



United States  
Department of  
Agriculture

Forest  
Service

Columbia River Gorge  
National Scenic Area

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**File Code:** 2370-CD-07-10-G

**Date:** January 30, 2008

James R. Clapp, Refuge Manager  
Steigerwald Lake National Wildlife Refuge  
PO Box 1136  
Washougal, Washington 98671

Mr. Clapp:

As you know, the US Fish and Wildlife Service is required to be consistent with the purposes of the Columbia River Gorge National Scenic Area Act as determined by the Forest Service pursuant to Section 14(d) of the Act. A consistency review application was received by this office in November 2007. The proposed development consists of a gravel 20-car parking lot, open-air timber kiosk with stone base, a concrete restroom facility with vault toilet, electricity and phone line utility extension to operate the automated entrance gate, a water line for irrigation, an overlook platform with masonry facade and stone benches, and an interpretive loop trail that includes a foot bridge spanning Gibbons Creek and a boardwalk crossing a wetland west of Redtail Lake and connecting to the existing Columbia River Dike Trail.

I find that the above proposal is consistent with the Columbia River Gorge National Scenic Area (CRGNSA) Management Plan provided that it is implemented as described in the application materials, the CRGNSA Consistency Determination Findings of Fact, referenced as CD-07-10-G, and provided the following conditions are applied:

1. The aggregate used for the parking area and roads shall either be crushed native basalt or treated with a darkening substance such as permealite before placement.
2. Color "Desert Blend Cobblefield" shall be used for the manufactured stone facing on the gate, kiosk, and restroom and overlooks.
3. The bridge color shall be a dark earth-tone brown such as submitted for the metal or wooden structures.
4. All wood structures along the trail shall be painted or stained the Olympic color 711(Coffee) submitted with the application.
5. The landscape planting shall be installed as soon as practicable, and prior to project completion. Applicants and successors in interest for the subject parcel are responsible for the proper maintenance and survival of planted vegetation, and replacement of such vegetation that does not survive.
6. All sign posts shall be painted a dark earth-tone brown including the sign backs. The site identification sign meets the CRGNSA sign guidelines and is not included in this requirement.
7. The applicant shall implement the Natural Resources Mitigation Plan described on page 14 of the findings of fact.

8. 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.

**Implementation Date:** This project may begin immediately as long as it complies with the conditions as described in item 1-8 above. This decision expires on January 30, 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: Request for Review, Regional Forester, P.O. Box 3623, Portland, OR 97208.

**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](mailto:dlross@fs.fed.us).

*/s/Daniel T. Harkenrider*

DANIEL T. HARKENRIDER  
Area Manager

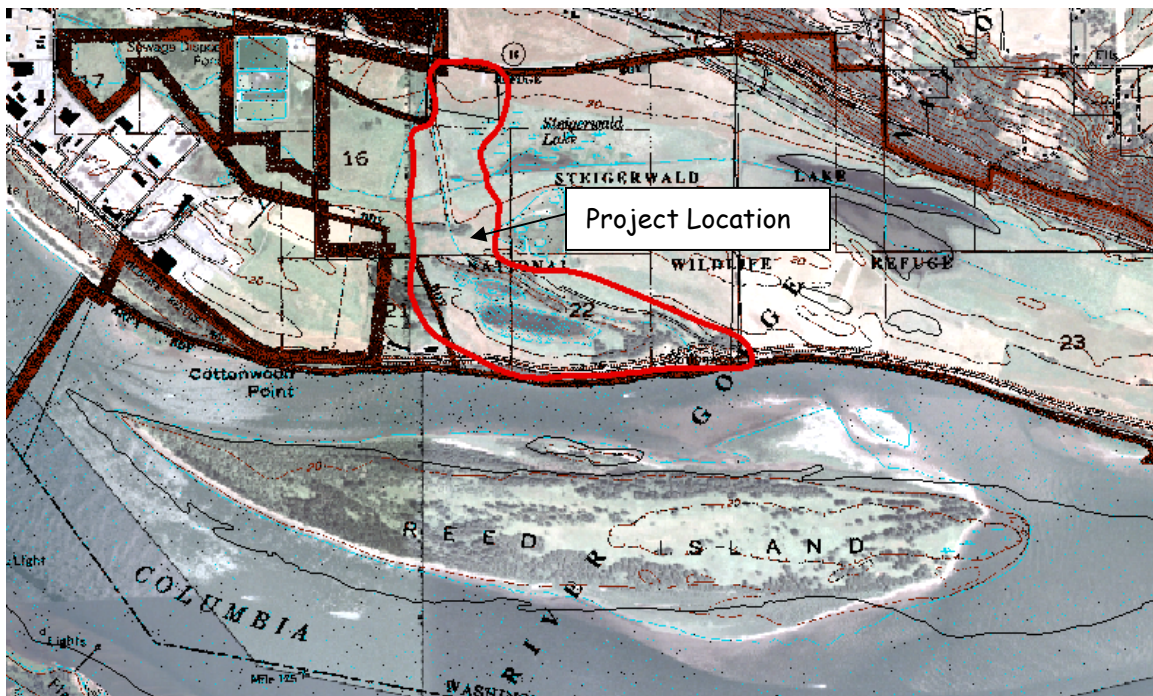
Date: January 30, 2008

cc: Jill Arens, Columbia River Gorge Commission;  
Rick Till and Nathan Baker, Friends of the Columbia River Gorge,  
Richard Hamby, Michael Taylor, Sharon Gallagher, and Norma Harrison



## FINDINGS OF FACT

<b>Landowner:</b>	USA--US Fish and Wildlife Service
<b>Proposed Action:</b>	Visitor Parking Lot and Trail System
<b>Location:</b>	Township T2N, R7E, Sec 16, SW Taxlot: 202 QUAD 2 UTM: 553639 5044480
<b>National Scenic Area Designation:</b>	General Management Area (GMA)
<b>Land Use Designation:</b>	Recreation and Open Space
<b>Landscape Setting</b>	River Bottomlands



### 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*

The proposed development consists of a gravel parking lot designed to accommodate twenty cars and one bus/RV, a small, open-air timber kiosk with stone base, a concrete restroom facility with vault toilet, electricity and phone line utility extension to operate the automated entrance gate, a water line for irrigation, an overlook platform with masonry facade and stone benches, and an interpretive loop trail that includes a foot

bridge spanning Gibbons Creek and a boardwalk crossing a wetland west of Redtail Lake and connecting to the existing Columbia River Dike Trail. Additional descriptions of the proposed work elements were provided with the application including a set of plan drawings.

The parking area is currently zoned GMA Public Recreation and GMA Recreation Intensity Class 3; the foot trail is located on Refuge land zoned Open Space Recreation Intensity Class 1.

