**Date:** August 15, 2011

CD-07-05-S— **Sandy River Delta Confluence Project**
CD-07-06-S—**Sandy River Delta Parking Area, Wetlands Closure, Trails, Reforestation**

# AMENDED CONSISTENCY DETERMINATION for the SANDY RIVER DELTA CONFLUENCE PROJECT, PARKING AREA, WETLANDS CLOSURE, TRAILS, REFORESTATION

**USDA Forest Service, Columbia River Gorge National Scenic Area**

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## PROPOSED ACTION

A decision was made on July 30, 2007 for the Sandy River Delta parking area. Subsequent changes to the project necessitate notification of the minor changes and review of the minor changes for consistency with the original findings.

The first changes made to this decision in April 2011included the use of bioswales to treat runoff instead of permeable paving, trailhead improvements, a picnic area within one of the parking islands and an entrance gateway and sign. All additions are of wood and native stone. The trailhead of the confluence trail will have a low (less than 2' stone wall) to delineate the trailhead. Two additional kiosks will be installed (3 total on site).

The current changes to the decision relate to delineating the closed wetland areas for wildlife. Previous attempts using signs alone was shown to be inadequate and as a result a fence with signs is proposed to clearly demarcate the closed area. All changes in this document related to this new decision are unlined

***Confluence Project:*** The Confluence Project proposes a "Bird Blind" observation platform designed by artist Maya Lin. This proposal also identifies the trail connection to the Columbia River near the Confluence Project. As identified in the Sandy River Delta Plan, the trail to the Columbia River at this location is foot-only. The Confluence Project must be issued a Special Use Permit by the Forest Service to install the structure.

***New Parking Lot Design:*** The current informal parking area next to I-84 would be replaced with a 100 space parking lot at the location identified in the Sandy River Delta Plan. The proposed design includes 9 spaces for large vehicles such as horse trailers, a restroom, two bulletin boards and a defined parking for those who wish to immediately set out in a no-leash area, and a defined parking area which will require dogs to be leashed. Approximately 1,000 feet of new fence is proposed to delineate the southwestern wetland closure boundary. The design includes an entranceway to the parking area including a gateway constructed of stone and wood as well as a sign. The sign would be consistent with the CRGNSA Graphic Sign System. Provide a picnic area and seating within one of the parking are islands.

***No-Leash Trails:*** A number of existing informal trails would be recognized as "no-leash" trails. The Forest Service does not currently plan to extensively improve these trails, but brushing or repair work would be likely.

***Closure of Wetlands to Dogs and Horses.*** To protect waterfowl and other wetland species, the Forest Service proposes to close about 200 acres to dogs and horses year round. Currently, the wetland area is closed to dogs in nesting season. To protect all wetland wildlife, the wetlands would be closed year round.

***Change the Desired Future Landscape to Forest on about 190 acres.*** After ten years of landscape

restoration experience at Sandy River Delta, the Forest Service has concluded that riparian reforestation on the eastern side of the southern portion of the Delta would have the best chance of success, without extensive long term weed control efforts.

## LOCATION

The project is located in Township 1N Range 3E, Sections 24, 25 and Township 1N Range 4E, Section 19, 20, 29, 30, 37. Taxlots 1N3E24 -00500, 1N3E25 -00100, 1N4E -00200, 1N4E -00300. Multnomah County, Oregon.

## PURPOSE AND NEED

The purpose of and need for this project is to implement and refine the *Sandy River Delta Plan.*

***Confluence Project:*** The Confluence Project proposes a "Bird Blind" observation platform designed by artist Maya Lin. The project will provide interpretation of the native species and their current status.

***Parking Area:*** A detailed design for the parking area identified in the *Plan* is proposed. Sandy River Delta visitors currently park in an informal parking area located on Oregon State land just outside the Sandy River Delta gate, and along Jordan Road. This parking area is essentially located within an Interstate off-ramp and is considered very unsafe by the Oregon Department of Transportation. The parking area is also a negative scenic element at the entrance to the Columbia River Gorge National Scenic Area. The *Sandy River Delta Plan* calls for a 100 car parking area and a new access road on National Forest land at the Delta. While the location and size of the parking area were included in the *Record of Decision* for the *Sandy River Delta Plan*, the site specific design requires a NSA consistency review.

***Trails:*** Detailed delineation of trails connecting to the proposed parking area and in the vicinity north of the parking area are proposed. The trail connections to the proposed parking area need to be defined in conjunction with the parking area design. A number of trails have been created by informal recreation use in the vicinity north of the parking area. The proposal defines which of these trails the Forest Service will adopt into the Sandy River Delta trail system. The Forest Service does not currently plan to extensively improve these trails, but brushing or repair work would be likely. Some of the proposed trails were not specifically identified in the Sandy River Delta Plan, but are located in an area where more intensive recreation use was planned than in other, untrailed portions of the Delta.

***Wetland Closure to Dogs and Horses:*** Some domestic animals can harass wildlife. Wetland areas are particularly important habitats to many species, including waterfowl, reptiles and amphibians. For instance, Oregon State law closes waterfowl nesting areas to dogs in the nesting season. Forest Service personnel have observed dogs chasing wildlife in the wetland areas at various times of the year. To protect all wetland species at all times of the year, closure of the largest wetland areas is proposed. The boundaries of the closure area follow existing features such as the powerlines, road and the new on-leash trail. About 1,000 ft of fence is needed to create a delineation south of the new on-leash trail. Wetlands east of the powerlines are not proposed for closure at this time because this area is open to waterfowl hunting, and these hunters often hunt with dogs.

***Change the Desired Future Landscape to Forest on about 190 acres.*** East of the powerlines on the Thousand Acres, the Sandy River Delta Plan outlined a mix of habitat restoration goals including open meadow, shrub-scrub, wetland and a small amount of forest. Two areas comprising about 190 acres are proposed to change from a goal of open meadow to a goal of forest. The areas in question already have many mature cottonwoods, and the understory is infested with reed canary grass and Himalayan blackberry,

due in part to soil types. After ten years of landscape restoration experience at Sandy River Delta where there are similar soil and vegetation conditions, the Forest Service has concluded that riparian reforestation on the eastern side of the southern portion of the Delta would have the best chance of success, without extensive long term weed control efforts. The shade and density of planting in a forest or shrub/scrub habitat has a much better chance of success. Creating an open landscape of native plants in this area would be difficult, expensive and prone to reinfestation with weeds. Soils and vegetation conditions west of the powerlines are such that reestablishing native grassland/meadow has a much higher chance of success.

