

# PIERCE COUNTY CONSERVATION FUTURES

---

## GLOSSARY

- 1) **"Active recreation uses"** means indoor and outdoor recreation activities and athletics which have predominant value as sites for specific recreation activities unrelated to the natural environment, such as ball fields, regional athletic sites, playgrounds, swimming pools, skate parks, skating arenas, and recreational centers. Active recreation uses may be allowed on properties purchased with conservation futures funds when recommended by the Conservation Futures Citizens' Advisory Board, and/or approved by the Pierce County Council, and addressed in the covenants or property restrictions.
- 2) **"Archaeological sites"** means geographical locations, including those lands that are submerged and submersible and the bed of the sea that contain archeological objects, that comprise the physical evidence of an indigenous and subsequent culture including material remains of past human life including monuments, symbols, tools, facilities, and technological by-products. Archeological sites may contain prehistoric, historic archeological resources or both. Confidentiality of locations may be required of archeological sites. *Suggested Sources:* Adopted Federal, State or local program documents intended to enhance or preserve critical salmon habitat. *Examples:* River and basin maps for the White and Puyallup River systems and South Prairie Creek system.
- 3) **"Agricultural land"** means land primarily devoted to the current production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, or livestock, and which has significance for agricultural production. Also land that has been traditionally in or is still capable of production for the above as demonstrated by sales receipts, income tax statements or other materials which the Department accepts as proof that farming once occurred on the property and the property could be returned to highly productive commercial agriculture. Conservation plans and farm plan which includes a water protection plan shall be reviewed and approved by the conservation district prior to granting. *Suggested Sources:* United States Department of Agriculture (USDA), Soil Conservation Service, February, 1979, Soil Survey of Pierce County Area, Washington. USDA, Soil Conservation Service, June, 1981, Important Farmlands of Pierce County, Washington. *Examples:* Lands utilized for crop production in the Puyallup River valley.
- 4) **"Aquifer recharge areas"** means land areas where the prevailing geologic conditions allow infiltration rates, which create a high potential for contamination of groundwater resources or contribute to the replenishment of groundwater. *Suggested Sources:* Areas within the Clover/Chambers Creek Aquifer basin boundary and areas within the boundaries of the two highest D.R.A.S.T.I.C. zones (rated 180 and above) in the Map of Groundwater Pollution Potential; Clover/Chambers Creek Basin Ground Water Management Program and D.R.A.S.T.I.C. index as identified by the National Water Well Association in the Map of Groundwater Pollution Potential; and Pierce County Critical Areas Atlas, Aquifer Recharge Area-D.R.A.S.T.I.C. Zones and Clover/Chambers Creek Basin Maps. *Examples:* Oak woodland area overlying the aquifer in Parkland/Spanaway area.

## PIERCE COUNTY CONSERVATION FUTURES

---

- 5) **"Board"** means the Conservation Futures Program Citizens' Advisory Board as provided for in Chapter 2.96 of the Pierce County Code.
- 6) **"Contiguous"** shall mean land adjoining or touching other property held by the same ownership. Land divided by a public road, but otherwise an integral part of the same land ownership will be considered "contiguous" for these purposes.
- 7) **"Committee"** means the Conservation Futures Technical Advisory Committee as provide for in Chapter 2.96 of the Pierce County Code.
- 8) **"Conservation/historic preservation easement"** means a property restriction in perpetuity on the use of the property. It is a recorded deed restriction, or covenant, and the enforcement of the restriction is most often given to a Land-Trust or a government agency. A conservation easement will prevent future real estate development, industrial or commercial use. The easement may allow continued current use, for example, residential and recreational use, agriculture, forestry, or ranching. However, most often a conservation easement restricts both the current as well as the future uses of the land to some important conservation quality of the land, such as habitat, open space, or scenic views. A conservation easement or restrictive covenant must be recorded against the deed as a part of the final agreement with the landowner. **Suggested Sources:** If it is suspected that such a covenant exists, a Title company may be able to help in locating the recorded document.
- 9) **"Critical salmon habitat"** means the specific areas within the geographical area accordance with the provisions of Section 4 of the Federal Endangered Species Act, on which are found those physical or biological features: Essential to the conservation of the species; and Which may require special management considerations or protection; and Specific areas outside the geographical area occupied by the species at the time it is listed in accordance with the provisions of Section 4 of the Federal Endangered Species Act, upon a determination by the national Secretary on the Interior and/or Commerce that such areas are essential for the conservation of the species. **Suggested Sources:** Properties and associated lands identified in an adopted Federal, State or local program intended to enhance or preserve critical salmon habitat. **Examples:** River and basin maps for the White and Puyallup River systems and South Prairie Creek system.

