

**ENVIRONMENTAL ASSESSMENT AND
FINDING OF NO SIGNIFICANT IMPACT**

Project Title: Silver Falls State Park Recreation and Public Purposes Lease

EA Number: DOI-BLM-OR-S040-2011-0001-EA

Type of Project: Issuing a Recreation and Public Purposes (R&PP) Lease

Date: July 11, 2011

Location of Proposed Action: T. 8 S., R. 1 E. sections 3 and 35, and T. 8 S., R. 2 E. section 31; W.M. Marion County, Oregon

Name and Location of Preparing Office: USDI - Bureau of Land Management
Cascades Resource Area, Salem District, 1717 Fabry Road SE
Salem, OR 97306

Lease, Serial, or Case File Number (where applicable): R&PP lease OR066757

Applicant Name (where applicable): Oregon Parks and Recreation Department

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As the Nation's principal conservation agency, the Department of Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering economic use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historical places, and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to assure that their development is in the best interest of all people. The Department also has a major responsibility for American Indian reservation communities and for people who live in Island Territories under U.S. administration.

BLM/OR/WA/AE-11/057+1792

Table of Contents

1.0	INTRODUCTION.....	5
1.1	<i>Purpose of and Need for Action and Decision to be Made.....</i>	5
1.1.1	Purpose of and Need for Action	5
1.1.2	Decisions to be Made.....	5
1.1.3	Summary of Proposed Action	5
1.2	<i>Conformance with Land Use Plan, Statutes, Regulations, and other Plans.....</i>	7
1.2.1	Relevant Statutes/Authorities	8
1.3	<i>Scoping and Identification of Relevant Issues</i>	8
1.3.1	Scoping	8
1.3.2	Relevant Issues	9
2.0	ALTERNATIVES	9
2.1	<i>Alternative Development</i>	9
2.2	<i>Proposed Action.....</i>	10
2.2.1	OPRD Development and Other Authorized Land Management Activities	10
2.2.2	Project Design Features	11
2.3	<i>No Action Alternative</i>	14
2.4	<i>Action Considered but not Analyzed in Detail.....</i>	14
2.4.1	Commercial Timber Harvest of the Parcels	14
3.0	AFFECTED ENVIRONMENT	14
3.1	<i>General Setting</i>	14
3.2	<i>Fisheries</i>	15
3.3	<i>Wildlife</i>	15
3.4	<i>Recreation/Visual Resources</i>	15
3.5	<i>Water Resources.....</i>	16
3.6	<i>Vegetation and Botany.....</i>	17
3.7	<i>Soils.....</i>	17
3.8	<i>Cultural Resources.....</i>	17
4.0	ENVIRONMENTAL EFFECTS	18
4.1	<i>Fisheries</i>	18
4.1.1	Proposed Action	18
4.1.2	Cumulative Effects	18
4.1.3	No Action Alternative.....	18
4.2	<i>Wildlife</i>	18
4.2.1	Proposed Action	18
4.2.2	Cumulative Effects	19
4.2.3	No Action Alternative.....	19
4.3	<i>Recreation/Visual Resources</i>	19
4.3.1	Proposed Action	19
4.3.2	Cumulative Effects	19
4.3.3	No Action Alternative.....	19
4.4	<i>Water Resources.....</i>	19
4.4.1	Proposed Action	19
4.4.2	Cumulative Effects	19
4.4.3	No Action Alternative.....	20
4.5	<i>Vegetation and Botany.....</i>	20
4.5.1	Proposed Action	20
4.5.2	Cumulative Effects	20
4.5.3	No Action Alternative.....	20
4.6	<i>Soils.....</i>	20
4.6.1	Proposed Action	20

4.6.2	Cumulative Effects	20
4.6.3	No Action Alternative.....	21
4.7	<i>Cultural Resources</i>	21
4.7.1	Proposed Action	21
4.7.2	Cumulative Effects	21
4.7.3	No Action Alternative.....	21
4.8	<i>Review of Elements of the Environment Based On Authorities and Management Direction</i>	21
4.8.1	Compliance with the Aquatic Conservation Strategy	23
4.9	<i>Review of Alternatives with Regard to Purpose of and Need for Project</i>	25
5.0	LIST OF PREPARERS	26
6.0	CONTACTS AND CONSULTATION.....	26
6.1	<i>Consultation</i>	26
6.1.1	US Fish and Wildlife Service (USFWS).....	26
6.1.2	National Marine Fisheries Service (NMFS).....	26
6.2	<i>Cultural Resources: Section 106 Consultation with State Historical Preservation Office</i>	26
6.3	<i>EA Public Comment Period</i>	27
7.0	FINDING OF NO SIGNIFICANT IMPACT	27

ENVIRONMENTAL ASSESSMENT

1.0 INTRODUCTION

1.1 Purpose of and Need for Action and Decision to be Made

1.1.1 Purpose of and Need for Action

Oregon Parks and Recreation Department (OPRD) is applying for a Recreation and Public Purposes Lease (R&PP) for three parcels, 244 acres, of BLM-administered lands adjacent to Silver Falls State Park. Their existing 25-year leases, OR034517 and OR027240, have expired. These parcels have been managed in a natural state by OPRD for the past 27 years.

The purpose of issuing an R&PP lease to OPRD would be to continue to provide state park visitors recreational opportunities and a consistent management boundary based on the adopted Silver Falls State Park Master Plan, August 2009. Leases are a major use of public lands authorized by Congress through the Recreation and Public Purposes Act of 1954, revised 1996. The act authorizes public agencies to lease Oregon and California Railroad (O&C) lands for a term not-to-exceed 25 years for recreational purposes.

The need for action is to maintain a definite park boundary for state park visitors and develop recreation opportunities within the parcels mentioned in Silver Falls State Park Master Plan, August 2009. Lands not covered under an R&PP lease agreement would be open to mineral entry that could compromise the scenic and natural resources park visitors demand.

1.1.2 Decisions to be Made

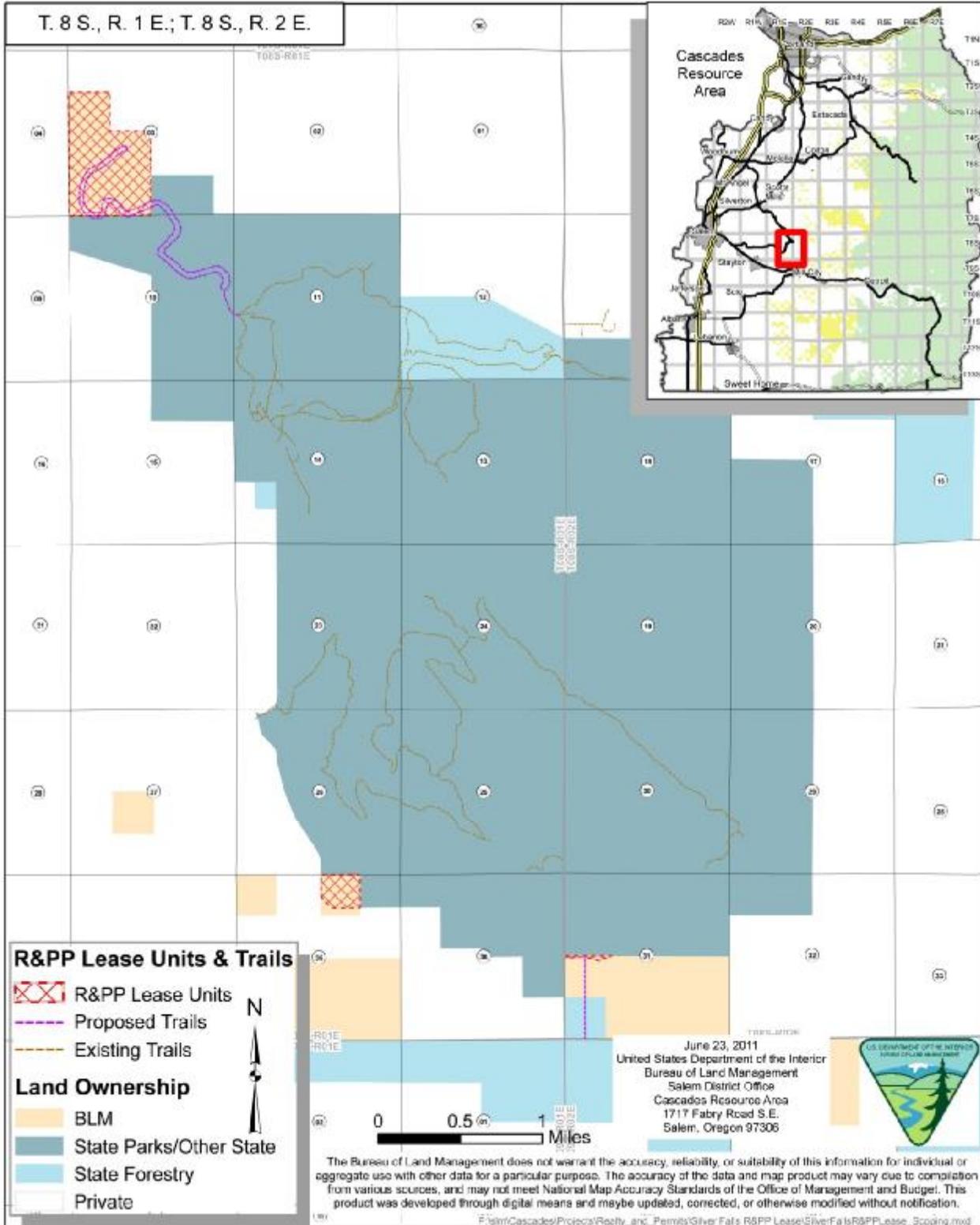
The following decisions will be made through this analysis:

- To issue or not issue a Recreation and Public Purposes (R&PP) Lease
- To determine at what level, where, and how to allow development under the R&PP lease given the design features

1.1.3 Summary of Proposed Action

The proposed action is to lease three parcels of BLM-administered O&C lands totaling 244 acres to OPRD, under the authority of the Recreation and Public Purposes Act, as amended. The three parcels (Figure 1) are described as the NW $\frac{1}{4}$ NE $\frac{1}{4}$, portion of section 35, Township 8 South Range 1 East (36 acres) lying northeasterly of Lookout Mountain Road, the portion of Section 31 lying northerly of Lookout Mountain Road, Township 8 South, Range 2 East (8 acres), and all of Section 3, Township 8 South Range 1 East adjacent to the park boundary (200 acres). Inclusion of these leased parcels into state park management would continue the history of state park's management of these parcels in a natural state and would facilitate administration within a well defined park boundary. The lease would expire 25 years from the date of the last signature. These lands would be added to Silver Falls State Park as described in the Silver Falls State Park Master Plan, August 2009.

Figure 1: Silver Falls State Park Recreation and Public Purposes Lease Area



Proposed development under this plan include expanding the Silver Falls trail system further down the canyon connecting to the existing Canyon Trail below Lower South Falls. The trail would follow Silver Creek and loop back. Trail design is not completed at this time. Prior to any trail development, OPRD would contact the BLM with specific trail design and management proposals which would then be evaluated as to the effects to the environment well in advance of implementation.

Other authorized land stewardship actions on these parcels comply with State Park statutes such as non-native species management (animals and plants), cultural and historical resource protection, hazard tree evaluation and management, and trail building. Prior to any stewardship actions, OPRD would contact the BLM for further environmental analysis; the exception would be control of wildfire.

1.2 Conformance with Land Use Plan, Statutes, Regulations, and other Plans

The proposed action is in conformance with the *Salem District Record of Decision and Resource Management Plan*, May 1995 (RMP) pp. 41: Recreation: Provide a wide range of developed and dispersed recreation opportunities and manage scenic, natural, and cultural resources to enhance visitor recreation experiences and satisfy public land users, pp. 53-55: topic: Land Tenure Adjustments: Make BLM-administered lands in zones 1, 2, and 3 available for a variety of uses as authorized by section 302 of the Federal Land Policy and Management Act, the Recreation and Public Purposes Act, and special recreation permits; *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl and Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species within the Range of the Northern Spotted Owl*, April 1994 (the Northwest Forest Plan, or NWFP); and *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines*, January 2001.

The proposed project is within the following RMP land use allocations (RMP p. 8): matrix and riparian reserves.

The analysis in the Silver Falls State Park R&PP Lease EA is site-specific, and supplements the analyses found in the *Salem District Proposed Resource Management Plan/Final Environmental Impact Statement*, September 1994 (RMP/FEIS). The RMP/FEIS includes the analysis from the *Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional and Old-Growth Forest Related Species within the Range of the Northern Spotted Owl*, February 1994 (NWFP/FSEIS). The RMP/FEIS is amended by the *Final Supplemental Environmental Impact Statement for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines*, November 2000.

The above documents are available for review in the Salem District Office. Additional information about the proposed activities is available in the Silver Falls State Park R&PP Lease EA Analysis File, also available at the Salem District Office.

Survey and Manage Review: Following the Court's December 17, 2009 ruling, the Pechman exemptions are still in place. Judge Coughenour deferred issuing a remedy in his December 17, 2009 order until further proceedings, and did not enjoin the BLM from proceeding with projects. Nevertheless, I have reviewed the *Silver Falls State Park R&PP Lease* project, in consideration of both the December 17, 2009 and October 11, 2006 orders.

This project complies with the above court orders relating to the Survey and Manage mitigation measure of the Northwest Forest Plan, as incorporated into the Salem District Resource Management Plan. The proposed project is not a ground disturbing activity, therefore no Survey and Manage surveys would be conducted. The parcels would retain their natural character and condition. Any ground disturbing development such as trail construction proposed under this plan would be subject to the Survey and Manage requirements in place at the time of proposal development. Survey and Manage requirements may include surveys in accordance with the 2001 Survey and Manage Record of Decision on projects that do not meet the Pechman exemptions, or any settlement agreement that is in place at the time.

Therefore the Silver Falls State Park R&PP Lease project may still proceed even if the District Court sets aside or otherwise enjoins use of the 2007 Survey and Manage Record of Decision since the Pechman exemptions would remain valid in such case.

1.2.1 Relevant Statutes/Authorities

This section is a summary of the relevant statutes/authorities that apply to this project.

- **National Environmental Policy Act (NEPA) 1969** – Requires the preparation of EAs or EISs on federal actions. These documents describe the environmental effects of these actions and determine whether the actions have a significant effect on the human environment.
- **Endangered Species Act (ESA) 1973** – Directs Federal agencies to ensure their actions do not jeopardize threatened and endangered species.
- **Federal Land Policy and Management Act (FLPMA) 1976** – Defines BLM’s organization and provides the basic policy guidance for BLM’s management of public lands.
- **Archaeological Resources Protection Act (ARPA) 1979** – Protects archeological resources and sites on federally-administered lands. Imposes criminal and civil penalties for removing archaeological items from federal lands without a permit.
- **Clean Water Act (CWA) 1987** – Establishes objectives to restore and maintain the chemical, physical, and biological integrity of the nation’s water.
- **Clean Air Act (CAA) 1990** – Provides the principal framework for national, state, and local efforts to protect air quality.
- Oregon Smoke Management Statutes, Oregon State Revised Statutes – Smoke Management
- **Migratory Bird Treaty Act of 1918** - Establishment of a Federal prohibition, unless permitted by regulations, to take any migratory bird included in the terms of this Convention.

Additional authorities and management direction are described in EA section 4.8 Table 1.

1.3 Scoping and Identification of Relevant Issues

1.3.1 Scoping

External scoping (seeking input from people outside of the BLM) for this project was conducted by means of a scoping letter sent out to approximately 14 federal, state and municipal government agencies, nearby landowners, tribal authorities, and interested parties on the Cascades Resource Area mailing list on November 15, 2010. In addition, the scoping letter was posted on the Salem District internet and announced in Project Update mailings. One comment was received during the scoping period.

EA section 1.3.2 addresses the topics raised in the comments. Internal scoping was conducted by the Interdisciplinary Team (IDT) through record searches, field reviews and the project planning process.

