

Nepa# ID-410-EA-2454

Environmental Assessment
Blackwell Island Recreation Site Development
EA Number ID060-95-12
Emerald Empire Resource Area

Type of Action: Recreation site
development

Location: T.50N., R.4W., Sec. 14

Lots 3, 4, 5

I. Introduction

The purpose of the environmental assessment is to assist in planning and decision making. The environmental assessment also allows the decision maker to determine whether to prepare a supplemental environmental impact statement (EIS).

A. Background

In April 1994, BLM acquired approximately 32 acres on what is locally referred to as Blackwell Island. The property is adjacent to US Highway 95, less than five minutes from downtown Coeur d'Alene near the mouth of the Spokane River (See attached general location map). Funds to acquire the property were made available by Congress as partial compensation for land BLM conveyed to the Potlatch Corporation in 1992 through the Arkansas-Idaho Land Exchange Act. Acquisition of the parcel was seen as a means of providing additional lake access to relieve overcrowding and congestion at existing area boat launching sites in and around the City of Coeur d'Alene. A dual objective for acquiring the property was to protect the wetlands and their quality riparian and wildlife values to ensure continued wildlife viewing opportunities.

B. Need for Proposed Action

The Emerald Empire Resource Area proposes to construct a five lane boat launching facility, picnicking facilities, hiking trail and a wildlife observation trail on BLM administered land on Blackwell Island.

Kootenai County has been experiencing a tremendous increase in water-related recreation activities. County boat registrations in 1988 totaled 12,778. In 1992, this number was up to 20,823 representing a 63 percent increase in only five years. Currently Kootenai County boasts 18.5% of all Idaho boat registrations while containing only 6.9% of the boatable water. In addition, less than 2% of Lake Coeur d'Alene's shoreline is publicly owned, which severely limits opportunities to develop additional facilities for public use. Existing recreation sites are fully developed and lack space for expansion. The proposed action will help fulfill a present and rapidly growing need for additional lake access.

C. Conformance with Land Use Plans

The proposed action is in conformance with the Emerald Empire Management Framework-Plan and with management objectives established in a recreation management plan for the Coeur d'Alene Lake Recreation Management Area. The proposal directly addresses

needs identified in the Idaho State Boating Plan (Draft 1995) and Idaho State Trails plan (1993). Both plans were prepared by the Idaho Department of Parks and Recreation and are components of the Statewide Comprehensive Outdoor Recreation plan (SCORP).

II. Alternatives Including the Proposed Action

A. Proposed Action, Alternative 1

1. Summary of Proposal

The proposal is to construct a five-lane boat launching facility. Parking will be provided for 140 vehicles with trailers and 54 vehicles without trailers. The launch ramp will be constructed into the canal that bisects the BLM property. To provide adequate space, the canal will be widened and a boat basin will be excavated. The proposal also includes picnicking facilities, a hiking trail and a wildlife observation trail.

The facility will be operated seasonally for day-use recreation activities and will be closed during the winter. Development will be phased. Water and sewer utility services will be provided when they become available. In the interim, drinking water will be provided by drilling a well and sewage will be contained in sealed-vault toilets, then hauled off-site for disposal.

Figure #1 is a conceptual site plan of the proposed action. Engineered designs will be completed for all facilities. The project proposal narrative includes general design parameters. Specific design parameters to guide the engineering effort are included in Appendix 1. The final engineered design may vary some from the conceptual design but, major site components, functions and general locations and relationships should not vary. The BLM will obtain required permits prior to construction. Most of the construction will be contracted.

2. Recreation Facilities

a. Boat Launching Facilities

The boat launching area will be constructed by excavating a boat basin and widening the canal to 100 feet (an increase of approximately 30 feet). Approximately 300 linear feet of the canal will be disturbed and a 14,000 square foot area excavated to build the boat basin. The basin and canal will be excavated to the existing depth of the canal. The excavation will be confined to the south canal bank on the main island. The canal bank on the small island will remain undisturbed but, will be armored with boulders, logs and vegetation. Dredging to deepen the canal and river channel will not be done. The excavated canal bank will be shaped and graded so it will be stable and appear natural and similar to its current condition. Disturbed areas will be planted with appropriate natural vegetation. A group of ponderosa pine trees is located along the canal and west of the proposed boat basin. Retention of most of these trees is desirable. To minimize the number of trees removed, the bank on the west side of the boat basin will be constructed near vertical and stabilized with a retaining structure. An accessible pathway from the parking area to the boat docks on the west side of the boat basin can be incorporated into the retaining structure design.

The boat launching ramp will be constructed of concrete and will probably be cast in place. Five lanes will be provided and delineated with surface markings. Construction of the ramp and boat basin will occur during winter when the canal is dry. To prevent undermining from prop turbulence, the concrete ramp will be extended 50-feet along the bottom of the boat basin and terminated with a cut-off wall.

Floating boat docks, for boarding purposes, will be provided adjacent to each launch lane. Docks will extend along the south side of the canal to provide for short-term moorage. These docks will also serve to protect the excavated canal bank. Docks will be located so they rest flat when water levels are low

and the canal and boat basin become dry. Docks will be anchored to pilings so they can move vertically as water levels fluctuate. Dock approach ramps for pedestrian traffic will be provided to each set of docks.

Pilings and log booms will be installed in the river to delineate a boat channel to the main course of the river.

All the excavated material, if suitable, will be used on-site. Part can be spread over the old landfill area to level it. If suitable as base material, it can be spread at building, roadway and parking area locations to raise these developed portions of the site higher above flood waters. Any remaining material can be used for landscaping.

b. Access Road, Interior Roads and Parking Areas

Access will be from Highway 95 at the existing approach location. Highway modifications to provide acceleration and deceleration lanes will be made as required by the Idaho Department of Transportation. All roads and parking areas will be asphalt surfaced and bordered with concrete curbs and gutters. All paved surfaces will be drained to grassy collection areas in accordance with Kootenai County storm water management guidelines. The launch ramp maneuvering area will slope and drain away from the launch ramp and the canal.

The roads, parking areas and associated grassy drainage areas will encumber approximately 5 acres. One multi-purpose parking area will be provided and shared by boaters and other site users. A majority of the parking will accommodate vehicles with trailers. The conceptual site plan shows 140 such spaces. Standard 40-foot long parking spaces will be adequate since the boat launch will not accommodate the launching of very large boats. Some single vehicle parking spaces are also required for those using small car-top boats or visiting the site for hiking or picnicking purposes. The conceptual site plan shows 54 single vehicle parking spaces.

The parking area will be segmented to allow phased implementation and so landscaping can be included to provide some shade for parked vehicles. A one-way traffic flow in and out of the launch area is established to facilitate ordered use. A launch preparation lane and a tie-down lane will be provided adjacent to the launch area to avoid congestion in the launch ramp maneuvering area. For safety, these lanes will be separated from roadways by traffic islands. Breaks in the traffic islands will be provided so vehicles can be moved from these areas as they are readied. Users of the wildlife observation trail will be able to enter, park and leave the site without driving through the boat launching area.

Traffic flow and parking will be directed by signs and pavement markings.

c. Trails, Wildlife Observation and Interpretation

A general purpose hiking trail will be constructed on the north island. It will form a single loop around the perimeter of the island and will be approximately .32 miles long and 5-feet wide. The trail will be essentially level following the natural flat topography. The trail may be paved, aggregate surfaced or left natural provided the surface is graded smooth and firmly compacted. The trail will be accessed by a foot bridge. Public access across the bridge will be seasonally restricted. Design features will be incorporated to preclude animals from using the bridge to cross the canals during critical bird nesting seasons. The bridge design will allow for access by small maintenance vehicles such as garden tractors. Also, the bridge will serve as a barrier to prevent large boats from traveling up the canal.

A wildlife observation trail approximately 800-feet long will be built from the east corner of the parking lot to and along the river wetlands. Across wet areas, the trail will be a elevated boardwalk to minimize ground disturbance and to confine pedestrian traffic. The trail will be routed to take advantage of the existing vegetation for screening. Three viewing platforms will be provided. The platforms will be partially hidden in clumps of trees but will provide views of the river shoreline and wetland areas.

Signs and brochures will be used to describe plants and animals that can be viewed from the trail.

d. Picnic Areas

Picnicking facilities will be located in the vicinity of each trailhead. Nineteen individual picnic units and one picnic shelter for group use will be provided. Each individual unit will consist of a table and grill. The group unit will have multiple tables and grills.

e. Toilet Buildings, Utilities, Other Amenity Facilities

A modern flush toilet building will be provided adjacent to the launch preparation and tie-down area. The construction of this building will be dependent upon the availability of city utility service. The building will have a men's and women's side and multiple stalls. Electric service will probably be run overhead to the island and then underground to the building. All other utilities will be underground. Utility line locations will be specifically determined during the engineering design phase. The building will be installed several feet above the existing grade to reduce flooding hazards.

Two sealed-vault concrete toilet buildings will be located to serve the wildlife observation trail and picnic area. If utilities cannot be immediately provided to allow construction of the launch area toilet buildings, then these vault units will temporarily serve the entire site. These buildings will also be installed above the existing grade.

Other facilities with utility requirements will be clustered near the toilet building. A boat sewage pump-out will be provided adjacent to the tie-down lane. Potable water will be available with outlets located adjacent to both the preparation and tie-down lanes. A fish cleaning station and a public telephone will be provided and located near the toilet building.

