



Gary Shepherd, Senior Assistant Attorney

600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

503-797-1600
Fax: 503-797-1792
gary.shepherd@oregonmetro.gov

June 10, 2019

Kevin Cook, Senior Planner
Multnomah County
Land Use Planning Division
1600 SE 190th Avenue
Portland OR 97233-5910

RE: Metro's North Tualatin Mountains
Case #T4-2017-9166 – Comprehensive Plan Text Amendment
Case #T3-2017-9165 – Use Application
Response to Request for Additional Information

Dear Mr. Cook:

The below is provided as additional information on Metro's diversity, equity, and inclusion efforts; accessibility approach; traffic demand management strategies; and potential effects of recreational uses on amphibians.

Diversity, Equity and Inclusion

Metro is proud to be leading efforts to advance equity in the region. In 2016, the Metro Council adopted the Strategic Plan to Advance Racial Equity, Diversity and Inclusion, declaring that "Metro will concentrate on eliminating the disparities that people of color experience, especially in those areas related to Metro's policies, programs, services and destinations." In 2019, the Parks and Nature department created its own Racial Equity, Diversity and Inclusion Action Plan in order to unify Metro's commitment to racial equity, diversity, and inclusion with the department's mission to connect people to nature while preserving and protecting water quality and fish and wildlife habitat.

The action plan covers every facet of Parks and Nature's work, from hiring to department culture to community engagement to policy-making to contracts to daily tasks. Department action plan objectives advanced through the North Tualatin Mountains (NTM) project include:

- Increasing the diversity of people and perspectives in the conservation movement.
- Planning our regional system of parks, cemeteries, trails and natural areas with a racial equity lens.
- Delivering relevant and inclusive programs and services.
- Equitably planning and investing in Metro's and the region's system of parks, cemeteries, natural areas and trails.

Exhibit A.24

- Serving a broad base of user groups/County residents.

Metro's nature parks ensure a public benefit informed by principles of diversity, equity and inclusion. This important work includes providing parks and natural areas that are welcoming to all people so future park visitors reflect our region's growing diversity. Initial outreach and engagement with Self Enhancement Inc. (SEI) and Metro's Youth Ecology Corps (YEC), indicate the potential of these partnerships. SEI serves at-risk youth of color from the inner city and East Multnomah County, while YEC provided meaningful job training in conservation to marginalized young adults. Hundreds of SEI and YEC participants have already spent time connecting with nature at Metro's North Tualatin Mountain sites. It is Metro's responsibility, and our honor, to build an equitable Parks and Nature system.

Since 2014, Metro has partnered with the non-profit Self Enhancement Inc. (SEI) to connect hundreds of at-risk youth of color with nature programming at North Tualatin Mountains' North Abbey Creek and McCarthy Creek sites. During the park planning process, SEI youth were exposed to nature education and conducted a joint planting party with the Northwest Trail Alliance.

Metro and SEI staff recently explored opportunities for SEI participants to further engage in nature education at Burlington Creek Forest (BCF). Unfortunately BCF, in its current state, is not feasible for programming with youth as young as middle school age due to the lack of infrastructure such as formal parking, restrooms, information and wayfinding. Until such features are in place, program opportunities with SEI are considered limited. Outreach to and partnerships with marginalized communities for nature education and engagement will expand once park construction is completed and the infrastructure is in place to provide a comfortable and welcoming experience.

Metro's Youth Ecology Corps (YEC) program provided diverse and marginalized youth a pathway towards meaningful work in conservation through leadership development and deepening their connections with nature. The YEC was a partnership between Metro and Project Youth Employability Support Services (Project YESS) to provide youths aged 16 to 21 in Multnomah County with paid work opportunities in habitat restoration, conservation education and workforce development. The YEC served low-income, at-risk, disconnected youths. Since project inception in 2014, thirty-five youth participated in Metro's YEC program with 60% of the participants identifying as persons of color.

YEC crew members completed important work in Metro's parks and natural areas to improve water quality, restore native plant communities, create wildlife habitat and enable public access to nature by building site improvements such as trails. Conservation education included collecting data for science projects and having fun outdoors, all while exploring and learning about some of Oregon's most beautiful places. Crew members gained valuable skills including real experience and how to get a job, potentially opening doors towards careers in the outdoors.

Metro's nature education programs are further making a deliberate effort to engage communities of color. Pilot programs have involved working with culturally specific groups to co-create and lead nature education programs for their community members.

Metro will oversee final design and trail construction via Metro staff, professional contracted trail builders, and volunteer support. Metro hires Certified Office for Business Inclusion and Diversity (COBID) firms whenever possible to support inclusive and diverse businesses.

