



Hood River County Community Development

Planning, Building Codes, Code Compliance, Economic Development & GIS
601 State Street, Hood River OR 97031

ERIC WALKER, DIRECTOR
(541) 387-6840 • FAX (541) 387-6873
E-mail: plan.dept@co.hood-river.or.us

July 9, 2020

Oregon Department of Transportation, Region 1
c/o Terra Lingley
123 NW Flanders Street
Portland, OR 97209

Re: National Scenic Area Land Use Permit #415-19-00162

Pursuant to the requirements of Article 75 (*National Scenic Area*) of the Hood River County Zoning Ordinance and based upon the findings of fact and conclusions of law in the enclosed staff report, your application to construct a portion of the Historic Columbia River Highway State Trail between Viento State Park (Segment E) and Mitchell Point Crossing (Segment F) has been **tentatively approved**, subject to compliance with the following conditions:

1. This approval includes the following activities:

- Grade, pave, and install drainage for a 4.13-mile-long asphalt multi-use trail connecting Historic Highway segments. The paved trail would be a maximum of 12 feet wide with 2-foot gravel shoulders on each side (16-foot-wide corridor). Grades along the path would generally be up to 5.0 percent;
- Incorporate remnant abandoned sections of the Historic Highway in the trail alignment;
- Redesign the existing trailhead at the Viento State Park Parking lot (Exit 56 Interchange of Interstate 84) that includes reconstructing portions of the trail to the south of the existing parking lot and extending the trail east across an existing box culvert over Viento Creek;
- Separate the access to the Viento State Park Maintenance Facility from portions of the trail;
- Make improvements to the South Viento State Park Campground that include changes to the layout, adding paved back-in vehicular parking at the sites, adding a campground host site, and adding a new information kiosk at the entrance to the campground;
- Construct a new restroom in the South Viento State Park Campground that includes (4) single-user flushing bathrooms, drinking water fountains, and a maintenance room at the location of the existing restroom;
- Remove and revegetate existing user-created trails adjacent to the South Viento State Park Campground. Construct a low-impact gravel trail and eight (8) hiker/biker low-impact gravel camp pads south of the South Viento State Park Campground. Construct three-sided shelters in four (4) of the hiker/biker gravel camp pads. Install a “bike pod” – which consists of a kiosk with lockers and a bench to serve hiker/biker gravel camp pads;
- Make improvements to the existing Oregon Parks and Recreation Department (OPRD) Viento State Park Maintenance Facility, including grading, paving to improve parking and

circulation, existing structure improvements and expansion, fencing, and vegetative screening from the new trail section;

- Install rockfall fences, bolt rocks, and rockfall mesh throughout the trail alignment to mitigate rockfall hazards both on the trail and adjacent to Interstate 84 (I-84) and install temporary rock containment devices during construction;
- Redesign the existing Mitchell Point Parking lot/trailhead to accommodate 18 parking spaces. The redesign also includes off-ramp paving, installation of wayfinding signs, construction of stone masonry railing, and construction of a scenic overlook on the west side of Mitchell Point (Exit 58 interchange of I-84);
- Replace the single vault toilet at the Mitchell Point Parking lot/trailhead with a larger double vault toilet;
- Construct a 661-foot-long tunnel through Mitchell Point including five adits (windows);
- Stabilize cut/fill slopes from trail construction throughout the trail alignment;
- Construct retaining walls including rockery walls, mechanically stabilized earth (MSE) walls, and vegetated reinforced soil slope walls as needed for trail construction;
- Install concrete retaining walls with architectural form liner faces to separate the proposed trail from adjacent I-84 traffic in areas where the trail is directly adjacent to I-84;
- Construct two pedestrian and bicycle bridges, one over Perham Creek (72 feet long) and one over Mitchell Creek (43 feet long);
- Replace and lengthen the existing culvert at an unnamed creek at Mitchell Point entrance (Exit 58 Interchange of I-84);
- Install a new culvert for an unnamed creek at the west end of Mitchell Point Drive;
- Stain an existing binwall at milepost 55.1 on I-84;
- Restore native vegetation by removing weeds and restoring habitats;
- Install various interpretation and informational signage throughout the trail alignment;
- Complete various landscaping improvements throughout the trail alignment.

2. **Prior to commencing construction activities**, 100 percent final design shall be submitted to the County for review to ensure consistency with the tentatively approved plans. Your request is tentatively approved as described in your submitted application and depicted on your site plans, elevation drawing, and engineering details, dated July 9, 2020 (see enclosures of this decision). No increases or significant changes to the size, scope, or location of the approved trail or related improvements shall be made, unless otherwise approved through a new Administrative Action or determined to be a minor amendment pursuant to Article 75, Section 140 of the Hood River County Zoning Ordinance.
3. **Prior to commencing construction activities**, natural resources specialists shall review the trail alignment and clearly flag with construction fencing or other material all sensitive resource and protected areas, including, but not limited to: streams, wetlands, talus slopes, and cliff buffers. The applicant shall also conduct a pre-construction conference and site walk-through with the project contractor(s) and specialized natural resource sub-contractors to evaluate the site, review the project construction plans, and design special provisions to protect all identified affected natural resources within the project corridor.
4. **Prior to commencing construction activities**, the work-limit boundaries around all historic or cultural resources shall be clearly flagged, as recommended in the Cultural Resources Report (2020-017), dated April 24, 2020.

5. Due to the project's proximity to significant cultural features identified in the Cultural Resources Report (2020-017) dated April 24, 2020, a qualified archaeologist must be onsite to monitor all project activities and site limits should be flagged for avoidance at specific sites, as recommended in the Cultural Resources Report (2020-017).
6. **Prior to commencing construction activities**, the construction crews should be trained/briefed on the contents and importance of the Inadvertent Discovery Plan (IDP) included in Appendix F of the cultural resource survey report entitled "Historic Columbia River Highway State Trail Project, Segments E and F (Viento State Park to Mitchell Creek, Mitchell Creek to Mitchell Point Tunnel, and Mitchell Point East to I-84 Undercrossing), Hood River, County, Oregon", prepared by Jaime Kennedy, Thomas J. Connolly, Heather Butler, Christopher L. Ruiz, with the University of Oregon, Museum of Natural and Cultural History (Museum Report 2020-017).
7. The following procedures shall be implemented should cultural resources (non-human) are discovered during construction activities.

A. Halt of Construction. All construction activities within 100 feet of the discovered cultural resource shall cease. The cultural resources shall remain as found; further disturbance is prohibited.

B. Notification. The project applicant shall notify the USFS CRGNSA Heritage Program Manager, Chris Donnermeyer at 541-308-1711, Christopher.donnermeyer@usda.gov within 24 hours of the discovery. If the cultural resources are pre-contact or otherwise associated with Native Americans, the project applicant shall also notify the tribal governments within 24 hours.

C. Survey and Evaluation. A survey and evaluation of the cultural resources shall be completed after obtaining written permission from the landowner and appropriate permits from the SHPO. (See Oregon Revised Statute [ORS] 273.705, ORS 358.905 to 358.955, and Revised Code of Washington [RCW] 27.53). The survey and evaluation shall gather enough information to evaluate the significance of the cultural resources. The survey and evaluation shall be documented in a report that generally follows the guidelines in the "Reconnaissance Survey Reports--Large-Scale Uses" and "Evaluation of Significance: Evaluation Criteria and Information Needs" sections within the Management Plan for the Columbia River Gorge National Scenic Area, Chapter 2.

Based on the survey and evaluation report and any written comments, USFS in consultation with appropriate agencies shall make a final decision on whether the resources are significant. Construction activities may recommence if the cultural resources are found to be not significant. A mitigation plan shall be prepared if the affected cultural resources are significant.

D. Mitigation Plan. Mitigation plans shall be prepared according to the information, consultation, and report guidelines contained in the "Mitigation Plans: Mitigation Plan Criteria and Information Needs" section within the Management Plan for the Columbia River Gorge National Scenic Area, Chapter 2. Construction activities may recommence when the conditions in the mitigation plan have been executed.

8. The following procedures shall be implemented when human remains are discovered during a cultural resource survey or during construction. Human remains means articulated or

disarticulated human skeletal remains, bones, or teeth, with or without attendant burial artifacts.

A. Halt of Activities. All survey, excavation, and construction activities shall cease. The human remains shall not be disturbed any further.

B. Notification. Local law enforcement officials, USFS, Hood River County, and the Indian tribal governments shall be contacted immediately.

C. Inspection. The county coroner, or appropriate official, shall inspect the remains at the project site and determine if they are pre-contact/historic or modern. Representatives from the Indian tribal governments shall have an opportunity to monitor the inspection.

D. Jurisdiction. If the remains are modern, the appropriate law enforcement officials shall assume jurisdiction and the cultural resource protection process may conclude.

E. Treatment. In Oregon, pre-contact/historic remains of Native Americans shall generally be treated in accordance with the procedures set forth in ORS 97.740 to 97.760.

If the human remains will be reinterred or preserved in their original position, a mitigation plan shall be prepared in accordance with the consultation and report requirements specified in the "Mitigation Plans: Mitigation Plan Criteria and Information Needs" section within the Management Plan for the Columbia River Gorge National Scenic Area, Chapter 2.

The mitigation plan shall accommodate the cultural and religious concerns of Native Americans. The cultural resource protection process may conclude when the conditions set forth in the "Mitigation Plans: Conclusion of the Cultural Resource Protection Process" section within the Management Plan for the Columbia River Gorge National Scenic Area, Chapter 2 are met and the mitigation plan is executed.

9. All signage shall be placed in compliance with the applicant's approved site plans and designed to conform to the Graphic Signing System and Historic Columbia River Highway State Trail Wayfinding Signage Plans, adopted by the Historic Columbia River Highway Advisory Committee in March 2013.
10. The backs and posts of all proposed signs shall be painted a dark earth-tone color to be visually unobtrusive, non-reflective, and blend in with the setting.
11. All of the proposed signage in the application addendum submitted by ODOT on May 5, 2020 that is intended to dissuade informal parking along Mitchell Point Drive shall be consistent with the Manual for Uniform Traffic Control Devices, which is allowed without NSA review. If additional signage that falls outside of the Uniform Traffic Control Devices and development is required to dissuade informal parking along Mitchell Point Drive, a minor modification to this approval may be required to ensure compliance with NSA requirements.
12. Except as otherwise stated, all structures shall either painted a color(s) or composed of materials that are dark earth-tones found at the specific site or the surrounding landscape, such as dark browns, dark green, or dark grays.
13. **Prior to commencing construction activities**, a color sample and test panels for all concrete

work on this project shall be provided to the County and USFS for review and approval to ensure compliance with applicable color requirements discussed in the previous condition. The USFS has recommended Federal Standard Color FS36081 for this work.

14. The following Federal Standard Colors shall be used on the proposed buildings at South Viento Campground Building and Maintenance Facility and Mitchell Point Trailhead restrooms to meet applicable landscape setting standards:

South Viento Campground and Maintenance Facility Buildings

- 34083 – at shakes/siding
- 34079 – at trim
- 34084 – at doors, fascia/eves
- 34083 – fuel station
- Stain on cedar members- Penofin Ultra Premium Red Label (color transparent cedar).
- Decra shingle xd: classic cobblestone - roof

3-sided bike shelters and “bike pod” proposed for South Viento Campground

- 34083 – at shakes/siding
- 34079 – at trim
- 34084 – fascia/eves
- Stain on cedar members- Penofin Ultra Premium Red Label (color transparent cedar).
- Decra shingle xd: classic cobblestone - roof

Mitchell Point Trailhead Restroom:

- 34083 – at siding
- 34079 – at trim
- 34084 – at doors, fascia/eves

Additionally, any metal or reflective surfaces (on roofing or exterior) of these structures shall be painted and/or coated with a non-reflective material to meet landscape setting standards.

15. All exterior lighting shall be sited, limited in intensity, shielded, or hooded in a manner that prevents lights from being highly visible from key viewing areas and from noticeably contrasting with the surrounding landscape setting.
16. No lighting has been approved for the Mitchell Point Tunnel. Any future lighting proposed for the tunnel would require a new Administrative Action or need to be determined to be a minor amendment pursuant to Article 75, Section 140 of the Hood River County Zoning Ordinance.
17. All metal railing shall be finished with non-reflective material or painted/treated with a matte finish to help minimize potential reflectivity and to blend with the natural landscape.
18. White painted guardrails may only be used on those portions of the proposed trail located along the original HCRH alignment.
19. All proposed MSE walls shall be finished with darkened stone architectural finish.

20. Any structural concrete and exposed aggregate shall be colored to match the surrounding terrain as detailed in Condition #13 above.
21. All stone masonry shall include local basalt and be of an irregular, random coursed pattern to best reflect the natural qualities of local stone.
22. The Mitchell Point tunnel portals shall use a combination of colors and texture treatments that blend in with the adjacent Mitchell Point rock face while still being compatible with the nearby trail masonry retaining wall.
23. All rockfall mesh and rockfall mitigation elements shall be treated with an approved weathering agent to achieve a color found in the landscape and blend with the rock face.
24. Rockfall mesh shall be attached to the rock face to the maximum extent possible, to avoid a waterfall effect that is evident to the casual viewer in I-84, without compromising its intended function.
25. To the greatest extent possible, the different types/shapes of rockfall mesh should be similar in nature and the seams of the rockfall mesh shall be sewn and not overlapped to reduce vertical lines in mesh.
26. To the greatest extent possible, all rockfall attenuation fences should be designed and installed in such a way as to not protrude above the line of a bluff, cliff or skyline as seen from key viewing areas.
27. **Prior to completing the project**, the following actions shall be implemented:
 - A. Treatment shall be applied to the existing silver gabion baskets on hillside above the Summit Creek Viaduct to be a dark earth toned color found in the landscape.
 - B. The eastbound I-84 Binwall between Starvation Creek and Viento Park shall be stained dark brown to match the work done on the FHWA Segments A-C project.
 - C. All new and existing concrete shoulder barriers shall be stained dark brown like the work done on the FHWA Segments A-C project and install tapered barrier ends to soften vertical lines.
 - D. All structures and components of the project (walls, bridges, stormwater pipe ends, anything visible) shall have appropriate architectural finish that is dark earth tone color and blends in with the landscape.
28. **Prior to commencing construction activities**, final mitigation and planting plans shall be provided to USFS for review and approval. Confirmation of the USFS approval shall be forwarded to the County Planning Department. All replanting and mitigation activities and timelines occur as outlined in the applicant's approved mitigation plan and landscaping plan.
29. **Prior to commencing construction activities**, all sensitive plants found in construction areas shall be salvaged, transplanted to suitable onsite habitat, and monitored to ensure successful establishment of at least 75 percent of the plants.
30. All improvements located within and adjacent to the I-84 roadway prism shall be constructed in compliance with applicable I-84 Corridor Strategy Design Guidelines.

31. All improvements located outside of the I-84 roadway prism shall be constructed in compliance with the scenic guidelines of Visually Subordinate or Not Visually Evident. To achieve the applicable visual objective, the applicant shall ensure that all planted vegetation is appropriately located and sized to provide sufficient screening within 5 years or less from the date that project construction commences.
32. No trees 12 inches diameter breast height (dbh) or greater shall be removed except for those identified on the applicant's final mitigation and planting plans (See condition #28 above), unless otherwise deemed necessary for safety purposes. To the extent practicable, all other existing tree cover and vegetation shall be retained and protected from damage. All other trees or bushes needing to be removed or limbed shall be the minimum necessary to complete the project, especially for those located between the trail and I-84.
33. The applicant is responsible for ongoing maintenance and survival of the planted vegetation, and the replacement of vegetation that does not survive.
34. At least half of any trees planted for screening purposes are native and coniferous species.
35. Tree removal and blasting shall only occur outside of bird nesting seasons (March 1 – July 15).
36. Stumps visible from I-84 should be flush cut.
37. Existing down wood should be retained onsite and kept whole.
38. Any trees or limbs cut for access purposes should not be bucked, but left where they are felled or moved aside if needed for safety or operational purposes.
39. The restoration sites proposed to mitigate for buffer impacts located within the project corridor shall occur as described in the applicant's approved mitigation plan, dated June 2019 and included as Attachment I in the application materials. All restoration and enhancement work shall commence within 1 year of starting the project and be completed within the timeframes provided in the applicant's approved mitigation plan, unless an extension of time is granted by the County Planning Director.
40. All disturbed areas shall be revegetated immediately upon completing the project (or as soon as possible thereafter if the project is completed during the winter months) with at least 80 percent vegetative coverage within 1 year.
41. Upon completing construction at each individual project site, all disturbed areas shall be immediately re-graded to their pre-excavation condition and stabilized with a weed-free mulched or composed to prevent erosion. At the same time or as soon as possible thereafter, all disturbed areas shall then be reseeded with a native seed mix approved by USFS Scenic Area Office and replanted as described in the applicant's approved landscaping plan and approved mitigation plan.
42. The applicant is responsible for ongoing implementation, maintenance, and monitoring of mitigation activities, including the preparation and submittal of monitoring reports to the County for distribution and review by USFS at least every 3 years until documentation shows that the proposed enhancement plantings have been successfully established.

43. All erosion control measures shall be in place during all phases of construction and occur as described/shown on the applicant's final erosion control plan, (Attachments B & C of the application materials), including the use of Best Management Practices along stream and wetland buffers to prevent sedimentation from entering nearby water features. Structures used for this purpose shall not be left on the site permanently.
44. All applicable ODOT standard erosion control measures shall be followed to protect the soils and prevent any soil movement or degradation because of the proposed project.
45. The amount of excavation required to construct the proposed trail and related improvements shall be the minimum necessary to complete the project.
46. No construction debris, untreated construction drainage or run-off, or any other water-quality impacting material shall be allowed in any creek during construction.
47. Equipment shall neither be refueled nor fuel allowed to be stored within 150-feet of streams.
48. Wash water from concrete and other activities shall not be allowed to enter streams.
49. For public safety, signs shall be posted to alert trail users when activities are occurring on or near trails.
50. It is the applicant's responsibility to ensure that public access and parking are restricted along all temporary access roads visible along I-84.
51. The applicant shall operate in compliance with the Contractor Staging Plan submitted with the application materials. Contractor trailers, shipping containers, temporary portable offices, dumpsters, portable toilets and other similar temporary facilities that occupy a staging site for more than 14 calendar days must have dark earth toned exteriors that reduce visual impacts. The primary staging area that includes contractor's trailers, portable offices, large material storage, dumpsters, and similar construction equipment shall be placed in the Wyeth Staging Site #1 as identified in the Contractor Staging Plan.
52. This approval does not condone nor require interference with existing easements, covenants, deeds, or restrictions of record, which may affect this, or adjacent properties.
53. Please note that this decision should not be construed as a guarantee of approval of any future application involving the Historic Columbia River Highway State Trail. The size, scope, location, and design of the future trail and related features will need to be evaluated based on their own merits given applicable requirements of Article 75 of the Hood River County Zoning Ordinance.

Failure to comply with any of the above conditions can void this approval.

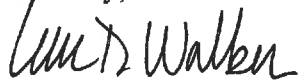
Approval does not condone nor require interference with existing easements, covenants, deeds, or restrictions of record that affect this or adjacent properties.

The above decision is final unless appealed to the Hood River County Planning Commission by you or anyone with standing within fifteen (15) days of this decision. The filing fee for an appeal

is \$250.00. No development shall be initiated within this appeal period.

If you have any questions regarding this decision, please contact Nick Kraemer, Principal Planner, at (541) 387-6875 or nick.kraemer@co.hood-river.or.us.

Sincerely,



Eric Walker, Community Development Director

Enclosures: Staff Report, Dated July 9, 2020

Tentatively Approved Site Plan/Vicinity Map, Dated July 9, 2020

Tentatively Approved Cover Page of Detailed Construction Plans -70% design*

(*Full version available upon request)

Attachment "A" – May 5, 2020 Addendum: Signage along Mitchell Point Drive

Attachment "B" – Written Comments Received (*Applicant Only*)

cc: Krystyna Wolniakowski, Columbia River Gorge Commission (*via email*)
Chris Donnermeyer, USFS National Scenic Area Office (*via email*)
Robin Shoal, Morai Helfen, Casey Gatz, USFS National Scenic Area Office (*via email*)
Brian Beebe and Duane Ely, County Dept. of Records and Assessment (*via email*)
Steven McCoy, Friends of the Columbia Gorge (*via email*)
Christian Nauer, Confederated Tribes of Warm Springs (*via email*)
Nakia Williamson, Nez Perce Tribe (*via email*)
Casey Barney, Yakama Indian Nation (*via email*)
Kristen Tiede, Confederation of Tribes of the Umatilla Indian Reservation (*via email*)
Andy von Flotow, Adjacent Property Owner (*via email and US mail*)



**Before the Planning Director
Hood River County, Oregon**

STAFF REPORT

Administrative Action: National Scenic Area Land Use Permit application for the Oregon Department of Transportation (ODOT) to construct a portion of the Historic Columbia River Highway State Trail between Viento State Park (Segment E) and Mitchell Point Crossing (Segment F).

On the 9th day of July 2020, the above request came before Hood River County as an administrative action pursuant to Article 75 (*National Scenic Area*) of the Hood River County Zoning Ordinance (“HRCZO”).

Due notice was given, and evidence and comments were submitted and placed in the record. Based upon this information, the following Findings of Fact, Conclusions of Law, and Recommendation are made.

I. BACKGROUND:

A. Request: The subject of this application is the proposed development of the Historic Columbia River Highway State Trail from Viento State Park to Mitchell Point State Park (Segment E) and the Mitchell Point Crossing (Segment F) (the Project). The Project extends between South Viento State Park Campground at the western extent of the Project and the western terminus of Mitchell Point Drive at the eastern extent of the Project. Identified as Segments E and F in the HCRH State Trail Plan, this 4.13-mile section of the State Trail would connect at its eastern terminus to a potential future 3.4-mile trail extension to Ruthton Point (Segment G) and Ruthton Point to Ruthton Park (Segment H), which is located on the west side of Hood River Urban Area. The route of Segments E and F passes through land owned or managed by the State of Oregon (ODOT right-of-way and OPRD managed lands). The project involves the following:

- Grade, pave, and install drainage for a 4.13-mile-long asphalt multi-use trail connecting Historic Highway segments. The paved trail would be a maximum of 12 feet wide with 2-foot gravel shoulders on each side (16-foot-wide corridor). Grades along the path would generally be up to 5.0 percent;
- Incorporate remnant abandoned sections of the Historic Highway in the trail alignment;
- Redesign existing trailhead at the Viento State Park Parking lot (Exit 56 interchange of I-84) that includes reconstructing portions of the trail to the south of the existing parking lot and extending the trail east across an existing box culvert over Viento Creek;
- Separate the access to the Viento State Park Maintenance Facility from portions of the trail;
- Make improvements to the South Viento State Park Campground that include changing the layout, adding paved back-in vehicular parking at the

sites, adding a campground host site, and adding a new information kiosk at the entrance to the campground;

- Construct a new restroom in the South Viento State Park Campground that includes four (4) single-user flushing bathrooms, drinking water fountains, and a maintenance room at the location of the existing restroom;
- Remove and revegetate existing user-created trails adjacent to the South Viento State Park Campground. Construct low-impact gravel trail and eight (8) hiker/biker low-impact gravel camp pads south of the South Viento State Park Campground. Construct three-sided shelters in four (4) of the hiker/biker gravel camp pads. Install a “bike pod” - which consists of a kiosk with lockers and a bench to serve hiker/biker gravel camp pads;
- Make improvements to the existing OPRD Viento State Park Maintenance Facility, including existing structure improvements, fencing, grading, and paving to improve parking and circulation;
- Install rockfall fences, bolt rocks and rockfall mesh along portions of the trail alignment to mitigate rockfall hazard both on the trail and adjacent to I-84 and install temporary rock containment devices during construction;
- Redesign the existing Mitchell Point Parking lot/trailhead to accommodate 18 parking spaces. The redesign also includes off-ramp paving, installation of wayfinding signs, construction of stone masonry railing, and construction of a scenic overlook on the west side of Mitchell Point (Exit 58 Interchange of I-84);
- Replace the single vault toilet at the Mitchell Point Parking lot/trailhead with a larger double vault toilet;
- Construct a 661 foot long tunnel through Mitchell Point including five adits (windows);
- Stabilize cut/fill slopes from trail construction throughout the trail alignment;
- Construct retaining walls including rockery walls, mechanically stabilized earth (MSE) walls, and vegetated reinforced soil slope walls as needed for trail construction;
- Install concrete retaining walls with architectural form liner faces to separate the proposed trail from adjacent I-84 traffic in areas where the trail is directly adjacent to the highway;
- Construct two pedestrian and bicycle bridges, one over Perham Creek (72 feet long) and one over Mitchell Creek (43 feet long);
- Replace and lengthen the existing culvert at an unnamed creek at Mitchell Point entrance (Exit 58 Interchange of I-84);
- Install new culvert for an unnamed creek at the west end of Mitchell Point Drive;
- Stain existing binwall at milepost 55.1 on I-84;
- Restore native vegetation by removing weeds and restoring habitats;

- Install various interpretation and informational signage throughout the trail alignment; and
 - Complete various landscaping improvements throughout the trail alignment.
- B. Location: The proposed project sites are located along the south side of I-84 along the historic alignment of the Historic Columbia River Highway between Viento State Park and Mitchell Point Crossing. Some segments of the proposed trail will occur within the I-84 highway right-of-way, while other segments will occur on OPRD-owned properties, including those described as: 3N 9E 34 #400 and adjacent highway right-of-way (ROW); 3N 9E 35 #100, 101, and adjacent ROW; 3N 09E 36 #100 and adjacent ROW; 3N 10E 31 #100, 101, 103, 200, 300 and adjacent ROW and 3N 10E 32 #700.
- C. Zoning: The project sites are zoned Forest, Open Space, and Public Recreation within the Special Management Area (SMA) of the Columbia River Gorge National Scenic Area.
- D. Comments: Written comments were received from following parties. These comments are included as part of the staff report as Attachment B
- Robin Shoal, Staff Officer - Resources and Planning, Forest Service Columbia River Gorge National Scenic Area
 - Chris Donnermeyer, Heritage Resources Program Manager, Forest Service Columbia River Gorge National Scenic Area
 - Christian Nauer, MS, Confederated Tribes of Warm Springs
 - Steven McCoy, Friends of the Columbia Gorge
 - Andy von Flotow, Adjacent Property Owner

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW: (Review standards are noted in *italics*)

A. HRCZO: Article 75, Special Management Area Forest (S-F) Zone, Public Recreation (S-PR) Zone, and Open Space (S-OS) Zone

The following uses are permitted in the above zones, subject to compliance with scenic, cultural, natural and recreation resource guidelines (Sections 530-620):

(1) Sections 270(2)(d), 340(3)(a), and 490(5)(j) allow road reconstruction.

(2) Sections 270(2)(j), 340(3)(d), and 490(5)(b&c) allow various public recreation uses, including multi-use trails and related improvements, as provided in Section 620.

Finding: The Columbia River Gorge National Scenic Area Act of 1986 (PL 99-663) and the Columbia River Gorge National Scenic Area Management Plan both identify reconnecting abandoned sections of the HCRH as a priority. This supports the notion that the project is allowed under applicable zoning guidelines, subject to applicable scenic, cultural, recreational, and natural resource protection requirements, which are addressed later in this report. The provisions of Section 620 are addressed in subsection II (F) below.

(3) Sections 270(2)(h), 340(3)(b), and 490(5)(i) allow resource enhancement projects for the purpose of enhancing scenic, cultural, recreational, and/or natural resources, subject to Section 152(H).

152 (H). Resource Enhancement Projects

(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.

Finding: The goal of the proposed Project is to enhance a recreational resource, the Historic Columbia River Highway (HCRH) State Trail. As of August 2019, the HCRH State Trail will consist of 16.3 miles of paved pedestrian/bicycle trail that connects previously abandoned portions of the Historic Highway. Upon completion, the proposed Historic Columbia River Highway State Trail Viento to Mitchell Point (Segment E) and Historic Columbia River Highway State Trail Mitchell Point (Segment F) projects will connect additional portions of the Historic Highway by extending the continuous paved pedestrian/bicycle trail approximately 4 miles to the east of its current terminus at Viento State Park. The Project is intended to achieve the SMA Goal 4, under in the Recreation Development Plan of the Management Plan for the Columbia River Gorge National Scenic Area (2016), to “Provide for the restoration and connection of the remaining segments of the Historic Columbia River Highway in keeping with its National Register status.” The Project will also restore the famed five-window Mitchell Point Tunnel once again that was destroyed during the construction of I-84.

