Applicant Findings: *Applicable. The buffer zones were measured 200 ft from the applicable boundary for each water resource. Maps Sheet12 in the BRIAR (Attachment J) shows the wetlands and the perennial and/or fish bearing streams with the designated 200 foot buffer.*

(ii) A 50-foot buffer zone along each bank of intermittent (including ephemeral), non-fish bearing streams.

Applicant Findings: *Applicable. The buffer zones were measured 50 ft from the applicable boundary for each intermittent and ephemeral water resource. Maps Sheet 11 in the BRIAR (Attachment J) shows the intermittent or ephemeral, non-fish bearing streams with the designated 50-foot buffer.*

(iii) Maintenance, repair, reconstruction and realignment of roads and railroads within their rights-of-way shall be exempted from the wetlands and riparian guidelines upon demonstration of all of the following:

(I) The wetland within the right-of-way is a drainage ditch not part of a larger wetland outside of the right-of-way.

(II) The wetland is not critical habitat.

(III) Proposed activities within the right-of-way would not adversely affect a wetland adjacent to the right-of-way.

Applicant Findings: *Not applicable. The proposed project is not a road or railroad maintenance project. The project is a trail.*

(C) The buffer width shall be increased for the following:

(i) When the channel migration zone exceeds the recommended buffer width, the buffer width shall extend to the outer edge of the channel migration zone.

(ii) When the frequently flooded area exceeds the recommended riparian buffer zone width, the buffer width shall be extended to the outer edge of the frequently flooded area.

(iii) When an erosion or landslide hazard area exceeds the recommended width of the buffer, the buffer width shall be extended to include the hazard area.

Applicant Findings: *Not applicable. No increases in the buffer width are warranted. No adjustments to the buffer widths will be requested. No areas that met these criteria lie within the project work area. No buffers are proposed to be increased.*

(D) Buffer zones can be reconfigured if a project applicant demonstrates all of the following: (1) the integrity and function of the buffer zones is maintained, (2) the total buffer area on the development proposal is not decreased, (3) the width reduction shall not occur within another buffer, and (4) the buffer zone width is not reduced more than 50% at any particular location. Such features as intervening topography, vegetation, man made features, natural plant or wildlife habitat boundaries, and flood plain characteristics could be considered.

Applicant Findings: *Not applicable. No buffer zones will be reconfigured by this project.*

(E) Requests to reconfigure buffer zones shall be considered if an appropriate professional (botanist, plant ecologist, wildlife biologist, or hydrologist), hired by the project applicant (1) identifies the precise location of the sensitive wildlife/plant or water resource, (2) describes the biology of the sensitive wildlife/plant or hydrologic condition of the water resource, and (3) demonstrates that the proposed use will not have any negative effects, either direct or indirect, on the affected wildlife/plant and their surrounding habitat that is vital to their long-term survival or water resource and its long term function.

Applicant Findings: *Not applicable. No buffer zones will be reconfigured by this project.*

(F) The Planning Director shall submit all requests to re-configure sensitive wildlife/plant or water resource buffers to the Forest Service and the appropriate state agencies for review. All written comments shall be included in the project file. Based on the comments from the state and federal agencies, the Planning Director will make a final decision on whether the reconfigured buffer zones are justified. If the final decision contradicts the comments submitted by the federal and state agencies, the Planning Director shall justify how the opposing conclusion was reached.

Applicant Findings: *Not applicable. No buffer zones will be reconfigured by this project.*

(b) When a buffer zone is disturbed by a new use, it shall be replanted with only native plant species of the Columbia River Gorge.

Applicant Findings: *Applicable. Construction will disturb sections of water resource (stream and wetland) buffers. Disturbed areas of buffer will have invasive or noxious plant species removed and will be replanted with species native to the Gorge area and appropriate for the vegetation community of the buffer. See the Planting Plans and Plant Lists for the project (Attachment C) for lists of appropriate plant species.*

(c) The applicant shall be responsible for identifying all water resources and their appropriate buffers. (see above)

Applicant Findings: *Applicable. All water resource and their appropriate buffers have been identified and mapped by biological science consultants. Maps Sheet 12 in Attachment J, the BRIAR, shows the locations of all water resources and their buffer areas.*

(d) Wetlands Boundaries shall be delineated using the following:

(A) The approximate location and extent of wetlands in the Scenic Area is shown on the National Wetlands Inventory (U. S. Department of the Interior 1987). In addition, the list of hydric soils and the soil survey maps shall be used as an indicator of wetlands.

(B) Some wetlands may not be shown on the wetlands inventory or soil survey maps. Wetlands that are discovered by the local planning staff during an inspection of a potential project site shall be delineated and protected.

(C) The project applicant shall be responsible for determining the exact location of a wetlands boundary. Wetlands boundaries shall be delineated using the procedures specified in the '*1987 Corps of Engineers Wetland Delineation Manual* (on-line Edition)'.

(D) All wetlands delineations shall be conducted by a professional who has been trained to use the federal delineation procedures, such as a soil scientist, botanist, or wetlands ecologist.

Applicant Findings: *Applicable. Wetlands were identified within the project area. Wetland delineations by consultant staff with the appropriate expertise using the ACOE Wetland Delineation Manual and the Western Mountains, Valleys, and Coast Regional Supplement have been completed for all wetlands identified within the project area. Any wetlands identified have been surveyed and mapped. Map 12 shows wetland areas included in the BRIAR, Attachment J.*

(e) Stream, pond, and lake boundaries shall be delineated using the bank full flow boundary for streams and the high water mark for ponds and lakes. The project applicant shall be responsible for determining the exact location of the appropriate boundary for the water resource.

Applicant Findings: *Applicable. Table 1 below, shows the water resources identified within in the proposed project corridor.*

(f) The Planning Director may verify the accuracy of, and render adjustments to, a bank full flow, high water mark, normal pool elevation (for the Columbia River), or wetland boundary delineation. If the adjusted boundary is contested by the project applicant, the Planning Director shall obtain professional services, at the project applicant's expense, or ask for technical assistance from the Forest Service to render a final delineation.

Applicant Findings: *Applicable. The Wetlands and Regulated Waterways table below, shows the water resources identified within in the proposed project corridor.*

Table 1. Wetlands and Regulated Waterways		
Water Resource	***Description of Resource***	***Map Page Location***
ST-6, Wonder Creek Complex, Sta. 172+00 to 175+00	*Intermittent or ephemeral non-fish bearing stream with no obvious channel. Flows may pass under or around the existing levy/embankment feature.*	Sheet 12
Wetland WL-4	*PSS*	Sheet 12
Stream ST-7, Warren Creek, Sta. 177+80	*Intermittent fish-bearing stream*	Sheet 12

The Planning Director is not expected to need to verify the accuracy of any boundary for a regulated water resource. Consultants from CH2Mhill and ODOT technical staff with expertise in wetlands and other waterways reviewed the project area and identified and flagged all wetland boundaries and the Ordinary High Water (OHW) for any waterways in the field for survey and inclusion on the project base map and on construction plans. A formal delineation that includes the boundaries of all the regulated water resources has been prepared and submitted to the Department of State Lands for review and concurrence. The locations of the water resources have been included on the plans developed for the project. The BRIAR includes a map that show the locations of the water resources in Attachment J, Map Sheet 12.

(g) Buffer zones shall be undisturbed unless the following criteria have been satisfied:

(A) The proposed use must have no practicable alternative as determined by the practicable alternative test.

Those portions of a proposed use that have a practicable alternative will not be located in wetlands, stream, pond, lake, and riparian areas and/or their buffer zone.

Applicant Findings: *Applicable. The proposed trail has been designed to avoid all identified wetland buffer zones to the maximum practicable extent without compromising the primary purpose of the project, which is to connect existing sections of the Historic Highway with segments of new trail. The final design of the trail will avoid all direct impacts to wetlands in the project corridor but cannot avoid all buffer impacts.*

The proposed alignment represents the least environmentally damaging practicable alternative and avoids all impacts to wetlands and minimizes impacts to wetland buffers to the maximum practicable extent. Approximately 0.33 ac of wetland buffer will be affected by the trail alignment, which is the least impact that can be achieved without compromising public safety, recreation and scenic standards or the primary purpose of the proposed project as a recreational trail within a scenic area. Map Sheet 12 shows the affected wetland and sensitive water resource buffer areas are found in Attachment J.

Wonder/Warren Creeks Drainage, Trail Station ~171+50 to ~180+00, BRIAR, Map Sheet 12.
At about Trail Station 171+50 the trail enters the Wonder Creek/Warren Creek drainage. Wonder Creek is a perennial/intermittent stream with no defined channel that probably joins the Warren Creek drainage north of the trail alignment through diffuse underground connections. The trail is aligned on old surplus I-84 highway construction embankment from about Station 170+00 to ~Station 176+00. Wetland 4 lies north of the spoils area and is west of both the ephemeral Wonder Creek area and the Warren Creek channel.

The current trail alignment in this section avoids all impacts to both Wonder Creek and Wetland #4 by utilizing the existing spoils embankment, but impacts to the buffer cannot be avoided by any alignment in this section; even an alignment along the I-84 shoulder would impact the buffer. The current alignment utilizing the spoils embankment is the alternative which avoids all impacts to sensitive water resources, and minimizes impacts to the water resource buffers to the maximum practicable extent and provides for a pleasant recreation experience and minimizes scenic impacts as possibly viewed from I-84, a KVA.