Burlington Creek Forest is an excellent opportunity for Metro to serve diverse user groups. Metro's commitment to the principles of diversity, equity, and inclusion informed the selection of the Burlington Creek Forest site and future plans for community education. The project Stakeholder Advisory Committee affirmed the importance of BCF's proximity and accessibility from the diverse neighborhoods of inner North and Northeast Portland, located just across the St. Johns Bridge and Oregon Highway 30.

Accessibility and ADA Compliance

Providing opportunities to access nature for people with disabilities is integral to the work of Metro. The Parks and Nature department recently completed an ADA assessment of its destination sites. This work highlighted opportunities to provide access to nature for all at existing sites while also informing the design of future parks.

Metro will adhere to accessibility guidelines for parking, trailhead features, and signs following the U.S. Access board's 2013, Outdoor Developed Areas Accessibility Guidelines (ODAAG). Section 5 of the ODAAG describes the scoping and technical requirements as follows:

A trail has only one designed use that determines the design, construction, and maintenance parameters for the trail. A trail can have more than one managed use based on a management decision to allow other uses on the trails. Trails that have a designed use for hikers or pedestrians are required to comply with the technical requirements for trails in 1017. Trails that have a designed use for other than hikers or pedestrians are not required to comply with the technical requirements for trails in 1017.

Although trails at the North Tualatin Mountain sites will be managed for both hikers and mountain bikers, for purposes of complying with accessibility guidelines, mountain biking is the designed use. Thus, trails are not required to comply with the technical requirements for pedestrian trails. Also, compliance at the site is impracticable due to terrain and prevailing construction practices; as accessible trails would fundamentally alter the natural area function and purpose of the site. As new trails will be managed for both hikers and mountain bikers, trails are proposed to meet accessibility guidelines to the greatest extent possible to accommodate a wide range of visitors. While trails are not proposed to have a year round firm and stable surface, trail widths and grades of beginner level trails are designed to meet the guidance of the Architectural Barriers Act

(ABA). Information about trail grades, width, and surfacing will be provided at the trailhead and on Metro's website, so visitors may evaluate for themselves whether trails meets their level of ability, comfort level, and desire for challenge.

Accessibility guidance further allows park providers to take a programmatic approach towards providing access to nature for all. While it may not be possible to offer accessible hiking, fishing, camping, play, picnicking, nature education, etc. at every Metro site, an accessible version of each of these activities is intended within the program or portfolio of opportunities that Metro offers. While the North Tualatin Mountain sites are less feasible for accessible improvements, other Metro sites present good opportunities to accommodate people of all ages and abilities.

Traffic Demand Management

While future park visitation is estimated based on a review of comparable parks, which has proven accurate over time, the exact number of future visitors cannot be known with certainty. As such, Metro will assess parking usage and apply traffic demand management (TDM) strategies if parking demand outpaces supply.

A variety of TDM strategies can be effective at reducing vehicle trips or otherwise reducing congestion impacts. Metro intends on utilizing a combination of techniques over time and as is deemed necessary, such as:

- Signs will be erected on McNamee Road stating "No parking" and enforced by the Multnomah County Sheriff to discourage illegal parking.
- Encouraging transportation options such as public transit, carpooling, and biking. The proposed entrance to Burlington Creek Forest is located less than three miles from a TriMet bus stop. A bike rack will be provided at the trailhead to accommodate those who choose to travel to the site via bicycle or a combination of bus and cycling. Metro will encourage carpooling on its website and in correspondence with potential park visitors.
- Posing time limits on parking to encourage turnover. However, due to the minimal nature of the facilities including length of trails proposed, visitors are not expected to spend long hours at the site. While cycling times can vary widely, sources suggest that beginner level cyclists travel at 3 mph and intermediate cyclists may travel at 6 mph. With the length of new trails proposed for each skill level, the typical visitor is not expected to stay at the park for more than two hours.
- Enforcing any parking restrictions on Metro property. Metro park rangers have authority to issue parking violations or personal citations.
- Employing adaptive management practices such as separating user groups by day or limiting user groups by time. With such an approach, hikers and cyclists would be allowed on different days of the week or alternating weekends to reduce the number of potential visitors at any given time.

Other options considered but rejected by Metro included a system requiring advance registration, use permit or fee for services. Those methods would not be appropriate at

the site as they run counter to Metro's racial equity, diversity, and inclusion goals. Monetary fees present a barrier to low income community members. Also requiring registration or permit processes requires knowledge of such systems, as well as access to information and technology. Engagement efforts with numerous communities have highlighted such requirements as barriers to accessing nature for our underserved community members and would be in conflict with Metro's goals of providing equal access for all.

