



Hoyte Dead and Down SMA Forest Practice

Skamania County, Washington

Consistency Determination (CD-25-04-S)

Background

The proposed forest practice is located within the SMA Public Recreation and SMA Agriculture. The parcel also contains the SMA Open Space land use designation, however no new developments or activities are proposed in that designation. The landscape settings pastoral and coniferous woodlands and the parcel has a recreation intensity class of 1. The parcel is within the west conifer forest type, and all proposed activities are developed to be consistent with the requirements in Part II, Chapter 2, section X, including forest structure, leave trees, average down wood and average snags. No forest openings are proposed as a part of this application. Two treatment units are proposed to remove naturally dead and down for domestic use. Removal volume is estimated at less than 5,000 board feet. Slash material not able to be utilized for domestic use will be scattered throughout the units.

Unit 1 is approximately 13 acres and is currently a western conifer forest vegetation type with greater than 90% canopy closure. Removal of limited dead and down are unlikely to change the overall canopy structure of the unit. No new roads or trails are proposed or will be developed, maintained or improved for this proposal.

Unit 2 is approximately 10 acres and is also a western conifer forest vegetation type with greater than 90% canopy closure. Removal of limited dead and down are unlikely to change the overall canopy structure of the unit. No new roads or trails are proposed or will be developed, maintained or improved for this proposal.

Decision

I find that the above proposal is consistent with the Management Plan for the Columbia River Gorge National Scenic Area (CRGNSA) if it is implemented as described in the application materials, the CRGNSA Consistency Determination and Findings of Fact referenced as CD-25-04-S, and provided the following conditions are applied:

1. The removal is limited to 5,000 board feet of naturally dead and down timber.
2. All removal activities must comply with the conservation spirit and intent of the easement as established in Public Law 99-663.
3. No road or trail construction, reconstruction, development, maintenance or improvements are permitted in connection with the removal activities.
4. Motorized equipment usage must be limited to existing roads and must not extend beyond currently established access points.
5. No commercial products may be derived from the removed material. All collected timber is strictly for personal firewood and domestic use only.



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U.S. DEPARTMENT OF AGRICULTURE

Columbia River Gorge National Scenic Area | June 2025

5. No commercial products may be derived from the removed material. All collected timber is strictly for personal firewood and domestic use only.
6. The landowner must take all reasonable precautions to prevent soil erosion, water pollution, or other environmental damage during removal operations.
7. If any streams are identified in the field during implementation, regardless of being mapped, they should be provided the applicable buffers.
8. No standing live trees may be cut or removed under this approval.
9. The Grantor must provide 14 days written notice to the Forest Service prior to beginning removal activities.
10. The Forest Service reserves the right to inspect the property before, during, and after removal activities to ensure compliance with the Conservation Easement.
11. 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 Department 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.
12. In addition to the conditions above, the applicant will adhere to all conditions and requirements of the Washington State Department of Natural Resources forest practice permit.

Administrative Review (Appeal) Opportunities

A written request for review of the National Scenic Area Consistency Determination, with reasons to support the request, must be received within 20 days of the date shown with the Forest Supervisor signature below. Requests for review should be addressed to: Request for Review, Regional Forester, P.O. Box 3623, Portland, OR 97208. An electronic copy of the request should be provided to the USFS-CRGNSA Office at 902 Wasco Street, Suite 200, Hood River, Oregon 97031, ATTN Appeals, and/or emailed to appeals-pacificnorthwest-columbia-river-gorge-nsa@usda.gov.

Implementation Date

This project may begin immediately after the date on this decision. Project implementation must comply with the conditions of approval described above. The Consistency Determination expires two years after the date on this determination. If implementation has not commenced before that date, a new consistency review or request for extension shall be required.


DONNA MICKLEY
Forest Supervisor
Columbia River Gorge National Scenic Area

6-30-2025
Date



CRGNSA Consistency Determination

Hoyte Dead and Down SMA Forest Practice, CD-25-04-S

Parcel/Tax Lot # 01052000010000

Skamania County, Washington

FINDINGS OF FACT

LANDOWNER:	Derek Hoyte Living Trust 22962 Washington 14 Washougal, WA 98671
APPLICANT:	Derek Hoyte 22962 Washington 14 Washougal, WA 98671
PROPOSED ACTION:	SMA Forest Practice
LOCATION:	Tax Lot ID. # 01052000010000
NATIONAL SCENIC AREA DESIGNATION:	SMA
LAND USE DESIGNATION:	Public Recreation, Agriculture, Open Space
LANDSCAPE SETTING	Pastoral, Coniferous Woodlands

The following findings of fact contain the applicable standards and guidelines from the CRGNSA Management Plan. The CRGNSA Management Plan standards and guidelines are displayed in regular type. The findings are displayed in **bold type**.



