



When Recorded Return to:

Lupine Columbia Holdings LLC  
c/o The Conservation Fund  
1655 N. Fort Myer Dr., Suite 1300  
Arlington, VA 22209

**Notice of Continuance**  
**Land Classified as Current Use or Forest Land**  
RCW Chapter 84.34 and 84.33

Grantor(s)/Sellers: S.D.S. Co., L.L.C., a Washington limited liability company *Skamania County*

Grantee(s)/Buyers: Lupine Columbia Holdings LLC, a Delaware limited liability company

Mailing Address: c/o 1655 N. Fort Myer Dr., Suite 1300

City, State, Zip: Arlington, VA 22209

Phone No: 703-525-6300

Assessor's Parcel No: See Attached Timber Management Plan 03-75-0000-020000

Address: N/A

Legal Description: See Attached Timber Management Plan

Date of Sale or Transfer: 11/17/2021 Date Notice of Continuance Received by Assessor: \_\_\_\_\_

Reference numbers of documents assigned or released: \_\_\_\_\_

Interest in property: ☒ Fee Owner ☐ Contract Purchaser ☐ Other

If the new owner(s) of land classified as current use or designated as forest land wishes to continue the classification or designation, the new owner(s) must sign the last page of this form. A signature is not required if land is transferred to an owner who is an heir or devisee of a deceased owner or transferred by a transfer on death deed and the new owner wants to continue classification or designation. The county assessor must then determine if the land continues to qualify. The county assessor has 15 calendar days, from the date all documentation is received, to determine whether the land will continue to qualify. All new owners must sign before the conveyance is recorded or filed. If the new owner(s) do(es) not desire to continue the classification or designation, all additional tax, interest, and penalty or compensating tax calculated pursuant to RCW 84.34.108 or RCW 84.33.140, will be due and payable by the seller or transferor at the time of sale. Payment in full is required before the conveyance can be recorded or filed.

**For Official Office Use Only**

Transfer  
Document \_\_\_\_\_

Real Estate  
Excise Tax No: \_\_\_\_\_

To ask about the availability of this publication in an alternate format for the visually impaired, please call 1-800-647-7706. Teletype (TTY) users may use the Washington Relay Service by calling 711. For tax assistance, contact your local county assessor's office.

#### A. CLASSIFICATION UNDER CHAPTER 84.34 RCW

I/we request that this land ☐ Open Space Land ☐ Farm & Agricultural Land ☒ Timber Land  
and I am/we are aware of the land use classifications defined in this section (A).

I/we are aware that the removal or withdrawal of land from the Open Space, Farm & Agricultural Land, or Timber Land may result in additional tax, penalty, and interest as detailed in #4 of this section.

1. OPEN SPACE LAND MEANS EITHER:

- a. any land area so designated by an official comprehensive land use plan adopted by any city or county and zoned accordingly; or
- b. any land area, the preservation of which in its present use would: (i) conserve and enhance natural or scenic resources; (ii) protect streams or water supply; (iii) promote conservation of soils, wetland, beaches, or tidal marshes; (iv) enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space; (v) enhance recreation opportunities; (vi) preserve historic sites; (vii) preserve visual quality along highway, road, and street corridors or scenic vistas; or (viii) retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the legislative body granting the open space classification; or
- c. any land that meets the definition of farm and agricultural conservation land. "Farm and agricultural conservation land" is either: (i) land that was previously classified as farm and agricultural land under RCW 84.34.020(2) that no longer meets the criteria and is reclassified as open space under RCW 84.34.020(1); or (ii) land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture.

2. FARM AND AGRICULTURAL LAND MEANS EITHER:

- a. any parcel of land or contiguous parcels of land that are 20 or more acres: (i) devoted primarily to the production of livestock or agricultural commodities, for commercial purposes; or (ii) enrolled in the federal conservation reserve program or its successor administered by the United States Department of Agriculture; or (iii) other similar commercial activities as may be established by rule; or
- b. any parcel of land or contiguous parcels of land that are at least five acres but less than twenty acres devoted primarily to agricultural uses which has:  
Produced a gross income equal to two hundred dollars or more per acre per year for three out of the five calendar years preceding the date of application for classification under chapter 84.34 RCW;  
Standing crops with an expectation of harvest within seven years and a demonstrable investment in the production of those crops equivalent to one hundred dollars or more per acre in the current or previous year; or  
Standing crops of short rotation hardwoods with an expectation of harvest within fifteen years and a demonstrable investment in the production of those crops equivalent to one hundred dollars or more per acre in the current or previous year;  
For the purposes listed above, "gross income from agricultural uses" includes, but is not limited to, the wholesale value of agricultural products donated to nonprofit food banks or feeding programs;
- c. any parcel of land less than five acres devoted primarily to agricultural uses which has produced a gross income equal to fifteen hundred dollars or more per year for three out of the five calendar years preceding the date of application for classification under chapter 84.34 RCW;