Recreation and Wildlife/Amphibian Concerns

Some community members have asserted that trail development will result in adverse impacts to wildlife, including red-legged frogs. The below information on wildlife and amphibian concerns and potential recreational impacts was provided by Metro's team of scientists, including Katy Weil¹ and Jonathan Soll².

Metro's mission is to protect water quality, fish, and wildlife habitat and create opportunities to access nature close to home. Metro recognizes that creating public

¹ Katy Weil has worked in wildlife conservation and environmental public policy for 37 years. She currently serves as a senior science analyst within Metro's Parks and Nature Conservation Program. She has been with Metro since 1998, and before that was the Oregon/Washington Coordinator for Partners in Flight, program director for the Audubon Society of Portland, and consultant for the United Nations Environment Programme, working with the Terrestrial Ecosystem and Programme Coordination Units, as well as working previously with the US Fish and Wildlife Service in the northeast. Katy has a background in wildlife biology, particularly effectiveness monitoring and management, and applies this within a restoration context. She is currently the senior co-chair of NW PARC. This working group consists of the western states and western Canada, and consists of scientists, academics, and land managers all working in reptile and amphibian research and conservation. Katy has a graduate certificate in international wildlife study from the UNGCP - United Nations Graduate Certificate Program through Long Island University and biology degree. She has completed amphibian monitoring techniques courses, and organized, presented, and moderated amphibian research talks at numerous conferences.

² Jonathan Soll has been the Science Division Manager for Metro since 2009. He leads a team of natural resources scientists responsible for setting natural area acquisition and restoration priorities and for implementing and tracking restoration projects on Metro's portfolio of nearly 17,000 acres. Jonathan and his team are also responsible for representing Metro regionally on conservation science issues and working with partners on conservation oriented projects throughout the region. Jonathan's training includes a biology degree from Reed College with thesis work in Evolutionary Biology; and a Master's degree in Forest Ecosystem Analysis from the University of Washington, College of Forest Resources. He has since spent over 25 years doing practical conservation biology and natural resources management in the Pacific Northwest. Jonathan's conservation work has focused on three main tracks: restoration ecology, especially controlling invasive species to restore high quality habitat; conservation planning and monitoring for enhancing management effectiveness; and, developing conservation priorities for large landscapes. Before joining Metro in 2009, Jonathan worked for the Nature Conservancy in Oregon and Washington for 16 years. He served as Field Ecologist (OR), Shrub-steppe Project Manager (WA), Portland Area Preserves Manager (OR) and Willamette Basin Conservation Director (OR).

access can have impacts to wildlife, but it is the opportunity to experience and learn about nature that introduces kids and families to the wonders of the outdoors, creates healthy lifestyles, and develops the next generation of conservation leaders.

Science-based Approach

During the access planning process, Metro scientists provide baseline information about current conditions, conservation targets, and habitat restoration goals. Metro scientists draw on recognized conservation biology principles, site knowledge, research, and external experts to provide a description of a natural area's natural resource values. They evaluate possible impacts of potential access opportunities and work with the planning team to develop access opportunities that are compatible with the wildlife and water quality goals for a natural area.

This process to identify priority locations and activities for recreation builds on the work of Metro scientists and land managers to stabilize and restore the ecological health of the site. When acquired by Metro, the North Tualatin Mountain sites were dominated by Douglas fir tree farms, having been clear cut and restocked several times. Habitat diversity and characteristics that define a healthy forest or ecosystem were lacking.

Metro's Site Conservation Plan (SCP), Exhibit 1 of our application, identifies desired future conditions for the forest and riparian areas. The desired conditions will promote native trees and shrubs; provide habitat for migrating and nesting birds, mammals, and amphibians; and protect water quality and riparian habitat while promoting cooler in and over water temperatures – none of which was a prior management objective for the site under former ownership. The SCP guides Metro's stewardship and restoration work, serving as a tool for protecting and enhancing the unique characteristics of the site while also allowing for access by the public. The SCP was developed in collaboration with Metro scientists, land managers, and planning staff. The SCP defines the key ecological attributes, conservation targets, and recreation and access objectives for the site.

Core Habitat Areas

Included with the NTM access master plan are recommendations to maintain the sites' ecological function while providing public access. The proposed plan preserves over 1,000 acres of protected core habitat at the four sites. This includes about 125 acres at Burlington, 350 acres at Ennis Creek Forest, 320 acres at McCarthy Creek Forest, and 210 acres at North Abbey Creek Forest. Out of an existing 1,300 acres, Metro's plan preserves over three-fourths of the total acreage of the NTM sites.

