

Bingaman Pond Natural Area Site Management Guidelines

May 2005



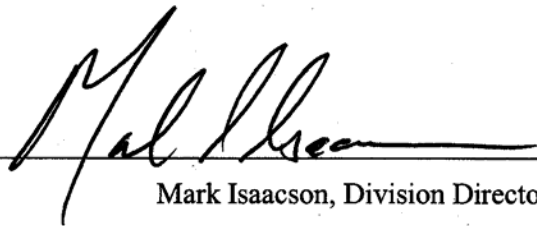
King County

Department of Natural Resources and Parks

Water and Land Resources Division

Bingaman Pond Natural Area Site Management Guidelines

May 2005



Mark Isaacson, Division Director
King County Water and Land Resources Division



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Department of Natural Resources and Parks
Water and Land Resources Division

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Bingaman Pond Natural Area Site Management Guidelines

Summary

Site Description

Bingaman Pond Natural Area is a King County Department of Natural Resources and Parks (DNRP) Ecological Land. Ecological Lands are managed for the protection of their ecological value, with appropriate public access.

Bingaman Pond Natural Area consists of 4 parcels owned in fee comprising 17.39 acres, plus a 0.5-acre conservation easement. The parcels were acquired in 1995 and 1996. The site is located at the headwaters of a small unnamed tributary to the Green River. The site is located within the Potential Annexation Area for Federal Way.

The unnamed stream bisects the site from west to east, flowing into Bingaman Pond at the site's eastern edge. The King County Wetlands Inventory classifies the 12.7 acre palustrine wetland associated with Bingaman Pond as a Class I wetland. A dam that is still in existence was constructed in the past to irrigate cranberry fields, and has altered drainage to the west of the pond.

The King County Wetlands Inventory identified Oregon ash, quaking aspen, vine maple, red-osier dogwood, wild crabapple, cascara, salmonberry, willow, and hardhack in the wetland. Much of the rest of the site is mixed deciduous and coniferous forest, varying from young stands of alder to several large diameter second growth coniferous trees. Common species within the Natural Area are red alder, Douglas-fir, bigleaf maple, western red cedar, and western hemlock.

Public Use

Visitors access Bingaman Pond off of S. 284th Place and 37th Place S. There is on street parking at the terminus of 37th Place South on the south property boundary, next to a King County-owned stormwater pond parcel. There is no developed parking area. Horses are not allowed on the site, as indicated by signage at the property.

The Natural Area receives relatively low numbers of visitors, who primarily use the site for walking and nature observation. A system of informal trails spans the site. These trails were improved during 2003-2004 site work by EarthCorps, funded by King County Councilman Von Reichbauer. EarthCorps also performed habitat restoration work and invasive species removal.

A portion of the trailwork was done on adjacent King County DNRP Stormwater Services parcel 3874010940 due to confusion about property boundaries. NRL is working with Stormwater Services to ensure trail location and use is formalized through a permit or other appropriate arrangement.

Management Objectives and Recommendations

The goals for all ecological lands are to conserve and enhance ecological value, and to accommodate appropriate public use that does not harm the ecological resources on site. The following are management recommendations that are designed to support these goals. Text follows each recommendations explaining how that recommendation applies at the site.

Objective: Maintain ecological integrity of the site

Recommendation: Ensure that management and public access support the regional ecological value of site

Decisions about site management and public access should consider significance of the stream and Class 1 wetland at the site, and the significant investment in habitat restoration/invasive removal made in the past EarthCorps work. Public use at the site consists of walking and nature observation on the established trails. This overarching recommendation is carried out through the various recommendations below.

Recommendation: Monitor for and control noxious vegetation as appropriate

KC Park staff should monitor the site for noxious species that are required to be removed by state law. The current King County noxious weed list should be reviewed annually for changes in listing status and control requirements. (Schedule: annually)

Park staff should remove the tansy ragwort on site using Integrated Pest Management strategies. (Schedule: 2 x a year until eradication is complete)

Recommendation: Fill in data gaps

Only if the site is to be retained by King County in the future, the Science, Monitoring and Data Management section should complete an ecological assessment to gain a more thorough understanding of the ecological characteristics of the area. (Schedule: as prioritized)

Objective: Support current level of passive recreation opportunities

Recommendation: Monitor public access

Park staff should note changes in visitor numbers, types of recreational activities, and noticeable visitor impacts on the ecological values of the site. For example, impacts might include trampling of native vegetation, increased litter, and increased bank erosion. This information should be reported annually to King County Natural Resource Lands Management staff responsible for updating site management guidelines. These changes in visitor impacts may require a change in management activities. (Schedule: monthly)

Recommendation: Maintain trails

Park staff should remove vegetation encroaching on the trail system. (Schedule: 2 x a year)

Park staff should monitor and remove debris from the culvert near the southern access point. (Schedule: as needed)

Recommendation: Protect the site from inappropriate public uses

Park staff should recommend, install, and maintain any necessary additional capital improvements to protect the site from inappropriate public uses. This could include bollards, signs, concrete blocks, and boundary markers. (Schedule: as needed)

Park staff should monitor the site for vandalism, encroachment, dumping, and other trash and respond as necessary to maintain a clean and safe property. (Schedule: weekly)

Park staff should consider installing “Pack-it-in, Pack-it-home” signs on this property if litter activity increases. (Schedule: as needed)

Park staff should monitor the conservation easement portion of the site and complete the conservation easement monitoring form. (Schedule: annually)

Objective: Implement site management guidelines recommendations

Recommendation: Site Maintenance Plan Creation

Park Resource staff should prepare a site maintenance plan (a work plan) to include the litter/dumping, inspection, and invasive control tasks identified in the recommendations. NRL staff should coordinate with Park Resource staff on this effort. (Schedule: annually).

Recommendation: Coordinate Implementation

NRL staff should coordinate with the various programs responsible for implementing these recommendations to facilitate their timely accomplishment. (Schedule: ongoing).

NRL staff should coordinate with Park Resource staff to revise the site management guidelines. (Schedule: as needed or 2008).

Objective: Provide for Public Safety**Recommendation: Monitor/remove hazardous trees**

Park staff should inventory, monitor, and remove trees identified as hazardous to people or private property along property lines or near houses. (Schedule: 2005)

Objective: Resolve Trail Location Issues**Recommendation: Work with King County Stormwater Services to address trails on their parcel**

NRL staff should work with Stormwater Services staff (and Parks Property Management and Real Estate Services staff as appropriate) to determine appropriate way to document and permit trail location on Stormwater Services property. If this use is not appropriate, then trail location may need to be moved. (Schedule: 2005)

Objective: Coordinate Site Transfer Issues**Recommendation: Notify King County Stormwater Services of need to retain drainage easement**

If site is transferred, NRL and other appropriate staff should make sure King County Stormwater Services is notified and given opportunity to retain a drainage easement on parcel 342204-9284. (Schedule: As needed)

Recommendation: Work with King County Stormwater Services address trail locations

If site is transferred, NRL and other appropriate staff should make sure to consider implications for the trail and bridge being located on King County Stormwater Services' parcel and providing access to site. Stormwater parcel may also be transferred to Federal Way at the same time. (Schedule: As needed)

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Bingaman Pond Natural Area Site Management Guidelines

Introduction

Bingaman Pond 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, and a list of management objectives and recommendations for Bingaman Pond. These site management guidelines were developed using guidance established in the King County Water and Land Resources Division Ecological Lands Handbook (King County 2003).

