

*Hidden Lands, Unknown Plans:
A Quarter Century of Metro's
Natural Areas Program*

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About Cascade Policy Institute

Founded in 1991, Cascade Policy Institute is Oregon's premier policy research center. Cascade's mission is to explore and promote public policy alternatives that foster individual liberty, personal responsibility, and economic opportunity. To that end, the Institute publishes policy studies, provides public speakers, organizes community forums, and sponsors educational programs. Cascade Policy Institute is a tax-exempt educational organization as defined under IRS code 501(c)(3). Cascade neither solicits nor accepts government funding and is supported by individual, foundation, and business contributions. Nothing appearing in this document is to be construed as necessarily representing the views of Cascade or its donors. The views expressed herein are the authors' own.

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Table of Contents

1. Executive Summary.....	1
2. Introduction.....	2
3. Understanding Metro’s current natural areas program.....	3
3.1 The 1995 bond measure.....	3
3.2 The 2006 bond measure and operating levies.....	4
4. Consequences of Metro’s acquisitions and land management.....	5
4.1 Acquisitions outside Metro’s jurisdiction.....	5
4.2 Acquisitions outside the region’s Urban Growth Boundary.....	6
4.3 Acquisitions inside the region’s Urban Growth Boundary.....	6
4.4 Acquisitions zoned for exclusive farm or forest use.....	7
4.5 Protection, preservation, and restoration efforts.....	7
4.6 Public access and racial equity.....	8
5. Case Studies.....	9
5.1 Newell Creek Natural Area.....	9
5.2 Clear Creek Natural Area.....	10
5.3 Killin Wetlands Nature Park.....	11
5.4 Chehalem Ridge Nature Park.....	12
5.5 Whitaker Ponds Nature Park and Cully Park.....	13
5.6 Tualatin Valley acquisitions.....	15
6. Conclusion.....	16
Endnotes.....	18

Hidden Lands, Unknown Plans: A Quarter Century of Metro's Natural Areas Program

1. Executive Summary

In June 2019, Metro's Council referred to voters a \$475 million bond measure for the acquisition and restoration of natural areas as well as future recreational opportunities. If passed, the measure will cost the region's taxpayers approximately \$60 million a year in property taxes. The \$475 million request is larger than the two previous Metro natural areas bonds combined, which were \$135.6 million dollars in 1995 and \$227.4 million dollars in 2006.

Cascade Policy Institute researched Metro's management of its natural areas program. Information was obtained from publicly available resources, public records requests, interviews, and on-site visits to every natural area and nature park identified by Metro. Several areas were more thoroughly examined as case studies because of their location, size, acquisition price, and length of time owned by Metro. These case study areas comprise about 20 percent of the land acquired by Metro in the 1995 and 2006 bond measures.

Cascade's findings lead to the following conclusions:

- Metro's natural areas program began as a vision to increase and preserve parks and natural areas to a region facing increased population growth and density. With increasing population density, local governments would offset the loss of backyards with more parks to meet, play, and offer “nature in neighborhoods.” It was an expensive vision that would require hundreds of millions of dollars.
- As the program evolved, the mission moved from providing parks for people to locking land away from the community that paid for it. The initial promise in 1995 to “provide areas for walking, picnicking, and other outdoor recreation” has shifted to the 2019 bond measure promise to “protect water quality, fish, wildlife habitat, natural areas.” Parks are to be “maintained” rather than built, expanded, or improved.
- Over the nearly two decades since the first parks and nature bond measure, Metro has made, broken, and delayed its promises to voters.
 - Metro promised that a solid waste tax enacted to pay for the operating costs of new parks would protect residents from additional taxes for the same purpose. Nevertheless, it swept that money into Metro's general fund and put two operating levies—increasing property taxes—on the ballot.
 - Metro assured the region that Clear Creek would become a regional park. More than a

decade later, it has no plans to make the area publicly accessible and has removed it from its maps of parks and natural areas.

- Chehalem Ridge was pitched as a regional park for Metro's west side, but current plans are for a few miles of walking trails and a small picnic area.
- After spending hundreds of millions of dollars and acquiring more than 14,000 acres of land, less than 12 percent of the acquisitions are accessible to the public.
- Even the land that is open to the public is out of reach of many Portland residents.
 - Seventy percent of Metro's acquisitions have been outside Metro's jurisdiction.
 - More than 80 percent of the acquisitions are outside the Urban Growth Boundary.
 - A statement in the 2019 Voters' Pamphlet from a group of bond supporters admits that many of Metro's acquisitions “exist as places on a map but not places you can actually go.”
- Much of the land acquired by Metro was never at risk of development because Metro manages the region's UGB.
- Metro's restoration objectives, efforts, and results have been opaque and uncertain. Metro has provided no measurable documentation of changes to water quality or fish and wildlife populations.
- Metro has promised a strategy focused on racial equity. Even so, minority communities' desire for parks that serve as “gathering places, places to eat, security, and places for kids to play, exercise and cool off during the summer” have been overlooked in favor of natural areas amenable only to “passive recreation.”

Metro has acquired more land than it can manage. The focus for the next decade should be on making current lands available for public use. Metro's largest planned park—Chehalem Ridge near Gaston—has been in Metro ownership for nine years, and there is still no public access. Metro also owns about 1,400 acres in the Sandy River Gorge. These holdings are not shown on any of Metro's parks and nature maps and Metro has no plans at all to make these properties available for swimming, boating, hiking, or family cookouts. Metro needs to turn these and other areas into parks its residents actually use before seeking more money to acquire more land.

2. Introduction

In June 2019, Metro's Council referred to voters a \$475 million bond measure for the acquisition and restoration of natural areas as well as future recreational opportunities. If passed, the debt service will cost voters \$600 million to \$700 million dollars in property taxes over the life of the bonds. The \$475 million request is larger than the two previous Metro natural areas bonds combined, which were \$135.6 million dollars in 1995 and \$227.4 million dollars in 2006.

Metro's 2019 bond measure for \$475 million identifies several ways Metro expects to spend the money:¹

Protect and restore land, including land acquisition	\$155 million
Maintenance of Metro's parks	98 million
Support local parks projects	92 million
"Advance large-scale community visions"	50 million
Nature in Neighborhood grants	40 million
Multi-use trails	40 million
Total	\$475 million

If approved by voters, land acquisition would represent as much as one-third of the anticipated spending from the 2019 bond measure proceeds, with up to \$15 million earmarked for "community-led, racial justice focused land acquisition." Although land acquisition comprises the largest spending category, neither the ballot title nor the explanatory statement for the voters' pamphlet mention land acquisition. In contrast, the 1995 ballot title promised to "buy specified open space in the region"² and the 2006 ballot title notes the measure "directs Metro to buy and restore natural areas."³ Controversies regarding Metro's prior acquisitions with bond funds may be why Metro has deemphasized acquisitions in the 2019 measure's ballot title and explanatory statement.

In addition to the spending categories introduced in the 1995 and 2006 measures, the 2019 natural areas measure proposes allocations for "advancing large-scale community visions" and regional trail acquisitions. The visioning portion was originally called "urban transformation," a category Metro admits has been a "not well-defined program area."⁴ Because some community members

described "urban transformation" a "gross rebranding of gentrification," the category was renamed "advancing large-scale community visions."⁵ Despite the rebranding, Metro provides no clear explanation of what is meant by "advancing large-scale community visions" or what the visioning process might accomplish. Metro staff indicate the spending will:

Help deliver large-scale projects that uplift communities by leveraging nature to achieve benefits such as job opportunities, affordable housing and safe, reliable transportation.