If at the time the site is initially developed, city water service is not available, a well and drinking water system will be developed. Electricity for a submersible pump and a pressure system will be needed. The water system will be operated as a non-community public drinking water system in compliance with applicable drinking water regulations. If city water is later provided, the BLM water system will be converted to meet irrigation needs.

Security lighting will be provided in the parking areas, launch area and near buildings.

3. Accessibility

The site will be designed to be fully accessible. Legal requirements will be met, but barrier-free designs will be employed throughout the facility even if technically not required by law. As required, all buildings will be accessible including parking and pathways to the structures. While the boat ramp must be at an angle exceeding slope standards for accessibility, all docks will be made accessible at the average summer water level (2128' WWP Datum). At least one dock will be designed to be accessible at all water levels at which the site will be functionally suited to boat launching. Docks will be designed with sufficient flotation to remain level when loaded and retain side to side stability. Railings will be provided on the dock approach ramps, but not on the docks because they interfere with the boat launching function. However, dock tie-down rails will be of a sufficient height to also serve as curbs. All picnic units, trails, and special site amenities including the fish cleaning station, telephone, sewage pump-out, water hydrants and trash receptacles will be made accessible. Tactile signs where appropriate will be provided, but will not apply to traffic control signs. Separate accessible parking spaces will be provided in proximity to each functional area including the toilet buildings, launch ramp and docks, both picnic areas and each trailhead.

4. Vegetation and Landscaping

The developed portion of the main island will be landscaped, which will be irrigated. Shrubs and ground cover will be used to direct and control pedestrian traffic. A mixture of deciduous and evergreen species will be used. Plants requiring limited maintenance but that also provide spring and fall color will be favored. Grassy drainages will have mixed turf grass hardy to the northern Idaho climate. Trees will be used to provide shade. Existing ponderosa pines in the way of the proposed developments, if not too large, will be transplanted and used for this purpose.

Outside of the developed portions of the site, native vegetation will be favored. Noxious weeds will be replaced with native grasses, shrubs, and trees to improve food and shelter for wildlife. The weeds will be mowed, piled, and burned during March of each year. Fertilizer and herbicides will be applied during April and May of each year. BLM's programmatic environmental assessment prepared in 1994 for controlling noxious weeds described the use of chemicals. The area between the highway and the development will be heavily planted with trees and shrubs to create a visual and sound barrier. A similar vegetation barrier will be planted on both the main island and the small island to buffer the BLM property from adjacent residential areas to the west. Canal banks will be planted with willows and other shrubs to hold the soil and prevent pedestrian use.

*Update
w/ recent
veg. mgmt
J. EA*

Coyote willow, Douglas spirea, mockorange, redblosser dogwood, snowberry, Wood's rose, chokecherry, Douglas hawthorn, blue or black elderberry, Saskatoon serviceberry, aspen, black cottonwood, and ponderosa pine will be planted. Table 1 lists their values for recreation and wildlife. Older plants in one gallon containers will be used to ensure better survival from browsing animals. Where feasible, existing plants will be transplanted from the proposed development areas.

TABLE 1. NATIVE SHRUBS AND TREES TO BE PLANTED ON BLACKWELL ISLAND.

| HEIGHT | SPACING | SPECIES | WILDLIFE | RECREATION |
|--------------------|---------|---------------------|--------------|--------------|
| Low (3-15') | 5 feet | Coyote willow#* | Cover | Foot traffic |
| | | Douglas spirea# | Cover | Ornamental |
| | | Mockorange | Nesting | Ornamental |
| | | Redblosser dogwood# | Food/nesting | Ornamental |
| | | Snowberry | Food/cover | Landscape |
| | | Wood's rose* | Food/nesting | Foot traffic |
| Medium (10-25') | 15 feet | Chokecherry | Food | Screen |
| | | Douglas hawthorn* | Nesting | Foot traffic |
| | | Elderberry | Food | Ornamental |
| | | Serviceberry | Food | Ornamental |
| Tall (30-100') | 20 feet | Aspen | Nesting | Shade |
| | | Black cottonwood | Nesting | Shade |
| | | Ponderosa pine | Nesting | Shade |

= Stream bank location is best
* = Growth form helps direct foot traffic

5. Visitor Management

Basic rules of use for developed BLM recreation facilities are established in 43 CFR 8360 and will apply to public use of the facility. These regulations also allow for the establishment of additional restrictions. Using this authority, BLM recently closed public property at Blackwell Island to camping, which will continue. BLM also proposes to close the canals to all motorized boating use. This restriction will be subject to valid existing rights and will be coordinated with Kootenai County. The proposed closure starts where Highway 95 crosses the canal and extends north to include all of the man-made waterway except that portion needed to access the proposed launch facility.

Additionally, the BLM proposes extending the existing no wake zone on the Spokane River downstream to and including the boat channel to the launch facility. While the BLM is the proponent, implementation of this no wake restriction requires action by Kootenai County.

The above mentioned existing regulations are reproduced in Appendix 2. Appropriate patrol and law enforcement actions commensurate with use patterns will be taken to ensure a reasonable level of visitor safety, resource and facility protection and compliance is attained.

The facility will be opened to public use from approximately March through November and will be dictated by weather. Snow removal to maintain access during the winter will not be done. A gate on the entrance road will block access during the winter. The launch area will be open to use from approximately May through September depending upon water levels. Interior gates will be used to control access to the boat launching area. Daily hours will be established and nighttime closures made if needed.

The largest lot fronting the Fairmont Loop Road on the west side of the canal is reserved for future administrative uses. Offices and quarters for employees or volunteers will be located on this parcel if a on-site management presence is ever needed.

The proposed facility will meet existing Federal fee collection criteria. Appropriate parking fees, comparable to similar facilities, will be charged.

6. Wildlife Habitat Improvement

Wood ducks and several songbird species nest in tree cavities, which are currently lacking on Blackwell Island. Canada geese and osprey currently nest on platforms elevated above the Spokane River. Additional artificial structures will be constructed and maintained as needed for these nesting birds. Native shrub and tree species, identified in Table 1, will be planted on the island to improve food and shelter requirements for wildlife.

7. Implementation Phases

The project will be implemented in phases. Initially, the recreation facilities on the main island will be developed except the parking bay serving the wildlife observation trail will only include 20 single vehicle parking spaces. If utility services are not available, only the vault toilet buildings will be installed. However, future needed sewer and water lines under developed portions of the site will be laid to avoid having to later dig up newly paved surfaces. The trail on the small island, including the bridge, and administrative structures will be added if and when needed. The remaining parking will be added in subsequent development phases.

B. Mid-scale Boat Launching Development, Alternative 2

Alternative 2 differs from the proposed action in that the trail on the small island will not be built, the picnic area adjacent to the canal is eliminated and the boat launch facility will be smaller. The alternative boat launch includes two launch lanes, 52 parking spaces for vehicles with trailers and 25 single vehicle parking spaces. The launch ramp location is not changed, but requires less space because the boat basin is smaller. With less boat traffic, the canal can be used as is and will not be widened. Toilet buildings will be sealed-vault concrete units obviating the need for sewer and water service. A well with a hand lift pump will be used to provide drinking water. Site amenities requiring utility services are eliminated. Facilities provided will still be made accessible. Irrigated landscaping will be eliminated. Visitor use regulations and restriction will remain the same. Fees will not be assessed for use of the site and no administrative facilities will be required.

Figure #2 is a conceptual site plan for Alternative 2.

C. No Action, Alternative 3

Recreation facility improvements will not be made and public vehicle access will not be provided. Resource management activities will be confined to custodial actions. Rules of use for undeveloped areas will apply to the site.

III. Affected Environment

The resource components so identified on the attached "Critical Elements of the Human Environment" checklist are not affected by this proposed action and are not discussed further in this EA.

A. Water Resources

The parcel is a wide floodplain of the Spokane River with relatively low relief. The water surface elevation in the river fluctuates about 7 feet seasonally, from an elevation of 2121 feet to a high of 2128 feet (WWP datum), as regulated by the Washington Water Power dam at Post Falls. A 100-year flood elevation across the site is estimated to be 2133.5 (2137.5 adjusted to WWP Datum), according to the Kootenai County 1984 Flood Insurance Rate Map, panel no. 170. This indicates variable flooding depths of about 2 feet or less over the existing topography in the proposed development area.

The proposed boat launches would access an existing canal with a depth of about 7 feet deep during the summer months when the lake level is kept high. Portions of the canal are usually dry between late September and May when the water level in the lake is lowered.

Depth to groundwater on the site is directly influenced by the river level. At full summer elevation, i.e. 2128 feet, depth to groundwater averages between 4 and 5 feet in the proposed picnic and parking lot areas.

Part of an old municipal landfill, estimated to encompass about 3/4 of an acre is located near the Highway 95 access. The primary landfill was located south of the highway. As part of potential land acquisition actions, the landfill areas were investigated by a geotechnical consulting firm in 1979 and again in 1993. Subsidence and groundwater quality were the main issues of concern. Monitoring well analyses indicate slightly elevated levels of some metals and nitrates in the groundwater near the landfill, but significant dilution down gradient.

B. Soils

Blackwell Island has a very deep, well drained soil that formed in glacial outwash and alluvium. The surface layer is dark grayish brown very gravelly sandy loam on the main island and gravelly loam on the north island about 12 inches thick. The high content of cobbles and compacted surface on the main island results in droughty conditions for plant growth and would also be a slightly limiting factor for use of a drill seeder and for shrub and tree planting. The pH of the soil (6.7) is essentially neutral. The available water capacity is low due to the very gravelly subsoil, permeability is moderate, and the hazard of water erosion is slight. The marsh adjoining the Spokane River has poorly drained, sandy, alluvial soils.

