



File Code: 2370-CD-07-02-S

Date: August 20, 2007

James R. Clapp, Refuge Manager  
Steigerwald Lake National Wildlife Refuge  
PO Box 1136  
Washougal, Washington 98671

Mr. Clapp:

As you know, the US Fish and Wildlife Service is required to be consistent with the purposes of the Columbia River Gorge National Scenic Area Act as determined by the Forest Service pursuant to Section 14(d) of the Act. A consistency review application was received by this office requesting to maintain the view at Franz Lake Overlook, a vehicle turnout and overlook deck, constructed in 1996 located along the south side Washington SR 14, north of Franz Lake, and east of Skamania, Washington. Your application states that over the past five years the vegetation in the two primary viewing areas to the lake is becoming overgrown with shrubs and small trees to the point that viewing is becoming increasingly difficult. The proposed project is to clear the overgrown shrubs and small trees using a chainsaw. This review concerns the portion of the project located on lands owned by the United States.

I find that the proposed thinning of shrubs and small trees is consistent with the Columbia River Gorge National Scenic Area (CRGNSA) Management Plan provided that it is implemented as described in the CRGNSA Consistency Determination Findings of Fact, referenced as CD-07-02-S, and the following conditions are applied:

1. There may be a portion of the overall project located on private land. The applicant shall verify that permission from private landowners and local government is obtained.
2. If any historic or prehistoric cultural resources are uncovered during project activities, work shall cease and the CRGNSA archeologist shall be notified. The Forest Service shall also notify the Washington State Historic Preservation Office and the Indian Tribal Governments within 24 hours if the resources are prehistoric or otherwise associated with Native American Indians.
3. All slash shall be placed out of view of SR-14 and the Columbia River (screened by remaining vegetation) and that visible stumps are flush cut if brush re-growth is not expected to screen them.
4. Consideration shall be given to planting native shrubs that will be low-growing to occupy some of the space left by the thinning.

**Implementation Date:** This project may begin immediately as long as it complies with the conditions as described in item 1-4 above. This decision expires on August 20, 2009. If implementation has not commenced before that date, a new consistency review or extension shall be required.



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

**Contact Person:** The Columbia River Gorge National Scenic Area staff prepared an analysis file in conjunction with this project. For further information, contact Diana Ross at the Columbia River Gorge National Scenic Area, 541.308.1716, e-mail: [dlross@fs.fed.us](mailto:dlross@fs.fed.us).

