

DIRECTOR'S DECISION

Case File: C17-0012

Proposal: The Columbia River Gorge Commission received an application for a new boat ramp and upgrades to the existing facilities at Rowland Lake. The applicant proposes replacing the existing vault toilet with an ADA-accessible restroom and concrete parking stall, replacing the existing gravel boat ramp with a 72-foot concrete boat ramp constructed of articulated concrete mats. Concrete steps at the shoreline will be removed and riprap will be installed for slope protection. An existing rock wall will be replaced with erosion control structures. The parking area and a new 10-foot turnaround will be graded and surfaced with crushed rock. Boulder barriers will be installed to control vehicle access. One new ADA parking sign will be installed.

Applicant: Anna Sample, representing Washington Department of Fish and Wildlife (WDFW)

Landowner: Washington Department of Fish and Wildlife

Location: The subject parcels are located at 550 County Road 1230, Lyle, WA in Sections 35 and 36, Township 3 North, Range 11 East (Klickitat County Parcel Numbers 03113600000400, 03113500000100, and 03112500000200).

Zoning: The subject parcels are in the Special Management Area and designated Agriculture and Open Space. Parcel 03113600000400 is 81.18 acres; Parcel 03113500000100 is 19.55 acres; and Parcel 03112500000200 is 3.28 acres.

DECISION:

Based upon the following findings of fact, the land use application by Anna Sample to install a new boat ramp and upgrade existing facilities at Rowland Lake is consistent with the standards of Section 6 and the purposes of the Columbia River Gorge National Scenic Area Act, P.L. 99-663, the Management Plan for the Columbia River Gorge National Scenic Area (Management Plan), and approvable under Commission Rule 350-81, and is hereby **approved**.

CONDITIONS OF APPROVAL:

The following conditions of approval are given to ensure that the subject request is consistent with the standards of Section 6 and the purposes of P.L. 99-663, and the Management Plan and approvable under Commission Rule 350-81. Compliance with them is required. **This decision must be recorded in county deeds and records to ensure notice of the conditions to all successors in interest** (Management Plan, Review Uses Guideline 1, pg. II-96).

1. To ensure notice of the conditions to successors in interest, this Director's Decision, Staff Report for C17-0012, and approved site plan shall be recorded in county deeds and records at the Klickitat County Auditor's Office. Once recorded, the applicants shall submit a copy of the recorded document to the Executive Director at the Commission.
2. This decision does not exempt the proposal from other non-Scenic Area rules and regulations. It is the applicant's responsibility to ensure the use complies with all other applicable federal, state, and county laws; and obtain necessary approvals, including utility easement approvals.

3. Any new land uses or structural development such as residences; garages, workshops, or other accessory structures; additions or alterations; or grading not included in the approved application or site plan will require a new application and review.
4. The development shall be constructed as shown on the approved project description, site plan and elevation drawings. Any changes shall be reviewed and approved by the Executive Director before the changes are implemented.
5. The structures, barrier rocks, gravel, concrete, and riprap and all other materials used in the development of the project shall be dark earth-tone colors. The following colors submitted by the applicant are consistent with this condition and are hereby approved:

Vault toilet exterior: CXT Concrete Buildings "Java Brown"

Boat launch: Davis Colors Concrete Dark Gray (Carbon) 8084 and Dark Gray (Iron Oxide) 860

Riprap: Dark slate gray

Barrier rocks and gravel: Dark gray from James Dean Construction Quarry

6. The following mitigation measures must be taken, as described in the applicant's approved mitigation planting plan:
 - Existing trees and vegetation shall be retained, except as indicated on the plan.
 - The riparian area surrounding the development shall be treated as a sensitive area and best management practices implemented to avoid disturbance and minimize any adverse effects to the area.
 - Construction work will not go beyond the footprint of the existing gravel ramp.
 - A silt curtain will be implemented during the work in water.
 - Erosion will be prevented using stray wattles or silt fencing.
 - Effective native ground cover species or other stabilizing methods shall be established over 80% of any newly-disturbed area within one year to prevent soil erosion.
 - At least 75% survival of new plantings must be demonstrated to satisfy the mitigation requirement.
7. No outdoor lighting is shown on the development plans. If any outdoor lights are proposed, they shall be approved on a revised site plan by the Executive Director prior to installation. They shall be directed downward and sited, hooded and shielded to not be highly visible from Key Viewing Areas. Shielding and hooding materials shall be composed of non-reflective, opaque materials.
8. The applicant shall provide thorough documentation of the condition of the recreation facilities and access areas after the enhancement project is complete to demonstrate the benefits of the proposed enhancement project.
9. If cultural resources are discovered during construction activities, all activities within 100 feet of the cultural resources shall immediately cease and the applicants shall notify the Gorge Commission within 24 hours of discovery and the State Physical Anthropologist, Dr. Guy Tasa at (360) 586-3534 or guy.tasa@dahp.wa.gov. The cultural resources shall remain as found and further disturbance is prohibited until permission is granted by the Executive Director of the Gorge Commission.
10. If human remains are discovered during construction activities, all activities shall cease

immediately upon their discovery. Local law enforcement, the Executive Director and Indian Tribal governments shall be contacted immediately. Further disturbance is prohibited until permission is granted by the Executive Director of the Gorge Commission.

11. The applicant shall notify the Gorge Commission within 30 days of project completion to arrange for an inspection to confirm compliance with conditions of approval. Project completion means completion of all work on exteriors of structures (including painting).

DATED AND SIGNED THIS 26 day of June 2018 at White Salmon, Washington.



Krystyna U. Wolniakowski
Executive Director

EXPIRATION OF APPROVAL:

Commission Rule 350-81-044 governs the expiration of this Director's Decision.

This decision of the Executive Director becomes void on the 26 day of June 2020 unless construction has commenced in accordance with Commission Rule 350-81-044(4).

Commission Rule 350-81-044(4) specifies that commencement of construction means actual construction of the foundation or frame of the approved structure.

Construction must be completed within two years of the date that the applicant commenced construction. The date of the Executive Director's preconstruction inspection to confirm the location of proposed structural development as required by this decision shall be considered the date the applicant commenced construction, unless the applicant demonstrates otherwise.

Once the applicant has commenced construction of one element in this decision, the applicant will need to complete all elements in this decision in accordance with Commission Rule 350-81-044. The Commission does not use different "commencement of construction" dates for different elements in this decision.

The applicant may request one 12-month extension of the time period to commence construction and one 12-month extension to complete construction in accordance with Commission Rule 350-81-044(6). The applicant must submit the request in writing prior to the expiration of the approval. If the applicant requests an extension of time to complete construction after commencing construction, the applicants shall specify the date construction commenced. The Executive Director may grant an extension upon determining that conditions, for which the applicants were not responsible, would prevent the applicants from commencing or completing the proposed development within the applicable time limitation. The Executive Director shall not grant an extension if the site characteristics and/or new information indicate that the proposed use may adversely affect the scenic, cultural, natural or recreation resources in the National Scenic Area.

APPEAL PROCESS:

The appeal period ends on the 26 day of July 2018.

The decision of the Executive Director is final unless the applicant or any other person who submitted comment files a Notice of Intent to Appeal and Petition with the Commission within thirty (30) days of the date of this decision. Information on the appeal process is available at the Commission office.

NOTES:

Any new land uses or structural development such as driveways, parking areas, garages, workshops, fences or other accessory structures; or additions or alterations not included in the approved application or site plan will require a new application and review. New cultivation also requires a new application and review.

This decision does not address local, state, or federal requirements that may be applicable to the proposed development. The landowner is responsible for obtaining all applicable county, state, or federal permits required for the development.

cc:

Confederated Tribes and Bands of the Yakama Nation
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of Warm Springs Reservation of Oregon
Nez Perce Tribe
U.S. Forest Service National Scenic Area Office
Washington Department of Archaeology and Historic Preservation
Klickitat County Planning Department
Klickitat County Building Department
Klickitat County Public Works Department
Klickitat County Health Department
Klickitat County Assessor
Skamania County
Washington Natural Heritage Program
Washington Department of Fish and Wildlife
Friends of the Columbia Gorge

Attachments:

Staff Report for C17-0012
Approved site plan

Klickitat County
 Sample, Anna
 C17-0012
 T3N R11E Sections 35 & 36

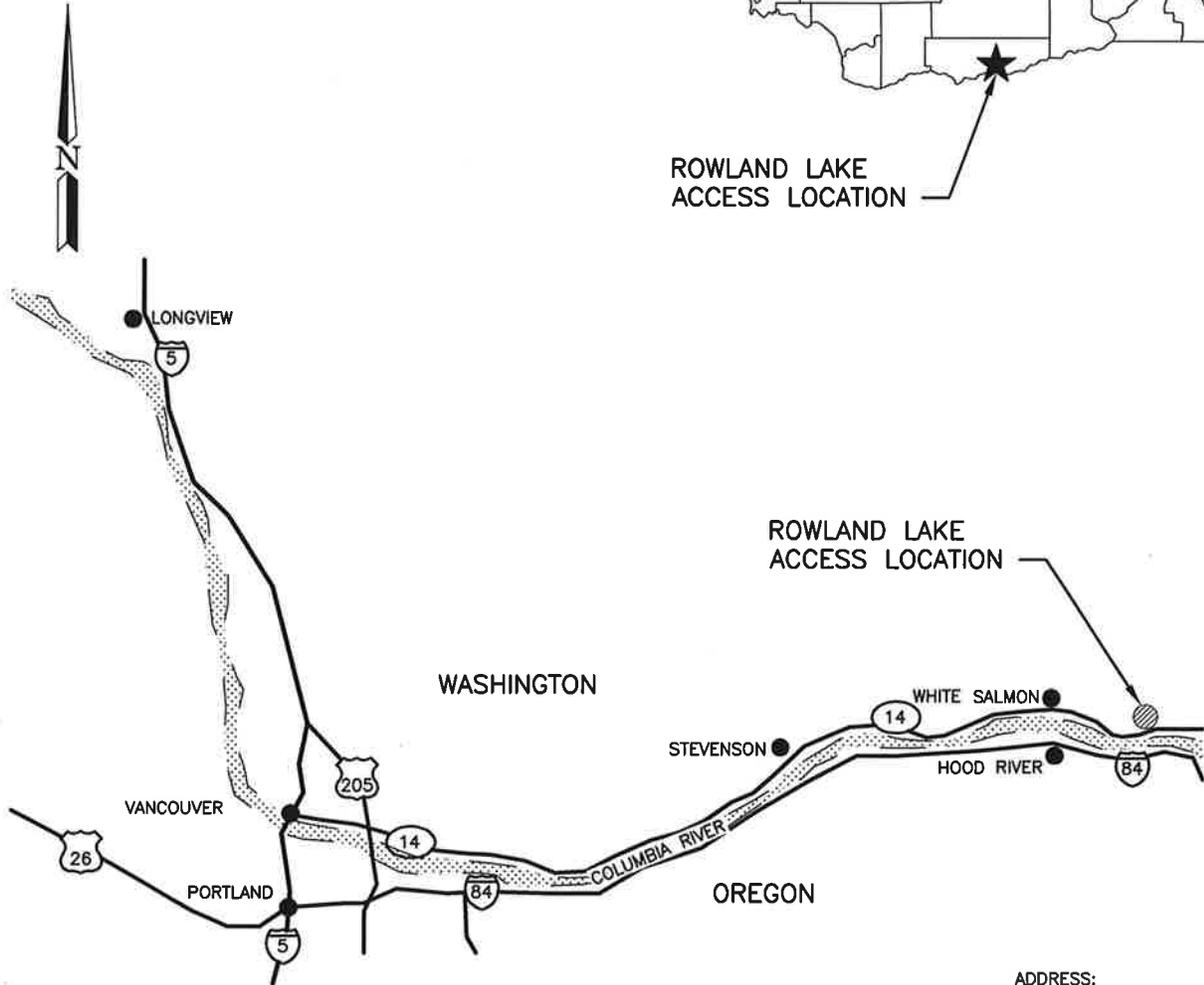
RECEIVED

NOV - 7 2017

Columbia River Gorge Commission



ROWLAND LAKE
 ACCESS LOCATION



ADDRESS:
 550 OLD HIGHWAY 8
 WHITE SALMON, WA

DIRECTIONS
 FROM WHITE SALMON: DRIVE EAST ON
 HWY 14 FOR APPROX. 5 MILES. TURN
 LEFT TO OLD HIGHWAY 8 FOLLOW TO
 ACCESS SITE ON RIGHT SIDE OF ROAD.