Figure 1 Hoyte Forest Practice Vicinity Map

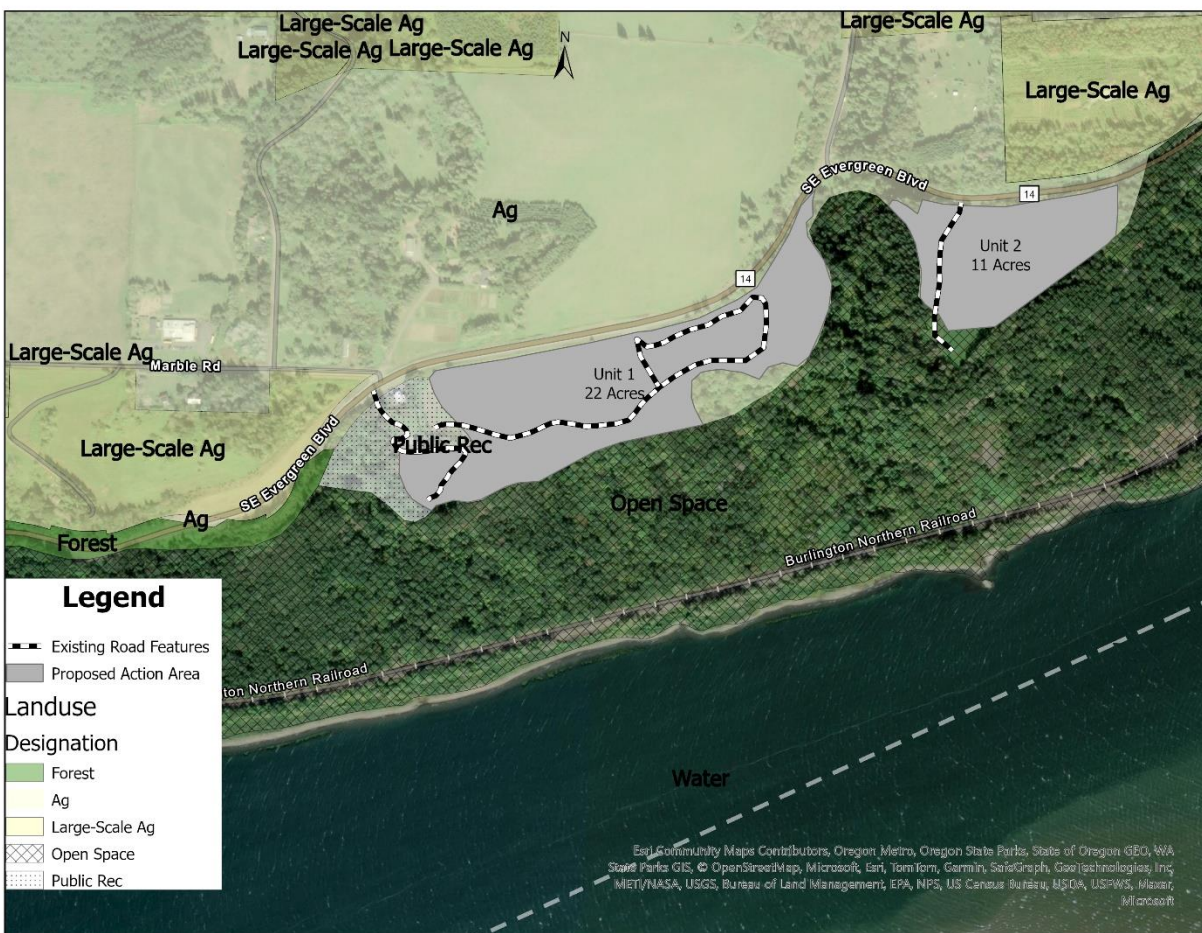


Figure 2 Hoyte Forest Practice Project Area with Management Unit1 & 2



A. Public Comment

A notice describing the project was sent to a mailing list of known interested parties and adjacent landowners on March 18, 2025. A period of 30 days was allowed for public comment. Four public comments were received:

The Confederated Tribes of the Warm Springs Reservation of Oregon (CTWSRO) commented that they have no concerns with the proposed activity.

Friends of the Columbia Gorge requested the CRGNSA complete a review statement for the forest practices consistence with the Management Plan. The letter also described the CRGNSA Management Plan review criteria for Forest Practices, including application requirements and protection of the Scenic, Natural, Cultural, and Recreation resources.

USFS response: The Consistency Determination and Findings of Fact document the project's compliance with relevant requirements and guidelines of the CRGNSA Management Plan.

Dale Grams commented that they were concerned that the application to harvest dead and down is inconsistent with the Consent Decree. They also commented that the application did not include the location of haul roads.

USFS response: The application was reviewed for consistency with the CRGNSA Management Plan, the Conservation Easement and the Consent Decree. The conservation easement allows the harvest of dead and down material for domestic uses, which is the purpose of the application.

The consent decree added additional restrictions that prohibited any activity on National Forest System Lands, which is not proposed in this application.