Part 1. General Property Information

Bingaman Pond Natural Area is located east of the City of Federal Way in South King County, approximately 25 miles south of downtown Seattle and eight miles north of downtown Tacoma. (Refer to Figure 1 for a general vicinity map.) The Natural Area is approximately one mile southeast of the South 272nd Street interchange with I-5. This area is currently in a pocket of King County surrounded by the Kent city limits to the north, Auburn city limits to the east, and Federal Way city limits to the west. The vicinity of Bingaman Pond Natural Area contains fairly dense residential and commercial development.

Bingaman Pond is located within the Potential Annexation Area (PAA) for Federal Way. King County's recent policy has been to transfer properties within potential annexation areas to the appropriate city, and we anticipate that this property will likely be transferred within the next few years.

The Bingaman Pond Natural Area is zoned R-4 in accordance with the 2000 King County Comprehensive Plan. The zoning designation refers to urban residential areas that are predominantly environmentally unconstrained and are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities. (King County 2000) The number "4" after the "R" designation indicates the base number of dwelling units allowed per acre.

Table 1. Bingaman Pond Natural Area General Information.

Best Available Address	S. 284th Place and 37th Place S., Auburn
Thomas Guide Map Location	715, D6/7, E6/7
Legal Description	Section 34, Township 22 N, Range 4E
Acreage	18.6 acres
Drainage Basin	Lower Green River - West
WRIA	9
Council District	7
King County Sensitive Areas	wetland #3215, stream

Table 2. Bingaman Pond Natural Area Parcel Information.

Parcel Number	Acreage *	Purchase Date	Ownership type/price	Previous Names	Recording Number	Zoning	Funding Source
796760-0050	4.25	3/2/1995	Owned in fee \$110,000	Mullen; East Federal Way;	199503021095	R-4	1989 Open Space Bond
342204-9242	.71	3/2/1995	Road Easement	Harlock; East Federal Way	199503021094		
342204-9059	3.92	3/2/1995	Owned in fee	Federal Way			
342204-9151	.5 ⁺	6/7/1995	Conservation Easement \$20,000	Zugel; East Federal Way	199605060245 (orig recorded as 199508021181)		
342204-9283	2.5	12/6/1995	Owned in fee \$42,000	Winkler; East Federal Way	199506120970		

Parcel Number	Acreage*	Purchase Date	Ownership type/price	Previous Names	Recording Number	Zoning	Funding Source
342204-9284	6.72	3/18/1996	Owned in fee \$90,000	Goertz: East Federal Way	199603181379		

*acreage from King County Assessor's data.

†King County's easement is only on the southern half of the parcel identified by this number

Part 2. Acquisition, Funding Source and Deed Restrictions

Funding Source

King County acquired the Bingaman Pond Natural Area in 1995 and 1996 with 1989 Open Space Bond Funds.

1989 Open Space Bond Funds

King County voters authorized the \$117,640,000 King County Open Space Bond initiative, described in King County Ordinance 9071, in November 1989 to provide funds for the acquisition, development, renovation and improvement of public green spaces, green belts, open space, parks and trails in King County. Specific goals included preserving wildlife, enhancing scenic vistas, providing access to the water and open space, and providing trail connections between virtually all the cities in King County to a regional trail system and trails within the suburban cities and unincorporated areas of King County (King County 1989).

King County Ordinance 9071 authorizes reclassification of bond funds in Section 8, part C. Land use restrictions associated with Open Space Bond funds are identified in Section 8, part D:

“Projects carried out by a Governmental Agency in whole or part from bond proceeds shall not be transferred or conveyed except by agreement providing that such land shall continue to be used for the purposes contemplated by this ordinance; nor shall they be converted to a different use unless other equivalent lands and facilities within the Governmental Entity shall be received in exchange therefor. The proceeds of any award in condemnation of any project shall be used for the acquisition or provision of other equivalent lands and facilities. However, nothing in this ordinance shall prevent the granting of easements, franchises, or concessions or the making of joint use agreements or other operations agreements compatible with the use of a Project as provided for in this ordinance.” (King County 1989)

Easements and Deed Restrictions

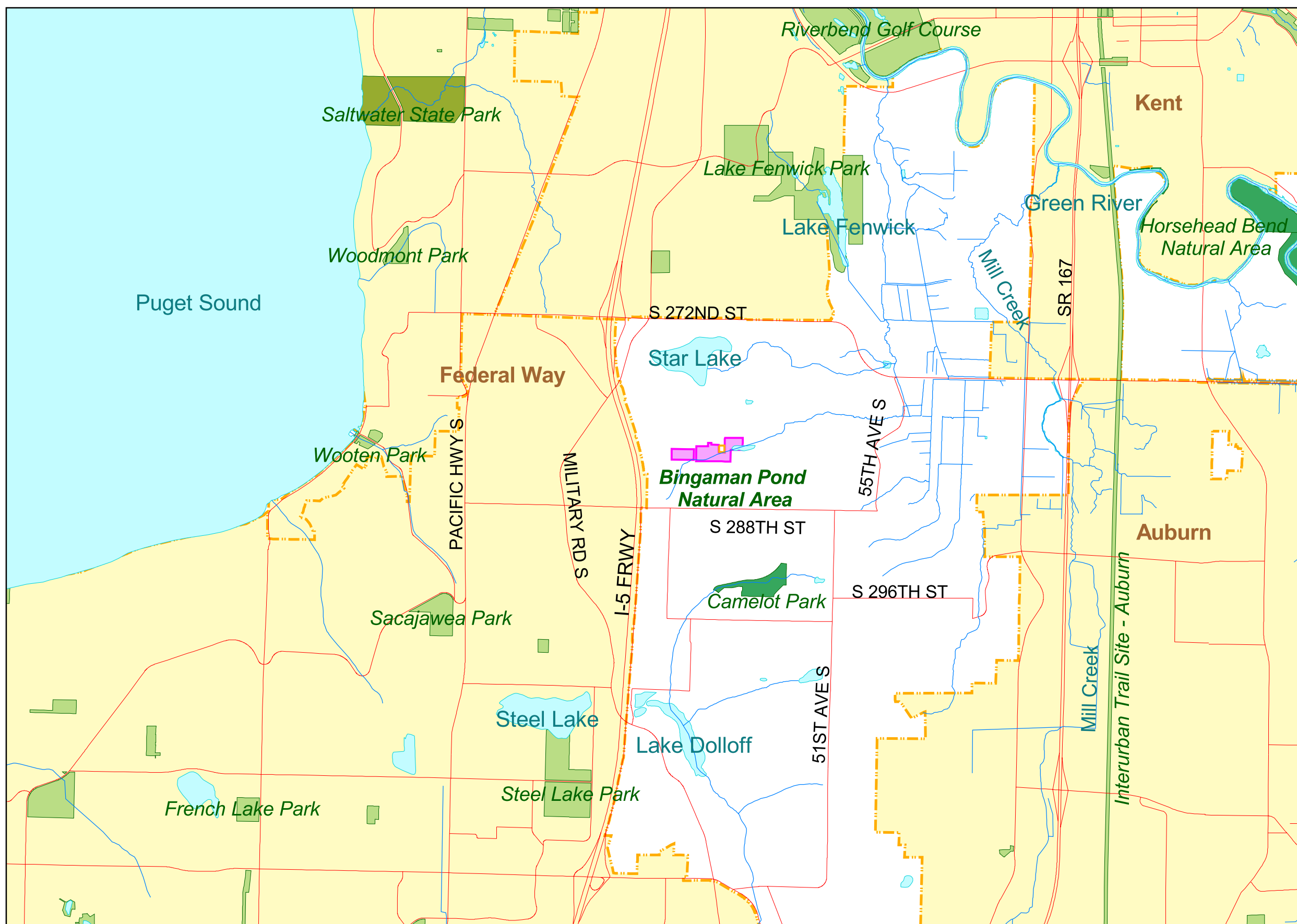
Please reference Figure 2 for a map depicting parcel numbers of Natural Area and neighboring parcels as referred to below.