**SCOPING AND PUBLIC INVOLVEMENT**

The Forest Service conducted extensive pubic involvement in the 1990's as it created the *Sandy River Delta Plan.* Forest Service activity at the Delta focused primarily on habitat restoration until 2005. The Forest Service began public involvement efforts again, primarily to discuss recreation uses, in 2005. The proposed parking area project appeared on the July 2005 CRGNSA Schedule of Proposed Actions (SOPA), and every subsequent SOPA to date. The proposals outlined here were introduced to the public at a public meeting in November 2005 in Troutdale, OR. The Forest Service conducted a public site tour in April 2006, to show the public the location of several of these proposals. The Forest Service subsequently posted the proposals to its website, and discussed the proposals with "Multi-Users of the Delta" (SRD_MUD), a volunteer user group interested in Delta management.

A notice to interested parties was sent on June 11, 2007 for a 30-day comment period. Thirty seven parties commented, and their comments were considered during the consistency review process. Comments included points on extent of the wetland closure, extent of areas where leashes are or are not required, garbage service, dog waste, and parking area. A summary of public comments and Forest Service responses has been prepared as a separate document. The enclosed findings of fact respond to public comments. See Recreation Resources on page 12 of the Findings of Fact for a discussion of the changes to the proposed action made in response to the substantive public comments.

**Reason For Categorically Excluding the Proposed Action:**

NEPA was completed for the parking area in the Sandy River Delta Environmental Impact Statement (1995) and Record of Decision (1996). I have determined that the Confluence Project, trail delineation, wetland closure and reforestation actions are categorically excluded. Therefore, neither an environmental impact statement nor environmental assessment will be prepared. I make this determination based on the following findings:

1. I find the proposed Confluence Project proposal trail action fits under Category 3, Section 31.2 Forest Service Handbook 1909.15-92.1, July 6, 2004: "Approval, modification, or continuation of minor special uses of National Forest System lands that require less than five contiguous acres of land." This project requires a special use permit and entails less than five contiguous acres of National Forest land.

   I find the proposed trail action fits under Category 1, Section 31.2 Forest Service Handbook 1909.15-92.1, July 6, 2004: "Construction and reconstruction of trails." This project proposes delineation which user created trails will become part of the Sandy River Delta trail system, and to be maintained and improved.

   I find the proposed wetland closure action fits under Category 1, Section 31.12 Forest Service Handbook 1909.15-92.1, July 6, 2004: "Orders issued pursuant to 36 CFR Part 261 - Prohibitions to provide short-term resource protection or to protect public health and safety". The closure is proposed to protect wetlands and wildlife.

I find the proposed reforestation action fits under Category 6, Section 31.2 Forest Service Handbook 1909.15-92.1, July 6, 2004: "Timber stand and/or wildlife habitat improvement activities which do not include the use of herbicides or do not require more than one mile of low standard road construction (Service level D, FSH 7709.56)." This project proposes to improve native riparian forest and remove invasive species. Use of herbicides for this activity was approved in the Sandy River Delta EIS and is being further analyzed under a separate Environmental Impact Statement "Site Specific Invasive Plant Treatments of the Mt. Hood National Forest and Columbia River Gorge National Scenic Area in Oregon, including Forest Plan Amendment #16".

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

The proposed action does not negatively impact land or resources; it will not adversely affect any threatened, endangered or sensitive species of plant or animal, cultural resources, steep slopes, erosive soils, floodplains, wetlands, or other special areas or resources. The project area includes wetlands and floodplains but has no adverse effects upon these resources.

The project is not located within or adjacent to any inventoried roadless areas, Research Natural Areas or Oregon State Natural Area Preserves. The project does not affect any reserved treaty rights of Native Americans. There are no unusual effects to minority or low-income populations by the proposed action.

2. I have determined that the proposed actions are consistent with the Land and Resource Management Plan for the Mount Hood National Forest as amended by the Northwest Forest Plan. The project design and mitigation measures described in the CRGNSA Consistency Determination Findings of Fact, referenced as CD-07-06-S, meet the Riparian Reserve, and the Aquatic Conservation Strategy standards and guidelines.

3. I find that this project is consistent with the Columbia River Gorge National Scenic Area (CRGNSA) Management Plan provided that it is implemented as described in the CRGNSA Consistency Determination Findings of Fact, referenced as CD-07-06-S or CD-07-05-S, the following conditions are applied to CD-07-06 (Confluence Project):

    a) The project shall be implemented as described above in the project description as modified in the decision and Findings of Fact.
    b) The project shall not commence until a special use permit is issued.
    c) Riparian habitat in the Sandy River buffer will be restored, including removal of non-native reed canary grass and blackberries on seventeen acres and planting of at least five acres in native grasses and trees.
    d) Discourage access to the original channel of the Sandy except at the site designated in the Sandy River Delta Plan at the confluence of the original Sandy and Columbia Rivers with native plantings and other means as needed.
    e) Replant the top of the bank between the trail and the original Sandy River channel with a dense planting of native shrubs.
    f) Include and follow the natural resources mitigation plan and erosion control plan as part of the construction permit.
    g) Limit construction work to the smallest area possible.

h) Replant all soil disturbed by construction or use with native grasses and/or forbs and scrubs within one year.
i) Exposed surfaces of signs and other structures shall be dark earth-tone (after weathering and except for lettering) and shall be non-reflective.
j) If any historic or prehistoric cultural resources are uncovered during project activities, work shall cease and the CRGNSA archeologist shall be notified. The Forest Service shall also notify the Washington State Historic Preservation Office and the Indian Tribal Governments within 24 hours if the resources are prehistoric or otherwise associated with Native American Indians.

and the following conditions are applied to CD-07-05-S (Parking Area, Wetlands Closure, Trails, Reforestation):

a) The project shall be implemented as described above in the project description as modified in the decision and Findings of Fact.
b) Replant all soil disturbed by construction or use with native grasses and/or forbs and scrubs within one year.
c) Exposed surfaces of signs and other structures shall be dark earth-tone (except for lettering) and shall be non-reflective.
d) Execute wetland CFR closure and identify with brown Carsonite signs.
e) The enforcement of the wetland closure, dog and dog waste control, and user conflicts shall be monitored and any necessary changes made to ensure that resources and users are protected.
f) If any historic or prehistoric cultural resources are uncovered during project activities, work shall cease and the CRGNSA archeologist shall be notified. The Forest Service shall also notify the Washington State Historic Preservation Office and the Indian Tribal Governments within 24 hours if the resources are prehistoric or otherwise associated with Native American Indians.

