

FINAL
AMERICANS WITH DISABILITIES ACT SITE EVALUATION
LEWIS RIVER RECREATION SITES



July 2007

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1.0 Introduction

This Americans with Disabilities Act (ADA) Assessment report of the Lewis River Hydroelectric Project Recreation Facilities is provided to the Lewis River Recreation Advisory Committee (LRC) to fulfill the requirements of specific articles of the Lewis River Settlement Agreement (SA).

Pertinent SA articles include:

11.2.1.4 Swift ADA Accessibility Improvements. Upon Issuance of the New License for the Swift No. 1 Project, PacifiCorp shall conduct an evaluation of Americans with Disabilities Act (“ADA”) accessibility needs at Swift Reservoir using the Americans with Disabilities Act Accessibility Guidelines, as amended (“ADAAG”). PacifiCorp shall renovate existing facilities not otherwise planned for renovation at Swift Reservoir, between the first and seventh anniversaries of the Issuance of the New License for the Swift No. 1 Project, to comply with the ADA and ADAAG.

11.2.2.6 Yale ADA Accessibility Improvements. Upon Issuance of the New License for the Yale Project, PacifiCorp shall conduct an evaluation of ADA accessibility needs using the ADAAG. PacifiCorp shall renovate existing facilities not otherwise planned for renovation at Yale Lake, between the first and seventh anniversaries of Issuance of the New License for the Yale Project, to comply with the ADA and ADAAG.

11.2.3.5 Merwin ADA Accessibility Improvements. Upon Issuance of the New License for the Merwin Project, PacifiCorp shall conduct an evaluation of ADA accessibility needs using the ADAAG. PacifiCorp shall renovate existing facilities not otherwise planned for renovation at Lake Merwin, between the first and seventh anniversaries of Issuance of the New License for the Merwin Project to comply with the ADA and ADAAG.

In efforts to be timely with the research and preparation of this assessment, PacifiCorp initiated fieldwork in late 2005. Since that time researchers have consulted with outside resources, Mr. Brian Flake – Challenged Participant and Ms. Barbara Fowler – Handicap Advocate, to review results and prepare assessment. To complete the site evaluations, researchers relied heavily on the document entitled “*Americans with Disabilities Act (ADA) – Accessibility Guidelines for Buildings and Facilities.*” (U.S. Architectural and Transportation Barriers Compliance Board (Access Board), Washington, D.C.). <http://www.access-board.gov/adaag/ADAAG.pdf>

The following report has been prepared in a manner that focuses attention on individual Lewis River recreation sites that are owned and operated by PacifiCorp. Following a short background, this report is divided into sections by formal recreation areas. Within each

recreation area section, researchers assessed current condition of the various components of the site, then provided specific recommendations. In each case the standard compliance used is identified. Maps of each area are provided where available. To complete the intent of this assessment, the Conclusion section identifies the actions and corresponding schedules to comply with ADA and ADAAG as stipulated in the Settlement Agreement.

2.0 Background

On July 26, 1990, President Bush signed into law the world's first comprehensive civil rights law for persons with disabilities, the Americans with Disabilities Act (ADA). This event represented a historical benchmark and a milestone in America's commitment to full and equal opportunity for all of its citizens. The ADA provides protection to individuals with disabilities in the areas of employment, State and local government services, public accommodations, and telecommunications. The goal of the ADA is to afford every individual the opportunity to benefit from this country's businesses, goods and services, recreation and hobbies and to afford the businesses, goods and services the opportunity to benefit from the patronage of all persons.

Removing barriers to realize an accessible environment can often be achieved by making simple changes to the physical surroundings, such as rearranging furniture to create wide aisles for passage, or making an adjustment to the automatic door closer setting. Accessible architecture acknowledges that physical abilities change over a person's life time, and that the experience of functional limitations is not exceptional, but universal. In an accessible environment, the inevitable changes in people's bodies does not limit their ability to reside in their own homes, to work, shop, travel and participate fully in community life.

Architectural and communication barriers must be removed in public areas of existing facilities by January 26, 1992, when their removal is readily achievable and/or does not create undue hardship. Because the ADA regulations do not define exactly what constitutes an undue hardship for an existing facility, the determination of effort and expense toward full compliance must be made on a case-by-case basis. In so doing, consideration is given to factors such as the facility's type, size, and overall financial resources, as well as the nature and cost of the essential access.

Determining what changes are readily achievable should be an on going process in which the facility's accessibility is re-evaluated annually. The assessment promotes further disability awareness in the work place and community. Necessary changes which may be difficult to complete at this time may be more achievable in following years.

2.1 ADA SITE EVALUATION ORGANIZATION

The Americans with Disabilities Act (ADA) Site Evaluation provides the following information as required under Sections 11.2.1.4, 11.2.2.6 and 11.2.3.5 of the SA:

Section 3.0 Technical Requirements

Section 4.0 Priorities

Section 5.0 Lake Merwin Recreation Facilities

- Section 5.1 Merwin Park
- Section 5.2 Speelyai Bay Park
- Section 5.3 Cresap Bay Campground

Section 6.0 Yale Lake Recreation Facilities

- Section 6.1 Saddle Dam Park
- Section 6.2 Yale Park
- Section 6.3 Cougar Park
- Section 6.4 Cougar Camp
- Section 6.5 Beaver Bay

Section 7.0 Swift Reservoir Recreation Facilities

- Section 7.1 Swift Camp
- Section 7.2 Eagle Cliff

Section 8.0 Implementation

Section 9.0 List of Figures and Tables

3.0 Technical Requirements

In preparing this assessment, researchers used the requirements found in the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG). Full compliance is only required for new construction and alterations. The ADAAG sets guidelines for accessibility to places of public accommodation and commercial facilities by individuals with disabilities.

Regarding law requirements, business operators also need to be aware of the requirements that may exist under the laws of the state in which they operate, relative to the rights of employees or customers with disabilities and the requirement for physical access to business facilities. Many states have issued laws or regulations in these areas and the ADA specifically provides that where state law is stricter, that is, where it affords more rights to persons with disabilities, it will be applied over the federal law. It is the owner/operator's responsibility to coordinate the access regulations with other codes such as those for public health, safety and accessibility. Thus it is necessary to undertake an analysis of state civil rights and access laws in comparison to the provision of the ADA to ensure that the more stringent of both standards is met where appropriate. These local requirements have been researched and used in the scope of this evaluation.

4.0 Priorities

The observations and suggestions listed in this report are based on four priorities recommended by title III of ADA (Public Accommodations) regulations for planning readily achievable barrier removal:

Priority 1: Accessible entrance into the facility

Priority 2: Access to goods and services

Priority 3: Access to rest rooms

Priority 4: Any other measures necessary

5.0 Lake Merwin Recreation Facilities

Lake Merwin is 12 miles long and covers 4,404 surface acres at a full pool elevation. The reservoir provides approximately 32 miles of shoreline. Recreation development on the reservoir is limited because of the steep topography. PacifiCorp operates Merwin Park, Speelyai Park, and Cresap Bay Campground on Lake Merwin (Figure 1).

5.1 Merwin Park

Built in 1934, Merwin Park is the oldest developed recreation site in PacifiCorp's Lewis River system, and is situated on the northern shore directly adjacent to Merwin dam. The park covers 16 acres and has over 900 feet of shoreline (Figure 2). This site offers a large, grassy parking area that can accommodate approximately 250 vehicles, a paved parking area with 20 spaces, and a separate area containing 8 accessible parking spaces. Other features located at this site include a large, shaded picnic area with 135 tables and an outdoor kitchen building with stoves, a lawn area for visitor games and activities, a sandy swimming beach with a floating boom, a floating dock, and a playground. A large, modern, universally-accessible restroom facility was recently constructed by PacifiCorp and contains two outdoor showers. Marble Creek Trail is also accessed via Merwin Park.

Per the Lewis River Settlement Agreement, the park will be improved by the 4th anniversary of the Federal Energy Regulatory Commission (FERC) license to include picnic shelters, portable picnic tables, volleyball courts, horseshoe pits, children's play structure, and barrier-free access to the Marble Creek Trail. All proposed park improvements will meet ADA standards.

5.1.1 Current Conditions

The entire facility was evaluated for barrier free accessibility. Three areas of concern were identified: parking area, day use area, and restrooms. The parking area includes six handicap designations but none are suitable for disabled van-accessible parking. The day use existing pathways are primarily asphalt and level with suitable widths, but do not meet ADAAG developed access route standards. Area also lacks access routes to swim area and picnic areas/shelters that are not adequate for handicap use. Restroom on the hillside is inaccessible. The main restroom signage does not meet American National Standards Institute (ANSI) standard and showers pose barriers.

5.1.2 Recommendations

The following table lists amenities, applicable ADAAG Standard, access issues to be addressed, resolution action items, and schedule for modifications to be completed.

Amenity	ADAAG Standard	Access Issues	Action Items	Target Completion Date (year)
Parking area	4.6	No disabled van-accessible parking	Designate van parking and access isle	2009
Day use area	4.3 & 4.15	Inaccessible route to day use amenities and swim area , no areas/shelters suitable for handicap use	Provide access route swim area, handicap picnic areas and shelters	2010
Restroom	4.3, 4.17, 4.18, 4.19, 4.22, 4.24, 4.26, 4.30 & 4.35	Inaccessible (on hillside) and does not meet standards. Main restroom signage and showers do not meet standards	Close hillside restroom. At main restroom, replace signage and modify showers.	2009

5.2 Speelyai Bay Park

The Speelyai Bay day-use park contains a public boat launch, and is located on the north shore of the reservoir 10 miles east of Merwin dam (Figure 3). Built in 1958, the park is four acres in size and has over 1,000 feet of shoreline. The primary facility at this site is the boat launch, which has two ramp lanes. Other facilities at the site include a large, paved parking area (56 boat trailer spaces, 30 single vehicle spaces, and four accessible-designated spaces), a picnic area with 25 tables (one covered), a sandy swimming beach with a floating boom, and a restroom facility.

As part of the Lewis River Settlement, the boat ramp was extended in 2004 and meets ADA standards. Additionally, the restroom will be upgraded by the 6th anniversary and improved parking will be provided by the 12th of the license. All proposed park improvements will meet applicable ADA standards.

5.2.1 Current Conditions

The entire facility was evaluated for barrier free accessibility. Five areas of concern were identified: parking area, boat ramp, day use area, and restroom. The parking area has adequate Handicap designations but none are suitable for disabled van-accessible or boat trailer parking. The boat ramp lacks adequate, safe access from the parking area to boarding floats, transition plates are minimal and slippery, and there is no railing provided on the floats for transition from wheelchair to boat. Day use area lacks accessible route and barriers are present at amenities. Path to restroom exceeds grade and cross slope. Restroom building does not meet standards.

5.2.2 Recommendations

Amenity	ADAAG Standards	Access Issues	Action Items	Targeted Completion Date (year)
Parking area	4.6	No disabled van-accessible or boat trailer parking	Designate van parking with access isle and boat trailer nearest boat ramp	2009
Boat Ramp	4.15	Limited, safe access to boarding docks, transition plates not are adequate, and no railing for transition to boat	Designate access from parking area to boarding docks, install handrails at transition plates and from wheelchair to boat	2009
Day use area	4.15	No areas/shelters feasible for handicap use	Resolve issues to meet standards	2008
Restroom	4.3, 4.8, 4.17, 4.18, 4.19, 4.22, 4.24, 4.26, 4.30 & 4.35	Access exceeds grade and building does not meet standards	Upgrade/replace existing ramp and restroom building to meet standards	2012

5.3 Cresap Bay Campground

This site is the only developed campground on Lake Merwin open to the general public. This 120-acre park on the east end of Lake Merwin (Figure 4) consists of four distinct areas: the main campground, a group camping facility, a day use area, and a boat launch facility. The main campground consists of 58 sites with two accessible restroom/shower facilities. The group camping facility is somewhat removed from these three areas and consists of 15 sites surrounding a large grassy area with a pavilion that has four tables and an indoor fire pit with chimney.

There are also boat slips at the north end of the camping area in a cove for those visitors arriving by boat, or who desire to keep their boat in the water during their visit.

The day use area is adjacent to the campground and offers a large grassy area with 20 picnic tables, a sandy swimming beach with floating boom, a pay phone, and a restroom building. There are 28 parking spaces and four accessible spaces at the day-use area. A grass overflow parking area is adjacent to this paved parking area.

Adjoining the day use area is the boat launch facility. It consists of one launch ramp with two lanes, floating docks, and a shared parking area with the day use area that has 22 boat trailer parking spaces (in addition to the 28 single-vehicle spaces mentioned above).

A series of trails connect this area with the day use and boat launch facilities. In addition to these is a 1.5 mile trail that heads east then north before circling back to the day use area. This trail is not ADA accessible.

5.3.1 Current Conditions

The entire facility was evaluated for barrier free accessibility. Six areas of concern were identified: parking area, accessible route, boat ramp, restroom, campground, and group camp. The parking area has three designated handicap spaces but lacks a disabled boat trailer space and a van accessible space. Established access route meets standards but should be extended to boarding floats. Transition float width on boarding float needs widening. Upgrade restroom signage to ANSI standard. Campground lacks barrier free campsites and a clearly designated accessible route to sites is needed. Add push type trash cans and add lift assistance to water faucets. A clear space needs to be delineated in front of telephone to avoid cars from impeding access. Group camp contains inadequate access, signage, and amenities.

