
CONSISTENCY DETERMINATION AND DECISION MEMO
HISTORIC COLUMBIA RIVER HIGHWAY STATE TRAIL
CD-15-05-S
OREGON DEPARTMENT OF TRANSPORTATION
WYETH TO LINDSAY CREEK
COLUMBIA RIVER GORGE NATIONAL SCENIC AREA
HOOD RIVER COUNTY, OREGON
MAY 27, 2016

BACKGROUND

The proposed development of those portions of a 3.08-mile long segment of the Historic Columbia River Highway State Trail by Oregon Department of Transportation (ODOT) that would occur on federal lands within the Columbia River Gorge National Scenic Area (CRGNSA) is required to be consistent with the purposes of the CRGNSA Act as determined by the Forest Service, pursuant to Section 14(d) of the Act. Construction of the trail on National Forest System lands requires a Special Use Permit issued by the Forest Service. The Consistency Determination section below documents the review of the proposal for consistency with the CRGNSA Management Plan. The Decision Memo documents the issuance of a Special Use permit for project construction.

CONSISTENCY DETERMINATION

The proposed development of the Historic Columbia River Highway State Trail by Oregon Department of Transportation (ODOT) on federal lands within the Columbia River Gorge National Scenic Area (CRGNSA) is required to be consistent with the purposes of the CRGNSA Act as determined by the Forest Service, pursuant to Section 14(d) of the Act. A complete consistency review application was received by my office in October 2015. The same application was submitted at the same time to Hood River County.

The review by the Forest Service considers those portions of the proposed 3.08-mile trail development that would occur on National Forest System (NFS) lands – specifically, the Wyeth trailhead development west of Wyeth Campground, approximately 300 feet of paved trail along the northern edge of the Wyeth Campground, and roughly 200 feet of paved trail that crosses parcel number 02N08E01200 (see the project area map on the last page of this document). Hood River County is the reviewing authority for the remainder of the project. On April 25, 2016, Hood River County issued its staff report and a letter to the applicant tentatively approving the proposal, subject to compliance with a list of 55 conditions.

Forest Service staff communicated frequently with Hood River County staff throughout the application review process. Although the Wyeth Trailhead portion of the proposed trail

development is located on National Forest System lands, the Hood River County staff report considered the 3.08-mile project in its entirety, and included a detailed review of the trailhead development. The two short portions of proposed trail that cross NFS lands are also fully represented in the County's staff report and findings.

Based on USFS staff recommendations and on my own review of the ODOT application material, the Hood River County National Scenic Area Staff Report, and the April 25, 2016 permit approval letter from Hood River County, I find that the Hood River County staff report fully represents the portions of the project proposed to occur on NFS lands. I concur that the project activities and development proposed to occur on NFS lands are consistent with the Columbia River Gorge National Scenic Area (CRGNSA) Act and with the CRGNSA Management Plan, subject to compliance with all applicable conditions listed in the County's April 25, 2016 tentative approval letter to ODOT, and with the following two additional conditions specific to the design of the Wyeth Trailhead and the portion of the trail passing through the Wyeth Campground:

1. The stormwater management system for the trailhead area will be designed to be consistent with USFS requirements, as determined by the USFS Engineer and Hydrologist;
2. Native shrubs will be planted between the edge of the trail and the overflow camping area at Wyeth Campground to define the trail edge and provide visual screening between the campground and the trail. The USFS Botanist will approve the plant species and planting design.

DECISION MEMO

Construction and other activities associated with the development of the portions of the Historic Columbia River Highway State Trail on National Forest System (NFS) lands require a Special Use Permit from the US Forest Service.

I have decided to approve the issuance of a Special Use Permit for construction of these portions of Historic Columbia River Highway State Trail on NFS land. This action is categorically excluded from documentation in an environmental impact statement (EIS) or an environmental assessment (EA). The applicable category of actions is identified in agency procedures as 36 CFR 220.6(e)(3) *Approval, modification, or continuation of minor special uses of NFS lands that require less than five contiguous acres of land*. The use of this category of action(s) is applicable because the proposed use of NFS land would be less than 5 contiguous acres.

I find that there are no extraordinary circumstances that would warrant further analysis and documentation in an EA or EIS. I took into account resource conditions identified in agency procedures that should be considered in determining whether extraordinary circumstances might exist:

- Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species:

A biological assessment was prepared and it was determined that the project may affect but is not likely to adversely affect northern spotted owl. There is no Designated

Northern Spotted Owl habitat within the project area. There are no listed anadromous fish in Gorton Creek at the project location, and all project work will take place outside of the bank-full width of the stream, so there will be no adverse effects to listed fish. The project would have no effect on Forest Sensitive species that do not have habitat in or near the project area. For Forest Sensitive species that do have habitat in or near the project area, the project may impact individuals or habitat, but is not likely to contribute to a trend towards federal listing or loss of viability to the population or species.

- Flood plains, wetlands, or municipal watersheds:

There are no flood plains or municipal watersheds present. Project design features and mitigation measures have been included to avoid or mitigate effects to riparian and wetland areas.

- Congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas:

This development would occur on NFS lands within the Congressionally designated Columbia River Gorge National Scenic Area. The project has been reviewed and found to be consistent with the guidelines of the Columbia River Gorge National Scenic Area Management Plan. Results of the consistency review are documented above, and in the April 25, 2016 Hood River County National Scenic Area Staff Report and letter of tentative approval (with conditions).

- Inventoried roadless areas or potential wilderness areas

None are present.

- Research natural areas

None are present.

- American Indians and Alaska Native religious or cultural sites

While the Columbia River Gorge is significant to American Indian Tribes, the area around Gorton Creek and Wyeth Campground has not been identified as a significant religious or cultural site. Notification of the project was provided to the Yakama Nation, Confederated Tribes of the Umatilla Indian Reservation, Nez Perce Tribe, and Confederated Tribes of the Warm Springs. No comments were received from the tribes.

- Archaeological sites, or historic properties or areas

Cultural resource surveys were completed and the Oregon State Historic Preservation Office was consulted. While historic resources are present it was determined that there would be no adverse effect to these properties by the proposed activities.

PUBLIC INVOLVEMENT

Project information, including the ODOT application, was posted on the Columbia River Gorge National Scenic Area website and known interested parties were notified by mail or email. A public comment period was provided from April 7 through April 30. Notification was also provided to the Yakama Nation, Confederated Tribes of the Umatilla Indian Reservation, Nez Perce Tribe, and Confederated Tribes of Warm Springs. In addition to these public involvement

opportunities, the Oregon Department of Transportation has provided substantial information to the public through meetings and posting information online. The following public comments were received by the Forest Service during the comment period:

- The Gifford Pinchot Accountability Group submitted the following comment: *We have no concerns or issues with this project and see no reason for it not to move forward as quickly as possible.*
- Friends of the Columbia Gorge submitted a comment letter stating: *Friends supports efforts to develop and enhance recreation resources so long as the project complies with all scenic, natural, cultural, and recreational resource protection guidelines. In particular, Friends supports efforts to restore and reconnect the Historic Columbia River Highway (HCRH) as a recreational trail, as required by the Columbia River Gorge National Scenic Area Act.*” Their letter included additional comments regarding the Management Plan review criteria that apply to the project.

ADMINISTRATIVE REVIEW (APPEAL) OPPORTUNITIES

The decision to issue a special use permit for construction of the trail is not subject to appeal. A written request for review of the USFS CRGNSA 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 should be addressed to: Request for CRGNSA Review, Regional Forester, P.O. Box 3623, Portland, OR 97208.

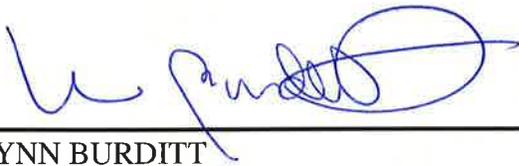
IMPLEMENTATION DATE

Once the special use permit is issued, construction on NFS lands may begin immediately as long as it complies with the conditions described in this document, all applicable conditions in the Hood River County approval letter, and any additional operating conditions specified in the special use permit.

The Consistency Determination expires two years after the date accompanying the signature on this document. If implementation has not commenced before that date, a new consistency review or extension shall be required.

CONTACT

The Columbia River Gorge National Scenic Area staff prepared an analysis file in conjunction with this project. For further information, contact Robin Shoal at the USFS Columbia River Gorge National Scenic Area, phone: (541) 308-1713, e-mail: rshoal@fs.fed.us.



LYNN BURDITT

Area Manager

May 27, 2016

Date

LANDOWNER:	Federal - National Forest System
PROPOSED ACTION:	ODOT proposes the construction of a trailhead with 34-stall parking area and vault toilet; and two segments of a paved pedestrian and bicycle trail totaling roughly 500 feet.
LOCATION:	Township Range Section: T02N, R08E, Section 1 Tax lot IDs: 200; 400; 500; 600
NATIONAL SCENIC AREA DESIGNATION:	GMA and SMA
LAND USE DESIGNATION:	GMA Agriculture (trailhead); SMA Public Recreation; SMA Forest
LANDSCAPE SETTING	Coniferous Woodlands

Yellow outlines on the map below show proposed trail and trailhead development on National Forest System Lands.



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