

## **Documentation of Land Use Plan Conformance and NEPA Adequacy**

U.S. Department of the Interior  
Bureau of Land Management  
Eugene District Office

### **A. Description of the Proposed Action**

The Proposed Action will establish and enforce a set of supplemental rules. These rules will apply to certain public lands within the West Eugene Wetlands, including lands acquired subsequent to the adoption of these rules. The West Eugene Wetlands is located in the southern Willamette Valley, in and immediately west of the City of Eugene, Oregon, within the Sections 27, 28, 29, 30, 31, 32, 33, 34 and 35 of Township 17 South, Range 4 West of the Willamette Meridian, and sections 4 and 5 of Township 18 South, Range 4 West of the Willamette Meridian. These rules will be applicable to BLM owned lands located south of Royal Avenue only. BLM has determined these rules necessary to protect the area's natural resources; to provide for safe public recreation and public health; reduce the potential for damage to the environment; and to enhance the safety of visitors and neighboring residents.

Under 43 CFR 8365.1-6, the Bureau of Land Management will enforce the following rules on the public lands within the West Eugene Wetlands, Coast Range Resource Area/Field Office, Eugene District, Oregon. You must follow these rules:

1. You must not litter.
2. You must not enter areas that are posted or otherwise posted, delineated, fenced or barricaded to close them to public use.
3. You must not use or occupy any area one hour after sunset through one hour before sunrise, with the exception of persons traveling on the Fern Ridge Bike Path.
4. You must not discharge fireworks, firearms, air guns, slingshots or use any other projectile launching device.
5. You must not leave personal property unattended.
6. You must not use or operate motorized or non-motorized vehicles off those roads or paths (including the paved Fern Ridge Bike Path) or parking areas specifically designated for vehicle use. Motor vehicles being used by duly authorized emergency response personnel, including police, ambulance and fire suppression, as well as BLM or BLM authorized vehicles being used for official duties are excepted.
7. You must not build or use campfires or other open flame fires. You must not smoke when it is determined by the authorized officer that smoking

- must be prohibited to protect natural resources and/or adjacent properties from wildfire hazard.
8. You must not possess, disturb or collect any natural resource unless specifically permitted by the authorized officer.
  9. You must not allow entry of pets or livestock into areas closed to pet or livestock use. Livestock are not permitted south of Royal Avenue. Pets must be restrained on a leash not to exceed six feet in length or be physically restricted at all times.
  10. You must not possess or consume alcoholic beverages.
  11. You must not possess glass beverage containers.

## **B. Land Use Plan (LUP) Conformance**

Eugene District Record of Decision and Resource Management Plan (RMP p. 16). This RMP specifies that the West Eugene Wetlands Plan governs the management of BLM lands within the “West Eugene Wetlands Study Area” shown on Map 2, page 17 of the WEWP. Except for the provisions of the RMP found in the Resource Program sections for Energy and Minerals, Land Tenure Adjustments, Rights-of-Way, and Access and Withdrawals, this RMP does not apply to the West Eugene Wetlands.

LUP Name: West Eugene Wetlands Plan (Dec. 1992) Date Approved March 23, 1993 and last updated in 2001. The West Eugene Wetlands Plan (WEWP), a City of Eugene land use planning document, was formally adopted by the Bureau as a land use plan under 43 CFR 1610.5-7 in March 1993, and guides management actions within the West Eugene Wetlands Plan area. The proposed action is in conformance with the West Eugene Wetlands Plan.

West Eugene Wetlands Recreation, Access and Environmental Education Plan (WEWRAEE) (July 2001).

Date Approved May 23, 1995

The proposed action is in conformance with the LUP. It is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

1. Goal 3.1 (WEWP p. 11). Protect and enhance water quality, wildlife habitat,...and other wetland functions and values.
2. Goal 3.3 (WEWP p. 11). Minimize adverse impacts to protected wetlands from adjacent development.
3. Goal 3.8 (WEWP p. 11). Allow for multiple uses of protected wetlands, while ensuring that functions and values are maintained or enhanced.
4. Policy 3.11 (WEWP p. 12). Restrict public access in natural research areas, rare plant sites and specified wildlife nesting and resting areas.
5. Recommended Action 3.4 (WEWP p. 15) Develop, adopt, and apply natural resource protection measures.
6. Action 2.15 (WEWRAEE p. 27). Through displays, brochures, personal contacts and signing inform the visiting public concerning locations and boundaries of the WEW and what activities and practices are allowed or prohibited.

7. Action 3.1 (WEWRAEE p. 29). Implement a visitor awareness program of low impact uses of the WEW.
- Action 3.4 (WEWRAEE p. 30). Require that visitors pack out any trash or garbage that they generate during their visit to unimproved areas of the WEW.
8. Action 3.14 (WEWRAEE p. 32). Unless otherwise designated, use of turnouts, observation overlooks, parking areas, etc., will be limited to day-use.
9. Action 3.24 (WEWRAEE p. 34). Prohibit the discharge of firearms on all public lands within the WEW.
10. Action 4.21 (WEWRAEE p. 38). Close the wetlands to Off-Highway or off-road motor vehicle use.
11. Action 8.3. 8.4 (WEWRAEE p. 40). Maintain a wildfire suppression plan in cooperation with adjoining landowners, and post fire restrictions during high fire danger periods.