5.3.2 Recommendations

Amenity	ADAAG Standards	Access Issues	Action Items	Targeted Completion Date (year)
Parking area	4.6	No disabled van-accessible or boat trailer parking	Designate van parking with access isle and boat trailer near boat ramp	2008
Accessible route	4.3	Access route does not continue to boarding floats	Extend access route to boarding floats	2009
Boat ramp	4.15	Transition float widths are not suitable	Widen transition floats	2009
Restroom	4.3, 4.17, 4.18, 4.19, 4.22, 4.24, 4.26, 4.30 & 4.35	Signage does not meet standard	Upgrade signage to ANSI standard	2008
Campground	4.15	Contains barrier free campsites, accessible route, trash receptacles, water faucets, and impedance at telephone	Designate adequate barrier free campsites with suitable amenities and designate clear area at telephone	2008
Group camp	4.15	Inadequate access route, access signage, and amenities	Designate access route with signage, and modify amenities	2009

6.0 Yale Lake Recreation Facilities

Yale Lake offers a variety of water and land-based recreation opportunities for both day use and overnight visitors. Ten miles long, the lake covers 3,800 surface acres and has 27 miles of shoreline at a full pool elevation of 490 feet msl. PacifiCorp owns and operates five developed recreation facilities on Yale Lake. Saddle Dam Park, Yale Park, and Cougar Park are day use facilities while Cougar Camp and Beaver Bay are campgrounds (Figure 5).

6.1 Saddle Dam Park

Saddle Dam Park is located immediately southwest of Saddle dam, and is surrounded by a day-use parking facility and picnic/swimming area, Saddle Dam farm (part of the Lewis Wildlife Habitat Management Area), and a forested area (Figure 6). The site was recently converted in 2001 from a campground/day use site to strictly day use operations. Amenities include a gravel parking lot that accommodates approximately 200 vehicles, a boat launch with two lanes, a designated swimming area with floating boom, 10 picnic tables and nine barbecues (BBQs), drinking water, and a modern restroom facility. The site is open to the public between Memorial Day and Labor Day weekends. Access across the dam itself is restricted.

Improvements to the site were made in 1995 and included a new accessible restroom facility with modernized flush toilets, showers, and potable water. Originally built in 1960, re-construction of the new boat launch occurred in 2001, enabling launching at water levels 8 feet lower (478 ft msl) than previously possible at this site.

6.1.1 Current Conditions

The entire facility was evaluated for barrier free accessibility. Four areas of concern were identified: parking area, access route, restroom, and day use area. The parking area needs a disabled boat trailer space and a van accessible space. There is no access route throughout the park. Upgrade restroom signage to ANSI standard. Day use area needs a designated access route to picnic sites with adequate barrier tables provided.

6.1.2 Recommendations

Amenity	ADAAG Standards	Access Issues	Action Items	Targeted Completion Date (year)
Parking area	4.6	No disabled van-accessible or boat trailer parking	Designate van parking with access isle and boat trailer near boat ramp	2008
Accessible route	4.3	No access route throughout park	Establish access route	2009
Restroom	4.3, 4.17, 4.18, 4.19, 4.22, 4.24, 4.26, 4.30 & 4.35	Signage does not meet standard	Upgrade signage to ANSI standard	2009
Day use area	4.15		Designate adequate access route to picnic sites with barrier free tables	2008

6.2 Yale Park

Yale Park is a year-round day use facility located approximately mid-way up the reservoir along the north shore (Figure 7). The park covers 10 acres and was originally built in 1958. The heavily used site offers a large (4.5-acre) grass and gravel parking area (for approximately 280 cars and trailers), two lawn areas for picnicking and volleyball, swimming area with beach and floating boom, 1,500 feet of shoreline offering relatively private areas for relaxing, one boat launch with four lanes, and a modern restroom facility that was built in 1994.

As part of the Lewis River Settlement, one boat ramp lane will be extended between 1.5 to 3 feet by the fourth anniversary of the FERC license. By the seventh anniversary, the parking lot will be defined and expanded. Also, a new picnic shelter will be incorporated at one of the recreation sites on Yale Lake. All proposed park improvements will meet ADA standards.

6.2.1 Current Conditions

The entire facility was evaluated for barrier free accessibility. Five areas of concern were identified: parking area, access route, boat ramp, restroom, and day use area. The parking area needs one additional designated car space, a designated boat trailer space, and a van accessible space. There is no option of access route connecting recreation amenities throughout the park. Boat ramp and boarding floats do not meet standards. Picnic/swimming area needs access route established throughout with adequate number of barrier free picnic tables, maneuverability, and associated amenities designed to ADDAG standards. Upgrade restroom signage to ANSI standard. Day use area needs a designated access route to picnic sites with adequate barrier tables provided.

6.2.2 Recommendations

Amenity	ADAAG Standards	Access Issues	Action Items	Targeted Completion Date (year)
Parking area	4.6	Lacks adequate designated spaces, disabled van-accessible, or designated boat trailer parking	Designate additional accessible spaces, van parking with access isle, and boat trailer near boat ramp	2008
Accessible route	4.3	No access route throughout park	Develop access route throughout park that provides barrier free access to the restroom, swim area, and park amenities	2009
Restroom	4.3, 4.17, 4.18, 4.19, 4.22, 4.24,	Signage does not meet standard	Upgrade signage to ANSI standard	2008

	4.26, 4.30 & 4.35			
Day use area	4.15	Lacks designated access route, barrier free amenities	Designate adequate access route to picnic sites with barrier free amenities	2009
Boat Ramp	4.15	Does not meet standard	Rebuild ramp and replace boarding floats	2010

6.3 Cougar Park

Built in 1958 and renovated 1994, the Cougar Park is located just east of the town of Cougar along SR 503 (Figure 8). It is open to the public between Memorial Day and Labor Day weekends. The 40-acre park offers a gravel parking lot that can accommodate approximately 80 vehicles, modern restroom with showers, two lane boat launch with parking for approximately 100 vehicles, swimming area with floating boom, picnic area with six tables, and a nature trail., Cougar Park was last renovated in 1994, including the restroom facility. New signs were installed in 1997 which help visitors identify the location that they desire.

As part of the Lewis River Settlement, the Cougar Park restroom will either be replaced or renovated by the sixth anniversary of the FERC license. By the seventh anniversary, a new picnic shelter will be incorporated at one of the recreation sites on Yale Lake. All proposed park improvements will meet ADA standards.

6.3.1 Current Conditions

The entire facility was evaluated for barrier free accessibility. Three areas of concern were identified: parking area, access route, and day use area. The parking area needs a disabled van accessible space with access aisle in front of the restroom. There is no access route connecting park amenities. Day use area needs access route established throughout with adequate number of barrier free picnic tables, maneuverability, and associated amenities designed to ADDAG standards. Upgrade restroom signage to ANSI standard. Picnic area needs a designated access route to picnic sites with adequate barrier tables provided. Playground equipment needs to be replaced or retrofitted. Swimming area does not have barrier free access route.

6.3.2 Recommendations

Amenity	ADAAG Standards	Access Issues	Action Items	Targeted Completion Date (year)
Parking area	4.6	Lacks disabled van-accessible parking	Designate van parking with access isle	2008
Accessible route	4.3	No access route throughout park	Establish access route	2009
Day use area	4.15	Lacks designated access route and play equipment does not meet standards	Designate adequate access route to swim area, picnic sites with barrier free tables, and replace or retrofit play equipment	2009

6.4 Cougar Campground

Cougar Camp is located adjacent to Cougar Park and open to the public between Memorial Day and Labor Day weekends (Figure 9). Originally constructed in 1958, improvements were made in 1994 that included the installation of a modern accessible restroom facility. It offers 45 tent-only campsites with no hookups. Some individual campsites include private beaches along the reservoir. Direct access to the reservoir is also provided by the adjacent Cougar Camp Boat Launch. The 15-space Cougar Camp Group Campsite is located approximately 0.25 mile from the main campground next to Cougar Park and is accessed by the main loop roadway linking Cougar Park and Cougar Camp.

As part of the Lewis River Settlement, by the 14th anniversary of the license, the tent camping area will be renovated. Also, an additional group camp area and RV campsites will be developed when established capacity trigger thresholds are exceeded. All proposed park improvements will meet ADA standards.

6.4.1 Current Conditions

The entire facility was evaluated for barrier free accessibility. Four areas of concern were identified: boat ramp area, campground, restroom, and, and group camp. The boat ramp lacks disabled boat trailer and van accessible spaces. The boat launch does not have a designated access route and the boarding floats are not to ADAAG standard. Campground does not include barrier free camp sites with clearly mark access to restrooms. Restroom shower shelves are not adequate and door pressure needs adjustment. Group camp area needs designated access route and barrier free amenities.

6.4.2 Recommendations

Amenity	ADAAG Standards	Access Issues	Action Items	Targeted Completion Date (year)
Boat ramp area	4.6 & 4.15	Lacks boat trailer or disabled van-accessible spaces, designated access route to boarding floats, and adequate transition plates	Designate boat trailer space, van parking with access isle, access route to boarding floats, and provide transition plates	2008
Campground	4.15	No barrier free campsites	Designate 4 barrier free sites with clear access to restrooms	2009
Restroom	4.3, 4.17, 4.18, 4.19, 4.22, 4.24, 4.26, 4.30 & 4.35	Shower shelves and door pressure not adequate	Retrofit shelves and adjust door pressure	2008
Group camp area	4.15	No designated access route or barrier free amenities	Designate adequate access route and retrofit amenities to be barrier free	2009

6.5 Beaver Bay

Beaver Bay is located approximately two miles east of the town of Cougar and is open to the public from late April through September (Figure 10). Built in 1959, the 40-acre campground includes 63 individual campsites (no hookups), single lane boat launch, day use area with parking for approximately 40 vehicles, designated swimming with floating boom, and picnic area with 6 tables. The campground includes a separate 15-space group campsite along its northern edge, adjacent to the wetland complex. In 1995 a modern restroom facility (flush toilets, showers, and potable water) and an RV dump-station were added.

As part of the Lewis River Settlement, boat launch boarding floats were replaced in 2004 and barrier free playground equipment was placed in the picnic/swimming area. An accessible viewing platform was installed adjacent to the wetland. By the 13th anniversary of the FERC license, the campground and group camp will be redesigned and the two older restrooms replaced. All completed and proposed park improvements will meet ADA standards.

6.5.1 Current Conditions

The entire facility was evaluated for barrier free accessibility. Six areas of concern were identified: message center, campground, group camp, restroom, boat ramp, day use area, and parking area. The message board is inaccessible. Campground needs barrier free campsites. Group camp lacks designated access route to shelter and barrier free amenities. Boarding float needs bull rail along perimeter and transfer bar for loading from wheelchair. Parking area is without disabled boat trailer and van accessible spaces. Access to the day use area would benefit from a designated access route extending to the swimming area and the addition of adequate barrier free amenities.

6.5.2 Recommendations

Amenity	ADAAG Standards	Access Issues	Action Items	Targeted Completion Date (year)
Message center	4.30	Inaccessible	Modify to standard	2009
Campground	4.15	No barrier free campsites	Designate 4 barrier free sites	2009
Group camp	4.15	No designated access route or barrier free amenities	Designate adequate access route and retrofit amenities to be barrier free	2009
Boat ramp area	4.15	Boarding floats need bull rails and transfer bar	Install bull rails and transfer bar	2008
Parking area	4.6	No boat trailer or disabled van-accessible spaces	Designate boat trailer space and van parking with access isle	2008
Day use area	4.15	No designated access route or barrier free amenities	Designate adequate access route and add barrier free amenities	2009

7.0 Swift Reservoir Recreation Sites

Swift Reservoir is 12 miles long with a water surface area of 4,620 acres at full pool elevation. Swift Camp and Eagle Cliff Park are developed recreation sites at the east end of Swift Reservoir (Figure 11).

7.1 Swift Camp

This 40-acre campground, built in 1959, is located at the eastern end of Swift Reservoir (Figure 12). The site contains campground, day use area, and boat launch facilities. There are 93 camp sites and three modern restroom buildings within the campground. The day use area is located on a small inlet in the reservoir, separated from the boat launch area. It consists of six picnic tables, a small playground, and a sandy swimming beach with a floating boom. The boat launch facility consists of a single boat launch with two lanes. A large gravel and grassy area located between the day use area and the boat launch serves as an undefined parking area for these two sites.

As part of the Lewis River Settlement, Swift Camp will be expanded when established capacity trigger thresholds have been exceeded. Expansion will include additional campsites and a group camp area. All proposed park improvements will meet ADA standards.

7.1.1 Current Conditions

The entire facility was evaluated for barrier free accessibility. Four areas of concern were identified: restrooms, campground, boat ramp, and day use area. Barriers are present at the restroom, access routes and signage does not meet standard, and sink depth is not adequate. Campground needs barrier free campsites. Playground equipment is not barrier free. Boat ramp area is without disabled boat trailer and van accessible spaces, boarding floats need bull rail along perimeter and transfer bar for loading from wheelchair.