In their current condition, the abandoned sections of the Historic Highway that would be included in the Project are not publicly accessible or safe for recreational use. By extending the HCRH State Trail as proposed, recreationalists would have expanded opportunities to enjoy the scenery of the Columbia River Gorge and learn about the history of the Historic Columbia River Highway. The Project would enhance the existing parking lots at Viento Creek Trailhead and Mitchell Point Trailhead for better vehicular, bike, and pedestrian circulation. The Project would also provide improvements to the recreational opportunities at the OPRD Viento South State Park Campground by improving the existing campground and constructing a new hiker/biker section of the campground with eight new sites exclusively for non-motorized use. This section of trail improvements also includes reconstructing the historic Mitchell Point Tunnel by restoring some of the most spectacular views in the Columbia River Gorge and enhancing the recreational experience by extending the HCRH State Trail.

In addition, because the proposed development will impact natural resources and/or their buffers, a Mitigation Plan (Attachment I in the application) was completed that details the impacts and mitigation sites to enhance natural resources. The Project was located and designed to avoid and minimize impacts within the Columbia River Gorge while still achieving the project’s purpose of connecting abandoned sections of the HCRH. The Project Team completed an analysis of various alternatives for trail alignment and the least impacting route is proposed. The selected alignment routes the trail within the following categories of areas: the existing HCRH (48%), existing roadway embankment (12%), and directly along I-84 (24%). Some of the route is proposed to be within historically disturbed areas and considered to be a low impact alternative that will improve the trail experience by moving the

trail away from I-84 (10%) and is associated with connecting I-84 segments with existing HCRH segments (3%). Of the areas connecting I-84 to existing HCRH Segments, only a small portion of the trail (2%) is proposed to be located within relatively undisturbed forest. Finally, 3% will be located within a new tunnel through Mitchell point.

Overall, the trail will directly impact 2.05 acres of natural resources, including streams, oak woodlands, and cliffs. Stream impacts are small and the restoration at the Roadhouse Mitigation Site (a 6.99 acre area adjacent to the Mitchell Point trailhead - Segment F Stn. 296+00) includes weed removal and native plantings along an unnamed perennial stream that runs north to south through the middle of the site and contains very little riparian vegetation. Oak woodlands impacts will be mitigated by a combination of oak opening (conifer removal) and plantings at the Mitchell Point Quarry Site, Chetwoot Loop Site, Perham Creek, Stepped Cut, and Viento Maintenance Facility.

The trail will also impact 10.34 acres of natural resource buffers. The Roadhouse Mitigation Site, Sonny Site, Dome Rock and Viento Campground mitigation sites provide 10.98 acres of total buffer impact mitigation. The applicant provided an extensive Mitigation Plan that involves planting of various native vegetation types. Types of plant community profiles are provided, depending on the habitat and desired terrain being replanted, including existing terrain, fill slopes, and cut slopes. Only native vegetation is proposed.

The applicant's planting and mitigation plans were reviewed by USFS and a full revegetation plan is currently being prepared by the US Forest Service Restoration Services Team. The applicant is contracting with USFS to complete the mitigation work, including invasive/noxious weed removal, replanting, monitoring of the site, and reporting. To ensure that the revegetation work is completed as proposed, staff recommends the following conditions:

- Prior to construction, final mitigation and planting plans shall be provided to USFS for review and approval.
- All replanting and mitigation activities and timelines occur as outlined in the applicant's mitigation plan and landscaping plan approved by USFS.

Based on the above information and recommended conditions, staff finds that the applicant's resource enhancement project complies with this standard.

(2) In addition to other guidelines that protect scenic, cultural, recreation, and natural resources, quarry enhancement projects shall comply with the following guidelines:

- (a) Application Requirements. In addition to other applicable requirements, land use applications for quarry enhancement projects shall include perspective drawings of the site as seen from key viewing areas as specified in Section 520(2)(o) and a reclamation plan that provides all the applicable information specified in Section 520(1)(f)(A) through (E), except: (1) the words "pre-reclamation" and "post-reclamation" should replace the words "pre-mining" and "post-mining," respectively, and (2) the appropriate state agency or local government does not have to approve the reclamation plan.*
- (b) Scenic Resource Standard. Quarry enhancement projects shall restore the site to a natural appearance that blends with and emulates surrounding landforms*

- to the maximum extent practicable.*
- (c) *Natural Resource Standard. Sites shall be replanted using native plants found in the landscape setting or ecoregion to the maximum extent practicable.*
 - (d) *Time Frames. The following time frames shall apply to quarry enhancement projects:*
 - (A) *All grading (e.g., excavating, filling and re-contouring) shall be completed within one (1) year of the date an applicant begins on-the-ground work.*
 - (B) *All landscaping shall be planted within one (1) year of the date an applicant completes the grading.*
 - (C) *An applicant may request one one-year extension to the one year grading time frame if a project is unexpectedly delayed by adverse weather or emergency/disaster. Such requests shall be considered an administrative action. An applicant shall submit such a request to the reviewing agency after grading has commenced and before the one year grading time frame has expired.*
 - (D) *An applicant may also request one six-month extension to the one (1) year landscaping time frame if a project is unexpectedly delayed by adverse weather or emergency/disaster. Such requests shall be considered an administrative action. An applicant shall submit such a request to the reviewing agency after landscaping has commenced and before the one-year landscaping time frame has expired.*

Finding: The purpose of the proposed Project is not to enhance a quarry, but the trail does cross thru an abandoned quarry (station ~459 to 467). The Project is proposing to mitigate impacts to Oak Woodlands by the creation of a 5.06 acre Oak Woodland area in the abandoned quarry (Mitchell Point East Quarry Mitigation Site). The site would be planted with native evergreen and deciduous trees, shrubs, groundcovers, grasses, and forbes (see Attachment B sheets L.14 and L.18 and the Mitigation Report Attachment I in the application for additional details). Staff finds this criterion is not applicable – as the project does not constitute a quarry enhancement project.

- (4) Section 340(5) allows, without review, the treatment of noxious weeds subject to the following criteria:
 - (a) *Noxious weed infestation is new and eradication is still viable;*
 - (b) *Delayed or deferred treatment could have widespread or major adverse impacts to one of more of the following resources:*
 1. *Displacement of native and traditionally gathered plants;*
 2. *Degradation of wildlife habitat and forage;*
 3. *Degradation or loss of agricultural uses of land; and*
 4. *Limitation of recreation uses.*
 - (c) *For federal lands, treatment effects have been thoroughly evaluated in an environmental assessment; and*
 - (d) *Noxious weed is defined as those included on the official state noxious weed list of Oregon.*

Finding: An Open Space Plan was completed for the project area by USFS. This plan is entitled, “*Columbia Tributaries East Watershed Analysis, Hood River Ranger District, Mt. Hood National Forest, and the Columbia River Gorge National Scenic Area.*” Treatment of noxious weeds is addressed in this plan. The plan recommends that noxious weed prevention and eradication focuses on burned areas and invaders, such as Japanese Knotweed. A component of the proposed project will include eradication of noxious weeds, such as ivy and blackberries, as part of the mitigation related to natural resource buffer impacts. Staff finds that the applicant’s proposal complies with this permitted activity.

B. HRCZO: Article 75 – Additional Standards: S-OS, and S-PR Zones

The following additional standards apply to the uses proposed in the S-OS and S-PR zones.

(1) Section 340(4) states: In the Special Management Areas, 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 and approved by the Forest Service. The Open Space plan shall include the following:

(a) Direction for resource protection, enhancement, and management.

(b) Review of existing uses to determine compatibility with Open Space values.

(c) Consultation with members of the public and with agency and resource specialists.

Finding: As previously mentioned, an Open Space Plan was completed by the USFS for the Special Management Areas of the Columbia Tributaries East watershed. This plan is titled, *Columbia Tributaries East Watershed Analysis, Hood River Ranger District, Mt. Hood National Forest, and the Columbia River Gorge National Scenic Area.* The watershed analysis also serves as the NSA Open Space Plan. The HCRH State Trail is identified as a project within this report. This Open Space Plan analyzes recreation developments proposed within the SMA and recommends that the proposed development No. 36 “Historic Columbia River Highway (HCRH)” remain in the Recreation Development Plan (Figure 18). The proposed Project is therefore an allowed use in the SMA-Open Space zone pursuant to Section 340(3). A copy of the Open Space Plan is available upon request.

Notice of this application was mailed to adjacent property owners and affected agencies and published in the local newspaper. Evaluation of the project by various public agencies, such as USFS, U.S. Fish and Wildlife Service (USFWS), SHPO, and others occurred before the application was submitted. As a result, staff finds this standard is met.

C. HRCZO: Article 75 – Section 160: Signs

(1) Signs may be allowed in all land use designations in the General Management Area pursuant to the following provisions:

Finding: Not applicable. No signs are proposed in the GMA.

(2) Signs in the Special Management Area shall be allowed pursuant to the following provisions:

(a) Prohibited Signs

(A) Advertising billboards.

- (B) *Signs that move or give the appearance of moving, except signs used for highway construction, warning or safety.*
- (C) *Portable or wheeled signs, or signs on parked vehicles where the sign is the primary use of the vehicle, except for signs used for highway construction, warning or safety.*

Finding: No luminous signs, billboards, signs with moving elements, or portable signs are proposed in the SMA.

- (b) *Pre-existing signs are allowed to continue provided no changes occur in size, structure, color, or message.*

Finding: Existing signs on I-84, Mitchell Point Drive, and at the entrances to the Viento State Park South Campground and Mitchell Point Parking Lot/Trailhead would be unchanged and protected in place.

- (c) *New signs shall be allowed as specified in the applicable land use designation.*
- (d) *No sign shall be erected or placed in such a manner that it may interfere with, be confused with, or obstruct the view of any traffic sign, signal, or device.*

Finding: Several new naming, informational, and traffic control signs are proposed. New signage proposed is found to be compatible with the applicable land use designation and will not obstruct the view of any traffic sign, signal, or device.

The following new signs are proposed:

- One new trail information sign is proposed at the Viento Trailhead. The proposed sign is a Sign Type C: Trail Information Sign from the *Historic Columbia River Highway Wayfinding Plan* (Figure 16). The sign would be located at the trailhead, which is on OPRD property, zoned SMA Public Recreation (S-PR). New signage would not obstruct the view of any traffic sign, signal, or device. (For more information, see Attachment B, Sheet E.3, “Fixture OPRD Cluster board” in application materials for sign location.)
- A new monument-style sign designating the Mitchell Point Trailhead at the Mitchell Point Parking Lot/Trailhead. (Please see Figure 17 for sign design and Sheet M.3 in Attachment C for sign location.) The sign would be located at the trailhead, which is on OPRD property, zoned SMA Public Recreation (S-PR). The proposed sign is a Sign Type A.1 trail identification sign from the *Historic Columbia River Highway State Trail Wayfinding Signage Plan* (see Attachment D in application).
- Two new signs to direct hikers to the USFS Wygant Viewpoint Trail will be installed on the HCRH State Trail in Segment E and F. The signs will be Sign Type B directional signs from the *Historic Columbia River Highway State Trail Wayfinding Signage Plan* (see Attachment D in application).
- New signs to direct vehicular, bike, and pedestrian traffic within the Mitchell Point Parking Lot (see Sheet M.3 of Attachment C in application). The signs would be located at the trailhead, which is on OPRD property, zoned SMA Public Recreation (S-PR).

- New “no parking” signs at the emergency vehicle turn-around east of Mitchell Point and signs directing vehicular and bike traffic (see Sheet M.4 of Attachment C in application). The signs would be located on USFS property, zoned SMA Forest (S-F).
- Two new signs are proposed at the I-84 on-ramp from Mitchell Point Drive: one sign would read: “trail ends” and the second would direct bike traffic: “eastbound cyclists use I-84 shoulder” (see Sheet M.5 in Attachment C). The proposed signs would be located within ODOT right-of-way adjacent to areas designated SMA Forest (S-F). In addition, an Addendum to the application was submitted on May 5, 2020 and included as Attachment A to this decision that details the signage plan for dissuading informal parking that may occur along Mitchell Point Drive. All of the proposed signage in the addendum will be consistent with the Manual for Uniform Traffic Control Devices and is allowed without NSA review.

With conditions requiring that dark earth-tone colors be used on the backs of all signs and that the location of all signage be placed in compliance with the applicant’s approved site plans and designed to conform to the Graphic Signing System and Historic Columbia River Highway State Trail Wayfinding Signage Plans, adopted by the Historic Columbia River Highway Advisory Committee in March 2013, staff finds that the proposed signs will comply with Section 160 guidelines.

- (e) All new signs, except for signs allowed without review by Section 070, shall meet the following guidelines, and be consistent with the Manual for Uniform Traffic Control Devices:*
- (A) Signs shall be maintained in a neat, clean and attractive condition.*
 - (B) The character and composition of sign materials shall be harmonious with the landscape and/or related to and compatible with the main structure upon which the sign is attached.*
 - (C) Signs shall be placed flat on the outside walls of buildings, not on roofs or marquees.*
 - (D) Signs shall be unobtrusive and have low contrast with the setting.*
 - (E) The visual impact of the support structure shall be minimized.*
 - (F) Outdoor sign lighting shall be used for purposes of illumination only, and shall not be designed for, or used as, an advertising display, except for road safety signs.*
 - (G) Backs of all signs shall be visually unobtrusive, non-reflective, and blend in with the setting.*
 - (H) Sign internal illumination or back-lighting shall not be permitted except for highway construction, warning or safety.*

Finding: OPRD will maintain all trail information signs so that they remain in good condition. All sign backs will be designed to be unobtrusive and have low contrast with the surrounding natural setting. Visual impacts from the signs is expected to be minimal. Signs would be visible to trail users only while visiting the trailheads or passing by the emergency vehicle turn-around, respectively. The signs would not be visible from any offsite KVAs. The proposed signs would not be illuminated. The backs of signs would be non-reflective.

With conditions requiring that dark earth-tone colors be used on the backs of all signs and that the location of all signage be placed in compliance with the applicant’s approved site

plans and designed to conform to the Graphic Signing System and Historic Columbia River Highway State Trail Wayfinding Signage Plans, adopted by the Historic Columbia River Highway Advisory Committee in March 2013, staff finds that the proposed signs will comply with Section 160 guidelines.

- (f) *Public signs shall meet the following guidelines in addition to subsections (b) through (e) above:*
 - (A) *The Graphic Signing System provides design guidelines for public signs in and adjacent to public road rights-of-way. All new and replacement public signs, except those transportation regulatory, guide, and warning signs allowed outright shall conform to the guidelines in this system. Types of signs addressed include recreation site entry, specific service signs, destination and distance signs, variable message signs, or signs that bridge or are cantilevered over the road surface.*
 - (B) *Signs located outside public road rights-of-way are encouraged to be designed in such a way as to be consistent with similar purpose signs described in the Graphic Signing System.*
 - (C) *Signs posted by governmental jurisdictions giving notice to the public shall be no larger than that required to convey the intended message.*

Finding: The proposed signs would be located on the proposed HCRH State Trail route for the purposes of conveying information to the public while using the HCRH State Trail. All of the proposed signs are public signs. Most of the proposed signs are intended to direct vehicular, bike, and pedestrian traffic to promote traffic flow and safety throughout the state trail corridor. Signs that direct traffic to and from I-84 will be designed to the Manual on Uniform Traffic Control Devices (2009). A Type A.1, Trailhead ID Sign and a Type C, Trail Information Sign is proposed at both the Viento Trailhead and the Mitchell Point Trailhead. The signs would be designed to be consistent with the *Historic Columbia River Highway Wayfinding Plan* and would thus be consistent with approved and completed sections of the HCRH State Trail. Other Trail ID and Trail Directional Signs will be added during the final design phases of the Project and would be designed in accordance with the *Historic Columbia River Highway Wayfinding Plan*. Please see Sheet E.3 of Attachment B, and Sheets M.2 through M.6 of Attachment C for sign locations.

With conditions requiring that dark earth-tone colors be used on the backs of all signs and that the location of all signage be placed in compliance with the applicant's approved site plans and designed to conform to the Graphic Signing System and Historic Columbia River Highway State Trail Wayfinding Signage Plans, adopted by the Historic Columbia River Highway Advisory Committee in March 2013, staff finds that the proposed signs will comply with Section 160 guidelines.

- (g) *Signs for public recreation facilities, home occupations, cottage industries, and commercial uses shall meet the following guidelines in addition to subsections (a) through (e):*
 - (A) *Any sign advertising or relating to a business which is discontinued for a period of 30 consecutive days shall be presumed to be abandoned and shall be removed within 30 days thereafter, unless permitted otherwise by the jurisdictional authority.*

- (B) *Any signs relating to, or advertising, a business shall be brought into conformance with these sign guidelines prior to any expansion or change in use which is subject to review.*
- (C) *Off-site and on-site directional signs on approach roads to recreational facilities may be permitted. Name and interpretive signs may be permitted on-site, but should be kept to the minimum required to achieve the purpose(s) of the facilities.*
- (D) *Commercial recreation businesses approved in conjunction with a recreational facility may have a name sign not exceeding 16 square feet.*
- (E) *Recreation developments may have one on-premise name sign at each principal entrance. Such signs are encouraged to be of a low profile, monument type, and shall conform to the Graphic Signing System.*

Finding: No signs relating to any business are proposed. New name signs, the Viento South State Park Campground trail information sign and the Mitchell Point Trailhead sign, are proposed onsite at the trailheads respectively. The proposed Mitchell Point Trailhead sign would be a monument-type that is consistent with the Graphic Signing System. The proposed Viento Trailhead sign would be designed for consistency with Sign Type C, as shown on Page 5 of the *Historic Columbia River Highway Wayfinding Signage Plan*, (see Attachment D in the application). The proposed sign design is consistent with the wayfinding plan’s “Sign Family”. Please see Sheet E.3 of Attachment B, and Sheets M.2 through M.6 of Attachment C for proposed sign locations.

With conditions requiring that dark earth-tone colors be used on the backs of all signs and that the location of all signage be placed in compliance with the applicant’s approved site plans and designed to conform to the Graphic Signing System and Historic Columbia River Highway State Trail Wayfinding Signage Plans, adopted by the Historic Columbia River Highway Advisory Committee in March 2013, staff finds that the proposed signs will comply with Section 160 guidelines.

- (h) *Sign clutter and other negative visual effects from excessive signs along all roads and highways, and at parking lots and recreation facilities, shall be reduced.*

Finding: Proposed signs for the Project have been kept to a minimum to avoid sign clutter.

D. HRCZO: Article 75, Section 530: Special Management Area Scenic Review Criteria

The following scenic review guidelines shall apply to all Review Uses in the Special Management Area of the Columbia River Gorge National Scenic Area:

(1) SMA Design Guidelines Based on Landscape Settings:

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

- (A) *Pastoral: Pastoral areas shall retain the overall appearance of an agricultural landscape.*

- i. *The use of plant species common to the landscape setting shall be encouraged. The use of plant species in rows, as commonly found in the landscape setting, is encouraged.*

Finding: The proposed Project extends into the pastoral landscape setting in the eastern portion of the Mitchell Point Crossing (Segment F) along Mitchell Point Drive which is an existing road and original alignment of the Historic Highway. No trail construction is planned for Mitchell Point Drive. No construction impacts are proposed to occur within the pastoral landscape setting and trail users will use the shoulder of the existing road. No new landscaping is proposed within the Pastoral landscape setting. The proposed project includes a gate and signage at eastern terminus of the Mitchell Point Crossing (Segment F) where it meets the existing Mitchell Point Drive – the landscape setting for this area is Coniferous Woodland – which is addressed below. As mentioned previously, an Addendum to the application was submitted on May 5, 2020 and included as Attachment A to this decision, a detailed signage plan for dissuading informal parking that may occur along Mitchell Point Drive. All of the proposed signage in the addendum will be consistent with the Manual for Uniform Traffic Control Devices and is allowed without NSA review. Staff finds this criteria is not applicable as no new trail construction is planned within the Pastoral Landscape Setting and a condition is recommended that if additional signage that falls outside of the Uniform Traffic Control Devices and development is required to dissuade informal parking along Mitchell Point Drive, a minor modification to this approval may be required to ensure compliance with NSA requirements.

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

Finding: Approximately 80 percent of the proposed Project is within the Coniferous Woodland landscape setting: from the beginning of the Project at Viento State Park Campground east to Mitchell Point, and again immediately east of Mitchell Point. Through these areas, the trail has been designed to retain the overall appearance of a woodland landscape by minimizing grading and vegetative disturbance and routing the trail around areas containing especially large trees helps to preserve the woodland character of the areas where the proposed Project would be located. The narrow width of the trail (12 feet or less with 2-foot shoulder on each side) will require that relatively little adjacent vegetation be removed for the proposed Project. In addition, native vegetation appropriate for a Coniferous Woodland landscape is proposed to provide screening as required. Landscaping plans are included in both Attachments B and C of the application. The Federal Highway Administration (FHWA) will contract with a USFS Restoration Team to replant all disturbed areas, including those occurring outside of USFS managed lands. The most visible Project components from I-84 would be new trail sections with walls located directly adjacent to I-84 (Station 321+72 to 324+91 and at Station 338+78 to 343+50). Although both are located along the edge of an area classified as Coniferous Woodland, they would be constructed along the I-84 corridor in areas that are directly adjacent to, but outside of, forested areas. Construction of the new trail sections is, in many instances, within or immediately adjacent to the existing roadway prism of I-84. Therefore, construction of these sections would require minimal removal of trees and other native forest vegetation, relative to other alternative alignments further away and in less direct

view of the I-84 KVA. The proposed Project would have little to no impact on the overall character of areas designated as Coniferous Woodland.

Staff finds that the applicant has provided a plan that attempts to retain as many existing trees as possible. By minimizing tree removal, staff finds that the overall visibility of the trail and related improvements will be screened from view from visible KVAs to the maximum extent possible, while retaining the vertical appearance of the existing forested setting.

A preliminary landscaping plan was provided as part of the applicant's submitted proposal. The plan identifies three types of plant communities proposed to revegetate disturbed areas. These plant communities are composed entirely of native vegetation indigenous to the western end of the Gorge, suitable for north facing slopes, and designed to address three types of landscapes, including cut slopes, fill slopes, and existing grades, in order to successfully reclaim disturbed areas as quickly as possible. As mentioned above, the applicant's landscape plan also includes the removal of noxious and invasive plant species, including blackberry, ivy, etc. USFS staff has evaluated the applicant's planting plans and found it to be appropriate. The applicant will be contracting with USFS Restoration Team to replant all disturbed areas, including those occurring outside of USFS managed lands.

Staff finds that the applicant's plan, will retain the overall appearance of the woodland landscape by (1) retaining existing vegetation, particularly trees, to the maximum extent possible, (2) using native vegetation to replant disturbed areas, and (3) eliminating noxious and invasive plant species that have, in certain areas of the project site, noticeably altered the natural character of the site, even to the most casual viewer. Nevertheless, staff recommends that the following conditions be implemented as part of the final decision to ensure that the overall visual character and appearance of this wooded landscape is retained:

- No trees with a dbh of 12 inches or greater shall be removed except for those identified on the applicant's submitted plans, unless otherwise deemed necessary for safety purposes.
- To the extent practicable, all other existing tree cover and vegetation shall be retained and protected from damage, with the number of trees or bushes removed or limbed being the minimum necessary to complete the project.

Based on the above information and recommended conditions, staff finds that this standard is met.

(i) Buildings shall be encouraged to have a vertical overall appearance in the Coniferous Woodland landscape setting and a horizontal overall appearance in the Oak-Pine Woodland landscape setting.

Finding: Four proposed buildings/structures (as defined in HRCZO Section 75.040(22)) are proposed at the South Viento State Park Campground, including replacing an existing restroom with a new restroom facility, remodeling the existing OPRD maintenance facility with a 25 foot by 25 foot expansion on the west side, constructing three-sided shelters at four of the eight proposed hiker/biker gravel camping pads, and erecting a kiosk near the entrance of the campground. All of the proposed buildings/structures are located within the Coniferous Woodland landscape setting. Information for the buildings/structures is located

in Attachment B sheets E.8 through E.11 of the application materials. The drawings of the restroom feature a triangular gabled roof, an architectural treatment that provides a more vertical appearance than flat or rounded roof would. The proposed maintenance facility remodel, kiosk, and hiker/biker shelters have slanted roofs, which similarly provides a more vertical appearance. The maintenance facility would retain its existing vertical overall appearance. The buildings/structures will be painted a dark earth-tone in color – specific colors are addressed below and included as conditions of approval

At the Mitchell Point Trailhead, the project includes replacing an existing restroom with a new larger two-stall restroom. Information for the buildings is located in Attachment B sheets E.8 through E.11 in the application materials. The images of the restroom feature a triangular gabled roof, an architectural treatment that provides a more vertical appearance than flat or rounded roof would. The building will be painted a dark earth-tone in color – specific colors are addressed below and included as conditions of approval. Based on the above information and application materials, staff finds that this standard is met.

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

Finding: As previously mentioned in I(A) above, the proposed Project will include plantings of native plants in all areas temporarily disturbed by construction activities, as well as all mitigation areas identified for planting. Landscape plans, including a listing of potential plant species, are provided for Segment E on Sheets L.1 through L.19 in Attachment B and for Segment F on Sheets H.1 through H.14 in Attachment C in the application materials and conditions. A condition is recommended requiring that all replanting occur be completed in compliance with the applicant’s referenced Landscape Plan. Based on this information and recommended condition, staff finds this requirement is met.

(C) River Bottomlands: River Bottomlands shall retain the overall visual character of a floodplain and associated islands.

- (i) Buildings shall have an overall horizontal appearance in areas with little tree cover.*
- (ii) Use of plant species native to the landscape setting shall be encouraged. Where non-native plants are used, they shall have native-appearing characteristics.*

Finding: Not applicable. The proposed Project is located within the Coniferous Woodland; Gorge Walls, Canyonlands, and Wildlands; and Pastoral landscape settings only.

(D) Gorge Walls, Canyonlands, and Wildlands: New developments and land uses shall retain the overall visual character of the natural- appearing landscape.

- (i) Structures, including signs, shall have a rustic appearance, use nonreflective materials, have low contrast with the surrounding landscape, and be of a Cascadian architectural style.*

- (ii) Temporary roads shall be promptly closed and revegetated.*
- (iii) New utilities shall be below ground surface, where feasible.*
- (iv) Use of plant species non-native to the Columbia River Gorge shall not be allowed.*

Finding: The proposed Mitchell Point (Segment F) project is located within the Gorge Walls, Canyonlands, and Wildlands landscape setting. Structures within this landscape setting include the Mitchell Point Tunnel, new trail section along the existing Historic Highway Mitchell Point shelf, masonry wall on the north side of the trail along the Mitchell Point section of the trail, and rockfall mitigation. The Visual Impact Assessment (see Attachment E of the application materials) states that the most potentially visual elements of the trail improvements through this section would be the rockfall mitigation, masonry walls, and tunnel portals as seen by motorists on I-84. Rockfall fencing and support posts would be a non-reflective, dark, earth-tone color that would best blend in with the adjacent material and colors of the rock face. The tunnel portals would use a combination of colors and texture treatments that blend in with the adjacent Mitchell Point rock face while still being compatible with the nearby trail masonry retaining wall. The Visual Impact Assessment concludes that due to the elevation, building materials, and speed at which motorists travel along I-84 through the Project area, the proposed improvements are anticipated to meet the standard of not visually evident.

Based on research, lighting studies, professional opinion, stakeholder meetings, CRGNSA concerns, and looking at various options, including the challenge of placing lighting conduit to leverage construction – ODOT has decided not to proceed with lighting within the Mitchell Point Tunnel. No lighting is proposed and is therefore not addressed in this decision.

The USFS submitted comments on this application regarding the potential scenic impacts from rockfall mitigation, masonry walls, and tunnel portals. The project team has worked diligently to address these comments in further revisions of the design and the following condition are recommended to ensure compliance with this standard:

- Rock fall mesh shall be attached to the rock face to the maximum extent possible, to avoid a waterfall effect that is evident to the casual viewer in I-84, without compromising its intended function.
- All rockfall mesh and rockfall mitigation elements shall be treated with a weathering agent to achieve a color found in the landscape and blend with the rock face.
- To the greatest extent possible, the different types/shapes of rockfall mesh should be similar in nature and the seams of the rockfall mesh shall be sewn and not overlapped to reduce vertical lines in mesh.
- To the greatest extent possible, all rockfall attenuation fences should be designed and installed in such a way as to not protrude above the line of a bluff, cliff or skyline as seen from key viewing areas.