"Commercial agricultural purposes" means the use of land on a continuous and regular basis, prior to and subsequent to application for classification or reclassification that demonstrates that the owner or lessee is engaged in and intends to obtain through lawful means, a monetary profit from cash income by producing an agricultural product. In addition, commercial agricultural purposes include the following uses of agricultural land:

- Land, one to five acres which is not contiguous (in this context, means non adjoining/touching) to a classified parcel, that constitutes an integral part of the farming operation being conducted on the land qualifying as "farm and agricultural land."
  - Land, not to exceed twenty percent of classified land, that has incidental uses compatible with agricultural purposes, and also the land on which appurtenances necessary to the production, preparation or sale of the agricultural products exist in conjunction with the lands producing such products.
  - Land used primarily for equestrian-related activities, for which a charge is made, including, but not limited to, stabling, training, riding, clinics, schooling, shows, or grazing for feed.
  - Land on which the principal place of residence of the farm operator or owner of land or housing for employees is sited if the farm and agricultural land is classified pursuant to RCW 84.34.020(2)(a), if the residence or housing is on or contiguous to the classified parcel, and the use of the residence or housing is integral to the use of the classified land for agricultural purposes.
  - Any land primarily used for commercial horticultural purposes, whether under a structure or not. Land cannot be primarily used for the storage, care, or selling of plants purchased from other growers for retail sale or covered by more than 20 percent pavement if the primary use is growing plants in containers. If the primary use of the land is growing plants in containers and the land used for this purpose is less than five acres, the land will not qualify for classification if more than 25 percent is open to the general public for on-site retail sales.
3. **TIMBER LAND MEANS** any parcel or contiguous parcels of land five or more acres devoted primarily to the growing and harvesting of forest crops for commercial purposes. Timber land means the land only and does not include a residential home site. The term includes land used for incidental uses that are compatible with the growing and harvesting of timber but no more than ten percent of the land may be used for such incidental uses. It also includes the land on which appurtenances necessary for the production, preparation, or sale of the timber products exist in conjunction with land producing these products.
4. **REMOVAL/WITHDRAWAL FROM OPEN SPACE, FARM & AG, OR TIMBERLAND CLASSIFICATIONS**
- a. A request may be filed with the assessor to withdraw from the program after the land has been classified for 10 or more years. No 20% penalty will be imposed. The applicable taxes and interest shall be imposed as provided in RCW 84.34.070.
  - b. If land is removed from classification and the removal does not meet one of the exceptions listed in below, the additional tax and interest described in 1 above plus a penalty of 20% on the sum of the additional tax and interest will be imposed on the owner. The additional tax, interest, and penalty must be paid for the preceding seven tax years and from January 1 of the year of removal up to the date of removal.
  - c. The additional tax, interest, and penalty will **not** be imposed if the withdrawal or removal from classification resulted solely from:
    - a. transfer to a government 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 this power, said entity having manifested its intent in writing or by other official action;
    - c. a natural disaster such as a flood, windstorm, earthquake, wildfire, or other calamity rather than by virtue of the act of the landowner changing the use of the classified land;
    - d. official action by an agency of the state of Washington or by the county or city within which the land is located that disallows the present classified use of the land;
    - e. transfer of land to a church when the land would qualify for exemption pursuant to RCW 84.36.020;
    - f. acquisition of property interests by a state agencies or agencies or organizations qualified under RCW 64.04.130 and RCW 84.34.210 for the purposes enumerated in those sections;

- g. removal of classified farm and agricultural land under RCW 84.34.020(2)(f) on which the principal residence of the farm operator or owner or housing for employees is located;
- 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 conservation easement of private forest lands within unconfined channel migration zones or containing critical habitat for threatened or endangered species under RCW 76.09.040;
- k. The sale or transfer within two years after the death of an owner with at least a fifty percent interest in the land if the land has been continuously assessed and valued as designated forest land under chapter 84.33 RCW or classified under chapter 84.34 RCW since 1993 and the individual(s) or entity(ies) receiving the land from the deceased owner is selling or transferring the land. The date of death shown on a death certificate is the date used; or
- l. The discovery that the land was classified in error through no fault of the owner.