### ***B. Public Comment***

A notice describing the project was sent to a mailing list of known interested parties and adjacent landowners on November 20, 2007. Four comment letters were received during the comment period and one letter of support after the comment period ended. Two letters expressed the concern that no more development be allowed at the refuge, another expressed support and characterized the development as an enhancement. Written comment was also received from Friends of the Columbia Gorge (FOCG) expressing concern that the project be in compliance with the applicable CRGNSA Management Plan guidelines. The following findings of fact review compliance with the Management Plan guidelines.

### ***C. Land Use Designations***

1. The Management Plan, Part II, Chapter 6 (Recreation Designations) GMA Guidelines state:

**1. The following uses may be allowed on lands designated Public Recreation, subject to compliance with guidelines for the protection of scenic, natural, cultural, and recreation resources and compliance with numbers 1.A, 1.C, 1.D, 1.E, 1.F, and 1.G (where applicable) of the "Approval Criteria for Recreation Uses" contained in the recreation intensity class guidelines ...**

**A. Publicly-owned, resource-based recreation uses, consistent with recreation intensity class policies and guidelines (Part I, Chapter 4: Recreation Resources).**

**Findings:** The portion of the project containing the entry, 20-car parking area, kiosk, and restroom lies within the Public Recreation Land Use Designation. The proposed recreation use area is owned by the United States and managed by the US Fish and Wildlife Service. It is therefore publicly owned. The project is in compliance with the guidelines for recreation resources (see findings under Recreation Resources). Therefore, the entry, parking, and restroom portion of the proposal is an allowed use.

2. The Management Plan, Part II, Chapter 3 (Open Space) GMA Guidelines state:
  1. **The following uses may be allowed on all lands designated Open Space subject to compliance with guidelines for the protection of scenic, cultural, natural, and recreation resources:**
    - A. **Low-intensity recreation, subject to the guidelines for recreation intensity classes (Part I, Chapter 4: Recreation Resources).**

**Applicable Allowable Uses (under (Part I, Chapter 4: Recreation Resources).**

1. **Recreation Intensity Class 1 (Very Low Intensity)**
  - B. **Trails for hiking, equestrian, and mountain biking use.**
  - F. **Wildlife/botanical viewing and nature study areas.**
  - G. **River access areas.**
  - H. **Simple interpretive signs and/or displays, not to exceed a total of 50 square feet.**

**Findings:** The portions of the proposal located in Open Space are a pedestrian trail, a trail bridge over Gibbons Creek, and the Fish Ladder Overlook. These uses are allowed under Recreation Intensity Class 1.

### ***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:** Staff found that the project is topographically visible from the following KVAs indicated by an **X** in the applicable distance zone:

<b>KEY VIEWING AREA</b>	<b>DISTANCE ZONE</b>		
	FOREGROUND 0-1/4 Mile	MIDDLEGROUND 1/2 to 3 Miles	BACKGROUND Over 3 Miles
Columbia River	<b>X</b>	<b>X</b>	<b>X</b>
SR-14	<b>X</b>	<b>X</b>	
I-84		<b>X</b>	<b>X</b>
Historic Columbia River Hwy		<b>X</b>	<b>X</b>
Sandy River			
Pacific Crest Trail			
Portland Women’s Forum			<b>X</b>
Crown Point			<b>X</b>
Rooster Rock State Park			<b>X</b>
Larch Mtn. Road			<b>X</b>
Larch Mountain			<b>X</b>
Larch Mtn. Sherrard Point			<b>X</b>
Cape Horn			
Bridal Veil State Park			
Multnomah Falls			
Bonneville Dam Visitor Center			
Beacon Rock			
Dog Mtn. Trail			
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			

According to the applicant, “The proposed development is visible from several Key Viewing Areas (KVA's): Highway 14, the Columbia River, Crown Point, and Interstate 84. The area of development is adjacent to Highway 14 and will have the most impact to the views of the site from this KVA. A person viewing the site from the other KVA's is a considerable distance from the site, and therefore the development will only minimally impact views from these KVA's. The proposed design was developed to maintain visual subordination from the affected KVA's once the project is completed. The existing site is relatively flat and slopes gradually downhill away from Highway 14; there are no existing topographic features or vegetation that could be utilized to hide the development. The project site is constrained by existing wetlands, and only a small area adjacent to Highway 14 is available to provide the needed visitor site access for the refuge. Additionally, the site is managed as an open grassland area”.

Due to distance and intervening vegetative screening, the project will be visually subordinate from all KVAs except the foreground of SR-14 without additional landscaping. The landscape plan was developed to screen the parking area from SR-14 and will provide enough screening (combined with grading and siting to reduce visibility and dark earth-tone colors) to provide visual subordination to the landscape within the required timeframe. Conditions need to be applied to ensure that the project is visually subordinate from the foreground of SR-14. These conditions are found in the findings for the applicable guidelines that follow.

This project is considered cumulatively with the following other projects at the site:

- Road Turnout
- Air quality tower
- Access Road to US Fish and Wildlife Refuge Offices
- Future Visitor Center Building

The extent and number of conditions applied to this project include the consideration of these past and future projects.

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 existing tree cover available for screening the parking area which was required to be sited within the portion of the parcel designated Recreation. The Recreation designation was located where it would have the least impact on natural resources. The parking area was designed to be screened by extensive landscaping that will be placed between it and SR-14 on gradually sloping berms that further screen the parking area. The trail and bridge were sited and designed to be visually subordinate without additional landscaping using distance from the KVAs and existing vegetative screening at the site.

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 ...

**Findings: Parking and Kiosk Development**

- The entrance road from State Route 14 to the proposed lot is 24 ft. in width. Surfacing consists of a well graded 1" minus crushed aggregate. No color was submitted for the crushed aggregate. A condition should be placed requiring that the aggregate either be crushed native basalt or treated with a darkening substance such as permeon before placement.
- An automated entrance gate located on the entrance road will prevent public access to the site after hours. The applicant submitted materials for the gate that are dark earth-tone in color. The final color for the stone facing for the gate and restroom was not part of the application. Therefore, a condition should be placed requiring that the applicant use "Desert Blend Cobblefield" for the manufactured stone facing on the gate, kiosk, and restroom.
- The parking lot is designed to handle 20 cars (including two handicap spaces) and one bus/RV space. The surfacing is the same as that stated above for the entrance road. Traffic is confined to the parking lot through the use of landscape berms, basalt boulders and plantings. Parking spaces are delineated with grey plastic bumpers.
- Native trees, shrubs, groundcover and grasses will be planted to provide visual screening and enhance the natural landscape surrounding the proposed project. A list of species which could be included are attached (Appendix A) as part of this application package. The landscape plan meets the criteria listed above.
- An irrigation line will be extended to the parking area to support post construction planting as well as recent and ongoing planting east of the parking site. The irrigation line will originate at the well house, located at the northeast corner of the refuge.
- The proposed entrance gate requires both power and telephone service. Utility lines will be extended underground to the site from a source located approximately 1/4 mile to the west of the refuge, near the City of Washougal Sewer Treatment Plant. The power line will require a visible transformer case within the scenic boundary, located just west of the proposed entrance gate (Transformer to be screened with native vegetation).