7.1.2 Recommendations

Amenity	ADAAG Standards	Access Issues	Action Items	Targeted Completion Date (year)
Restroom	4.3, 4.26, 4.17, 4.18, 4.24, 4.26 & 4.30	Barriers in access routes, signage does not meet standards, sink depths are not adequate	Designate access routes, upgrade signage to ANSI standard, and modify sinks	2009
Campground	4.15	No barrier free campsites	Designate 4 handicap accessible campsites with barrier free amenities	2009

Day use area	4.15	Play structure is not accessible	Replace or retrofit playground equipment	2009
Boat ramp	4.15	No boat trailer or van accessible spaces, boarding floats need bull rails and transfer bar	Designated boat trailer and van accessible spaces with aisle, install bull rails and transfer bar	2009

7.2 Eagle Cliff

Built in 1959, this one acre park is located on the Lewis River upstream of Swift Reservoir (Figure 13). This site was partially destroyed during the 1996 flood event, and is still awaiting redesign and renovation. Currently site consists of two separate areas on each side of USFS Road 90. The eastern portion consists of a gravel parking area with 40 spaces and access to the Lewis River. The western section contains nine picnic tables, 12 fire rings, and a vault toilet.

As part of the Lewis River Settlement, a double vault toilet will be installed and a picnic area developed adjacent to the parking area by the 11th anniversary of the FERC license. Existing facilities in original day use area will be removed. All proposed park improvements will meet ADA standards.

7.2.1 Current Conditions

The entire facility was evaluated for barrier free accessibility. Three areas of concern were identified: parking area, access route, and picnic area. Parking area needs one van accessible and one single car handicap space. There is no defined access route throughout park. Barriers are present at day use area.

7.2.2 Recommendations

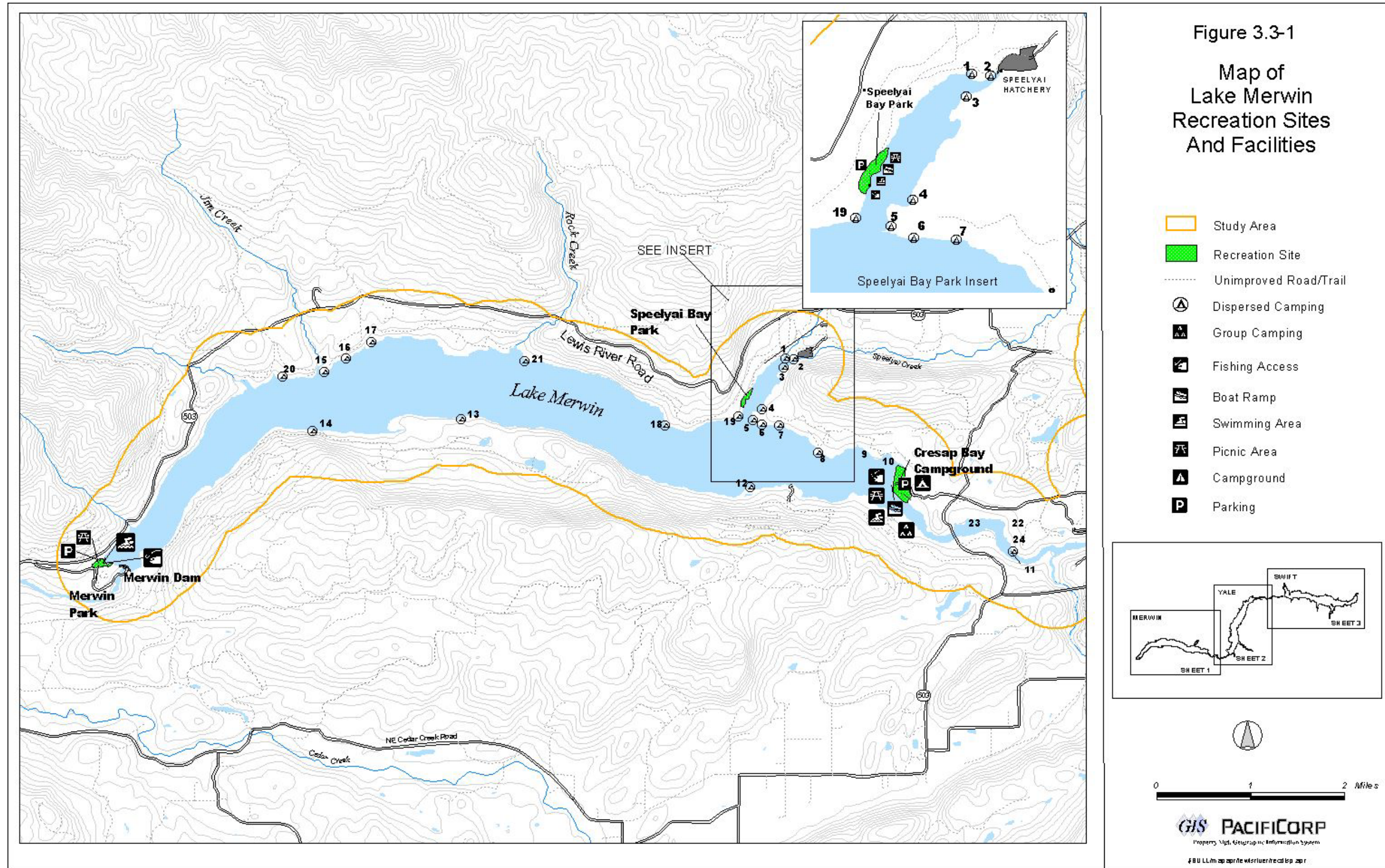
Amenity	ADAAG Standards	Access Issues	Action Items	Target Completion Date (year)
Parking area	4.3, 4.26, 4.17, 4.18, 4.24, 4.26 & 4.30	No handicap spaces for car or van	Designate handicap spaces for single car and van with aisles	2010
Access route	4.15	No designated access route	Designate barrier free access route	2010
Day use area	4.15	Barriers present	Develop barrier free picnic area	2010

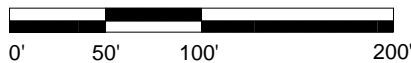
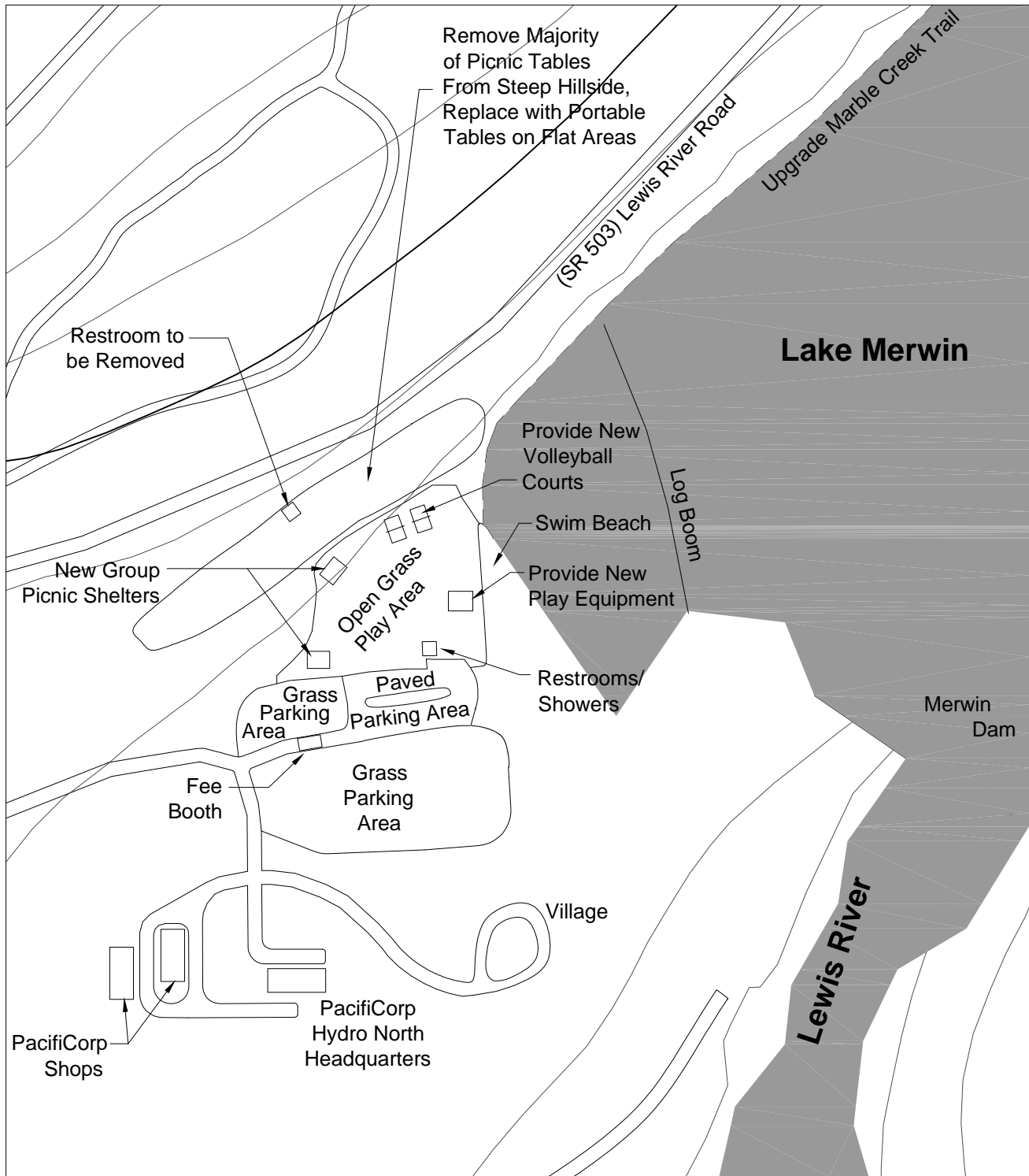
8.0 Implementation

Recommendations generated from this report will be addressed by the fourth anniversary of the new license; with the majority of issues resolved during 2008 (see Table 1). Planning for these activities will occur during 2007. Project updates will be presented at Lewis River Recreation Coordination Committee (LRC) meetings.

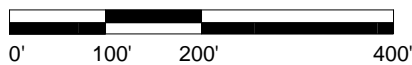
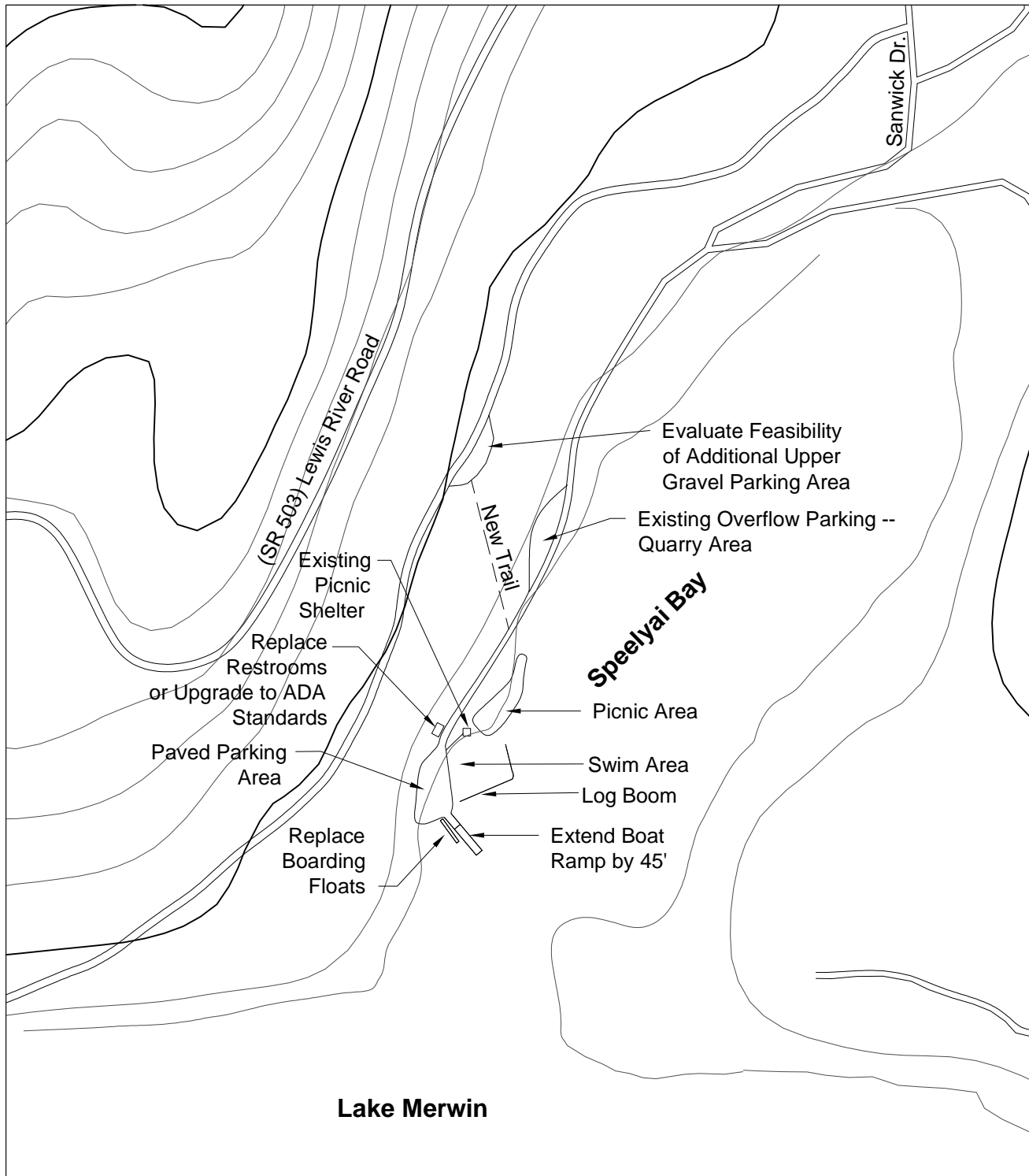
9.0 List of Figures and Table

- Figure 1: Lake Merwin – Recreation Study Area
- Figure 2: Merwin Park
- Figure 3: Speelyai Bay Park
- Figure 4: Cresap Bay Camp
- Figure 5: Yale Lake – Recreation Study Area
- Figure 6: Saddle Dam Park
- Figure 7: Yale Park
- Figure 8: Cougar Park
- Figure 9: Cougar Campground
- Figure 10: Beaver Bay Campground & Day Use Area
- Figure 11: Swift Camp – Recreation Study Area
- Figure 12: Swift Forest Camp & Day Use Area
- Figure 13: Eagle Cliff Park
-
- Table 1: Lewis River ADA Assessment - Recommendations and Proposed Schedule
-
- Appendix A: WDFW Comment Letter and PacifiCorp Response Letter

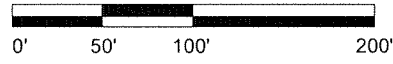
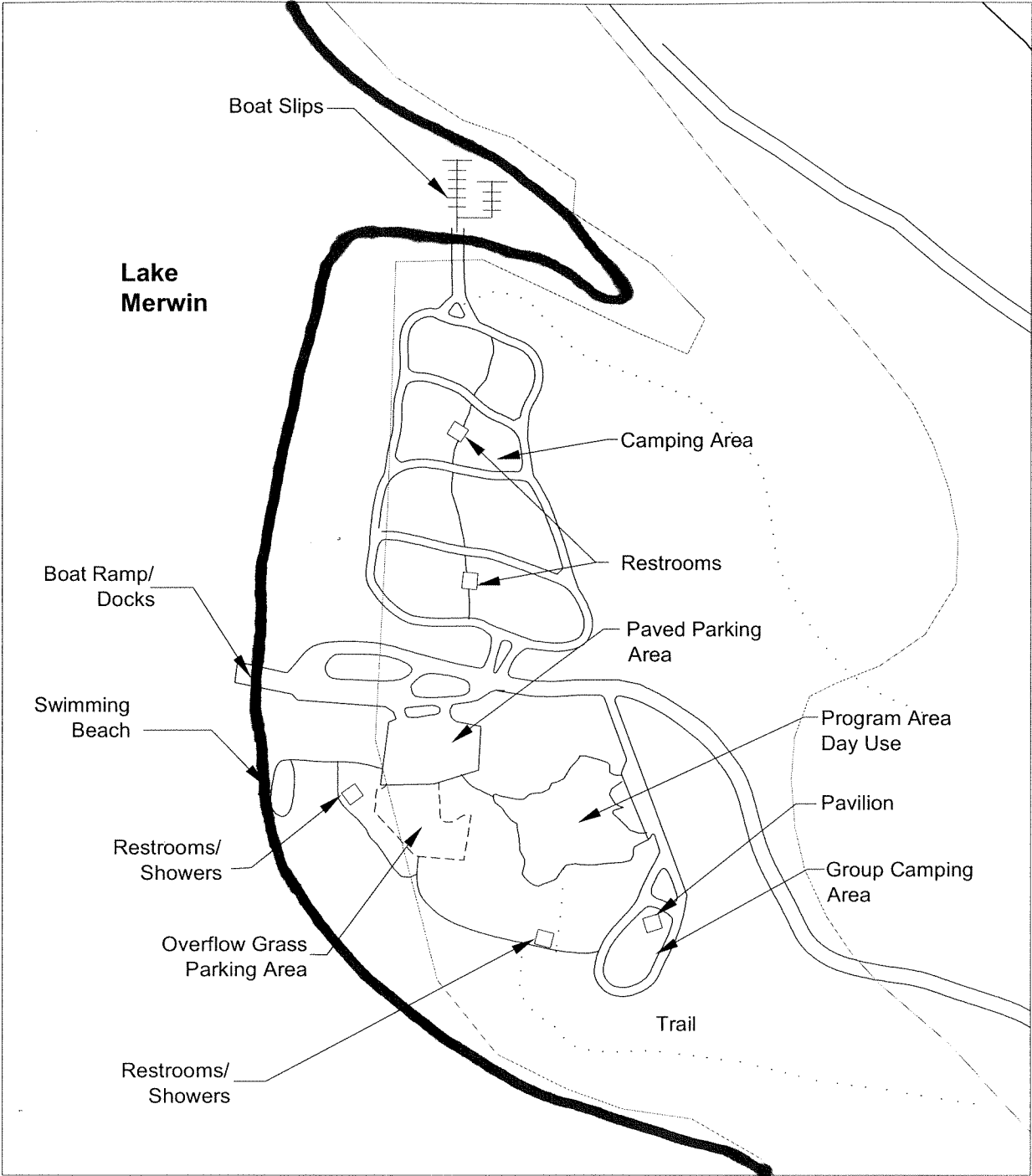




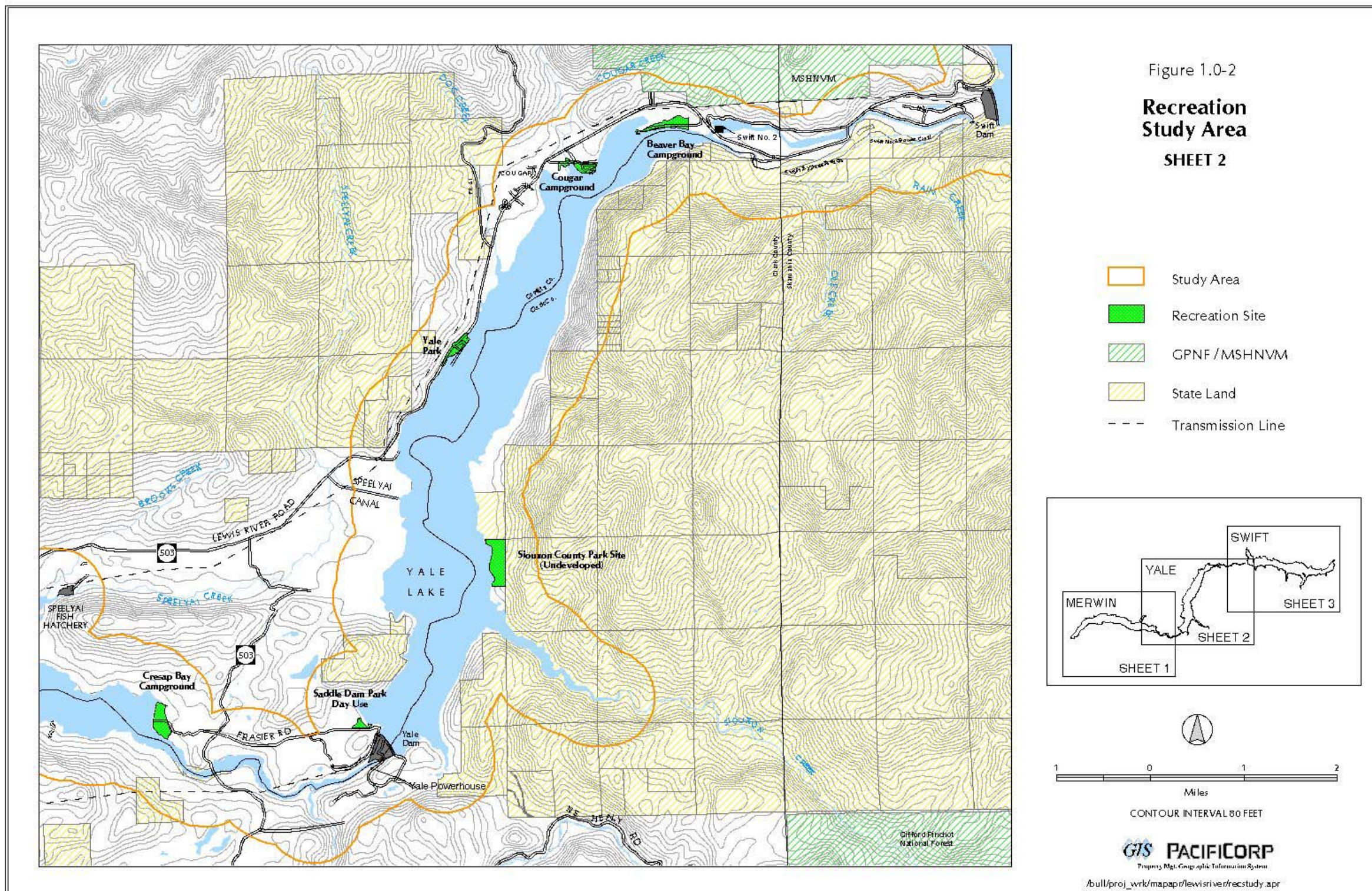
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DATE	02/28/07					
ENG	DES DMJ					
DR DMJ	CH					
APP		SHEET	FIG. 2	SCALE	NOTED	
		116051		REV.	0	

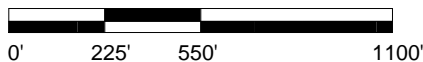
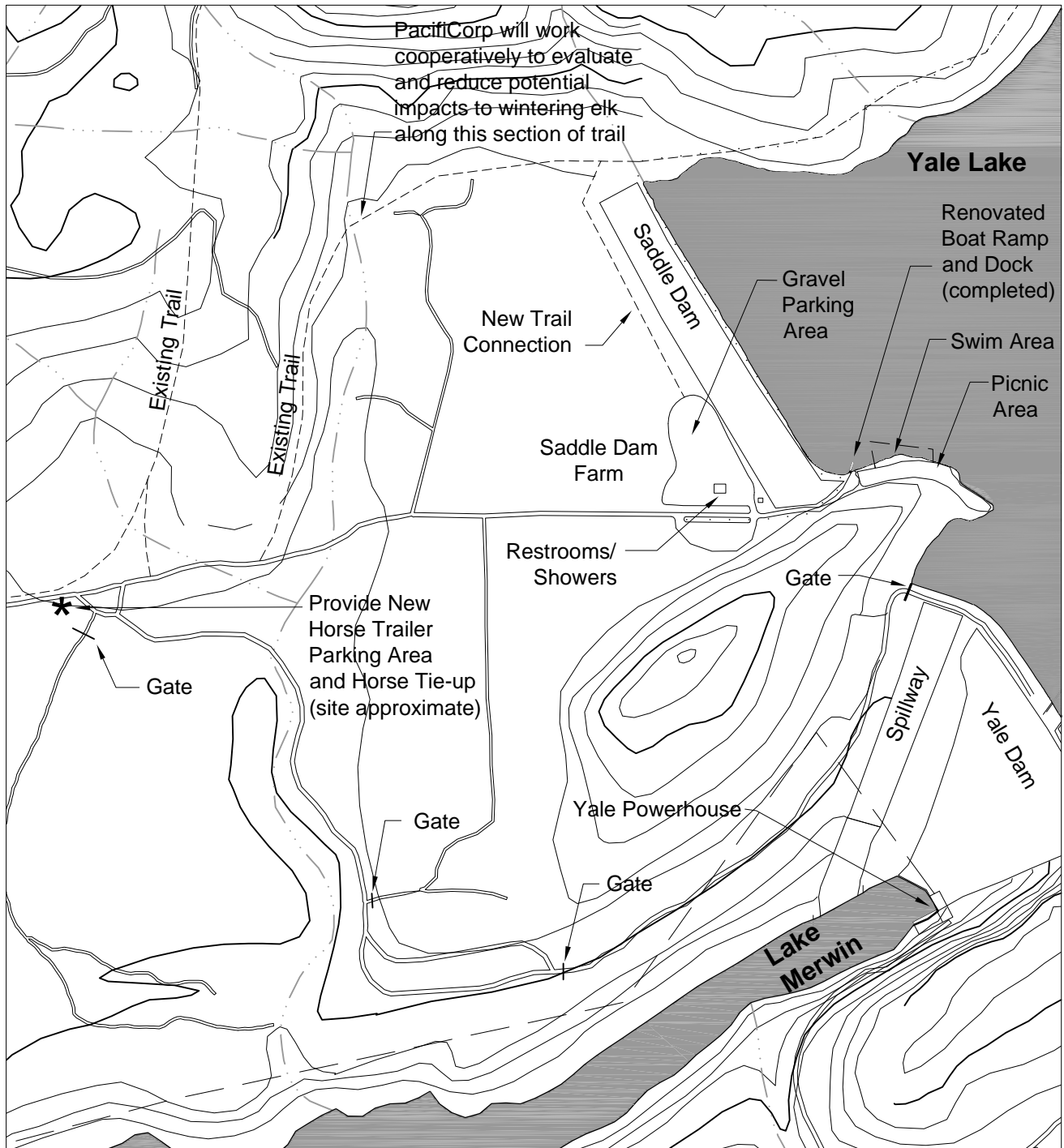