Warren Creek Drainage, Trail Station ~171+50 to ~180+00, BRIAR, Map Sheet 12

Warren Creek is an intermittent drainage, but with significant flow in the winter and spring months. The trail alignment in this area avoids all impacts to identified sensitive water resources, but lies within both the Warren Creek stream buffer, and the buffer of Wetland 4. Impacts to the water resource buffer areas have been minimized by moving the initial trail alignment downstream from the proposed stream crossing, towards I-84 and to the edges of the identified water resource buffer areas. The buffer impacts cannot be entirely avoided in this section by changing the trail alignment, but the impacts have been minimized to the maximum extent practicable by using the old highway spoils embankment berm, and by re-aligning from the initial trail location to an alignment at the edges of the buffer areas and away from the sensitive water resources.

After all practicable minimization measures have been applied,

unavoidable sensitive water resource buffer impacts total 0.6165 ac for this section of trail alignment.

Map Sheet 12 of the BRIAR (Attachment L) shows the affected wetland and sensitive water resource buffer areas.

(B) Filling and draining of wetlands shall be prohibited with exceptions related to public safety or restoration/enhancement activities as permitted when all of the following criteria have been met:

(i) A documented public safety hazard exists or a restoration/ enhancement project exists that would benefit the public and is corrected or achieved only by impacting the wetland in question, and

(ii) Impacts to the wetland must be the last possible documented alternative in fixing the public safety concern or completing the restoration/enhancement project, and

(iii) The proposed project minimizes the impacts to the wetland.

Applicant Findings: *Not Applicable. No wetlands will be filled or drained as part of the trail project.*

(C) Unavoidable impacts to wetlands and aquatic and riparian areas and their buffer zones shall be offset by deliberate restoration and enhancement or creation (wetlands only) measures as required by the completion of a mitigation plan.

Applicant Findings: *Applicable. The proposed trail will not impact any sensitive water resources. Approximately 0.6165 ac of unavoidable sensitive water resource buffer areas will be impacted by the proposed trail. All practicable avoidance and minimization measures have been applied; and the amount of unavoidable buffer impact is the minimum that is possible to still meet the project goals and CRGNSA planning documents for connecting segments of the Historic Columbia River Highway to provide a trail. Mitigation for the unavoidable water resource and wetland buffer impacts has been developed in coordination with the USFS. The buffer impact mitigation will consist of removing approximately 8.5 acres of noxious weeds and non-native invasive vegetation in the Lindsey and Warren Creeks watersheds and restoring the understory with appropriate Gorge-specific native species in the designated area of the Warren Creek watershed. Planting Plans and Plant Lists are included in Attachment C, Landscaping Plans, for the project.*

(3) Wildlife and Plants

(a) Protection of sensitive wildlife/plant areas and sites shall begin when proposed new developments or uses are within 1000 ft. of a sensitive wildlife/plant site and/or area.

Sensitive Wildlife Areas and endemic plants are those areas depicted in the wildlife inventory and listed in Tables 4 and 7 in the Management Plan including all Priority Habitats listed in this Chapter. The approximate locations of sensitive wildlife and/or plant areas and sites are shown in the wildlife and rare plant inventory.

Applicant Findings: *Applicable. Biologists from Mason, Bruce, and Girard (MBG), CH2M Hill, and OTAK surveyed the project area in 2012, 2013 and 2014 for sensitive wildlife, wildlife sites, and plants. Species lists were confirmed to be up-to-date. The approximate locations of sensitive wildlife and/or plant sites are shown on maps included in the Biological Reports (Attachments H, I and J) and Impact Assessment Report (BRIAR), Attachment J, Map Sheet 12.*

(b) The Planning Director shall submit site plans (of uses that are proposed within 1,000 feet of a sensitive wildlife and/or plant area or site) for review to the Forest Service and the appropriate state agencies (Oregon Department of Fish and Wildlife for wildlife issues and by the Oregon Natural Heritage Program for plant issues).

Applicant Findings: *Applicable. A Biological Research and Impact Assessment Report (BRIAR) (Attachment J), and Biological Evaluation (BE) (Attachment I) for the project has been prepared by qualified natural resource professionals and will be submitted to the Planning Director for distribution to USFS, ODFW and ONHP and Gorge Commission staff for review.*

(c) The Forest Service wildlife biologists and/or botanists, in consultation with the appropriate state biologists, shall review the site plan and their field survey records. They shall:

(A) Identify/verify the precise location of the wildlife and/or plant area or site,

(B) Determine if a field survey will be required,

Applicant Findings: *Applicable. A Biological Research and Impact Assessment Report (Attachment J) has been prepared in consultation with USFS and the appropriate state biologists. The appropriate documentation has been prepared and submitted to the Hood River Planning Director for distribution and review by USFS wildlife biologists and botanists. Prior to application submittal to Hood River County, the appropriate resource agency specialists were consulted to verify appropriate field protocols and level of documentation. Additionally, ORNHIC records of special status species were queried within a five-mile radius of the project area.*

(C) Determine, based on the biology and habitat requirements of the affected wildlife/plant species, if the proposed use would compromise the integrity and function of or result in adverse affects (including cumulative effects) to the wildlife or plant area or site. This would include considering the time of year when wildlife or plant species are sensitive to disturbance, such as nesting, rearing seasons, or flowering season, and

Applicant Findings: *Applicable. A Biological Research and Impact Assessment Report (BRIAR) has been prepared in consultation with USFS and the appropriate state biologists. Prior to application submittal to Hood River County, the appropriate resource agency specialists were consulted to verify appropriate field protocols and level of documentation. Additionally, ORNHIC records of special status species were queried within a five-mile radius of the project area.*

The BRIAR describes the identified Sensitive Natural Resources (SNRs) and Priority Habitats, and potential impacts to the identified resources have been assessed and documented in the BRIAR, Attachment J). All practicable measures have been adopted and integrated into the project design and proposed construction to avoid any adverse effects, including cumulative impacts on sensitive resources. The measures are described below:

Design Measures to Avoid Adverse Effects:

- *All measures to avoid direct impacts to natural resources have been applied during trail design including identifying the location of all Sensitive Natural Resources and aligning the trail to avoid them. No Sensitive Natural Resources are directly impacted by this portion of Segment D. Segment D impacts approximately 0.61 acres of sensitive natural resource buffer on USFS managed lands. Buffer impact mitigation consists of removal of approximately 8.5 ac of noxious/invasive weed infested understory in the Warren Creek drainage. This mitigation will provide for mitigation for future state trail construction activities.*

Construction Measures to Avoid Adverse Impacts:

- *A Pre-construction conference and site visit with contractors to review sensitive areas for avoidance;*
- *Not removing trees during nesting times, as described under the Migratory Bird Treaty Act;*
- *Using all appropriate erosion control measures during construction to protect identified water resources;*
- *Limiting construction staging areas to the fewest necessary to do the work;*
- *Biologists will survey areas of potential sensitive species/plant occurrence prior to beginning construction to identify species and to avoid potential impacts by designating No Work Zones.*

Discussion of Cumulative Impacts

- *While the construction of the trail will provide higher levels of recreational access than before, the trail itself will maintain access on the trail or in specific use areas, and not in sensitive habitat or resource areas;*
- *The land adjacent to and off the trail is publically owned by the USFS and the OPRD, agencies committed to protecting the sensitive natural resources of the trail areas, and will therefore not be subject to other possibly adverse uses;*
- *Stormwater run-off from the trail surface will not contain typical roadway pollutants, will infiltrate into the trail sub-grade, and will not change any existing or create new drainage patterns;*
- *Removal of existing established areas of invasive and noxious weeds in the Warren Creek area will result in more diverse and healthier native plant communities and wildlife habitat over time;*
- *The hard surface of the trail and the gravel shoulders will limit non-native/weedy species from becoming established along the trail;*
- *The hard-surface trail will provide better access for management oversight and protection of sensitive resources, and for beneficial maintenance activities such as on-going invasive and noxious weed removal.*

The above listed measures will ensure that the integrity and function of all identified Sensitive Natural Resources are not compromised by the proposed trail project, and no short-term, long-term or cumulative adverse effects will result from the trail project. The mitigation of impacts on buffer areas by removing 8.5 acres of invasive and weed plant species from the Warren Creek drainage areas will improve the functions and value of habitat within the project corridor.

(D) Delineate the undisturbed 200 ft buffer on the site plan for sensitive plants and/or the appropriate buffer for sensitive wildlife areas or sites, including nesting, roosting and perching sites.

i.(i) Buffer zones can be reconfigured if a project applicant demonstrates all of the following: (1) the integrity and function of the buffer zones is maintained, (2) the total buffer area on the development proposal is not decreased, (3) the width reduction shall not occur within another buffer, and (4) the buffer zone width is not reduced more than 50% at any particular location. Such features as intervening topography, vegetation, manmade features, natural plant or wildlife habitat boundaries, and flood plain characteristics could be considered.

