

From: [Bart Catching](#)
To: [Jeffrey Delapena](#)
Cc: [Lauren Henricksen](#)
Subject: FW: ag commission - PBRs
Date: Wednesday, May 13, 2026 4:00:28 PM
Attachments: [# revised proposal to Clark County PBRs.docx](#)
[^ Frequently Asked Questions.docx](#)
[counties response table.docx](#)

Jeff,

Please add the email below and the attached documents to the public comments received for the May 27th Ag Comm meeting.

Thanks,

- Bart

From: Steve Thalberg <sathalberg@gmail.com>
Sent: Wednesday, May 13, 2026 10:33 AM
To: Bart Catching <Bart.Catching@clark.wa.gov>
Cc: farmermomckenna@gmail.com
Subject: ag commission - PBRs

EXTERNAL: This email originated from outside of Clark County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

hello bart catching,

please forward the following, and the attachments, to the Agriculture Commission members.

thank you,
steve

Dear Agriculture Commission,

I am trying to get a Public Benefit Rating System (PBRs) established in Clark County (as part of the Open Space Taxation classification). 17 counties in Washington have a PBRs. Clark County doesn't, but is considering it.

What is a PBRs?

The PBRS incentivizes the beneficial use of lands by providing tax relief to property owners who meet any of the below goals.

The PBRS is tax-neutral for the county, that is, if the PBRS is adopted, there will be no decrease in revenue the county receives.

PBRS goals include:

- a. assure the use and enjoyment of natural resources and scenic beauty in the county;
- b. promoting the preservation, enhancement and rehabilitation of native ecosystems - especially priority habitat features, bio-diverse areas, locally important habitat, rare plant sites,
native habitat/flora, habitat corridors, watersheds, wetland habitat, stream habitat...
- c. conserve and enhance natural or scenic resources;
- d. enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space;
- e. enhance recreation opportunities;
- f. conservation of agricultural lands (that no longer meets the requirements of the farm and agricultural
land classification or has never been classified, and has a high potential for commercial agriculture) by decreasing the cost of removal from the current Farm and Agricultural Land program to the PBRS program;
- g. aligning with the County's goal of protecting and enhancing the long-term viability of agriculture, and
complying with the County's proposed Growth Management Act (GMA);
- h. preserve historic sites;
- i. preserve visual quality along highway, road, and street corridors and along scenic vistas.

Several years ago, the county considered adopting a PBRS, but then the Covid pandemic occurred, Council membership changed, and the concept didn't proceed. A major flaw with the plan that was considered, is that it required a 5 acre minimum size. There are many R-5 zoned lots in the county, and since 1 acre of the lot is excluded for a residence, that dropped the functional size to 4 acres, which was below the minimum size required to enroll in the PBRS.

Many Washington counties have a 1 acre minimum lot size (0.5 acres in the urban areas for specific purposes), and that is recommended in my proposal - to maximize the number of lots that would qualify for the PBRS, and thus preserve, protect, conserve and enhance the county's resources.

Many farmers are 'aging out' of their productive years. Should they stop farming, there can be a significant cost (in the tens to hundreds of thousands of dollars) to remove their property from

the Current Use Open Space Farm and Agriculture Taxation program. Few farmers have the cash to pay those penalties, 7 years of past due taxes and interest. The primary way to generate those funds is to sell the property to developers - thus further reducing the land in the county for agricultural purposes.

The PBRS allows the farmer several years to convince an heir to resume farming, or to sell the property to another farmer, or to lease the land for farming purposes.

Goal "f", above, will address this issue and should be of primary concern for the Agriculture Commission. The Ag Commission may even want to increase the value of points available for different time periods (see p.3 and p.7 of the proposed PBRS, attached).

So far, a majority of the council is in favor of a PBRS - i've given individual presentations to 4 of the 5 councilors.

I would like for the County Council to adopt a Public Benefit Rating System (PBRS) before the end of the year.

It would be a feather in the cap to the council and the county.

The Councilors would like to see more people (than just me) who are interested in preserving and enhancing the natural resources of the county.

I hope the Agriculture Commission will sign on and encourage the Council to adopt a PBRS for the county.

Sincerely,
Steve Thalberg

Public Benefit Rating System (PBRs) Proposal

INTRODUCTION:

Open Space Plan and Public Benefit Rating System was adopted by the Washington legislature in 1985.

The Washington State Legislature made the following declaration defining the importance of protecting critical and sensitive lands across the state:

"The legislature hereby declares that it is in the best interest of the state to maintain, preserve, conserve and otherwise continue in existence adequate 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 and social well-being of the state and its citizens."

In 1985, the legislature provided counties with the ability to implement a Public Benefit Rating System (PBRs) under RCW 84.34.055(1)(a) in order to review and potentially improve how properties in the Open Space program are valued.

Since that time, about 20 counties have implemented PBRs solutions. This valuation methodology is designed to more equitably rate Open Space properties based upon their relative public benefit, and helping counties prioritize, protect and preserve the land which is most critical to its citizens.

Open Space in Clark County

The Open Space Program is a tax deferral program. Properties in the Open Space program are grouped into five main classifications under Clark County code chapter 3.08: *Soil Conservation; Conservation & Enhancement of Natural Resources; Stream Protection; Enhancement of Recreational Opportunities; and Historic sites.*

In Clark County, in 2019, there were 586 properties in the Open Space program belonging to 365 owners totaling 8,818 acres of land. Owners may continue in the program as long as they remain in statutory compliance. When properties are removed from the program, a removal tax bill is created for 7 years of deferred taxes plus associated interest and a penalty may be applied.