**B. CLASSIFICATION UNDER CHAPTER 84.33 RCW.** ☒ I/we request that this land retains its designation as forest land and I am/we are aware of the following definition of forest land.

FOREST LAND is synonymous with designated forest land and means any parcel of land or contiguous parcels of land at least five acres that is primarily devoted to and used for growing and harvesting timber and means the land only.

I/we declare that I am/we are aware of the liability of removal of this land from designated forest land and upon removal a compensating tax will be imposed that is equal to the difference between the amount of tax last levied on the land as "forest land" and an amount equal to the new assessed valuation of the land as of January 1 of the year of removal, multiplied by the dollar rate of the last levy extended against the land, multiplied by a number, not greater than nine, equal to the number of years the land was designated as forest land. Compensating tax will also be due on the land from January 1 of the year the designation is removed up to the removal date.

The compensating tax will not be imposed if the removal of designation resulted solely from:

- a. transfer to a government entity in exchange for other forest 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 this power based on official action taken by the entity and confirmed in writing;
- c. a donation of fee title, development rights, or the right to harvest timber, to a government agency or organization qualified under RCW 84.34.210 and 64.04.130 for the purposes enumerated in those sections; the sale or transfer of fee title to a governmental entity or a nonprofit nature conservancy corporation, as defined in RCW 64.04.130, exclusively for the protection and conservation of lands recommended for state natural area preserve purposes by the natural heritage council and natural heritage plan as defined in chapter 79.70 RCW or approved for state natural resources conservation area purposes as defined in chapter 79.71 RCW, or for acquisition and management as a community forest trust as defined in chapter 79.155 RCW. At such time as the land is not used for the purposes enumerated, the compensating tax will be imposed upon the current owner;
- d. the sale or transfer of fee title to the parks and recreation commission for park and recreation purposes;
- e. official action by an agency of the state of Washington or by the county or city within which the land is located that disallows the present use of the land;
- f. the creation, sale, or transfer of forestry riparian easements under RCW 76.13.120;
- g. the creation, sale, or transfer of a conservation easement of private forest lands within unconfined channel migration zones or containing critical habitat for threatened or endangered species under RCW 76.09.040;
- h. the sale or transfer within two years after the death of an owner with at least a fifty percent interest in the land if the land has been continuously assessed and valued as designated forest land under chapter 84.33 RCW or classified under chapter 84.34 RCW since 1993 and the individual(s) or

entity(ies) receiving the land from the deceased owner is selling or transferring the land. The date of death shown on a death certificate is the date used;

- i. the discovery that the land was designated in error through no fault of the owner; or
- j. A transfer of a property interest, in a county with a population of more than six hundred thousand inhabitants or in a county with a population of at least two hundred forty-five thousand inhabitants that borders Puget Sound as defined in RCW 90.71.010, to a government entity, or to a nonprofit historic preservation corporation or nonprofit nature conservancy corporation, as defined in RCW 64.04.130, to protect or enhance public resources, or to preserve, maintain improve, restore, limit the future use of, or otherwise to conserve for public use or enjoyment, the property interest being transferred. At such time as the land is not used for the purposes enumerated, the compensating tax will be imposed upon the current owner.
- k. Compensating tax authorized in this section may not be imposed on land removed from designation as forestland solely as a result of a natural disaster such as a flood, windstorm, earthquake, wildfire, or other such calamity rather than by virtue of the act of the landowner changing the use of the property.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070).

**Please describe how you intend to use the land for continued classification or designation:\***

**See attached Timber Management Plan**

**\*The assessor may require additional information from the seller(s) and/or Buyer(s) to determine whether the land will continue to qualify for classification or designation.**

Is there a reclassification pending for this parcel(s)?

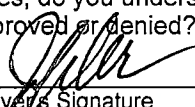
☐ Yes ☒ No

If yes, have you notified the granting authority, in writing, that you wish to continue with the reclassification process?

☐ Yes ☐ No

If yes, do you understand your rights and responsibilities if the reclassification is approved or denied?