ENG. PROJECT NO. KT:A287:17-1

PORTION OF: SEC 35,36 T3N, R11E

REFERENCE NUMBER:
 APPLICANT:
 WASHINGTON DEPT. of FISH & WILDLIFE
 600 CAPITOL WAY N.
 OLYMPIA, WA 98501-1091

PROJECT LOCATION (ADDRESS):
 ROWLAND LAKE ACCESS
 550 OLD HIGHWAY 8
 WHITE SALMON, WA

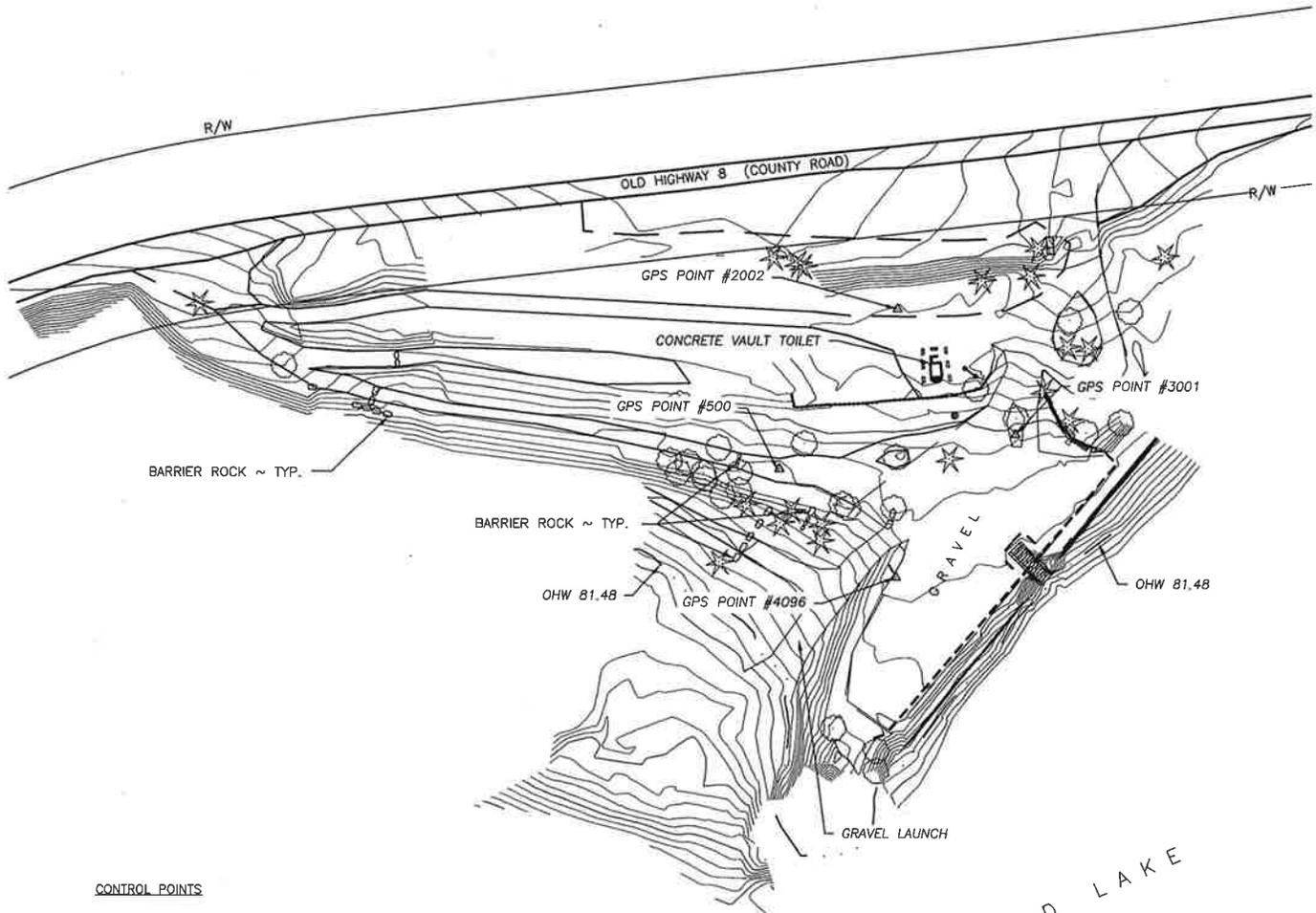
PROPOSED PROJECT:
 UPGRADE ACCESS SITE FACILITIES
 ACCESS RENOVATION

ADJACENT PROPERTY OWNER:

LAT/LONG: 45° 42' 36"N 121° 22' 50.5"W
 DATUM: NAVD 88, NAD 83
 SHEET 1 OF 14 DATE: 11/2017

IN: ROWLAND LAKE
 NEAR/AT: WHITE SALMON
 COUNTY: KLICKITAT
 STATE: WA

1.
 2.



CONTROL POINTS

GPS POINT#3001
 FOUND 3/4" DIA. REBAR W/ 2 1/2" DIA.
 ALUM WDFW CONTROL CAP
 N 138664.7290'
 E 1415457.4510'
 ELEV. 94.251'
 LATT N045° 42' 36.49"
 LONG W121° 22' 50.05"

GPS POINT#4096
 FOUND 3/4" DIA. REBAR W/ 2 1/2" DIA.
 ALUM WDFW CONTROL CAP
 N 138583.3880'
 E 1415389.1590'
 ELEV. 92.44'
 LATT N045° 42' 35.68"
 LONG W121° 22' 51.00"

GPS POINT#500
 SET 3/4" DIA. REBAR W/ 1 1/2" DIA.
 PLASTIC WDFW CONTROL CAP
 N 138644.9440'
 E 1415322.4010'
 ELEV. 91.786'
 LATT N045° 42' 36.28"
 LONG W121° 22' 51.95"

GPS POINT#2002
 SET 3/4" DIA. REBAR W/ 1 1/2" DIA.
 PLASTIC WDFW CONTROL CAP
 N 138736.0850'
 E 1415389.7650'
 ELEV. 101.913'
 LATT N045° 42' 37.19"
 LONG W121° 22' 51.01"

EXISTING SITE PLAN

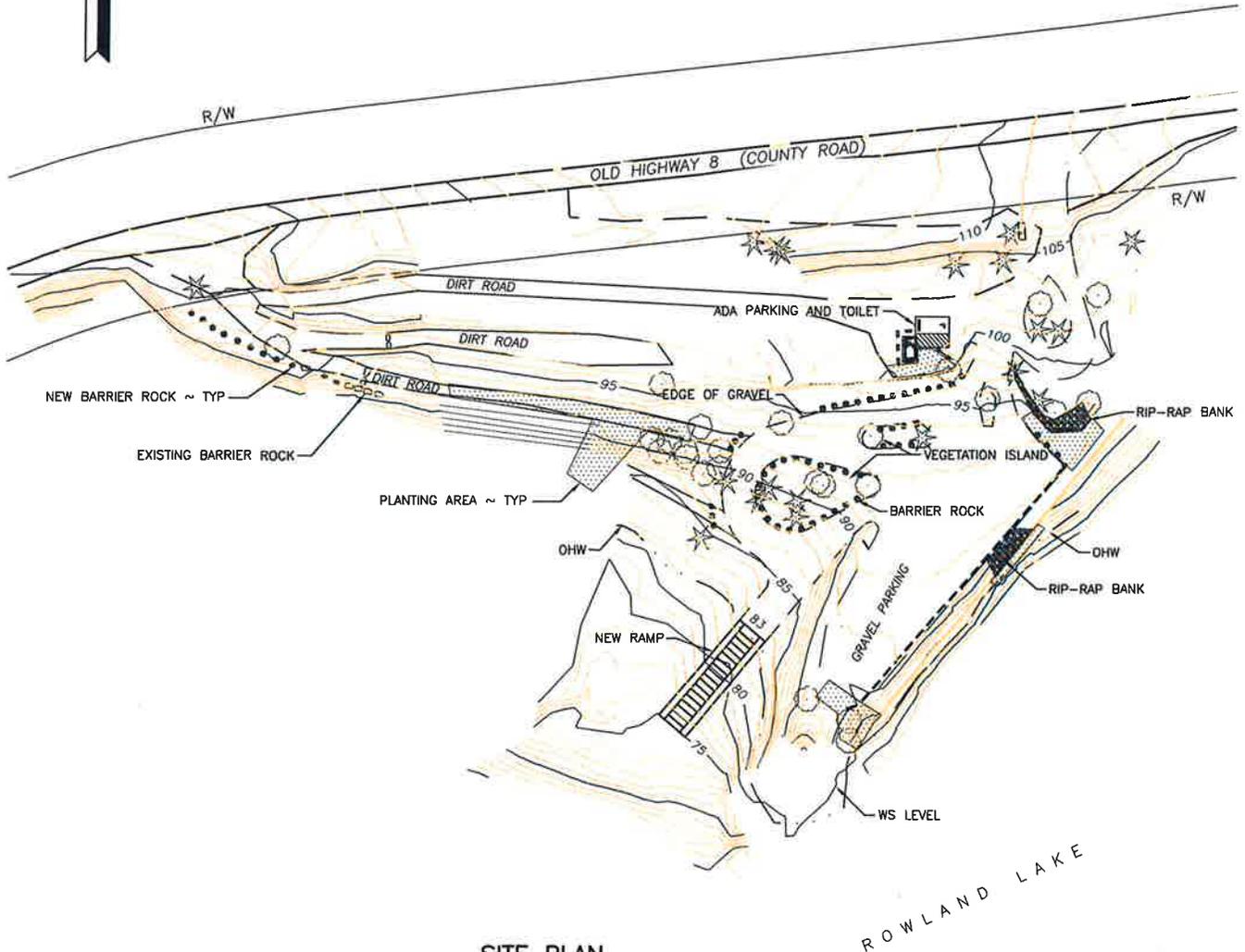
SCALE: 1" = 100'

ROWLAND LAKE

REFERENCE NUMBER:
 APPLICANT NAME:
WASHINGTON DEPT. of FISH & WILDLIFE
 PROPOSED PROJECT:
ACCESS SITE RENOVATION
 LOCATION: ROWLAND LAKE ACCESS
 SHEET 2 OF 14 DATE: 11/6/2017

APPROVED

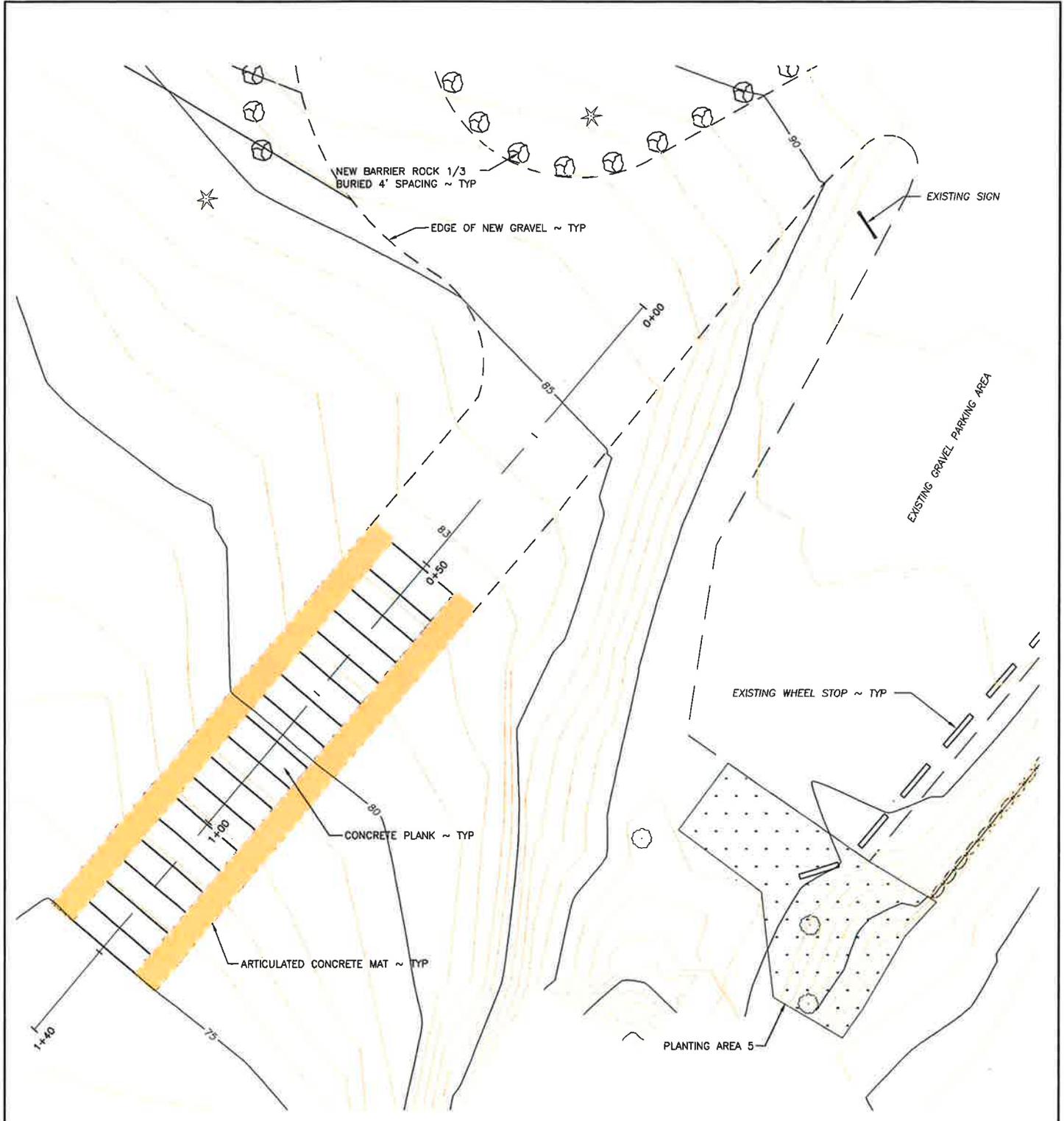
W. Decker



SITE PLAN
SCALE: 1" = 100'

REFERENCE NUMBER:
 APPLICANT NAME:
 WASHINGTON DEPT. of FISH & WILDLIFE
 PROPOSED PROJECT:
 ACCESS SITE RENOVATION
 LOCATION: ROWLAND LAKE ACCESS
 SHEET 3 OF 14 DATE: 11/6/2017