*/s/ Daniel T. Harkenrider*

DANIEL T. HARKENRIDER  
Area Manager

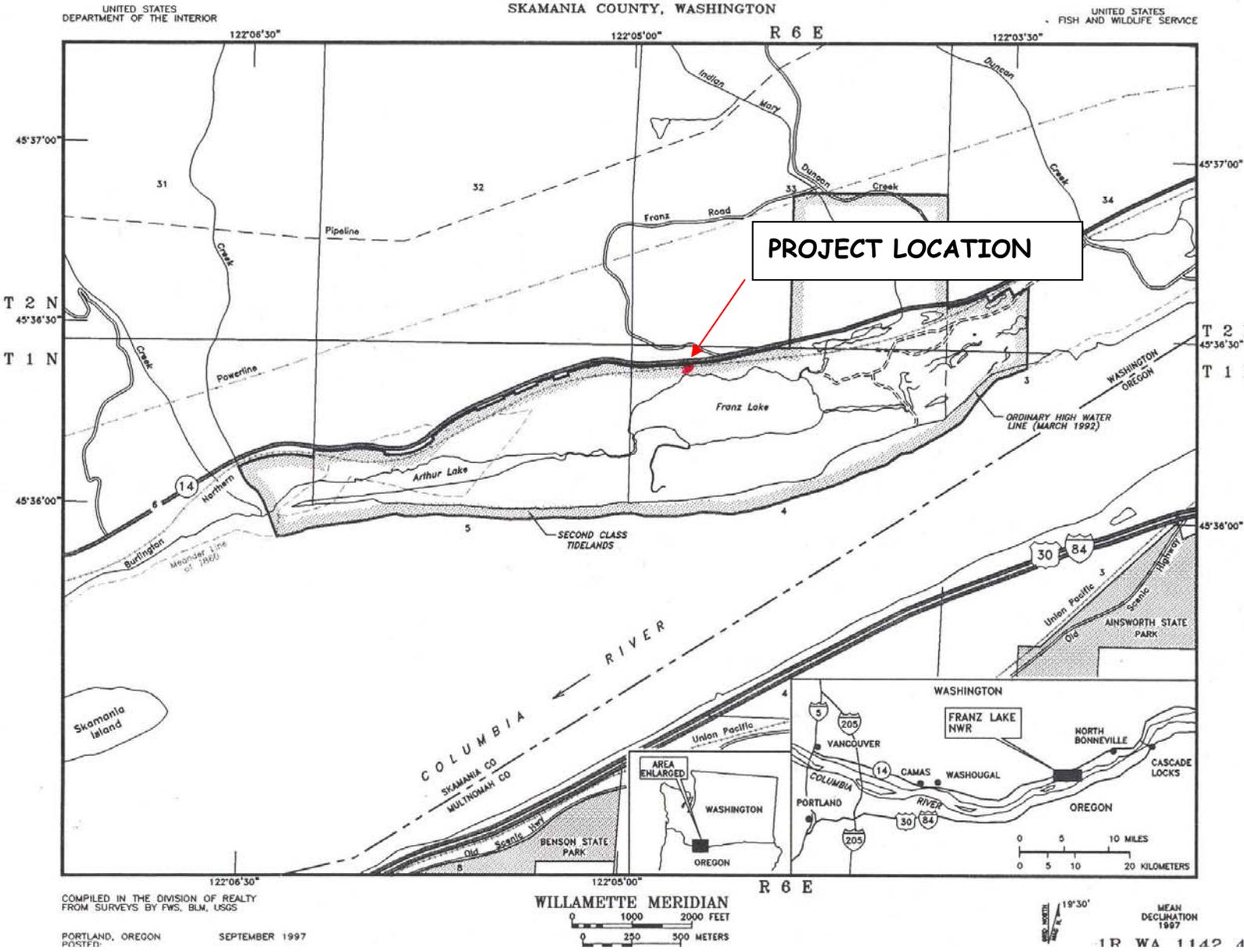
Date: August 20, 2007

cc: Jill Arens, Columbia River Gorge Commission;  
Rick Till and Nathan Baker, Friends of the Columbia River Gorge