Amphibians

Red-legged frogs have been highlighted as a concern by some community members and are noteworthy for several reasons. Red-legged frogs are designated a conservation strategy species by ODFW and considered declining and vulnerable. Although U.S. Highway 30 poses a significant barrier, some amphibians successfully migrate between Burlington Creek and Ennis Creek forests and breeding habitat on the east side of Highway 30. A group of volunteers (Harborton Frog Rescue) catches and transports

frogs across Highway 30 at designated locations during late winter and early spring when they migrate to local wetlands to breed and then to return to upland forests.

Metro's conservation science team, in addition to knowledge gained through decades of experience and study, conducted a thorough review of red-legged frog literature. That together with basic conservation biology theory and common sense indicates that impacts from trail development will be minimal and be far surpassed by the benefits of Metro's restoration work. Specific noteworthy points include:

- Frogs move during rain events and at night times. The Nature Park is not open for public use after sunset. Park use would be less during rain events. Thus, conflicts are more than likely not to occur.
- Animals that are capable of travelling ½ mile or more between breeding ponds and non-breeding habitat, including crossing major highways, railroad tracks, residential streets and driveways, hardscapes, development, and intensively managed landscapes are not going to be adversely impacted by narrow, soil-surface trails in the forest.
- Because red-legged frogs have an extensive range, comprehensive monitoring would not lead to increased protection.
- Metro has already begun monitoring for direct mortality on the forest road system – which is currently used by maintenance vehicles and recreationalists. To date, no mortality has been observed on the gravel roads. Metro will continue to monitor the road system and trails after they are constructed.
- The proposed trails will not meaningfully affect microclimate because they are narrow, soft-surface trails and will not adversely affect canopy cover.
- Metro has addressed guidance provided by ODFW including: utilizing existing roads for visitor use and reduced habitat fragmentation; providing a buffer between trails and infrastructure from streams; minimizing impacts to streams by using bridges that do not constrain the stream channel; improving existing stream crossings to improve/protect stream flow and riparian area function, water quality and habitat, trail and road decommissioning; designing trails to minimize erosion and rutting; and surveying wildlife presence.
- Metro is committed to trail monitoring to detect and quickly repair any erosion near stream crossings.

Monitoring

Terrestrial salamander surveys were conducted by Metro staff with community science volunteers in early spring 2015 at North Abbey Creek Natural Area, 2016 at Burlington Creek Forest, and 2012 and 2017 at McCarthy Creek Natural Area. This was done in anticipation of culvert removal at McCarthy, and general interest for the other sites. These are conducted in the later spring, as these salamanders are moving from wintering areas. These were presence surveys only, with Pacific giant salamander larvae detected at McCarthy Creek, and Western red-backed salamander, Dunn's salamander, and *Ensatina*, as the predominant species detected at the other sites. For each site only one survey was done within each location as to minimize disturbance. Presence of these species notes supportive, moist, mixed conifer and deciduous forest habitat.

Metro conducts amphibian egg mass monitoring to assess representative lentic habitat within seasonally inundated wetlands and the effects of Metro's restoration projects. Target amphibian populations include the Northern red-legged frog, Pacific chorus frog, Northwestern salamander, and the long-toed salamander. Target habitats are emergent wetlands, shrublands, and seasonally-inundated ponds. Adjacent upland habitat for metamorphosed individuals is a required element for thriving pond-breeding amphibian species. The NTM sites generally lack ponds. At North Abbey Creek, however, an old cistern serves as a small breeding pond for Northern red-legged frogs. In 2017 five egg masses were found in the cistern, while in 2018 one egg mass was found.

In anticipation of increased public access, Metro began conducting amphibian road mortality surveys at Burlington Creek Forest in 2018. This monitoring will continue and add a trail component through access development. This will allow Metro to document pre and post construction mortality of amphibians and document and respond to any changes. The monitoring consists of trained volunteers walking the existing road system to look for evidence of any amphibian mortality during migration. The surveys are conducted both early in the morning and in the evening to coincide with typical amphibian movement times and to ensure that mortality that did occur is still visible prior to scavenging by other animals. The first surveys were conducted in the winter of 2018 and no mortality was observed.

Adaptive Management

Once this project is implemented, improvements will be monitored to make sure they function as intended. In the future, as we learn more, plans will be adjusted to accommodate lessons learned. Trail or trail alignment modifications, seasonal or permanent trail closures, and adjustments to parking areas will be considered as need arises.

If additional information is needed to aid review, Metro will promptly provide whatever information or response is needed or helpful. Thank you for your considerations.

Sincerely,

A handwritten signature in dark ink, appearing to read "G Shepherd", is positioned above the printed name.

Gary Shepherd
Senior Assistant Attorney