The consent decree enjoined any new road construction, improvement, or maintenance without approval from an authorized representative of the US Forest Service. No road maintenance, construction, improvement or development is proposed with this application.

The consent decree enjoined the applicant from making any use of standing tree regardless of whether the tree is dead or alive, without prior express written approval of the US Forest Service. This application is for the harvest of dead and down material, which is a right in the conservation easement, and this review is providing the approval of the authorized representative of the US Forest Service. This application is only for the removal of existing dead and down material, limited to less than 5,000 board feet, and does not permit any road or trail development, construction improvement or maintenance.

Liz and Mike Wilber provided comment similar comments to Dale Grams, and additionally were concerned about the impacts from the preparation of haul roads and the applicants past violations of CRGNSA Management Plan guidelines and terms of the conservation easement.

USFS Response: The application is not for any new road construction and the construction, development, improvement or maintenance of roads is not an activity permitted in this consistency review. The application is for activities that are a reviewable use under the CRGNSA



Management Plan and an allowable use in the conservation easement. None of the proposed actions are in conflict with the conservation easement with the written approval of the US Forest Service.

B. Project Proposal

The proposed forest practice contains two units, Unit 1 is approximately 13 acres and is located within the SMA Public Recreation, and Agriculture land use designation. Unit 2 is approximately 10 acres and is in the SMA Agriculture land use designation.

The approximately 80 acre parcel also contains the Open Space land use designation, however no new developments or activities are proposed in that land use designation. The landscape setting is coniferous woodlands and the parcel has a recreation intensity class of 1.

The parcel is within the west conifer forest type, and all proposed activities are developed to be consistent with the requirements in Part II, Chapter 2, section X, including forest structure, leave trees, average down wood and average snags. No forest openings are proposed as a part of this application and no treatment activities will occur within the water resource buffers.

Unit 1 – 13 acres

Unit 2 – 10 acres

Species Composition

The softwood species within this Unit is primarily Douglas fir and is a typical younger second growth Douglas fir stand for this area with approximately 90% canopy closure. There is also a minor component of hard woods scattered along the edges and within the small openings.

Proposed Treatment

The proposed treatment is to harvest dead and down material for domestic uses. No heavy equipment would be used for the collection of this material. The proposed treatment would be limited to 5,000 board feet

After the removal of dead and down this unit will continue to be fully stocked and the vegetation will blend into the natural environment. The reduction in forest structure and existing landscape pattern will be indistinguishable.

No reforestation will be required as the stands will be fully stocked.

Land Use Designation

1. The following uses may be allowed on lands designated Forest subject to review for compliance with scenic, cultural, natural, and recreational resources guidelines. The use or development shall be sited to minimize the loss of land suitable for the production of forest products:

X. Forest practices in accordance with an approved forest practices application (see application requirements) and subject to the additional guidelines in this chapter.



(1) The following information, in addition to general site plan requirements (see Part II, Chapter 7: General Policies and Guidelines) shall be required:

(a) Delineate the following on a recent aerial photo or detailed map:

- (i) The size, shape, and exact location of the proposed treatment area including any clumps of leave trees to remain. If more than one silvicultural prescription is to be used, code each on the photo.
- (ii) Other important natural features of the subject parcel such as steep areas, streams, wetlands, rock outcrops, etc.
- (iii) Road and structure construction or reconstruction location.
- (iv) Location of proposed rock or aggregate sources.
- (v) Major skid trails, landings, and yarding corridors.
- (vi) Commercial firewood cutting areas.
- (vii) Protection measures for scenic, cultural, natural, and recreation resources, such as road closures.

(b) Describe the existing forest in terms of species, ages, sizes, landscape pattern (including how it fits into the surrounding landscape pattern) and canopy closure for all canopy layers.

(c) Describe how the forest practice will fit into the existing landscape pattern and how it will meet scenic and natural resource standards in Review Uses 1.X(4)(a-g) and 1.X(5)(a-d).

(d) Written silvicultural prescriptions with projected post-treatment forest condition specified in terms of species, ages, sizes, landscape pattern (including how it fits into the surrounding landscape pattern) and canopy closure for all canopy layers.

(e) Road and structure construction or reconstruction design.

(f) Existing and proposed rock pit development plans.

(g) A discussion of slash disposal methods.

(h) A reforestation plan as reviewed by the appropriate state forest practices agency.

(2) As part of the application, flag, stake or mark buffers, any trees or downed wood to be retained or removed (whichever makes the most sense), and areas for placing fill or removing material in preparation for a field visit by the reviewer.

Finding: The proposed forest practice qualifies as a Review Use. Forest practice guidelines 1 and 2 have been met in the Application provided by the



applicant. Forest practice guidelines 4-5 are addressed under the appropriate resource areas.