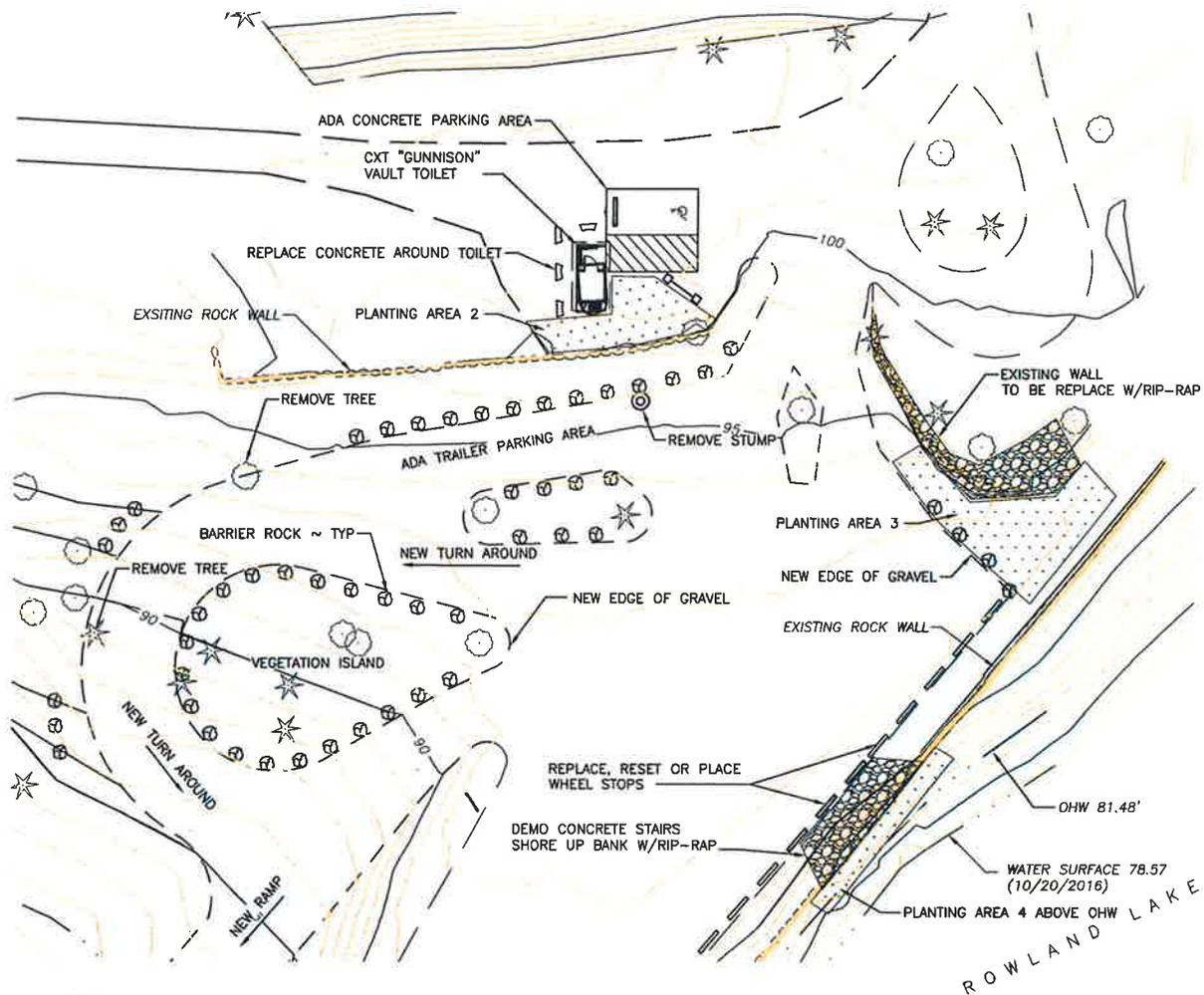
APPROVED
K. W. [Signature]



RAMP PLAN
SCALE: 1" = 40'

REFERENCE NUMBER:
APPLICANT NAME:
WASHINGTON DEPT. of FISH & WILDLIFE
PROPOSED PROJECT:
ACCESS SITE RENOVATION
LOCATION: ROWLAND LAKE ACCESS
SHEET 4 OF 14 DATE: 11/6/2017

APPROVED
K. Walen



NOTES:

1. RE-GRADE GRAVEL EXISTING GRAVEL SURFACE
2. GRADE NEW VEHICLE TURN AROUND
3. EXISTING CONCRETE STAIRS SHALL BE DEMOLISHED, FILL AND ADD RIP-RAP TO SHORE-UP BANK ABOVE OHW.
4. REMOVE ROCK AND CONCRETE WALL, REINFORCE BANK WITH RIP-RAP.
5. WHEELSTOPS: REPLACE BROKEN WHEELSTOPS, RE-SET WHEELSTOPS THAT ARE IN GOOD CONDITION, PLACE NEW WHEELSTOPS WERE NEEDED.
6. REMOVE POISON OAK AND NON-NATIVE VEGETATION FROM ACCESS AREA.
7. SEE LANDSCAPE PLANS FOR PLANTINGS.

SITE PLAN

SCALE: 1" = 40'

REFERENCE NUMBER:

APPLICANT NAME:

WASHINGTON DEPT. of FISH & WILDLIFE

PROPOSED PROJECT:

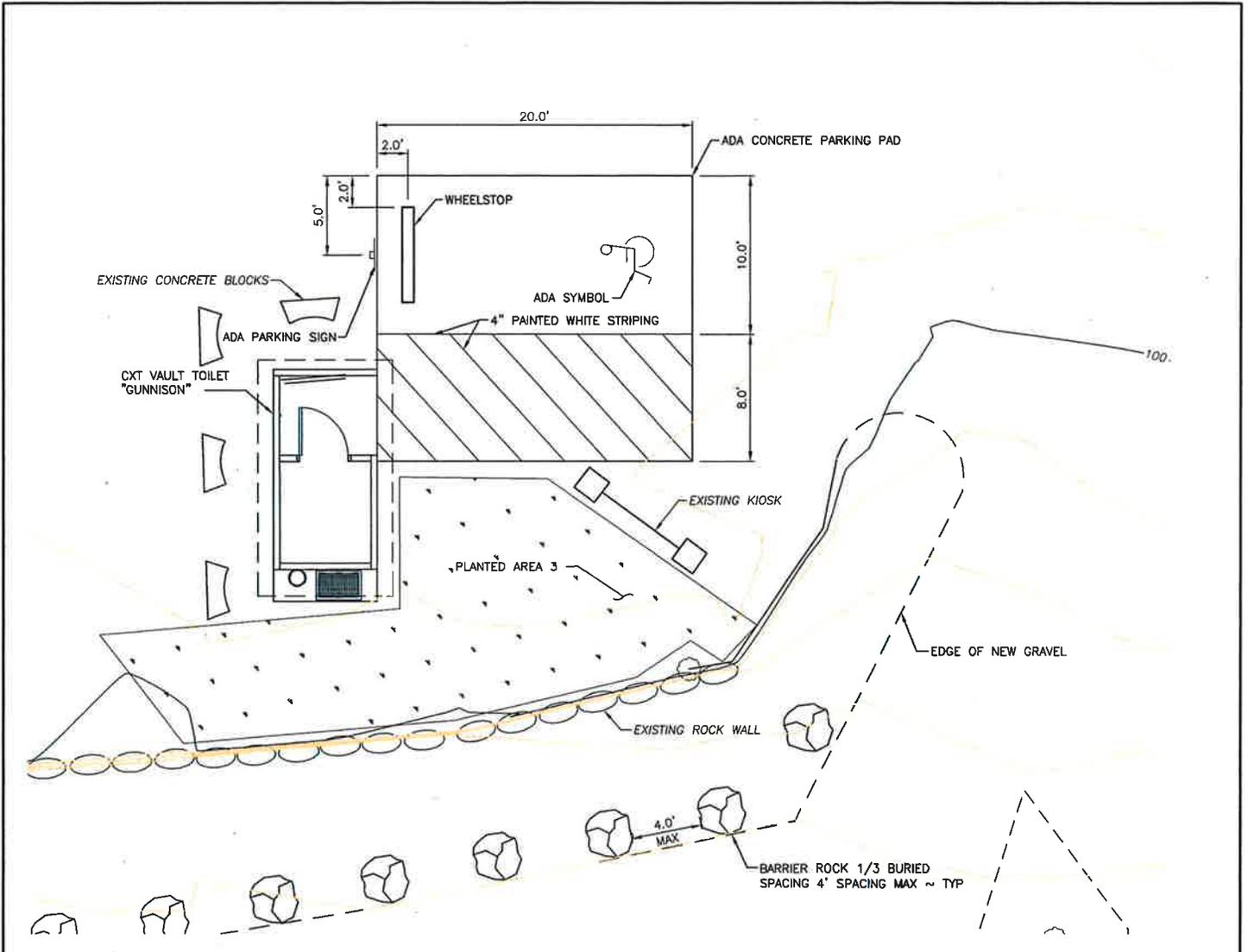
ACCESS SITE RENOVATION

LOCATION: ROWLAND LAKE ACCESS

SHEET 5 OF 14

DATE: 11/6/2017

APPROVED
Kwaleh

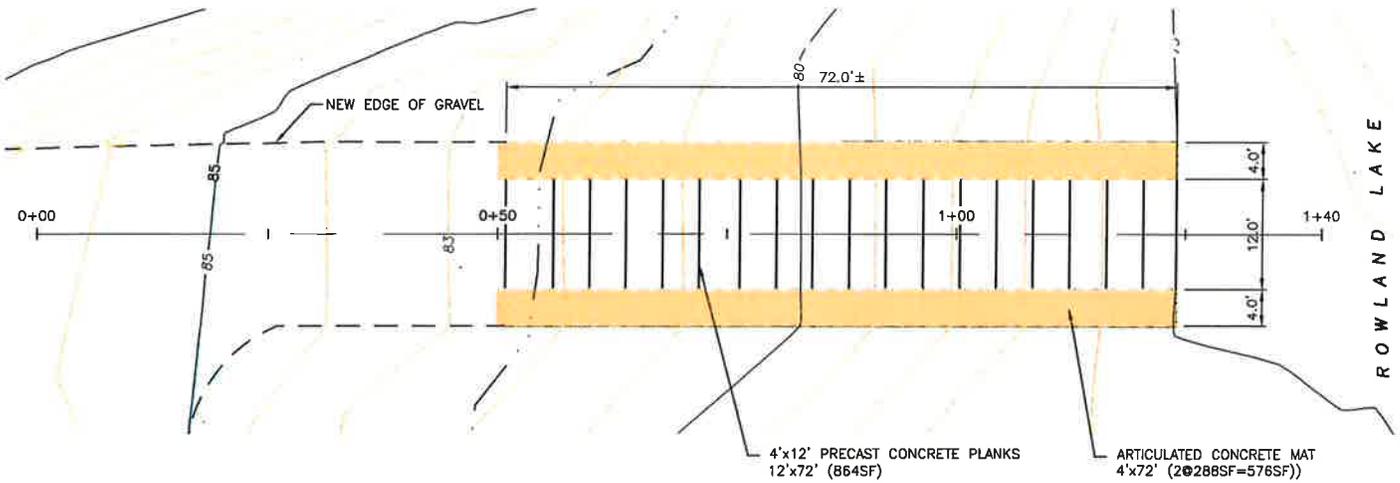


ADA PARKING PLAN

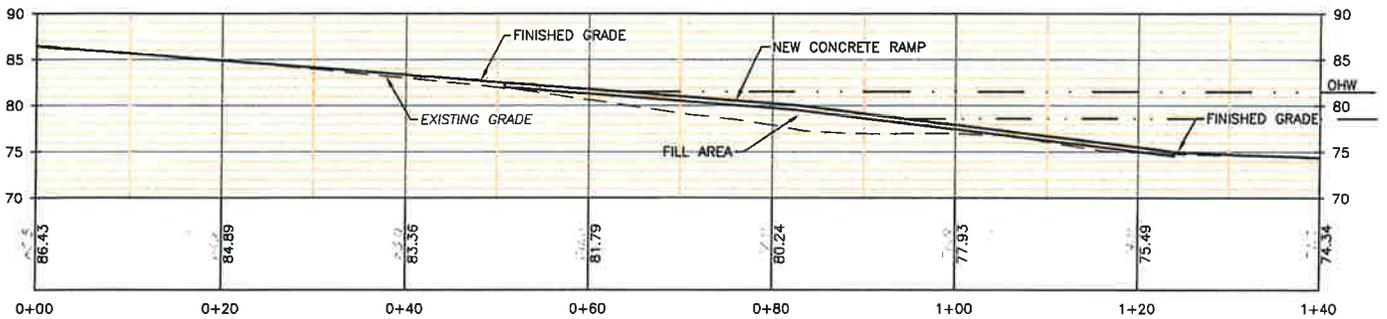
SCALE: 1" = 10'

REFERENCE NUMBER:
APPLICANT NAME:
WASHINGTON DEPT. of FISH & WILDLIFE
PROPOSED PROJECT:
ACCESS SITE RENOVATION
LOCATION: ROWLAND LAKE ACCESS
SHEET 6 OF 14 DATE: 11/6/2017

APPROVED
K. W. ...



RAMP PLAN
SCALE: 1" = 20'

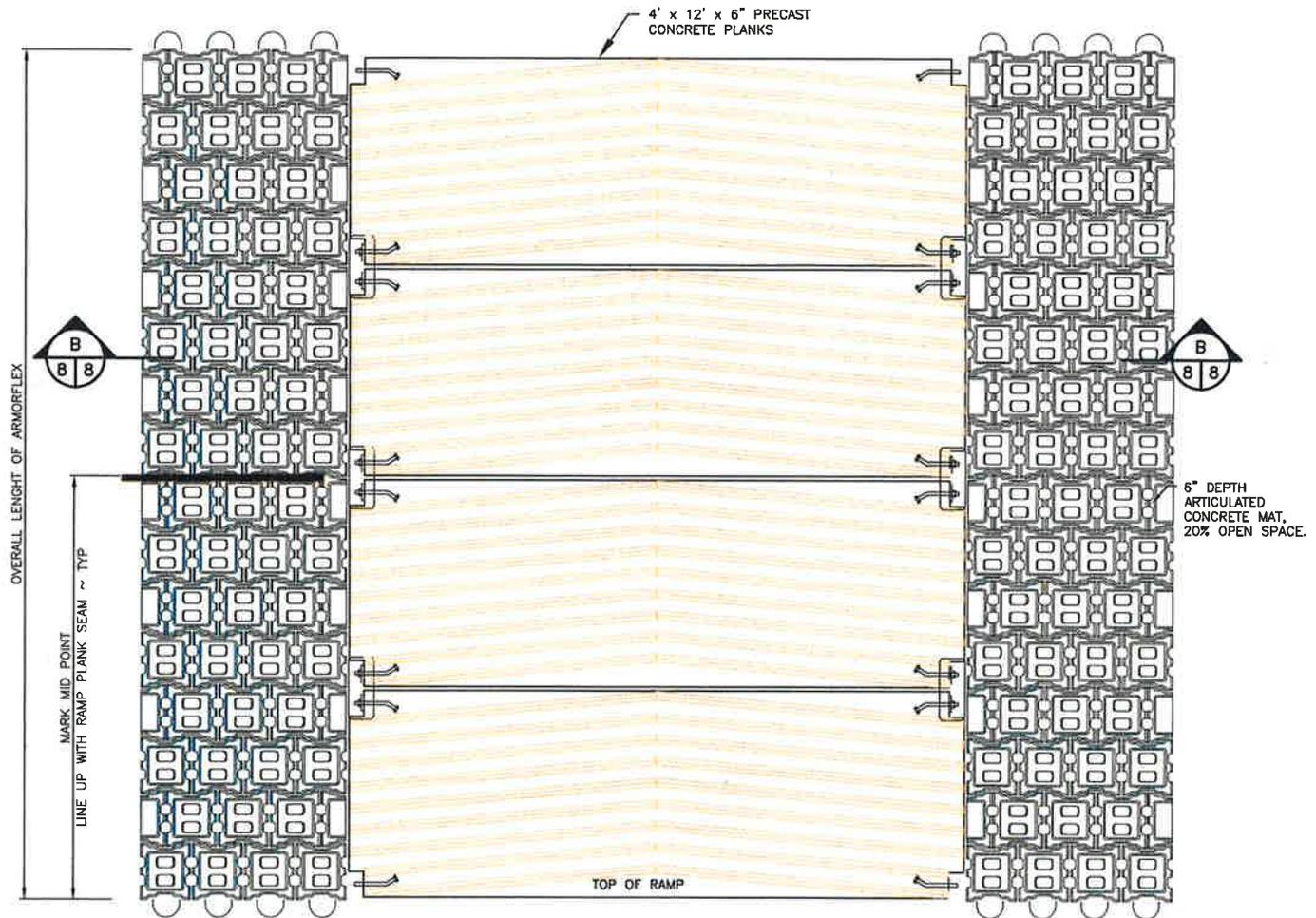


RAMP PROFILE
SCALE: 1" = 20'

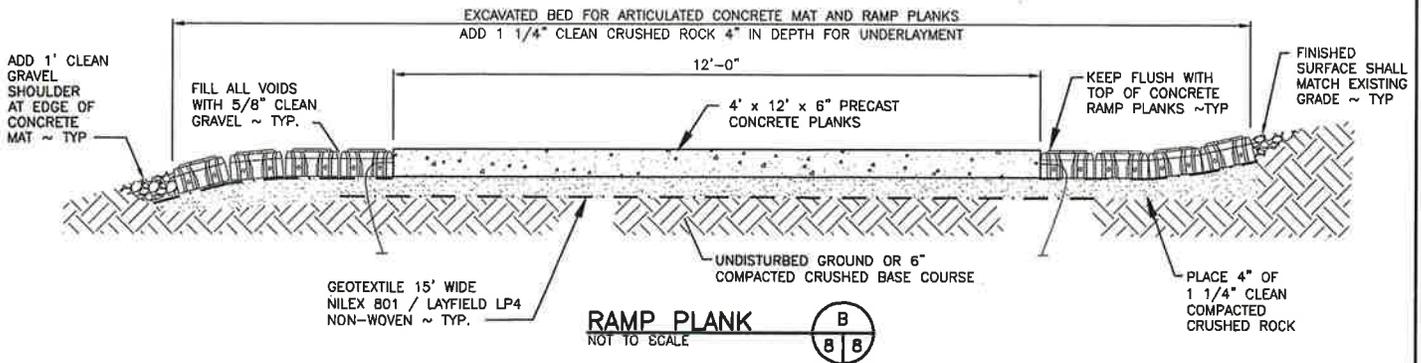
ROWLAND LAKE CUT AND FILL DATA						
SITE	Sqft ABOVE OHW	Sqft BELOW OHW	CUT ABOVE OHW Cuyd	CUT BELOW OHW Cuyd	FILL ABOVE OHW Cuyd	FILL BELOW OHW Cuyd
NEW RAMP	24	840	1.7	9.80	7.50	44.30
ARTICULATED MAT	32	544	1.8	8.70	0.60	10.00
STAIRS AREA	288.5	0	5	0	41	0
ACCESS SITE AREA	24,940	0	139.30	0	229.50	0
SUB TOTALS			147.70	18.50	278	54.30
TOTALS	25284.5	1384			132	44.50

REFERENCE NUMBER:
 APPLICANT NAME:
 WASHINGTON DEPT. of FISH & WILDLIFE
 PROPOSED PROJECT:
 ACCESS SITE RENOVATION
 LOCATION: ROWLAND LAKE ACCESS
 SHEET 7 OF 14 DATE: 11/6/2017

APPROVED
Kwalek



TYPICAL RAMP PLANK PLAN
NOT TO SCALE



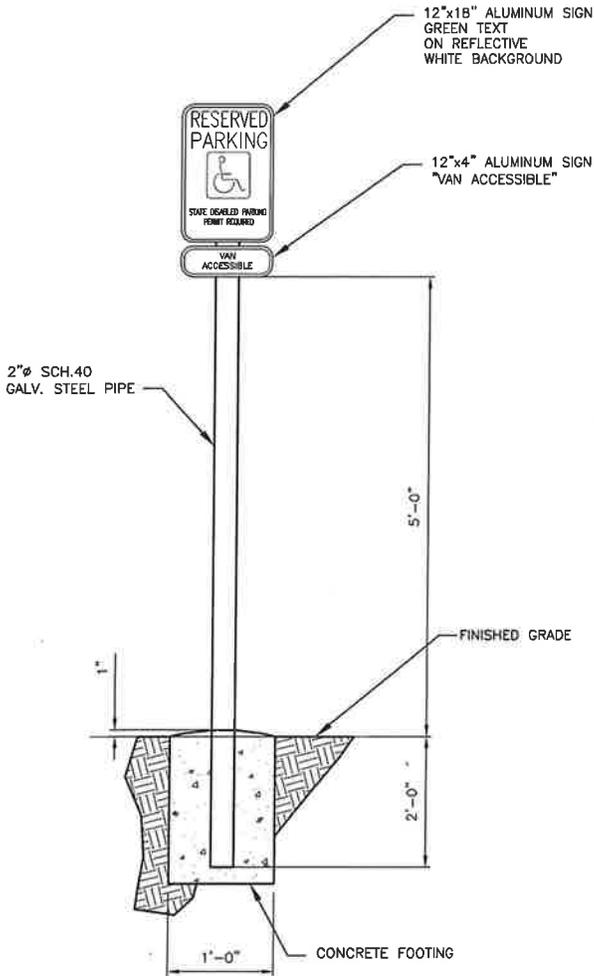
RAMP PLANK
NOT TO SCALE

NOTE:
SEE SITE PLAN FOR SIZE AND LAYOUT OF ARTICULATED CONCRETE MATS

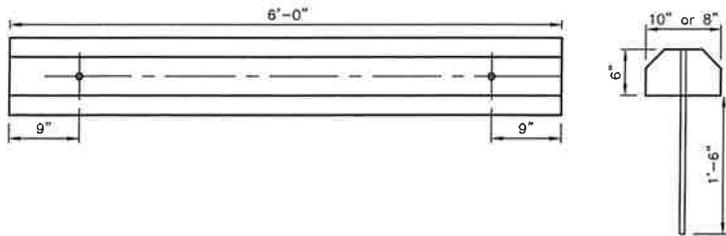
REFERENCE NUMBER:
 APPLICANT NAME:
 WASHINGTON DEPT. of FISH & WILDLIFE
 PROPOSED PROJECT:
 ACCESS SITE RENOVATION
 LOCATION: ROWLAND LAKE ACCESS
 SHEET 8 OF 14 DATE: 11/6/2017

APPROVED

Kwaluh



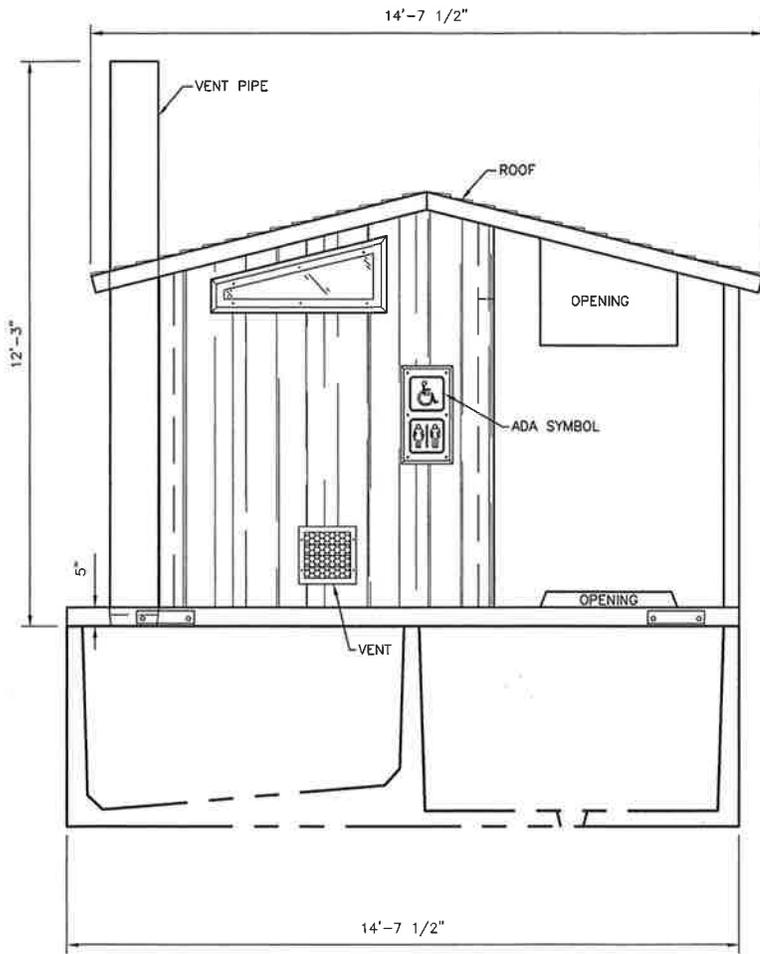
ADA PARKING SIGN DETAIL
NOT TO SCALE



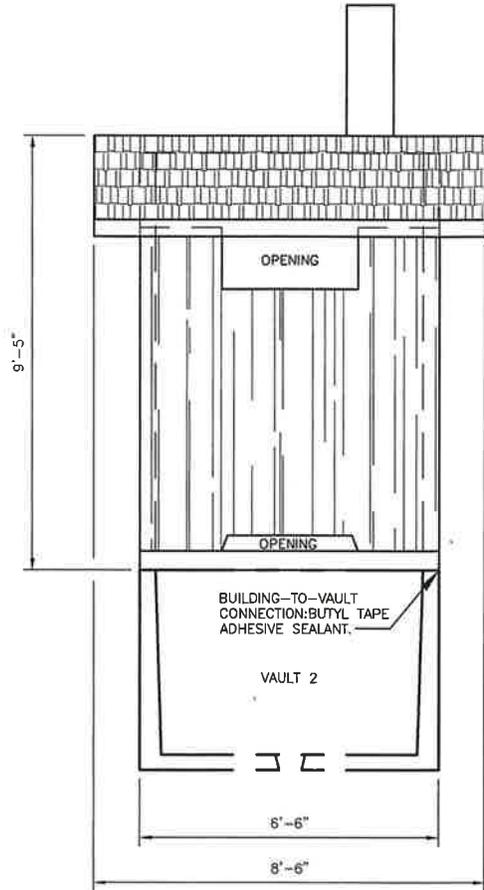
PARKING WHEELSTOP DETAIL
NOT TO SCALE

REFERENCE NUMBER:
 APPLICANT NAME:
 WASHINGTON DEPT. of FISH & WILDLIFE
 PROPOSED PROJECT:
 ACCESS SITE RENOVATION
 LOCATION: ROWLAND LAKE ACCESS
 SHEET 9 OF 14 DATE: 11/6/2017

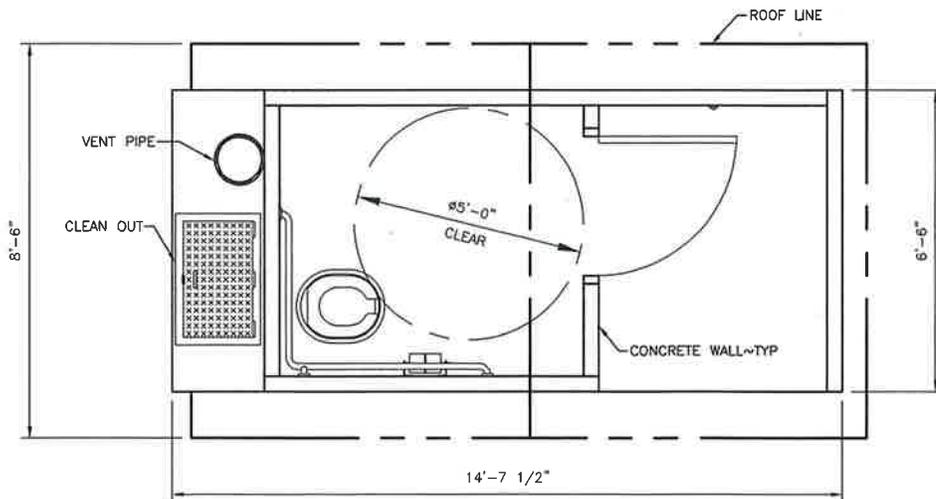
APPROVED
Wade



FRONT ELEVATION
NOT TO SCALE



SIDE ELEVATION
NOT TO SCALE

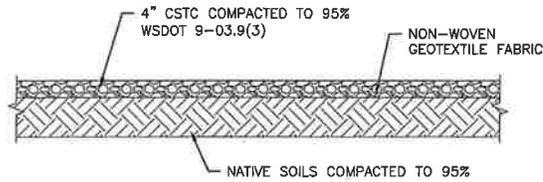


CXT VAULT TOILET PLAN
NOT TO SCALE

REFERENCE NUMBER:
APPLICANT NAME:
WASHINGTON DEPT. of FISH & WILDLIFE
PROPOSED PROJECT:
ACCESS SITE RENOVATION
LOCATION: ROWLAND LAKE ACCESS
SHEET 10 OF 14 DATE: 11/6/2017