The nitrogen content of the soil is low (0.6-0.5 ppm) even though the organic matter content (5%) is fairly high. This indicates slow breakdown of organic matter to nitrogen. The phosphorus content of the soil (6 ppm) is only slightly deficient. The potassium content of the soil (252 ppm) is high.

The soils on Blackwell island have slight limitations for picnic areas due to small stones. They have slight limitations for paths and trails due to small stones and dusty conditions during the driest part of the summer. These soils have limitations for excavations due to cutbanks being susceptible to caving because of the very gravelly subsoil conditions. They have severe limitations for any type of sewage facilities except sealed-vault toilets due to seepage and potential pollution of the ground water and river.

C. Vegetation

The vegetation on Blackwell Island has been highly altered by disturbance and is in an early successional stage. The scattered tree canopy along the perimeter of the islands is composed of ponderosa pine and a mixture of hardwoods, including black cottonwood, black locust, and weeping willow. The shrub component is in scattered dense patches and consists of common snowberry, black hawthorn, serviceberry, red osier dogwood, and ninebark. Grass cover is scattered. Both islands have dense infestations of spotted knapweed and some Dalmatian toadflax dominating the forb layer. BLM policy is to control noxious weeds on public lands.

D. Wildlife, T & E Species

Threatened and Endangered Species. The attached Biological Assessment (BA) (Appendix 4) discusses bald eagles. No other Federally listed species, including plants, are likely to inhabit Blackwell Island.

Candidate and Sensitive Species. Westslope cutthroat trout inhabits Coeur d'Alene Lake and its tributaries. The largest concentration of trout spawn in Wolf Lodge Creek during March and April. Afterwards, large numbers of adults and juveniles disperse across the lake to inhabit the Spokane River and canals encompassing Blackwell Island. This occupancy continues until closure of the Post Falls Dam creates slack water in the upper Spokane River during May. Biologists with the Idaho Department of Fish and Game (IDFG) believe this distribution pattern occurs because the lake's outflow has abundant fish food and relative slow water velocities. Post spawning fish require a high energy intake to recover from the rigors of spawning. The outlet of Coeur d'Alene Lake provides ideal conditions for a recovery zone. A similar situation occurs with cutthroat trout in Yellowstone Lake.

Neither the Idaho Conservation Data Center (ICDC) database nor field inventories revealed any candidate or sensitive plant species.

Other Wildlife Species. About 90 different species of waterfowl, shorebirds, songbirds, pheasant, deer, and small mammals have been reported on Blackwell Island and the adjacent Spokane River. Birds nest on the ground and in the existing shrubs and trees from April through June. Deer and beaver feed on the shrubs and trees throughout the year. The large amount of weeds and lack of shrubs have diminished potential nesting and feeding habitat for wildlife. Canada geese and osprey nest on four platforms elevated above the Spokane River from March through May. Shorebirds feed and nest on the exposed mudflats along the edge of the Spokane River.

E. Recreation

Blackwell Island is located within the Coeur d'Alene Lake Special Recreation Management Area. The property is largely undeveloped but exhibits a rural physical setting due to the influence of nearby developments including highways, roads, utilities and residences. The island contains recreation features and attributes that make it a desirable setting to recreate in and that make it suitable for development to accommodate facility-dependent recreation demands. The island is adjacent to the Spokane River and is near Coeur d'Alene Lake, the area's primary recreation attraction. Highway 95 is adjacent to the island and provides convenient easy access. The site is level with few physical barriers to constrain development. Upland portions of the site contain large areas which lack significant vegetation. Riparian areas especially along the river shoreline provide wildlife viewing opportunities. Lots along the Fairmont Loop Road are small and not well suited to development. The canal system and river makes access difficult and constrains development opportunities on the small north island.

Existing recreation use of the property is estimated to be low. Public use of the area is currently constrained because vehicle access and recreation facilities are not provided. Overnight camping is prohibited.

Recreation use in the Coeur d'Alene Lake Recreation Management Area is high.

A substantial amount of recreation setting, facility inventory and visitor profile information specific to the State of Idaho, Idaho Panhandle Region and Kootenai County is available from several studies and numerous other informational sources. Inventories and studies consistently point out that the Coeur d'Alene area has undergone substantial growth in population, tourism and recreation demand. Growth is projected to continue and, the studies and surveys conclude additional boat launching facilities, campgrounds and trails near urban areas are needed. A list of references is provided in Appendix 3. Also refer to the Recreation Management Plan for the Coeur d'Alene Lake Recreation Management Area for a summary of some of the information.

F. Cultural Resources

A cultural resource inventory has been conducted and no cultural resources were located in the proposed action area.

IV. Environmental Impacts

A. Water Resources

Proposed Action Alternative

The former landfill should present no significant environmental or health risks for the proposed BLM recreation development alternatives.

Sealed vault toilets are buried to a depth of about 4 1/2 feet. By raising the ground level several feet, the vault will be situated above the annual high water table level. No water quality impacts from the sealed vault are anticipated.

Development of the paved parking area will change the runoff characteristics of the site, as does almost any paving project. The BLM will follow the guidance in the Kootenai County Stormwater Plan. Because parking lot runoff contains petroleum-related wastes, the drainage will be designed to flow into grassy swales away from the canal. Grassy swales provide effective filtering for pollutants. With proper site drainage, impacts from stormwater runoff are expected to be minor.

Soil disturbance from widening of the canal and excavation of the boat launches will take place when the canal is dry. Measures will be taken to minimize sediment delivery to the canal and to quickly establish vegetation to reduce bank erosion. Sediment impacts from the excavation are anticipated to be short-term and minor.

Bank erosion in the canals due to increased boat traffic has been raised as an issue. Under both alternatives, several changes to the existing situation should offset increased use. The majority of the canals will be legally closed to motorized boating and the remainder will be designated as a no wake zone. The dock will provide a wave barrier and the north bank will be stabilized by the placement of logs and boulders. BLM will monitor bank erosion and additional stabilization will be applied if necessary.

Recommended Mitigation

- Apply seed and mulch to freshly excavated drainage swales to encourage rapid revegetation.
- Use reference points and surveys to monitor and document bank erosion along the canals due to boat wake. Apply additional bank stabilization methods as needed.
- Excavation of boat basin and the respective portion of the canal to be done at lowest water levels possible to minimize sedimentation.

Residual Impacts

With the above mitigation, bank erosion and sediment impacts to water quality in the canal should be short-term and minor.

Alternative 2

This is essentially identical to the proposed action, but on a smaller scale. There would be less runoff generated by the smaller parking lot and less disturbance to the canal from construction of a smaller boat ramp. General impacts would be the same as for the proposed action.

No Action Alternative

Under this alternative, the status quo would be maintained.

B. Soils

Proposed Action Alternative

The construction of the roads, parking area, boat launching facility, sanitary facilities, trails, and picnicking facilities; and widening of the canal would result in moderate, unquantifiable short-term accelerated erosion and sedimentation. The accelerated erosion would only persist for a short period, until the roads, parking area, and boat ramp were surfaced and the other disturbed areas were revegetated. Erosion would then return to near natural rates for the revegetated areas and be less than natural rates on the asphalt and concrete surfaced areas. The draining of all paved surfaces to grassy collection areas would also minimize erosion and sedimentation. Long-term erosion rates would be slightly accelerated an unquantifiable amount due to heavy recreational use of the area.

Recommended Mitigation

- Grade excavated slopes adjacent to the canal to a maximum 66 percent slope gradient, except where retaining structures are utilized, to minimize erosion.
- Plant the excavated slopes with shrubs of suitable height, dense growth habit, and plant density to retard soil erosion and discourage human foot traffic.
- All soil disturbance should be minimized in extent to that which is necessary to accomplish construction.
- Minimize the time between soil disturbance and protection from erosion by surfacing or planting of disturbed areas.
- Off road vehicle use of any type should be prohibited.
- Amendments of organic mulch to the planting hole is recommended when planting trees and shrubs, especially on the main island, due to restrictive soil conditions.

Residual Impacts

Short-term increases in erosion and sedimentation resulting from the proposed action would be minimized. Long-term erosion and sedimentation would be reduced an additional unquantifiable amount for the proposed action.

Alternative 2

Since this alternative would represent reduced recreational facility construction, the short- and long-term erosion rates would be increased a lesser, unquantifiable amount as compared to the proposed action.

No Action Alternative

The soil resource would remain unchanged from its current condition.

C. Vegetation

Proposed Action Alternative

The proposed action would result in substantial alteration of the long-term vegetation character of Blackwell Island and the usage of that vegetation by wildlife and humans. This would be beneficial to the ecological health of the area since the vegetation is presently dominated by noxious weeds. The increase in tree and shrub components and reduction in noxious weeds would promote the site into a later successional stage with increased ecological function. The usage by wildlife and humans and aesthetic value of the vegetation would be enhanced. Also the control of noxious weeds would bring us into conformance with BLM policy.

Recommended Mitigation

① Favor native species over introduced species when landscaping the area.

Residual Impacts

The natural plant community of the site would be partially restored in function and form on Blackwell Island.

