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MEMO

RE: Willow Ridge at Cornwall Street HCA Mapped Boundaries

March 30, 2017

This memo is being provided as the applicant believes that the Metro HCA mapped boundaries are in error on the subject property containing Tax lot 6300 located at the street address of 4096 Cornwall Street, West Linn, Oregon.

The City of West Linn uses the Metro's Urban Growth Management Functional Plan (UGMFP) Title 13 Habitat Conservation Areas (HCA) map to identify habitat conservation areas in the City. The above subject property contains HCA mapped as Riparian Class II within the southeastern corner of the tax lot.

Per Chapter 28 Willamette and Tualatin River Protection 28.070 Planning Director Verification of Metro Habitat Protection Map Boundaries:

- A) *The HCA Map is the basis for identifying and designating the habitat conservation areas in the City. It is inevitable, given the large area that Metro's HCA Map covers, that there may be some errors. In cases where, for example, three properties share the same contours and the same natural features but the map shows the middle lot with an HCA designation on it, it is reasonable to question the accuracy of that HCA designation. Using tree overstory as the sole basis for HCA designation will also allow a change in designation since trees are already protected in the municipal code and Chapters 55 and 85 CDC.*
- B) *The planning director shall verify the appropriate HCA or non-HCA designation by site visits or consultations with Metro or by other means. Determination is based on whether the Metro criteria are met or whether the Metro designation was based solely on tree overstory in which case a re-designation is appropriate. In cases where the determination is that the map is incorrect, the Planning Director will make a written finding of this as well as the site conditions that led to that conclusion.*

Metro designation was based solely on tree overstory and a boundary correction is appropriate. A site visit and delineation were completed by Schott & Associates, Inc. on March 10, 2017 on the subject property. The entire property was walked and a natural resource assessment was done to determine the actual extent of the HCA overlay.

The rectangular shaped tax lot is situated at the terminus of Cornwall Street, west of Sessex Street and north of Fairhaven Drive. Residential houses are located on all sides of the project area. An

existing house is located in the northeastern corner of the lot, with associated outbuildings to the west. The southern half of the lot is steeply sloped to the south.

The vegetation in the undeveloped portion of the lot was dominated by Himalayan blackberry (*Rubus armeniacus*). There was a small patch of reed canary grass (*Phalaris arundinacea*) within the middle of the sloped hill in the southern half of the lot. Sample plots were taken and conditions did not meet the three wetland criteria; hydrophytic vegetation, hydric soils and wetland hydrology. For an area to be a wetland it has to meet all three criteria. The soils on this site were not hydric. Rose (*Rosa pisocarpa*) was prevalent along the southeastern extent of the lot where the slopes level out. A few larger locust trees were located on the property.

An unidentified tributary to Salamo Creek is located east of the site. The landscape surrounding the tributary was steeply sloped and dominated by non-native Himalayan blackberry. The tributary is approximately 170 feet off site to the southeast located in the bottom of a draw. Slopes within 50 feet of the creek were digitally measured and found to range from 16 to 28 percent.

Per Metro Title 13: Nature in Neighborhoods

3.07.1340 (d.) Administering the Habitat Conservation Areas Map and Site Level Verification of Habitat Location

(4.) Habitat Boundaries

(A.) Locating riparian habitat and determining its habitat class is a five step process.

(i) Step 1. Locate the water feature that is the basis for identifying riparian habitat:

1) Locate the top of bank of all streams, rivers, and open water within 200 feet of the property.

No access was obtained for the adjacent property. The creek was identified as approximately 170 feet south east of the site, outside of the tax lot boundary.

2) Locate all flood areas within 100 feet of the property.

Slopes surrounding the creek ranged from 16 to 28 percent. No flood areas were identified within 100 feet of the property.

3) Locate all wetlands within 150 feet of the property based on the local wetland inventory map (if completed) and on the Metro 2004 Wetland Inventory Map. Identified wetlands shall be further delineated consistent with methods currently accepted by the Oregon Division of State Lands and the US Army Corps of Engineers.

No wetlands were located within the study area boundary. An unidentified tributary to Salamo Creek is located approximately 170 feet to the southeast of the site. The tributary is offsite and

identified on the Significant Riparian Corridors map for West Linn Goal 5 Inventory. The landscape surrounding the tributary was steeply sloped ranging from 16 to 28 percent slopes and dominated by non-native Himalayan blackberry.

(ii.) Step 2. Identify the vegetative cover status of all areas on the property that are within 200 feet of the top of bank of streams, rivers and open water, are wetlands or are within 150 feet of wetlands, and are flood areas and within 100 feet of flood areas.

Only a small portion of the property in the southeastern corner is identified as HCA habitat. The HCA defines the area as within 200 feet of the top of bank to the offsite stream. No wetlands were identified within the HCA mapped corner of the lot. The vegetation was dominated by Himalayan blackberry. The slopes were steep and sloped off site to the southeast.

- 1.) Vegetative cover status shall be as identified on the Metro Vegetative Cover Map, attached hereto and incorporated herein by reference. The vegetative cover type assigned to any particular area was based on two factors: The type of vegetation observed in aerial photographs and the size of the overall continuous area of vegetative cover to which a particular piece of vegetation belonged. As an example of how the categories were assigned, in order to qualify as "forest canopy" the forested area had to be part of a larger patch of forest of at least one acre in size; and*
- 2.) In terms of mapping the location of habitat, the only allowed corrections to the vegetative cover status of a property are those based on an area being developed prior to the local program effective date and those based on errors made at the time the vegetative cover status was determined based on analysis of the aerial photographs used to create the Metro Vegetative Cover Map (for the original map, the aerial photos used were Metro's summer 2002 photos) and application of the vegetative cover definitions provided in the footnotes to Table 3.07-13d.*

Through observation of the summer 2002 Google Earth aeriels we believe the HCA boundary was mapped using the vegetative cover of the scrub/shrub canopy. The shape of the boundary basically matches the aerial (see Figure 1: Metro HCA, Figure 4: 2002 Aerial Photo). While the

mapping of the habitat may be scrub/shrub, the cover was predominantly Himalayan Blackberry, which is considered an invasive species and offers little ecological function. Additionally, the area was not found to be a Riparian Zone. Adjacent properties identified within the HCA overlay had existing buildings.