- To help mitigate or offset potential visual impacts to scenic resource associated with the proposed project the following mitigation actions shall be implemented as part of this project:
 - Treatment shall be applied to the existing silver gabion baskets on hillside above the Summit Creek Viaduct to be a dark earth toned color found in the landscape.
 - The eastbound I-84 Binwall between Starvation Creek and Viento Park shall be stained dark brown similar to the work done on the FHWA Segments A-C project.
 - All new and existing concrete shoulder barriers shall be stained dark brown similar to the work done on the FHWA Segments A-C project and install tapered barrier ends to soften vertical lines.
 - All structures and components of the project (walls, bridges, stormwater pipe ends, anything visible) shall have appropriate architectural finish that is dark earth tone color and blends in with the landscape.

Based on the above information and recommended conditions, staff finds that this standard is met.

(2) SMA Guidelines for Development and Uses Visible from KVAs

(a) The guidelines in this Section shall apply to proposed developments on sites topographically visible from key viewing areas.

Finding: Parts of the proposed Project are topographically visible from some sections of the following KVAS: I-84 (Oregon), Columbia River (Oregon and Washington), SR 14 (Washington), Dog Mountain Trail Summit (Washington), Cook-Underwood Road (Washington) and existing sections of the Historic Highway. Therefore, the guidelines of this section are found to apply.

(b) 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.

Finding: For this application, the applicant is considering the potential adverse effects on the Gorge’s scenic resources, both those effects that would be a direct result of the proposed Project and cumulative effects resulting from the Project combined with past, present, and future projects within the general vicinity of the Project area. These potential effects on scenic resources are analyzed in two supporting reports included with this NSA permit application:

1. *Visual Impact Assessment for the Historic Columbia River Highway State Trail— Segments E and F: Viento State Park to Mitchell Point Crossing; Segments G and H: Mitchell Drive to Ruthton County Park, prepared by David Evans and Associates, Inc. (Attachment E), which analyzes project-level visual impacts for Segments E and F*

2. *Historic Columbia River Highway State Trail—Viento State Park to Mitchell Point (Segments E and F) Cumulative Effects Memorandum, prepared by David Evans and Associates, Inc. (Attachment J), which includes an analysis of cumulative visual (and other) effects for Segments E and F.*

Project-Level Scenic Effects:

A visual impact assessment of the proposed Project was prepared for the project (Attachment E in application materials). The report also considers the visual impacts of future sections of the trail between Mitchell Point and Ruthton Park (Segments G and H), providing a visual assessment of potential completion of the trail from Viento State Park to Ruthton Park in Hood River. The visual impact assessment report evaluates the visibility of the proposed Project from KVAs. The report concludes that the most visible components of the Project, such as the new trail sections located adjacent to I-84 and the Mitchell Point Tunnel, would not be visually evident to the casual visitor traveling on four of the five applicable KVAs (i.e. the Columbia River, Washington State Route 14, Cook Underwood Road, and Dog Mountain Trail). This is due to the following:

- The relatively small size of the Project components compared to the large scale of the Gorge landscape;
- The components' low elevation relative to the other visible larger-scale Gorge features that are seen from these KVAs;
- Viewing distance and topography;
- Screening by existing vegetation;

From I-84, portions of the trail within the roadway prism would be visible but are designed to comply with the I-84 Corridor Strategy standards (the adopted scenic highway standards pursuant to Section 530(3)(b)). As such, these portions of the trail are designed to blend in with existing roadway structures and not contrast with the surrounding setting. All elements of the trail will be dark earth tone in color and the Project will maintain the existing landscape character. This is described in more detail below in the findings for Section 530(2)(d).

Cumulative Scenic Effects

The applicant prepared a Cumulative Effects Memorandum for the Project using a National Environmental Policy Act (NEPA), which considers the Project's cumulative effects in relation to past, present, and reasonably foreseeable future actions. This section includes brief descriptions of those actions identified. Please see the Cumulative Effects Memorandum (Attachment J) for additional details.

Past Actions

Past actions in the proposed Project area include railroad construction, construction of the Historic Highway, and later construction of I-84. These facilities introduced linear, human-made visual impacts to the natural landscape, which prior to the development was mainly steep, rocky bluffs and floodplain with dense vegetation, corresponding to the present Landscape Settings designations recognized by the Management Plan. With the addition of transportation facilities in the Gorge, residential and commercial development (e.g. motor inns, service stations) began to occur adjacent to both the Historic Highway and I-84. None of these facilities were intentionally screened from any viewpoint because they predate the National Scenic Area, and so all activities were visually evident from KVAs. Over time, the Gorge has been logged, burned in wildfires, and developed. More recently, however, as conservation groups, the USFS, and Oregon Parks have acquired land, the National Scenic

Area has slowly moved toward more natural settings as buildings and pavement have been removed and new development is regulated under the NSA designation.

Present Actions

Present actions in the proposed Project area include the recent construction of the HCRH State Trail Segments between Wyeth Campground and Starvation Creek State Park (Segments A-D), portions of which are visible from I-84 – which was completed in late summer 2019. In addition, recovery work continues from the damage caused by the 2017 Eagle Creek fire. Specifically, hazardous tree removal staging and laydown areas can currently be seen from I-84 near Ainsworth State Park. The visual effects from the Eagle Creek fire itself are also visible from I-84, Hwy 30 and the Columbia River: large stands of burned and defoliated but standing trees can be seen on the canyon slopes and silhouetted along the ridgetops between Angel’s Rest and Summit Creek.

Foreseeable Future Actions

Foreseeable future actions in the vicinity of the proposed Project identified for this analysis are summarized in Table 1 of the Cumulative Effects Memo (see Attachment J in application materials). Potential future actions were included in Table 1 if they would be located along the I-84 corridor and could, when taken in combination with the proposed Project, pose cumulative effects on the resources of the NSA. Of those future actions, the following would be in close proximity or have the potential to affect the existing character of the Landscape Setting of the proposed Project; they are each discussed in more detail below:

- HCRH State Trail, (Mitchell Point Drive to Ruthton Park) (Segments G and H)
- On-going recovery work by ODOT and USFS in response to Eagle Creek Fire
- Viento State Park River Access Day-Use Area improvements
- Re-build of an existing BPA 115kV transmission line between Bonneville and Hood River

HCRH State Trail - Mitchell Point Drive to Ruthton Park (Segments G and H)

This WFLHD-led project is currently in the planning stage and would continue the re-establishment of the HCRH State Trail from Mitchell Point Drive to Ruthton Park in Hood River. Currently, the project would begin at Mitchell Point Drive (south of I-84) with re-grading up to an existing undercrossing passing underneath the Interstate. This undercrossing would be fully reconstructed to accommodate the trail and vehicles. Via the new undercrossing, the proposed new trail would be constructed north of I-84 to Ruthton Point, where an existing viaduct segment of the original Historic Highway still exists along a dramatic cliff-side overlooking the Columbia River. The proposed Project would tie into this exiting segment and restore the trail itself in addition to historic features, including railings, viaduct structures and overlook ‘stop and pause’ points. East of Ruthton Point, the trail would continue adjacent to I-84 on the north side, extending the roadway prism. The trail would be constructed on fill walls adjacent to I-84. The proposed section of trail would terminate at Ruthton Park, located within the Hood River Urban Area. At the park, new trailhead facilities are proposed to support users of the HCRH State Trail: a small parking area, trailhead, plaza with signage, and new ADA accessible trails are proposed.

Eagle Creek Fire and Response Activities

The human-caused Eagle Creek wildfire ignited September 2, 2017. It eventually burned nearly 50,000 acres before being declared fully contained on November 30, 2017. Twenty

miles of I-84 and the Columbia River itself were closed for periods of time between Troutdale and Hood River. The Historic Highway was closed, but also six miles of the HCRH State Trail from John B. Yeon to Cascade Locks was closed for over a year (September 4, 2017 to September 28, 2018). As the fire burned, flames could be seen from points throughout the Gorge and brown, smoky air filled the area.

Recovery efforts by USFS, ODOT and others is ongoing and includes hazardous tree removal, rock and landslide debris removal and mitigation, trail restoration, and some full facility reconstruction. The intensity of the wildfire ranged widely from minor to intense within the total perimeter, meaning that in some areas minimal damage is present while other areas fully burned. At the time this memorandum was prepared, burned forest areas, primarily located away from the highway up on the canyon slopes and ridgelines, could be seen from I-84 and the Columbia River: blackened and defoliated trees still standing in groves with little understory foliage.

Viento State Park River Access Day-Use Area Improvements

This OPRD maintenance project is identified in the OPRD Columbia River Gorge Management Units Plan (2015) and is currently in a preliminary scoping stage. The project is located on the north side of the Union Pacific Railroad tracks, directly north of the Viento Campground. At the existing Viento Day-Use Area, an existing gravel parking area is proposed to be paved; a new ADA accessible picnicking area would be added adjacent to an existing plaza area; and an existing kiosk sign would be replaced. Minimal expansion of the existing ‘footprint’ of the existing facility is proposed (Figure 19). The Viento Day-Use area is not noticeably visible from the Columbia River KVA, and no visible changes or changes to existing facilities are expected at the river’s edge.

BPA Hood River Transmission Line Re-Build

The scope of this BPA-led project is to replace 24 miles of existing 115kV transmission line between Bonneville and a substation in Hood River. Most poles and towers would be replaced with modern equivalents or upgraded, in addition to the replacement of the conductors, hardware and fall protection. Limited new access roads and maintenance of existing access ways is included.

Staff considered comments provided on the application and staff finds that when considering the combination of factors listed above and conditions recommended below, project components would not be visually evident to the casual visitor from the Columbia River, Washington State Route 14, Dog Mountain Trail, and Cook-Underwood Road KVAs.

As for the fifth KVA, I-84, portions of the trail will be visually evident, although, mostly those located within the roadway prism. These segments are, however, being designed to comply with the I-84 Corridor Strategy Guidelines and, therefore, are expected to blend in with existing improvements. For those portions of the trail located outside of the roadway prism, the applicant is proposing various techniques to comply with the Not Visually Evident guidelines, which are detailed later in this report.

In addition to limiting the overall visual impacts of the project through site placement, design, color, and materials, the applicant is also proposing various mitigation measures to help alleviate some existing roadway eyesores and enhance the overall scenic qualities of the I-84 travel corridor. In doing so, staff finds that the cumulative impacts associated with the HCRH

State Trail project will be reduced, or at least not made worse. In addition to removing noxious and invasive plant species and landscaping, proposed mitigation efforts include the following:

- Treatment shall be applied to the existing silver gabion baskets on hillside above the Summit Creek Viaduct to be a dark earth toned color found in the landscape.
- The eastbound I-84 Binwall between Starvation Creek and Viento Park shall be stained dark brown similar to the work done on the FHWA Segments A-C project.
- All new and existing concrete shoulder barriers shall be stained dark brown similar to the work done on the FHWA Segments A-C project and install tapered barrier ends to soften vertical lines.
- All structures and components of the project (walls, bridges, stormwater pipe ends, anything visible) shall have appropriate architectural finish that is dark earth tone color and blends in with the landscape.

Staff finds that mitigating for these existing features will help to offset for certain highly visible improvements.

Another contributing factor that was evaluated towards the cumulative effects of the trail includes the likelihood of other similar or associated development occurring on surrounding lands; most of which are designated SMA, Open Space. However, only minimal development is allowed to occur on lands within this zoning designation. Other zones in the area, primarily SMA Public Recreation, are able to be more highly developed. The OPRD Gorge Parks Comprehensive Plan was approved on February 11, 2015, which includes OPRD lands adjacent to the HCRH State Trail proposal.

Staff agrees with the applicant that adverse cumulative impacts will not occur, in light of measures proposed to minimize visual effects of facilities and development along the corridor. Staff finds that the overall cumulative effects will be further offset by the dominating presence of basalt cliffs and forested hillsides that help to break up and conceal much of this linear feature, especially from those KVAs that are further away. The cumulative effects will also be minimized given the fact that most of the visible sections of the trail are located within the roadway prism itself and, therefore, will blend in with existing roadway structures and not contrast with the surrounding setting.

(c) *Applicable SMA scenic standards for all development and uses are summarized in the following table:*

<i>REQUIRED SMA SCENIC STANDARDS</i>		
<i>LANDSCAPE SETTING</i>	<i>LAND USE DESIGNATION</i>	<i>SCENIC STANDARD</i>
<i>Coniferous Woodland, Oak-Pine Woodland</i>	<i>Forest (National Forest Lands), Open Space</i>	<i>Not Visually Evident</i>
<i>River Bottomlands</i>	<i>Open Space</i>	<i>Not Visually Evident</i>
<i>Gorge Walls, Canyonlands, Wildlands</i>	<i>Forest, Agriculture, Public Recreation, Open Space</i>	<i>Not Visually Evident</i>

<i>Coniferous Woodland, Oak-Pine Woodland</i>	<i>Forest, Agriculture, Residential, Public Recreation</i>	<i>Visually Subordinate</i>
<i>Pastoral</i>	<i>Forest, Agriculture, Public Recreation, Open Space</i>	<i>Visually Subordinate</i>
<i>River Bottomlands</i>	<i>Forest, Agriculture, Public Recreation</i>	<i>Visually Subordinate</i>

Finding: The entire length of the proposed Project alignment is fully within the SMA. Approximately 80% of that length is within areas designated Coniferous Woodland landscape setting: from the beginning of the Project at Viento Campground east to Mitchell Point, and again immediately east of Mitchell Point. Mitchell Point has the NSA landscape setting designation of Gorge Walls, Canyonlands, Wildlands. Approximately 0.13 mile east of Mitchell Point, the trail’s alignment enters an area designated Pastoral landscape setting. Landscape settings, land use designations, and corresponding scenic standards for the various portions of the trail are detailed in Table 1 on the following page.

Table 1: Project Required Scenic Standards

Project Element	Landscape Setting	Land Use Designation	Scenic Standard
Viento Campground	Coniferous Woodland	SMA - Public Recreation	Visually Subordinate
Trail oxbows outside of ODOT right-of-way (intermittent) between east of Viento Campground to West of Mitchell Point Parking Lot/Trailhead	Coniferous Woodland	SMA - Open Space	Not Visually Evident
Mitchell Point Parking Lot/Trailhead	Coniferous Woodland	SMA - Public Recreation	Visually Subordinate
Mitchell Point Tunnel	Gorge Walls, Canyonlands, and Wildlands	SMA - Forest	Not Visually Evident
Mitchell Point Drive	Pastoral	SMA – Forest	Visually Subordinate

(d) 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 proposed Project is designed to blend the trail into the natural landscape by maximizing retention of existing screening vegetation and existing terrain. Cuts and fills are minimized as practicable and new native landscaping is proposed. Features such as long, uniform, straight lines (for trail alignments and retaining walls) that might appear engineered when viewed from KVAs were avoided wherever possible. Portions of the trail that are within the I-84 roadway prism are designed to meet the objectives of the I-84 Corridor Strategy.

Other portions of the trail are designed to meet the HCRH State Trail Guidelines and the scenic standards identified in response to Section 530(2)(c) above.

The following descriptions from the application materials summarizes how each portion of the proposed Project in the SMA is designed to comply with the applicable scenic standard. Additional detail can be found in the Visual Impact Assessment provided in Attachment E of the application material.

Viento Campground

The proposed Viento Campground improvements were designed to meet the Visually Subordinate standard. Due to existing topography and dense vegetation coverage, the proposed improvements would not be seen from the I-84 KVA. The pedestrian railing on the new trail connection through the existing parking area would be stained with a weathering agent mottled dark brown to blend in with the surroundings. Construction of the hiker/biker gravel path and campsites would be constructed without removing any trees. The new trail sign would be dark earth tones and would blend into the natural surroundings. The new section of trail over the exiting culvert crossing at Viento Creek would be achieved using a reinforced earthen slope, rather than a concrete retaining wall, which would become vegetated and blend into its natural surroundings (see Attachment B, Sheet H.3 of the application material).

East of Viento Campground to West of Mitchell Point Parking Lot/Trailhead

Approximately 40% of the proposed trail between the Viento Campground and Mitchell Point Parking Lot/Trailhead would be located within the footprint of the I-84 roadway prism. Where the trail curves away from I-84, between STA 325+00 and 330+00, STA 334+00 and 338+00, 344+00 and 349+00, 361+50 and 370+00, 385+00 and 396+00 and 405+00 to Mitchell Point Trailhead/Parking Area, the trail would meet the Not Visually Evident Standard due to a combination of topography, existing vegetation, and new native plantings. Where it is necessary to stabilize small cut and fill slopes, the Not Visually Evident standard would be met by using short boulder walls that use natural materials (boulders from local sources) to blend in with the surrounding landscape. Railings that are necessary for user safety would be 42-inch, steel railings compliant with the Historic Highway State Trail Guidelines and previously used on other State Trail projects that would be stained dark brown using a weathering agent to blend with the surrounding natural landscape.

Within the I-84 roadway prism, a new concrete traffic barrier stained brown with a 22-inch brown steel rail would be installed in the following trail sections: STA 330+04.5 to 333+56.0, 349+96.6 to 360+84.8, 370+72.7 to 383+71.5, and 397+15.4 to 403+62.6. The steel rail would be made of non-reflective brown galvanized steel, which would meet the *I-84 Corridor Strategy Design Guidelines*. (see Attachment B, Sheet C.2 of the application material). The concrete shoulder barrier would be stained brown, which would meet the *I-84 Corridor Strategy Design Guidelines*.

New mechanically stabilized earth (MSE) walls would be installed within the I-84 roadway prism to stabilize trail fill at station 323+50 (Dome Rock Wall) and at station 341+00 (Ridge Cut Wall). New 42-inch non-reflective steel pedestrian rails would be mounted on top of the darkened stone architectural finished MSE walls.

Mitchell Point Parking Lot/Trailhead

Improvements to the existing trailhead and parking area at I-84 Exit 58 would include a pedestrian walkway separated from vehicle traffic through the parking lot, improved parking lot circulation, and replacement of an undersized culvert. The proposed Project would add a split rail pedestrian fence alongside the trail through the parking area, and curb or barrier consistent with state trail guideline to separate vehicles from trail users. Due to the existing topography and dense vegetation screening, the improvements to the Mitchell Point Trailhead/Parking Area would meet the standard of Not Visually Evident to Gorge visitors at any of the applicable KVAs, as detailed in the Visual Impact Assessment.

Mitchell Point Tunnel

Improvements at Mitchell Point would include a 660-foot-long, dark earth-tone tinted shotcrete lined tunnel through Mitchell Point with five adits (windows) for scenic viewing. Trail sections leading to the tunnel portals on the east and west sides would be constructed on the existing Mitchell Point Shelf and include enhancement to the existing viewpoint on the west side of the tunnel with additional masonry rock walls. The tunnel portals, adits, and rockfall mesh have been designed to blend in with the rock face of Mitchell Point and, therefore, would not be visually evident to the casual visitor travelling along I-84 as detailed in the Visual Impact assessment:

The tunnel portal brow and masonry wall adjacent to the trail would look similar to the existing masonry wall at Mitchell Point Viewpoint overlook by referencing the original tunnel design and would follow the Historic Highway State Trail Guidelines regarding materials, color and treatment to promote visual consistency throughout the trail corridor. Shotcrete would be non-reflective and stained to visually blend with the rock around the tunnel portal. The Mitchell Point Tunnel design would also follow the Historic Highway State Trail Guidelines. The Mitchell Point Tunnel and rockfall mesh will achieve the not visually evident scenic standard from the I-84 key viewing area corridor due to the elevation difference from I-84 up to the tunnel, the curvature of the tunnel in relation to I-84, and the color, form, and texture design elements used. Moreover, the 1914 Mitchell Point Tunnel will be honored and reflected in the new tunnel through Mitchell Point.

Staff agrees with the applicant's statement that the Mitchell Point Tunnel will not be visually evident to casual visitors from the Columbia River, SR 14, Dog Mountain Trail, Cook-Underwood Road, or I-84 KVAs. This is due to the viewing distance from these KVAs, screening by vegetation (for the Cook-Underwood Road KVA), and the use of stained shotcrete that would help the structure blend in with the basalt cliffs.

From eastern terminus of the Mitchell Point Tunnel, the proposed trail will follow the original Historic Highway alignment eastward to the existing Mitchell Point Drive where the trail users will use the shoulder of the road for the trail. The Project will include a new overlook just east of the tunnel that will include a 50 foot long masonry rock wall that will be constructed from native stone to blend in with the rock face of Mitchell Point. The trail would then veer away from the highway through an abandoned rock quarry that would be planted with native plants.

Mitchell Point Drive

The proposed trail will follow the origing alignment of the Historic Highway which follows Mitchell Point Drive. At the western end of Mitchell Point Drive the proposed Project would construct an emergency vehicle turn-around with NO PARKING signage. The Project also proposes to add signing along Mitchell Point Drive where the trail will temporarily end and direct cyclists to I-84 and LOCAL ACCESS ONLY signs on westbound Mitchell Point Drive (see attachment C – sheets M.4 and M.5 of the application material). The Mitchell Point Drive portion of the proposed Project would be visually subordinate to casual visitors from the I-84, Columbia River, SR 14, Dog Mountain Trail, and Cook-Underwood Road KVAs because of its elevation and screening by existing vegetation. In addition, as discussed in a previous section, an Addendum to the application was submitted on May 5, 2020 and included as Attachment A to this decision that details the signage plan for dissuading informal parking that may occur along Mitchell Point Drive. All of the proposed signage in the addendum will be consistent with the Manual for Uniform Traffic Control Devices and is allowed without NSA review.

Overall, staff finds that the applicant has proposed to site the trail in a way that attempts to maintain the existing topography and screening vegetation where practical in order to comply with the Not Visually Evident and Visually Subordinate standards. The applicant is proposing to use natural materials, colors, and/or other elements that will allow proposed structures to blend in with the surrounding landscape. The applicant is also proposing the use of dark brown or rust colored bin walls, brown barriers, and brown railings, and non-reflective, grey guardrails, to blend with the surrounding landscape, as well as provide visual character that matches the requirements of the HCRH State Trail Guidelines. Further, the applicant proposes to install new native plantings to provide additional screening.

To ensure compliance with this standard, staff recommends the following conditions:

- All proposed structures shall be either painted a color(s) or composed of materials that are dark earth-tones found at the specific site or of the surrounding landscape, such as dark browns, dark green, or dark grays.
- Prior to commencing construction activities, a color sample and test panels for all concrete work on this project shall be provided to the County and USFS for review to ensure compliance with applicable color requirements discussed in the previous condition. The USFS has recommended Federal Standard Color FS36081 for this work.
- Rock fall mesh shall be attached to the rock face to the maximum extent possible, to avoid a waterfall effect that is evident to the casual viewer in I-84, without compromising its intended function.
- All rockfall mesh and rockfall mitigation elements shall be treated with a weathering agent to achieve a color found in the landscape and blend with the rock face.
- To the greatest extent possible, the different types/shapes of rockfall mesh should be similar in nature and the seams of the rockfall mesh shall be sewn and not overlapped to reduce vertical lines in mesh.

- To the greatest extent possible, all rockfall attenuation fences should be designed and installed in such a way as to not protrude above the line of a bluff, cliff or skyline as seen from key viewing areas

Based on the above information and recommended conditions, staff finds that this standard is met.

- (e) Proposed developments 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: As described above, the proposed Project has been carefully sited to meet the objective of reconnecting abandoned segments of the Historic Highway while utilizing the natural topography to minimize grading. The use of the existing Historic Highway alignment and selecting the alignment of the trail to minimize tree removal would help to achieve the applicable scenic standards. The use of appropriate rockfall mitigation treatments (fences, gabion baskets, or mesh) instead large rock slope cuts have minimized the amount of excavation throughout the Project. Where rockfall mitigation measures are needed, strategies with the least visual impact were chosen; for example, rock mesh would be stained dark earth-tone colors to blend into the slope and pinned to the slope where possible to avoid a waterfall (straight vertical line) visual effect. Strategic planting of native vegetation is proposed to restore impacted areas and improve the scenic qualities of the trail. Therefore, Staff finds that the Not Visually Evident and Visually Subordinate standards will be met.

- (f) 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:

- (i) The amount of area of the building site exposed to key viewing areas,*
- (ii) The degree of existing vegetation providing screening,*
- (iii) The distance from the building site to the key viewing areas from which it is visible,*
- (iv) The number of key viewing areas from which it is visible, and*
- (v) 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 are visually subordinate to their setting as seen from key viewing areas, including but not limited to:

- (i) Siting (location of development on the subject property, building orientation, and other elements),*
- (ii) Retention of existing vegetation,*

- (iii) Design (color, reflectivity, size, shape, height, architectural and design details and other elements), and*
- (iv) New landscaping.*

Finding: As described above in response to Section 530(2)(c), the applicable scenic standards vary along the length of the proposed trail based on the landscape setting, land use designation, and proposed siting of the trail relative to the I-84 roadway prism. Efforts to achieve the scenic standard to the degree the project is visible to Key Viewing Areas are detailed in Attachment E, Visual Impact Assessment Report of the application material. Staff agrees with the detailed response in Attachment E, Visual Impact Assessment Report submitted with the application materials and adopts them as findings to meet this criterion.

Staff conducted a site visit with OPRD and USFS staff to the South Viento Campground and Maintenance Facility project sites to assess visual impacts of the proposed buildings at this location and Mitchell Point Trailhead in February 2020. Specific federal standard colors were identified at that site visit and are included as conditions of approval along with conditions requiring use of non-reflective materials on proposed structures. Staff finds that along with these conditions the amount of area of the building site exposed to key viewing areas meets the Not Visually Evident and Visually Subordinate standards where applicable due to existing vegetation providing screening, the distance from the building site to the key viewing areas from which it is visible, the number of key viewing areas from which it is visible, and the linear distance along the key viewing areas from which the building site is visible (which are all detailed in the Attachment E, Visual Impact Assessment Report included with the application).

As noted earlier, those segments of the trail located within and adjacent to the I-84 roadway prism will follow I-84 Corridor Strategy Design Guidelines. Staff finds that using these guidelines will ensure continuity between the trail and related structures and other existing road improvements.

To ensure compliance with this standard, staff recommends the following conditions:

- All improvements located within and adjacent to the I-84 roadway prism shall be constructed in compliance with applicable I-84 Corridor Strategy Design Guidelines.
- All improvements located outside of the I-84 roadway prism shall be constructed in compliance with the scenic guidelines of Visually Subordinate or Not Visually Evident. To achieve the applicable visual objective, the applicant shall ensure that all planted vegetation is appropriately located and sized to provide sufficient screening within 5 years or less from the date that project construction commences.

All other segments of the trail within the SMA are proposed to meet the scenic standard of Not Visually Evident and Visually Subordinate standards where applicable. To comply with these standards, the applicant is proposing to utilize existing terrain and screening vegetation to conceal the improvements to the maximum extent possible. The applicant is also proposing to use dark earth-tone colors and/or natural building materials in most areas as a means to blend the proposed structures in with the natural landscape. Conditions related to the specific

colors to be used on proposed structures and South Viento Campground and Maintenance Facility and Mitchell Point Trailhead were addressed in previous sections and included as conditions of approval.

Staff agrees, based on the analysis in Attachment E Visual Impact Assessment Report submit with the application, that no adverse impacts to the scenic quality of the Gorge KVAs would result from the proposed Historic Highway Segments E and F. Therefore, visual mitigation would not be required. However, Staff agrees with the project designers proposed opportunities to incorporate visually beneficial elements into the proposed project. Those elements include the following and will be included as conditions of approval:

- Treatment shall be applied to the existing silver gabion baskets on hillside above the Summit Creek Viaduct to be a dark earth toned color found in the landscape.
- The eastbound I-84 Binwall between Starvation Creek and Viento Park shall be stained dark brown similar to the work done on the FHWA Segments A-C project.
- All new and existing concrete shoulder barriers shall be stained dark brown similar to the work done on the FHWA Segments A-C project and install tapered barrier ends to soften vertical lines.
- All structures and components of the project (walls, bridges, stormwater pipe ends, anything visible) shall have appropriate architectural finish that is dark earth tone color and blends in with the landscape.

Based on analysis provided in the Attachment E Visual Impact Assessment Report, which are adopted herein as findings, the site visit conducted in February 2020 with OPRD and USFS staff, and recommended conditions, staff finds that this standard is met.