Mike Houck from the Urban Greenspaces Institute and Russ Hoeflich from 1,000 Friends of Oregon have referred to the visioning money as a "slush fund."⁶

Cascade Policy Institute researched the natural areas program's funding, land acquisition, restoration efforts, maintenance, and evolving mission. Information was obtained from publicly available resources, public records requests, interviews, and on-site visits to every natural area and nature park identified by Metro. Several areas were more thoroughly examined as case studies because of their location, size, acquisition price, and length of time owned by Metro. These case study areas comprise about 20 percent of the land acquired by Metro in the 1995 and 2006 bond measures:

- Chehalem Ridge Nature Park,
- Clear Creek Natural Area,
- Newell Creek Natural Area,
- Killin Wetlands Nature Park, and
- Whitaker Ponds Nature Park.

Cascade also reviewed the acquisition and management of several parcels in the Tualatin Valley watershed and Metro's interaction with nearby farms and farm owners.

Cascade's research finds the mission of Metro's natural areas program has evolved from creating parks for urban residents to preserving or restoring remote wildlife habitats and riparian areas with little or no access to the public. Metro's publicly accessible natural areas and parks fall into one of three categories, with varying degrees of accessibility and amenities:⁷

- Regional parks have a substantial level of impact from recreational development and have recreational features like playground equipment or large grassy areas. Oxbow Park and Blue Lake Park are Metro's only two regional parks.
- Nature parks allow for active or passive recreation area with facilities primarily intended for recreational uses by the public. Killin Wetlands and Canemah Bluff are examples of Metro nature parks.
- Natural areas are managed primarily for value of natural resources as buffers and may have conservation or habitat protection. These areas may

or may not have access for people to experience nature. Newell Creek and Clear Creek are examples of Metro natural areas.

The 1995 and 2006 bond measures provided funding for multi-million-dollar opportunities to build regional parks for Metro residents, such as Metro's most popular recreational destinations, Oxbow Regional Park and Blue Lake Regional Park, both of which Metro inherited from Multnomah County in the 1990s. These regional parks have playgrounds, picnic areas, boating activities, camping, and other events to entertain and engage residents and visitors of any age or socio-economic status. Instead of imitating this model, Metro has used natural areas bond funds to engage in land banking that has left many of its natural areas inaccessible to Metro residents and other members of the public.

3. Understanding Metro's current natural areas program

In 1979, the metropolitan areas of Clackamas, Multnomah, and Washington counties created a regional government to more efficiently manage the tri-county area.⁸ The newly-named Metro's mission was to provide “regionwide planning and coordination to manage growth, infrastructure and development issues that cross county jurisdictional boundaries.”⁹ It is now governed and managed by a directly elected president, auditor, and councilors from districts and has remained the only regionally elected government in the United States since its inception.¹⁰

In 1992, Metro created the Greenspaces Program to develop a “cooperative regional system of natural areas, open space, trails, and greenways for wildlife and people” in Multnomah, Clackamas, and Washington counties in Oregon and Clark County in Washington.¹¹ The Greenspaces master plan stated, “It is our assertion that if we are to have parks and open space areas in the future, we need to reposition our planning and funding priorities now to reflect the importance of greenspaces *in our urban fabric* [emphasis added.]”¹² The master plan confirmed this hope: “It is our vision to balance our urban focus and drive for economic health and prosperity with an array of wildlife habitat *in the midst of a flourishing metropolitan region* [emphasis added].”¹³

The Greenspaces master plan was guided in part by Metro's “2040 Growth Concept,” which was developed in the 1990s and adopted by the Metro Council in 1995.¹⁴ This concept aspired to address the growing population of the Portland metropolitan area to maintain the quality of life experienced by earlier generations. This meant restricting “urban sprawl” to maintain “the state's natural beauty and easy access to nature.”¹⁵

The resulting increased population density in urban areas has been marketed as “growing up” rather than “growing out.”¹⁶ With increased urban density, backyards would give way to public parks. Metro recognized that this meant prioritizing accessibility to new urban parks to maintain a healthy quality of life:

As the region focuses new development in existing urban areas, public investment in parks and natural areas helps ensure that communities remain livable. Access to public open spaces—from ball fields to forests to rocky buttes—is a key priority for all communities within the region as our population grows.¹⁷

This demand for nature in neighborhoods was intended to be met through the Greenspaces program. The Greenspaces master plan indicates acquisitions of land outside Metro's jurisdiction or the region's Urban Growth Boundary were to be limited and subjected to a three-part test (emphasis added):¹⁸

Consider lands outside the urban growth boundary and Metro's jurisdictional boundary for protection and potential addition to the regional system **when these lands are determined to be of *direct benefit to citizens of the region and enhance the [regional] system [of natural areas, open space, trails, and greenways] and protect natural resources or features of regional significance.***

The Greenspaces master plan identified a “multi-million dollar” general obligation bond as the “major source of funding” for Metro's anticipated land acquisitions.

3.1. The 1995 bond measure

Land acquisition was at the heart of the Greenspaces program and a high priority from the beginning. Without land, habitat could not be restored and recreational opportunities could not be developed. Toward this end, Metro proposed a \$200 million bond in 1992 to begin implementing its Greenspaces vision. The ballot measure's explanatory statement indicated money would allow Metro to “acquire, develop, maintain and operate a regional system of parks, open space and recreation assets.”¹⁹ The ballot measure did not specify where land would be purchased—which may have contributed to voters' rejection of the measure by a 12 point margin in the November 1992 election.²⁰

After that defeat, Metro returned in 1995 with a similar bond measure of \$135.6 million. The ballot title promised to “preserve open space for parks, trails, wildlife; protect

streams for fish” by specifically targeting 14 areas and five corridors for acquisition.²¹ The ballot title also promised the measure would “provide areas for walking, picnicking, and other outdoor recreation” and that “buying open spaces for public use will balance private development in the region.”

The main intent of the bond was land acquisition. The ballot's explanatory statement noted that only “some of this land” would be open for “public use and enjoyment.” None of the 1995 bond money was allocated for improvements to allow public access to the acquired land. The measure's explanatory statement noted that no portion of the bond funds could be used for operations and maintenance and that additional funding would “be needed for maintenance of future public use improvements.”²²

Toward this end, in 2002, Metro enacted a solid waste excise tax of \$1.00 per ton for the specific purpose of funding operations and maintenance of its parks. That amount was increased to \$2.50 per ton in 2004. Between 2002 and 2015, the tax brought in nearly \$47 million. While the money was earmarked for park operations and maintenance, a few weeks after the 2006 natural areas bond measure was referred to the ballot, Metro Council voted to divert the solid waste funds from parks to Metro's general fund.

The 1995 bond promised to acquire approximately 6,000 acres of land around the greater Portland area.²³ By the time the last of the money was used 10 years later, an estimated 8,000 acres had been bought.²⁴ Metro viewed the greater-than-anticipated acquisitions as a measure of the program's success, quoting former Metro councilor Susan McLain:²⁵

We took a dream and made it into a reality. We promised 6,000 acres and ultimately gave more than 8,000 acres. The bond measure was a turning point for the region.

In its 10 year report on the 1995 bond measure, *Open Spaces. Treasured Places.*, Metro highlighted anticipated public access at the Mt. Talbert, Cooper Mountain, and Graham Oaks Natural Areas. Mt. Talbert opened to the public in 2007, Cooper Mountain in 2009, and Graham Oaks in 2010. The report promised “at least four” public access points for canoeing, kayaking, fishing, picnicking, and wildlife viewing along the Tualatin River as well as improved public access to the Columbia River west of the Sandy River. Of the more than 8,000 acres acquired with the 1995 bond measure, less than 10 percent is currently accessible to the public as parks or natural areas.

3.2. The 2006 bond measure and operating levies

In 2006, only a year after most of the earlier bond funds were spent, Metro proposed another bond measure for \$227.4 million. As with the 1995 natural areas bond

measure, this money would allow Metro to “buy and restore natural areas for the protection of water quality and preservation of fish and wildlife habitat.”²⁶ While the first bond measure provided no funding for restoration efforts, the 2006 measure used the phrase “buy and restore” so that some funding could be spent on restoration efforts.

