

Worksheet
Documentation of Land Use Plan Conformance and NEPA Adequacy (DNA)

U.S. Department of the Interior
Bureau of Land Management (BLM)
February 2001

(Note: The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM's internal analysis process and does not constitute an appealable decision.)

A. BLM Office: Medford District **Lease/Serial/Case File No.** Permit number MRP-251

Proposed Action Title/Type: Boatnik Marathon Jet Boat Race, Memorial Day Weekend 2001

Location of Proposed Action: Rogue Wild and Scenic River, Hellgate Recreation Section

Description of the Proposed Action: The Grants Pass Active Club has requested that their Special Recreation Use Permit for the Boatnik Hydroplane Race be amended to allow for a jet boat event from Grants Pass to Alameda bar on Saturday and Sunday of Memorial Day weekend, 2001. Their existing permit allows for a hydroplane race on Memorial Day from Grants Pass to Robertson Bridge, a distance of thirteen miles. The length of the added race is a total, one way distance, of 28 miles.

The requested amendment for 2001 is the same as the proposal requested, considered, evaluated and granted in 1999 and 2000. The proposed action is to grant the requested amendment thereby authorizing the additional jet boat event. The permit amendment for 2001 would include all of the provisions in the 2000 permit with the addition of the following:

1. Additional chemical toilets for the public will be required at Hellgate Bridge Kiosk and halfway between the kiosk and the Hellgate Overlook (see mitigating measures.)

Applicant: Grants Pass Active Club

B. Conformance with the Land Use Plan (LUP) and Consistency with Related Subordinate Implementation Plans

LUP Name: Medford District Record of Decision and Resource Management Plan

Approved: June 1995

LUP Name: Rogue National Wild and Scenic River, Activity Plan, Hellgate Recreation Section

Approved: November 1978

LUP Name: Rogue National Wild and Scenic River: Hellgate Recreation Area Management Plan/Draft Environmental Impact Statement

Approved: Pending

The proposed action is in conformance with the LUPs, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions) and, if applicable, implementation plan decisions:

1. Medford District Record of Decision and Resource Management Plan

The proposed action is in conformance with this RMP. The Wild and Scenic River's objective (page 68) states: "Manage designated segments of the National Wild and Scenic Rivers System to protect their outstandingly remarkable values and maintain and enhance the natural integrity of river-related values." Management Actions/Direction (page 69) states: "Manage the previously designated Rogue River, both the wild and recreation segments, according to existing management plans. A new management plan for the recreational segment is currently being prepared."

2. Rogue National Wild and Scenic River, Activity Plan, Hellgate Recreation Section

While this plan does not specifically address this use, it does address the philosophy of supporting a wide range of uses (page 8) and states: "BLM's role is to provide opportunities for engaging in a wide range of recreation activities based on the free-flowing nature of the river."

3. Rogue National Wild and Scenic River: Hellgate Recreation Area Management Plan/
Draft Environmental Impact Statement

This plan is currently in preparation. The proposed action is consistent with the preferred alternative identified in the Draft EIS. The analysis and DEIS did not identify any new or significant adverse impacts from the boat races or high speed boats in general.

C. Identify the applicable NEPA document(s) and other related documents that cover the proposed action.

The following NEPA documents cover the proposed action.

1) EA Number OR-110-99-03: Environmental Assessment for the Grants Pass Active Club, Amendment of Special Recreation Use Recreation Permit number MRP-251 to include a Jet Boat River Race Classes A through C and Unlimited. March 1999.

- Decision Record / FONSI for 2000 permit amendment (March 2, 2000)
- Decision Record / FONSI for 1999 permit amendment (March 16, 1999)

2) EA Number OR-110-97-18: Environmental Assessment for the Grants Pass Active Club, Amendment of Special Recreation Use Recreation Permit number MRP-251 to include a Jet Boat River Race Classes A through C and Unlimited. May 1997.

- Decision Record / FONSI for 1998 permit amendment (May 14, 1998)
- Decision Record / FONSI for 1997 permit amendment (May 22, 1997)

Other documentation relevant to the proposed action include:

- 1) ESA - Fisheries No Affect Determination (February 28, 2001)
- 2) Interior Board of Land Appeal's August 7, 2000 ruling on Klamath Siskiyou Wildlands Center's appeal of the 1999 permit amendment decision (153 IBLA 110)
- 3) Boatnik 2000 Bald Eagle Surveys (May 27 and 28, 2000)
- 4) USFWS Letter of Concurrence (May 5, 2000)
- 5) Biological assessment for the amendment submitted to USFWS (April 24, 2000)
- 6) Rogue - Recreation Section Watershed Analysis (January 1999)
- 7) Rogue - Grants Pass Watershed Analysis (August 1998)
- 8) National Marine Fisheries Service Biological Opinion (August 15, 1997)
- 9) Boatnik 1997 post race reports (May 24 and 25, 1997)
- 10) Effects of Boat Traffic on Juvenile Salmonids in the Rogue River (1995)
- 11) River erosion/deposition study (1993)

D. NEPA Adequacy Criteria

1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed?

