

# **LAND ACQUISITION EVALUATION REPORT**

## **For The White River Corridor**

(River Mile 8.5 to 24.5)  
Auburn to Buckley

March 2002

Prepared by:

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## ACKNOWLEDGEMENTS

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## PURPOSE

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The purpose of this acquisition evaluation report is to review the feasibility of King County acquiring property along the White River corridor and to provide specific recommendations for potential acquisitions. King County's 2001 Budget provided \$100,000 in Conservation Futures Tax (CFT) revenues to fund an evaluation and potential open space land acquisition along a specific portion of the White River. The area included for the acquisition evaluation, shown in Figure 1, extends from the Auburn Game Farm Wilderness Park upstream to the Puget Sound Energy (PSE) Diversion dam, which is approximately a 16-mile corridor of the White River lying between the Cities of Auburn and Buckley. This reach of the river is commonly referred to as the "bypass reach" due to the flow diversion from the White River to Lake Tapps for the operation of PSE's White River Hydroelectric Project. This corridor includes lands encompassed in the PSE Wildlife Management Plan (WMP). Within this river reach, the WMP covers 2,079 acres lying both in Pierce and King Counties. This report includes an assessment of parcels along the White River corridor within King County, including about 1,100 acres of PSE lands and about 580 acres of other privately owned land.

The report is also intended to meet the requirements of the 2001 County budget Ordinance (Ordinance 14018), which appropriated funds for this project. It includes evaluation of options for land acquisition in accordance with State and County statutory provisions establishing the authorized use and expenditure of CFT funds.

The report provides background information, including a brief summary of the PSE White River Hydroelectric Project and the involvement of the Lake Tapps Task Force in the Federal Energy Regulatory Commission (FERC) licensing process. The report also reviews elements of the Wildlife Management Plan that was established in September 1990 by FERC in its licensing negotiations with PSE and included as a condition of the 1997 White River Project FERC License under Article 411. The report examines the physical attributes and describes current regulations that apply to the various parcels along the river corridor. Findings and conclusions provide the basis for recommendations for the potential acquisition of specific parcels. An appendix containing reference material cited in the text of report is available upon request.

## BACKGROUND

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### White River Hydroelectric Project

The White River Hydroelectric Project is owned and operated by Puget Sound Energy. The project has an installed capacity of 70-megawatts with a proposed new 14-megawatt powerhouse. The project was constructed in 1911, prior to the enactment of the Federal Power Act of 1920. The project diverts up to 2,000 cubic feet per second (cfs) from the White River near Buckley into Lake Tapps in Pierce County, which provides reservoir storage for the hydroelectric facility. Water from Lake Tapps then flows into the Dieringer powerhouse and back into the White River near the City of Sumner. The bypassed reach of the White River is approximately 21 river miles long. For this land acquisition evaluation, the study limits only include the river corridor areas from the PSE Diversion dam downstream to the City of Auburn Game Farm Wilderness Park (Figure 2).

In 1962, the FERC ordered PSE to license the White River Project under the Federal Power Act. Legal questions raised by PSE relating to the FERC's jurisdiction over the project were not settled until 1981. Puget Sound Power and Light (now PSE) subsequently filed a license application for the project in November 1983. King County petitioned to intervene in July 1994 on the basis of King County's statutory and code responsibility for land use and environmental planning and review. A discussion of King County's intervenor status is provided below.

After a lengthy period of data submittal and dispute resolution, the FERC issued a License with conditions in December 1997. The 1997 license was appealed by the Washington Departments of Fish and Wildlife (WDFW) and Ecology (WDOE), the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service (USFWS), as well as PSE.

PSE has claimed that the 1997 FERC License conditions make the White River Hydroelectric Project uneconomical to continue operating. They

contend that the license conditions result in a cost to the company ranging from \$35 to \$80 million dollars over the first 20 years of the license term. While economic and power market conditions are regularly changing in pricing of power, PSE has continued to maintain that the project is not economical, based on 2001 market prices. If PSE were to cease operation of the project, water diverted from the river into Lake Tapps would not be permitted because PSE's water right for the diversion is authorized as a non-consumptive use for power generation only.

Lake Tapps currently has approximately 1,800 waterfront homes on the lake and some 17,000 dwelling units in the greater Lake Tapps community. Pierce County studies indicate that Lake Tapps is the fourth busiest recreational lake in the State of Washington, with user visits of over 250,000 persons per year at its most popular public park (North Lake Tapps Park). The Lake Tapps Task Force (LTTF), discussed below, contracted with the U.S. Army Corps of Engineers to conduct a Gallup Poll survey, to assess community interest and use of Lake Tapps. The survey found that community interest and use is largely localized to the area immediately surrounding the lake, and predominantly from Pierce County and parts of South King County near the City of Auburn.

### Lake Tapps Task Force

The LTTF formed in April 1999 in response to concerns that PSE would abandon the hydroelectric project due to the cost of complying with the FERC license conditions. The LTTF has consistently expressed concern over the potential loss of Lake Tapps and the economic value it provides to the local economy, municipal tax base, community aesthetics and the park and water use recreational interests in the area. The LTTF consists of 38 separate entities, including homeowners groups, federal regulatory agencies, state and local governments, and PSE (Appendix A). The Task Force has established as its primary mission as "*Saving Lake Tapps*." Funding for

the LTTF comes primarily from PSE and Pierce County, which chairs the Task Force, and from some of the other municipalities represented on the Task Force (e.g., Bonney Lake). King County is not a formal member of the Task Force, nor has King County requested formal membership. However, representatives of King County Department of Natural Resources and Parks, Water and Land Resources Division attend LTTF meetings.

In June 1999, PSE and the LTTF submitted a motion to the FERC requesting a two-year stay of the 1997 license. State and federal agencies that had initially appealed the FERC License provided letters of support for the motion. In July 1999, the FERC granted a stay of the license for the White River Hydroelectric Project. The “collaborative process stay” included a number of interim conditions relating to minimum flows, ramping rates and operating conditions for the power plant (Appendix B). After the stay, the LTTF has continued to work on a settlement plan involving a combination of projects and options that are deemed to have revenue and/or economic benefit to Lake Tapps and PSE. The most prominent of these options are embodied in an Agreement in Principle (AIP) which has been endorsed by the LTTF (Appendix C).

On April 27, 2001, the LTTF and PSE formally requested of FERC a 2-year continuation of the stay through June 2003 (Appendix D). The request was based upon the complexities of the various components of settlement and the internal resource constraints (regulatory, legal and legislative) that participants face in completing and endorsing a settlement agreement. As part of the development the request, King County provided a letter clarifying the statutory requirements of CFT funding, noting that this evaluation project is not directly linked to the AIP or FERC license. The request for the extension of the stay for two years was granted by the FERC on June 28, 2001 (Appendix E).

A prominent element of the AIP is the proposal for a new municipal water right. Currently, PSE holds a claim to divert 2000 cfs of river water for hydropower purposes. This proposed new water right would

use a portion (100 cfs) of this existing claim as a consumptive use for municipal water supply purposes. PSE applied for this water right and has executed an agreement with the Cascade Water Alliance (CWA) to develop and use the water for this purpose. The WDOE has issued a preliminary permit to PSE with conditions (Appendix F) that call for a variety of additional studies necessary for review of the application.

### **PSE Wildlife Management Plan**

The Wildlife Management Plan (WMP) was published in September 1990 after the FERC directed PSE to prepare a detailed plan to mitigate the impacts of the hydroelectric project on habitat for deer and other wildlife species in the project vicinity. The WMP was negotiated with the WDFW and the USFWS. FERC included the WMP as a license condition of the 1997 License for the White River Hydroelectric Project. The WMP includes an implementation budget of \$750,000 for each of the first 5 years, and \$75,000 per year for years 6 through 40. The WMP has not been implemented during the stay in the license.

