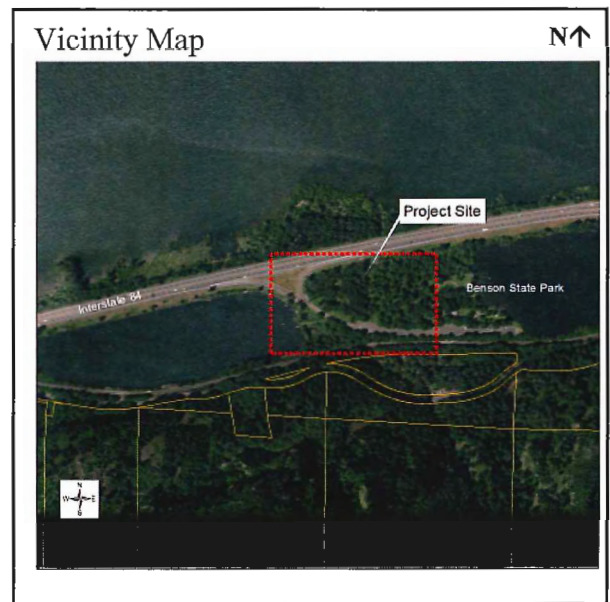


NOTICE OF DECISION

This notice concerns a Planning Director Decision on the land use case(s) cited and described below.

Case File: T2-2014-3299
Permit: National Scenic Area Site Review
Location: Off the Benson Park I-84 Exit Ramp
TL: None, Sec 12, T1E, R5n, W.M.
North of #R945120040
Applicants: Lower Columbia Estuary Partnership
Owners: Oregon Department of Parks and
Recreation
Base Zone: Gorge Special Public Recreation
(GSPR)
Overlays: Flood Hazard




Summary: Habitat improvement and restoration for Wahkeena and Multnomah Creeks that includes improved fish passage, in-stream riparian habitat, invasive vegetation removal, and anchored woody debris structures.

Decision: Approved with Conditions

Unless appealed, this decision is effective August 18, 2014, at 4:00 PM.

Issued by:

By: 
Don Kienholz, Planner

For: Karen Schilling- Planning Director

Date: Monday, August 4, 2014

Opportunity to Review the Record: A copy of the Planning Director Decision, and all evidence submitted associated with this application, is available for inspection, at no cost, at the Land Use Planning office during normal business hours. Copies of all documents may be purchased at the rate of 30-cents per page. The Planning Director Decision contains the findings and conclusions upon which the decision is based, along with any conditions of approval. For further information on this case, contact Don Kienholz, Staff Planner at 503-988-3043, ext. 29270.

Opportunity to Appeal: This decision may be appealed within 14 days of the date it was rendered, pursuant to the provisions of MCC 38.0640. An appeal requires a \$250.00 fee and must state the specific legal grounds on which it is based. To obtain appeal forms or information on the procedure, contact the Land Use Planning offices at 1600 SE 190th Avenue (Phone: 503-988-3043). This decision cannot be appealed to the Land Use Board of Appeals until all local appeals are exhausted.

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Monday, August 18, 2014 at 4:00 pm.

Applicable Approval Criteria: Multnomah County Code (MCC): 38.0015 Definitions, 38.0030 Existing Uses, 38.0560 Code Compliance, 38.2825(C) Uses, 38.7040 SMA Scenic Review Criteria, 38.7050 Cultural Review Criteria, 38.7075 SMA Natural Resource Review Criteria, 38.7085 SMA Recreation Resource Review Criteria.

Copies of the referenced Multnomah County Code (MCC) sections can be obtained by contacting our office at 503-988-3043 or by visiting our website at <http://www.co.multnomah.or.us/landuse> or <http://web.multco.us/transportation-planning>.

Scope of Approval

1. Approval of this land use permit is based on the submitted written narrative(s) and plan(s). No work shall occur under this permit other than that which is specified within these documents. It shall be the responsibility of the property owner(s) to comply with these documents and the limitations of approval described herein.
2. **This land use permit expires two years from the date the decision is final pursuant to MCC 38.0690(A) as applicable. The property owner may request to extend the timeframe within which this permit is valid, as provided under MCC 38.0695, as applicable. The request for a permit extension must be submitted prior to the expiration of the approval period.**

Conditions of Approval

The conditions listed are necessary to ensure that approval criteria for this land use permit are satisfied. Where a condition relates to a specific approval criterion, the code citation for that criterion follows in parenthesis.

1. **Prior to any excavation or grading on the site, the property owner shall submit to County Land Use Planning office an affidavit, as shown in Exhibit B.5, signed by the grading and excavation contractor stating contractor has read and understands the conditions of approval imposed on that project and understand that those conditions of approval govern the manner in which grading and excavation work shall be performed on the property. The affidavit states the contractor agrees to perform grading and excavation work in accordance with the conditions of approval. It also assures that person understands the requirement to immediately stop work if any archeological artifacts and/or human remains are found on-site during the project. That affidavit shall also include a statement that the contractor understands the requirement to notify the County Planning Director, the Gorge Commission and tribes when required within 24 hours of any such discovery. All ground disturbing activity on-site shall be carried out in a cautious and conscience manner so as not to disturb or damage any archeological sites and human remains that may be on site [MCC 38.7045 (L)].**
2. **An archeological monitor shall be present during all ground disturbing activities. Contact Nancy Nelson, Oregon State Parks Archeologist with the Oregon State Parks and Recreation Department, at 503-986-0578 to arrange for a suitable monitor for the project [ORS 358.905, ORS 97.740].**
3. **A final monitoring report shall be submitted to Multnomah County Land Use Planning within 3-months of the project's completion demonstrating the restoration and enhancement has been completed using best management practices [MCC 38.7075(Y)].**

Note: Please note, Multnomah County must review and sign off the Erosion Control Measures before the applicant initiates ground disturbing activities. Two (2) sets of the erosion control plan are needed for sign off. At the time of sign off, an erosion control inspection fee of \$82.00 will be required.

Notice to Mortgagee, Lien Holder, Vendor, or Seller:

ORS Chapter 215 requires that if you receive this notice it must be promptly forwarded to the purchaser.

Findings of Fact

FINDINGS: Written findings are contained herein. The Multnomah County Code (MCC) criteria and Comprehensive Plan Policies are in **bold** font. Staff analysis and comments are identified as ‘**Staff:**’ and address the applicable criteria. Staff comments may include a conclusionary statement in *italic*.

1.00 Project Description:

Staff: The applicant is proposing restoration activities for both Wahkeena and Multnomah Creeks. The project includes habitat improvement such as improved fish passage, in-stream riparian habitat creation, invasive vegetation removal, and anchored woody debris structures.

2.00 Property Description:

Staff: The subject area is adjacent to Interstate 84 just off of the Exit 30 off-ramp and north of the Benson Lake parking area. The overall property is used as a recreation area as part of Benson State Park that includes volleyball areas, pavilion space, restrooms and trails. The area of this specific project is away from the established recreation facilities. The area of development has seen the existing habitat degrade due to past landscape alterations and resource management practices. This project would reverse those trends.

3.00 Public Comments:

Staff: On May 23, 2014, staff mailed out an Opportunity to Comment on the proposal to surrounding property owners within 750-feet of the properties lines, recognized neighborhood organizations, and those eligible for noticing under MCC 38.0205. Two comments were received during the comment period.

The first, by the US Forest Service Archeologist who noted that the site had a previous reconnaissance survey and a new survey was not required. The second was from the State Historic Preservation Office noting that caution should be used when undergoing ground disturbing activities in the event archeological objects or sites are discovered.

4.00 Code Compliance:

MCC 38.0560 CODE COMPLIANCE AND APPLICATIONS.

Except as provided in subsection (A), the County shall not make a land use decision approving development, including land divisions and property line adjustments, or issue a building permit for any property that is not in full compliance with all applicable provisions of the Multnomah County Land Use Code and/or any permit approvals previously issued by the County.

(A) A permit or other approval, including building permit applications, may be authorized if:

(1) It results in the property coming into full compliance with all applicable provisions of the Multnomah County Code. This includes sequencing of permits or other approvals as part of a voluntary compliance agreement; or

(2) It is necessary to protect public safety; or

(3) It is for work related to and within a valid easement over, on or under an affected property.

Staff: There are no known code compliance issues or complaints on the subject properties. The site is within the Oregon Department of Transportation's right-of way. The property was deeded from the City of Portland to the State of Oregon on December 21, 1939 (Exhibit A.5). The deed contains the history of ownership for the property from 1915 until 1939. At the time of the property was created there were no partition requirements and no zoning requirements. The property then became part of the right-of-way for Interstate 84. If there was a parcel, it would be a legal parcel as defined in MCC 38.0015.