Applicant Findings: *Not applicable. No buffer zones will be reconfigured by this project.*

ii.(ii) Requests to reduce buffer zones shall be considered if an appropriate professional (botanist, plant ecologist, wildlife biologist, or hydrologist), hired

by the project applicant, (1) identifies the precise location of the sensitive wildlife/plant or water resource, (2) describes the biology of the sensitive wildlife/plant or hydrologic condition of the water resource, and (3) demonstrates that the proposed use will not have any negative effects, either direct or indirect, on the affected wildlife/plant and their surrounding habitat that is vital to their long-term survival or water resource and its long term function.

Applicant Findings: *Not applicable. No buffer zones will be reduced by this project.*

iii.(iii) The Planning Director shall submit all requests to re- configure sensitive wildlife/plant or water resource buffers to the Forest Service and the appropriate state agencies for review. All written comments shall be included in the record of application and based on the comments from the state and federal agencies, the Planning Director will make a final decision on whether the reduced buffer zones is justified. If the final decision contradicts the comments submitted by the federal and state agencies, the Planning Director shall justify how the opposing conclusion was reached

Applicant Findings: *Not applicable. No buffer zones will be reconfigured by this project.*

(i) Buffer zones can be reconfigured if a project applicant demonstrates all of the following: (1) the integrity and function of the buffer zones is maintained, (2) the total buffer area on the development proposal is not decreased, (3) the width reduction shall not occur within another buffer, and (4) the buffer zone width is not reduced more than 50% at any particular location. Such features as intervening topography, vegetation, man made features, natural plant or wildlife habitat boundaries, and flood plain characteristics could be considered.

Applicant Findings: *Not applicable. No buffer zones will be reconfigured.*

(ii) Requests to reduce buffer zones shall be considered if an appropriate professional (botanist, plant ecologist, wildlife biologist, or hydrologist), hired by the project applicant, (1) identifies the precise location of the sensitive wildlife/plant or water resource, (2) describes the biology of the sensitive wildlife/plant or hydrologic condition of the water resource, and (3) demonstrates that the proposed use will not have any negative effects, either direct or indirect, on the affected wildlife/plant and their surrounding habitat that is vital to their long-term survival or water resource and its long term function.

Applicant Findings: *Not applicable. No buffer zones are proposed to be reduced.*

(iii) The Planning Director shall submit all requests to re-configure sensitive wildlife/plant or water resource buffers to the Forest Service and the appropriate state agencies for review. All written comments shall be included in the record of application and based on the comments from the state and federal agencies, the Planning Director will make a final decision

on whether the reduced buffer zones is justified. If the final decision contradicts the comments submitted by the federal and state agencies, the Planning Director shall justify how the opposing conclusion was reached

Applicant Findings: *Not applicable. No buffer zones are proposed to be reconfigured or reduced.*

(d) The Planning Director, in consultation with the State and federal wildlife biologists and/or botanists, shall use the following criteria in reviewing and evaluating the site plan to ensure that the proposed developments or uses do not compromise the integrity and function of or result in adverse effects to the wildlife or plant area or site:

(A) Published guidelines regarding the protection and management of the affected wildlife/plant species. Examples include: the Oregon Department of Forestry has prepared technical papers that include management guidelines for osprey and great blue heron; the Washington Department of Fish and Wildlife has prepared similar guidelines for a variety of species, including the western pond turtle, the peregrine falcon, and the Larch Mountain salamander (Rodrick and Milner 1991).

Applicant Findings: *Applicable. USFS wildlife biologists and botanists have been consulted prior to application submittal and all applicable protocols for field assessment and documentation of the presence of sensitive species have been followed. The BRIAR (Attachment J) documents the data gathering and field research conducted by consultants and project staff in Section 3.0 METHODS. The BRIAR Bibliography further includes all the protocols, data bases and personal contacts that were used in developing the information documented in the BRIAR including the following list of personal contacts.*

Record of Personal Communication:

Carré, Brett. 2010. Personal communication with Christine Maynard, MB&G biologist; CRGNSA Wildlife and Fisheries Biologist, U.S. Forest Service. October 18, 2010.

Carré, Brett. 2012. Personal communication with Wendy Wente, MB&G biologist; CRGNSA Wildlife and Fisheries Biologist, U.S. Forest Service. April 24, 2012.

Carré, Brett. 2013. Personal communication with Steve Mader, CH2M HILL biologist; CRGNSA Wildlife and Fisheries Biologist, U.S. Forest Service. November 14, 2013.

French, Rod. 2013. Determinations of fish presence or absence for all Historic Columbia River Highway State Trail, Segments A-D Project area streams. Personal communication with Steve Mader (CH2M HILL). Oregon Department of Fish and Wildlife District Fish Biologist. November 13, 2013.

Leal, David and Brodgette Tuerler. 2011. Personal communication with Christine Maynard (MB&G). USDA Fish and Wildlife Service biologists. June 23, 2011.

Mader, Steve. 2013a. Meeting Notes: Northern Spotted Owl Evaluation Meeting; OR DOT CRGNSA 100(1), Historic Columbia River Highway State Trail. CH2M HILL, Inc., Portland, OR. October 31, 2013.

Mader, Steve. 2013b. Meeting Notes: Northern Spotted Owl Field Evaluation Meeting; OR DOT CRGNSA 100(1), Historic Columbia River Highway State Trail. CH2M HILL, Inc., Portland, OR. November 14, 2013.

(B) Physical characteristics of the subject parcel and vicinity, including topography and vegetation.

Applicant Findings: *The BRIAR (Attachment J) describes the physical characteristics of the project corridor in SECTION 3.0 Baseline Conditions.*

(C) Historic, current, and proposed uses in the vicinity of the sensitive wildlife/plant area or site.

Applicant Findings: *The BRIAR (Attachment J) describes the physical characteristics of the project corridor in Section 3.0 BASELINE CONDITIONS.*

(D) Existing condition of the wildlife/plant area or site and the surrounding habitat and the useful life of the area or site.

Applicant Findings: *The BRIAR (Attachment J), SECTION 4.0, Sensitive Species and Priority Habitat Occurrence, describes the results of the field investigation of the project corridor*

(E) In areas of winter range, habitat components, such as forage, and thermal cover, important to the viability of the wildlife must be maintained or, if impacts are to occur, enhancement must mitigate the impacts so as to maintain overall values and function of winter range.

Applicant Findings: *Not applicable. No priority areas of winter range habitat occurs within the project area.*

(F) The site plan is consistent with the "Oregon Guidelines for Timing of In-Water Work to Protect Fish and Wildlife Resources" (Oregon Department of Fish and Wildlife 2000).

Applicant Findings: *Not applicable. No in water work is proposed.*

(G) The site plan activities coincide with periods when fish and wildlife are least sensitive to disturbance. These would include, among others, nesting and brooding periods (from nest building to fledgling of young) and those periods specified.

Applicant Findings: *Applicable. The clearing of trees for the proposed trail is scheduled to occur in the fall, outside the breeding and fledging season for many species, including bald eagle (Haliaeetus leucocephalus), peregrine falcon (Falco peregrinus anatum), and northern spotted owl (Strix occidentalis caurina), in accordance with the provisions of the MBTA.*

(H) The site plan illustrates that new developments and uses, including bridges, culverts, and utility corridors, shall not interfere with fish and wildlife passage.

Applicant Findings: *Applicable. Map Sheet 12 of the BRIAR show the location of the trail, which will include a new bridge at Warren Creek. The bridge will provide a clear span of Warren Creek, and will not interfere with fish and wildlife passage. All applicable regulations will be followed to prevent any impacts on fish or wildlife passage associated with the alignment or construction of Segment D of the proposed trail.*

(I) Maintain, protect, and enhance the integrity and function of Priority Habitats (such as old growth forests, talus slopes, and oak woodlands) as listed on the following Priority Habitats Table. This includes maintaining structural, species, and age diversity, maintaining connectivity within and between plant

communities, and ensuring that cumulative impacts are considered in documenting integrity and function.

Applicant Findings: *Applicable. The Priority Habitats Table is included below. The BRIAR, Attachment J, SECTION 5.0, Potential Impacts to Sensitive Species and Priority Habitats, describes the potential affects upon the sensitive species and priority habitats.*

PRIORITY HABITATS TABLE	
Priority Habitats	**Criteria**
Aspen stands	High fish and wildlife species diversity, limited availability, high vulnerability to habitat alteration.
Caves	Significant wildlife breeding habitat, limited availability, dependent species.
Old-growth forest	High fish and wildlife density, species diversity, breeding habitat, seasonal ranges, and limited and declining availability, high vulnerability.
Oregon white oak woodlands	Comparatively high fish and wildlife density, species diversity, declining availability, high vulnerability
Prairies and steppe	Comparatively high fish and wildlife density, species diversity, important breeding habitat, declining and limited availability, high vulnerability.
Riparian	High fish and wildlife density, species diversity, breeding habitat, movement corridor, high vulnerability, dependent species.
Wetlands	High species density, high species diversity, important breeding habitat and seasonal ranges, limited availability, high vulnerability.
Snags and logs	High fish and wildlife density, species diversity, limited availability, high vulnerability, dependent species.
Talus	Limited availability, unique and dependent species, high vulnerability.
Cliffs	Significant breeding habitat, limited availability, dependent species.
Dunes	Unique species habitat, limited availability, high vulnerability, dependent species.