Alternative 2

Impacts would be of a similar nature to those of the proposed action except that less acreage would be dedicated to parking areas and thus more area would be vegetated.

No Action Alternative

The vegetation resource would not be altered from its present condition except by noxious weed control, natural causal agents, and succession.

D. Wildlife, T & E Species

Proposed Action Alternative

Endangered and Threatened Species. The attached BA (Appendix 4) discusses bald eagles. The BLM concluded "no effect" because (1) perching habitat for eagles will not be altered as described in the BA and (2) the season of use by eagles and people are mutually exclusive as described in the BA. Therefore, consultation with FWS is not required by the Endangered Species Act.

Candidate and Sensitive Species. Westslope cutthroat trout presently inhabits approximately 3,400 linear feet of canals on the BLM portion of Blackwell Island from April through May. An abundant source of fish food mixed with the continuous flow of water provide the habitat requirements of these trout. Although the site will be open to motorized boat traffic during May, large numbers of boaters will not be expected until the Memorial Day Weekend. Thenceforth, about 350 linear feet (10% of the total) will be legally open to motorized boat traffic between the Spokane River and the proposed boat basin. An additional 100 linear feet (3%) will be physically open between the boat basin and the proposed foot bridge. Trout use of this 450 linear feet (13%) will be lost during May when both trout and motorized boat traffic try to occupy the same space and time. The remaining 87% of aquatic habitat will be closed to motorized boat traffic and available for use by trout.

Trout rest in deep pools, beneath large woody debris, and underneath overhanging banks when not feeding. The canal banks provide habitat only when the water level is at or above the 2128 foot pool level. Of the approximately 6,800 linear feet of canal banks, only 300 feet (4% of the total) will be disturbed for excavation of the 14,000 square foot boat basin. This disturbed

canal bank will be rehabilitated to a stable slope. All canal banks will be planted with appropriate natural vegetation as displayed in Table 1 to increase bank stability. The boat basin will be excavated from the island and, therefore, will not remove any existing trout habitat. Construction during winter, when the canal is dry, will not displace any trout. The bottom of the canal will not be dredged and, therefore, will remain available as trout habitat.

Trout require clean, cold water. Many of the tall ponderosa pine trees along the canal will remain in place. These trees will cast shade onto the water's surface, which will moderate water temperatures during hot weather. Most of the motor vehicle fluids (e.g. antifreeze and lubricants) will drain away from the boat basin because of the constructed slope of the launch ramp maneuvering area. These fluids will collect in grassy swales and be filtered by the vegetation as storm water percolates through the soil's rootzone. Gas and lubricants from boats, however, will directly enter the water column.

All these actions may affect, but not adversely affect trout. The proposed action will not affect candidate or sensitive plant species, because they are not known to inhabit Blackwell Island.

Other Wildlife Species. The recreation facilities, picnic areas, and other buildings will remove about six acres of terrestrial habitat, which is 18% of the total 33 acres, on the BLM's portion of Blackwell Island. This represents an irretrievable loss of wildlife habitat. However, the remaining 82% of available habitat will be enhanced by replacing noxious weeds with native shrubs and trees as displayed in Table 1. Therefore, the increased quantity and quality of food and nesting cover for wildlife should compensate the anticipated loss.

since 1995,
↑ knowledge of pollinator requirements; i.e., wildflowers spp. importance

Increased boat traffic between the Spokane River and the proposed boat basin may displace the geese and osprey from continued nesting above the Spokane River. Most of the boating traffic will occur after the geese broods leave the nests. The addition of new nesting structures on the islands may compensate any loss resulting from boat traffic on the water. Populations of selected songbirds will respond positively from the addition of cavity nest boxes.

Female birds will flush from their nests when threatened by intruders, including people and family pets. When uncontrolled, dogs will disturb pheasants and waterfowl during the nesting season. Continuous foot traffic can displace adult birds from their nests and, consequently, cause reproductive failure for the year.

Wildlife watching and environmental education are becoming very popular outdoor recreational activities. People will use Blackwell Island because of its close proximity to town. An opportunity exists at Blackwell Island to increase people's awareness of their natural surroundings.

Recommended Mitigation

- The boat launch should remain closed during May until the Memorial Day Weekend. The smaller island will be closed to foot traffic during April, May, and June to provide security for nesting birds. Family pets will be restrained according to governmental regulations on the main island and prohibited on the north island. If an unreasonable amount of violations occur, then a fence will be built to exclude dogs from the wetland habitat along the Spokane River.

Residual Impacts

The proposed action will eliminate approximately six acres of wildlife habitat. The second alternative will eliminate about one-half of that amount. Local populations of wildlife should respond positively to vegetation enhancements and artificial nesting structures. As a result of environmental education, an informed public is more likely to better appreciate their

natural resources.

Alternative 2

The recreation facilities, picnic areas, and other buildings will remove about three acres of terrestrial habitat, which is one-half as much as the proposed action. This also represents an irretrievable loss of wildlife habitat. However, the remaining 91% of available habitat will be enhanced by replacing noxious weeds with native shrubs and trees as displayed in Table 1. Therefore, the increased quantity and quality of food and nesting cover for wildlife should compensate for the anticipated loss. The other impacts described for the proposed action will occur with Alternative 2.

No Action Alternative

All 32 acres would be available for fish and wildlife under the no action alternative. Any and all viewing of wildlife would be unrestricted, but interpretation would not occur.

E. Recreation

Proposed Action

The proposed action is designed to provide needed additional recreational boating access to Coeur d'Alene Lake. Opportunities for wildlife viewing, picnicking and trail activities will also be enhanced. The type and capacities of planned facility improvements are compatible and consistent with the area's existing rural setting. A rural recreation setting is characterized by a modified natural environment where resource modifications and utilization practices are obvious, sights and sounds of man are readily evident and the concentration of users is moderate to high. Within a rural setting, facilities are commonly provided for user convenience, visitor safety and resource protection and are developed for use by large numbers of people.

With development of the proposed facility, recreation use of Blackwell Island will increase. Annually it is estimated that 35,000 people will visit the site. All use will be day-use and confined to the spring and summer period when the site is open. It is expected that 90% of the use will occur during the summer between Memorial Day and Labor Day. Also, 50% of the use will probably occur during weekends and holidays.

Site visitors will derive social benefits and the community will realize economic benefits. Vehicle traffic on Highway 95 will increase. Average daily traffic on Highway 95 is 6,400 vehicles (IDT, 1993). At the site's projected use level, an average of 114 vehicles will enter and leave the site daily. This will increase the average daily traffic on the highway by 228 vehicles or less than 4%.

The proposed facility will accommodate 485 people at one time based on parking capacity and assuming an average of 2.5 people per vehicle. However, there will never be that many people on-site at the same time because the facility will be used primarily for boat launching. It is estimated that 85% of the use will be by boaters. They will remain on-site only for short periods while launching and retrieving boats. The five launch lanes will accommodate the launching and retrieval of 250 boats per day. Parking is not provided for 250 vehicles because a low to moderate daily turnover rate is expected. At peak use periods on summer holiday weekends and other hot and sunny July and August weekends it is expected that the site will be used to capacity and 250 boats per day will be launched. However, participation in day-use recreation activities is strongly affected by weather conditions. On cool, rainy, windy and cloudy days use levels will be lower. The average weekend launch rate is expected to be 200 boats per day and on week days to be 80 boats per day.

Implementation of the proposed action will not directly cause an increase in the amount of recreational boating use of Coeur d'Alene Lake. However, changes in launching and use distribution patterns will result and boat traffic on the Spokane River between the site and the lake will increase.

Traffic and parking congestion at other launch sites on the north end of Coeur d'Alene Lake will be lessened during the high use summer period. In the five year period from 1988 to 1992, boat registrations in Kootenai County increased by 63%. No new public boat launching facilities were constructed during that 5 year period. Additional parking was provided only at the Higgins Point boat launch. Boating use has increased primarily as a result of increased population and tourism growth.

Currently, the six public boat launching areas on the northern part of the Lake, including Third Street, Boothes Park, Higgins Point, Mineral Ridge, Squaw Bay, and Kidd Island Bay, have about 160 parking spaces for vehicles with trailers. Combined, these six launching facilities have a total of ten launch lanes indicating a need for 350 parking spaces (35 per launch lane). Parking congestion occurs because launch capacity exceeds parking capacity by 190. By providing an additional 140 vehicle plus trailer parking spaces at Blackwell Island, parking congestion at existing launch facilities can be reduced by 74%. The north end of Coeur d'Alene Lake is about 9,000 acres so, there would be about one public parking space per 30 acres of lake surface area.

As a day-use facility, the site will primarily serve local residents living within a 50 miles radius of Coeur d'Alene. Needs of nonresident travelers are not being met by the proposal.

The BLM will incur maintenance and operations costs of approximately \$40,000 annually. A portion of these costs will be recovered by user fees.

Alternative 2

Alternative 2 is designed to provide additional recreational boating access to Coeur d'Alene Lake but to a lesser degree than the proposed action. Opportunities for wildlife viewing, picnicking and trail activities will be enhanced as in the proposed action except, there will be 50% fewer picnic units and .32 miles less trail. The type and capacities of planned facility improvements are compatible with the area's existing rural setting but would be underdeveloped and more consistent with a roaded-natural setting.

Under Alternative 2, it is estimated that 26,000 people will visit the site annually. All use will be day-use and seasonally distributed similar to the proposed action.