## PIERCE COUNTY CONSERVATION FUTURES

---

- 10) **“Eminent domain process”** means the legal process of condemnation of privately held land for a public purpose.
- 11) **“Farm lands”** shall mean agricultural lands as defined in “B” above.
- 12) **“Fish and wildlife habitat areas”** means those areas identified as being of critical importance to maintenance of fish and wildlife species including: areas with which endangered, threatened, and sensitive species have a primary association; habitats and species of local importance; commercial and recreational shellfish areas; kelp and eelgrass beds; herring and smelt spawning areas; naturally occurring ponds under twenty acres and their submerged aquatic beds that provide fish or wildlife habitat; state natural area preserves and natural resource conservation areas. **Suggested Sources:** Pierce County Critical or City Areas Atlas. Fish and Wildlife Habitat Areas-Commercial and Recreational Shellfish Areas Map. Fish and Wildlife Habitat Areas-Stream Typing Maps. Fish and Wildlife Habitat Areas-Vascular Plants Map. Fish and Wildlife Habitat Areas-Priority Habitats and Species Map. Commercial and Recreational Shellfish Areas in Puget Sound, Washington Department of Health, was used as a source to identify fish and wildlife habitat areas which are depicted in the Critical Areas Atlas-Fish and Wildlife Habitat Areas-Commercial and Recreational Shellfish Areas Map. Natural Heritage Data Base, Washington Department of Natural Resources, was used as a source to identify fish and wildlife habitat areas which are depicted in the Critical Areas Atlas-Fish and Wildlife Habitat Areas-Vascular Plants and Fish and Wildlife Habitat Areas-Animals Maps. Puget Sound Environmental Atlas, Puget Sound Water Quality Authority. Coastal Zone Atlas of Washington, Volume VII, Pierce County, Washington Department of Ecology; Priority Habitats and Species Program and Priority Habitat Species Maps, Washington Department of Fish and Wildlife. Nongame Database, Washington Department of Fish and Wildlife. Washington Rivers Information System, Washington Department of Fish and Wildlife. Water Resource Index Areas (WRIA), Washington Department of Fish and Wildlife. **Examples:** Nesting sites for bald eagles, prairies, old growth forests, great blue heron rookeries.
- 13) **“Flood hazard areas”** means land in a floodplain within Pierce County subject to a 0.2 percent or greater chance of flooding in any given year (500-year floodplain). **Suggested Sources:** Flood Insurance Study for Pierce County or local City, as amended, with accompanying Flood Insurance Rate (FIRM) Maps prepared by the Federal Emergency Management Agency (FEMA). **Examples:** Portions of the Puyallup River valley.
- 14) **“General public access”** means that anyone can get to and be on the property by means of a road or other conveyance that is open and available for public use. **Suggested Sources:** A local Zoning authority or Planning Department may help in determining if a lot meets this requirement. If there is a question as to the status of the lot, the local Zoning authority or Planning Department will have to provide a written determination for the lot as it relates to this definition. **Examples:** A lot that fronts on a public street.