(3) Stewardship Plan Requirements: The following information, in addition to the applicable portions of the forest practice application requirements above and general site plan requirements (see Part II, Chapter 7: General Policies and Guidelines) shall be provided:

- (a) Outline the long-term goals, proposed operations, and future sustainability of the subject parcel.
- (b) Describe the time frame and steps planned to reach the long-term goals.
- (c) For Forest Practices, describe how the proposed activities fit into the long-term goals and sustainability of the parcel and forest health. The following shall be addressed:
 - (i) Describe the range of natural conditions expected in the forest in terms of tree species, structure, and landscape pattern.
 - (ii) Describe what the resulting tree species, structure, and landscape pattern will be after the proposed activities.
 - (iii) Give a clear explanation of how a deviation from the applicable guidelines may better achieve forest health objectives.
 - (iv) Give a clear explanation of how and why the proposed activities will move the forest towards its range of natural variability and result in reaching sustainability, resiliency to disturbances.
- (d) For clearing trees for new agricultural use, the following shall be addressed in addition to X(3)(a) and (b)above:
 - (i) Submit NRCS soil unit description and map for each soil unit affected by the proposed clearing or treatment.
 - (ii) Based on the needs of the operation, give a clear explanation as to the exact size of the clearing needed and how it will meet the natural and scenic requirements set forth in W(4)(a-d) in this chapter.
 - (iii) Describe in sufficient detail for evaluation the proposed agricultural use, the improvements needed on the parcel, timeline for its establishment, and its marketability.



- (iv) Show evidence that an agricultural specialist, such as the county extension agent, has examined and found the proposed agricultural use reasonable and viable.

Finding: A stewardship plan is not required for this application.

(4) For forest practices, the following scenic resource guidelines shall apply: (See Scenic Resources section)

(5) Forest practices shall maintain the following in addition to applicable natural resources guidelines in Part I, Chapter 4, SMA Natural Resources: (See Natural Resources section)

Finding: Forest practice guidelines 4-5 are addressed under the appropriate resource areas.

Scenery

SMA Design Guidelines Based on Landscape Settings

Finding: The site is within the Coniferous Woodland Landscape Setting.

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

A. Pastoral: Pastoral areas shall retain the overall appearance of an agricultural landscape.

- (1) The use of plant species native to the landscape setting. Examples of native species are identified in the Scenic Implementation Handbook as appropriate to the area shall be encouraged. The use of agricultural plant species in rows, as commonly found in the landscape setting is also encouraged.

Finding: The use of dead and down material for domestic uses will not alter the agricultural landscape and is not applicable. No new plantings are proposed, so A(1) is not applicable.

B. Coniferous Woodland and Oak-Pine Woodland: Woodland areas shall retain the overall appearance of a woodland landscape. New development and land uses shall retain the overall visual character of the natural appearance of the Coniferous Woodland and Oak-Pine Woodland landscape.

- (1) Buildings designed to have a vertical overall appearance in the Coniferous Woodland landscape setting and a horizontal overall appearance in the Oak-Pine Woodland landscape setting shall be encouraged.
- (2) Use of plant species native to the landscape setting. Examples of native species are identified in the Scenic Implementation Handbook as appropriate to the area shall be encouraged. Where non-native plants are used, they shall have native-appearing characteristics.



Finding: The proposal meets this guideline because the design criteria outlined as part of this project (applicable to all prescriptions) would ensure Coniferous Woodland areas shall retain the overall appearance of a woodland landscape. No new plantings are proposed, so B(2) is not applicable. Guidelines C-E are not applicable because there are no proposals within those landscape settings.

SMA Guidelines for Development and Uses Visible from KVAs

1. The guidelines in this section shall apply to proposed development on sites topographically visible from key viewing areas.

Finding: The landscape is topographically visible from the following Key Viewing Areas:

KVA	FOREGROUND	MIDDLEGROUND	BACKGROUND
Historic Columbia River Highway		x	
Columbia River		x	
Portland Women's Forum State Park		x	
Crown Point		x	
Rooster Rock State Park		x	
Highway I-84		x	
Larch Mountain			x
Washington State Route 14	x		

2. New development 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.

Finding: The proposed action will remove a limited amount of dead and down trees. This limited amount of removal will not adversely affect the viewshed from the key viewing areas and will meet the scenic standard requirements.

3. The required SMA scenic standards for all development and uses are summarized in the following table:

LANDSCAPE SETTING	LAND USE DESIGNATION	SCENIC STANDARD
Coniferous Woodland, Oak-Pine Woodland	Forest (National Forest Lands), Open Space	Not Visually Evident
River Bottomlands	Open Space	Not Visually Evident
Gorge Walls, Canyonlands, Wildlands	Forest, Agriculture, Public Recreation, Open Space	Not Visually Evident
Coniferous Woodland, Oak-Pine Woodland	Forest, Agriculture, Residential, Public Recreation	Visually Subordinate
Residential	Residential	Visually Subordinate
Pastoral	Forest, Agriculture, Public Recreation, Open Space	Visually Subordinate



River Bottomlands	Forest, Agriculture, Public Recreation	Visually Subordinate
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Finding: This proposal encompasses the landscape settings of Pastoral and Coniferous Woodlands and land use designations of Agriculture and public recreation, which have scenic standards of Visually Subordinate.