The current proposed action is the same proposed action analyzed in the two environmental assessments listed above in C (NEPA documents and other related documents that cover the proposed action) with the additional mitigation noted in A.1. above.

The description of the proposed action from EA number OR-110-99-03 stated that:

“Boats would leave Riverside Park and run to Almeda Bar. The first start times on both days will be 9:00 a.m.. There will be an approximate one-minute interval between each boat as they start. They will proceed down river to Almeda Park. It should take 30 to 40 minutes for all of the boats to reach Almeda Park. When they reach Almeda Park they will restage. They will check all equipment, refuel etc, and wait to start the upriver return run. The return run will start at 12:00 noon, with the event ending at 1:00 p.m.”

This event took place on Saturday May 29th and Sunday May 30th.

The description of the current proposal states that:

“Boats would leave Riverside Park and run to Alameda Bar. The first start times on both days will be 9:00 a.m.. There will be an approximate one-minute interval between each boat as they start. They will proceed down river to Alameda Park. It should take 30 to 40 minutes for all of the boats to reach Alameda Park. When they reach Alameda Park they will restage. They will check all equipment, refuel etc, and wait to start the upriver return run. The return run will start at 12:00 noon, with the event ending at 1:00 p.m.”

This event is proposed to take place on Saturday May 26th and Sunday May 27th, 2001.

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, resource values, and circumstances?

The range of alternatives analyzed in the existing NEPA documents are appropriate with respect to the current proposed action. In these documents, BLM considered the proposal and the no action alternative. The IBLA has ruled (e.g. 98 IBLA 108) that a consideration of the no action and the proposed action alternatives constitutes a range of alternatives sufficient for an EA. Evaluation of the current applicant’s proposed action and the no action alternative are thus adequate. Also, this range of alternatives is the same as that considered in the EA for the 1999 event and which was reviewed by the IBLA in 99-276 upon appeal of the BLM’s decision. The IBLA upheld the BLM’s decision on this appeal. The range of alternatives is also the same as those considered in the March 1999 and May 1997 Environmental Assessments and FONSI’s.

3. Is the existing analysis adequate and are the conclusions adequate in light of any new information or circumstances (including, for example, riparian proper functioning condition [PFC] reports; rangeland health standards assessments; Unified Watershed Assessment categorizations; inventory and monitoring data; most recent Fish and Wildlife Service lists of threatened, endangered, proposed, and candidate species; most recent BLM lists of sensitive species)? Can you reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis of the proposed action?

The existing analysis in EA OR-110-99-03 is still valid for the proposed action. The circumstances surrounding the past review still apply and there are no new substantive resource situations.

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

The interdisciplinary team approach was used in evaluating the proposed action in relation to the existing NEPA documents. Each resource specialist on the team reviewed the proposal and previous analyses. They concluded that the methodologies previously used are still appropriate. The analysis of impacts methodologies previously used remains appropriate.

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 sufficiently analyze site-specific impacts related to the current proposed action?

The direct and indirect impacts are the same as those identified and analyzed in EA OR-110-99-03. No new information or circumstances have been identified that would affect the predicted environmental impacts as stated in the document. The proposed action remains the same.

6. Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current proposed action are substantially unchanged from those analyzed in the existing NEPA document(s)?

The cumulative impacts resulting from the race are unchanged from those discussed in EA OR-110-99-03. The direct and indirect impacts are the same as those identified and analyzed in EA OR-110-99-03. No new information or circumstances have been identified that would affect the predicted environmental impacts as stated in the document. The proposed action remains the same.

The Interior Board Land Appeals considered the adequacy of the cumulative effects analysis in its ruling on the 1999 appeal (99-276). In that appeal, they found that:

“As can be expected, the primary focus of the EA was the environmental impacts of the proposed race. However the cumulative effects were addressed in the EA under the heading “Site Specific and Cumulative Beneficial or Adverse Effects of the Alternatives.” See EA at 9-12. KSWC (i.e. Klamath Siskiyou Wildlands Center) has not identified what other past, present, and reasonably foreseeable future actions might, together with the proposed action at issue here, have a cumulative impact not addressed in the EA. Nor has it specifically identified a material cumulative impact not addressed in the EA. KSWC has not presented any inadequacy in BLM’s consideration of cumulative impacts sufficient to warrant either reversal or remand of BLM’s Decision.”

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

The public involvement and interagency review associated with the existing NEPA documents was extensive. Documents requesting public comment on the proposal and decision records were sent to individuals and organizations on the mailing list and posted on the District web site. Legal notices were published in local newspapers. A public meeting requesting comment on the original proposal was held. The public involvement is adequate for the current proposed action. Concerned parties will be notified prior to implementing the proposed action.

The history of public involvement on the proposal is as follows:

February 7, 2001 - News release issued requesting public comment on the proposal to conduct the 2001 event. News release published on District web site.

February 7, 2001 - Scoping letter sent to individuals and organizations on the mailing list

requesting public comment on the proposal to conduct the 2001 event.

January 31, 2000 - Legal notice published in the Medford Mail Tribune requesting public comment regarding the 2000 event.

January 28, 2000 - Legal notice published in the Grants Pass Daily Courier requesting public comment regarding the 2000 event.

