

Submitted electronically via: NEPANWW@usace.army.mil- Subject Line: LP Trail EA



U.S. Army Corps of Engineers, Walla Walla District

ATTN: CENWW-PPL-C- LP Trail EA,

201 North 3rd Avenue,

Walla Walla, WA 99362-1876

August 20, 2020

RE: Draft Finding of No Significant Impact and Environmental Assessment for the Lake View Recreation Trail at Lucky Peak Dam and Lake, Boise, Idaho

Dear U.S. Army Corps of Engineers,

These comments are submitted by Idaho Wildlife Federation on the draft Finding of No Significant Impact (FONSI) and Environmental Assessment (EA) for the Lake View Recreation Trail at Lucky Peak Dam and Lake, Boise, Idaho. These comments are submitted to the record to append previous comments submitted on June 19, 2020.

Idaho Wildlife Federation (IWF) is Idaho's oldest statewide conservation organization, founded by sportsmen and women in 1936. Today, we represent a nonpartisan voice of 29 affiliate organizations and over 45,000 affiliate members and supporters who desire to sustain and enhance Idaho's fish and wildlife, conserve their habitat, and maximize sporting opportunity for current and future generations. Our efforts advance "made in Idaho" solutions to the modern

challenges of fish, wildlife, and land management.

IWF requests the U.S. Army Corps of Engineers (Corps or USACE) adopt “Alternative 1 (No Action Alternative)” for the Lake View Recreation Trail EA. The adoption of Alternative 1 is necessary to conserve the existing conditions on the Boise River Wildlife Management Area that provide critical winter range for the largest migrating mule deer herd in Idaho.

Background

The Corps is proposing to construct a new 15-mile long multiple use trail for bike and pedestrian traffic along Lucky Peak Reservoir’s southern shoreline from Lucky Peak Dam to the Chimney Rock park area. The proposed Lake View Recreation Trail would traverse USACE and Bureau of Land Management (BLM) lands that the Idaho Department of Fish & Game (IDFG) manages as part of the Charcoal Creek Segment of the Boise River Wildlife Management Area (BRWMA or WMA). Southwestern Idaho Mountain Biking Association (SWIMBA) would provide volunteer labor and equipment for the construction of the trail, though the Corps ultimately maintains management responsibilities during and after construction.

The BRWMA’s purpose is to provide quality big game winter range and wildlife-related recreation. Since 1943, sportsmen and women, IDFG, and Idaho Fish and Wildlife Foundation have made significant investments to conserve this 36,000-acre landscape through acquisitions or agreements with partnering agencies. These investments allow 5,000-7,000 mule deer and 1,200 elk to winter on the BRWMA. The Charcoal Creek Segment represents the highest quality winter range on the BRWMA, supporting the highest densities of mule deer within the largest herd in Idaho.

As noted in the EA, non-motorized recreation trails in the Boise area are in high demand, and the overall landscape has seen a large increase in recreation in recent years. In response, Ridge to Rivers estimates a total of over 190 miles of trails over 85,000 acres have been constructed in the Boise foothills just west of the proposed project area¹. Despite this extensive trail network, the proposed Lake View Trail falls in one of the last remaining unfragmented segments in the Boise area.

¹ Ridge to Rivers. 2016. A 10-Year Management Plan for the Ridge to Rivers Trail System. P. 4. https://www.ridgetorivers.org/media/1027/ridge_to_rivers_10_year_plan.pdf

IWF would like to address several areas of concern below.

The Proposed Lake View Trail is Inconsistent with the 1988 Lucky Peak Master Plan, BRWMA Management Plan

