

May Valley 164th Natural Area Site Management Guidelines

December 2003



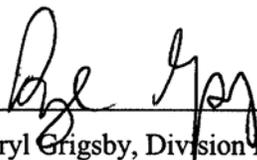
King County

Department of Natural Resources and Parks

Water and Land Resources Division

May Valley 164th Natural Area Site Management Guidelines

December 2003



Daryl Grigsby, Division Director

King County Water and Land Resources Division



King County

Department of Natural Resources and Parks
Water and Land Resources Division

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May Valley 164th NA SMG_Final_December 2003.doc



May Valley 164th Natural Area Site Management Guidelines

Executive Summary

The May Valley 164th Natural Area is located at 11205-164th Avenue SE, in the May Valley area of unincorporated King County. The 2.03-acre property is bounded by May Creek on its southern edge. The site is part of the King County Water and Land Resources Division's Ecological Lands inventory.

Scrub-shrub wetlands at the site are part of an extensive valley wetland system greater than 140 acres in size. May Creek and its associated wetland system contribute to water quality, water quantity regulation, off-channel flood storage, wildlife habitat, and salmonid spawning and rearing habitat in this vicinity.

This site was acquired by King County in December 2000 as part of the implementation of the *May Creek Basin Action Plan*, to remove a frequently flooded home from the floodplain. The flood reduction goals at the site were achieved by project work that removed the structures, well, septic system, and fill from the floodplain; associated work has removed invasive vegetation from portions of the site; and planted portions of the site with native species.

The site is highly constrained by sensitive area restrictions, and access is limited by a lack of parking. Most of this property is within a wetland, wetland buffer, stream buffer, or 100-year floodplain. The site is appropriate for low levels of passive recreational use by the local community, but is not a park that can serve regional recreation needs.

The following are planning and management recommendations for the May Valley 164th Natural Area.

- Provide opportunities for low-impact public use where use does not conflict with ecological value. Appropriate uses in the upland portion of the site include nature observation, picnicking, and walking.
- Ensure that public use does not negatively impact the site's ecological resources. Monitor location, intensity and extent of public use at the site. Monitor plantings for permit compliance.
- Install improvements as necessary to direct public use and protect site resources.
- Address proposals made by the public for site improvements and community stewardship involvement as they arise.
- Consider ecological and flood control interests in design of future projects.
- Revisit County ownership of site when permit monitoring requirements are fulfilled in October 2005.

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Suggested citation for this report:

King County. 2003. May Valley 164th Natural Area, Site Management Guidelines. King County Department of Natural Resources and Parks, Water and Land Resources Division. Seattle, Washington.

May Valley 164th Natural Area Site Management Guidelines

Introduction

May Valley 164th Natural Area is a King County Department of Natural Resources and Parks (DNRP) Ecological Land. Ecological Lands are a category of Water and Land Resources Division (WLRD) properties managed for the protection of their ecological value. Appropriate public access and interpretive opportunities are accommodated on these sites where they do not harm the ecological value of the site.

This document provides general property and acquisition information, a description of existing site conditions, a chronology of recent events and management actions, and a list of management objectives and recommendations for this site. These site management guidelines were developed using guidance established in the King County Water and Land Resources Division Ecological Lands Handbook (King County 2003a).

Part 1. General Property Information

The May Valley 164th Natural Area is a 2.03-acre parcel located at 11205 164th Avenue SE, in the May Valley area of unincorporated King County (see Figure 1). The triangular parcel is bounded by 164th Ave SE to the east and by the centerline of May Creek on its southern edge. Most of the property lies within the FEMA 100-year floodplain for May Creek (see Figure 2). Details about property location and acquisition are found in Table 1.

Early activities within the May Creek basin included mining, forestry, and farming. Over time, the basin has been characterized by more intensive residential uses in the west where it lies within the incorporated cities of Newcastle and Renton. The Urban Growth Boundary at 148th Avenue SE marks the limit of urbanization in the near future. The site lies in the eastern half of the basin, in rural King County. Land use in the vicinity of the site is predominantly rural residential and agricultural/pastoral, with small areas of neighborhood commercial.

