

INTERGOVERNMENTAL CONSULTATION FORM



STATE / FEDERAL AGENCY REVIEW

A REVIEW OF A PROPOSED OUTDOOR RECREATION PROJECT
WHICH FEDERAL ASSISTANCE HAS BEEN REQUESTED

Project Name:	Burlington Creek Forest Natural Surface Trails
Project Sponsor:	Metro Parks and Nature
Return Date:	Wednesday, October 25, 2017

To Agency Addressed: **This is a Federal Aid Grant. A comment is required.**
If your agency cannot respond by the return date, please notify us immediately.

PROGRAM REVIEW AND COMMENT

We have reviewed the subject notice and have reached the following conclusions on its relationship to our plans and programs:

- ☐ It has no effect.
- ☐ We have no comment.
- ☐ Effects, although measurable, would be acceptable.
- ☐ It has adverse effects. (Explain in Remarks Section.)
- ☐ We are interested, but require more information to evaluate the proposal. (Explain in Remarks Section.)
- ☒ Additional comments for project improvement. (Attach if necessary).

REMARKS

Agency: Oregon Department of Fish and Wildlife

Reviewed By: Susan Barnes Regional Conservation Biologist
Name Title

Return to: Karen Vitkay
Metro Parks and Nature
600 NE Grand Avenue
Portland, Oregon 97232

cc: Jodi Bellefeuille, Recreational Trails Program Coordinator
Oregon Parks and Recreation Department
725 Summer St. NE, Suite C
Salem, OR 97301

Attachment 1. ODFW Remarks and Additional Comments for OPRD Federal Aid Grant

Date: **December 15, 2017**

Project Name: **Burlington Creek Forest Natural Surface Trails**

Project Sponsor: **Metro Parks and Nature**

Thank you for the opportunity for the Oregon Department of Fish and Wildlife (ODFW) to review and comment on Metro's October 2017 version of the proposed Burlington Creek Forest Natural Surface Trails Project. ODFW appreciates Metro's consideration of our previously submitted comments and recommendations, and subsequent adjustments made to the proposed trail alignment in an effort to avoid and minimize negative impacts to fish and wildlife resources. In accordance with our mission and authorities, ODFW offers the following comments and recommendations:

Comment #1: ODFW offers the following information to describe the context of the project site in terms of ecoregion and local landscape level fish and wildlife conservation goals. The proposed project area lies within two Conservation Opportunity Areas¹ (COA ID 054 and COA ID 058) as identified in the Oregon Conservation Strategy². Recommended conservation actions for these COAs include: address fish and wildlife movement barriers, foster forest succession to old growth, improve stream buffer vegetation and width, manage public access and recreation to protect fish and wildlife, protect and improve water quality, protect and improve habitat for turtles, amphibians and bats; and reduce road mortality for amphibians and other wildlife crossing Highway 30.

Comment #2: ODFW offers the following information to describe the relative value of the project site to fish and wildlife. According to ODFW's on-line mapping tool COMPASS³ (Centralized Oregon Mapping Products and Analysis Support System), the proposed project is located within Compiled Crucial Habitat Priority Ranks of 1 and 2. COMPASS is intended to inform land use decisions and project planning as related to fish and wildlife and their habitats. ODFW crucial habitat layers were developed using multiple data sources, various aggregation methodologies, and classifications which are intended to reflect agency priorities. All layers are categorized and assigned a priority rank 1 through 6. The highest score of 1 indicates the most valuable habitat.

¹ Conservation Opportunity Areas (COAs) are places where broad fish and wildlife conservation goals would best be met. Focusing investments in these prioritized areas can increase the likelihood of long-term success, maximize effectiveness over larger landscapes, improve funding efficiency, and promote cooperative efforts across ownership boundaries.

² The Oregon Conservation Strategy (Strategy, ODFW 2016) is Oregon's State Wildlife Action Plan and voluntary approach for conserving fish and wildlife. The goals of the Strategy are to maintain healthy fish and wildlife populations by maintaining and restoring functioning habitats, preventing declines of at-risk species, and reversing declines in these resources where possible.

³ <http://www.dfw.state.or.us/maps/compass/index.asp>

Comment #3: ODFW offers the following information to describe the relative importance of the project site to fish and wildlife. ODFW has categorized the Burlington Creek Forest tract as "Habitat Category 3" per ODFW's Fish and Wildlife Habitat Mitigation Policy (OAR 635-415-0000). "Habitat Category 3" is essential, but not limited, habitat for fish and wildlife, or important habitat for fish and wildlife that is limited either on a physiographic province or site-specific basis, depending on the individual species or population. The mitigation goal is no net loss of either habitat quantity or quality. Mitigation of impacts, if unavoidable, is to be accomplished through reliable in-kind, in-proximity habitat mitigation.

Comment #4: ODFW is concerned about development of new recreation trails and their potential impacts to wildlife habitat. Impacts from recreational trails, though not as well studied as roads, are known to adversely impact fish and wildlife, both directly and indirectly. The proposed project has the potential for adverse impacts to a variety of wildlife species, but of particular concern are migratory birds and amphibians. Anticipated adverse impacts to birds from increased habitat fragmentation and human presence include reduced nest success, reduced fitness, and increased competition for resources in adjacent suitable habitats. Proposed trails may also adversely affect amphibian movement patterns and behavior through habitat fragmentation and changes in micro-habitat conditions. In addition, there may be direct impacts associated with mortality of amphibians attempting to cross the trails that become entrapped in bike ruts. There may also be increased risk of illegal collection.