4. In all landscape settings, scenic standards shall be met by blending new development with the adjacent natural landscape elements rather than with existing development.

Finding: The project was designed to meet all criteria established in the Desired Forest Structure and Pattern Table of the Management Plan for the West Conifer Forest type, which has been documented this Consistency Review.

5. Proposed development or land uses shall be sited to achieve the applicable scenic standard. Development shall be designed to fit the natural topography, to take advantage of landform and vegetation screening, and to minimize visible grading or other modifications of landforms, vegetation cover, and natural characteristics. When screening of development is needed to meet the scenic standard from key viewing areas, use of existing topography and vegetation shall be given priority over other means of achieving the scenic standard such as planting new vegetation or using artificial berms.

Finding: No new developments are proposed as a part of this application. Additionally, scenery specific design criteria were established to ensure these scenic standards would be met. Currently, the areas are natural appearing and consistent with the characteristic features of the Coniferous Woodlands landscape settings.

6. The extent and type of conditions applied to a proposed development or use to achieve the scenic standard shall be proportionate to its degree of visibility from key viewing areas.

A. Decisions shall include written findings addressing the factors influencing the degree of visibility, including but not limited to:

- (1) The amount of area of the building site exposed to key viewing areas,
- (2) The degree of existing vegetation providing screening,
- (3) The distance from the building site to the key viewing areas from which it is visible,
- (4) The number of key viewing areas from which it is visible, and
- (5) The linear distance along the key viewing areas from which the building site is visible (for linear key viewing areas, such as roads).

B. Conditions may be applied to various elements of proposed developments to ensure they meet the scenic standard for their setting as visible from key viewing areas, including but not limited to:



- (1) Siting (location of development on the subject property, building orientation, and other elements),
- (2) Retention of existing vegetation,
- (3) Design (form, line, color, texture, reflectivity, size, shape, height, architectural and design details, and other elements), and
- (4) New landscaping.

Finding: No construction is proposed. A small number of existing dead and down material will be removed for domestic uses, however the quantity and scale of the removal will not alter the retention of the living vegetation or the overall canopy cover of the forested area will be impacted.

7. Sites approved for new development to achieve scenic standards shall be consistent with guidelines to protect wetlands, riparian corridors, sensitive plant or wildlife sites and the buffer zones of each of these natural resources, and guidelines to protect cultural resources.

Finding: No developments are proposed in protected areas or their buffer zones. The proposal is for the harvesting for domestic uses of dead and down material limited to less than 5,000 board feet. Consistency with guidelines for cultural resources and natural resources can be found in the applicable sections below. The visually subordinate scenic standard will be met. No additional conditions are required. Because there will be no adverse effects to scenic resources, there will be no adverse cumulative effects. Because there are no structures or developments proposed, guidelines 8-15 are not applicable.

SMA Guidelines for KVA Foregrounds and Scenic Routes

Finding: The proposal is within the foreground of SR-14.

1. All new development and land uses immediately adjacent to scenic routes shall be in conformance with state or county scenic route guidelines.

Finding: The proposed vegetation management is consistent with the applicable plans. There will be no structural developments or removal of standing live vegetation. Guidelines 2-6 are not applicable to the proposed action.

SMA Forest Practice Guidelines for Scenic Resources

(4) For forest practices, the following scenic resource guidelines shall apply:

- (a) Forest practices shall meet the design guidelines and scenic standards for the applicable landscape setting and zone (See Required SMA Scenic Standards table, SMA Guidelines for Development Visible from KVAs, SMA Scenic Resource Provisions, Part I, Chapter I).

Finding: The proposal to harvest a limited amount of dead and down will not affect the landscape setting or scenic standards. All scenic conditions for forest practices are met.



(b) In the western portion (to White Salmon River) of the SMA Coniferous Woodland Landscape Setting, no more than 8% of the composite KVA viewshed from which the forest practice is topographically visible shall be in created forest openings at one time. The viewshed boundaries shall be delineated by the Forest Service.

Finding: No forest openings are proposed for this dead and down harvest activity.

Guidelines (c) through (g) are specific to forested openings, which are not proposed and are not applicable.