Table 1. May Valley 164th Natural Area General Information.

| | |
|-----------------------------|--|
| Best Available Address | 11205 164 th Ave SE |
| Parcel Number | 063810-0003 |
| Thomas Guide Map Location | Page 627, Grid 6B |
| Legal Description | Section 11, Township 23 N, Range 5 E |
| Acreage | 2.03 Acres |
| Drainage Basin | May Creek Basin |
| WRIA | WRIA 8 |
| Council District | 12 |
| King County Sensitive Areas | 100-year floodplain, floodway, wetland, stream |
| Zoning | RA-5 |
| Date of Parks Ownership | 10/14/2002 |
| Ownership Type/Price | In fee; \$161,731 (may include closing costs) |
| Previous Names | 164 th Avenue Site; Muncy; Pinkley |
| Recording Number | 20001228001137 |

Part 2. Acquisition, Funding Source and Deed Restrictions

Purpose of Acquisition

The May Creek 164th Natural Area was acquired in December 2000 as part of the implementation of the *May Creek Basin Action Plan*.

The acquisition contributes to the plan's recommendation to "Provide Cost-sharing and Technical Assistance for Flood Protection in May Valley." (*Action Plan*, p. 3-15) Actions that may be associated with this recommendation include: drainage improvements, flood-proofing, voluntary home buyouts, construction of off-channel flood storage ponds, removal of fill from the floodplain, and restoring stream and wetland buffers (*Action Plan*, p. 3-16). The *Action Plan* directs that land acquired under this "Cost-sharing and Technical Assistance" recommendation would be maintained as open space in perpetuity and managed to "minimize valley flooding and maximize conveyance and habitat improvements [to May Creek and the valley wetland]." (*Action Plan*, p. 3-15 and 3-16)

The acquisition of this site also advances two of four specific goals for reducing flooding under the *Action Plan*: "alleviate flooding of homes, businesses, sole access roads and foundations" and "reduce flooding of septic systems and wells." (*Action Plan*, p. 2-10)

This purchase was the first action taken to address flooding problems at seven to nine frequently flooded properties identified in the *Action Plan*. The project goal was "to solve flooding problems at structures (homes and a business) that were being flooded." (King County 2003b, p.2) The most appropriate action at each site (e.g. flood-proofing or buyout) was determined on a site-by-site basis through evaluation by King County and landowners.

This specific property was a residential parcel supporting a home, outbuildings, and septic system within the May Creek 100-year floodplain.

Funding Source

The Capital Improvement Projects and Open Space Acquisition group (CPOSA) of King County Department of Natural Resources acquired the site using Surface Water Management Capital Improvement funding.

