

**FINDING OF NO SIGNIFICANT IMPACT  
LAKE VIEW RECREATION TRAIL  
LUCKY PEAK DAM AND LAKE, BOISE, IDAHO**

**November 2020**

**1. INTRODUCTION/PROPOSED ACTION**

The U.S. Army Corps of Engineers, Walla Walla District (Corps), proposes to develop a multi-purpose, non-motorized recreation trail at the Lucky Peak Dam and Lake Project (Project) near Boise, Idaho. Non-motorized recreation trails are in high demand in the Boise area as activities including mountain biking, hiking, picnicking, and nature study have been increasing in recent years. The Proposed Action would create approximately 15 miles of new, single-track trail beginning near Lucky Peak Dam at Lydle Gulch, then proceed along the southern shoreline of Lucky Peak Lake, connect several boat-in recreational areas, and end at the Chimney Rock camping area, across from Spring Shores Marina.

**2. PURPOSE AND NEED**

The purpose of the Proposed Action is to provide additional public recreational opportunities on Corps-managed Project lands near Boise, Idaho, in accordance with the Corps public recreation mission. The Proposed Action is needed to provide for increased demand of lakeshore recreation activities in the area. Multi-purpose recreational opportunities have been identified as a high need in the Boise area. The Ridge to Rivers Partnership, a collaboration of Boise area organizations and agencies with interests in recreational trail opportunities, has identified rapidly increasing Boise Valley trail use in their 10-year Management Plan. The Ridge to Rivers Plan recommends partnerships between agencies and organizations as being the most expedient way to manage recreational development, primarily for trail systems. Other regional recreation planning has identified trail needs as a high priority.

**3. AUTHORITY**

The Project on the Boise River was authorized by Public Law 526 during the 79th Congress, on July 24, 1946 (i.e. the Flood Control Act of 1946). The authorized Project purposes include flood control, fish and wildlife habitat, irrigation, and recreation. The Flood Control Act of 1944 (P.L. 78-534) authorized recreation as a project purpose. The Lucky Peak Master Plan (MP, USACE 1988) land use classifications for the area are: High-Density Recreation, Low-Density Recreation, and Wildlife Management.

#### **4. ALTERNATIVES CONSIDERED**

The alternatives analyzed in the Environmental Assessment (EA, incorporated herein by reference) were developed by evaluating combinations of possible activities developed during meetings with the Southwest Idaho Mountain Bike Association (SWIMBA); Corps planning meetings; consideration of actions identified by a local task force comprised of representatives from the Corps, Idaho Department of Fish and Game (IDFG), and the Bureau of Land Management (BLM); a public scoping period, local desires; and applicable environmental laws and regulations.

Land use characteristics (like steep terrain), private property, interference with big game migrations, and unreasonable increases in likely monitoring needs eliminated other options from detailed consideration. The possibility of a future recreational trail along the south shore of Lucky Peak Lake was mentioned in the Lucky Peak Programmatic Biological Assessment (BA) as well as the Lucky Peak Environmental Impact Statement (EIS) and MP. SWIMBA approached the Corps offering to construct and maintain a multiple purpose trail in this area. The activities and actions were combined into alternatives based on logistical efficiencies, as well as meeting the multi-purpose recreational use mission for the land use allocations (wildlife management focused). The following three alternatives were developed:

##### **Alternative 1 (No Action Alternative):**

Alternative 1, the No Action Alternative, would continue current management of the area with no new recreational facilities. The public would continue to be allowed access to the lakeshore areas south of Lucky Peak Lake, but land access would have to occur cross county on undeveloped areas with no trails. Treatment of invasive plants would continue to be conducted as authorized in the Corps Integrated Pest Management Plan. The No Action Alternative is prescribed by the Council on Environmental Quality (CEQ) regulations to serve as the baseline against which all other alternatives are analyzed.

##### **Alternative 2 (Multi-Purpose Trail, Proposed Action):**

Alternative 2, the Proposed Action, would develop approximately 15-miles of new, single-track trail in two phases. The trail would be designated for multiple, low-density, recreational purposes including mountain biking, hiking, fishing access, bird watching, picnicking, and nature study. The trail would also provide improved access for biological surveys, invasive plant treatments, and habitat management efforts such as reseeding and replanting efforts after wildfires. The trail would be primarily on Corps lands but would include small sections of BLM lands.

The Alternative 2 trail effort would consist of multiple segments broken into 2 phases. Phase 1 would start at Foote Park and proceed approximately 10 miles along the southern shoreline of Lucky Peak Lake to Placer Point. The Phase 2 segment would continue from Placer Point approximately 5 miles to a terminus at Chimney Rock.