Metro also set forth a new goal of furthering racial equity with the bond through the Nature in Neighborhoods program. This program's mission aimed to increase the presence of nature in “nature deficient and other disadvantaged neighborhoods within the region.”²⁷ From the bond proceeds, \$15 million—less than 7%—was budgeted “to provide funds to increase natural features and their ecological functions on public lands in neighborhoods, and to help ensure that every community enjoys clean water and nature as an element of its character and livability.”²⁸ Although this promise was left vague in meaning, Metro's natural areas program would later increase the specificity of Metro's goals in terms of “racial equity.”

However, outside the Nature in Neighborhoods program, the 2006 bond largely shifted away from the recreational aspects of the 1995 bond in favor of restoration. For example, the 1995 measure mentions parks in the ballot title and summary and specifies providing areas for “walking, picnicking, and other outdoor recreation.” In contrast, the 2006 ballot title summary mentions only “park protection projects for local parks providers” and makes no mention of walking, picnicking, or recreation.

Instead, recreation responsibilities were to be shifted to other local parks providers, with \$44 million of the bond funds budgeted for “28 cities, counties and local park providers in the Metro area” to purchase or develop both parks and natural restoration areas. Not all of this money would be spent specifically on public access and usage.²⁹

Nearly two-thirds of voters approved the 2006 measure.³⁰ Under the measure, Metro had a goal of acquiring land in 27 target areas for restoration and future access. While some of the target areas were additions to areas targeted by the 1995 bond, some target areas for the 1995 bond measure, such as Gales Creek, were dropped from the 2006 bond measure.

The 2006 bond funds were supplemented by the introduction of a five-year local option levy in 2013 because of the redistribution of the solid waste excise tax in 2007 to Metro's general fund. This new money was to be used specifically for restoration and maintenance of the acquired land as well as conservation education programs and volunteer activities.

In the resolution that created the 2013 levy, Metro stated a goal of “addressing equity for underserved communities,” with the levy funds. Metro also contacted “organizations representing minority groups and communities of color,”

among others, to help develop the purpose of the levy.³¹ It was said that, “through levy-funded work,” Metro would “increase and improve opportunities for underserved communities, specifically low-income and communities of color,” allowing them to become “future stewards of our public lands.”³²

The levy proposal further discussed improving public access to natural areas, but clarified that this meant the development of “low-impact, low-cost access to Metro's natural areas, focusing on providing hiking and walking opportunities for visitors.”³³ The proposal also prioritized projects that would improve “opportunities to connect with nature in areas with a high concentration of low-income people and people of color who currently have poor access.”³⁴

The levy also expanded the Nature in Neighborhoods Community Grants Program, which aimed to support “Metro's commitment to addressing barriers that prevent underserved communities from using and enjoying the benefits of Metro's natural areas.”³⁵

Metro put a levy renewal on the ballot in 2016, which passed and will continue to fund Metro's restoration efforts and other activities until 2023. In the levy renewal measure, equity, diversity, and inclusion were emphasized as continued focuses. Its two main methods of achieving this were to diversify Metro contractors and to create programs and facilities that “support the needs of underserved communities, including communities of color, low-income families and young people.”³⁶ The resulting 2016 ballot measure promised to “increase opportunities for children from low-income families and communities of color to connect with nature.”³⁷

By 2018, Metro had acquired more than 6,100 acres with the 2006 bond funds, exceeding Metro's initial goal of 4,000 acres. In addition to Mt. Talbert, Cooper Mountain, and Graham Oaks, Metro has opened Nature Parks at Scouters Mountain in 2014, Canemah Bluff in 2016, Orenco Woods in 2017, and Killin Wetlands in 2018. The Farmington Paddle Launch was opened to the public in 2017. Metro claims to be planning for other parks scattered across the greater Portland area, including Nature Parks at Chehalem Ridge and Newell Creek Canyon.³⁸ Of the more than 14,000 acres acquired with the 1995 and 2006 bond measures, currently less than 12 percent is accessible to the public as parks or natural areas.

4. Consequences of Metro's acquisitions and land management

Metro has acquired about 40 percent more acreage than it anticipated in its 1995 and 2006 natural areas bond measure, an achievement that Metro views as a measure of the

program's success. However, Metro's acquisitions have been both disruptive to surrounding communities and inaccessible to residents, as noted in a Voters' Pamphlet statement from supporters of the 2019 bond measure:

Previous park measures had noble goals, but amenities were not always accessible for everyone. They were often on the outskirts of the region and typically inaccessible by public transit. For many, these areas exist as places on a map but not places you can actually go.

A recurring controversy across Metro's natural areas bond measures is Metro's purchases of extensive acreage outside Metro's jurisdictional boundary and outside the region's Urban Growth Boundary.³⁹ The 1995 bond measure indicated that Metro was “[b]uying open spaces for public use,” which included “areas for walking, picnicking, and outdoor recreation.” The 2006 bond measure specified the funds would “increase the presence of nature in neighborhoods.”

Nevertheless, two-thirds of the acres acquired by Metro with bond funds are located outside Metro's jurisdiction and outside the UGB. In many cases, these purchases are at odds with the three-part test of the Greenspaces master plan: (1) providing direct benefit to citizens of the region, (2) enhancing the regional system of natural areas, open space, trails, and greenways, and (3) protecting natural resources or features of regional significance.

4.1. Acquisitions outside Metro's jurisdiction

Seventy percent of Metro's acquisitions under the 1995 and 2006 bond measures have been outside Metro's jurisdiction. While such acquisitions are permitted under past bond measures and the measure on the 2019 ballot, these acquisitions raise concerns about urban-rural conflicts, political representation, and fiscal impacts imposed by Metro on other local governments.

Former chair of the Washington County Board of Commissioners, Andy Duyck, reported numerous conflicts arising between Metro and rural farmers and residents living outside Metro's boundary arising from Metro's acquisition and management of land. These farmers and residents are not represented by a Metro councilor and have limited recourse to seek redress from Metro outside the legal system. Because of Metro's substantial financial, staffing, and legal resources, these farmers and residents are at a disadvantageous bargaining position relative to Metro.

For example, a resident near the proposed Chehalem Ridge Nature Park commented in a survey: “As a rural community member, I see the negative impact of inviting people from the larger population centers to these rural areas. Some don't respect that people live there too....” Another resident

responded: “Do not forget that you are planning a park where people live but have no vote on the Metro Council. You are not representing the community you are planning in, you are ruling without proper representation.”⁴⁰

As a local government, Metro pays no property taxes on the land it owns, with some exceptions. In purchasing privately owned land outside its jurisdiction, it is removing land from other jurisdictions' property tax rolls, thereby, it reduces those jurisdictions' property tax revenues. These jurisdictions, however, are responsible for the infrastructure costs, such as roads, water, and sewer to serve Metro's properties.

For example, the proposed Chehalem Ridge Nature Park is located at the end of a narrow, winding rural road that is already difficult to maneuver with two-way traffic. Anyone attempting to reach the park by means of Dixon Mill Road must also take on the rough, gravel roads for the last stretch. Metro has no jurisdiction over road improvements; that would be the responsibility of Washington County, if it chose to make any improvements.

However, the county has indicated it has no intention to improve the roads leading to Chehalem Ridge in the foreseeable future, although it will collect an estimated \$2 million dollar transportation impact fee from Metro when construction begins.⁴¹ It appears that the \$2 million will simply be used elsewhere in Washington County, with no benefits to park users.

For properties outside Metro's jurisdiction, Metro has no authority to enforce its regulations, without working with the jurisdictions that the area is in. As late as 2005, Metro's Title 10 regulations regarding parks and natural areas applied only in Multnomah County.⁴² Neither Washington County nor Clackamas County enforce Metro's Title 10 regulations.

