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*Preface*

## **PREFACE**

When significant wetlands were identified in Eugene's primary industrial development area, wetlands were defined as a problem. Now, several years later, the West Eugene Wetlands Special Area Study (WEWSAS) provides a clearer focus on the issues raised by the wetlands discovered in west Eugene and sets forth a vision that can achieve a balance of development needs and environmental values.

Between then and now, the study area has been the subject of a great deal of scrutiny and study. Inventories of habitat value, wetland boundaries and wetlands functions and values have been conducted. This information has been shared with the community, including property owners, environmental groups, and other interested citizens through newsletters, workshops, field trips, and in other forums.

We now know that there are wetlands of greater and lesser value. Some are full functioning wetlands that have the proper mix of water, soils and wetlands plants. Other wetlands in west Eugene contain remnants of prairie grassland communities which once dominated the southern Willamette Valley. On these wetland sites, rare plants and insects have been discovered. Other wetlands in west Eugene contribute to flood control and help purify storm water.

We also know that there are at least 360 of the 1430 acres of wetlands that are low value and can be recommended for development. Because loss of even these lower valued wetlands must be compensated for, the proposal for creation of a system of restored and enhanced wetlands ("mitigation bank") has been developed as part of this plan.

At the same time, it is evident that west Eugene is uniquely suited to provide a connected system of protected and restored wetlands along the major waterways that run through the area. With the wetland system contemplated in this plan, the west Eugene wetlands can protect rare plants, provide an open space greenway along the area's major streams, provide for water quality improvements that meet increased federal requirements, and at the same time help protect people and property from flooding.

This unique opportunity may not only be of value for the west Eugene area, but may serve as a focal point for wetland restoration and replacement for development in other parts of the Eugene urban area. With the adoption and implementation of the plan, community resources can be marshalled to assist in development of the lower value wetlands and a combination of federal, state and local resources can be used to protect, restore and enhance the remaining wetlands. In the resulting Plan, federal and state requirements can be addressed at the local level, resulting in reduced time in the permitting process.

The community has a significant opportunity in the west Eugene area to create development that recognizes and is sensitive to the adjacent natural resources, while at

the same time protecting that resource and enhancing its ability to meet a range of community objectives. Many of the public facility costs needed in the area over the coming decades can be used for multiple purposes, creating wetlands that filter pollution from storm run-off and replacing investments in more traditional forms of storm drainage facilities.

It is this multiple objective approach which is reflected in this comprehensive Plan. It is not simply a Plan to protect wetlands or to free wetlands up for development, it is a Plan which balances environmental concerns with development needs. It is a Plan which proposes to meld our public facility needs with the environment to create a better open space system in west Eugene. It is a Plan which suggests a variety of techniques for spreading the costs of the recommendations out among several funding sources over a period of time to make the system affordable to this community.

In 1989, the WEWSAS planning process began with a series of citizen workshops. The process was designed to include broad participation by property owners, the development community, environmental groups, state and federal agency representatives, and other interested citizens. During 1989, more detailed inventory work was conducted. This Plan is a result of scientific study and local community involvement; it is a Plan which balances environmental protection with economic development within the framework of state and federal wetland programs.

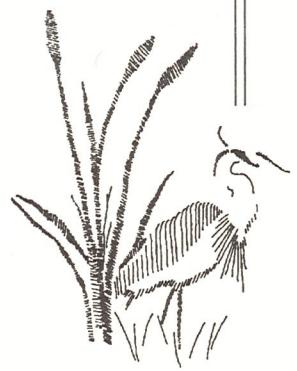
The Plan's first two chapters present Plan Objectives and Highlights and a general introduction. The next five chapters address: Resource Protection; Development, Mitigation; Operating, Maintaining, and Monitoring; Financing; and Future Studies. A companion document to this Plan is the more detailed Technical Report. By putting the detailed background material in the Technical Report, the Plan remains smaller, provides clearer direction guiding future actions, and allows for broader public distribution. The Plan focuses attention on the recommendations of individual wetland sites, goals, policies, and recommended actions. The Plan also contains a list of future public improvement projects that directly and indirectly affect the study area. The terms "goals, policies, and recommended actions" are defined below.

Goals are broad statements of philosophy and are adopted by the City Council and Lane County Board of Commissioners. They may never be completely attainable, but they describe the hopes of the people and help establish direction.

Policies provide the basis for consistent action to move the community toward its goals. Policies are adopted by the City Council and the Lane County Board of Commissioners. These policies are used to evaluate actions relative to the Plan.

Recommended Actions are ideas on how to implement the policies, but are not adopted by the City Council or the Board of County Commissioners. They suggest ways the policies may be carried out and are reviewed, studied, and revised over time. They may or may not be implemented in the form in which they appear. Recommended actions

are evaluated in light of their ability to address the Plan's goal and policy direction while considering community aspirations, financial options, and legal requirements.



*Chapter One*  
*Objectives and Highlights*

## ***OBJECTIVES AND HIGHLIGHTS***

### ***Plan Objectives***

There were four major objectives of the West Eugene Wetlands Special Area Study:

1. To use the best information to help the community understand the choices available;
2. To find a balance between environmental protection and sound urban development which meets state and federal laws and regulations;
3. To provide opportunities for involvement of all interested segments of the community in Plan development; and
4. To turn a perceived "wetlands problem" into a "wetlands opportunity" for the community.

### ***Plan Highlights***

As suggested in the Preface and the above objectives, this Plan addresses wetlands and economic development as critical parts of a healthy, livable community. While the plan contains more detailed goals, policies, and recommended actions, the thrust of the Plan can be understood by reviewing the following highlights, Plan Recommendations (Map #3) and the Wetlands Conceptual Plan Map (Map #4).

#### **Protection and Restoration of a Wetland and Waterway System**

To implement existing federal and state wetland law and policy, the Plan recommends protection of the remaining valuable wetlands. Sites with rare plants are proposed for protection. Almost all of the sites with remnants of the wet prairie grasslands with other important natural values are recommended for protection. Existing wetlands will be enhanced and areas restored where wetlands once existed. These areas and additional areas along stream courses will be used to form a connected wetland system creating greenways along the Amazon Channel, Willow Creek, old Amazon Creek (the A Channel), and the A-3 Channel. The Amazon Greenway will connect the City of Eugene with Fern Ridge Reservoir. This system will provide open space and scenic values in the west Eugene region. Screening techniques will be used to protect wetlands from the effects of adjacent land uses.