Cultural

SMA Guidelines

1. All cultural resource surveys, evaluations, assessments, and mitigation plans shall be performed by professionals whose expertise reflects the type of cultural resources that are involved. Principal investigators shall meet the professional standards published in 36 CFR 61.
2. For federal or federally assisted undertakings, the reviewing agency shall complete its consultation responsibilities under Section 106 of the Historic Preservation Act of 1966 [36 CFR 800.2].
3. Discovery during construction: All authorizations for new developments or land uses shall require the immediate notification of the reviewing agency if cultural resources are discovered during construction or development. If cultural resources are discovered, particularly human bone or burials, work in the immediate area of discovery shall be suspended until a cultural resource professional can evaluate the potential significance of the discovery and recommend measures to protect and if possible recover the resource. If the discovered material is suspected to be human bone or a burial, the following procedures shall be used:
 - A. The applicant shall stop all work in the vicinity of the discovery.
 - B. The applicant shall immediately notify the Forest Service, the applicant's cultural resource professional, the county coroner, and appropriate law enforcement agencies.
 - C. The Forest Service shall notify the tribal governments if the discovery is determined to be an Indian burial or a cultural resource.
4. Reviewing agencies shall use the [...] steps under 36 CFR 800.4 for assessing potential effects to cultural resources and 36 CFR 800.5 for assessing adverse effects to cultural resources. [The Management Plan includes descriptions of these steps. The descriptions have been removed from this document.]
5. Determination of potential effects to significant cultural resources shall include consideration of cumulative effects of proposed developments that are subject to any of the following: 1) a reconnaissance or historic survey; 2) a determination of significance; 3) an assessment of effect; or 4) a mitigation plan.

Finding: The Forest Service heritage program manager reviewed the proposal and determined that a reconnaissance survey was not required as part of this project. Guideline



is met. Because there would be no anticipated effects to cultural resources, there would be no cumulative effects.

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 Department 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.

Natural Resources

SMA Guidelines: Water Resources / Wildlife and Plants

1. All new development and uses, as described in a site plan prepared by the applicant, shall be evaluated using the following guidelines to ensure that natural resources are protected from adverse effects. Cumulative effects analysis is not required for expedited review uses or development. Comments from state and federal agencies shall be carefully considered. (Site plans are described under “Review Uses” in Part II, Chapter 7: General Policies and Guidelines.)

2. Water Resources (Wetlands, Streams, Ponds, Lakes, and Riparian Areas)

A. All Water Resources shall, in part, be protected by establishing undisturbed buffer zones as specified in 2.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.

(2) Buffer zones shall be measured outward from the bank full flow boundary for streams, the high-water mark for ponds and lakes, the normal pool elevation for the Columbia River, and the wetland delineation boundary for wetlands on a horizontal scale that is perpendicular to the wetlands, stream, pond, or lake boundary. On the main stem of the Columbia River above Bonneville Dam, buffer zones shall be measured landward from the normal pool elevation of the Columbia River. 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.

(c) 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.
- (3) The buffer width shall be increased for the following:
 - (a) When the channel migration zone exceeds the recommended buffer width, the buffer width shall extend to the outer edge of the channel migration zone.
 - (b) 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.
 - (c) 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.
- (4) Buffer zones can be reconfigured if a project applicant demonstrates all the following: (1) the integrity and function of the buffer zone 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.
- (5) 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 rare wildlife/plant or water resource, (2) describes the biology of the rare 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.
- (6) The local government shall submit all requests to re-configure rare 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 local government 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 local government shall justify how it reached an opposing conclusion.



Finding: There are no proposed activities within the 200' perennial and 50' intermittent water resource buffers. All water resource guidelines are met. A condition is added that if any streams are identified in the field during implementation, regardless of being mapped, they should be provided the applicable buffers.

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.

Finding: Buffer zones are not proposed for disturbance. Guideline is met.

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

Finding: Applicable buffer areas were applied to the water resources and removed from harvest units. Guideline is met.

D. Wetlands Boundaries shall be delineated using the following:

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

(2) 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.

(3) 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 'Corps of Engineers Wetland Delineation Manual (on-line edition)' and applicable Regional Supplements.

(4) All wetlands delineations shall be conducted by a professional who has been trained to use the federal delineation procedures.

Finding: All known water resources were avoided in the developments of Unit 1 & 2. The proposal meets this guideline and was developed using the appropriate data. Guidelines E-I are not applicable because there are no activities proposed within the water resource buffers.

3. Wildlife and Plants

A. Protection of wildlife/plant areas and sites shall begin when proposed new development or uses are within 1000 feet of a rare wildlife or rare plant area or site. Rare wildlife areas are those areas depicted in wildlife data, including all sensitive wildlife sites and Priority Habitats listed in this Chapter. The approximate locations of rare wildlife and rare plant areas and sites are shown in wildlife and rare plant data.

Finding: No known rare plant or wildlife sites are within 1000 feet of the proposed activities.



B. The local government shall submit site plans (of uses that are proposed within 1,000 feet of a rare wildlife or rare plant area or site) for review to the Forest Service and the appropriate state agencies (Oregon Department of Fish and Wildlife or the Washington Department of Wildlife for wildlife issues and by the Oregon Biodiversity Information Center or Washington Natural Heritage Program for plant issues).

Finding: Site plans for project activities were submitted to the Forest Service and appropriate state agencies. Guideline is met.