Properties in the Open Space program receive a high level of deferral, paying taxes on approximately \$3.3 million of current use value, about 1.7% of the full market value for these properties. This represents a tax shift to other property owners located in similar taxing areas.

the following is from the County Assessor (2/15/2026 e-mail):

1. 547 parcels (lots) in clark county are in open space taxation category (do not include those parcels that are in designated forest land, timberland, farm & agriculture taxation categories).
2. typically zero parcel requests to be taken out of open space taxation category each year.
3. 1 parcel in the last few years requested to enroll in open space taxation each year.
4. 189,178 parcels are in clark county
5. 420,236 acres are in clark county
6. 8,480 acres (2%) in clark county is federal land.
7. 285 acres (<<< 1%) in clark county is indian reservation and is not taxed.
8. parcels in:

open space taxation:	8,196 acres	(2% of county acreage)
forest land taxation (DFL):	93,009 acres	(22% of county acreage)
farm and agriculture taxation:	32,901 acres	(8% of county acreage)
timberland taxation:	0 acres (in 2025, timberland was combined with designated forest land)	
market value taxation:	277,365 acres	(66% of county acreage)
(total acreage – open space – DFL – farm & ag – federal – reservation)		

Implement a Public Benefit Rating System for Open Space properties

The goals include:

- equalizing tax benefit to public benefit;
- the conservation of agricultural lands (that no longer meets the requirements of the farm and agricultural land classification or has never been classified, and has a high potential for commercial agriculture;
- decreasing the cost of removal from the current Open Space Farm and Agricultural Land program;
- aligning with the County's goal of protecting and enhancing the long-term viability of agriculture, and complying with the County's proposed Growth Management Act (GMA);
- conserve and enhance natural or scenic resources;
- protect streams or water supply;
- promote conservation of soils, wetlands, beaches or tidal marshes;
- enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space,
- enhance recreation opportunities;
- preserve historic sites;
- preserve visual quality along highway, road, and street corridors or scenic vistas.

Current Open Space property owners will have a 30-day window to request to be removed from the program without interest or penalties once updated notices of value are sent to owners reflective of the PBRS changes.

The implementation of the PBRS will likely occur over a 2 to 3 year period, allowing time for public and owner outreach, changes to county code, the development and approval of a public benefit rating system for Open Space properties, and the conversion and re-rating of existing open space properties.

There will need to be planning and coordination between Community Planning, Assessor's Office, Public Works (Parks, Forestry, Wetlands), the County's Attorney's Office, and other stakeholders.

The first change is to update the Open Space classifications under the current county code to:

- Combine Soil Conservation, Conservation & Enhancement of Natural Resources, and Stream Protection into **Critical Habitat**;
- Change Enhancement of Recreational Opportunities to **Parks & Recreation**;
- Change Historic sites to **Historic Preservation**.

The second change is to decrease the cost of removal from the current Open Space program via the creation of a new tiered Open Space classification titled "*Farm Conservation*"

This classification is intended to help owners who may need to transition out of the Farm & Agriculture program by placing their property into Farm Conservation, retaining land for farming and agricultural production in the future. The benefit rating for this classification should be placed on a tiered scale, where the associated current use benefit is reduced over a period of years. This may incentivize owners to put the property back into production while also reducing the amount of deferred taxes needing to be paid upon removal. This action should not be performed without implementing a Public Benefit Rating System.

After the new PBRS values are calculated and property owners are sent notices of value, the allowable timeframe to remove properties from the program without interest or penalty will be 30 days (see RCW 84.34.055(3) and WAC 450-30-330 (6)(a).

PUBLIC BENEFIT RATING:

Each Open Space property will be evaluated based upon the following rating schedule:

Public Benefit Rating	Percent reduction of market value
1 – 4 pts	15%
5 – 10 pts	30%
11 – 15 pts	45%
16 – 20 pts	60%
21 – 34 pts	75%
> 35 pts	90%

Public Benefit Rating System proposal:

Classification *8	Sub-class or Resource	Specification	Criteria	Suggested Point Value	Field Validation Required? (yes/no)
Critical Habitat Minimum lot size of 1 acre (after excluding residence and other structures) (minimum lot size of 0.5 acres in Urban Growth Boundary, after exclusions)	Stream Habitat (fencing may be required to prevent intrusion by livestock)	Salmonid Habitat	High functioning or restored	8	N
		Type F Waters – no salmonid habitat *1	High functioning or restored	5	Y
		Type N Waters (NS and NP) *1	High functioning or restored	5	Y
		Water Quality Buffer (any stream or water body)	Ungrazed, 95% min. cover of herbaceous or woody canopy; 100 ft. min. for Type F and S waters, 50 ft. min. for Type N waters	3	Y
	Wetlands (fencing may be required to prevent intrusion by livestock)	Category I and II	*2	5	Y
		Category III		3	Y
		Category IV		2	Y
	Priority Habitat Features (Oaks, Snags, Balds, Talus)	Connected	External to other credited Priority Habitat Areas; Minimum 100 ft. shrub or forested corridor to other Priority Habitat or species areas	5	Y
		Isolated	Verified significant by WDFW or established assessment methodology	3	Y
	Priority Oak Woodland Stands	Savanna	less than 25% canopy cover, 1 acre min.	5	Y
		Forest	At least 25% canopy cover of Oak; minimum 4 Oak trees greater than 8 in DBH inside the UGA or 0.5 acre minimum outside the UGA.	5	Y
	Biodiverse Areas and Corridors	Mapped and Field Verified	*3	5	Y
	Mature or Old Growth Forest		*4	5	Y
	Locally Important Habitat	Pursuant to CCC 40.445.020(C)(1)(d)		5	N
	Rare Plant Site	WA DNR NHP S1 ranking	*5	5	Y
		WA DNR NHP S2 or S3 ranking		3	Y
	Native Habitat		Lands planted with or primarily contain native vegetation *6	8	Y