The park site has been in continuous use since prior to the adoption of zoning and is an existing use under MCC 38.0030.

Criteria met.

5.00 Base Zone Uses:

MCC 38.2825 GSPR Review Uses

(C) The following uses are allowed on all lands designated GS– PR pursuant to MCC 38.0530 (B) and upon findings that the NSA Site Review standards of MCC 38.7000 through 38.7085 have been satisfied:

(6) Resource enhancement projects for the purpose of enhancing scenic, cultural,, recreation, an/or natural resources subject to MCC 38.7345. Those projects may include new structures (e.g. closing and revegetating unused roads, recontouring abandoned quarries).

Staff: The proposed enhancement project is an allowed use in the GSPR zoning district.

Criterion met.

6.00 National Scenic Area Site Review:

6.01 MCC 38.7040 SMA SCENIC REVIEW CRITERIA

The following scenic review standards shall apply to all Review and Conditional Uses in the Special Management Area of the Columbia River Gorge National Scenic Area with the exception of rehabilitation or modification of historic structures eligible or on the National Register of Historic Places when such modification is in compliance with the national register of historic places guidelines:

(A) All Review Uses and Conditional Uses visible from KVAs. This section shall apply to proposed development on sites topographically visible from KVAs:

(1) New developments and land uses shall be evaluated to ensure that the 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.

(2) The required SMA scenic standards for all development and uses are summarized in the following table.

REQUIRED SMA SCENIC STANDARDS		
LANDSCAPE SETTING	LAND USE DESIGNATION	SCENIC STANDARD
Coniferous Woodland, Oak-Pine Woodland	Forest, Agriculture, Residential, Public Recreation	VISUALLY SUBORDINATE

Staff: The proposed development site is within the Coniferous Woodlands landscape setting and in a Public Recreation land use designation. Therefore the scenic standard for the project is Visually Subordinate.

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

Staff: The proposed project consists of habitat restoration and in-water work that includes in-stream riparian habitat and anchored woody debris structures. The development will consist of natural elements that will blend in with the existing natural elements. No painting or surfacing is required as part of the project.

Criterion met.

6.03 **(4) Proposed developments or land use shall be sited to achieve the applicable scenic standards. Development shall be designed to fit the natural topography and to take advantage of vegetation and land form 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.**

Staff: The project includes the removal of invasive vegetation and installation of natural vegetation used by wildlife for habitat purposes. Additionally, the woody debris structures that will be anchored into the stream beds are natural wood. The installed vegetation and woody debris structures are made of natural materials and will blend with the existing vegetation. The new development will be visually subordinate.

Criterion met.

6.04

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

(a) Decisions shall include written findings addressing the Primary factors influencing the degree of visibility, including but not limited to:

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

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

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

Staff: Conditions of approval are proportionate to the project and the need to ensure visual subordination as seen from Key Viewing Areas. Findings on the project are made throughout the staff report documenting how the criteria are satisfied.

Criterion met.

6.05

(6) 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.

Staff: The project consists of habitat improvements and stream improvements that incorporate new vegetation and woody debris structures as well as the removal of invasive vegetation. No buildings or similar man-made structures are proposed and the improved habitat areas are consistent with wildlife habitat and other values.

Criterion met.

- 6.06 **(7) Proposed developments shall not protrude above the line of a bluff, cliff, or skyline as seen from Key Viewing Areas.**

Staff: The proposed project does not include any buildings and is located near Interstate 84, so it will not protrude above any bluff, cliff or break the skyline.

Criterion met.

- 6.07 **(8) 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 compliance with this standard is not feasible considering the function of the structure.**

Staff: The proposed project is for in-stream work and the adjacent shore areas, well below the heights of the tree canopy.

Criterion met.

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

Staff: The proposed development does not require screening since the development is improving habitat and the stream channels of Wahkeena and Multnomah Creeks and does not include buildings.

Criteria met.

- 6.09 **(10) 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.**

Staff: No buildings are proposed. Large woody debris structures are included but are natural wood and natural in color.

Criterion met.

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

Staff: No buildings are proposed as part of the project. The project only includes vegetation installation and woody debris structures for habitat.

Criterion met.

- 6.11 **(12) 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.**

Staff: No lights are proposed as part of the project.

Criterion met.

- 6.12 **(13) Seasonal lighting displays shall be permitted on a temporary basis, not to exceed three months duration.**

Staff: No seasonal lighting is proposed but is not prohibited provided it complies with this standard.

Criterion met.

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

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

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

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

Staff: No buildings are proposed as part of the project. The applicant has proposed native plantings for vegetation (Exhibit A.10 and A.11).

Criteria met.

- 6.14 **MCC 38.7050 SMA CULTURAL RESOURCE REVIEW CRITERIA**

The cultural resource review criteria shall be deemed satisfied, except MCC 38.7050 (H), if the U.S. Forest Service or Planning Director does not require a cultural resource survey and no comment is received during the comment period provided in MCC 38.0530 (B).

Staff: The US Forest Service determined a Historic Survey is not required (confidential) and that a previous Cultural Resource Reconnaissance Survey has taken place. The US Forest Service has determined an archeological monitor must be present on site during earth disturbing activities to ensure that if cultural resources are discovered, they are properly handled. No substantial comment was received during the comment period regarding cultural or archeological resources.

The Cultural Resource Review Criteria are met.

- 6.15 **MCC 38.7075 SMA NATURAL RESOURCE REVIEW CRITERIA**

All new developments and land uses shall be evaluated using the following standards to ensure that natural resources are protected from adverse effects. Comments from state and federal agencies shall be carefully considered.

(A) All Water Resources shall, in part, be protected by establishing undisturbed buffer zones as specified in MCC 38.7075 (2)(a) and (2)(b). These buffer zones are measured horizontally from a wetland, stream, lake, or pond boundary as defined in MCC 38.7075 (2)(a) and (2)(b).

Staff: The entire project is located within the 200-foot buffer zone for wildlife and water resources.

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

Staff: The proposed project is located between the Columbia River Highway and Interstate-84 adjacent to Benson State Park in a buffer zone but includes a mitigation plan.

Criterion met.

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

- (a) A minimum 200 foot buffer on each wetland, pond, lake, and each bank of a perennial or fish bearing stream, some of which can be intermittent.**
- (b) (b) A 50-foot buffer zone along each bank of intermittent (including ephemeral), non-fish bearing streams.**
- (c) Maintenance, repair, reconstruction and realignment of roads and railroads within their rights-of-way shall be exempted from the wetlands and riparian guidelines upon demonstration of all of the following:**
 - 1. The wetland within the right-of-way is a drainage ditch not part of a larger wetland outside of the right-of-way.**
 - 2. The wetland is not critical habitat.**
 - 3. Proposed activities within the right-of-way would not adversely affect a wetland adjacent to the right-of-way.**

Staff: The proposed project is within the 200-foot buffer zone described in (a) above.

6.18

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

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

Staff: The entirety of the project is already located in the 200-foot buffer. An extension of the buffer is immaterial to the project.

Criterion met.

6.19.

(4) Buffer zones can be reconfigured if a project applicant demonstrates all of the following:

- (a) The integrity and function of the buffer zones is maintained.**
- (b) The total buffer area on the development proposal is not decreased.**
- (c) The width reduction shall not occur within another buffer.**
- (d) The buffer zone width is not reduced more than 50% at any particular location. Such features as intervening topography, vegetation, man-made features, natural plant or wildlife habitat boundaries, and flood plain characteristics could be considered.**

Staff: The entirety of the project is already located in the 200-foot buffer. A reconfiguration of the buffer is immaterial to the project.

Criterion met.

6.20

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

habitat that is vital to their long-term survival or water resource and its long term function.

Staff: The applicant is not requesting a reconfiguration of the buffer zone.

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

Staff: The applicant is not requesting a reconfiguration of the buffer zone.

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

Staff: A new use is not proposed, but the development will improve wildlife habitat and stream flow.

Criterion met.

- 6.23 **(C) The applicant shall be responsible for identifying all water resources and their appropriate buffers.**

Staff: The proposed project is within the ODOT right-of-way and involves creek improvements within the 200-foot buffer of Wahkeena and Multnomah Creeks. The water resources have been identified along with the appropriate buffers.

Criterion met.