Parcel 796760-0050 (Mullen)







There are no easements or deed restrictions listed in the title report or the Statutory Warranty Deed. However, the title report noted that (Palmer, Groth, and Pietka, Inc. 1994, p. 11):

“The on-site inspection of the property showed the presence of a drainage line on the property from the parcel immediately to the north. Mr. Mullen said that he had allowed the adjoining property owners to install the drainage pipe because the property drained that way anyway.”

A platted but unopened 30-foot wide right of way extends along the southern boundary of this parcel for South 284th Street. 34th Avenue S, an unpaved private road, currently terminates at the NW corner of this parcel but a 20-foot right-of-way for this road extends along the entire westerly boundary of this parcel. 37th Avenue South is mapped as a 60-foot unopened right-of-way along the eastern boundary of this parcel (37th Place South is a paved platted public road 60-feet in width that terminates at the southeast boundary of this parcel). (Palmer, Groth, and Pietka 1994, p. 32)



Legend

-  Streams
-  Conservation Easement
-  Water Bodies
-  Bingaman Pond Natural Area
- Parks**
-  King County Parks
-  City
-  State
-  Federal Wilderness
-  Other King County
-  Vashon PRSD
-  Non-Public Agency
-  City Boundaries
-  Incorporated Area



March 14, 2005
 0.2 0 0.2 0.4 0.6 0.8 1 Miles

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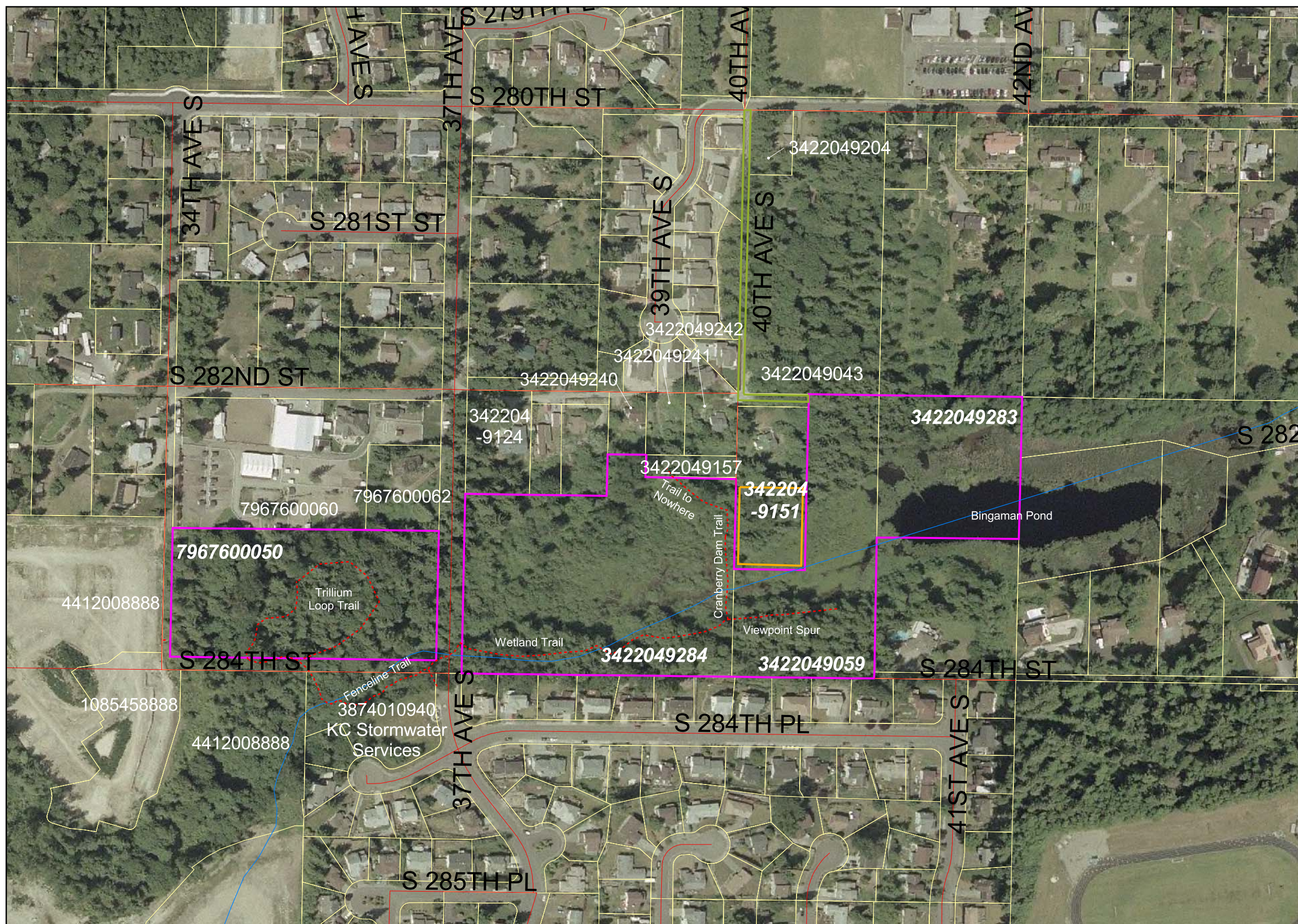
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Figure 1

Bingaman Pond Natural Area Vicinity Map



King County



Legend

Parcel numbers for Bingaman Pond Natural Area parcels are in bold italics.

Parcel numbers for adjacent parcels referred to in Site Management Guidelines are in normal font.

No public access is allowed on the Conservation Easement parcel 3422049151

Stream and Trail locations are approximate. Trail names are from EarthCorps map of site work.

Aerial photo date 2002.