- The existing gravel service road connecting the refuge approach road to the dike running north and south carrying Gibbons Creek will be removed and replaced with a 12 ft. wide at-grade gravel service road originating at the west end of the parking lot and extending to the existing dike approach. The service road will be surfaced with well-graded I" minus crushed aggregate. A service gate will prevent the public from accessing the service road. According to the applicant, the gate style and finish will match the entry gate. A condition should be placed requiring that the service road aggregate either be crushed native basalt or treated with a darkening substance such as permeon before placement.
- The vault toilet is located on the southwest side of the parking lot. The application materials provided met the criteria for dark earth-tone colors and non-reflectivity.
- The informational kiosk is located just west of the parking lot. The application materials provided met the criteria for dark earth-tone colors and non-reflectivity.

Foot Trail: The foot trail originates at the west end of the parking lot; the trail is approximately 2.25 miles long and 6 ft. wide. Except for the segment of the trail paralleling the north / south dike carrying Gibbons Creek, the trail will be constructed at grade, utilizing fill only when necessary to accommodate the 5% grade limit for ADA accessibility.

- Trail turnouts are located intermittently along the trail. The boardwalk through the willows is approximately 150 ft. in length and will lie in the middle of the existing willow stand.
- The fiber reinforced polymer H-Truss pedestrian bridge is 110 ft. in length with a truss height of 6 ft. The deck will be suspended 2.5 ft. above the bottom of the truss, creating a handrail (truss chord) height of 3.5 ft. from the deck. The color of the bridge is brown. A condition should be placed requiring that this color of brown be a dark earth-tone brown such as submitted for the metal or wooden structures.
- The boardwalk at Redtail Lake extends through a seasonally flooded "finger" of the lake. The boardwalk is elevated approximately 4.5' above the existing wetland and is 300 ft. in length. A condition should be placed requiring that all wood structures along the trail be painted or stained the Olympic color 711 Coffee submitted with the application.
- Currently there are two design proposals for the Fish Ladder Overlook located at the water control structure at the mouth of Gibbons Creek. The first alternative involves widening the existing gravel turnout by approximately one foot with earth embankment and adding a timber fence around the perimeter of the turnout. The second alternative involves construction of a timber deck with stone veneer columns around the perimeter of the existing water control structure. A condition should be placed requiring that the applicant use "Desert Blend Cobblefield" for the manufactured stone veneer.

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.
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.

**Findings:** Most of the above guidelines are not applicable to this project for reasons of project type and location. The project does provide for small down-lighted exterior lighting on the entry gate. The lights are capped with non-reflective finish. The project contains a connection to an existing trail development along the Columbia River that is from 190-300 feet from the Columbia River according to USGS DRGs.

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. No buildings are proposed on steep slopes. The grading plan shows no steep cut or fill banks for the entry road.

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

## LANDSCAPE SETTINGS

### Compatible Recreation Use Guideline

Compatible recreation uses in this setting depend on the degree of natural resource sensitivity of a particular site. In the most critically sensitive River Bottomlands, very low-intensity uses that do not impair wetlands or special habitat requirements may be compatible.

**In other River Bottomland areas, nodes of moderate-intensity and/or high-intensity recreation uses may be compatible, provided that: (1) their designs emphasize retention and/or enhancement of native riparian communities, (2) structures and parking areas are visually subordinate, and (3) they are separated from other areas of concentrated recreation usage by stretches of natural-appearing shoreline and adjacent uplands.**

**Findings:** The plants selected for the site will enhance the diversity of native species. The parking area was designed to be visually subordinate after establishment of the landscape planting. A condition should be placed requiring that the landscape planting be installed as soon as practicable, and prior to project completion. Applicants and successors in interest for the subject parcel are responsible for the proper maintenance and survival of planted vegetation, and replacement of such vegetation that does not survive. The project is adequately separated from other areas of concentrated recreation.

### **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 River Bottomland setting. Public recreation developments are encouraged to maximize the percentage of planted screening vegetation native to this setting. Such species include black cottonwood, big leaf maple, red alder, Oregon white ash, Douglas-fir, western red cedar and western hemlock (west Gorge), and various native willow species.**

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

**Findings:** A total of 56 of the 167 native trees proposed for planting are coniferous, or one-third of all trees proposed. All trees proposed for planting are native to the setting and include all of the species listed except western hemlock which is not appropriate. No existing tree cover is available near the parking area but tree cover was maintained for the trail development.

### **SCENIC TRAVEL CORRIDORS**

#### **GMA Guidelines**

- 1. For the purposes of implementing this section, the foreground of a scenic travel corridor shall include those lands within 1/4 mile of the edge of pavement of the scenic travel corridor roadway.**
- 2. All new buildings and alterations to existing buildings shall be set back at least 100 feet from the edge of pavement of the scenic travel corridor roadway... All new parking lots and expansions of existing parking lots shall be set back at**

least 100 feet from the edge of pavement of the scenic travel corridor roadway, to the maximum extent practicable.

3. Additions to existing buildings or expansion of existing parking lots located within 100 feet of the edge of pavement of a scenic travel corridor roadway shall comply with Guideline 2...N/A.
4. All proposed vegetation management projects in public rights-of-way to provide or improve views shall include the following...N/A.
5. When evaluating possible locations for undergrounding...
6. New production and/or development of mineral resources proposed within 1/4 mile of the edge of pavement of a scenic travel corridor may be allowed...N/A.
7. Expansion of existing quarries may be allowed pursuant to Guideline 27 ..N/A.

**Findings:** Portions of the proposal are within ¼ mile of SR-14, a scenic travel corridor. The parking lot and restroom building are over 200 feet from SR-14 at the closest point.

## **SIGNS**

### **GMA Guidelines**

1. Except for signs allowed without review pursuant to “Uses Allowed Outright” (Part II, Chapter 7: General Policies and Guidelines), all new signs must meet the following guidelines...
  - A. The support structure shall be unobtrusive and have low visual impact.
  - B. Lettering colors with sufficient contrast to provide clear message communication shall be allowed. Signs shall be colored to blend with their setting to the maximum extent practicable.
  - C. Backs of all signs shall be unobtrusive, non-reflective, and blend in with the setting.
  - D. Spotlighting of signs may be allowed where needed for night visibility. Backlighting is not permitted for signs.N/A.
  - E. Except for signs along public highways necessary for public safety, traffic control, or road construction and consistent with the Manual for Uniform Traffic Control Devices, the following signs are prohibited:N/A.
    - (1) Luminous signs or those with intermittent or flashing lights. These include neon signs, fluorescent signs, light displays, and other signs that are internally illuminated, exclusive of seasonal holiday light displays.
    - (2) New billboards.N/A.
    - (3) Signs with moving elements.N/A.
    - (4) Portable or wheeled signs, or signs on parked vehicles where the sign is the primary use of the vehicle.N/A.
2. Any sign that does not conform with a provision of these guidelines and has existed before their adoption is subject to the following provisions:N/A.
  - A. Alteration of existing nonconforming signs shall comply with these guidelines.
  - B. Any nonconforming sign used by a business must be brought into conformance concurrent with any expansion or change in use that requires a development permit.