Deed Restrictions

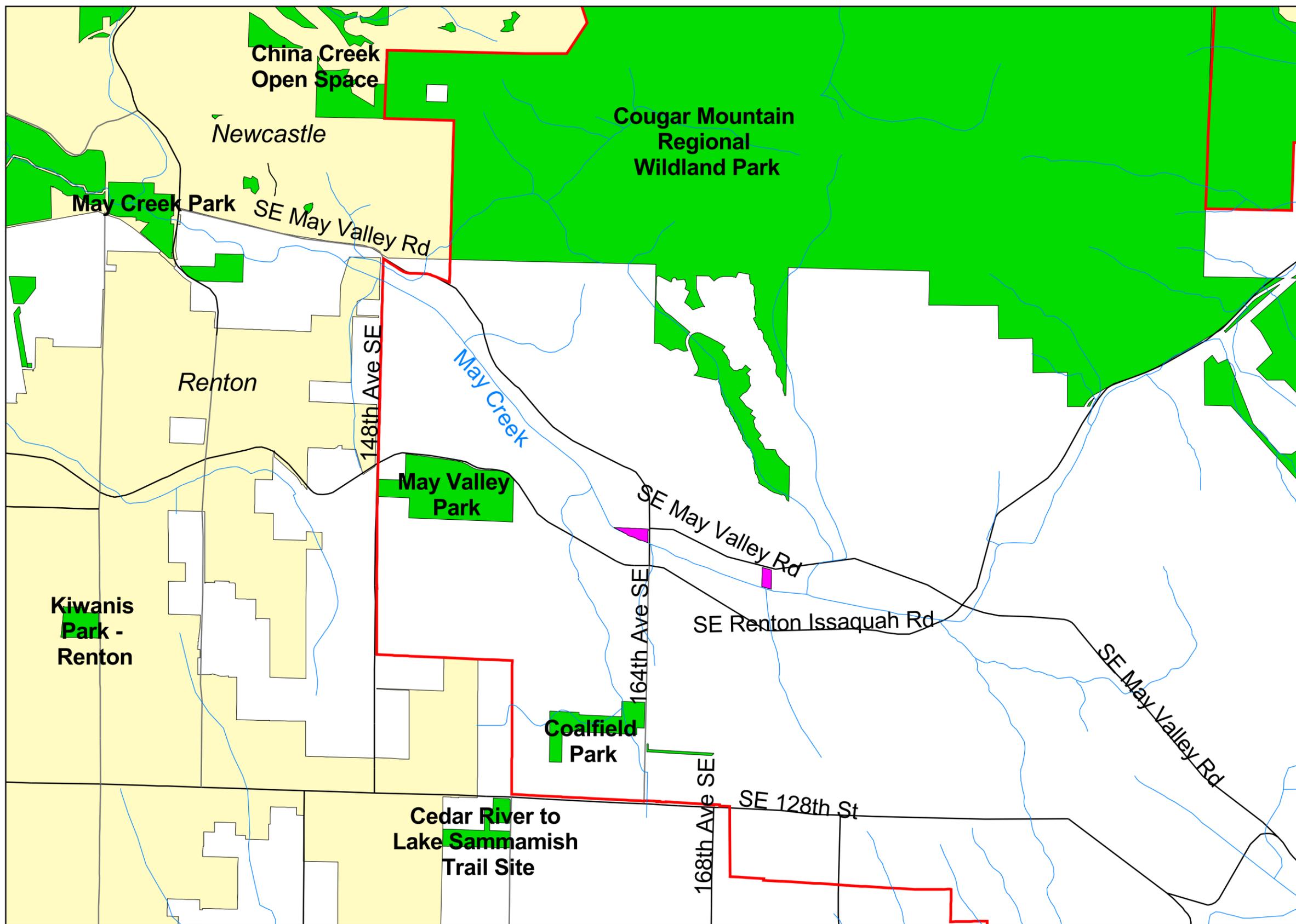
The First American Title Insurance Company Title Report #813504-C1 (June 16, 2000) includes several deed restrictions in Exhibit B of the title. An excerpt of the relevant deed restrictions is included below:

- "(i) The property shall be dedicated and maintained in perpetuity for uses compatible with open space, recreational, or wetlands management practices, and;*
- (ii) No new structure(s) will be built on the property except as indicated below:*
 - (a) A public facility that is open on all sides and functionally related to a designated open space or recreational use;*
 - (b) A restroom; or*
 - (c) A structure that is compatible with open space, recreational, or wetlands management usage and proper floodplain management policies and practices..."*

Easements on the property include:

- March 19, 1919. Recording Number 1290319. Chicago, Milwaukee, and St. Paul Railway Company. For an electric transmission system, northerly portion.
- November 2, 1965. Recording Number 5948484. Coalfield Flood Control Zone District. For a "drainage channel and/or other flood control works," in the southerly portion.¹

¹ The Coalfield Flood Control Zone District was disbanded in the late 1960s after a Local Improvement District levy failed at the polls (Neal pers. comm. 2003).



Legend

- May Valley 164th Natural Area
- Streams
- KC Urban Growth Area
- Streets**
- Freeway
- Primary
- Collector
- Minor
- Parks
- Municipal Boundaries



