

Review of Witham Oaks property with GLT 2007-2012 Conservation Plan Criteria

Written by Paige Fischer with input from Cary Stephens and Betty Griffiths

Details of visit:

Cary Stephens, Betty Griffiths and I were present at the visit to the Witham Oaks (formerly Frager) property. While GLT has reviewed this property before (Karlene says there is a property evaluation on file) we were prompted to update the evaluation with current criteria in response to recent community interest in the property. The current landowners, Matrix homes, are in bankruptcy and the property is to be sold at a trustee sale by US Bank in January. Louise Marquering, a citizen representative who has assembled the informal group, Friends of Witham Oaks, has requested that Greenbelt to play a role in the acquisition of the site.

Description of property:

The approximately 94.6 -acre property is located north of the OSU Dairy Facility, between Harrison Blvd and Witham Hill Natural Park. Its eastern boundary is the planned Circle Blvd extension and its western boundary is the city limits of Corvallis, part of it abutting the OSU research facility. The northern third of the property supports good quality oak woodland habitat with numerous open crowned oak trees. The understory of this section is dominated by invasive shrubs and grasses such as cherry, English hawthorn, Himalayan blackberry and false brome. The mid-third of the property is mainly blackberry and hawthorn with some old apple trees and other ornamentals. The southern third of the property contains some wetland, wet prairie and bottomland ash forest the quality of which we did not gauge. It was raining pretty hard! Overall the oak habitat attributes seem significant for such an urban property.

The scenic and recreational attributes of the property are also significant. It could (and already does) provide numerous extensions of trails in the Witham Hill Natural Park. A portion of the property is located on Witham Hill. As such, it offers scenic views from the south along Harrison, the west along Walnut and along the future extension of Circle Blvd. Also, the property is connected to Woodland Meadows Park to the east across Witham Hill Drive.

Summary of how property meets GLT's selection criteria (pp. 10-13 in 2007-2012 Conservation Plan):

The property rates quite high according to most of GLT's scenic, ecological, recreation and education criteria. Located on a prominent southwestern slope of Corvallis it offers outstanding scenic and recreational quality from Harrison and Walnut and the future extension of Circle. It supports important habitats including oak woodland and wetland habitat and an intermittent stream (name?). Its accessibility and ecological importance could make it a good site for education and recreation. It could be the location of trails connecting to the Witham Hill Natural Park, perhaps even to Bald Hill in the future. Its wetlands may provide the important ecosystem service of flood and run-off control from Witham Hill and ground and surface water protection. Located along the southwestern side of Corvallis it could serve as a buffer between urban and rural lands, and a gateway from the Southwest. The property is very accessible for urban residents of Corvallis including OSU students.

The property is located in Corvallis, making it a Tier One property.

The property falls short in terms of some of the logistics of acquisition. Although the property would probably require public ownership to protect all of its ecological, scenic and recreational values, the seller is willing, and the rights would be clear, it would be very expensive and could be controversial to acquire. The sale price is likely in the vicinity of \$5 million. In addition, maintaining oak woodland, savanna and wetland habitat would be expensive over the long-term. The controversial aspect of placing this property in conservation status relates to two issues. One, conserving the property would preclude most forms of development, and significant development is probably required to support the Circle Blvd extension, as the City generally looks to the developer to pay for transportation infrastructure. Therefore, placing this property in conservation status could interfere with Corvallis' current transportation plan. Second, conserving the property runs counter to the general goal of constraining growth to dense, compact urban areas to reduce stress on rural and wildland areas. Obvious trade-offs exist between conservation of this property and urban growth management in Corvallis.

Ratings:

1. Physical Characteristics of the Site

X View Qualities

- Prominent feature of the skyline
- Land possessing outstanding scenic qualities visible from public roads, rivers used by the public for recreation, or from park areas designated for public use
- Hilltops or other high areas, which offer panoramic views

Views from this property are medium quality and would improve with opening up the Oak Savannah.

Views of the property from adjacent public areas and roads are medium to medium-high quality.

This property is not a prominent feature on the skyline from much of the community but is very scenic from directly south.

X Habitat Protection

- Habitats of species at risk or land containing endangered, threatened or rare species.
- Natural communities characteristic of our region (e.g. oak savannas, native grasslands, conifer forests, riparian areas, and wetlands).
- Ecosystems of educational and/or scientific value
- Aquatic ecosystems that enhance and protect the quality and quantity of ground and surface water
- Perennial and intermittent streams and their riparian areas

The property supports important habitats including oak woodland and wetland habitat and an intermittent stream. Its accessibility and ecological importance could make it a good site for education and recreation. The property does have significant invasive species problems-- cherry, English hawthorn, Himalayan blackberry and false brome were very prominent and would be difficult to eradicate.

X Agricultural and Forest Resource Lands

- Forest lands
- Lands of significant agricultural importance and value.

X Lands of Historical, Cultural and Educational Importance

- Lands containing significant cultural features including: historic buildings, sites of historic value or resources of significant archaeological value
- Lands adjacent to sites of historical or archaeological value necessary for their protection
- Important community resources with a history of use by residents for recreation.

Except for the education component discussed above, this criteria to our knowledge is not applicable.

X Corridors

- Trails and bikeways not adjacent to roads
- Lands which serve as a connector between existing or proposed trails, parks, view sheds or other open space preserves.
- Wildlife corridors that allow for movement of animals, birds, insects and plant dispersal between larger areas necessary for their continued viability
- Waterways that provide for aquatic life and, if appropriate, human recreational uses.
- Railway rights of way
- River corridors

The property already serves as a trail corridor and could be part of trails connecting the Witham Hill Natural Park to other open spaces such as Bald Hill in the future.

X Ecosystem Services Lands

- Lands providing essential ecosystem services such as flood control, pollination, purification of air and water, decomposition and recycling of wastes, generation and renewal of fertile soils
- Aquatic ecosystems, including streams, wetlands, flood plains, ponds, and riparian corridors, that enhance and protect the quality and quantity of ground and surface water

The property's wetlands would provide an important ecosystem service of flood and run-off control from Witham Hill and ground and surface water protection.

X Landscape Buffers and Gateways

- "Gateways" that enhance the entrance points into our communities
- Lands that help maintain a visual buffer between urban areas already developed or with the potential to be developed
- Lands that serve as a buffer between urban development and uses of resource lands

The property could serve as a buffer between urban and rural lands, and a gateway from the Southwest.

X Accessibility

- Proximity to existing open space and existing residential areas.
- Suitability for low impact recreation use, such as walking or high impact recreation use, such as sports fields
- The ease of access to the site by the general public by road, bike, or foot trail. - Ease of access by children, the elderly or those with limited mobility

Adjacent Witham Hill Natural Park and Woodland Park, possessing a multi-use path, and located near OSU and surrounding neighborhoods, the property is very accessible for urban residents of Corvallis, including OSU students..

2. Three-Tiered Geographic Focus

In addition to consideration of the eight physical characteristics listed above, the Greenbelt will evaluate a property or project using a three-tier decision guide.

X Tier One: Greenbelt Home: This is the historic core of GLT activity, centered on the Corvallis-Philomath communities and the Urban Growth Boundaries in Benton County. Utilization of the full menu of conservation tools and strategies is appropriate within the Greenbelt Home. Most of the high priority projects in this tier were identified in our 1998 Open Space Plan and are identified in this Conservation Plan. These lands include viewsheds, signature landscapes, working farms and forests, community buffers, significant park and trail areas as well as lands of ecological significance. Projects in this tier include land acquisition for ecological, recreational and scenic purposes and trail acquisition projects that connect parks and natural areas.

X Tier Two: Greenbelt Web: Generally, this area includes all of Benton County, western Linn County, southern Polk County and southern Marion County. Projects will focus on acquisition/ and trail projects that have social, cultural, economic and ecological linkages that connect our community to the surrounding landscape. Rivers, roads, habitats, trails, and human and animal migration patterns create a web of interdependencies and ecological connections that tie the Greenbelt Home to neighboring communities. Opportunities to pursue the mission within the Greenbelt Web are pursued wherever they complement or enhance projects in the Greenbelt Home. Utilization of the full menu of conservation tools and strategies is appropriate within the Greenbelt Web. These lands include viewsheds, signature landscapes, working farms and forests, community buffers, significant park and trail areas and lands of ecological significance.

X Tier Three: Greenbelt Outreach: This area generally encompasses Eastern Linn County, Polk and parts of Yamhill and Marion Counties. Often, opportunities arise to partner with other organizations in the region whose goals align with those of the GLT, but whose activities are geographically not within the Greenbelt

Home or Web. GLT participation in these outreach activities must be supported by the local community with funds generated specifically for these projects, and must not interfere with pursuit of the mission in the Greenbelt Home and Web. These lands must contain significant natural, agricultural, recreational, educational, scenic or cultural resources or be connected to other protected lands of significance.

3. Acquisition Potential

The term "acquisition" refers to our ability to acquire whole or partial interest in identified lands. If the lands under consideration are ranked as medium or high priority for conservation based on the physical attributes of the property and the appropriateness for GLT involvement given our three-tiered guidelines, the Greenbelt then evaluates the urgency of protecting the lands and decides upon the appropriate conservation tool or strategy. At this stage, the following factors are considered: acquisition, conservation easement, or oversight with another entity and long term stewardship costs. During this process, we must keep in mind our goal of providing a public good as opposed to creating benefits for only a select group of citizens or a specific neighborhood.

X Importance of public ownership. We consider whether public ownership is necessary to conserve the habit values and other characteristics of the property or provide public access. Conservation easements may serve the same purpose but at a lower cost.

Due to the significant amount of public use that would be expected this property would certainly need to be managed under public ownership.

X Willingness of owners to relinquish whole or partial interest in property. This may affect whether we purchase full fee title or enter into a conservation easement on a property. ***Landowner is a willing seller of entire interest.***

X Urgency. This is dictated by impending sale of property or actions by landowners, agencies or developers that may change the conservation characteristics of the property. ***As compared with other potential projects, protection of this property should likely be rated high on the urgency criteria due to the approved development plan. However, some uncertainty exists as to the future plans for the property. The urgency criterion does not express any potential action by GLT and is only an evaluative tool.***

X Ease of ownership is determined by the lack of legal impairments and the availability of clear title. ***This criteria can be met.***

X Cost of acquisition is the initial cost to conserve land. We must evaluate whether acquisition of a high cost property would diminish our ability to protect other significant properties. ***The anticipated cost of acquisition is extremely high. We know of no funding sources that would/could contribute to the purchase at the per acre price anticipated. The City of Corvallis has approximately \$95,000 in their Open Space Trust Fund account, but has shown no interest to date regarding purchase of this property.***

X Cost of long-term stewardship and restoration (if necessary) covers monitoring of conserved values, rehabilitation, and maintenance of the property. ***This cost of long term stewardship would be high if the property was restored and managed for important habitat conservation values. Invasive species control would be an ongoing expense, as would trails and other public infrastructure.***

X Viability of long-term ownership examines how adjacent land uses or land use designations may alter the long-term open space or conservation value of the site. ***Ownership by the Greenbelt long term is not viable. The long-term viability of ownership by the public is more uncertain. Some of the attributes that make this property attractive for protection, i.e. its proximity to urban areas and ease of access, would also put pressure on the property long term. These pressures would need to be managed. Interference with transportation plans and broad goals of density are also a factor. Overall, long term public ownership comes with trade-offs that the community should consider.***

Brief history of property:

This approximately 94.6 acre property, known previously as Frager Property, is part of a 133.7 acre tract that has been considered for annexation to the City of Corvallis since 1978. Between January 1978 and November 2002, six annexation and development proposals for the site were defeated by the voters. In the November 2000 Corvallis Open Space bond measure, the City of Corvallis purchased approximately 35 acres in the NW portion of the site. The acres purchased by the city included the majority of the upper hillside containing mostly oak woodlands and some fir. At approximately the same time, five acres on the SE corner of the site was purchased for a Jewish Community Center. In November 2004 a new owner Legend Homes (Matrix Development Corp) again placed the property, now called Witham Oaks, before the voters to be annexed and developed. This annexation passed and in December 2006, Matrix Development applied for a detailed development plan for the site. After appeals to the City Council, LUBA, and DSL the detailed development plan for the property was approved for development. This plan would develop 221 single family and attached housing units located primarily on the center of the site. Approximately 23 acres of wetlands would not be built upon and probably donated to the City of Corvallis. An additional 27 acres would be protected as common area or given to the City of Corvallis to add to the current Witham Hill Natural Park.

In June 2008, Matrix Development declared bankruptcy. The property has been placed in foreclosure and will be auctioned off on January 29, 2010 by US Bank, Portland.

History of protection recommendations:

January 1979: Benton County and the City of Corvallis completed a report, "Open Space Plan Corvallis Planning Area". This plan was authored by the Corvallis-Benton County Open Space Task Force but it is unclear if it was ever formally adopted by the City or the County. In this plan, Witham Hill was identified as one of 15 "hills and vistas" sites worthy of protection.

1982: The City of Corvallis conducted an Open Space Hillside Inventory" as a part of their requirements for Goal 5, Open Space. In this inventory Witham Hill was listed as one of 11 Open Space Hillside. The resource classification for this site was given as: "Limit Conflicting Uses: When both the resource site and the conflicting use are important relative to each other, allow conflicting uses to exist in a limited manner and protect resources to desired extent."

January 1990: The Greenbelt Land Trust prepared an "Open Space Report" for the Benton Government Committee. Witham Hill was cited in this report among a list of 21 sites "...suggested by members of the Greenbelt Land Trust as examples of open space that contributes to the character of the Corvallis and Philomath area".

July 24, 1995: The Open Space Outreach Group, a coalition of community members interested in open space issues organized in response to the City Council goal to increase open space protection. The Greenbelt Land Trust participated in this public outreach and education effort. The report to the City Council, "Report on Open Space Outreach Project", did not recommend specific properties for protection but rather focused on types of open space categories such as buffers, corridors and views. The sites with the highest support were Owens Farm, Chip Ross Park additions and Dimple Hill. This report also included the recommendation that a measure be placed "...on the 1995 ballot to provide public funding for open space protection".

September 1995: The Corvallis Open Space Advisory Commission was formed for the purposes of advising the City Council on acquisition and/or protection opportunities for open space. This commission developed a set of detailed criteria for open space acquisition for the City of Corvallis.

November 7, 1995: A City of Corvallis ballot measure for a tax levy to raise \$4.75 million over five years for the purchase of open space was defeated. No specific properties were listed to be purchased; however, lands to be purchased were described as "resource lands, viewsheds, buffers and corridors for recreation, wildlife and other uses". Any recommendations for purchase would be reviewed by the newly formed Open Space Advisory Commission.

May 2000: In a report to the City Council on Potential Open Space Acquisitions, the 128.7 acres of the Frager (Witham Oaks) property was listed by the Open Space Advisory Commission as significant for the “key attributes of the wetland, oak woodland and being contiguous to the City limits”.

2000: In a public opinion survey on open space conducted for the City of Corvallis by the Greenbelt Land Trust, the 129-acre Frager property was one of five properties with majority support with 52% of respondents in favor of the purchase of the property. By comparison, the top ranking property was the 256-acre Owens Farm with 56% in favor.

November 2000: The City of Corvallis Bond Measure for \$7.9 million was passed for the purchase of five open space properties including approximately 35 acres of the upper hillside portion of Frager property.

September 2009: In response to the notice of foreclosure on the property a group has been formed, Friends of Witham Oaks (www.withamoaks.org) to raise money for the purchase of the property at the bank auction on January 29, 2009. Their goal is to raise \$2-2.5 million in the hoped that they will give them a good negotiating position with the bank. They are seeking verbal and financial backing from the Greenbelt Land Trust as well as the City of Corvallis, the Trust for Public Lands, the Nature Conservancy.