In conclusion, the mapped HCA is low quality due to the non-native, invasive vegetation and lack of significant tree cover. The tributary to Salamo Creek is approximately 170 feet from the eastern tax lot boundary. A request is being made to correct the boundary within the tax lot boundary based the lack of significant habitat and lack of tree habitat associated with the tributary to the southeast of the site. The vegetation is non-native, invasive and of very low value and these areas should not be mapped as HCA.

Attachments:

- Figure 1. Metro HCA
- Figure 2. HCA Stream Detail Area
- Figure 3. Stream Detail with Topographic
- Figure 4. Overall existing Conditions
- Figure 5. 2002 Aerial Photograph

Figure 1. Metro HCA

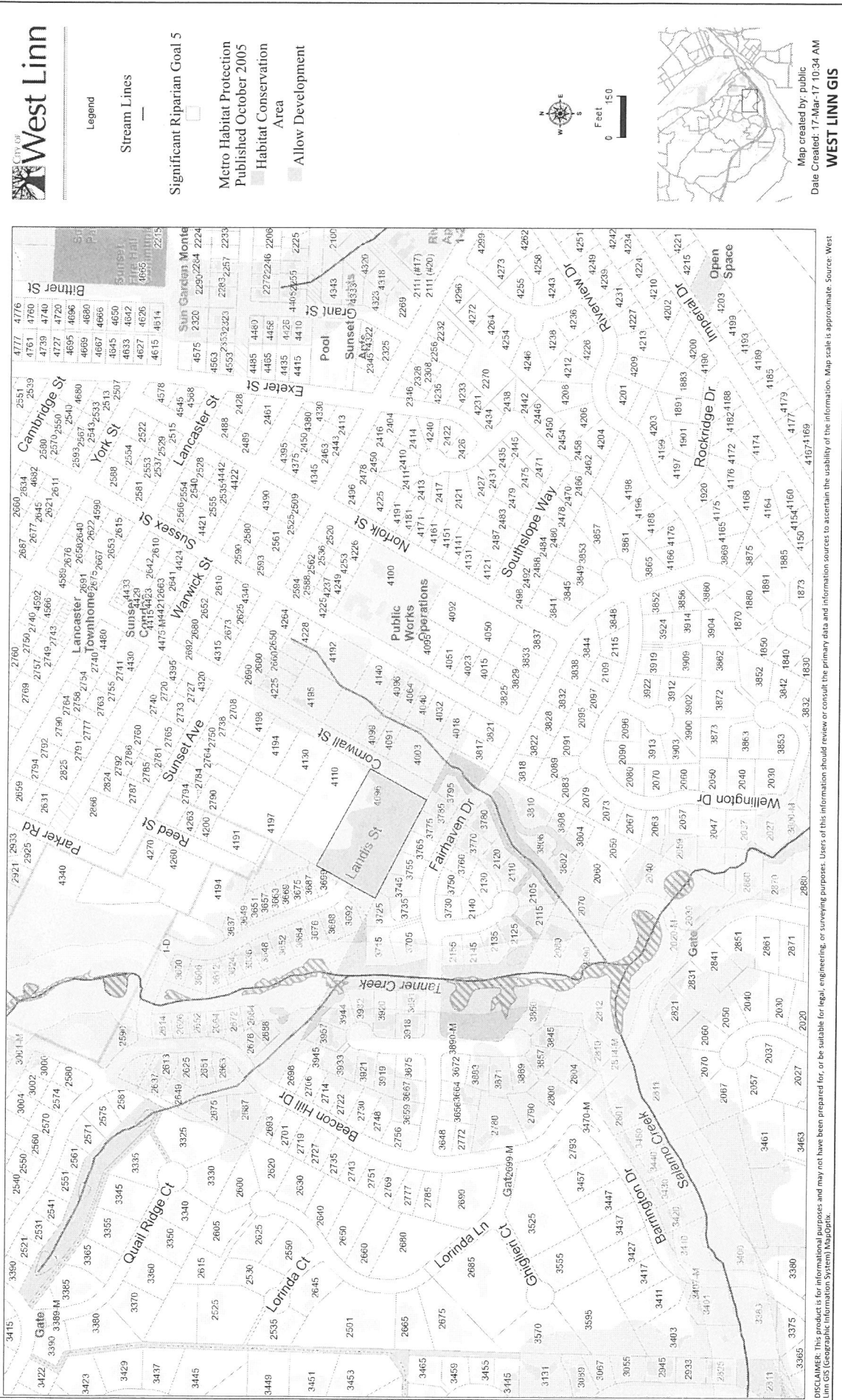


Figure 2. HCA Stream Detail Area



Note: Off-Site contours from City GIS.

SCALE 1" = 40'

Willow Ridge

Off-Site Stream Corridor

Icon Construction & Development, LLC

Figure 3. Stream Detail with Topographic



Note: Off-Site contours from City GIS.

SCALE 1" = 40'

Willow Ridge
Off-Site Stream Corridor

Icon Construction & Development, LLC

Figure 3. 2002 Aerial Photograph
8/2002



Image © 2016 Metro, Portland Oregon

Imagery Date: 7/31/2002 lat 45.356515° lon -122.632558° elev 445 ft eye alt 1661ft

Google Earth

312 ft

1994