Thurston County Open Space Tax Program
2015 Application Proposal

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Phillip Rupp</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>7515 SE Johnson Rd., Olympia, WA 98513</td>
</tr>
<tr>
<td>Location of Property</td>
<td>East Thurston County, near Lake Saint Clair</td>
</tr>
<tr>
<td>Acres in Application</td>
<td>9.5 acres (10.5 total acreage)</td>
</tr>
<tr>
<td>Parcel number(s)</td>
<td>09350005003</td>
</tr>
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A. Site Characteristics & Context
The parcel under consideration is 10.5 acres with 9.5 acres proposed for the open space – open space tax program. There is a single family home and garage on the property proposed to be include in a one-acre home site. This property was previously in the Open Space-Agricultural tax program administered by the Assessor’s office. Unfortunately, the applicant was not able to meet the minimum income requirements to remain in that program. However, they do qualify for the open space-open space tax program. The property owners are applying for a high priority classification of Farm and Agricultural Conservation Land (FACL) for 9.5 acres, and Significant Wildlife Habitat Area for 3 acres. The zoning of the site is McAllister Geologically Sensitive Area (MGSA). The surrounding parcels are also zoned MGSA. The City of Lacey Urban Growth Area is located approximately 1 mile to the northwest of the subject property, as the crow flies.

B. Public Benefit Rating System
1. For which Priority Resources categories does the property qualify?
   - Farm and Agriculture Conservation Land (FACL)
2. Which public access category has the property owner agreed to?
   - No public access
3. Does a conservation easement or historic easement apply to the property?
   ▪ No conservation or historic easements

4. Summary of Public Benefit rating:

<table>
<thead>
<tr>
<th>Category</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Farm and Agriculture Conservation Land</td>
<td>3</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>3</strong></td>
</tr>
</tbody>
</table>

5. Estimated tax shift:
   The property is eligible for 3 points under the Thurston County Public Benefit Rating System, qualifying the property for a 50% reduction in market value. This represents a smaller tax shift than is currently provided under the Assessor’s Agricultural classification, meaning there will be a net gain in total property tax collected by Thurston County.

C. Additional Considerations

1. Does the property meet the definition of open space?
   Yes, for the FACL classification. The applicant applied for Significant Wildlife Habitat Areas classification but did not provide documentation of presence of important habitats and species or other qualifying information for the application to be approved for this category. Minimum eligibility requirements ensure that only properties meeting the open space classifications definitions could be classified as open space.

2. Any other factors relevant to the application in weighing the benefits to the public?
   Protecting this property from further development will prevent further potential storm water runoff from impervious surfaces and potential septic tank problems associated with development, and contribute to the protection of the wetland and water quality. The management of the property as open space is consistent with other properties in the area.

D. Recommendation
   Staff recommends approval of classification of 9.5 acres owned by Phillip Rupp as open-space land for current use assessment.

Attachments: 1. Master Application and Open Space Application
              2. Conservation plan
              3. Site map
              4. Aerial photo
MASTER APPLICATION

Project: 2014100922 In Date: 03/17/2014

14 102367 VA Open Space

Sub: Open Space-Open Space

Work:

Site: 7515 JOHNSON RD SE OLYMPIA WA 98513

Parcel: 09350005003

Sanitarian: 1

Applicant: PHILLIP D RUPP
Owner: RICHARD G PHILLIPS JR
Owner: PHILLIP D RUPP
Owner: MARISA L WULFF

Intake by: ________________

The Master Application is required for all projects and shall accompany a project-specific supplemental application(s). The Master Application may not be submitted alone.

Property Tax Parcel Number(s): 09350005003

Subdivision Name (if applicable): L4-018

Lot #: 4

Property Address: 7515 JOHNSON RD SE City: OLYMPIA State: WA Zip Code: 98513

Directions to the Property:

Property Access Issues (locked gate, code required, dogs or other animals): ☐ No ☐ Yes
If yes, Describe: ________________________________________________________________

OWNER IS RESPONSIBLE FOR SECURING ANIMALS BEFORE SITE VISIT.