Applicant Findings: *Applicable. The BRIAR, Attachment J, Section 5.0, POTENTIAL IMPACTS TO SENSITIVE SPECIES AND PRIORITY HABITAT, describes the potential effects upon sensitive species and priority habitats. Section 5.1 Sensitive Plants, Section 5.2 Sensitive Wildlife, and Section 5.3 Priority Habitats describe potential or likely impacts of the trail to each resource. The analysis and discussion describes how no sensitive resource or priority habitat will be adversely impacted by the proposed project.*

(e) The wildlife/plant protection process may terminate if the Planning Director, in consultation with the Forest Service and state wildlife agency or Heritage program, determines (1) the sensitive wildlife area or site is not active, or (2) the proposed use is not within the buffer zones and would not compromise the integrity of the wildlife/plant area or site, and (3) the proposed use is within the buffer

and could be easily moved out of the buffer by simply modifying the project proposal (site plan modifications). If the project applicant accepts these recommendations, the Planning Director shall incorporate them into the final decision and the wildlife/plant protection process may conclude.

Applicant Findings: *Applicable. ODOT has met with USFS and with all other applicable natural resource agencies to discuss and review the design of the proposed trail. The trail alignment and design features have been carefully developed to avoid to the maximum extent possible impacts to all identified SNRs and Priority Habitats and their associated buffers. The design represents the best alternative for the project with all practicable avoidance and measures incorporated into the alignment location. The design of the trail has been developed in consultation with all appropriate staff and using all appropriate resources. We do not anticipate the termination of the protection process nor the need for alignment or design recommendations based on the high level of coordination that has resulted in the current design proposal, but will consider further recommendations if necessary.*

(f) If the above measures fail to eliminate the adverse effects, the proposed project shall be prohibited, unless the project applicant can meet the Practicable Alternative Test and prepare a mitigation plan to offset the adverse effects by deliberate restoration and enhancement.

Applicant Findings: *Applicable. The trail alignment and design features have been carefully developed to avoid impacts to all identified SNRs and Priority Habitats and their associated buffers to the maximum extents possible. All minimization measures have been incorporated into the trail alignment and design. The design represents the best practicable alternative for the project. The unavoidable impacts are the least that can be achieved by all practicable avoidance and minimization measures.*

All impacts to SNRs and Priority Habitats have been avoided to the maximum extent practicable. Mitigation of the 0.6165 ac of unavoidable buffer impact for all SNRs has been developed to replace and enhance functions of affected buffer areas in accordance with the requirements of Section 600. No impacts to threatened or endangered plant or wildlife species have been found to be likely to occur as a result of the proposed project.

(g) The Planning Director shall submit a copy of all field surveys (if completed) and mitigation plans to the Forest Service and appropriate state agencies. The Planning Director shall include all comments in the record of application and address any written comments submitted by the state and federal wildlife agency/heritage programs in the final decision.

Based on the comments from the state and federal wildlife agency/heritage program, the Planning Director shall make a final decision on whether the proposed use would be consistent with the wildlife/plant policies and guidelines. If the final decision contradicts the comments submitted by the state and federal wildlife agency/heritage program, the Planning Director shall justify how the opposing conclusion was reached.

Applicant Findings: *Applicable. ODOT acknowledges that Hood River County will submit copies of the Biological Research and Impact Assessment Report (BRIAR), the Biological Assessment, the Biological Evaluation, the FAHP form, the Wetland Delineation, and field surveys to the CRGNSA and appropriate state agencies.*

(h) The Planning Director shall require the project applicant to revise the mitigation plan as necessary to ensure that the proposed use would not adversely affect a sensitive wildlife/plant area or site.

Applicant Findings: *Applicable. ODOT understands that Hood River County may require revision of the proposed mitigation as necessary to ensure that the proposed trail will not adversely affect a sensitive wildlife/plant area or site, and will make revisions as requested. However, only one small area of talus slope will be affected by the proposed project. No sensitive wildlife or plant species or habitat will be adversely affected by Segment D of the proposed project. In Segment D, the main impacts to SNRs or to Priority Habitats are to buffer areas only.*

(4) Soil Productivity

(a) Soil productivity shall be protected using the following guidelines:

(A) A description or illustration showing the mitigation measures to control soil erosion and stream sedimentation.

Applicant Findings: *Applicable. ODOT will submit an Erosion and Sedimentation Control Plan (Attachment M) to ensure that the soil does not become water borne or enter any water body during construction. Erosion and sedimentation control measures may include but may not be limited to silt fences, tire wash stations, check dams, or other methods.*

(B) New developments and land uses shall control all soil movement within the area shown on the site plan.

Applicant Findings: *Applicable. All soil within the project footprint will be permanently stabilized after project completion using methods such as seeding native herbaceous groundcover, planting native shrubs, and/or applying soil stabilizers to bare soil.*

(C) The soil area disturbed by new development or land uses, except for new cultivation, shall not exceed 15 percent of the project area.

Applicant Findings: *Not Applicable. Disturbed soil area does not exceed 15% of the tax lots affected.*

(D) Within 1 year of project completion, 80 percent of the project area with surface disturbance shall be established with effective native ground cover species or other soil-stabilizing methods to prevent soil erosion until the area has 80 percent vegetative cover.

Applicant Findings: *Applicable. Disturbed soil area will be established with effective native ground cover or rock embankments to prevent soil erosion.*

B. Practicable Alternative Test

(1) An alternative site for a proposed use shall be considered practicable if it is available and the proposed use can be undertaken on that site after taking into consideration cost, technology, logistics, and overall project purposes.

A practicable alternative does not exist if a project applicant satisfactorily demonstrates all of the following:

(a) The basic purpose of the use cannot be reasonably accomplished using one or more other sites in the vicinity that would avoid or result in less adverse effects on wetlands, ponds, lakes, riparian areas, wildlife or plant areas and/or sites.

Applicant Findings: *Applicable. The basic purpose of the project is to link remaining segments of the Historic Columbia River Highway (HCRH) to provide a continuous paved and accessible bicycle and pedestrian access from Troutdale, Oregon to Hood River, Oregon. This application is for the portion of Segment D that falls within the boundaries of USFS managed land for the Wyeth to Starvation Creek State Park section of the HCRH State Trail. SNRs and other resources in the proposed corridor of the initial trail alignment have been identified.*

The alignment of the proposed trail has been critically assessed and adjusted to minimize impacts to sensitive resources. No impacts are proposed to SNRs or Priority Habitats or sites. However, in several locations along the proposed trail, ODOT has determined that there are no practicable alternatives that would meet the basic purposed of the trail described above while completely avoiding impacts to sensitive natural resource buffer areas.

See responses in Section 600 (2)(g) for the description of the avoidance and minimization measures applied to avoid all impacts to Sensitive Natural Resources, and to minimize impacts to the associated buffer areas.

(a) The basic purpose of the use cannot be reasonably accomplished by reducing its proposed size, scope, configuration, or density, or by changing the design of the use in a way that would avoid or result in less adverse effects on wetlands, ponds, lakes, riparian areas, wildlife or plant areas and/or sites.

Applicant Findings*: Applicable. The project purpose and need will not be addressed if the project is reduced in cross-section, configuration, or length. The alignment of the trail and the design elements have been modified as much as possible to avoid direct impacts on natural resources. The project cannot be reduced from its current typical width without sacrificing basic pedestrian and bicyclist safety, cultural resource enhancements through the reconnection of the Columbia River Highway and the experience of recreational users. Changing the configuration (degree of curvature, longitudinal grades) would decrease safety and would not achieve the accessibility guidelines. Changing the length would not achieve the connectivity mandated in the Columbia River Gorge National Scenic Area Act. All direct impacts on Significant Natural Resources and Priority Habitats have been avoided. Impacts to resource buffers have been minimized to the extent practicable through alignment modifications and design elements.*

(c) Reasonable attempts were made to remove or accommodate constraints that caused a project applicant to reject alternatives to the proposed use. Such constraints include inadequate infrastructure, parcel size, and land use designations. If a land use designation or recreation intensity class is a constraint, an applicant must request a Management Plan amendment to demonstrate that practicable alternatives do not exist.

Applicant Findings: *Applicable. Much of the Historic Columbia River Highway State Trail in the Gorge has been lost (obliterated) by the construction of Interstate 84. This loss of infrastructure is a constraint that cannot be removed except by constructing a new alignment for the State Trail. Parcel size and land use designations are not constraints.*

C. Mitigation Plan

(1) Mitigation Plan shall be prepared when:

(a) The proposed development or use is within a buffer zone (wetland, pond, lakes, riparian areas, wildlife or plant areas and/or sites).

(b) There is no practicable alternative (see the "practicable alternative" test).

Applicant Findings: *Applicable. ODOT has determined that there are no practicable alternatives to the proposed trail alignment that results in 0.6165 ac of impacts to the sensitive resource buffer area. All impacts have been avoided to the maximum extent possible, and all practicable minimization measures have been applied to both sensitive resources and their buffer areas. The remaining unavoidable impacts are the least possible without compromising the purpose and need of the proposed project. The measures to mitigate impacts to sensitive resources and their buffer areas are described in the following sections.*

(2) In all cases, Mitigation Plans are the responsibility of the applicant and shall be prepared by an appropriate professional (botanist/ecologist for plant sites, a wildlife/fish biologist for wildlife/fish sites, and a qualified professional for water resource sites).