The WMP includes 2,700 acres of reservoir and 2,993 acres of forest meadow and wetland dedicated and managed for wildlife habitat. According to the WMP, the 2,993 acres comprise 2,079 acres along the White River corridor, which PSE acquired to secure water rights, and 914 acres surrounding or adjacent to the project components, such as settling basins and flume. Of primary interest in this report are about 1,100 acres along the White River corridor which are located in King County and which meet the definition of open space under RCW 84.34. The balance of the WMP lands in the White River corridor lie in Pierce County. Although LTTF members representing the Pierce County Council have expressed significant interest in acquisition of open space lands, they have also indicated that Pierce County has no available financial capability to consider acquisition at this time (Appendix G).

PSE has expressed an interest in the selling these lands or otherwise derive revenue from them. As a result, the question of the future use of these lands is

included as a component in the AIP offered to the FERC by the LTTF. The AIP directs the LTTF to evaluate less costly means to preserve important habitat in the project vicinity. During AIP discussions in year 2000, PSE valued the lands, with their timber and other resource elements, at \$20 to \$30 million. Representatives of the WDFW on the LTTF have noted that they would be agreeable to some other public agency purchasing and managing these lands, provided that the provisions of the WMP are adhered to.

### **King County FERC Intervenor Status**

Prior to FERC's issuance of the proposed license to PSE, King County filed a petition seeking to intervene in the Commission's license proceeding (Appendix H). The basis for King County's intervention request was threefold: (1) to assert, where appropriate, County permit authority over portions of the Project that would either involve use of County property or location of development activities within the County's unincorporated jurisdictional limits; (2) to provide input regarding Project consistency with federally-adopted State of Washington coastal zone management program requirements; and (3) to provide general substantive information regarding the Project's associated impact on local conditions in order to assist FERC in its evaluation of Project compliance with federal license standards. The County's intervention request was granted in a FERC decision dated August 16, 1994.



## EVALUATION APPROACH

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The evaluation approach to consider lands for potential acquisition had the goal of identifying land areas appropriate for preservation as open space. Open space acquisitions protect the ecological attributes of private land from land-use impacts through outright public acquisition or public purchase of conservation easements. This type of approach has been used by King County to identify and protect a network of high quality fish and wildlife habitat in county watersheds.

Lands recognized as significant, and potentially worth public investment have ecological characteristics that include:

- Concentrated salmonid rearing and spawning areas
- Areas of biotic and habitat richness, including rare species and habitat
- Forested riparian zones with limited road or human habitation
- Process areas, such as braided reaches, confluences, sources of water supply, gravels and woody debris
- Areas adjacent, or with intact connections, to other habitats especially among riparian and upland forest and wetlands.

The potential for multiple-use benefits was also taken into account. Finally, the lands were evaluated for the reasonableness of the projected cost of acquisition and for the availability of funds for that purpose.

The parcels in the study area were evaluated for their potential for acquisition by considering the following questions:

- Does the parcel have ecologically important attributes?
- Would the parcel provide adequate size to sustain ecological function over time?

- Do current uses of the parcel and adjacent land significantly impact the ecological viability of the parcel?
- Is the parcel connected to tracts of existing protected land in public ownership?
- Does the potential acquisition cost reasonably relate to the available funding?
- Is there a high likelihood for the parcel to be converted from a natural to developed condition?
- Would the acquisition implement the intent of other adopted county plans, programs, or projects?
- Would the acquisition facilitate the future implementation of salmon recovery actions?
- Is the landowner willing to sell the parcel?

Available property information and general physical characteristics of the parcels in King County were reviewed in the context of pertinent FERC-related conditions and restrictions and with King County's land-use regulations. This assessment of regulatory protections and constraints, along with the questions above, provided the criteria for identifying parcels potentially appropriate for acquisition.

Although the evaluation area extends through the Muckleshoot Indian Tribe (MIT) Reservation, parcels within the Reservation were not included because of their protection and preservation under treaty rights. As noted earlier in this report, parcels within Pierce County were not included in the evaluation.

## FERC CONDITIONS AND RESTRICTIONS

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On December 19, 1997, FERC issued a conditioned, original license for the continued maintenance and operation of the White River Hydroelectric Project for a term of 50 years (Appendix I). Articles 305 and 411 specifically address the Wildlife Management Plan (WMP). Article 411 specifies that the licensee shall implement the WMP. As the WMP is implemented, the licensee must coordinate with WDFW and USFWS to review management and monitoring activities, and develop site-specific management practices. The long-term wildlife management prescriptions specified in section 5.0 of the WMP are to be in effect for the term of the license. Periodic reports on these activities are required to be provided by the licensee to WDFW and USFWS for review and comment, and for agency recommendations. The FERC reserves the right to require changes to the WMP based on these reports and recommendations.

The WMP is intended to provide significant protection to certain wildlife species in the White River corridor and to restrict the uses that PSE may make of its property in the area. Because FERC has twice stayed its Licensing Order, however, compliance with the WMP by PSE is not yet mandated by FERC.

If the WMP were eventually made a condition of PSE's White River license, it may not be sufficient protection of resources from the County's perspective. First, its habitat protection provisions are not clearly proscriptive, given that some are instead described as "guidelines for management." Second, it may allow some timber harvest and the sale of some of the property. Third, because the WMP was prepared in 1990, it does not protect the ESA-listed salmonid species.

ESA Section 7 consultations for the White River Hydroelectric Project are ongoing. These consultations may well result in additional wildlife and habitat protections as permit conditions.

PSE might be able to sell some or all of its White River lands, but only with some consequential risk to the company's license application. Assuming PSE eventually accepts the FERC license, a subsequent purchaser might be subject to the WMP and other license conditions.

King County's shorelines and sensitive areas regulations, and State regulations affecting land use activities are discussed later in this report.

## REAL ESTATE INFORMATION

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The evaluation included an assessment of 136 parcels totaling 1859 acres along the White River corridor. The parcels were organized into three major landowner categories: PSE White River Lands, other private lands, and public and tribal lands outside the reservation boundary. Tables 1A through 1C list the parcels and provide general real estate information for each parcel, including the present land use, zoning, jurisdiction, King County assessed value and the parcel acreage. Assessed valuations are used in this report because of the cost and lengthy time for acquiring title reports, conducting timber cruises and obtaining specific appraisals for the numerous parcels included in the evaluation. Tables 1A through 1C cross-reference each parcel location to Plates 1 through 6. These plates are digital aerial photographs with parcel numbers and boundaries for all 136 parcels.

### **PSE White River Lands**

The total acreage of PSE parcels included in the evaluation is about 1,107 acres in 50 parcels (Table 1A). The current zoning for PSE lands is mostly A35 (agricultural, one dwelling unit [DU] per 35 acres) with 11 parcels zoned RA10 (rural area, one DU per ten acres) and one parcel zoned R1 (residential, one DU per acre). Information on the PSE White River Lands provided by PSE (Appendix J) and obtained from FERC documents was reviewed to ensure that Table 1A is as accurate as possible. For the purposes of this assessment, it was assumed that all PSE owned lands along the evaluation area river reach are those lands associated with the 1990 WMP. Moreover, PSE has indicated they have been holding these lands aside in conjunction with the 1990 WMP. The PSE lands are conditioned by the WMP under the FERC Article 411. Review of deeds indicates no existing formal or permanent deed restriction that would preserve and/or maintain these lands in accordance with the WMP. Appendix K contains one example of a standard deed for these lands.

PSE has indicated that it believes the harvest of timber would be permissible on these lands, even if the lands had permanent deed restrictions for open space.