	Sub-class or Resource	Specification	Criteria	Suggested Point Value	Field Validation Required?
Critical Habitat (continued) Minimum lot size of 1 acre (after excluding residence and other structures) (minimum lot size of 0.5 acres in Urban Growth Boundary, after exclusions)	Element Occurrence Ecosystem		WDNR NHP Designation. No commercial logging, mining, storage, or excavation of materials in last 25 yrs or in the future. Commercial sites are ineligible.	5	N
	Habitat Corridor	Connecting one or more Priority Habitat and Species Area, Locally Important Habitat, or WDNR Natural Heritage resource.	Minimum 100 ft wide with 70% canopy cover of native woody vegetation and less than 20% cover of invasive plant species external to other areas on site that generate points in the rating system. Examples: big game animal migration corridor, essential wildlife habitat.	5	Y
	Watershed Protection Area	Forest cover, functioning understory	0.5 acre minimum	5	Y
	Voluntary Habitat Enhancement	In-stream fish habitat, bio-engineered bank stabilization, planting native vegetation, managing invasive plant species, steep slope plantings to decrease slope failure.	Enhancement is performing as intended. May be developed in cooperation with agencies like NRCS, WDNR, WDFW, USFW.	5	Y
	Voluntary Watershed Process Restoration	Stream restoration, wetland rehabilitation, floodplain restoration	Restoration performing as intended.	5	Y
	Deed/Title Restriction	Conservation Easement or Covenant	A conservation easement is present.	15	N
	Soil Conservation NRCS Soil Classifications, aka Land Capability Classification *7	Class I and II	Not less than ten (10) acres, and at least 80% of the tract must be in the production of food or fiber.	20	Y
		Class III and IV	Not less than two (2) acres.	5	Y
		Class V and VI	Not less than one (1) acre.	2	Y

Classification *8	Sub-class or Resource	Specification	Criteria	Suggested Point Value	Maps
Parks and Recreation No minimum lot size *9 Motorized vehicles prohibited except for maintenance or public safety. No commercial logging or mineral extraction within the last 25 years or in the future.	Trail Linkages - way to get people to existing networks	Regional Trail System Linkage or Regional Facility Linkage	Land in private ownership that allows the general public an off-road trail linkage to the Regional trail system for the purpose of bicycle, pedestrian, and equestrian from a public right-of-way to an established trail system.	25	Existing Trails Mapping in GIS
	Trail Easement - the county's bike and trail system plan	Regional Trail System Section	Land in private ownership that provides for a critical trail linkage for a trail system identified in the regional bike and trails plan. Perpetuity required.	15	Bike and trails plan is conceptual
	Public Recreation Area	Active Recreation / Special uses	Land devoted to providing active or passive recreation uses or that compliments or substitutes for recreation facilities typically provided by public agencies.	10	Existing parks and /or PIF districts
	Open Space Conservation		Land in private ownership that is shown as high value conservation land that has not been irrevocably devoted to a use inconsistent with open space and conservation.	5	Conservation areas acquisition plan
	Preservation of Visual Quality	Scenic Resource	Unrestricted view is significant to identity of local area, visible to general public from public right-of-way. minimum of ten (10) acres.	5	Y
		Viewpoint	Unrestricted view of significant character (e.g., mountain, river, lake, designated wetland) or recognized cultural resource of county, identified by a sign visible from public right-of-way.	5	Y

Parks and Recreation Continued	Sub-class or Resource	Specification	Criteria	Suggested Point Value	Maps
No minimum lot size *9 Motorized vehicles prohibited except for maintenance or public safety. No commercial logging or mineral extraction within the last 25 years or in the future.	Public access granted (admission fee is optional, but needs to be approved by the County Council) (access times may be limited to between sunrise and sunset)	Unlimited	Year-round access by the general public without restriction.	20	
		Limited access due to resources	Access may be reasonably limited by the owner due to the sensitive nature of resources.	10	
		Environmental Education	A land owner enters into an agreement with a school or a non-profit organization.	5	
		Seasonal Limited	Seasonal conditions as mutually agreed to by the landowner and Clark County	5	

Classification *8	Sub-class or Resource	Specification	Criteria	Suggested point value
Historic Preservation No minimum lot size	Historic Landmark or archeological site: Designated Site	Clark County Heritage Register designated site. WDAHP	Listed in the Clark County Heritage Register (CCHR) or an archaeological site identified by the state as significant	25
	Historic Landmark or archeological site: Eligible Site	National Register of Historic Places or Washington Heritage	Eligible to be listed in the Clark County Heritage	10
	Historic Landmark or archeological site: Buffer	Buffer to a designated or eligible site	Provides a buffer to a significant historic site to conserve the historic landscape of the site.	10

Classification *8	Sub-class or Resource	Criteria	Suggested point value	Maps
Farm Conservation minimum lot size 1 acre (minimum lot size of 0.5 acres in Urban Growth Boundary)	Farm and Agriculture Conservation	0-5 years	16	Comprehensive Plan Agriculture Zoning Designations
		6-7 years	11	
		8-9 years	5	
		10+ years	1	

Classification *8	Sub-class or Resource	Specification	Criteria	Suggested point value	Maps
Other	Abutting Lands	Lands abutting neighborhood park, commercial or gov't forest, wildlife preserve or corridor, nature reserves or sanctuary, lands held in trust for public benefit (e.g., a land preservation trust) or other open spaces.	Provides a buffer. Remains undeveloped, left in its natural state, with native (non-invasive) flora. Prevents the spread of residential development. May be possible future acquisition by the county.	5	Y
	Forest Stewardship Plan	For forest health (flora and fauna) improvements	Approval/Certification by WDNR or WSU. Not eligible: lot enrolled in the Designated Forest Land tax classification.	5	N
	Rural Stewardship Plan	Managing natural resources, promoting sustainable land use, management of mud/manure, fencing and pasture management and water quality techniques for the benefit of wildlife and natural flora.	Approval/Certification by WSU's Small Acreage Program. Not eligible: lot enrolled in the Farm & Agriculture tax classification.	5	N
	Educational Value	Educational resources to promote native flora and fauna, and water quality	On-site educational events in conjunction with regulatory and non-regulatory agencies (e.g., WSU-extension, WDNR, Clark Conservation District, NRCS, Vancouver Bee Project, Backyard Habitat, Xerces Society, Washington Farm Forestry Assn, Washington Native Plant Society, Ridgefield Garden Club, would be some examples).	5	N
	Discretionary Value	Optional. Approval is at the discretion of the County Council.	Public benefit value shall be detailed on the application form and on the scoring sheet. Educational events, interpretive trails, educational signage, informative markers, picnic tables, resting benches, and ADA accommodations would be some examples.	5	Y

Notes:

abbreviations:

OHW = ordinary high water mark

DBH = diameter at breast height.

NRCS = USDA Natural Resources Conservation Service

WDNR = Washington Dept of Natural Resources

WDFW = Washington Dept of Fish and Wildlife

USFW = U.S. Dept of Fish and Wildlife

NHP = natural heritage program.