## **Protection of Natural Diversity**

By protecting a variety of wetlands, establishing protective buffers, creating and enhancing a variety of wetland types, managing them as a connected system, and linking them together, the community can enhance the natural diversity of west Eugene, an area which was neglected too often in the past. In the future, it will be rich in natural and cultural diversity.

## **Development Opportunities and Certainty**

After many years of planning for urban uses and investing millions of dollars in public infrastructure facilities, the discovery of wetlands in west Eugene placed a cloud of uncertainty over future development opportunities. The Plan responds to this dilemma with recommendations that attempt to balance environmental and economic development values within the framework of federal and state wetland law. The Plan removes the cloud of uncertainty by recommending development on some wetlands while protecting others (see Map #3). Wetlands that are recommended for development are frequently small, isolated and difficult to protect from already planned or developed urban uses. The Plan also recommends that the City seek a regional permit from the Army Corps of Engineers so that the administration of the permitting and mitigation process can occur at the local level, thus saving valuable time and resources.

Public comment during the preparation of the Plan and examples of new development adjacent to wetlands in other communities, tells us that citizens value living, working and shopping in areas that demonstrate attention to the surrounding landscape. Using this Plan, the community can focus its attention on designing future development in ways that complement wetland areas, resulting in added value for both the development and the environment.

## **Wetland Protection Measures**

The Plan examines and recommends a number of wetland protection measures. The primary long-term protection strategy is public or private non-profit acquisition, coupled with a natural resource designation on the Metropolitan Plan and a natural resource zoning district that would prohibit development. Until funds become available for acquisition, the existing federal and state wetland regulatory processes will continue to be the primary means for insuring wetland protection. In addition to their existing review process, federal and state regulatory agencies will utilize the recommendations of this Plan as guidelines when considering individual permit applications. When the City obtains a federal regional permit and a state approved wetland conservation plan, the administration of the permitting process will be transferred to the City of Eugene. At that time, the City will have adopted other protection measures such as overlay zones, buffering requirements, and conservation easements.

A priority for implementing this Plan is the preparation and adoption of a waterside protection and development ordinance. This ordinance will protect water quality and wildlife habitat of identified natural resource areas, allowing and encouraging development that is designed to enhance environmental values (see Appendix A).

## Mitigation

Mitigation is the process used by federal and state agencies for determining whether wetlands may be developed (impacted) and, if so, under what conditions. The decision-making process is hierarchical where each level of criteria must be satisfied prior to proceeding to the next. The process is structured so that priority consideration is given to *avoiding* wetland impact. If it can be shown there is an unavoidable *need* to impact wetlands, the process then attempts to *minimize* the extent of the impact and sets out requirements to *compensate* for wetland losses in the form of *enhancement, restoration or creation* of wetland resources.

This Plan has conducted the mitigation analysis for the entire study area and concludes that the most effective way to achieve no net loss of wetland resources is to avoid impact. As a result, over 75% of the 1,430 wetland acres will be protected from impact in the form of comprehensive plan designations, zoning techniques and buffering requirements.

For the 360 wetland acres recommended for development, the Plan requires compensation to occur at a minimum ratio of 1.5 acres of replacement for each acre of impact. Compensation is targeted for areas where the prospects for success are the highest, most beneficial to the ecological landscape and require little, if any, on-going maintenance. These areas are located on historic wetlands, disturbed agricultural wetlands and in areas adjacent to existing waterways. Enhancement and restoration, therefore, will be the primary methods for compensating for wetland losses. Mitigation efforts will concentrate on reestablishing historic wetland types and habitat that naturally occur in the area, while also creating opportunities for other wetland types such as marshes and ponds.

The Plan approaches mitigation in a comprehensive manner where resulting efforts not only satisfy federal and state wetland law but achieve other community needs and objectives such as providing additional flood control storage, water quality enhancement features, improved wildlife habitat and educational and recreational needs of the community.

## Mitigation and the Regional Mitigation Bank Concept

The Plan utilizes the wetland mitigation bank concept as the primary means for implementing the mitigation program. With this approach, mitigation efforts are planned as a whole where the most suitable sites are identified, acquired and restored in advance of wetland impact. This concept not only benefits the natural resource system by

planning for the restoration of the Amazon Creek basin, but it also benefits the users of the bank - the development community. The bank system performs the mitigation requirements for individual users where the details of compensation are preplanned, constructed and maintained by a public or private-nonprofit agency. To satisfy individual impact requirements, users simply have to buy mitigation credits from the bank, thus eliminating uncertainty and saving valuable time and resources. Because the bank is planned and developed as a whole, the details of mitigation can be incorporated into the existing environment, resulting in a more logical and natural system. The bank is proposed to have sufficient capacity to serve the mitigation needs of the West Eugene Wetland Study Area and the community as a whole.

### **Stormwater Management**

The City of Eugene will develop a comprehensive Stormwater Management Program that addresses the issues of flood control, water quality and natural resource management. This program will include management of the west Eugene wetlands system and will focus on the interrelationships among these components of Eugene's waterways and associated wetlands. The City of Eugene Public Works Department will use fewer piped storm sewers and will manage the open channels in ways to better balance stormwater and flood needs with environmental and wildlife habitat needs. The efforts will help reduce pollution and will make the waterways more pleasant urban open spaces.

### **Water Quality Improvements**

Constructed wetlands and wetland improvements will be used as biological filters to remove sediments, certain nutrients, and other water pollutants from the drainageways in west Eugene. In some instances, wetlands will be enhanced by providing more water to sites. The result will be cleaner surface waters, improved aquatic habitats, and a more pleasant water-oriented experience for those who live, work and visit west Eugene. While these wetlands may have multiple values, they will be managed for their primary use - stormwater treatment. A separate study is being conducted by the City of Eugene to address further water quality improvement techniques, including reducing sources of water pollution that enter one storm sewer system.

### **Improved Flood Control**

By widening channels, protecting existing wetlands and creating new wetlands, additional flood storage capacity can be added in west Eugene. The widened channel bottoms will allow the low flow channels to meander among wetlands and for the reestablishment of stream bank habitat. This will reduce downstream impacts of storm runoff originating in the urban area. These flood storage improvements can often provide multiple benefits, such as wildlife habitat and recreation. Widening projects will be designed to protect and enhance adjacent wetlands.