1.3.2 Relevant Issues

Based on input from the public and the Interdisciplinary Team plus information contained in the RMP, the following issues were identified. These issues provide a basis for comparing the environmental effects of the proposed project and aid in the decision-making process. The major issues brought forward were used to formulate alternatives, identify appropriate design features, or analyze environmental effects. The following major issues were identified:

1.3.2.1 Issue 1: Wildlife and Botanical Species

How would proposed trail development and State Park management activities on lease lands affect wildlife and botanical species, including special status species? How would disturbance to wildlife and botanical species be minimized? This issue is addressed in the following sections of the EA: 2.2 – Proposed Action; 2.2.1 – OPRD Development and Other Land Management Activities; 2.2.2 – Project Design Features; 4.2 – Wildlife and 4.5 – Vegetation and Botany.

1.3.2.2 Issue 2: Fisheries

How would proposed trail development with possible bridge and State Park management activities on lease lands affect listed fisheries? This issue is addressed in the following sections of the EA: 2.2 – Proposed Action; 2.2.1 – OPRD Development and Other Land Management Activities; 2.2.2 – Project Design Features; 4.1 – Fisheries.

1.3.2.3 Issue 3: Stand Management/Silviculture

How would proposed trail development and State Park management activities on lease lands affect silvicultural practices and missed opportunity for stand treatments? This issue is addressed in the following sections of the EA: 2.2 – Proposed Action; 2.2.1 – OPRD Development and Other Land Management Activities; 2.2.2 – Project Design Features; 4.5 – Vegetation and Botany.

1.3.2.4 Issue 4: Recreation/Visual Resources

How would proposed trail development and State Park management activities on lease lands affect recreation and visual resource management? This issue is addressed in the following sections of the EA: 2.2 – Proposed Action; 2.2.1 – OPRD Development and Other Land Management Activities; 2.2.2 – Project Design Features; 4.3 – Recreation/Visual Resources.

2.0 ALTERNATIVES

2.1 Alternative Development

Pursuant to Section 102 (2) (E) of the National Environmental Policy Act (NEPA) of 1969, as amended, Federal agencies shall "...study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources."

There were no unresolved conflicts concerning alternative uses of available resources, therefore, this EA will analyze the effects of the current “Proposed Action” and “No Action Alternative” (which provides the baseline to evaluate effects).

2.2 Proposed Action

Oregon Parks and Recreation Department (OPRD) provides recreational opportunities to visitors at Silver Falls State Park. The proposed action is to lease three parcels of BLM-administered lands to OPRD, under the authority of the Recreation and Public Purposes Act. According to the Plan for Development, the parcels would be managed as other outlying natural areas. Lands in this category would not receive intensive development. Allowable activities would include fire suppression, invasive species management, hazard tree management, and cultural resource management, as long as the natural resources remain unchanged. Parcels would be monitored by OPRD staff to ensure integrity of natural values and functions.

Inclusion of these leased parcels into state park management would continue the history of state park's management of these parcels in a natural state and would facilitate administration within a well defined park boundary. The lease would expire 25 years from the date of the last signature. The 244 acres of matrix lands would be managed as state park lands in accordance with the approved Silver Falls State Park Master Plan, August 2009. The master plan is intended to address 20 years of a park's future development reflecting resource constraints and identified needs.

The Silver Falls State Park Master Plan describes and illustrates trail plan development concepts within the park and on the BLM leased parcels. Proposed development within this plan and on the BLM leased parcels would include expanding the Silver Falls trail system further down the canyon connecting to the existing Canyon Trail below Lower South Falls. The trail would follow Silver Creek and loop back. Trail design is not complete at this time. The master plan outlines general guidelines for the management of natural, scenic and cultural resources based on OPRD policies and statewide objectives, and on regional and park specific issues.

2.2.1 OPRD Development and Other Authorized Land Management Activities

This R&PP lease would authorize OPRD to conduct the following development actions and management activities. These actions would occur for the duration of the lease agreement and comply with both BLM policy and State Park statutes. Oregon State Parks has statutes for non-native species management (animals and plants), cultural and historical resource protection, hazard tree evaluation and management, and trail building. Below are some statute guidelines; however the BLM would be notified prior to any actions that would affect the environment.

- 1. Trail Construction and Maintenance** – The Silver Falls State Park: Canyon Trail Management and Maintenance Plan develops guidelines for trail construction and maintenance on state park lands. These guidelines include construction and maintaining a varying trail tread of between 18 to 36 inches depending on usage and topography. Encroaching vegetation would be treated by pruning and bare earth non-trail areas would be planted with native vegetation. Retaining wall type structures would be installed as needed maintain trail tread and prevent erosion. Drainage device, which may include water bars, culverts, drain dips, gutters, or rocks, would be installed to prevent channelization of tread surfaces. In steeper locations, steps would be installed as needed to provide safe descent. Stream or wet area crossings such as boardwalks and bridges would be constructed over wet areas to prevent sedimentation.

Directional signs would be installed at intersections to orient visitors. Trails would be maintained annually through inspecting the above elements used on a trail during construction or maintenance tasks to prevent resource damage.

2. Invasive Species Management – The Internal State Policy (OP 50-9) defines invasive species as exotics, aliens, non-indigenous species, and weeds which invade parks that could be plants or animals. Management of invasive species would follow the statewide Integrated Pest Management Plan (IPM) through prevention, monitoring and treatment using manual, mechanical and chemical methods. Chemical methods would be used only when it is the most efficient and effective method of control. Chemical Application would also comply with the *2010 Record of Decision (ROD) for Vegetation Treatment Using Herbicides on BLM Lands in Oregon*. Standard Operating Procedures (SOPs) required for BLM land includes preparing a site specific Pesticide Use Proposal (PUP) in conjunction with a BLM Cascades Invasives Specialist, having a certified applicator apply all chemicals, completing daily Pesticide Application Reports (PARs), and reporting annual application amounts to BLM Cascades Invasives Specialist. Chemicals approved for usage are limited to those approved under the 2010 ROD.
3. Oregon’s Forest Management Policy (COM 20-3) and Fuels Management from the 2009 Silver Falls State Park Master Plan would promote active fuels and vegetation management, where appropriate, to minimize risk of loss due to wildfire including the timely restoration and recovery of forestland burned by wildfire. Prescribed fire may be used to control brush and saplings in meadows in coordination with BLM fuels specialist and in compliance with completed burn plan. Fuel breaks would be created adjacent to structures to minimize the threat of wildfire. All non-prescribed fires would be suppressed.
4. Oregon’s Cultural Resources Policy (COM 20-2) directs that areas, prior to development, be surveyed by a professional archeologist. Archeological sites would be preserved and protected in accordance with applicable Oregon state statues and federal laws. The guidelines in the park master plan would follow the standards established in the *Secretary of Interior's Standards for the Treatment of Historic Properties* and by the National Park service in the *Guidelines for the Treatment of Cultural Landscapes*.
5. Oregon’s Hazard Tree Management Policy and Procedure (OP 70-24) classifies the leased as Zone 3 or low risk areas. Zone 3 areas are lowest in priority for regular inspections of hazard trees due to their remoteness and projected low usage. Following major storms, a documented walk-through inspection would occur on trees with a minimum diameter of 7 inches at breast height and capable of reaching a development or improvement such as a trail or bridge. Corrective actions, depending on the hazard rating, for documented hazard trees may include cutting down, treating trees by pruning or shaping, or moving the development or improvement outside the fall zone of the hazard tree.