☐ Yes ☐ No

  
Buyer's Signature

Jeff Webber, President

12 Nov 2021  
Date

**c/o The Conservation Fund, 1655 N. Fort Myer Dr., Ste. 1300, Arlington, VA 22209**

Address

Buyer's Signature

Date

Address

**Assessor Use Only**

Does the parcel(s) subject to this document meet the qualifications for classification/designation continuance? ☐ Yes ☐ No

Assessor Signature

Date

If the parcel(s) subject to this document is/are considered contiguous, as defined in RCW 84.33.035(4) or RCW 84.34.020(6), with other parcels having different ownerships, then verify the following information with the purchaser:

- ☐ The parcel(s) subject to this document will be managed as part of a single operation with the other parcels having different ownerships.
- ☐ The new purchaser meets the definition of "family" as defined in RCW 84.34.020(6)(b)(ii) with the owner of an adjoining parcel.

Forest Management Plan  
Lupine Forest, LLC  
Lupine Forest  
Skamania County, Washington

**Introduction**

This plan is prepared to outline ownership objectives and provide summary guidelines for long-term management of a tract of rural forestland in Skamania County. The plan will satisfy requirements for continued classification as forestland in Skamania County.

The Forestland Classification program is intended to encourage enhancement and protection of water, air, and soil resources as well to provide a continuous supply of forest products. This program encourages practice of good forest management by taxing the property for forestry use as opposed to other possible uses.

*If the property is taken out of the Forestland Classification in the future, there will be tax consequences for the landowner. The landowner should consult with the County Assessor's office before removing it from the forestland classification.*

**Summary of Salient Facts:**

Landowner:

Lupine Forest LLC  
c/o The Conservation Fund  
1055 N. Fort Myer Dr Ste 1300  
Arlington, VA 22209  
(703) 525-6300

Parcel #s,: See Exhibit A

Property Size: 86 GIS acres. All acres in document are GIS acres

Zoning: Resource

Taxation: Designated Forest Land

Fire Protection Assessment: Yes, DNR

Lease Agreements: No

Plan Prepared by: Dennis Dart  
American Forest Management, Inc.  
11415 NE 128<sup>th</sup> St., Suite 110, Kirkland, WA 98034  
(425) 820-3420

Date of Acquisition: November 16, 2021

Date of Report: November 4, 2021

**Land Owner's Objectives:**

The primary objective of the landowner is to manage the property for long term sustainable forest management. Long term sustainable forest management will promote the conservation of a working landscape while conserving and protecting unique natural features and habitat while building forest-based community economic development. Active and ongoing timber harvest is a key objective for the landowner.

**Property Description****General**

The property is located along the Wind River in Skamania County. The property consists of a single tract totaling approximately 86 acres. Topography is moderate to steep.

The property is mainly forested with some rock outcroppings and natural openings along the river making up the balance of the acreage. The property has a predominantly young age class on operable acres. Predominant forest cover type is Douglas-fir. There are other mixed conifers and hardwoods on the ownership as minor components.

Access to the property is good from mainline and primary logging roads. These roads provide important infrastructure to manage the property as well as provide access for firefighting personnel.

**Soils**

The soils on the property are conducive to growing timber. The predominant Site Index on the property is site 90.

**Timber Resource**

There is a considerable timber resource on the property, which is primarily young plantations on operable acres. This estimate of timber volume excludes timber within stream buffers, critical areas and areas potentially within protected species habitats.

Douglas-fir is the predominant merchantable species, with minor components of other conifers and hardwoods.

**Past Timber Management**

The property's sole use to date is commercial forestland. The property was historically managed under both even aged and uneven-aged timber management regime.

Plantation management on the property has consisted of intensive site preparation. Slash has been piled and burned or lopped and scattered across the logging unit. Herbicides have been used to control competing brush species in plantations.

**Water Resources**

The property has a number of water resources on or near the property, the most significant being the Wind Rivers. The property has significant frontage along the Wind River.

**Forest Health****Insects**

There is no evidence of insect infestation on the property. If any numbers of trees show sign of rapid decline (loss of needles, heavy cone crops, thin crowns, beetle boring holes, etc.) on the property, staff foresters will assess and diagnose possible insect damage. If there are any reported insect infestations in the vicinity, the Washington Department of Natural Resources (WADNR) forest entomologist will be contacted for advice on the latest techniques, to protect from or treat any outbreak that might affect the property. After consultation with the WADNR entomologist, appropriate measures to protect water quality and indigenous wildlife will be implemented based upon the treatment method.