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

**Decision:** I have decided to authorize the proposed action with the following modifications in response to public comment:

1. Wetland Closure: Reconfigure the wetland closure to exclude the non-wetland area to the east of the on-leash trail as depicted in enclosed attachment A and extend wetland closure to all users as per 36 CFR 261.53 (b) (see also Findings of Fact page 12).
2. Proposed Fencing: Construct a fence along the western side of the closure and post with signs to clearly mark the closed area for the public. ~~Delete proposed fencing and identify wetlands using Carsonite signs. (see enclosed attachment B and Findings of Fact page 12)~~.This is a modification to the original April 2011 decision.
3. Parking Area:
   - Add hitching post, mounting area, and location for future dumpster at trailer parking lot (see enclosed attachment B and page 12 Findings of Fact).
   - Retain 100-space parking but reconfigure to provide better circulation and additional "dogs off lease parking" as per enclosed attachment B (see also page 12 Findings of Fact).
   - Provide a dog waste dump station at restroom area toilet vault (see Findings of Fact page 12).

I have decided to authorize the proposed action with modifications as described above for the following reasons:

Implementation of the project with the minor changes as described meets the stated purpose and need and can be accomplished with minimal environmental impacts.

**Implementation Date:** This project may begin immediately as long as it complies with the conditions described above. This decision expires two years from decision date. If implementation has not commenced before that date, a new consistency review or extension shall be required.

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

**Contact Person:** The Columbia River Gorge National Scenic Area staff prepared an analysis file in conjunction with this project. For further information, contact Stan Hinatsu at the Columbia River Gorge National Scenic Area, 541.308.1700, e-mail: shinatsu@fs.fed.us.