Using the most recent King County Department of Assessments records, the assessed value of all the PSE lands is approximately \$3,911,400 for land value and \$1,275,000 of improvements, totaling \$5,186,400. Two PSE parcels have land improvements; all other parcels appear to be undeveloped land. Based on King County information, agriculture lands are typically valued at between \$3,500 to \$5,000 per acre. Using this per acre estimate, the value of the undeveloped PSE lands in total could be between \$3,702,825 and \$5,289,750.

PSE has estimated the value of the timber to be between \$5 and \$10 million, based on timber cruise estimates from several years ago. If timber values were added to the land value estimates, the properties would be valued between \$8.7 and \$15.3 million. PSE has indicated that their estimate of total land and resource value is between \$20 and \$30 million, which may include potential mineral rights and extracted ore value.

### **Other Privately Owned Lands**

There are 77 privately owned parcels in the evaluation area. Two-thirds of these parcels are zoned RA10 and A35 with one-third zoned either R1 or R2. Also, with the exception of 22 parcels and one church, all have improvements that are residential housing. The assessed value, including both the land and improvements, for residential parcels ranges from about \$40,000 to \$450,000. The 22 undeveloped parcels total nearly 120 acres with only 23 acres zoned residentially. Assessed land value for these undeveloped, residential properties is approximately \$242,000. Undeveloped properties with RA10 and A35 zoning total about 52 acres with an assessed value of \$650,000. No timber or other resource

values for any of these lands were readily available for use in this report.

### **Public and Tribal Lands**

Information on public lands and parcels owned by MIT are included only to assist in understanding the adjacent land uses and continuity of similar ownerships. The larger of the two MIT parcels is contiguous with the reservation boundary and is located along SR 169. No MIT lands are being considered for acquisition.

There are eight parcels in public ownership, held by the State of Washington, King County, the City of Auburn and the City of Seattle. Publicly owned lands within the assessment area total approximately 135 acres.

**TABLE 1A. General Real Estate Information for the Puget Sound Energy White River Lands within the Study Area**

PIN	TAX- PAYER	PROP. TYPE	PRESENT USE	CURRENT ZONING	JURISDICTION	LAND VALUE	IMPROVE- MENTS	LOT SIZE (Acres)	PLATE NO.
0006400004	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$4,400	\$0	2.20	5
0006400005	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$15,000	\$0	9.19	4,5
1120059001	PSE	R	Vacant (Single Family)	RA10	KING COUNTY	\$168,000	\$0	41.75	3
1120059002	PSE	R	Vacant (Single Family)	RA10	KING COUNTY	\$126,000	\$0	34.75	3
1120059003	PSE	R	Vacant (Single Family)	RA10	KING COUNTY	\$43,000	\$0	7.25	3
1320059002	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$170,000	\$0	42.90	3
1320059003	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$168,000	\$0	41.90	3
1320059005	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$34,000	\$0	6.30	3,4
1320059006	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$225,000	\$0	40.00	3,4
1320059007	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$151,000	\$0	40.00	3,4
1320059008	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$149,000	\$0	27.00	4
1320059009	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$225,000	\$0	40.00	4
1320059011	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$100	\$0	1.08	3
1920069007	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$25,000	\$0	9.05	4
1920069009	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$43,000	\$0	13.80	4
1920069010	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$77,000	\$0	37.90	4
1920069011	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$73,000	\$0	35.80	4
1920069012	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$78,000	\$0	38.90	4
2420059001	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$300,000	\$0	71.54	4
2420059002	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$300,000	\$0	71.64	4
2721059017	PSE	R	Vacant (Single Family)	R1	AUBURN	\$280,000	\$0	73.00	1
2920069006	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$28,000	\$0	17.28	5
2920069007	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$5,000	\$0	3.48	5
2920069008	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$1,900	\$0	3.36	5
2920069009	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$7,000	\$0	3.15	5
2920069010	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$47,000	\$0	15.64	5
2920069011	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$11,000	\$0	8.33	5
2920069012	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$44,000	\$0	22.97	5
3020069001	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$55,000	\$0	16.40	4
3020069002	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$78,000	\$0	28.25	4
3020069003	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$41,000	\$0	10.00	4,5
3020069004	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$83,000	\$0	34.00	4,5

Information in Tables 1A through 1C was generated by King County DNRP GIS using King County Department of Assessments' data.

**TABLE 1A. General Real Estate Information for the Puget Sound Energy White River Lands within the Study Area**  
(Continued)

PIN	TAX PAYER	PROP TYPE	PRESENT USE	CURRENT ZONING	JURISDICTION	LAND VALUE	IMPROVE- MENTS	LOT SIZE (Acres)	PLATE NO.
3020069005	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$84,000	\$0	33.40	4
3020069006	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$17,000	\$0	6.05	4
3220069001	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$40,000	\$0	12.20	5
3320069006	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$160,000	\$0	40.00	5
3320069007	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$26,000	\$0	6.68	5
3320069008	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$84,000	\$0	25.29	5
3320069010	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$5,600	\$0	3.24	5, 6
3320069011	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$2,500	\$0	0.32	5, 6
3320069012	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$53,000	\$0	15.62	5, 6
3420069019	PSE	R	Vacant (Single Family)	A35	KING COUNTY	\$9,300	\$0	3.10	6
3420069026	PSE	R	Vacant (Single Family)	RA10	KING COUNTY	\$9,300	\$0	3.12	6
3520069020	PSE	R	Vacant (Single Family)	RA10	KING COUNTY	\$101,000	\$0	25.48	6
3520069021	PSE	R	Vacant (Single Family)	RA10	KING COUNTY	\$700	\$0	2.49	6
3520069023	PSE	R	Single Family (Res Use/Zone)	RA10	KING COUNTY	\$61,000	\$150,000	14.77	6
3520069024	PSE	C	Farm	RA10	KING COUNTY	\$139,600	\$1,125,000	34.92	6
3520069025	PSE	R	Vacant (Single Family)	RA10	KING COUNTY	\$45,000	\$0	19.50	6
6427000435	PSE	R	Vacant (Single Family)	RA10	KING COUNTY	\$16,000	\$0	12.30	6
6427000450	PSE	R	Vacant (Single Family)	RA10	KING COUNTY	\$2,000	\$0	0.35	6
<b>Subtotal:</b>						<b>\$3,911,400</b>	<b>\$1,275,000</b>	<b>1,107.64</b>	

Information in Tables 1A through 1C was generated by King County DNRP GIS using King County Department of Assessments' data.

#### CURRENT ZONING CODE KEY

<b>A35</b>	Agricultural, one dwelling unit per 35 acres	<b>R3</b>	Residential, three dwelling units per acre
<b>I</b>	Industrial	<b>RA10</b>	Rural area, one dwelling unit per 10 acres
<b>R1</b>	Residential, one dwelling unit per acre	<b>RMHP</b>	Residential multifamily high density plan
<b>R2</b>	Residential, two dwelling units per acre	<b>UNCL</b>	Unclassified