## PIERCE COUNTY CONSERVATION FUTURES

---

- 15) "**Historic landmark sites**" means locations strongly associated with significant prehistoric or historic events or patterns of events and well documented through scholarly research. Historic landmark sites may include archeological sites. *Suggested Sources:* National Register of Historic Places. Washington Heritage Register. Pierce County Register of Historic Places. *Examples:* Village sites, trails, battlefields, or ceremonial sites.
- 16) "**Lakes**" means all freshwater impoundments 20 acres or greater in size and their undeveloped shoreline areas. *Suggested Sources:* Pierce County Shoreline Master Program. A local City shoreline Master Program. *Examples:* Crescent Lake, Lake Tapps, and Ohop Lake.
- 17) "**Landlocked**" means a lot, parcel or tract of land that can not be accessed without trespassing across an adjoining property. *Suggested Sources:* If it is suspected that the property is not accessible, a Title company may be able to help in locating any adjoining access points.
- 18) "**Legal lot of record**" means an area of land designated as a lot, tract or parcel within a subdivision, plat, or as otherwise permitted by law that can be used, developed or built upon as a unit and is recorded or registered pursuant to statute with the Pierce County Auditor. *Suggested Sources:* A local Zoning authority or Planning Department may help in determining if a lot meets this requirement. If there is a question as to the status of the lot, the local Zoning authority or Planning Department will have to provide a written determination for the lot as it relates to this definition.
- 19) "**Landslide hazard areas (steep slopes)**" means areas potentially subject to risk of mass movement due to a combination of geologic, topographic, and hydrologic factors. *Suggested Sources:* Pierce County Critical Areas Atlas - Landslide and Erosion Hazard Areas Map. Soil Survey of Pierce County Area, Washington, 1979, Soil Conservation Service, United States Department of Agriculture (USDA). Coastal Zone Atlas for Washington, Washington Department of Ecology. Areas designated as slumps, earthflows, mudflows, lahars, or landslides on maps published by the United States Geological Survey or Washington Department of Natural Resources Division of Geology and Earth Resources. Soil Survey of Snoqualmie Pass Area, Parts of King and Pierce Counties, Washington, United States Department of Agriculture, Soil Conservation Service, December 1992. *Examples:* Marine bluffs, cliffs, and unstable hillsides.
- 20) "**Letter of opinion**" shall mean a restricted limited or complete report completed in accordance with Uniform Standards of Professional Appraisal Practice by a Washington State licensed real property appraiser as to the present value of the proposed property or rights to be acquired.
- 21) "**Leverage statement**" shall mean a description of guaranteed dollars available through other funding sources. The source of these funds and the date the monies will be available for expenditure must be described in the application materials. For example, State Interagency Committee for Outdoor Recreation (IAC) monies in the amount of (\$) will be available for expenditure by (some date) and will be matched using purposed Conservation Futures monies in amount of (\$).

## PIERCE COUNTY CONSERVATION FUTURES

---

- 22) **"Limit the future use of"** means any improvements to the subject property shall be limited to those uses which are passive in nature, agricultural land, or timber land; provided that active recreation may be allowed on a specific nominated property or portion thereof, when recommended by the Conservation Futures Citizens' Advisory Board and/or approved by the Council and addressed in the covenants or property restrictions. In all cases, improvements to properties purchased with Conservation Futures Funds must meet the requirements and intent of RCW 84.34.200-220.
- 23) **"Marine waters"** means Puget Sound and its associated undeveloped shoreline areas.  
*Suggested Sources:* Pierce County or a City's Shoreline Mater Program mapping.  
*Examples:* Tacoma Narrows, Henderson Bay, Case and Carr Inlets.
- 24) **"Non-Profit Receiving Agency"** shall mean a non-profit historic preservation corporation, nature conservancy corporation, or a non-profit land trust as those terms are defined in RCW 64.04.130.
- 25) **"Open space"** means a landscape, which is primarily unimproved. Open space areas may include: critical areas, wooded areas, parks, trails, privately owned nature reserves, abandoned railroad lines, utility corridors, and other vacant rights-of-way. Permanent dedication, designation, or reservation of open space for public or private use may occur in accordance with Comprehensive Plan policies.
- 26) **"Other environmental goals"** shall mean adopted city, town, or county goals, objectives, policies, or regulations that address environmental issues. These documents may specifically address air and water quality, fish and animal habitat, natural resource protection, and conservation of land.
- 27) **"Owner"** shall mean the party or parties having fee interest in the land, except that where the land is subject to a real estate contract, "owner" shall mean the contract vendee.
- 28) **"Private open space passive recreation areas"** means open space areas where public use and access is desired and improvements will enhance public accessibility to the natural resources available at the site. County open space parks as found in the County's Capital Facilities Plan Element of the Comprehensive Plan are included. *Suggested Sources:* Recorded covenant restricting the uses of land to recreational use. However, most often a conservation easement restricts both the current as well as the future uses of the land to some important conservation quality of the land, such as habitat, open space, or scenic views. If it is suspected that such a covenant exists, a Title company may be able to help in locating the recorded document.