**Findings:** Most of the above guidelines are not applicable to this project. A sign plan was submitted as part of the application. A condition should be placed requiring that all sign posts be painted a dark earth-tone brown including the sign backs. The site identification sign meets the CRGNSA sign guidelines and should not be included in this requirement.

With conditions, the project meets all Scenic Resources applicable guidelines.

### ***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:** According to a letter dated June 8, 2007, the USFW Service Archaeologist Alex Bourdeau completed a reconnaissance survey and found no historic properties or other cultural resources on site. On November 20, 2007, the tribes were notified of this project. Marge Dryden, CRGNSA Archeologist, received a question via phone and indicated to staff that no further coordination was required.

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--Structures in this category shall be limited to boardwalks; trails and paths, provided their surface is not constructed of impervious materials; observation decks; and interpretative aids, such as kiosks and signs.
  - 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 Modifications to Serviceable Structures and Minor Water Dependent and Water-Related Structures in Wetlands**

1. The uses identified in Guideline 1 under "Review Uses," above, may be allowed only if they meet all of the following criteria:
  - A. Practicable alternatives for locating the structure outside of the wetland or wetland buffer zone and/or minimizing the impacts of the structure do not exist.
  - B. All reasonable measures have been applied to ensure that the structure will result in the minimum feasible alteration or destruction of the wetland's functions, existing contour, vegetation, fish and wildlife resources, and hydrology.
  - C. The structure will be constructed using best management practices.
  - D. Areas disturbed during construction of the structure will be rehabilitated to the maximum extent practicable.
  - E. The structure complies with all applicable federal, state, and local laws.

**Findings:** The trail and trail structures are allowed uses under these guidelines. The USFW Service provided the following response to the above approval criteria:

A. No Practicable Alternatives Test: The interpretive trail and associated features are within wetland and stream buffers. Initially the pedestrian trail was planned to be placed on top of the Gibbons Creek Dike. The top of the dike is used for access from Refuge staff vehicles. Washington Department of Fish and Wildlife biologists requested the trail

be placed below the dike to minimize impacts to Gibbons Creek and to decrease the disturbance to migratory birds. It was determined that the placement of the trail at the eastern toe of the dike would allow for the least amount of disturbance to wildlife and aquatic resources. The trail was placed as close to the dike as possible to maintain the structural integrity of the dike, to minimize impacts to the wetland natural resources, and to stay within an area that was previously disturbed. In addition, the wetland vegetation to be impacted is currently non-native reed canary grass. Possible wetland restoration and enhancement work to be accomplished in the future was also considered in the placement of the trail. As part of the project is to provide the public access to refuge resources, consideration was given to allowing access to the least sensitive of the refuge resources. The proposed location of the trail minimizes impacts to the critical salmonid habitat of Gibbons Creek as well as migratory bird habitat. The placement of the trail was also designed to keep to areas that have been used as access for refuge staff, thus minimizing new ground disturbance.

The proposed project will provide public access to Steigerwald Lake NWR and present opportunities for the visiting public to experience wildlife through observation while hiking, through photography, and via environmental education and interpretive exhibits. This project fulfills the directive of the Refuge System Improvement Act to recognize and facilitate refuge-compatible wildlife-dependent recreational activities for the public as priority general uses of the Refuge System. Furthermore, it is consistent with the objectives of the 2005 Comprehensive Conservation Plan for the Steigerwald Lake NWR, Franz Lake NWR, and Pierce NWR. The project will also serve as the Western Gateway to the Columbia River Gorge National Scenic Area, providing the visiting public with a general introduction and orientation to the Scenic Area and information on resources in the surrounding vicinity. It is referenced in the Columbia River Gorge National Scenic Area Management Plan Recreation Development Plan: No. 1, T1 — Steigerwald Northwest Gateway/Cottonwood Beach Trail. Site Description: The site consists of approximately 15 acres of land on the northern edge of Steigerwald Lake National Wildlife Refuge, southeast of the intersection where Gibbons Creek crosses Highway 14. The USFWS completed a compatibility study in 1990, the results of which indicate the absence of any significant or sensitive natural, cultural, or scenic resources that would substantially constrain recreation facility development. Recreation Intensity Class: 3 (gateway site), 1 (lands traversed by proposed trail route).

The location of the proposed trail to the Columbia River was specifically approved in the USFWS's Environmental Assessment (July 1999) and further documented in WFLHD's Categorical Exclusion (August 2007). The decision to place the parking lot was made to minimize impacts to environmental resources. The area was selected due to the past and current agricultural history, current conditions of the site, and proximity to SR14. While this is near a key viewing area, berms will be constructed to minimize visual impacts.

Because the purpose of the trail and kiosk features was to enhance environmental educational and recreational opportunities on the refuge, it becomes essential that it enter the riparian and wetland buffers. Since the objective of the trail is to provide access to

wetland areas and riparian areas, there is no practicable alternative to building this trail within the buffer zone.

The objective of the pedestrian bridge crossing is to provide a crossing and viewing opportunity of Gibbons Creek, and to provide natural and historical interpretations of the area. If the structure was placed 200 ft from all water resources, the public would not be able to cross or view Gibbons Creek. This would reduce the length of the trail, and subsequently reduce the opportunity for the refuge to provide quality interpretation, environmental education and wildlife-dependent recreation opportunities. The bridge site has been chosen at the narrowest crossing location to minimize impacts to the creek. The pedestrian bridge and connected trail system is water-dependent and there is no practicable alternative to building this structure within the buffer zone.

The components of this project have no “practicable” alternative and thereby meet this test to enter the buffer zones.

#### B. Natural Resources Mitigation Plan

A wetland delineation was conducted following the 1987 Army Corps of Engineers Wetland Delineation Manual. Field reviews identified wetland areas based on evidence of hydric soils, hydrophilic vegetation and hydrology. Wetland habitat types were classified using the National Wetlands Inventory Classification. Construction design focused on avoidance and minimization. Where this was not practicable, mitigation may be provided through the planned restoration/enhancement of existing reed canary grass wetland areas within the project area, or other onsite mitigation measures that would benefit the impacted watershed. A final mitigation plan will be determined after consultation with the US Army Corps of Engineers following their mitigation guidelines.