**TABLE 1B. General Real Estate Information for Private Lands within the Study Area**

PIN	TAXPAYER	PROP. TYPE	PRESENT USE	CURRENT ZONING	JURIS-DICTION	LAND VALUE	IMPROVEMENTS	LOT SIZE (Acres)	PLATE NO.
0006400009	RITCHIE JOHN G & WAMPOLD THOMAS	R	Single Family (Res Use/Zone)	A35	KING CO.	\$638,900	\$75,100	109.70	5
0006400012	FROST JACK & CAROL	R	Vacant (Single Family)	A35	KING CO.	\$2,800	\$0	1.55	5
1320059004	LOCKE BOB E	R	Single Family (Res Use/Zone)	A35	KING CO.	\$225,000	\$148,000	40.00	3
2721059012	7TH DAY ADVENTIST	C	Church/Welfare/Relig Srv	I	AUBURN	\$105,100	\$1,246,600	7.01	I
2721059016	SKORETZ BRAD & DEBBIE	R	Single Family (Res Use/Zone)	R1	AUBURN	\$47,000	\$157,000	0.97	I
2721059020	JOHNSON FRANCES E	R	Single Family (Res Use/Zone)	R2	AUBURN	\$100,000	\$121,000	5.56	I
2721059046	TUCKER JOHN A JR	R	Single Family (Res Use/Zone)	R1	AUBURN	\$38,000	\$82,000	0.35	I
2721059048	SAVOIE GREGORY L & DAPHNE R	R	Single Family (Res Use/Zone)	R1	AUBURN	\$68,000	\$191,000	2.33	I
2721059054	CAREN STEVEN H	R	Single Family (Res Use/Zone)	R2	AUBURN	\$38,000	\$119,000	0.34	I
2721059065	MITCHELL STANLEY C & LAURA B	R	Single Family (Res Use/Zone)	R2	AUBURN	\$86,000	\$122,000	4.80	I
2721059076	RUANE JOHN P	R	Single Family (Res Use/Zone)	R1	AUBURN	\$58,000	\$100,000	1.86	I
2721059078	KRAUSE GEORGE	R	Single Family (Res Use/Zone)	R1	AUBURN	\$37,000	\$6,000	0.29	I
2721059101	HUMPHREYS CHARLES AND MARY M.	R	Single Family (Res Use/Zone)	R1	AUBURN	\$42,000	\$114,000	0.74	I
2721059103	KINGMAN JOHN E	R	Single Family (Res Use/Zone)	R1	AUBURN	\$59,000	\$131,000	1.91	I
2721059105	ROLLINS ROBERT C JR & JANICE	R	Single Family (Res Use/Zone)	R1	AUBURN	\$81,000	\$73,000	4.23	I
2721059111	ANTONYUK VLADIMIR A	R	Single Family (Res Use/Zone)	R1	AUBURN	\$48,000	\$110,000	1.08	I
2721059118	SOPER FAMILY TRUST	R	Vacant (Single Family)	R1	AUBURN	\$51,000	\$0	1.30	I
2721059130	YDE MICHAEL	R	Single Family (Res Use/Zone)	R1	AUBURN	\$40,000	\$123,000	0.60	I
2721059131	SPEARS J FRANK	R	Vacant (Single Family)	R1	AUBURN	\$25,000	\$0	0.46	I
2721059132	BRESEE RALPH E & MARY L	R	Single Family (Res Use/Zone)	R2	AUBURN	\$38,000	\$139,000	0.36	I
2721059134	BRATSCH SCOTT C & APRIL M	R	Single Family (Res Use/Zone)	R2	AUBURN	\$52,000	\$152,000	1.40	I
2721059137	COOPER MYRTLENE TRUSTEE	R	Single Family (Res Use/Zone)	R2	AUBURN	\$45,000	\$150,000	0.50	I
2721059149	WOOD HOMER D	R	Single Family (Res Use/Zone)	R2	AUBURN	\$54,000	\$195,000	1.57	I
2721059150	PATNODE DAVID L	R	Single Family (Res Use/Zone)	R2	AUBURN	\$43,000	\$154,000	0.75	I
2721059154	AMMON GERALD D	R	Single Family (Res Use/Zone)	R2	AUBURN	\$37,000	\$125,000	0.29	I
2721059163	COOPER JEFFREY B ET AL	R	Vacant (Single Family)	R2	AUBURN	\$37,000	\$0	2.98	I
2721059186	HENDRICKSON LORAN	C	Vacant (Multi-family)	R2	AUBURN	\$79,300	\$0	1.82	I
2721059188	ADKINS DONALD E & CHRISTINE M	R	Single Family (Res Use/Zone)	R1	AUBURN	\$46,000	\$118,000	0.95	I
2721059189	TORRES CHARLES A & JUANITA	R	Single Family (Res Use/Zone)	R1	AUBURN	\$47,000	\$141,000	1.04	I
2721059190	PIONEER FEDERAL TITLE INC	R	Vacant (Single Family)	R1	AUBURN	\$31,000	\$0	2.73	I
2820069019	REMITZ ROBERT R	R	Single Family (Res Use/Zone)	A35	KING CO.	\$191,000	\$153,000	20.00	5
2820069020	SAMPSON SCOTT & SARAH	R	Single Family (Res Use/Zone)	A35	KING CO.	\$188,000	\$166,000	19.50	5
2920069014	JOHNSON O ARTHUR	R	Single Family (Res Use/Zone)	A35	KING CO.	\$219,000	\$96,000	24.91	5

Information in Tables 1A through 1C was generated by King County DNRP GIS using King County Department of Assessments' data.

TABLE 1B. General Real Estate Information for Private Lands within the Study Area

(Continued)

PIN	TAXPAYER	PROP. TYPE	PRESENT USE	CURRENT ZONING	JURISDICTION	LAND VALUE	IMPROVEMENTS	LOT SIZE (Acres)	PLATE NO.
2921059001	LA PIANITA LP	R	Vacant (Single Family)	R3	AUBURN	\$5,000	\$0	4.91	1
2921059002	LA PIANITA LP	R	Vacant (Single Family)	UNCL	AUBURN	\$14,000	\$0	13.90	1
2921059006	LA PIANITA LP	C	Vacant (Multi-family)	RMHP	AUBURN	\$171,200	\$0	38.92	1
3020069007	WALLIN ROBERT W & WALLIN CAROLINE J	R	Single Family (Res Use/Zone)	A35	KING CO.	\$242,000	\$209,000	35.30	4
3320069013	VOSS DANIEL J	R	Single Family (Res Use/Zone)	A35	KING CO.	\$145,000	\$142,000	10.00	6
3320069014	WEIGEL PAMELA & JAY	R	Single Family (Res Use/Zone)	A35	KING CO.	\$116,000	\$94,000	10.00	5,6
3320069016	JOHNSON GLEN O & GENEVIEVE J	R	Single Family (Res Use/Zone)	A35	KING CO.	\$135,000	\$249,000	12.87	5,6
3420069017	VOSS DANIEL J	R	Vacant (Single Family)	A35	KING CO.	\$156,000	\$0	24.08	6
3420069018	VOSS DOUGLAS JAMES & DONITA L	R	Single Family (Res Use/Zone)	A35	KING CO.	\$113,000	\$78,000	13.18	6
3420069045	DVORAK DAVID A DDS	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$28,900	\$79,000	7.10	6
3420069070	DVORAK DAVID A DDS	R	Vacant (Single Family)	A35	KING CO.	\$34,000	\$0	1.75	6
3420069085	DVORAK DAVID A DDS	R	Vacant (Single Family)	RA10	KING CO.	\$35,000	\$0	2.14	6
3520069033	KING WILLIAM E	R	Single Family (Res Use/Zone)	A35	KING CO.	\$95,000	\$111,000	9.38	6
3521059034	FOX JOHN G	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$38,000	\$98,000	0.43	2
3521059056	SHEEN FRANCIS L (TRUSTEE)	R	Vacant (Single Family)	RA10	KING CO.	\$30,000	\$0	2.45	2
3521059060	SKAAR LAYNE L & TAMI L	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$100,000	\$4,000	7.21	2
3521059061	BLACKBURN CARL	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$77,000	\$164,000	7.01	2
3521059062	BLACKBURN HERSCHEL A	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$123,000	\$182,000	12.97	2
3521059063	DIDDY JOELLEN & MERT	R	Vacant (Single Family)	RA10	KING CO.	\$45,000	\$0	6.23	2
3521059066	DEMEERLEER JEFFREY A & SUSAN	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$120,000	\$335,000	11.10	2
3521059084	POGGENSEE ARTHUR D & SHIRLEY A REV TR	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$49,000	\$41,000	1.66	2
3521059088	ARP DEAN & ARP WANDA	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$38,000	\$50,000	0.41	2
3521059095	DIDDY JOELLEN & MERT	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$86,000	\$257,000	5.00	2
3521059096	BLACKBURN CHARLES C	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$35,700	\$249,000	4.91	2
3521059101	SKAAR LAYNE L & TAMI L	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$105,000	\$15,000	10.11	2
3521059103	HOENISCH JEAN E	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$108,000	\$201,000	9.43	2
3521059104	SIMPLER MORRINE M	R	Vacant (Single Family)	RA10	KING CO.	\$85,000	\$0	4.94	2
3521059119	OLINE RONALD S	R	Vacant (Single Family)	RA10	KING CO.	\$21,000	\$0	3.81	2
3521059120	OLINE RONALD SCOTT	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$92,000	\$156,000	5.00	2
3521059121	PICAZO RAFAEL	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$97,000	\$249,000	6.64	2
3521059122	DEL VALLE SARA S	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$111,000	\$216,000	10.84	2
3521059123	CLYDE JERRY L & KATHLEEN R	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$110,000	\$285,000	7.53	2
3521059134	SKAAR LAYNE L & TAMI L	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$73,000	\$252,000	5.00	2

Information in Tables 1A through 1C was generated by King County DNRR GIS using King County Department of Assessments' data.