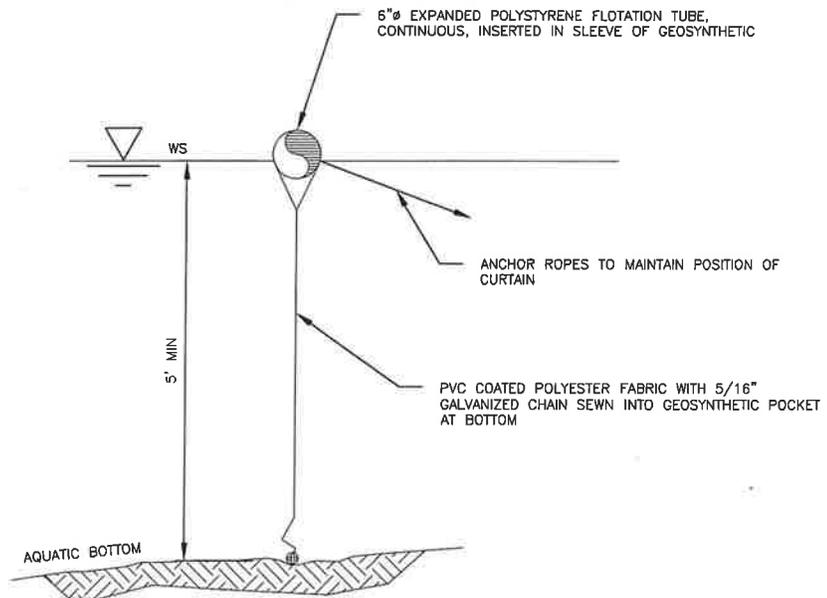
APPROVED

K. Walker



GRAVEL DETAIL

NOT TO SCALE



TURBIDITY CURTAIN

NOT TO SCALE

NOTES:

- 1. FABRIC IS 22 OZ/YD²

REFERENCE NUMBER:

APPLICANT NAME:

WASHINGTON DEPT. of FISH & WILDLIFE

PROPOSED PROJECT:

ACCESS SITE RENOVATION

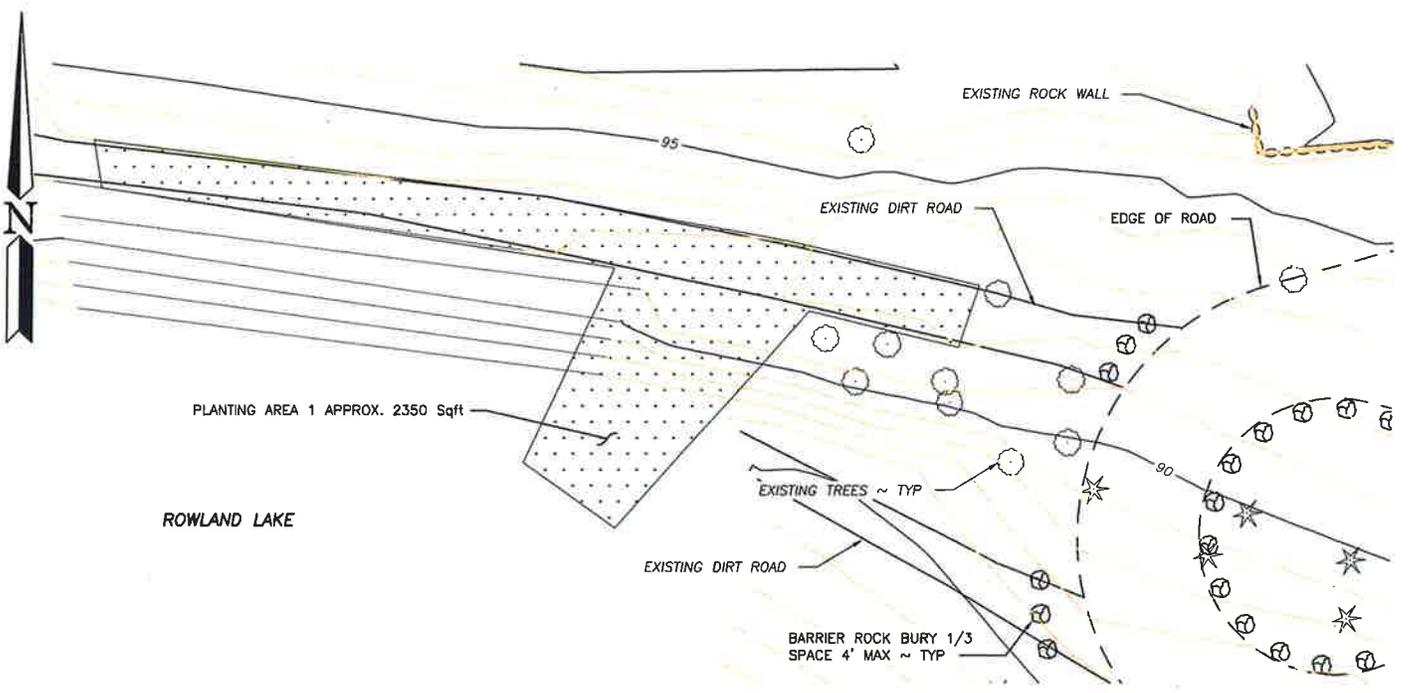
LOCATION: ROWLAND LAKE ACCESS

SHEET 11 OF 14

DATE: 11/6/2017

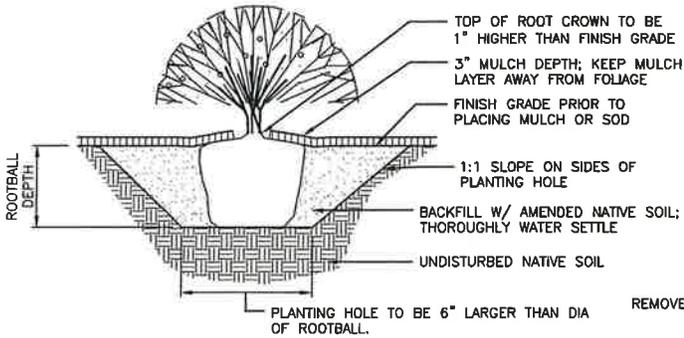
APPROVED

W. J. ...



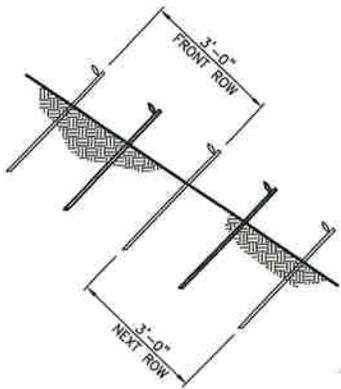
MITIGATION PLANTING AREA 1

SCALE: 1" = 20'



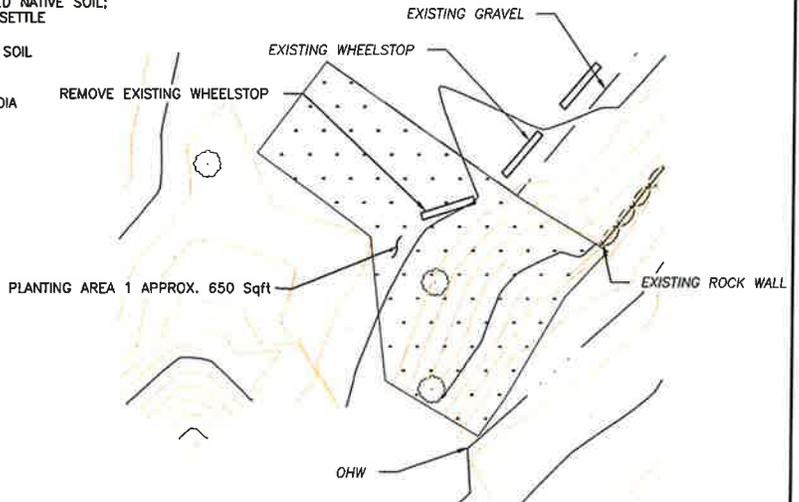
RIPARIAN PLANTING DETAIL

NOT TO SCALE



TYPICAL WILLOW CUTTING DETAIL

NOT TO SCALE

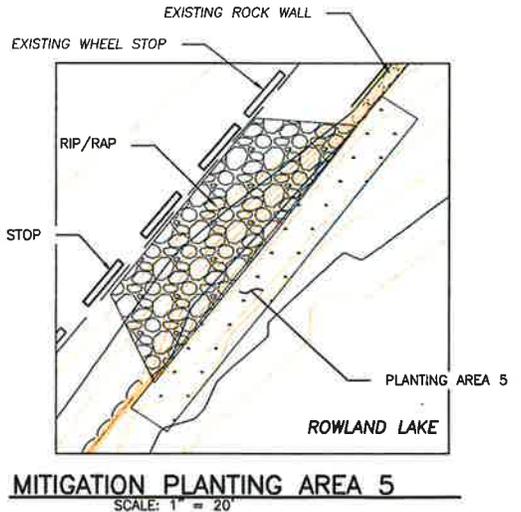
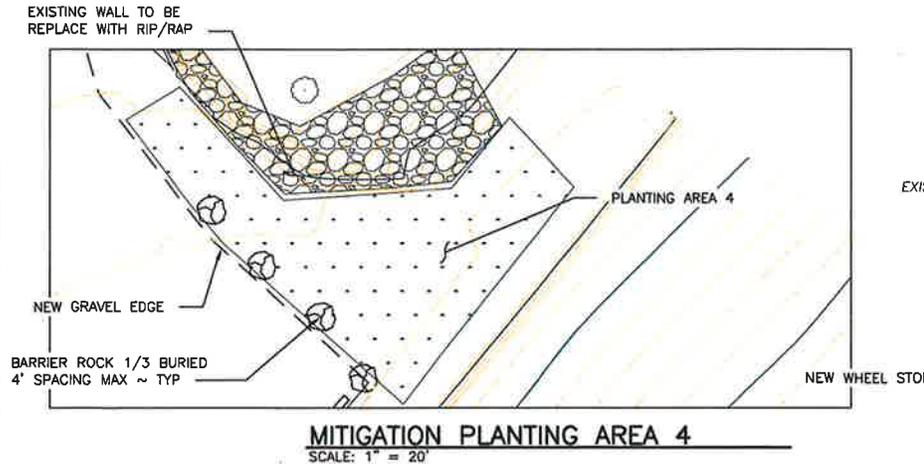
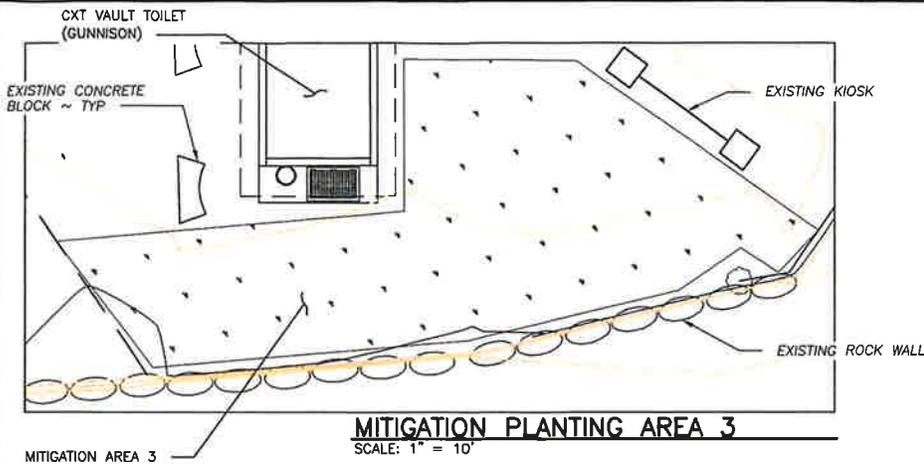


MITIGATION PLANTING AREA 2

SCALE: 1" = 20'

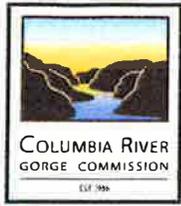
REFERENCE NUMBER:
 APPLICANT NAME:
 WASHINGTON DEPT. of FISH & WILDLIFE
 PROPOSED PROJECT:
 ACCESS SITE RENOVATION
 LOCATION: ROWLAND LAKE ACCESS
 SHEET 13 OF 14 DATE: 11/6/2017

APPROVED
Y. W. L. L.



MITIGATION PLANTINGS				
SPECIES	SIZE	QUANTITY	SPACING	REMARKS
MITIGATION AREA 1 = 2,350sqft				
VINE MAPLE (<i>Acer cirratum</i>)	1 GAL	10	6ft O.C.	
SERVICEBERRY (<i>Amelanchier alnifolia</i>)	1 GAL	10	6ft O.C.	
GOLDEN CURRENT (<i>Ribes aureum</i>)	1 GAL	10	6ft O.C.	
TALL OREGON GRAPE (<i>Berberis aquifolium</i>)	1 GAL	10	6ft O.C.	
MOCK ORANGE (<i>Philadelphus lewisii</i>)	1 GAL	10	6ft O.C.	
MITIGATION AREA 2 = 650sqft				
OREGON BOXWOOD (<i>Paxistima myrsinites</i>)	1 GAL	10	6ft O.C.	
MITIGATION AREA 3 = 350sqft				
SNWBERRY (<i>Symphoricarpos albus</i>)	1 GAL	12	6ft O.C.	
MITIGATION AREA 4 = 650sqft				
WILLOW sp.	LIVE STAKE	140	6ft O.C.	
MITIGATION AREA 5 = 200sqft				
SNWBERRY (<i>Symphoricarpos albus</i>)	1 GAL	5	4ft O.C.	

