



Date: January 2, 2008

CD-07-07-G- Greenleaf Creek Wetland Restoration near North Bonneville, WA

DECISION AND CONSISTENCY DETERMINATION
USDA, Forest Service, Columbia River Gorge National Scenic Area

Mark Kreiter, Project Manager

Proposed Action: The Columbia River Gorge National Scenic Area is proposing the restoration of a wetland in Township T2N, R7E, Sec 16, SW near North Bonneville. Unauthorized grading and excavation has resulted in the destruction of a wetland on National Forest System lands. The wetland was filled with material from an excavated ditch in an attempt to divert water from adjacent property. Non-native plant species are now abundant throughout the disturbed wetland. This project will restore the wetland as close to its previous state as possible. The plan is based on analysis of pre-alteration aerial photographs and recollection of the area by CRGNSA specialists.

Scoping and Public Involvement: A scoping letter describing the project was sent to a mailing list of known interested parties and adjacent landowners on August 20, 2007. Written comment was received from Friends of the Columbia Gorge (FOCG), supporting enhancement projects that increase the habitat of endangered species that are in compliance with the applicable CRGNSA Management Plan guidelines. All substantive comments are summarized and addressed in the enclosed Findings of Fact.

Reason For Categorically Excluding the Proposed Action: I have determined that the proposed action is categorically excluded. Therefore, neither an environmental impact statement nor environmental assessment will be prepared. I make this determination based on the following findings:

1. I find the proposed action fits under Category 6, Section 31.2 Forest Service Handbook 1909.15-92.1, February 15, 2007: "Timber stand and/or wildlife habitat improvement activities which do not include the use of herbicides or do not require more than one mile of low standard road construction (Service level D, FSH 7709.56)." This project proposes to restore wetland habitat that was degraded in the past. Therefore, neither an environmental impact statement nor environmental assessment will be prepared. I make this determination based on the following findings:

I have determined no extraordinary circumstances exist that indicate a presence of possible significant effects. The project's location within a congressionally designated area does not automatically require an EA or EIS. The project does not adversely affect the congressionally designated Columbia River Gorge National Scenic Area.

The proposed action does not negatively impact land or resources; it will not adversely affect any threatened, endangered or sensitive species of plant or animal, cultural resources, steep slopes, erosive soils, floodplains, wetlands, or

other special areas or resources. The project area includes wetlands/ponds/streams but has no adverse effects upon these resources.

The project is not located within or adjacent to any inventoried roadless areas, Research Natural Areas or Washington State Natural Area Preserves. The project does not affect any reserved treaty rights of Native Americans. There are no unusual effects to minority or low-income populations by the proposed action. Therefore, neither an environmental impact statement nor environmental assessment will be prepared.

2. I have also determined that the proposed action is consistent with the Land and Resource Management Plan for the Gifford Pinchot National Forest as amended by the Northwest Forest Plan. The project design and mitigation measures described in the CRGNSA Consistency Determination Findings of Fact, referenced as CD-07-07-G, meet the Riparian Reserve and Late Successional Reserve standards and guidelines.
3. I find that this project is consistent with the Columbia River Gorge National Scenic Area (CRGNSA) Management Plan provided that it is implemented as described in the CRGNSA Consistency Determination Findings of Fact, referenced as CD-07-07-G, and the following conditions are applied:
 - a) The project shall be implemented as described in the project application.
 - b) Legal access shall be obtained before implementation.
 - c) Fliers explaining operating times shall be made available at the BHS so the guests know to avoid the area.
 - d) The Natural Resource Mitigation Plan shall be followed including:
 - Natural vegetation shall be retained to the greatest extent practicable.
 - Heavy machinery shall stay within the marked excavation area or road.
 - The excavation area shall be marked as defined by the plan and resource specialists will direct equipment on site.
 - The ditch shall be filled in from the upstream end first allowing for fish and other species to move down stream and out into Greenleaf Creek.
 - In the event the alternative temporary access road must be used, stream crossing shall occur during the summer when the stream is dry or during the in stream work window as defined by the U.S. Department of Fish and Wildlife.
 - e) Machinery and disturbance shall be limited to the smallest area possible.
 - f) Replant all soil disturbed areas with native plants within one year as per planting plan.
 - g) The applicant shall monitor the implementation of the Natural Resource Mitigation Plan and plant survival for 3 years and replant as needed.
 - h) If any historic or prehistoric cultural resources are uncovered during project activities, work shall cease and the CRGNSA archeologist shall be notified. The Forest Service shall also notify the Washington State Historic Preservation Office and the Indian Tribal Governments within 24 hours if the resources are prehistoric or otherwise associated with Native American Indians.

4. The Findings of Fact of the attached Consistency Determination form the basis of fact for my decision on federal lands.

Decision: I have decided to authorize the project as described above because implementation of the project meets the stated purpose and need and can be accomplished with minimal environmental impacts.