### **Alternative 3 (Pedestrian Only Trail):**

Alternative 3 proposes the development of a pedestrian use only trail on Chimney Rock. Access would be via the existing boat-in recreation site at Chimney Rock, limiting use to foot traffic only. The trail would provide for low-density recreational purposes of hiking, fishing access, bird watching, picnicking, and nature study. The trail would be constructed on Corps-owned lands.

Trail difficulty would range from beginner to moderate with construction of a 24" tread width and grades typically less than ten percent. The trail would access the top of Chimney Rock, providing scenic vistas of Lucky Peak Lake and the surrounding area. It would be approximately 1.8 miles long.

### **Alternative Screening:**

Screening criteria related to the Purpose and Need for the Proposed Action and other operational needs were developed to compare the alternatives. Alternatives were screened based on the following criteria:

1. Provide additional multi-purpose recreational opportunities.
2. Require no or limited initial construction expenses by the Corps.
3. Compliant with the Project land use classifications (High-Density Recreation, Low-Density Recreation, and Wildlife Management).

Alternative 2 best meets the Purpose and Need and the screening criteria and was carried forward for detailed analysis. Alternative 3 meets the Purpose and Need and the screening criteria to a lesser degree than Alternative 2. Alternative 3 was also carried forward for detailed analysis.

## **5. PREFERRED ALTERNATIVE**

The Preferred Alternative, Alternative 2, would be constructed in two phases developed by the inter-agency group made of representatives from the Corps, IDFG, and the BLM. Phase 1 would involve trail construction from Foote park to Placer Point. Phase 1 use would be monitored to assess any trespass or associated detrimental impacts on wildlife, mainly wintering big game and adjoining lands managed by the BLM and the IDFG (Boise River Wildlife Management Area (BRWMA)). If the Corps, IDFG, and BLM determine that any identified impacts are acceptable, construction of the remainder of the trail to Chimney Rock would be accomplished in Phase 2. If the IDFG determine potential impacts of the additional trail are unacceptable on their land, Phase 2 of the trail would be rerouted and constructed on Corps land only.

The trail would have annual seasonal closures from November 16 through April 30 to minimize potential impacts to wintering big game and soil erosion during wet periods. Through coordination with the IDFG, the closure period could be adjusted to meet IDFG needs, wildlife management objectives, and/or achieve consistency with seasonal

access restrictions of the BRWMA; notably the Charcoal Creek segment. Trail construction could occur during April, prior to the normal open time frame of May 1, if wintering big game have left the area.

## **6. ENVIRONMENTAL EFFECTS**

All Alternatives were analyzed for potential effects to the following resources: Soils, Aquatic Habitats, Vegetation, Wildlife, Fisheries, Threatened and Endangered Species, Cultural Resources, Recreation, and Climate Change. Pertinent impact minimization measures and best management practices would be fully implemented to minimize environmental impacts. These include but are not limited to:

- 1) Petroleum containers would be vapor proof, self-closing and not exceed 5.3 gallons.
- 2) Petroleum spill containment kits will be on hand.
- 3) Construction would occur during the Spring after animals have left the winter range and Fall to avoid impacts to wildlife.
- 4) Trail layout and construction would minimize winter feed removal.
- 5) Trail design would follow the U.S. Forest Service Trail Design Parameters.
- 6) Invasive species would be managed according to the Corps Integrated Pest Management Plan

The Corps analyzed the cumulative effects of the Proposed Action on Wildlife and Recreation as these resources are notable for their importance to the area and their potential for cumulative impacts.

Environmental analysis and the potential effects of the Alternatives are detailed in Section 3 of the EA. The analysis concluded there may be some short-term detrimental impacts to some resources (Soils, Aquatic Habitats, Vegetation, and Wildlife) from Alternative 2 and 3, but overall long-term negative effects on all analyzed resources would be insignificant and would be beneficial for recreation. The potential effects of the Proposed Action, when combined with the effects of past, present and reasonably foreseeable future actions, is not expected to result in significant effects to recreation or wildlife.

## **7. PUBLIC COMMENT/INVOLVEMENT**

The Corps initiated programmatic informal consultation under the Endangered Species Act with the U.S. Fish and Wildlife Service (USFWS) for potential effects of a wide range of operation and maintenance activities (including potential trail development in the future) on listed species. The Corps provided its Programmatic Biological Assessment to USFWS on February 19, 2013 for their review and received a letter of concurrence on March 12, 2013.

The Corps initiated consultation under the National Historic Preservation Act with the Idaho State Historic Preservation Office (SHPO) on November 2, 2016 regarding the

proposal to construct the trail. Idaho SHPO received a copy of the cultural resource survey and provided concurrence on January 25, 2017 that the proposed action would have no effect on historic and cultural properties.