4.2. Acquisitions outside the region's Urban Growth Boundary

More than 80 percent of Metro's acquisitions under the 1995 and 2006 bond measures have been outside the region's Urban Growth Boundary. Land inside the UGB is supposed to support urban services such as roads, water and sewer systems, parks, schools and fire and police protection. Significant development limits imposed on land outside the UGB are designed to preserve natural resources, rural lands, and open space. In 1978, Metro assumed the responsibility for planning and managing the region's UGB. In managing the UGB, Metro has enormous power to limit development in the region, raising the question of why Metro had to acquire land to rescue it from development when Metro's management of the UGB is sufficient to stifle most development outside the UGB.

Regardless of Metro's key role in preserving natural areas by managing the UGB, the 1995 and 2006 ballot measures' supporters pitched the measures as attempts to protect rural land that was at risk of development. For example, the Campaign for Open Spaces, Parks & Streams wrote in the 1995 Voters' Pamphlet:

But in the next twenty years over 500,000 new residents are coming to this region. Unless we protect some natural areas now, we will certainly lose them forever.

In the 2006 Voters' Pamphlet, the Yes on 26-80, for Natural Areas Parks and Streams group wrote the bond measure would:

Preserve natural areas throughout the metropolitan area, concentrating on the areas most threatened by growth.

Metro's acquisitions outside the UGB have been controversial, even in the early years of the natural areas bond purchases, as described by Willamette Week in 2000:

Michael Velott gave \$7,500 to the bond measure campaign. A Pennsylvania developer who has done several land deals in the region, Velott says he is shocked by Metro's level of spending outside the UGB. “It bothers me because it makes no economic sense,” he says. “The value of land outside the boundary is not escalating. It couldn't be developed.”

While some of the target areas for acquisitions are near or straddle the UGB, the two largest target areas, Chehalem Ridge and the Sandy River Gorge, are approximately six miles from the UGB. These two target areas comprise 20 percent of the acres acquired with Metro's bond funds and neither of these target areas are publicly accessible. Chehalem Ridge is identified on Metro natural areas maps as a future Natural Area but is not accessible by public transit. The Sandy River Gorge land is not identified on any of Metro's natural areas maps. Metro's newest publicly accessible Nature Park, Killin Wetlands, is about five miles outside the UGB and the nearest transit stop is almost seven miles away.

Of the more than 14,000 acres acquired with the 1995 and 2006 bond measures, less than 12 percent is currently accessible to the public as parks or natural areas.

4.3. Acquisitions inside the region's Urban Growth Boundary

A review of Metro's acquisitions funded by the 1995 and 2006 bond measures reveals additional problems with that Metro's purchases inside the UGB. In its retrospective on

the 1995 bond measure, *Open Spaces. Treasured Places.*, Metro reports:

In 1998 Metro purchased Canemah Bluff, the 39 acres atop a forested ridge overlooking Oregon City, a last minute rescue from a 139-unit housing development that was already platted and staked.

Despite the housing crisis affecting areas in and around the Portland metropolitan area, Metro's acquisitions removed nearly 1,000 acres of land zoned for residential use ranging from single family to high density apartments from the market. The Portland metropolitan region has seen an underproduction of housing since the last recession, leading to decreasing housing affordability and increasing homelessness. Metro's purchase of residential properties for its natural areas program is contributing to the underproduction of housing in the region.

4.4. Acquisitions zoned for exclusive farm or forest use

More than 60 percent of Metro's acquisitions under the 1995 and 2006 bond measures were of parcels zoned for exclusive farm or forest use, or "EFU." Metro's 2040 Framework indicates land zoned for exclusive farm use is "quality farm land outside the urban growth boundary" and in expanding the UGB, Metro should "make every attempt to avoid lands that are zoned for exclusive farm use." These protections raise the question of why Metro had to acquire land to rescue it from development.

In addition to removing EFU parcels from agricultural production, Metro's acquisitions have had spillover effects on surrounding farms, as described by Willamette Week in 2000:

Nevertheless, it might seem odd to some that Metro is making some purchases that actually take farmland out of production.

Last September, Metro stunned Washington County rancher Ed Bartholamy by buying a neighboring 16-acre parcel for \$325,000, way over what he thinks it was worth. "The parcel next door was farmed for 150 years; and, for the first time, it's not being farmed," says Bartholamy, who had been eyeing the property. "The Metro purchase makes it impossible to expand our farm.... We're just scratching our heads."

After purchasing the 373-acre property for \$1.45 million in 2002 for the Killin Wetlands Nature Park, Metro took a passive approach toward restoration in the area. As a result, ditches for drainage on Metro's property deteriorated and

caused neighboring farmland to flood. The neighbors contacted Metro about the problem. But according to Mary Anne Cooper of the Oregon Farm Bureau, Metro essentially said, "if we're making your land wet, sell it to us." And because Metro has "an army of attorneys" to defend it against lawsuits, individual farmers find it hard to stand up to Metro by themselves.

The farmers adjacent to Metro's Killin Wetlands properties brought the situation to the attention of both the Washington County Farm Bureau and state Senator Betsy Johnson, who represents the area. Senator Johnson held a meeting with the farmers and Metro in an attempt to solve the problem. Metro agreed to hire a hydrogeologist to study the rising waters in the area—something the local farmers could not have afforded on their own. Metro has agreed to fix the problem if the study, which is ongoing, finds that Metro has caused the water levels to rise. But in the meantime, the water table in the area has risen so much that the privately owned farmland adjacent to Killin Wetlands can no longer be used for agricultural purposes.

4.5. Protection, preservation, and restoration efforts

Protection, preservation, and restoration of natural areas, watersheds, rivers, and streams for wildlife and fish were key components of the 1995 and 2006 bond measures. The 1995 ballot measure's explanatory statement noted no portion of the bond funds could be used for operations and maintenance. Yet the 2006 ballot measure emphasized protection, preservation, and restoration as the main objectives of the measure. For example, the explanatory statement for the 2006 bond measure promised "enhancement and restoration of habitat for fish, wildlife and water quality."⁴³

In contrast to the 2006 ballot measure's explanatory statement, the Metro resolution referring the measure to voters indicated, "initially, most of these lands will be held with limited maintenance and enhancement beyond initial site stabilization and possible habitat restoration."⁴⁴

Even so, Metro has provided scant information documenting its protection, preservation, and restoration efforts. While tree planting, weed removal, and volunteer efforts are mentioned in some Metro publications since 1995, the levies were earmarked for restoration efforts. In a 2015 annual report on the natural areas program, Metro indicated restoration was being implemented on 3,300 acres, with 110 acres complete. The 2016 annual report show no change in completed acreage. By 2017, just 764 acres were described as completed, and by 2018, 2,460 acres were completed. While this number breaks Metro's goal of 2,000 acres, the goal itself is only about 14% of the land acquired with funds from the two bond measures.

With about one park ranger for every thousand Metro-owned acres, even general upkeep is not feasible. Vandals, trespassers, and dog-walkers are often not confronted, even though Metro claims that these actions pose a threat to its natural areas. In fact, parks are less safe with such a limited number of staff.

4.6. Public access and racial equity

Over the course of the 1995 and 2006 bond measures and in anticipation of the 2019 bond measure, Metro has given the impression that public access to its natural areas is a key feature of its natural areas program. Metro's Conservation Program Director, Dan Moeller, said in an interview in June 2019 that creating “visitor amenities to see the land that they [taxpayers] have helped to protect” is one of Metro's foremost missions.⁴⁵ There is little evidence that this mission is being carried out.

Community surveys and comments often point to a community vision for Metro parks more in line with traditional parks similar to Blue Lake Regional Park or Oxbow Regional Park. To date, Metro has not built a regional park with any of the acquisitions from the 1995 and 2006 bond measures, and has no plans to do so.

Less than 12 percent of the land purchased with funds from the 1995 and 2006 bond measures is accessible to the public as Metro parks or natural areas. Much of the land purchased by Metro cannot even be found on Metro's maps or website. In a meeting with Cascade staff, a Metro attorney confirmed that many of Metro's lands are not listed on the website specifically to prevent or discourage public access.⁴⁶

For those sites that are publicly accessible, few of Metro's master plans for Nature Parks or Natural Areas focus on playgrounds, camping sites, picnic shelters, or extensive multi-use trails, even though residents request these amenities—especially residents from minority communities.⁴⁷ Instead, Metro focuses on “passive recreation,” which Metro's Greenspaces Master Plan defines as, “recreation not requiring developed facilities that can be accommodated without change to the area or resource.”