## PIERCE COUNTY CONSERVATION FUTURES

---

- 29) **"Private parks and private golf courses with developed facilities"** means a private park or golf course designed for organized activities and sports, although individual and family activities are also encouraged. *Suggested Sources:* Recorded covenant restricting the uses of land to recreational use. Public access to the park from a public road is required except for a homeowners-owned and maintained developed subdivision park amenity shall be considered a park allowing access. Hearing Examiner or city Planning Commission preliminary and final approvals as found in the case file on file with the local authority. *Examples:* Tot lots, private neighborhood parks, trails, nature areas, golf fairways and greens, and multi-use fields for soccer or youth league baseball. Areas may include a children's playground; picnic tables and related accessories; tennis courts; an outdoor basketball court; and other associated facilities or similar features required by the Hearing Examiner. In the case of a golf course, associated maintenance or commercial facilities shall be excluded.
- 30) **"Private trails and corridors"** means private trails and corridors that are used for hiking, biking, walking, horseback riding, and jogging. The trails may vary in scale and surfacing and may also be used as a means of non-motorized transportation connecting one destination point to another. Potentially, trails may include areas providing linkages between trails, abandoned rail lines, utility corridors, vacant rights-of-way, and road endings. *Suggested Sources:* Public access on the trail from a public road is required. A linear corridor of open space with a constructed trail that often provides passive recreational and non-motorized transportation opportunities, serves as a buffer between developments and varying land uses, or creates a sense of visual relief from dense urban landscapes. *Examples:* Hearing Examiner or city Planning Commission preliminary and final approvals as found in the case file on file with the local authority. Pierce County Non-motorized Transportation Plan, and the Pierce County Open Space/Greenbelts Map.
- 31) **"Privately owned and operated recreational facilities"** means profit or non-profit recreation which is open for recreational sporting activities. *Suggested Sources:* Public access to the recreational facility from a public road is required. Recorded covenant restricting the uses of land to recreational use. However, most often a conservation easement restricts both the current as well as the future uses of the land to some important conservation quality of the land, such as habitat, open space, or scenic views. If it is suspected that such a covenant exists, a Title company may be able to help in locating the recorded document.
- 32) **"Property"** means the fee simple or any lesser interest in land that meets the requirements for consideration under the Conservation Futures program. In this instance, a lesser interest in land includes development right, easement, covenant or other contractual right necessary to protect, preserve, maintain, improve, restore, limit the future use of or otherwise conserve open space lands.
- 33) **"Public Receiving Agency"** shall mean a Municipal Corporation, political subdivision, park and recreation district, metropolitan park and recreation district, or a state or local governmental agency empowered to hold on behalf the public fee simple or other interests in land.

## PIERCE COUNTY CONSERVATION FUTURES

---

- 34) "**Receiving Agency Affidavit**" shall mean a signed affidavit by a Public Receiving Agency or a Non-Profit Receiving Agency agreeing to accept the conveyance of the property rights.
- 35) "**Recommendations**" shall mean the Citizens' Advisory Board's written findings and conclusions as to how its recommendations satisfy the fund allocation and selection criteria; along with a summary of the proceedings and the Boards' vote on all matters; any concerns which the Board desires to be considered by the Council; and a proposed appropriation ordinance setting forth the applications and/or proposals recommended for funding (See PCC 2.96.050).
- 36) "**Scenic corridors**" means an area of adjoining parcels which individually may be less than one acre but which, when combined, total at least one acre and create a view corridor critical to maintaining a view of a scenic resource visible from a federally- or state-designated scenic highway which is visually significant to the aesthetic character of the County. *Suggested Sources:* Scenic View Points as defined above adjacent to SR-706, SR-7 south of its intersection with SR-507, and SR410 from Greenwater east to Mt. Rainier. Scenic Corridors as defined above that can be seen from SR-706 or SR-7 south of its intersection with SR-507, and SR410 from Greenwater east to Mt. Rainier. Viewpoints may be officially designated by the State of Washington, Pierce County, or a city or town. RCW 47.39.020. *Examples:* Scenic views of Mt. Rainier, mountains, and water.
- 37) "**Scenic view point**" means property adjacent to a federally- or state-designated scenic highway or other officially designated view point that provides a view of an area which is visually significant to the aesthetic character of the county and which provides unlimited public access identified by a permanent sign readily visible from the road. Viewpoints may be officially designated by the State of Washington, Pierce County, or a city or town.
- 38) "**Sponsor**" shall mean a representative of a municipal district, metropolitan park and recreation district, Washington State or local governmental agency including a Pierce County city, town, or county agency, non-profit historic preservation corporation, nature conservancy corporation, or a non-profit land trust as those terms are defined in RCW 64.04.130., or any Pierce County resident other than the person who has an interest in the property.
- 39) "**Sponsor Affidavit**" shall mean a signed affidavit by a Sponsor indicating that the sponsor has informed the owner of the property that the sponsor is nominating the owners property for potential purchase under the Pierce County Conservation Futures Program.