PIF = public infrastructure fund.

WSU = Washington State University

DFL = designated forest land taxation classification

WDAHP = Washington State Dept of Archaeology and Historic Preservation

Waters:

*1 <https://dnr.wa.gov/forest-practices/forest-practices-application/forest-practices-water-typing>

for setbacks from OHWM, see: https://clark.wa.gov/sites/default/files/dept/files/community-planning/Shoreline%20Master%20Program/ORD2014-12-05_Wetland-Habitat.pdf

Type S water = all waters, within their bankfull width, as inventoried as "shorelines of the state" under chapter **90.58** RCW and the rules promulgated pursuant to chapter **90.58** RCW including periodically inundated areas of associated wetlands.

Type F water = segments of natural waters including periodically inundated areas of their associated wetlands, not classified as Type S waters, which have a fish, wildlife, or human use; which in any case contain fish habitat or are described by one of the following seven categories... (see WAC 222-16-030 for details).

Type NP water = all segments of natural waters within the bankfull width of perennial non-fish habitat streams. Perennial streams are flowing waters that do not go dry any time of a year of normal rainfall and include the intermittent dry portions of the perennial channel below the uppermost point of perennial flow.

Type NS water = all segments of natural waters within the bankfull width of the defined channels that are not Type S, F, or NP Waters. These are seasonal, non-fish habitat streams in which surface flow is not present for at least some portion of a year of normal rainfall and are not located downstream from a Type NP Water.

Wetlands:

*2 <https://apps.ecology.wa.gov/publications/documents/1406029.pdf> and more recent revisions: <https://apps.ecology.wa.gov/publications/documents/2306009.pdf>

and CCC ordinance 2014-12-05 (https://clark.wa.gov/sites/default/files/dept/files/community-planning/Shoreline%20Master%20Program/ORD2014-12-05_Wetland-Habitat.pdf)

and <https://ecology.wa.gov/water-shorelines/wetlands/tools-resources/rating-systems>

- Wetlands Category I -wetlands of high conservation value (natural heritage wetlands).
 - Rare plant communities or habitat for rare plants.
 - bogs (acidic peat wetlands). pH < 5.
 - wetlands with mature and old-growth forests, larger than 1 acre.
 - wetlands that perform functions at high levels, score 23 points or more.
- Wetlands Category II -smaller estuarine wetlands.
 - wetlands that perform functions well, 20-22 points (out of 27).
- Wetlands Category III -scores 16-19 points.
- Wetlands Category IV -less than 16 points, often heavily disturbed.

WA DNR NHP = Washington Dept of Natural Resources Natural Heritage Program ranking.

S1 = critically imperiled; S2 = imperiled; S3 = vulnerable.

Biodiversity and Corridors:

*³ <https://wdfw.wa.gov/species-habitats/at-risk/phs>

habitats for unique or critical wildlife or native plants, or where documented occurrence of a State or Federal Endangered Species; State or Federal Threatened Species; State or Federal Proposed Endangered or Threatened Species; or State Sensitive or Monitor Species as listed in the Washington Dept of Wildlife Nongame Data System. A sign and public access shall not be required.

Old Growth Forests:

*⁴ https://dnr.wa.gov/sites/default/files/2025-03/lm_hcp_west_oldgrowth_guide_intro_hires.pdf

Rare Plant Sites:

*⁵ https://dnr.wa.gov/sites/default/files/2025-03/amp_nh_conservation_status.pdf

habitats for unique or critical wildlife or native plants, or where documented occurrence of a State or Federal Endangered Species; State or Federal Threatened Species; State or Federal Proposed Endangered or Threatened Species; or State Sensitive or Monitor Species as listed in the Washington Dept of Wildlife Nongame Data System. A sign and public access shall not be required.

Native Habitat:

*⁶ as referenced in: Washington Native Plant Society, Washington State University Northwest Plants Database, *Landscaping for Wildlife in the Pacific Northwest* (University of Washington Press), *Native Plants for Willamette Valley Yards* (<https://www.oregonmetro.gov/resources/native-plants-willamette-valley-yards-booklet>), Native Plants PNW: An Encyclopedia of the Cultural & Natural History of NW Native Plants.

note: many other counties have a 'rural open space' category. this concept is incorporated in the 'voluntary habitat enhancement' and the 'voluntary watershed process restoration' categories of the 'critical habitat' classification.

NRCS Soil Classification, aka Land Capability Classification:

*⁷ reference: Soil Survey Manual (USDA, Agriculture Handbook No. 18, at:

<https://www.nrcs.usda.gov/sites/default/files/2022-09/The-Soil-Survey-Manual.pdf> see pages 578-80

Land Capability Classifications:

Class 1 soils have few limitations that restrict their use.

Class 2 soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices.

Class 3 soils have severe limitations that reduce the choice of plants or that require special conservation practices, or both.

Class 4 soils have very severe limitations that reduce the choice of plants or that require very careful management, or both.

Class 5 soils are subject to little or no erosion but have other limitations, impractical to remove, that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.

Class 6 soils have severe limitations that make them generally unsuitable for cultivation and that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.

Class 7 soils have very severe limitations that make them unsuitable for cultivation and that restrict their use mainly to grazing, forestland, or wildlife habitat.

Class 8 soils and miscellaneous areas have limitations that preclude commercial plant production and that restrict their use to recreational purposes, wildlife habitat, watershed, or esthetic purposes.

*⁸ no hunting, fishing or trapping; no dumping of chemicals, liquids, wastes, trash or junk or other items that may deteriorate the natural character of the land or pollute the water supply.

*⁹ if public access is granted, unless otherwise specified, there needs to be a sign posted stated public access is allowed.

Pertinent State Laws:

RCW [84.34.055](#)

Open space priorities—Open space plan and public benefit rating system.