The Lake View Trail (as proposed in Alternative 2 (Multi-Purpose Trail, Proposed Action)) is inconsistent with USACE and IDFG management agreements and duties dating back to 1988. The majority of proposed trail lies within Corps lands classified as “Wildlife Management,” with management administered under license to IDFG (USACE License No. DACW68-3-83-10). The 1988 Lucky Peak Master Plan outlines the responsibility the Corps has to this landscape, stating the agencies “has a stewardship responsibility for these areas which transcends management agreement with (IDFG) and will use its resources and professional expertise to preserve and protect these areas...for wildlife.”² The 1988 Lucky Peak Master Plan states that license, permits, or easements will not be issued on wildlife lands for manmade intrusions, with exceptions only made where necessary to serve a demonstrated public need in those instances where no reasonable alternative is available.³ Even when outside wildlife management lands, the Lucky Peak Master Plan states that “the needs of all species of wildlife should be considered when planning development and management strategies at Lucky Peak. However, the needs of two species, mule deer and bald eagles, should receive the greatest consideration. Lucky Peak is located in the winter range for the most economically important mule deer herd in Idaho.”⁴ Finally, the Master Plan states that if development occurs, “all development will be planned, designed, and constructed so that it has minimal negative impact on winter deer use. Additional Corps lands will be added to the IDFG license for management of mule deer winter range.”⁵ IWF believes the Corps has failed to prove in the EA how the Lake View Trail would be consistent with the above management language. Simply put, IWF believes there is no rationale the Corps can make for the construction of the Lake View Trail that would uphold commitments made to the state of Idaho.

The BRWMA Plan plainly states that the Department (IDFG) is satisfied with the current mountain bike use on the WMA and no new future designated routes or trails will be authorized for the use of this activity.⁶ IWF cannot ascertain how the Corps has continued to analyze the

² Lucky Peak Master Plan p. 8-1

³ Lucky Peak Master Plan 1988, Vol. 1, p. 4-2

⁴ Lucky Peak Master Plan 1988, Vol 1, p. 208

⁵ Lucky Peak Master Plan 1988, Vol 1, p. 3-10

⁶ BRWMA Plan. p. 38. <https://idfg.idaho.gov/sites/default/files/2014-2023-BoiseRiverWMA-Plan-Final.pdf>

³ | Idaho Wildlife Federation • 1020 W. Main Street, Suite 450, Boise ID 83702 • www.idahowildlife.org

Lake View Trail despite overwhelming evidence that this landscape is a product of generations of agreements and investments made specifically to protect winter range and big game herds, both of which will be harmed if adopted. Habitat fragmentation is a form of habitat loss, and it is apparent through both management plans that habitat loss to big game should be avoided to the greatest extent possible. The No Action Alternative is the only alternative that will fulfill these priorities for the Corps, as well as allow IDFG to meet its' management plan objectives and comply with its USACE License provision for the BRWMA.

Inadequate Analysis on Seasonal Trail Closure Violations

It is well documented that disturbance from recreation may have both immediate and long-term effects on big game species. Displacement from preferred habitats can affect energy conservation.⁷ Consequently, survival and reproduction may be compromised. ⁸ Disturbance effects become particularly important during sensitive seasons, such as winter or during fawning/calving, when maintenance of energy reserves is essential to survival and reproduction.⁹

IDFG enforces seasonal closures across the BRWMA in an attempt to reduce human-caused disturbance to big game. Additionally, IDFG has completed extensive outreach to educate users about the effects that their activities may be having on wildlife and their habitat. IDFG's focuses on three primary ways these activities impact wildlife on the WMA: 1) displacing wildlife through habitat loss, 2) altering physical characteristics of the habitat, and 3) displacing wildlife through disturbance.¹⁰ Despite these past and ongoing efforts, IDFG struggles to keep up with closure violations. 2017 brought 11,744 user visits between January 19-April 24 despite being marked as closed for wintering wildlife.¹¹

The Corps' analysis in the EA fails to adequately address these very realistic seasonal trail closure violations. Despite the agency's heavy reliance on a seasonal closure to prevent undue

⁷ Cole, E.K., M.D. Pope, and R.G. Anthony. 1997. Effects of road management on movements and survival of Roosevelt elk. *Journal of Wildlife Management* 61: 1115-1126.

⁸ Davidson, G.A., B.K. Johnson, J.H. Noyes, B.L. Dick, and M.J. Wisom. 2012. Effect of archer density on elk pregnancy rates and conception dates. *Journal of Wildlife Management* 76(8): 1676-1685.

⁹ Cook, J.G., B.K. Johnson, R.C. Cook, R.A. Riggs, T. Delcurto, L.D. Bryant, and L.L. Irwin. 2004. Effects of summer-autumn nutrition and parturition date on reproduction and survival of elk. *Wildlife Monographs* 155:1-61.