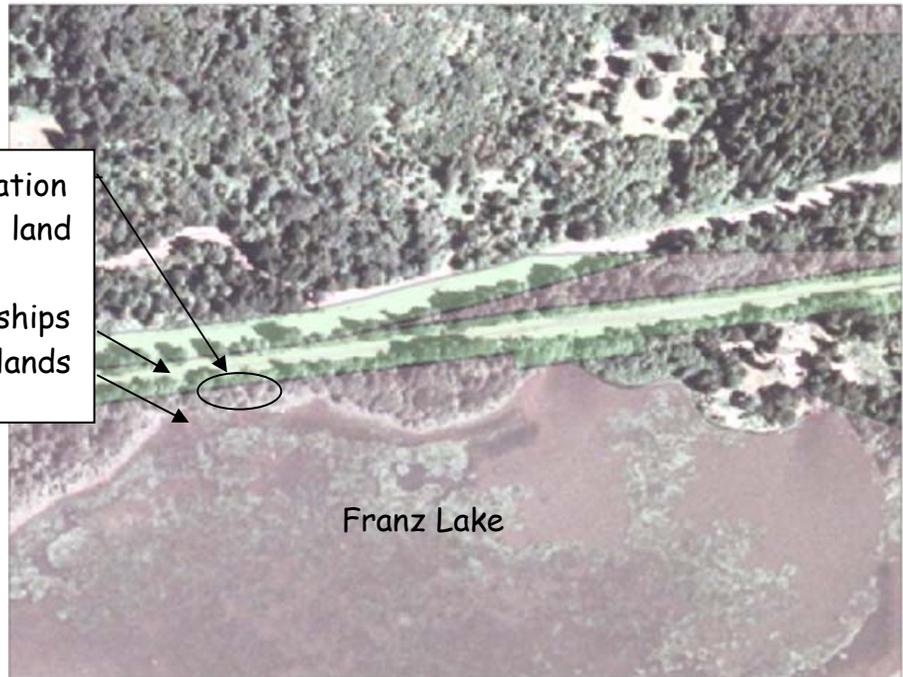
# FINDINGS OF FACT

<b>LANDOWNER:</b>	USA--USFWS
<b>PROPOSED ACTION:</b>	Clear shrubs and small trees blocking the view from the overlook.
<b>LOCATION:</b>	Skamania County, Washington. Township 1N, Range 6E, Section 4 Taxlot: 105                      Quad 4    UTM: 571816 5050525
<b>NATIONAL SCENIC AREA DESIGNATION:</b>	Special Management Area (SMA)
<b>LAND USE DESIGNATION:</b>	Open Space
<b>LANDSCAPE SETTING:</b>	River Bottomlands

## FRANZ LAKE NATIONAL WILDLIFE REFUGE SKAMANIA COUNTY, WASHINGTON



Note: Project Location  
This review covers federal land  
managed by USFWS.  
Other ownerships  
Federal lands



## **FINDINGS OF FACT:**

The following findings of fact contain the applicable standards and guidelines from the CRGNSA Management Plan. The Management Plan, as revised and adopted in 2004, is in effect. The CRGNSA Management Plan standards and guidelines are displayed in **bold type**. The findings are displayed in regular type. Guidelines that are not applicable to this project as indicated as not applicable or are not included.

### ***A. Public Comment***

Friends of the Columbia Gorge commented on March 15, 2006 to the public notice dated February 15, 2007. They were concerned that the project follow the Management Plan guidelines. They also ask that USFWS consider replanting after thinning with native plants that would not grow as tall. These comments are addressed in the Findings for the applicable resource.

### ***B. Project Proposal***

A vehicle turnout and overlook deck, constructed in 1996, is located along the south side Washington SR 14, north of Franz Lake, and east of Skamania, Washington. This overlook was constructed to provide a safe and accessible viewing area to visitors along SR 14 desiring to view tundra swans and other waterfowl using Franz Lake. It also provides interpretation of the natural resources of the lake via three interpretive panels. The Franz Lake Viewpoint is identified in the Recreation Development Plan of the CRGNSA Management Plan.

Although the deck does provide a viewpoint to the lake, over the past five years the vegetation in the two primary viewing areas to the lake is becoming overgrown with shrubs and small trees, to the point that viewing is becoming increasingly difficult. The attached photographs portray the effects of the vegetation on the viewing opportunities. This vegetation is located on the Franz Lake National Wildlife Refuge, owned by the U.S. Fish and Wildlife Service.

The proposed project is to clear the overgrown shrubs and small trees in the areas indicated on the photographs using a chainsaw. Clearing will be conducted during the late winter/early spring, when leaves are off the vegetation and waterfowl numbers are minimal. Cut trees/branches will be stacked in small piles to facilitate movement while clearing, but otherwise left onsite.