Applicant Findings: *Applicable. Mitigation has been developed in cooperation with all appropriate professionals, which include specialists in biological sciences for WFLHD, CH2MHill, ODOT, and the USFS, and landscape architects for the consultant firm Walker-Macy and Associates. The mitigation plan has been reviewed by natural resource specialists with the USFW, the Mt. Hood National Forest, and ODOT.*

(3) The primary purpose of this information is to provide a basis for the project applicant to redesign the proposed use in a manner that protects sensitive water resources, and wildlife/plant areas and sites, that maximizes his/her development options, and that mitigates, through restoration, enhancement, and replacement measures, impacts to the water resources and/or wildlife/plant area or site and/or buffer zones.

Applicant Findings: *Applicable. As discussed above, ODOT has assessed, re-assessed and refined the alignment of the proposed trail based on the locations of sensitive water resources and wildlife/plant areas and sites identified through site inspections, available species records, and consultations with CRGNSA, ODFW and USFS biologists. As a result of these assessments, impacts to sensitive resources have been avoided almost entirely, and the impacts on buffer areas minimized to the maximum extent practicable. ODOT is proposing on-site vegetative enhancement of 8.5 acres of buffer and habitat areas as mitigation for impacts to 0.6165 acres of wetland, water resource, talus and cliff buffer area.*

Noxious and invasive plant species shall be removed from approximately 8.5 acres of buffer and non-buffer areas in the Warren Creek drainage area. The existing understory and groundcover consists of ivy, (Hedera helix), Himalaya blackberry (Rubus armeniacus), and periwinkle (Vinca sp). These species will be removed and the area will be replanted with native shrubs and groundcovers that are commonly dominant in this area of the Gorge. See the Landscape Planting Plans, Plant List B (Attachment C).

(4) The applicant shall submit the mitigation plan to the Planning Director. The Planning Director shall submit a copy of the mitigation plan to the Forest Service, and appropriate state agencies. If the final decision contradicts the comments submitted by the state and federal wildlife agency/heritage program, the Planning Director shall justify how he/she reached an opposing conclusion.

Applicant Findings: *Applicable. ODOT acknowledges that Hood River County will submit copies of the proposed natural resource mitigation to the USFS and appropriate state agencies. The proposed mitigation has been prepared following coordination with the USFS. ODOT understands that Hood River County may require revision of the mitigation as necessary to ensure that the proposed trail will not adversely affect a sensitive wildlife/plant area or site.*

(5) A project applicant shall demonstrate sufficient fiscal, technical, and administrative competence to successfully execute a mitigation plan involving wetland creation.

Applicant Findings: *Applicable. ODOT has built other trail sections of the Historic Columbia River Highway State Trail in the Columbia River Gorge (HCRH State Trail at Viento State Park, John B. Yeon to Cascade Locks, Mosier Twin Tunnels Trail) and has demonstrated fiscal ability to construct all aspects of its sponsored projects, and has shown the technical and administrative competence that results in completion of all aspects of mitigation and other NSA compliance.*

(6) Mitigation plans shall include maps, photographs, and text. The text shall:

(a) Describe the biology and/or function of the sensitive resources (eg. Wildlife/plant species, or wetland) that will be affected by a proposed use. An ecological assessment of the sensitive resource to be altered or destroyed and the condition of the resource that will result after restoration will be required. Reference published protection and management guidelines.

Applicant Findings: *Applicable. The BRIAR, Attachment J, describes all the sensitive resources that will be affected by the proposed project. The resources and the amount of impact are described in the text of the report, and in report Appendices A and B of the BRIAR.*

(b) Describe the physical characteristics of the subject parcel, past, present, and future uses, and the past, present, and future potential impacts to the sensitive resources. Include the size, scope, configuration, or density of new uses being proposed within the buffer zone.

Applicant Findings: *Applicable. The BRIAR, Attachment J describes all the sensitive resources that will be affected by the proposed project. The resources and the amount of impact are described in the text of the report, and in report Appendices A and B.*

(c) Explain the techniques that will be used to protect the sensitive resources and their surrounding habitat that will not be altered or destroyed (for examples, delineation of core habitat of the sensitive wildlife/plant species and key components that are essential to maintain the long-term use and integrity of the wildlife/plant area or site).

Applicant Findings: *Applicable. The following measures will be implemented prior to, and during construction to protect sensitive resources:*

All Resources:

- *Natural resources specialists will review the trail alignment prior to commencement of construction activities, and identify and flag with construction fencing or other material to protect areas of sensitive resources*

- *Prior to beginning construction, a pre-construction conference will be held to review the project construction plans and a site walk- through conducted with the project prime and*

specialized natural resource sub-contractors to review the site and locations of sensitive resources and the contract special provisions designed to protect them.

- *All applicable erosion control measures will be in place during all phases of construction.*

- *All areas disturbed by construction activities will be restored to pre-existing grades, and replanted with appropriate native species prior to close-out of the construction contract.*

Sensitive Water Resources

- *All crossings of creeks have been designed to provide a clear span of the waterway;*

- *The OHW Line will be identified on construction plans, and specifications written to prohibit any work within the creek during project construction;*

- *No construction debris, untreated construction drainage or run-off, or any other water-quality impacting material will be allowed in the creek during construction;*

Wildlife/Plant Species

- *Maps of probable habitat for sensitive amphibians and mollusks will be used to identify areas where, ODOT biologist will be present prior to ground disturbance to collect and move any organisms that may ber disturbed by construction activites.. An ODOT biologist will be on site to direct the positioning of felled trees.*

- *Trees will be felled outside the nesting and fledging window for migratory birds, northern spotted owl, osprey, eagles and other birds identified in sensitive species listing.*

- *Removal of trees greater than 24 inches DBH has been minimized to the greatest extent possible. The removed large trees with root balls attached will be retained and stockpiled for use by the USFS and ORPRD as large woody debris in either this project or other habitat enhancement projects in the CRGNSA act. Minimal tree removal is expected on USFS managed lands.*

(d) Show how restoration, enhancement, and replacement (creation) measures will be applied to ensure that the proposed use results in minimum feasible impacts to sensitive resources, their buffer zones, and associated habitats.

Applicant Findings: *Applicable.*

Sensitive Water Resources

No direct impacts to sensitive water resources are anticipated. To protect sensitive water resources during construction, the following measures will be implemented:

- *The OHW Line will be identified on construction plans, and specifications written to prohibit any work within the creek during project construction;*

- *No construction debris, untreated construction drainage or run-off, or any other water-quality impacting material will be allowed in the creek during construction;*

Talus Slope and Talus Buffer Mitigation

Direct impacts to talus slopes and to talus slope buffers have been minimized to the extent possible through trail alignment and modification of construction techniques. Mitigation for these impacts will be done on site by an ODOT biologist, who will direct the addition of large woody debris during construction parallel to slope within talus slopes and talus buffers. This will provide good habitat for sensitive amphibian and mollusk species by increasing access to rotting organic matter. Construction techniques will be modified to limit ground disturbance and vegetation removal. Retaining walls will be constructed using rock gabions; this will provide an open matrix of rocks and boulders that may provide habitat for amphibians and mollusks. Where possible, fill will be used to limit ground disturbance. Natural hydrology of slopes will be maintained as much as possible to permit infiltration of stormwater.

All Resource and Buffer Area Impact Mitigation

All areas disturbed by construction outside the actual footprint of the trail will be cleared of noxious or weedy species and planted or seeded with species appropriate for the Gorge and approved by the USFS, OPRD, and ODOT.

(e) Show how the proposed restoration, enhancement, or replacement (creation) mitigation measures are NOT alternatives to avoidance. A proposed development/use must first avoid a sensitive resource, and only if this is not possible should restoration, enhancement, or creation be considered as mitigation. In reviewing mitigation plans, the local government, appropriate state agencies, and Forest Service shall critically examine all proposals to ensure that they are indeed last resort options.

Applicant Findings: *Applicable. All measures to avoid and minimize impacts to sensitive resources and their buffers have been applied and are described in the "Practical Alternatives Test" section of this document.*

(7) At a minimum, a project applicant shall provide to the Planning Director a progress report every 3-years that documents milestones, successes, problems, and contingency actions. Photographic monitoring stations shall be established and photographs shall be used to monitor all mitigation progress.

Applicant Findings: *Applicable. The proposed mitigation for buffer impacts will include post-construction monitoring that addresses the required elements as listed above. The project will restore all areas disturbed or impacted by the project including the disturbed buffers as described in the project application and mitigation proposal. The 8.5 acres of buffer enhancement work will begin in the summer of 2014, and be completed in the following year. Restoration of disturbed areas in the project corridor will be done as soon as practicable after the completion of the project.*

Monitoring reports will be prepared and submitted to the County for distribution and review by the USFS at least every 3 years until documentation shows that the proposed enhancement plantings have been successfully established.

(8) A final monitoring report shall be submitted to the Planning Director for review upon completion of the restoration, enhancement, or replacement activity. This monitoring report shall document successes, problems encountered, resource recovery, status of any sensitive wildlife/plant species and shall demonstrate the success of restoration and/or enhancement actions. The Planning Director shall submit copies of the monitoring report to the Forest Service; who shall offer technical assistance to the Planning Director in helping to evaluate the completion of the mitigation plan. In instances where

restoration and enhancement efforts have failed, the monitoring process shall be extended until the applicant satisfies the restoration and enhancement guidelines.