2.2.2 Project Design Features

Project design features help protect resource values against adverse impacts. These project design features or Additional Lease Terms and Conditions would accompany, as an attachment to, the final lease agreement. All management actions would comply with BLM design standards prior to any ground disturbing activities. The following is a summary of the project design features. The BLM would require the lessee to:

- Erect within one year from the date of lease a sign informing the public of the cooperative arrangements between the Lessee and the BLM for the management of the land. The wording and location of the sign is to be approved by the BLM Cascades Resource Area Field Manager.
- Obtain approval of the design and location of all trails and facilities by the BLM authorized officer, after review by an interdisciplinary team, prior to construction.
- Submit a plan or plans of development at least 360 days in advance that describe in detail the construction, operation, and maintenance of trail construction and its associated improvements and/or facilities for approval by the BLM. The plan or plans would include drawings in sufficient detail to enable a complete environmental evaluation of all developments.
- Contact the BLM authorized officer at least 15 days prior to the anticipated start of construction and/or any surface-disturbing activities. The BLM authorized officer may require and schedule a preconstruction conference with the lessee prior to the lessee commencing construction and/or surface-disturbing activities on the leased lands.
- Construct, operate, and maintain the facilities, improvements, and structures within this lease in strict conformity with the approved plans of development. Any relocation, additional construction, or use that is not in accord with the approved plan(s) of development, would not be initiated without prior written approval of the BLM authorized officer.
- Initiate no construction or other surface-disturbing activities on the lease lands without the prior written authorization of the BLM authorized officer.
- Prevent and suppress fires on or near the lands to be occupied under this lease. No material would be disposed of by burning in open fires except by a permit issued by the Oregon Department of Forestry (ODF).
- Prevent damage to BLM land; undertake suppression action and notify BLM in the event of fire on leased lands; and use no mechanized equipment for fuels activities or fire suppression without prior approval from the BLM authorized officer.
- Get written approval by the BLM before subletting to third parties. The Lessee would continue to be responsible for compliance with all conditions of this lease by persons to whom such premises may be sublet.
- Indemnify the United States to the extent allowed by Oregon law, against any liability for damage to life, and agree to repair all damages to lands or property arising for the occupancy or use of public lands under the lease.
- Complete all required BLM surveys prior to project implementation. The lessee would protect and manage BLM at-risk species habitat.

- Restrict project implementation during the critical nesting season for the northern spotted owl and other birds, including migratory birds, from March 1 to July 31. This seasonal restriction could be waived based on the nature, location and/or duration of the project or survey results in the vicinity.
- Protect the scenic esthetic values of the area under this lease and the adjacent land during the construction, operation, and maintenance of the improvements.
- Control the spread of invasive species and restore affected areas where feasible; limit the use of chemical control to BLM approved chemicals as per the current policy and regulations for management of non-native species on BLM lands; and notify the BLM invasive species specialist of chemical applications to incorporate into the annual Pesticide Use Proposals.
- Report any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the lessee, or any person working on his behalf, on public or Federal land to the BLM authorized officer. The lessee would suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the BLM authorized officer. An evaluation of the discovery would be made by the BLM district archaeologist to determine appropriate actions to prevent the loss of significant cultural or scientific values. The lessee would be responsible for the cost of evaluation and any decision as to proper mitigation measures would be made by the BLM authorized officer after consulting with the lessee.
- Revegetate all earth cut or fill slopes to grasses or other suitable vegetation as required by the BLM. Seeding or planting would take place at a time of the year, in a manner, and with species which the BLM considers offers the best chance of success and would be repeated annually until such areas are accepted in writing by the BLM as satisfactorily revegetated and stabilized. Lessee would carry out other such soil erosion prevention and control measures as may be required by the BLM.
- Remove only the minimum amount of vegetation necessary for the construction of structures and facilities. To facilitate reseeded of vegetation, topsoil would be conserved during excavation and reused to cover disturbed areas. Construction and authorized management activities of leased lands should not remove live or standing dead trees without concurrence of the wildlife biologist and botanist to minimize adverse effects to listed, threatened, or special status species or habitat.
- Construct and maintain firebreaks and gates as may be required by the BLM Cascades Resource Area Field Manager. All fences constructed under this lease would be attached to posts and in no case would the fence wire be fastened to live trees.
- Provide prescribed fire burn plans for any burning to be conducted on leased lands. The prescribed fire burn plan must be filed with the BLM authorized officer prior to burning.
- Obtain all necessary permits from the Oregon State Office Department of Environmental Quality (DEQ). If the Lessee does not comply with all DEQ requirements, this lease would terminate upon cancellation of DEQ authorization. The Lessee would be responsible for cleaning up and restoring the subject lands, as directed by the BLM authorized officer.

- Limit excavation to the areas of construction. No borrow areas for fill material would be permitted on the site. All off-site borrow areas must be approved by the BLM authorized officer in advance of excavation. All waste material resulting from construction or use of the site by the lessee would be removed from the site. All waste disposal sites on public land must be approved by the BLM authorized officer in advance of use.
- Construct all trails to provide drainage, minimize erosion, and reduce impacts to floodplains. Culverts would be installed if necessary to maintain drainage. Additional drainage may include water bars, culverts, dips, gutters, or rocks would prevent channelization of tread surfaces.
- Seed or plant all disturbed areas with suitable natural vegetation as approved by the BLM authorized officer.

2.3 No Action Alternative

The No Action alternative describes the baseline, against which the effects of the proposed action can be compared, i.e. the existing conditions in the project area and the continuing trends in those conditions if the BLM does not implement the proposed project. Consideration of this alternative also answers the question: “What would it mean for the objectives to not be achieved?” The “No Action alternative” means the issuance of a lease, or connected recreational management of the lease land actions would not occur. The lands would be open to mineral entry, Silver Falls State Park boundary would be harder to define on the ground, recreational opportunities would be lost, and visual resources may be compromised.

2.4 Action Considered but not Analyzed in Detail

2.4.1 Commercial Timber Harvest of the Parcels

An alternative to commercially thin timber from these units was not analyzed in detail due to highly sensitive visual resource management objectives, recreation values, topography and terrain, access issues and wet areas.

3.0 AFFECTED ENVIRONMENT

This section of the EA describes the current condition and trend of the affected resources. The resources potentially affected by the proposed project are: Fisheries, Wildlife, Recreation and Visual Resources, Water Resources, Vegetation and Botany, Soils, and Cultural Resources.

3.1 General Setting

The three parcels of BLM-administered lands (O&C, matrix) are described as the NW¹/₄NE¹/₄, portion of section 35, Township 8 South Range 1 East lying northeasterly of Lookout Mountain Road, the portion of Section 31 lying northerly of Lookout Mountain Road, Township 8 South, Range 2 East, and all of Section 3, Township 8 South Range 1 East adjacent to the park boundary. Inclusion of these leased parcels into state park management would continue the nearly 30 year history of state park's management of these parcels in a natural state and would facilitate administration within a well defined park boundary.

3.2 Fisheries

Native fish known to inhabit Silver Creek in and adjacent to Silver Falls State Park include coastal cutthroat trout (*Oncorhynchus clarki clarki*; Behnke 1992), Upper Willamette River steelhead trout (*O. mykiss*), and speckled dace (*Rhinichthys osculus*; BLM Fish Inventories 2010, Pudding River Watershed Assessment 2006). All three species are present in the BLM parcel (T.8S, R.1E, Section 3) located on Silver Creek. No perennial streams supporting fish are located in the other two BLM parcels that are proposed to be leased to OPRD.

Upper Willamette River (UWR) steelhead trout are listed as ‘threatened’ under the Endangered Species Act of 1973. Steelhead populations in the UWR evolutionary significant unit (ESU) are substantially reproductively isolated from other populations and are an important component in the evolutionary legacy of those species (NOAA 2005). Winter steelhead trout are distributed in Silver Creek upstream to a barrier falls near the southern boundary of Section 3 (Township 8 South, Range 1 East) at the northwestern corner of Silver Falls State Park (Streamnet 2006). Silver Creek is designated as critical habitat for steelhead trout upstream to the barrier falls (NOAA 2005).

Aquatic Habitat

The channel of Silver Creek is stable and generally dominated by cobble-sized substrates, with bedrock ledges comprising about 20% of the channel on the BLM parcel (BLM Fish Inventories 2010). The stream is located in a steep-walled canyon and is generally well-shaded by topographic features (canyon walls) and streamside tree stands dominated by conifer trees (BLM Fish Inventories 2010). Floodplains are narrow and canyon side slopes confine the stream into B and F channel-types (Rosgen 1994).

Pool frequency and area in Silver Creek is generally good. Pools are common where bedrock outcrops create areas of bed scour. Fish cover and habitat complexity is low relative to site potential due to low levels of large woody debris (LW) in the stream (BLM Fisheries Inventories 2010).

3.3 Wildlife

The parcels considered for lease are fairly isolated, remote parcels where human disturbance is low. They consist of upland conifer stands with mixed conifer/hardwood riparian areas along creeks and streams including Silver Creek. The parcels have been under lease in the past and have retained their natural character and condition. There are some special habitats present, including talus rock slopes, rock outcrops and hillside meadows. Currently, there are no known spotted owl sites in the vicinity of the parcels. Historically, there have been spotted owls observed in the vicinity, and suitable habitat for spotted owls is present.