(g) 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: The proposed Project is designed to be consistent with guidelines to protect wetlands, riparian corridors, sensitive plant and wildlife sites, and the buffer zones of each of these natural resources, and cultural resources. These guidelines are addressed in subsequent sections of this report, including Subsection II(E) – Section 600: Special Management Area Natural Resource Review Criteria.

(h) Proposed developments shall not protrude above the line of a bluff, cliff, or skyline as seen from key viewing areas.

Finding: The proposed Project would not protrude above the line of a bluff, cliff, or skyline as seen from KVAs. Visualizations of the of the proposed Project’s most potentially visible components (retaining wall at STA 340+00, trail at STA 373+50, bridge at STA 389+64, and the tunnel at STA 448+29) are provided in Section 7 of the Visual Impact Assessment (Attachment E in application) indicate that no proposed structures will protrude above the line of a bluff, cliff, or skyline as seen from key viewing areas. USFS provided comments with concerns about a rockfall attenuation fence at Stepped Cut that protrudes above the cliff face and into the skyline. In response to the USFS concern about the attenuator fence post being silhouetted against the skyline, Project geologists visited the site to reconfigure the posts in a

strategic way that maintains protection but addresses the concern about visual impact. The post of concern was moved to eliminate the silhouette issue. The attenuator will now terminate into an outcrop and work with the upper mesh rather than using a more conventional termination detail. Staff finds that with this change to the project, the standard is met for the attenuator fence at Stepped Cut. Staff recommends the following condition of approval to ensure compliance with this standard throughout the Project, to the greatest extent possible, all rockfall attenuation fences should be designed and installed in such a way as to not protrude above the line of a bluff, cliff or skyline as seen from key viewing areas. With this change to the project and the recommended condition, Staff finds that this requirement is met.

- (i) *Structure height shall remain below the average tree canopy height of the natural vegetation adjacent to the structure, except if it has been demonstrated that meeting this guideline is not feasible considering the function of the structure.*

Finding: As detailed below, the heights of the structures associated with the Project would remain below the average tree canopy height of adjacent vegetation. This is depicted for key structures in the visualizations provided in Section 7 of the Visual Impact Assessment (Attachment E) attend to the application. Staff agrees with the findings in the Attachment E, Visual Impact Assessment.

Perham Creek Bridge

The highest part of the Perham Creek Bridge, the pedestrian railing, would extend approximately 42” above the finished grade. As such, it would be below the average tree canopy height adjacent to the structure (Figure 20).

Viento Campground to Mitchell Point

Structures in this section of the trail include MSE retaining walls and wood and steel railings. The MSE retaining walls would not extend above the top of the finished grade for the trail. The steel railings would be 42 inches tall and the wood railings would be 48 inches tall. Therefore, these structures would be below the average adjacent tree canopy height.

Four buildings/structures are proposed at the South Viento State Park Campground, including replacing an existing restroom with a new restroom facility (peak building height of 14'-4”), remodeling the existing OPRD maintenance facility with a 25 foot by 25 foot expansion on the west side (peak building height 20'-9”), constructing three-sided shelters at four of the eight proposed hiker/biker gravel camping pads (peak shelter height 9'-6”), and erecting a kiosk near the entrance of the campground (peak kiosk height 9'-6”). The total elevation of each of these proposed structures would be well below the average adjacent tree canopy height in this area.

A new 32 inch tall brown concrete traffic barrier would be installed along I-84 where the trail is adjacent to the roadway shoulder (between stations 321+55 and 404+08). A 22 inch brown steel rail would be mounted on the barrier. The total elevation of this structure would be below the average adjacent tree canopy height.

Mitchell Creek Culvert

The highest part of the Mitchell Creek Culvert, the pedestrian railing, would extend approximately 3.5 feet above the finished grade. As such, it would be below the average

tree canopy height adjacent to the structure (Figure 21).

Mitchell Point Trailhead and Tunnel

At the Mitchell Point Trailhead, the project includes replacing an existing restroom with a new larger two-stall restroom. The total elevation of this structure would be below the average adjacent tree canopy height.

The proposed Mitchell Point Tunnel is located on a cliff face where few trees are present. The highest part of the proposed tunnel structure would be the top of the portals, which would be approximately 14 feet above the finished grade of the trail on Mitchell Point. The portals have been designed to blend in with the appearance of the rock face (Figure 22).

All structures proposed would not extend above the canopy height of adjacent vegetation. As such, staff finds this standard met.

The following guidelines shall apply to new landscaping used to screen development from key viewing areas:

- (A) New landscaping (including new earth berms) to achieve the required scenic standard from key viewing areas shall be required only when application of all other available guidelines in this chapter is not sufficient to make the development meet the scenic standard from key viewing areas. Development shall be sited to avoid the need for new landscaping wherever possible.*

Finding: In many areas, no new landscaping is required to achieve the required scenic standard from key viewing areas. Revegetation is proposed along sections of the trail that would be impacted by trail construction. In some locations, such as where the proposed trail would parallel the I-84 shoulder (Stations 322, 330, 339, 350, and 370), revegetation will also serve to improve screening from the I-84 key viewing area.

In compliance with this standard, staff finds that the project has been designed to utilize the existing topography of the site in order to minimize grading. Staff also finds that in many areas along the proposed trail, no new landscape/vegetation will need to be provided to meet applicable scenic standard. However, other areas will benefit from native plant restoration and landscaping in order to either revegetate areas that current lack native vegetation or to revegetate areas that are disturbed by construction activities. Staff finds that the applicant has provided a plan that minimizes disturbance to the maximum extent practical, while adequately revegetating areas where impacts are unavoidable.

- (B) If new landscaping is necessary to meet the required standard, existing on-site vegetative screening and other visibility factors shall be analyzed to determine the extent of new landscaping, and the size of new trees needed to achieve the standard. Any vegetation planted pursuant to this guideline shall be sized to provide sufficient screening to meet the scenic standard within five years or less from the commencement of construction.*

Finding: Revegetation and Landscaping plans are provided in Attachments B and C in the application materials. On-site vegetation and the size of new trees will be sized to provide sufficient screening within five years or less from the commencement of construction has been considered as part of the design shown in the landscape plans.

Staff finds that that the size, type, and location of vegetation needing to be planted in order to achieve the requisite standards of Not Visually Evident or Visually Subordinate have been reasonably accounted for as part of the applicant's proposed planting plans. To ensure compliance with this standard, staff recommends the following conditions:

- All planted vegetation will be appropriately sized to provide sufficient screening and meet applicable scenic standard of Not Visually Evident or Visually Subordinate within 5 years or less from the date that project construction commences.
- All improvements located outside of the I-84 roadway prism shall be constructed in compliance with the scenic guidelines of Visually Subordinate or Not Visually Evident. To achieve the applicable visual objective, the applicant shall ensure that all planted vegetation is appropriately located and sized to provide sufficient screening within 5 years or less from the date that project construction commences.

Based on the above information, staff finds that this standard is met.

(C) Landscaping shall be installed as soon as practicable, and prior to project completion. Applicants and successors in interest for the subject parcel are responsible for the proper maintenance and survival of planted vegetation, and replacement of such vegetation that does not survive.

Finding: The applicant states that grading and vegetation removal activities will be minimized as much as possible. However, in those areas that do require grading and vegetation removal, the applicant states that disturbed soils will be regraded, excess selected topsoil will be distributed over compacted soil areas, selected topsoil will be tamped and graded to drain, soils will be stabilized, and landscaping installed prior to project completion in order to maximize plant survival and control soil erosion.

To ensure compliance with this standard, staff recommends the following conditions:

- Upon completing construction at each individual project site, all disturbed areas shall be immediately re-graded to their pre-excavation condition and stabilized with a weed-free mulched or composed to prevent erosion. At the same time or as soon as possible thereafter, all disturbed areas shall then be reseeded with a native seed mix approved by USFS Scenic Area Office and replanted as described in the applicant's approved landscaping plan and approved mitigation plan.
- All disturbed areas shall be revegetated immediately upon completing the project (or as soon as possible thereafter if the project is completed during the winter months) with at least 80 percent vegetative coverage within 1 year.
- The applicant is responsible for ongoing maintenance and survival of the planted vegetation, and replacement of vegetation that does not survive.

With these conditions, staff finds that this standard will be met.

(D) The Scenic Resources Implementation Handbook shall include recommended species for each landscape setting consistent with the Landscape Settings Design Guidelines in this

chapter, and minimum recommended sizes of new trees planted (based on average growth rates expected for recommended species).

Finding: The applicant has referenced the Scenic Resources Implementation Handbook as a guide in establishing planting plans in conjunction with the on-site plant inventory. Staff finds that this standard is met

- (j) *Unless expressly exempted by other provisions in this chapter, colors of structures on sites visible from key viewing areas shall be dark earth-tones found at the specific site or the surrounding landscape. The specific colors or list of acceptable colors shall be included as a condition of approval. The Scenic Resources Implementation Handbook will include a recommended palette of colors as dark or darker than the colors in the shadows of the natural features surrounding each landscape setting.*

Finding: For structures on sites visible from KVAs, the applicant is proposing the use of materials that are dark brown or dark gray in color, which are commonly found within the project area. Colors of structures have been selected to blend with natural settings. The colors selected for the structures are found in the landscape. This includes the stone masonry proposed for the trail sections leading to the Mitchell Point Tunnel portals and the tunnel adits and the dark brown pedestrian safety rails along I-84.

At the Viento Campground, buildings will be painted a dark earth-tone in color – specific colors are listed as the following Federal Standard Colors for each building below and included as condition of approval.

Viento Campground Buildings (including new restroom facility, remodeling the existing OPRD maintenance facility with a 25 foot by 25 foot expansion on the west side, three-sided shelters at four of the eight proposed hiker/biker gravel camping pads, and a kiosk near the entrance of the campground):

- 34083 – at shakes/siding
- 34079 – at trim
- 34084 – at doors, fascia/eaves
- 34083 – fuel station
- Stain on cedar members- Penofin Ultra Premium Red Label (color transparent cedar).

The 3-sided bike shelters and bike pod proposed for South Viento Campground shall follow the same Federal Standard Colors as detailed above for the South Viento Campground and Maintenance Facility Buildings. Any metal (on roofing or lockers) of these structures shall be coated with a non-reflective material to meet landscape setting standards.

At the Mitchell Point Trailhead, the project includes replacing an existing restroom with a new larger two-stall restroom. The proposed restroom building is located within the Coniferous Woodland landscape setting. Information for the building can be found in Attachment B sheets E.8 through E.11 in the application materials. The images of the restroom feature a triangular gabled roof, an architectural treatment that provides a more vertical appearance than flat or rounded roof would. The buildings will be painted a dark earth-tone in color – specific colors are listed as the following Federal Standard Colors for each building below and included as condition of approval.

Mitchell Point Trailhead restroom:

- 34083 – at siding
- 34079 – at trim
- 34084 – at doors, fascia/eaves

As discussed in previous findings, prior to commencing construction activities, a color sample and test panels for all concrete work on this project shall be provided to the County and USFS for review to ensure compliance with this standard. The USFS has recommended Federal Standard Color FS36081 for this work. This requirement is included as a condition of approval

Based on the above information and recommended conditions, staff finds that this standard is met.

- (k) The exterior of structures on lands seen from key viewing areas shall be composed of non-reflective materials or materials with low reflectivity. The Scenic Resources Implementation Handbook will include a recommended list of exterior materials. These recommended materials and other materials may be deemed consistent with this guideline, including those where the specific application meets approval thresholds in the “Visibility and Reflectivity Matrices” in the Implementation Handbook. Continuous surfaces of glass unscreened from key viewing areas shall be limited to ensure meeting the scenic standard. Recommended square footage limitations for such surfaces will be provided for guidance in the Implementation Handbook.*

Finding: Proposed structures are primarily using natural building materials, such as basalt and wood. Where steel is proposed for railings, a non-reflective galvanized steel with weathering agents achieving a mottled dark stain on exposed surfaces would be specified. Staff recommends a condition requiring that all metal railings be of a non-reflective material or painted/treated with a matte finish to help minimize potential reflectivity.

- (l) Any exterior lighting shall be sited, limited in intensity, shielded, or hooded in a manner that prevents lights from being highly visible from key viewing areas and from noticeably contrasting with the surrounding landscape setting, except for road lighting necessary for safety purposes.*

Finding: As discussed in previous section – lighting of the Mitchell Point Tunnel has been removed from this project. Exterior lighting is proposed on Viento Campground Bathroom and Maintenance Facility. Staff recommends a condition of approval that all exterior lighting be sited, limited in intensity, shielded, or hooded in a manner that prevents lights from being highly visible from key viewing areas and from noticeably contrasting with the surrounding landscape setting. With this condition, staff finds that this standard is met.

- (m) Seasonal lighting displays shall be permitted on a temporary basis, not to exceed 3 months.*

Finding: Not applicable. No seasonal lighting displays are proposed.

(3) SMA Guidelines for KVA Foregrounds and Scenic Routes

- (a) All new developments and land uses immediately adjacent to scenic routes shall be in conformance with state or county scenic route guidelines.*
- (b) Scenic highway corridor strategies shall be developed and implemented for Interstate 84 and the Historic Columbia River Highway.*
- (c) The goals of the scenic corridor strategies shall include: 1) providing a framework for future highway improvements and management that meet Management Plan scenic guidelines and public transportation needs; and 2) creating design continuity for the highway corridor within the Scenic Area. Corridor strategies shall, at minimum, include design guidelines (e.g. materials, conceptual designs, etc.) for typical projects that are consistent with Management Plan scenic resources provisions and an interdisciplinary, interagency project planning and development process.*

Finding: The proposed Project is adjacent to I-84 and follows the original alignment of the Historic Highway. It is designed to conform to the I-84 Corridor Strategy (2005) and the HCRH State Trail Guidelines (2011), which are the applicable scenic route guidelines that have been developed and implemented for Interstate 84 and the Historic Columbia River Highway. No separate county scenic route guidelines apply in this instance. Staff finds that these guidelines have been used in the design of this and other segments of trail. Subject to earlier conditions, staff also finds that the scenic standards of Not Visually Evident or Visually Subordinate are also being met for those portions of the trail located outside of or adjacent to the I-84 road prism.

- (d) The following guidelines shall apply only to development within the immediate foregrounds of key viewing areas. Immediate foregrounds are defined as within the developed prism of a road or trail KVA or within the boundary of the developed area of KVAs such as Crown Pt. and Multnomah Falls. They shall apply in addition to applicable guidelines in Section 530(2).*
- (A) The proposed development shall be designed and sited to meet the applicable scenic standard from the foreground of the subject KVA. If the development cannot meet the standard, findings must be made documenting why the project cannot meet the requirements in the previous Section and why it cannot be redesigned or wholly or partly relocated to meet the scenic standard.*

Finding: The proposed trail and infrastructure has been designed to use a combination of existing terrain and vegetation screening to the maximum extent possible to minimize the visibility of the trail from I-84. As mentioned, portions of the trail are located within or adjacent to the roadway prism and, therefore, unable to meet certain scenic standards as addressed in subsection 530(2)(d) above. In these instances, though, the proposed project has been designed to be consistent with the I-84 Corridor Strategy Guidelines and HCRH State Trail Guidelines. Based on the above information, staff finds that this standard is met.

- (B) Findings must evaluate the following:*
 - (i) The limiting factors to meeting the required scenic standard and/or applicable guidelines from the previous Section;*

- (ii) *Reduction in project size;*
- (iii) *Options for alternative sites for all or part of the project, considering parcel configuration and on-site topographic or vegetative screening;*
- (iv) *Options for design changes including changing the design shape, configuration, color, height, or texture in order to meet the scenic standard.*

Finding: Overall, staff finds that the size, location, and extent of development proposed as part of this application is the minimum necessary to achieve its intended purpose of reconnecting abandoned sections of the HCRH. This project is identified as a priority in the both the Columbia River Gorge National Scenic Area Act and Management Plan.

As mentioned, staff finds that the proposed trail conforms to the applicable NSA standards of Not Visually Evident or Visually Subordinate for those segments of trail located outside of or adjacent to the roadway prism. For those portions of the trail located within the roadway prism, staff finds that the proposed trail conforms to applicable I-84 Corridor Strategy Guidelines. Whether within the roadway prism or not, staff finds that the trail and associated structures are consistent with HCRH State Trail Guidelines.

- (C) *Form, line, color, texture, and design of a proposed development shall be evaluated to ensure that the development blends with its setting as seen from the foreground of key viewing areas:*
 - (i) *Form and Line-Design of the development shall minimize changes to the form of the natural landscape. Development shall borrow form and line from the landscape setting and blend with the form and line of the landscape setting. Design of the development shall avoid contrasting form and line that unnecessarily call attention to the development.*
 - (ii) *Color-Color shall be found in the project's surrounding landscape setting. Colors shall be chosen and repeated as needed to provide unity to the whole design.*
 - (iii) *Texture-Textures borrowed from the landscape setting shall be emphasized in the design of structures. Landscape textures are generally rough, irregular, and complex rather than smooth, regular, and uniform.*
 - (iv) *Design-Design solutions shall be compatible with the natural scenic quality of the Gorge. Building materials shall be natural or natural appearing. Building materials such as concrete, steel, aluminum, or plastic shall use form, line color and texture to harmonize with the natural environment. Design shall balance all design elements into a harmonious whole, using repetition of elements and blending of elements as necessary.*

Finding: As detailed in the applicant's plan, multiple structures, such as retaining walls, guardrails, fences, railings, bench seating, signs, and paved surfaces, are proposed to be developed in conjunction with this project. All structures have been designed to conform to HCRH State Trail Guidelines, which tend to mimic the historic character of the original HCRH. The trail and related structures also use natural materials, such as wood and stone as

much as possible, which will allow visible portions of the trail to blend in with the surrounding landscape. Where artificial structures are used, such as metal railings, asphalt surfaces, and concrete barriers, the applicant is proposing the use of dark, earth-tone colors, such as dark brown, grey, green, and black, to ensure these structures also blend in with the surrounding landscape to the maximum extent possible. Staff also finds that many of the proposed structures, including walls and bench seating, etc., use irregular shapes and/or textures to imitate the natural setting in which they are located. The proposed size, location, and extent of the trail are the minimum necessary to achieve the objective of reconnecting abandoned portions of the Historic Highway with an accessible recreational trail. Staff finds that, with the conditions of approval recommended, this standard will be met.

(e) Right-of-way vegetation shall be managed to minimize visual impacts of clearing and other vegetation removal as seen from key viewing areas. Roadside vegetation management (vista clearing, planting, etc.) should enhance views from the highway.

Finding: The proposed Project does not include right-of-way or roadside vegetation management other than replanting disturbed areas.

(f) Screening from key viewing areas shall be encouraged for existing and required for new road maintenance, warehouse, and stockpile areas.

Finding: No new road maintenance, warehouse, or stockpile areas are proposed. However, as part of the work to reconstruct the OPRD South Viento State Park Campground and Maintenance Facility, the proposed Project includes revegetation between the trail and the north side of the Campground and Maintenance Facility. In addition, the applicant's plans include detailed descriptions of staging areas for construction that minimize impacts during the construction phase of this project.

(4) SMA Guidelines for Areas Not Seen from KVAs

(a) Unless expressly exempted by other provisions in this chapter, colors of structures on sites not visible from key viewing areas shall be earth-tones found at the specific site. The specific colors or list of acceptable colors shall be approved as a condition of approval, drawing from the recommended palette of colors included in the Scenic Resources Implementation Handbook.

Finding: Proposed structures on portions of the trail that are not visible from key viewing areas would be earth-tone colors found at the site.

As stated previously, the proposed project is located in the Coniferous Woodland and Pastoral Landscape Settings and, therefore, the applicable scenic standards are Not Visually Evident or Visually Subordinate for portions of the project that are outside of the I-84 road prism.

As explained by the applicant, the location and structural design of the proposed trail and related improvements, together with the use of existing topographic and vegetation screening, will allow them to blend into the adjacent natural environment, which conforms to the Not Visually Evident or Visually Subordinate standard. In areas directly adjacent to I-84, materials and dark earth tone colors meeting the I-84 Corridor Strategy Design Guidelines are proposed to be used. Staff finds this standard is met.

E. HRCZO: Article 75, Section 550: Special Management Area Cultural Resource Review Criteria

(1) General Guidelines for Implementing the Cultural Resources Protection Process

- (a) *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 Code of Federal Regulations (CFR) Part 61 and Guidelines for Evaluating and Documenting Traditional Cultural Properties (Parker and King, no date).*
- (b) *Cultural resource surveys, evaluations, assessments, and mitigation plans shall generally be conducted in consultation with Indian tribal governments and any interested persons who submit written comments on a proposed use. Indian tribal governments shall be consulted if the affected cultural resources are prehistoric or otherwise associated with Native Americans. If the cultural resources are associated with non-Native Americans, such as an historic house or pioneer campsite, the Indian tribal governments do not have to be consulted.*

Finding: All cultural resource surveys, evaluations, assessments, and mitigation plans have been performed by professional archaeologists and historians who meet the Secretary of the Interior’s professional qualification standards in 36 CFR 61. All cultural resource surveys, evaluations, assessments, and mitigation plans have been conducted in consultation with Indian tribal governments. The cultural resource review was performed by Robert Hadlow, PhD, Senior Historian, with ODOT and is included as an attachment in the application. It was determined that the project would have no effect on historic properties.

In addition, a cultural resource survey report entitled “Historic Columbia River Highway State Trail Project, Segments E and F (Viento State Park to Mitchell Creek, Mitchell Creek to Mitchell Point Tunnel, and Mitchell Point East to I-84 Undercrossing), Hood River, County, Oregon”, prepared by Jaime Kennedy, Thomas J. Connolly, Heather Butler, Christopher L. Ruiz, with the University of Oregon, Museum of Natural and Cultural History (Museum Report 2020-017) was completed and submitted as part of the application materials in April 2020.

- (c) *The USFS will be responsible for performing the literature review and consultation, inventory, evaluations of significance, assessments of effect, and mitigation requirements in Section 550(4) for forest practices and National Forest System lands.*

Finding: Chris Donnermeyer, Archaeologist/Heritage Program Manager for the Columbia River Gorge Scenic Area, USDA USFS submitted a review letter on June 1, 2020 to Hood River County stating concurrence with the findings of the Museum Report 2020-017. The review letter also gives detailed procedures to follow in case of discovery of previously unrecorded cultural resources. In addition, the review letter concurs with the findings of 2020-017 and recommends that a due to the project’s proximity to significant cultural features

identified at the Sonny Site (35HR095), a qualified archaeologist must be onsite to monitor all project activities and site limits should be flagged for avoidance at this site, which is included as a condition of approval. Staff finds this standard is met, with recommended conditions of approval.

(d) New developments or land uses shall not adversely affect significant cultural resources.

Finding: As stated in previous finding - a cultural resources review was completed for the proposed project and documented in the Cultural Resources Report (Attachment C in application materials and Museum Report 2020-017). The reports found that the proposed project will have No Effect to historic properties or archeological resources.

Kurt Roedel, Archeologist with SHPO, stated in a letter dated May 19, 2020 that the project will likely have no adverse effect on any significant archeological objects or sites including 35HR95. Sarah Jalving, Historian SHPO, indicated in a letter dated May 12, 2020, concurred with the finding of no adverse effect historic resources within the E and F segments of this project. Staff finds that this standard is met.

(2) The procedures and guidelines in Section 540 shall be used to review all proposed developments and land uses other than those on all federal lands, federally assisted projects and forest practices.

Finding: Because FHWA is the lead agency for Section 106 of the Historic Preservation Act on this project, it is a federally assisted project. Section 550 was therefore used to review the project.

(3) The procedures and guidelines in 36 CFR 800 and Section 550(4) shall be used by federal agencies to evaluate new developments or land uses on federal lands, federally assisted projects, and forest practices.

Finding: As explained by the applicant, FHWA is the lead Section 106 agency. Section 550 was therefore used to review the project.

(4) The following procedures as well as the provisions in 36 CFR 800.4 for assessing potential effects to cultural resources and 36 CFR 800.5 for assessing effects to cultural resources shall be used to assess potential effects to cultural resources.

(a) Literature Review and Consultation

(A) An assessment shall be made to determine if any cultural resources listed on the National Register of Historic Places at the national, state or county level exist on or within the area of potential direct and indirect impacts.

(B) A search shall be made of state and county government, National Scenic Area/Forest Service and any other pertinent inventories, such as archives and photographs, to identify cultural resources, including consultation with the State Historic Preservation Office and tribal governments. State and Tribal government response to the consultation request shall be allowed for 30 days.

(C) Consultation with cultural resource professionals knowledgeable about the area.

(D) A field inventory by a cultural resource professional shall be required if the Forest Service determines that a recorded or known cultural resource exists on or within the immediate vicinity of a new development or land use, including those reported in consultation with the Tribal governments.

Finding: Cultural resources in the project area are thoroughly documented. The Historic Highway itself is listed on the NRHP as the Columbia River Highway Historic District. Eligible cultural sites are located throughout the project corridor. A cultural resources review was completed for the proposed geotechnical investigations and documented in the Cultural Resources Report (Attachment C) and Museum Report 2020-017. The reports found that the proposed project will have No Effect to historic properties or archeological resources.

As noted earlier, Kurt Roedel, Archeologist with SHPO, stated in a letter dated May 19, 2020 that the project will likely have no adverse effect on any significant archeological objects or sites including 35HR95. Sarah Jalving, Historian SHPO, indicated in a letter dated May 12, 2020, concurred with the finding of no adverse effect historic resources within the E and F segments of this project. Staff finds that this standard is met.

(b) Field Inventory

(A) Tribal representatives shall be invited to participate in the field inventory.

Finding: In May of 2019 and in September 2019, consultation emails were sent to following Tribes requesting notification if the Tribes believe resources of cultural and religious significance might be impacted by the proposed geotechnical investigations:

- Confederated Tribes of the Grand Ronde Community of Oregon
- The Confederated Tribes Of The Colville Reservation
- Nez Perce Tribe
- Confederated Tribes of the Umatilla Indian Reservation
- Confederated Tribes of Siletz Indians
- Confederated Tribes of the Warm Springs Reservation of Oregon
- Confederated Tribes and Bands of the Yakama Nation

Standard notice was also mailed to the four area Tribal governments (Nez Perce, Umatilla, Warm Springs, and Yakama) by the County Planning Department on September 25, 2019. No specific concerns were received in response to this notice, although the Confederated Tribes of the Warm Springs Reservation of Oregon did indicate that the area of potential effect is located within the areas of concern Confederated Tribes of the Warm Springs Reservation of Oregon and they recommended an explicit Inadvertent Discovery Plan (IDP) for human remains, items of cultural patrimony, and intact archaeological deposits are in place in advance of Project implementation; construction crews should be trained/briefed on the contents and importance of the IDP. Staff agrees with this recommendation and has included it as a condition of approval.

(B) The field inventory shall consist of one or the other of the following guidelines, as determined by the cultural resource professional:

(i) Complete survey: the systematic examination of the ground surface through a controlled procedure, such as walking an area in evenly-spaced transects. A complete survey may also require techniques such as clearing of vegetation, augering or shovel probing of subsurface soils for the presence of buried cultural resources.

(ii) Sample survey: the sampling of an area to assess the potential of cultural resources within the area of proposed development or use. This technique is generally used for large or difficult to survey parcels, and is generally accomplished by a stratified random or non-stratified random sampling strategy. A parcel is either stratified by variables such as vegetation, topography or elevation, or by non-environmental factors such as a survey grid.

Under this method, statistically valid samples are selected and surveyed to indicate the probability of presence, numbers and types of cultural resources throughout the sampling strata. Depending on the results of the sample, a complete survey may or may not subsequently be recommended.

(C) A field inventory report shall be prepared, and shall include the following:

(i) A narrative integrating the literature review of Section (4)(a) above with the field inventory of Section (4)(b) above.

(ii) A description of the field inventory methodology used, including the type and extent of field inventory, supplemented by maps which graphically illustrate the areas surveyed, not surveyed, and the rationale for each.

(iii) A statement of the presence or absence of cultural resources within the area of the new development or land use.

(iv) When cultural resources are not located, a statement of the likelihood of buried or otherwise concealed cultural resources shall be included. Recommendations and standards for monitoring, if appropriate, shall be included.

Finding: As noted previously, a cultural resources review was completed by ODOT for the proposed project. Additionally, a cultural resources survey was conducted by the Oregon State Museum of Anthropology (Museum Report 2020-017), which meets the requirements above.

(E) The field inventory report shall be presented to the Forest Service for review.