(1)(a) The county legislative authority may direct the county planning commission to set open space priorities and adopt, after a public hearing, an open space plan and public benefit rating system for the county. The plan shall consist of criteria for determining eligibility of lands, the process for establishing a public benefit rating system, and an assessed valuation schedule. The assessed valuation schedule shall be developed by the county assessor and shall be a percentage of market value based upon the public benefit rating system. The open space plan, the public benefit rating system, and the assessed valuations schedule shall not be effective until approved by the county legislative authority after at least one public hearing: PROVIDED, That any county which has complied with the procedural requisites of chapter 393, Laws of 1985, prior to July 28, 1985, need not repeat those procedures in order to adopt an open space plan pursuant to chapter 393, Laws of 1985.

(b) County legislative authorities, in open space plans, public benefit rating systems, and assessed valuation schedules, shall give priority consideration to lands used for buffers that are planted with or primarily contain native vegetation.

(c) "Priority consideration" as used in this section may include, but is not limited to, establishing classification eligibility and maintenance criteria for buffers meeting the requirements of (b) of this subsection.

(d) County legislative authorities shall meet the requirements of (b) of this subsection no later than July 1, 2006, unless buffers already receive priority consideration in the existing open space plans, public benefit rating systems, and assessed valuation schedules.

(2) In adopting an open space plan, recognized sources shall be used unless the county does its own survey of important open space priorities or features, or both. Recognized sources include but are not limited to the natural heritage database; the state office of historic preservation; the recreation and conservation office inventory of dry accretion beach and shoreline features; state, national, county, or city registers of historic places; the shoreline master program; or studies by the parks and recreation commission and by the departments of fish and wildlife and natural resources. Features and sites may be verified by an outside expert in the field and approved by the appropriate state or local agency to be sent to the county legislative authority for final approval as open space.

(3) When the county open space plan is adopted, owners of open space lands then classified under this chapter shall be notified in the same manner as is provided in RCW [84.40.045](#) of their new assessed value. These lands may be removed from classification, upon request of owner, without penalty within thirty days of notification of value.

(4) The open space plan and public benefit rating system under this section may be adopted for taxes payable in 1986 and thereafter.

RCW [84.34.020](#)(1)

paraphrase of the section:

Open Space Land – Although there is no minimum parcel size requirement under state law, a county may require a minimum parcel size to qualify as open space land. For this example, the intent of the minimum acreage requirement is to maximize the benefit to the public by granting classification to larger parcels, so this would fall within the discretion granted by the statute to consider public benefit when approving an application.

WAC 458-30-230

Application for open space classification.

(1) **Introduction.** This section explains the application process for an applicant who seeks to have land classified or reclassified as open space land under RCW [84.34.020](#)(1).

(2) **Where to submit.** An application for classification or reclassification of land as open space shall be made to the county legislative authority of the county in which the land is located.

(3) **Granting authority.** The identity of the entity that will act as the granting authority shall be determined by the location of the land the applicant seeks to classify or reclassify as open space land. The granting authority shall be determined as follows:

(a) If the parcel(s) of land is located in an unincorporated area of the county, the county legislative authority shall be the granting authority.

(b) If the parcel(s) of land is located in an incorporated area of the county, a copy of the application for classification or reclassification shall be forwarded to the city legislative authority in which the land is located. Applications must be acted upon by:

(i) A granting authority composed of three members of the county legislative authority and three members of the city legislative authority in a meeting where members may be physically absent but participating through a telephonic connection; or

(ii) Separate affirmative acts by both the county and city legislative authorities whereby each authority affirms the entirety of the application without modification or each authority affirms the application with identical modifications.

(4) **Application process.** An application for classification or reclassification of a parcel(s) of land as open space land shall be processed as follows:

(a) **Comprehensive land use plan.** The granting authority shall determine whether or not the land is located in an area designated as "open space" by an official comprehensive land use plan adopted by a city or county and zoned accordingly.

(i) If the land is in an area subject to a comprehensive plan, the application for classification or reclassification shall be treated in the same manner as a proposed amendment to that plan.

(ii) If the land is in an area not subject to a comprehensive plan, a public hearing on the application shall be conducted. A notice of this hearing shall be announced once by publication in a newspaper of general circulation in the region, city, or county at least ten days before the hearing. The owner who submitted the application for classification or reclassification that is the subject of the public hearing shall be notified in writing of the date, time, and location of this hearing.

(b) **Factors to consider.** In determining whether an application for classification or reclassification as open space land should be approved, the granting authority:

(i) May take particular notice of the benefits to the general welfare of preserving the current use of the parcel(s) of land described in the application; and

(ii) Shall consider the following:

(A) The revenue loss or tax shift that will result from granting the application;

(B) Whether granting the application for classification or reclassification of land under

RCW [84.34.020](#) (1)(b) will:

(I) Conserve or enhance natural, cultural, or scenic resources;

(II) Protect streams, stream corridors, wetlands, natural shorelines, and aquifers;

(III) Protect soil resources, unique or critical wildlife, and native plant habitat;

(IV) Promote conservation principles by example or by offering educational opportunities;

(V) Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces;

(VI) Enhance recreation opportunities;

(VII) Preserve historic and archaeological sites;
(VIII) Preserve visual quality along highway, road, and street corridors or scenic vistas; or
(IX) Affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of the land; and

(C) Whether granting the application for classification or reclassification of land as farm and agricultural conservation land (RCW [84.34.020](#) (1)(c)) will:

(I) Either preserve land previously classified as farm and agricultural land under RCW [84.34.020](#)(2) or preserve traditional farmland not classified under chapter [84.33](#) or [84.34](#) RCW;

(II) Preserve land with a potential for returning to commercial agriculture; and

(III) Affect any other factors relevant in weighing general benefits of preserving the current use of the property.

(iii) In addition to the foregoing concerns, the granting authority shall consider:

(A) The existence of any mining claim or mining lease on the land, and if such a claim or lease will seriously interfere with the considerations stated in (b)(i) and (ii) of this subsection. If the granting authority determines serious interference will occur, it may deny the application in whole or in part. If a mining claim or mining lease is obtained after the land is classified or reclassified, the same determination must be made in deciding whether serious interference will occur; and

(B) The zoning of the parcel(s) of land at the time the application for classification or reclassification is filed.

(5) **Approval or denial of application.** The granting authority shall either approve or disapprove the application within six months of the date the completed application was received by the county legislative authority.