Trails (approximate locations only)

- Local Trails
- Streams
- Conservation Easement
- Road access easement
- Streets
- Bingaman Pond Natural Area
- Parcel Data



March 14, 2005
 80 0 80 160 240 320 400 Feet

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Figure 2

Bingaman Pond Parcel Numbers, Easements, and Trail Locations

Parcel 342204-9059 (Harlock)

This parcel was purchased together with a 15-foot wide easement for ingress and egress from S. 280th Street, listed in the legal description. This easement runs on part of privately owned parcel 342204-9242 (address for this parcel is 3915 S. 282nd Street). The appraisal refers to this road as “40th Avenue South, a private easement road”, presumably describing the driveway to this aforementioned privately owned house. (Palmer, Groth and Pietka Inc 1994 p. 42)

The easement starts at S. 280th Street, and runs 660 feet due south until the southeast corner of parcel 342204-9043 (private ownership) and entry to the home on parcel 342204-9242. At this point the easement turns east and runs along the southern parcel boundary of 342204-9043 for 115 feet, until it meets the King County-owned parcel 342204-9059. This easement is described in title documents as a “non-exclusive easement,” which presumably would allow public access along the easement (Addendum to Real Estate Purchase and Sale Agreement signed October 1994).

The title insurance policy (dated March 2, 1995) lists several easements that affect the property.

- Easement for drainage purposes dating from 1961 (#5359482) which affects a small triangular shaped area at the northwest corner of parcel 342204-9059 (area encompassed by a line extending south for 65 feet from northwest property corner, and then extending 24 feet east into parcel, and back diagonally to northwest property corner). The grantors were the owners of parcel 342204-9059, and the grantees were the Cavenders (owners of 342204-9151). The grantors’ successors in ownership (currently King County as property owners) “shall make no use of the land occupied by said easement except for maintenance of drainage.” The grantees’ successors in ownership have the right to “pass and re-pass over said easement, may cut and remove brush, trees, and other obstructions which in the opinion of the grantee interfere with [drainage].” This drainage easement was recorded together with #5359483 on parcel 342204-9151 (see discussion under parcel 342204-9151 section below).
- Agreement for providing a water line which dates to 1955 (#4624497). This agreement apparently provides a right to maintain and run a water line through the west 15 feet of parcels 342204-9204 and 342204-9043. (King County Title Officer’s Review of Title Report 1994, p.2)
- Easement for road and utilities dating to 1977 (#197701260409). This easement follows 40th Avenue South, i.e. the road easement as described above in the first paragraph. There is no information in the title report or appraisal for this parcel of any road maintenance obligations associated with ownership of this parcel 342204-9059. The adjacent parcel 342204-9151 is part of a road maintenance agreement for 40th Avenue South (see description below).

The appraisal notes that a platted but unopened 15-foot wide right of way extends along the southern boundary of this parcel for South 284th Street (though this does not show up on current parcel maps). The appraisal also notes that S. 282nd Street is an unpaved private easement road that extends to parcel from 37th Avenue South to the northwest. (Palmer, Groth, and Pietka 1994 p. 42)

Parcel 342204-9151 (Zugel) – Conservation Easement Parcel

This parcel has a number of easements/covenants recorded. However, King County has only purchased a conservation easement on this parcel. Therefore King County is not affected by or obligated under any of these easements.

- This parcel is affected by a road maintenance agreement (#8406040218) for 40th Avenue South between 280th and 282nd Avenue South. The road maintenance agreement specifically obligates the owner of parcel 342204-9151 to share road maintenance costs when deemed necessary by majority vote of obligated parties. The other parties participating in road maintenance are not known (note that King County as owner of 342204-9059 has an easement on said road, but title/deed information for parcel 342204-9059 revealed no obligation to participate in road maintenance).

- Easement for drainage purposes dating from 1961 (#5359483) which affects a small triangular shaped area at the northeast corner of parcel 342204-9151 (this is located outside of the conservation easement area). The grantors were the owners of parcel 342204-9151 (Cavenders), and the grantees were the Harlocks (owners of parcel 342204-9059). The grantors' successors in ownership "shall make no use of the land occupied by said easement." The grantees' successors in ownership (i.e. King County as owner of 342204-9059) shall have the right to "pass and repass over said easement, may cut and remove brush, trees, and other obstructions which in the opinion of the grantee interfere with [drainage]." This drainage easement was recorded together with #5359482 on parcel 342204-9059.

The appraisal notes that access to the parcel in general is via 40th Avenue South, the unpaved private easement road, on which we acquired easement for ingress and egress with purchase of Harlock parcel 342204-9059. The appraisal also notes that access to the parcel is available via S. 282nd Street, an unpaved private easement road that extends to parcel from 37th Avenue South to the west. (Palmer, Groth, and Pietka 1994 p. 62)

Conservation Easement Conditions

The Conservation Easement affects the southern 190 feet of parcel 342204-9151. The purpose of the conservation easement is to "assure that the property will be retained forever in its natural and open space condition and to prevent any use of the property that may impair or interfere with the conservation values of the property." The Grantee (King County) is conveyed the following rights:

- "a. To preserve and protect the conservation values of the Property;
- b. To enter upon the Property at reasonable time to monitor Grantor's compliance with and otherwise enforce the terms of this Easement; provided that such entry shall be upon prior reasonable notice to Grantor, and Grantee shall not unreasonably interfere with Grantor's use and quiet enjoyment of the Property;
- c. To prevent any activity on or use of the Property that is inconsistent with the purpose of this Easement and to require the restoration by the Grantor, its successors or assigns of any such areas or features of the Property that may be damaged by any inconsistent activity or use by Grantor or any permittee, licensee, successor, or assign of Grantor, in accordance with paragraph 6 herein." [Paragraph 6 outlines "grantee's remedies" in case of violations.]

Prohibited activities include, in general, "any activity or use of the property inconsistent with the purpose of this Easement is prohibited and Grantor acknowledges that it will neither conduct, engage in, or permit any such activity or use." In addition to this general guidance, the following activities are specifically prohibited:

- Constructing or installing any building; pipeline, well, septic system, or drain field; utility pole, tower, line or facility; any pond or other surface water impoundment or disrupting or diverting or altering any surface water in a defined bed or channel;
- Logging, pruning or cutting any timber, shrubs, grass or other flora, except as necessary to protect the public health and safety;
- Conducting grazing or agricultural activities; exploration for or development or extraction of minerals or hydrocarbons;
- Any alteration of the surface of the land, including without limitation the excavation or removal of soil, sand, gravel, rock, peat, or sod;
- Paving any surface of the Property; installing or parking any structure such as a mobile home, camper, or other form of live-in vehicle on the Property;
- Dumping or other disposal of wastes, refuse, or other debris;

- Conducting any activity or use of the Property that involves more than 50 people present on the Property at a single moment in time.

The conservation easement grants no right of access to the general public.

Parcel 342204-9283 (Winkler)

This parcel comprised the northern half of parcel 342204-9033 at the time of acquisition. This northern half of the parcel was acquired without legal access. Parcel 342204-9033 is still privately owned and supports a house.

- The statutory warranty deed states that “this conveyance is subject to the provisions of King County Ordinance No. 9071” referencing the Open Space Bond funding source.
- The deed lists two Federal Way Water and Sewer District agreements which primarily affect the privately owned parcel 342204-9033.
- A sensitive area notice was recorded in 1992 (#199204170363) noting the presence of the wetland on the northern half of the parcel, and designating an appropriate wetland buffer on the north side of the house on parcel 342204-9033.
- The appraisal report also notes that the east 100 feet of privately owned parcel 342204-9033 is subject to a Natural Growth Easement, though this Easement does not affect parcel 342204-9283. (Palmer, Groth and Pietka 1995 p. 14)
- A 1910 covenant #723048 is listed on title. The recorded document is a deed of sale for what now comprises parcels 342204-9283 and 342204-9033, with language stating that “the purchaser consents to the deepening or cutting the present water course to a depth that will [allow] good drainage to the land west of above described tract.”