**TABLE IB. General Real Estate Information for Private Lands within the Study Area**

(Continued)

PIN	TAXPAYER	PROP. TYPE	PRESENT USE	CURRENT ZONING	JURISDICTION	LAND VALUE	IMPROVEMENTS	LOT SIZE (Acres)	PLATE NO.
6427000225	HANSEN JERRY D & LAVAUGHN	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$57,000	\$142,000	0.83	6
6427000320	HANSEN JERRY D & LAVAUGHN	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$56,000	\$5,000	0.71	6
6427000360	FREEMONT R A	R	Vacant (Single Family)	RA10	KING CO.	\$6,000	\$0	0.18	6
6427000400	KIME JIM	R	Vacant (Single Family)	RA10	KING CO.	\$59,000	\$0	0.97	6
6427000410	KIME JIM	R	Vacant (Single Family)	RA10	KING CO.	\$64,000	\$0	1.12	6
6427000420	KIME JIM	R	Vacant (Single Family)	RA10	KING CO.	\$63,000	\$0	1.06	6
6427000440	HANSEN JERRY D & LAVAUGHN	R	Vacant (Single Family)	RA10	KING CO.	\$4,700	\$0	0.14	6
6427000890	COOPER VERA TRUST	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$57,000	\$133,000	0.85	6
6427000900	JOLLIFFE JERRY	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$54,000	\$87,000	0.56	6
6427000910	MOORE DAVID P & SUZANNE J	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$58,000	\$136,000	0.93	6
6427000920	FREMONT R A	R	Single Family (Res Use/Zone)	RA10	KING CO.	\$56,000	\$76,000	0.73	6
<b>Total:</b>						<b>\$6,265,600</b>	<b>\$8,802,700</b>	<b>578.17</b>	

**TABLE IC. General Real Estate Information for Public and Tribal Lands within the Study Area**

PARCEL NUMBER	TAXPAYER	TYPE	PRESENT USE	CURRENT ZONING	JURISDICTION	APPROX. LAND VALUE	APPROX. IMPROVE VALUE	LOT SIZE (Acres)	PLATE NO.
1320059001	MUCKLESHOOT INDIAN TRIBE	R	Single Family (Res Use/Zone)	A35	KING COUNTY	\$238,000	\$232,000	36.92	3
3521059106	MUCKLESHOOT INDIAN TRIBE	R	Vacant (Single Family)	RA10	KING COUNTY	\$47,000	\$0	1.95	2
2721059047	CITY OF AUBURN	R	Vacant (Single Family)	RI	AUBURN	\$47,000	\$0	1.00	1
2721059106	CITY OF AUBURN	C	Utility - Public	RI	AUBURN	\$50,000	\$535,200	2.30	1
3320069002	CITY OF SEATTLE PARKS DEPT	R	Single Family (Res Use/Zone)	A35	KING COUNTY	\$560,000	\$343,000	118.06	5,6
3420069041	STATE OF WASHINGTON	R	Vacant (Single Family)	A35	KING COUNTY	\$87,000	\$0	8.00	6
3420069032	KING COUNTY	R	Vacant (Single Family)	RA10	KING COUNTY	\$17,000	\$0	4.10	6
3420069086	KING COUNTY	R	Vacant (Single Family)	RA10	KING COUNTY	\$33,000	\$0	1.49	6
3520069038	KING COUNTY	R	Vacant (Single Family)	A35	KING COUNTY	\$100	\$0	0.10	6
6427000635	KING COUNTY	R	Vacant (Single Family)	RA10	KING COUNTY	\$700	\$0	0.26	6
<b>Totals:</b>						<b>\$1,079,800</b>	<b>\$1,110,200</b>	<b>174.18</b>	

Information in Tables 1A through 1C was generated by King County DNRP GIS using King County Department of Assessments' data.

# KING COUNTY AND WASHINGTON STATE LAND-USE REGULATIONS

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## King County Comprehensive Plan

The King County Comprehensive Plan (KCCP) provides specific policies guiding growth and development throughout the unincorporated areas of the County. Specific chapters of the KCCP pertinent to this report are the Chapter Three—Rural Legacy and Natural Resource Lands, Chapter Four—Environment, and Chapter Five—Parks, Open Space and Cultural Resources.

Within the above named chapters of the KCCP, there are a number of policies pertinent to this evaluation report for both the management and regulation of the White River corridor for its natural and ecological values and for the acquisition of open space lands.

These policies include:

### Chapter 3, Rural Legacy

R-101, R-104, R-107, R-511, R-514,  
R-529, R-530

### Chapter 4, Environment

E-105, E-107, E-108, E-116, E-123, E-124,  
E-128, E-146, E-147, E-167, E-168, E-203

### Chapter 5, Parks, Open Space and Cultural Resources

P-123 and P-134

The KCCP 2000 contains the full text of these policies.

The adopted KCCP identifies the White River corridor as an area containing significant natural and ecological resources requiring the application of policies, regulations and management programs in a manner that protects and enhances these natural resource values. The KCCP policies summarized above more specifically prescribe County policy guidance that favors protection and conservation of the natural resources in the corridor through regulations, incentives and acquisition. This land acquisition report and the evaluation approach used herein were developed consistent with the KCCP and its policy directives.

## Agricultural Production District

Figure 3 shows the Enumclaw Agricultural Production District (APD) that extends along the river corridor from the MIT Reservation upstream to the City of Enumclaw at State Route (SR) 410. Parcels within the APD are zoned A35 with limited uses other than those associated with agricultural practices and activities. In 1985, King County established APDs with large lot zoning and specified agriculture as the preferred use in these areas. Lands zoned A35 allow construction of one dwelling unit per 35 acres. The highest and best use (from an appraisal perspective) for these lands would likely be single-family rural residences with adjacent farmlands. The KCCP also includes several policies regulating activities in APDs.

Forest management and timber harvest are allowed within an APD. The harvest of timber would be subject to state Forest Practices regulations, including moratoria on development after any timber harvest. Where land use is being converted from forested to developed uses, a six-year development moratorium follows the timber harvest.

Nearly 75 percent of the PSE lands and 50 percent of other private lands in the corridor study area are within the Enumclaw APD. Not included in the APD are parcels in the downstream portion of the evaluation area and adjacent to the MIT Reservation, and parcels just upstream of SR 410.

Only a small number of parcels are in the Farmland Preservation Program (FPP) within the evaluation area. These lands, for which development rights have been purchased by King County, amount to about 4 acres of PSE land and 84 acres of other private lands. One large parcel (120 acres) in public ownership is also in the FPP.