3.4 Recreation/Visual Resources

Recreation

Dispersed recreation as well as unwanted dumping and resource damage occurs within the three parcels. Section 31 has a right-of-way trail heading south to the Shellberg Falls recreation area. Since the project area is adjacent to Silver Falls State Park and has been known as park lands for nearly 30 years, the little recreation that occurs is dispersed except near roads where problems mentioned above occur.

Off-highway vehicle use is limited to designated roads in Township 8 South, Range 1 East, Section 3 and limited to existing roads and designated trails in Township 8 South, Range 2 East, Section 31 and Township 8 South, Range 1 East, Section 35. No wilderness or wild and scenic rivers are located within or adjacent to the parcels.

Visual Resources

The visual resource management (VRM) class for Township 8 South, Range 1 East, sections 3 and 35 is VRM class 1 and for Township 8 South, Range 2 East, Section 31 is VRM 3.

BLM's responsibility to manage the scenic resources of the public lands is established by law:

- **The Federal Land Policy and Management Act of 1976 (FLPMA)** states, "...public lands will be managed in a manner which will protect the quality of the scenic (visual) values of these lands."
- **The National Environmental Policy Act of 1969 (NEPA)** requires that measures be taken to "...assure for all Americans...aesthetically pleasing surroundings..."

This responsibility is reinforced by BLM's mission statement:

- "It is the mission of the Bureau of Land Management to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations."

VRM 1 (RMP p. 37): Provide for natural ecological changes in VRM class 1 areas. Some very limited management activities may occur in these areas. The level of change to the characteristic landscape should be very low and will not attract attention. Changes should repeat the basic elements of form, line, color, texture, and scale found in the predominant natural features of the characteristic landscape.

VRM 3 (RMP p. 37): Manage VRM class 3 lands for moderate levels of change to the characteristic landscape. Management activities may attract attention but should not dominate the view of the casual observer. Changes should repeat the basic elements of form, line, color, texture, and scale found in the predominant natural features of the characteristic landscape.

3.5 Water Resources

Most of the project area is situated on the ridgelines and adjacent slopes in the headwaters of Silver Creek. Stream channels here formed in response to climate, surface lithology, slope, aspect and soils. Silver Creek incised into the western volcanics of the Cascade Mountain Range exposing volcanoclastic rocks and lava flows (basalts and andesites) as well as marine and continental sedimentary rock (Walker, 1991). Hillsides here alternate between flats and benches (i.e. 10-20% grade, silty-clay loam soils) on the tops of basaltic/andesitic lava flows to steeper side-slopes (i.e. 40-80%+ grade, gravelly loam soil textures) between flows and along incised stream channels. Some steeper slopes exist adjacent to the main Silver Creek channel (>80%) along the main channel gorge in Section 3 and along tributary channels entering the gorge.

Silver Creek is tributary to the Pudding-Molalla fourth field watershed: cataloging unit (#17090009). The Cities of Molalla and Canby utilize the Molalla-Pudding as a source for drinking water but the proposed lands lie far upstream of the source area for drinking water. Additional beneficial uses include:

Industrial Water Supply, Wildlife & Hunting, Fishing, Boating, Anadromous Fish Passage, Water Contact Recreation, and Aesthetic Quality. Designated beneficial uses for the Willamette may be viewed on-line at: <http://www.oregon.gov/DEQ/WO/>.

The Molalla-Pudding Subbasin Total Maximum Daily Load (TMDL)¹ was issued by the ODEQ in December of 2008. The TMDL targets the recovery or maintenance of *effective shade* (as measured by a solar pathfinder or similar instrument) along all perennial streams in the basin, including Silver Creek and its tributaries. None of the project area streams are designated as Wild and Scenic. There are no key watersheds in the project area.

3.6 Vegetation and Botany

Timber stands in Township 8 South, Range 1 East, Section 3 range from 110 to 140 years old with hillside meadows, wet areas, rock outcrops, and cliffs. Timber stands in Township 8 South, Range 1 East, Section 35 range from 40 to 80 years old with wet areas and gentle topography. Finally the timber stand in Township 8 South, Range 2 East, Section 31 within the lease agreement is 110 years old with gentle topography. The overstory consists primarily of Douglas-fir with minor amounts of western hemlock and cedar.

The understories consist primarily of western hemlock, vine maple, and huckleberry. Poison oak, sword fern, bracken fern, salal, and Oregon grape dominate the ground cover. There is a minor component of hardwoods consisting of bigleaf maple with some golden chinquapin and red alder. Currently, there are no known Threatened or Endangered or other Special Status Species within the parcels planned for lease, although suitable habitat to support many Special Status Species does exist.

3.7 Soils

The soils in the project area formed on mountainous uplands in colluvium (material deposited from upslope) and glacial till from tuffaceous and basalt rock. The soils are mostly cobbly loams and clay loams (USDA Soil Conservation Service 1972). The primary management concerns for these soils are erosion potential where steep (greater than 30% slope), rocky cobbly ground, and low fertility. The soils are fairly readily infiltrated and have moderate soil structural stability; soil erodibility factor *K* is approximately 0.20.

3.8 Cultural Resources

There are two recorded historic resources within the parcels to be leased. The first is a homestead that was filed in 1931 and cancelled in 1936. At one point there were reported nut and fruit trees that still marked the location of the homestead site. Field reconnaissance in 1989 did not locate any trees in the area described. The Trail to Bailey's Mill was recorded on an 1882 GLO Survey map. The trail no longer exists and has since been turned into Lookout Mountain Road.

¹ <http://www.deq.state.or.us/wq/TMDLs/willamette.htm#mp>

4.0 ENVIRONMENTAL EFFECTS

This section of the EA describes the environmental effects of the alternatives on those resources. The interdisciplinary team of resource specialists (IDT) reviewed the elements of the human environment, required by law, regulation, Executive Order and policy, to determine if they would be affected by the proposed action (BLM Handbook H-1790-1: p. 137), [40 CFR 1508.27(b)(3)], [40 CFR 1508.27(b)(8)] (EA section 4.8), as well as the issues raised in scoping (EA section 1.3.2).

4.1 Fisheries

4.1.1 Proposed Action

Renewal of the lease would have no effect on fisheries, including UWR steelhead trout. Under current management the BLM parcel on Silver Creek is managed as a natural area with no impacts to fish populations. Trend in fish habitat condition would be slowly improved as in the no action alternative. The proposed expansion of the Silver Falls trail system to include a trail down Silver Creek from Lower South Falls has the potential to impact fish and fish habitat. Trail construction could also potentially impact fish habitat by accelerating sediment delivery and erosion if not correctly designed to minimize or eliminate impacts to floodplains and bank stability. Impacts would depend on BLM approved final trail location and design. Adverse impacts would be minimized through implementing project design features and evaluation of trail design by fisheries biologist prior to construction.

4.1.2 Cumulative Effects

The renewal of the lease would have no cumulative effects to fish. Construction of new projects including a trail and bridge could have a small negative cumulative effect on the condition of fish habitat in the Silver Creek basin, however any adverse impacts would be minimized or eliminated by following project design features of the final trail design during construction.

4.1.3 No Action Alternative

Fish habitat would not be affected if the BLM parcel on Silver Creek were not leased because riparian reserves along the stream would not likely be disturbed by tree harvest or other BLM actions, both because of the close proximity of the parcel to the Park, and the steepness of the canyon slopes adjacent to the stream. Trend in fisheries habitat condition would be slowly upward as streamside stands of trees mature and provide more shade and inputs of large wood to the stream channel.

4.2 Wildlife

4.2.1 Proposed Action

The renewal of the lease would have no immediate effects to wildlife, including the spotted owl. The parcels would retain their natural character and habitat condition. Future development could increase human intrusion, thus disturbance to wildlife species and habitats. Trail construction could result in a slight loss of live and standing dead trees (snags) that may need to be felled for safety. Impacts would depend on final trail location and design. Generally, the effects to wildlife are expected to be minimal due to the nature of the projects that could occur under the lease.

4.2.2 Cumulative Effects

The renewal of the lease would have no cumulative effects to wildlife. Due to the nature of future development and projects that could occur under the lease, cumulative effects are expected to be low.