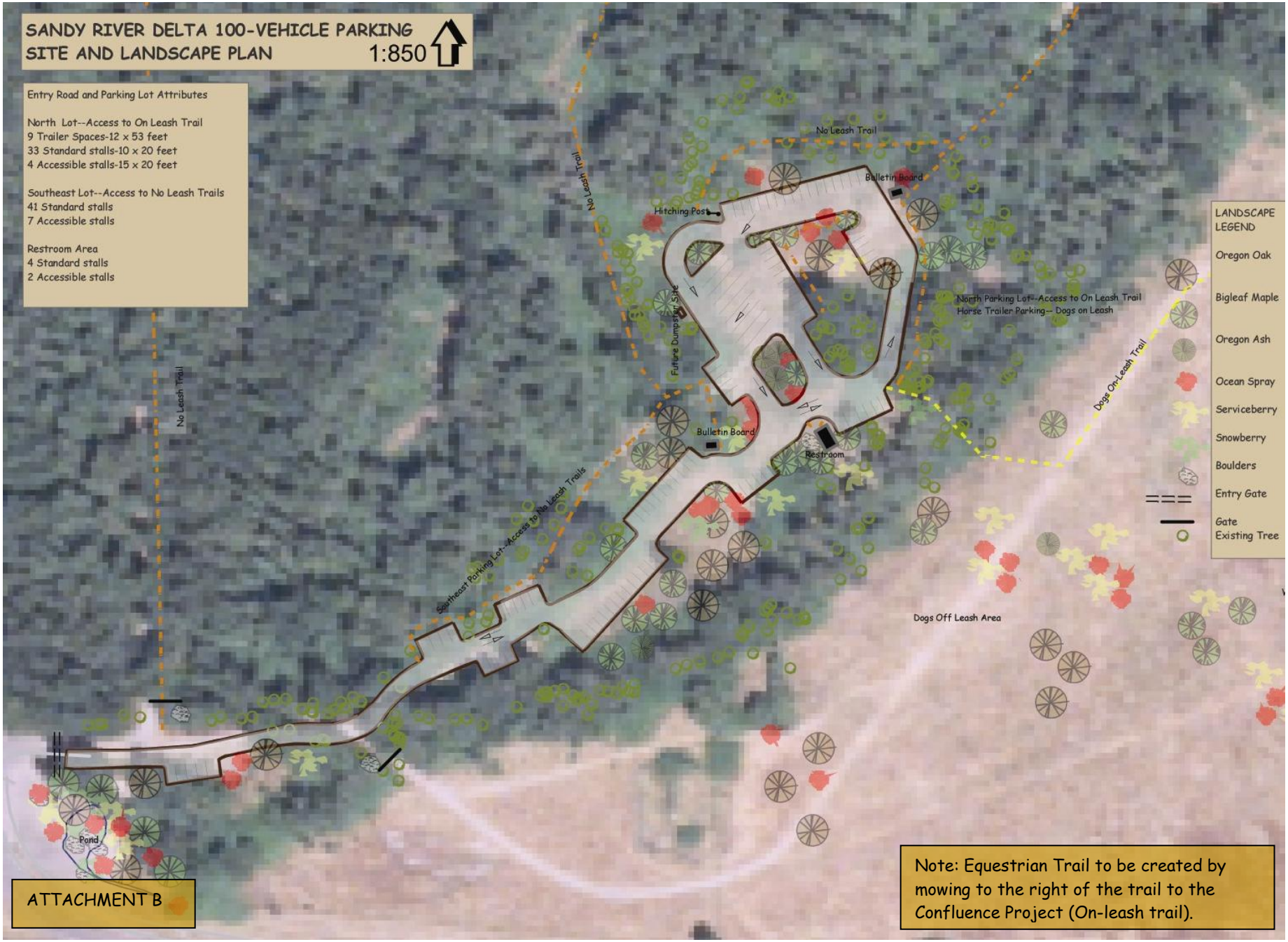
Daniel T. Harkenrider

DANIEL T. HARKENRIDER
Area Manager

Date: 8/15/11

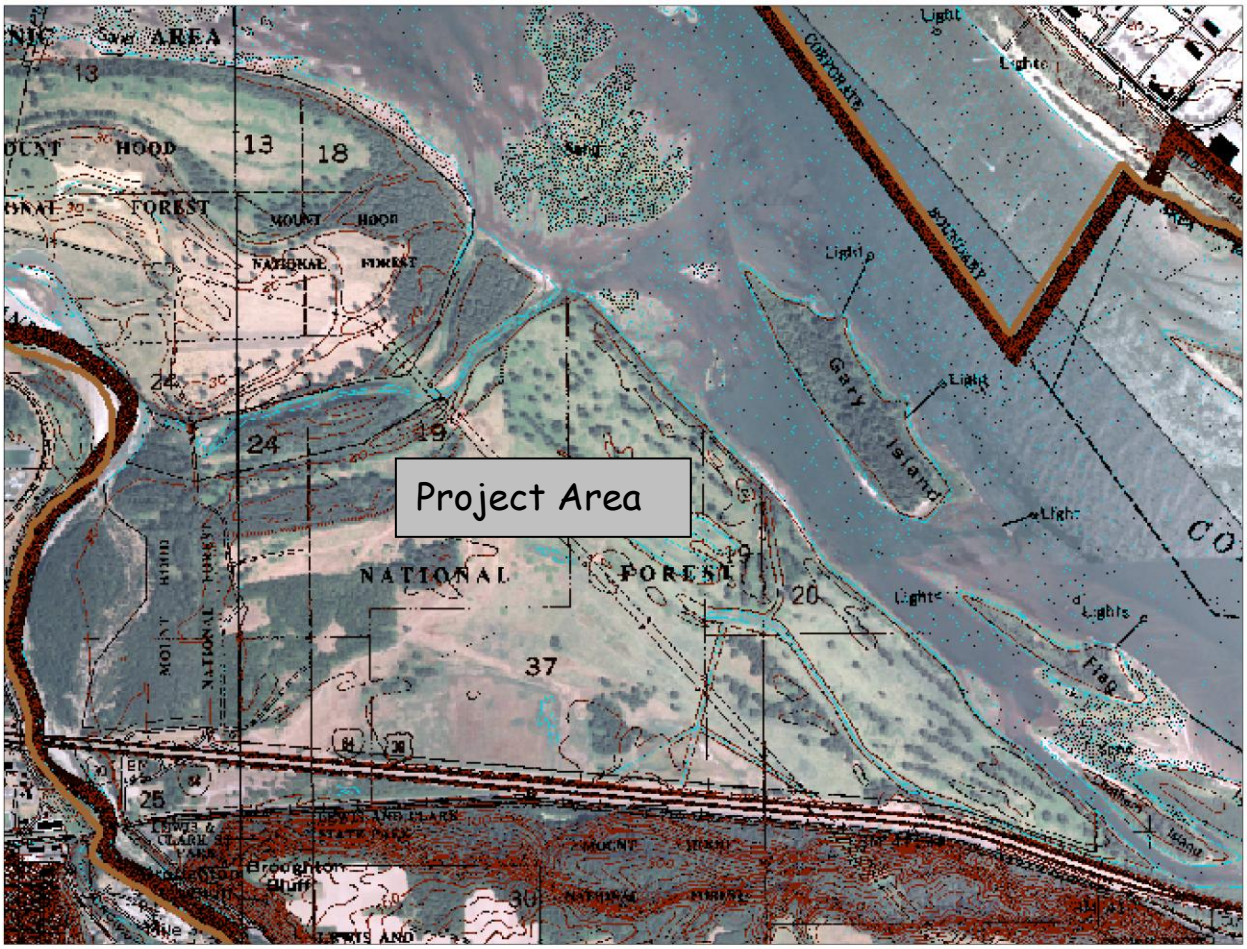
cc: Jill Arens Director, Columbia River Gorge Commission
Adam Barbour, Multnomah County Planning Department
Friends of the Columbia Gorge

SANDY RIVER DELTA
Wetland Closure and Dog On Leash Areas
1:4,750
Legend
On Leash Area
Wetland Closure Area
On Leash Trail
ATTACHMENT A


SANDY RIVER DELTA 100-VEHICLE PARKING
SITE AND LANDSCAPE PLAN
1:850
Entry Road and Parking Lot Attributes
North Lot--Access to On Leash Trail
9 Trailer Spaces-12 x 53 feet
33 Standard stalls-10 x 20 feet
4 Accessible stalls-15 x 20 feet
Southeast Lot--Access to No Leash Trails
41 Standard stalls
7 Accessible stalls
Restroom Area
4 Standard stalls
2 Accessible stalls
No Leash Trail
Bulletin Board
Hitching Post
Future Dumpster Site
North Parking Lot--Access to On Leash Trail
Horse Trailer Parking-- Dogs on Leash
Dogs On-Leash Trail
Restroom
Southeast Parking Lot--Access to No Leash Trails
Dogs Off Leash Area
Pond
LANDSCAPE LEGEND
Oregon Oak
Bigleaf Maple
Oregon Ash
Ocean Spray
Serviceberry
Snowberry
Boulders
Entry Gate
Gate
Existing Tree
ATTACHMENT B
Note: Equestrian Trail to be created by mowing to the right of the trail to the Confluence Project (On-leash trail).

# FINDINGS OF FACT

| | |
|---|---|
| **LANDOWNER:** | USDA Forest Service |
| **TITLE**<br>**PROPOSED ACTION:** | **Sandy River Delta Confluence Project CD-07-05-S**<br>**Sandy River Delta Parking, Wetlands Closure, Trails, Reforestation CD-07-06-S** |
| **LOCATION:** | Township 1N Range 3E, Sections 24, 25 and Township 1N Range 4E, Section 19, 20, 29, 30, 37. Taxlots 1N3E24 -00500, 1N3E25 -00100, 1N4E -00200, 1N4E -00300. Multnomah County, Oregon.. |
| **NATIONAL SCENIC AREA DESIGNATION:** | Special Management Area (SMA) |
| **LAND USE DESIGNATION:** | Public Recreation and Open Space |
| **LANDSCAPE SETTING:** | River Bottomlands |
| **RECREATION INTENSITY CLASS (RIC):** | RIC 4 corresponds to the Public Recreation LUD<br>RIC 1 corresponds to the Open Space LUD |



## *Introduction*

The following findings amended of fact contain the applicable standards and guidelines from the CRGNSA Management Plan. The CRGNSA Management Plan standards and guidelines are displayed in *italic type*. The findings are displayed in regular type. The amended Findings of Fact are shown as underlined text indicating additions to the original findings.