Parcel 342204-9284 (Goertz)

This parcel was part of parcel 342204-9157 at the time of acquisition. A lot line adjustment changed the boundaries of parcel 342204-9157 to be the small lot at the northeast corner of newly created parcel 342204-9284. Parcel 342204-9157 is still privately owned.

- The statutory warranty deed states that “this property herein conveyed is subject to open space use restrictions and restrictions on alienation as specified in RCW 84.34.200, et seq, and King County Ordinance No. 9071” referencing the Open Space Bond funding source.
- There is a “right to enter the premises to make repairs and the right to cut brush and trees which constitute a menace or danger to the electric transmission line located in the street or road adjoining the premises” granted to Puget Sound Power & Light Company in 1946 (#3549390). Title research indicates that the easement does not affect the King County-owned parcel; it affects the northern one foot of parcels 342204-9240, -9241, and -9242 (146 feet north of the King County-owned property). (Title Officer’s Review of Title Report: Goertz Parcel 1994)
- There is an easement for ingress and egress dating to 1955 (#4595444). This right-of-way easement does not affect the King County-owned parcel 342204-9284; it affects the north 60 feet of parcel 342204-9124 only. The easement “grants and conveys a right and privilege and authority to construct, improve, and repair an easement for ingress/egress” across parcel 342204-9124.
- Covenants, conditions, restrictions, easements, dedications, notes and recitals and the terms and conditions thereof, of the 1978 Short Plat recorded as #7809200909. This parcel was Lot 4 of the short plat, and contained no road easement obligations (as did Lots 1-3 of the short plat, which are now parcels 342204-9240, -9241, and -9242.) The short plat indicated that the 30-foot wide strip of what is now 37th Avenue South unopened right-of-way on the western edge of parcel 342204-9284

would be dedicated to King County for right-of-way and street purposes when needed for such purposes. At the time of the plat it was designated as a “local access street or road.”

- Easement for drainage granted to King County in 1995 (#199506190910). This 15-foot wide easement is located along the east 15 feet of parcel 342204-9241 and parcel 342204-9157. The easement enters King County-owned parcel 342204-9284 at its northern boundary at a point 435 feet from the western boundary, and it runs south through the parcel to “the normal water level of the existing pond and wetland.” The easement is “for the purpose of conveying, storing, managing, and facilitating storm and surface water per an engineering plan approved by King County for the project known as Star Lake Glen Subdivision, together with the right for King County to reasonable ingress and egress to enter said drainage easement for the purpose of operation, maintaining, repairing, and improving the drainage facilities contained herein.”

It has been determined by King County Prosecuting Attorney’s Office that King County-owned easements disappear upon purchase of the property by King County. It is the policy of the Natural Resource Lands program to acknowledge and manage the property in accordance with the previous easement conditions, although the easements no longer exist. Stormwater Services has been notified of the issue that their easement no longer exists. If the property is surplus or transferred to another jurisdiction, this easement will have to be reserved again at that time.

37th Avenue South is an unimproved platted road that is mapped along the westerly boundary of the property.

Part 3. Ecological Resources

This section describes the natural resources and ecological processes present at the Bingaman Pond Natural Area. A complete biological inventory has not been conducted at this location. Therefore, the information presented here is not comprehensive.

Topography

The stream corridor and wetlands associated with Bingaman Pond bisect the site from east to west. This corridor represents the lowest elevations at the site. The northern and southern edges of the property slope from upland residential parcels down to the elevation of the watercourse. The high point in the site is the plateau in the northwest portion of parcel 7967600050.

Soils

The King County Soils Survey maps the following soils at the site:

- Everett Gravelly Sandy Loam, 5-15% slope, is mapped over most of parcel 796760-0050 and the very northwest corner of parcel 342204-9284.
- Alderwood Gravelly Sandy Loam, 6-15% slope, comprises the very southwest corner of parcel 796760-0050.
- Orcas Peat is mapped at Bingaman Pond and the wetlands just west of Bingaman Pond in parcel 342204-9059.
- Tukwila Muck is mapped at the stream corridor and wetlands further west of Bingaman Pond in parcel 342204-9284.
- Alderwood Gravelly Sandy Loam 15-30% slopes is mapped on the upland northern and southern edges of parcels 342204-9284 and 342204-9059.

Hydrology

Streams

The stream that flows through Bingaman Pond Natural Area is unclassified in the King County Sensitive Areas Folio (King County 1990). According to King County Parks staff this stream flows intermittently during the year. The Catalog of Washington Streams (Williams et al. 1975) maps this stream as WRIA 09.0049, which is approximately 0.9 miles in length, and is tributary to WRIA 09.0045, an unnamed 4.2 mile stream that enters the Green River at river mile 21.7.

Wetlands

Part of Bingaman Pond lies within the eastern portion of the Bingaman Pond Natural Area. The King County Wetlands Inventory classifies the 12.7 acre palustrine wetland associated with the pond (known as I.D.# 3215 or Lower Green River 15) as a Class I wetland (King County 1991). A dam that is still in existence was constructed in the past to irrigate cranberry fields. This alteration to the flow of water may have contributed to wetland creation west of the pond.

Vegetation

Bingaman Pond Natural Area contains both upland and wetland plant species. Much of the site is mixed deciduous and coniferous forest, varying from young stands of alder to several large diameter second growth coniferous trees. Common species within the Natural Area are red alder, Douglas-fir, bigleaf maple, western red cedar, and western hemlock. The King County Wetlands Inventory identified Oregon ash, quaking aspen, vine maple, red-osier dogwood, wild crabapple, cascara, salmonberry, willow, and hardhack in the wetland. (King County 1991) Invasive species include tansy ragwort, Himalayan blackberry, herb Robert, English ivy, holly, cherry laurel and Scot's Broom.

In the summer of 2003, 300 native plants and trees were installed as part of a habitat enhancement project (noted in Part 5 and discussed in Appendix 2).

Wildlife

No wildlife inventories have been conducted at Bingaman Pond Natural Area. However the King County wetland inventory noted a large number of perches and snags suitable for roosting and cavity nesters along with marsh bird habitat. (King County 1991)

Part 4. Site Use and Infrastructure

This section describes public use, access points, and site infrastructure such as trails, roads, and utilities at Bingaman Pond.

Access

Visitors access Bingaman Pond off of S. 284th Place and 37th Place S., on the southern edge of the property. (Please refer to Figure 2.) There is on street parking at the terminus of 37th Place South on the south property boundary, next to a King County-owned stormwater pond parcel. There is no developed parking area.

Trails

A system of informal trails spans the site. The following trail names were given to the trails by EarthCorps during project work (see next section and Appendix 2).

- Fenceline Trail: From the site entrance at 37th Avenue South, a main trail runs west along the fenceline of the stormwater pond on the adjacent King County Stormwater Services parcel 3874010940. The trail crosses the stream and wetlands on bridges and puncheon. Most of the trail

and possibly some of the infrastructure were installed/improved on Stormwater Services property. (The assumption at the time of construction was that the trails were on King County NRL property, so no special permits or arrangements were made with Stormwater Services. Arrangements will need to be made with Stormwater Services to formalize this use of the site.)