## PIERCE COUNTY CONSERVATION FUTURES

---

- 40) "**Seismic hazard areas**" means those areas subject to severe risk of damage as a result of earthquake induced ground shaking, slope failure, settlement, or soil liquefaction. *Suggested sources:* Pierce County Critical Areas Atlas - Seismic Hazard Areas Map. Groundwater Occurrence and Stratigraphy of Unconsolidated Deposits, Central Pierce County, Washington, Water Supply Bulletin Number 22, Plates One and Two, and Water Resources and Geology of the Kitsap Peninsula and Certain Adjacent Islands, Water Supply Bulletin Number 18, Plate One, U.S. Department of the Interior, Geological Survey, Water Resources Division. Soil Survey of Pierce county Area, Washington, United States Dept. of Agriculture, Soil Conservation Service. Soil Survey of Snoqualmie Pass Area, Parts of King and Pierce Counties, Washington, United States Department of Agriculture, Soil Conservation Service, December 1992. *Examples:* Lands within the Puyallup River valley.
- 41) "**Streams**" means a flow of water conveyed in a channel or course either continuously or intermittently, and the water's associated buffer. *Suggested sources:* Pierce County or city Critical Areas Atlas Fish and Wildlife Habitat Areas-Stream Typing Maps. Water Type Reference Maps, Washington Department of Natural Resources, were used as sources to identify fish and wildlife habitat areas which are depicted in the Critical Areas Atlas-Fish and Wildlife Habitat Areas-Stream Typing Maps. *Examples:* Clover Creek, the Puyallup River, Minter Creek.
- 42) "**Threatened**" means that within the next five years the property will likely not be available in its current open space condition. Evidence of threat may include but is not limited to the following: 1) there is development activity adjacent to or within the vicinity of the property which will likely over time impact the open space condition of the property; 2) the property is currently listed for sale; 3) development permits have been submitted on the property.
- 43) "**Timber land**" means any parcel of land that is five or more acres or multiple parcels of land that are contiguous and total five or more acres which is or are devoted primarily to the growth and harvest of forest crops for commercial purposes.
- 44) "**Uses which are passive in nature**" means public outdoor recreation activities, fish and wildlife habitat, and open space uses that do not disturb the integrity of the underlying environment and that have predominant value as sites in their natural condition as existing or as restored with vegetation and wildlife. Such uses shall include, but are not limited to, trails, interpretive kiosks, viewpoints, picnicking areas, access, restrooms, landscaping that includes restoring the natural habitat, wildlife observation structures, and primitive camping, where appropriate.

Formatted: Indent: Left: 0", Hanging: 0.25"

## PIERCE COUNTY CONSERVATION FUTURES

---

- 44) "**Volcanic hazard areas**" means those areas subject to pyroclastic flows, lava flows, and inundation by debris flows, mudflows, or related flooding resulting from geologic or volcanic events on Mount Rainier. *Suggested sources:* Pierce County or city Critical Areas Atlas - Volcanic Hazard Areas Map. Map Showing Debris Flows and Debris Avalanches at Mount Rainier, Washington--Historical and Potential Future Inundation Areas, Investigations Atlas HA-729, U.S. Dept. of Interior, Geologic Survey, 1995. *Examples:* Portions of the Puyallup, Carbon, White, and Nisqually River valleys.
- 45) "**Wetlands, estuaries, and tidal marshes**" means areas that are inundated or saturated by surface or groundwater at a frequency sufficient to support vegetation typically adapted for life in saturated soil conditions, and associated buffer areas. Wetlands generally include swamps, marshes, bogs and similar areas. *Suggested sources:* Buffer areas for wetlands as required by Pierce County critical area regulations (Title 18E, PCC). Unimproved areas contiguous with required wetland buffer areas extending up to 200 feet landward from the edge of the wetland. Areas that qualify for buffer averaging under Pierce County Wetland Management Regulations (Title 18E, PCC). Pierce County Wetland Inventory Maps. National Wetland Inventory Maps; and Priority Habitats and Species Program and Priority Habitat Species Maps, Washington Department of Fish and Wildlife. *Examples:* Swamps, marshes, bogs, estuaries, tidal marshes.
- 46) "**Wooded areas**" means a lot over one acre in size in the urban growth area or over five acres in size in a rural area with a minimum width of 300 feet on which is found a stand of late, mid, or early seral coniferous or deciduous trees and native plant under story. The wooded area must serve a demonstrated functional purpose in climate, noise, light, habitat or pollution control.