Management Plan policy requires that projects on National Forest lands also be consistent with the Land and Resource Management Plans of the adjacent National Forest. The Forest Service applies the more protective standard of either the CRGNSA Plan or the Land and Resource Management Plan. Where standards of the Mt. Hood National Forest Land and Resource Management Plan are more protective than the CRGNSA Plan, they are included for review.

## *A. Public Comment*

The Forest Service conducted extensive pubic involvement in the 1990's as it created the *Sandy River Delta Plan*. Forest Service activity at the Delta focused primarily on habitat restoration until 2005. The Forest Service began public involvement efforts again, primarily to discuss recreation uses, in 2005. The proposed parking area project appeared on the July 2005 CRGNSA Schedule of Proposed Actions (SOPA), and every subsequent SOPA to date. The Confluence Project and reforestation projects first appeared on the April 2006 CRGNSA Schedule of Proposed Actions (SOPA). The proposals outlined in this decision were introduced to the public at a public meeting in November 2005 in Troutdale, OR. The Forest Service conducted a public site tour in April 2006, to show the public the location of several of these proposals. The Forest Service subsequently posted the proposals to its website, and discussed the proposals with "Multi-Users of the Delta" (SRD_MUD), a volunteer user group interested in Delta management.

A notice to interested parties was sent on June 11, 2007 for a 30-day comment period. Thirty eight parties commented, and their comments were considered during the consistency review process. Comments included points on extent of the wetland closure, extent of areas where leashes are or are not required, garbage service, dog waste, and parking area. A summary of public comments and Forest Service responses has been prepared as a separate document. The enclosed findings of fact respond to public comments.

One comment was received which specifically address the use of permeable paving and recommended not using gravel. Current site conditions have created an impermeable layer. If a permeable surface layer was added the objective of pollutant filtering would not be achieved. Pollutant filtering will be done with bioswales and not permeable paving.

## *B. Project Proposal*

***Confluence Project:*** The Confluence Project proposes a "Bird Blind" observation platform designed by artist Maya Lin. The project will provide interpretation of the native species and their current status.

***New Parking Lot Design:*** The current informal parking area next to I-84 would be replaced with

a 100 space parking lot at the location identified in the Sandy River Delta Plan. The proposed design includes 9 spaces for large vehicles such as horse trailers, a restroom, two bulletin boards and a defined parking for those who wish to immediately set out in a no-leash area, and a defined parking area which will require dogs to be leashed. Approximately 1,000 feet of new fence is proposed to delineate the southwestern wetland closure boundary. The design includes an entranceway to the parking area including a gateway constructed of stone and wood as well as a sign. The sign would be consistent with the CRGNSA Graphic Sign System. Provide a picnic area and seating within one of the parking are islands.

***Trails:*** A number of existing informal trails would be recognized in the vicinity north of the parking area. The Forest Service does not currently plan to extensively improve these trails, but brushing or repair work would be likely.

***Closure of Wetlands to Dogs and Horses***. To protect waterfowl and other wetland species, the Forest Service proposes to close about 200 acres to dogs and horses year round. Currently, the wetland area is closed to dogs in nesting season. To protect all wetland wildlife, the wetlands would be closed year round. Furthermore, as pertaining to this amended decision,to clearly demarcate the closed area, a small fence will be erected along the western edge of the closure with appropriate signs to notify the public of the closure.

***Change the Desired Future Landscape to Forest on about 190 acres***. After ten years of landscape restoration experience at Sandy River Delta, the Forest Service has concluded that riparian reforestation on the eastern side of the southern portion of the Delta would have the best chance of success, without extensive long term weed control efforts.

## *C. Land Use Designations*

1. The Management Plan, Part II, Chapter 2 (SMA Public Recreation) SMA Guidelines, states:

   *Review Uses*

   *1. The following uses may be allowed on lands designated Public Recreation subject to review for compliance with scenic, cultural, natural, and recreational resources guidelines.*

   *B. Public trails, consistent with the provisions in Part I, Chapter 4: Recreation Resources.*

   *C. Public recreational facilities, consistent with the provisions in Part I, Chapter 4: Recreation Resources.*

2. The Management Plan, Part II, Chapter 3 (Open Space) SMA Guidelines, states:

   *Review Uses*

   *2. The following uses may be allowed on lands designated Open Space subject to review for compliance with scenic, cultural, natural, and recreational resources guidelines.*

   *B. Resource enhancement projects for the purpose of enhancing scenic, cultural, recreation and/or natural resources, subject to the guidelines in "Resource*

*Enhancement Projects" (Part II, Chapter 7: General Policies and Guidelines). These projects may include new structures (e.g., fish ladders, sediment barriers) and/or activities (e.g., closing and revegetating unused roads, recontouring abandoned quarries).*

*C. Low-intensity recreation uses and developments, including educational and interpretive facilities, consistent with Part I, Chapter 4: Recreation Resources.*

3. The Management Plan, Part I, Chapter 4 (Recreation Resources) SMA Guidelines, states

*1. Recreation Intensity Class 1 (Very Low Intensity) – corresponds to the Open Space Designation*

*C. The following uses may be permitted*

*(1) Trails and Trailheads*

*(4) Viewpoints and overlooks.*

*(7) Interpretive exhibits and displays.*

*2. Recreation Intensity Class 4 (High Intensity) – corresponds to the Public Recreation Designation*

*B. The maximum design capacity shall not exceed 1,000 people at one time on the site. The maximum design capacity for parking areas shall be 200 vehicles. The GMA vehicle capacity level 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.*

**Findings:**

- The Confluence Project is a viewpoint/overlook and also provides interpretation. It is an allowed use in Open Space/RIC 1 Land Use Designation and Recreation Intensity Class.