- Loop Trail: Located on westernmost parcel 7967600050. Loop starts at Fenceline trail and includes constructed stairsteps up the slope. The trail traverses a steep slope on its return down the hill at its northwest extent.
- Wetland Trail: Location: Runs east from the 37th Avenue South entrance leading to the trail junction with the Cranberry Dam trail.
- Cranberry Dam Trail: Extends along a bridge in location of historic cranberry bog dam. This trail terminates at the property line (northern extension to property line also called “Trail to Nowhere” by EarthCorps).
- Viewpoint Spur Trail: extension of Wetland Trail to the east past Cranberry Dam trail.

2003 Restoration Project

In 2003, a non-profit group, the Friends of Hylebos Wetlands, contracted with EarthCorps to evaluate the Natural Area for trail and habitat restoration improvements. King County Councilman Von Reichbauer was a key proponent of this project. Please refer to Appendix 2 for project report. Habitat restoration work included removing nearly 14,000 square feet of English Ivy throughout northern areas of the site, removing 3225 square feet of blackberry in the trail entry area and wetland area of the site, and removing English holly, cherry laurel, and Scot’s broom as identified at site.

Specific trail improvements included:

- Fenceline Trail: Logs were installed to support trail edge, bridge and puncheon were installed across stream/wetlands, existing gravel and culvert were removed. Improvements help to keep visitors out of the creek bed.
- Loop Trail: Trail work by EarthCorps removed and replaced steps, replaced boards of railing, and constructed new trail bench to create loop trail.
- Wetland Trail: This trail had improvements made to a set of entry stairs off of 37th Place, spur social trail into wetland was closed and re-vegetated, and general trail improvements were made.
- Cranberry Dam Trail & Viewpoint Spur Trail: Various trail improvements were made
- Trail Closures: Several small trails which negatively impacted sensitive areas or directed users to private property were closed and revegetated.

In previous years, a small group calling themselves the Friends of Bingaman Pond implemented some capital improvements on the site (such as a culvert and a small bridge on entry path). Some of these projects were improved upon during the 2003 EarthCorps project. The Friends of Bingaman Pond no longer seem to be active at the Natural Area.

Public Use

Site inspections indicate that the Natural Area receives relatively low numbers of visitors. Visitors primarily use the site for walking and nature observation. New homes have recently been constructed to the west of the property on parcels 108545-8888 and 441200-8888. Private backyard fencelines separate these new homes from the Natural Area. Significant changes in use patterns have not been noted, though Parks staff will note future changes in use.

Horse Use

A “no horses” sign was posted at one location on parcel 796760-0050 for at least 10 years (pers. comm. Harig 2005, Snyder 2005, Snyder 2004). Though no documentation of this decision exists, it is assumed that the intent was to keep horses off steep slopes and wetland areas on the eastern and southern part of the parcel and the remainder of the site. Evaluations of the site in 2000 and 2003 (contained in Appendix 1 and 2) noted little to no evidence of horse use on trails. There were social trails leading to the horse pasture, but these showed little if any regular use. These social trails were part of a number of trails that were decommissioned during 2003 Earth Corps work.

In the spring of 2005, the owner of the horse barn and a local resident approached Natural Resource Lands and Parks staff inquiring about whether horse use could be allowed on the northwest corner of parcel 796760-0050. There is a horse boarding facility immediately north of parcel 796760-0050 on parcel 796760-0060 (see Figure 2).

Neighbors proposed re-opening a historic trail that is located entirely within the upland area of the site (shown as a dotted line marked “proposed new horse loop” on Figure 2).¹ After discussions with proponents, site visit, and consultation with local stakeholders (other involved neighbors, Councilman VonReichbauer’s office, and Friends of Hylebos Wetlands) a decision was made not to allow this trail to be re-opened and not to allow horse use on the property. The proponent withdrew his proposal for horse use based on evidence that there would be ongoing concerns vocalized by neighbors that would make it difficult for him to meet conditions of use that would be placed on trail. Another significant factor in this decision was recognition that this is not a typical site where King County would support horse use (not a regional trail/riding area, very limited area of use, etc.). Also important was recognizing the increasing densification and probably inevitable future closing of the horse barn as the owners divest themselves of their property.

Infrastructure and Utilities

Infrastructure consists of a bridge in the wetland vicinity, park benches, Natural Area rules signs, and stairs, bridges, and other trailbed features installed during trail construction. There has been occasional vandalism to benches and bridges. If a new horse trail opens, it will require trail hardening with gravel, and equestrian maze gates and signage to prevent horse access to other parts of the site.

As noted in Part 2, the previous owner of parcel 796760-0050 allowed a neighbor to install a drainage pipe onto the parcel. The pipe apparently drains the property immediately to the north, though no pipe has been located at time of writing.

Electrical or phone lines run along the 37th Avenue South unopened right-of-way through the property. There is no recorded easement or covenant documented in title to allow maintenance of these utility lines. Presumably no easement is needed for maintenance because the lines run through unopened right-of-way.

Part 5. Analysis

In this section, site specific information is integrated with larger landscape conservation considerations and fiscal and political constraints to formulate management recommendations that will be summarized in Part 6.

¹ A second trail location proposed by neighbors would be in the northeastern corner of this same parcel. However King County staff felt that this location would be problematic, due to location on edge of steep slope that drops to wetlands/stream below, probable location within SAO buffer, and trail location would be completely new rather than historic location.

Information Gaps

In the absence of more complete site information, actions intended to restore parts of the systems present at Bingaman Pond Natural Area may inadvertently harm rare or critical species and habitats, or negatively affect the ecological processes at the site. A comprehensive ecological assessment would provide a more thorough understanding of the ecological characteristics of the site. This information can be used when evaluating the full spectrum of ecological impacts potentially associated with management activities such as habitat enhancement and maintenance. Due to the probable transfer of this site to Federal Way, this ecological assessment would be very low priority compared to other Natural Areas.

Noxious/Invasive Weeds

Washington State law requires the control of certain noxious weeds. At this time, tansy ragwort is the only known noxious weed on the site that must be controlled. The main source of the weed appears to be from the drainage pond to the south of the Natural Area. In the past King County Park staff have occasionally called King County Stormwater Services (responsible for maintenance of the drainage pond) to ask that they control the ragwort to keep it from migrating into the Bingaman Pond Natural Area. Annually Park staff removed ragwort from the Natural Area trail adjacent to the stormwater pond.

The site has a number of species listed on the King County Noxious Weed list for which control is not required (e.g. English ivy and Himalayan blackberry). EarthCorps restoration work in 2003 provided extensive weed control; some maintenance of this work is funded for a few years after the project was completed.

Some of the adjacent privately held parcels are heavily infested with these weeds as well, and future control initiatives should consider this propagation source when designing invasive control strategies for the Natural Area.

Because of the likely transfer of Bingaman Pond Natural Area and the associated uncertainty of new management, we do not recommend the implementation of habitat enhancement efforts requiring multi-year maintenance commitments for their success unless maintenance funding is secured for those individual projects.

