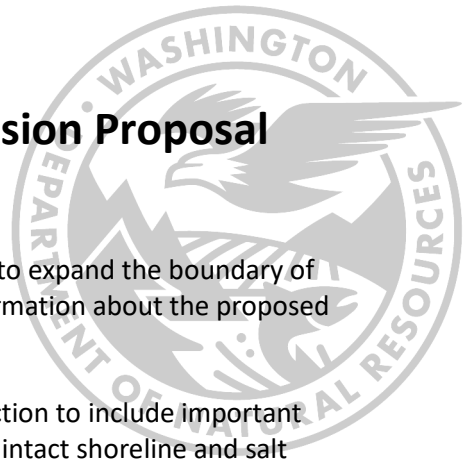


Woodard Bay NRCA 2023 Boundary Expansion Proposal

Frequently Asked Questions

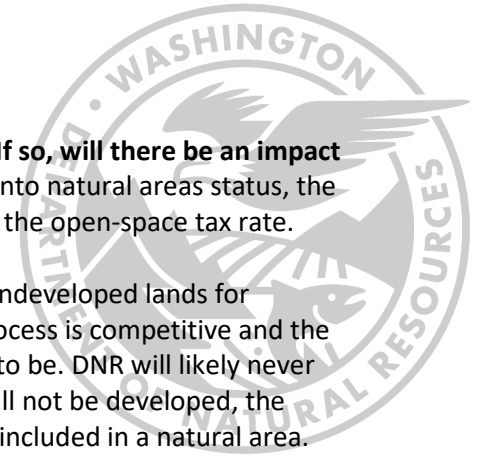


The Washington State Department of Natural Resources (DNR) is proposing to expand the boundary of Woodard Bay Natural Resources Conservation Area (NRCA). A map and information about the proposed boundary expansion [can be found on DNR's website](#).

The proposed Woodard Bay NRCA boundary expansion would extend protection to include important wetlands, mature conifer forests, grasslands with native prairie species, and intact shoreline and salt marsh ecosystems that lie outside of the current NRCA boundary. The expansion would also increase DNR's ability to protect features within the NRCA by improving hydrologic influences on streams, wetlands, and bays, expanding terrestrial-aquatic linkages, and better connecting forest habitats.

- 1. If our land is within the boundary, does it mean we cannot sell our property to anyone but DNR?** You retain full rights to and control of your property. Expanding the boundary will allow DNR to seek funding to purchase private lands – from willing sellers only – and at market value established by independent appraisal. Landowners will be under no obligation, at any time, to sell their lands to DNR. And no lands within the boundary are part of the natural area unless they are either acquired by DNR or are otherwise designated as such by the landowner. The boundary simply designates an area within which DNR staff can discuss with landowners a potential future sale of property to the state for conservation, the same way the current Woodard Bay NRCA has been assembled over the past 35 years.
- 2. You say that there will be no zoning changes, or restrictions on landowners as a result of this expansion. Will we get a written guarantee of this to include that restrictions or changes to zoning won't be implemented in the future?** If your land is in the boundary, it is not part of the NRCA unless it is purchased by DNR. An NRCA boundary does not give DNR any regulatory or other land use authority over private property. DNR does not have authority in local land use and zoning decisions. You would need to speak to the county about its zoning process.
- 3. What is the advantage to landowners to having our property become part of this expansion?** If a landowner's property is within the boundary, that gives them an option to entertain an offer from DNR in the future. DNR buys properties at fair-market value based on an independent appraisal. You may choose to sell your property to any party at any time.
- 4. How long would the process be before you could buy in the new area if approved?** DNR may, or may not, ultimately acquire lands within the boundary. We must first find funding and there must be willing sellers. It is likely that we would not have funding to purchase properties until the next state conservation funding round, which begins July 2025.
- 5. Will I be able to sell just a part of my property or do I have to sell the whole thing?** That depends on the specific zoning for your property and whether or not we can obtain a boundary line adjustment from Thurston County.
- 6. What is the expected timeframe for the finalization of the expansion (if approved by the Commissioner of Public Lands)?** By the end of this year.

CONTACT: Michele Zukerberg | Natural Areas Manager | 360-790-9770 | michele.zukerberg@dnr.wa.gov
Washington State Department of Natural Resources



7. **Are lands acquired into the natural area taken “off the tax rolls”? If so, will there be an impact on county tax revenues?** For parcels that DNR acquires and places into natural areas status, the county receives an annual payment in lieu of property tax based on the open-space tax rate.

Additional considerations related to taxes: DNR will first prioritize undeveloped lands for acquisition. DNR must then find grant funding for the lands. This process is competitive and the more developed the properties are, the less competitive they tend to be. DNR will likely never own all of the lands within the boundary. Because the properties will not be developed, the county will not have to invest in infrastructure to serve those lands included in a natural area.

8. **How will you prioritize which properties to acquire?** DNR staff will use the following criteria to review properties within the boundary: whether the parcel contains important ecological features in good condition, whether the parcel connects to existing natural area lands, the size of the parcel, how manageable the parcel is, and the cost of the parcel.
9. **What options are available to landowners if we want to include our land as part of the natural area?** Here are the options available:
- a. **Fee simple:** Owner sells or donates full and irrevocable rights to land to DNR. If the owner opts to sell the land, it is at fair-market value, based on an independent appraisal.
 - b. **Conservation easement:** A conservation easement is a voluntary legal agreement between a landowner and a government agency or qualified conservation organization that restricts the type and amount of future development that may take place on a property in exchange for fair-market value, based on an independent appraisal. Terms can include prohibiting alteration of the natural topography and conversion of native habitat to lawn or pasture. Easement land remains in private ownership.
 - c. **Life estate:** With a life estate, DNR would purchase the property from you at an adjusted value based on your life expectancy and other factors. You retain the right to live on the property until you pass on or move away. In DNR’s experience with life estates in general, the younger the landowner, the lower the sale value will be.

10. **What assurances can you provide that DNR will not use powers of eminent domain to take my property if it is within the boundary?** The legislation that enables DNR to acquire land into the natural area, RCW 79.71.040, explicitly states that eminent domain may not be used to acquire lands to create or expand Natural Resources Conservation Areas:

The department is authorized to acquire property or less than fee interests in property, as defined by RCW 64.04.130, by all means, except eminent domain, for creating natural resources conservation areas, where acquisition is the best way to achieve the purposes of this chapter. Areas acquired or assembled by the department for conservation purposes will be designated as "Washington natural resources conservation areas." [1987 c 472 § 4.]

DNR has no intentions in the foreseeable future of requesting a change in the process, which would require an act of the Legislature.

CONTACT: Michele Zukerberg | Natural Areas Manager | 360-790-9770 | michele.zukerberg@dnr.wa.gov
Washington State Department of Natural Resources