**Disease**

No evidence of foliar pathogens or root disease was noted upon inspection of the site. However, there are a number of root and foliar diseases common to the east slopes of the Cascade Range in Washington. If root diseases or foliar diseases are found on the property, proper silvicultural techniques will be employed to contain and/or eliminate the issue.

**Fire Control**

The subject property is subject to Department of Natural Resources (DNR) fire protection taxation. Fire suppression is therefore under DNR jurisdiction.

**Roads**

Roads on the property are maintained under a DNR approved Road Maintenance and Abandonment Plan (RMAP). The RMAP specifies maintenance Best Management Practices (BMPs) as well as identifies fish blockage culverts. All BMPs used to maintain, abandon, and construct new road are in accordance with state developed BMPs in the Forest Practice Board Manual section 3 on roads.

**Wildlife**

The forested landscape of the property provides valuable wildlife habitat. Forested landscapes in this region provide valuable habitat for large mammals such as: elk, deer, black bear, cougars, bobcats, and other small mammals. A number of small songbird species also utilize the property.

Snags on the property are important habitat components for various bird species and bats that use the property. These snags should be retained unless they pose a danger to human life, a structure, or forest health. Future forest management should provide for gaps in the forest canopy as well as multi-layer vegetation in order to enhance wildlife habitat.

There are also potential spotted owl sites on or near the property. All future management will be complementary to spotted owl habitat as required under the forest practice rules and the Federally Approved Safe Harbor Agreement on the property.

**Invasive Species**

Tracts will be inspected annually for invasive plant species. If they are found and listed on the State or County noxious weed list they will be treated appropriately to ensure they do not spread. Chemicals may be used as a control method if that is determined to be the best method of control.

**Cultural Resources**

Cultural resources will be protected on the property as they are identified. During the FPA process best efforts will be made to consult with local tribes about cultural resources when appropriate.

**Timber Management**

Overall timber management objectives are to maintain long term sustainable harvest levels. In general, uneven-aged and even-aged management strategies will be utilized to achieve the objectives listed above. Timber management will strive to maintain and enhance a balanced age class distribution across the ownership.

**Pre-commercial/Stand Improvement Prescriptions**

Pre-commercial stands are thinned to maintain space between canopies in order to maintain tree growth and vigor. Pre-commercial thinning (PCT) generally takes place when trees reach a total height of 15-20 feet and when canopy closure begins to affect tree growth. Typically, PCT intends to achieve tree spacing of about 12 feet, or 220 trees per acre. Suppressed and trees with low vigor are targeted for removal; leaving

healthy, well form, and vigorous trees. Shade tolerant species and species growing “off site” will also be targeted for removal.

#### Commercial Recommendations

Timber harvests will utilize both uneven-aged and even aged harvest strategies. Harvest methods will be determined by site conditions, forest health, markets, reforestation and site preparation costs, as well as other environmental factors. Harvest equipment and timing will reflect best management practices to maintain and promote soil conservation and productivity. Harvest size and timing will be determined by markets and environmental factors.

Ground based harvest methods will consist of shovel logging, tractor logging, and rubber tired skidders where appropriate. Ground based units will maintain soil productivity by using appropriate equipment based on site specific conditions. When appropriate skid trails shall be water barred to prevent sedimentation of water resources and loss of productive soils.

On steeper slopes, cable harvesting methods will be employed. During cable operations, at least one end of logs will be suspended to protect soil resources.

Harvest operations will be seasonally suspended during “break-up” in spring to ensure soil protection and maintenance of haul road integrity.

#### Reforestation

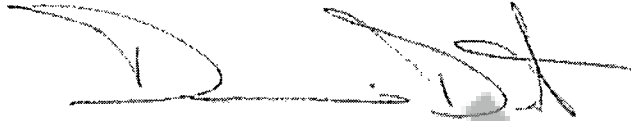
Following even-aged harvests, harvest units will be reforested as soon as possible but no later than the next following spring planting season. Preferred tree sizes are 1-2 year old nursery stock, 1 to 3 feet in height. Planted seedlings may need some after planting care by way of netting to protect from deer browse. Reforestation will typically be on an 11 foot spacing or 360 trees per acre. Reforestation will utilize a variety of commercially viable native species suitable for the soils, site conditions and disease tolerance.