## King County Sensitive Areas Designations

The King County Sensitive Areas Ordinance (SAO) imposes restrictions on grading and clearing activities in designated SAO areas. The SAO areas are

regulated under Chapter 21A.24.275 of the King County Code (KCC). Designated sensitive areas along this river reach include the 100-year floodplain and wetlands (Figure 4) and seismic, landslide and erosion hazards (Figure 5). There is no data for coal mine hazard areas for this portion of the White River.

Another type of hazard area regulated under KCC is the Channel Migration Hazard Zone (CMZ). CMZs are those areas subject to risk due to stream bank destabilization, rapid stream incision, stream bank erosion and shifts in locations of stream channels as shown on King County's Channel Migration Hazard maps. Maps depicting the channel migration areas for the White River are not yet available. These maps are expected to be available by the end of 2002 at which time the CMZs for the White River will be regulated by KCC.

Figure 4 does not completely depict current flood hazard areas. The floodplain mapping for the White River is somewhat out-dated due to the channel migration of the river, and does not fully overlay the existing channel location in some reaches. However, using the available SAO mapping, it is clear that significant portions (over 85 percent) of the PSE Lands on the King County side of the river are regulated as sensitive areas. Of the other private lands, SAO regulations affect about 40 percent of the land because the bulk of this acreage lies on the plateau above the floodplain and set back from steep slope areas.

### **Endangered Species Act 4(d) Rule**

Species addressed in the 1990 Wildlife Management Plan include bald eagle, great blue heron, pileated woodpecker, waterfowl (dabbling ducks) and several non-game species (Vaux's swift, purple martin, western pond turtle spotted frog and yellow-billed cuckoo). Of these, only the bald eagle has received protection as a threatened species under the ESA. The yellow-billed cuckoo has been proposed for listing as threatened in the western United States.

In May 1999, NMFS listed Puget Sound chinook as threatened and in December 1999, USFWS listed

Puget Sound bull trout as threatened. Both agencies issued protective rules for these fish species under the ESA. The White River has both spring and fall chinook, and bull trout, and is therefore subject to all current ESA regulations that protect listed species. Boise Creek, a major tributary within the evaluation area, is also utilized by chinook and several other salmonids.

The NMFS 4(d) prohibits take of 14 groups of salmon and steelhead (including the Puget Sound chinook) listed as threatened under the ESA. However, the rule also limits the effect of that prohibition as to 13 categories of activities that NMFS determined to be adequately regulated, or unlikely to cause prohibited "take" if executed in a manner approved by NMFS.

One such "limit" applies to municipal, residential, commercial and industrial (MRCI) development. A local government response effort has developed a draft Tri-County Model for MRCI activities in local jurisdictions that contribute to the conservation of listed salmonids under the NMFS final 4(d) rule.

A biological review of the Tri-County Model is in progress. The goal of the review is to determine whether the Model:

- contributes to the persistence of existing habitat functions and the restoration of additional habitat functions, sufficient to support sustainable, harvestable salmon populations and
- conserves listed salmonid species consistent with the ESA and the NMFS 4(d) rule for threatened salmonids.

One element of the draft Tri-County model is the Management Zone. The "Management Zone" refers to an area of real property that is immediately adjacent to a defined water body (fresh, brackish and marine), both aquatic and nearshore areas, that either provides salmonid habitat or is important to the proper functioning of salmonid habitat, such that the regulation of development on that real property is necessary. The width of the Management Zone (MZ) varies depending on a variety of factors. These factors

include the nature of the aquatic area as habitat for, or its effect on, habitat of salmonids, the nature of the surrounding area, including the level of development, and the presence or absence of a channel migration zone, associated wetlands or steep slopes.

Under this proposed Tri-County program, participating local governments would have three options for regulating development within the Management Zone. Under the *Fixed Regulations Option*, development proposals would comply with a standard set of development regulations. The regulations prescribe inner and outer Management Zones, and development regulations for each zone, to protect habitat functions from adverse effects of development projects. The fixed regulations would generally prohibit development activity in the area closest to the aquatic environment. Under the *Site-specific Habitat Evaluation Option*, development proposals would be reviewed based on a Habitat Evaluation (HE) that evaluates the habitat functions that are likely to be affected by the development proposal. Using this approach, the development proponent would be required to analyze the impacts of the development proposal and provide conservation measures, consistent with the program's habitat goals and objectives, designed to protect habitat functions and mitigate for impacts to those functions. Under the *Programmatic Regulations Option*, a county or city would conduct a HE on a specific geographic area or specific type or category of development activity. Based on the results of the HE, the jurisdiction would identify allowable activities and appropriate protection and mitigation measures, consistent with the program's habitat goals and objectives.

Given the limits of local government authority and the mandates of state law, local jurisdictions that choose to implement the regulations described in this element of the Tri-County model would need to use a variety of local regulatory tools to implement this program. For example, a local jurisdiction may include the management zone regulations in its critical areas regulations adopted under the Growth Management Act (RCW 36.70A), shoreline master programs and shoreline development regulations adopted under the Shoreline Management Act

(RCW 90.58), or Class IV forest practices regulations adopted pursuant to RCW 76.09.240.

### **King County Shoreline Management Master Program**

The White River, Boise Creek and Tributary 0050 are designated as Shorelines of the State and are regulated by the King County Shoreline Management Master Program (SMMP). The White River, due to its size, is designated as a Shoreline of State-wide Significance under RCW 90.58.030.

For Shorelines of Statewide Significance, RCW 90.58 requires King County to give preference in the following order to management and uses that:

- (1) Recognize and protect the state-wide interest over local interest;
- (2) Preserve the natural character of the shoreline;
- (3) Result in long term over short term benefit;
- (4) Protect the resources and ecology of the shoreline;
- (5) Increase public access to publicly owned areas of the shorelines;
- (6) Increase recreational opportunities for the public in the shoreline;
- (7) Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.

The statute continues that "In the implementation of this policy, the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible consistent with the overall best interest of the state and the people generally. "

Under King County's SMMP, four shoreline environments are designated: Urban, Rural, Conservancy and Natural. Figure 6 illustrates the location of these SMMP designated environments for the White River within the evaluation area. There are no reaches designated as Urban within the evaluation area.

### **Rural Environment**

Along the north bank of the mainstem of the White River, from the PSE Diversion dam to a downstream point at the west section line of Section 34, Township 20 North, Range 5 East is designated as a Rural Environment. Boise Creek is also a designated Rural Environment. The SMMP states that the purpose of the Rural Environment is “to restrict intensive development, function as a buffer between urban areas, and maintain open spaces and opportunities for recreational uses, within the ecological carrying capacity of the land and water resource.”

### **Conservancy Environment**

Downstream reaches adjoining but outside of the MIT Reservation area are designated as a Conservancy Environment. The Conservancy areas are intended “to maintain their existing character.” This designation is designed to protect, conserve, and manage existing natural resources and valuable historic and cultural areas. The preferred uses are those non-consumptive of the physical and biological resources of the area. Forest practices may be permitted under specific criteria, including the retention of buffer strips. The criteria for forest practices in the Conservancy Environment include the same requirements as for the Rural Environment.

### **Natural Environment**

From the downstream end of the Rural Environment on the White River to the beginning of the MIT Reservation, the north bank is designated as a Natural Environment. Tributary 0050 is also designated as a Natural Environment. The SMMP states the purpose

of the Natural Environment is “to preserve and restore those natural resource systems existing relatively free of human influence. These systems require severe restrictions of intensities and types of uses permitted so as to maintain the integrity of the Natural Environment.” The Natural Environment is the most restrictive environment category in the SMMP. It includes specific prohibitions of forest management, agricultural, aquaculture and practices. Commercial, multi-family and accessory development is also prohibited. Recreational development may be permitted but only if very minor filing, excavation or re-grading is involved.

The degree to which the SMMP and other land use regulations (APD and SAO) affect the various parcels of land, the number of parcels and the approximate aerial coverage of each type of development restriction is shown in Table 2.