As with the proposed action, social and economic benefits will be realized but to a lesser degree. The average daily traffic on Highway 95 would be expected to increase by 171 vehicles or about 3%.

The Alternative 2 facility will accommodate 198 people at one time based on parking capacity and assuming an average of 2.5 people per vehicle. It is estimated that 90% of the use will be by boaters who will remain on-site only for short periods of time while launching and retrieving boats. The two launch lanes will accommodate the launching and retrieval of 100 boats per day. The average weekend launch rate would be expected to be 100 boats per day and 80 boats per day on week days.

Implementation of Alternative 2 will cause similar changes in boat launching and use distribution patterns as the proposed action but to a smaller degree. Total parking capacity at launch facilities on the northern part of the lake will be 204. Parking congestion at existing facilities could be reduced by 28% and there would be about one public parking space per 44 acres of lake surface area.

Alternative 2 will also primarily serve local residents living within a 50 mile radius of Coeur d'Alene ignoring the needs of nonresident travelers.

The BLM will incur maintenance and operations costs of approximately \$25,000 annually. None of these costs will be recovered by user fees.

No Action Alternative

Under this alternative explicit recreation management actions would not occur. A custodial management approach is inconsistent with area management objectives and is not responsive to identified recreation needs.

F. Cultural Resources

No adverse impacts to cultural resources are anticipated. Should cultural resources be discovered during construction, all activities in the area should be stopped until the resources can be evaluated by a BLM archeologist.

G. Summary

No significant individual or cumulative impacts are anticipated.

V. Consultation and Coordination

Two public meetings concerning development options for public lands on Blackwell Island were held on July 13, 1994 and January 24, 1995. Approximately 250 letters, comments and group responses have been received by BLM since the first meeting last July. In addition to these public meetings, presentations about possible development options for Blackwell Island were made to any group that requested such a briefing. Presentations were made to the Natural Resource Committee, Coeur d'Alene Kiwanis Club, Kootenai County Waterways Commission and Kootenai County Commissioners.

The following agencies/departments were consulted:

- U. S. Fish and Wildlife Service
- Idaho Department of Fish and Game
- Idaho Department of Transportation
- Idaho Department of Lands
- Idaho Department of Parks and Recreation --
- Post Falls Highway District
- Kootenai County Planning Department
- Kootenai County Waterways Commission
- City of Coeur d'Alene Parks Department
- City of Coeur d'Alene Public Works Department
- City of Coeur d'Alene Planning Department

VI. Preparers

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6/2/95
Date

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Proposed Action and Recreation

6-5-95
Date

Bill Ypsilantis
Bill Ypsilantis, Soil Scientist:
Soils, and Vegetation

6/2/95
Date

Scott Robinson
Scott Robinson, Wildlife Biologist:
Wildlife, T & E Species

6/2/95
Date

Mike Stevenson
Mike Stevenson, Hydrologist:
Water Resources

6/2/95
Date

Ted Graf for
David Sisson, Archeologist:
Cultural Resources

6-2-95
Date

Ted Graf
Ted Graf, Planning and Environmental
Coordinator

6-2-95
Date

CRITICAL ELEMENTS OF THE HUMAN ENVIRONMENT

Some of the following elements of the human environment are subject to requirements specified in statute, regulation, executive order, or policy and must be considered in all environmental assessments. Others have been added to the following list because of their importance in assessing impacts. All the following elements have been analyzed. However, elements denoted by an "X" are not affected by the proposed action and will receive no further consideration.

- | | |
|--|---|
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Areas of Critical Environmental Concern |
| <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Farm Lands (prime or unique) |
| <input type="checkbox"/> Floodplains | <input checked="" type="checkbox"/> Native American Religious Concerns |
| <input type="checkbox"/> Threatened/Endangered Animals | <input type="checkbox"/> Threatened/Endangered Plants |
| <input type="checkbox"/> Threatened/Endangered Fish | <input type="checkbox"/> Wastes, Hazardous or Solid |
| <input type="checkbox"/> Water Quality | <input type="checkbox"/> Wetlands/Riparian Zones |
| <input checked="" type="checkbox"/> Wild & Scenic Rivers | <input checked="" type="checkbox"/> Wilderness |
| <input type="checkbox"/> Availability of Access/ Need to Reserve Access | <input type="checkbox"/> Soils |
| <input checked="" type="checkbox"/> Wild Horse and Burro Designated Herd Management Areas | <input checked="" type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Vegetation types, communities vegetative permits and sales | <input checked="" type="checkbox"/> Rangeland Resources |
| <input type="checkbox"/> Wildlife/Fisheries | <input checked="" type="checkbox"/> Forest Resources |
| <input checked="" type="checkbox"/> Economic Feasibility of Agricultural Entry | <input checked="" type="checkbox"/> Paleontological Resources |
| <input checked="" type="checkbox"/> Indian Trust Resources | <input checked="" type="checkbox"/> Tribal Treaty Rights |
| <input type="checkbox"/> Recreation Use, Existing and Potential | <input checked="" type="checkbox"/> Visual Resources |
| <input type="checkbox"/> Existing and Potential Land Uses | <input type="checkbox"/> Economic and Social Values |
| <input checked="" type="checkbox"/> No chemical or chemicals from the EPA's <u>Consolidated List of Chemicals Subject to Reporting Under Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986</u> , (1000,000 pounds or more), will be used, produced, stored, transported, or disposed of in implementing the proposed action. No extremely hazardous substances, as defined in 40 CFR 355, will be used, produced, stored, transported, or disposed of in implementing the proposed action. <i>If this element is not checked, see EA document for further details concerning these chemicals and/or hazardous substances.</i> | |

FIGURES AND APPENDICES

General Location Map

Figure 1: Conceptual Site Plan for Proposed Action Alternative

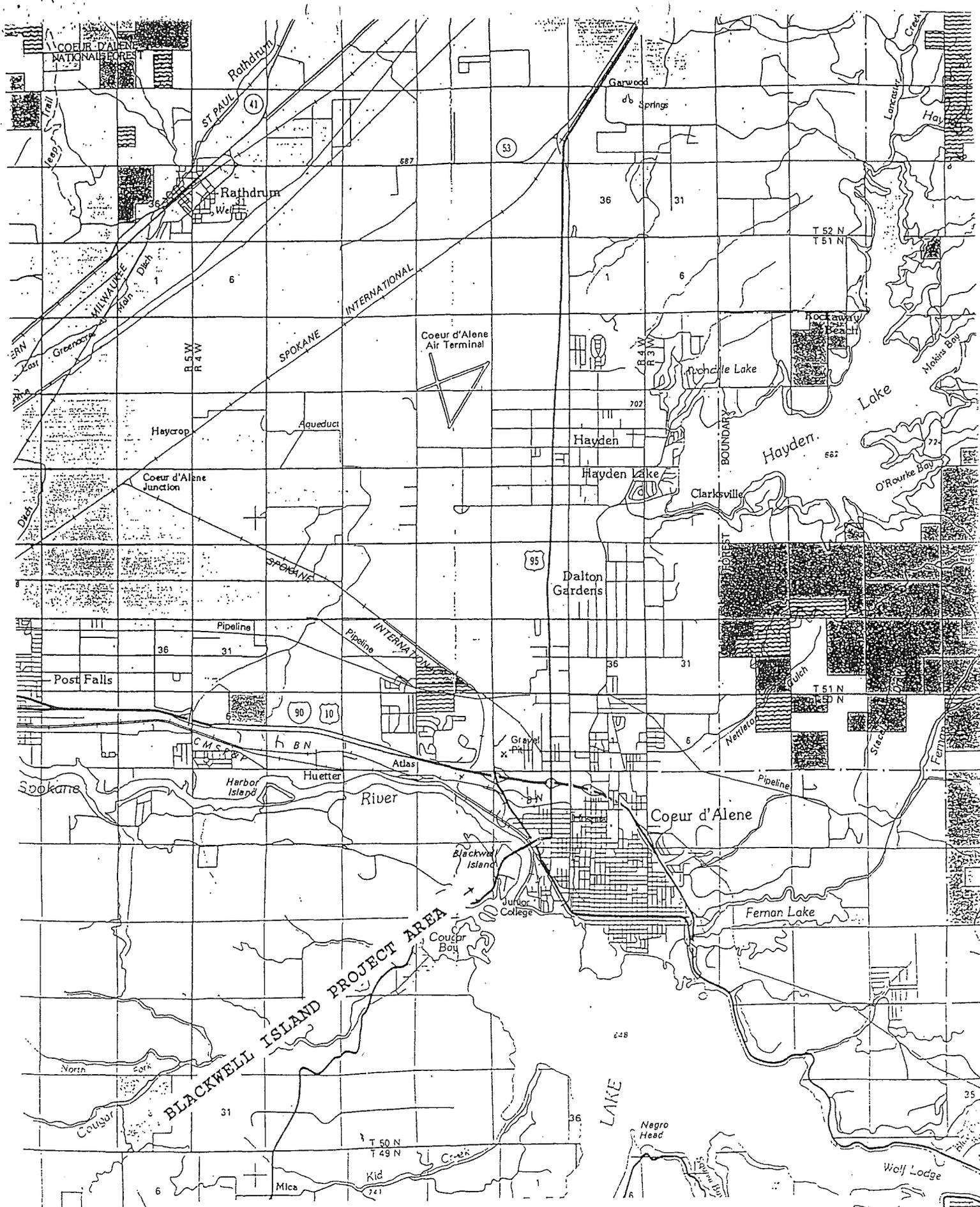
Figure 2: Conceptual Site Plan for Alternative 2

Appendix 1: Design Parameters

Appendix 2: Federal Rules of Conduct for Recreation Sites

Appendix 3: References

Appendix 4: Biological Assessment

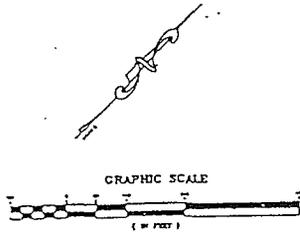


BLACKWELL ISLAND RECREATION SITE DEVELOPMENT
LOCATION MAP



BLACKWELL ISLAND

CONCEPTUAL SITE PLAN



CONTOUR INTERVAL - 1'
USES CONTROL POINTS REFERENCED TO DATUM
USGS 2111.00 - TYP DATUM OF 2124.00 MEAN SUNCKER
POOL ELEVATION. ALL ELEVATIONS SHOWN ON THIS
MAP/DIC ARE TYP DATUM.