- 6.24 **(D) Wetlands Boundaries shall be delineated using the following:**

- (1) The approximate location and extent of wetlands in the Scenic Area is shown on the National Wetlands Inventory (U. S. Department of the Interior 1987). In addition, the list of hydric soils and the soil survey maps shall be used as an indicator of wetlands.**
- (2) Some wetlands may not be shown on the wetlands inventory or soil survey maps. Wetlands that are discovered by the local planning staff during an inspection of a potential project site shall be delineated and protected.**
- (3) The project applicant shall be responsible for determining the exact location of a wetlands boundary. Wetlands boundaries shall be delineated using the procedures specified in the '1987 Corps of Engineers Wetland Delineation Manual (on-line Edition)'.**

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

Staff: Wetlands were identified and delineated pursuant to Federal and State Clean Water Act requirements and will not be adversely impacted by the enhancement project.

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

Staff: It has been determined the entire project area is within the 200-foot buffer zone.

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

Staff: With the entire project area within the buffer zone, there is no need to verify the boundary.

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

- (1) The proposed use must have no practicable alternative as determined by the practicable alternative test. Those portions of a proposed use that have a practicable alternative will not be located in wetlands, stream, pond, lake, and riparian areas and/or their buffer zone.**

Staff: With the project including wildlife habitat improvements in-stream, there is no practicable alternatives to developing where proposed.

Criterion met.

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

- (a) A documented public safety hazard exists or a restoration/enhancement project exists that would benefit the public and is corrected or achieved only by impacting the wetland in question.**

- (b) Impacts to the wetland must be the last possible documented alternative in fixing the public safety concern or completing the restoration/enhancement project.**

- (c) The proposed project minimizes the impacts to the wetland.**

Staff: The proposal does not include the draining or filling of any wetlands.

Criterion met.

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

Staff: With the work occurring in-stream to improve the habitat for fish species, there will be unavoidable temporary impacts to the aquatic and riparian areas resulting from the construction. However, as the entire project is a habitat restoration and creation project, there will be deliberate restoration with the installation of woody debris structures to offset any temporary impacts caused.

Criterion met.

- 6.30 **(H) Protection of sensitive wildlife/plant areas and sites shall begin when proposed new developments or uses are within 1000 feet of a sensitive wildlife/plant site and/or area. Sensitive Wildlife Areas are those areas depicted in the wildlife inventory and listed in Table 2 of the Management Plan titled "Types of Wildlife Areas and Sites Inventoried in the Columbia Gorge", including all Priority Habitats Table. Sensitive Plants are listed in Table 3 of the Management Plan, titled "Columbia Gorge and Vicinity Endemic Plant Species." The approximate locations of sensitive wildlife and/or plant areas and sites are shown in the wildlife and rare plant inventory.**

Staff: Sensitive wildlife habitat is within 1000-feet of the proposed project.

- 6.31 **(I) The local government 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 U.S. Forest Service and the appropriate state agencies (Oregon Department of Fish and Wildlife for wildlife issues and by the Oregon Natural Heritage Program for plant issues).**

Staff: Notification of the proposed project and its proximity to wildlife habitat has been sent to all appropriate agencies, including the Oregon Department of Fish and Wildlife and the US Forest Service.

Criterion met.

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

(1) Identify/verify the precise location of the wildlife and/or plant area or site.

(2) Determine if a field survey will be required.

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

Staff: Notification was provided to the required agencies listed above. No field surveys were required. The proposal will not compromise the integrity and function of, or result in adverse affects to the wildlife in the area as the project is to enhance wildlife. The project is entirely within the buffer zone so it does not need to be delineated or reconfigured or reduced.

Criteria met.

- 6.33 (K) The local government, in consultation with the State and federal wildlife biologists and/or botanists, shall use the following criteria in reviewing and evaluating the site plan to ensure that the proposed developments or uses do not compromise the integrity and function of or result in adverse affects to the wildlife or plant area or site:
- (1) Published guidelines regarding the protection and management of the affected wildlife/plant species. Examples include: the Oregon Department of Forestry has prepared technical papers that include management guidelines for osprey and great blue heron; the Washington Department of Wildlife has prepared similar guidelines for a variety of species, including the western pond turtle, the peregrine falcon, and the Larch Mountain salamander (Rodrick and Milner 1991).
 - (2) Physical characteristics of the subject parcel and vicinity, including topography and vegetation.
 - (3) Historic, current, and proposed uses in the vicinity of the sensitive wildlife/plant area or site.
 - (4) Existing condition of the wildlife/plant area or site and the surrounding habitat and the useful life of the area or site.
 - (5) In areas of winter range, habitat components, such as forage, and thermal cover, important to the viability of the wildlife must be maintained or, if impacts are to occur, enhancement must mitigate the impacts so as to maintain overall values and function of winter range.
 - (6) The site plan is consistent with the “Oregon Guidelines for Timing of In-Water Work to Protect Fish and Wildlife Resources” (Oregon Department of Fish and Wildlife 2000).
 - (7) The site plan activities coincide with periods when fish and wildlife are least sensitive to disturbance. These would include, among others, nesting and brooding periods (from nest building to fledgling of young) and those periods specified.
 - (8) The site plan illustrates that new developments and uses, including bridges, culverts, and utility corridors, shall not interfere with fish and wildlife passage.
 - (9) Maintain, protect, and enhance the integrity and function of Priority Habitats (such as old growth forests, talus slopes, and oak woodlands) as listed in the Priority Habitats Table. This includes maintaining structural, species, and age diversity, maintaining connectivity within and between plant communities, and ensuring that cumulative impacts are considered in documenting integrity and function.

Staff: State and Federal officials received information on the proposed project, had an opportunity to review the project and potential impacts and did not require any additional requirements above and beyond what the applicant has proposed. As such, staff finds that the project will not adversely impact the integrity and function of, or result in adverse affects to the wildlife in the Columbia River.

Criterion met.

- 6.34 **(L) The wildlife/plant protection process may terminate if the local government, in consultation with the U.S. Forest Service and state wildlife agency or Heritage program, determines (1) the sensitive wildlife area or site is not active, or (2) the proposed use is not within the buffer zones and would not compromise the integrity of the wildlife/plant area or site, and (3) the proposed use is within the buffer and could be easily moved out of the buffer by simply modifying the project proposal (site plan modifications). If the project applicant accepts these recommendations, the local government shall incorporate them into its development review order and the wildlife/plant protection process may conclude.**

Staff: Work within the buffers is unavoidable as the project includes in-water habitat restoration and creation. . The US Forest Service, Oregon Department of Fish and Wildlife, and State Historic Preservation Order have reviewed the proposal and have not required any additional work other than what the applicant has proposed.

Criteria met.

- 6.35 **(M) If the above measures fail to eliminate the adverse affects, the proposed project shall be prohibited, unless the project applicant can meet the Practicable Alternative Test and prepare a mitigation plan to offset the adverse effects by deliberate restoration and enhancement.**

Staff: Staff finds there will be no adverse affects resulting from the proposed project.

Criterion met.

- 6.36 **(N) The local government shall submit a copy of all field surveys (if completed) and mitigation plans to the U.S. Forest Service and appropriate state agencies. The local government shall include all comments in the record of application and address any written comments submitted by the state and federal wildlife agency/heritage programs in its development review order. Based on the comments from the state and federal wildlife agency/heritage program, the local government shall make a final decision on whether the proposed use would be consistent with the wildlife/plant policies and guidelines. If the final decision contradicts the comments submitted by the state and federal wildlife agency/heritage program, the local government shall justify how it reached an opposing conclusion.**

Staff: All comments were received by reviewing agencies have been incorporated into the land use decision. The proposal is consistent with the wildlife policies and guidelines of the NSA Management Plan.

Criterion met.

- 6.37 **(O) The local government shall require the project applicant to revise the mitigation plan as necessary to ensure that the proposed use would not adversely affect a sensitive wildlife/plant area or site.**

Staff: The proposed project will not adversely affect sensitive wildlife as proposed.

Criterion met.

- 6.38 **(P) Soil productivity shall be protected using the following guidelines:**

- (1) A description or illustration showing the mitigation measures to control soil erosion and stream sedimentation.**
- (2) New developments and land uses shall control all soil movement within the area shown on the site plan.**
- (3) The soil area disturbed by new development or land uses, except for new cultivation, shall not exceed 15 percent of the project area.**
- (4) Within 1 year of project completion, 80 percent of the project area with surface disturbance shall be established with effective native ground cover species or other soil-stabilizing methods to prevent soil erosion until the area has 80 percent vegetative cover.**

Staff: The project consists of habitat creation and restoration and does not utilize moving large amounts of soil. Rather, the project will install woody debris structures, clean out stream channels, and remove invasive vegetation.