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DATE	02/28/07						
ENG	DES DMJ						
DR DMJ	CH						
APP		SHEET	FIG. 3	SCALE	NOTED		
		116051		REV.	0		

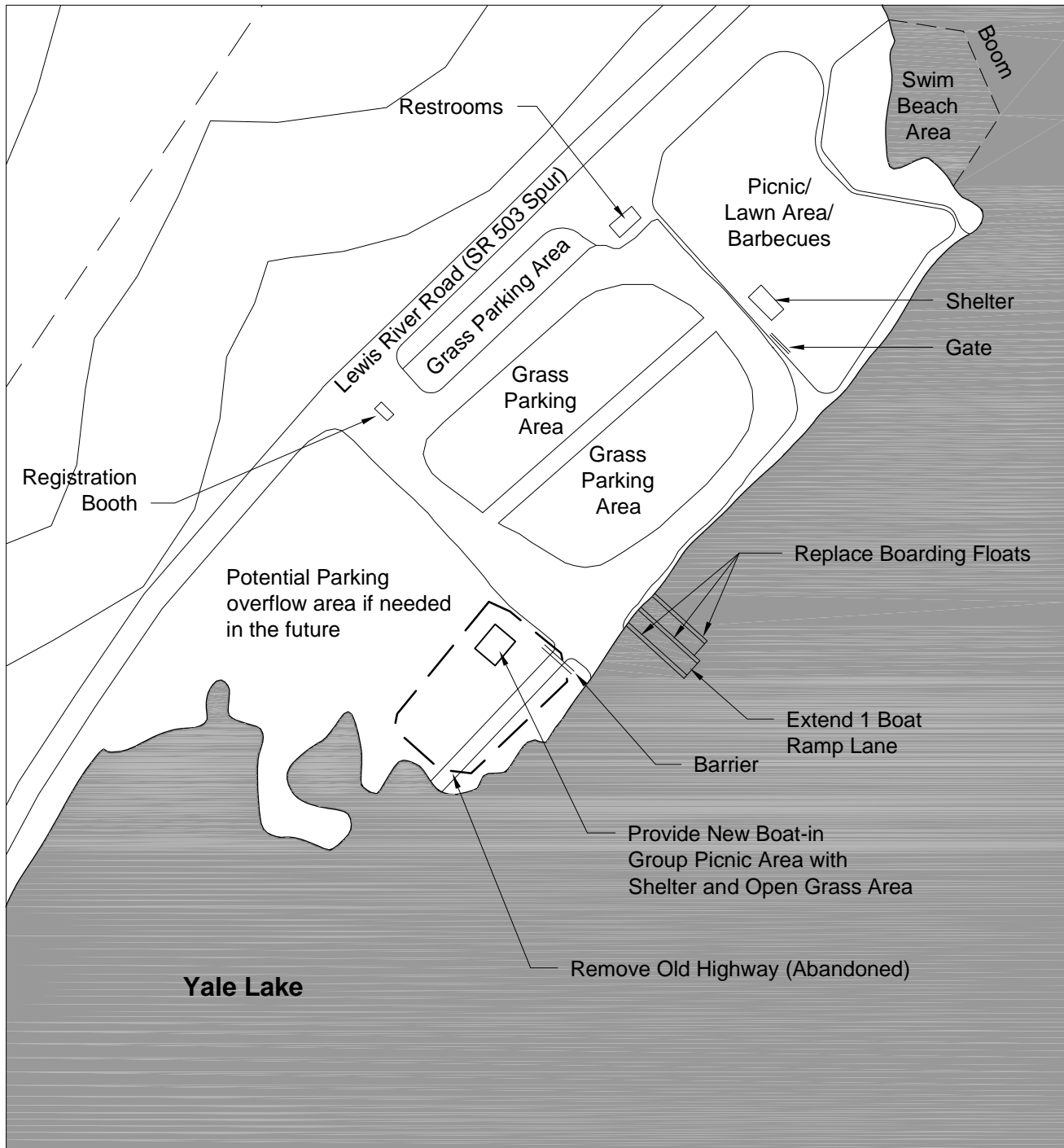


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DATE	02/28/07						
ENG	DES DMJ			SHEET	FIG. 4	SCALE	NOTED
DR	DMJ CH			116051	REV.	0	
APP							

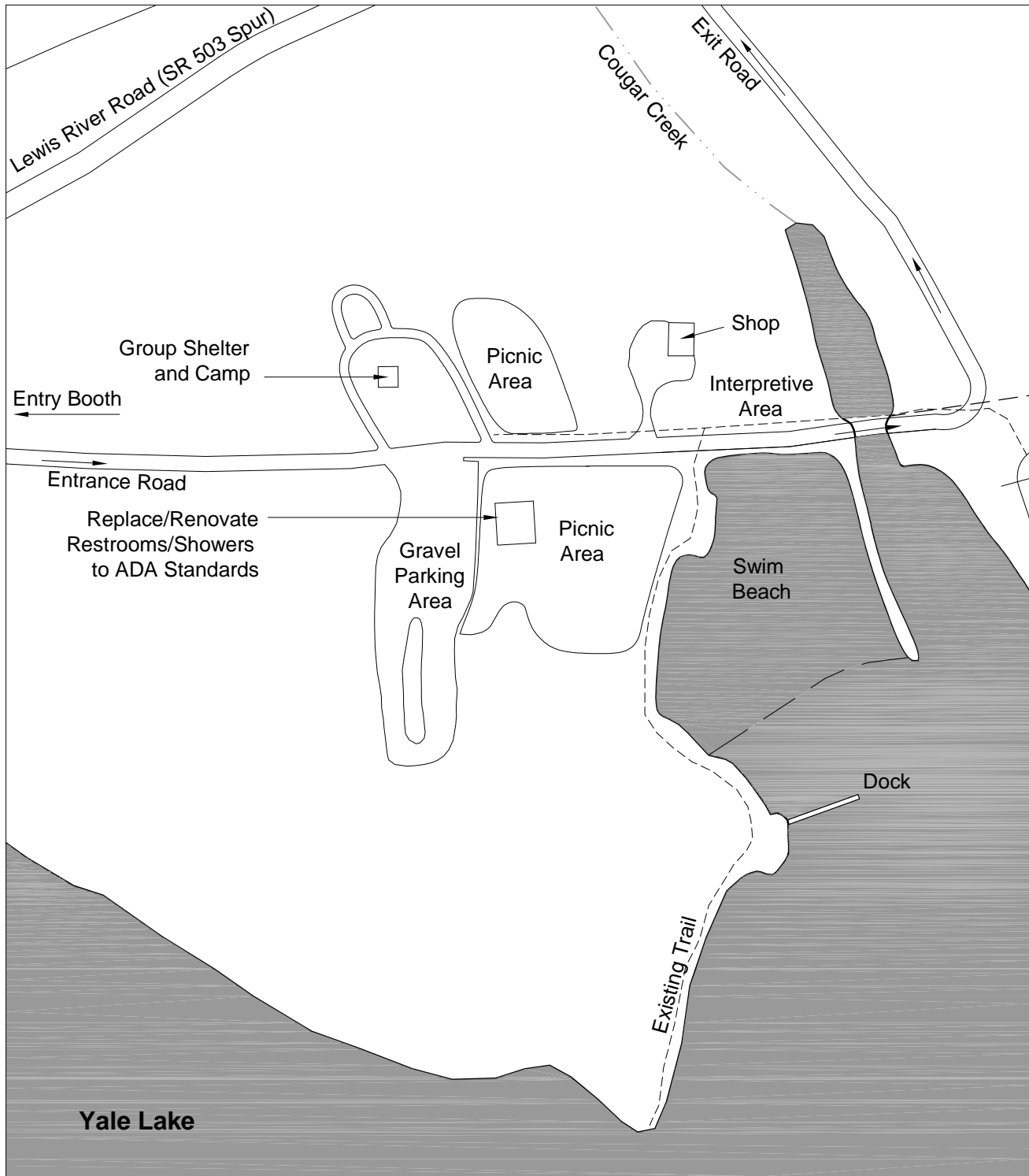




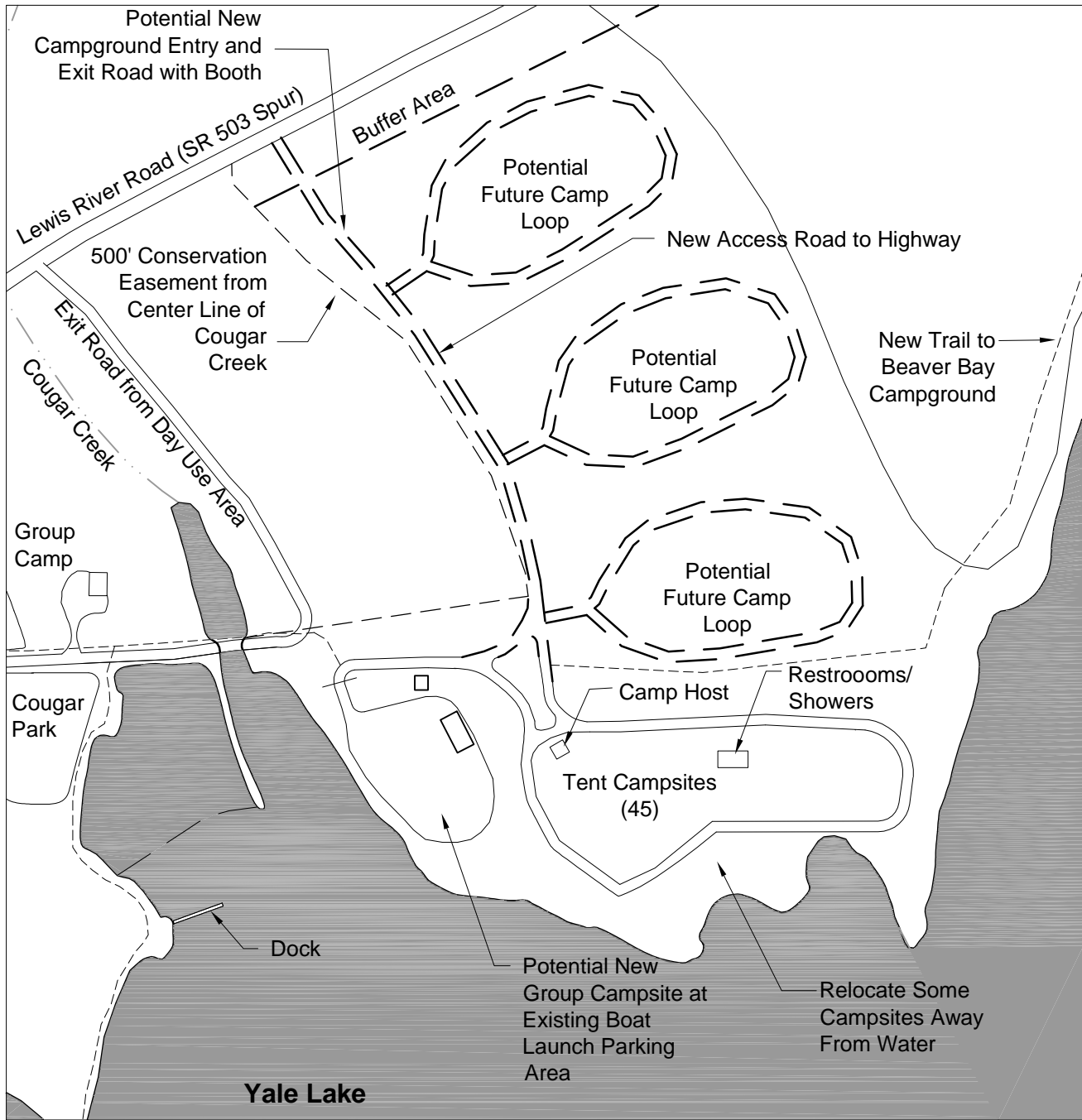
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REV	DATE		PACIFICORP ENERGY			
ER/PR	LRIMP-PMT		LEWIS RIVER HYDROELECTRIC RECREATION SADDLE DAM PARK	SHEET	FIG. 6	SCALE NOTED
DATE	02/28/07			116051	REV.	0
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DR	DMJ CH					
APP						



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REV	DATE		PACIFICORP ENERGY			
ER/PR	LRIMP-PMT		SHEET	FIG. 7	SCALE	NOTED
DATE	02/28/07		116051	REV.	0	
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DR	DMJ	CH				
APP						