BOAT LAUNCHING
5 Launch Lanes
700+ Linear Feet Docks

PARKING
140 Vehicle With Trailer Spaces
54 Single Vehicle Spaces

PICNICKING
1 Group Shelter
19 Individual Units

Boundary BLM Administered Land

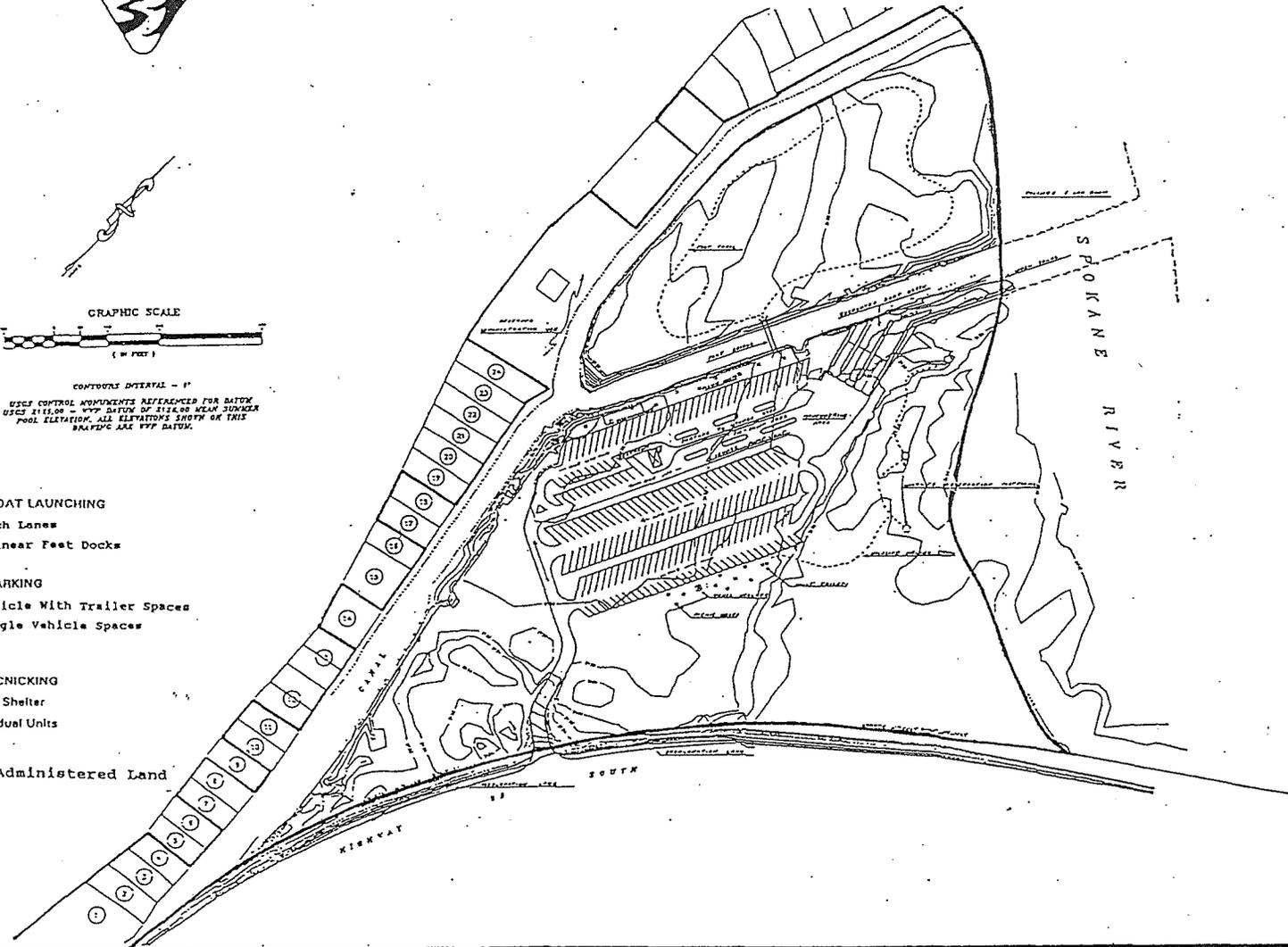
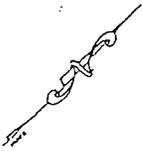


Figure 1



BLACKWELL ISLAND



GRAPHIC SCALE

(100 FEET)

CONTOURS INTERVAL - 1'

USGS CONTROL MONUMENTS REFERENCED FOR DATUM
USGS 2112.00 - WPP DATUM OF 2128.00 MEAN SUMMER
POOL ELEVATION. ALL ELEVATIONS SHOWN ON THIS
DRAWING ARE WPP DATUM.

BOAT LAUNCHING

2 Lanes - Main Launch

PARKING

52 Vehicle with trailer spaces
25 Single vehicle spaces

PICNICKING

1 Group Shelter
9 Individual Units

CAMPING

None

— = Boundary BLM Administered Land

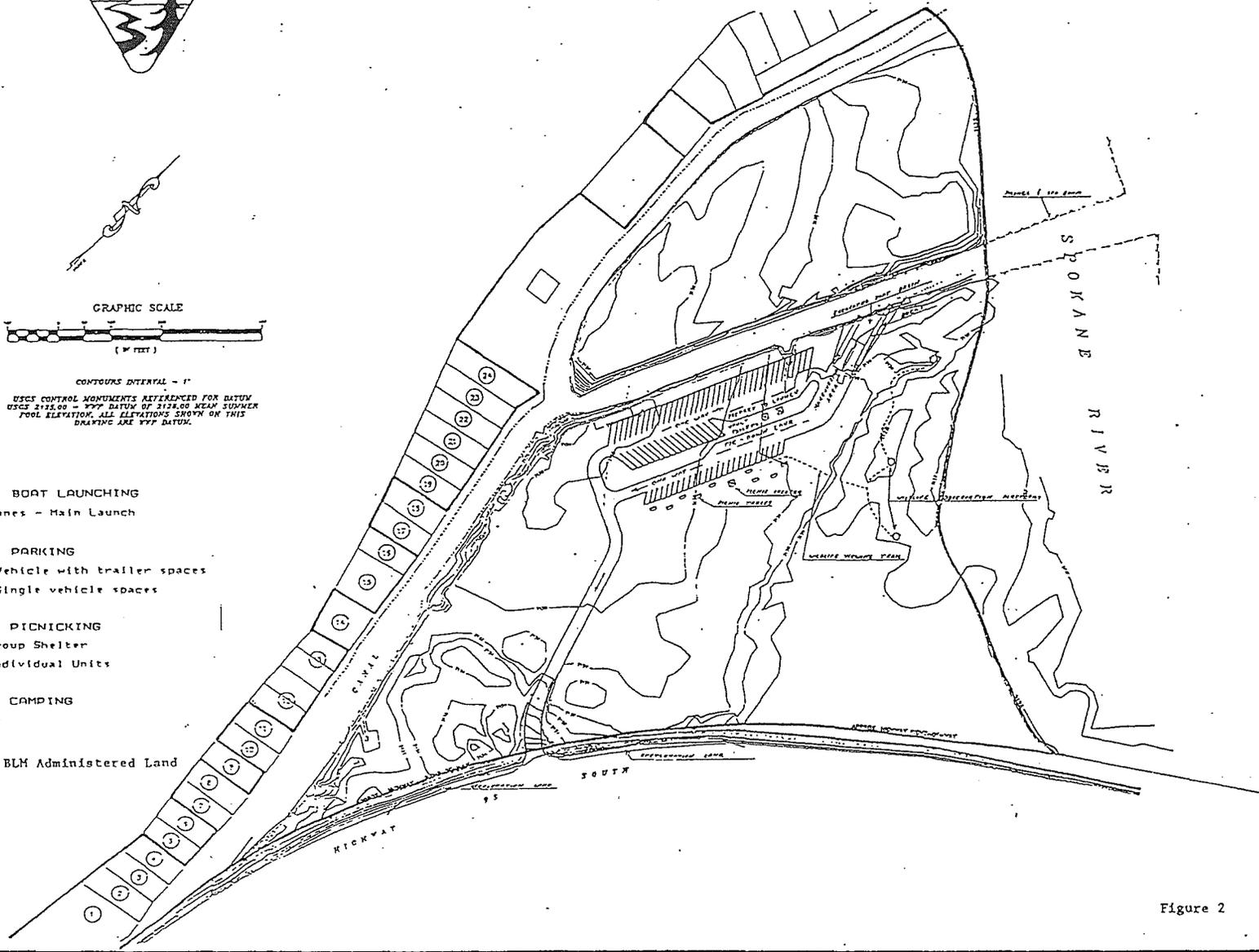


Figure 2

DESIGN PARAMETERS - APPENDIX 1

I. Boat Launching Facilities

A. Launch Ramp

1. Slope 12% minimum, 15% maximum
2. 14 feet wide per lane (as measured between docks)
3. V-groove finish at 60° angle to centerline
4. 3,000 psi minimum strength concrete
5. reinforced with rebar or welded wire fabric
6. Continuous across width of boat basin
7. Extend ramp 50 feet along bottom of boat basin
8. Terminate ramp with a cut-off wall
9. Top of ramp at 2131-feet elevation minimum