Public Use

Bingaman Pond Natural Area currently supports relatively low numbers of visitors engaged primarily in walking and nature observation. The current level of use appears to have no long-term adverse effect on the ecological resources of the site. Ongoing changes in use due to new homes in the area will be monitored by Parks staff. Maintenance staff may need to be aware of new access points opening up, and take action to direct use appropriately.

As noted in Part 4, horse use and impacts will be observed to determine if use is sustainable on site for the long term.

Site Maintenance/Management Activities

Neighbors to the south of the Natural Area have complained about Natural Area trees overhanging their roofs. Park staff plan to monitor and remove hazard trees on the site in 2005. The focus will be on trees near houses and along property lines.

Park staff have reported that branches, leaves and other debris accumulate during high water flows at the culvert near the access to the site. Park staff monitor this situation and remove these items at this as well as other points in the site as part of their standard maintenance activities.

As noted in Part 2, a drainage pipe drains onto the property from an adjacent parcel. Parks Property Management staff are working to locate drainage pipe, and to establish a special use permit to authorize this use of NRL property.

Trail Locations

Informal trails on King County DNRP Stormwater Services parcel 3874010940 were improved, and possibly infrastructure has been installed on this property. The trails and infrastructure locations will be determined in the future using GPS. If trails and/or infrastructure are on Stormwater Services property, appropriate steps will be taken by NRL and Stormwater Services to permit or otherwise address this use.

Revenue Generating Opportunities

There are no obvious revenue generating opportunities at the site at this time.

Site Transfer to Federal Way

As discussed in Part 2, parcel 342204-9284 had a King County stormwater conveyance easement on its title prior to purchase. If the property is transferred to Federal Way, King County will need to ensure that an easement is retained for drainage purposes.

If site is transferred there may be implications for site access or management by another jurisdiction since the fenceline trail and bridge are located on King County Stormwater Services' parcel. There may need to be consideration of how maintenance of trail and bridge access would be coordinated and/or access secured by Federal Way on this route. Presumably the stormwater pond would transfer at the same time, which may make the situation easier for Federal Way to preserve trail access.

Part 6. Management Goals, Objectives, and Recommendations

The objectives and recommendations that follow are derived from the analysis in the previous section. Natural Resource Lands staff will revise the recommendations for the Bingaman Pond Natural Area when new information from site monitoring programs and other initiatives indicate a need for a change in management strategies.

Goals for Ecological Lands

King County Department of Natural Resource and Parks goals for all ecological lands are to:

- conserve and enhance the site's ecological value, and
- support appropriate public use that does not harm ecological resources.

The objectives and recommendations that follow are designed to support these goals at the site.

Management Objectives and Recommendations

Objective: Maintain ecological integrity of the site

Recommendation: Ensure that management and public access support the regional ecological value of site

Decisions about site management and public access should consider significance of the stream and Class 1 wetland at the site, and the significant investment in habitat restoration/invasive removal made in the past EarthCorps work. Public use at the site consists of walking and nature observation on the established trails. This overarching recommendation is carried out through the various recommendations below.

Recommendation: Monitor for and control noxious vegetation as appropriate

KC Park staff should monitor the site for noxious species that are required to be removed by state law. The current King County noxious weed list should be reviewed annually for changes in listing status and control requirements. (Schedule: annually)

Park staff should remove the tansy ragwort on site using Integrated Pest Management strategies. (Schedule: 2 x a year until eradication is complete)

Recommendation: Fill in data gaps

Only if the site is to be retained by King County in the future, the Science, Monitoring and Data Management section should complete an ecological assessment to gain a more thorough understanding of the ecological characteristics of the area. (Schedule: as prioritized)

Objective: Support current level of passive recreation opportunities

Recommendation: Monitor public access

Park staff should note changes in visitor numbers, types of recreational activities, and noticeable visitor impacts on the ecological values of the site. For example, impacts might include trampling of native vegetation, increased litter, and increased bank erosion. This information should be reported annually to King County Natural Resource Lands Management staff responsible for updating site management guidelines. These changes in visitor impacts may require a change in management activities. (Schedule: monthly)

Recommendation: Maintain trails

Park staff should remove vegetation encroaching on the trail system. (Schedule: 2 x a year)

Park staff should monitor and remove debris from the culvert near the southern access point. (Schedule: as needed)

Recommendation: Protect the site from inappropriate public uses

Park staff should recommend, install, and maintain any necessary additional capital improvements to protect the site from inappropriate public uses. This could include bollards, signs, concrete blocks, and boundary markers. (Schedule: as needed)

Park staff should monitor the site for vandalism, encroachment, dumping, and other trash and respond as necessary to maintain a clean and safe property. (Schedule: weekly)

Park staff should consider installing “Pack-it-in, Pack-it-home” signs on this property if litter activity increases. (Schedule: as needed)

Park staff should monitor the conservation easement portion of the site and complete the conservation easement monitoring form. (Schedule: annually)

Objective: Implement site management guidelines recommendations

Recommendation: Site Maintenance Plan Creation

Park Resource staff should prepare a site maintenance plan (a work plan) to include the litter/dumping, inspection, and invasive control tasks identified in the recommendations. NRL staff should coordinate with Park Resource staff on this effort. (Schedule: annually).

Recommendation: Coordinate Implementation

NRL staff should coordinate with the various programs responsible for implementing these recommendations to facilitate their timely accomplishment. (Schedule: ongoing).

NRL staff should coordinate with Park Resource staff to revise the site management guidelines. (Schedule: as needed or 2008).

Objective: Provide for Public Safety

Recommendation: Monitor/remove hazardous trees

Park staff should inventory, monitor, and remove trees identified as hazardous to people or private property along property lines or near houses. (Schedule: 2005)

Objective: Resolve Trail Location Issues

Recommendation: Work with King County Stormwater Services to address trails on their parcel

NRL staff should work with Stormwater Services staff (and Parks Property Management and Real Estate Services staff as appropriate) to determine appropriate way to document and permit trail location on Stormwater Services property. If this use is not appropriate, then trail location may need to be moved. (Schedule: 2005)

Objective: Coordinate Site Transfer Issues

Recommendation: Notify King County Stormwater Services of need to retain drainage easement

If site is transferred, NRL and other appropriate staff should make sure King County Stormwater Services is notified and given opportunity to retain a drainage easement on parcel 342204-9284. (Schedule: As needed)

Recommendation: Work with King County Stormwater Services address trail locations

If site is transferred, NRL and other appropriate staff should make sure to consider implications for the trail and bridge being located on King County Stormwater Services' parcel and providing access to site. Stormwater parcel may also be transferred to Federal Way at the same time. (Schedule: As needed)

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Appendix 1: Parks Resource Specialist Report (2000)

Bingaman Pond Report 12/15/00 Jack Simonson, Resource Specialist, KC Park System

Introduction

Bingaman Pond is a 17.77 acre parcel located in the Federal Way area. Only approximately half of the pond is located within the park boundary however a substantial wetland and a small intermittent creek bisect the park. The vegetation is mixed deciduous and coniferous, varying from young stands of “dog hair” red alder to several remaining large diameter second growth coniferous trees. The predominant species of trees within the park are red alder, Douglas fir, big leaf maple, western red cedar, and western hemlock. The major invasives in the understory are Himalayan blackberry, Herb Robert, and English Ivy. A dam was constructed in the past for irrigating cranberry fields and it still exists today, creating a wetland to the west of the pond.