REFERENCE NUMBER:
 APPLICANT NAME:
 WASHINGTON DEPT. of FISH & WILDLIFE
 PROPOSED PROJECT:
 ACCESS SITE RENOVATION
 LOCATION: ROWLAND LAKE ACCESS
 SHEET 14 OF 14 DATE: 11/6/2017



STAFF REPORT

Case File: C17-0012

Proposal: The Columbia River Gorge Commission received an application for a new boat ramp and upgrades to the existing facilities at Rowland Lake. The applicant proposes replacing the existing vault toilet with an ADA-accessible restroom and concrete parking stall, replacing the existing gravel boat ramp with a 72-foot concrete boat ramp constructed of articulated concrete mats. Concrete steps at the shoreline will be removed and riprap will be installed for slope protection. An existing rock wall will be replaced with erosion control structures. The parking area and a new 10-foot turnaround will be graded and surfaced with crushed rock. Boulder barriers will be installed to control vehicle access. One new ADA parking sign will be installed.

Applicant: Anna Sample, representing Washington Department of Fish and Wildlife (WDFW)

Landowner: Washington Department of Fish and Wildlife

Location: The subject parcels are located at 550 County Road 1230, Lyle, WA in Sections 35 and 36, Township 3 North, Range 11 East (Klickitat County Parcel Numbers 03113600000400, 03113500000100, and 03112500000200).

Zoning: The subject parcels are in the Special Management Area and designated Agriculture and Open Space. Parcel 03113600000400 is 81.18 acres; Parcel 03113500000100 is 19.55 acres; and Parcel 03112500000200 is 3.28 acres.

COMMENTS FROM INDIVIDUALS/AGENCIES/GOVERNMENTS:

Notice of the subject proposal was mailed to property owners within 200 feet of the subject parcels and the following organizations/agencies/governments:

Confederated Tribes and Bands of the Yakama Nation
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of Warm Springs Reservation of Oregon
Nez Perce Tribe
U.S. Forest Service National Scenic Area Office
Washington Department of Archaeology and Historic Preservation
Klickitat County Planning Department
Klickitat County Building Department
Klickitat County Public Works Department
Klickitat County Health Department
Klickitat County Assessor
Skamania County
Washington Natural Heritage Program
Washington Department of Fish and Wildlife
Friends of the Columbia Gorge

Written comments were received from Steven McCoy, Friends of the Columbia Gorge, and David Kavanagh, Klickitat County Public Health.

FINDINGS OF FACT:

A. Land Use

1. The Washington Department of Fish and Wildlife proposes to construct improvements to their 104-acre Rowland Lake recreational access site in Klickitat County. The site is bounded on the north by County Road 1230 (Old Hwy 8) and on the south by Rowland Lake. The site currently includes a gravel boat ramp, a gravel parking area, and a single vault toilet. The proposed improvements consist of replacing the existing boat ramp with a new 12-foot wide, 72-foot long ramp constructed of articulated concrete mats and precast concrete planks. The existing vault toilet is to be removed and replaced with an ADA-compliant vault toilet, and an 18 by 20-foot concrete ADA parking stall will be added adjacent to the toilet, along with an ADA parking sign. Improvements to the existing parking area include re-grading of the area along with a new 100-foot diameter turnaround, and crushed rock added to the graded area. Barrier rock will be added to the edges of vehicle areas to protect sensitive areas from vehicle use. The existing rock and concrete wall on the northeast side of the parking area will be removed and replaced with rip-rap. An existing stone staircase along the eastern bank of the site will be removed, and rip-rap will be installed to reinforce the bank.
2. There are three parcels that make up the Rowland Lake recreational access site. The subject parcels are in the Special Management Area and are designated SMA-Agriculture and SMA-Open Space. The land portion of the site is designated SMA-Agriculture; the Rowland Lake portion of site is designated SMA-Open Space.
3. Commission Rule 350-81-190(2)(t) allows on lands designated SMA Agriculture: public recreation, commercial recreation, interpretive, and educational developments and uses, consistent with the guidelines in 350-81-620, sited to minimize the loss of land suitable for the production of agricultural crops or livestock, and subject to compliance with scenic, cultural, natural, and recreation resource guidelines (350-81-520 through 350-81-620).

The proposed boat ramp, parking area, and toilet improvements are located on a parcel designated SMA Agriculture. The proposed project is public recreation infrastructure improvements on a site that is currently used for public recreation. The proposed uses would be located on, and adjacent to, previously-disturbed land which is not suitable for the production of agriculture crops or livestock. Commission Rule 350-81-154 defines suitability as "The appropriateness of land for production of agricultural or forest products or for recreation, considering its capability for production; surrounding uses and features associated with development; compatibility with scenic, cultural, natural and recreation resources; compatibility among uses; and other cultural factors, such as roads, powerlines, dwellings, and size of ownership." The land portion of the site has low capability for production due to the low quality of the soil. According to the latest data provided by the Natural Resources Conservation Service in 2017, the USA Soils Farmland Class rating for the SMA-Agriculture designated parcel at Rowland Lake is "Not Prime Farmland." The National Commodity Crop Productivity Index (NCCPI) ranks the inherent capability of soils to produce agricultural crops without irrigation. The NCCPI rated the soils on the site 0-0.1, which is the lowest possible rating for crop production potential¹.

¹ National Commodity Crop Productivity Index version 3.0. Source: The Gridded Soil Survey Geographic (gSSURGO) Database for Washington. United States Department of Agriculture, Natural Resources Conservation Service. Available online at <https://gdg.sc.egov.usda.gov/>. (FY2018 official release).

The current use of the land is for recreation access to Rowland Lake. Much of the site is covered with trees and shrubs, with little open space available for crop production or grazing. The only available open (non-treed) space on the site is the previously-disturbed gravel parking lot and the rocky shores of Rowland Lake, areas not appropriate for agriculture due to the lack of suitable soil. Therefore, the proposed project will not cause a loss of land suitable for the production of agricultural crops or livestock, as this does not currently exist on the subject parcel.

The land surrounding the project site is not suitable for the production of agricultural crops or livestock. Much of the surrounding area is the water and shores of Rowland Lake, which is designated SMA Open Space. The adjacent parcel to the north of the subject parcel is also designated SMA Open Space. Agriculture is not an allowed use in this land use designation, and therefore the proposed use will not adversely affect any current or future agricultural use of adjacent lands

Provided that the proposed boat ramp, toilet, and parking area improvements are consistent with the recreation uses in Commission Rule 350-81-620 and in compliance with the resource protection guidelines in Commission Rule 350-81-520 through 350-81-620, they would be allowed uses pursuant to Commission Rule 350-81-190(2)(t).

4. Commission Rule 350-81-340(3) allows on lands designated SMA Open Space, resource enhancement projects for the purpose of enhancing recreation resources, subject to the guidelines in "Resource Enhancement Projects" (350-81-104), and subject to compliance with the scenic, cultural, natural, and recreation resource guidelines (350-81-520 through 350-81-620). Commission Rule 350-81-104(1) for Resource Enhancement Projects requires applications to describe the goals and benefits of the proposed enhancement project, and they must thoroughly document the condition of the resource before and after the proposed enhancement project.

The project narrative in the application describes the goals and benefits of the proposed enhancement project. According to the applicant, the goal of the project is to improve public access to the Rowland Lake recreation site. The benefit of the project will be safer and more easily-accessible facilities for the public to recreate at Rowland Lake. The narrative states: "The purpose of these improvements is to increase accessibility to the lake for public recreational opportunities. The existing site needs repairs and upgrades to accommodate expanded public use at the site as well as create safer conditions. The existing gravel boat launch will not adequately facilitate the launch of trailered watercraft due to the gravel/muddy substrate and limited space available, especially during times of low water. The proposed concrete launch will allow safer and easier access to launch boats without the possibility of becoming stuck or limiting access only to high water. The existing vault toilet is aging and is not compliant with the Americans with Disabilities Act standards, which limits public user groups. The new project proposal will remove this toilet and replace it with an ADA compliant vault toilet and ADA compliant parking stall. The existing rock and gravel staircase is crumbling and is a safety hazard. It is proposed to be removed and replaced with large rip rap for slope stabilization."

Photos included in the application show the degraded state of the existing facilities on the site and generally support the description in the project narrative. The application provides a description of the intended benefits of the proposed project and supporting photos and site plans to show how the site will be improved by the project. The project narrative and supporting materials included in the application describe the goals and

benefits of the proposed enhancement project and thoroughly document the condition of the resource before and plans and example photos of what the site will look like after the proposed enhancement project. A condition of approval requires the applicant to provide thorough documentation of the condition of the recreation facilities and access areas after the enhancement project is complete. Provided the project is compliant with the scenic, cultural, natural, and recreation resource guidelines (350-81-520 through 350-81-620), the project application describes the goals and benefit of the resource enhancement project and is consistent with Commission Rules 350-81-340(3) and 350-81-104(1).

5. Commission Rule 350-81-340(3)(a) allows on lands designated SMA Open Space, low-intensity recreation, subject to the guidelines for recreation intensity classes (350-81-610).

The portion of the subject parcel designated SMA Open Space is designated Recreation Intensity Class 2 (RIC 2), which is classified as "Low Intensity." For a description of how the proposed project is a low-intensity recreation use and is consistent with Commission Rule 350-81-340(3)(a), see Findings for Recreation Resources, Section E.

Conclusion:

The land within the project area is not suitable for the production of agriculture crops or livestock. The proposed low-intensity recreation access improvements and upgrades are allowed review uses in the land use designations in which they are located, provided that the proposed project is compliant with the treaty rights and consultation guidelines (350-81-084) and the resource protection guidelines (350-81-520 through 350-81-630).

B. Scenic Resources

1. Commission Rule 350-81-530(1)(a) contains applicable guidelines for review uses in the Special Management Areas by landscape setting regardless of visibility from Key Viewing Areas (KVAs). The proposed development is designated River Bottomlands landscape setting. Commission Rule 350-81-530(1)(a)(D) addresses River Bottomlands.

Commission Rule 350-81-530(1)(a)(D) states:

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.*

The River Bottomlands landscape setting is generally characterized by gently sloping lands representing remnants of the original floodplain of the Columbia River and dominated by deciduous riparian vegetation. Much of this setting has been lost to dam, freeway, and railroad construction. However, to a large degree, the riverfront parks that best blend with the natural surroundings emphasize native species plantings and retention of existing riparian vegetation communities.

Rowland Lake is an impoundment created by the Bonneville Pool in 1938, separated from the Columbia River by the Burlington Northern Railroad tracks and bisected by S.R. 14. The fill slopes of the roads that surround Rowland Lake dominate the character of the lake setting at the water's edge. The project site and setting do not have the visual character of a floodplain. Much of this area is covered with a mix of Oregon white oak and ponderosa pine trees, with underbrush of shrubs including black hawthorn and Himalayan blackberry. The applicant has proposed predominately native plants as part of the mitigation planting plan including vine maple, serviceberry, Oregon grape, golden current, mock orange, and willows. The planting plan includes a total of 217 plantings.

A new ADA compliant vault toilet facility, approximately 100 sq. ft. in size, is proposed as part of the development, replacing the older facility. The facility is in an area with existing tree cover and thus does not need to have a horizontal appearance. The tallest elements, the roof (9.5 feet in height) and vent (12 feet in height), are well below the canopy of adjacent trees. All other elements of this development proposal are tied to the ground plane.

2. Commission Rule 350-81-530(2) contains SMA Guidelines for Development Visible from Key Viewing Areas (KVAs). The guidelines apply to proposed developments on sites topographically visible from KVAs.

Staff visited the site on four separate occasions and viewed the site from KVAs in the vicinity. The proposed project site is topographically visible from the S.R. 14, County Road 1230, the Columbia River, Interstate 84 and the Historic Columbia River Highway. The project site can be seen from the Historic Columbia River Highway and I-84 at one to two miles away, and for a linear distance of approximately two miles.

3. Commission Rule 350-81-530(2)(b) states:

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.

Rowland Lake is set against a backdrop of sparsely treed hills punctuated by basalt outcrops, rocky slopes, and scree fields. Two roads surround the lake: S.R. 14 to the south and County Road 1230 along the west, north and east. The roads' fill slopes reinforce the horizontal fill slope landscape element that characterizes the project site at the water's edge. The project site consists of flat unimproved gravel parking areas surrounded by Oregon white oak and Ponderosa pine trees. The color of the surrounding landscape elements is dominated by basalt gray intermingled with the natural colors of the surrounding vegetation.

Cumulatively, the addition of the toilet facility and boat launch will not adversely affect scenic resources as they are both replacements for structures already on the site. The additional gravel, ADA parking space, and turnaround are flat elements on ground and will only be visible intermittently from KVAs. The riprap will blend in with the fill slopes of the roads that surround Rowland Lake. Therefore, the project will not add any additional visible changes to the site when viewed from key viewing areas, and is therefore consistent with Commission Rule 350-81-530(2)(b).

4. Commission Rule 350-81-530(2)(c) requires certain SMA Scenic Standards be met for all development uses. The elements of the proposed project – parking areas, new turnaround, ADA parking place, vault toilet, riprap, barrier rocks – located on lands designated SMA-Agriculture in the River Bottomlands landscape setting must meet the visual quality objective of “Visually Subordinate.” Visually Subordinate is defined as:

A description of the relative visibility of a structure or use where that structure or use does not noticeably contrast with the surrounding landscape, as viewed from a specified vantage point (generally a key viewing area, for the Management Plan). As opposed to structures that are fully screened, structures that are visually subordinate may be partially visible. They are not visually dominant in relation to their surroundings. Visually subordinate forest practices in the SMA shall repeat form, line, color, or texture common to the natural landscape, while changes in their qualities of size, amount, intensity, direction, pattern, etc., shall not dominate the natural landscape setting.