Implementation Date: The project may begin immediately provided the conditions at 3.(a-f) above are followed. This decision expires on January 2, 2010. If implementation has not commenced before that date, a new consistency review or extension shall be required.

Appeal Opportunities: A written request for review of the Consistency Determination, with reasons to support the request, must be received within 20 days of the date shown with the Area Manager signature below. Requests for review are addressed to: Regional Forester, P.O. Box 3623, Portland, OR 97208.

The NEPA portion of this decision is not subject to appeal pursuant to Forest Service regulations at 36 CFR 215.

Contact Person: The Columbia River Gorge National Scenic Area staff prepared an analysis file in conjunction with this project. For further information, contact Diana Ross at the Columbia River Gorge National Scenic Area, 541.308.1716, e-mail: dlross@fs.fed.us.

/s/Daniel T. Harkenrider

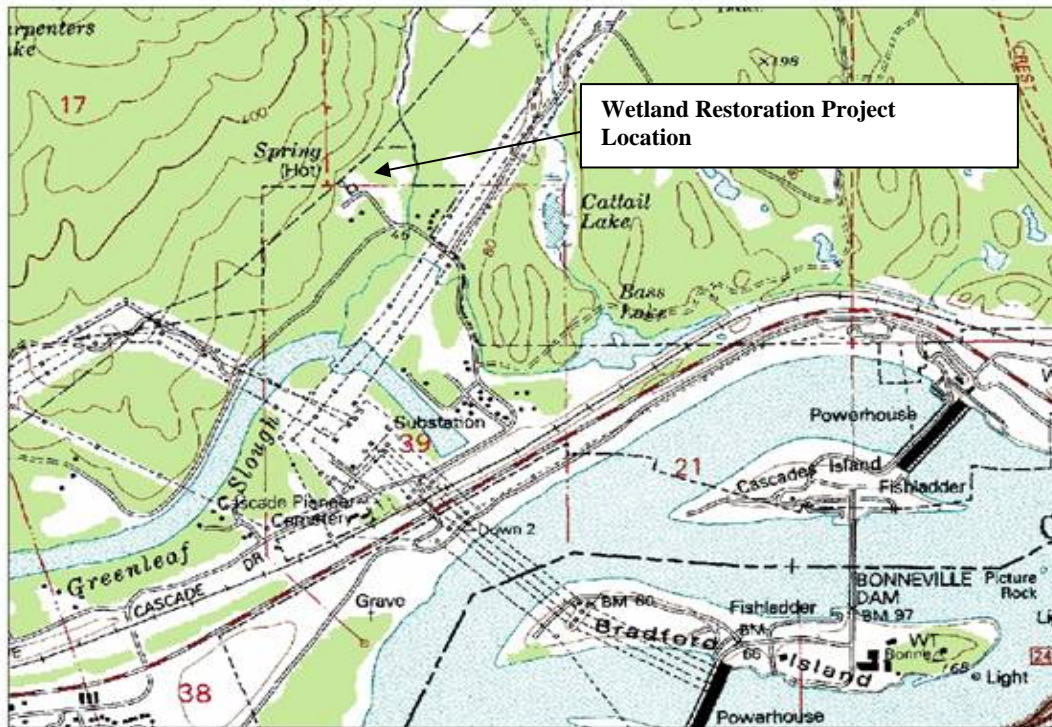
DANIEL T. HARKENRIDER
Area Manager

Date: January 2, 2008

cc: Jill Arens, Executive Director, Columbia River Gorge Commission
Rick Till and Nathan Baker, Friends of the Columbia River Gorge

FINDINGS OF FACT

Landowner:	USDA Forest Service
Proposed Action:	Wetland Restoration
Location:	Township T2N, R7E, Sec 16, SW Taxlot: 202 QUAD 4 UTM: 581243 5056288
National Scenic Area Designation:	General Management Area (GMA)
Land Use Designation:	Commercial Forest
Landscape Setting	Coniferous Woodland



FINDINGS OF FACT:

The following findings of fact contain the applicable standards and guidelines from the CRGNSA Management Plan, as revised and adopted in 2004. Some guidelines are indicated as not applicable with the abbreviation N/A. These are not applicable due to type of project and/or location. The CRGNSA Management Plan standards and guidelines are displayed in **bold type**. The findings are displayed in regular type.

A. Project Proposal

Unauthorized grading and excavation has resulted in the destruction of a wetland on National Forest System lands. The wetland was filled with material from an excavated ditch in an attempt to divert water from adjacent property. Non-native plant species are now abundant throughout the disturbed wetland. This project will restore the wetland as close to its previous state as possible. The plan is based on analysis of pre-alteration aerial photographs and recollection of the area by CRGNSA specialists.