- A 100 space parking area is an allowed use in the Public Recreation/RIC 4 Land Use Designation and Recreation Intensity Class. The proposal; contains nine spaces for large vehicles, including buses.

- Trails are an allowed use in the Public Recreation/RIC 4 and Open Space/RIC 1 Land Use Designations and Recreation Intensity Classes. An adequate site plan was submitted.

- Protection of wetlands and restoration to a native forest are resource enhancement projects allowed in SMA Open Space. The construction of a fence is permitted to enhance wildlife resources.

4. The Management Plan, Part II, Chapter 3 (Open Space) SMA Guidelines, states:

*Review Uses*

1. *An Open Space plan shall be completed by the primary managing agency or landowner prior to any new land uses or development, and shall be reviewed by the Forest Service.*

**Findings**: The *Sandy River Delta Plan* serves as the Open Space Plan for this area. Section 6.0 of the *Sandy River Delta Plan* discusses a revision and amendment process for the *Sandy River Delta Plan:*

***"6.0 REVISION AND AMENDMENT PROCESS***

*Implementation of the Sandy River Delta Plan will occur over many years. During that time, it may be necessary to revise this plan to reflect changing conditions or to better achieve FS goals.*

*Catastrophic events, new direction from Congress, new information, unanticipated changes in conditions, or major new technologies could create a need to change the Plan. If the needed change is significant, the Plan will be revised through preparation of another Environmental Impact Statement (EIS). If the change does not significantly affect the Plan, the National Scenic Area Manager could amend the Plan by a less extensive procedure, but still with public participation."*

Several small modifications to the *Sandy River Delta Plan* are proposed in this project, the Confluence Project, the increase in the number of trails near the parking area, and the change in landscape pattern from open meadow to forest on the eastern portion of the Thousand Acre. The Forest Service does not consider these to be significant changes requiring preparation of another Environmental Impact Statement (EIS). The basis of this finding is that each of these proposals may be categorically excluded from documentation in an EA or EIS, and no extraordinary circumstances exist.

These changes do not significantly affect the Plan, and this decision by the National Scenic Area Manager, which included public participation, shall serve as an amendment to the Plan.

5. The Management Plan, Part II, Chapter 7 (General Policies and Guidelines) Resource Enhancement Projects states:

*GMA/SMA Guidelines*

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

**Findings**: The project description describes the current condition of invasive species and the desired future condition of riparian forest.

## *D. Scenic Resources*

### ***SMA Design Guidelines Based on Landscape Settings***

The Management Plan, Part I, Chapter 1, Scenic Resources, SMA Guidelines, states:

1. *The following guidelines apply to all lands within SMA landscape settings regardless of visibility from KVAs (areas seen from KVAs as well as areas not seen from KVAs):*

   *B. River Bottomlands: River Bottomlands shall retain the overall visual character of a floodplain and associated islands. .*

   *(1) Buildings shall have an overall horizontal appearance in areas with little tree cover.*

   *(2) Use of plant species native to the landscape setting shall be encouraged. Where non-native plants are used, they shall have native-appearing characteristics.*

**Findings:** Guideline B(1) applies to buildings in areas of little tree cover. The restroom building is proposed in an area surrounded by mature cottonwood trees. The Confluence structure vicinity is planned to become reforested with cottonwood and ash trees. Only native plants are proposed. <u>The wood rail fence will be short (about 3-4 ft high) and blend into the pastoral and flood plain landscape of the Delta.</u>

### ***SMA Guidelines for Development and Uses Visible from KVAs***

The Management Plan, Part I, Chapter 1, Scenic Resources, SMA Guidelines, states:

1. *The guidelines in this section shall apply to proposed developments on sites topographically visible from key viewing areas.*
2. *New developments and land uses shall be evaluated to ensure that the required scenic standard is met and that scenic resources are not adversely affected, including cumulative effects, based on the degree of visibility from key viewing areas.*

**Findings:** The project is topographically visible from ten key viewing areas. The closest KVAs are I-84 and the Columbia River, from which the project is in the immediate foreground.

| **KVA** | **Distance Zone** |
|---|---|
| I-84 | Immediate Foreground and Middleground |
| Sandy River | Middleground |
| Columbia River | Foreground and Middleground |
| Historic Columbia River Highway | Background |
| Portland Women's Forum | Background |
| Crown Point | Background |
| Bridal Veil | Background |

| | |
|---|---|
| Rooster Rock | Background |
| Larch Mountain Road | Background |
| Larch Mountain – Sherrard's Point | Background |
| Washington state Route 14 | Middleground and Background |

*Source: CRGNSA Key Viewing Area GIS Layer*

The scenic standard is "visually subordinate" in the Public Recreation LUD and "not visually evident" in the Open Space LUD.

*Confluence Project:* The scenic standard for the Confluence Project is not visually evident. The critical KVA is the Columbia River. The project site is about 180 ft from the Columbia River. The project site is well screened from the Columbia River by mature cottonwood and willow trees. The structure will be non-reflective and of earth tone colors. It will meet the "not visually evident" standard.

*Parking Area:* The scenic standard for the parking area is visually subordinate. The critical KVA is I-84. The parking area and associated trailhead/ picnic enhancements is about 470 ft from I-84 at its closest point. The parking area is located in a physical depression and surrounded by mature cottonwood trees. The parking area will meet the scenic standard of visually subordinate due to topographical and vegetative screening. The parking area will meet the higher scenic standard of not visually evident when the trees are in leaf. The proposed fencing to delineate the southwestern wetland closure boundary will be densely planted with native vegetation, and will not be evident to the casual visitor after five years.

*Access Road:* The scenic standard for the access road is visually subordinate. The critical KVAs are I-84 and the Sandy River. The access road is about 225 ft from I-84 at its closest point. The access road is largely screened by trees from I-84. A new fill slope on the south side of the access road will be more visible in the winter months when the trees do not have leaves, but will meet the standard of visually subordinate. Road gates are proposed in locations with vegetative screening. Entrance gate and sign will be of natural materials such as basalt and wood so as to blend with the surrounding natural landscape. The entrance is partially screened by existing vegetation and the sign is consistent with the CRGNSA Graphic Sign System.