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

- (1) Identify/verify the precise location of the wildlife or plant area or site,
- (2) Determine if a field survey will be required,
- (3) 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 effects (including cumulative effects) to the wildlife and plant area or site. This would include considering the time of year when wildlife and plant species are sensitive to disturbance, such as nesting and rearing seasons, or flowering season, and,
- (4) Delineate the undisturbed 200-ft buffer on the site plan for rare plants or the appropriate buffer for rare wildlife areas or sites, including nesting, roosting, and perching sites.
 - (a) 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.
 - (b) 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 rare wildlife/plant or water resource, describes the biology of the rare 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 to the water resource and its long-term function.



(c) The local government shall submit all requests to re-configure rare 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 local government will make a final decision on whether the reduced buffer zone is justified. If the final decision contradicts the comments submitted by the federal and state agencies, the local government shall justify how it reached an opposing conclusion.

Finding: The Wildlife Biologist for the Columbia River Gorge National Scenic area reviewed the project proposal and determined project activities meet these criteria. Riparian areas within project area are buffered from project work. Although project work is close to priority habitats, no work will be done in those areas or their buffer zones. There are no sensitive plant species within 1000 feet of the project. Guideline is met.

D. The local government, in consultation with the state and federal wildlife biologists and botanists, shall use the following criteria in reviewing and evaluating the site plan to ensure that the proposed development or uses do not compromise the integrity and function of or result in adverse effects to the wildlife and plant area or site:

- (1) Published guidelines regarding the protection and management of the affected wildlife/plant species. Examples include: the Oregon Department of Forestry management guidelines for osprey and great blue heron; Washington Department of Wildlife guidelines for a variety of species, including the western pond turtle, the peregrine falcon, and the Larch Mountain salamander.
- (2) Physical characteristics of the subject parcel and vicinity, including topography and vegetation.
- (3) Historic, current, and proposed uses in the vicinity of the rare wildlife/plant area or site.
- (4) Existing condition of the wildlife/plant area or site and the surrounding habitat of the area or site.
- (5) 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.
- (6) The site plan is consistent with published guidance documents such as "Oregon Guidelines for Timing of In-Water Work to Protect Fish and Wildlife Resources" (Oregon Department of Fish and Wildlife 2008 or most recent version) and Washington's Aquatic Habitat Guidelines (2002 or most recent version).



(7) 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.

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

(9) Maintain, protect, and enhance the integrity and function of Priority Habitats as listed on the following Priority Habitats Table 1. 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.

Finding: The project area is not in old-growth forest, riparian areas are buffered from project work, only dead and down material will be removed and an appropriate number of down logs will be maintained because only a small portion will be removed. The project work area is not on talus outcrops or on cliffs. The proposal will not compromise the integrity and function of or result in adverse effects to any wildlife or plant area or site. Guideline is met.

E. The wildlife/plant protection process may terminate if the local government, in consultation with the Forest Service and state wildlife agency or heritage program, determines (1) the rare 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, or (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 local government shall incorporate them into its development review order and the wildlife/plant protection process may conclude.

Finding: The project is not within a rare wildlife area or their buffer and will not compromise the integrity of any protected wildlife. Guideline is met.

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.

Finding: Guidelines is not applicable because the measures will protect species.

G. The local government shall submit a copy of all field surveys (if completed) and mitigation plans to the Forest Service and appropriate state agencies. The local government 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 its development review order.



Finding: No field surveys are required as part of this project. The appropriate state agencies have been made aware of the proposed project. The project is consistent with wildlife policies and guidelines.

H. Based on the comments from the state and federal wildlife agency/heritage program, the local government 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 local government shall justify how it reached an opposing conclusion.

Finding: No rare wildlife or plant area will be impacted by the proposed project. Guideline is met.

I. The local government shall require the project applicant to revise the mitigation plan as necessary to ensure that the proposed use would not adversely affect a rare wildlife/plant area or site.

Finding: Past activities that occurred on this property, including unpermitted road building and the mitigation and restoration effects from that action have been mitigated. No proposed activities are included in the water resource buffer that was impacted by the previous unpermitted bridge or their mitigation efforts. Guideline is met.

4. Soil Productivity

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: No road or trail construction, reconstruction, development, maintenance or improvements are proposed as a part of this project. Additionally, no proposed activities are located within the water resource buffers, which will protect water resources and soil productivity and stream sedimentation. Guideline is met.

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.



Finding: A practicable alternative test was not required because there are no activities located within protected buffers. Guideline is met. Guideline 2 is not applicable.

Mitigation Plan

1. Mitigation Plans shall be prepared when:

A. The proposed development or use is within a buffer zone (wetlands, ponds, lakes, riparian areas, or wildlife or plant areas or sites).

B. There is no practicable alternative (see the “practicable alternative” test).

Finding: A mitigation plan was not required because there were no proposed activities within protected buffers. Guideline is met. Guidelines 2-9 are not applicable.

