

# Silver Falls State Park Recreation and Public Purposes Lease

## Decision Record

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

August 2011

United States Department of the Interior  
Bureau of Land Management  
Oregon State Office, Salem District  
Marion County, Oregon

T. 8 S., R. 1 E. sections 3 and 35, and T. 8 S., R. 2 E. section 31

Lease, Serial, or Case File Number: R&PP lease OR066757  
Applicant Name: Oregon Parks and Recreation Department

Responsible Agency: USDI – Bureau of Land Management

Responsible Official: Cindy Enstrom, Field Manager  
Cascades Resource Area  
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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-11/067+1792

## 1.0 Introduction

The Bureau of Land Management (BLM) completed the environmental analysis for the proposed Silver Falls State Park Recreation and Public Purposes (R&PP) Lease, documented in the *Silver Falls State Park Recreation and Public Purposes Lease Environmental Assessment and Finding of No Significant Impact* (EA) and the associated lease file. This EA is incorporated here by reference in this Decision Record (DR). The proposed action is to issue a 25-year R&PP lease to Oregon Parks and Recreation Department (OPRD) to manage three parcels of BLM lands adjacent to Silver Falls State Park. The action seeks to continue a history of OPRD's management of these parcels for recreation and administrative purposes. The parcels under lease are located on BLM lands in Township 8 South, Range 1 East sections 3 and NW¼NE¼, the portion of section 35 northeast of Lookout Mountain Road, and Township 8 South, Range 2 East section 31 the portion north of Lookout Mountain Road Willamette Meridian in Marion County, Oregon.

I signed a Finding of No Significant Impact on July 12, 2011 and made the EA available for public review from July 13, 2011 to July 28, 2011 (*DR section 6.2*). I received no comments during the public review period.

## 2.0 Decision

I have decided to proceed with the proposed action as described in the EA (*EA p. 10*). This decision is based on site-specific analyses in the EA described above, the supporting lease record, public comment, as well as the management direction contained in the *Salem District Resource Management Plan* (May 1995), which are incorporated here by reference and in the EA. This Decision is summarized in this section of the DR and is hereafter referred to as the "selected action". The following is a summary of the selected action:

- The BLM will issue a 25-year R&PP lease for management of three BLM parcels to OPRD. This lease will continue providing recreational opportunities and a consistent management boundary for visitors to Silver Falls State Park. The OPRD will manage these lands in accordance with the Silver Falls State Park Master Plan, August 2009.
- Allowable activities will include trail construction and maintenance, fire suppression, invasive species management, hazard tree management, and cultural resource management as long as natural resources remain unchanged. OPRD will notify the BLM prior to any actions that will affect the environment. All management activities will comply with BLM design standards.
- Proposed development within the master plan will include expanding the Silver Falls trail system down the canyon connecting to the existing Canyon Trail below Lower South Falls. Trail development will require additional environmental analysis and documentation.

### **Project Design Features**

The R&PP lease will include design features described in the EA (*pp. 11-14*).

### 3.0 Alternatives Considered

1. Proposed Action: DR section 2.0 describes the proposed action.
2. No Action: The BLM would not issue a R&PP lease and connected recreational management 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.

### 4.0 Decision Rationale

The selected action best meets the purpose and need described in the EA (EA p. 5). This section compares the alternatives with regard to the purpose and need (EA p. 5).

- Meet the purpose and need of the project (EA p. 5);
  - The *No Action Alternative*: This alternative would not meet the purpose and need of the project because it would not provide state park visitors additional recreational opportunities, would not provide a consistent management boundary, and would result in these lands being open to mineral entry.
  - The *Selected Action* meets the purpose and need by issuing a lease for the continued recreational management of three BLM parcels and by creating a consistent management boundary for Silver Falls State Park (EA pp. 14-17).
- Issue a R&PP Lease as authorized by Congress through the Recreation and Public Purposes Act of 1954, revised 1996;
  - The *No Action Alternative*: The R&PP lease would not be issued for recreational purposes.
  - The *Selected Action* meets this authorized use of public lands by issuing a lease to OPRD for management of the three BLM parcels adjacent to Silver Falls State Park.
- Continue to provide Silver Falls State Park visitors with recreational opportunities;
  - The *No Action Alternative*: This alternative would reduce the amount of public lands available for recreational opportunities due to issues of access through private lands surrounding Silver Falls State Park.
  - The *Selected Action* would make the parcels available for expansion of recreational opportunities for visitors from within Silver Falls State Park (EA pp. 14-17).
- Provide Silver Falls State Park visitors and management staff a consistent park boundary;
  - The *No Action Alternative*: This alternative would move the boundary of Silver Falls State Park to property lines, which vary in the three parcel sections (see map DR p. 9).
  - The *Selected Action* allows roads to become the Silver Falls State Park boundary and continuing the historical boundary visitors have become accustomed to (EA pp. 14-17).