January 6, 2005
 0.1 0 0.1 0.2 0.3 0.4 0.5 Miles

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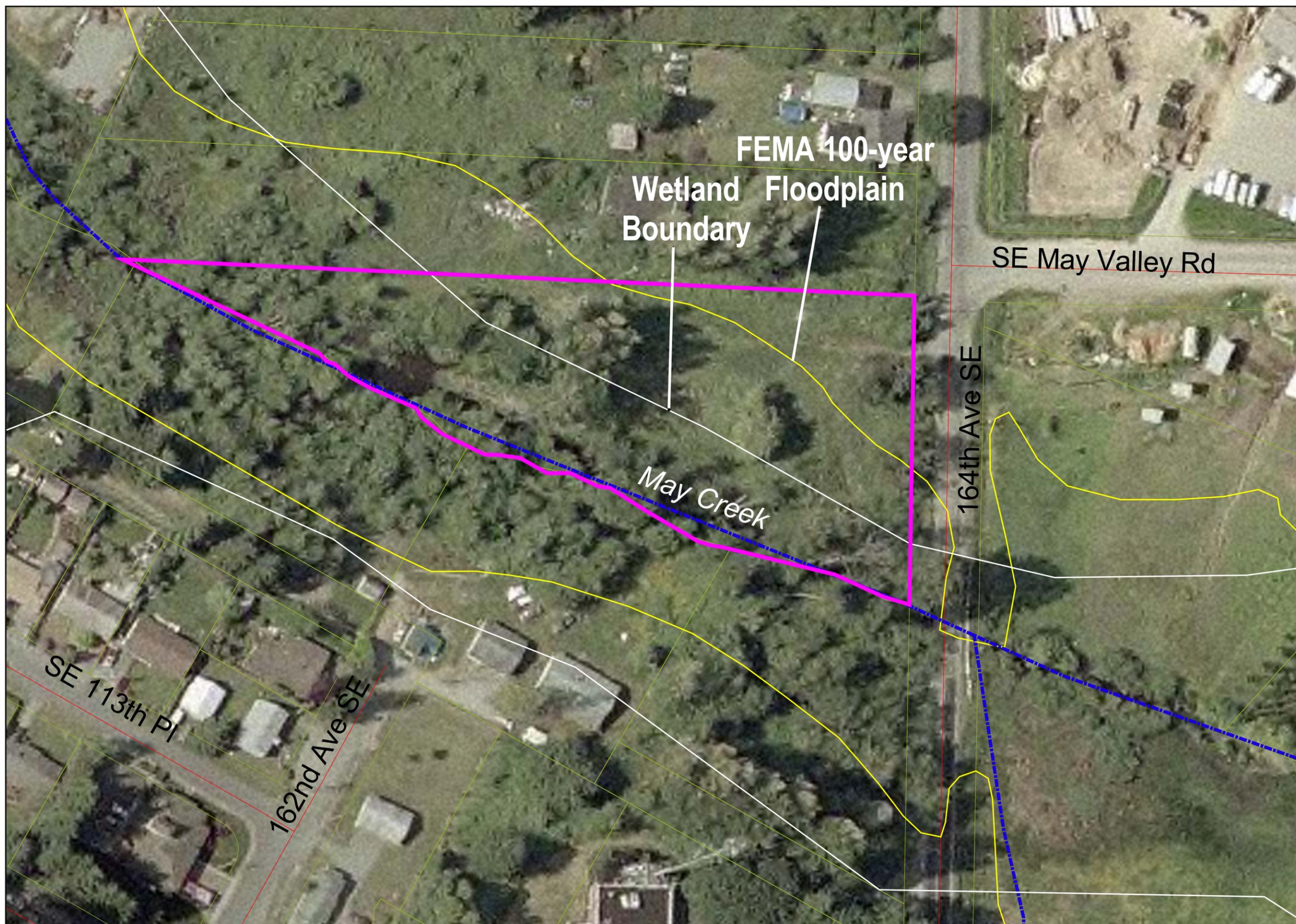
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Figure 1

May Valley 164th Natural Area: Vicinity Map



King County



Legend

-  Wetlands
-  Streams
-  FEMA floodplains
-  Streets
-  Parcels



January 6, 2005
 30 0 30 60 90 120 150 Feet

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Figure 2

May Valley 164th Natural Area: Site Features



King County

Part 3. Ecological Resources

May Creek

May Creek (WRIA 08-0282) is 8.6 miles in length (Williams et al. 1975). The creek drains a 14-square mile basin from Lake Kathleen and numerous unnamed tributaries on the eastern Renton Plateau to Lake Washington in the west (King County 2001a). The *Action Plan* identified four sub-basins within the May Creek drainage; this site lies in the May Valley sub-basin that comprises the stream and valley floor wetlands in the eastern portion of the basin. The site is just west of the 164th Ave SE stream crossing at River Mile 5.3 (Williams et al. 1975).

The creek was straightened before 1936 and its associated wetlands ditched and drained, apparently for agricultural purposes (King County 2001a). The creek has often been referred to as a ditch in documents and in the King County Assessor's map of the area. The classification of May Creek was clarified in 2001 Hearing Examiner proceedings (February 21, 2002, code enforcement appeal of DDES Case E0101261). This ruling held that May Creek constitutes a "stream" rather than a ditch in the vicinity based on current salmonid use and on the stream's existence prior to ditching.