B. Boat Basin and Canal

1. Cut bank side slopes 4:1
2. Excavation depth to match existing canal depth

C. Docks

1. As minimum standard use standard District design
2. Docks 8-feet wide minimum
3. Docks can be continuous or in hinged sections
4. If hinged, span gap with transition plate
5. Wood decking, gaps 1/2" maximum after shrinkage
6. Decking 45° diagonal or perpendicular to dock length
7. Tie-down rails 4" high minimum
8. Dock approach ramps 36" minimum width (inside clear width)
9. Approach ramps <8.33% slope maximum at 2126' water level
10. Hand rails on approach ramps
11. Docks affixed to pilings with piling rings or piling pockets
12. Pilings located at ends or interior of docks
13. Steel pilings preferred.

II. Roads and Parking Areas

A. Access Road

1. Intersect Highway at right angle
2. Highway modifications per Dept. of Transportation Standards
3. 24-foot minimum width
4. Regulatory and traffic control signs per MUTCD

B. Interior Roads and Travel Lanes

1. 24-foot minimum width for two-way traffic
2. 20-foot min. width for traffic lanes between parking lanes
3. 15-foot min. width for one-way roads not bordered by parking
4. 26-foot minimum turning radius
5. Ramp maneuvering area slope 2% away from launch ramp
6. Gates per standard district design
7. Preparation and tie-down lanes 12 x 200 feet minimum

C. Parking

1. Angle parking at 60 degrees
2. Vehicle with trailer spaces 10 x 40 feet minimum
3. Vehicle without trailer spaces 10 x 20 feet minimum
4. 35 to 40 parking spaces per launch lane
5. Grade of parking areas 8% maximum
6. 2% maximum grade in accessible parking spaces and aisles
7. Pedestrian pathways between parking bays every 200 feet min.
8. Accessible parking per UFAS for each use area

DESIGN PARAMETERS - APPENDIX 1

I. Boat Launching Facilities

A. Launch Ramp

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2. Vehicle with trailer spaces 10 x 40 feet minimum
3. Vehicle without trailer spaces 10 x 20 feet minimum
4. 35 to 40 parking spaces per launch lane
5. Grade of parking areas 8% maximum
6. 2% maximum grade in accessible parking spaces and aisles
7. Pedestrian pathways between parking bays every 200 feet min.
8. Accessible parking per UFAS for each use area

III. Other Facilities

A. Trails

1. 5% maximum grade, 2% maximum cross slope
2. 5 feet wide
3. Resting areas every 200 feet minimum
4. level and firm surface
5. Elevate boardwalks less than 2-feet
6. Boardwalk decking perpendicular to trail
7. Wood decking, gaps 1/2" maximum after shrinkage
8. Boardwalk curbs 4" high minimum
9. No protruding objects, 80" minimum vertical clearance

B. Picnic Units

1. Fixed tables, 8-foot long
2. All units accessible with regard to height, clearances, etc.
3. Raised pedestal style grills
4. Use readily available manufactured units.
5. Group picnic unit to accommodate 25 people-at-one-time
6. Group unit to be in open sided shelter

C. Toilet Buildings

1. Vault units - Idaho BLM standard concrete design
2. Include a storage room in the flush toilet building

D. Utilities and Other amenity Facilities

1. Utilities to be buried to the fullest extent possible
2. Drinking water faucets at picnic areas & near buildings
3. Water faucet adjacent to preparation lane
4. Boat sewage pump-out adjacent to tie-down lane
5. Locate trash dumpster adjacent to tie-down lanes
6. Provide other trash receptacles near picnic areas

Subpart 8365—Rules of Conduct

§ 8365.0-1 Purpose.

The purpose of this subpart is to set forth rules of conduct for the protection of public lands and resources, and for the protection, comfort and well-being of the public in its use of recreation areas, sites and facilities on public lands.

§ 8365.0-2 Objectives.

The objective of this subpart is to insure that public lands, including recreation areas, sites and facilities, can be used by the maximum number of people with minimum conflict among users and minimum damage to public lands and resources.

§ 8365.1 Public lands—general.

The rules in this subsection shall apply to use and occupancy of all public lands under the jurisdiction of the Bureau of Land Management. Additional rules for developed sites and areas are found in § 8365.2 of this title.

§ 8365.1-1 Sanitation.

(a) Whenever practicable, visitors shall pack their trash for disposal at home.

(b) On all public lands, no person shall, unless otherwise authorized:

(1) Dispose of any cans, bottles and other nonflammable trash and garbage except in designated places or receptacles;

(2) Dispose of flammable trash or garbage except by burning in authorized fires, or disposal in designated places or receptacles;

(3) Drain sewage or petroleum products or dump refuse or waste other than wash water from any trailer or other vehicle except in places or receptacles provided for that purpose;

(4) Dispose of any household, commercial or industrial refuse or waste brought as such from private or municipal property;

(5) Pollute or contaminate water supplies or water used for human consumption; or

(6) Use a refuse container or disposal facility for any purpose other than for which it is supplied.

§ 8365.1-2 Occupancy and use.

On all public lands, no person shall:

(a) Camp longer than the period of time permitted by the authorized officer; or

(b) Leave personal property unattended longer than 10 days (12 months in Alaska), except as provided under § 8365.2-3(b) of this title, unless otherwise authorized. Personal property left unattended longer than 10 days (12 months in Alaska), without permission of the authorized officer, is subject to disposition under the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(m)).

§ 8365.1-3 Vehicles.

(a) When operating a vehicle on the public lands, no person shall exceed posted speed limits, willfully endanger persons or property, or act in a reckless, careless or negligent manner.

(b)(1) The operator of a motor vehicle is prohibited from operating a motor vehicle in motion, unless the operator and each front seat passenger is restrained by a properly fastened safety belt that conforms to applicable United States Department of Transportation standards, except that children, as defined by State law, shall be restrained as provided by State law.

(2) Paragraph (b) applies on public lands, or portions thereof, that are located within a State in which there is no State law in effect that requires the mandatory use of a safety belt by the vehicle operator and any front seat passenger. It also applies on public lands, or portions thereof, located within a State in which the mandatory safety belt law of the State does not apply to the public lands or in which any provision of State law renders the mandatory safety belt law of the State unenforceable by the authorized officer as to acts or omissions occurring on the public lands.

(3) This section does not apply to an operator or a passenger of a motor vehicle occupying a seat that was not originally equipped by the manufacturer with a safety belt, nor does it apply to an operator or passenger with a medical condition that prevents restraint by a safety belt or other occupant restraining device.

(4) An authorized officer may not stop a motor vehicle for the sole purpose of determining whether a violation of paragraph (b)(1) of this section is being committed.

(48 FR 36384, Aug. 10, 1983, as amended at 57 FR 61243, Dec. 23, 1992)

§ 8365.1-4 Public health, safety and comfort.

(a) No person shall cause a public disturbance or create a risk to other persons on public lands by engaging in activities which include, but are not limited to, the following:

(1) Making unreasonable noise;

(2) Creating a hazard or nuisance;

(3) Refusing to disperse, when directed to do so by an authorized officer;

(4) Resisting arrest or issuance of citation by an authorized officer engaged in performance of official duties; interfering with any Bureau of Land Management employee or volunteer engaged in performance of official duties; or

(5) Assaulting, committing a battery upon, or

(6) Knowingly giving any false or fraudulent report of an emergency situation or crime to any Bureau of Land Management employee or volunteer engaged in the performance of official duties.

(b) No person shall engage in the following activities on the public lands:

(1) Cultivating, manufacturing, delivering, distributing or trafficking a controlled substance, as defined in 21 U.S.C. 802(6) and 812 and 21 CFR 1308.11 through 1308.15, except when distribution is made by a licensed practitioner in accordance with applicable law. For the purposes of this paragraph, delivery means the actual, attempted or constructive transfer of a controlled substance whether or not there exists an agency relationship; or

(2) Possessing a controlled substance, as defined in 21 U.S.C. 802(6) and 812 and 21 CFR 1308.11 through 1308.15, unless such substance was obtained, either directly or pursuant to a valid prescription or order or as otherwise allowed by Federal or State law, by the possessor from a licensed practitioner acting in the course of professional practice.

(48 FR 36384, Aug. 10, 1983; 48 FR 52058, Nov. 16, 1983, as amended at 54 FR 21624, May 19, 1989)

§ 8365.1-5 Property and resources.