### ***C. Land Use Designations***

The Management Plan, Part II, Chapter 3 (Open Space), SMA guidelines, Review uses states:

- 1. An Open Space plan shall be completed by the primary managing agency or landowner prior to any new land uses or development, and shall be reviewed by the Forest Service.**
- 2. The following new uses may be allowed on lands designated Open Space subject to review for compliance with scenic, cultural, natural, and recreational resources guidelines:**
  - B. Resource enhancement projects for the purpose of enhancing scenic, cultural, recreation and/or natural resources, subject to the guidelines in "Resource Enhancement Projects" (Part II, Chapter 7: General Policies and Guidelines).**

The Management Plan, Part II, Chapter 7 (General Policies and Guidelines), GMA/SMA guidelines, states:

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

### **Findings**

Open Space Plan-The Western Washington Columbia River Tributaries Watershed Analysis serves as the Open Space Plan for the area.

“Expected growth should reflect Region 2’s growth rate, given the proximity of the watershed to the Metro area and the increasing interest in these activities. Additionally, proposed and recently constructed sites within the watershed should contribute to the growth (Franz Lake Wildlife Viewing platform, Steigerwald Lake Wildlife Refuge Visitor Center, Columbia Gorge Interpretive Center, etc.)” It states under Desired Future Condition for Recreation Resources that “Recreation use levels are within the National Scenic Area Recreation Intensity Class limits.” Therefore, maintaining the Franz Lake Viewpoint is consistent with the Open Space Plan.

Review Use-The project proposes to enhance scenic resources by maintaining a viewpoint platform overlooking Franz Lake.

Resource Enhancement Criteria-The application discusses the goals, benefits, and outcome of the proposal. Photos of the proposed thinning were provided.

## ***D. Scenic Resources***

The Management Plan, Part II, Chapter 1 (Scenic Resources), SMA guidelines, states:

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

1. 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):

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

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

### **Findings**

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

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

<b>REQUIRED SMA SCENIC STANDARDS</b>		
<b>LANDSCAPE SETTING</b>	<b>LAND USE DESIGNATION</b>	<b>SCENIC STANDARD</b>
<b>River Bottomlands</b>	<b>Open Space</b>	<b>Not Visually Evident</b>

4. In all landscape settings, scenic standards shall be met by blending new development with the adjacent natural landscape elements rather than with existing development.
5. 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.
6. The extent and type of conditions applied to a proposed development or use to achieve the scenic standard shall be proportionate to its degree of visibility from key viewing areas.

**Findings:** The proposed vegetation management is topographically visible, according to electronic viewshed analysis maps, as per the following table:

<b>KEY VIEWING AREA</b>	<b>DISTANCE ZONE</b>		
	FOREGROUND 0-1/4 Mile	MIDDLEGROUND 1/4 to 3 Miles	BACKGROUND Over 3 Miles
Columbia River	X	X	X
SR-14	X	X	X
I-84		X	X
Historic Columbia River Hwy		X	
Sandy River			
Pacific Crest Trail			
Portland Women’s Forum			X
Crown Point			X
Rooster Rock State Park			X
Larch Mtn. Road			X
Larch Mountain			X
Larch Mtn. Sherrard Point			X
Cape Horn			X
Bridal Veil State Park			
Multnomah Falls			X
Bonneville Dam Visitor Center			
Beacon Rock			
Dog Mtn. Trail			
Cook-Underwood Road			
Wyeth Bench Road			
Oregon Highway 35			
Panorama Point Park			
SR-141			
SR-142			
Old Highway 8			
Rowena Plateau and Nature Conservancy Viewpoint			

(1) The amount of area of the building site exposed to key viewing areas--No building proposed. Vegetation treatment will be a thinning of small diameter trees and brush that will retain the overall visual character of the landscape.

(2) The degree of existing vegetation providing screening--Some small diameter vegetation screening Franz Lake viewpoint will be removed in narrow sight-lines visible from the viewing platform. SR-14 will retain screening from larger trees.

(3) The distance from the building site to the key viewing areas from which it is visible-- No building proposed, but the treatment area is closest to SR-14 and the Columbia River in the foreground distance zone.

(4) The number of key viewing areas from which it is visible—12-all screened by vegetation.

(5) The linear distance along the key viewing areas from which the building site is visible (for linear key viewing areas, such as roads)—No building proposed but treatment area is seen only

for a short distance along SR-14. The treatment will not be visually evident. A slightly better view from SR-14 to Franz Lake will appear for a very short distance.

**B. Conditions may be applied to various elements of proposed developments to ensure they meet the scenic standard for their setting as seen from key viewing areas**

**Findings:** The proposed vegetation treatment will meet the scenic standard of not visually evident from Key Viewing Areas due to distance and the small size and intensity of the treatment for most KVAs. There may be some visual impact from slash and stumps for a short period of time as seen from the viewing platform, SR-14 or the Columbia River. A condition should be placed that all slash is placed out of view of SR-14 and the Columbia River (screened by remaining vegetation) and that visible stumps are flush cut if brush re-growth is not expected to screen them. With conditions, the project will meet the scenic standard from KVAs.

7. **Sites approved for new development to achieve scenic standards shall be consistent with guidelines to protect wetlands, riparian corridors, sensitive plant or wildlife sites and the buffer zones of each of these natural resources, and guidelines to protect cultural resources.**
8. **Proposed developments shall not protrude above the line of a bluff, cliff, or skyline as seen from key viewing areas.**
9. **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.**
10. **The following guidelines shall apply to new landscaping used to screen development from key viewing areas:**
11. **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.**
12. **The exterior of buildings on lands seen from key viewing areas shall be composed of non-reflective materials or materials with low reflectivity.**
13. **Any exterior lighting shall be sited, limited in intensity, shielded, or hooded ...**
14. **Seasonal lighting displays shall be permitted on a temporary basis, not to exceed 3 months.**

**Findings:** The above guidelines are not applicable to this project. No new development, buildings, structures, or lights are proposed.

**SMA Guidelines for KVA Foregrounds and Scenic Routes**

1. **All new developments and land uses immediately adjacent to scenic routes shall be in conformance with state or county scenic route guidelines.**
2. **Scenic highway corridor strategies shall be developed and implemented ...**
3. **The goals of scenic corridor strategies shall include**
4. **The following guidelines shall apply only to development within the immediate foregrounds of key viewing areas.**

**Findings:** The project does not conflict with scenic route guidelines or strategies. The project will meet the required scenic standard and thus shall not evoke foreground guideline 4.

## **SMA Guidelines for Areas Not Seen from KVAs**

- 1. 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.**

**Findings:** The above guidelines are not applicable to this project as it is visible from KVAs.

## ***E. Cultural Resources***

The Management Plan, Part II, Chapter 2 (Cultural Resources), SMA guidelines, states:

- 1. New developments or land uses shall not adversely affect significant cultural resources.**
- 2. Federal agencies shall follow steps 1 through 5 under guideline 4, below, for new developments or land uses on all federal lands, federally assisted projects, and forest practices.**
- 4. Reviewing agencies shall use the following steps under 36 CFR 800 (4.9) for assessing potential effects to cultural resources.**

**Step 1: Literature Review and Consultation**

**Step 2: Field Inventory**

**Step 3: Evaluations of Significance**

**Step 4: Assessment of Effect**

**Step 5: Mitigation**

**Findings:** The tribes were notified of this project on February 15, 2007. No comments were received. The CRGNSA archeologist, Marge Dryden, states in her March 9 report that: "I have reviewed the proposed undertaking and areas of potential effect as stated on the development review application, against the National Scenic Area records and inventories. These inventories include the cultural resource site inventory maintained by the State Historic Preservation Office...it is recommended that a cultural resource reconnaissance survey is not required."

A condition should be placed requiring that if any historic or prehistoric cultural resources are uncovered during project activities, work shall cease and the CRGNSA archeologist shall be notified. The Forest Service shall also notify the Washington State Historic Preservation Office and the Indian Tribal Governments within 24 hours if the resources are prehistoric or otherwise associated with Native American Indians.