*Trails:* The scenic standards for the trails are visually subordinate and not visually evident. The critical KVAs are I-84 and the Sandy River. All of the proposed trails are flat, do not protrude above the ground, are located in areas well screened by existing vegetation and will meet the scenic standards.

*Fence*: The fence will have a low profile to minimize visibility from the key viewing areas. The grass will, in most places, reach over the top rail of the fence. All signs will be dark in color and attached to the fence. The fence will be visible in the foreground of I 84 however the project will meet the "not visually evident" scenic standard over time as restoration plantings establish and screen the fence.

*Reforestation:* The scenic standard for the reforestation area is not visually evident. The critical KVAs are I-84 and the Columbia River. The landscape currently appears largely forested from I-84 and the Columbia River. After reforestation, the landscape will appear more densely

forested, but will not look markedly different to the casual visitor. Reforesation will meet the "not visually evident" standard.

Due to distance and/or intervening vegetation, no part of the project will not be visible from SR 14, Rooster Rock State Park, the Historic Columbia River Highway, Portland Women's Forum, Crown Point, Larch Mountain Road, Sherrard's Point on Larch Mountain or the Sandy River.

## *E. Cultural Resources*

The Management Plan, Part I, Chapter 2, Cultural Resources SMA Policies and Guidelines, states:

1. *New developments or land uses shall not adversely affect significant cultural resources. (SMA Guideline 1)*
7. *The Forest Service shall be responsible for performing steps 1 through 5 under guideline 4 for forest practices and National Forest system lands. (SMA Policy 7)*
8. *The Forest Service shall consult with the Indian tribal governments and other consulting parties in performing steps 1 through 5 under guideline 4. (SMA Policy 8)*

**Finding:** The Confluence Project area was first surveyed in the early 1990s. Several auger probes were placed close to the project area. No cultural resources were identified (Reese et al. 1995). A more site specific survey was conducted in 2006 by a professional archaeologist. McDaniel excavated with 10 deep subsurface probes and discovered no cultural resources (McDaniel 2007). The NSA Archaeologist finds that further subsurface testing and/or monitoring is unnecessary. The parking area was surveyed in 1992 (Fagan and Reese 1992). 15-m wide transects covered 150-acres and 85 deep subsurface auger probes were excavated. One buried site of cultural material was found outside of the area of potential effect for the parking area. The proposed parking area is located in a relic river channel. Further subsurface testing and/or monitoring is unnecessary. ODOT has contracted additional subsurface testing along the I-84 corridor related to I-84 bridge replacement. Some subsurface tests will be located immediately south of the proposed parking area north of I-84. The NSA will coordinate with the contract archaeologist to be aware of any significant deposits that may be found that may have a bearing on the construction of the parking area. As always, should any cultural resources be identified during construction the emergency provisions of the NSA plan will apply.

Tribal governments were notified in June 2007 and given 30 days to comment. One comment was received by the Yakama Nation requesting monitoring during construction of the parking area. The NSA Archaeologist concluded that further subsurface testing and/or monitoring o the parking area is unnecessary

A condition should be placed stating that should any historic or prehistoric cultural resources be uncovered during project activities, the applicant shall cease work and immediately notify the CRGNSA office and the Washington Office of Archeology and historical Preservation. The applicant should also notify the Indian Tribal governments within 24 hours if the resources are prehistoric or otherwise associated with Native American Indians.

<u>The fence will not include any ground disturbance as it will rest upon the ground</u>.

## *F. Natural Resources*

### ***Water Resources (Wetlands, Streams, Ponds, Lakes, and Riparian Areas)***

1. The Management Plan, Chapter 3, Natural Resources, SMA Guidelines, states:

> *A. All Water Resources shall, in part, be protected by establishing undisturbed buffer zones as specified in A.(2)(a) and 2(b) below. These buffer zones are measured horizontally from a wetland, stream, lake, or pond boundary as defined below.*
>
> *(1) All buffer zones shall be retained undisturbed and in their natural condition, except as permitted with a mitigation plan.*
>
> *The following buffer zone widths shall be required:*
>
> *(a) A minimum 200 foot buffer on each wetland, pond, lake, and each bank of a perennial or fish bearing stream, some of which can be intermittent.*
>
> *(b) A 50-foot buffer zone along each bank of intermittent (including ephemeral), non-fish bearing streams*
>
> *Northwest Forest Plan (NWFP) Riparian Reserves: Fish Bearing Streams, Lakes, Ponds: 300', Wetlands, perennial streams: 150', Intermittent Streams: 100'. The NWFP requires a watershed analysis before any activity takes place in a riparian reserve.*

**Finding:** Almost the entire project area is within the 100 year floodplain of the Columbia River, Sandy River or both (as is most of the Sandy River Delta). The Confluence project, parking area trails, wetland closure area and reforestation area are within the 100 year floodplain. The access road and the fence delineating southwestern wetland closure boundary are not within the 100 year floodplain. ~~In addition, the applicant has deleted the fence proposal.~~

The Confluence Project structure and the foot trail to the Columbia River are within the CRGNSA and NWFP water resource buffer of the original Sandy River channel (which currently functions as a seasonal slough) and the Columbia River (Confluence Project is about 180 ft from the Columbia River). Reforestation would take place within the Columbia River and original Sandy River channel buffers. A trail to the Sandy River is within the river's buffer. No physical feature extends within 200 ft of the wetlands. The fence boundary is a minimum of 200 ft from the wetland.

The project has been designed to minimize impacts to water resources. Design measures include:

- The wetland closure is a resource protection measure.
- ~~Parking lot shall be of a pervious surface, to allow water to drain.~~
- Bioswales will be constructed to contain potential pollutants by collecting parking lot runoff.
- The fill needed to widen the access road is placed on the south side of the access road, which is out of the floodplain (fill on the north side of the road would be in the floodplain),
- Trails are proposed to be native surface.
- The trail to the Columbia River near the Confluence is project is a foot only-trail, as outlined in the *Sandy River Delta Plan.* Actual tread construction will take place only to traverse the bank. No tread work will take place at the toe of the slope as this area floods frequently. Only minimal vegetation clearing will take place once the trail reached the toe of the slope.