May Creek is mapped as Class 2 with salmonids through the site, which requires a 100-foot buffer under King County Sensitive Areas regulations (King County 1990a; King County Code 21A.24).

Wetlands

The King County Wetlands Inventory included this site in the 142-acre May Creek Wetland #5 (King County 1990b). The *May Creek Current and Future Conditions* report considered Wetland #5 contiguous with Wetland #15 upstream of SR 900, increasing the acreage to 208 acres (King County 1995). This riparian wetland extends along May Creek and South Fork May Creek, supporting forested, scrub-shrub and emergent vegetation classes. This Class 1 wetland requires a 100-foot buffer (King County Code 21A.24).

The May Valley 164th Natural Area supports scrub-shrub wetland systems associated with May Creek. Except for the driveway area at the northeast property corner, most of the site is within a wetland, wetland buffer, stream buffer or 100-year floodplain. These portions of the site are subject to use restrictions under sensitive area regulations.

Vegetation

Most of the western and southern portions of the property are forested. The riparian buffer along the stream supports a shrub and tree canopy, comprised of willows, cottonwood, dogwood, ash, salmonberry, spiraea, and blackberry. Most of the site supports scrub-shrub and forested wetland; project work has established plantings in portions of the site.

Fish and Wildlife

The StreamNet database indicates that May Creek supports spawning and rearing coho salmon in the vicinity of this site (through River Mile 8.1); the "Known Freshwater Distribution of Salmon and Trout" maps for WRIA 8 indicate record of coho use through River Mile 7.7 (StreamNet 2002; King County 2001b). The StreamNet Database and the "Known Freshwater Distribution" indicate that May Creek's lower reaches support spawning and rearing chinook through River Mile 3, and sockeye salmon up to River Mile 5 (StreamNet 2002; King County 2001b). Coho salmon are listed as a candidate species and chinook salmon are listed as a threatened species under the federal Endangered Species Act. Steelhead trout have been mapped in May Creek through RM 3; cut-throat trout utilize May Creek and tributaries through their upper reaches (King County 2001b). There is regular beaver activity at the site. No survey of wildlife use has been conducted at this site.

Part 4. Site Use and Infrastructure

Access

The site is bounded by wire and wood post fencing along the 164th Avenue SE. The fence is in relatively poor condition, with gaps in its length.

A driveway from 164th Ave SE extends into the property at the northeast corner. The driveway is blocked with three removable bollard posts, which allows room for two cars to park between the bollards and the street. Inside the driveway at the northeast corner of the property, an area of compacted fill lies at an elevation above the 100-year floodplain, and outside of the wetland and stream buffers. This area is of insufficient size for vehicle turn-around, which prohibits parking from being established on the site without adding additional fill and site disturbance (Williams 2002 pers. comm.).

A powerline easement occupies three feet along the entire northern property line and extends into the adjacent property to the north. This property is a 25'-wide piece of vacant land owned by the homeowner to the north. This vacant land has been the site of public dumping. An informal road through this vacant property leads to the northwestern end of the King County property, which may allow an inroad for inappropriate dumping or access on the site.

Public Use

The parcel is used for passive recreation uses such as walking and nature observation. There are no trash cans, restrooms, or formal trails at the site. Informal trails provide several different paths to May Creek.

This property was acquired specifically for flood control purposes. This site is highly constrained by environmental conditions, as well as by a lack of parking. The site is appropriate for low levels of passive recreational use by the local community, but is not a park that can serve regional needs.

Part 5. Site Management Chronology

Site History

This property has been a residential parcel during the known history of the May Valley 164th Natural Area. A one-story house was constructed on the property in 1950. The property contained a house and two small outbuildings at the time of acquisition, located on the eastern portion of the site. The house foundation and the septic system were subject to flooding during past flood events. The May Creek Basin Phase 1 Solutions Analysis (1996) notes that "house foundation...flooded 4 to 6 times in 1987 to 1991; Garage and outbuilding (stables) are flooded; well and septic tank flooded every winter."(King County 2001c)

King County Project Activities

Project work in spring 2001 removed the three structures and approximately 150 cubic feet of fill from the floodplain. The septic tank was cleaned, filled, and abandoned. The wellhouse was removed in 2001, and the well was decommissioned in 2003. Associated work included removal of invasive species (blackberries and reed canarygrass), erosion control, and revegetation with native trees and shrubs. Plantings occurred in the western portion of the parcel, along the southern boundary with May Creek, and along the eastern boundary.