The applicant proposes a vault toilet, partially screened by vegetation and painted a dark earth tone brown, “Java Brown,” with stucco texturing. The back of the adjacent ADA parking sign will also be painted dark brown. Barrier rocks, which will surround the island of the turnaround and edges of the parking areas, will be set in the ground ½ inch deep and be spaced at random to create a natural look that will blend in with rather than dominate the surrounding landscape. All other elements of this development proposal are flat along the ground. These flat elements include improvements to the existing parking area and new turnaround using medium gray colored crushed rock that will blend in with the surrounding background.

The lower parking lot is retained at the lake’s edge by a basalt rock wall approximately 6 feet high and 180 feet long built on a basalt fill slope. Approximately 50 feet of the wall will be replaced with loose riprap that will look like the fill slopes of the roads that surround the edge of the lake. The riprap will be dark slate black in color and will blend in with the gray basalt of the landscape.

The Rowland Lake portion of the project area is located on lands designated SMA-Open Space in the River Bottomlands landscape settings. The scenic standard of *not visually evident*, therefore, applies to the boat ramp element of the proposal. *Not visually evident* is defined as:

A visual quality standard that provides for development or uses that are not visually noticeable to the casual visitor. Developments or uses shall only repeat form, line, color, and texture that are frequently found in the natural landscape, while changes in their qualities of size, amount, intensity, direction, pattern, etc., shall not be noticeable.

As shown in the applicant’s site plan, the boat ramp will extend approximately 72 feet from a landing at the lake’s edge into the lake. From the Historic Columbia River Highway, I-84, and S.R. 14 KVAs to the south, the out-of-water portion of the ramp would appear as a horizontal linear element in the landscape that would be distinguishable from adjacent riprap Rowland Lake shoreline because it is a different material. However, the proposed “dark gray” color of the articulated concrete mats would repeat the color and texture of rock found in the surrounding landscape, which would help make it not visually evident.

From County Road 1230, the boat ramp's separation from the shore may be evident. The view from the east is elevated, making the area of the boat ramp apparent against the background of the water as seen for a lineal distance of about 300 feet along County Road 1230, at a distance from the project site of approximately 800 feet. As the water color and texture varies with the color of the sky, reflected background, position of the sun, and amount of wind, the proposed "dark gray" color of the concrete mats would be an appropriate mediating color approximating the water tone.

Given the substantially altered River Bottomland landscape, existing use of the site, the purpose and design constraints of the boat ramp, and minimal scenic impacts to KVAs, the proposed boat ramp would be hardly discernable minimally to the casual visitor and would substantially meet the scenic standard of "not visually evident," consistent with Commission Rule 350-81-530(2)(c).

5. Commission Rule 350-81-530(2)(d) states:

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

The applicant proposes dark earth tone colors, basalt rock for the island turnaround and riprap, stucco siding for the vault toilet, and articulated concrete for the boat launch, all of which are found in the adjacent natural landscape. Using these elements ensures all aspects of the development will blend in with the existing natural landscape. The applicant proposes adding over 200 additional plantings of native vegetation, which will enhance the natural landscape and aid in screening development on the site, helping it to blend in with the adjacent natural landscape.

6. Commission Rule 350-81-530(2)(e) states:

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.

The development has been sited to best use the natural topography of the area. The applicant proposes the toilet facility and ADA parking space be located below the grade of County Road 1230, and not visible as one travels along the highway. The boat ramp will be in a cove between two basalt outcroppings and mostly underwater, hidden from view. While ample new vegetation is proposed, natural topography is utilized to the best extent practicable to hide the development from view of KVAs. The proposed developments are designed and sited to fit the existing topography and take advantage of the available vegetation and landform screening, and to minimize visible grading, consistent with Commission Rule 350-81-530(2)(e).

7. Commission Rule 350-81-530(2)(f) states that conditions applied to proposed developments to achieve scenic standards shall be proportionate to its degree of visibility from KVAs. Commission Rule 350-81-530(2)(f)(A) states:

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 area 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).*

The development will be visible from several KVAs (see Finding B.2). The project site is visible from the Historic Columbia River Highway from a linear distance at its nearest point to the site of approximately 1.2 miles. The project site is visible from I-84 at approximately 1 mile at the nearest point to the site, and is visible for a linear distance of approximately two miles. S.R. 14 bisects Rowland Lake to the south and is approximately 650 feet from the location of the proposed boat ramp at its closest point. The project site is visible for approximately one-half mile along S.R. 14. County Road 1230 surrounds Rowland Lake along on the west, north and east banks. The project site is visible from this road for approximately one-half mile, at distances that range from 120 to 2,000 feet.

While the site is visible from several KVAs at varying distances, the proposed development would be sited to significantly limit the amount of exposure. While the site is accessed from County Road 1230, the vault toilet will be located approximately 100 feet below the grade of the road, painted with dark earth-tone colors, screened by natural vegetation, and only visible intermittently from the road. The toilet is also located 100 feet from the ordinary high-water mark of the lake. There are handful of old oak trees and pine trees that help to provide screening, and no large trees are proposed to be removed.

The boat ramp would be visible because it extends out 72 feet along the flat plane of the lake. However, it would be dark gray in color and tucked into a small cove that helps to protect it from view. Natural basalt outcroppings on either side of the cove will help to obstruct most of the development from view from KVAs.

8. Commission Rule 350-81-530(2)(f)(B) states:

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, 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.*

The development has been sited to utilize existing topography (See Findings B.4-B.7). Staff has worked with WDFW to identify and minimize existing vegetation that would be removed and minimize disturbance to the maximum extent practicable. The applicant proposes removing eight trees and adding 217 additional plantings of native vegetation. Staff visited the site on multiple occasions to determine that the removal of the identified trees will not affect the vegetative screening of the proposed project, and therefore will not affect visibility from key viewing areas. A condition of approval will ensure that the applicant removes only the vegetation identified in the site plan to be removed, and all other vegetation remains. All aspects of the project have been designed to use dark earth tone colors. The new toilet will be dark brown in color, and the proposed dock and additional gravel will also be dark gray.

9. Commission Rule 350-81-530(2)(g) states:

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.

This criterion ensures that proposed development be in locations that meet the scenic standards and other applicable standards. Compliance with scenic standards must not result in adverse impacts to other protected resources. The location of the proposed development is consistent with the guidelines to protect natural and cultural resources. See Findings for Natural Resources, Section C, and Cultural Resources, Section E.

10. Commission Rule 350-81-530(2)(h) states:

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

Rowland Lake is set against a backdrop of sparsely treed steep hills punctuated by basalt outcrops, rocky slopes, and scree fields. To the south, the skyline is the S.R. 14 roadbed. None of the elements of the proposed development will protrude above the skyline or any bluffs or cliffs as seen from key viewing areas to the south because the proposed development would be several hundred feet below the steep hills to the north. From County Road 1230, the proposed development is visible only on a downward angle, and cannot protrude above steep hills to the west, north, and east and would not protrude above the S.R. 14 roadbed looking south.

11. Commission Rule 350-81-530(2)(i) states:

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.

The proposed vault toilet facility will remain below the 30-foot average tree canopy height of Oregon white oaks adjacent to the structure. The rest of the development will be flat along the ground.

12. Commission Rule 350-81-530(2)(j) states:

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.*
- (B) If new landscaping is necessary to meet the required standard, existing onsite 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.*
- (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.*
- (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).*

No new landscaping is required for the project to meet the scenic standards of *not visually evident* and *visually subordinate*. Commission Rule 350-81-530(2)(j) does not apply.

13. Commission Rule 350-81-530(2)(k) states:

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.

The vault toilet will be constructed of colored concrete manufactured by CXT Concrete Buildings, and the roof will rib metal, both will be painted the approved "Java Brown" color, chosen by staff to blend in with the dark brown colors of the oak and pine trees surrounding the proposed site. For the boat launch, staff approved the proposed Dark Gray (Carbon) 8084 and Dark Gray (Iron Oxide) 860 colors by Davis Colors concrete pigments for the concrete. As the water color and texture varies, the proposed dark gray colors will be an appropriate mediating color approximating the water tone, and similar to the dark gray color of the shadows in the rocks of the surrounding shoreline. Upon visits to the site, staff observed that the color of the darkest rocks along the shoreline at the site

of the proposed slope stabilization is a dark slate gray. Therefore, the approved color for the riprap used in the project is a dark slate gray. Staff also approved dark gray barrier rocks and dark gray colored gravel from James Dean Construction S.R. 141 Quarry for the parking area, approximating the color of the shadows in the naturally-occurring basalt rock in and surrounding the project site. The barrier rock used in the parking lot improvements will also be a dark gray color, obtained from James Dean Construction Dallesport Quarry. A condition of approval will be included with this decision that ensures the use of only the approved dark earth tone materials, consistent with Commission Rule 350-81-530(2)(k).

14. Commission Rule 350-81-530(2)(l) states:

The exterior of structures on lands seen from key viewing areas shall be composed of non-reflective materials or materials with low reflectivity...

The boat ramp and toilet are both proposed to be built with dark earth tone concrete, with no visible glass. Concrete is not reflective and the vault toilet will be textured stucco and the boat ramp will use rough textured concrete that reduces any potential surface reflectivity. These exterior materials, treatments, and colors are consistent with Commission Rule 350-81-530(2)(l).

15. Commission Rule 350-81-530(2)(m) states:

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.

The applicant has not proposed any lighting. However, a condition of approval will be included with this decision that ensures if lighting is later proposed for the project site, a condition will be imposed requiring it to be sited, limited in intensity, shielded or hooded in a manner that prevent lights from being highly visible from Key Viewing Areas and from noticeably contrasting with the surrounding landscape setting in accordance with Commission Rule 350-81-530(2)(m).

16. Commission Rule 350-81-530(3) describes SMA guidelines for KVA Foregrounds and Scenic Routes. Commission Rule 350-81-530(3)(a) states:

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

The Management Plan defines County Road 1230 and State Route 14 as scenic routes. The proposed ADA parking improvements adjacent to the vault toilet are approximately 100 feet from the edge of pavement of County Road 1230, but are buffered by Oregon white oak and Ponderosa pine trees, and not visually evident from the road. The proposed boat ramp is located approximately 650 feet north of S.R. 14 as it bisects Rowland Lake. The recreation improvements are not immediately adjacent to the S.R. 14 scenic route. Therefore, Commission Rule 350-81-530(3) does not apply to the proposed access improvements. In addition, the S.R. 14 Corridor Management plan for the Columbia River Gorge National Scenic Area does not contain any applicable guidelines for the Rowland Lake portion of the Highway.

Conclusion:

With conditions addressing the design, colors, and materials of the boat ramp, toilet facility, ADA parking space, roadway gravel, barrier rocks, riprap and additional landscaping, the proposed use would be consistent with the applicable scenic resource protection guidelines in Commission Rule 350-81.

C. Cultural Resources

1. Commission Rule 350-81-550(2) states that the procedures and guidelines in Commission Rule 350-81-540 (General Management Area Cultural Resource Review Criteria) shall be used to evaluate new developments on non-federal lands in Special Management Areas. The proposed development falls within this category.
2. Commission Rules 350-81-540(1)(c)(A) and (B) contain provisions regarding when reconnaissance and historic surveys are required. Chris Donnermeyer, U.S. Forest Service archaeologist, evaluated the proposed use and determined that, pursuant to these rules, a reconnaissance and a historic survey were required.
3. Commission Rule 350-81-540(1)(c)(C) defines the proposed recreation improvements as a large-scale use. This rule requires that cultural resource reconnaissance surveys for large-scale uses be conducted by the applicant. The applicant hired the archaeological consulting firm of Archaeological Services, LLC (ASCC), to conduct the reconnaissance survey for the proposed use.
4. Commission Rule 350-81-540(1)(c)(F) and (G) include requirements for reconnaissance surveys and survey reports for large-scale uses. A written description of the survey was submitted to and approved by Mr. Donnermeyer. The reconnaissance survey and report compiled by Justin B. Colón and Alexander Gall of ASCC, dated July 19, 2017, adequately satisfied the requirements of Commission Rule 350-81-540(1)(c)(F) and (G).
5. Commission Rule 350-81-540(2)(a)(A) and (B) allow interested parties who so request during the comment period to consult with the applicant and request ethnographic research regarding cultural resources. No such consultation or research was requested of the applicant during the comment period.
6. Commission Rule 350-81-540(2)(b) requires that copies of the reconnaissance survey be submitted to the State Historic Preservation Office and Indian tribal governments, and that all comments received be recorded and addressed. Staff submitted copies of the survey on October 16, 2017. No comments were received.
7. Commission Rule 350-81-540(2)(c)(B)(ii) states:

The cultural resource protection process may conclude when a reconnaissance survey demonstrates that cultural resources do not exist in the project area, no substantial concerns were voiced by interested person within 21 calendar days of the date that a notice was mailed, and no substantiated concerns regarding the reconnaissance survey were voiced by the state Historic Preservation Officer or Indian tribal governments during the 30-day comment period.

On October 12, 2017, the Executive Director received a letter from Chris Donnermeyer, Heritage Program Manager with the Forest Service, confirming review of the cultural resource survey report prepared by Archaeological Services LLC for the proposed project. In his letter, Mr. Donnermeyer states that he concurs with the recommended determination of “No Historic Properties Affected” (36 CFR § 800.4 (d)(1)) for the project, which includes consultation with treaty tribes. The reconnaissance survey demonstrated that historic and prehistoric archaeological resources do not exist near the project site. No concerns were voiced by interested persons within 21 calendar days of the date that a notice was mailed, and no substantiated concerns were voiced by the State Historic Preservation Officer or Indian tribal governments regarding the reconnaissance survey during the 30-day comment period. Therefore, pursuant to Commission Rule 350-81-540(2)(c)(B)(ii), the cultural resource protection process may conclude.