Finding: In compliance with this standard, FHWA transmitted the cultural reports directly to Chris Donnermeyer and a subsequent review letter was submitted on June 1, 2020 to Hood River County stating concurrence with the findings of the Museum Report 2020-017.

(c) Evaluations of Significance

- (A) *When cultural resources are found within the area of the new development or land use, an evaluation of significance shall be completed for each cultural resource in accordance with to the criteria of the National Register of Historic Places (36 CFR 60.4).*
- (B) *Evaluations of cultural resource significance shall be guided by previous and current research designs relevant to specific research questions for the area.*
- (C) *Evaluations of the significance of traditional cultural properties shall follow National Register Bulletin 38, Guidelines for the Evaluation and Documentation of Traditional Cultural Properties, within local and regional contexts.*
- (D) *Recommendations for eligibility to the National Register shall be completed for each identified resource, in accordance with National Register criteria A through D (36 CFR 60.4). The Forest Service shall review evaluations for adequacy.*
- (E) *Evidence of consultation with tribal governments and individuals with knowledge of the cultural resources in the project area, and documentation of their concerns, shall be included as part of the evaluation of significance.*
- (F) *An assessment of effect shall be required if the Forest Service determines that the inventoried cultural resources are significant.*

Finding: In compliance with this standard, FHWA transmitted the cultural reports directly to Chris Donnermeyer, USDA Forest Service. The reports evaluate the significance of each identified cultural resource. Evaluations were done by qualified, experienced archaeologists and were completed in accordance with the Guidelines for the Evaluation and Documentation of Traditional Cultural Properties and in accordance with the standards in Section 106 of the National Register of Historic Places (16 USC 470f). Recommendations for eligibility to the NRHP were completed for each identified resource and can be found in the cultural reports as well.

(d) Assessment of Effect

- (A) *For each significant (i.e., National Register eligible) cultural resource inventoried within the area of the proposed development or change in use, assessments of effect shall be completed, using the criteria outlined in 36 CFR 800.5 ("Assessing Effects"). Evidence of consultation with tribal governments and individuals with knowledge of the cultural resources of the project area shall be included for Sections (4)(d)(B) through (4)(d)(D) below. The Forest Service shall review each determination for adequacy.*
- (B) *If the proposed development or change in use will have "No Adverse Effect," as defined by 36 CFR 800.4, to a significant cultural resource, documentation for that finding shall be completed, following the "Documentation Standards" of 36 CFR 800.11. If the proposed development or change in use will have an effect then the criteria of adverse effect must be applied (36 CFR 800.5).*

(C) If the proposed development or change in use will have an "Adverse Effect" as defined by 36 CFR 800.5 to a significant cultural resource, the type and extent of "adverse effect" upon the qualities of the property that make it eligible for the National Register shall be documented (36 CFR 800.6 "Resolution of Adverse Effects"). This documentation shall follow the process outlined under 36 CFR 800.11 ("Failure to Resolve Adverse Effects).

Finding: In compliance with this standard, FHWA transmitted the cultural reports directly to Chris Donnermeyer and a subsequent review letter was submitted on June 1, 2020 to Hood River County stating concurrence with the findings of the Museum Report 2020-017, that the proposed project will have No Adverse Effect on cultural resources.

As noted above, Kurt Roedel, Archeologist with SHPO, stated in a letter dated May 19, 2020 that the project will likely have no adverse effect on any significant archeological objects or sites including 35HR95. Sarah Jalving, Historian SHPO, indicated in a letter dated May 12, 2020, concurred with the finding of no adverse effect historic resources within the E and F segments of this project. Staff finds that this standard is met.

In cases where the project activities are located near identified cultural resources, such as those identified at the Sonny Site (35HR095), a qualified archaeologist must be onsite to monitor all project activities and site limits should be flagged for avoidance at this site, which is included as a condition of approval. Overall, the project has been carefully placed to avoid or minimize impacts to cultural resources. Staff finds this standard is met with the recommended condition of approval.

(D) If the "effect" appears to be beneficial (i.e., an enhancement to cultural resources), documentation shall be completed for the recommendation of that effect upon the qualities of the cultural resource that make it eligible to the National Register. This documentation shall follow the process outlined under 36 CFR 800.11 ("Documentation Standards").

Finding: Not applicable.

(e) Mitigation

(A) If there will be an effect on cultural resources, measures shall be provided for mitigation of effects (36 CFR 800.6 "Resolution of Adverse Effects"). These measures shall address factors such as avoidance of the property through project design or modification and subsequent protection, burial under fill, data recovery excavations, or other measures which are proposed to mitigate effects.

(B) Evidence of consultation with tribal governments and individuals with knowledge of the resources to be affected, and documentation of their concerns, shall be included for all mitigation proposals.

(C) The Forest Service shall review all mitigation proposals for adequacy.

Finding: There will be no adverse effects to cultural resources and, therefore, no mitigation

will be necessary. In locations where the Project will occur near known cultural resources, monitoring will occur while crews are in the vicinity, as addressed in the conditions of approval.

(5) Discovery During Construction

All authorizations for new developments or land uses shall be conditioned to require the immediate notification of the Forest Service if cultural resources are discovered during construction or development.

(a) 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/or recover the resources.

(b) If the discovered material is suspected to be human bone or a burial, the following procedure 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 State Medical Examiner, 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.

(D) A cultural resource professional shall evaluate the potential significance of the resource pursuant to Section 550(4)(c) and report the results to the Forest Service.

(c) The cultural resource review process shall be complete and work may continue if the Forest Service determines that the cultural resource is not significant.

(d) The cultural resource professional shall recommend measures to protect and/or recover the resource pursuant to Section 550(4)(e) if the Forest Service determines that the cultural resource is significant.

Finding: To ensure compliance with this standard, staff recommends a condition requiring that the applicant immediately cease development and notify the Hood River County Planning Department, USFS (*National Scenic Area Office*), and SHPO should cultural resources be discovered during development. Additionally, the staff recommends specific procedures be implemented when cultural resources and/or human remains are discovered during the project implementation. With these conditions, staff finds this requirement is met.

F. HRCZO: Article 75, Section 600: Special Management Area Natural Resource Review Criteria

A. SMA Natural Resource Review Criteria

(1) All new developments 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. Comments from state and federal agencies shall be carefully considered. (Site plans are described in Section 080).

Finding: Adequate site plans were provided by the applicant. Notice of this application was mailed directly to multiple local, state, and federal agencies, including those whose expertise is related to natural resources, such as wetlands, fish and wildlife habitat, and protected/endangered plant species. As stated in previous sections, written comments were received from multiple public agencies; however, none related specifically to natural resource protection 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 subsections (2)(a)(B)(i) and (ii) below. These buffer zones are measured horizontally from a wetland, stream, lake, or pond boundary as defined below.

Finding: All water resources have been identified as required in Section 600, and the buffer zones are drawn on the Project site plan (Attachment A in the application materials and enclosed in decision), using 200-foot buffers for perennial streams and fish-bearing streams, 50 feet for non-fish-bearing intermittent streams, and 50 feet buffers for ephemeral streams. Water resources and their buffer areas are described in detail in the Wetland and Waters Delineation Report, provided in Attachment G, and the Biological Research and Impact Assessment Report (BRIAR), provided in Attachment H of the application material.

(A) All buffer zones shall be retained undisturbed and in their natural condition, except as permitted with a mitigation plan.

Finding: Portions of the proposed trail will occur within the buffer zone of certain wetlands, streams, and other natural areas. After all practicable avoidance and minimization measures, the proposed trail alignment will impact 3.93 acres of water resource (stream and wetland) buffers. These impacts will be mitigated by restoration of the following areas in order to help offset for these buffer zone encroachments, as included in the applicant provided mitigation plans: (see Mitigation Report – Attachment I and Revegetation and Mitigation Plan Sheets Attachment B Sheets L.11 and L.12 of the application material for additional details):

- **Sonny Mitigation Site** – 3.25 acres of previously disturbed land with intact forest overstory and an understory that is dominated by non-native vegetation at approximate trail station 427+00. The site is on OPRD and ODOT right-of-way on the south side of the trail.
- **Roadhouse Mitigation Site** – 6.99 acres of previously disturbed land with intact forest overstory and an understory that is dominated by non-native vegetation at

approximate trail station 440+00 on OPRD and ODOT right-of-way, along stream corridor of an unnamed perennial stream (Stream 16).

The mitigation activities would include removal of existing English ivy, Himalayan blackberry, periwinkle, and any other non-native invasive species. The cleared area would be replanted with native herbaceous and woody species native to the NSA as listed in the Mitigation Report (Attachment I of the application) for the Project. Additional information regarding mitigation plans is addressed later in this report.

(B) 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:

(i) 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.

Finding: The applicant's submitted site plans identify the 200-foot buffer for four wetlands (Wetlands 5, 11, A, and B) and the following perennial water resources: Viento Creek (Stream 10), Perham Creek (Stream 12), Mitchell Creek (Stream 15), and three unnamed perennial streams (Stream 16, B, and C). These features and their buffers are shown on the site plan in Attachment A of the application materials and enclosed in decision. The Wetland and Waters Delineation Report is provided in Attachment G of the application material. As addressed later in this report, portions of the proposed trail will encroach into these buffer areas.

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

Finding: The applicant's submitted site plans identify the 50-foot buffer for two intermittent water resources (Streams A and 14). These features and their buffers are shown in Attachment A of the application and enclosed in decision. As addressed later in this report, portions of the proposed trail will encroach into this buffer area.

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

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

(II) The wetland is not critical habitat.

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

Finding: Not applicable. The proposed Project is not a road or railroad maintenance project. The Project is a trail project.

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

- (i) *When the channel migration zone exceeds the recommended buffer width, the buffer width shall extend to the outer edge of the channel migration zone.*
- (ii) *When the frequently flooded area exceeds the recommended riparian buffer zone width, the buffer width shall be extended to the outer edge of the frequently flooded area.*
- (iii) *When an erosion or landslide hazard area exceeds the recommended width of the buffer, the buffer width shall be extended to include the hazard area.*

Finding: No areas that meet these criteria are known to lie within the Project area.

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

Finding: No buffer zones are proposed to be reconfigured by this project.

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

Finding: No buffer zones are proposed to be reconfigured by this project.

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

Finding: No buffer zones are proposed to be reconfigured by this project.

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

Finding: According to the applicant, all impacts to the buffer zones will be the minimum necessary to accommodate the project. Construction of the proposed project will disturb sections of water resource buffers. Temporarily disturbed areas of buffer will have invasive or noxious plant species removed and would be replanted with species native to the Gorge area and appropriate for the vegetation community of the buffer. See the Planting Plans and Plant Lists for the Project (Attachments B and C of the application material) for lists of proposed plant species. As described previously, permanently disturbed portions of the buffer zones would be mitigated by removing noxious and invasive weed species from approximately 10.98 acres and restoring the areas with species native to the Columbia River Gorge. Staff finds that this standard is satisfied.

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

Finding: All water resources and their appropriate buffers have been properly identified and mapped by trained biologists on the applicant's submitted site plans. The resources are described in detail in the Wetland and Waters Delineation Report (Attachment G of the application) and additionally discussed in the BRIAR (Attachment H of the application). The resources and their buffers are mapped in the Site Plan (Attachment A of the application and enclosed in decision). Staff finds that this standard is met.

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

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

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

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

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

Finding: Wetlands have been identified within the Project area – they have been surveyed, mapped, and are shown on the Site Plan (Attachment A of the application and enclosed in decision). A copy of the Wetland and Waters Delineation Report is provided (Attachment G of the application). No direct impacts to delineated wetlands are proposed, although some buffer encroachments have been identified. Table 3 below lists the wetlands identified in the Project area from west to east. Based on this information, staff finds that this standard is met.

Table 3: Wetlands in Vicinity of the Project

Water Resource	Description of Resource	Station	Location on Site Plan (Attachment A)
Wetland 5	Palustrine forested/open water	312+31	Sheet 4
Wetland 11	Palustrine forested/open water	466+00	Sheet 9
Wetland A	Palustrine forested/open water	474+80	Sheet 9
Wetland B	Palustrine forested/open water	469+00	Sheet 9

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

Finding: Ordinary high water elevations for streams identified in the Project area were determined based on observations of seasonal scour, sediment textural changes and vegetation community changes. No ponds or lakes were identified within the Project area. Table 4 below, lists the regulated water resources identified in the Project area from west to east. The Site Plan in Attachment A of the application and enclosed in decision shows the locations of all streams and their buffers. Based on this information, staff finds that this standard is met.

Table 4: Regulated Waterways in Vicinity of the Project

Water Resource Name/ID	Description of Resource	Station	Location on Buffer Exhibit (Attachment H)
Viento Creek / Stream 10	Perennial, fish-bearing	302+92	Sheet 4
Stream A	Ephemeral	327+63	Sheet 5
Perham Creek / Stream 12	Perennial, fish-bearing	390+00	Sheet 7
Stream 14	Ephemeral	408+00	Sheet 7
Mitchell Creek / Stream 15	Perennial, fish-bearing	419+65	Sheets 7 & 8
Stream 16	Perennial	440+41	Sheet 8
Stream B	Perennial	469+00	Sheet 9
Stream C	Perennial	474+70	Sheet 9

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

Finding: The wetland and waters boundaries were determined by professional wetland scientists. No comments were received contesting the accuracy of the boundaries. The Planning Director is not proposing any adjustments to the submitted boundaries. Consultants and ODOT technical staff with experience in wetlands and other waterbody identification reviewed the project areas and have identified and flagged all wetland boundaries and the ordinary high watermarks for all waterbodies in the field for inclusion on the project base map and construction plans. Staff finds that the information provided is sufficient.

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

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

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

Finding: According to the applicant, the proposed Project has been designed to avoid all identified wetlands, streams, and buffer zones to the maximum practicable extent without compromising the purpose of the Project, which is to connect remaining sections of the Historic Highway with a new trail providing a quality trail user experience. The proposed design of the trail would avoid filling wetlands but there is no practicable alternative that would avoid all stream, stream buffer, and wetland buffer impacts. Staff finds that the final design of the trail will avoid all direct impacts to wetlands in the project corridor, but complete avoidance of all wetland buffers is not practicable.

In total, 1.02 acre of wetland buffer and 3.14 acres of stream buffer would be affected by the proposed trail alignment. The BRIAR (Attachment H of the application) includes tables listing the impacts by feature, resource type, and as totals for the Project. As detailed below, this represents the minimum impacts necessary to complete the Project without compromising public safety, recreation, and scenic standards or the purpose of the proposed Project to reconnect remaining sections of the Historic Highway as a recreational trail within the Scenic Area. This finding was reached after multiple rounds of design revisions, during which the proposed trail route and associated development activities were refined to minimize paving, tree removal, and other impacts within water resource areas and their buffers. Alternatives analyzed at aquatic impact sites are discussed below and detailed in the application materials.

Practicable Alternative Test for Proposed Impacts to Water Resource Areas

Viento Creek (Stream 10) - STA 302+92

According to the applicant's information, no impacts within Viento Creek's ordinary high water (OHW) are proposed. The Project will include impacts within a 200-foot buffer of

Viento Creek. The impacts include re-construction of an existing trailhead and new trail, improvements to the existing trail crossing of Viento Creek, improvements to the existing South Viento State Park Campground and campground and maintenance yard road, and a new low-impact hiker and biker campground within the buffer. The applicant has made adjustments to minimize impacts to the riparian buffer include shifting the trailhead plaza from the east end of the trailhead to the west end outside of the riparian area and reconfiguring the hiker and biker trail and campground to the east away from the creek and removal and revegetation of some of the existing campground paths adjacent to the creek. Unavoidable impacts to the water resources and their buffer areas will be mitigated as described in the Mitigation Report (Attachment I of the application material). Given the information submitted by the applicant, Staff finds that that the proposed impacts to the stream buffer have been determined to be the least amount practicable.

Trail Crossing of Viento Creek – STA 303+37

A section of the trail is proposed along the shoulder of an existing drive that accesses the campground and the OPRD maintenance yard. To accommodate the proposed trail, the road will need to be widened over the existing Viento Creek culvert, which is in good condition and does not need to be reconstructed for fish passage. To accomplish this, the Project team first considered a concrete retaining wall, but ultimately propose a reinforced soil slope. This alternative was selected because it would be vegetated and blend with the natural surroundings of the creek, providing lesser impacts to scenic and habitat resources adjacent to the trail.

The proposed Project also initially considered placing the new plaza at Viento Creek Trailhead at the east end of the parking lot within the buffer, but ultimately shifted the plaza west in order to minimize impacts to the stream's buffer. The purpose of the Project, to reconnect existing abandoned sections of the Historic Highway, cannot be achieved elsewhere, therefore Staff agrees that there is no practicable alternative. Staff finds this standard is met.

South Viento State Park Campground and Hiker/Biker Campground – STA 304+48

The redesign of the South Viento State Park Campground and hiker/biker campground is outlined in the adopted *OPRD Columbia River Gorge Management Units Plan* (2015), Chapter 8: Visitor Experience Plans and Recommendations. The *OPRD Columbia River Gorge Management Units Plan* was adopted by the Oregon Parks Commission (Oregon Administrative Rule 736-018-0045). The proposed Project would improve circulation within the existing drivable portion of the campground and would occur within the existing campground footprint.

South of the vehicle-accessible campground, there are a number of existing user-created trails that lead to unofficial campsites accessible only by foot or by bike. The proposed Project will provide a narrow gravel path south of the drivable portion of South Viento State Park Campground, define new gravel campsites measuring 8 feet by 8 feet, and obliterate and revegetate much of the existing user-created trail within the stream buffer. The proposed improvements to this hiker/biker camping area have been designed to better manage existing uncontrolled use of the site, in effect minimizing impacts to the Viento Creek stream buffer. The improvements would define hiker/bike camping areas with the goal of shifting existing use away from Viento Creek, reducing the potential for increased erosion and other adverse effects on the stream itself. Removal and revegetation of the

existing user-created trails will involve re-grading of scarred areas and replanting with native species. For these reasons, staff finds that the proposed Project will reduce overall impacts of the existing use of the site as an uncontrolled hiker/biker campground.

Wetland (Wetland 5) - STA 312+31

The proposed trail alignment will have minimal impacts to the buffer of Wetland 5 in Segment E. The Project team went through three alignment revisions to shift as far south as possible to avoid the wetland and minimize impact to a rock outcrop just to the west. A steep uphill slope directly to the south of the trail constrains alignment options at this location. The proposed alignment is a result of design refinements aimed at minimizing impacts to the buffer, while achieving the Project's purpose of tying into the existing historic trail section to the east. This section of proposed trail would be necessary to achieve the Project's purpose to reconnect existing abandoned sections of the Historic Highway. According to the applicant, there is no lower-impact practicable alternative.

Unnamed Ephemeral Stream (Stream A) - STA 327+63

The proposed trail alignment crosses an ephemeral stream buffer at approximately Station 327+63. No impacts to the stream itself are proposed. The Project team considered approximately three alignment and profile alternatives at this location with the goal of avoiding impacts to the stream itself. One alternative considered was to construct a fill retaining wall on the south side of the trail. However, it was determined by the Project team that this option would not have reduced impacts to the stream buffer as much as shifting the alignment north. The proposed alignment would not require construction of a fill structure within the water resource buffer at this location. The Project team shifted the trail alignment north so that the fill slopes would avoid direct impacts to the stream itself.

A potential construction staging area is located within the buffer at this location. Construction staging is required in proximity to the trail location in order to construct the Project. Construction staging impacts would be temporary in nature. These areas would be restored after construction. For these reasons, staff finds that there is no lower-impact practicable alternative to providing a staging area in this location.

Perham Creek and Buffer (Stream 12) - STA 390+00

Perham Creek is a perennial stream. Avoiding impacts to the Perham Creek buffer is not practicable, since it runs perpendicular to the trail's alignment and the trail must cross the stream. The project would not cause direct impacts to the stream since all of the work will be located above the stream's ordinary high water. The Project will include construction of a new bridge to carry the trail over Perham Creek. There is no existing crossing structure; the historic crossing has been washed out and destroyed. However, by using the Historic Highway alignment the Project will be avoiding large diameter trees and other mature riparian vegetation to the east and west of the stream crossing.

The design team considered crossing the stream north and south of the original Historic Highway alignment to see if a different crossing would have less impact to the stream, but found no advantage with either alternative. The design team also considered extending the existing culvert at I-84, but since the intent of the Project is to follow the original alignment of the Historic Highway and reconnect abandoned sections, this alternative was removed

from consideration.

A geotechnical site investigation determined that the original Historic Highway pavement is approximately three feet below the existing ground near Perham Creek (likely due to natural alluvial deposits from the stream since the Historic Highway was abandoned in this area). The design team considered lowering the trail grade to be on the original Historic Highway pavement which would have required excavation below the OHW elevation of the stream, but chose to keep the trail at the existing grade to minimize impacts to Perham Creek.

The Project proposes construction staging and access within the Perham Creek buffer. Construction staging is proposed in this location because equipment will need to be staged on both the east and west sides of Perham Creek to feasibly construct the new bridge and minimize impacts to the riparian area. The area proposed for construction is on land that has previously been disturbed for the construction of I-84 and is comprised mostly of roadway fill. For these reasons, staff finds there is no lower-impact practicable alternative

Unnamed Ephemeral Stream (Stream 14) - STA 408+00

The existing alignment of the Historic Highway crosses an ephemeral stream at approximately STA 408+00. The Project would overlay this existing section of Historic Highway. No other impacts to this stream are proposed. The purpose of the Project is to connect the existing sections of the Historic Highway and, therefore, the Project's purpose cannot be achieved elsewhere. If the Project were to reroute the trail to avoid this stream and its buffer, it would cause a greater disturbance to the scenic area, therefore Staff agrees with the applicants proposed findings that that the Project has no practicable alternatives at this location.

Mitchell Creek (Stream 15) - STA 419+65

The proposed Project would construct a new culvert to carry the trail over Mitchell Creek. There is no existing crossing structure at Mitchell Creek; the original culvert has been washed out and destroyed. During design, the structure type was modified from a full culvert to a bottomless culvert, so that it could be constructed without impacting the OHW of Mitchell Creek. No in-water work is proposed.

This only design modification occurred when the original conceptual alignment was shifted onto the original Historic Highway pavement found during the geotechnical exploration. This change resulted in reducing the amount of riparian vegetation needed to be removed to build the crossing since minimal ground cover exists on top of the Historic Highway pavement. The proposed alignment has been refined to reduce impacts to the stream buffer, however avoiding impacts to the Mitchell Creek buffer is not practicable, since it runs perpendicular to the trail's alignment. For these reasons, staff finds there is no lower-impact practicable alternative.

Unnamed Perennial Stream (Stream 16) - STA 440+41

An existing section of Historic Highway crosses an unnamed perennial stream at approximately STA 440+41. The proposed Project will overlay the existing Historic Highway alignment. Following the existing alignment would have the least practicable

impact to the stream buffer since it would not require grading and would only impact the existing Historic Highway pavement section. Avoiding impacts within the stream buffer entirely is not practicable, since the purpose of this Project is to restore and reconnect the existing sections of the Historic Highway, and therefore it cannot be achieved elsewhere. For these reasons, staff finds there is no lower-impact practicable alternative.

Mitchell Point Parking Lot/Trailhead Improvements – STA 441+82

The proposed Project includes enhancement to the existing parking area by constructing a new pedestrian walkway that would be separated from vehicle traffic and improving vehicle traffic circulation. The improvements will be constructed within the existing footprint of the Mitchell Point Parking Lot/Trailhead. According to the applicant, relocating the trailhead and parking area elsewhere outside of the stream buffer area is not practicable because it would cause a greater disturbance to natural resources within the Project's vicinity. The Project will ultimately improve the stream's drainage, therefore the proposed project will provide a better outcome for the water resource than no action. Therefore, Staff finds there is no practicable alternative.

Unnamed Perennial Stream (Stream B) and Wetlands (Wetlands 11 and B) - STA 466+00

The Project will construct a new section of trail within the buffer area of an unnamed perennial stream and two wetlands at approximately STA 466+00. The proposed Project would also install a new vehicle turnaround at the terminus of Mitchell Point Drive to allow International Fire Code-required emergency vehicle access and egress at a dead-end road. The unnamed perennial stream (Stream B) in this location has been previously routed through the abandoned quarry to a rock catchment area via a pipe culvert where it infiltrates on site. Division of State Lands claims jurisdiction over Stream B, but the US Army Corps of Engineers does not. The proposed Project would replace the existing culvert with a new pipe culvert that is slightly longer to provide additional lane width. Additional lane width is required to safely accommodate combined trail and roadway traffic. Prior alternative analysis considered routing the trail down the I-84 on-ramp and along the I-84 shoulder beneath Mitchell Point. This alternative was not carried forward as practical since it would not achieve the Project's basic purpose of reconnecting abandoned sections of the Historic Highway. The purpose of this Project is to restore and reconnect the existing sections of the Historic Highway, and therefore it cannot be achieved elsewhere. For these reasons, staff finds there is no lower-impact practicable alternative.

Unnamed Perennial Stream (Stream C) - Wetland (Wetland A) STA 474+80

East of the proposed emergency vehicle turn-around area, the proposed trail alignment ties into the existing alignment of Mitchell Point Drive, which follows the original alignment of the Historic Highway and is a frontage road of I-84, within ODOT's right-of-way. An unnamed perennial stream (Stream C) crosses beneath Mitchell Point Drive via an existing pipe culvert within this section of the proposed trail alignment. The existing culvert is in satisfactory condition and would remain in-place. There would be no impacts to the stream and stream buffer because trail users would use the shoulder of the existing road and no paving or other disturbance is proposed. Prior alternative analysis considered routing the trail down the I-84 on-ramp and along the I-84 shoulder beneath Mitchell Point. This alternative was not carried forward as practical since it would not achieve the Project's

basic purpose of reconnecting abandoned sections of the Historic Highway. The purpose of this Project is to restore and reconnect the existing sections of the Historic Highway, and therefore it cannot be achieved elsewhere. For these reasons, staff finds there is no lower-impact practicable alternative.

Given the information provided by the applicant, staff finds this standard is met.

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

- (i) A documented public safety hazard exists or a restoration/ enhancement project exists that would benefit the public and is corrected or achieved only by impacting the wetland in question, and*
- (ii) Impacts to the wetland must be the last possible documented alternative in fixing the public safety concern or completing the restoration/enhancement project, and*
- (iii) The proposed project minimizes the impacts to the wetland.*

Finding: No wetlands will be filled or drained as part of the proposed project.

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

Finding: As shown on the applicant’s submitted site plans, some of the proposed activities will have a small amount of unavoidable impacts to water resources and their buffer areas, which will be mitigated through enhancement activities as detailed in the Mitigation Report (Attachment I of the application material). The proposed Project would result in a total of approximately 0.01 acre of stream impacts and 4.16 acres of wetland and water resource buffer impacts – see Table for proposed impacts on water resource areas and their buffers. These totals only count overlapping buffers of the same resource type once. The BRIAR (Attachment H of the application) includes tables listing the impacts by feature, resource type, and total impacts for the Project.

Table 5: Areas of Proposed Impacts to Water Resources

	Stream	Stream Buffers	Wetland	Wetland Buffers
Temporary	105 sf	0	50 sf	0
Permanent	345 sf	3.14 ac	0	1.02 ac
Total	0.01 ac	3.14 ac	0.0001 ac	1.02 ac

As discussed previously, impacts to wetlands have been avoided through trail design. Permanent impacts to most perennial streams within the corridor would be avoided through designing crossings to be outside of the ordinary high-water level. Proposed impacts to ephemeral streams, all stream buffers, and wetland buffers have been minimized through trail design and by maintaining or improving existing hydraulic patterns and drainage conveyance.

All practicable avoidance and minimization measures, as detailed above, have been applied and the impacts reflect the minimum that is necessary to meet the Project goals.

Staff finds that all practicable avoidance and minimization measures have been applied and the amount of unavoidable stream and buffer impact is the minimum practicable while still meeting the project objective of reconnecting segments of the HCRH to form a trail. Mitigation for unavoidable water and wetland buffer impacts have been developed by ODOT in coordination with extended Project team partners and agencies. As described above and in the attached Mitigation Report (Attachment I of the application), wetland/waterway buffer mitigation will be included in the 10.98 acres habitat mitigation. It will occur in areas with existing riparian or wetland buffers with appropriate Gorge-specific native species; planting plans and potential plant lists are included in the Grading Plans, which include mitigation plans (Attachments B and C of the application).