Considering public comment, the content of the Silver Falls State Park R&PP Lease EA, the supporting lease record, and the management direction contained in the RMP, I have decided to proceed with the selected action as described in *DR section 2.0*. The following is my rationale for this decision.

1. No Action Alternative: This alternative was not selected because a lease would not be issued, lands would be open to mineral entry that could compromise the scenic and natural resources park visitors demand.
2. Selected Action: The selected action is an authorized use of public lands through the Recreation and Public Purposes Act of 1954, revised 1996 described in the *DR section 2.0*.  
The Selected Action:
  - Meets the purpose of and need for action described in *EA* (EA p. 5).
  - Is consistent with the Salem District Record of Decision and Resource Management Plan and related documents which direct and provide the legal framework for management of BLM lands within the Salem District (EA pp. 7-8, *DR sections 5.0, 7.0*).
  - Complies with authorities described in *EA* (EA p. 8 and pp. 21-23).
  - Will not have significant impact on the affected elements of the environment beyond those already anticipated and addressed in the RMP EIS (EA pp. 26-28, and *DR section 7.0*).

## **5.0 Compliance with Direction**

The analysis documented in the Silver Falls State Park R&PP Lease EA is site-specific and supplements analyses found in the Salem District Proposed Resource Management Plan/Final Environmental Impact Statement, September 1994 (RMP/FEIS). This project was designed under the Salem District Record of Decision and Resource Management Plan, May 1995 (RMP) and related documents, which direct and provide the legal framework for management of BLM lands within the Salem District (EA pp. 7-8). All of these documents may be reviewed at the Cascades Resource Area of the Salem District office.

The project also complies with authorities described in the *EA* (EA p. 8 and pp. 21-23).

*Survey and Manage Review* I have reviewed the proposal to issue the *Silver Falls State Park R&PP Lease*, in consideration of the new Settlement Agreement (IM-OR-2011-063, July 2011). This selected action complies with the Settlement Agreement relating to the Survey and Manage mitigation measure of the Northwest Forest Plan, as incorporated into the Salem District Resource Management Plan. The BLM would not conduct Survey and Manage surveys because issuing this lease is not a ground disturbing activity. The BLM parcels affected by the lease would retain their natural character and condition. Any ground disturbing development such as trail construction proposed under the Silver Falls State Park Management Plan would be subject to the Survey and Manage requirements in place at the time of proposal development.

## **6.0 Public Involvement/ Consultation/Coordination**

### **6.1 Scoping**

BLM sent a scoping letter on November 15, 2010 to federal, tribal, state and municipal government agencies, nearby landowners, and interested parties on the Cascades Resource Area mailing list. I received scoping comments from Oregon Department of Fish and Wildlife and Oregon Department of Forestry, and incorporated these comments into the development of the action alternatives and into the effects analysis.

## **6.2 Comment Period and Comments:**

BLM made the EA and FONSI available for public review from July 13, 2011 to July 28, 2011. I received no comment letters during the public review period.

## **6.3 ESA Section 7 Consultation**

1. U.S. Fish and Wildlife Service (EA p. 26)

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.

2. National Marine Fisheries Service (NMFS) – Endangered Species Act Determination of Effect for Upper Willamette River (UWR) steelhead trout, and UWR Chinook salmon (EA p. 26)

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.

## **7.0 Conclusion**

I have reviewed the information in the EA, public comments, and this DR. I have determined that a change to the Findings of No Significant Impact (Silver Falls State Park R&PP Lease EA pp. 27-29) is not necessary. No new information was provided during the public comment period for the EA that led me to believe the analysis, data, or conclusions related to environmental effects of the proposed action are in error or that the selected action needs to be altered.

The selected action will not have effects beyond those already anticipated and addressed in the RMP EIS. Supplemental or additional information to the analysis in the RMP/FEIS in the form of a new environmental impact statement is not needed for the reasons described in the Findings of No Significant Impact (Silver Falls State Park R&PP Lease EA pp. 27-29).

## **8.0 Administrative Review Opportunities and Implementation**

### **8.1 Administrative Review Opportunities**

Individuals have the right to appeal this decision to the BLM Cascades Field Manager and thereafter appeal to the Board of Land Appeals, Office of the Secretary, in accordance with the regulations of 43 Code of Federal Regulations, Part 4. To appeal this decision, it must be filed in writing to Cindy Enstrom, Salem District BLM, 1717 Fabry Road SE, Salem, OR, 97306.