The risk for these potential adverse impacts are greatest where trail development is densest (e.g., areas of multiple switchbacks) and at lower elevations where terrestrial amphibian movements are likely more concentrated seasonally due to closer proximity to breeding habitat. Though data on dispersal and overland excursions is limited for still-water breeding amphibians, existing information including field observations indicate that terrestrial movements are typically point-to-point in nature versus along specific habitat corridors (e.g., stream channel, elevational gradient). Seasonal movements to and from breeding sites primarily occur during nighttime hours while foraging occurs in both the daytime and nighttime.

While these impacts are anticipated for all native amphibians known/suspected to occur at the Burlington Creek Forest (BCF) site, of particular concern is northern red-legged frog, a protected State Sensitive Species and a Species of Greatest Conservation Need in the Oregon Conservation Strategy. A population of red-legged frog has been documented moving between the BCF site and ODFW's Palensky Wildlife Area (Burlington Bottoms). Movements are seasonal in nature with frogs moving from the moist forested habitat of the BCF tract (and possibly the greater North Tualatin Mountains area) to wetland habitats at Palensky in the late fall/early for breeding/egg-laying, and then from Palensky back to BCF in late winter/early spring. Timing and patterns of overland movements are related to and affected by environmental conditions (e.g., air temperature, precipitation events). The BCF tract and greater North Tualatin Mountains area also provides important foraging habitat for red-legged frogs. ODFW staff managing Palensky Wildlife Area have observed numerous red-legged frogs and other native amphibians moving throughout the BCF site and all along the northern boundary of the tract near Highway 30, including the area where Shared Trail AA is proposed.

Please see ODFW's letter to Metro dated February 26, 2016 (attached) for more information about the importance of the project area to northern red-legged frog.

Comment #5: ODFW is concerned about the potential for increased erosion / sedimentation resulting from proposed trail development on steep slopes and resulting trail use. If an issue, impacts from reduced water quality would extend downstream to the Palensky Wildlife Area, potentially affecting a variety of fish and wildlife.

Comment #6: ODFW appreciates Metro's mission to try to balance protection and improvement of habitat conservation values and provision of public access to nature and outdoor recreational opportunities. We offer the following recommendations to further mitigate for the above described anticipated adverse impacts to wildlife and their habitats. These recommendations are intended to supplement the environmental commitments and mitigation measures (n = 19) already included by Metro in Part V of OPRD's RTP Environmental Screening Form for the proposed project.

Avoidance / Minimization

- A. ODFW recommends reducing the amount (length) of proposed new trail development to prevent / reduce impacts to wildlife from habitat loss/fragmentation and human presence. Priority areas to target for avoid placement of new trail would be lower elevation areas where amphibians are likely more concentrated during their active season, unless amphibian monitoring data indicates otherwise.
- B. ODFW recommends strategically placing woody material in locations that direct amphibians away from trails and toward more intact habitat and stream/drainage crossings, further preventing / minimizing risk of direct mortality of amphibians inadvertently caused by trail users and providing suitable micro-habitat elements.
- C. ODFW recommends reducing the number of vehicle parking spaces at the proposed Trailhead, reducing the corresponding number of cars on Highway 30 and decreasing the number of trail users anticipated, this in turn reducing negative impacts to wildlife caused by human presence.
- D. To achieve #19 (*"Avoid and minimize direct mortality of fish and wildlife species present at the time of construction"*) in Part V of the OPRD Screening Form, obtain a Wildlife Capture, Holding, Transport, and Relocation Permit from ODFW. There is no ODFW fee associated with this permit.

Compensatory Mitigation (for unavoidable adverse impacts anticipated by ODFW)

- A. Per the ODFW Fish and Wildlife Mitigation Policy, the Burlington Creek Forest tract is categorized as "Habitat Category 3" (see Comment 3, above). The mitigation goal for Habitat Category 3 is no net loss of either habitat quantity or quality. In order to achieve this goal of no net loss, ODFW recommends Metro consider decommissioning existing

trails and restoring wildlife habitat. For example, one option Metro may consider is to decommission two miles of existing shared use trail in addition to the three miles of gravel road Metro plans to decommission at their North Tualatin Mountains properties. The habitat restoration for the decommissioned trail should support in-kind habitat types and in-proximity to the proposed BCF project to meet the goal of ODFW's Habitat Mitigation Policy.

- B. ODFW recommends incorporating large / coarse wood structures throughout the project site to offset temporary and permanent changes in forest canopy and micro-habitat conditions resulting from the proposed project, including forest thinning actions aimed at improving long-term habitat conditions.
- C. ODFW recommends Metro coordinate with ODFW, amphibian conservation partners, and academia to design and sponsor an amphibian movement study at the BCF site and/or other Metro properties to better understand local amphibian movement patterns, impacts of trail development on amphibians, and methods to mitigate impacts to amphibians.

We appreciate the continued collaboration with Metro and thank you again for the opportunity to review and comment on the proposed Burlington Creek Forest Natural Surface Trails Project. While it is outside our regulatory authority to approve or deny this proposed development action, ODFW's mission is to protect and conserve Oregon's fish and wildlife and their habitats. We look forward to further coordination with Metro and please contact me (971-673-6010, susan.p.barnes@state.or.us) with any questions about the above comments or recommendations.

Sincerely,



Susan Barnes
Regional Conservation Biologist
West Region