Criterion met.

- 6.39 **(Q) 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:**

- (1) The basic purpose of the use cannot be reasonably accomplished using one or more other sites in the vicinity that would avoid or result in less adverse effects on wetlands, ponds, lakes, riparian areas, wildlife or plant areas and/or sites.**
- (2) The basic purpose of the use cannot be reasonably accomplished by reducing its proposed size, scope, configuration, or density, or by changing the design of the use in a way that would avoid or result in less adverse effects on wetlands, ponds, lakes, riparian areas, wildlife or plant areas and/or sites..**
- (3) Reasonable attempts were made to re-move 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.

Staff: No alternative site is available for the proposed in-stream habitat and riparian enhancement.

Criteria met.

6.40 (R) The Mitigation Plan shall be prepared when:

- (1) The proposed development or use is within a buffer zone (wetland, pond, lakes, riparian areas, wildlife or plant areas and/or sites).**
- (2) There is no practicable alternative as determined by MCC 38.7075 (Q).**

Staff: The project will take place within a buffer zone so a mitigation plan is required. The mitigation plan is included in the Technical Report prepared by the Lower Columbia River Estuary Partnership, US Forest Service and Henderson Land Services (Exhibit A.9). A quick summary of the different parts of the plan is found in Table 17 on Page 63 of the report.

Criterion met.

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

Staff: The mitigation has been prepared in tandem by the Lower Columbia River Estuary Partnership, US Forest Service and Henderson Land Services. The Lower Columbia Estuary Partnership is the lead on the project.

Criterion met.

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

Staff: The applicant has taken appropriate measures to ensure the integrity of the wildlife habitat areas nearby is enhanced and maintained.

Criterion met.

6.43 (U) The applicant shall submit the mitigation plan to the local government. The local government shall submit a copy of the mitigation plan to the U.S. Forest

Service, and appropriate state agencies. If the final decision contradicts the comments submitted by the state and federal wildlife agency/heritage program, the local government shall justify how it reached an opposing conclusion.

Staff: A mitigation plan has been submitted by the application and reviewed by the appropriate agencies.

Criterion met.

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

Staff: The agencies and company involved in the mitigation plan have the appropriate expertise to construct an adequate and functioning mitigation plan.

Criterion met.

- 6.45 **(W) Mitigation plans shall include maps, photographs, and text. The text shall:**

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

critically examine all proposals to ensure that they are indeed last resort options.

Staff: The mitigation plan within the technical report included the required elements listed above and demonstrated compliance with the approval criteria.

Criteria met.

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

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

Staff: The project is not anticipated to take more than 3-years. A Condition of Approval will require a final monitoring report to satisfy these standards.

Criteria met with Conditions of Approval.

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

- (1) Restoration and enhancement efforts shall be completed no later than one year after the sensitive resource or buffer zone has been altered or destroyed, or as soon thereafter as is practicable.**
- (2) All natural vegetation within the buffer zone shall be retained to the greatest extent practicable. Appropriate protection and maintenance techniques shall be applied, such as fencing, conservation buffers, livestock management, and noxious weed control. Within five years, at least 75 percent of the replacement vegetation must survive. All plantings must be with native plant species that replicate the original vegetation community.**
- (3) Habitat that will be affected by either temporary or permanent uses shall be rehabilitated to a natural condition. Habitat shall be replicated in composition, structure, and function, including tree, shrub and herbaceous species, snags, pool-riffle ratios, sub-strata, and structures, such as large woody debris and boulders.**

- (4) If this standard is not feasible or practical because of technical constraints, a sensitive resource of equal or greater benefit may be substituted, provided that no net loss of sensitive resource functions occurs and provided the County, in consultation with the appropriate State and Federal agency, determine that such substitution is justified.**
- (5) Sensitive plants that will be destroyed shall be transplanted or replaced, to the maximum extent practicable. Replacement is used here to mean the establishment of a particular plant species in areas of suitable habitat not affected by new uses. Replacement may be accomplished by seeds, cuttings, or other appropriate methods. Replacement shall occur as close to the original plant site as practicable. The project applicant shall ensure that at least 75 percent of the replacement plants survive 3 years after the date they are planted**
- (6) Nonstructural controls and natural processes shall be used to the greatest extent practicable.**
- (a) Bridges, roads, pipeline and utility corridors, and other water crossings shall be minimized and should serve multiple purposes and properties.**
 - (b) Stream channels shall not be placed in culverts unless absolutely necessary for property access. Bridges are preferred for water crossings to reduce disruption to hydrologic and biologic functions. Culverts shall only be permitted if there are no practicable alternatives as determined by MCC .38.7075 (Q).**
 - (c) Fish passage shall be protected from obstruction.**
 - (d) Restoration of fish passage should occur wherever possible.**
 - (e) Show location and nature of temporary and permanent control measures that shall be applied to minimize erosion and sedimentation when riparian areas are disturbed, including slope netting, berms and ditches, tree protection, sediment barriers, infiltration systems, and culverts.**
 - (f) Groundwater and surface water quality will not be degraded by the proposed use. Natural hydrologic conditions shall be maintained, restored, or enhanced in such a manner that replicates natural conditions, including current patterns (circulation, velocity, volume, and normal water fluctuation), natural stream channel and shoreline dimensions and materials, including slope, depth, width, length, cross-sectional profile, and gradient.**

- (g) Those portions of a proposed use that are not water-dependent or that have a practicable alternative will be located outside of stream, pond, and lake buffer zones.
- (h) Streambank and shoreline stability shall be maintained or restored with natural revegetation.
- (i) The size of restored, enhanced, and replacement (creation) wetlands shall equal or exceed the following ratios. The first number specifies the required acreage of replacement wetlands, and the second number specifies the acreage of wetlands altered or destroyed.

Restoration: 2: 1

Creation: 3: 1

Enhancement: 4: 1

- (7) Wetland creation mitigation shall be deemed complete when the wetland is self-functioning for 5 consecutive years. Self-functioning is defined by the expected function of the wetland as written in the mitigation plan. The monitoring report shall be submitted to the local government to ensure compliance. The U.S. Forest Service, in consultation with appropriate state agencies, shall extend technical assistance to the local government to help evaluate such reports and any subsequent activities associated with compliance.
- (8) Wetland restoration/enhancement can be mitigated successfully by donating appropriate funds to a non-profit wetland conservancy or land trust with explicit instructions that those funds are to be used specifically to purchase protection easements or fee title protection of appropriate wetlands acreage in or adjacent to the Columbia River Gorge meeting the ratios given above in MCC 38.7075 (Z) (6) (i). These transactions shall be explained in detail in the Mitigation Plan and shall be fully monitored and documented in the monitoring report.

Staff: If the mitigation plan proposed in the Technical Report (Exhibit A.9) is followed, there should be no net loss of water quality, natural drainage, fish/wildlife/plant habitat, or water resources as a result of the project. A condition of approval has been adopted that requires adhering to the recommendations of the mitigation plan.

Criteria met with Condition of Approval.

6.48 MCC 38.7085 SMA RECREATION RESOURCE REVIEW CRITERIA

Staff: The project is proposed for land in the Special Management Area and determined to be Recreation Class IV, so the following standards are applicable.

- 6.49 (A) The following shall apply to all new developments and land uses:

(1) New developments and land uses shall be natural resource-based and not displace existing recreational use.

Staff: The proposed development is for stream and wildlife enhancement by installing large woody debris structures, cleaning out culverts, and improving Multnomah and Wahkeena creeks. No recreational uses will be displaced.

Criterion met.

6.50 **(2) Protect recreation resources 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 such as site accessibility and the adverse effects on the Historic Columbia River Highway shall be required.**

Staff: The proposed development does not include any buildings or residential use. It consists of habitat and riparian restoration and improving the stream channels.

Criterion met.

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

Staff: No new pedestrian or equestrian trails are proposed.

Criterion met.

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

Staff: The entire project qualifies as a mitigation measure since it will improve stream flow, create and enhance wildlife habitat and improve riparian areas.

Criterion met.

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

Staff: No new recreational facilities are proposed. The project will enhance the existing resources on site.

Criterion met.