SMA Forest Practice Guidelines for Natural Resources

(5) Forest practices shall maintain the following in addition to applicable natural resources guidelines in Part I, Chapter 3, SMA Natural Resources:

(a) Silvicultural prescriptions shall maintain the desired natural forest stand structures (tree species, spacing, layering, and mixture of sizes) based on forest health and ecosystem function requirements. Forest tree stand structure shall meet the requirements listed in the Desired Forest Structure and Pattern Table for each vegetation type. Forest tree stand structure is defined as the general structure of the forest in each vegetation type within which is found forest openings.

(b) Created forest openings shall be designed as mosaics not to exceed the limits defined as Desired in the Desired Forest Structure and Pattern Table unless proposed as a deviation as allowed under the scenic resource guideline in Review Uses 1.X(4)(f).

(c) Snag and down wood requirements shall be maintained or created as listed in the Desired Forest Structure and Pattern Table for each vegetation type.

(d) If the treatment is proposed to deviate from the snag and down wood requirements based on forest health or ecosystem function requirements, a Stewardship Plan shall be required and shall demonstrate why a deviation from the snag and down wood requirements is required.

Finding: The following table addresses the applicable standards for the West Conifer Forest type identified in the Desired Forest Structure and Pattern Table from the Management Plan. The proposal meets the forest practice requirements and guidelines because the harvest activities for each unit was developed to meets all criteria for Western Conifer. Each specific measure is identified below.

Desired Forest Structure Table (West Conifer)

CATEGORY	MP REQUIREMENTS	PROPOSED	FINDING
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Forest Structure (Average % total canopy closure (cc))	60-80% canopy closure, Understory layer variable (0-60% of total cc)	No change to existing forest canopy closure.	Consistent
Forest Openings	Retain forested character. Allow openings up to 15 acres (up to 5 acres in the foreground of KVAs) Openings retain 15-40% canopy closure	No forest openings proposed as part of this application.	Consistent
Leave Trees	Leave 15% of existing trees per acre throughout opening and in clumps Include 3 trees per acre of the largest size trees available (Includes all available remnant old forest)	No live trees would be removed as a part of this application.	Consistent
Average Down Wood (per acre)	18- 25 pieces greater than 20" dbh and at least 30 feet long, scattered	The application is limited to less than 5000 board feet (less than 4 cords of wood), which over the two units (13 acres and 10 acres) would not measurably reduce the amount of average down wood.	Consistent
Average Snags (per acre, conifers, 20-40ft in height)	10 snags at 10"-20" dbh, and 7 snags greater than 20" dbh	The application is for the removal of dead and down. No snags will be removed.	Consistent

Recreation

SMA Guidelines

1. New development and land uses shall not displace existing recreational use.

Finding: There are no system trails or developed recreation sites within or adjacent to the project area and will not displace existing recreational use or impact recreational access. The guideline is met. Guidelines 3-9 are not applicable because no recreation uses are proposed.



2. Recreation resources shall be protected from adverse effects by evaluating new development and land uses as proposed in the site plan. An analysis of both onsite and offsite cumulative effects shall be required.

Finding: Proposal meets this guideline. There are no national forest system trails or developed recreation sites within or adjacent to the project area and therefore, no onsite adverse impacts are anticipated.

Recreation Intensity Classes SMA Guidelines

2. Recreation Intensity Class 2 (Low Intensity)

Social Setting: RIC 2 is characterized by opportunities to experience relaxation, physical fitness, and outdoor learning and where there is a moderate probability to experience solitude. Visitor encounters are low to moderate on trails and away from developed recreation sites and roads. Usually and moderate to high near (within 1 mile) recreation sites and roads.

Physical and Managerial Setting: Predominately natural/natural appearing landscapes with rustic improvements characterize this designation. Nodes of highly developed recreation facilities may be allowed. Developed recreation site regulations and controls (signing, regulations or other regimentation) harmonize with the natural characteristics of the landscape setting. Away from developed recreation sites there is minimal or subtle control of users. Trails are moderately developed (native surface or gravel, trail bridges and other facilities are provided for user convenience). Trail use is typically low to moderate. Trails are suitable for a wide range of users and are challenging and involve intermediate to advance skills. The following uses may be permitted.

A. The maximum design capacity for parking areas shall be 25 vehicles. All uses permitted in Recreation Intensity Class 1 are permitted in Recreation Intensity Class 2. The following uses may also be permitted:

- (1) Campgrounds for twenty (20) units or less, tent sites only.
- (2) Boat anchorages designed for no more than 10 boats at one time.
- (3) Swimming areas.
- (4) Accommodations for mass transportation facilities should be considered where compatible with the social and physical settings.

Finding: Proposal is on lands designated as Recreation Intensity Class 2. There is no recreation development proposed as part of this project. Guideline is met. Recreation Intensity Class Guidelines 1, 3-4 do not apply to this project because project is only proposed on lands designated as RIC 2.



Conclusion

The proposed activities as part of the Hoyte Dead and Down SMA Forest Practice are 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.



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