4.2.3 No Action Alternative

The parcels would retain their natural character and habitat condition for wildlife species, including the spotted owl and migratory birds.

4.3 Recreation/Visual Resources

4.3.1 Proposed Action

Renewing the lease would facilitate additional recreation opportunities being available to the public on BLM lands adjacent to Silver Falls State Park. Unwanted activities may be reduced through the lease agreement by signage and monitoring of State Park staff.

Visual resources would remain the same with modifications to the linear character along the developed trail once constructed. However, design criteria would plant and minimize the final footprint to blend into the surrounding environment. Proposed actions and authorized management activities would comply with VRM objectives.

4.3.2 Cumulative Effects

More recreational opportunities would be provided through OPRD on BLM lands and slight modifications to the environment would result during trail construction.

4.3.3 No Action Alternative

These parcels would continue to receive dispersed recreation activities including unwanted dumping and resource damage. No visual changes would occur as a result of proposed trail construction.

4.4 Water Resources

4.4.1 Proposed Action

The renewal of the lease would have no immediate effects to the area's water resources. The parcels would retain their current character and water quality. Future development could increase human intrusion, thus disturbance to riverine species and habitats, especially in section 3. Trail construction could result in a slight increase in fine sediment delivery to Silver Creek or its tributaries. Impacts would depend on final trail location and design. Generally, the effects to water resources are expected to be minimal due to the nature of the projects that could occur under the lease.

4.4.2 Cumulative Effects

The renewal of the lease would have no cumulative effects to water resources. Due to the nature of future development and projects that could occur under the lease, cumulative effects are expected to be non-detectable.

4.4.3 No Action Alternative

Current conditions and trends would continue.

4.5 Vegetation and Botany

4.5.1 Proposed Action

The renewal of the lease would have no immediate effects to botanical species of concern. Under the lease, the parcels would retain their natural character and habitat condition. Proposed future development could increase human intrusion, thus disturbance to botanical species and habitats and a potential increase of invasive species. Proposed trail construction could result in a slight loss of current habitat. Impacts would depend on final trail location and design. Generally, the effects to botanical species and habitat are expected to be minimal due to the nature of the projects that could occur under the lease.

No stand management actions are proposed as part of this agreement, so there are no anticipated effects on these forested parcels. The BLM could thin the sliver of land in Township 8 South, Range 2 East, Section 31, but all of the adjacent lands have just recently been thinned as part of the Ag47 timber sale, sold in 2006; this small acreage would not justify a sale by itself. Any stand management actions would need to be evaluated for environmental effects in future documentation.

4.5.2 Cumulative Effects

The renewal of the lease would have no cumulative effects to botanical species of concern or habitat. Due to the nature of proposed future development and projects that could occur under the lease, cumulative effects are expected to be low.

4.5.3 No Action Alternative

No human caused impact to botanical species of concern or habitat would be expected under the No Action Alternative and with the exception of natural disturbance, the habitat is expected to remain in its current condition.

4.6 Soils

4.6.1 Proposed Action

The renewal of the lease would have no immediate effects to project area soils. The parcels would retain their natural character conditions. Future development could increase human intrusion, thus disturbance to surface soils. Trail construction would result in a slight loss in soil productivity and would increase surface erosion until the trail surfaces hardened. Impacts would depend on final trail location and design. Generally, the effects to soils are expected to be minimal due to the nature of the projects that could occur under the lease.

4.6.2 Cumulative Effects

The renewal of the lease would have no cumulative effects to project soil. Due to the nature of future development and projects that could occur under the lease, cumulative effects are expected to be non-detectable.

4.6.3 No Action Alternative

Current conditions and trends would continue.

4.7 Cultural Resources

4.7.1 Proposed Action

The renewal of the lease would have no direct effect on cultural resources previously identified. Future projects approved under the lease have the potential to impact remnants of the homestead such as trail building, tree cutting or burning. Project design features will reduce the risk to these resources.

4.7.2 Cumulative Effects

The renewal of the lease would have no cumulative effects to cultural resources previously identified.

4.7.3 No Action Alternative

Current cultural resource conditions and trends would continue.

4.8 Review of Elements of the Environment Based On Authorities and Management Direction

Table 1: Elements of the Environment Review based on Authorities and Management Direction

Element of the Environment /Authority	Remarks/Effects
Aquatic Conservation Strategy	In compliance with Pacific Coast Federation of Fishermen’s Association (PCFFA) IV (Civ. No. 04-1299RSM), this project complies with the Aquatic Conservation Strategy described in the Northwest Forest Plan and RMP. This project also complies with the PCFFA II (265 F.3d 1028 (9th Cir. 2001)) by analyzing the site scale effects on the Aquatic Conservation Strategy. EA sections 4.1 and 4.4 show how the Silver Falls State Park R&PP Lease project meets the Aquatic Conservation Strategy in the context of the PCFFA cases.
Air Quality (Clean Air Act as amended (42 USC 7401 et seq.)	This project is in compliance with this direction because any prescribed fires would be required to file a burn plan and obtain a permit from Oregon Department of Forestry.
Cultural Resources (National Historic Preservation Act, as amended (16 USC 470) [40 CFR 1508.27(b)(3)], [40 CFR 1508.27(b)(8)]	This project is in compliance with this direction and the project would have no effect on this element because the listed homestead and the Trail to Bailey's Mill are no longer visible. Cultural resource surveys for these sections were completed in 1989. Prior to project implementation cultural resource inventory will need to be completed for the trail construction slated in Township 8 South, Range 1 East, section 3. Cultural resource inventory will be completed according to Appendix A of the <i>Protocol for Managing Cultural Resources on Lands Administered by the Bureau of Land Management in Oregon</i> .
Ecologically critical areas [40 CFR 1508.27(b)(3)]	This project would have no effect on this element because there are no ecologically critical areas present within the project area.
Energy Policy (Executive Order 13212)	This project is in compliance with this direction because this project would not interfere with the Energy Policy (Executive Order 13212).

Element of the Environment /Authority	Remarks/Effects
Environmental Justice (E.O. 12898, "Environmental Justice" February 11, 1994)	This project is in compliance with this direction because project would have no effect on low income populations.
Fish Habitat, Essential (Magnuson-Stevens Act Provision: Essential Fish Habitat (EFH): Final Rule (50 CFR Part 600; 67 FR 2376, January 17, 2002)	This project is in compliance with this direction because prior to management actions on lease lands, OPRD would notify BLM to determine if any additional terms and conditions are needed for proposed management actions.
Farm Lands, Prime [40 CFR 1508.27(b)(3)]	The project would have no effect on this element because no prime farm lands are present on BLM land within the Cascades RA.
Floodplains (E.O. 11988, as amended, Floodplain Management, 5/24/77)	This project is in compliance with this direction because the proposed project would not change or affect floodplain functions.
Hazardous or Solid Wastes (Resource Conservation and Recovery Act of 1976 (43 USC 6901 et seq.) Comprehensive Environmental Response Compensation, and Liability Act of 1980, as amended (43 USC 9615)	This project would have no effect on this element because no Hazardous or Solid Waste would be stored or disposed of on BLM lands as a result of this project.
Healthy Forests Restoration Act (Healthy Forests Restoration Act of 2003 (P.L. 108-148)	This project is in compliance with this direction because no timber harvest is planned, the forest stands would be monitored for hazard trees, and prior to management actions on lease lands, OPRD would notify BLM to determine if any additional terms and conditions are needed for proposed management actions.
Migratory Birds (Migratory Bird Act of 1918, as amended (16 USC 703 et seq)	This project is in compliance with this direction because prior to management actions on lease lands, OPRD would notify BLM to determine if any additional terms and conditions are needed for proposed management actions.
Native American Religious Concerns (American Indian Religious Freedom Act of 1978 (42 USC 1996)	This project is in compliance with this direction because no Native American religious concerns were identified during the scoping period.
Noxious weed or non-Invasive, Species (Federal Noxious Weed Control Act and Executive Order 13112)	This project is in compliance with this direction because OPRD manages weeds based on their management plan for Silver Falls and is consistent with BLM management. Prior to management actions on lease lands, OPRD would notify BLM to determine if any additional terms and conditions are needed for proposed management actions.
Park lands [40 CFR 1508.27(b)(3)]	The project would have no effect on this element because the three parcels have been under previous lease agreements with the adjacent Silver Falls State Park and managed as park lands. The lands under this lease would continue to provide recreation opportunities as part of Silver Falls State Park.
Areas of Critical Environmental Concern (ACEC)	The project would have no effect on this element because there are no ACEC's within or adjacent to the project area.
Special Areas outside ACECs (RMP p. 33-35)	The project would have no effect on this element because there are no Special Areas within or adjacent to the project area.
Public Health and Safety [40 CFR 1508.27(b)(2)]	The project would have no effect on this element because prior to management actions on lease lands, OPRD would notify BLM to determine if any additional terms and conditions are needed for proposed management actions.
Threatened or Endangered Species / Habitat (Endangered Species Act of 1983, as amended (16 USC 1531)	This project is in compliance with this direction because there would be no adverse effects on Threatened or Endangered Species. The parcels would retain their natural character and habitat condition.
Other Special Status Species / Habitat	This project is in compliance with this direction because there would be no adverse effects on Special Status Species or Habitat. The parcels would retain their natural character and habitat condition.