January 27, 2000 - Scoping letter sent to individuals and organizations on the mailing list requesting public comment regarding the 2000 event.

December 20, 1998 - Legal notice published in the Grants Pass Daily Courier requesting public comment regarding the 1999 event.

December 18, 1998 - Legal notice published in the Medford Mail Tribune requesting public comment regarding the 1999 event.

December 11, 1998 - Scoping letter sent to individuals and organizations on the mailing list requesting public comment regarding the 1999 event.

February 1, 1998 - Legal notice published in the Grants Pass Daily Courier requesting public comment regarding the 1998 event.

January 30, 1998 - Legal Notice published in the Medford Mail Tribune requesting public comment regarding the 1998 event.

January 16, 1998 - Scoping letter sent to all interested parties requesting public comment regarding the 1998 event.

August, 12, 1997 - News release issued requesting post-event comment.

May 10, 1997 - Legal notice published in the Grants Pass Daily Courier and Medford Mail Tribune requesting public comment regarding the 1997 event.

April 24, 1997 - Public comment requested on the first proposal.

September 17, 1996 - A public meeting was held to discuss the first proposal. The following were in attendance: Oregon State Marine Board, Josephine County Sheriffs Department, City of Grants Pass, Cal-Or River Racers, GPAC Drag Boat Participants, Southern Oregon Power Boat Association, Hellgate Excursions, Valley Fire, Care Ambulance, Brady Adams State Senator, and Bob Repine State Representative.

E. Interdisciplinary Analysis: The following table lists the team members conducting or participating in the preparation of this worksheet.

INTERDISCIPLINARY PREPARERS	TITLE	RESOURCE VALUES ASSIGNED	INITIALS
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Eric Schoblom	Park Ranger	Team Leader
Leslie Welch	Wildlife Biologist	Prime or Unique Lands, Wildlife, Grazing, T and E species
Dave Maurer	Soil Scientist	Floodplain, Wetlands, Soils, Water
Jeanne Klein	Recreation Planner	Social, VRM
Dale Johnson	Fisheries Biologist	Fisheries
Doug Henry	NEPA coordinator	Environmental Coordination

F. Mitigation Measures: The following mitigation measures were identified, analyzed, and approved in relevant LUPs and existing NEPA document(s) and are applicable to the present proposal. These applicable mitigation measures will be incorporated and implemented as a part of permit amendment.

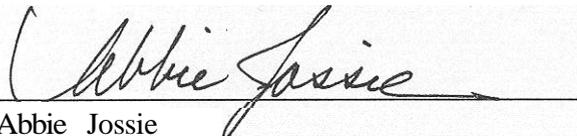
- a. This is a timed event as opposed to boat against boat. This reduces the risk of an accident due to boats overtaking one another.
- b. Only drivers skilled at white water racing are allowed to participate in this event.
- c. All boats must undergo a technical review before they are allowed to enter the event.
- d. The Grants Pass Active Club will be required to obtain all local, state, and federal permits, licenses, and other permission prior to the event. The event will be run in accordance with the APBA regulations.
- e. "Sweeper" boats will be sent down river 30 minutes before the boats begin to run, to ensure the river is clear of people and debris.
- f. All boats will be in radio contact with event officials to ensure a safe course.
- g. Security personnel will be positioned at major spectator areas with access to the river to ensure people are kept out of the water when the boats are running.
- h. Medical personnel will be on call and placed in strategic positions along the event course and the last boat in the competition will have a surgeon on board.
- i. In the event of a mishap or a stalled boat, the event could be stopped completely or

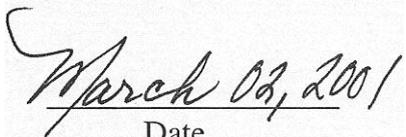
the course cleared immediately by the racer's association, depending on the position and the severity of the mishap.

- j. Josephine County Sheriffs Department will coordinate safety and crowd control.
- k. The Active Club will notify the public of the race and subsequent river closure times through **accurate** advertising or news releases in local newspapers and media.
- l. All boats involved, patrol and race, will carry fire fighting equipment.
- m. Contingency plans in case of emergency spills or leaks by hazardous materials will be in place prior to the commencement of all activities. Fuel and oil absorbent pads will be available on site.
- n. Boats are designed with spill proof gas tanks and the engine is attached directly to the boat hull (i.e., no rubber vibration connectors) so that it will not be ejected from the boat in case of a mishap.
- o. All boats are required to be muffled so that they do not emit more than 104 dBA at 100 feet.
- p. Patrol boats will carry a quantity of absorbent booms to deal with a hazardous material spill.
- q. Boat landings along the event route will be posted, with the event times and other pertinent information. They will be posted and maintained two weeks prior to the event, until the completion of the event.
- r. There will be a radio backup by using Ham radio operators
- s. The permittee will be required to place portable toilets at strategic locations along the event route including at least six toilets along the Hellgate overlook Dunn riffle area. Specifically, two toilets will be placed at Hellgate overlook, two on the road half way between the overlook and the kiosk, and two at the kiosk.

CONCLUSION

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


Abbie Jossie
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Medford District, Bureau of Land Management


Date