- 6.54 **(6) New development and reconstruction of scenic routes (see Part III, Chapter 1 of the Management Plan) shall include provisions for bicycle lanes.**
- Staff:** The project does not include new buildings or development/reconstruction of scenic routes.
- Criterion met.*
- 6.55 **(7) The Planning Director may grant a variance of up to 10 percent to the standards of Recreation Intensity Class 4 for parking and campground units upon demonstration that:**
- Staff:** A variance was not requested.
- Criterion met.*
- 6.56 **(8) New interpretive or education programs and/or facilities shall follow recommendations of the Interpretive Strategy for the Columbia River Gorge National Scenic Area.**
- Staff:** The project does not include interpretive or education programs/facilities as part of the proposal.
- Criterion met.*
- 6.57 **(9) Proposals to change the Recreation Intensity Class of an area to a different class shall require a Plan Amendment pursuant to MCC 38.0100.**
- Staff:** The application does not include a request to change the Recreation Intensity Class.
- Criterion met.*
- 6.58 **(10) A demonstration that the proposed project or use will not generate traffic, either by type or volume, which would adversely affect the Historic Columbia River Highway, shall be required prior to approval.**
- Staff:** The project is for enhancement of the stream channels, wildlife habitat and riparian areas. No new buildings or uses are proposed as part of the project. Therefore, traffic will not be generated as a result of the proposal.
- Criterion met.*
- 6.59 **(B) SMA Recreation Intensity Class Standards. The recreation intensity classes are designed to protect recreation resources by limiting land development and land uses.**
- Staff:** The property is within the Recreation Intensity Class IV designation.
- 6.60 **(4) Intensity Class 4**

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

(a) Permitted uses are those in which people can participate in activities to realize experiences such as socialization, cultural and natural history appreciation, and physical activity.

(b) The maximum design capacity shall not exceed 1000 people at one time on the site. The maximum design capacity for parking areas shall be 200 vehicles. The GMA vehicle capacity level of 250 vehicles shall be allowed if enhancement or mitigation measures of scenic, cultural, or natural resources are approved for at least 20 percent of the site.

(c) Accommodation of facilities for mass transportation (bus parking, etc.) shall be required for all new (Recreation Intensity Class 4) day-use recreation sites, except for sites predominantly devoted to boat races.

(d) All uses permitted in Classes 1, 2, and 3 are permitted in Class 4.

Staff: The proposed project is to enhance the natural characteristics of the site by improving the flow of Multnomah and Wahkeena creeks, installing large woody debris objects to improve wildlife habitat and improving the riparian areas within the project area. No new recreation facilities, buildings, or uses are proposed.

Criterion met.

7.00 Conclusion

Based on the findings and other information provided above, the applicant has carried the burden necessary for the National Scenic Area Site Review to improve the channels of Multnomah and Wahkeena creeks, install large woody debris structures to enhance wildlife habitat and improvement of the riparian areas within the project area. This approval is subject to the conditions of approval established in this report.

8.00 Exhibits

‘A’ Applicant’s Exhibits

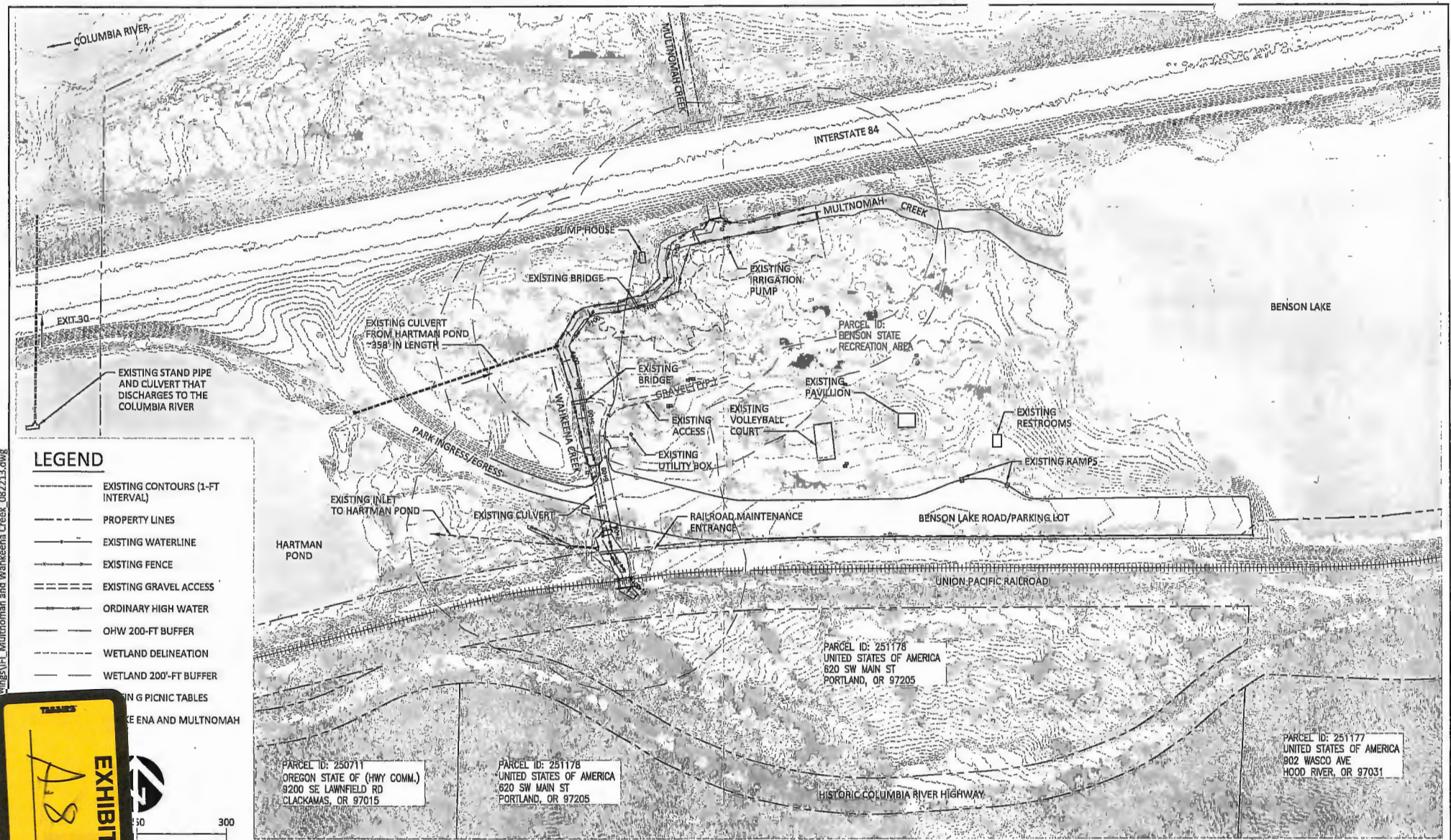
‘B’ Staff Exhibits

Exhibits with a “*” after the exhibit # have been included as part of the mailed decision. All other exhibits are available for review in Case File T2-2014-3299 at the Land Use Planning office.

Exhibit #	# of Pages	Applicant Exhibits
A.1	1	National Scenic Area Application Form
A.2	5	Applicant’s Copy of Pre Filing Notes PF 2014-3255

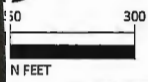
A.3	1	February 6, 2014 Figure of Project Area
A.4	39	Applicant's February 6, 2014 Narrative
A.5	7	Deeds For Subject Property, Recorded December 21, 1939
A.6	3	Deed Passing Property from ODOT to Oregon Parks and Rec
A.7	9	Figures and Air Photos of Properties
A.8	14	Site Plans, Grading and Erosion Control Plans, Erosion Control Measures
A.9	64	Technical Report for Multnomah & Wahkeena Creek Restoration Project, Feasibility and Alternatives Analysis.
A.10	1	Technical Report Benefits, Goals, Objectives and Costs Worksheet
A.11	8	Aquatic Habitat and Water Quality Enhancement Project Site Plans and Design Plans
A.12	7	Photos of the Site
A.13	20	Benson State Recreation Area Cultural Survey (Confidential Under Federal Law)
A.14	4	Applicant's Submitted Letters of Support From Stakeholders
A.15	24	Oregon Division of State Lands Letter of Concurrence and Wetland Delineation Report
A.16	14	Wetland Delineation Data Sheets
A.17	3	Photos of Creeks
A.18	2	Literature Citations
'B'	#	Staff Exhibits
B.1	1	April 22, 2014 Complete Letter
B.2	7	Opportunity to Comment Mailed May 23, 2014 and Associated Mailing List
B.3	1	Comment Letter From Oregon Parks and Recreation Department, State Historic Preservation Office
B.4	100+	NSA Agency Review Mailed April 22, 2014
B.5	2	Affidavit for Excavation Work in the Special Management Area of the National Scenic Area