Element of the Environment /Authority	Remarks/Effects
Water Quality –Drinking, Ground (Safe Drinking Water Act, as amended (43 USC 300f et seq.) Clean Water Act of 1977 (33 USC 1251 et seq.)	This project is in compliance with this direction because Oregon State water quality standards would be adhered to and area hydrology would not be changed under the proposal.
Wetlands (E.O. 11990 Protection of Wetlands 5/24/77) [40 CFR 1508.27(b)(3)]	This project is in compliance with this direction because no wetlands are within the project area and adjacent wetlands would be protected by buffers.
Wild and Scenic Rivers (Wild and Scenic Rivers Act, as amended (16 USC 1271) [40 CFR 1508.27(b)(3)]	This project is in compliance with this direction because there are no Wild and Scenic Rivers within or adjacent to the project area.
Wilderness (Federal Land Policy and Management Act of 1976 (43 USC 1701 et seq.); Wilderness Act of 1964 (16 USC 1131 et seq.)	This project is in compliance with this direction because there are no Wilderness Areas or areas being considered for Wilderness Area status in or adjacent to the project area.

4.8.1 Compliance with the Aquatic Conservation Strategy

Based on the environmental analysis described in the previous sections of the EA, Cascades Resource Area Staff have determined that the project complies with the ACS on the project (site) scale. The project complies with the four components of the Aquatic Conservation Strategy, as follows:

- **ACS Component 1 – Riparian Reserves:** The project would comply with Component 1 by not negatively affecting the integrity of Riparian Reserves.
- **ACS Component 2 – Key Watershed:** The project would comply with Component 2 by establishing that the Silver Falls State Park R&PP Lease is not within a Key watershed. (RMP p. 7).
- **ACS Component 3 – Watershed Analysis:** The project would comply with Component 3 by following direction set forth in the Pudding River Watershed Analysis, April 2006.
- **ACS Component 4 – Watershed Restoration:** The project would comply with Component 4 through following project design features that limit disturbance within the watershed.

Cascades Resource Area Staff have reviewed this project against the ACS objectives at the project or site scale with the following results. The No Action alternative does not retard or prevent the attainment of any of the nine ACS objectives because this alternative would maintain current conditions. The proposed action does not retard or prevent the attainment of any of the nine ACS objectives for the following reasons.

1. ACSO 1: Maintain and restore the distribution, diversity, and complexity of watershed and landscape-scale features to ensure protection of the aquatic systems to which species, populations and communities are uniquely adapted.

No Action Alternative: The No Action alternative would maintain the development of the existing vegetation and associated stand structure at its present rate. The current distribution, diversity and complexity of watershed and landscape-scale features would be maintained.

Proposed Action: As in the No Action alternative, existing vegetation and stand structure within the three parcels would develop at its current rate.

2. ACSO 2: Maintain and restore spatial and temporal connectivity within and between watersheds.

No Action Alternative: The No Action alternative would maintain current conditions with regard to spatial and temporal connectivity within and between watersheds because the project would have little effect on forest stand conditions.

Proposed Action: The proposed actions do not retard or prevent the attainment of spatial and temporal connectivity within and between watersheds.

3. ACSO 3: Maintain and restore the physical integrity of the aquatic system, including shorelines, banks, and bottom configurations.

No Action Alternative: The current condition of physical integrity would be maintained.

Proposed Action: The current condition of the physical integrity of the aquatic system within the three parcels would be maintained.

4. ACSO 4: Maintain and restore water quality necessary to support healthy riparian, aquatic, and wetland ecosystems.

No Action Alternative: The current condition of the water quality would be maintained.

Proposed Action: The current condition of water quality within the three parcels would be maintained.

5. ACSO 5: Maintain and restore the sediment regime under which aquatic ecosystems evolved.

No Action Alternative: It is assumed that the current levels of sediment into streams would be maintained.

Proposed Action: The current level of sediment into streams would continue within the three parcels.

6. ACSO 6: Maintain and restore in-stream flows sufficient to create and sustain riparian, aquatic, and wetland habitats and to retain patterns of sediment, nutrient, and wood routing.

No Action Alternative: No change in in-streams flows would be anticipated.

Proposed Action: In-stream flows within the three parcels would not change.

7. ACSO 7: Maintain and restore the timing, variability, and duration of floodplain inundation and water table elevation in meadows and wetlands (EA section 4.7). In summary: there would be no change between the no action and the proposed action.

No Action Alternative: The current condition of flood plains and their ability to sustain inundation and the water table elevations in meadows and wetlands is expected to be maintained.

Proposed Action: Current flood plain conditions and their ability to sustain inundation and the water table elevations in meadows and wetlands is expected to be maintained.

- 8. ACSO 8: Maintain and restore the species composition and structural diversity of plant communities in riparian areas and wetlands to provide adequate summer and winter thermal regulation, nutrient filtering, appropriate rates of surface erosion, bank erosion, and channel migration and to supply amounts and distributions of coarse woody debris sufficient to sustain physical complexity and stability.**

No Action Alternative: The current species composition and structural diversity of plant communities would continue along the current trajectory. Diversification would occur over a longer period of time.

Proposed Action: Current species composition and structural diversity of plant communities would continue along the current trajectory. Diversification would occur over a longer period of time.

- 9. ACSO 9: Maintain and restore habitat to support well-distributed populations of native plant, invertebrate and vertebrate riparian-dependent species (EA section 4.7).** In summary: there would be no change between the no action and the proposed action.

No Action Alternative: Habitats would be maintained over the short-term and continue to develop over the long-term with no known impacts on species currently present.

Proposed Action: Habitats would be maintained over the short-term and continue to develop over the long-term with no known impacts on species currently present.

4.9 Review of Alternatives with Regard to Purpose of and Need for Project

Purpose and Need: Issue Recreation and Public Purposes lease to provide continuous boundary and management of parcels adjacent to Silver Falls State Park.

- No Action Alternative: Land would be managed according to land use allocations and age class. Additional recreation opportunities adjacent to Silver Falls State Park would not be available to the public. These parcels would continue to receive dispersed recreation activities including unwanted dumping and resource damage.
- Proposed Action: Oregon Parks and Recreation Department would receive a lease to manage three parcels adjacent to Silver Falls State Park. Park managers would continue to develop the three parcels based on their 2009 management plan which develops additional trail opportunities and manages the lands to provide a healthy ecosystem based on funding levels.

5.0 LIST OF PREPARERS

Table 2: List of Preparers

Resource	Name	Initial and Date
Writer/Editor	Traci Meredith	TMM 05/04/2011
NEPA Review	Carolyn Sands	CDS 07/07/2011
Botany	Terry Fennell	TGF 04/13/2011
Cultural Resources	Heather Ulrich	HAU 05/03/2011
Fisheries	Bruce Zoellick	BWZ 04/27/2011
Hydrology/ Water Quality	Patrick Hawe	WPH 04/19/2011
Silviculture	Charley Thompson	CRT 04/15/2011
NRSA	Belle Smith	BAS 07/11/2011
Recreation, Visual Resources Management and Rural Interface	Traci Meredith	TMM 05/04/2011
Soils	Patrick Hawe	WPH 04/19/2011
Wildlife	Jim England	JSE 04/12/2011
Fuels/Fire	Maria Caliva	MAC 07/06/2011

6.0 CONTACTS AND CONSULTATION

6.1 Consultation

6.1.1 US Fish and Wildlife Service (USFWS)

The proposed action of lease renewal would have no adverse effects to any threatened or endangered wildlife species or habitats, including the northern spotted owl. The parcels would retain their natural character and habitat condition.