## **Improved Plant and Animal Habitats**

Within the managed wetland system, rare plants will be protected. Experimentation on ways to increase populations of rare plants will occur through scientific research and demonstration projects. Also, the unique Willamette Valley prairie grassland plant community will be protected through creation of a wetland prairie reserve. By protecting and restoring a variety of wetland types, and by buffering natural areas from the impacts of nearby development, a diversity of habitats will be created; that diversity will benefit wildlife. The greenway corridor concept also benefits wildlife. Expanding existing natural systems and restoring habitat in areas that have been damaged by human activities insures better survival of wildlife and wildlife viewing opportunities. The greenway corridor concept also achieves this purpose.

## **Recreation, Education, and Research**

Planned trails, bikeways, wildlife observation points and cleaner water within a diverse system of wetland types will provide numerous opportunities for public enjoyment of west Eugene environments. The wetland environment in west Eugene will become a favorite place to recreate and learn particularly when utilized by elementary, secondary and higher learning institutions in the community. Located near the University of Oregon, Oregon State University, Lane Community College, and other federal research laboratories, west Eugene will be the subject of further study over the coming decades. The possibility of a nature center devoted to west Eugene natural areas, including wetlands and the native American and early white settlement of the southern Willamette Valley, will be explored. Such a center might serve educational, recreational, and research needs.

## **Corridors and Connections**

By creating greenways and trails along existing waterways, Eugene can be connected to Fern Ridge Reservoir via the Amazon Channel from Spencer Butte, through downtown Eugene and through the Bethel neighborhood. Via Willow Creek and the Amazon Park system, the Amazon Channel can also be connected to the South Hills ridgeline system. The Amazon waterway systems, like the Willamette and McKenzie Rivers, can become important natural corridors linking the community together.

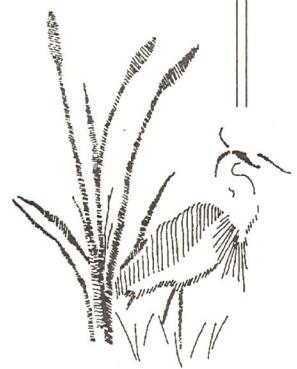
## **Managing the System**

The City of Eugene Public Works Department will assume the overall responsibility for managing and monitoring the west Eugene wetlands system with assistance from other departments. The role of the Public Works Department will expand to include natural resource management, stormwater quality and wetlands. Through staffing or contractual arrangements, the City will gain the expertise needed to manage the wetlands system. There are opportunities to work with environmental and community organizations, non-profit environmental groups, and the private sector in order to protect and enhance west

Eugene's natural environment. School children and other interested citizens can enjoy studying the environment while having a helping hand in improving it.

### **Financing Protection, Restoration, and Management**

The City will continue to seek state and federal funds to acquire wetlands for protection, land for restoration and mitigation, and to pay for demonstration construction projects. Local funding sources will be focus on the construction of public improvements and the on-going operations, maintenance and monitoring of the system. Private funds will assist with acquisition and construction through the revolving funds of the mitigation bank program. Formation of a local land trust is another possible way to use private funds to assist the wetlands program. The funding solutions for west Eugene are likely to be diverse, and it is anticipated that acquisition and construction will take at least ten years or longer to complete. The acquisition and construction program is accompanied by priorities in map and list form (see Chapter 6, Maps #5 & 6) which will help in phasing Plan implementation over time as funding allows. A steady, local revenue source is recommended for the on-going management program. The wetlands management program will continue to be coordinated with the appropriate state, federal, and local agencies.



*Chapter Two*  
*Introduction*

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## **INTRODUCTION**

By presenting a vision for west Eugene, this Plan provides a framework for balancing natural resource protection and urban development. By protecting and restoring the natural environment and by planning development more carefully, the implementation of this Plan can provide a model for better integrating our natural and urban worlds. As the Plan is implemented, west Eugene will be a nicer place to live, work, visit, recreate, and travel through. Specially created wetlands can serve public works functions like flood control and water purification. Animals and rare and unusual plants can survive in and benefit from improved habitats. People will enjoy walking, canoeing, bicycling, and fishing along the Amazon Channel in the future. The community could take pride in a waterway and wetland system that links the community and future generations with our natural and cultural past. This Plan continues a long tradition of Eugene planning to integrate our natural environment with carefully planned growth, making Eugene one of the outstanding places in the United States to live and work - a truly livable city.

The Plan provides mechanisms for protecting wetlands and for allowing sound economic development. It provides a vision for the west Eugene area which creates a wetland reserve composed of protected and restored wetlands. These wetlands are organized as a connected system creating greenways along the Amazon, Willow Creek, old Amazon Creek, and the A-3 Channel. The Plan directs development away from sensitive areas, and encourages it in areas where environmental damage is minimal. It is in these areas that the use of existing public and private funds on public improvements is most logical and the recreational and aesthetic benefits are greatest. The Plan recommends open spaces along the water corridors through a carefully crafted scheme allowing multiple uses as summarized in Chapter One, "Objectives and Highlights".

### **AREA COVERED**

Eugene, Oregon is located in Lane County at the southerly end of the Willamette Valley (see Map #1). With a population of 112,000, Eugene is the second largest city in Oregon, Portland being the largest. The overall population of the Eugene-Springfield metropolitan area is approximately 200,000 persons.

The Plan generally covers the Amazon Creek drainage basin from its headwaters near Spencer Butte in southeast Eugene to its western reach at Fern Ridge Reservoir (see Map #2). The Plan also covers portions of the Long Tom River basin which the Amazon Creek basin is a part. The principal focus of this Plan is the area represented on Map #2 as the primary study boundary, which is approximately 8,000 acres in size and bounded by Garfield Street to the east, Greenhill Road to the west, the South Hills Ridgeline to the south and Royal Avenue to the north. All of the delineated wetlands affected by this Plan are within the primary study boundary. It is within this boundary where most of the initial mitigation efforts and flood control, water quality enhancement and recreation facilities will occur. The secondary study boundary is, more-or-less, the

balance of the Amazon Creek drainage basin. This area is significant as it reflects the relationship of the primary study area to the overall Amazon Creek drainage basin. It is within this area that additional mitigation efforts and related public improvements projects will occur so that a continuous greenway corridor can be established.