Restoration actions are

- **Sod Removal/ Replanting Native Vegetation**--All areas currently planted with non-native sod grass (approximately 19,400 Sq. ft.) on National Forest Service land, which has been surveyed and marked with orange carsonite markers, will be cleared and replanted with native vegetation. Native grasses and bare root trees and shrubs (5 trees & 10 shrubs/1,000 Sq. ft.) will be planted after the sod is removed.
- **Fill Ditch**--A North/South trending ditch that was excavated into the flood plain will be filled with material excavated from the wetland area. This ditch is located on Longview Fibre owned land. Action will be taken to move fish out of the ditch (filling will begin at the upstream end of the ditch and work downstream) Native wetland and riparian vegetation will be planted in this area.
- **Wetland Hydrology Restoration Grading**--The wetland that has been filled previously with material excavated from the ditch and other areas in the floodplain will be excavated. The topography will be restored as closely as possible to previous existing contours, enabling previous hydrologic functions. An estimated 2150 cubic yards of material will be removed in the excavation. The wetland excavation will reestablish a seasonal flood regime caused by ground water level and surface flow. This area will be planted with native wetland and floodplain vegetation. When possible existing trees will be dug, stored on site, and replanted after grading to preserve existing native vegetation.
- **Access Road**--Currently the only road that allows access to the site is through the Bonneville Hot Springs property. In the event that access via Bonneville Hot Springs is denied, a temporary road that currently exits along the Northwest Pipeline right of way will be reconstructed to provide access for large machinery and vehicles. The Northwest Pipeline right of way is clear of trees and level enough for vehicles to drive on but it is anticipated that some “spot” grading will be necessary to allow vehicle access. Two small wet channels intersect the alternate road route and some brush would need to be cleared. After project completion, the channels will be restored to the existing conditions. The road bed and affected areas will be seeded with native vegetation.

B. Public Comment

A scoping letter describing the project was sent to a mailing list of known interested parties and adjacent landowners on August 20, 2007. Written comment was received from Friends of the Columbia Gorge (FOCG), supporting enhancement projects that increase the habitat of endangered species that are in compliance with the applicable CRGNSA Management Plan guidelines. The following findings of fact review compliance with the Management Plan guidelines. All substantive comments are summarized and addressed in the following findings of fact under the appropriate subject area.

C. Land Use Designations

1. The Management Plan, Part II, Chapter 2 (Forest Land) GMA Guidelines state:

1. **The following uses may be allowed on lands designated Commercial Forest Land or Large or Small Woodland, subject to compliance with guidelines for the protection of scenic, cultural, natural, and recreation resources;**
 - F. **Resource enhancement projects for the purpose of enhancing scenic, cultural, recreation and/or natural resources, subject to the guidelines in “Resource Enhancement Projects” (Part II, Chapter 7: General Policies and Guidelines). These projects may include new structures (e.g., fish ladders, sediment barriers) and/or activities (e.g., closing and revegetating unused roads, recontouring abandoned quarries).**

Findings: The entire North Bonneville wetland restoration project lies within the Commercial Forest land use designation. The project is consistent with the guideline as an enhancement of natural resources.

2. The Management Plan, Part II, Chapter 7: General Policies and Guidelines (Resource Enhancement Projects, GMA/ SMA Guidelines);

1. **Applications for resource enhancement projects must describe the goals and benefits of the proposed enhancement project. They must also thoroughly document the condition for the resource before and after the proposed enhancement project.**

Findings: The goals and benefits of the project are explained in the Project Review Application and Mitigation Plan. Documentation of the condition of the resource before the project is also included in the Project Review Application and Mitigation Plan. Documentation of the condition of the wetland after project completion will be documented.

D. Scenic Resources

The Management Plan, Part II, Chapter 1 (Scenic Resources), GMA guidelines, states:

OVERALL SCENIC PROVISIONS

1-7-N/A and/or addressed under KVAs below

KEY VIEWING AREAS

- 1 **The guidelines in this section shall apply to proposed developments on sites topographically visible from key viewing areas.**
2. **Each development shall be visually subordinate to its setting as seen from key viewing areas.**
3. **Determination of potential visual effects and compliance with visual subordination policies shall include consideration of the cumulative effects of proposed developments.**

- 4. The extent and type of conditions applied to a proposed development to achieve visual subordination shall be proportionate to its potential visual impacts as seen from key viewing areas.**

Findings:

The project is topographically visible from six Key Viewing Areas. The project is not in the foreground of any KVA. The project is in the middle ground from the Columbia River, SR-14, I-84, HCRH and the Pacific Crest Trail. The project is in the background of I-84, the Pacific Crest Trail and Dog Mountain Trail. Due to distance, the nature of the project, and vegetative screening, the project will be visually subordinate to the landscape within the required timeframe.