(a) The granting authority may approve the application for classification or reclassification in whole or in part. If any part of the application is denied, the applicant may withdraw the entire application.

(b) In approving the application in whole or in part, the granting authority may also require that certain conditions be met including, but not limited to, the granting of easements. As a condition of granting an application for open space classification, the granting authority may not require public access on land classified under RCW [84.34.020](#) (1)(b)(iii) to promote the conservation of wetlands.

(c) If approved, valuation of the land at its current use value shall begin on January 1 of the year following the year the application was filed. However, any application approved on or after July 1 of any year shall cause the land to be listed on the assessment roll at its current use value on January 1 of the following assessment year.

(d) When the application for classification or reclassification as open space has been approved, the granting authority shall prepare an agreement. See WAC [458-30-240](#) for a detailed description of this agreement.

(e) The granting or denial of an application for classification or reclassification as open space land is a legislative determination and shall be reviewable only for arbitrary and capricious actions.

(6) **Public benefit rating system.** When an application for classification or reclassification under RCW [84.34.020](#) (1)(b) and (c) is submitted regarding land that is subject to a public benefit rating system adopted under RCW [84.34.055](#), the county legislative authority shall rate the parcel(s) of land in accordance with the public benefit rating system to determine whether the application should be approved or denied.

Land that was classified under RCW [84.34.020](#) (1)(b) or (c) prior to the adoption of a public benefit rating system does not have to requalify for classification under the criteria of the public benefit rating system. The land shall not be removed from classification by an assessor. This land may be rated according to the public benefit rating system as appropriate. (See WAC [458-30-330](#) for more information about the public benefit rating system.)

(7) **Record retention.** The granting authority shall keep a record of each application, agreement, and records relating to each agreement.

Washington Dept of Revenue – Current Use and Designated Forestland Administration

<https://dor.wa.gov/sites/default/files/2022-02/CurrentUseDesignatedForestlandManual.pdf>

sections part 2.1, 4.1, 4.2, 4.4 and 4.5 (open space and PBRs) are very helpful guides. revised September 2025

Example Documents from Other Counties:

topic:	document name:
Rules and Regulations:	^ Counties' Rules, Regulations, Ordinances.docx
Application Forms and Worksheets:	^ Counties' Rules, Regulations, Ordinances.docx
Informational Handouts:	^ Counties' Rules, Regulations, Ordinances.docx
Frequently Asked Questions:	^ Frequently Asked Questions.doc
Suggestions by Other Counties	^ Suggestions by Other Counties.doc

Public Benefit Rating System Frequently Asked Questions

Q. What year did PBRS begin in Washington?

A. The open space plan and public benefit rating system was adopted by legislation in 1985 for taxes payable in 1986.

Q. How many counties have a PBRS in Washington?

A. 17 counties. King county has the most, at 3,000 lots; Pend Oreille has 4 lots. Clallam county has 1.6% of their lots in PBRS, Spokane county has 0.03% of their lots in PBRS.

Q. Will taxes go up or down?

A. 'Highest and best use' values are expected to increase by an amount that equals the decrease in tax revenue from the PBRS, in order to keep total revenues equal. The exact amount of the increase will not be known until after a final rating schedule is approved and properties are converted into the PBRS.

Q. What happens if the PBRS is not adopted by the Clark County Council?

A. The tax burden will continue to be a hardship for those who didn't plan for untimely program removals. The current trend is that farmland will be more likely to be sold for development than conserved, thus reducing agricultural lands in the county.

Q. Will I see a reduction on my entire tax bill?

A. It depends! If there is no development on the property and all of the acreage is included, then the answer is yes. If there are structures, you live on the property, and areas for personal use will be excluded, then the answer is no. Enrollment in PBRS only reduces the appraised land value for the portion of a property participating. Since most properties have a home the entire parcel can't be enrolled. This means the improvement value (home) and the value of the land excluded from the program do not receive a tax reduction. The amount of tax savings varies and depends on the land's appraised value, amount of property to be enrolled and level of PBRS qualification.

Q. Do I have to reapply each year?

A. Nope. Once enrolled you're in. There is no need to renew your property's participation. However, if you wish to improve your enrollment status (increase PBRS points and/or PBRS acreage), then you do need to reapply.

Q. I heard I can withdraw after ten years and owe nothing back.

A. If any part of the land enrolled in PBRS is withdrawn or removed, then the owner will owe back the most recent 7-years of tax savings received on that area. Interest will also apply and maybe penalty as well.

Q. Will county staff or the public now be coming on my property?

A. Enrollment in PBRS does not mean your land must be accessible to the general public (unless of course you're receiving PBRS credit for access). Program staff may need a scheduled visit to review your participation status. Participation does not otherwise require any additional access permissions, except for auditing purposes.

Q. Can I enroll just my wetland area in PBRS, since I can't do anything with it anyway?

A. In a word, no. Enrolled PBRS land must provide extra resource protection beyond what's already required by existing land use restrictions. An owner must voluntarily restrict activities/uses that might impact a resource. This extra protection is what justifies the tax reduction.

Public Benefit Rating System Frequently Asked Questions

Q. Can I remove a tree in the participating area that's about to fall on my house?

A. Health and safety come first, so the answer is yes as it relates to the PBRs program, but there are other agencies who may need to approve such action. Contact Department of Local Services to see if a clearing permit is required and consider consulting with an arborist. Also, take a photo before removal and then contact PBRs program staff.

Q. Am I allowed to walk on my land once it's enrolled in the program?

A. Simply put; we hope you enjoy your land and that you continue to be good stewards of your property. The use/creation of foot paths/trails is allowed, but please know certain restrictions on constructing or clearing for trails in designated critical areas may exist and a County permit is likely required.

Q. I read that I need a forest stewardship plan to receive credit for the forest stewardship land category. What is a forest stewardship plan?

A. A forest stewardship plan is a record of a landowner's goals and intentions for forested portions of their property. The plan includes best management practices to reach those goals as well as details current conditions and the resources existing on the property. For more information, please visit the Washington State University Extension Fact Sheet FS060E [<https://pubs.extension.wsu.edu/product/your-forest-stewardship-plan/>].

