinance (TCC 17.15); or
5. Important habitats and species regulated under the Thurston County Critical Areas Ordinance (TCC 17.15).

¹Class I wetlands and important habitats and species are defined within the Thurston County Critical Areas Ordinance, TCC 17.15.200.

6. Eligible areas include those that meet the definition above, and meet the following conditions:
 - a. The resources are confirmed by the data sources indicated or identified by either:
 - i. The appropriate state agency; or
 - ii. A competent professional whose findings are substantiated by the appropriate state agency.
 - b. The resources are included within a Habitat Management Plan developed by a qualified wildlife habitat biologist², and that the owner(s) agree to follow, including:
 - i. Land use limitations needed for the long-term viability of the important species or habitat;
 - ii. Limitations for access by humans and domesticated animals, as needed;
 - iii. Management measures that will enhance the species' viability, if needed; and
 - iv. Recommended review intervals for at least the following twenty years.

²A qualified habitat biologist means a person educated in wildlife biology and who derives his/her livelihood from employment as a wildlife biologist or habitat management consultant.

HIGH PRIORITY RESOURCES: 3 Points Each

i. Special Plants Sites

Definition: Those vascular plant species defined in the *Natural Heritage Plan* as being either an endangered, threatened or sensitive species to the Washington State Department of Natural Resources, Natural Heritage Program.

Data Source: Location and details of known sites are on file in the Natural Heritage database, at the Washington State Department of Natural Resources, Natural Heritage Program. General information is available by request on a square mile basis. For those species known to occur within Thurston County refer to Appendix 2.

Examples: Sites with a stable population of white-top aster
14 species on list found in the County.

Eligibility: Eligible sites are those in the Natural Heritage database or which are verified by an expert in the field as containing the same plants and which are acceptable by the state agency for addition to the database.

HIGH PRIORITY RESOURCES: 3 points Each

j. Urban Growth Area Open Space

Definition: One or more acres of land, open to the public, and located within the boundaries of an Urban Growth Area designated by Thurston County. For purposes of this definition, land shall be considered open to the public if it qualifies for receiving any points for public access under the Public Access section of this Open Space Tax Program (refer to page 5). However, land which is open only to those paying a membership or initiation fee shall be considered open to the public only if the following conditions are met:

1. Membership or other access is available without discrimination on the basis of race, creed, ethnic origin or sex; and
2. In the case of land affording recreational opportunities, it is open to use by organized groups from schools, senior citizen organizations or bona fide educational or recreational organizations managed by a governmental entity or managed or sponsored by an organization qualifying for tax exempt status under subsections 501(c)(3), (4), (5), (6), (7), (8), (10) or (19) of the Internal Revenue Code [26 USC 501(c)(3), (4), (5), (6), (7), (8), (10), (19)] upon payment of no more than a reasonable user fee).

Data Source: Urban Growth Areas are designated within the *Thurston County Comprehensive Plan*. Refer to Appendix 3.

Examples: Capital City Golf Course
Tumwater Valley

Eligibility: Eligible lands are those meeting the definition above.

MEDIUM PRIORITY RESOURCES: 2 Points Each

a. Public Lands Buffer

Definition: Lands lying adjacent to neighborhood parks, forests, wildlife preserves, natural area preserves or sanctuaries.

Data Source: The county has an inventory of public recreation sites in its Comprehensive Parks and Recreation Plan and the Public Facilities Chapter of the *Thurston County Comprehensive Plan*. See also the Washington State's and cities' parks and recreation plans.

Examples: Black River-Mima Prairie Glacial Heritage Preserve, Frye Cove Park

Eligibility: Lands being buffered shall be in public ownership. Lands adjacent to the following sites are not eligible: State Capitol Forest, Fort Lewis Military Reservation, the Nisqually and Chehalis Indian Reservations, and the Snoqualmie National Forest.

MEDIUM PRIORITY RESOURCES: 2 Points Each

b. Scenic Vista or Resources

Definition: An area of natural features which is visually significant to the aesthetic character of the County and is visible from a public right-of-way.

Data Source: No inventory available.