(a) On all public lands, unless otherwise authorized, no person shall:

(1) Willfully deface, disturb, remove or destroy any personal property, or structures, or any scientific, cultural, archaeological or historic resource, natural object or area;

(2) Willfully deface, remove or destroy plants or their parts, soil, rocks or minerals, or cave resources, except as permitted under paragraph (b) or (c) of this paragraph; or

(3) Use on the public lands explosive, motorized or mechanical devices, except metal detectors, to aid in the collection of specimens permitted under paragraph (b) or (c) of this paragraph.

(b) Except on developed recreation sites and areas, or where otherwise prohibited and posted, it is permissible to collect from the public lands reasonable amounts of the following for non-commercial purposes:

(1) Commonly available renewable resources such as flowers, berries, nuts, seeds, cones and leaves;

(2) Nonrenewable resources such as rocks, mineral specimens, common invertebrate fossils and semiprecious gemstones;

(3) Petrified wood as provided under subpart 3622 of this title;

(4) Mineral materials as provided under subpart 3621 of this title; and

(5) Forest products for use in campfires on the public lands. Other collection of forest products shall be in accordance with the provisions of Group 5500 of this title.

(c) The collection of renewable or nonrenewable resources from the public lands for sale or barter to commercial dealers may be done only after obtaining a contract or permit from an authorized officer in accordance with part 3610 or 5400 of this title.

§8365.1-6 Supplementary rules.

The State Director may establish such supplementary rules as he/she deems necessary. These rules may provide for the protection of persons, property, and public lands and resources. No person shall violate such supplementary rules.

(a) The rules shall be available for inspection in each local office having jurisdiction over the lands, sites or facilities affected;

(b) The rules shall be posted near and/or within the lands, sites or facilities affected;

(c) The rules shall be published in the FEDERAL REGISTER; and

(d) The rules shall be published in a newspaper of general circulation in the affected vicinity, or be made available to the public by such other means as deemed most appropriate by the authorized officer.

§8365.1-7 State and local laws.

Except as otherwise provided by Federal law or regulation, State and local laws and ordinances shall apply and be enforced by the appropriate State and local authorities. This includes, but is not limited to, State and local laws and ordinances governing:

(a) Operation and use of motor vehicles, aircraft and boats;

(b) Hunting and fishing;

(c) Use of firearms or other weapons;

(d) Injury to persons, or destruction or damage to property;

(e) Air and water pollution;

(f) Littering;

(g) Sanitation;

(h) Use of fire;

(i) Pets;

(j) Forest products; and

(k) Caves.

§8365.2 Developed recreation sites and areas.

The rules governing conduct and use of a developed recreation site, or area shall be posted at a conspicuous location near the entrance to the site or area.

§8365.2-1 Sanitation.

On developed recreation sites and areas, no person shall, unless otherwise authorized:

(a) Clean fish, game, other food, clothing or household articles at any outdoor hydrant, pump, faucet or fountain, or restroom water faucet;

(b) Deposit human waste except in toilet or sewage facilities provided for that purpose; or

(c) Bring an animal into such an area unless the animal is on a leash not longer than 6 feet and secured to a fixed object, or under control of a person, or is otherwise physically restricted at all times.

§8365.2-2 Audio devices.

On developed recreation sites or areas, unless otherwise authorized, no person shall:

(a) Operate or use any audio device such as a radio, television, musical instrument, or other noise producing device or motorized equipment in a manner that makes unreasonable noise that disturbs other visitors;

(b) Operate or use a public address system;

(c) Construct, erect or use an antenna or aerial for radiotelephone, radio or television equipment, other than on a vehicle or as an integral part of such equipment.

§8365.2-3 Occupancy and use.

In developed camping and picnicking areas, no person shall, unless otherwise authorized:

(a) Fail to pay any fees imposed in accordance with 36 CFR part 71.

(b) Pitch any tent, park any trailer, erect any shelter or place any other camping equipment in any area other than the place designed for it within a designated campsite;

(c) Leave personal property unattended for more than 24 hours in a day use area, or 72 hours in other areas. Personal property left unattended beyond such time limit is subject to disposition under the Federal Property and Administration Services Act of 1949, as amended (40 U.S.C. 484(m));

(d) Build any fire except in a stove, grill, fireplace or ring provided for such purpose;

(e) Enter or remain in campgrounds closed during established night periods except as an occupant or while visiting persons occupying the campgrounds for camping purposes;

(f) Enter or use a site or a portion of a site closed to public use; or

(g) Occupy a site with more people than permitted within the developed campsite. Limits on the number of occupants permitted at any site shall be clearly posted near the entrance of the developed campsite or facility in such a manner as to bring it to the reasonable attention of the user.

(h) Move any table, stove, barrier, litter receptacle or other campground equipment.

§8365.2-4 Vehicles.

Unless otherwise authorized, no motor vehicle shall be driven within developed recreation sites or areas except on roads or places provided for this purpose.

§8365.2-5 Public health, safety and comfort.

On developed recreation sites and areas, unless otherwise authorized, no person shall:

(a) Discharge or use firearms, other weapons, or fireworks; or

(b) Bring an animal, except a Seeing Eye or Hearing Ear dog, to a swimming area.

REFERENCES - APPENDIX 3

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Appendix 4
BIOLOGICAL ASSESSMENT
BLACKWELL ISLAND RECREATION SITE DEVELOPMENT
EA NO. ID060-95-12

PROPOSED ACTION AND ALTERNATIVES

The environmental assessment (EA) describes the proposed action and alternatives.

DESCRIPTION OF PROJECT AREA

The environmental baseline describes the past and present activities that have occurred either within or adjacent to the action area. Blackwell Island is located at the mouth of Coeur d'Alene Lake, where water flows into the Spokane River. In April 1994, the BLM acquired title to 32 acres and a conservation easement for one additional acre on Blackwell Island. The BLM proposes to construct a recreational boat launching facility. An additional 60 acres of Blackwell Island are privately owned, of which about 30 acres are planned for a Recreational Vehicle Park. The Hall family has been soliciting the City of Coeur d'Alene for annexation prior to developing their land, but has been unsuccessful to date. These two proposals are independent of one another.

In 1994, the BLM completed a programmatic EA for controlling noxious weeds in the Coeur d'Alene District. In its 1995 biological assessment (BA), the BLM concluded that herbicidal control of weeds around Coeur d'Alene Lake would "affect but not likely to adversely affect" the bald eagle. The FWS concurred with BLM's conclusion on 16 February 1995. The BLM initiated weed control in Spring 1995.

The current environment in northern Idaho is characteristic of the coniferous forest biome. The vegetation on Blackwell Island has been highly altered by past surface disturbances and is in an early successional stage. The scattered tree canopy is composed mostly of ponderosa pine and black cottonwood. Shrubs are scattered in dense patches and consist mostly of redosier dogwood, common snowberry, Douglas hawthorn, serviceberry, and ninebark. Spotted knapweed and Dalmatian toadflax are common noxious weeds.

SPECIES LIST

The FWS prepared a species list (1-4-95-SP-NI-36, 03/01/95) for BLM's Coeur d'Alene District. The Idaho Conservation Data Center (ICDC) mailed its latest database file for plants and animals to the Coeur d'Alene District Office in November 1994. Bald eagles (*Haliaeetus leucocephalus*) inhabit portions of Coeur d'Alene Lake from November to February. The proposed action area has no critical habitat for bald eagles, and no other Federally listed species, including plants, are likely to inhabit the proposed

action area.

SPECIES AND HABITAT DESCRIPTION

Bald eagles migrate from Canada into northern Idaho during November. Some birds will continue moving south, while others will stay near open water through February. During the day, eagles will perch in several large trees, both living and dead, which allow easy approach and departure by the large birds. At night, eagles will roost in communal sites that offer more protection from weather than daytime perches. Bald eagles feed daily on post-spawned kokanee salmon (*Oncorhynchus nerka-kinnerlyi*) from early morning hours through the afternoon. Upon sighting its prey, the eagle launches from its perch, snatches the fish out of the water, and returns to its perch to feed. Waterfowl provide alternate food items when the supply of salmon diminish.

ON-SITE INSPECTION

People have conducted the annual mid-winter bald eagle survey in Idaho since 1979, except for 1985. Blackwell Island is part of the Spokane River standard survey route, which stretches from Cougar Bay on Coeur d'Alene Lake to the Idaho/Washington stateline. From zero to four, with an average of one, eagles have been reported somewhere along this route each year.

ANALYSIS OF EFFECTS

The proposed action will not directly impact eagle habitat because large ponderosa pine trees will not be cut wherever possible. Smaller trees will be transplanted from the developed site to undeveloped areas, and seedling trees will be planted to replace cut trees.

Indirect effects are caused by the proposed action and are later in time, but still reasonably certain to occur. The proposed action will not indirectly impact eagles because Blackwell Island will be closed to public use during the winter when eagles will be present.

Cumulative effects result from future State or private activities, not involving Federal activities, that are reasonably certain to occur within the action area. This BA will not consider the cumulative effects of the private development on Blackwell Island because the City Council voted against annexation on 21 March 1995. The likelihood of development at the present time is unknown.

MITIGATION MEASURES

None.

CONCLUSION

The proposed action will "not affect" bald eagles because (1) perching habitat for eagles will not be altered as described in the Analysis of Effects and (2) the season of use by eagles and people are mutually exclusive. Therefore, consultation with FWS is not required by the Endangered Species Act.

REFERENCES

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- Idaho Conservation Data Center. 1994. Database for plants and animals. Idaho Department of Fish and Game, Boise, Idaho.

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Date