In addition, Metro has a long-standing ban on dogs at its parks and natural areas despite frequent constituent complaints about the policy and its enforcement. In a report about the impact of dogs on wildlife and water quality, Lori Hennings of Metro Parks and Nature lays out Metro's argument. The paper concludes that “the evidence that dogs negatively impact wildlife is overwhelming.”⁴⁸ But the impacts of a no dog policy on human use are not explored. Some people use daily dog walking as an opportunity to exercise and experience nature in their day-to-day lives, and the strict policies Metro currently enforces deter some dog owners from visiting the parks, even though a simple leash

requirement would minimize the impacts of dogs in natural areas. This undercuts Metro's promises of recreation.



Sign prohibiting pets at Metro's Chehalem Ridge Nature Park

Not all Metro-owned areas restrict dogs: Broughton Beach, Chinook Landing Marine Park, boat launches, and some regional trails allow dogs. Metro funds dog-friendly parks and trails operated by other local governments, which undercuts its rationale for banning dogs from Metro parks.⁴⁹

While placing less emphasis on recreation and public access in recent years, Metro has increasingly focused on promoting racial equity. The 2019 bond resolution states that the purpose for the money was to provide marginalized communities with “equitable access to the benefits of public investments.”⁵⁰ The bond measure principles include the advancement of racial equity, increased accessibility and inclusivity, and the support of community park projects, especially those “projects identified and created by communities of color and other historically marginalized groups.”⁵¹

Metro's ambitions with the 2019 bond measure stand in contrast to Metro's past actions. When planning parks and natural areas, Metro has funded community engagement meetings to hear feedback from members of historically marginalized communities.⁵²

However, the resulting master plans rarely incorporate requests from these community members, exhibiting a sharp contrast between survey summaries and Metro's end products.

For example, The Chehalem Ridge Nature Park Access Master Plan included a variety of surveys specifically designed to determine the needs and desires of minority communities.⁵³ Spanish speakers were more inclined to favor “gathering places, places to eat, security, and places for kids to play, exercise and cool off during the summer”⁵⁴ as well as “picnic tables, play areas, and grills for cooking.”⁵⁵ These survey results paint a picture of a demand for a typical neighborhood park, with swings, grills, a picnic shelter, and grass to run on. In contrast, the Chehalem Ridge access plan emphasizes trails over amenities, with only a small picnic area with grills and a hint that a nature play area maybe built at some unspecified future date.

5. Case Studies

Cascade staff conducted case studies of several Metro natural areas. The sites were selected because of their location, size, acquisition price, and length of time owned by Metro. These case study areas comprise about 20 percent of the land acquired by Metro in the 1995 and 2006 bond measures.

5.1. Newell Creek Natural Area

Metro's Newell Creek target area acquisitions were funded with proceeds from the 1995 bond measure. Metro paid approximately \$5.9 million to purchase 264 acres and easements in the area. The area borders Highway 213 in Oregon City and sits amidst multiple neighborhoods, businesses, and a cemetery. The proposed entrance is served by TriMet's 32-Oatfield bus, which provides weekday service; on weekends, the closest transit stop is a 35-minute walk. Newell Creek's master plan reports approximately one-third of the area acreage is located within the UGB and zoned for residential development; the remaining acreage is located outside the UGB and zoned for timber.

Nearby residents campaigned for the 1995 bond measure in order to protect the area from development.⁵⁶ However it is not clear that the acquisitions satisfied the Greenspaces master plan three-part test of providing direct benefit to citizens of the region, enhancing the regional system of natural areas, open space, trails, and greenways, and protecting natural resources or features of regional significance.

A Metro staff report concluded:⁵⁷

Unique and important features of the canyon from a biological perspective include the size of the contiguous undeveloped land within the

canyon and the presence of native populations of resident and anadromous fish.

The area is affected by numerous landslides,⁵⁸ some of which have been devastating to the neighboring communities.⁵⁹ For example, one landslide in 2006 led to half an apartment complex sliding into Newell Creek Canyon.⁶⁰ The Newell Creek Canyon Access Master Plan notes, “illegal camps have been established, bringing with them litter, dumping and other habitat impacts.”⁶¹



Abandoned shopping cart at an entrance to Metro's Newell Creek Canyon Nature Park

In May 2019, Metro reported that construction would “most likely” occur later in the year.⁶² Site improvements likely will not include many recreational opportunities.

Community recommendations and requests were rejected or pushed back into later stages of construction at a to-be-determined date. At an April 2014 open house, participants recommended areas for picnics, disc golf, dog-walking—one of the most frequently voiced requests was an area for off-road cycling.⁶³ One committee member of Oregon City's Park and Recreation Advisory Committee, Shawn Dachler, stated, a “big push for mountain biking in the city [Oregon City] is an understatement.” Dachler hopes that Newell Creek could become a valuable source for mountain bikers in the area.

The final master plan left out most of the community's requests. The Newell Creek master plan identifies two intertwining trails for hiking and cycling that will total 3.9 miles, along with a parking lot, bathroom, and a trail head.⁶⁴ A "nature play" area and picnic shelter have been identified for "future expansion."

Despite demand from mountain bikers, Metro's off-road cycling trails will amount to what mountain bikers would call an area for "beginning and intermediate cyclists and families."⁶⁵ In the words of one resident, "It wouldn't be a 'destination' like the popular extensive cycling trails at Sandy Ridge is near Sandy"⁶⁶ or the twenty-eight miles of biking trails in Forest Park.

Community members requested a nature play area for children because of the park's setting in multiple neighborhoods,⁶⁷ but it was pushed into a later phase of construction. Dachler noted that a playground is "not a big budget item," but that Metro did not provide a clear explanation for why it had postponed the play area. When Dachler inquired during a committee meeting into when it would become available, the Metro representative could only say that the play area would be built "when the funding comes available."⁶⁸

Metro has indicated it intends to enforce its no dog policy at Newell Creek, which is controversial given the park's close proximity to residential neighborhoods. Two residents in Oregon City confirmed in interviews that they already observed numerous dogs near Newell Creek Natural Area, before the site has been promoted as publicly accessible. An Oregonian editorial indicates the policy would be especially problematic for Oregon City residents:

We suspect the ban also will surprise many dog owners who live near Newell Creek Canyon, a 233-acre parcel in a well-developed part of Oregon City. The park, which sits along busy Highway 213, is close to Clackamas Community College and a number of residential neighborhoods. It's no one's idea of a wilderness area and has long been known for harboring illegal encampments. Yet Metro will allow no dogs—even though some of its trails will be open to off-road cycling.⁶⁹

Other neighbors voiced complaints that Metro did not advertise its planning process well or ask for the input of significant community members. Karla Laws, who is Chair of the Barclay Hills Neighborhood Association bordering Metro's Newell Creek property, stated, "Sadly to say, we haven't heard many things about it [construction at Newell Creek] ... No one has really pursued our opinion." Karla Laws also serves on Oregon City's Citizen Involvement Committee, which she noted has also not been updated on the Newell Creek area, despite the significant impact it will

have on the area.

5.2. Clear Creek Natural Area

Metro's Clear Creek target area acquisitions were funded with proceeds from the 1995 and 2006 bond measures. The parcels total 680 acres and cost \$7.2 million to acquire. The area features forestland, aquatic habitat, and wildflower-filled prairies. It is in a relatively remote setting about 20 minutes east of Oregon City. The area is surrounded by Christmas tree farms, agricultural lands, and the Springwater Environmental School.

All of the parcels are zoned for exclusive farm or forest use and are located outside Metro's jurisdiction and outside the UGB.