Current Conditions

An extensive formal and social trail system currently exists in the park. The access off the southern boundary is through Department of Natural Resource property from the cul-de-sac terminus of 37th Place S. Two access points on the western edge of the park boundary previously entered trails within undeveloped private property but the area has now been bulldozed for a housing project and both trails end in a fabric fence at the park boundary. The northern boundary has three trails ending at the boundary of a fenced horse pasture and another passing through private property on to S. 282nd Street.

Trail structures consist of two bridges, two sets of stairs with an accompanying handrail, a small bench overlooking the pond, a park rules sign, a horses prohibited sign, and a maze to prevent horses and motorized vehicles from passing through. One bridge spans the breached dam and is of a box type construction made of two by six treated lumber. The two handrails that had been installed were probably destroyed by vandalism. The other bridge consists of a couple of pallets thrown into the creek bed. Both sets of stairs run directly parallel to the slope and consist of lumber laid down flat and back filled with dirt. The spacing between the stairs is uniform and the fill behind them is often not flat but at a slope. The single handrail on both stairways is made of treated wood. The maze consists of three staggered posts driven into the ground. The vegetation adjacent to the maze isn't particularly dense or tall reducing the barrier's effectiveness.

The trails vary from seldom-used nearly overgrown social paths to wide frequently used trails. The trails vary in their standards but most would not meet Forest Service specifications in grade and degree of slope. They directly climb up the slope instead of switchbacking to reduce the grade. Portions of some of the trails outslope have eroded away making footing precarious. Several of the trails cross over and one directly follows the creekbed again making footing difficult. These crossing and the creekbed trail would also be underwater during portions of the winter months. Despite the fact that three trails lead in directly from a fenced horse pasture there didn't appear to be any evidence of recent trail use by horses. There was also no apparent recent use of the trail system by either mountain bikes or motorcycles.

General Recommendations

Due to the relative small size of the park and the fact that a substantial portion of the property includes an intermittent stream, a wetland, and a pond trail usage should be limited to foot traffic. The inclusion of horses and/or mountain bikes could lead to a substantial amount of erosion to the trail system thereby leading to significant amount of siltation to the water sources. The proximity of water should impact the way new trails are laid out and modify the existing trails. All trails should not be constructed directly next to a water source except at the bridge crossing. A healthy vegetation buffer between the trail and water source should be left whenever possible. Existing trails directly adjacent to water sources should have

additional vegetation transplanted to the area between the trail and the water or the trail relocated farther up the bank.

The number of trails should be reduced. It would be advisable to decommission all three trails that lead to the private horse pasture and stables as horse use will be prohibited and public trespass across private property discouraged. Depending on whether or not the development on the west side is willing to grant a trail easement to the property it would also be prudent to close off the two trails leading the future private residences there. Also the existing trail that leads across the dam and crosses the northern boundary enters into private property that is not slated to be purchased, at least in the near future. One possibility in the future for retaining the use of this trail would be through the purchase of the Zugel Property to the northeast of the bridge. This could help to eventually provide public access through to the northern boundary via an easement to the east of the current route. Until this occurs the trail should be closed to prevent trespassing across private property. The social trail north-northeast of the trailhead on 37th Place S. should also be closed as it is currently little used and doesn't lead to any particular destination. One of the trails to the west of this trailhead parallels a fence line and the other follows a creek bed. Both of these trails are on Department of Natural Resource property. It would be advisable to reroute this trail directly across to the north to park property on a boardwalk to north side of the creek.

A possible additional trail would be an interpretive loop trail through the older coniferous forest in the northwestern section of the park. This trail could incorporate sections of the existing trails that currently lead to the horse pasture. The trail could focus on forest and wetland interpretive themes.

Most of the existing structures should be removed or modified. The current stairs should either be removed and replaced by switchbacks or have additional steps added and the tread behind the steps leveled for safety. Should the bridge be retained it's handrail should be reinstalled on both sides and braced with crossbeams that would add rigidity to the structure. A boardwalk should be installed to directly cross over the intermittent stream rather than follow the creek or fence line just to the west of the trailhead on 37th Pl. S. The maze should be placed closer to the trailhead, constructed of treated lumber and located where there is adequate natural barrier or extended by a fence line until a natural barrier is found.

Trail signage should be improved by the posting of a rules sign and international symbol signs for prohibited uses at every entry point. Interpretive signs along the themes of the park's past agricultural use, the regeneration of a natural forest, and the positive attributes of a wetland should also be displayed along the trail route.

Proposed Alternative to the Current Situation

The preferred alternative would use current portions of the existing trail structure and create a new interpretive loop trail in the northwestern section of the park. The trail from the trailhead on 37th to the park bench overlooking the pond would be retained. The interpretive loop trail would cross over the creek north of the 37th Pl. trailhead and weave its way through a variety of vegetative types in various stages of succession to incorporate interpretive signage of a young regenerating forest and elements of one in a later phase of succession. It would also skirt the wetland and interpretive signs could describe how the wetland functions and the variety of wildlife the habitat provides. The addition of a trail easement from the developer on the west side should be encouraged as should a northern route through the proposed acquisition of the Zugel property. If the Zugel property purchase fails or if the property is purchased but an acceptable trail route to the northern boundary cannot be established, the existing trail across the dam should be closed off and the bridge removed. Should the acquisition occur and acceptable route worked out, the bridge should have handrails, beefed up with crossbeams, installed and the trail rerouted through acquisition property through to the existing park easement. The inclusion of several formal trail routes into the park would discourage the continued construction of social trails, provide the entire neighborhood access to the park, and minimize the trespassing across private property.

The stairway below the trailhead should be rebuilt by adding additional steps at a uniform interval and flattening the area behind the steps. Retaining these stairs would discourage the use of motorized vehicles, horses, and mountain bikes into the park. The stairs to the west which go up the northern bank should be removed, the area revegetated, and the trail switchbacked up the side of the bank. A boardwalk would be constructed across the creek to the other bank. Trail signs would include park rules, international symbol, and interpretive signs.

The construction of the loop trail would require two days to lay out and properly flag the route. It would then take two days of 20 Washington Trails Association volunteers to construct the trail. Plants removed to construct the loop trail would be replanted to close off the access trails to private property the same day. To completely close off these trails additional plant material could be brought in from nurseries or transplanted from other locations within the park. It would take a day for volunteers to remove the bridge over the dam and close off that trail should that be required. The amount of time it would take to construct an access trail through the Zugel property and out the northern boundary has yet to be determined, as an effective route has not been established.

Should the bridge be retained across the dam it would require posts, handrails, cross beams, braces, and the hardware to secure it all together. The installation of this material would require a three person crew a day to complete. The installation of additional steps and the proper grading of these steps to the stairs beneath the trailhead would also require a crew of three a day to complete. It will have to be determined whether the crossing across the creek beneath the trailhead needs a bridge or a boardwalk. This will be based on the amount of flooding that occurs across the site and the stability of the soils. Interpretive signs can be designed by the staff of the Interpretive Program Office, and made through the Traffic Maintenance Sign Shop at the King County Department of Transportation facility in Renton. Installation time will be based on the number, size, and type of signs required for the interpretive trail.

Appendix 2: 2003 EarthCorps Bingaman Pond Recommendations