(3) Wildlife and Plants

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

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

Updated lists of sensitive wildlife sites and plant species can be found on the websites for the Wildlife Division of Oregon Department of Fish and Wildlife and the Oregon Natural Heritage Program. A list also is maintained by the USDA Forest Service – Scenic Area Office and available on the Gorge Commission website.

Finding: ODOT trained biologists conducted field investigations within the Project corridor periodically from July 2017 through January 2019 (specific dates provided in the BRIAR, Attachment H of the application) to identify locations of priority habitats and rare plant and wildlife sites. The presence of sensitive wildlife/plant sites and their buffer areas is described in the BRIAR (Attachment H of the application) and shown on the Site Plan (Attachment A of the application and enclosed in decision).

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

Finding: In compliance with this requirement, application notice, including site plans and other material, was provided to USFS, USFWS, Oregon Department of Fish and Wildlife (ODFW), Oregon Biodiversity Information Center, and others on September 25, 2019. No comments of concern were raised by any of the affected agencies.

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

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

- (B) Determine if a field survey will be required,*
- (C) Determine, based on the biology and habitat requirements of the affected wildlife/plant species, if the proposed use would compromise the integrity and function of or result in adverse affects (including cumulative effects) to the wildlife or plant area or site. This would include considering the time of year when wildlife or plant species are sensitive to disturbance, such as nesting, rearing seasons, or flowering season, and*
- (D) Delineate the undisturbed 200 ft buffer on the site plan for sensitive plants and/or the appropriate buffer for sensitive wildlife areas or sites, including nesting, roosting and perching sites.*
- (i) Buffer zones can be reconfigured if a project applicant demonstrates all of the following: (1) the integrity and function of the buffer zones is maintained, (2) the total buffer area on the development proposal is not decreased, (3) the width reduction shall not occur within another buffer, and (4) the buffer zone width is not reduced more than 50% at any particular location. Such features as intervening topography, vegetation, manmade features, natural plant or wildlife habitat boundaries, and flood plain characteristics could be considered.*
- (ii) Requests to reduce buffer zones shall be considered if an appropriate professional (botanist, plant ecologist, wildlife biologist, or hydrologist), hired by the project applicant, (1) identifies the precise location of the sensitive wildlife/plant or water resource, (2) describes the biology of the sensitive wildlife/plant or hydrologic condition of the water resource, and (3) demonstrates that the proposed use will not have any negative effects, either direct or indirect, on the affected wildlife/plant and their surrounding habitat that is vital to their long-term survival or water resource and its long term function.*
- (iii) The Planning Director shall submit all requests to re-configure sensitive wildlife/plant or water resource buffers to the Forest Service and the appropriate state agencies for review. All written comments shall be included in the record of application and based on the comments from the state and federal agencies, the Planning Director will make a final decision on whether the reduced buffer zones is justified. If the final decision contradicts the comments submitted by the federal and state agencies, the Planning Director shall justify how the opposing conclusion was reached.*

Finding: According to the applicant, prior to application submittal to Hood River County, a State Biologist consulted with the appropriate resource agency specialists to verify appropriate field protocols and level of documentation. Additionally, Oregon Biodiversity Information Center (ORBIC) records of special status species were queried by the applicants within a five-mile radius of the Project area. These reports were made available to multiple federal and state resource agencies; none of which provided comments of concern regarding the proposed

project.

All practicable measures have been adopted and integrated into the Project design and proposed construction to avoid adverse effects, including cumulative impacts on resources. A description follows that detail design and construction measures, which eliminate potential adverse Project-specific effects, as well as a discussion and finding of no adverse cumulative effects (considering past, present, and reasonably foreseeable future events outside of the proposed Project).

Project-Level Effects on Wildlife and Plant Sites and Buffer Areas:

The design and construction measures listed in this section ensure that the integrity and function of all identified natural resources would not be compromised by the proposed trail Project and no short-term or long-term adverse effects would result directly from the proposed trail project.

Design Measures to Avoid Adverse Effects

- Identifying the location of all natural resources and Priority Habitats and aligning the trail to avoid them to the extent practicable.

Table 6: Proposed Priority Habitat and Buffer Area Impacts

Resource Type	Natural Resource Impact	Buffer Impact
Oak Woodland	1.86	4.75 acres
Snag	3 individuals	1.20 acres
Talus	0	1.54 acres
Cliff	0.18 acre	5.53 acres
<i>Hieracium Longiberbe</i>	0	0.35 acres
<i>Dougllassia laevigata</i>	0	0.45 acres
Peregrine Falcon Nest	0	0.63 acres
Consolidated Total	2.05 acres	14.45 acres

- Including the removal of existing established areas of invasive and noxious weeds in the Viento Maintenance, Sonny, and Roadhouse Mitigation Sites would result in more diverse and healthier native plant communities and wildlife habitat over time (see Mitigation Report in Attachment I and the Grading Plan, which contain mitigation plans, in Attachments B and C of the application material);
- Using the Historic Highway alignment where possible to minimize impact to mature native vegetation;
- Including full span bridges over fish bearing streams to avoid in-water work impacts;
- Using rockery walls to minimize excavation;
- Limiting tree removal outside of nesting times (September 1 to January 31);
- Treating stormwater runoff from Mitchell Point State Park Trailhead;
- Implementing erosion control plan for the entire Project;
- Designing the South Viento Campground within its existing footprint; and
- Developing rockfall mitigation features to avoid blasting and major rock excavation.

Construction Measures to Avoid Adverse Effects

- Designating no-work areas prior to beginning construction where natural resources have been identified as a result of biologist-led surveys of areas of potential sensitive species/plant occurrence;
- Holding a pre-construction conference and site visit with contractors to review natural resource areas for avoidance (no-work areas);
- Not removing trees during nesting times, as described under the Migratory Bird Treaty Act between March 1 and August 31, or if this is not possible, survey & document the project area prior to removing vegetation to ensure no nesting birds are in the project area;
- During construction, using all appropriate erosion control measures to protect identified water resources;
- Limiting blasting and helicopter use at Mitchell Point to July 16 to January 31 to avoid impacts to peregrine falcons during their nesting season.
- USFS will remove all invasive plants within the Project area of potential impact.
- Limiting construction staging areas to the fewest necessary to do the work;
- Preserving all of the existing *Dougllassia laevigata* (*Dougllassia*) population on Mitchell Point rock face by avoiding plants for placement of adits and field-adjusting rockfall mesh anchors and structural bolts.
- Utilizing best management practices for tunnel blasting activities as outlined in the Mitigation Report (Attachment I of the application), which would be stipulated in the Segment F construction contract requirements.

Cumulative Effects and Finding of No Adverse Effect

A detailed discussion of past, present, and future actions outside of but related to the proposed Historic Highway State Trail Project is provided in the applicant findings for cumulative scenic effects in Section 530(2)(b) of this narrative and in the Cumulative Effects Memorandum provided as Attachment J of the application. Primary findings of the cumulative effects' evaluation are presented below.

Past actions have been detrimental to the health of the natural environment of the Gorge. Transportation corridors were constructed on fill, which effected the flow of stormwater and streams and created barriers to anadromous fish passage. Incremental development has altered the ecology of the Gorge, fragmenting plant and wildlife habitats and affecting sensitive plant and wildlife species. Air and water quality have also been affected as vehicle traffic has been introduced and increased incrementally over time.

All of the reasonably foreseeable future projects identified in the Cumulative Effects Memorandum (Attachment J of the application) involve maintenance or improvements to existing facilities and are expected to occur within their existing development footprint or the existing roadway prism, so no additional impacts to natural resources are expected. Considering past, present, and planned future actions, no adverse cumulative impacts to natural resources are expected to occur (see Attachment J of the application).

Staff concurs with the applicant's conclusion that the above listed measures will ensure that the integrity and function of all identified SNRs are not compromised by the proposed

trail project, and no short-term, long-term, or cumulative adverse effects will result from the trail project. Staff accepts the applicant's proposal to mitigate for the impacts caused within Segments E & F completing the mitigation activities detailed in Mitigation Report (Attachment I of the application). Staff agrees that this mitigation will improve the overall functions and value of habitat in the project corridor, while offsetting for the additional impacts caused by the project.

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

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

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

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

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

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

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

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

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

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

and age diversity, maintaining connectivity within and between plant communities, and ensuring that cumulative impacts are considered in documenting integrity and function.

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

Findings: Extended Project team partners, including agency wildlife biologists and botanists, were consulted prior to application submittal and all applicable protocols for field assessment and documentation of the presence of sensitive species have been followed. Section 2.0 (Methods) of the BRIAR (Attachment H of the application) describes the data gathering and field research conducted by consultants and Project staff. The BRIAR Section 8.0 (References) further documents the protocols, databases and personal contacts that were used in developing the information documented in the BRIAR.

Section 3.0 (Existing Conditions) of the BRIAR describes the physical characteristics of the proposed corridor and documents the occurrences of natural resources throughout. Section 4.0 (Anticipated Project Impacts) describes the potential effects of the proposed Project on sensitive plants, sensitive wildlife, and priority habitats. The BRIAR provides tables reporting likely impacts to natural resources and priority habitats based on the proposed Project clearing limits in the preliminary grading plans (30 percent for Segment

E and 50 percent for Segment F (included as Attachments B and C of the application)). This includes expected direct impacts to cliffs, oak woodlands, and streams, as well as indirect (buffer area) impacts to cliff, oak woodlands, streams, wetlands, talus, snags, and sensitive plant and wildlife areas.

No priority areas of winter range habitat occur within the Project area. The clearing of trees for the proposed trail is scheduled to occur outside the breeding and fledging season for many species in accordance with the provisions of the Migratory Bird Treaty Act.

As discussed in the BRIAR (Attachment H of the application), the proposed Project may affect individuals or habitat for several sensitive wildlife populations. However, given the timing of construction, design avoidance and minimization measures, and proposed mitigation, the Project would not have an adverse effect on priority habitats or their buffer areas.

As explained by the applicant, project staff met with USFWS, USFS, and ODFW biologists and botanists on several occasions to discuss project impacts. Notice of this application was also provided to multiple public agencies, including, but not limited to, USFS, USFW, ODFW, and Oregon Biodiversity Information Center. No significant comments of concern regarding this application were raised by any of these agencies. Staff finds with the information provided in the application materials that this standard is met.

(e) The wildlife/plant protection process may terminate if the Planning Director, in consultation with the Forest Service and state wildlife agency or Heritage program, determines (1) the sensitive wildlife area or site is not active, or (2) the proposed use is not within the buffer zones and would not compromise the integrity of the wildlife/plant area or site, and (3) the proposed use is within the buffer and could be easily moved out of the buffer by simply modifying the project proposal (site plan modifications). If the project applicant accepts these recommendations, the Planning Director shall incorporate them into the final decision and the wildlife/plant protection process may conclude.

Findings: The applicant has met with USFS and with all other applicable natural resource agencies to discuss the design of the proposed trail. The trail alignment and design features have been carefully developed to avoid, to the maximum extent practicable, impacts to all identified natural resources and priority habitats and their associated buffers while still meeting the Project purpose and need. The design represents the best alternative for the Project with all practicable avoidance measures incorporated into the alignment location and the design of the trail.

(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.

Findings: The trail alignment and design features have been carefully developed to avoid impacts to all identified sensitive natural resources and priority habitats and their associated buffers to the maximum extent practicable while still meeting the Project purpose and need.

Minimization measures have been incorporated into the trail's alignment and design. There has been extensive involvement of partner agencies in development of the design, avoidance measures, and minimization measures. The design represents the best practicable alternative for the Project. The unavoidable impacts are the least that can be achieved by all practicable avoidance and minimization measures. As noted above, the Site Plan (Attachment A of the application and enclosed in decision) includes tables that identify the direct and indirect (buffer) impacts by resource type.

After accounting for overlapping buffers, the Project is expected to have a total of 10.35 acres of unavoidable effects on priority habitats and buffer areas. As described in the attached Mitigation Report (Attachment I of the application), restoration and enhancement measures would be taken to replace and enhance functions of affected buffer areas in accordance with the requirements of Section 600. No impacts to threatened or endangered plant or wildlife species have been found to likely occur because of the proposed Project. Unavoidable impacts to non-water resource priority habitats and buffer areas would be mitigated by restoration of the Roadhouse Mitigation Site, Sonny Site, Dome Rock and Viento Campground mitigation sites – which provide 10.98 acres of total buffer impact mitigation. The applicant provided an extensive Mitigation Plan that involves planting of various native vegetation types (see Mitigation Plan – Attachment I of the application for details).

Given the extensive involvement of partner agencies and the lack of concerns raised regarding the proposed project, staff agrees with the applicant that the trail's design represents the best practicable alternative for the project and that the unavoidable impacts are the least that can be achieved by all practicable avoidance and minimization measures.

(g) The Planning Director shall submit a copy of all field surveys (if completed) and mitigation plans to the Forest Service and appropriate state agencies. The Planning Director shall include all comments in the record of application and address any written comments submitted by the state and federal wildlife agency/heritage programs in the final decision. Based on the comments from the state and federal wildlife agency/heritage program, the Planning Director shall make a final decision on whether the proposed use would be consistent with the wildlife/plant policies and guidelines. If the final decision contradicts the comments submitted by the state and federal wildlife agency/heritage program, the Planning Director shall justify how the opposing conclusion was reached.

Findings: Notice of this application was provided to USFS, USFW Department, ODFW, DSL, Oregon Biodiversity Information Center, and others. This notice included access to all biological research, impact assessments, and other information provided as part of the applicant's submitted request. As explained earlier, no comments of concern were received from the above agencies in response to this notice.

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

Finding: Staff accepts the applicant's mitigation plan, dated June 2019, as proposed and therefore no revisions to the applicant's submitted mitigation plan are therefore necessary at

this time. However, staff recommends that prior to construction, final mitigation and planting plans are also provided to USFS for review and approval. With this condition of approval, staff finds this requirement is met.

(4) Soil Productivity

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

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

Finding: Erosion control plan sheets are included in Attachments B and C of the application material, which document erosion and sediment control measures that would be used on the Project. Erosion and sediment control measures may not be limited to silt fences, tire wash stations, and check dams.

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

Finding: All soil within the Project footprint would be permanently stabilized after Project completion using methods such as seeding it with native herbaceous groundcover, planting native shrubs, and/or applying soil stabilizers to bare soil.

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

Finding: Disturbed soil area does not exceed 15 percent of the property affected. The proposed Project's area of potential impact encompasses less than 1.7 percent of the total acreage of the affected tax lots. The total area of all property affected is 2,403.48 acres. The Project's area of potential impact (which would be greater than the Project's actual impact) is 40.24 acres (28.88 acres for Segment E and 11.36 acres for Segment F). All applicable ODOT standard erosion control measures will be followed to protect the soils and prevent any soil movement or degradation because of the proposed work.

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

Finding: Effective native ground cover or rock embankments would be established in areas of disturbed soils to prevent erosion. See section 600(B)(1)(a) for discussion of performance criteria.

To ensure compliance with the above standards, staff recommends a condition requiring that all disturbed areas be revegetated immediately upon completing the project (or as soon as possible thereafter if the project is completed during the winter months) with at least 80 percent vegetative coverage within 1 year.

B. Practicable Alternative Test

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

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

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

Finding: As explained by the applicant, the proposed Project purpose is to connect portions of the Historic Highway and provide a quality trail experience for its users. The trail’s route was selected to have a light touch on the environment within the Columbia River Gorge. The trail’s route locations have been categorized by impacts to the natural resources (see Table 7 below). Minimizing Project impacts to natural resources counterbalanced with trying to provide a quality trail experience drove the refinement of trail alignment. Impacts to natural resources would be minimized by locating the trail on existing portions of the Historic Highway. There are many north-south oriented resources throughout the Project area, including streams and talus slopes; with the trail’s east-west orientation, impacts to these natural resources and their buffers were unavoidable. Other than on the existing portions of the Historic Highway, the area of lowest impact for the trail alignment is immediately adjacent to I-84, where existing natural resources have experienced past disturbances and wildlife use is limited by the noise and activity associated with the freeway. Unfortunately, locating the trail adjacent to I-84 provides a poor-quality trail experience due to the highway’s traffic and noise. The design team placed most of the trail on the Historic Highway or along I-84 and utilized previously disturbed areas to take the trail away from I-84. This has limited proposed effects to areas that provide poor quality habitat while improving the quality of the trail experience. Most of the trail (84 percent) was located within either the avoidance route location or low impact route location. These areas included the existing Historic Highway (48 percent), existing roadway embankment (12 percent) or was along I-84 (24 percent). Some of the route was within historically disturbed areas and considered to be a low impact route location that improved the trail experience by moving the trail away from I-84 (10 percent), or was associated with connecting I-84 segments with existing Historic Highway segments (3 percent). Of the areas connecting I-84 to existing Historic Highway segments, only a small portion of the trail (2 percent) was located within relatively undisturbed forest. Finally, 3 percent would be located within a new tunnel through Mitchell Point. The project has been designed to avoid impacts to resources wherever practical. An outline of several key avoidance measures taken by the Project was included in the application materials.

Table 7: Route Location Impacts

Route Location	Percent of Route	Comment
Existing Historic Highway (Avoidance)	48	Purpose and Need – Connect the Historic Highway as required by the Columbia River Gorge National Scenic Area Act.
Existing Abandoned Historic Highway Road	12	Some impacts due to grade changes or upgrading base to support trail

Bed (Minimization)		
Along I-84	24	Minimum impact route
Connecting Historic Highway and I-84	1	Purpose and Need – Connect the Historic Highway
Disturbed Areas	10	Purpose and Need - Connect the Historic Highway – Following Historic Highway alignment (no longer evident)
Forested Habitat	2	Purpose and Need - Connect the Historic Highway – Needed to connect existing Historic Highway to I-84 and maintain grade requirements
Tunnel	3	Purpose and Need - Quality Trail Experience – Least impactful alignment, trail user experience and mimics the original Historic Highway alignment

Staff finds that, given the type of project proposed and its need to traverse miles of terrain to fulfill its intended purpose, there are no practicable alternatives that would completely avoid impacts to SNRs, Priority Habitats, and buffer areas within this corridor segment.

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

Finding: As explained by the applicant, the alignments of the proposed trail were considered carefully. While many variations of the trail alignment have been considered, the final proposed alignment was chosen because it has the least impacts to all SNRs in the area, while still achieving its intended purpose. Staff finds this standard is met.

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

Finding: Parcel size and land use designations are not applicable to determining the location of the trail or access routes since the Project is designed to follow a historic corridor (Historic Highway). Staff agrees that reasonable attempts have been made to identify alternative trail locations outside of SNRs, Priority Habitats, and buffer areas. Numerous changes have already been made to limit impacts on nearby natural resource sites and areas based on preliminary field work and agency suggestions. Staff has confirmed that the location of the proposed trail alignment makes the most use of existing infrastructure, such as access routes/roads, including existing segments of the original HCRH, or the I-84 shoulder, in order to minimize new ground disturbance. Parcel size and land use designations are not applicable to determining the location of the trail or access routes in this case.

C. Mitigation Plan

(1) *Mitigation Plan shall be prepared when:*

- (a) *The proposed development or use is within a buffer zone (wetland, pond, lakes, riparian areas, wildlife or plant areas and/or sites).*
- (b) *There is no practicable alternative (see the “practicable alternative” test).*

Finding: Staff agrees that there are no practicable alternatives to some sections of the proposed trail alignment, which that results in 10.34 acres of impacts to natural resource buffer areas. Practicable alternative for Project impacts to buffer zones are described in detail for water resource areas in the applicant’s response to HRCZO Section 600(A)(2)(g)(A) and for non-water plant and wildlife areas in the response to HRCZO Section 600(A)(3)(f) in this review. All impacts have been avoided to the maximum extent possible, and all practicable minimization measures have been applied to both sensitive resources and their buffer areas. The remaining unavoidable impacts are the least possible without compromising the purpose and need of the proposed Project. The measures to mitigate impacts to sensitive resources and their buffer areas are described in the Mitigation Report (Attachment I of the application) and Forest Practices Stewardship Memo (Attachment M of the application) and shown graphically as a component of the Grading Plans in Attachments B and C.

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

Finding: As explained by the applicant, the proposed Mitigation Plan has been developed in cooperation with appropriate professionals, which include trained biologists from WFLHD, ODOT, OPRD, and the USFS, and landscape architects from David Evans and Associates, Inc. and WH Pacific. In compliance with this standard, the mitigation plan has been reviewed by natural resource specialists with the USFS and ODOT.

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

Finding: As discussed above, the Project team has assessed, re-assessed and refined the alignment of the proposed trail based on the locations of water resources and wildlife/plant areas and sites identified through site inspections, available species records, and consultations with Hood River County, ODFW and USFS trained biologists. As a result of these assessments, impacts to natural resources and buffers have been minimized to the extent practicable. Onsite restoration of 10.98 acres of buffer and habitat areas is proposed as mitigation for impacts to 10.35 acres of wetland buffer, water resource and associated buffer, talus buffer, wildlife, rare plant buffer, oak woodland and associated buffer, and cliff resource and associated buffer areas. The Mitigation Report (Attachment I of the application) and Forest Practices Stewardship Memo (Attachment M of the application) describe the restoration activities in detail and Staff finds that this standard is met.

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

Finding: The proposed mitigation has been prepared following coordination with the extended Project team partners. As noted earlier, the applicant's request and mitigation plan were provided to multiple state and federal agencies that specialize in natural resource protection, including USFS, and none provided comments of concern regarding the Mitigation Plans for this application.

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

Finding: Staff finds that ODOT has built other trail sections of the HCRH State Trail in the Columbia River Gorge and has demonstrated fiscal ability to construct all aspects of its sponsored projects, and has shown the technical and administrative competence that results in completion of all aspects of mitigation and other NSA compliance. Nevertheless, staff finds that this standard is not applicable because the mitigation plan does not include wetland creation.

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

- (a) Describe the biology and/or function of the sensitive resources (e.g. Wildlife/plant species or wetland) that will be affected by a proposed use. An ecological assessment of the sensitive resource to be altered or destroyed and the condition of the resource that will result after restoration will be required. Reference published protection and management guidelines.*
- (b) Describe the physical characteristics of the subject parcel, past, present, and future uses, and the past, present, and future potential impacts to the sensitive resources. Include the size, scope, configuration, or density of new uses being proposed within the buffer zone.*
- (c) Explain the techniques that will be used to protect the sensitive resources and their surrounding habitat that will not be altered or destroyed (for examples, delineation of core habitat of the sensitive wildlife/plant species and key components that are essential to maintain the long-term use and integrity of the wildlife/plant area or site).*
- (d) Show how restoration, enhancement, and replacement (creation) measures will be applied to ensure that the proposed use results in minimum feasible impacts to sensitive resources, their buffer zones, and associated habitats.*
- (e) Show how the proposed restoration, enhancement, or replacement (creation) mitigation measures are NOT alternatives to avoidance. A proposed development/use must first avoid a sensitive resource, and only if this is not possible should restoration, enhancement, or creation be considered as mitigation. In*

reviewing mitigation plans, the local government, appropriate state agencies, and Forest Service shall critically examine all proposals to ensure that they are indeed last resort options.

Finding: The Mitigation Report (Attachment I of the application) and Forest Practices Stewardship Memo (Attachment M of the application) addresses the required elements above and Staff finds this standard is met.

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

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

Finding: The proposed mitigation for buffer impacts would include post-construction monitoring that addresses the required elements as listed above. As detailed in the Mitigation Report (Attachment I of the application) and Forest Practices Stewardship Memo (Attachment M of the application), the USFS Restoration Team through an agreement with Western Federal Lands would quantitatively monitor the restoration site on years 1, 3 and 5 after installation. If all the performance standards are achieved in less, ODOT may terminate monitoring with approval of the review agencies after year 3. Qualitative assessments would occur on years 2 and 4. Restoration site maintenance may be necessary and could occur each year. A final monitoring report shall be submitted to the County for distribution and review by USFS upon completion of the restoration, enhancement, or replacement activity.

To ensure that adequate mitigation is completed in a timely manner, staff recommends the following conditions:

- Upon completing construction at each individual project site, all disturbed areas shall be immediately re-graded to their pre-excavation condition and stabilized with a weed-free mulched or composed to prevent erosion. At the same time or as soon as possible thereafter, all disturbed areas shall then be reseeded with a native seed mix approved by USFS Scenic Area Office and replanted as described in the applicant's approved landscaping plan and approved mitigation plan.

- The restoration and enhancement work proposed to mitigate for buffer impacts located within the project corridor shall be completed within the timelines identified in the applicant’s mitigation and landscaping plan approved by USFS.
- The applicant is responsible for ongoing implementation, maintenance, and monitoring of mitigation activities, including the preparation and submittal of monitoring reports to the county for distribution and review by USFS at least every 3 years until documentation shows that the proposed enhancement plantings have been successfully established.

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

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

Finding: According to the applicant, the USFS has already begun collecting native plant seeds and cultivating them for plantings at the mitigation sites. This work would be completed as soon as is practicable. Restoration of temporary disturbance areas would begin as soon as practicable after the conclusion of trail construction activities.

The applicant proposes that all disturbed areas be regraded and stabilized upon completion of each project. Replanting of each project site is expected as soon as possible once the projects within Segments E-F are completed. Staff recommends the following condition of approval to ensure compliance with this standard, the restoration sites proposed to mitigate for buffer impacts located within the project corridor shall occur as described in the applicant’s mitigation plan approved by USFS. All restoration and enhancement work shall commence within 1 year of starting the project and be completed within the timeframes provided in the applicant’s mitigation plan approved by USFS, unless an extension of time is granted by the County Planning Director.

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

Finding: The proposed Project would be constructed to retain the existing vegetation to the greatest extent practicable. Tree removal would be minimized. Any planting of vegetation related to the approved Project shall be of native species. The Project proposes to restore vegetation in disturbed areas as soon as practicable after the trail construction work is complete.

Success criteria for each of the mitigation site types has been designed to comply with SMA forestry practices guidelines in the Columbia River Gorge Management Plan and is detailed

in the Mitigation Report (Attachment I of the application) and Forest Practices Stewardship Memo (Attachment M of the application). For weed removal mitigation sites (Roadhouse, Sonny, and South Viento State Park Campground) the proposed benchmark for success is at least 75 percent native plant cover with at least three different woody species comprising at least 5 percent of the total plant cover by year 5 (see Table 6 of the Mitigation Report). For the pollinator meadow mitigation at Dome Rock Mitigation Site, the proposed benchmark is at least 5 species of pollinator supporting plants established by 5 years (see Table 8 in the Mitigation Report). For the oak mitigation sites, Mitchell Point Quarry and Perham Creek Mitigation Sites, the proposed success criteria are at least 4 oak stems per acre and at least 5 species of pollinator supporting plants by year 5 (see Table 10 in the Mitigation Report).

Staff finds that the conditions detailed in II(F)(8) above will ensure compliance with this standard.

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

Finding: The Mitigation Report (Attachment I of the application) and Forest Practices Stewardship Memo (Attachment M of the application) details how priority habitats and their buffers affected by the proposed Project will be restored, rehabilitated, and replaced. Staff finds that the applicant's rehabilitation proposal is appropriate for the proposed project.

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

Finding: Not applicable. No sensitive resource substitutions are anticipated.

- (e) *Sensitive plants that will be destroyed shall be transplanted or replaced, to the maximum extent practicable. Replacement is used here to mean the establishment of a particular plant species in areas of suitable habitat not affected by new uses. Replacement may be accomplished by seeds, cuttings, or other appropriate methods. Replacement shall occur as close to the original plant site as practicable. The project applicant shall ensure that at least 75 percent of the replacement plants survive 3 years after the date they are planted.*

Finding: The applicants plan proposes that if long-beard hawkweed, or any other sensitive plant, is found along the trail route it would be salvaged and transplanted prior to construction by the USFS Restoration Team. The USFS would monitor the transplanted plants to ensure successful establishment of at least 75 percent native plant cover. To ensure compliance with this standard, staff recommends a condition requiring that prior to construction, all sensitive plants found in construction areas are salvaged, transplanted to suitable onsite habitat, and monitored to ensure successful establishment of at least 75 percent of the plants. As proposed, staff finds that this standard is met.

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

Finding: As described in the Mitigation Plan (Attachment I of the application) and Forest Practices Stewardship Memo (Attachment M of the application), nonstructural controls and natural processes would be used to the greatest extent practicable to achieve their mitigation goals. As proposed, staff finds that this standard is met.