- The Confluence Project structure footings will be a minimum of 20 ft deep. This depth should minimize the need for other structure or bank stabilization methods over time, such as rip-rap.
- The Confluence Project ramp will pass flood flows.
- An erosion control plan for Confluence Project construction has been submitted and is adequate.
- Reforestation along the banks of the Columbia River will provide additional shading to the river. The actual restoration methods are the same whether the landscape is ultimately resorted as open meadow or forest, and the techniques were thoroughly analyzed in the Sandy River Delta EIS.
- The fence will be located outside of the buffer zones of the wetlands.

A No-Practicable Alternatives Test and Mitigation Plan have been completed by CRGNSA Botanist/Ecologist Robin Dobson in consultation with CRGNSA Hydrologist Mark Kreiter and CRGNSA Biologist Chuti Fiedler.

The mitigation plan recommends the following mitigation measures.

- Riparian habitat will be restored around the Confluence Project, including removal of non-native reed canary grass and blackberries on seventeen acres and planting at least five acres in native grasses and trees. This restoration effort will greatly improve the riparian habitats along the original channel of the Sandy River.
- Construct the finished floor elevation of the restroom in the parking area to an elevation of 33 ft, or one foot above the 100 year flood elevation.
- Balance flood plain volumes by removing artificial fill from the Delta equal to the amount of fill needed for the parking area surfacing and restroom.

Stream and wetland protection measure include:

- Discourage access to the original channel of the Sandy except at the site designated in the Sandy River Delta Plan at the confluence of the original Sandy and Columbia Rivers.
- Replant the top of the bank between the trail and the original Sandy River channel with a dense planting of native shrubs.
- Limit work to the smallest area as possible.
- Replant all soil disturbed areas with native grasses and/or forbs and scrubs within one year.

The trail has been located to allow the natural hydrology to continue unhindered. Natural swales are crossed at high points. Specific design criteria have been applied to minimize problems with wet areas along the trail, especially as related to horse use. For instance, the horse trail is located on the opposite side of the hard surface from the river bank in order to provide greater distance from the horse droppings and the stream.

CRGNSA Hydrologist Mark Kreiter has determined that the project does not prevent the attainment of Aquatic Conservation Strategy Objectives. The Sandy River Delta Watershed Analysis (1995) covered the project area.

## ***Wildlife and Plants***

The Management Plan, Chapter 3, Natural Resources, SMA Guidelines, states:

*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 are those areas depicted in the wildlife inventory and listed in Table 4, 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.*

**Finding:** The project was reviewed by CRGNSA Biologist Chuti Fiedler. No sensitive animal sites are within 1,000 ft of the project area. Bald eagles use the area, but no nest sites are known within 1,000 ft of the project area. The project is within 1000 ft of the Columbia River and original Sandy River channel, which are habitat for several sensitive fish species. The natural resources mitigation plan contains measures to protect the waterways, and hence the fish habitat. The landscape restoration will ensure continued viability of the riparian habitats and the limited access to the original Sandy River channel will ensure that the sensitive salmonid species and their habitats are adequately protected Closure of the wetlands to dogs and horses will protect wetland species. <u>The fence will have no additional impacts.</u>

The project was reviewed by CRGNSA Botanist Robin Dobson. No sensitive plants are recorded within 1,000 ft of the project area. Project design avoids almost all native trees and shrubs; about 6 trees will be impacted by the new access road construction. The site restoration will reduce invasive plant infestation of disturbed soil.

## ***Soil Productivity***

1. The Management Plan, Chapter 3, Natural Resources, SMA Guidelines, states:

*A. Soil productivity shall be protected using the following guidelines:*

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

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

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

*(4) 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.*

**Finding:** Most of the project is located on relatively flat ground and erosion concerns are few. The natural resources mitigation plan requires revegetation of disturbed areas with native species. An erosion control plan for Confluence Project construction has been submitted and is adequate. A mitigation measure should be added to require the Confluence Project erosion control plan to be followed.

## *G. Recreation Resources*

The Management Plan, Chapter 4, Recreation Resources, SMA Guidelines, states:

1. *New developments and land uses shall not displace existing recreational use.*
2. *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 onsite and offsite cumulative effects shall be required.*
3. *New pedestrian or equestrian trails shall not have motorized uses, except for emergency services.*

**Finding:** There is a sizable amount of existing recreation use at Sandy River Delta; walking, dog walking, mountain biking, equestrian use, etc. The Confluence Project will provide a new interpretive recreation opportunity. The new parking area will provide safer parking and will provide a restroom. By designating trails in the vicinity of the parking area, the Forest Service can authorize vegetation clearing and repair work. Trails are planned for non-motorized recreation use. As described in the proposed action, dogs and horses would not be allowed in about 200 acres of wetlands, but are allowed elsewhere at the Delta. The Forest Service received 38 comment letters or e-mails containing a total of 75 comment statements. Sixty-eight of these comments concerned recreation. The most frequent topics were the balance of recreation user needs with the wetlands closure, the configuration of the parking lot, waste, and the dogs on-leash concept. The Forest Service amended the proposed action to include these changes in response to this comment and in order to better meet the needs of the current users while protecting natural resources:

1. Wetland Closure: Reconfigure the wetland closure to exclude the non-wetland area to the east of the on-leash trail as depicted in enclosed attachment A and extend wetland closure to all users as per 36 CFR 261.53 (b) which states: "Special closures. When provided in an order, it is prohibited to go into or be upon any area which is closed for the protection of: (b) special biological communities."
2. Proposed Fencing: ~~Delete proposed fencing and identify wetlands using Carsonite signs~~. This will be amended to re-instate the fence to clearly demarcate the closure area.
3. Parking Area:
   - Add hitching post, mounting area, and location for future dumpster at trailer parking lot
   - Retain 100-space parking but reconfigure to provide better circulation and additional "dogs off lease parking" as per enclosed attachment B.
   - Provide a dog waste dump station at restroom toilet vault.

A Condition should be placed requiring that the enforcement of the wetland closure, dog and dog waste control, and user conflicts be monitored and any necessary changes made to ensure that resources and users are protected.

## *H. Conclusion*

The proposed Confluence Project, parking area, access road, trails, wetland closure and reforestation as described above for the Columbia River Gorge National Scenic Area, is

consistent with the National Scenic Area Management Plan Policy and Guidelines provided they meet the criteria and conditions listed in the Findings of Fact and Consistency Determination.