¹⁰ BRWMA Plan. p. 37

¹¹ Idaho Statesman. April 24, 2017. "More than 11,000 trail users have ignored a closure at one Boise trailhead" <http://www.idahostatesman.com/outdoors/playing-outdoors/article146548724.html>

harm to big game species during their most vulnerable state, there is little evidence that it can back up the commitment of the closure with action on the ground. IWF believes it is not appropriate to put the onus on IDFG to enforce these closures when the Department is struggling to keep up with violations with the trail system that is currently in place. IWF also is frustrated with the apparent commitment to “rigorous closure enforcement” despite well-known federal agency staffing shortages. The Idaho Fish & Game Commission will vote on an action item on Thursday, August 20, 2020 that, if the motion passes, would support Alternative 1 (No Action Alternative)- background information supplied to the Commission cites similar concerns that the Corps’ analysis does not appear to realistically assess the agencies’ ability to monitor and enforce the seasonal trail closure, prevent unauthorized pioneering of spur trails from the proposed trail, or mitigate new trail-imposed threats to winter range.¹²

The EA Fails to Address Fire Risk with Increased Human Presence

The BRWMA and lands around Lucky Peak Reservoir still hold large portions of native plant species and productive forage for big game herds. No single factor impacts wildlife more than habitat quality since reproductive performance and overall health are influenced by its condition. Providing high quality habitat for wildlife, especially for mule deer and elk, is the BRWMA’s foremost priority.¹³

Though fires occur naturally throughout the West and can be beneficial to landscape health, increased human presence has the potential to increase negative impacts with uncharacteristic wildfire. According to the BLM, in the wildland urban interface of the Boise metropolitan area, on average, 23 fire starts occur annually. Approximately 83% of those fires are caused by humans (Humphrey 2011).¹⁴ This increase in wildfires in and around Boise has had a detrimental effect on wildlife habitat.

As fires on the BRWMA have increased, a greater proportion of native shrubs and perennial grasses that provide critical winter forage and cover for wildlife have been reduced or eliminated. Disturbance in plant communities such as this have led to an increase in noxious weeds. This change in plant communities on the WMA could ultimately cause a shift in habitat preference or avoidance of the area by wildlife species (Lowe et al. 1978).¹⁵ Substantially increasing the summer usage for human recreation with the addition of the proposed action will

¹² <https://idfg.idaho.gov/sites/default/files/commission-meeting-gold-sheet-3f-082020.pdf>

¹³ BRWMA Plan p. 25

¹⁴ BRWMA Plan p. 20

¹⁵ BRWMA Plan p. 20

negatively impact winter habitat and has the potential to cause irreparable harm to some of the highest densities of mule deer in the state. Because of this, IWF believes it is short-sighted to adopt the proposed action for the incorporation of a few miles of multi-use trail amidst the already existing trail network within a short drive of the Boise area. Generations of conservation efforts in this area could be erased forever because of this increased human activity and associated fire and noxious weed risks.

Inadequate Public Engagement

IWF believes the Corps is not fulfilling its National Environmental Policy Act (NEPA) duties to the public. The purpose of NEPA is to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man (NEPA SS 102 [42 USC SS 4321]), and attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences [42 USC SS 4331]. We believe there is no risk to human health and welfare to conclude this comment period without proper engagement with affected groups and individuals. Rather than being forced to weigh in during a comment period to either support the adoption of the Lake View Trail or No Action, IWF would have appreciated the opportunity for the Corps to halt the NEPA process and allow various groups to form a working collaborative group to find an alternative landscape that would minimize harm to wildlife with broad support. IWF prides itself on working collaboratively with various federal agencies, tribes, and user groups, but the Corps' unwillingness to put the NEPA process on hold to allow these conversations to initiate is disappointing, especially with the current global pandemic.

Conclusion

IWF believes the current conditions on the BRWMA are filling the needs for wildlife and user groups and therefore urges the Corps to adopt "Alternative 1 (No Action Alternative)" for the draft Finding of No Significant Impact (FONSI) and Environmental Assessment (EA) for the Lake View Recreation Trail at Lucky Peak Dam and Lake, Boise, Idaho. Thank you for the opportunity to comment. We look forward to providing input in the future.