For the PSE lands, half of the 50 parcels have some portion of acreage with the Natural Environment, and nine other parcels have area within the Rural Environment. Only one PSE parcel lies within the Conservancy Environment.

Regulation of other privately owned lands under the SMMP is less extensive. Only four parcels have acreage within in the Natural Environment and nine parcels are within the less restrictive Rural Environment. There are five parcels of other private lands that lie within the Conservancy Environment. These parcels are adjacent to the MIT Reservation.

**TABLE 2. Number of King County parcels within the study area and approximate acreage within environmentally regulated areas**

Land Owner		SMMP Natural	SMMP Rural	SMMP Conservancy	APD	SAO	Total
<b>PSE</b>	No. of Parcels	25	9	1	41	49	50
	No. of Acres	408	75	15	863	984	1,107
<b>Other Private Lands</b>	No. of Parcels	4	9	5	24	48	77
	No. of Acres	16	26	6	218	211	578



Nearly all the PSE parcels are within the APD and almost all parcels (49 out of 50) include some sensitive areas that would be subject to King County SAO regulations. The significance of the SAO regulations is demonstrated by the approximate acreage. Of the 1,107 acres of PSE land, approximately 984 acres are regulated sensitive areas.

For private lands, much fewer are within the APD than PSE lands. The SAO would affect more than half the parcels. The acreage affected, however, is less than half of the total private land area. These estimates of regulated acreage do not include buffer areas required for streams and wetlands.

### **Washington State Forest Practices**

Plates 1 through 6 are aerial photographs taken in the summer of 2000 that show the vegetation cover of the river corridor and adjacent Enumclaw Plateau. The plates also illustrate parcel boundaries and ownership. The forest coverage along the river corridor is extensive. Areas with much less tree cover are residential and agricultural lands.

The Forest Practices Act (FPA) governs all forest practices in Washington State, including any activity conducted on or directly pertaining to forest land and related to growing, harvesting, or processing timber. The FPA has been amended to implement the Forest and Fish Report that was developed to achieve compliance with ESA for aquatic and riparian-dependent species on non-federal forest lands. Publishing the Forest and Fish Report resulted in Limit No. 13 to the prohibitions of the 4(d) rule. New regulations were adopted by the Forest Practices Board but have not yet been approved by the NMFS, so a forest practices applicant must still comply with the ESA. The new regulations promulgated under the Forest Practices Act are clearly intended to provide substantial protection to endangered species and their critical habitat. Despite this, the Forest Practices Act program might permit timber harvest in some portions of the White River evaluation area.

Developing specific estimates of the harvestable timber is beyond the scope of this report. Potential timber harvest is significantly limited due to the extent of lands restricted by the SMMP Natural Environment designation and by application of the FPA within the SMMP Rural and Conservancy Environments.

## RECREATION AND PUBLIC USE

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The evaluation included an assessment of the potential for passive recreation opportunities. Passive recreation includes activities such as fishing, hiking, observation of nature, non-motorized boating and picnicking. Public education and stewardship are other related public uses. King County currently has no other related developed public recreation facilities within the evaluation area. The Enumclaw Plateau Trail alignment does lie perpendicular to the White River and along Boise Creek, adjacent to privately-owned parcels.

The ability for a particular area to accommodate such activities is generally determined by assessing the site characteristics such as topography, cultural significance, access, size and zoning in conjunction with any positive or negative impacts on fish and wildlife resources and other sensitive areas.

As the initial step in determining recreational opportunities, the existing road network and river corridor topography (Figure 2 and Plates 1 through 6) were reviewed. For the PSE lands that are contiguous along the north bank from the MIT Reservation to approximately SR 410 crossing, there appears to be no established access from the plateau down to the floodplain valley. These properties appear to be accessible only along the plateau area from public and private residential roads. Both the topography shown in Figure 2 and the SAO hazard areas shown in Figure 5 indicate that any new roads would be prohibited, or would be extremely difficult or expensive to construct due to the steep valley walls and bluffs. PSE lands located at the upper end of the evaluation area above SR 410 are more readily accessible from Mud Mountain Road.

Many of the other privately owned lands lie along, or are directly adjacent to, established State routes and residential roads such Stuck River Drive, SR 164 (Auburn-Enumclaw Road), SR 410 and Mud Mountain Road. In addition, these private lands are located on the plateau except parcels along Stuck

River Drive at the downstream end of the evaluation area and those located just upstream of SR 410 bridge crossing.

Acquisition of lands for public use may allow stewardship of the aquatic and wildlife resources. The existing, significant resource value of the river corridor within the evaluation area is demonstrated in the 1990 WMP, the King County SAO and SMMP designations, and supported by the presence of ESA listed species, including chinook and bull trout as threatened species. With the exception of residential parcels having a reduced quality of natural habitats, nearly all undeveloped lands in the evaluation area have high-quality habitats. Consistent with the regulations affecting these lands, access to these habitats would need to be controlled so only appropriate uses, those that are not detrimental to the site resources, are allowed.

## FINDINGS

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The evaluation area includes parcels owned by PSE, other private landowners, public lands or MIT owned property. Land owned by the MIT is not being considered for acquisition.

An acquisition budget of \$100,000 was appropriated for “White River Land Acquisition” in the 2001 Conservation Futures Tax fund. These funds are restricted to the purchase of lands to be preserved as open space as defined in RCW 84.34. No other detailed scope or budget proviso accompanied this King County appropriation.

At public meetings held in the area in early in 2001, local residents expressed a preference for the lands along the White River to remain in their current use.

PSE ownership includes approximately 1,107 acres on the north side of the White River in unincorporated King County and the City of Auburn; the value of these lands far exceeds this King County appropriation to acquire any substantial portion of these lands.

King County has many competing priorities to address in its budgets for 2002 and subsequent years. Consequently, acquisition of these lands in total, even with 2002 project funding, is not deemed feasible at present or in the foreseeable future.

Purchase of individual PSE parcels within those covered by the 1990 WMP is not practical until the FERC licensing process is completed, the conditions placed on the property are finalized and accepted by the license holder. Sale of PSE property during the licensing proceeding would probably require approval by FERC. The County might not wish to take title if it were required to comply with the WMP and other FERC license conditions.

Significant land-use policy and regulatory protections under federal, state and local law currently apply to a majority of the PSE lands along the White

River downstream from the SR 410 Enumclaw and Buckley area.

Lands lying near the SR 410 crossing up to the PSE Diversion Dam have a SMMP Rural designation. This SMMP designation is less protective than the Natural or Conservancy Environments, and allows more extensive shoreline development. Although the resource values of the White River and Boise Creek remain significant here, this area is experiencing a greater development potential given that some parcels are not within the APD or FPP. The Rural Environment designation allows substantial shoreline development such as residential and commercial use, industrial development and forest practices.

The current threat of conversion of natural lands to developed uses is greater for privately owned parcels than for any one of the PSE parcels which may have a variety of FERC restrictions or conditions.

None of the parcels within the White River corridor considered within this evaluation area lie within Enumclaw Urban Growth Area.

Most of the PSE lands have no or very limited access due to the lack of a road network or due to the steep slopes from the plateau to the floodplain areas. This further protects these resource areas and makes them less desirable for development. Adjacent landowners to the PSE properties have expressed their desire that public access remain limited.

A total of 137 parcels were included in the evaluation. Ten parcels are in public or tribal ownership, 50 parcels are owned by PSE and 77 parcels are privately owned. Applying the various criteria described in this report, only a limited number of these undeveloped parcels would be appropriate for acquisition using CFT funding.

Parcels with substantial value for their potential as open space acquisitions are listed in Table 3.