Q. How do I get a forest stewardship plan? How much does it cost?

A. There are a few ways you can obtain a forest stewardship plan. You can write the plan yourself using the forest stewardship plan template and then have it approved by a State, WSU, Clark Conservation District or Clark County forester. Forest stewardship plans are very detailed and this option may be overwhelming for some. Another option is to hire a professional forester. This option can be helpful for busy folks although it can be expensive. The third option is to attend a forest stewardship class [<https://forestry.wsu.edu/nps/events/>] hosted by WSU. There is a fee to take the course but you are coached through writing your own plan. The class may be offered on-location (cities vary) or on-line.

Q. "What is the application process for the PBRs program?"

A. Participation in PBRs program requires approval by the Clark County Council. It will take approximately 4-6 months for your application to be acted on by council. Applying this year will result in a reduction in your next year's appraised land value (if your application is approved), which means your property tax savings will begin in the following year (two calendar years after application).

Q. I want to sell my property. Now what?

A. Contact PBRs staff! It is helpful to let us know in advance of the sale so that we can review the property and make sure that it complies with the program requirements. PBRs staff are available to work with the seller and buyer of the property through most of the process.

Q. How is the value of classified land determined?

A. The assessor is required to maintain two values for each parcel that is classified. The first is the value that would be placed on the land if it was not classified. This is commonly referred to as the "fair market value." The second is the current use land value based on its present use, not potential use, as classified by the Community Planning Department and approved by the Clark County Council.

Q. Is my home part of the PBRs valuation?

A. No. 1 acre (minimum) of the property is excluded from the lot size, if a residential building is present, and excluded from PBRs. Other improvements on the site may also be excluded.

Q. After new PBRs values are calculated and property owners are sent notices of value, may the 30 day time-frame be extended so that property owners have more time to seek legal, financial, or other counsel to make an informed decision prior to continuing or removing their property from the Open Space program?

A. No. 30 days is the allowable timeframe to remove properties from the program without interest or penalty. Please see [WAC 458-30-330 \(6\)\(a\)](#)

Q. How long does the classification last?

A. The land continues in its classification until a request for removal is made by the owner, the use of the land no longer complies or qualifies, failure to respond to multiple requests for information from the assessor or community planning department, sale or transfer to an owner that causes the land to be exempt from property taxes, ownership has changed and the new owner has not signed the Notice of Continuance.

Q. What if I put another building or other improvements on the property?

A. Improvements made on classified land may result in partial or full removal from the program, with compensating taxes, interest and penalties owed.

Other Q&A That May Be Added:

Who do I contact for more information about PBRs?

How do I apply?

What happens after I file my application?

If the application is accepted but I disagree with the points awarded, may I appeal?

If I am denied, may I appeal the decision?

If I live within city limits, would I qualify for the Clark County PBRs?

If future restoration or enhancements are made, may I get points added to my current point score?

if so, is there a full application fee for this PBRs addition request?

How do I withdraw from the classification?

If I remove my property from this classification, how are compensating taxes, interest, penalties calculated?

What happens if I sell my property?

I am thinking about purchasing a property that is in the PBRs classification. What are my options?

What if I want to change the use of my property?

If my property is removed from the classification, may I appeal?

What are the exceptions to paying a penalty tax and interest and back taxes, if the property is taken out of PBRs?

May I request removal of my application for PBRs before I receive my official notice of acceptance or denial? if so, will my application fee be refunded to me?

Public Benefit Rating System
County Comparisons

	county	# of lots in PBRs	% of lots in PBRs
1	King	2,000	0.3%
2	Pierce	960	0.3%
3	Clallam	893	1.6%
4	Kitsap	870	0.7%
5	Kittitas	338	0.8%
6	Whatcom	240	0.2%
7	Chelan	209	0.4%
8	Lewis	165	0.3%
9	Thurston	146	0.1%
10	San Juan	142	0.8%
11	Jefferson	96	0.3%
12	Island	92	0.16%
13	Spokane	71	0.03%
14	Okanogan	66	0.1%
15	Cowlitz	22	0.04%
16	Pend Oreille	has only 4 lots enrolled.	
17-20	Franklin, Douglas, Mason and Yakima	no PBRs in effect at this time.	

Date	County	Lots/parcels in PBRs / total lots/parcels in county (%)	Acreage in PBRs / acreage in county (%)	Farm/ag	forest	Appli- -cation fee	Council approval needed?	Managed by assessor vs comm development ?	Yearly audit?	Applica- tions/yr?	Hrs/yr	PBRs Minimum size
8/13	King	2,000/abt 600,000 (0.3%)	15k/1,360,000 (1.1%)	1,500 parcels, 25k acres	2,400 parcels, 220k acres	\$620	Yes	Pbrs in dept of natural resources and parks	No *1	40-50	2 fte	1 acre
8/29	Pierce	960/327,654 (0.3%)	10,542/732,537 (1.4%)	1,222 parcels, 22,643 acres	2,940 parcels, 257,885 acres	\$1,200	Yes	Planning dept/public works	No *7	15-25	0.25-0.3 fte/yr	1 acre
8/29	Clallam	893/57,222 (1.6%)	Not tracked	1,092 parcels	\$900	yes	Dcd/plan ning board	No *8	1 last year	2hrs/appli cation	Not specified	