Trail leading from Springwater Environmental School to access road for Metro's Clear Creek acquisitions

While it has since expanded, the largest acquisition was the Clear Creek ranch in February 1996.⁷⁰ After this early purchase, Metro drafted a refinement plan later that "focused on how best to complement this initial land holding."⁷¹ In developing the plan, Metro found that many local residents were "opposed to Metro taking action to acquire and preserve open spaces within their neighborhood without prior notice or opportunity for their input," which they had done by purchasing Clear Creek Ranch.⁷²

Public workshops revealed that residents had concerns about "a governmental body in which they are unrepresented" making decisions in their area.⁷³ Local stakeholders expressed similar views. There was a strong consensus among stakeholders about various issues, such as not being represented in decisions, fear of "the long term motives of Metro," a feeling that "local citizens can protect Clear Creek," and that "the intrusion of Metro" was not needed or wanted.⁷⁴

Clear Creek Canyon highlights the tension between

restoration and recreation. Although the 2007 Clear Creek Refinement Plan noted that the 1995 bond measure's goals for the area “were largely met,” it went on to suggest that “it is such an important location and has such potential as a park that it should be a very high priority for continued expansion.”⁷⁵ Metro has since acquired 160 additional acres in the area. In spite of its “potential as a park,” an email from Metro's Parks and Nature department on June 26, 2019 stated that Metro did not have “any public access plans developed for Clear Creek Natural Area.”⁷⁶

In contrast, Metro's 2013 Natural Area Site Conservation Plan for Clear Creek, while including habitat restoration as a main focus, said “public access to Clear Creek Canyon Natural Area” for recreational purposes was a priority objective.⁷⁷ The plan also says “the natural area was purchased with the intention of providing some level of access and natural area experience to the residents of the region,” and promised that “over the next five years actions will be taken to continue progress toward this goal.”⁷⁸

In a 2001 report to Metro citizens, Metro claimed that Clear Creek Canyon “will become a future regional-scale natural park area.”⁷⁹ Yet, more than 20 years after the majority of the property was purchased, no plan exists, with “public access to Clear Creek Canyon Natural Area” being “neither discouraged nor actively promoted by Metro.”⁸⁰ Toward this end, the site is left off of Metro's Parks and Nature Destination Guide map.

An appendix to the 2013 conservation plan, concluded the overall “low” threat of recreational activities, or “human disturbance” on habitats in the natural area.⁸¹ In addition, Metro studied what levels of public access its holdings could facilitate without harming the habitat and wildlife in 2011. The study found that a “high” level of access would be appropriate at Clear Creek, which could allow for “gravel parking areas,” “portable or vault restrooms,” various types of signage, and formalized trails.⁸²

When first acquired, Metro staff described Clear Creek as a “very high quality, free flowing stream with excellent water quality,” surrounded by forests of “relatively good quality.”⁸³ Despite the healthy initial conditions, restoration work in the area was called “a forever project” in 2015 by one Metro scientist, which is perhaps the reason that money from the 2013 parks and nature levy was needed to supplement work in the area.⁸⁴ Metro and the Oregon Watershed Enhancement Board have partnered with the Clackamas River Basin Council to restore 68 acres of riparian and instream habitat at Clear Creek. The project is expected to reach completion by December 2020.⁸⁵

In 2012, Metro spent \$1 million for property along a road with access to Clear Creek, which was described as a move that would provide “a gateway to the natural area” for the public.⁸⁶ Cascade staff visited the area to determine the



Locked gate to Clear Creek access road off Springwater Road

current status of the area in regards to public accessibility. There is currently no parking with easy access to the area aside from Springwater Environmental Sciences School's parking lot off of Springwater Road, which has private property signage posted. Thus, while there is road access to the Clear Creek Natural Area, there no place to legally park.

Clear Creek ultimately is a rural area purportedly with great potential for public access but with no promise for action and with little support from the neighboring community. Metro has stated no intention of fulfilling its 20 year old promises in the area.

5.3. Killin Wetlands Nature Park

Metro's Killin Wetlands target area is a 590-acre site outside the town of Banks in Washington County. Metro acquired 373 acres in 2002 and 212 acres in 2012. The Nature Park occupies 25 acres, off Cedar Canyon Road, and has a 20-space parking lot. The closest transit stop is seven miles from the entrance. It is located outside Metro's jurisdiction and the UGB and is zoned for exclusive farm use and agriculture and forest. The Nature Park opened in September 2018.

After purchasing the 373-acre property for \$1.45 million in 2002,⁸⁷ Metro took a largely passive approach to restoration in the area, resulting in flooding on neighboring farms. Mary Anne Cooper, Vice President of Public Policy at the Oregon Farm Bureau, works with a wide variety of groups focused on wetland preservation, but she says that “Metro doesn't have the same baseline understanding as other groups.” Metro takes a passive approach to wetland restoration, which Cooper says is “terrible from an ecological perspective,” and adversely affects neighboring lands. Both The Nature Conservancy and Oregon State Parks and Recreation have undertaken projects similar to Killin Wetlands according to Cooper, but they maintain the

drainage on the edge of their land so that their neighbors are not flooded.

With regard to restoration efforts, Metro's tactics have been opaque. Out of four target areas of restoration, only one of the areas had a measure of success, although all were ranked as necessary to be completed within five years.⁸⁸

Cascade staff visited Killin Wetlands Nature Park on a sunny Friday afternoon. The park itself was well-maintained and had signage, restrooms, a picnic area, and a parking lot. But despite the scenic view, Killin Wetlands does not have features that would attract most people to visit such a remote place, as demonstrated by the empty parking lot. A boardwalk concept that would have allowed visitors to experience the wetlands in a direct way has not been constructed.⁸⁹



View of Killin Wetland from trail



Killin Wetlands Nature Park, July 2019, Friday afternoon

In comparison, Orenco Woods Nature Park, a more urban park maintained by the City of Hillsboro but funded partly

by Metro, was full of visitors the same afternoon utilizing the play area, picnic shelters, and ample green space.

Killin Wetlands does not fit the three-criteria of the Greenspaces Master Plan: enhancing the regional system of natural areas, open space, trails, and greenways, and protecting natural resources or features of regional significance. The park lies far outside Metro's regional boundary and does not provide significant trails to the neighboring community, and flooding from the property had damaged neighboring farms. It is unclear why Killin Wetlands was ever a priority for Metro's parks program.

5.4. Chehalem Ridge Nature Park

At nearly 1,450 acres, Metro's Chehalem Ridge target area is Metro's largest set of acquisitions under the 1995 and 2006 bond measures. Metro paid approximately \$10.3 million for its acquisitions in the area. The area is located outside Gaston and Forest Grove and nestled in the heart of rural farmland. It is found along a narrow gravel road that winds for miles past numerous farms in the midst of a heavily forested area and is not served by public transit. The entire site is outside Metro's jurisdiction, outside the UGB, and is zoned exclusively for agriculture and forest use.



Locked gate at gravel road access to Chehalem Ridge Nature Park; signage at proposed trailhead

Metro cited water quality, shrub habitat, and oak woodland habitat as important reasons for acquiring land in the Chehalem Ridge target area.⁹⁰ In contrast, the Chehalem Ridge Nature Park Master Access Plan concludes that “there are no significant natural areas or cultural/historic resources on site.”⁹¹

Residents in communities near the site do not fully support Metro's involvement in the area. One respondent to a survey regarding Metro's plans for the site commented, “As a rural community member, I see the negative impact of inviting people from the larger population centers to these rural

areas. Some don't respect that people live there too ...” Another respondent indicated a similar worry: “Do not forget that you are planning a park where people live but have no vote on the Metro Council. You are not representing the community you are planning in, you are ruling without proper representation.”⁹²

Others resent the Metro's restrictions on use of the land at Chehalem Ridge. When Stimson Lumber owned the area, neighbors indicated they were allowed to walk their dogs, ride their horses, and camp. Yet, Metro's acquisitions banned these recreational opportunities, promising a few miles of multi-use trails instead. A survey respondent noted “Chehalem Ridge has been popular with horse riders for years ... it would be nice if it would continue to be friendly to equestrians.” Another resident commented: “The area has been used by local equestrians for many years. I would like to see it open again for use by those people who have, historically, been able to ride on it.”⁹³

The master plan for Chehalem Ridge has suggested about three miles of multi-use trails for pedestrians, runners, cyclists, and equestrians during the first phase of planning. The next phase does not have a clear timeline but anticipates adding another six miles of trails.