Examples: Nisqually Delta Bluff to McAllister Springs
McLane Creek Valley at Mud Bay
Vistas with no significant human intrusion visible

Eligibility: Eligibility will be evaluated based on the following criteria:

1. Prairies or other historically open areas in regions of the county otherwise generally timbered which are significant to the identity of local areas and which are visible to significant numbers of the general public from public rights-of-way.
2. Areas designated as scenic highways or byways by a federal, state or local government agency.
3. Eligible lands must be of sufficient size to substantially preserve the scenic resource value and must contain a minimum of 40 acres.

LOW PRIORITY RESOURCES: 1 Point Each

a. Resource Enhancement

Definition: Enhancement of a resource eligible for points under the Open Space Tax Program.

Data Source: No inventory available.

Examples: Enhancement of fish habitat with streamside planting; brush clearing from Mima Mounds

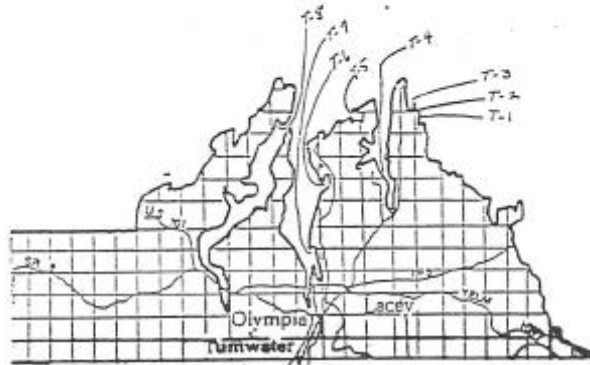
Eligibility: Eligible lands are those that:

1. Are eligible to receive points for the resource being enhanced, and
2. Have an official enhancement plan developed in cooperation with the Natural Resources Conservation Service, the U.S. Fish and Wildlife Service, and/or the Department of Fish and Wildlife, which contains clear steps and timelines for completion.
3. Eligible lands will be reviewed at the time projected for completion of the enhancement work and re-rated for open space classification if the enhancement plan has not been completed. The County legislative authority has discretion to allow time extensions for completing enhancement work only with a written enhancement plan revision by the agency which developed the original plan.

APPENDIX 1

Significant Undeveloped Dry Accretion Beaches* (Spits/Points/Barrier Berms) Thurston County

<u>Identification</u>	<u>Geographic Name or Location</u>	<u>Shoreform</u>
T-1	N. end Mill Bight	Spit
T-2	.5 mi. N. of Mill Bight	Dual opposed spits
T-3	1/4 mi. S. of Balrd Cove	Bay barrier spit
T-4	1.1 mi. S. of Woodward Bay	Low berm
T-5	Big Fishtrap Cove	Converging spits
T-6	Gull Harbor entrance	Spit
T-7	S. end Ellis Cove	Bluff off-set berm and spit
T-8	Entrance, Sanderson Harbor	Converging spits



*Definition of Dry Accretion Beaches

Most characteristically they are spits and points formed by the accretion process, and barrier berms accreted across marshy or estuarine embayments. Some occur at the base of favorably oriented loose gravel bluffs. They are accretion terminals within their drift sectors--both driftway and net accretion terminals. They have stable, permanent backshore of berms, dunes or marshes. The backshore is only wetted infrequently, under extreme tide and wind conditions. They are rare on Puget Sound.

SOURCE: Washington Interagency Committee for Outdoor Recreation inventory of significant undeveloped accretion beaches in Puget Sound and Strait of Juan de Fuca, by Wolf Bauer, 1973-75.