With conditions, the project meets the cultural resources guidelines.

## ***F. Natural Resources***

The Management Plan, Part II, Chapter 3 (Natural Resources), SMA guidelines, states:

- 1. Ensure that natural resources are protected from adverse effects.**
- 2. WATER RESOURCES (Wetlands, Streams, Ponds, Lakes, and Riparian Areas)**
  - A. Buffer zone sizes (unless needing to be increased due to criteria (a)-(c) or requested to be reconfigured per guideline (4)):**
    - 200 ft.-Perennial or Fish Bearing Stream or Wetland, Pond or Lake**
    - 50 ft.-Intermittent or Ephemeral stream**

**No buffer for maintenance, repair, reconstruction or realignment of roads and railroads within rights-of-way if wetland is a ditch, not critical habitat, and proposed activities would not affect an adjacent wetland out-side of the right-of-way.**

**B. Buffers Replanted With Native Plants Only**

**C.-F Wetland, Stream, Pond, Lake, Columbia River Boundary Locations**

**G. Buffers zones shall be undisturbed unless unavoidable and offset by deliberate restoration or Mitigation Plan and proved to have no alternative through the No Practicable Alternatives Test**

**Filling and draining of wetland prohibited unless criteria (a)-(c) met.**

**3. SENSITIVE WILDLIFE AND PLANTS (Within 1000 ft. of proposed development/use)**

**Findings:** Franz Lake priority habitat for sensitive wildlife and requires a 200 foot buffer. This project will occur within the buffer but mostly out of the riparian vegetation zone. According to Robin Dobson, the CRGNSA botanist/ecologist, “the fact that the activity will actually enhance the riparian vegetation by thinning out many of the dense shrubs including non-native blackberry, and that the minimum amount of work within the buffer was to take place, this was considered adequate mitigation”. In addition, a condition should be placed requiring consideration of planting native shrubs that will be low-growing to occupy some of the space left by the thinning, if possible.

No practicable Alternative Test and Mitigation Plan—The applicant met with the CRGNSA biologist/ecologist on site in the spring in order to discuss alternatives and to discuss appropriate mitigation. The only practical alternative would be to allow the viewpoint to continue to grow in. This does not meet the need to provide a wildlife viewing area. According to Chuti Fiedler, CRGNSA wildlife biologist, “the removal of trees adjacent to the wetland will remove some habitat for a variety of wildlife, and create it for others (conversion of tree/shrub to shrub only, with retention of wood material piles). That the habitat is adjacent to a railroad and highway, and is composed of small trees (not capable of harboring large cavities) decreases its value for sensitive species. The cultivation of interest for local wildlife through viewing platforms and information signs is critical for cultivating stewardship of wildlife resources”.

Thus, with the mitigation of removing the non-native invasives such as blackberries from the project area, the project meets these criteria.

**4. SOIL PRODUCTIVITY**

**Control soil movement, erosion and stream sedimentation**

**Disturbed area (except for new cultivation) shall not exceed 15% of project area**

**80% of disturbed area-establishment of native ground cover within 1 year of project completion**

**Findings:** No soil disturbance is expected due to using chainsaws only—that is, no mechanical equipment—to accomplish the thinning.

## ***G. Recreational Resources***

The Management Plan, Part II, Chapter 4 (Recreation Resources), SMA Guidelines, states:

- 1. New developments and land uses shall not displace existing recreational use.**
- 2. Recreation resources shall be protected from adverse effects...**

**Findings:** The project is intended to benefit recreation by maintaining the viewpoint to Franz Lake at the viewing platform accessible from SR-14. Therefore, the project meets these requirements.

## ***H. Conclusion***

The proposed vegetation management as described above for the Franz Lake viewing platform is consistent with the National Scenic Area Management Plan Policy and Guidelines provided it is implemented as described and meets the conditions listed in the Findings of Fact and Consistency Determination.