DESCRIPTION OF PROJECT PROPOSAL

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Revised 8-13 Form No. MA001
**Type or Print:** Additional property owner sheet can be obtained online at www.co.thurston.wa.us/permitting or copy obtained from the Permit Assistant Center.

<table>
<thead>
<tr>
<th>Property Owner(s):</th>
<th>Philip Rupp</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address:</td>
<td>7575 Johnson Rd SE</td>
</tr>
<tr>
<td>City:</td>
<td>Olympia</td>
</tr>
<tr>
<td>State:</td>
<td>WA</td>
</tr>
<tr>
<td>Zip Code:</td>
<td>98517</td>
</tr>
<tr>
<td>Phone #:</td>
<td>360-951-4872</td>
</tr>
<tr>
<td>Ext.:</td>
<td>No</td>
</tr>
<tr>
<td>Fax #:</td>
<td>No</td>
</tr>
<tr>
<td>Cell #:</td>
<td>414</td>
</tr>
<tr>
<td>E-mail:</td>
<td><a href="mailto:phillip.rupp@centurylink.com">phillip.rupp@centurylink.com</a></td>
</tr>
</tbody>
</table>

**Signature:**

Date:

**Applicant (if different than owner):**

| Mailing Address:        | |
| City:                   | |
| State:                  | |
| Zip Code:               | |
| Phone #:                | |
| Ext.:                   | |
| Fax #:                  | |
| Cell #:                 | |
| E-mail:                 | |

**Signature:**

Date:

**Point of Contact:**

| Mailing Address:        | |
| City:                   | |
| State:                  | |
| Zip Code:               | |
| Phone #:                | |
| Ext.:                   | |
| Fax #:                  | |
| Cell #:                 | |
| E-mail:                 | |

**Signature:**

Date:

**BILLING INVOICES**

The base application fee charged at the time of application covers base hours listed on the fee schedule. When the base hours by a Department are used, a monthly billing invoice will be generated for additional hours at the hourly rate listed on the fee schedule. Should review of the project exceed the base hours allotted, billing invoices shall be mailed to:

- [ ] Owner
- [ ] Applicant
- [ ] Point of Contact

*Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in the application and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made or forwarded, the right to enter the above-described location to inspect the proposed, in-progress or completed work. I agree to start work only after all necessary permits/approvals have been received.
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)  Phillip D Rupp
Mailing Address  7515 Johnson Rd SE
Day Phone Number(s)  (360) 951-4185

Tax Parcel Number(s)  09350005003

General Location of Property
Section 7 Township 17 Range 1E

1. Legal Interest in Property:
   [☑] Owner  [☐] Contract Purchaser  [☐] Other (Describe)

2. Total Acreage of Property  10.5

3. Acreage to be Enrolled in Open Space Program  9.5

4. What is the Property Currently Used for?  Open Space Ag & 1 SF

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

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)**

<table>
<thead>
<tr>
<th># Acres</th>
<th>a. Archaeological Sites</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>b. Farm and Agricultural Conservation Land (FACL)</td>
</tr>
<tr>
<td></td>
<td>c. Fish-Rearing Habitat–Ponds and Streams</td>
</tr>
<tr>
<td></td>
<td>d. Geological and Shoreline Features</td>
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<tr>
<td></td>
<td>e. Historical Sites</td>
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<tr>
<td></td>
<td>f. Private Recreation Areas</td>
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<tr>
<td></td>
<td>g. Rural Open Space Close to Urban or Growth Areas</td>
</tr>
<tr>
<td></td>
<td>h. Significant Wildlife Habitat Areas</td>
</tr>
<tr>
<td></td>
<td>i. Special Plant Sites</td>
</tr>
<tr>
<td>3</td>
<td>j. Urban or Growth Area Open Space</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th># Acres</th>
<th>a. Public Land Buffers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>b. Scenic Vista or Resources</td>
</tr>
</tbody>
</table>

**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: 3/17/2014

OWNERS: Phillip D Rupp

SUBSCRIBED and SWORN to before me this 17 day of March, 2014.