Applicant Findings: *Applicable. Monitoring reports will be prepared and submitted to the County for distribution and review by the USFS at least every 3 years. A final monitoring report will be prepared that documents that the proposed enhancement plantings have been successfully established.*

(9) Mitigation measures to offset impacts to resources and/or buffers shall result in no net loss of water quality, natural drainage, fish/wildlife/plant habitat, and water resources by addressing the following:

(a) Restoration and enhancement efforts shall be completed no later than one year after the sensitive resource or buffer zone has been altered or destroyed, or as soon thereafter as is practicable.

Applicant Findings: *Applicable. The USFS plans to begin invasive/noxious weed removal/management at the Warren Creek site during the summer of 2014. Restoration of non-mitigation construction disturbance areas will begin as soon as practicable after the conclusion of trail construction activities.*

(b) All natural vegetation within the buffer zone shall be retained to the greatest extent practicable. Appropriate protection and maintenance techniques shall be applied, such as fencing, conservation buffers, livestock management, and noxious weed control. Within five years, at least 75 percent of the replacement vegetation must survive. All plantings must be with native plant species that replicate the original vegetation community.

Applicant Findings: *Applicable. The project will be constructed to retain the existing vegetation to the greatest extent practicable. Tree removal shall be minimized. Any planting of vegetation related to the approved project shall be of native species. The project proposes to restore vegetation in disturbed areas as soon as practicable after the trail infrastructure work is completed. The re-vegetation with native ground cover of the disturbed areas shall occur within a maximum of a year after completion of the trail project. Re-vegetation shall be accomplished through seeding native grasses in all of the disturbed areas and planting native understory shrubs in the areas that will not be part of the future trail. All re-vegetated areas shall be monitored by the applicant to ensure the success of the re-vegetation. If the re-vegetation is not successful, the planting work shall be evaluated, and the applicant shall develop and implement alternative planting proposals until the re-vegetation effort is successful. Within five years, ground cover with native species shall show no more than 30% bare ground. Native shrub density shall be at least 100 stems per acre. All plantings will be with native plant species that are appropriate for the site conditions and are characteristic of the dominant native plant community for the habitat type.*

(c) Habitat that will be affected by either temporary or permanent uses shall be rehabilitated to a natural condition. Habitat shall be replicated in composition, structure, and function, including tree, shrub and herbaceous species, snags, pool-riffle ratios, substrata, and structures, such as large woody debris and boulders.

Applicant Findings: *Applicable. No habitat will be permanently affected by this segment of trail. Any temporarily- affected habitat will be restored to pre-construction conditions by re-grading to match slopes, re-vegetating as necessary or placing habitat enhancement materials in the disturbed areas to match pre-existing conditions if deemed appropriate by project biological staff. Impacted buffer areas will be mitigated for by enhancement of 8.5 acres of invasive and noxious weed removal in the Warren Creek area.*

(d) If this standard is not feasible or practical because of technical constraints, a sensitive resource of equal or greater benefit may be substituted, provided that no net loss of sensitive resource functions occurs and provided the Planning Director, in consultation with the appropriate State and Federal agency, determine that such substitution is justified.

Applicant Findings: *Not Applicable. At this time, no sensitive resource substitutions are anticipated.*

(e) Sensitive plants that will be destroyed shall be transplanted or replaced, to the maximum extent practicable. Replacement is used here to mean the establishment of a particular plant species in areas of suitable habitat not affected by new uses. Replacement may be accomplished by seeds, cuttings, or other appropriate methods.

Replacement shall occur as close to the original plant site as practicable. The project applicant shall ensure that at least 75 percent of the replacement plants survive 3 years after the date they are planted.

Applicant Findings: *Not Applicable. No sensitive plants will be impacted as no sensitive plans were found in the project area (see Attachment J, the BRIAR).*

(f) Nonstructural controls and natural processes shall be used to the greatest extent practicable.

Applicant Findings: *Not Applicable. No structural controls are proposed.*

(A) Bridges, roads, pipeline and utility corridors, and other water crossings shall be minimized and should serve multiple purposes and properties.

Applicant Findings: *Applicable. One new crossing, at Warren Creek, is proposed. The bridge is required to provide a creek crossing for the trail. Temporary access roads will be constructed at existing access points where possible and will follow the existing HCRH alignment to avoid and minimize impacts to natural resources.*

(B) Stream channels shall not be placed in culverts unless absolutely necessary for property access. Bridges are preferred for water crossings to reduce disruption to hydrologic and biologic functions. Culverts shall only be permitted if there are no practicable alternatives as demonstrated by the 'Practical Alternative Test'.

Applicant Findings: *Applicable. The Warren Creek Bridge is designed to provide a clear span of Warren Creek to avoid all impacts to the creek, its resources and its floodplain.*

(C) Fish passage shall be protected from obstruction.

Applicant Findings: *Not Applicable. No activities associated with the project will result in impacts to fish passage.*

(D) Restoration of fish passage should occur wherever possible.

Applicant Findings: *Not Applicable. No change in fish passage is involved.*

(E) Show location and nature of temporary and permanent control measures that shall be applied to minimize erosion and sedimentation when riparian areas are disturbed, including slope netting, berms and ditches, tree protection, sediment barriers, infiltration systems, and culverts.

Applicant Findings: *Applicable. All appropriate work isolation measures for in-water work will be followed as described in the Oregon Standard Specifications for Construction (2005), Section or the Special Provisions for the project. All appropriate erosion control and sedimentation measures will be implemented as described in the ODOT Erosion Control Manual, which can be found along with an erosion control plan in Attachment M.*

(F) Groundwater and surface water quality will not be degraded by the proposed use. Natural hydrologic conditions shall be maintained, restored, or enhanced in such a manner that replicates natural conditions, including current patterns (circulation, velocity, volume, and normal water fluctuation), natural stream channel and shoreline dimensions and materials, including slope, depth, width, length, cross-Sectional profile, and gradient.

Applicant Findings: *Applicable. The trail alignment has been designed to avoid all impacts to all sensitive water resources. The project is not expected to have an impact on either ground-or-surface-water resources. After trail construction is completed, personnel will coordinate planting, seeding, and mulching of disturbed ground areas in accordance with ODOT's Erosion Control Manual and Standard Environmental Specifications (ODOT 2005), which can be found in Attachment O.*

(G) 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.

Applicant Findings: *Applicable. There is no practicable alternative for the trail location that would have a lesser impact on the stream buffer zone.*

(H) Streambank and shoreline stability shall be maintained or restored with natural revegetation.

Applicant Findings: *Applicable. Stream bank and shoreline stability shall be maintained through avoiding or minimizing all disturbance of stream banks, through following all of the appropriate ODOT Standard Specifications related to waterways, through using all appropriate erosion and sediment control Best Management Practices, and through restoring areas that have been disturbed by construction with appropriate native plantings.*

(I) The size of restored, enhanced, and replacement (creation) wetlands shall equal or exceed the following ratios. The first number specifies the required acreage of replacement wetlands, and the second number specifies the acreage of wetlands altered or destroyed.

Restoration: 2: 1
Creation: 3: 1
Enhancement: 4: 1

Applicant Findings: *Not Applicable. No wetland impacts.*

(g) Wetland creation mitigation shall be deemed complete when the wetland is self-functioning for 5 consecutive years. Self-functioning is defined by the expected function of the wetland as written in the mitigation plan. The monitoring report shall be submitted to the local government to ensure compliance. The Forest Service, in consultation with appropriate state agencies, shall extend technical

assistance to the local government to help evaluate such reports and any subsequent activities associated with compliance.

Applicant Findings: *Not Applicable. No wetland creation.*

(g) Wetland restoration/enhancement can be mitigated successfully by donating appropriate funds to a non-profit wetland conservancy or land trust with explicit instructions that those funds are to be used specifically to purchase protection easements or fee title protection of appropriate wetlands acreage in or adjacent to the Columbia River Gorge meeting the ratios given above in guideline 600(C)(9)(f)(I). These transactions shall be explained in detail in the Mitigation Plan and shall be fully monitored and documented in the monitoring report.

Applicant Findings: *Not Applicable. No wetland restoration/enhancement is proposed.*

620. Special Management Area Recreation Resource Review Criteria

(1) The following shall apply to all new recreation developments and land uses in the Special Management Area. When planning new interpretive or education programs and/or facilities, recommendations of the Interpretive Strategy for the Columbia River Gorge National Scenic Area shall be followed. (This document is available at the Gorge Commission office in White Salmon and the Forest Service office in Hood River.)

(a) New developments and land uses shall not displace existing recreational use.

Applicant Findings: *Applicable. Historic Columbia River Highway State Trail is a natural resource based recreation use. It does not displace existing recreation. However, a short section of the Hole-in-the-Wall and the Mt. Defiance trail from the Starvation Creek trailhead merges with the proposed HCRH State Trail alignment at Station 184+00.. Hole-in-the-Wall and the Mt. Defiance trail will be signed appropriately. Trail users will travel along the HCRH State Trail before turning off onto these other trails.*

(b) Only natural resource-based recreation shall be allowed.