In addition to the above mitigation requirements, refuge staff plans to accomplish the following tasks:

1. Supplement the red-osier dogwood, clustered wild rose, and ninebark already planted in the wettest portion of the wetland swale with willow cuttings.
2. Plant approximately 300 assorted species of shrubs (10 different species) under the cottonwoods to the east of the mitigation site along both sides of the interpretive trail along Gibbons Creek, approximately 150' x 600' (2 acres).
3. After completion of the trail construction during the summer of 2008, add willow cutting plantings to expand the existing willows through which the boardwalk through the willows is to be constructed.

#### Site Monitoring

Typical monitoring guidelines call for the wetland mitigation site and temporary wetland impact areas to be monitored for five years. The monitoring program would determine the effectiveness of the compensatory mitigation in meeting the goals, objectives, and performance standards previously described in the Mitigation Measures section.



For the first and second years, a memorandum summarizing general site conditions, including but not limited to plant health, plant survival, invasive plant presence, and photographs will be submitted to the U.S. Army Corps of Engineers. The memorandum for the first year will include an inventory of plants that need replacement, as determined by WFLHD and/or USFWS biologists. In addition, the memorandum will identify any measures that will be taken to improve the site conditions. During the first monitoring site visit, permanent photo stations will be established and a photo station log developed. Monitoring reports will be submitted to the U.S. Army Corps of Engineers for the third and fifth years; the reports will describe the monitoring methods, performance standards, results, and contingency measures. Each memorandum and monitoring report will include photographic documentation, including photographs taken from the established photo points.

Note: Staff finds applicant in error, the buffer zone for the wetland is 150 ft.

#### Stream and Wetland Buffer Zones

Gibbons Creek is designated Critical Habitat for Lower Columbia River Steelhead trout (*Oncorhynchus mykiss*), and Lower Columbia River Coho salmon (*Oncorhynchus kisutch*) which have been found in Gibbons Creek at times of the year other than when the project work is proposed. The buffer is 100 feet. Mitigation to enter the buffer to construct the trail and pedestrian bridge will be to limit construction activities to the period of lowest flow (July 15 – September 30) and to minimize in stream work to transport the bridge and place the footings by only allowing a support system to be set up during periods of lowest flow. Sediment logs or other applicable erosion and control measures will be in place along the work areas at Gibbons Creek. Wetland buffer zones are 50 feet. The proposed project encroaches on the wetland buffers. To mitigate for this encroachment, the contractor will be limited in the construction footprint, construction inspectors will be on site during the construction activities.

C. Best Management Practices (BMP's) will be employed and are conditions of the environmental permits from this action. BMP's include sediment and erosion control measures (silt fence, sediment logs, etc.) scheduling activities for bridge construction around the period of lowest flow, using native plants for revegetation, fencing off environmentally sensitive areas, establishing wetland and stream buffers, and providing for construction inspections and monitoring.

D. Areas of new ground disturbance will be confined to the parking lot and the construction of the bridge. The construction of the trail will be placement of fill on the existing ground. Upon completion of construction activities areas of new disturbance will be revegetated using native seed material to control the spread of invasives. The implementation of sediment and erosion control features, as well as plans to revegetate the site will stabilize any newly disturbed ground. These areas will also be graded to meet existing elevations and to leave the site with the natural contours. A grading plan has been submitted as part of this application.

In compliance with the Clean Water Act Section 402, these areas will be contained with sediment and erosion control measures such as silt fence and sediment logs as a condition

of the National Pollution Discharge Elimination System (NPDES) permit. A Storm Water Pollution and Prevention Plan will be developed and implemented as a condition of the NPDES. In order to terminate the permit, the disturbed areas must reach at least seventy percent of background vegetation.

#### E. ENDANGERED SPECIES ACT-WILDLIFE

Current species listed as threatened or endangered under the Endangered Species Act (ESA) which may occur in Clark County and project area are Gray Wolf, Golden Paintbrush, Water Howellia, and Bradshaw's Lomatium. Listed species that do occur in Clark County is Northern Spotted Owl. Under new section 7 consultation procedures, the USFWS has delegated the authority to make effects determinations on National Wildlife Refuges to the Refuge Managers. A May 22, 2007 memo from the Refuge Manager documented the listed species occurring in the project area and analyzed the potential impacts from the proposed action. That memo documented the USFWS determination that the proposed action "May Affect, But Is Not Likely to Adversely Affect" listed species.

#### ENDANGERED SPECIES ACT- FISHERIES

The Gibbons Creek drainage is within the Evolutionarily Significant Unit (ESU) for listed species under the Endangered Species Act (ESA): Lower Columbia River Steelhead trout (*Oncorhynchus mykiss*); and Lower Columbia River Coho salmon (*Oncorhynchus kisutch*) are both listed as threatened. Gibbons Creek is listed as Critical Habitat and as such is regulated under Section 7 of the Endangered Species Act. Interagency consultation with National Oceanic Atmosphere Administration (NOAA) Fisheries was initiated on July 23, 2007. On August 6, 2007 NOAA concurred with the USFWS's determination that the proposed action "May Affect, But Is Not Likely to Adversely Effect" listed species and their Critical Habitat in the proposed project area.

#### HYDROLOGY AND FLOODPLAINS

Executive Order 11988 (Floodplain Management) directs all federal agencies to refrain from conducting, supporting, or allowing actions in floodplains unless it is the only practicable alternative. The Federal Highway Administration requirements for compliance are outlined in 23 CFR 650 Subpart A. If a proposed action causes a "significant encroachment" as defined at 23 CFR 650.105, then a finding must be made that it is the only practicable alternative as required by 23 CFR 650, Subpart A. A significant encroachment is defined as a highway encroachment and any direct support of likely base floodplain development that would involve one or more of the following construction or flood related impacts:

- a significant potential for interruption or termination of a transportation facility that is needed for emergency vehicles or provides a community's only evacuation route
- a significant risk (to life or property), or
- a significant adverse impact on natural and beneficial floodplain values.

The action proposed in this document does not meet the criteria for a significant encroachment, because it does not meet the requirements cited above. The proposed action is designed as a pedestrian facility and is within the Columbia River Gorge Scenic Management Area which limits the potential for commercial or residential development. Flood management activities were implemented in the 1960's and is currently managed by the Army Corps of Engineers. Based on the above, no finding is needed under EO11988.

## CLEAN WATER ACT (CWA) - WETLANDS

A wetland delineation was conducted following the 1987 Army Corps of Engineers Wetland Delineation Manual. Field reviews identified wetland areas based on evidence of hydric soils, hydrophilic vegetation and hydrology. Wetland habitat types were classified using the National Wetlands Inventory Classification. Construction design focused on avoidance and minimization. Where this was not practicable, mitigation may be provided through the planned restoration / enhancement of existing reed canary grass wetland areas within the project area, or other onsite mitigation measures that would benefit the impacted watershed. A final mitigation plan will be determined after consultation with the US Army Corps of Engineers following their mitigation guidelines.