The Corps has worked with several local individuals, public officials, Tribes, and interest groups to address future recreational needs at Lucky Peak. The Corps conducted public scoping from June 28 through July 28, 2017 to obtain public input on the Proposed Action. Eighty-five scoping comments were received during the initial comment period with approximately 90% in support of the proposed trail.

The draft Finding of No Significant Impact (FONSI) and EA was made available to all interested parties for a 30-day public review and comment period beginning on May 15, 2020 and concluding on or about June 14, 2020. The Corps extended the comment period at the request of IDFG for an additional 60 days to August 20, 2020. In total the Corps received 634 public comment documents on the draft FONSI and EA. A summary of the comments received and the Corps responses to those comments are attached.

Comments received clarified and emphasized the importance of the trail for fire risk management. A BLM area fire expert outlined the existing fire threat from current use of the campsites and how the trail would assist in containing fires from the campsite area and would help keep fires started outside the campsites from entering.

## **8. COMPLIANCE WITH APPLICABLE ENVIRONMENTAL LAWS AND REGULATIONS**

See Section 4.0 of the EA for a discussion of compliance with other applicable laws and regulations. The Proposed Action complies with other Federal laws and regulations, with compliance with major environmental laws summarized below.

### **National Environmental Policy Act of 1969 (NEPA)**

The draft FONSI and EA have been prepared and are being circulated to agencies, Tribes, and the public for review and comment pursuant to requirements of NEPA. No impacts significantly affecting the quality of the human environment have been identified at this time. If no such impacts are identified during the public review process, compliance with NEPA would be documented by the signing of the FONSI.

### **Endangered Species Act of 1973, As Amended (ESA)**

The Corps prepared a programmatic biological assessment in February 2013 in accordance with section 7(a)(2) of the ESA, which analyzed potential effects of management actions to include trail construction such as this proposed trail project on ESA listed species and designated critical habitat. The Corps previously consulted with the USFWS to ensure that the Proposed Action is not likely to jeopardize the continued existence of endangered or threatened species, or adversely modify or destroy their critical habitats.

The Corps sent copies of the Programmatic BA to the USFWS on February 19, 2013 for their review and concurrence. The Corps received a letter of concurrence from USFWS on March 12, 2013.

The Project is built on the Boise River and bull trout are listed as threatened and critical habitat is designated for the Boise River. Arrowrock Dam blocks movement upstream out of the reservoir, therefore bull trout found in Lucky Peak Lake are entrained fish. Entrained fish are considered “taken” by the USFWS, and bull trout in Lucky Peak Lake are not affected by the Proposed Action.

The Corps concluded that the Preferred Alternative would also have no effect on other USFWS ESA listed species in the area: yellow-billed cuckoo, and slickspot peppergrass. The other ESA-listed species in the 2013 Programmatic BA have either been delisted or are not found in the project area and the Proposed Action would therefore have no effect on them. Those species include Bliss Rapids snail, Canada lynx, Snake River Physa snail, wolverine, and the candidate species whitebark pine.

### **National Historic Preservation Act of 1966 (NHPA), as Amended**

The alternatives would not have an adverse effect to cultural resources. The Project has been surveyed several times with the identification of three cultural resource sites. A new survey was conducted along the route of the proposed trail and six additional resources (two historic sites and four isolated finds) were identified, all of which were not recommended as eligible for the listing on the National Register of Historic Places. The cultural report was provided to the Idaho SHPO and Tribal Historic Preservation Officers (THPO) and the Burns Paiute Tribe, Shoshone-Bannock Tribes, and the Shoshone-Paiute Tribes.

## **9. CONCLUSION/FINDING**

All applicable laws, executive orders, regulations, and local government plans were considered in the evaluation of alternatives. Based on the EA, the reviews by other federal, state and local agencies, Tribes, and the public, and the review by my staff, it is my determination that implementation of any alternatives considered would not significantly affect the quality of the human environment; therefore, preparation of an Environmental Impact Statement is not required.

Noteworthy input received throughout the process emphasized the added value of the Preferred Alternative to reduce fire risks and the very high value some stakeholders place on the ecosystem outputs provided by the existing habitat conditions and the traditional significance of the area.

The Corps stands behind the alternatives analysis and conclusions presented in the EA. However, based on of the balancing of a broad range of interests, considerations, priorities and values expressed by key stakeholders the Corps will implement the No Action Alternative at this time. It should be noted that stakeholder interests, priorities

and values are dynamic and may change over time. Therefore, this decision may be reconsidered in the future.

20 NOV 2020  
Date

  
RICHARD T. CHILDERS, P.E.  
Lieutenant Colonel, Corps of Engineers  
District Commander

Attachment