Encroachment activities on the site in August 2001 involved dredging and culverting at the site. As property owner, King County was responsible for bringing the site into compliance with applicable code and regulations. Abatement work and revegetation were completed by mid-October 2002. Work included removing fill and culvert, revegetating cleared areas, and anchoring woody debris along the stream. Monitoring will be required for three years (until October 2005) to meet permit conditions.

Current Site Management Responsibility

The site acquisition and project actions were performed by King County Capital Projects and Open Space Acquisitions (CPOSA). On October 14, 2002, the site was transferred to the King County Ecological Lands inventory. CPOSA bears responsibility for continued monitoring and maintenance of the plantings on the site until 2005. King County Parks staff and Natural Resource Lands (NRL) are responsible for regular site maintenance and management activities.

Part 6. Analysis

This section is intended to integrate the above information, and provide the analysis from which site management recommendations will be made.

Flood Reduction

Work to date on the site has removed the structures and septic system from the floodplain, thereby achieving the initial goals of the acquisition (as noted in Part 2, the goal was “to solve flooding problems at structures...that were being flooded” (King County 2003a, p.2)).

Most of the site is in the floodplain, and much of it is wetland; therefore the site already provides off-channel storage at times of high water. Project work to create a small depression in the lawn area to increase topographic variation for wetland plant diversity may provide a very limited amount of additional flood storage as well.

Future conditions at the site should include: minimal to no compaction, impervious surfaces, or structural impediments to flow in the 100-year floodplain, the wetland, the stream, or their respective buffers.

Ecological Conditions

The guidance of the *Action Plan* indicates that this type of acquisition for flood protection would be maintained as open space and managed to contribute to habitat value. Much of the work performed at the site was to revegetate after the structures were removed or during abatement work. The stream and associated wetland systems in this vicinity are a significant public resource contributing to water quality, water quantity regulation, off-channel floodwater storage, and other ecological benefits. May Creek is spawning and rearing habitat for coho salmon in the vicinity of this site.

Streams, wetlands, and buffers are landscape attractors for public use. As sensitive systems, they could be impacted by public use (impacts include trampled or damaged vegetation, compacted soils, impaired drainage, or vandalism). King County CPOSA must meet permit monitoring requirements for at least three years after abatement activity is completed; substantial investment in plantings and project work could be jeopardized by unanticipated site impacts.

Future ecological conditions at the site should include: structurally diverse riparian buffer and wetland complex comprised of a mixed shrub and tree canopy; minimal compaction and impervious surfaces in the wetland and stream buffer, or in the 100-year floodplain at the site.

Public Use

The site offers limited opportunity for passive recreational use in areas where sensitive resources (wetlands, streams, recent plantings) will not be impacted: primarily in the upland area at the northeast corner of the site. The size and location are such that it would support only occasional local passive recreational uses such as nature observation, picnicking, and walking in non-sensitive portions of the site would be appropriate. The area’s history and ecology are possible interpretive signage topics.

The limited size and access of this property make it a low priority for King County-financed park improvements. However, community proposals may be submitted for grants to install site improvements.

These proposals should be reviewed to determine if they are in accordance with site constraints (wetlands, stream, floodplain, buffers, limited parking, monitoring requirements, local use passive recreational site). Public facilities should be in accordance with flood control and ecological goals. Therefore, facilities should not introduce new impervious or semi-impervious surfaces to the site, nor should they allow public encroachment into sensitive areas. Facilities should be installed by King County to ensure compliance with park standards, sensitive area regulations, and deed restrictions.

The community may become involved in site stewardship through the King County Parks Ambassador or Adopt-a-Park program, or through the establishment of a “Friends of” group. This type of group would work with NRL or Parks Resource Coordinator.

Primary access to the site is from 164th Ave SE. The adjacent property to the north has an area where garbage has been dumped, and may allow alternative access to the King County site from 164th Avenue as an inroad for additional dumping.

Future conditions at the site may include limited low-impact public access in the upland portion of the site (outside of the floodplain, sensitive areas, and buffers).

Consideration of long-term site retention

The main flood control goal has been achieved at the site. Project work to date will contribute to long-term achievement of ecological goals at the site. The May Valley 164th Natural Area is an unusual site for a local park, as the environmental and access constraints permit little passive recreational opportunity.