A majority of survey participants voiced their worries over the proposed multi-use trails since pedestrians, bikes, and horses can come into conflict. Many wished that recreational activities be separated for safety and comfort. But the end plan scarcely separated the activities, although it noted for example that “an ideal trail system would separate mountain bikes when they are traveling downhill, but there are likely not enough trail miles to separate users at Chehalem Ridge.”⁹⁴ However, Metro is currently offering only 3 miles of trails in 1,134 acres of land and the later phases of development do not have a specific timeline.⁹⁵

5.5. Whitaker Ponds Nature Park and Cully Park

Whitaker Ponds is a 25-acre natural area in Portland's northeast Cully neighborhood near Portland International Airport. The first pieces of the property were bought by Metro using money from the 1995 bond measure.

Before being purchased, the area was largely a junkyard, aside from two baseball fields known as “Falbo Field” and “Field 5.” The fields were built in 1958 and 1968 by a private citizen named Chuck Falbo, along with other volunteers, and were used by Lakeside Little League and other baseball teams in the area.⁹⁶ In June 1995, Metro prepared a master plan for the area that called for the removal of Field 5, which lay between the area's two ponds and the Columbia Slough.⁹⁷ But before this was completed, Metro transferred operations of its Whitaker Ponds property to Portland Parks and Recreation in October of 1998 with the condition that its 1995 master plan was followed.



Field 5, circa 2006 (Photo credit: City of Portland)



Field 5, July 2019

The city later made a new master plan that suggested removing both fields, and, on March 21, 2007, the Portland City Council unanimously passed a resolution to adopt it.⁹⁸ Prior to the vote, public testimony was given. A letter from the Director of Metro Parks and Nature at the time, Jim Desmond, was presented. It stated that Metro was “thrilled” by the new plan and supported its enactment. Additionally, Mike Houck of the Urban Greenspaces Institute and proponent of Metro's Greenspaces program and the 2006 Whitaker Ponds Master Plan, called the ballfields “an accident of history.”⁹⁹ Houck's testimony stood in stark contrast to testimony given by various community members associated with Lakeside Little League (now Parkside Little League), who asked why their fields could not coexist with the natural area as they had in the past. In the words of one woman, who was a former league president, the plan was “great stuff. But it's not inclusive. It's exclusive to one train of thought.”¹⁰⁰

There were no clear financial, recreational, or environmental reasons to remove the fields. The league

maintained and looked after the property using league funds and volunteers.¹⁰¹ The fields further provided recreational opportunities in a park-deficient area and sports-field deficient city—yet environmental advocates wanted total control over the area to establish their idea of a park.¹⁰² Perceived educational value, rather than environmental restoration, guided the decision to remove the fields.

The 2006 master plan called for the conversion of the baseball fields into Willamette Prairie habitat. This type of habitat was not historically present near Whitaker Ponds, so removing the fields was in no way environmental restoration. According to David Yamashita, Portland Parks and Recreation's site project manager, removing the fields was a “value judgement,” with potential environmental educational value being deemed more valuable for kids than recreational opportunities.¹⁰³

Only Field 5 was ever decommissioned, as Falbo Field now sits on land held by the Native American Youth and Family Center. But because Field 5 was the Little League's only large field, Parkside has had trouble organizing a team for its older age group. Metro's 1995 master plan and the 2007 Portland City Council resolution promised to build the league a new replacement field, but this promise has remained unfulfilled.¹⁰⁴ Currently, Parkside's older players have to join another Little League team outside their district or play in a different league that may be more expensive.¹⁰⁵



Field 5 dugout, July 2019

As a result, the vision for Whitaker Ponds established by Metro in 1995 has reduced recreational opportunities in the Cully neighborhood.

Just down the road from Whitaker Ponds is the newly built Cully Park. Portland Parks and Recreation purchased the 25-acre site in 2002 to build a community park,¹⁰⁶ completing a master plan in late 2008. The city, however, did not budget funds to build the park, which was projected to cost anywhere between \$11.8 and \$18.4 million.¹⁰⁷ In 2012, Verde, a local non-profit, received permission from the city to “fundraise for, design and construct Cully Park.”¹⁰⁸ To save money, Verde and its partners redesigned the park to cost only \$11.3 million, opting for “one modest parking lot instead of two bigger ones, fewer ball fields and a lot of hands-on help from neighborhood residents.”¹⁰⁹ The park opened on June 30, 2018, almost 10 years after the city first published its plan for a park on the site.¹¹⁰

Cully has long been known as one of Portland's most diverse, disadvantaged, and park-deficient neighborhoods. Data from the 2010 Census shows that 45% of Cully residents are non-white,¹¹¹ compared to 29% city-wide.¹¹² And, according to a 2013 report, 20% of Cully's residents live in poverty (in contrast to 10% regional average), while 24% live within a quarter mile radius of a park (in contrast to a 49% regional average).¹¹³ Portland Parks and Recreation's 1999 “Vision 2020” report identified the Cully-Parkrose area as park-deficient, and recommended building Cully Park as soon as the site, formerly a landfill, was safe.¹¹⁴ The overall demographics and conditions in Cully would seem to make it an ideal target for Metro's parks program, especially considering Metro's stated shift towards park-deficient and disadvantaged areas in 2006. However, Metro and its millions of dollars in bond money were nowhere to be found in 2008 when Portland Parks and Recreation needed money for Cully Park.

In May of 2012, the coalition building Cully Park received \$577,000 from Metro for their \$11.3 million project.¹¹⁵ While presumably appreciated, Metro did not provide more support for the park, even when it was allowed to cover up to a third of the total cost of the project. At the time, the Nature in Neighborhoods program still had \$8.4 million available to hand out, and the 2013 local option levy would soon provide more. But a limited amount of money was given for the creation of this “much-needed destination in a neighborhood without many places to enjoy nature.”¹¹⁶ In the end, only \$827,000, or 7.3%, of the project's funding came from Metro.¹¹⁷

The overall narrative of Metro's actions within the Cully neighborhood reveal its true vision for interactions between people and the nature around them. Whitaker Ponds and Cully Park provide a clear contrast in this regard. Cascade staff visited both sites to see their current state. At Whitaker Ponds, where Metro's vision for the area had come to

fruition with help from Portland Parks and Recreation, only six park-goers, who all happened to be white, were counted along the natural area's single trail: three parents walking during a Little League practice at Falbo Field, a man who appeared to be homeless, and two teens cutting through the decommissioned Field 5—an overgrown, trash-filled area with its fencing, dugouts, and bleachers still remaining.

Perhaps word has gotten around that, as one TripAdvisor review commented, Whitaker is not a site “that the average nature seeker would enjoy” due to its “minimal wildlife” and abundance of “industrial and traffic noise.”¹¹⁸ Just down the road, Cully Park, completed by the community with minimal Metro funding, was bustling with visitors. The park's features include a playground, soccer fields, and picnic tables. Based upon its previous actions and attitudes towards parks and natural areas in Cully, Metro seems to disregard what a community actually wants in favor of its more passive view of what recreation should be. Former Metro Council President Tom Hughes has acknowledged this failure, commenting in a 2017 meeting that “the Cully Project is a great example of what” Metro should focus on with its Parks and Nature program.¹¹⁹

5.6. Tualatin Valley acquisitions

Using proceeds from the 1995 and 2006 bond measures, Metro has been acquiring rural land in the Tualatin Valley. The consequences of these acquisitions highlight the conflicts between Metro and surrounding farmers and land owners.