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- LEGEND**
- EXISTING CONTOURS (1-FT INTERVAL)
 - PROPERTY LINES
 - EXISTING WATERLINE
 - EXISTING FENCE
 - EXISTING GRAVEL ACCESS
 - ORDINARY HIGH WATER
 - OHW 200-FT BUFFER
 - WETLAND DELINEATION
 - WETLAND 200'-FT BUFFER
 - EXISTING GRASSY PICNIC TABLES
 - EXISTING FENCE AND MULTNOMAH

EXHIBIT
A-8



PARCEL ID: 250711
OREGON STATE OF (HWY COMM.)
9200 SE LAWFIELD RD
CLACKAMAS, OR 97015

PARCEL ID: 251178
UNITED STATES OF AMERICA
620 SW MAIN ST
PORTLAND, OR 97205

PARCEL ID: 251178
UNITED STATES OF AMERICA
620 SW MAIN ST
PORTLAND, OR 97205

PARCEL ID: 251177
UNITED STATES OF AMERICA
902 WASCO AVE
HOOD RIVER, OR 97031

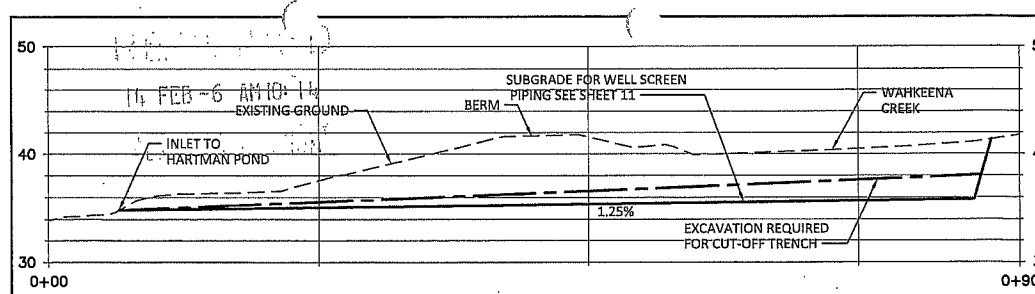
MWJ	BN_DS	BN_DS
DRAWN	DESIGNED	CHECKED
BN_DS	09/27/13	13-02-32
APPROVED	DATE	PROJECT

LOWER COLUMBIA ESTUARY PARTNERSHIP
MULTNOMAH AND WAHKEENA CREEKS
RESTORATION PROJECT

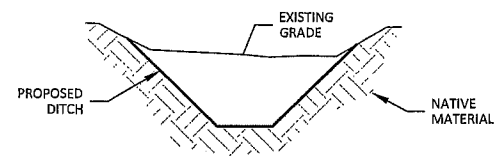
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EXISTING CONDITIONS AND
PROPERTY OWNERSHIP

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1 DIVERSION DITCH PROFILE
3 NOT TO SCALE

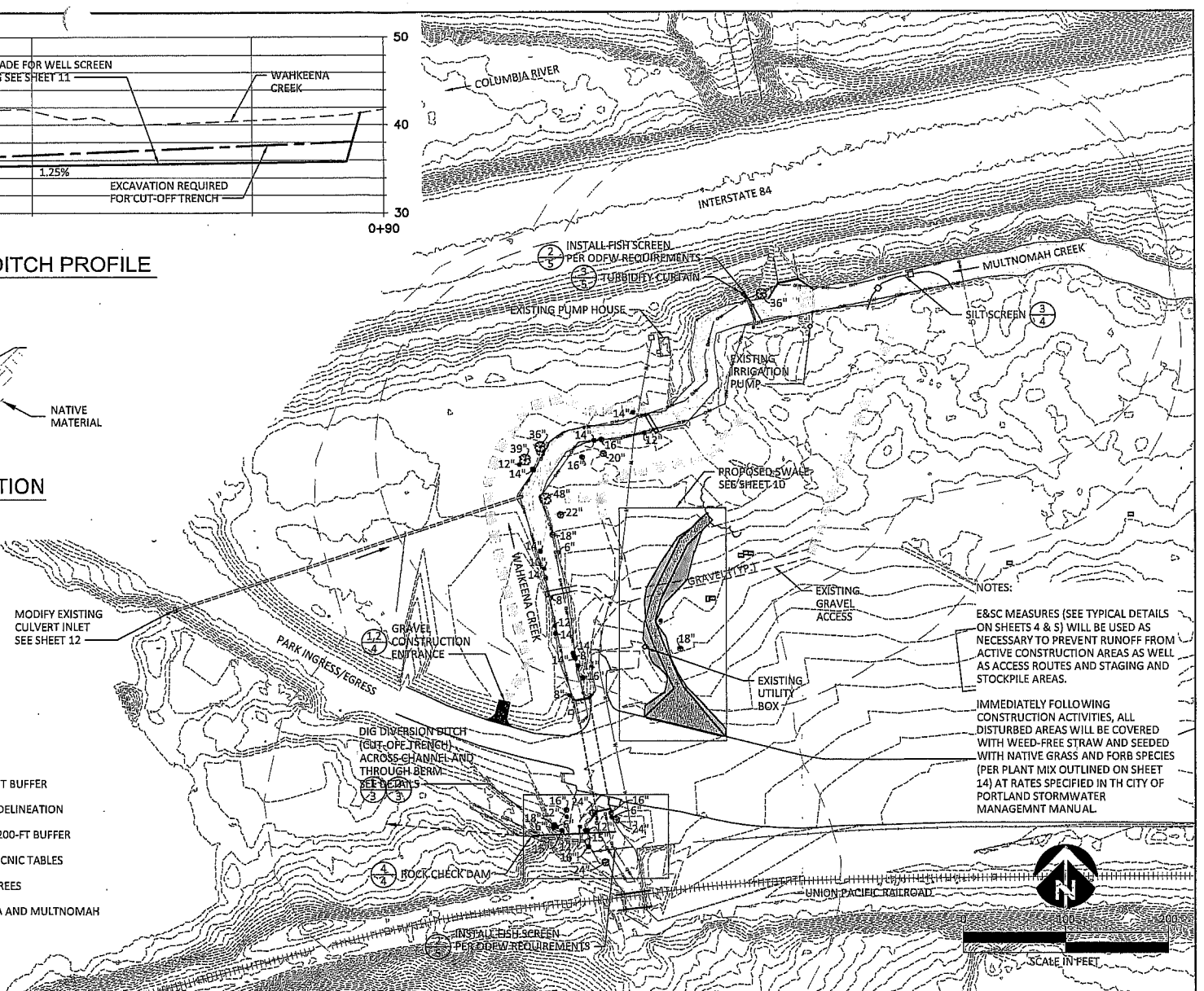


2 DIVERSION DITCH SECTION
3 NOT TO SCALE

FULLY OPEN VALVE AT CULVERT INLET TO DIVERT WAHKEENA CREEK FLOWS TO COLUMBIA RIVER

LEGEND

- EXISTING CONTOURS (1-FT INTERVAL)
- PROPERTY LINES
- EXISTING WATERLINE
- EXISTING FENCE
- 10' WIDE TEMPORARY CONSTRUCTION ACCESS
- EXISTING GRAVEL ACCESS
- ORDINARY HIGH WATER
- OHW 200-FT BUFFER
- WETLAND DELINEATION
- WETLAND 200-FT BUFFER
- EXISTING PICNIC TABLES
- EXISTING TREES
- WAHKEENA AND MULTNOMAH CREEK



NOTES:

EB&SC MEASURES (SEE TYPICAL DETAILS ON SHEETS 4 & 5) WILL BE USED AS NECESSARY TO PREVENT RUNOFF FROM ACTIVE CONSTRUCTION AREAS AS WELL AS ACCESS ROUTES AND STAGING AND STOCKPILE AREAS.

IMMEDIATELY FOLLOWING CONSTRUCTION ACTIVITIES, ALL DISTURBED AREAS WILL BE COVERED WITH WEED-FREE STRAW AND SEEDED WITH NATIVE GRASS AND FORB SPECIES (PER PLANT MIX OUTLINED ON SHEET 14) AT RATES SPECIFIED IN THE CITY OF PORTLAND STORMWATER MANAGEMENT MANUAL.