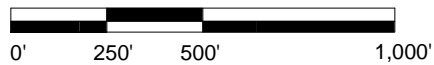
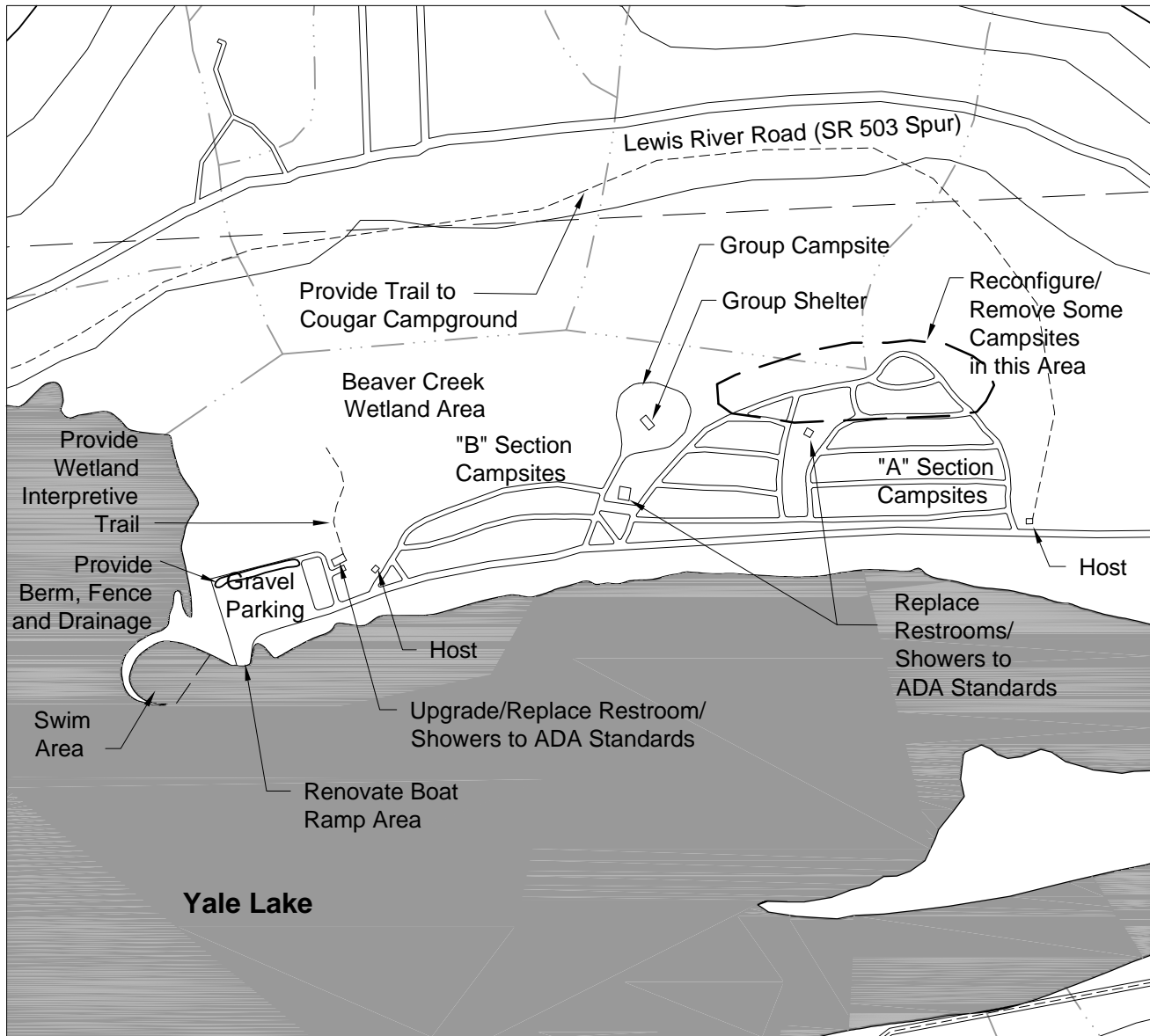


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ER/PR	LRIMP-PMT		SHEET	FIG. 8	SCALE	NONE
DATE	02/28/07		116051	REV.	0	
ENG	DES DMJ					
DR	DMJ CH					
APP						

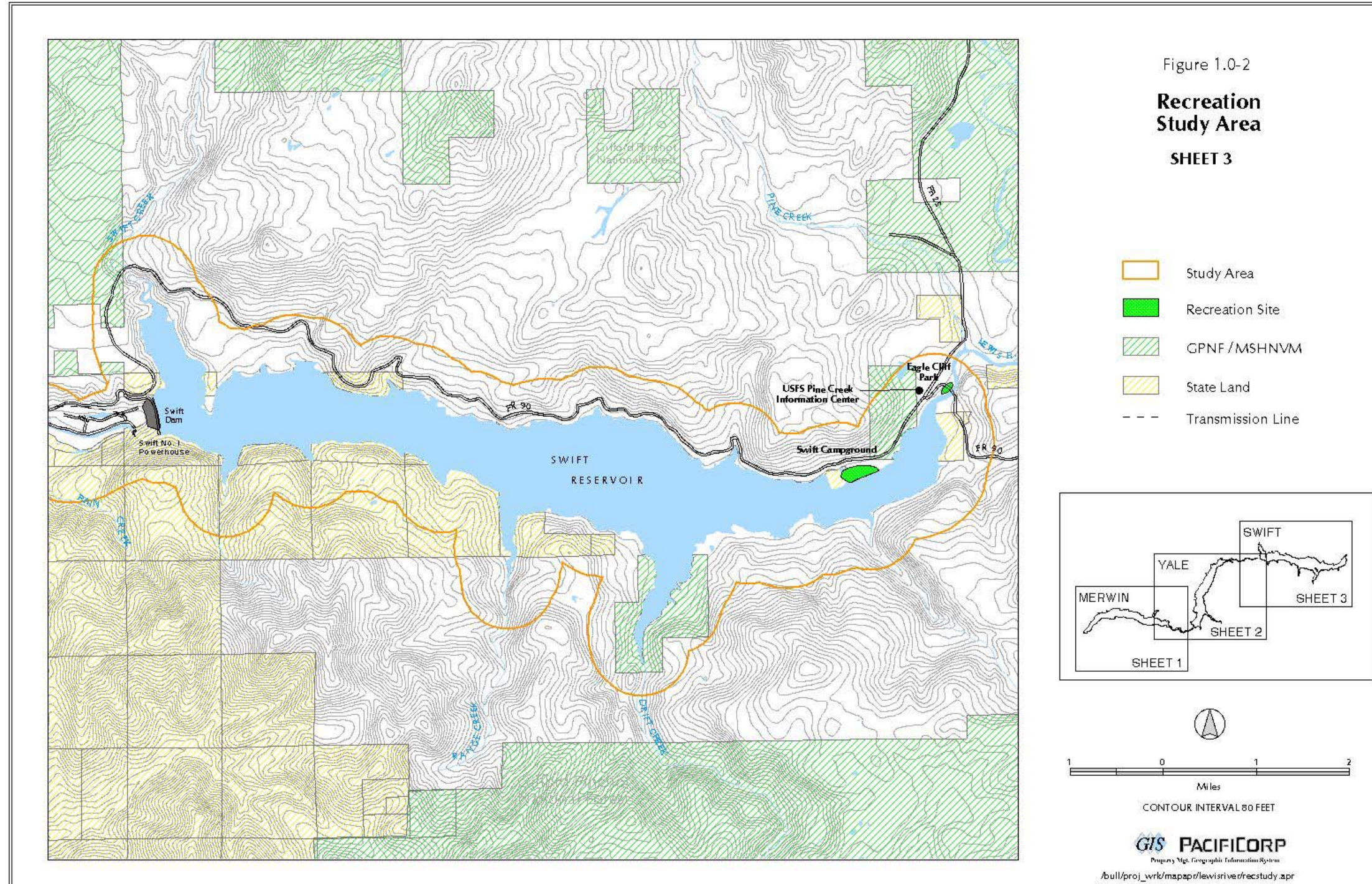


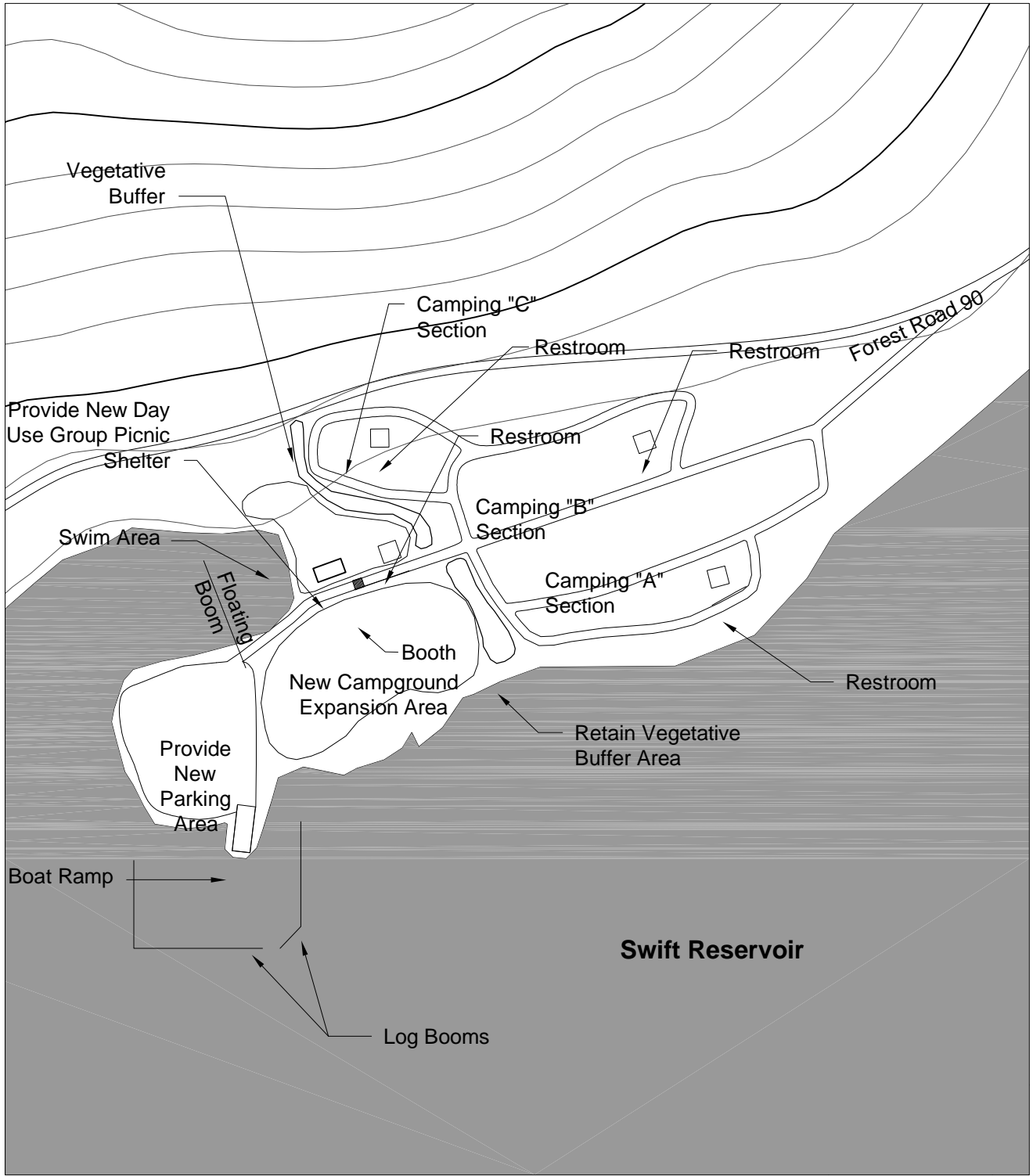
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ER/PR	LRIMP-PMT		SHEET	FIG. 9	SCALE	NOTED
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DR	DMJ CH					
APP						

LEWIS RIVER HYDROELECTRIC RECREATION
COUGAR CAMPGROUND



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ER/PR	LRIMP-PMT		SHEET	FIG. 10	SCALE	NOTED
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APP	CH					
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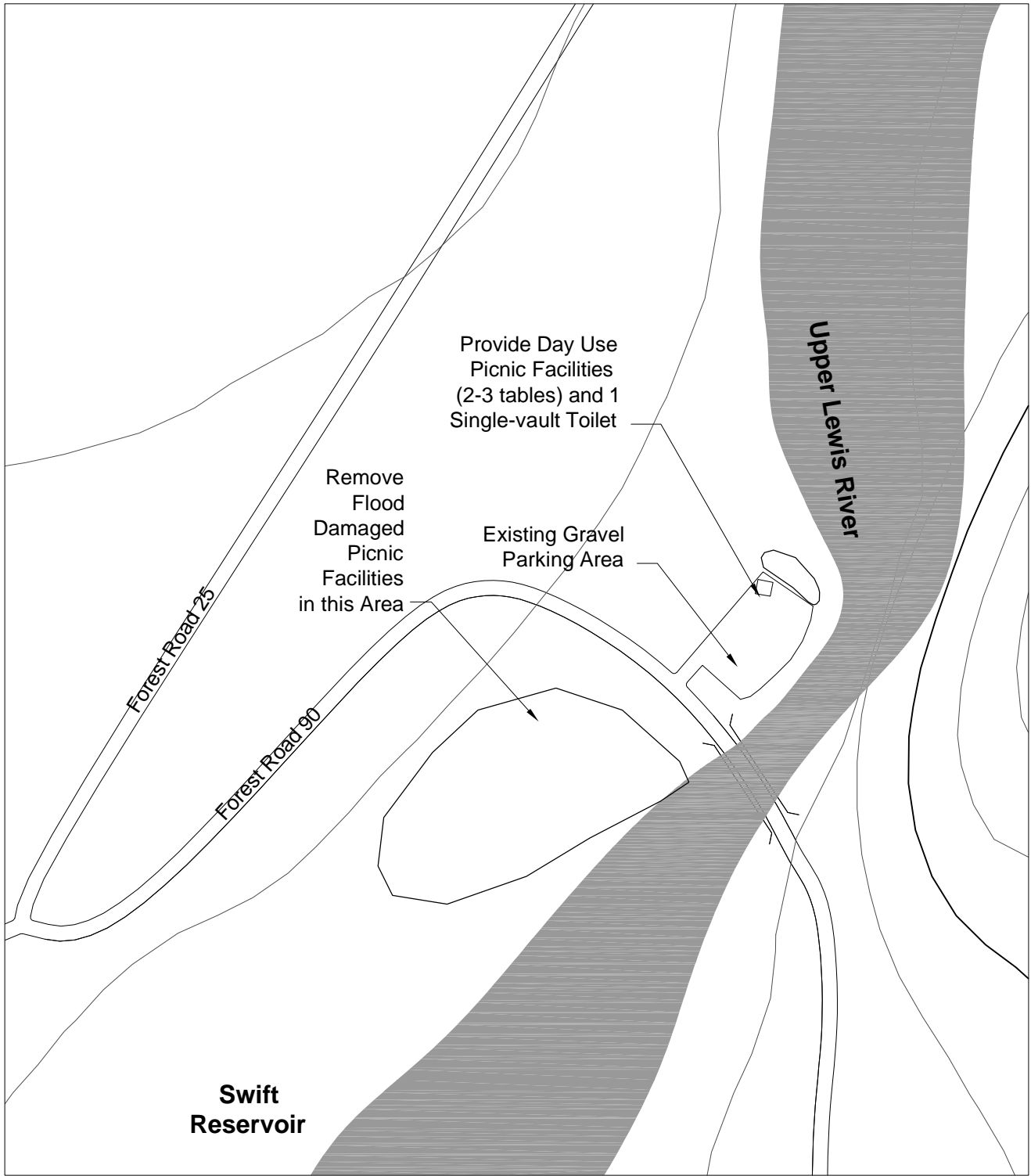