## PLAN DOCUMENTS

There have been a number of studies and documents produced during the West Eugene Wetlands Special Area Study process. They are all listed in the reference section. Two key documents are:

1. This Plan, the West Eugene Wetlands Plan, which includes a brief narrative with goals, policies, implementation strategies, and maps that will guide the community toward achieving local objectives and meeting state and federal laws and regulations.
2. A Technical Report, which includes more detailed text and maps that summarize information about the study area, wetlands, alternatives analysis, environmental and economic impacts evaluation, federal and state wetland laws, and the citizen involvement process used in developing this Plan.

## RELATIONSHIP TO OTHER PLANS AND POLICIES

The West Eugene Wetlands Plan is a refinement of the Eugene-Springfield Metropolitan Area General Plan (Metropolitan Plan), 1987, a guiding document for public decisions affecting the metropolitan region. Refinement plans are consistent with other City and metropolitan policy documents, such as the metropolitan regional transportation plan, TransPlan, 1989, and the Eugene Community Goals and Policies, 1984. Additionally, refinement plans must be consistent with the direction established in the Metropolitan Plan or initiate a process for its amendment. The West Eugene Wetlands Plan addresses the relationship with other refinement plans, such as the Willow Creek Special Area Study, 1982, and the Bethel-Danebo Refinement Plan, Phase II, 1982.

Because the West Eugene Wetlands Plan addresses land use issues outside the Metropolitan Plan boundary, it is also coordinated with the Lane County Rural Comprehensive Plan. Any recommendations in the West Eugene Wetlands Plan must also be consistent with the Rural Comprehensive Plan or initiate a process for its amendment.

The Plan was developed in coordination with several key state and federal agencies involved in wetlands regulation and planning: DSL, ACOE, EPA, and the USF&WS. The Plan was also coordinated with local offices of other applicable local, state and federal agencies. The Plan was developed to meet all applicable state and federal regulations and guidelines. The adopted Plan will be accepted by the DSL, ACOE and EPA through formal agreement or their respective formal approval processes.

## **PLAN IMPLEMENTATION**

After careful review, the Eugene City Council and the Lane County Board of Commissioners will take action on the West Eugene Wetlands Plan's goals, policies, maps and its priorities list of land acquisition and future public improvement projects. Some recommended actions must be adopted and operational in order to establish state and federal permitting authority at the local level. The recommended actions will receive strong consideration over the life of the Plan by local governments, by federal and state agencies, and by private interests, including the environmental and development community.

The City is expected to use the Plan in the:

1. Administration of City programs and services affecting the west Eugene region.
2. Review of City regulations or ordinances identified in the Plan as needing amendments.
3. Review of other plans and policies that affect the west Eugene region.
4. Coordination with other governments and groups interested in the west Eugene region.
5. Development of lobbying priorities for changes in state and federal law or programs and in seeking funding support for Plan implementation.
6. Development of specific zoning districts, ordinances or other measures to comply with state and federal wetland conservation plan requirements.
7. Preparation of the City's Capital Improvement Program and annual City budget for operation and maintenance of the system of natural areas, parks, and public works.
8. Response to development proposals within the area.

Lane County will use the Plan in the:

1. Administration of County programs and services impacting the west Eugene region.
2. Review of County regulations or ordinances identified in the Plan as needing amendments.
3. Development of lobbying positions for changes in state and federal law or programs and in seeking funding support for Plan implementation.
4. Preparation of the County's Capital Improvement Program and annual County budget for operation and maintenance of the system of natural areas, parks, and public works.
5. Response to development proposals consistent with this Plan.

State and Federal Agencies will use the Plan to:

1. Make funding decisions and establish funding priorities.

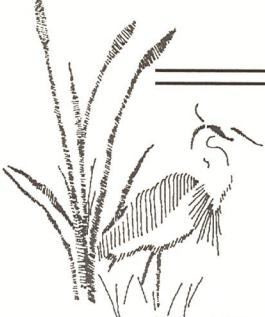
2. Make decisions about further wetlands, water quality, and environmental research.
3. Guide other activities and projects consistent with and complementary to the mutually developed and agreed upon Plan.

Others interested in the Plan or operating in the west Eugene region are expected to use the Plan in the:

1. Understanding of the community's vision and hopes for west Eugene.
2. Design of projects so that they are consistent with the plan and complement the existing or planned protection, restoration, and development scheme.
3. Initiation of projects and activities that affect the west Eugene natural and developed systems, including public improvements.

## **AMENDMENT PROCESS**

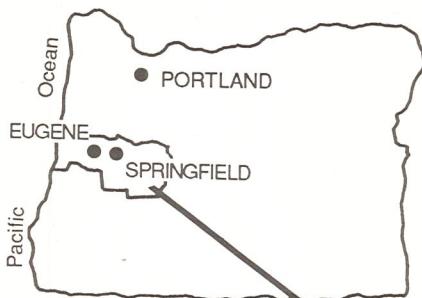
The West Eugene Wetland Plan can be amended in the same manner as any other refinement plan or special area study as provided for in the amendment procedures of the Eugene Code. As with other refinement plan amendments, any amendment to WEWSAS must be consistent with the Metropolitan Area General Plan. If there are inconsistencies, an amendment to the Metropolitan Plan is required before any such WEWSAS plan amendment could be effective. Due to the regional permitting process and the on-going relationship with state and federal regulatory agencies, they will be notified of any proposed amendments and asked to comment prior to planning commission or council action, or action by Lane County.