8. Commission Rule 350-81-550(5) requires a condition of approval that if cultural resources are discovered during construction or development, all work in the immediate area of discovery shall stop, and immediate notification shall be given to the Forest Service or the Executive Director. If the discovered material is suspected to be human bone or a burial, the applicant shall stop all work in the vicinity of the discovery and immediately notify the Executive Director, the Forest Service, the applicant’s cultural resource professional, the State Medical Examiner, and appropriate law enforcement agencies.

Conclusion:

The proposed development is consistent with applicable cultural resource protection guidelines in Commission Rule 350-81-540. A condition requiring the cessation of work and Commission notification should a cultural resource be discovered would protect any such resources.

D. Natural Resources

1. Commission Rules 350-81-600 through 350-81-610 include natural resource review criteria for proposed uses in the SMA.
2. Commission Rule 350-81-600(2)(a) contains protections, including buffer zones, for water resources (wetlands, streams, ponds, lakes, and riparian areas) in the SMA. A minimum 200-foot buffer is required for wetlands and lakes.

The Gorge Commission’s natural resource inventory identifies a Freshwater Forested/Shrub Wetland priority habitat located approximately 40 feet from the proposed boat ramp and approximately 60 feet from the proposed parking lot improvements. However, during visits to the site, Anna Sample, biologist with Washington Department of Fish and Wildlife, and Robin Dobson, ecologist with the U.S. Forest Service National Scenic Area office, both noted that there is no evident wetland in the identified area.

In an email to the Commission dated January 22, 2018, Anna Sample commented that on her visits to the site, she observed no wetland indicator plants in the identified wetland area, and she noted that much of the area identified on the inventory map is below the ordinary high-water mark, and would be considered part of the lake. Ms. Sample also noted that the distance away from the boat launch footprint was sufficient to avoid disturbance to that area, since the development will all take place within the existing boat ramp footprint.

Robin Dobson, in an email to the Commission dated February 27, 2018, commented that when he visited the site, there was no obvious wetland, but there were signs of a significant riparian area where the wetland was indicated on the map. Mr. Dobson noted that the applicant's plan provided in the application to mitigate negative impacts to the riparian area should be sufficient. Specifically, the removal of the blackberries and restoration planting of native plants to enhance the area.

Therefore, although the Commission's natural resources inventory identified a wetland on the site, the Commission concluded through consultation with the Forest Service, and Washington Department of Fish and Wildlife, that no apparent wetland is evident on the site. The Forest Service identified the area as a riparian area, with proposed development within the 200-foot buffer zone to be mitigated by a restoration planting plan.

All development on the project site is proposed within the 200-foot buffer zone of Rowland Lake. As stated in the project application, all proposed development will take place on previously-disturbed sites, and no additional encroachment into the buffer zone is proposed.

3. Commission Rule 350-81-600(2)(a)(A) states:

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

The project will occur on previously-disturbed land within the 200-foot buffer zone of Rowland Lake, requiring the applicant to submit a mitigation plan. The applicant submitted a mitigation planting plan to the Commission on November 7, 2017. The mitigation planting plan provides a plan for enhancing the buffer zone through the planting of approximately 217 native plants. In an email to the Commission on March 12, 2018, Anna Sample described the mitigation measures that WDFW will take during the project, including:

- Treating the wetland/riparian area as a sensitive area and implementing necessary best management practices to minimize risk of damaging the area
- Construction work will not go beyond the footprint of the existing gravel ramp
- A silt curtain will be implemented during the work in water
- Erosion will be prevented using stray wattles or silt fencing

Staff consulted with U.S. Forest Service ecologist Robin Dobson to assess the sufficiency of the mitigation plan in protecting the buffer zone. Staff and Mr. Dobson agreed that if followed, the mitigation planting plan provided by the applicant is an acceptable permission of development within the buffer. A condition of approval included in this decision requires that the above-mentioned measures listed by the applicant be taken, and that the mitigation planting plan be implemented as approved. The project and mitigation plan comply with Commission Rule 350-81-600(2)(a)(A).

4. Commission Rule 350-81-600(2)(b) states:

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

The mitigation planting plan provided by the applicant proposes enhancing the riparian and lake buffer zone through the planting of native plants only. The mitigation planting

plan proposes a total of 4,200 square feet of planting area. The native species to be planted include vine maple, serviceberry, golden current, tall Oregon grape, mock orange, Oregon boxwood, snowberry, and willow. These species are all listed on the Gorge Commission's native plant inventory list. This planting plan is consistent with Commission Rule 350-81-600(2)(b).

5. Commission Rule 350-81-600(2)(g) states:

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.*

The Practicable Alternative Test is defined under Commission Rule 350-81-600 as follows:

(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 sites.*

The basic purpose of the proposed boat ramp is to allow for recreational boat access to Rowland Lake. Due to the existing vegetation and topography of the site, there are few places on the subject parcel that would allow for vehicles to access a boat ramp. One alternative site for the ramp is to the east of where it is proposed, on the other side of the rocky point. According to the topographic site plan in the project application, the slope from the parking area to the lake along that part of the shoreline is approximately 25%. Significant grading would need to occur to lessen the slope from the access driveway into the lake, and all grading would occur within the 200-foot buffer of Rowland Lake. The other alternative site for the boat ramp would be on the shoreline to the west of where it is proposed. However, siting the boat ramp anywhere west of the current site would require the removal of trees and other vegetation and grading to construct an access driveway within the 200-foot buffer of Rowland Lake for vehicles to access the ramp. The project applicant proposes siting the boat ramp on the previously-disturbed existing site of a gravel boat ramp. The site on the subject parcel that would avoid or result in the least adverse impacts to the buffer zone is the site of the existing boat ramp where the new boat ramp is proposed.

The purpose of the proposed improvements to the existing parking area and adjacent shoreline is to increase accessibility and safety on the project site and to reduce erosion. Because the proposed improvements are improvements to existing uses, there is no alternative site that the improvements can take place that would avoid or result in less adverse impacts to the Rowland Lake buffer zone. All the proposed improvements will take place on previously-disturbed land. The project applicant proposes to grade and surface the existing parking area with crushed rock and install boulder barriers to control vehicle access. If grading for a parking area were to take place anywhere else on the

subject parcel, it would require disturbing new ground because no other flat, non-vegetated site on the subject parcel exists that is large enough to allow for vehicles to turn around other than the existing parking area. Along the shoreline adjacent to the parking area, the project applicant proposes to remove a structurally-unsound staircase and install rip-rap for slope erosion protection. An existing rock wall near the parking area will also be replaced with erosion-control structures. parking area. The proposed improvements will all take place on previously-disturbed land where there is an existing use within the 200-foot Rowland Lake buffer zone and no further encroachment into the buffer zone is proposed.

The basic purpose of the proposed replacement of the existing vault toilet is to provide users of the recreation site with an ADA-compliant vault toilet, along with a concrete ADA parking stall adjacent to the toilet. The site of the proposed vault toilet is the current site of the existing vault toilet, in a previously-disturbed area within the 200-foot buffer zone of Rowland Lake. The proposed toilet is situated in an area that is adjacent to the access driveway to the parking area and boat ramp, minimizing the need to disturb additional land to provide vehicle access to the toilet. The proposed ADA parking stall is sited to serve the toilet facility and therefore has no available practicable alternative site on the subject parcel.

(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 sites.

The basic purpose of the proposed boat ramp is to provide vehicles with access to launching a boat into Rowland Lake. The boat ramp is designed to be wide enough to accommodate the width of one vehicle, and long enough for boats to be placed in the water when the lake levels are low. The proposed design for the boat ramp is large enough to accommodate its intended use. If the boat ramp were reduced in size, it would not be large enough to reasonably accomplish the basic purpose of the use.

The basic purpose of the parking area improvements and shoreline stabilization project are to improve the existing parking area and stabilize the adjacent shoreline from erosion. All the proposed improvements will take place within previously-disturbed areas, with the intent to not encroach any further into the buffer zone, thus avoiding adverse impacts to the surrounding buffer zone.

The basic purpose of the replacement of the vault toilet and addition of the parking stall is to make the vault toilet on site an ADA-compliant facility. The proposed toilet and parking stall are designed under ADA guidelines to ensure that the facility is large enough for its intended purpose, but it does not exceed the size necessary to accommodate one person in the toilet facility, and one car in the parking stall. By siting the facility on the site of the previously-disturbed site of the existing vault toilet, the proposed use avoids adverse impacts to the surrounding buffer zone.

(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.

The entire subject parcel is within the 200-foot buffer zone of Rowland Lake. Therefore, any development on the subject parcel will fall within the Rowland Lake buffer zone. The proposed uses are all proposed on previously-disturbed sites of existing uses on the subject parcel. Any proposed use outside of the existing use sites would require new disturbance within the buffer zone. The project applicant's proposal contains the project within the disturbed areas, minimizing adverse impacts to the rest of the buffer zone.

Based on the findings of the practicable alternative test, the proposed uses have no practicable alternative sites on the subject parcel that would avoid or result in less adverse impacts to the buffer zone and are therefore consistent with Commission Rule 350-81-600(2)(g).

6. Commission Rule 350-81-600(3) requires buffer zones to protect sensitive wildlife and plant species.

The Gorge Commission's wildlife and plant inventories indicate the following on the subject parcels:

- Big White Salmon Deer Winter Range
- Waterfowl concentrations
- Sensitive plant species *tillaea aquatica*

The Gorge Commission's sensitive plant inventory from 1993 identifies the presence of the sensitive plant *tillaea aquatica* on the subject parcel. However, in the natural resource mitigation plan for the parcel prepared in 2002 by WDFW, *tillaea aquatica* was not identified on the site. Furthermore, biologists from WDFW and an ecologist from the Forest Service visited the site in late 2017 and early 2018, respectively, and did not see any *tillaea aquatica* growing in the area indicated on the 1993 inventory map, nor anywhere else on the site. Therefore, no buffers for the *tillaea aquatica* sensitive species are required, consistent with Commission Rule 350-81-600(3).

7. Commission Rule 350-81-600(3)(b) states:

The Executive 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 or the Washington Department of Fish and Wildlife for wildlife issues and by the Oregon or Washington Natural Heritage Program for plant issues).

The Gorge Commission submitted site plans for the project to the Forest Service and WDFW for review. Wildlife biologists from both the Forest Service and WDFW visited the site to determine whether the proposed use would result in adverse effects to the wildlife or plant areas on the site. Because the proposed project elements will all take place on previously disturbed sites and no additional encroachment will occur into wildlife areas, no adverse impacts are anticipated on Winter Range and/or Waterfowl concentrations. Additionally, it was noted by both the Forest Service and WDFW that the proposed

mitigation planting associated with the project will serve to enhance the existing natural resources, having a potential positive impact on wildlife habitats on the site.

8. Commission Rule 350-81-600(4) provides guidelines for maintaining soil productivity by controlling soil movement within the area shown on the site plan.

According to applicant, soil movement will be controlled using best management practices during construction and post construction. The entire project area been previously disturbed by grading and fill. A condition shall require the applicant to establish effective native ground cover species or other stabilizing methods to prevent soil erosion over 80% of the disturbed area within one year. With implementation of this condition the proposed development is consistent with Commission Rule 350-81-600(4).

Conclusion:

With conditions addressing development within the affected buffer zone of Rowland Lake, and implementation of the proposed Mitigation Planting Plan, the proposed use would be consistent with applicable natural resource protection guidelines in Commission Rule 350-81.

E. Recreation Resources

1. Commission Rule 350-81-620(1) contains the following applicable guidelines, which apply to all new recreation developments and land uses in the Special Management Area:

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

WDFW's Rowland Lake access site is an existing recreation resource site. The proposed toilet facility and boat ramp would provide improved access to Rowland Lake for natural resource-based recreation. The proposed facilities would enhance those resource-based day use recreation opportunities. No existing recreation resources, either at Rowland Lake or on adjacent lands, would be adversely affected by the proposed use, either individually or cumulatively. The proposed improvements are consistent with sections (a) and (b) of Commission Rule 350-81-620(1).

2. Commission Rule 350-81-620(2) contains guidelines for Recreation Intensity Classes (RIC). Rowland Lake is designated Recreation Intensity Class 2 (Low Intensity). Commission Rule 350-81-620(2)(b) contains guidelines for developments on lands designated Recreation Intensity Class 2:

Emphasis is to provide opportunities for semi-primitive recreation.

- (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 for parking areas 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) Campgrounds for twenty (20) units or less, tent sites only.*
- (ii) Boat anchorages designed for no more than 10 boats at one time.*
- (iii) Swimming areas*

The proposed uses are located on land and water designated RIC 2 as shown on the Management Plan Recreation Intensity Classes map. The applicant proposes a project that will provide opportunities for swimming, fishing, boating as well as picnicking. The project aims to provide the public with an access site that is safe, clean, and effectively supporting people's use and enjoyment of natural resources. The proposed improvements will enhance opportunities that the site already provides without detracting from any current use. The proposed parking area improvement is an expressly allowed use. The maximum design capacity for the site is less than 25 cars. As stated in the applicant's proposal, the planned site parking capacity is 21 vehicles, including the ADA parking stall for the toilet. The site design capacity for these recreation improvements is designed for no more than 70 people (calculated as a maximum of 3 persons per vehicle at each of the parking spaces). The proposed boat ramp would be open and available for public use and is allowed in the Open Space Land Use Designation. No campgrounds or boat anchorages currently exist on the site, and are not proposed uses as part of this application. As currently proposed, the proposed developments would comply with the Recreation Intensity Class 2 guidelines in Commission Rule 350-81-620(2)(b).

Conclusion:

The proposed use is consistent with the applicable recreation resource protection guidelines in Commission Rule 350-81.

JK
FIND0012_17