**C. Applicable NEPA documents and other related documents that cover the proposed action.**

List by name and date all applicable NEPA documents that cover the proposed action.

Environmental Assessment (EA) No. OR0090-EA-01-8, West Eugene Recreation, Access and Environmental Education Plan (Revised June 14, 2001).

**D. NEPA Adequacy Criteria**

**1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Is the current proposed action located at a site specifically analyzed in an existing document?**

Yes. The proposed action implements actions analyzed under Environmental Assessment (EA) No. OR090-EA-01-8. The proposed action is located in the same area identified in that EA.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, and resource values?**

Yes.

The proposed action is in conformance with the LUP. It is consistent with the following LUP decisions (objectives, terms, and conditions):

1. Goal 3.1 (WEWP p. 11). Protect and enhance water quality, wildlife habitat,...and other wetland functions and values.
2. Goal 3.3 (WEWP p. 11). Minimize adverse impacts to protected wetlands from adjacent development.
3. Goal 3.8 (WEWP p. 11). Allow for multiple uses of protected wetlands, while ensuring that functions and values are maintained or enhanced.
4. Policy 3.11 (WEWP p. 12). Restrict public access in natural research areas, rare plant sites, and specified wildlife nesting and resting areas.
5. Recommended Action 3.4 (WEWP p. 15) Develop, adopt, and apply natural resource protection measures.

6. Action 2.15 (WEWRAEE p. 27). Through displays, brochures, personal contacts, and signing, inform the visiting public concerning locations and boundaries of the WEW and what activities and practices are allowed or prohibited.

7. Action 3.1 (WEWRAEE p. 29). Implement a visitor awareness program of low impact uses of the WEW.

Action 3.4 (WEWRAEE p. 30). Require that visitors pack out any trash or garbage that they generate during their visit to unimproved areas of the WEW.

8. Action 3.14 (WEWRAEE p. 32). Unless otherwise designated, use of turnouts, observation overlooks, parking areas, etc., will be limited to day-use.

9. Action 3.24 (WEWRAEE p. 34). Prohibit the discharge of firearms on all public lands within the WEW.

10. Action 4.21 (WEWRAEE p. 38). Close the wetlands to Off-Highway or off-road motor vehicle use.

11. Action 8.3. 8.4 (WEWRAEE p. 40). Maintain a wildfire suppression plan in cooperation with adjoining landowners and post fire restrictions during high fire danger periods.

12. Eugene District Record of Decision and Resource Management Plan (p. 16). This RMP specifies that the West Eugene Wetlands Plan governs the management of BLM lands within the "West Eugene Wetlands Study Area" shown on Map 2, page 17 of the WEWP. Except for the provisions of the RMP found in the Resource Program sections for Energy and Minerals, Land Tenure Adjustments, Rights-of-Way, and Access and Withdrawals, this RMP does not apply to the West Eugene Wetlands.

**3. Is the existing analysis valid in light of any new information or circumstances?**

Circumstances and information concerning the area have not changed discernibly since the existing analysis was conducted.

**4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?**

Yes. The current proposed action is implementation of actions previously analyzed. The methodology and analytical approach used in the existing NEPA documents are still applicable.

**5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document analyze site-specific impacts related to the current proposed action?**

Yes. The direct and indirect impacts of the current proposed action are substantially unchanged from those actions identified in the existing NEPA documents. The existing NEPA document analyzes potential impacts to plants, soils, wildlife, cultural resources, threatened and endangered species, and air quality.

**6. Are the cumulative impacts that would result from implementation of the current proposed action substantially unchanged from those analyzed in the existing NEPA document(s)?**

Yes. Cumulative impacts are expected to be unchanged from those analyzed in the existing NEPA documents. The BLM anticipates the cumulative impacts of these rules to be beneficial to the integrity of the wetlands.

**7. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

Yes. The existing NEPA documents were reviewed by numerous private citizens, local, state, and federal agencies, and special interest organizations. They were advertised in the Eugene Register Guard, and the BLM provided for a 30-day public comment period prior to issuing decisions. Copies of the proposed EAs were sent to interested parties. The document was also made available for public review on the BLM, Eugene District internet site.

**E. Interdisciplinary Analysis:** Identify those team members conducting or participating in the NEPA analysis and preparation of this worksheet.

Name	Title
Melanie Marshall	Botanist, BLM
Cheshire Mayrsohn	Botanist, BLM
Rudy Weidenbeck	Soil Scientist
Gary Hoppe	Planner, BLM
Daniel Crannell	T&E Biologist, BLM
John Applegarth	Wildlife Biologist, BLM
Mike Southard	Archaeologist, BLM
Steve Madsen	Realty Specialist, BLM
Joseph Williams	Outdoor Recreation Planner, BLM
Graham Armstrong	Hydrologist, BLM

**F. Mitigating Measures**

None

**Conclusion**

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA

Based on the information presented in the previous Environmental Assessment No. OR090-EA-01-8, and the previous Finding of No Significant Impact (FONSI), my decision is to continue with the proposed action to implement the rules establishment because it will result in the enhancement and protection of wetlands, and help to control inappropriate human behaviors which would degrade wetland natural resources and management goals.

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Steven A. Calish  
Field Manager, Coast Range Resource Area

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6/5/02  
Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision.