



Date: January 2, 2008

CD-07-09-S—**Duncan Cr. Area Groundwater Test and Structures**

DECISION MEMO and CONSISTENCY DETERMINATION
USDA, Forest Service, Columbia River Gorge National Scenic Area

Chuti Fiedler, Project Manager

PROPOSED ACTION

Lower Columbia Fish Enhancement Group (LCFEG) in partnership with the Forest Service, proposes to excavate three to four holes 8 to 10 feet deep in order to conduct groundwater pump tests and install 4 inch PVC standpipes cut at one foot above grade. The project is located in Township 2N Range 6E, Section 34, Taxlot 1400, Skamania County, Oregon.

PURPOSE AND NEED

A dam restricting historically used Chum salmon channels was constructed at the mouth of Duncan Creek in 1963. Washington Department of Fish and Wildlife has been monitoring chum usage of the channels. They identified the opportunity to increase salmon habitat. The groundwater pump tests and PVC standpipes will be installed for the purpose of researching the potential for increasing salmon habitat downstream of Highway 14 in the delta formed by Duncan Creek at the confluence with Woodys Lake.

DECISION

I have decided to approve the proposed action with the implementation requirements described on starting on page five of this document. The rationale for my decision is based on: 1) the proposed action fully meeting the purpose and need; 2) consistency with the Gifford Pinchot Forest Plan and the CRGNSA Management Plan; 3) review of the enclosed findings-of-fact; 5) review of the public comments on the project, and 6) review of evaluations by resource specialists.

SCOPING AND PUBLIC INVOLVEMENT

A notice to interested parties was sent on October 24, 2007 for a 30-day comment period. One public comment letter was received, from Friends of the Columbia Gorge (FOCG) on November 27, 2007. FOCG expressed concern that the project follows applicable guidelines. This concern is addressed in the Findings of Fact.

REASONS FOR CATEGORICAL EXCLUSION

I have determined that the proposed action is categorically excluded. Therefore, neither an environmental impact statement nor environmental assessment will be prepared. I make this determination based on the following findings:

1. I find the proposed action fits under Category 6, Section 31.2 Forest Service Handbook 1909.15-92.1, February 15, 2007: "Timber stand and/or wildlife habitat improvement activities which do not include the use of herbicides or do not require more than one mile of low standard road construction (Service level D, FSH 7709.56)." This project proposes to research the opportunity to improve habitat for chum salmon.. Therefore, neither an environmental impact statement nor environmental assessment will be prepared. I make this determination based on the following findings:

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

The proposed action does not negatively impact land or resources; it will not adversely affect any threatened, endangered or sensitive species of plant or animal, cultural resources, steep slopes, erosive soils, floodplains, wetlands, or other special areas or resources.

The project is not located within or adjacent to any inventoried roadless areas, Research Natural Areas or Washington State Natural Area Preserves. The project does not affect any reserved treaty rights of Native Americans. There are no unusual effects to minority or low-income populations by the proposed action. Therefore, neither an environmental impact statement nor environmental assessment will be prepared.

2. I have also determined that the proposed action is consistent with the Land and Resource Management Plan for the Gifford Pinchot National Forest as amended by the Northwest Forest Plan. The project design and mitigation measures described in the CRGNSA Consistency Determination Findings of Fact, referenced as CD-07-09-S, meet the Late Successional Reserve standards and guidelines.
3. I find that this project is consistent with the Columbia River Gorge National Scenic Area (CRGNSA) Management Plan provided that it is implemented as described in the CRGNSA Consistency Determination Findings of Fact, referenced as CD-07-09-S, and the following conditions are applied:
 - a) The project is implemented as described above in the project description. .
 - b) Locate and avoid the underground utility located adjacent to the project.
 - c) No tree removal or cutting shall be part of the project.
 - d) The project disturbance shall occur only in previously disturbed and maintained portions of the FS recreation area.
 - e) The color of the stand pipes shall be a dark earth-tone found at the specific site or the surrounding landscape and shall be non-reflective.
 - f) No digging shall occur without the presence of the CRGNSA archeologist or her representative. If cultural resources are found, the Forest Service shall 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.
4. The Findings of Fact of the attached Consistency Determination form the basis of fact for my decision on federal lands.

Implementation Date: This project may begin immediately as long as it complies with the conditions as described in items 3.(a-f) above. This decision expires on February 2, 2010. If implementation has not commenced before that date, a new consistency review or extension shall be required.

Appeal Opportunities: The NEPA portion of this decision is not subject to appeal pursuant to Forest Service regulations at 36 CFR 215.8 (a)(4). 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 L. Ross at 541.308.1716, e-mail: dlross@fs.fed.us.

/s/Daniel T. Harkenrider

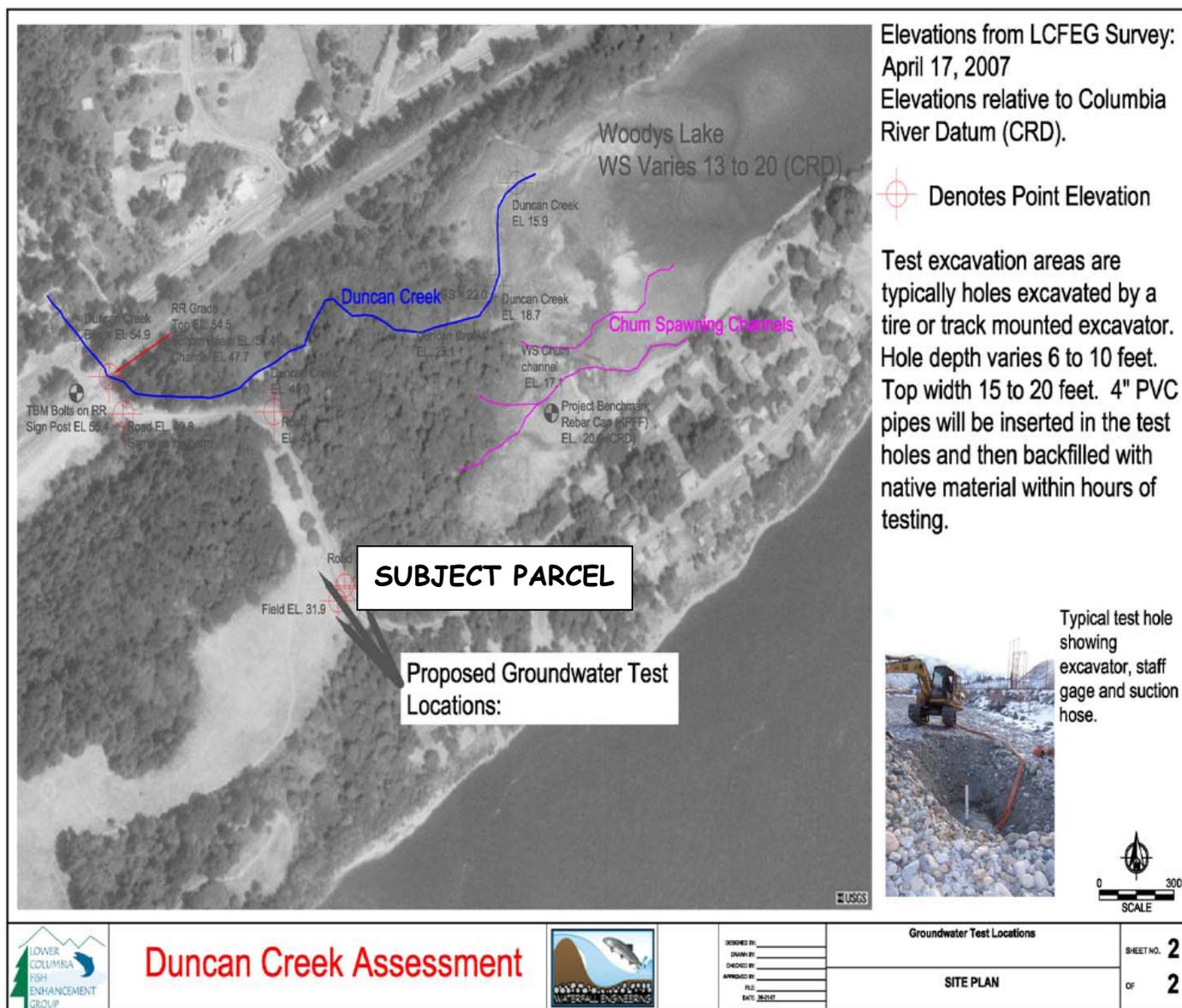
DANIEL T. HARKENRIDER
Area Manager

Date: January 2, 2008

cc: Jill Arens Director, Columbia River Gorge Commission
Rick Till, Friends of the Columbia Gorge

FINDINGS OF FACT

LANDOWNER:	USA—USDA, Forest Service
PROPOSED ACTION:	Excavate three to four holes 8 to 10 feet deep in order to conduct pump tests and install 4 inch PVC standpipes.
LOCATION:	Skamania County, Washington. Township 2N, Range 6E, Section 34 Taxlot: 1400 QUAD 4 UTM: 574044 5051131
NATIONAL SCENIC AREA DESIGNATION:	Special Management Area (SMA)
LAND USE DESIGNATION:	Open Space
LANDSCAPE SETTING:	River Bottomlands



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.

A. Project Proposal

A dam restricting historically used Chum salmon channels was constructed at the mouth of Duncan Creek in 1963. Washington Department of Fish and Wildlife has been monitoring chum usage of the channels. They identified the opportunity to increase salmon habitat. Lower Columbia Fish Enhancement Group (LCFEG) in partnership with the Forest Service, proposes to excavate three to four holes 8 to 10 feet deep in order to conduct groundwater pump tests and install 4 inch PVC standpipes cut at one foot above grade for the purpose of researching the potential for increasing salmon habitat downstream of Highway 14 in the delta formed by Duncan Creek at the confluence with Woodys Lake.

B. Land Use Designations

1. The Management Plan, Part II, Chapter 7 (General Policies and Guidelines), states:

GMA/SMA Guidelines

Development Eligible for Expedited Review

J. Air, weather, water and other similar research and monitoring facilities, provided the facilities are attached to existing structures or are less than or equal to 120 square feet in size and less than or equal to 12 feet in height.

Finding: The proposed standpipes are 12 inches in height and 4" in diameter and are proposed in order to research the opportunity to improve chum salmon habitat. Therefore, they are an allowed use under expedited review. No other structures are proposed.

C. Expedited Review

Resource and Treaty Rights Protection Guidelines

A. Scenic

(1) In the General Management Area, the scenic resource protection guidelines shall not apply to woven-wire fences for agricultural use that would enclose 80 acres or less.

Finding:



Guideline does not apply to the project



Project as described meets guideline



Project requires the following condition to meet this guideline

- (2) **The colors of structures topographically 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. This guideline shall not apply to additions, which may match the color of existing buildings.**

Finding:

- Guideline does not apply to the project
 Project as described meets guideline
 Project requires the following condition to meet this guideline

The color of the stand pipes shall be a dark earth-tones found at the specific site or the surrounding landscape.

- (3) **Structures topographically visible from key viewing areas shall use low or non-reflective building materials, including roofing, gutters, vents, and chimneys.**

Finding:

- Guideline does not apply to the project
 Project as described meets guideline
 Project requires the following condition to meet this guideline

The stand pipes shall be non-reflective.

- (4) **Outdoor lights shall be directed downward and sited, hooded, and shielded such that they are not highly visible from key viewing areas. Shielding and hooding materials shall be composed of non-reflective, opaque materials.**

Finding:

- Guideline does not apply to the project
 Project as described meets guideline
 Project requires the following condition to meet this guideline

- (5) **Signs shall comply with the applicable sign guidelines in the Management Plan (GMA guidelines on pages I-27 through I-29 and SMA guidelines on pages II-160 through II-163).**

Finding:

- Guideline does not apply to the project
 Project as described meets guideline
 Project requires the following condition to meet this guideline

- (6) Structures within 1/2-mile of a key viewing area and topographically visible from the key viewing area shall be sited, screened and/or designed to achieve the applicable scenic standard (e.g., visual subordination, not visually evident).

Finding:

- Guideline does not apply to the project
 Project as described meets guideline
 Project requires the following condition to meet this guideline

B. Cultural

(1) The expedited development review process shall only be used to review proposed development that does not require a reconnaissance survey or historic survey. The cultural resources policies in the current Management Plan (Policy 6 on pages I-51 through I-53 and Policy 7 on page I-53) shall be used to determine if a reconnaissance and/or historic survey is required for a proposed development.

Finding:

- Guideline does not apply to the project
 Project as described meets guideline—A survey has already been done and thus is not needed. The CRGNSA archeologist will be present during excavation.
 Project requires the following condition to meet this guideline

(2) The GMA guidelines in the current Management Plan that protect cultural resources and human remains discovered during construction (see Guideline 1 on pages I-66 through I-68 and Guideline 1 on page I-68, respectively) shall be applied as conditions of approval for all development approved under the expedited development review process.

Finding:

- Guideline does not apply to the project
 Project as described meets guideline
 Project requires the following condition to meet this guideline

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.

C. Recreation

(1) The development shall not detract from the use and enjoyment of established recreation sites on adjacent parcels.

Finding:

- Guideline does not apply to the project
 Project as described meets guideline
 Project requires the following condition to meet this guideline

D. Natural

(1) Wetlands, Streams, Rivers, Ponds, and Lakes

(a) The development is outside buffer zones for wetlands, streams, rivers, ponds, and lakes. This guideline shall not apply to lot line adjustments or development located inside road, utility or railroad rights-of-way or easements that have been previously disturbed and regularly maintained.

Finding:

- Guideline does not apply to the project
- Project as described meets guideline
- Project requires the following conditions to meet this guideline
 - No tree removal or cutting shall be part of the project.
 - The project disturbance shall occur only in previously disturbed and maintained portions of the FS recreation area.
 - Locate and avoid the underground utility located adjacent to the project.

(2) Sensitive Wildlife and Sensitive Plants

(a) The development meets one of the following:

(i) The development is at least 1,000 feet from known sensitive wildlife areas or sites (excluding sensitive aquatic species, deer winter range, and turkey habitat) and known sensitive plants; or

Finding:

- Guideline does not apply to the project (meets ii below)
- Project as described meets guideline
- Project requires the following condition to meet this guideline

(ii) The development does not disturb the ground or is inside road, utility or railroad rights-of-way or easements or other areas that have been previously disturbed and regularly maintained; or

Finding:

- Guideline does not apply to the project
- Project as described meets guideline
- Project requires the following condition to meet this guideline

(iii) For sensitive wildlife, the development is within 1,000 feet of known sensitive wildlife areas or sites (excluding sensitive aquatic species, deer winter range and turkey habitat), but an appropriate federal or state wildlife agency determines (1) the sensitive wildlife area or site is not active or (2) the proposed development would not compromise the integrity of the wildlife area or site or occur during the time of the year when wildlife species are sensitive to disturbance.

Finding:

- Guideline does not apply to the project
- Project as described meets guideline
- Project requires the following condition to meet this guideline

For sensitive plants, the development is within 1,000 feet of known sensitive plants, but the Oregon or Washington Natural Heritage Program or a person with recognized expertise in botany or plant ecology hired by the applicant has determined that the development would be at least 200 feet from the sensitive plants.

Finding:

- Guideline does not apply to the project
- Project as described meets guideline
- Project requires the following condition to meet this guideline

(b) Development eligible for expedited review shall be exempt from the field surveys for sensitive wildlife or sensitive plants (see GMA Guidelines 1 and 2 on pages I-63 and I-70, respectively, of the Management Plan).

Finding:

- Guideline does not apply to the project (SMA)
- Project as described meets guideline
- Project requires the following condition to meet this guideline

2. Proposed developments reviewed using the expedited review process shall comply with the following treaty rights protection guidelines:

A. Proposed developments shall not affect or modify any treaty or other rights of any Indian tribe.

Finding:

- Guideline does not apply to the project
- Project as described meets guideline
- Project requires the following condition to meet this guideline

B. The expedited development review process shall cease and the proposed development shall be reviewed using the full development review process if an Indian tribe submits substantive written comments during the comment period that identify the treaty rights that exist in the project vicinity and explain how they would be affected or modified by the proposed development.

Finding:

- Guideline does not apply to the project
- Project as described and noticed meets guideline
- Project requires the following condition to meet this guideline

- C. Except as provided in 2.B above, the GMA and SMA treaty rights and consultation goals, policies and guidelines in Chapter 3, Section IV of the Management Plan shall not apply to proposed developments reviewed under the expedited review process.**

Finding:

- Guideline does not apply to the project
 Project as described meets guideline
 Project requires the following condition to meet this guideline

G. Conclusion

The proposed research and monitoring project as described above for the Columbia River Gorge National Scenic Area, is consistent with the National Scenic Area Management Plan Policy and Guidelines provided they meet the criteria and conditions listed in the Findings of Fact and Consistency Determination.