Mandi Jo Cramer
Notary Public in and for the State of Washington, residing in Thurston County
March 10, 2014

Phillip D Rupp
7515 Johnson Rd SE
Olympia, WA 98513

Thurston County Development Services
Open Space Tax Program
2000 Lakeridge Drive SW, Olympia, Wa 98513

RE: Parcel #09350005003 Open Space Reclassification Proposal

For many years, I have farmed my 10.5 acres located at 7515 Johnson Rd SE (Tax Parcel #0930005003) and met the qualifications under the Farm and Agricultural Classification, RCW 84.34. At 67 years of age, I find that I am no longer physically able to continue this practice. Having written the Thurston County Office of the Assessor on November 15, 2014 to inquire about my options other than submitting the requested documentation to remain in Open Space Farm & Agricultural current use, I learned about reclassifying my land to the Open Space-Open Space Farm & Agricultural Conservation classification.

A letter from Ms. Doreena Baird, Thurston County Assessor Senior Property Control Analyst, dated January 13, 2014 states that the information I had provided her showed my parcel no longer met the qualifications to continue under the Farm & Agricultural use classification. I have included a copy of Ms. Baird’s letter as qualifying criteria for my reclassification proposal that my land is a high priority resource as Agricultural Conservation Land (FACL). This parcel is eligible for FACL because it has been classified as agricultural land under RCW 84.34 and has been continually used for agricultural purposes.

Further, the aerial maps included in this application packet shows this parcel is located within a larger farming area. The property has about 5 acres of soils suitable for continuing farming activities in the future and there is no reason why much of this parcel could not be returned to commercial agricultural use. Of 10.5 acres, my home, garage/barn, and driveway use a little over one acre of land. Under Washington Administration Code (WAC) 458-30-242, specific requirements for land to qualify as FACL are that the land was previously classified as farm and agricultural land and has the potential to return to commercial agricultural purposes. My property meets these criteria.

In addition to conserving a piece of farmland within a larger farming area, I am also requesting consideration that my land contains an additional high priority resource as a significant wildlife habitat area.
This is because the parcel also contains wetlands. The Assessor’s Cost Valuation Report (CVR) included in this application packet makes a 20% adjustment for wetland on this parcel. I have also included a map of the Department of Ecology’s wetlands inventory from 2011 for this area. This map illustrates the point I am about to make. Since living on this property, I have watched these previously disturbed wetland areas reemerge. My social security income does not afford me the hiring of a wetland scientist or biologist to confirm the information submitted and assesses the value of these wetlands.

In addition to the wetland, the westerly border of my parcel is an unnamed creek (a tributary to Eaton Creek). According to the Department of Natural Resources (DNR), both are perennial, fish bearing streams. This narrative and supporting information establishes the interconnectedness of this parcel within the broader water systems. The surface water and associated wetlands running mid property, north and south provides connectivity between upland wetlands and downstream eventually feeding into the aquifer that is part of Lake Sinclair.

The land has value for farming and for the provision of valuable wildlife habitat. As part of this application process, I welcome Thurston staff to make a site visit to ground truth this information.

The conservation plan for this property is largely a function of Thurston County’s mapped critical areas and controls. The property contains hydric soils, Dupont Muck and Tisch. These are included in the County’s inventory for high ground water hazard areas. In addition, the land is located within the McCallister Geologically Sensitive Area District (MCSA), which generally allows residential densities of one home per 5-acres. My strategy in conserving the high priority resources on this property is to not further disturb the emerging wetlands or add additional buildings or impervious surface on the property that would remove farmland.

[Signature]