6.1.2 National Marine Fisheries Service (NMFS)

The proposed renewal of the lease would have no adverse effect to federally threatened UWR steelhead trout. Steelhead habitat in the BLM parcel on Silver Creek would slowly improve as streamside tree stands mature, providing additional shade and large wood to the channel. If potential actions such as trail and bridge construction on Silver Creek are implemented, then prior to project implementation, additional analysis of those actions will be needed, and consultation with NMFS on the effect of those actions on steelhead trout may be required.

6.2 Cultural Resources: Section 106 Consultation with State Historical Preservation Office

Cultural Resource surveys were conducted in 1989 in the parcels located in Township 8 South, Range 1 East, section 35 and Township 8 South, Range 2 East, section 31. A historic trail and homestead were identified during records search, see EA section 3.8. These two historic features were not identified in the field due to road building over the historic trail and most likely natural wear and deterioration of the homestead. Any future actions proposed under the lease by the OPRD in Township 8 South, Range 1 East, section 3 are subject to cultural resource surveys prior to project implementation. Surveys will be conducted according to Appendix A of the *Protocol for Managing Cultural Resources on Lands Administered by the Bureau of Land Management in Oregon*.

6.3 EA Public Comment Period

For the results of project scoping, see EA section 1.3. The EA and FONSI will be made available for public review from July 13, 2011 to July 28, 2011 and posted at the Salem District website at <http://www.BLM.gov/or/districts/salem/plans/index.php>. The notice for public comment will be published in a legal notice in the *Stayton Mail* newspaper. Written comments should be addressed to Cindy Enstrom, Field Manager, Cascades Resource Area, 1717 Fabry Road S., Salem, Oregon 97306. Emailed comments may be sent to BLM_OR_SA_Mail@blm.gov Attention: Cindy Enstrom.

7.0 FINDING OF NO SIGNIFICANT IMPACT

Based upon review of the Silver Falls State Park R&PP Lease EA and supporting documents, I have determined that the proposed action is not a major federal action and would not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27. Therefore, supplemental or additional information to the analysis in the RMP/FEIS in the form of a new environmental impact statement is not needed. This finding is based on the following discussion:

Context [40 CFR 1508.27(a)]: Potential effects resulting from the implementation of the proposed action have been analyzed within the context of the project area boundaries, and the following 4th field watersheds: Pudding-Molalla. This project would affect less than 0.0004 percent of the 559,857 acre combined 4th field watersheds listed above.

Intensity refers to severity of impact [40 CFR 1508.27(b)]. The following text shows how that the proposed project would not have significant impacts with regard to ten considerations for evaluating intensity, as described in 40 CFR 1508.27(b).

1. [40 CFR 1508.27(b) (1)] – *Impacts that may be both beneficial and adverse*: The effects of issuing a recreation and public purposes lease and authorized management activities and actions are unlikely to have significant (beneficial and adverse) impacts (*EA section 4.0*) for the following reasons:
 - Project design features described in EA section 2.2.2 would reduce the risk of effects to affected resources to be within RMP standards and guidelines and to be within the effects described in the RMP/EIS.
 - *Fisheries (EA section 4.1)*: Effects to this resource are not significant because under current management the BLM parcel on Silver Creek is managed as a natural area with no impacts to fish populations. Additional impacts would depend on final trail location and design which would be covered under another environmental analysis document.
 - *Wildlife (EA section 4.2)*: Effects to this resource are not significant because the parcels would retain their natural character and habitat condition. Additional impacts would depend on final trail location and design which would be covered under another environmental analysis document.
 - *Recreation/Visual Resources (EA section 4.3)*: Effects to this resource are not significant because the three parcels would continue to provide current level of recreation and visual resources. When the trail is developed additional recreation opportunities would be available and minimal visual changes would occur.

- *Water Resources (EA section 4.4)*: Effects to this resource are not significant because the parcels would retain their current character and water quality. Additional impacts would depend on final trail location and design which would be covered under another environmental analysis document.
 - *Vegetation and Botany (EA section 4.5)*: Effects to this resource are not significant because the parcels would retain their natural character and habitat condition. Additional impacts would depend on final trail location and design which would be covered under another environmental analysis document.
 - *Soils (EA section 4.6)*: Effects to this resource are not significant because the parcels would retain their natural character and habitat condition. Additional impacts would depend on final trail location and design which would be covered under another environmental analysis document.
2. *[40 CFR 1508.27(b) (2)] – The degree to which the proposed action affects public health or safety*: The proposed project would not adversely affect public health or safety because prior to management actions on lease lands, OPRD would notify BLM to determine if any additional terms and conditions are needed for proposed management actions. (*EA section 4.8*).
 3. *[40 CFR 1508.27(b) (3)] – Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas*: The proposed project would not affect historical or cultural resources because surveys would be completed prior to any ground disturbing actions. The Proposed project would not affect parklands, prime farmlands, wild and scenic rivers, wilderness, or ecologically critical areas because these resources are not located within the project area. Additional recreation opportunities would be provided for through the lease agreement by OPRD. (*EA Sections 4.3, 4.7, and 4.8*).
 4. *[40 CFR 1508.27(b) (4)] – The degree to which the effects on the quality of the human environment are likely to be highly controversial*: The proposed project is not unique or unusual. The BLM has experience implementing similar actions in similar areas without highly controversial effects. Silver Falls State Park has held a recreation and public purpose lease for the three parcels for over 25 years.
 5. *[40 CFR 1508.27(b) (5)] – The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks*: The effects associated as a result of the project do not have not uncertain, unique or unknown risks because the BLM has experience implementing similar actions in similar areas without these risks and project design features would minimize the risks associated with the project (*EA section 4.8*). See # 4, above.
 6. *[40 CFR 1508.27(b) (6)] – The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration*: The proposed action would not establish a precedent for future actions nor would it represent a decision in principle about a further consideration for the following reasons: 1/ The project is in the scope of proposed activities document in the RMP EIS. 2/ the BLM has experience implementing similar actions in similar areas without setting a precedent for future actions or representing a decision about a further consideration. See # 4, 5, above.

7. [40 CFR 1508.27(b) (7)] – *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts:* The Interdisciplinary Team (IDT) evaluated the project area in context of past, present and reasonably foreseeable actions and determined that there is a potential for cumulative effects on all resources in the affected environment. These effects are not expected to be significant because the effects to all resources are expected to be minimal due to the nature of the projects that could occur under the lease. (EA Section 4.0)
8. [40 CFR 1508.27(b) (8)] – *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources:* The project would not affect these resources because there are no longer listed or eligible cultural resources located on BLM lands located in Township 8 South, Range 1 East, section 35 or Township 8 South, Range 2 East, section 31. Prior to project implementation cultural resource inventory will need to be completed for the trail construction slated in Township 8 South, Range 1 East, section 3. (EA section 4.7 and 4.8).
9. [40 CFR 1508.27(b) (9)] – *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (ESA) of 1973:* The proposed project is not expected to adversely affect ESA listed species or critical habitat for the following reasons:
- *ESA Wildlife – Northern spotted owl (EA Section 4.2):* Effects to the species are not significant because: The parcels would retain their natural character and habitat condition. ESA Consultation is described in EA section 6.1.1.
 - *ESA Fish – UWR steelhead trout (EA Section 4.1):* Effects to ESA fish are not significant because under current management the BLM parcel on Silver Creek is managed as a natural area with no impacts to fish populations. Trend in fish habitat condition would be slowly improved as in the no action alternative. ESA Consultation is described in EA section 6.1.2.
10. [40 CFR 1508.27(b) (10)] – *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment:* The proposed project activities have been designed to follow Federal, State, and local laws (EA sections 1.2 and 4.8).

Approved by: Cindy Enstrom
Cindy Enstrom, Cascades Resource Area Field Manager

7-12-2011
Date