APPENDIX 2

Thurston County -- Special Plants

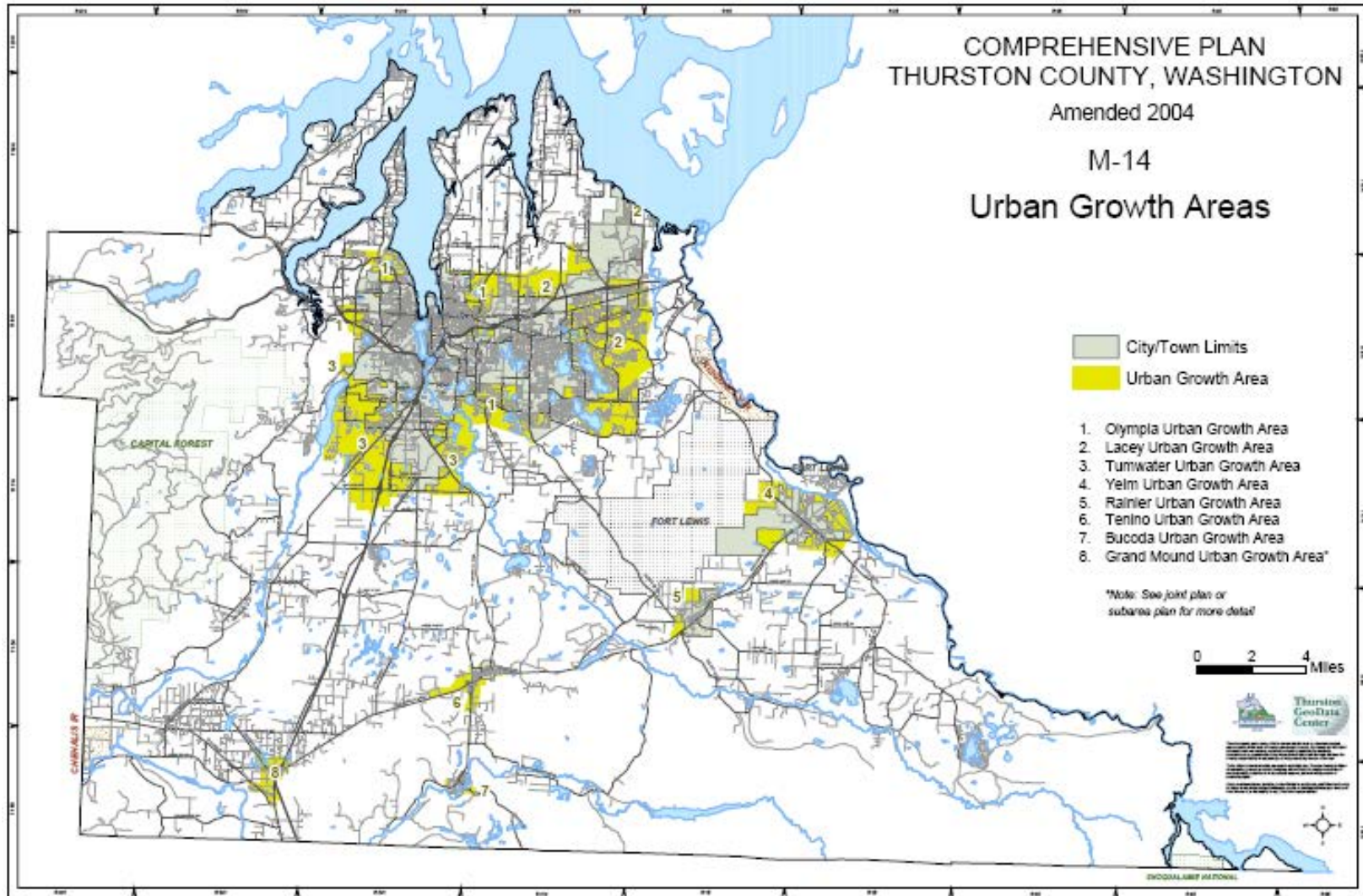
<u>Scientific Name</u>	<u>Common Name</u>
Castilleja levisecta	golden paintbrush
Aster curtus	white-top aster
Trillium albidum	giant trillium
Agoseris elata	tall agoseris
Carex comosa	bristly sedge
Carex interrupta	green-fruited sedge
Cimicifuga elata	tall bugbane
Erythronium revolutum	pink fawn-lily
Lycopodium inundatum var. inundatum	bog clubmoss
Puccinellia nutkaensis	Alaska alkaligrass
Polystichum californicum	California word-fern
Woodwardia fimbriata	chain-fern

SOURCE: Natural Heritage database (Washington State
Department of Natural Resources).

(Updates of this Appendix will be made as changes are made to the
Natural Heritage database.)

APPENDIX 3

Thurston County Urban Growth Areas



SOURCE: Thurston County Comprehensive Plan.

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