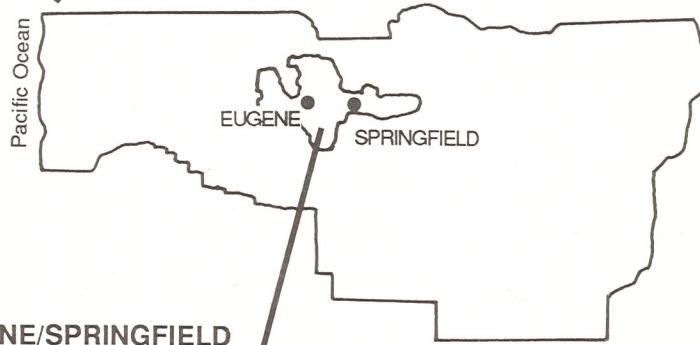
## Map 1 Vicinity Map

West Eugene Wetland Special Area Study, 1991

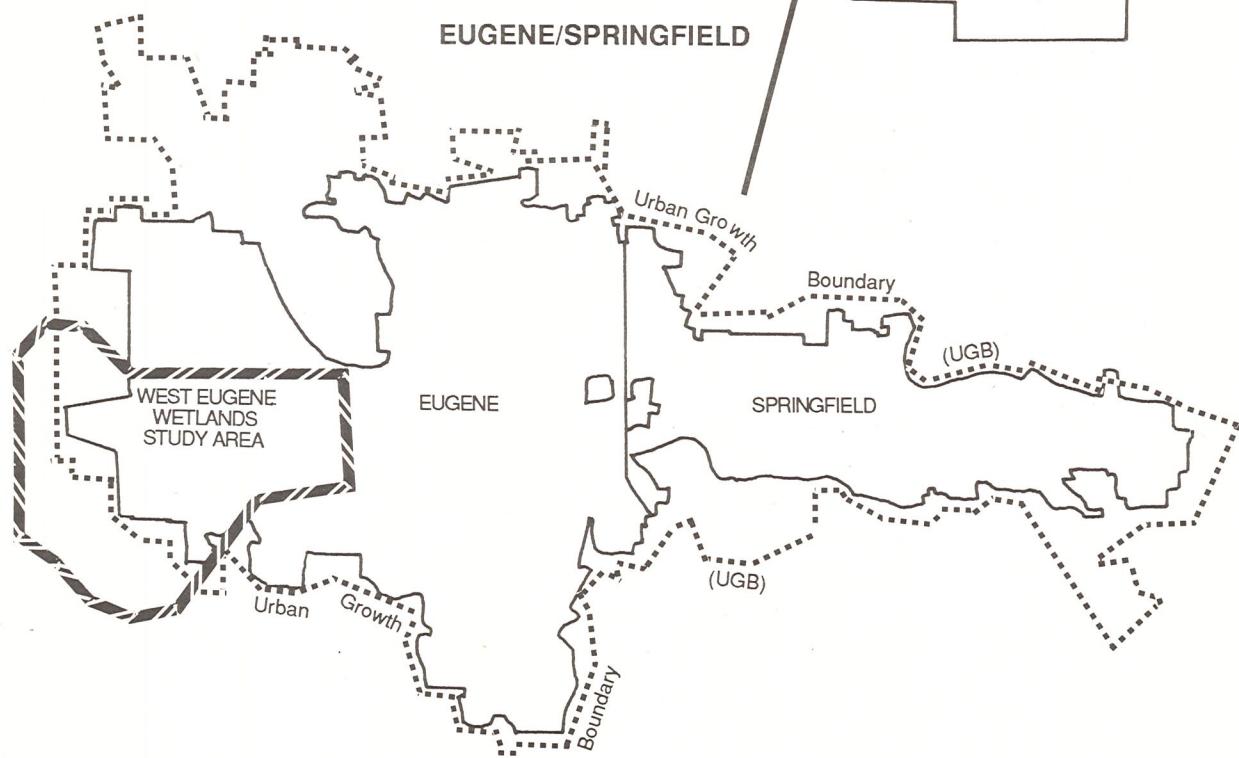
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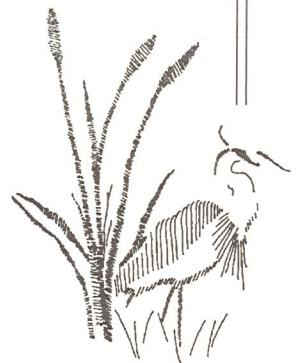


LANE COUNTY



EUGENE/SPRINGFIELD





*Chapter Three*  
*Resource Protection*

## **RESOURCE PROTECTION**

### **INTRODUCTION**

This section discusses and presents goals, policies and recommended actions for protecting and providing protective buffers for wetland sites in the WEWSAS.

As a result of field work conducted in 1988-89, 1,430 acres of jurisdictional wetlands were identified within the study area. Through a process which involved a series of public workshops, a technical advisory committee of state and federal agency representatives, and staff evaluation of alternatives, a recommendation was developed which calls for protecting 1,070 acres, and allowing development to occur on 360 acres. The Wetlands Recommendations Map (see Map #3) depicts wetlands that are recommended for development, protection, and mitigation.

Wetlands are recommended for protection due to their high natural resource value (colored green on Map #3) or due to their value as enhancement sites for mitigation credit (colored yellow on Map #3). See Chapter 4 of this Plan for a detailed discussion of mitigation policies.

Appendix B contains the criteria used to identify sites suitable for and deserving of protection. The development of these criteria included consideration of state and federal wetland laws and policies, citizen input received through workshops and questionnaires, comments from wetland regulatory agency staff, and the results of the field work conducted by Esther Lev in 1988 and by Scientific Resources Inc. (SRI), in 1989. Not all of the criteria in the list above had to be met in order to assign a recommendation for protection.

The primary thrust of these recommendations are to seek acquisition of the wetlands identified for protection including those recommended for enhancement. Following acquisition, land use controls will be applied to restrict uses and protect those sites in perpetuity. Protection measures developed as part of the concurrent Eugene-Springfield Metropolitan Area Natural Resources Special Study are recommended as long-term protection measures. These protection measures are outlined in Appendix A of this Plan. This Plan gives additional detail to the proposed Natural Resource Zone, as described under "Recommended Actions".

Prior to acquiring protected wetland sites, potential developments would be subject to Planned Unit Development or Site Review procedures, as well as state and federal wetland permit processes.

## **GOALS, POLICIES, RECOMMENDED ACTIONS**

The following section contains goals, policies and recommended actions for those goals and policies. These apply to the wetlands specified for protection on the Wetlands Recommendations Map (see Map #3).

### **GOALS**

- 3.1 Protect and enhance water quality, wildlife habitat, flood storage, sediment and toxicant removal and other wetland functions and values within the study area.
- 3.2 Minimize economic hardship on private property owners due to protection of wetlands and other valuable environmental resources.
- 3.3 Minimize adverse impacts to protected wetlands from adjacent development.
- 3.4 Protect high quality examples of each important type of wetland plant community currently existing in West Eugene: native Willamette prairie grassland, ash forest, cattail marsh, shrub/scrub, and open water.
- 3.5 Protect and expand current populations and habitats of rare, endangered and threatened plants and animals that currently exist in West Eugene.
- 3.6 Achieve state and federal requirement of "no net loss" of wetlands in both quantity (area) and quality (functions and values) within the Plan area.
- 3.7 Protect an interconnected system of wetlands within a sustainable, ecologically sound system, with a high likelihood of long-term survival.
- 3.8 Allow for multiple uses of protected wetlands, while ensuring that functions and values are maintained or enhanced.

### **POLICIES**

- 3.1 Seek acquisition of protected wetland sites by local public agencies and private, non-profit conservation organizations.
- 3.2 Apply interim protection measures to wetland sites identified for protection through existing local land use controls, until sites are purchased for conservation and protection.
- 3.3 Develop and adopt ordinances to protect wetlands and waterways in the plan area.

- 3.4 Amend existing policies that conflict with protection of regulated wetland functions and values to make them consistent with WEWSAS goals and policies.
- 3.5 Along with Lane County and the State of Oregon, protect wetlands on public lands in WEWSAS area and restore wetlands on public lands within the greater WEWSAS area (see Maps #3 & 4).
- 3.6 Coordinate development and adoption of protective ordinances with Lane County for sites outside the city limits and within the UGB.
- 3.7 Ensure that any private or public party can continue to seek individual state or federal wetland permits for any proposed development within the study area.
- 3.8 Establish, maintain and protect physical and hydrologic linkages between protected wetlands and adjacent transitional and upland wildlife habitat and natural areas.
- 3.9 Protect and enhance the quality, functions and values, of natural and human-made waterways that are interconnected with wetlands within the study area.
- 3.10 Include rare plant protection in ordinances developed to protect wetlands and other resources.
- 3.11 Restrict public access in natural research areas, rare plant sites and specified wildlife nesting and resting areas.
- 3.12 Create buffer areas between regulated wetland boundaries and adjacent uses or developments.
- 3.13 Promote multiple uses of protected wetlands to meet community, environmental and human needs: (a) provide public access where other wetland functions and values are not compromised; (b) coordinate wetland protection, enhancement and restoration with regional water quality improvement needs; and (c) utilize current and restored wetlands for flood storage and control.
- 3.14 Apply hillside protection and streamside protection policies (see Appendix A) within the "urban reserve" areas outside the UGB, but within the Metropolitan Plan jurisdictional boundary, to protect water quality and manage water quantity in the watersheds above the WEWSAS wetlands. (The hillside protection shall include protection of the ridgeline corridor on

the headwater streams identified in the adopted WEWSAS Plan and Willow Creek Special Area Study).

- 3.15 Make wetlands protection policies that prohibit development effective after the wetlands are acquired by a public agency or non-profit organization (e.g., The Nature Conservancy) for protection in perpetuity.

## RECOMMENDED ACTIONS

- 3.1 Acquire all sites recommended for protection or mitigation.
- 3.2 Establish acquisition priorities among protected sites. Highest priority shall be assigned to the following sites:
1. Bertelsen Slough/Stewart Pond complex (Site E2 and buffers)
  2. Spectra Physics complex (Sites C2, C3, C4, C5 and buffers)
  3. Willow Creek complex (Sites H1, H3 and buffers)
  4. North Amazon complex (Sites B1, B4, B5)
- Note: The numbers within the parenthesis are wetland identification numbers which were assigned by SRI at the time of wetland delineation. The letter portion of the ID# refers to the geographic subunit of the study area. Refer to Map #3 for the location of each wetland site.
- 3.3 Following acquisition, designate protected wetland sites "Natural Resource" on the Metropolitan Plan diagram.
- 3.4 Develop, adopt and apply natural resource protection measures as follows (complete text of these six proposals are contained in Appendix A).

Natural Resource Zoning District: apply to protected jurisdictional wetland sites following acquisition by managing agency or organization.

Waterside Protection and Development Ordinance: apply to designated streams, rivers, channels and riparian areas in study area.

Upland Development Design: apply to uplands to the south of study area.

Low Impact and Active Public Access: apply to appropriate sites.

Clean-up, Restoration and Education Policy: apply to all protected areas and sites.

Stormwater Planning Policies: apply to all drainage channels in study area that are identified in the Eugene Areawide Drainage Master Plan.

- 3.5 As an interim measure, develop and apply a "wetland protection overlay zone" to sites identified for protection. To minimize potential impacts to wetland functions and values, require Planned Unit Development or Site Review procedures on all development proposals.
- 3.6 As a medium term interim protection measure and prior to acquisition for conservation and protection, apply design criteria outlined in the Waterside Development Ordinance.
- 3.7 Include performance-based natural resource buffer setbacks in new Natural Resource Zoning District and apply to protected wetland sites. Buffer setbacks are intended to minimize impacts to the resource from adjacent development or other activities. Setbacks are intended to create open space between the resource and adjacent uses, and add wildlife habitat, provide filtering of stormwater runoff entering the resource site and increase aesthetic value of the site. Setback distances shall be variable based upon the quality of the protected site, and the type of uses proposed for adjacent areas as indicated:

#### **Highest Value Wetlands**

Minimum setback 75 feet, maximum setback 150 feet. Maximum setback can be reduced by enhancing buffering quality of setback area. Enhancement includes planting appropriate multi-layered (i.e., forb-grassy layer, shrub layer, tree layer) native vegetation, limiting uses within the setback, treatment of runoff using grease and oil separators, biofiltration systems and detention ponds, use of porous paving materials, and other measures to minimize impacts to resource and wildlife. Uses within the 75 foot minimum setback are limited to passive recreation and low impact trails. No impervious surfaces or topographic changes that would adversely affect wetland hydrology would be permitted.

#### **Moderate Value Wetlands**

Minimum setback 50 feet, maximum setback 100 feet. Maximum setback can be reduced by enhancing buffering quality of the setback area as described above. Uses within the 50 foot minimum setback are limited to passive recreation and low impact trails. No impervious surfaces or topographic changes that would adversely affect wetland hydrology would be permitted.

#### **Lower Value Wetlands**

No setback beyond jurisdictional wetland boundary. Create a 25-foot buffer area inside the wetland boundary on large parcel, low value

disturbed agricultural wetlands. The buffer area should include plantings, berms, or other enhancements to separate adjacent uses and activities from wetland areas, and maintain wetland functions and values. Allowed uses within the buffer include planned and necessary utilities and recreational trails. No impervious surfaces, grading, filling or other modifications would be allowed except to enhance water quality, wildlife habitat, flood storage and other wetland functions and values. The setback area would not be counted in calculating mitigation credit on those low value wetlands that are enhanced.