Applicant Findings: *Applicable. The proposed project is considered a resource based recreation use. These uses include those uses essentially dependent upon the natural, scenic, or cultural resources within the Scenic Area and that do not adversely affect those resources upon which they depend. This project is essentially dependent upon the alignment of the HCRH and as designed will not have any adverse effects upon it.*

The project is located in the SMA Zone District. An Open Space Plan was completed for this area by the US Forest Service. This plan is entitled, "Columbia Tributaries East Watershed Analysis, Hood River Ranger District, Mt. Hood National Forest, and the Columbia River Gorge National Scenic Area". The Historic Columbia River Highway is an identified project in this report which is also consistent with the Columbia River Gorge National Scenic Area Management Plan. The Columbia Tributaries West Watershed Analysis, Columbia River Gorge National Scenic Area (2001) analyzed recreation developments proposed within the SMA and recommended that the SMA No. 36 Historic Columbia River Highway (HCRH) remain in the Recreation Development Plan.

(c) Recreation resources shall be protected from adverse effects by evaluating new developments and land uses as proposed in the site plan. An analysis of both on and off site cumulative effects shall be required.

Applicant Findings: *Applicable. The recreation resources will not be adversely affected by the development of the proposed extension of the HCRH State Trail. In fact, recreation resources will be enhanced within the study area. The HCRH State Trail was included as a recreation development proposal in the CRGNSA Management Plan: SMA NO. 36 Historic Columbia River Highway. The proposed use is consistent with the USFS Open Space Plan – Columbia Tributaries East: Watershed Analysis, June 2010 (Attachment O). SMA No. 36 Historic Columbia River Highway (HCRH) Reconstruction and reconnection of abandoned portions of the HCRH was analyzed and were recommended to remain in the Recreation Development Plan (page 68).*

The proposed use is consistent with the 2006 HCRH Master Plan, the 2008 HCRH Reconnection Strategy and the 2011 Historic Highway State Trail Master Plan. The reconnection of the HCRH helps to achieve the CRGNSA Management Plan's priority objective for future public use trails by providing a trail linking the urban areas (Cascade Locks and Hood River) to recreation opportunities in the CRGNSA. This trail furthers the priority objective of establishing a trail system along the Columbia River. This trail will further the SMA policy related to recreation resources by providing for alternate modes of transportation to destination recreational facilities. Upon completion, visitors will be able to hike or bike on an ADA accessible path to Cabin Creek Falls, Hole in the Wall Falls, Warren Creek and Lindsey Creek.

The project is located with the coniferous woodland setting on land managed by ODOT, OPRD and the USFS- Columbia River Gorge National Scenic Area. To evaluate the cumulative effects, staff considered the coniferous woodland setting the proposed project is located, the existing conditions of the setting, and the likelihood of similar development in the landscape setting. The coniferous woodland setting spans most of the basalt highlands on the south side of the Columbia River between Cascade Locks and Hood River. Existing conditions can be described as forested hillsides and basalt rock faces. The development of the State Trail maintains this landscape setting.

The compatible recreation use guidelines in the Coniferous Woodland setting identifies resource based recreation uses of varying intensities may be compatible with this setting. Typically, outdoor recreation uses in Coniferous Woodlands are low intensity, and include trails, small picnic area, and scenic viewpoints. Although infrequent, some more intensive recreation uses, such as campgrounds, occur. They tend to be scattered rather than concentrated, interspersed with large areas of undeveloped land and low intensity uses. The Historic Highway State Trail is compatible with this recreation setting and is further consistent with the Open Space designation as referenced in the Open Space Management Plan. The Open Space Management Plan identifies the Recreation Desired Future Condition. They describe this area as such:

"The more developed recreation opportunities are located on lands in the lower reaches managed by Oregon State Parks, Oregon Department of Transportation, private land owner and National Forest lands at the Wyeth Bench. Recommendations in the Open Space Plan included: Oregon State Parks, ODOT and private land owners supply the more developed recreation experiences in the lower reaches, i.e. parking lots, bicycle and handicapped trails, Historic Columbia River Highway Reconnection Projects, road access, RV camping, Columbia River access, interpretive program for riparian impacts, and complete sections of 400 trail in the Shellrock Area."

The majority of the recreation setting is Rec Intensity 1, with some higher intensities around Starvation Creek and Wyeth. The likelihood of additional shared use trails in the area is low. However, it is not unreasonable to expect that the Historic Highway will facilitate new access to developed hiking trails or connections to existing trails on some of the surrounding lands. The Open Space Management Plan discusses higher intensity development associated with the Wyeth Bench. The proposed parking lot at Gorton Creek could accommodate other recreational users not just the Historic Highway State Trail.

Oregon Parks and Recreation staff is presently updating the Gorge Park Plan. The draft plan includes the Historic Highway State Trail proposals as well enhanced recreational opportunities at Wyeth and Viento. At Wyeth OPRD is proposing a day use and hike in campsite on the banks of the Columbia River. At Viento State Park OPRD is proposing converting an existing camp loop into a hiker biker loop and improving the day use area.

These improvements will have limited cumulative impacts and are consistent with the approved Open Space Management Plan which envisioned higher intensity uses at Wyeth and within OPRD managed lands. Management Plan limitations on development due to land use and landscape setting designations, vehicular access limitations from I-84, compatible recreation guidelines, steep topography on surrounding lands, and recreation intensity class designations will help ensure that similar recreation will occur adjacent to the proposed project therefore impacts from cumulative recreation impacts are negligible.

(d) New pedestrian or equestrian trails shall not have motorized uses, except for emergency services.

Applicant Findings: *Applicable. The HCRH Advisory Committee developed an Access Policy for the HCRH. Section B1 provides policy on special events and vintage car tours of the HCRH. Section C of the Access Policy lists prohibited uses. To date the HCRH Advisory Committee has not made an official decision on the use of antique cars for special events along this section of the trail.*

Excerpt from the Access Policy - Sec. B1 Events
Events that are compatible with the purpose and character of the HCRH will be managed under an Oregon State Park use permit. Event sponsors will be required to submit an event management plan addressing safety, logistics, number and type of participants, support services, and other details necessary to evaluate the event and apply permit conditions.

Up to five regularly scheduled vintage events will be considered each year. All scheduled vintage vehicle events shall be under a special park use permit granted under controlled conditions. No more than five vintage car events shall be scheduled per calendar year. Vintage vehicle events will be subject to access restrictions required to protect endangered species (bald eagle, peregrine falcons, etc.)

A vintage vehicle is defined as a vehicle (car, pick up, truck, bus, motorcycle) produced during or prior to 1949. Any exception to this definition shall be on a case by case basis. It is the intent of the HCRH Advisory Committee that vintage vehicle events commemorating the historic character of the HCRH will not feature 'classic cars' of post 1949 origin.

It may be necessary for reasons of public safety, emergency services, event management, law enforcement, or other operational needs to provide for the use of motorized vehicles during an event for support and management purposes. For events associate with vintage vehicles, every attempt will be made to locate a vintage vehicle capable of transporting persons with disabilities. If a vintage vehicle capable of transporting the public cannot be located then consideration will be given to providing a non-vintage vehicle such as a 15 passenger van.

C. Prohibited Uses
"The HCRH State Trail shall be closed to motorized vehicles except as provided by special park permit for events, for management purposes, or as defined in Sec. A2 of this policy for the use of electric powered wheelchairs and scooters for persons with disabilities.

The HCRH shall be closed to horse use.

The HCRH State Trail shall be closed to mountain bikes on unpaved portions and side trails unless a determination is made by the managing agencies that resource damage will be no greater than normal pedestrian use or within limits of acceptable standards based on the resource assessment"

(e) Mitigation measures shall be provided to preclude adverse effects on the recreation resource.

Applicant Findings: *Not Applicable. The proposed trail will not cause adverse effects on any recreation resources.*

(f) The facility guidelines contained in Sections 620(1) and (2) are intended to apply to individual recreation facilities. For the purposes of these guidelines, a recreation facility is considered a cluster or grouping of recreational developments or improvements located in relatively close proximity to one another. Recreation developments or improvements to be considered a separate facility from other developments or improvements within the same Recreation Intensity Class must be separated by at least one-quarter mile of undeveloped land (excluding trails, pathways, or access roads).

(g) New development and reconstruction of scenic routes (see Part III, Chapter 1 of the Management Plan) shall include provisions for bicycle lanes.

Applicant Findings: *Applicable. The proposed trail is designed as a multi-use trail with accommodation for bicyclists.*

(h) The Director may grant a variance of up to 10 percent to the guidelines of Recreation Intensity Class 4 for parking and campground units upon demonstration that:

Applicant Findings: *Not Applicable. The proposed trail is located within a Recreation Intensity Class 1. This request does not include parking or camping.*

(A) Demand and use levels for the proposed activity(s), particularly in the area where the site is proposed, are high and expected to remain so and/or increase. Statewide Comprehensive Outdoor Recreation Plan (SCORP) data and data from National Scenic Area recreation demand studies shall be relied upon to meet the criterion in the absence of current applicable studies.