<u>KEY VIEWING AREA</u>	<u>DISTANCE ZONE</u>		
	FOREGROUND 0-1/4 Mile	MIDDLEGROUND 1/4 to 3 Miles	BACKGROUND Over 3 Miles
Columbia River		X	
SR-14		X	
I-84		X	X
Historic Columbia River Hwy		X	
Sandy River			
Pacific Crest Trail		X	X
Portland Women’s Forum			
Crown Point			
Rooster Rock State Park			
Larch Mtn. Road			
Larch Mountain			
Larch Mtn. Sherrard Point			
Cape Horn			
Bridal Veil State Park			
Multnomah Falls			
Bonneville Dam Visitor Center			
Beacon Rock			
Dog Mtn. Trail			X
Cook-Underwood Road			
Wyeth Bench Road			
Oregon Highway 35			
Panorama Point Park			
SR-141			
SR-142			
Old Highway 8			
Rowena Plateau and Nature Conservancy Viewpoint			

- 5. New development shall be sited to achieve visual subordination from key viewing areas...**
- 6. New development shall be sited using existing topography and/or existing vegetation as needed to achieve visual subordination from key viewing areas.**

7. Existing tree cover screening proposed development from key viewing areas shall be retained...
8. The silhouette of new buildings shall remain below the skyline of a bluff, cliff, or ridge as seen from key viewing areas.

Findings: See findings above for visual subordination from key viewing areas. The proposed project will not break the skyline from key viewing areas. There is no development planned and few trees will be removed and it is located at a lower elevation than the surrounding landscape from key viewing areas. No new development is proposed. Due to the above findings, the project meets the above criteria.

9. An alteration to a building built before November 17, 1986, that already protrudes above the skyline of a bluff, cliff, or ridge as seen from a key viewing area, may itself protrude above the skyline if:...
10. The following guidelines shall apply to new landscaping used to screen development from key viewing areas-
11. Conditions regarding new landscaping or retention of existing vegetation for new developments on lands designated GMA Forest ...
12. Unless expressly exempted by other provisions in this chapter, colors of structures on sites visible from key viewing areas shall be dark earth-tones found at the specific site or in the surrounding landscape. The specific colors or list of acceptable colors shall be included as a condition of approval. The Scenic Resources Implementation Handbook will include a recommended palette of colors.
13. The exterior of buildings on lands seen from key viewing areas shall be composed of non-reflective materials or materials with low reflectivity, unless the structure would be fully screened from all key viewing areas by existing topographic features...
14. In addition to the site plan requirements in "Review Uses" (Part II, Chapter 7: General Policies and Guidelines), applications for all buildings visible from key viewing areas shall include a description of the proposed building(s)' height, shape, color, exterior building materials, exterior lighting, and landscaping details (type of plants used; number, size, locations of plantings; and any irrigation provisions or other measures to ensure the survival of landscaping planted for screening purposes).

Findings: No new development is proposed as part of the wetland restoration.

15. Mining N/A
16. Exterior lighting shall be directed downward and sited, hooded, and shielded such that it is not highly visible from key viewing areas. Shielding and hooding materials shall be composed of non-reflective, opaque materials. N/A

17. Additions...N/A
18. Rehabilitation of or modifications to existing significant historic structures...N/A
19. New main lines... N/A
20. New communication facilities-N/A
21. New communications facilities-N/A
22. Overpasses-N/A
23. Except for water-dependent development and for water-related recreation development, development shall be set back 100 feet from the ordinary high water mark of the Columbia River below Bonneville Dam, and 100 feet from the normal pool elevation of the Columbia River above Bonneville Dam, unless the setback would render a property unbuildable. In such cases, variances to this guideline may be authorized. N/A

Findings: None of the above guidelines are applicable to this project for reasons of project type and location.

24. New buildings shall not be permitted on lands visible from key viewing areas with slopes in excess of 30 percent...N/A
25. Driveways and buildings shall be designed and sited to minimize visibility of cut banks and fill slopes from key viewing areas.
26. All proposed structural development involving more than 200 cubic yards of grading on sites visible from key viewing areas shall include submittal of a grading plan...

Findings: The Project Review Application includes a grading plan.

- 27-30. Expansion of existing quarries and new production and/or development of mineral resources... N/A

LANDSCAPE SETTINGS

Coniferous Woodland

Design Guidelines

1. In portions of this setting visible from key viewing areas, the following guidelines shall be employed to achieve visual subordination for new development and expansion of existing development:
 - A. Except as is necessary for site development or safety purposes, existing tree cover screening the development from key viewing areas shall be retained.
 - B. At least half of any trees planted for screening purposes shall be species native to the setting. Such species include: Douglas-fir, grand fir, western red cedar, western hemlock, big leaf maple, red alder, ponderosa pine and Oregon white oak, and various native willows (for riparian areas).