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

Finding: One new bridge over Perham Creek (Stream 12) and one new bridge over Mitchell Creek (Stream 15) are proposed as part of the Project. The new bridges are necessary to provide safe access for the proposed trail while fully spanning the ordinary high water marks of the streams and will cross the streams on the original Historic Highway alignments. It is necessary for the Project to cross Viento Creek (Stream 10) and three unnamed perennial streams (Stream 16, Stream B, and Stream C) because they run perpendicular to the Project's east-west alignment. The crossing of Viento Creek would be achieved via an existing box culvert, which is in good condition. Stream 16 crosses beneath Mitchell Point Parking Lot/Trailhead via an existing pipe. The Project would replace the existing pipe culvert with a new pipe culvert that is slightly longer to allow for additional trail width. Stream B crosses the Project's alignment at-grade. The Project would install a new culvert that protects and conveys the stream beneath the trail. Stream C crosses beneath the Project alignment via an existing pipe culvert that is in satisfactory condition and would be protected in place. Staff finds that water crossings have been minimized to only include those required to cross streams running perpendicular to the trail.

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

Finding: Due to the existing culverts at Viento Creek (Stream 10), Stream 16, and Stream C, protection in place or replacement was determined to be most practicable alternative by the applicant. Stream B is a small drainage course for the previously disturbed abandoned quarry site that is not connected to the Columbia River and is non-fish bearing. It was not determined to be practicable to construct a bridge to carry the trail over Stream B due to its relatively small size and low habitat quality. In addition, the bridge would cause a greater disturbance to the natural area than routing the drainage course through a pipe culvert. Staff finds this standard is met.

(C) Fish passage shall be protected from obstruction.

Finding: Fish have been found to be present in three of the streams that cross the trail's alignment: Viento Creek (Stream 10), Perham Creek (Stream 12), and Mitchell Creek (Stream 15). The existing box culvert at Viento Creek is fish-passable and would be maintained. The proposed new bridge at Perham Creek and new culvert at Mitchell Creek would each fully span the active channels and thus allow fish passage. The two crossings would be installed

without the requirement for in-water work, therefore, temporary impacts to fish passage are not anticipated. Staff finds this standard is met.

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

Finding: No permanent impacts to fish passage would occur as a result of the proposed Project and therefore no fish passage restoration is anticipated.

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

Finding: As part of its submittal, Erosion control plan sheets are included in the Grading Plans (Attachments B and C), which include appropriate erosion and sediment control measures that would be implemented for the Project. As part of its erosion control plan, Best Management Practices and other various measures are proposed to minimize erosion and sedimentation, including, but not necessarily limited to, the use of silt fences, straw wattles, and inlet protections, as well as the use of construction fencing to protect existing vegetation, soil stabilization methods, and revegetation of all disturbed areas. With a condition requiring that all erosion control methods identified as part of the applicant's submitted erosion control plan be implemented as proposed and no temporary control measures be left permanently, staff finds that the applicant's request complies with this standard.

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

Finding: The trail alignment has been designed to avoid and minimize impacts to all sensitive water resources. The proposed Project is not expected to have an adverse impact on either ground or surface water resources. As explained by the applicant, after trail construction is completed, personnel would coordinate planting, seeding, and mulching of disturbed ground areas in accordance to the Project's Erosion Control Plans (included in Attachments B and C of the application) and with FHWA's Standard Erosion Control Specifications.

(G) Those portions of a proposed use that are not water-dependent or that have a practicable alternative will be located outside of stream, pond, and lake buffer zones.

Findings: As described previously, there is no practicable alternatives for the trail location that would have a lesser impact on the stream buffer zone, see section 600 above.

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

Finding: Stream bank and shoreline stability is proposed to be maintained through avoiding

or minimizing all disturbance of stream banks, by following all of the required construction specifications related to waterways, using all appropriate erosion and sediment control Best Management Practices, and restoring areas that have been disturbed by construction with appropriate native plantings.

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

Restoration: 2: 1

Creation: 3: 1

Enhancement: 4: 1

Finding: Not Applicable. No wetland restoration, enhancement, or creation is needed as there are no direct impacts to wetlands associated with the proposed Project.

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

Finding: Not Applicable. No wetland creation is proposed.

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

Finding: Not applicable. No wetland restoration or enhancement is needed or proposed.

G. HRCZO: Article 75, Section 620: Special Management Area Recreation Resource Review Criteria

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

Finding: The entire proposed Project is within the SMA. This proposed Project does not

propose any new interpretive or education programs and/or facilities within the NSA, therefore the recommendations of the Interpretive Strategy for the Columbia River Gorge National Scenic Area are not applicable.

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

Finding: The entire proposed Project is within the SMA. According to the applicant, construction of the HCRH State Trail will not displace existing recreational uses, except for short sections during construction. The trail would cross through the South Viento State Park Campground, but the available campsites would not be reduced. OPRD has partnered with FHWA and ODOT and improvements to the existing Viento Campground are included in this Project. The Project would add new campsite pads and a gravel path south of the South Viento State Park Campground to accommodate existing use of that area by hikers and bikers (see Attachment B Sheets E.4 through E.7 of the applicant). Staff finds this standard is met.

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

Finding: The HCRH State Trail is a natural resource-based recreation use because it is designed to highlight the natural, scenic, and cultural resources within the NSA for visitors.

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

Finding: According to the applicant, the proposed Project would have a beneficial effect on recreation resources because it would reconnect isolated sections of the Historic Highway. The proposed Project is a recreation project that is consistent with the applicable recreation classes. As shown in Figure 15 of the application materials, the proposed trail within the SMA is on land designated for Recreation Intensity Classes 1, 2, 3, and 4. Existing recreation resources in the vicinity would be enhanced given that the proposed Project would create a connection between South Viento State Park Campground and Mitchell Point Drive and is ultimately intended to facilitate a future reconnection of the Historic Highway.

Discussion of Compatibility with Adopted Recreation Plans and Policies

The HCRH State Trail is included as a recreation development proposal in the CRGNSA Management Plan (SMA No. 36 Historic Columbia River Highway). The proposed Project is also consistent with the USFS Open Space Plan – Columbia Tributaries East Watershed Analysis (1998), the 2006 HCRH Master Plan, the 2008 HCRH Reconnection Strategy, and the 2011 HCRH State Trail Master Plan. The reconnection of the Historic Highway helps to achieve the CRGNSA Management Plan’s priority objective for future public use trails by providing a trail linking urban areas (Cascade Locks and Hood River) to recreation opportunities in the NSA. This trail furthers the priority objective of establishing a trail system along the Columbia River. This trail would further the SMA policy related to recreation resources by providing for alternate modes of transportation to destination recreational facilities.

As described earlier, the proposed Project is located on land managed by ODOT, OPRD, and USFS with sections in each of the following three landscape settings: Coniferous Woodland; Gorge Walls, Canyonlands, and Wildlands; and Pastoral. The compatible recreation use

guideline for each of the landscape settings is described in the HRCZO Section 520 and listed below.

Coniferous Woodland—Compatible Recreation Use Guideline

Resource-based recreation uses of varying intensities may be compatible with this setting. Typically, outdoor recreation uses in Coniferous Woodlands are low intensity, and include trails, small picnic areas, and scenic viewpoints. Although infrequent, some more intensive recreation uses, such as campgrounds, occur. They tend to be scattered rather than concentrated, interspersed with large areas of undeveloped land and low-intensity uses.

Gorge Walls, Canyonlands, and Wildlands—Compatible Recreation Use Guideline

Because of the fragility, steepness, and undeveloped nature of these lands, compatible recreation uses are usually limited to very low-intensity or low-intensity, resource-based activities that focus on enjoyment and appreciation of sensitive resources. Such uses (such as trails) are generally associated with minimal facility development, if any.

Pastoral—Compatible Recreation Use Guideline

Resource-based recreation uses of a very low-intensity or low-intensity nature (as defined in the "Recreation Intensity Classes" section of Part I, Chapter 4: Recreation Resources), occurring infrequently in the landscape, are compatible with this setting.

The proposed Project is consistent with the applicable recreational guidelines for each landscape settings within which the various sections of the alignment are located. The proposed Project consists of a trail and small pull-offs for picnicking and scenic viewpoints, which meets the definition of Recreation Intensity Class 1 – very low intensity in HRCZO 620(2)(a). The trail component of the proposed Project, therefore, is compatible with all NSA landscape settings.

Mitchell Point Parking Lot/Trailhead is located within the Coniferous Woodland landscape setting and is designated Recreation Intensity Class 2 - low intensity, which is defined in HRCZO 620(2)(b) as a maximum of 25 parking spaces and up to 70 people at one time. The proposed Project would reconfigure the existing parking area and provide 18 parking spaces, which is consistent with the area's Class 2 designation.

The proposed enhancement of the South Viento State Park Campground is located in the Coniferous Woodland landscape setting and designated Recreation Intensity Class 4 – high intensity, which is defined in HRCZO 620(2)(d) as a maximum of 200 parking spaces and 1,000 people at one time. The proposed Project would reconfigure the existing parking lot with 15 parking spaces and reconfigure the campground area resulting in 9 vehicle back-in campsites and 8 hiker and biker campsites accessible by foot. The improvements at South Viento State Park Campground, even when combined with the existing 56 back-in campsites and day use area north of I-84 near the Project area north of I-84, are consistent with allowable recreational development in areas with a Class 4 designation.

Table 8: Project Land Use Designations and Landscape Settings

Project Segment	Location (approximate)	Proposed Improvements	Mgmt. Area	Land use Designation(s)	Landscape Setting
E	South Viento State Park Campground to Mitchell Point Parking Lot/Trailhead	Within PR: Viento Trailhead: 18 parking spaces; circulation	SMA	Public Recreation	Coniferous Woodland
F	Mitchell Point Parking Lot/Trailhead to Mitchell Point Drive	Mitchell Point West Trailhead: 25 parking spaces; circulation Mitchell Point: tunnel	SMA	Open Space Public Recreation Open Space Forest	Coniferous Woodland; Pastoral; small portion in Gorge Walls, Canyonlands, and Wildlands

Discussion of Cumulative Effects

As stated in the Cumulative Effects Memorandum (Attachment J of the application), most of the land surrounding the proposed Project area is owned by the federal government or the state, and because the NSA limits types of development, most of the past and future projects within the vicinity of the proposed Project area are related to public recreation, transportation, or energy generation and transmission. No new projects are currently proposed in the Historic Highway Trail project vicinity. All planned projects, listed in Table 1 of the Cumulative Effects Memorandum, are maintenance, restoration, and improvements of existing development. Management Plan limitations on development due to land use and landscape setting designations, vehicular access limitations from I-84, compatible recreation guidelines, steep topography on surrounding lands, and recreation intensity class designations would help ensure that more intense recreational development is minimized adjacent to more isolated segments of the trail. This would limit the overall cumulative recreation impact of the proposed Project. Additional detail is provided in the Cumulative Effects Memorandum (Attachment J of the application).

Staff finds that these improvements will have limited cumulative impacts and are consistent with the approved Open Space Management Plan. However, Management Plan limitations on development due to land use and landscape setting designations, vehicular access limitations from I-84, compatible recreation guidelines, steep topography on surrounding lands, and recreation intensity class designations will help ensure that more intense recreational development is minimized adjacent to more isolated segments of the trail and, thus, limiting the overall cumulative recreation impacts of the project.

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

Finding: The HCRH State Trail proposed trail is intended for non-motorized use, except for operator-propelled vehicles, cycles or similar devices (such as electric assisted bicycles as

defined in ORS 801.258), emergency service vehicles, OPRD maintenance vehicles, and electric powered wheelchairs and scooters for persons with disabilities.

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

Finding: No mitigation measures are proposed because no adverse effects on existing recreation resources are anticipated.

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

Finding: Not applicable No new recreation facilities are proposed. The proposed recreational facility is a trail and all other recreational facilities are occurring at existing sites. The applicable Recreation Intensity Class is applied to each existing recreation facility in this review.

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

Finding: The proposed trail is a multi-use trail that is designed to accommodate bicycles.

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

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

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

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

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

(E) Through site design and/or mitigation measures, the proposed use can be

implemented without adversely affecting scenic, natural or cultural resources, and adjacent land uses.

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

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

Finding: Not applicable. One portion of the proposed Project area is designated Recreation Intensity Class 4, South Viento State Park Campground. The Project does not propose a variance to the parking or campground unit limits for Class 4 development, as described in Section HRCZO 620(2)(d).

(2) *Special Management Areas Recreation Intensity Class Guidelines*

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

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

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

(C) The following uses may be permitted:

- (i) Trails and trailheads.*
- (ii) Parking areas.*
- (iii) Dispersed campsites accessible only by a trail.*
- (iv) Viewpoints and overlooks.*
- (v) Picnic areas.*
- (vi) Signs.*
- (vii) Interpretive exhibits and displays.*
- (viii) Restrooms.*

Finding: The majority of the trail's alignment is within an area designated for Recreation Intensity Class 1. These portions of the proposed Project involve only the trail improvement. No parking or camping facilities are proposed in areas designated Recreation Intensity Class 1. The proposed facilities are consistent with the Recreation Intensity Class 1 designation because they would enable users to appreciate the natural, scenic, and cultural assets of the NSA by foot or by bicycle. Given the linear expanse of the trail, the design capacity is not expected to be exceeded. Staff finds this standard is met.

(b) *Recreation Intensity Class 2 - Low Intensity*

Emphasis is to provide semi-primitive recreation opportunities.

- (A) Permitted uses are those that provide settings where people can participate in activities such as physical fitness, outdoor learning, relaxation, and escape from noise and crowds.*
- (B) The maximum site design capacity shall not exceed 70 people at one time on the site. The maximum design capacity shall be 25 vehicles.*
- (C) All uses permitted in Recreation Intensity Class 1 are permitted in Recreation Intensity Class 2. The following uses may also be permitted:*
 - (i) Campground with vehicle access.*
 - (ii) Boat anchorages designed for no more than 10 boats at one time.*
 - (iii) Swimming areas.*

Finding: The proposed improvements at the Mitchell Point Parking Lot/Trailhead are located within an area designated for Recreation Intensity Class 2. This portion of the proposed Project would reconfigure the existing parking area and provide 18 parking spaces, as well as trail improvements. As with the portion of the Project located on lands designated for Recreation Intensity Class 1, the proposed trail is consistent with the Recreation Intensity Class 2 designation because it would enable users to appreciate the natural, scenic, and cultural assets of the NSA by foot or by bicycle. As noted previously, given the linear expanse of the trail, the design capacity is not expected to be exceeded. Staff finds this standard is met.

(b) Recreation Intensity Class 3 - Moderate Intensity:

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

- (A) Permitted uses are those in which people can participate in activities to realize experiences such as group socialization, nature appreciation, relaxation, cultural learning, and physical activity.*
- (B) Maximum site design capacity shall not exceed 250 people at onetime on the site. The maximum design capacity shall be 50 vehicles. The General Management vehicle capacity level of 75 vehicles shall be allowed if enhancement or mitigation measures for scenic, cultural, or natural resources are approved for at least 10% of the site.*
- (C) Accommodation of facilities for mass transportation (bus parking, etc.) shall be required for all new Recreation Intensity Class 3 day-use recreation sites, except for sites predominantly devoted to boat access.*
- (D) All uses permitted in Recreation Intensity Classes 1 and 2 are permitted in Recreation Intensity Class 3. The following uses may also be permitted:*

- (i) *Campgrounds improvement may include water, power, sewer, and sewage dump stations.*
- (ii) *Boat anchorages designed for not more than 15 boats.*
- (iii) *Public visitor, interpretive, historic, and environmental education facilities.*
- (iv) *Full service rest-rooms, may include showers.*
- (v) *Boat ramps.*
- (vi) *Riding stables.*

Finding: A portion of the proposed Project alignment along Mitchell Point Drive is within an area designated for Recreation Intensity Class 3. No improvements are proposed along this section of the existing alignment of Mitchell Point Drive that is the original alignment of the Historic Highway. As with the portion of the Project located on lands designated for Recreation Intensity Classes 1 and 2, the proposed trail is consistent with the Recreation Intensity Class 3 designation because it would enable users to appreciate the natural, scenic, and cultural assets of the NSA by foot or by bicycle. As noted previously, given the linear expanse of the trail, the design capacity is not expected to be exceeded. In addition, an Addendum to the application was submitted on May 5, 2020 and included as Attachment A to this decision that details the signage plan for dissuading informal parking that may occur along Mitchell Point Drive. All of the proposed signage in the addendum will be consistent with the Manual for Uniform Traffic Control Devices and is allowed without NSA review. Staff finds this standard is met.

(c) Recreation Intensity Class 4 - High Intensity:

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

- (A) Permitted uses are those in which people can participate in activities to realize experiences such as socialization, cultural and natural history appreciation, and physical activity.*
- (B) The maximum design capacity shall not exceed 1000 people at one time on the site. The maximum design capacity for parking areas shall be 200 vehicles. The General Management Area vehicle capacity of 250 vehicles shall be allowed if enhancement or mitigation measures for scenic, cultural, or natural resources are approved for at least 20 percent of the site.*
- (C) Accommodation of facilities for mass transportation (bus parking, etc.) shall be required for all new Recreation Intensity Class 4 day-use recreation sites, except for sites predominantly devoted to boat access.*
- (D) All uses permitted in Recreation Intensity Classes 1, 2, and 3 are permitted in Recreation Intensity Class 4.*

Findings: The existing and proposed recreational improvements at the existing Viento Trailhead and South Viento State Park Campground are located within land designated for Recreation Intensity Class 4. The proposed Project would reconfigure the existing Viento Trailhead parking lot with 15 parking spaces and a plaza that will include trail information signs and a bicycle fix-it station. The proposed Project would also reconfigure the existing campground area resulting in 9 vehicle back-in campsites and 8 campsites accessible by foot. Portions of the proposed trail improvements are located within the Class 4 area as well. The improvements at South Viento State Park Campground, even when combined with the existing 56 back-in campsites and day use area near the Project area north of I-84 are consistent with allowable recreational development in areas with a Class 4 designation. The proposed trail improvements are consistent with this designation because all uses permitted in recreation classes 1, 2, and 3 are permitted in Recreation Intensity Class 4. In addition, the proposed Project is consistent with the stated intent of a Recreation Intensity Class 4 area to promote cultural and natural history appreciation and physical activity. The proposed improvements at South Viento State Park Campground would occur at an existing overnight campground. The proposed Project does not involve the construction of a new Class 4 day-use recreation site, therefore it is not a requirement that the improvements include bus parking. However, Staff has made recommendations to the Project Team to encourage accommodations for mass transportation at the Viento and Mitchell Point Trailheads to serve the anticipated volume of potential trail users seeking access to these sites to avoid illegal parking and negative impacts to the adjacent resources. The Project Team has responded that accommodations for mass transportation are being taken into consideration and will be implemented as demand requires and funding allows. Additionally, the Project Team has indicated that the overall completion and connection of the entire HCRH State Trail will alleviate any interim congestion and impacts at trailheads along Segments E and F. Staff finds this standard is met.

III. **RECOMMENDATION**

Based upon the above findings of fact and conclusions of law, it is recommended that Oregon Department of Transportation's application to construct a portion of the Historic Columbia River Highway State Trail between Viento State Park (Segment E) and Mitchell Point Crossing (Segment F) be tentatively approved subject to compliance with the conditions of approval detailed in the Planning Director's Decision Letter, dated July 9, 2020.

Hood River County Planning Department

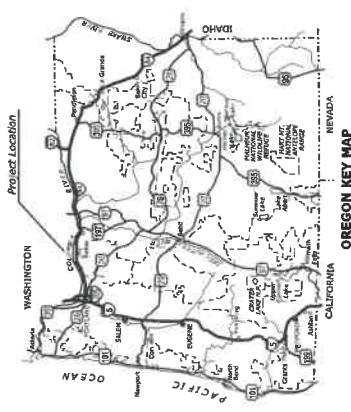
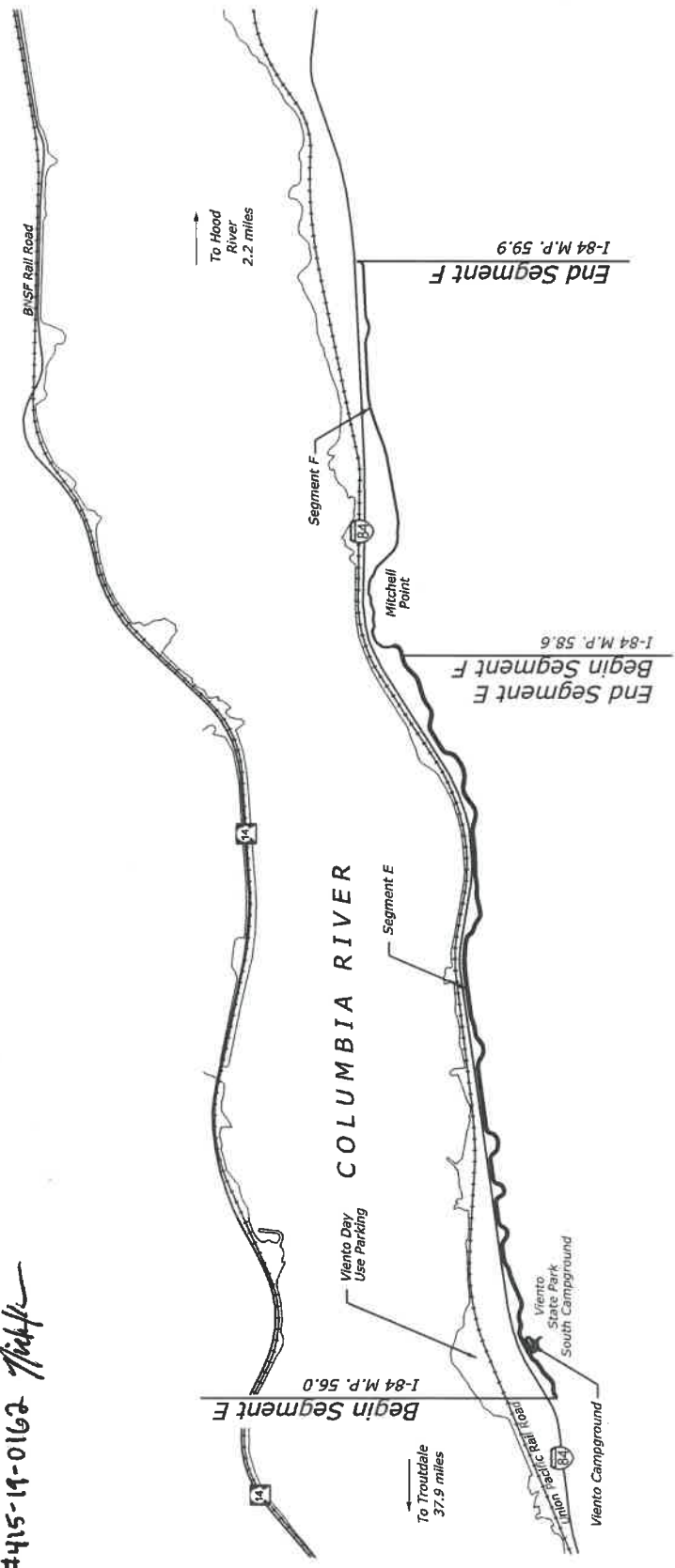


Nick Kraemer, Principal Planner

Enclosure: Tentatively Approved Site Plan pg 1

APPROVED JUL 09 2020
 #415-19-0162 *Spick*

STATE	PROJECT	SHEET NUMBER
OR	DOT CGNSA 100(4)	NSA-1



Legend

- "Segment E" Alignment
- - - "Segment F" Alignment



DAVID EVANS
 AND ASSOCIATES, INC.
 2107 Southwest River Parkway
 Portland Oregon 97221
 Phone: 503.222.0853

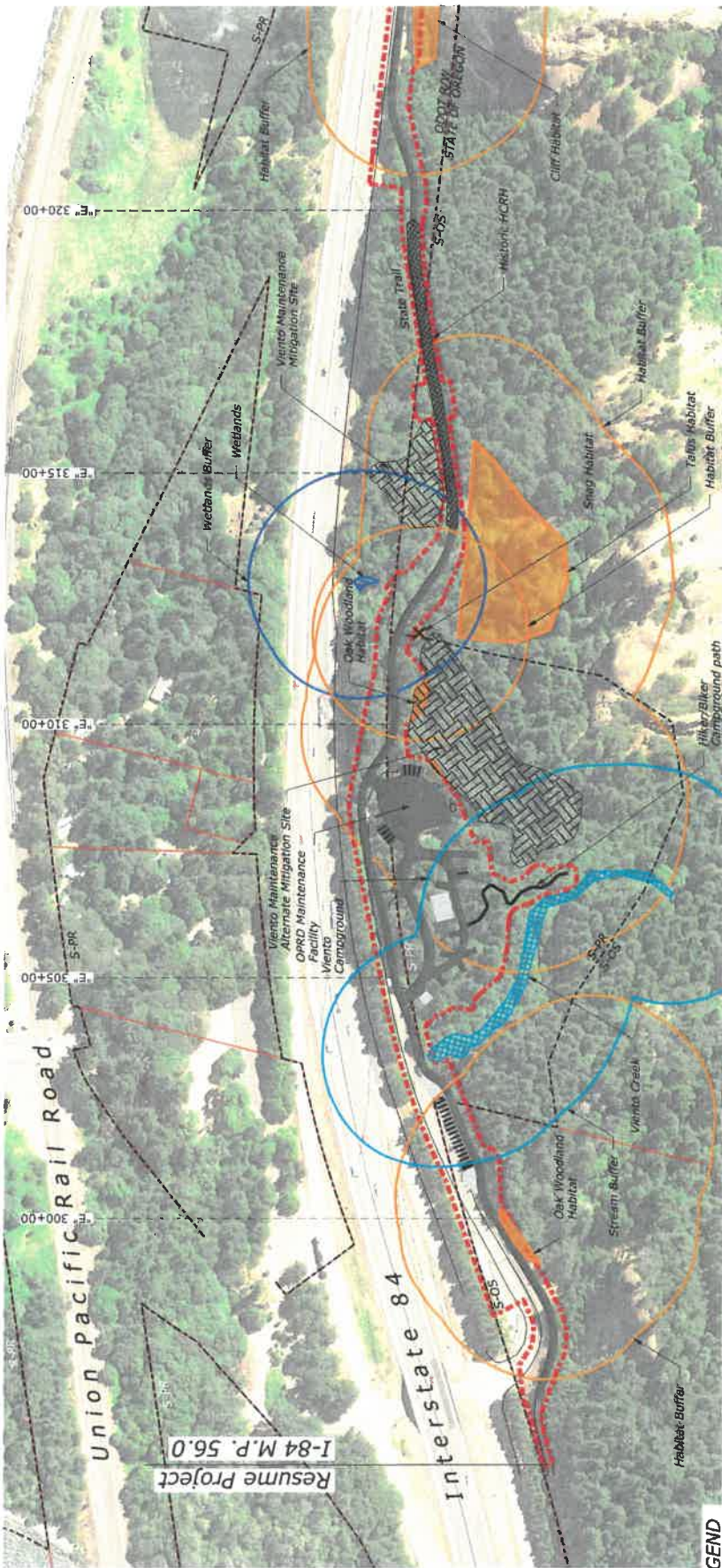


HCRH STATE TRAIL SEGMENTS E & F
 SITE PLAN & VICINITY MAP
 SHEET 1 OF 10

Enclosure: Site Plan pg 5.