In accordance with Executive Order 11990, Protection of Wetlands, WFLHD closely evaluated the proposed transportation improvements and wetland impacts. Overall impacts to wetland areas throughout the projects corridor are estimated to be approximately 0.09 acres. Based on the above considerations, WFLHD has determined that there is no practical alternative to the proposed construction in wetlands, and the proposed action includes all practicable measures to minimize harm to wetlands that may result from such use. In addition to Section 404, a National Pollution Discharge Elimination System (NPDES) permit will be applied for. The NPDES complies with section 402 of the CWA. A Storm Water Pollution and Prevention Plan (SWPPP) will be developed and implemented as a condition of the NPDES. The SWPPP will have Best Management Practices for sedimentation and erosion control, such as sediment logs to prevent sediment runoff from areas of new ground disturbance to aquatic resources.

## CULTURAL RESOURCES

In compliance with the National Historic Preservation Act of 1966, the potential impacts to historic properties from the proposed action have been analyzed. On-the-ground surveys and record searches for this project have been completed by USFWS archaeologists meeting the professional qualification standards of the Secretary of Interior. As no sites eligible or potentially eligible for inclusion in the National Register of Historic Places were found in the project's Area of Potential Effects, the provisions of the 1997 Programmatic Agreement with the Washington State Historic Preservation Office (SHPO), USFWS Region 1, and the Advisory Council on Historic Preservation (ACHP) were met. The type of action meets the conditions of the Programmatic Agreement under Stipulation III A, Appendix B (4). The project will be reported to the State Historic Preservation Office in the FY2007 annual report submitted in 2007. A copy of the USFWS's cultural resources review is included (Appendix B), and a copy of the 1997 Programmatic Agreement with the Washington State Historic Preservation Office is available upon request.

## SECTION 4(f)

Section 4(f) of the U.S. Department of Transportation Act of 1966 states that "the Secretary shall not approve any program or project which requires the use of any publicly owned land from a public park, recreation area, or wildlife and waterfowl Refuge of national, state, or local significance as determined by the Federal, State, or local officials having jurisdiction thereof, or any land from a historic site of national, state, or local significance as determined by such officials unless (1) there is no prudent and feasible alternative to the use of such land, and (2) and such program includes all possible planning to minimize harm to such park, recreation areas, wildlife and waterfowl Refuge, or historic sites resulting from such use."

Section 6009(a) of the 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Pub. L. 109-59 amended existing Section 4(f) legislation at Section 138 of Title 23 and Section 303 of title 49, United States Code, to simplify the processing and approval of projects that have only de minimis impacts on lands protected by Section 4(f). This revision provides that once the Department of Transportation (DOT) determines that a transportation use of Section 4(f) property, after consideration of any impact avoidance, minimization, and mitigation or enhancement measures, results in a de minimis impact on that property, an analysis of avoidance alternatives is not required, and the Section 4(f) evaluation process is complete.

The FHWA gave notice to the USFWS of their intent to make a de minimus finding under Section 4(f) for the proposed activities on Steigerwald Lake National Wildlife Refuge. The USFWS agreed with that finding. On July 4, 2007 a legal notice was published in the Clark County newspaper The Columbian. A fifteen day public comment period was given. No public comments were received on the finding.

#### **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.**
  - H. (1-9)Unavoidable impacts to wetlands will be offset through the deliberate restoration, creation, or enhancement of wetlands...**

**Findings:** See the findings under “Approval Criteria for Modifications to Serviceable Structures and Minor Water Dependent and Water-Related Structures in Wetlands” above for findings for criteria A, C, D, E, F, G above. No wetlands are proposed to be either altered or destroyed other than by means of changes through enhancements such as planting native plants to mitigate entry into wetland buffers. The following information was submitted by the USFW Service in order to address the need for the Public Interest Test for the parking area:

## PUBLIC INTEREST TEST

### **A. The extent of public need for the proposed use.**

The location of Steigerwald Lake National Wildlife Refuge (NWR) offers a unique opportunity to provide a link between the Portland/Vancouver urban area and the Columbia River Gorge National Scenic Area. The Columbia River Gorge National Scenic Area receives in excess of 2 million visitors each year. A Gateway Center/Interpretive Facility to be located at Steigerwald Lake NWR at the western end of the Washington entrance to the Columbia River Gorge National Scenic Area was proposed during 1999, but funding has not become available.

Development of a Kiosk/Parking Lot/Interpretive Trail at the same location would provide an interim facility until the Gateway Center might be constructed. The Kiosk/Parking Lot/Interpretive Trail would provide the visiting public with an overview and orientation to the Columbia River Gorge National Scenic Area and provide other visitor opportunities in the local area. In addition, the interpretive trail would provide the public with a compatible, high quality resource-based experience, including environmental education, wildlife viewing, hiking, and photography on the Steigerwald Lake NWR.

It would also provide the U.S. Fish and Wildlife Service (Service) with an opportunity to interpret the National Wildlife Refuge System and information about the Columbia Gorge Refuges (Steigerwald Lake, Franz Lake, and Pierce). Currently, the refuges are closed to public use with the exception of periodic staff/volunteer led spring and fall tours at Steigerwald Lake and Pierce Refuges.

Although the proposed kiosk and trail facilities would not be as extensive as the earlier proposed Gateway Center, it would provide a valuable alternative in meeting the interests of the public about the Refuge and the Scenic Area. Development of the kiosk and interpretive trail at Steigerwald Lake NWR is consistent with and in support of the Operational Goals of the Refuge, Executive Order 12996, the National Wildlife Refuge Improvement Act of 1997.

### **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.**

#### ***Benefits***

The development of the Kiosk/Parking Lot/Interpretive Trail will provide an opportunity for travelers along SR 14 and visitors seeking use of the facilities as a destination trip to learn about and experience the natural resources of the Steigerwald Lake Refuge. It will also provide orientation information about the Columbia River Gorge National Scenic Area. The development of a visitor contact facility to provide the visiting public with a high quality opportunity to learn about and experience the refuge resources has been described in the Environmental Assessment for the Steigerwald Lake Gateway Center, July 1999, and the Comprehensive Conservation Plan for Steigerwald Lake, Franz Lake, and Pierce National Wildlife Refuges, August 2005. It would also provide the opportunity to learn about some of the resources and opportunities of the Columbia River

Gorge National Scenic Area. At the present time, these opportunities do not exist at the Steigerwald Lake NWR.

The following components of the project will provide for permanent benefits to the public as they visit this refuge, which will be open to the public after its completion. There are no private uses for which this property is suited.

The kiosk will provide a location for messages about the Scenic Area and the Refuge. It will describe the Scenic Area with such subjects as opportunities for visiting tourist attractions, geologic and scenic elements, historical features, wildlife and habitats of the Gorge, and amenities offered by the communities in the Gorge. It will also describe the Refuge with information about the U.S. Fish and Wildlife Service, wildlife and habitat resources and management on the refuge, and the interpretive trail and its scope.