- C. **At least one half of any trees planted for screening purposes shall be coniferous for winter screening.**

Findings: The plants selected for the restoration site are all native plants that were found on the site prior to the recent disturbance. This restoration of historic plant communities is consistent with the scenic characteristics of the surrounding coniferous woodland. As many native trees (red alder) will be retained on site as possible. No tree plantings are necessary for screening purposes. Due to the above findings, the project meets the above criteria.

E. Cultural Resources

The Management Plan, Part II, Chapter 2 (Cultural Resources),GMA guidelines, states:

1. **New developments or land uses shall not adversely affect significant cultural resources.**
2. **Federal agencies shall follow steps 1 through 5 under guideline 4, below, for new developments or land uses on all federal lands, federally assisted projects, and forest practices.**
4. **Reviewing agencies shall use the following steps under 36 CFR 800 (4.9) for assessing potential effects to cultural resources.**

- Step 1: Literature Review and Consultation**
- Step 2: Field Inventory**
- Step 3: Evaluations of Significance**
- Step 4: Assessment of Effect**
- Step 5: Mitigation**

Findings: The CRGNSA Archaeologist completed a reconnaissance survey and found no historic properties or other cultural resources on site. A condition should be placed requiring that if any historic or prehistoric cultural resources are uncovered during project activities, work shall cease and the CRGNSA archeologist shall be notified. The Forest Service shall also notify the Washington State Historic Preservation Office and the Indian Tribal Governments within 24 hours if the resources are prehistoric or otherwise associated with Native American Indians. With conditions, the project meets the cultural resources guidelines.

F. Natural Resources

The Management Plan, Part II, Chapter 3 (Natural Resources),GMA guidelines, states:

WETLANDS GMA GUIDELINES

Review Uses

1. **The following uses may be allowed in wetlands and wetland buffer zones, subject to compliance with guidelines for the protection of scenic, natural, cultural, and recreation resources and "Approval Criteria for Modifications to Serviceable**

Structures and Minor Water-Dependent and Water-Related Structures in Wetlands" in this section.

- A. serviceable structures N/A
 - B. recreation structures N/A
 - C. minor water-dependent structures N/A
2. **Except uses allowed outright and review uses in Guidelines 1A through 1C, above, proposed uses may be allowed in wetlands and wetlands buffer zones subject to compliance with guidelines for the protection of scenic, natural, cultural, and recreation resources and "Approval Criteria for Other Review Uses in Wetlands" in this section.**

Approval Criteria for Other Review Uses in Wetlands

1. **The uses identified in Guideline 2 under "Review Uses," above, may be allowed only if they meet all of the following criteria:**
- A. **The proposed use is water-dependent, or is not water-dependent but has no practicable alternative as determined by the practicable alternative test in this section.**
 - B. **The proposed use is in the public interest as determined by the public interest test in this section.**
 - C. **Measures will be applied to ensure that the proposed use results in the minimum feasible alteration or destruction of the wetland's functions, existing contour, vegetation, fish and wildlife resources, and hydrology.**
 - D. **Groundwater and surface-water quality will not be degraded by the proposed use.**
 - E. **Those portions of a proposed use that are not water-dependent or that have a practicable alternative will not be located in wetlands or wetlands buffer zones.**
 - F. **The proposed use complies with all applicable federal, state, and local laws.**
 - G. **Areas that are disturbed during construction of the proposed use will be rehabilitated to the maximum extent practicable.**

Findings: This project is in compliance with the Approval Criteria for Other Review Uses. The project is water-dependent but is not a structure. There are no non water dependent uses. A practicable alternative test has been completed and found that there is no other practicable alternative to restoring a wetland than being in its buffer. A public interest test concludes that the project is in the public interest. Wetland contours and function, vegetation, fish, wildlife and hydrology will be improved and benefit from the restoration project. Any areas disturbed during construction will be rehabilitated and mitigation plan has been completed to minimize short-term impacts. Groundwater and surface-water quality will not be degraded. The restoration project complies with all applicable federal, state and local laws (see findings under Approval Criteria for Other Review Uses in Aquatic and Riparian Areas).

Due to the above findings, the project meets the above criteria.

Wetlands Buffer Zones

1. The width of wetlands buffer zones shall be based on the dominant vegetation community that exists in a buffer zone.
2. The dominant vegetation community in a buffer zone is the vegetation community that covers the most surface area of that portion of the buffer zone that lies between the proposed activity and the affected wetland. Vegetation communities are classified as forest, shrub, or herbaceous.
 - A. A forest vegetation community is characterized by trees with an average height equal to or greater than 20 feet, accompanied by a shrub layer; trees must form a canopy cover of at least 40 percent and shrubs must form a canopy cover of at least 40 percent. A forest community without a shrub component that forms a canopy cover of at least 40 percent shall be considered a shrub vegetation community for purposes of the Management Plan.
 - B. A shrub vegetation community is characterized by shrubs and trees that are greater than 3 feet tall and form a canopy cover of at least 40 percent.
 - C. A herbaceous vegetation community is characterized by the presence of herbs, including grass and grasslike plants, forbs, ferns, and non-woody vines.
3. Buffer zones shall be measured outward from a wetlands boundary on a horizontal scale that is perpendicular to the wetlands boundary. The following buffer zone widths shall be required:
Forest communities: 75 feet
Shrub communities: 100 feet
Herbaceous communities: 150 feet
4. Except as otherwise allowed, wetlands buffer zones shall be retained in their natural condition. When a buffer zone is disturbed by a new use, it shall be replanted with native plant species.

Findings: The project is found to be within the wetland buffer zone and has been so designed. It is not practicable to discuss a buffer zone for a wetland that has been destroyed. The project is to restore the wetland—the buffer will then be recreated as well. Due to the above findings, the project meets the above criteria.

Site Plans for Review Uses in Wetlands

1. In addition to the information required in all site plans, site plans for proposed uses in wetlands or wetlands buffer zones shall include: a site plan map prepared at a scale of 1 inch equals 100 feet (1:1,200), or a scale providing greater detail; the exact boundary of the wetland and the wetlands buffer zone; and a description of actions that would alter or destroy the wetland.

Findings: The project is found to be within the 100 ft shrub community wetland buffer zone. Several drawings composing the site plan were developed. The project meets the above criteria.

STREAMS, PONDS, LAKES AND RIPARIAN AREAS- GMA GUIDELINES

Review Uses

- 1. The following uses may be allowed in streams, ponds, lakes, and riparian areas, subject to compliance with guidelines for the protection of scenic, natural, cultural and recreation resources and "Approval Criteria for Modifications to Serviceable Structures and Minor Water-Dependent and Water-Related Structures in Aquatic and Riparian Areas" in this section.**
 - A. serviceable structures N/A**
 - B. minor water-related recreation N/A**
 - C. minor water-dependent structures N/A**
- 2. Except uses allowed outright and review uses in Guidelines 1.A through 1.C, above, proposed uses may be allowed in streams, ponds, lakes, and riparian areas, subject to compliance with guidelines for the protection of scenic, natural, cultural, and recreation resources and "Approval Criteria for Other Review Uses in Aquatic and Riparian Areas" in this section.**

Approval Criteria for Other Review Uses in Aquatic and Riparian Areas

- 1. The uses identified in Guideline 2 under "Review Uses," above, may be allowed only if they meet all of the following criteria:**
 - A. The proposed use is water-dependent, or is not water-dependent but has no practicable alternative. A local government may conclude that a practicable alternative to the proposed use does not exist if the "Practicable Alternative Test" in the "Wetlands" section of this chapter is satisfied, substituting the term "stream, pond, lake, or riparian area" as appropriate.**
 - B. The proposed use is in the public interest. In determining if a proposed use is in the public interest, the guidelines under "Public Interest Test" in the "Wetlands" section of this chapter shall be considered, substituting the term "stream, pond, lake, or riparian area" as appropriate.**
 - C. Measures have been applied to ensure that the proposed use results in minimum feasible impacts to water quality, natural drainage, and fish and wildlife habitat of the affected stream, pond, lake, and/or buffer zone.
As a starting point, the following mitigation measures shall be considered when new uses are proposed in streams, ponds, lakes, and buffer zones:
(1) –(6)**
 - D. Groundwater and surface water quality will not be degraded by the proposed use.**
 - E. Those portions of a proposed use that are not water-dependent or that have a practicable alternative will be located outside of stream, pond, and lake buffer zones.**
 - F. The proposed use complies with all applicable federal, state, and local laws.**
 - G. Unavoidable impacts to aquatic and riparian areas will be offset through rehabilitation and enhancement.
Rehabilitation and enhancement shall achieve no net loss of water quality, natural drainage, and fish and wildlife habitat of the affected stream, pond, lake, and/or buffer zone.**

Findings: The project is a wetland/ riparian restoration rather than a proposed use within a wetland/riparian area. The proposed use is within riparian buffer of Greenleaf Creek, has no practicable alternative and was found to be in the public interest. Measures have been applied to ensure that the restoration project results in minimum feasible short term impacts to water quality, natural drainage, and fish and wildlife habitat of the affected stream, pond, lake, and/or buffer zone. Construction will occur during the in-water work window as defined by the U.S. Department of Fish and Wildlife. Natural vegetation will be retained to the greatest extent practicable and will be replanted as part of the project. No structural controls will be used. There are no non water dependent uses.

A temporary road and water crossing will only be used if permission to use another access point is not granted. In the event the alternative temporary access road must be improved, impacts will be minimized on the streams that would be crossed by crossing during the summer when the stream is dry or during the in stream work window. Heavy machinery will stay within the marked excavation area or road.