SCALE IN FEET

NO.	BY	DATE	REVISION DESCRIPTION

MWJ	BN_DS	BN_DS
DRAWN	DESIGNED	CHECKED
BN_DS	09/27/13	13-02-32
APPROVED	DATE	PROJECT

LOWER COLUMBIA ESTUARY PARTNERSHIP
MULTNOMAH AND WAHKEENA CREEKS
RESTORATION PROJECT



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Hood River, OR 97031
541.386.9003
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FLOW DIVERSION AND
EROSION CONTROL

NOTES:

E&SC MEASURES (SEE TYPICAL DETAILS ON SHEETS 4 & 5) WILL BE USED AS NECESSARY TO PREVENT RUNOFF FROM ACTIVE CONSTRUCTION AREAS AS WELL AS ACCESS ROUTES AND STAGING AND STOCKPILE AREAS.

IMMEDIATELY FOLLOWING CONSTRUCTION ACTIVITIES, ALL DISTURBED AREAS WILL BE COVERED WITH WEED-FREE STRAW AND SEEDED WITH NATIVE GRASS AND FORB SPECIES (PER PLANT MIX OUTLINED ON SHEET 14) AT RATES SPECIFIED IN THE CITY OF PORTLAND STORMWATER MANAGEMENT MANUAL.

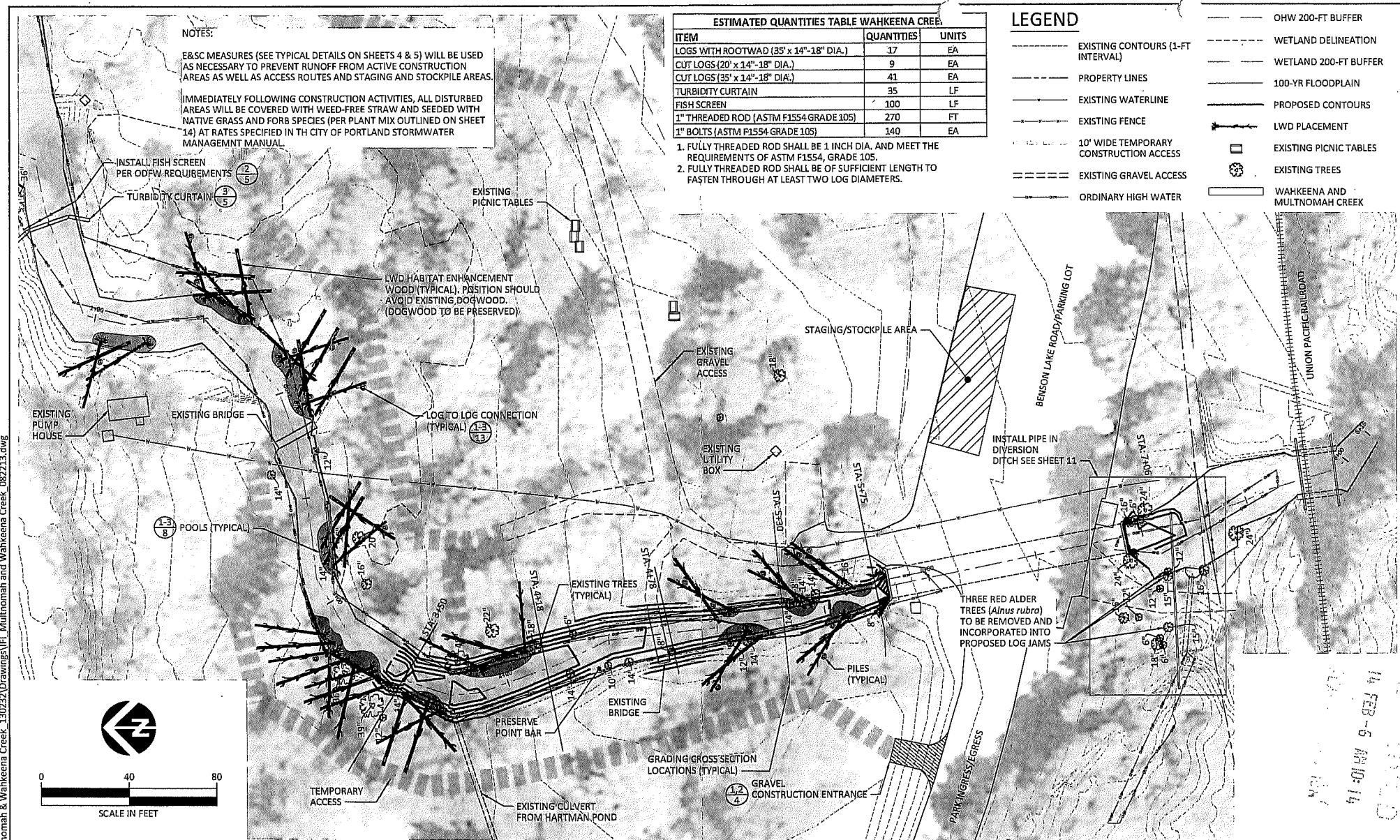
ESTIMATED QUANTITIES TABLE WAHKEENA CREEK

ITEM	QUANTITIES	UNITS
LOGS WITH ROOTWAD (35' x 14"-18" DIA.)	17	EA
CUT LOGS (20' x 14"-18" DIA.)	9	EA
CUT LOGS (35' x 14"-18" DIA.)	41	EA
TURBIDITY CURTAIN	35	LF
FISH SCREEN	100	LF
1" THREADED ROD (ASTM F1554 GRADE 105)	270	FT
1" BOLTS (ASTM F1554 GRADE 105)	140	EA

- FULLY THREADED ROD SHALL BE 1 INCH DIA. AND MEET THE REQUIREMENTS OF ASTM F1554, GRADE 105.
- FULLY THREADED ROD SHALL BE OF SUFFICIENT LENGTH TO FASTEN THROUGH AT LEAST TWO LOG DIAMETERS.

LEGEND

---	EXISTING CONTOURS (1-FT INTERVAL)	---	OHW 200-FT BUFFER
---	PROPERTY LINES	---	WETLAND DELINEATION
---	EXISTING WATERLINE	---	WETLAND 200-FT BUFFER
---	EXISTING FENCE	---	100-YR FLOODPLAIN
---	10' WIDE TEMPORARY CONSTRUCTION ACCESS	---	PROPOSED CONTOURS
---	EXISTING GRAVEL ACCESS	---	LWD PLACEMENT
---	ORDINARY HIGH WATER	---	EXISTING PICNIC TABLES
		---	EXISTING TREES
		---	WAHKEENA AND MULTNOMAH CREEK



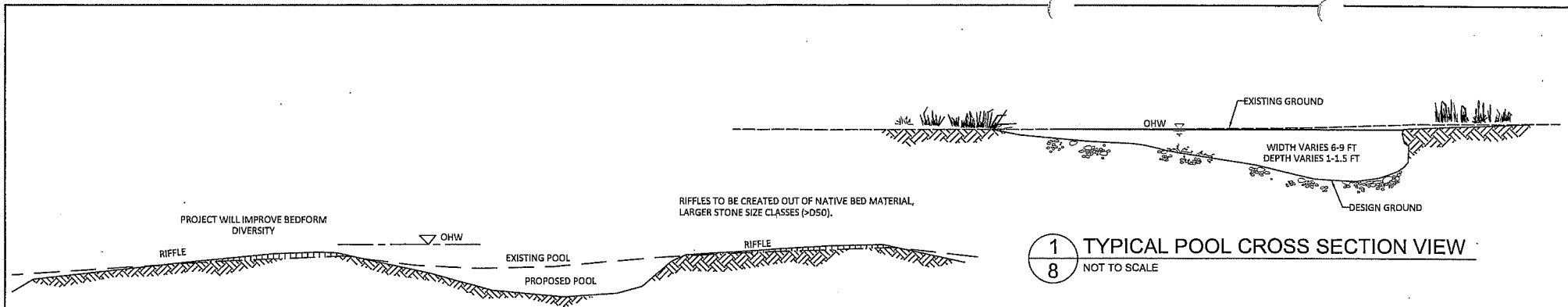
NO.	BY	DATE	REVISION DESCRIPTION
1	MWJ	09/27/13	DESIGNED
2	BN_DS	13-02-32	CHECKED
3	BN_DS		APPROVED

LOWER COLUMBIA ESTUARY PARTNERSHIP MULTNOMAH AND WAHKEENA CREEKS RESTORATION PROJECT



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PROPOSED CONDITIONS WAHKEENA CREEK