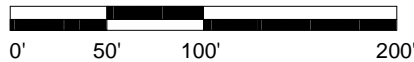
North



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REV	DATE				
ER/PR	LRIMP-PMT		SHEET FIG. 12 SCALE NOTED		
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ENG	DES DMJ				
DR DMJ	CH				
APP					



North



0		ISSUED - ISSUED - ISSUED LEWIS RIVER HYDROELECTRIC RECREATION EAGLE CLIFF PARK			
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ER/PR	LRIMP-PMT				
DATE	02/28/07				
ENG	DES DMJ		SHEET	FIG. 13	SCALE
DR	DMJ	CH			
APP			116051	REV.	0

Lewis River ADA Assessment - Recommendations and proposed schedule														
			Target Completion											
Recommendations			2007	2008	2009	2010	2011	2012						
Merwin Dam Park														
	Parking area	Designate 1 to 2 parking spaces as disabled van-accessible parking. Preferred location is next to access route to day use area			X									
	Day use area	Develop access route to designated picnic tables				X								
		Provide 3 to 4 handicap picnic tables spread through out park				X								
		Modify utility road from restroom and path to the swimming/beach area to meet grade standards				X								
		Install textured hard surface ramp with handrail, toe rail at lower end, and color change float				X								
	Restroom	Replace signage outside of restroom to ANSI standard			X									
		Assess/modify shower needs to ADAAG standards			X									
		Close hillside restroom	X											
11.2.3.3	Marble Creek Trail	Improve existing 1/2 mile trail to ADAAG standards by 4th anniversary of new license				X								
Speelyai Bay Park														
	Parking	Re-stripe parking and develop disabled parking including: 1 boat-trailer space near ramp and boat dock and 1 van-accessible space.			X									
	Boat ramp	Provide rail or projection over water from dock to boat			X									
		Improve transitions of boat ramps for wheel chair access; include hand rails			X									
	Day use area	Improve existing access route to picnic/swimming area with leveling and grade fill. Extend route to outside tables and other facilities		X										
		Remove 1 table in picnic shelter for more room		X										
		Fill 3 inch lip to shelter pad		X										
		Replace water fountains and add 2-foot tactile change area		X										
		Add railing at water's edge		X										
		Install textured hard surface ramp with handrail, toe rail at lower end, and color change float		X										
11.2.3.10	Restroom	Upgrade/replace existing access ramp and restroom							X					

	Recommendations	Target Completion					
		2007	2008	2009	2010	2011	2012
Cresap Bay Recreation Area							
Parking area	Designate 1 boat trailer disable parking space		X				
	Designate disabled van parking space		X				
Access route	Extend route to connect with boarding dock			X			
Boat ramp	Adjust transition float - widen where transition plate meets piling			X			
	Reduce transition step from dock to boat			X			
Restroom	Upgrade signage to ANSI standard		X				
Campground	Designate handicap sites with amenities		X				
	Improve water faucet		X				
	Make a few push-type trash cans available		X				
	Stripe space to allow access to phone		X				
Group camp	Provide access route to picnic shelter from campsites #s1-3 and #s13-15.			X			
	Raise fire grates to above 18 inches			X			
	Add tactile change or indicator from campground loop to sign and beginning of path to restroom			X			
	Raise height of water signage and disable parking signs			X			
	Lower shelf in shower closer to bench			X			
Saddle Dam Park							
Parking area	Establish 1 boat trailer handicap parking space and 1 handicap van parking space		X				
Access route	Develop route to picnic area			X			
Restroom	Upgrade signage to standard		X				
Day use area	Designate adequate access route to picnic area with barrier free tables			X			
Yale Park							
Parking area	Establish 1 boat trailer handicap parking space; 1 handicap single car parking space; and 1 handicap van parking space at the boat ramp.		X				
Access route	Develop access route between parking area and park facilities			X			
Restroom	Modify signage to meet ANSI standard		X				
Day use area	Develop access route throughout with barrier free amenities			X			
	Develop access from restroom to upper level and picnic shelter			X			
	Remove one picnic table from shelter			X			
	Add signage and/or tactile to identify water fountains			X			
	Replace water fountain handles			X			
Boat Ramp	Rebuild ramp and replace boarding floats				X		

	Recommendations	Target Completion					
		2007	2008	2009	2010	2011	2012
Cougar Park Recreation Area							
	Parking area		X				
	Access route			X			
	Day use area			X			
				X			
11.2.2.11	Day Use Restroom					X	
Cougar Camp Recreation Area							
	Boat ramp		X				
			X				
			X				
			X				
	Campground			X			
				X			
	Restroom		X				
			X				
	Group Campground			X			
				X			
Beaver Bay Recreation Area							
	Message center			X			
	Campground			X			
	Group camp			X			
	Boat ramp		X				
	Parking area		X				
			X				
	Day use area			X			

	Recommendations	Target Completion						
		2007	2008	2009	2010	2011	2012	
Swift Camp Recreation Area								
Restroom	Designate access routes			X				
	Upgrade signage to standard			X				
	Modify sink			X				
Campground	Modify campsites A35, B25, C4, and C5 for handicap use with barrier free amenities			X				
Day use area	Replace or retrofit playground equipment			X				
Boat ramp	Designate handicap boat trailer and van accessible parking spaces			X				
	Install bull rails and transfer bar			X				
Eagle Cliff Park								
Parking area	Designate handicap spaces for single car and van				X			
Access route	Designate barrier free access route				X			
Day use area	Develop barrier free picnic area				X			



**State of Washington
DEPARTMENT OF FISH AND WILDLIFE**

**Mailing Address: 600 Capitol Way North · Olympia, WA 98501-1091 · (360) 902-2200, TDD (360) 902-2207
Main Office Location: Natural Resources Building · 1111 Washington Street SE · Olympia, WA**

March 29, 2006

Ms. Kimberly McCune
Project Coordinator
PacifiCorp Energy
825 NE Multnomah, Suite 1500
Portland, Oregon 97232

SUBJECT: Comments on the Draft of Americans with Disabilities Act Site Evaluation at the Lewis River Recreation Sites

Dear Ms. McCune:

The Washington Department of Fish and Wildlife (WDFW) appreciates the opportunity to collaborate with PacifiCorp and the rest of the Lewis River Recreation Advisory Committee (LRC) in making comments on this document. WDFW received and reviewed the Draft Americans with Disabilities Act (ADA) Site Evaluation. Our largest concern lies with the paving and possible widening of Marble Creek Trail and we hope that PacifiCorp can find some alternative areas or make some large modifications to the current proposed project. WDFW admires the goals of the ADA to allow opportunity to outdoor recreation and hobbies for every individual and we hope to modify or change some of the proposed projects to eliminate or mitigate impacts to fish and wildlife.

5.1 Merwin Park, 2nd paragraph, first sentence: We would like to add, “or an equivalent trail elsewhere,” to the end of the sentence. WDFW hopes that PacifiCorp may consider some other suitable sites if Marble Creek proves too impacting to wildlife. WDFW has concerns with the possible impacts to the Merwin Park and Marble Creek osprey nests and the winter concentration of bald eagles that utilize the trees and other perches in the trail area and alongside Merwin Reservoir.

Merwin Park osprey nest: Ospreys did not nest at this nest site last year, but WDFW recommends monitoring the site for possible nesting and breeding activity this year. If ospreys start nesting activities this year, we recommend no loud noises including those from heavy machinery, construction, hammering, blasting, grading, and road paving from April 1- October 1 within Merwin Park or the west end of the Marble Creek trail. We assume the pair have habituated to normal traffic noise and some distant pedestrian activity, but we have concerns over loud noises that they may cause the pair to abandon their nesting attempt.

Marble Creek osprey nest: Ospreys nested successfully from this nest last year. The success of the nest speaks volumes to the pair's tolerance to hikers since the site resides directly across Marble Creek from the trail terminus. We assume that pedestrian traffic will increase after the paving of the trail. WDFW has concerns over the increased traffic and the effect on the ospreys on the nest. The ospreys may or may not adjust to any increase in pedestrian traffic to Marble Creek Falls. WDFW's management recommendations for osprey call to restrict all human activity within 660 feet of an active nest, (Roderick and Milner 1991). If PacifiCorp applied seasonal-use restrictions on the trail, we could curtail the effects of extra traffic. If PacifiCorp did decide to proceed with this project, we would recommend the trail stay closed throughout the breeding season (April 1-October 1 or whenever the young fledge), if the ospreys choose to nest that season. Washington Department of Natural Resources (DNR) has implemented these types of restrictions on some trails with nesting ospreys near Olympia. Additionally, WDFW recommends PacifiCorp not pave the trail within 660 feet of the osprey nest from April 1-October 1, if the osprey utilize the nest that breeding season.

Our largest concern resides with the impact to habitat structures. WDFW understands that the Occupational Safety and Health Administration (OSHA) requirements for paving with heavy equipment will require the downing of all snags and hazard trees that could fall down on the worksite due to the vibrations of heavy machinery. Roderick and Milner (1991) states that the availability of snags is a limiting factor for ospreys and that managers should not cut trees with 200 feet and retain 3-5 live or dead dominant trees within 660 feet of the nest tree. Zarn (1974) and Westall (1986) recommend retaining a 200-foot buffer around water bodies used by ospreys where managers would not cut trees or **snags**. The authors continue giving additional recommendations on snag retention for up to two miles out. Unfortunately, snag retention will be zero because PacifiCorp cannot retain any snags or hazard trees due to safety concerns. PacifiCorp's contractors will have to create a large zone of no hazard trees, especially uphill from the trail, due to the steepness of the terrain. For safety concerns, we suggest that PacifiCorp takes the hazard trees, if they decide to proceed with this project. We would never suggest putting any workers or recreationists at risk. However, we do recommend modifying the project or thinking of additional places that PacifiCorp could create a similar trail. Through my conversation with PacifiCorp on March 29, 2007, PacifiCorp has agreed to conduct surveys to determine how many and the location of hazard trees and snags that PacifiCorp would have to fall to satisfy OSHA rules and any other safety concerns. During the same conversation, PacifiCorp also mentioned other surfacing techniques as an alternative to paving. We would recommend any surface that water can penetrate versus asphalt, but WDFW remains unsure about the necessity of heavy machinery to spread this more penetrable surface.

If the project proceeds, WDFW recommends leaving the fallen hazard trees and snags on the ground around the trail to supply large woody debris component for the forest. If safety allows, we also suggest leaving high-cut stumps as opposed to cutting down the whole hazard tree or snag.

Ms. Kimberly McCune

March 29, 2007

Page 3

Merwin Lake bald eagle winter concentration: We have the same concerns with the reduction of habitat structure and perches as mentioned for the Marble Creek osprey nest. Additionally we recommend not paving the trail from December 1 through March 15, to protect perching and foraging eagles. We do look forward to working with PacifiCorp and the rest of the LRC to create ways to modify the project, so that we can reduce the effects to the wintering population of bald eagles.

Thank you for the opportunity to provide these comments. We hope that you find our comments useful and beneficial in managing and promoting wildlife and recreation on your project lands. WDFW appreciates the collaborative process and participation in the LRC. We look forward to working with PacifiCorp on future actions associated with this project. Please feel free to contact me at (360) 902-2615 with any questions, concerns, and/or comments concerning this letter.

Sincerely,

Brock A. Applegate
Fish and Wildlife Biologist

cc: Curt Leigh, Major Projects Division Manager
Tim Rymer, Region 5 Habitat Program Manager

SPECIFIC COMMENTS REGARDING THE DRAFT OF AMERICANS WITH DISABILITIES ACT SITE EVALUATION:

Figure 1, Map of Lake Merwin Recreation Sites and Facilities: The map shows Yale Lake instead of Merwin Lake.

Speelyai Bay Park: Speelyai Bay Park contains an eagle nest directly across the bay. WDFW has concerns over any noises out of the ordinary including, but not limited to, noises from heavy machinery, construction, hammering, blasting, grading, and road paving during the nesting season. The activities that generate extraordinary noise include replacing restrooms and boarding floats, installing handrails, and extending boat ramps. We recommend that PacifiCorp not conduct any project activity that would cause these types of noises during the breeding season from January 1 through August 31. We recommend that PacifiCorp extend the timing restriction of loud project noises through October 1, if ospreys occupy the historic osprey nest approximately 200 feet south of the eagle nest. We request that PacifiCorp please update us on this status of this osprey nest and tell us if the nest and/or nest tree has blown down.

Cresap Bay Campground: Cresap Bay contains a historic osprey nest called Cresap Bay Flats. WDFW recommends that PacifiCorp monitor the nest for breeding/nesting activity to determine the occupancy of the nest. We request that PacifiCorp please update us on the status of the nest and whether the nest and/or nest tree has blown down. If PacifiCorp finds the nest active, we recommend that PacifiCorp not conduct any activities that generate extraordinary noise including operating of heavy machinery, construction, hammering, blasting, grading, and road paving during the nesting season (April 1-October 1) for the **inland half of the campground**. The 660-foot buffer nest lies just inside the border of the campground. We feel that all construction near the lake (docks, piers, etc.) should reside far enough away to allow the ospreys to complete their nesting cycle. However, PacifiCorp biologists on the ground may want to examine all construction near the reservoir to make sure visual barriers exist between the construction and the nest.

Other concerns include the wetland in the south end of the campground. WDFW recommends that PacifiCorp protect this wetland and create a buffer of the size mentioned in the Lewis River Wildlife Habitat Management Plan (WHMP). If PacifiCorp and the appropriate implementation committees find the buffer size inadequate, we request the reestablishment or enlargement of a wetland buffer through the planting of both shrubs and trees. Please take appropriate protective measures including signs and barriers to keep the wetland from soil compaction, noxious weeds introduction, and vegetation loss by humans.

Saddle Dam Park: WDFW recommends that PacifiCorp continue to close the gate at the entrance of the park on Frazier Creek Road from the day after Labor Day to the Friday before Memorial Day to protect wintering elk. Additionally, we recommend that PacifiCorp cut down as few of hazard trees or snags as possible in the areas that contain the boat ramp, dock, swim area, and picnic area. We do not request these actions to ask PacifiCorp to compromise safety, but we would like to examine alternatives to asphalt repair or other heavy machinery use. We

recommend not using heavy machinery on the paved trail so that OSHA will require less cutting down of hazard trees and snags. We request this direction to reduce impacts to wintering bald eagles, which use the perch sites here for foraging during winter. Additionally, we recommend that PacifiCorp not conduct any activities that generate extraordinary noise including operating of heavy machinery, construction, hammering, blasting, grading, and road paving during the bald eagle winter foraging and winter concentration season from December 1 through March 15.

Yale Park: WDFW noticed a wetland on the south end of Yale Park near a proposed overflow parking and group picnic area. WDFW recommends that PacifiCorp protects this wetland and creates a buffer of the size mentioned in the WHMP. If PacifiCorp and the appropriate implementation committees find the buffer size inadequate, we request the reestablishment or enlargement of a wetland buffer through the planting of both shrubs and trees. Please take appropriate protective measures including signs and barriers to keep the wetland from soil compaction, noxious weeds introduction, and vegetation loss by humans.

Cougar Park and Campground: WDFW requests that no more development of recreational facilities occur in the Cougar Creek Conservation Easement. We also ask PacifiCorp to consider the removal of the exit road if PacifiCorp builds the new campground entry road for the new campgrounds. By removing the road, PacifiCorp would help stop potentially harmful runoff from an impenetrable surface and polluting the waters of an important bull trout stream.

Beaver Bay Campground and Day Use Area: Beaver Bay facility has a wetland that parallels the north end of the entire facility. WDFW recommends that PacifiCorp protects this wetland and creates a buffer of the size mentioned in the WHMP. If PacifiCorp and the appropriate implementation committees find the buffer size inadequate, we request the reestablishment or enlargement of a wetland buffer through the planting of both shrubs and trees. Please take appropriate protective measures including signs and barriers to keep the wetland from soil compaction, noxious weeds introduction, and vegetation loss by humans.

Other concerns include disturbance to the successful Swift 2 Powerhouse bald eagle nest. The 800-ft buffer reaches a small east portion of the campground. We recommend that PacifiCorp not conduct any activities that generate extraordinary noise including operating of heavy machinery, construction, hammering, blasting, grading, and road paving during the nesting season (January 1 through August 31) **for the eastern "A" Section campground loop**. We feel that PacifiCorp biologists on the ground should determine if disturbance activities would create a nesting failure in the rest of the campground and day use area. PacifiCorp should make those determinations through the availability of visual barriers to the nest from the area of project activity.

Ms. Kimberly McCune

March 29, 2007

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May 2, 2007

Brock Applegate, Fish and Wildlife Biologist
Washington Department of Fish and Wildlife
600 Capitol Way North
Olympia, WA 98501-1091

**Subject: Response to Comments on the Draft of Americans with Disabilities Act Site
Evaluation at the Lewis River Recreation Sites**

Dear Mr. Applegate:

PacifiCorp values Washington Department of Fish and Wildlife (WDFW) involvement with the Lewis River Recreation Coordination Committee (LRC). The company received WDFW's comment letter, dated March 29, 2007, and appreciates the judicious effort. Many concerns raised by WDFW appear to be directed at the timing of construction practices in relation to seasonal restrictions for nesting osprey and eagles. PacifiCorp intends to follow seasonal restrictions when and where restrictions are warranted. Other concerns venture beyond the draft evaluation and touch on recreation sites in general. PacifiCorp will provide additional opportunities for WDFW to comment on specific proposed recreation site improvements prior to their undertaking. Keep in mind that proposed improvements stem from the Lewis River Settlement Agreement in which WDFW was a signatory. PacifiCorp has considered the WDFW comments and have formulated the following responses.

5.1 Merwin Park, paragraph 2, sentence 1: WDFW would like to add, "or an equivalent trail elsewhere," to the end of the sentence. PacifiCorp opposes this addition since the Marble Creek Trail is specifically called for as an action in the Lewis River Settlement Agreement (SA). To meet the intent and purpose of the SA while addressing wildlife impacts, trail construction will be conducted to minimize disturbance.

Merwin Park osprey nest: This nest structure was anecdotally observed in November 2006. Neither nesting structure nor nesting birds were present during the 2006 nesting survey flights. The same findings were documented during a survey flight on April 4, 2007. This nest appears to be either a frustration nest or the result of sub-adult birds. The nest tree is approximately 600 feet from the proposed Marble Creek Trail and does not have line-of-sight to the proposed project.

Marble Creek osprey nest: PacifiCorp acknowledges WDFW's concerns regarding this nest and are aware of the management recommendations for restrictions on human activity. PacifiCorp also notes that this nest is within line of site of State Route 503 and a vehicle parking area less than 100 feet from the tree. The nest tree is approximately 180 feet from the proposed trail and may have line-of-sight to the last 100 feet of trail only. Additionally, there is a PUD distribution line not far from the nest tree (between it and the reservoir). PacifiCorp has

monitored the site since 1985. This nest site has been documented as being active 18 of 21 years despite the proximity to these facilities. PacifiCorp recommends the area be evaluated to determine line-of-sight. If line-of-sight is confirmed, then PacifiCorp proposes the following management options:

- Conduct work outside the nesting season in the area within line of sight of the nest, and
- Create a snag or top an additional tree suitable for nesting osprey upstream of and greater than 660 feet from the trail terminus and away from the road and distribution line.

Regarding impact to habitat structures: The Priority Habitat Species (PHS) recommendations referenced in the letter are guidelines for conducting timber harvest activities and therefore not applicable to the proposed project. Keep in the mind the proposed project will change the surface of an existing trail. Hazard tree removal would require removal of a few individual trees instead of the removal of all trees and snags. PacifiCorp proposes the following steps:

- Conduct a hazard tree assessment along the trail to determine the number, size, and species of trees to be removed;
- Plant 1:1 for conifer trees removed along the trail;
- Conduct tree removal outside of the critical nesting period;
- Coordinate with the TCC to develop a plan for replanting all trees removed within Marble Creek and shoreline buffers at 2:1, and creating snags 1:1 upstream of the trail.
- Retain trees that must be cut as Large Woody Debris where it can be done safely (e.g. ensure downed trees can't roll onto trail).

Alternative trail surfaces: PacifiCorp will evaluate an alternative to paving at the Marble Creek Trail as long as alternative trail surfaces provide equivalent barrier free access at a comparable cost.

Leaving fallen hazard trees and snags: PacifiCorp will evaluate the feasibility of leaving fallen trees and snags during the proposed hazard tree assessment.

Merwin Lake bald eagle winter concentration: PacifiCorp believes WDFW is referring to bald eagle winter concentration data from the Washington Department of Natural Resources (WDNR) Heritage database, which shows the Lake Merwin roost along the Marble Creek Trail. The source of this data is PacifiCorp's technical report *Wintering Ecology of Bald Eagles on the Lewis River, Washington 1984 – 1985*, however WDNR Heritage database entered the wrong location for this data. Marble Creek Trail is greater than 800 m from any known winter concentration (communal winter roost) or nests and will have no adverse effect to eagles (U.S. Fish and Wildlife Service 2006 BiOp Table 12, page 124).

Figure 1, Map of Lake Merwin Recreation Sites and Facilities: PacifiCorp will address this oversight for the final evaluation.

Speelyai Bay Park: Construction activities will be subject to seasonal restrictions (January 1 to August 31) at Speelyai Bay Park if the eagle nest across from the site is active during the breeding season. Based on PacifiCorp's annual monitoring, this nest site does not have consistent history of occupancy and may not be active each year.

WDFW recommends extending seasonal restrictions to October 1: Extension of seasonal restrictions is not necessary since there are no osprey nests within line-of-sight or 660 feet of Speelyai Bay Park. The nest site WDFW is referring to is not included in PacifiCorp records. This area is surveyed each year.

Cresap Bay Campground: The nest tree WDFW is referring to, Cresap Bay Flats is actually called Crescent Bay Flats (Occurrence #156). It blew down in 1986 and the site has not been occupied since. The historic nest tree's location is greater than 660 feet from the campground. PacifiCorp believes seasonal restrictions related to the osprey nesting season are unwarranted at this site.

The wetland at the south end of the site is beyond the functional footprint of the campground. Action items proposed for Cresap Bay will be confined to the existing facilities and will not jeopardize the wetland. PacifiCorp will continue to protect this resource through management actions identified in the Lewis River Wildlife Habitat Management Plan (WHMP).

Saddle Dam Park: PacifiCorp will maintain the established operating season at Saddle Dam Park. The new trail connection from the parking area is proposed in an area barren of most vegetation and tree removal will not be necessary. Furthermore, Saddle Dam Park is greater than 800 m from any known bald eagle nest or roost and there is no historical record of wintering eagles perching or foraging at the park. PacifiCorp believes seasonal restrictions are unwarranted.

Yale Park: The wetland adjacent to Yale Park is on WHMP lands with a buffer of 150 feet. Currently there are proposed park improvements within the buffer. PacifiCorp recommends the following actions:

- Evaluate alternative sites with the TCC for proposed improvements; and
- Plant shrubs and trees in the buffer to enhance the existing compacted soil and grassy vegetation.

Cougar Campground: PacifiCorp will not propose new recreational facilities within the Cougar Creek Conservation Easement. As per the SA, Cougar Campground will be expanded east of the conservation easement after monitoring trigger thresholds are reached. When the Cougar Creek Conservation Easement was established, existing recreational facilities within the easement (footbridge, maintenance shed, and access road) were exempted from the conversation

conditions by the U.S. Fish and Wildlife Service. Furthermore, PacifiCorp believes removal of the access road would cause greater impacts than leaving it in place.

Beaver Bay Campground: As WDFW has noted, Beaver Bay Campground is bordered to the north by a wetland. At this site, it is not possible to provide the required buffer size mentioned in the WHMP, as doing so would require removing a large portion of the recreation site. As part of the Settlement Agreement, PacifiCorp will improve the separation, or buffer, between Beaver Bay Campground and the wetland.

The eagle nest does not have line-of-sight to the campground. The 400 m buffer radius extends approximately 140 feet into the southeast corner of the Beaver Bay Campground and does not extend into the existing camp sites. During the April 2007 eagle survey, this particular nest was not occupied. A new active nest site has been detected approximately 0.5 miles further to the east. It is unlikely the campground activities would disturb this eagle nest and therefore believe seasonal restrictions are unwarranted.

PacifiCorp once again appreciates WDFW's participation and comments. Please feel free to contact me, at (503) 813-6945, if you would like to discuss our responses.

Regards,

A handwritten signature in black ink, appearing to read 'David Moore', written over a white background.

David Moore
PacifiCorp Energy
Recreation Resource Coordinator