Applicant Findings: *Applicable, the following is a list of issues for the Northwest Oregon Trails Planning Region as excerpted from the Statewide Oregon Non-Motorized Trails Plan.*

- *Need for trail connectivity within the region providing access from urban to rural trails, connections between public facilities, parks and open space and connections from state and regional trails to community trails. The HCRH Trail will connect two recreation sites, Viento State Park and Starvation Creek.*

- *Need for additional non-motorized trails (for all user types)—especially in close proximity to where people live. This trail will provide additional/new non- motorized trail.*

- *Need for additional funding for non-motorized trail acquisition and development. Potential strategies include allocating a certain portion of the state's lottery fund; acquisitions of fee title, easements and land exchanges; and ways to allow users to pay for trail facilities and services.*

Funding for this trail was made available by transportation enhancement funds. ODOT successfully applied against projects from across the state.

Demand for the HCRH State Trail is growing and will continue to grow upon completion of projects such as this. OPRD maintains use numbers and these have increased in recent years.

(B) The proposed use is dependent on resources present at the site.

Applicant Findings: *Applicable. The proposed use is dependent upon connecting to a remnant section of the Historic Columbia River Highway.*

(C) Reasonable alternative sites, including those in Urban Areas, offering similar opportunities have been evaluated and it has been demonstrated that the proposed use cannot be adequately accommodated elsewhere.

Applicant Findings: *Not applicable as there is only one Historic Columbia River Highway.*

(D) The proposed use is consistent with the goals, objectives, and policies in Chapter 4, Part I of the Management Plan.

Applicant Findings: *Applicable. Chapter 4, Part I discusses the residential lands. The proposal does not include any residential uses.*

(E) Through site design and/or mitigation measures, the proposed use can be implemented without adversely affecting scenic, natural or cultural resources, and adjacent land uses.

Applicant Findings: *Applicable. The site design does not adversely affect the scenic, natural or cultural resources as discussed in the previous text in this application.*

(F) Through site design and/or mitigation measures, the proposed use can be implemented without affecting treaty rights.

Applicant Findings: *Applicable. The proposed project does not affect treaty rights.*

(G) Mass transportation shall be considered and implemented, if feasible, for all proposed variances to Recreation Intensity Class 4.

Applicant Findings: *Not Applicable. No variance required.*

(2) Special Management Areas Recreation Intensity Class Guidelines

(a) Recreation Intensity Class 1 - Very Low Intensity:
Emphasis is to provide opportunities for semi-primitive recreation opportunities.

Applicant Findings: *The project is located in the SMA Zone District. An Open Space Plan was completed for this area by the US Forest Service. This plan is entitled, "Columbia Tributaries East Watershed Analysis, Hood River Ranger District, Mt. Hood National Forest, and the Columbia River Gorge National Scenic Area". The Historic Columbia River Highway is an identified project in this report which is also consistent with the Columbia River Gorge National Scenic Area Management Plan. The Columbia Tributaries West Watershed Analysis, Columbia River Gorge National Scenic Area (2001) analyzed recreation developments proposed within the SMA and recommended that the SMA No. 36 Historic Columbia River Highway (HCRH) remain in the Recreation Development Plan.*

"The more developed recreation opportunities are located on lands in the lower reaches managed by Oregon State Parks, Oregon Department of Transportation, private land owner and National Forest lands at the Wyeth Bench. Recommendations in the Open Space Plan included: Oregon State Parks, ODOT and private landsupply the more developed recreation experiences in the lower reaches, i.e. parking lots, bicycle and handicapped trails, Historic Columbia River Highway Reconnection Projects, road access, rv camping, Columbia River access, interpretive program for riparian impacts, etc and complete sections of 400 trail in the Shellrock Area."

(A) Permitted uses are those in which people participate in outdoor activities to realize experiences including but not limited to, solitude, tension reduction, and nature appreciation.

Applicant Findings: *Applicable, this section of trail is scenic and retains a natural setting. The feeling of solitude will be diminished by the close proximity of the Interstate.*

(B) The maximum site design capacity shall not exceed 35 people at one time on the site. The maximum design capacity for parking areas shall be 10 vehicles.

Applicant Findings: *Not Applicable. No parking areas are included within the project limits.*

(C) The following uses may be permitted:

(i) Trails and trailheads.

Applicant Findings: *Applicable. The project constructs the Historic Columbia River Highway State Trail which is consistent with the adopted Open Space Management Plan (Attachment O)and the Columbia River Gorge National Scenic Area Management Plan.*

(ii) Parking areas.

Applicant Findings: *Not Applicable. No parking areas are included within the project. The trail uses the existing parking lot located at Starvation Creek Trailhead.*

(iii) Dispersed campsites accessible only by a trail.

Applicant Findings: *Not Applicable. Disperse camping is not allowed.*

(iv) Viewpoints and overlooks.

Applicant Findings: *There are no viewpoints or overlooks proposed on USFS lands.*

(v) Picnic areas.

Applicant Findings: *Applicable , one rest and pause area is proposed at the Wonder Creek Overlook.*

(vi) Signs.

Applicant Findings: *Applicable. The proposal includes trail signage consistent with the Historic Columbia River Highway State Trail Wayfinding Signage Plan found in Attachment L.*

(vii) Interpretive exhibits and displays.

Applicant Findings: *Applicable, interpretive signs are included in this proposal. The signs will be consistent with the Gorge Interpretive Plan.*

(viii) Restrooms.

Applicant Findings: *Not applicable. No restrooms are proposed.*

(b) Recreation Intensity Class 2 - Low Intensity

Applicant Findings: *Not applicable. The proposed trail is located within Recreation Intensity Class 1 and is allowed in the Open Space Management Plan.*

Emphasis is to provide semi-primitive recreation opportunities.

(A) Permitted uses are those that provide settings where people can participate in activities such as physical fitness, outdoor learning, relaxation, and escape from noise and crowds.

(B) The maximum site design capacity shall not exceed 70 people at one time on the site. The maximum design capacity shall be 25 vehicles.

(C) All uses permitted in Recreation Intensity Class 1 are permitted in Recreation Intensity Class 2. The following uses may also be permitted:

(i) Campground with vehicle access.

(ii) Boat anchorages designed for no more than 10 boats at one time.

(iii) Swimming areas.

(c) Recreation Intensity Class 3 - Moderate Intensity:

Applicant Findings: *Not applicable. The proposed trail is located within Recreation Intensity Class 1.*

Emphasis is on facilities with design themes emphasizing the natural qualities of the area. Developments are complementary to the natural landscape, yet can accommodate moderate numbers of people.

(A) Permitted uses are those in which people can participate in activities to realize experiences such as group socialization, nature appreciation, relaxation, cultural learning, and physical activity.

(B) Maximum site design capacity shall not exceed 250 people at onetime on the site. The maximum design capacity shall be 50 vehicles. The General Management vehicle capacity level of 75 vehicles shall be allowed if enhancement or mitigation measures for scenic, cultural, or natural resources are approved for at least 10% of the site.

(C) Accommodation of facilities for mass transportation (bus parking, etc.) shall be required for all new Recreation Intensity Class 3 day-use recreation sites, except for sites predominantly devoted to boat access.

(D) All uses permitted in Recreation Intensity Classes 1 and 2 are permitted in Recreation Intensity Class 3. The following uses may also be permitted:

(i) Campgrounds improvement may include water, power, sewer, and sewage dump stations.

(ii) Boat anchorages designed for not more than 15 boats.

(iii) Public visitor, interpretive, historic, and environmental education facilities.

(iv) Full service rest-rooms, may include showers.

(v) Boat ramps.

(vi) Riding stables.

(d) Recreation Intensity Class 4 - High Intensity:

Emphasis is for providing road natural, rural, and suburban recreation opportunities with a high level of social interaction.

(A) Permitted uses are those in which people can participate in activities to realize experiences such as socialization, cultural and natural history appreciation, and physical activity.

Applicant Findings: *Not applicable.*

(B) The maximum design capacity shall not exceed 1000 people at one time on the site. The maximum design capacity for parking areas shall be 200 vehicles. The General Management Area vehicle capacity of 250 vehicles shall be allowed if enhancement or mitigation measures for scenic, cultural, or natural resources are approved for at least 20 percent of the site.

(C) Accommodation of facilities for mass transportation (bus parking, etc.) shall be required for all new Recreation Intensity Class 4 day-use recreation sites, except for sites predominantly devoted to boat access.

(D) All uses permitted in Recreation Intensity Classes 1, 2, and 3 are permitted in Recreation Intensity Class 4.

Attachments

Attachment A	DAP Report Narrative (includes detailed project description)
Attachment B	Plan Set (includes grading and trail alignment)
Attachment C	Landscape Architecture Plan Sheets
Attachment D	Visual Tour of Trail Alignment
Attachment E	Storm Water Treatment Plan
Attachment F	Grading Plan Narrative
Attachment G	Cultural Resource Reconnaissance Study
Attachment H	Archaeological Resource Reconnaissance Study
Attachment I	Visual Resource Assessment
Attachment J	Biological Reports – BA
Attachment K	Biological Reports –BE
Attachment L	Biological Reports – BRIAR
Attachment M	Historic Columbia River Highway Wayfinding Signage Plan
Attachment N	Significant Natural Resources – NSA Permit Maps
Attachment O	Erosion and Sediment Control Plan
Attachment P	Agency Correspondence
Attachment Q	Columbia Tributaries East Watershed Analysis