STATE	PROJECT	SHEET NUMBER
OR	DOT ORNSA 100(4)	NSA-4

COLUMBIA RIVER



LEGEND

	Perennial Stream		Cut Slope
	Perennial Stream buffer		Area of Potential Impacts
	Habitat		NSA Zoning Designation Boundary
	Habitat Buffer		Zoning Designation
	Wetland		Taxlot / R/W
	Wetland Buffer		
	Mitigation Site		
	Historic HCRH		
	Snag		

	State Trail/Campground Maintenance Facility
	Asphalt Paving
	Hiker/Biker Path
	Wall
	Concrete barrier
	Guardrail
	Fencing
	Fill Slope

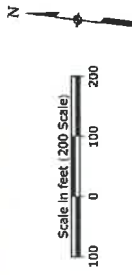
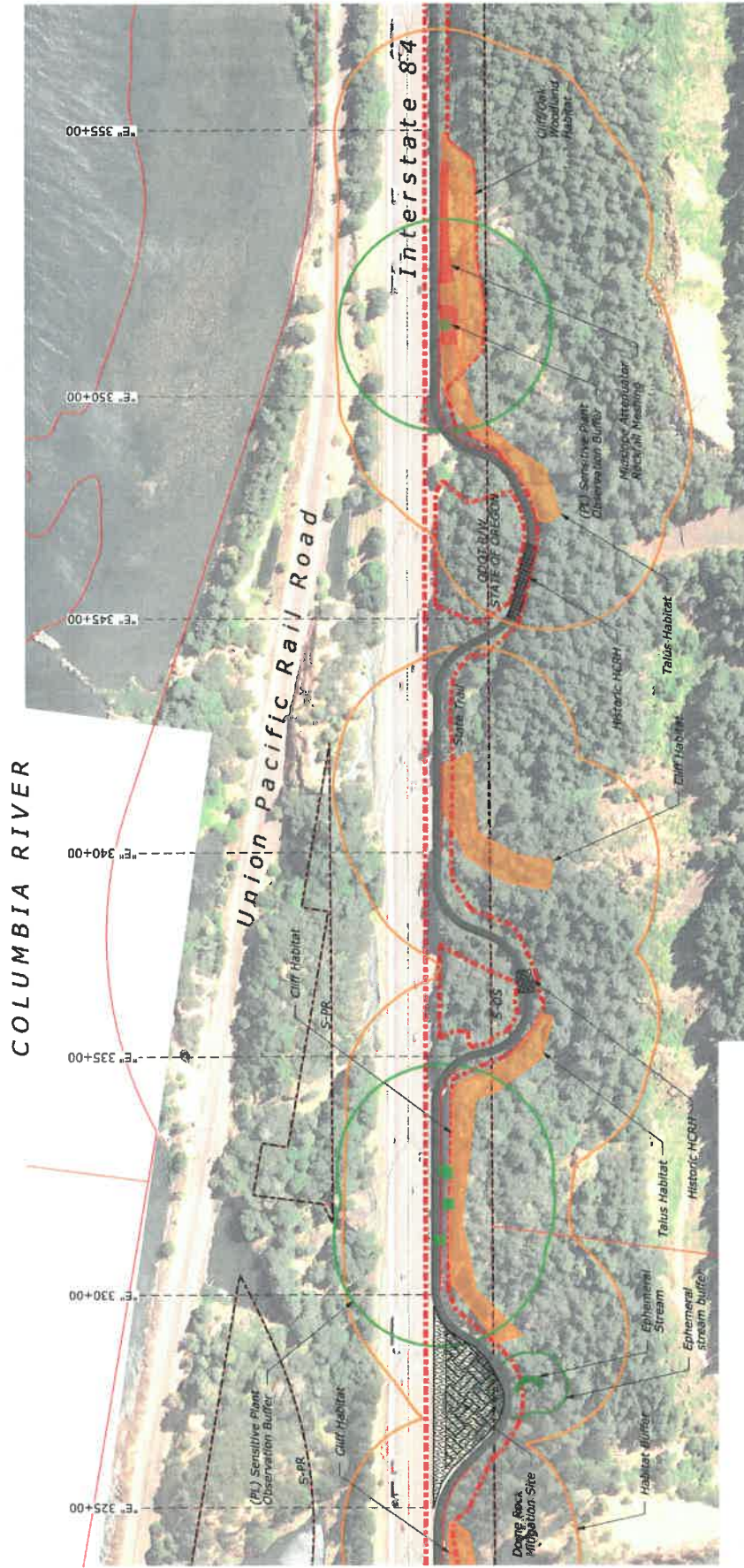


**HCRH STATE TRAIL SEGMENTS E & F
SITE PLAN
A.P.I., HABITAT, AND BUFFER EXHIBIT
SHEET 4 OF 10**

DAVID EVANS AND ASSOCIATES INC.
2105 Southwest River Parkway
Portland Oregon 97201
Phone: 503.225.8863

Enclosure: Site Plan Page 6

SHEET NUMBER	PROJECT	
NSA-5	DOT OGNESA 100(4)	
STATE	OR	



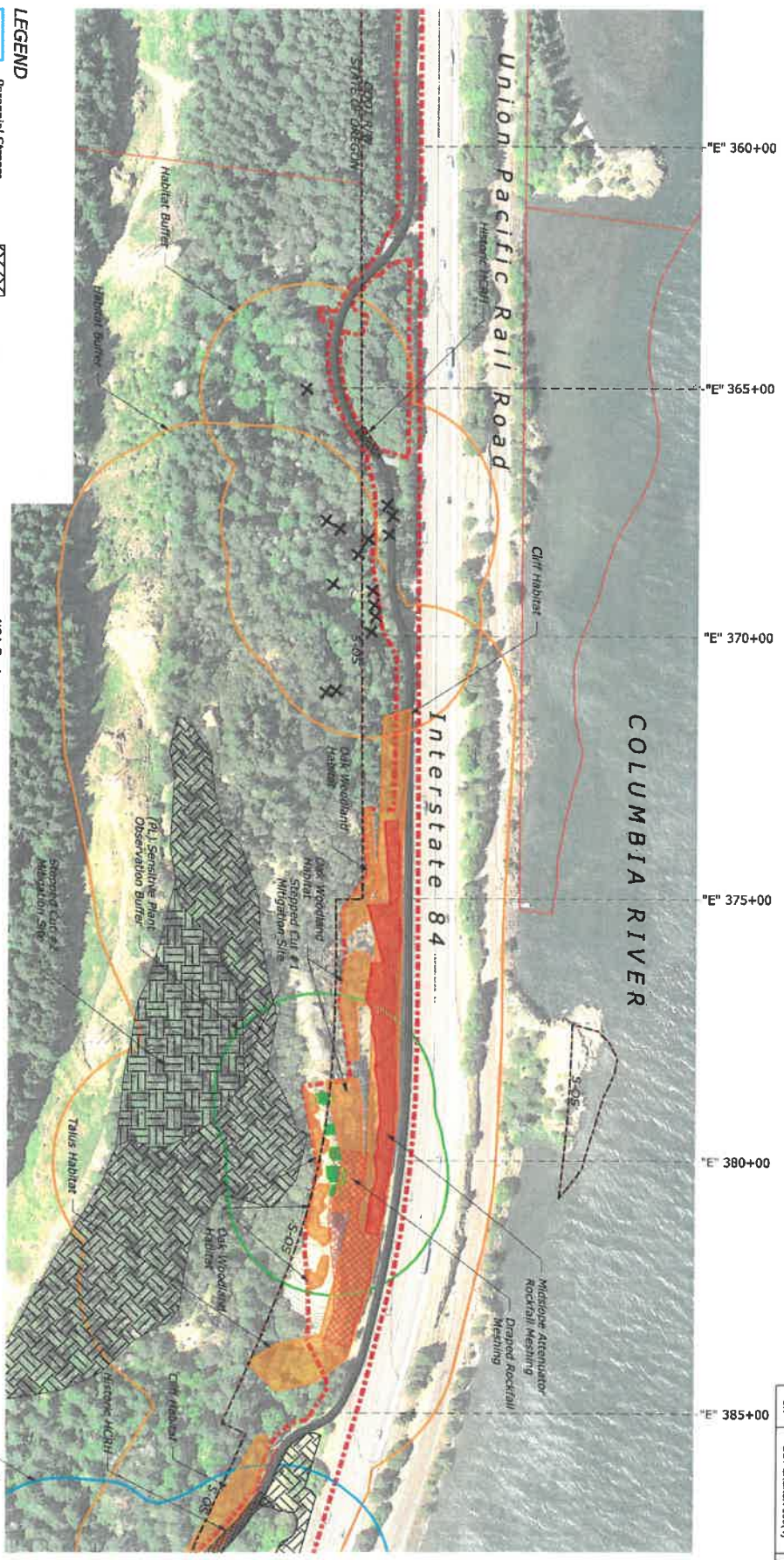
LEGEND

	Ephemeral Stream		NSA Zoning Designation Boundary
	Ephemeral Stream buffer		Zoning Designation
	Habitat		Taxlot / R/W
	Habitat Buffer		
	Rare Plant		Historic HCRH
	(PL) Sensitive Plant Observation		Contractor Staging Area
	Mislopse Attenuator		State Trail
	Mitigation Site		Wall
			Concrete barrier
			Fill Slope
			Cut Slope
			Area of Potential Impacts

**HCRH STATE TRAIL SEGMENTS E & F
SITE PLAN
A.P.I., HABITAT, AND BUFFER EXHIBIT
SHEET 5 OF 10**

DAVID L. WILKINS and ASSOCIATES, INC.
2100 Southeast River Parkway
Portland, Oregon 97201
Phone: 503.222.0893

Enclosure: Site Plan 19 7

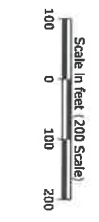


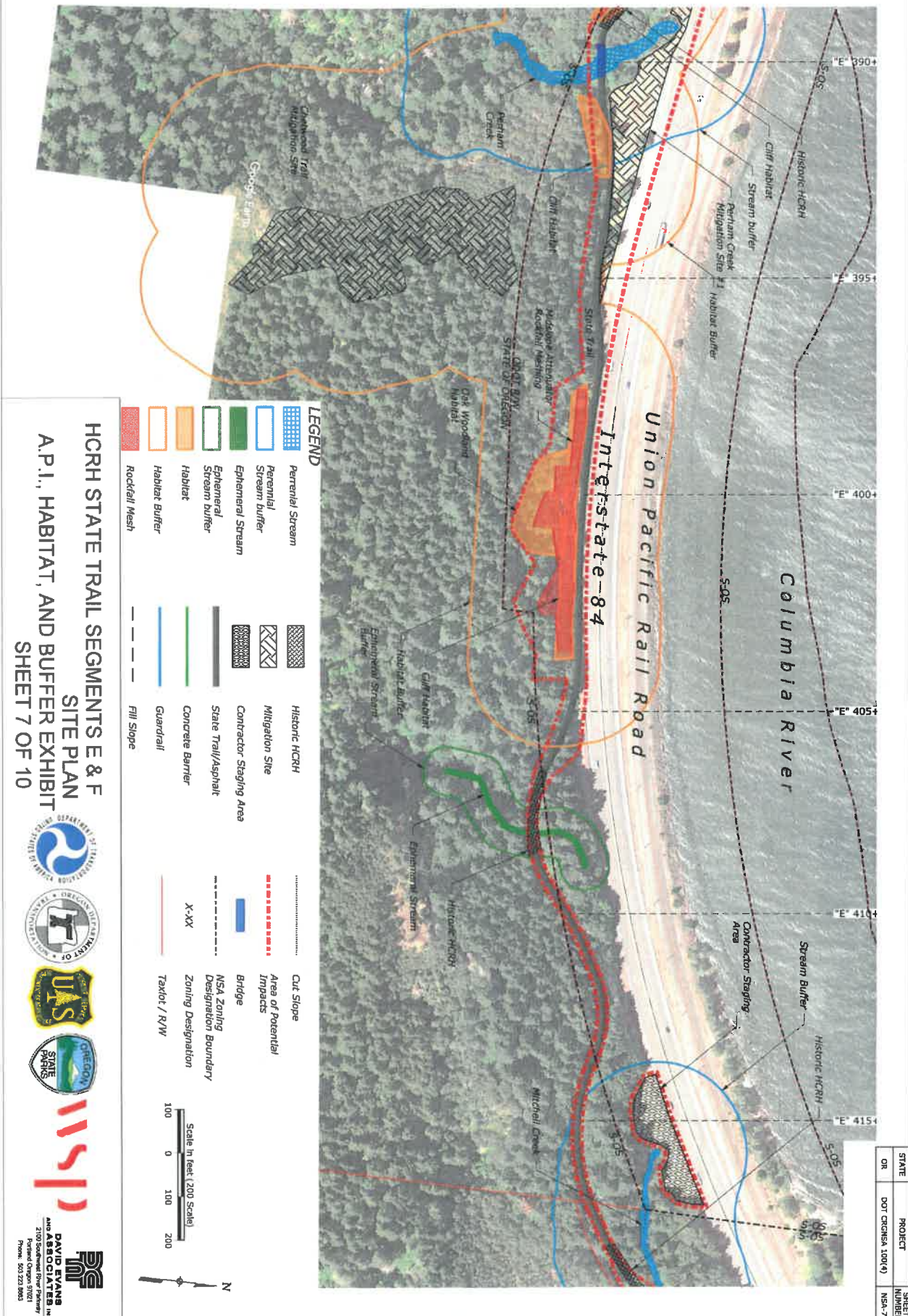
- LEGEND**
- Perennial Stream buffer
 - Habitat
 - Habitat Buffer
 - Rare Plant
 - (P.U.) Sensitive Plant Observation
 - Midslope Attenuator
 - Rockfall Meshing
 - Draped Rockfall Meshing
 - Mitigation Site
 - Historic HCRH
 - State Trail
 - Concrete barrier
 - Guardrail
 - Fill Slope
 - Cut Slope
 - Area of Potential Impacts
 - X-XX NSA Zoning Designation Boundary
 - Taxlot / RW

**HCRH STATE TRAIL SEGMENTS E & F
SITE PLAN
A.P.I., HABITAT, AND BUFFER EXHIBIT
SHEET 6 OF 10**

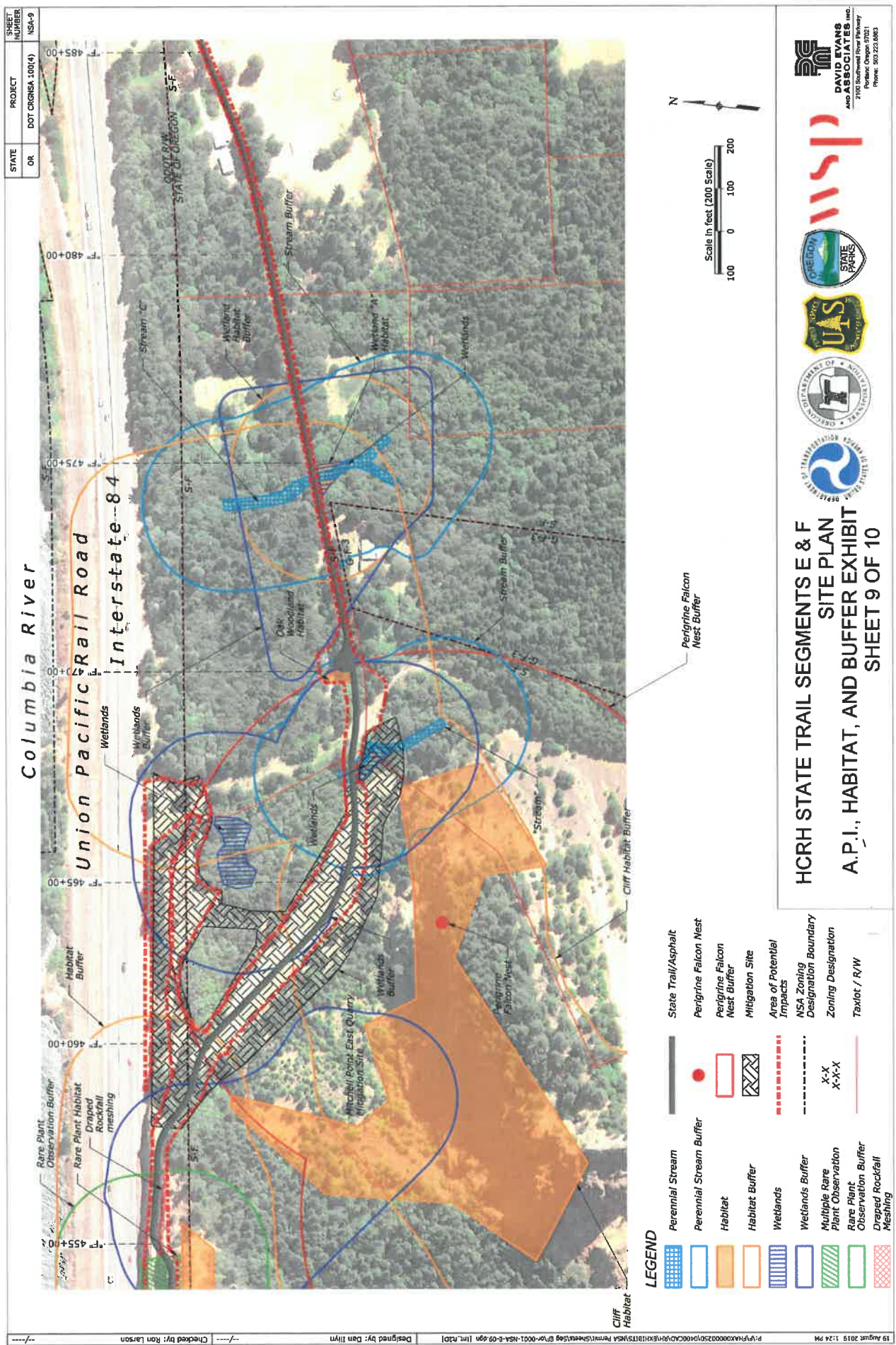


STATE	PROJECT	SHEET NUMBER
OR	DOT CRRISA 100(4)	NSA-E





Enclosure: Site Plan Pg 10



SHEET NUMBER	PROJECT	STATE
NSA-9	DOT CRNSA 1001(A)	OR

DAVID EVANS INC.
 AND ASSOCIATES
 2100 Southeast Waterbury
 Portland, Oregon 97201
 Phone: 503.223.0863

wsp

OREGON STATE PARKS

UAS

DEPARTMENT OF TRANSPORTATION

OSPREY

**HCRH STATE TRAIL SEGMENTS E & F
 SITE PLAN
 A.P.I., HABITAT, AND BUFFER EXHIBIT
 SHEET 9 OF 10**

Enclosure: Cover Page Detailed Construction Plans (70%) pg 12

U. S. DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION



STATE	PROJECT	SHEET NUMBER
OR	DOT CRGNSA 100(6)	A.1

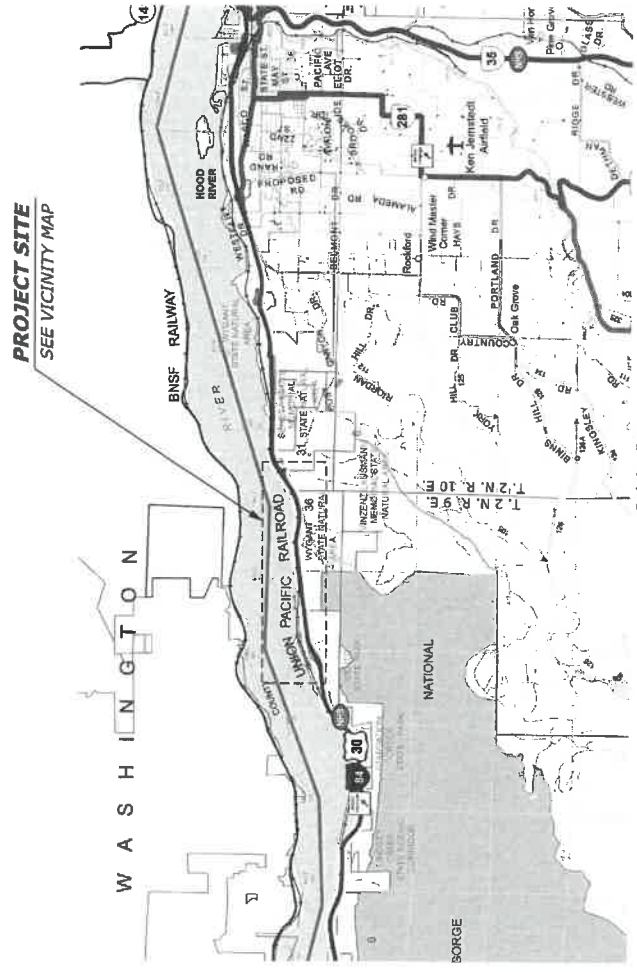
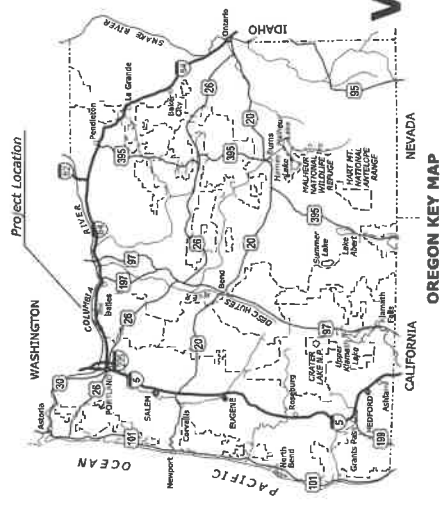
APPROVED JUL 09 2020
 #415-1A-0162
 *70% plans



PLANS PREPARED BY
**U.S. DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION**
 WESTERN FEDERAL LANDS HIGHWAY DIVISION
 VANCOUVER, WASHINGTON



PLANS FOR PROPOSED PROJECT
 OR DOT CRGNSA 100(6)
**HISTORIC COLUMBIA RIVER
 HIGHWAY STATE TRAIL
 VIENTO TO MITCHELL POINT CROSSING**
 HOOD RIVER COUNTY
 OREGON
 LENGTH 2.64 MILES



TYPE OF CONSTRUCTION:
 Clearing, excavation, grading, walls,
 bridge, drainage, rockfall mitigation
 and paving

SPECIFICATION:
 Standard Specifications for Construction
 of Roads and Bridges on Federal Highway
 Projects, FP-14 US Customary Units



PROJECT MANAGER
 Mike Odum

APPROVED: _____ DATE _____
 Chief of Engineering,
 Western Federal Lands Highway Division

Attachment A: Addendum pg 1

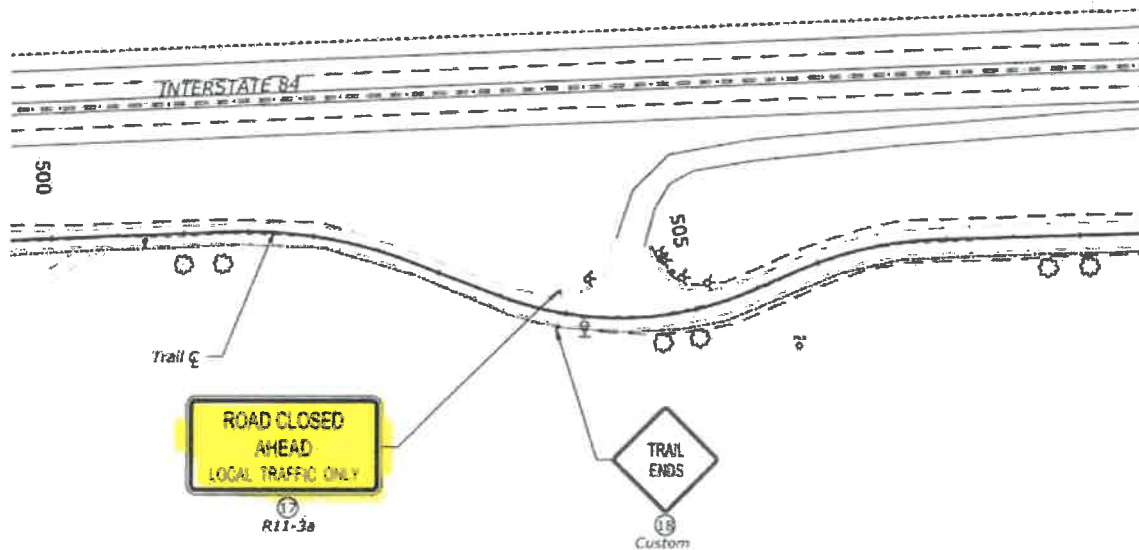
Addendum to the Mitchell Point Tunnel NSA permit with Hood River County by ODOT.
Submitted May 5, 2020

The current design intends to discourage access to Mitchell Point from the east through a few phases, some of which will be completed with the project outright, and others will be implemented if there are parking issues after the Tunnel is completed:

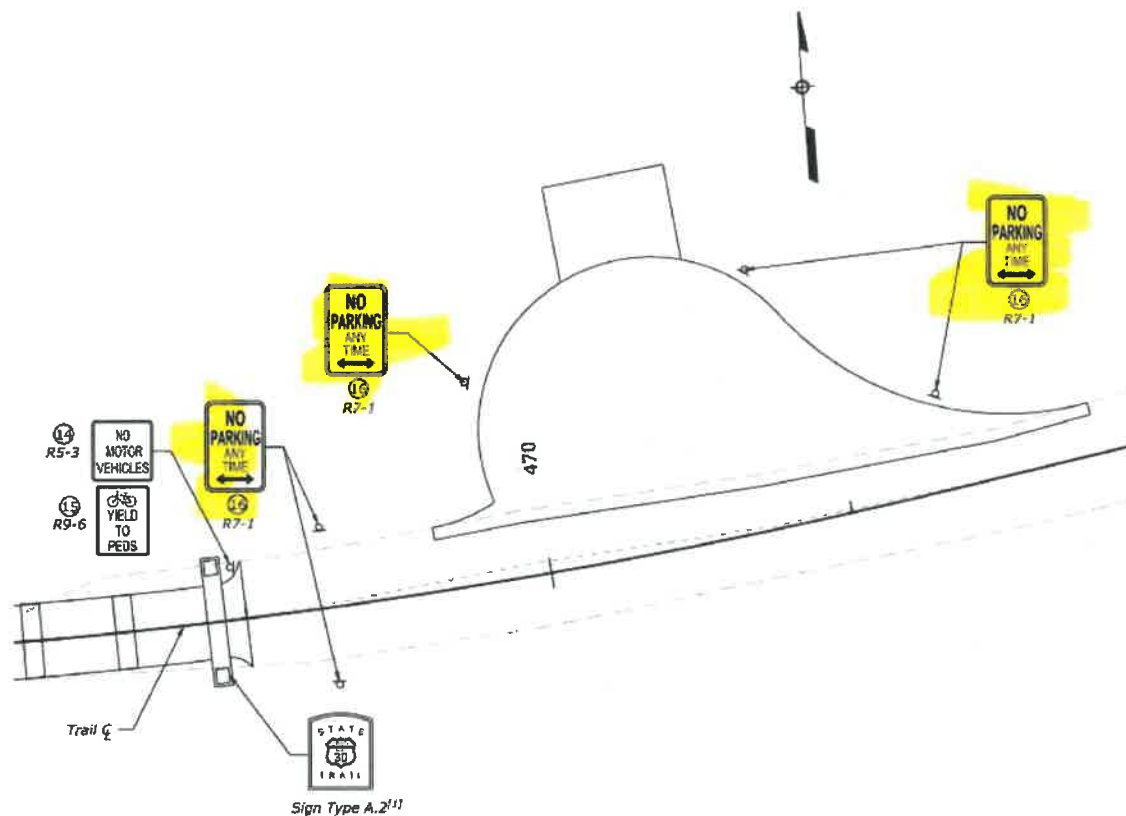
Phase 1 (will occur with the project)

Given that these will be MUTCD compliant signs, we do not need to modify our NSA Permit, as MUTCD-compliant signage is allowed without review. The following documentation is to clarify how ODOT intends to dissuade informal parking east of the Tunnel.

1. Installing "Road Closed Ahead / Local Traffic Only" signage near the eastbound on-ramp (excerpt from 95% plans below)
2. Providing no parking at the west end of Mitchell Point Drive.
3. Installing "No Parking" signage (5 places), access bollard, and vehicle turn-around at the west end of Mitchell Point Drive. (excerpt from 95% plans below).
4. Update relevant OPRD and ODOT web pages to alert park users on the access/parking restrictions east of Mitchell Point.
5. Install "No Parking" signage along both sides of Mitchell Point Drive



Attachment A: Addendum pg 2



Phase 2

Phases 2 and 3 would only be implemented if the landowners indicate that the east side of Mitchell Point Tunnel is experiencing users parking in informal spaces or utilizing the undercrossing from I-84.

6. Place physical elements (natural colored, earth-tone) such as downed logs and/or large boulders in the shoulder on E Mitchell Point Drive to dissuade vehicular parking on either side of the road.
7. Paint fog lines on E Mitchell Point Dr., making it obvious if vehicles are parked over the fog line between the physical elements, and providing a legal framework for Hood River Sheriff deputies to ticket and tow illegally parked vehicles.

Phase 3

If the physical elements and fog line do not dissuade people from parking along E Mitchell Point Drive and/or Hood River County sheriff staff is unavailable to ticket or tow improperly parked vehicles, this is the final option to dissuade visitors from accessing the tunnel.

8. Install a temporary gate and fence at a location (to be determined) east of the east tunnel portal to discourage trail users from accessing Mitchell Point from the east. Provide temporary signage at the west Mitchell Point parking lot to alert trail users of the dead-end condition. The temporary gate, fence, and signage would be removed following completion of Segments G & H.
9. Consider design and construction of a parking lot near the existing Mitchell Point Drive underpass with I-84 as part of Segment G.