1
8

TYPICAL POOL CROSS SECTION VIEW

NOT TO SCALE

2
8

TYPICAL POOL PROFILE VIEW

NOT TO SCALE

TOTAL ESTIMATED QUANTITIES TABLE		
ITEM	QUANTITIES	UNITS
CHANNEL EXCAVATION	307	CY
LOG JAM EXCAVATION	540	CY
POOL EXCAVATION	286	CY
SWALE EXCAVATION	170	CY
EXCESS FILL	748	CY
LOGS WITH ROOTWAD (35' x 14"-18" DIA.)	20	EA
CUT LOGS (20' x 14"-18" DIA.)	12	EA
CUT LOGS (35' x 14"-18" DIA.)	48	EA
TURBIDITY CURTAIN	35	LF
SILT SCREEN	108	LF
FISH SCREEN	90	LF
8" DIA. SCHEDULE 40 PVC PIPE	40	LF
8" DIA SCHEDULE 40 PVC WELL SCREEN WITH 0.05-INCH SLOT WIDTH	40	LF
8" GATE VALVE	1	EA
1" THTREADED ROD (ASTM F1554 GRADE 105)	300	FT
1" BOLTS (ASTM F1554 GRADE 105)	200	EA
2x8 (6' FIR)	2	EA
SEED AND MULCH	4	AC

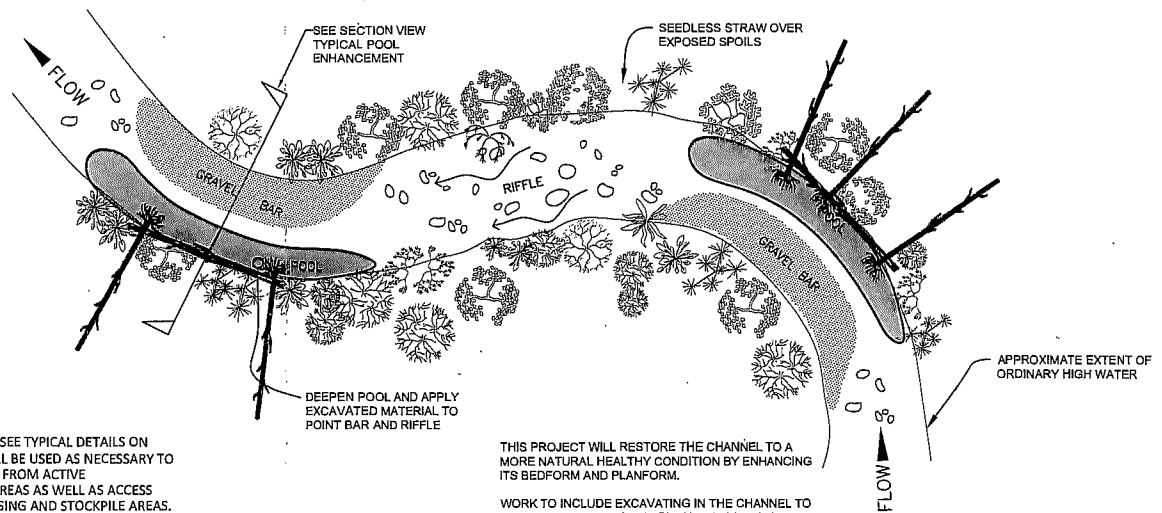
ESTIMATED QUANTITIES BELOW OHW		
ITEM	QUANTITIES	UNITS
CHANNEL EXCAVATION	307	CY
LOG JAM EXCAVATION	135	CY
POOL EXCAVATION	286	CY
8" WELL SCREEN	27	LF
TURBIDITY CURTAIN	22	LF
SILT SCREEN	97	LF
FISH SCREEN	90	LF

1. ALL MATERIALS QUANTITIES ARE BASED ON IN-PLACE CONDITIONS DETERMINED BY A PRE-PROJECT CONDITION SURVEY (PROVIDED BY HENDERSON).
2. SEED AND MULCH ALL DISTURBED AREAS.

NOTES:

E&SC MEASURES (SEE TYPICAL DETAILS ON SHEETS 4 & 5) WILL BE USED AS NECESSARY TO PREVENT RUNOFF FROM ACTIVE CONSTRUCTION AREAS AS WELL AS ACCESS ROUTES AND STAGING AND STOCKPILE AREAS.

IMMEDIATELY FOLLOWING CONSTRUCTION ACTIVITIES, ALL DISTURBED AREAS WILL BE COVERED WITH WEED-FREE STRAW AND SEEDED WITH NATIVE GRASS AND FORB SPECIES (PER PLANT MIX OUTLINED ON SHEET 14) AT RATES SPECIFIED IN THE CITY OF PORTLAND STORMWATER MANAGEMENT MANUAL.



THIS PROJECT WILL RESTORE THE CHANNEL TO A MORE NATURAL HEALTHY CONDITION BY ENHANCING ITS BEDFORM AND PLANFORM.

WORK TO INCLUDE EXCAVATING IN THE CHANNEL TO CREATE DEEP POOLS AND PLACING THE EXCAVATED GRAVEL TO FORM ADJACENT POINT BARS.

3
8

TYPICAL POOL PLAN VIEW

NOT TO SCALE

LOWER COLUMBIA ESTUARY PARTNERSHIP
MULTNOMAH AND WAHKEENA CREEKS
RESTORATION PROJECT



501 Portway Avenue, Suite 101
Hood River, OR 97031
541.386.9003
www.interfluv.com

TYPICAL DETAILS AND
QUANTITIES

NO.	BY	DATE	REVISION DESCRIPTION

MWJ	BN_DS	BN_DS
DRAWN	DESIGNED	CHECKED
BN_DS	09/27/13	13-02-32
APPROVED	DATE	PROJECT



MULTNOMAH COUNTY

LAND USE & TRANSPORTATION PROGRAM
1600 SE 190th AVENUE
PORTLAND, OREGON 97233
503-988-3043 Fax: 503-988-3389
<http://www.multco.us/landuse>

Affidavit

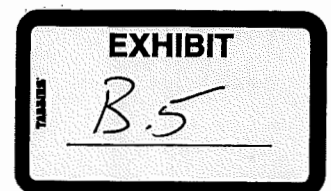
Case #T2-2014-3299

I, _____, the general contractor responsible for the excavation work relating to the habitat and riparian improvement and restoration approved through Multnomah County Land Use Planning Case No. T2-2014-3299 have read and understand the conditions of approval imposed on that project and understand that those conditions of approval govern the manner in which excavation work and other work shall be performed for this project and I agree to perform excavation work and other work in accordance with the conditions of approval and to fully inform my employees and/or subcontractors of these conditions. While I understand that implementation of the project must comply with each condition of approval, I reaffirm in particular that I have read and understand and agree to perform in accordance with the restrictions on excavation work and other work imposed by the following Condition of Approval #1, which requires:

If any Cultural Resources, archaeological resources or human remains are located or discovered during this project, including finding any evidence of historic campsites, old burial grounds, implements, or artifacts, the applicant/contractor/equipment operators shall immediately stop work, and implement the following procedures: [MCC 38.7050 (H)]

In the event of the inadvertent discovery of cultural resources during construction or development, the applicant and/or contractor shall notify the Multnomah County Planning Director and implement the following procedures:

- (1) In the event of the discovery of cultural resources, work in the immediate area of discovery shall be suspended until a cultural resource professional can evaluate the potential significance of the discovery pursuant to MCC 38.7050 (G) (3).



- (2) If the discovered material is suspected to be human bone or a burial, the following procedure shall be used:
- (a) Stop all work in the vicinity of the discovery.
 - (b) The applicant shall immediately notify the U.S. Forest Service, the applicant's cultural resource professional, the State Medical Examiner, and appropriate law enforcement agencies.
 - (c) The U.S. Forest Service shall notify the tribal governments if the discovery is determined to be an Indian burial or a cultural resource.
 - (d) A cultural resource professional shall evaluate the potential significance of the discovery pursuant to MCC 38.7050 (G) (3) and report the results to the U.S. Forest Service which shall have 30 days to comment on the report.
- (3) If the U.S. Forest Service determines that the cultural resource is not significant or does not respond within the 30 day response period, the cultural resource review process shall be complete and work may continue.
- (4) If the U.S. Forest Service determines that the cultural resource is significant, the cultural resource professional shall recommend measures to protect and/or recover the resource pursuant to MCC 38.7050 (G) (4) and (5).

Dated this ____ day of _____, _____

Signature _____

State of Oregon
County of Multnomah

Subscribed and sworn to before me on

this ____ day of _____, _____

Notary Public for the State of Oregon

My Commission expires: _____