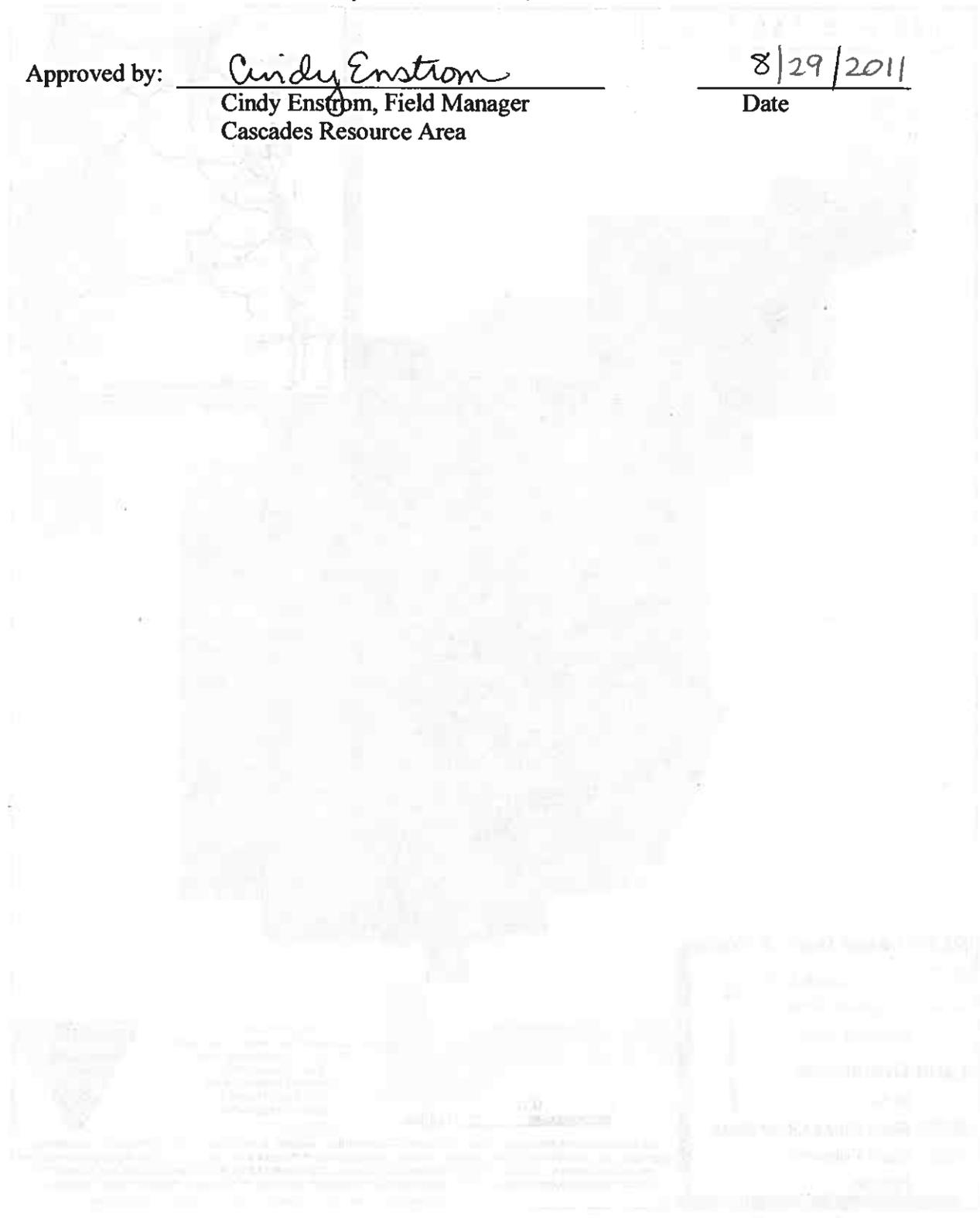
### **8.2 Implementation Date**

If no appeals are filed, this decision will become effective after September 30, 2011.

Agency contact: For additional information concerning this decision or the appeal process, contact Traci Meredith (503) 315-5991 or Carolyn Sands at (503) 315-5973, Cascades Resource Area, Salem District Office, 1717 Fabry Road SE Salem, OR 97306.

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

8/29/2011  
Date



9.0 Maps

### Silver Falls State Park R&PP Lease Decision Record