The authors of this report interviewed several farmers in the area. Most of the interviewees are farmers residing outside Metro's jurisdiction and outside the UGB. They largely wished to remain anonymous because of their relationship with Metro. One individual currently holds public office and cannot comment publicly on Metro's program. Another source is a farmer who leases some of his farmland in the area from Metro. A third source interviewed and visited by the authors has had extensive legal troubles with Metro in the past and was therefore hesitant to attach his name to the report for fear of future legal action on Metro's part. Mary Anne Cooper, Vice President of Public Policy at the Oregon Farm Bureau, noted that Metro's acquisitions have especially affected the farming community in Washington County and that the bureau has received complaints about Metro's involvement in the area.¹²⁰

In a conversation with one of the sources, Metro's acquisition strategies in practice were discussed. After about a year of negotiations with Metro, in which there were many demands that the farmer did not want to meet, a seven-figure offer was put on the table for about one hundred acres of floodplain. This offer was a surprise to everyone, including the appraiser, who concluded that the value of the property was about \$200,000 lower than

Metro's offer. Because the floodplain lot was not buildable, as stated by the farmer, the land itself had limited value and was not at risk of development. According to the farmer, Metro would have required him to allow public access to the land, eventually get rid of the tenant farmers who had been working there, and remove a longstanding crop that was growing at the time. This would have disrupted the farmers, their workers, and their homes adjacent to the property. Though ostensibly for a “public purpose,” the purchased land would not have been advertised as publicly accessible by Metro. As a result, the proposed acquisition would both disturb the farmland and leave promises of greater public access unfulfilled.

Another area farmer, in conversation with the authors, estimated that Metro paid \$1.7 million dollars for a piece of floodplain and leased out a portion of the property for agricultural use. While explaining Metro's approach after acquiring such farmland, the farmer stated that “they don't want houses, they don't want upkeep, they don't want maintenance, so they just demo everything and start over.” Metro has not promoted or developed the resulting 145-acre Beef Bend Natural Area for public use.¹²¹

The farmer also mentioned how Metro's acquisitions demonstrate a “disregard for others, their neighbors, and civil respect.” A fellow landowner the farmer knew had



Flooded Farmland

been negatively impacted by Metro's disregard for neighboring land owners. He stated that Metro used its connected southern property to “river-lock him, cut all his drainage, flood his piece ... and basically made it unfarmable ... he had no choice but to sell it to them.” The farmer noted that when a person buys a property downstream of another, as in this case, it is up to the lower owner to take the water to the river. “That's the way the drainage laws of the state work”, he said. He expressed his frustration with Metro, ending with, “they got a pretty good legal team, so they ... do what they want.” While these effects may not be intentional, the harmful outcomes of some of these acquisitions are clear.

Metro has had other instances of negatively impacting land owners in the area. In one case, a farmer cited that, by cutting the drain tiles on Metro's own land for the purpose of flooding it, the runoff changed so that one of his parcels was flooded year-round, killing the trees that were growing there and making the land unfarmable. The farmer noted that peripheral drains could have been maintained by Metro to prevent flooding while still allowing for wetland restoration.

A key concern of the farmers interviewed was Metro's purchases outside its jurisdiction: “We're not in the metropolitan area—we're not in Metro's boundaries—we can't even vote on the levies, and yet they're coming out on our area, and buying all our ground.” In addition, Metro has continued to buy more farm acreage in areas zoned for exclusive farm use. When Metro bought some land from this particular farmer, a debate about public access ensued. If Metro owns the land but a farmer pays to lease it for agricultural use, is the public allowed to visit? Metro signs were posted on the property, attracting several hikers who trespassed on the farmer's crop.

Metro's ultimate mission appears to be restoring these remote areas to their “original” conditions, although few bureaucrats appear to understand the context of the land's historic, natural state. While Metro can restore and preserve land, it is not obvious why Metro is compelled to take on this responsibility in rural areas. As another farmer told the authors, “the weather goes in cycles, and they [Metro] come in and try to change things according to their utopian view.” This supports what the results of the last two bond measures were: a period in which Metro bought land already preserved through zoning and private restoration, proceeding to “restore” the land in a way disruptive to neighboring communities.

The farmers interviewed noted that as private landowners, they have had a financial interest in preserving and restoring their rural lands for decades. They argue that healthy land is the precursor for healthy crops, and selling wetland rights is lucrative. Many private farmers develop wetland mitigation banks to restore the land and then sell “credits” to

developers. “It's basically preserved, forever—but it's private,” one of the farmers said. He is in the process of creating similar areas that will also be at no cost to taxpayers. His private team has been using innovative strategies to restore the land, such as controlled grazing in accordance with the natural elk that have grazed in the basin years before. In comparison, another farmer noted that Metro's restorative efforts can actually endanger the land, stating that “a lot of their land is a fire hazard—they don't graze or burn.”

6. Conclusion

Metro's natural areas program began as a vision to increase and preserve parks and natural areas in a region facing increased population growth and density. In concept, many residents would give up their single-family housing in favor of apartments and condominiums. While losing their backyards, local governments would offset the loss with more parks to meet and play and offer “nature in neighborhoods.” It was an expensive vision that would require hundreds of millions of dollars.

As the program progressed, the mission moved from providing parks for people to locking land away from the community that paid for it. The 1995 promise to “provide areas for walking, picnicking, and other outdoor recreation” gave way to the 2006 mission to “buy and restore natural areas for the protection of water quality and preservation of fish and wildlife habitat.” The 2019 bond measure claims to “protect water quality, fish, wildlife habitat, natural areas.” Parks are to be “maintained” rather than built, expanded, or improved.

Over the nearly two decades since the first parks and nature bond measure, Metro has made, broken, and delayed its promises to voters. It promised that a solid waste tax would protect residents from additional taxes for its natural area program. Nevertheless, it swept that money into Metro's general fund and put a two operating levies—increasing property taxes—on the ballot. Metro assured the region that Clear Creek would become a regional park. More than a decade later, it has no plans to make the area publicly accessible and has removed it from its maps of parks and natural areas. Chehalem Ridge was pitched as a regional park for Metro's west side, but current plans include only a few miles of walking trails and a small picnic area. After spending hundreds of millions of dollars and acquiring more than 14,000 acres of land, less than 12 percent of the acquisitions are accessible to the public.

Even the land that is open to the public is out of reach of many Portland residents. Seventy percent of Metro's acquisitions have been outside Metro's jurisdiction. More than 80 percent of the acquisitions are outside the UGB. As noted in the 2019 Voters' Pamphlet, much of Metro's

acquisitions “exist as places on a map but not places you can actually go.” Much of this land was never at risk of development. Instead, Metro has taken productive farm and forest land out of private ownership and left it fallow.

Metro has promised restoration of natural areas as well as fish and wildlife habitats. But its restoration objectives, efforts, and results have been opaque and uncertain. Metro has provided no measures of changes to water quality or changes in fish and wildlife populations. Thus, Metro's constituents have no way to measure the extent to which Metro has kept its promises of restoration.

Metro has promised a strategy focused on racial equity. Even so, the desires of minority communities for parks that serve as “gathering places, places to eat, security, and places for kids to play, exercise and cool off during the summer” have been overlooked in favor of natural areas amenable only to “passive recreation.” In fact, as demonstrated by the experience with Whitaker Ponds and the Falbo baseball fields, Metro has encouraged the removal and degradation of park amenities desired and used by the community.

Metro already acquired more land than it can manage. The focus for the next decade should be on making current lands available for public use. Metro's largest planned park—Chehalem Ridge near Gaston—has been in Metro ownership for nine years, and there is still no public access. Metro also owns about 1,400 acres in the Sandy River Gorge. These holdings are not shown on any of Metro's parks and nature maps and Metro has no plans at all to make these properties available for swimming, boating, hiking, or family cookouts. Metro needs to turn these and other areas into parks its residents actually use before seeking more money to acquire more land.

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