**TABLE 3. Parcels Recommended for Potential Open Space Acquisition**

PIN	TAXPAYER	PROP. TYPE	PRESENT USE	CURRENT ZONING	JURIS- DICTION	LAND VALUE	IMPROVE- MENTS	LOT SIZE (Acres)	PLATE NO.
2921059002	LA PIANITA LP	R	Vacant (Single Family)	UNCL	AUBURN	\$14,000	\$0	13.90	1
3420069045	DVORAK DAVID A DDS	R	Single Family (Res Use/Zone)	RA10	KING COUNTY	\$28,900	\$79,000	7.10	6
3420069070	DVORAK DAVID A DDS	R	Vacant (Single Family)	A35	KING COUNTY	\$34,000	\$0	1.75	6
3420069085	DVORAK DAVID A DDS	R	Vacant (Single Family)	RA10	KING COUNTY	\$35,000	\$0	2.14	6
3420069017	VOSS DANIEL J	R	Vacant (Single Family)	A35	KING COUNTY	\$156,000	\$0	24.08	6

The La Pianta parcel (Plate 1, Parcel Number 2921059002) lies between two publicly owned parcels, the Auburn Wilderness Park and King County open space that is within the MIT reservation boundary. Acquiring this parcel would connect and permanently protect the riparian area along the southern bank floodplain corridor. The 14-acre parcel has an assessed value of \$14,000. Based on the appraised per-acre value (\$5,000) of the adjacent King County open space purchase in 1999, the appraised value for the La Pianta parcel could be closer to \$70,000. Other adjacent La Pianta parcels (Plate 1, 29211059001 and 29211059006) are not recommended based on the steep slopes present on the north bank and the altered land surface of the parcel lying to the south. Although the southerly La Pianta parcel would provide complete connection between the adjacent public lands, extensive revegetation and land management costs would be necessary. The recommended La Pianta parcel also has public access for passive recreation from the adjacent public lands. This parcel is also wholly within the floodplain and erosion hazard areas, and its natural resource characteristics would receive protection under the City of Auburn regulations.

The Voss parcel (Plate 6, Parcel Number 3420069017) adjoins public property owned by the Washington Department of Transportation and also abuts SR410. In addition, the site is also accessed from a residential road, SE 473<sup>rd</sup> Street. This parcel is well vegetated and appears to contain high-quality habitat. It is however, within the Farmlands Preservation Program, and would not experience future development since King County owns the development rights. Sixty percent of the property is within the delineated floodplain. Some landslide hazard areas are also present.

The Dvorak parcels (Plate 6, Parcel Numbers 3420069045, 3420069070 and 34200699085) total approximately 11 acres. They are bounded by SR410, Mud Mountain Road, Boise Creek and public land. King County Department of Transportation and King County DNR, Parks and Recreation Division currently own the two upstream

contiguous properties. A single-family residence is located on Parcel 9045. The owner recently passed away and the property is being offered for sale as part of the probate of the estate. The parcels include a single-family residence that was recommended for acquisition and removal in the 1993 adopted King County Flood Hazard Reduction Plan due to the White River and Boise Creek flood hazards. The delineated floodplain area covers about half of the property, including the residential structure. The County Parks parcel was acquired in association with the Enumclaw Plateau Trail Project. These parcels are being offered at \$235,000. An appraisal by King County would be required prior to any purchase offer. The Dvorak parcels include significant riparian areas and aquatic habitat related to the confluence of the White River and Boise Creek. Acquisition of these parcels would protect the existing open space attributes. Removal of the structure would be a key step to future habitat restoration. Restoration work may be accomplished by King County or in conjunction with other project actions, such as Tacoma Public Utilities removal of the grade control structure and replacement of Pipeline Number 1 in the White River channel.

## CONCLUSIONS

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- The appropriated CFT funding of \$100,000 was not intended to buy the PSE White River Lands in total.
- King County does not have any realistic capability now or in the immediate future to fund the purchase of all the PSE White River Lands.
- Acquisition of individual parcels of PSE lands by King County would likely require increased involvement in the FERC licensing process. Any sale of PSE property during the license proceeding would almost certainly require FERC approval. FERC might insist the County or another purchaser comply with the WMP and other FERC license conditions. It is unlikely King County would wish to undertake the required and costly management responsibilities.
- PSE lands are currently subject to substantial wildlife and environmental protections under the described federal, state and local programs. At the same time, the regulatory processes, consultations and a variety of lawsuits make the eventual use of these properties a continuing question. The possibility remains that this property could eventually be subject to some timber harvest, or to sale or other development. However, regulatory tools are available to help protect these areas.
- Topography and physical access limitations provide further significant restrictions to the potential development of these properties and also limit any potential for developing new access for the purposes of passive recreation.
- Many of the lands in the evaluation area (PSE Lands, public and other private lands) are within the Enumclaw APD, restricting their use to those related to farm practices. A small number of parcels are fully protected from future development due to their inclusion in the Farmlands Preservation Program. The only parcels not in the APD and FPP are those within the City of Auburn and a few parcels upstream of SR 410 crossing of the White River.
- An opportunity sale is currently available for three key parcels at the confluence of the White and Boise Creeks that adjoin other publicly owned lands. Acquisition of these parcels would achieve multiple benefits, including the protection of the existing natural resources, implementation of the 1993 FHRP recommendation and the future restoration of salmon habitat.

## RECOMMENDATIONS

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### **1. King County Should Not Consider Acquisition of the PSE White River Lands**

There are no compelling reasons for King County to consider acquiring any of the 1,100 acres of PSE White River lands lying within King County. The lands exclusive of any timber, mineral or other resource value are assessed by the King County Assessor in 2001 at over \$5 million dollars. The timber value could raise the value to over \$15 million. This estimate may be high, given the current regulatory environment imposed by the WMP, State Fish and Forest Regulations and King County SMMP regulations. Regardless of the timber and other unquantified resource value that these parcels may have, King County's current expense (CX) budget deficit this year and the expected continuation of County CX revenue shortfalls and associated budget problems in future years, makes acquisition of the PSE lands fiscally impractical.

The PSE White River lands are inextricably tied to the FERC license that PSE is attempting to obtain for its hydropower project on the White River. The lands are currently part of a FERC license condition that requires that they be maintained and managed as wildlife lands. Based on review of the FERC licensing documents, it appears that King County could become subject to the FERC license conditions affecting these lands if it were to acquire any of the lands included in the WMP. This eventuality should be avoided because of the potential cost to the County.

### **2. King County should utilize the CFT funding of \$100,000 to proceed with the opportunity sale for three Dvorak parcels.**

These parcels (Figure 7) have ecologically important attributes such as intact riparian buffers and significant aquatic features related to the

confluence of the White River and Boise Creek. Acquisition of these parcels connects the adjacent lands that are already held by King County and other public ownership. The CFT funding can be utilized to purchase the two undeveloped parcels. Other DNRP programmed funding, available mainly from the River Improvement Fund, of approximately \$135,000 could be used to purchase and remove a flood prone structure, as recommended by the 1993 King County Flood Hazard Reduction Plan. Acquisition of these parcels would provide multiple benefits of protecting natural resources, reducing flood damage and providing passive recreation opportunities.

### **3. King County should continue to pursue assessment of potential open space acquisitions along the White River, including the seeking of grant funding, identifying willing sellers, and prioritizing potential acquisition sites that support ESA salmon recovery efforts, within the availability of funds appropriated for these purposes.**

Other potential acquisition sites may be identified that are outside the geographic limits of this evaluation. As part of King County's participation with Pierce County in supporting near-term actions for salmon recovery, King County should continue to identify acquisitions that will preserve and protect existing critical riparian and aquatic habitats. King County should actively apply for Salmon Recovery Funding Board (SRFB) grants to leverage resources to acquire such habitat areas that are identified through watershed assessments and continue to participate with Pierce County, cities and other watershed entities to recover salmon populations in WRIA-10.