Public Benefit Rating System
County Comparisons

Date	County	Lots/parcels in PBR / total lots/parcels in county (%)	Acreage in PBR / acreage in county (%)	Farm/ag	forest	Appli- -cation fee	Council approval needed?	Managed by assessor vs comm development ?	Yearly audit?	Applica- -tions/yr?	Hrs/yr	PBR Minimum size
8/14	Kitsap a	351/124,165 (0.28%)	2,472/238,980 (1%)	219 parcels, 2,085 acres	2,244 parcels, 40,411 acres		yes	dcd/planning				
8/25	Kitsap b	870/116,596 (0.7%)	11,000/362,259 (3%)	212 parcels, 4,766 acres	2,249 parcels, 41,028 acres	\$605	yes	Planning commission	No *6	2-3	10-14hrs/yr	1 acre
9/15	Kittitas	338/40,181 (0.8%) *10	6,765/1,470,000 (0.5%)	4,904 parcels, 168,459 acres	1,119 parcels, 52,593 acres	\$2,300	yes	Comm development	No *9	1 in last 10yrs.	"not much"	Not specified
8/18	Whatcom	240/117,362 (0.2%)	1,898/1,348,416 (0.1%)	5,263 parcels, 106,258 acres	1,936 parcels, 119,606 acres	\$1,000	Yes, may modify	Planning commission	No *9	2-4	200 hrs/yr	No minimum
8/14	Chelan	209/50,749 (0.4%)	14,684/1,916,160 (0.8%) 404,087 excluding fed/state lands (3.6%)	1,392 parcels 37,296 acres	1,135 parcels, 79,388 acres	\$1,372 2026: \$1,896 2027: \$2,366	Yes, may modify	Planning commission	yes	0-4	50-160hrs/yr	1 acre
8/22	Lewis	165/57,929 (0.3%)	2,365/2,107,599 (0.1%)	2,982 parcels, 66,506 acres	8,712 parcels, 707,965 acres	\$758	assessor	Planning dept -> assessor	No *6	1-3	1-2d/yr	Not specified
9/15	Thurston	146/113,793 (0.1%)	4,714/462,400 (1.0%)	1,132 parcels, 31,307 acres	1,747 parcels, 130,657 acres	\$1,856	yes	Community planning	No *9	1-8/yr. 1 in 2025.	If no applications: 22hrs/yr. If applications: 140- 232hrs/yr. Total avg of 88hrs/yr.	1 acre
9/25	San Juan	142/18,733 (0.8%)	4,714/110,171 (4.3%)	356 parcels, 8,144 acres	313 parcels, 10,859 acres	\$2,030	yes	Planning commission	No *9, 11, 12	9 appl in last 2yrs	120 hrs per appl.	5 acres
9/24	Jefferson	96/32,000 (0.3%)	? / 1,481,600	376 parcels, 6,300 acres	1538 parcels, 158,600 acres	\$3,245	yes	Comm development	No *9; By assessor s office	1-3 in last 2yrs, none in prior 10yrs.	23hrs/applic ation + 1.5hr/appl for assessor.	No minimum
8/14	Island	90 /55,000 (0.16%)	1,283/133,120 (1%)	498 parcels, 96,429 acres	856 parcels, 12,298 acres	\$1,023	yes	dcd	yes	1-2	300- 400hr/yr	5 acres
8/22	Spokane	71/238,763 (0.03%)	3,680/1,090,516 (0.3%)	8,240 parcels, 485,784 acres	3,596 parcels, 129,005 acres	\$1,316 *3	yes	Planning dept.	No *4	OS: 1 every 4 yrs ; FAC: 0- 5/yr *5	1wk/yr	Not specified

Public Benefit Rating System
County Comparisons

Date	County	Lots/parcels in PBRS / total lots/parcels in county (%)	Acreage in PBRS / acreage in county (%)	Farm/ag	forest	Appli- -cation fee	Council approval needed?	Managed by assessor vs comm development ?	Yearly audit?	Applica- tions/yr?	Hrs/yr	PBRS Minimum size
10/13	Okanogan	66/55,551 (0.1%)	2,953/1,352,818 (0.2%)	493,001 acres	65,569 acres	\$890	yes	Planning dept	No *9	1 in last 3yrs	5hrs/appl + council time	10 acres
11/20	Cowlitz	22/57,000 (0.04%)	588/729,600 (0.08%)	23 parcels	23 parcels	\$1,200	Yes	Bldg/planning initially, then assessor	No. Is periodic	0 in last 3yrs.	?	No minimum
9/25	PendOreille	4/15,690 (0.0%)	113/912,477 (0.0%)	511 parcels, 23,510 acres	1979 parcels, 219,286	\$1,500	yes	Comm development	No *9 by assessor s office	4 in last 6yrs	5-7hrs per appl. Then “minimal if any after enrolled”	
8/14	Franklin	0 **/35.827 (0%)	0/809,628	3,899 parcels	0 parcels						1hr/yr	5 acres
9/2	Douglas	n/a – no pbrs program										5 acres
9/24	Mason	Per cal rowan, director of comm development, county opted to NOT adopt a pbrs in ~’23. Small county, planning dept w/o staff needed.										
9/24	Yakima	Per assessors office: only os/os, no pbrs.										

Public Benefit Rating System
County Comparisons

Notes:

- *1 Monitoring for compliance: up to 25% of lots/yr, 80% are reactive by sale of property, 20% are by flags for permits, violations, etc.
- *3 is in process of being updated, as cpi escalator clause not enforced since 2019.
- *4 Monitoring for compliance: Any action (purchase, sale, building permit, etc) on a land class parcel is flagged for review by the current use department. for FarmAgConservation – review done in last year of the farm plan.
- *5 all are conversions from Farm and Ag to FarmAgConservation. PBRS open space: every 4 yrs.
- *6 only if someone is out of compliance.
- *7 by assessors office every 6 years, or if sale or compliance complaint or construction permit.
- *8 new system just initiated. In the past, no annual audits – thus many properties found to be in non-compliance; usually with sale or compliance audit. Assessors office sends info to dept of comm development.
- *9 at sale or permit for development.
- *10 337 of the 338 are automatic carryover from OS/OS to OS/PBRS.
- *11 the county is divided into 6 areas and one area is reviewed each year.
- *12 assessor's office performs compliance issues.
- ** Program set up many years ago, but no parcels using it.

Public Benefit Rating System
County Comparisons

20 Washington counties have a PBRS:

Chelan, Clallam, Cowlitz, Douglas, Franklin, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Mason, Okanogan, Pend Oreille, Pierce, San Juan, Spokane, Thurston, Whatcom, Yakima.

In 2019, Clark County Council considered merging Open Space Timberland with Designated Forest Land:

18 Washington counties have merged Open Space Timberland with Designated Forest Land ->

reduction of redundant county programs results in more efficiency:

Chelan, Clallam, Cowlitz, Ferry, Grays Harbor, Island, Kitsap, Kittitas, Klickitat, Lewis, Pacific, Pend Oreille, Pierce, Skagit, Spokane, Stevens, Walla Walla, Whatcom.