## **20 Year Management Timetable**

### **Annually 2021 - 2041**

- Harvest – maintain sustainable harvest levels using both even-aged and uneven-aged harvest methods as markets allow.
- Reforestation – reforest even-aged harvest units.
- Pre-commercial Silviculture – pre-commercial thin as necessary to maintain growth rates in young plantations. Apply foliar herbicide applications in young plantations that require release from competing brush.
- Maintain grazing leases.
- Conduct road maintenance in compliance with the RMAP.
- Inspect property for noxious weeds.
- Inspect ownership for forest health concerns and treat as necessary.
- Co-ordinate management activities with neighboring landowners in regards to forest health concerns in the area.

**Signature Page**



Landowner Representative:

\_\_\_\_\_  
Dennis Dart, AFM Director of Western Operations

\_\_\_\_\_  
11/04/21

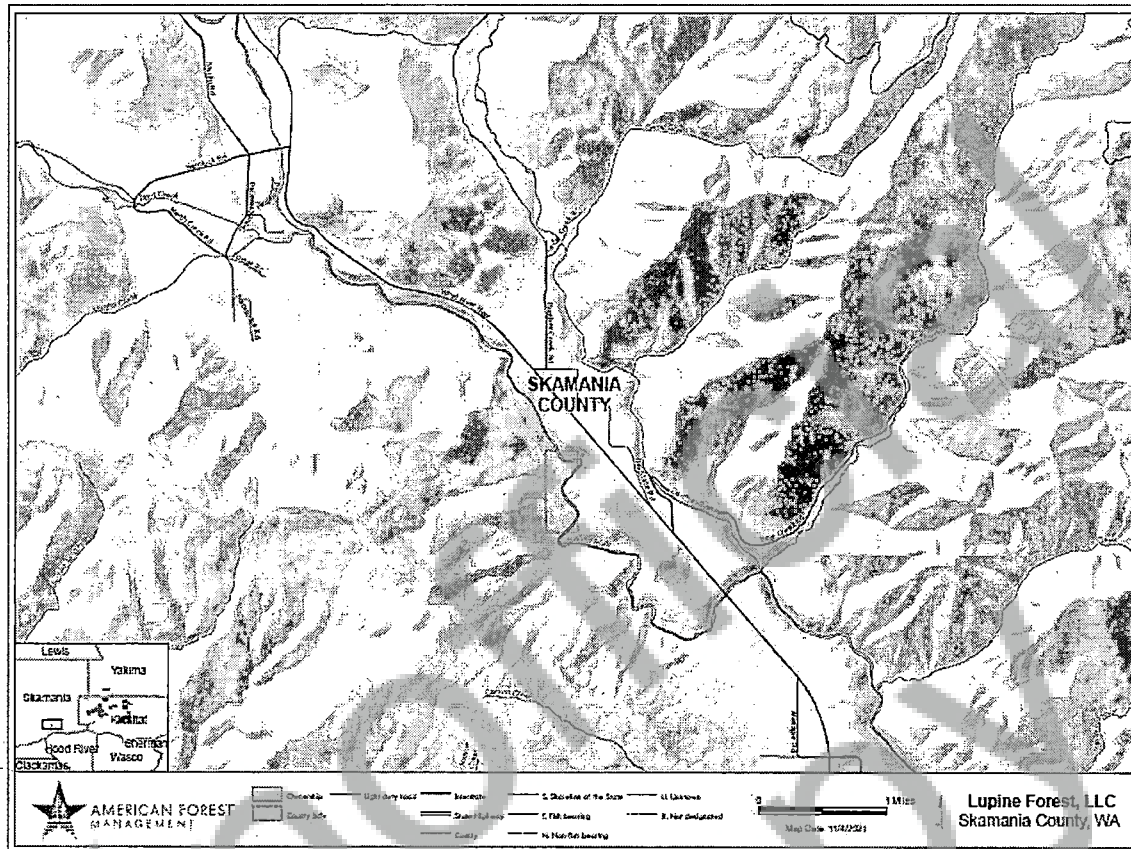
Date

Approval:

\_\_\_\_\_  
Service Representative

\_\_\_\_\_  
Agency

\_\_\_\_\_  
Date



**EXHIBIT A**  
Parcel List

Unofficial  
Copy

County (Washington State)	APN
Skamania	3750000020000

Unofficial  
Copy

**SKAMANIA COUNTY, WA  
LEGAL DESCRIPTION  
(Lupine Forest)**

Lot 5 of Bluffs Edge Subdivision, recorded under Auditor's File No. 2011179227, records of Skamania County, Washington.

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Copy