#### Restored or Enhanced Wetlands

Low value wetlands that are enhanced, and former wetland sites that are restored, shall have a minimum buffer distance of 50 feet to protect enhanced functions and values. These restored and enhanced sites shall be treated as moderate value wetlands above.

- 3.8 On certain sites where development existed prior to the adoption of the plan, or where lot size or configuration, or topographic characteristics make even the minimum buffer setback infeasible, a variance process will be available. Wherever possible, the area of required buffer that is waived will be transferred to another portion of the site, making the buffer in that area larger than would otherwise be required.

The criteria for allowing variances to the minimum buffer setback distance are as follows:

For wetlands that directly abut existing development such as streets or parking lots, buffers will not be required. Buffering vegetation such as hedgerow plantings of native shrubs should be encouraged in these areas.

In situations where application of the minimum buffer would not allow a reasonable and economic use of the remainder of an adjacent property, the buffer distance can be reduced below the specified minimum (50 feet for moderate value sites, and 75 feet for high value sites) if the following requirements are met:

1. The development proposal must demonstrate that the minimum buffer would cause significant economic hardship and would not allow a reasonable economic use of the remainder of the property.

2. The development proposal must include an analysis of alternatives, concluding that no other site design or configuration is possible that would allow a reasonable economic use of the property consistent with the Metropolitan Plan designation for the property.
3. The development must take special measures to ensure that any adverse impacts to the resource are minimized, including noise and light reduction, limiting human activity next to the wetland, on-site treatment of stormwater and vegetative buffering using native species in a structurally diverse planting.
4. The development proposal must "transfer" the buffer area to another edge of the wetland site, or to another wetland site, as close to the development as possible.

In reviewing petitions for a variance of the minimum buffer setback, the city should consider relaxing or adjusting other site design standards or requirements, where doing so would facilitate meeting the minimum setback without compromising public health and safety.

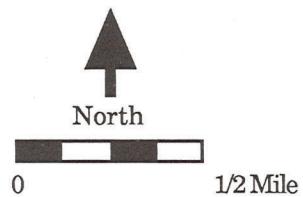
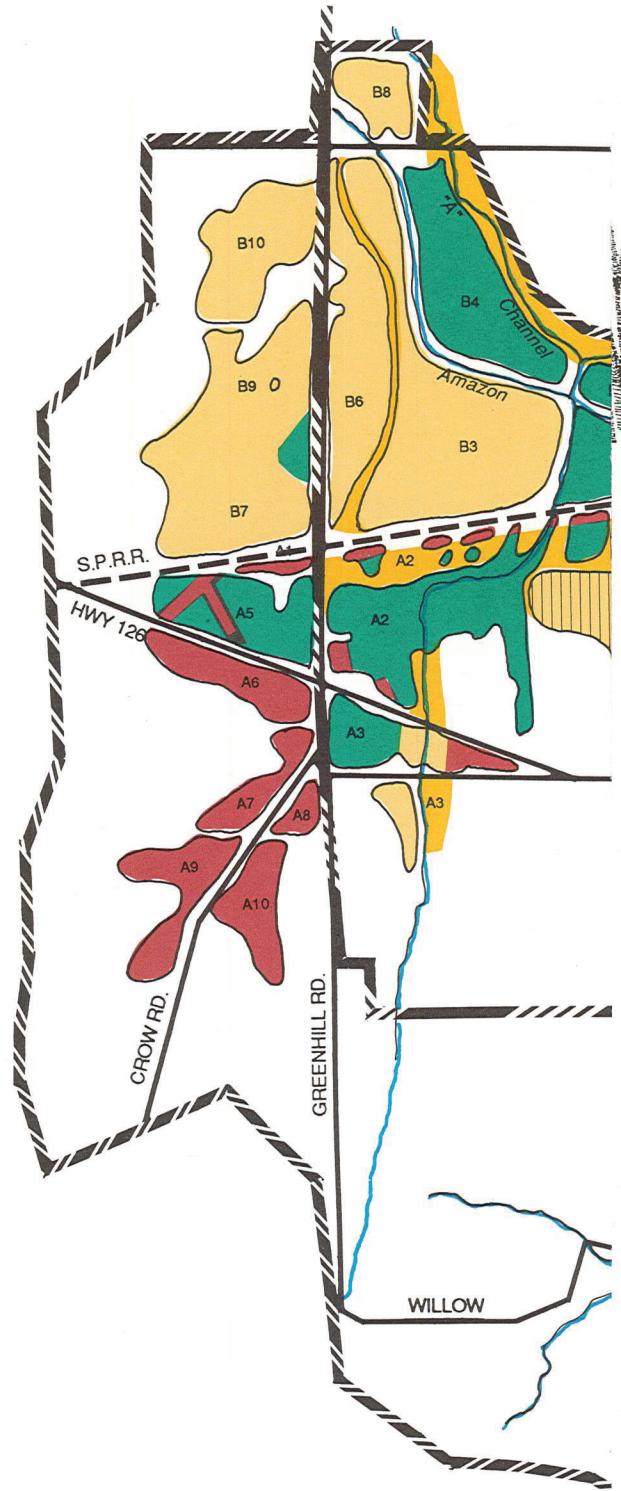
- 3.9 Develop and apply "best management practices" (BMP's) to construction and development within natural resource buffer setbacks. BMP's shall include construction site practices to minimize water quality impacts, noise impacts, disruption of wildlife mating and nesting, and to protect other important functions and values. These may include:
- requiring a temporary erosion control and sedimentation plan during construction
  - requiring on-site detention or retention of stormwater (e.g., constructed wetlands, wet ponds, extended detention ponds, infiltrations basins) to minimize impacts from new development
  - requiring use of shallow grassy swales to carry runoff into the stormwater system
  - requiring use of oil and grease separators where street runoff enters mitigation areas
  - requiring use of porous pavement in parking areas
  - optimize vegetated areas to compensate for impervious surface resulting from development
  - limit post-development runoff to pre-development levels
- 3.10 Amend the existing "obnoxious vegetation ordinance" to exempt protected wetland sites from vegetation cutting requirements.