There will be parking for 20 vehicles, two for those with special needs, and one bus/recreational vehicle space.

There will also be an accessible restroom facility for visitors to use, as there are no easily identifiable public restrooms nearby.

An observation platform will provide viewing opportunities of the refuge wetlands and riparian areas, the mouth of the Columbia River Gorge, and Mt. Hood.

The interpretive trail will lead the visitor from the kiosk site providing viewing opportunities of a variety of waterfowl and other marsh dependent wildlife using the Steigerwald Lake wetlands along which it passes, with an elevated viewing location about midway through this section. After reaching uplands south of the lake, the trail will travel through a cottonwood-dominated riparian area and cross over Gibbons Creek. After traveling along the south side of the creek to the west, it will then travel south on a boardwalk across the west end of Redtail Lake, then take the visitor southwest to the top of the Columbia River Dike. Walking east, the trail will take the visitor to a fish ladder which provides salmonid access between Gibbons Creek and the Columbia River. The trail will then loop back to the northwest along the north side of Gibbons Creek, providing excellent birding opportunities in the riparian vegetation.

### ***Detriments***

Increased public use following the development and operation of these facilities could result in an increase in the incidence of vandalism, trespass and illegal entry, littering and other violations. This would require expansion of the existing refuge law enforcement program, which would include increased officer presence from the Ridgefield Complex Headquarters, additional signage and visitor education. This may also include cooperative agreements with the local law enforcement agencies. It is expected that if negative public actions do begin, an increased officer presence and the additional implementation of the above actions will reduce their occurrence.

In addition, the development of the facilities would result in an increased operations and maintenance workload (trail and facility maintenance, sign replacement, development and stocking of brochures, litter pickup, repair and/or replacement of vandalized property, etc.) and associated costs.

Additional impacts to refuge management programs are not expected.

#### **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**
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 wetland buffer zones and has been designed to minimize the intrusion into this zone. See findings under Stream and Wetland Buffer Zones starting on page 14. Staff finds that the buffer zone for the herbaceous wetlands at Steigerwald Refuge is 150 feet according to criterion 3 above. The Natural Resources Mitigation Plan serves as the Rehabilitation and Enhancement Plan for Wetlands and Riparian buffers.

#### **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 trail portion of the project is found to be within the 150 ft. herbacious community wetland buffer zone. Several drawings composing the site plan and wetland delineation 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.

#### 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.

**Findings:** Staff finds that the parking area and trail portions of the project are within the 100 ft. buffer for Gibbons Creek. See findings under Stream and Wetland Buffer Zones starting on page 14. See also the No practicable alternative and public interest test above. With conditions requiring that the USFW offset the entry into the buffer zones as per the Natural Resources Mitigation Plan, the riparian buffer criteria above are met.

#### 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 trail portion of the project is found to be within the 100 ft. buffer for Gibbons Creek. Several drawings composing the site plan were developed. 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. In addition to the information required in all site plans, site plans for uses within 1,000 feet of a sensitive wildlife area or site shall include a map prepared at a scale of 1 inch equals 100 feet (1:1,200), or a scale providing greater detail.**
- 2. A field survey to identify sensitive wildlife areas or sites shall be required**

### **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**

#### **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**

#### **Protection and Rehabilitation Plans**

**Findings:** Lower Columbia River Steelhead trout (*Oncorhynchus mykiss*); and Lower Columbia River Coho salmon (*Oncorhynchus kisutch*) are both listed as threatened. Gibbons Creek is listed as Critical Habitat and as such is regulated under Section 7 of the Endangered Species Act. Interagency consultation with National Oceanic Atmosphere Administration (NOAA) Fisheries was initiated on July 23, 2007. On August 6, 2007 NOAA concurred with the USFWS's determination that the proposed action "May Affect, But Is Not Likely to Adversely Effect" listed species and their Critical Habitat in the proposed project area. The project is not within 1,000 feet of any other known sensitive wildlife or plant sites. With conditions requiring that the USFW offset the entry into the wetland, riparian buffer zones as per the Natural Resources Mitigation Plan (which serves as the Wildlife Management Plan) the criteria above are met. With conditions, the project meets the Natural Resources guidelines.

## ***G. Recreational Resources***

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

### **Allowable Uses**

**The following uses are allowable, subject to compliance with the "Approval Criteria for Recreation Uses" and "Facility Design Guidelines For All Recreation Projects" in this section.**

- 1. Recreation Intensity Class 1 (Very Low Intensity)**
  - A. Parking areas for a maximum of 10 cars for any allowed uses in Recreation Intensity Class 1.**
  - B. Trails for hiking, equestrian, and mountain biking use.**
  - C. Pathways for pedestrian and bicycling use.**
  - D. Trailheads (with provisions for hitching rails and equestrian trailers at trailheads accommodating equestrian use).**
  - E. Scenic viewpoints and overlooks.**
  - F. Wildlife/botanical viewing and nature study areas.**
  - G. River access areas.**
  - H. Simple interpretive signs and/or displays, not to exceed a total of 50 square feet.**
  - I. Entry name signs, not to exceed 10 square feet per sign.**
  - J. Boat docks, piers, or wharfs.**
  - K. Picnic areas.**
  - L. Restrooms/comfort facilities.**

**Findings:** The Open Space portion of Steigerwald Refuge is classed RIC I, low intensity. The proposal calls for hiking trails and small overlooks in this area and is thus an allowed use in RIC I.

- 2. Recreation Intensity Class 2 (Low Intensity)N/A.**
- 3. Recreation Intensity Class 3 (Moderate Intensity)**
  - A. All uses permitted in Recreation Intensity Classes 1 and 2.**
  - B. Parking areas for a maximum of 75 cars, to serve any allowed uses in Recreation Intensity Class 3. Parking spaces for campground units are to be included in this number.**
  - C. Interpretive signs, displays and/or facilities.**
  - D. Visitor information and environmental education signs, displays, or facilities.**
  - E. Entry name signs, not to exceed 32 square feet per sign.**
  - F. Boat ramps, not to exceed three lanes.**
  - G. Concessions stands, pursuant to applicable policies in this chapter.**
  - H. Campgrounds for 50 individual units or less, for tents and/or recreational vehicles, with a total density of no more than 10 units per acre (density to be measured based on total size of recreation facility and may include**

required buffer and setback areas). Class 3 campgrounds may also include one group campsite area, in addition to the allowed individual campground units or parking area maximums.

**Findings:** The Recreation portion of Steigerwald Refuge is classed RIC III, moderate intensity. The proposal calls for hiking trails, a 20-car parking area with kiosk, and restroom in this area and is thus an allowed use in RIC III. The entry sign exceeds 32 square feet but conforms to the requirements of the CRGNSA graphic sign system.