Culverts will not be used. Permanent erosion and sedimentation control measures are designed into the grading restoration. Groundwater and surface-water quality will not be degraded due to the mitigation measures and timing proposed. The restoration project complies with all applicable federal, state and local laws. Any areas disturbed during construction will be replanted with native species. Due to the above findings, the project meets the above criteria.

Stream, Pond, and Lake Buffer Zones

1. **The following buffer zone widths shall be required:**
 - A. **Streams used by anadromous or resident fish (tributary fish habitat), special streams, intermittent streams that include year-round pools, and perennial streams: 100 feet.**
 - B. **Intermittent streams, provided they are not used by anadromous or resident fish: 50 feet.**
 - C. **Ponds and lakes: Buffer zone widths shall be based on the dominant vegetative community and shall use the same guidelines as in the "Wetlands Buffer Zones" section of this chapter, substituting the term "pond or lake" as appropriate.**
2. **Except as otherwise allowed, buffer zones shall be retained in their natural condition. When a buffer zone is disturbed by a new use, it shall be replanted with native plant species.**
3. **The project applicant shall be responsible for determining the exact location of the ordinary high watermark or normal pool elevation.**

Rehabilitation and Enhancement Plans

Findings: The project is found to be within the buffer for Greenleaf Creek . The wetland/ riparian restoration project includes restoration of the buffer zone for a stream used by anadromous fish. The Natural Resource Mitigation Plan serves as the Rehabilitation and Enhancement Plan for wetland and riparian buffer zones. Due to the above findings, the project meets the above criteria.

Site Plans for Review Uses in Aquatic and Riparian Areas

- 1. In addition to the information required in all site plans, site plans for proposed uses in streams, ponds, lakes, and their buffer zones shall include: a site plan map prepared at a scale of 1 inch equals 100 feet (1:1,200), or a scale providing greater detail; the exact boundary of the ordinary high watermark or normal pool elevation and the prescribed buffer zone; and a description of actions that would alter or destroy the stream, pond, lake, or riparian area.**

Findings: The project is assumed to be within the buffer of the riparian area of Greenleaf Creek. Several drawings composing the site plan were developed. The project meets the above criteria.

Practicable Alternative Test

The project is recreating a wetland/ riparian area in the same location it previously existed; making alternative locations impracticable. The alternative temporary access road is located along the N/W Pipeline clearing. The clearing has been determined to be the most level and least vegetated access to the restoration site; requiring the least amount of grading and vegetation clearing. The preferred course of action is to use the existing access location to avoid any additional adverse effects due to machinery on site. Permission to use the existing access area is pending. The site location is not an alternative to avoidance in that it restores pre-alteration conditions. Due to the above findings, the project meets the practicable alternative criteria.

Public Interest Test

- 1. The following factors shall be considered when determining if a proposed use is in the public interest:**
 - A. The extent of public need for the proposed use.**
 - B. The extent and permanence of beneficial or detrimental effects that the proposed use may have on the public and private uses for which the property is suited.**
 - C. The functions and size of the wetland that may be affected.**
 - D. The economic value of the proposed use to the general area.**
 - E. The ecological value of the wetland and probable effect on public health and safety, fish, plants, and wildlife.**

Findings: The project is in the public interest due to the following:

- The wetland that was illegally destroyed was on National Forest System lands, owned by the public of the United States.
- The property is suited to forest uses per CRGNSA zoning and the habitats endemic to forest lands.
- Restoration of the previously existing wetland will be permanent and the function will be returned to the surrounding habitat.
- The economic value of the proposed restoration is that inherent to lands used by the public for recreational purposes such as viewing nature or enjoying natural landscapes.
- The ecological value of wetlands is high.

- Restoring a wetland has positive effects on both the wetland and the public. Long term beneficial effects of the restoration are assumed to be greater than the mitigated short term effects of project implementation on fish, plants and wildlife.

Due to the above findings, the project meets the above criteria.

WILDLIFE HABITAT AND PLANTS

Site Plans and Field Surveys for Review Uses Near Sensitive Wildlife Areas and Sites (1-2).

Approval Criteria for Review Uses Near Sensitive Wildlife Areas and Sites

- 1.-5. Uses that are proposed within 1,000 feet of a sensitive wildlife area or site shall be reviewed by the Oregon Department of Fish and Wildlife or the Washington Department of Fish and Wildlife.**
- 6.-8. The project applicant shall prepare a wildlife management plan if the local government, in consultation with the state wildlife agency, determines that the proposed use would adversely affect a sensitive wildlife area or site and the effects of the proposed use cannot be eliminated through site plan modifications or project timing.**

Wildlife Management Plans

- 1. Wildlife management plans shall be prepared when a proposed use is likely to adversely affect a sensitive wildlife area or site.**
- 2. A-E. Wildlife management plans shall comply with the following guidelines:**
 - F. Rehabilitation and/or enhancement shall be required when new uses are authorized within wildlife buffer zones.**
 - G. The project applicant shall prepare and implement a 3-year monitoring plan when the affected wildlife area or site is occupied by a species that is listed as endangered or threatened pursuant to federal or state wildlife lists. At a minimum, the project applicant shall prepare an annual report and shall track the status of the wildlife area or site and the success of rehabilitation and/or enhancement actions.**

Approval Criteria for Fences in Deer and Elk Winter Range

New fences in deer and elk winter range shall comply with the following guidelines:

Approval Criteria for Review Uses Near Sensitive Plants

1.-6.

Sensitive Plant Buffer Zones

- 1. A 200-foot buffer zone shall be maintained around sensitive plants. Buffer zones shall remain in an undisturbed, natural condition.**
- 2.-4. Buffer zones may be reduced if a project applicant demonstrates that intervening topography, vegetation, manmade features, or natural plant habitat boundaries negate the need for a 200-foot radius.**

Protection and Rehabilitation Plans

- 1. A-F. Protection and rehabilitation plans shall minimize and offset unavoidable impacts that result from a new use that occurs within a sensitive plant buffer zone as the result of a variance.**
- 2. A-D. Protection and rehabilitation plans shall include maps, photographs, and text.**

Findings: The project is within 1,000 feet of the riparian and wetlands habitats. Robin Dobson, CRGNSA botanist/ecologist and Chuti Fiedler, CRGNSA wildlife biologist conducted field surveys, guided the design of the project, and developed the natural resource mitigation plan in order to minimize short term adverse effects to fish. Wetland plants were destroyed by the illegal use of National Forest System lands. This project proposes to replant them as per the planting plan included in the application. Construction will occur during the in-water work window as defined by the U.S. Department of Fish and Wildlife.

A natural resource mitigation plan has been developed that serves as the Wildlife Management Plan the Protection and Rehabilitation Plan. The plan requires the following:

- Natural vegetation will be retained to the greatest extent practicable
- All practicable measures will be taken to protect sensitive resources.
- Heavy machinery will stay within the marked excavation area or road.
- The excavation area will be marked as defined by the plan and resource specialists will direct equipment on site.
- The ditch will be filled in from the upstream end first allowing for fish and other species to move down stream and out into Greenleaf creek.
- In the event an alternative temporary access road must be improved impact will be minimized on the streams that would be crossed by crossing during the summer when the stream is dry or during the in stream work window as defined by the U.S. Department of Fish and Wildlife.

A condition should be placed requiring that the applicant monitor the implementation of the natural resource mitigation plan for 3 years and report in the Forest Service monitoring report each year on the results. The entire application supplies information as to the rehabilitation of the wetland. It included maps and photographs. The text contained in the mitigation plan highlighted actions taken to reduce the short-term impacts of the project. With conditions, the project meets the above criteria.

G. Recreational Resources

1. The Management Plan, Part II, Chapter 4 (Recreation Resources),GMA policy, states: **Protect and enhance recreation resources...**

The Management Plan, Part II, Chapter 7(Review Uses), SMA/GMA Guidelines, states:

- 8. If new buildings or structures may detract from the use and enjoyment of established recreation sites on adjacent parcels, an appropriate buffer shall be established between the building/structure and the parcel.**

Findings: This use will occur in the Commercial Forest, rather than in a Recreation land use designation and will not impact recreation resources at or in the area. The area to the north and east of Bonneville Hot Springs (BHS) is rarely used by the recreating public. The old road bed leading north may receive limited use by locals for hiking, biking and horseback riding. Guests at the BHS may use the road, so a condition should be placed requiring that fliers explaining operating times should be made available at the BHS so the guests know to avoid the area.

The Management Plan, Part II, Chapter 4 (Recreation Resources),GMA guidelines, states:

4. Recreation Intensity Class 4 (High Intensity)

A. All uses permitted in Recreation Intensity Classes 1, 2, and 3.

1. Recreation Intensity Class 1 (Very Low Intensity)

L. Restrooms/comfort facilities-

Approval Criteria for Recreation Uses-N/A

Facility Design Guidelines for All Recreation Projects

1.-3.-N/A

4. Existing vegetation, particularly mature trees, shall be maintained to the maximum extent practicable, and used to screen parking areas and campsites from key viewing areas and satisfy requirements for perimeter and interior landscaped buffers.

5.-11.N/A

12. All structures shall be designed so that height, exterior colors, reflectivity, mass, and siting enable them to blend with and not noticeably contrast with their setting. N/A

13.-21-N/A

Findings: No recreation uses are proposed. With conditions, the project meets the above criteria.

H. Conclusion

The proposed wetland restoration as described above for the Columbia River Gorge National Scenic Area is consistent with the National Scenic Area Management Plan Policy and Guidelines provided they meet the criteria and conditions listed in the Findings of Fact and Consistency Determination.