- 3.11 Strengthen the existing tree preservation and hillside development regulations to protect water quality within the Willow Creek and Amazon Creek watersheds.
- 3.12 Lane County should amend its Rural Comprehensive Plan to reflect ORS 196 which recognizes wetland enhancement, improvements and mitigation as an allowed use in agriculturally zoned areas consistent with the adopted WEWSAS Plan.
- 3.13 Lane County should apply the Eugene and Lane County tree conservation ordinance within the upland areas in the WEWSAS Plan "urban reserve" areas above the 800 foot contour.
- 3.14 Lane County should adopt the goals and policies herein for the urban transition area and the Willow Creek urban reserve area:
1. As upper Willow Creek urban reserve area is brought into the UGB through future plan amendments, the hillside protection and tree cutting policies should apply.
  2. All interim development in the Willow Creek Urban Reserve Area shall conform to stream protection and hillside policies requiring cluster/PUD development.
- 3.15 Prepare a management plan for rare plants and ecosystems in conjunction with the University of Oregon, the Native Plant Society, The Nature Conservancy, the U.S. Fish and Wildlife Service and the Oregon Department of Fish and Wildlife.
- 3.16 Negotiate intergovernmental agreement(s) with the Oregon Division of State Lands, U.S. Corps of Engineers, U.S. Fish and Wildlife Service, U.S. Soils Conservation Service and U.S. EPA to ensure that: (1) those agencies abide by the goals and policies of this plan in all wetland permit decisions, and recognize the WEWSAS wetland boundaries as the definitive regulated wetland boundaries of west Eugene, and (2) development will not be allowed under Army Corps of Engineers "Nationwide Permits" on sites designated for protection under this plan.
- 3.17 Seek administration of federal and state wetland regulations at the local level by obtaining a Regional Permit from the Army Corps of Engineers and approval of a Wetland Conservation Plan from the Oregon Division of State Lands.

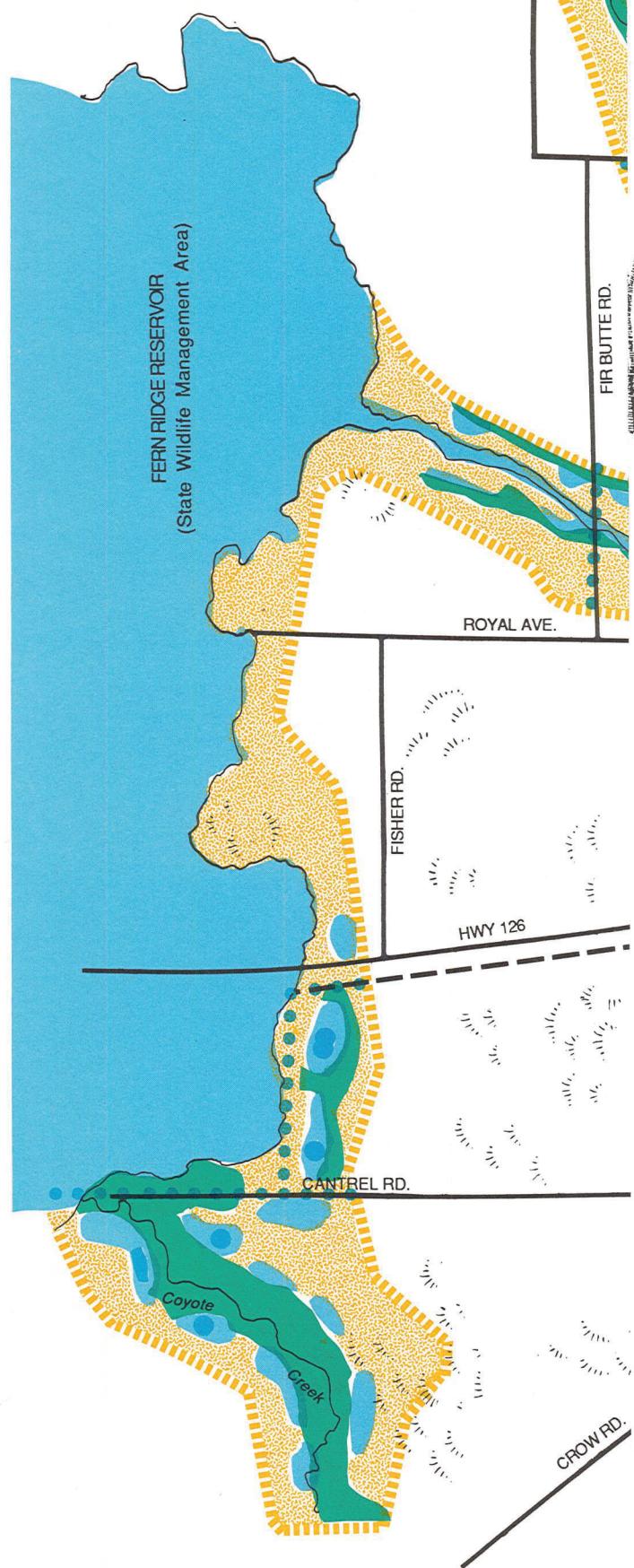
### Map 3 Wetlands Recommendations

- [Green Box] Wetlands to be Protected
- [Red Box] Wetlands to be Developed
- [Yellow Box] Wetlands to be Enhanced for Mitigation Credit
- [Yellow Box] Upland Mitigation Sites
- [Blue Wavy Line] Streams to be Protected
- [B5 Box] Boundary of Regulated Wetland with Site Identification Number
- [Red Stripes] Berm and Furrow
- [Black Hatching] Wetland Delineation
- [Black Hatching] Urban Growth Boundary
- [Black Hatching] Study Area Boundary

West Eugene Wetland Special Area Study, 1991



## Map 4 Conceptual Plan



Note: This map reflects future efforts to improve the quality of the Amazon Creek Basin by protecting, restoring, enhancing and creating wetland resources

### Wetland Types

- Deep Water (includes flood storage areas)
- Shallow Water & Marsh (includes channel widening)
- Forested Ash, Willows, Cottonwoods
- Palustrine Emergent Scrub-Shrub & Prairie Grasslands

### Buffers

- High Value Wetlands (75' - 150' wide)
- Moderate Value Wetlands (50' - 100' wide)
- Low Value Wetlands (25' inside wetland boundary)
- Highway Buffer-Fencerow (fence with plantings to screen highway related impacts)

West Eugene Wetland Special Area Study, 1991