Surplusing the site once permit monitoring requirements are fulfilled in October 2005 could turn the site over to private or land trust ownership, and allow King County to redirect resources elsewhere. Deed restrictions and sensitive area regulations will protect the site; public benefits will have been secured by removal of structures from floodplain. The decision may be made in the future to re-evaluate keeping this park in County ownership.

Part 7. Management Goals, Objectives, and Recommendations

The objectives and recommendations in this section are derived from the analysis in the previous section.

Goals for May Valley 164th Natural Area

The goals for all King County Ecological Lands are to:

- conserve and enhance ecological value, and
- accommodate appropriate public use that does not harm the ecological resources on site

The objectives and recommendations that follow are designed to support these goals at May Valley 164th Natural Area.

Management Objectives and Recommendations

Objective: Ensure that public use does not impact the site’s ecological resources.

Recommendation: Monitor location, intensity, and extent of public use at the site.

Parks Resource Coordinator should monitor the site on a monthly basis. Public use is appropriate in the area outside of the wetland, stream, and their buffers (i.e. the northeast corner of the property). Activities that would be appropriate for the site include picnicking, nature observation, and walking in the portions of the site that are not sensitive areas.

If the Resource Coordinator determines that public use is inappropriate in its location, intensity, or extent, then this should be addressed as needed. Protective actions may include: limiting pedestrian

access to sensitive areas, post directive signage to identify appropriate site use; decommission current or future informal trails that inappropriately impact sensitive areas; demarcate boundary and/or sensitive portions of site using signage or fencing; repair fencing along 164th Ave SE.

Recommendation: Regular monitoring of plantings by CPOSA.

CPOSA should maintain a regular annual schedule for monitoring the site and replacing plantings when needed to meet permit requirements. If plantings have been impacted, CPOSA may consider steps similar to the above recommendation to protect their plantings and abatement work.

Objective: Maintain relationship between community members and King County

Recommendation: Work with the community on site stewardship involvement (if interest arises).

NRL and Parks Resource Coordinator can respond to community groups that may be interested in site stewardship. This arrangement may be established through the King County Adopt-a-Park or Park Ambassador Program, or through the formation of a “Friends of” group.

Recommendation: Address proposals made by the public for site improvements as they arise.

Community proposals may be submitted for grants to install site improvements. These proposals should be reviewed to determine if they are in accordance with site constraints (wetlands, stream, floodplain, buffers, limited parking, monitoring requirements, local use passive recreational site) before decisions are made on these proposals.

Objective: Ensure that future activities support ecological and flood control goals.

Recommendation: Consider ecological and flood control interests in design of future projects.

No projects are proposed at this time. Any future proposals should be reviewed by stakeholders in the site to ensure that on-site enhancement projects meet goals for ecological lands and *Action Plan* goals.

Objective: Evaluate long-term retention of site by King County in the future.

Recommendation: Revisit County ownership of site once permit monitoring requirements are fulfilled in October 2005.

In 2005, King County stakeholders should discuss whether there is interest in surplusing the site. Consideration should be given to the availability of a new property owner, and the long-term preservation of initial goals with change in ownership.

Implementation

The following table lists recommendations, indicating yearly timeframe and staff responsible for recommendations. NRL staff will revise the recommendations for May Valley 164th Natural Area within five years, or more frequently when new information from site monitoring programs and other initiatives indicates a need for a change in management strategies.

Table 2. Matrix of May Valley 164th Natural Area Management Recommendations

| Recommendations | year | Park Resource Staff | Watershed Stewardship Staff | FHRS | CPOSA | NRL staff |
|---|----------------------------------|---------------------|-----------------------------|------|-------|-----------|
| Priority One | | | | | | |
| Regular site monitoring | Monthly | X | | | | |
| Regular planting monitoring by CPOSA | As required by permit conditions | | | | X | |
| Install low-cost signage at site | 2004 | X | | | | X |
| Priority Two | | | | | | |
| Work with the community on site stewardship involvement (if interest arises). | | X | | | | X |
| Address public proposals for site improvement | As needed | X | X | | | X |
| Consider flood control goals in future project design | As needed | | X | X | X | X |
| Consider site surplus in 2005 | 2005 | X | X | X | X | X |

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