**4. Recreation Intensity Class 4 (High Intensity) N/A.**

**Approval Criteria for Recreation Uses**

**1. For all proposed recreation projects outside of Public or Commercial Recreation designations, project applicants shall demonstrate compliance with the following criteria (if applicable) as a condition of project approval:**

- A. Compliance with all applicable guidelines in this Management Plan for the protection of scenic, cultural, recreation, and natural resources. Cumulative effects of proposed recreation projects on landscape settings shall be based on the "Compatible Recreation Use Guideline" for the landscape setting in which the proposed project is located (see Part I, Chapter 1: Scenic Resources).**
- B. For proposed recreation projects in or adjacent to lands designated Large-Scale or Small-Scale Agriculture, Commercial Forest Land, or Large or Small Woodland, compliance with the following: N/A.**
- C. For proposed projects including facilities for outdoor fires for cooking or other purposes, or for proposed campgrounds, compliance with the following: N/A.**
- D. For proposed trail or trailhead projects, compliance with applicable trails policies in the Management Plan.**
- E. For proposed projects providing boating or windsurfing access to the Columbia River or its tributaries, compliance with applicable "River Access and Protection of Treaty Rights" objectives in this chapter. N/A.**
- F. For proposed projects on public lands or proposed projects providing access to the Columbia River or its tributaries, compliance with guidelines for protection of tribal treaty rights in Part IV, Chapter 3: Indian Treaty Rights and Consultation. N/A.**
- G. For proposed projects that include interpretation of natural or cultural resources, demonstration that the interpretive facilities will not adversely affect natural or cultural resources and that appropriate and necessary resource protection measures shall be employed.**
- H. For proposed Recreation Intensity Class 4 projects. N/A.**

**Findings:** Most of the above criteria are not applicable to this project due to project type and location. See findings under "Compatible Recreation Use Guideline" starting on page 8 above for criterion 1.A. For criterion I.D. the applicant states: The project will also serve as the Western Gateway to the Columbia River Gorge National Scenic Area,

providing the visiting public with a general introduction and orientation to the Scenic Area and information on resources in the surrounding vicinity. It is referenced in the Columbia River Gorge National Scenic Area Management Plan Recreation Development Plan: No. 1, T1 — Steigerwald Northwest Gateway/Cottonwood Beach Trail.

The project meets the above applicable criteria.

#### **Facility Design Guidelines for All Recreation Projects**

- 1. Recreation facilities that are not resource-based in nature N/A.**
- 2. The facility design guidelines are intended to apply to individual recreation facilities. N/A.**

**Developments or improvements within the same recreation intensity class are considered as separate facilities if they are separated by at least 1/4 mile of undeveloped land (excluding trails, pathways, or access roads)N/A.**
- 3. Parking areas, access roads, and campsites shall be sited and designed to fit into the existing natural contours as much as possible, both to minimize ground-disturbing grading activities and to use topography to screen parking areas and associated structures.**

**Parking areas, access roads, and campsites shall be sited and set back sufficiently from bluffs so they are visually subordinate as seen from key viewing areas. 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. Parking areas providing over 50 spaces shall be divided into discrete "islands" separated by unpaved, landscaped buffer areas.N/A.**
- 6. Lineal frontage of parking areas and campsite loops on scenic travel corridors shall be minimized.**
- 7. Ingress/egress points shall be consolidated to the maximum extent practicable, providing for adequate emergency access pursuant to applicable fire and safety codes.**
- 8. Signage shall be limited to that necessary to provide relevant recreation or facility information, interpretive information, vehicular and pedestrian direction, and for safety purposes.**
- 9. Exterior lighting shall be shielded, designed, and sited in a manner that prevents such lighting from projecting off site or being highly visible from key viewing areas.**
- 10. Innovative designs and materials that reduce visual impacts (such as "turf blocks" instead of conventional asphalt paving) shall be encouraged through ...**
- 11. A majority of trees, shrubs, and other plants in landscaped areas shall be species native or naturalized to the landscape setting in which they occur. The landscape setting design guidelines in Part I, Chapter 1 specify appropriate species.**

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.
13. Landscape buffers around the perimeter of parking areas accommodating more than 10 vehicles shall be provided. Minimum required widths are 5 feet for 20 vehicles or fewer, 20 feet for 50 vehicles or fewer, 30 feet for 100 vehicles or fewer, and 40 feet for 250 vehicles or fewer.
14. Interior landscaped buffers breaking up continuous areas of parking shall be provided for any parking areas with over 50 spaces. The minimum width of interior landscaped buffers separating each subarea of 50 spaces or less shall be 20 feet. N/A.
15. Within required perimeter and interior landscaped buffer areas, a minimum of one tree of at least 6 feet in height shall be planted for every 10 lineal feet as averaged for the entire perimeter width. A minimum of 25 percent of planted species in perimeter buffers shall be coniferous to provide screening during the winter. Project applicants are encouraged to place such trees in random groupings approximating natural conditions. In addition to the required trees, landscaping shall include appropriate shrubs, groundcover, and other plant materials. N/A.
16. Minimum required perimeter landscaped buffer widths for parking areas or campgrounds may be reduced by as much as 50 percent...N/A.
17. Grading or soil compaction within the "drip line" of existing mature trees shall be avoided to the maximum extent practicable, to reduce risk of root damage and associated tree mortality.
18. All parking areas and campsites shall be set back from scenic travel corridors and the Columbia River and its major tributaries by at least 100 feet. Required perimeter landscaped buffers may be included when calculating such setbacks. Setbacks from rivers shall be measured from the ordinary high water mark. Setbacks from scenic travel corridors shall be measured from the edge of road pavements.
19. Project applicants shall use measures and equipment necessary for the proper maintenance and survival of all vegetation used to meet landscape standards, and shall be responsible for such maintenance and survival.
20. All parking areas shall be set back from property boundaries by at least 50 feet. All campsites and associated facilities shall be set back from property boundaries by at least 100 feet.
21. All proposed projects that are larger than those allowed in Recreation Intensity Classes 1-3, and are on lands classified Recreation Intensity Class 4 ...N/A.

**Findings:**

Parking Area Siting: See findings under Scenic Resources

Existing Vegetation: See findings under Scenic Resources

Scenic Travel Routes and Corridors: See findings under Scenic Resources

Ingress/Egress points: There is a single point for ingress/egress.

Signage: Staff finds that the signing proposed is the minimum necessary.

Exterior Lighting: See findings under Scenic Resources

Innovative paving: The parking area is not proposed to be paved.

Native Plants: See findings under Scenic Resources

Tree Drip Lines: No trees are within construction distance from the parking lot and road where grading is proposed.

Vegetation survival: See findings under Scenic Resources

Setbacks: The parking area is over 200 from the property line.

The project meets the above applicable criteria with conditions as applied in the scenic resources section.

## ***H. Conclusion***

The proposed parking area, trail, and associated facilities as described above and in the project application is consistent with the National Scenic Area Management Plan Policy and Guidelines provided it meets the criteria and conditions listed in the Findings of Fact and Consistency Determination.