



**US Army Corps  
of Engineers®**

Seattle District

# 15 Day Notice of Availability of Draft Environmental Assessment

Planning, Environmental & Cultural Resources Branch  
P.O. Box 3755  
Seattle, WA 98124-3755  
ATTN: Rhonda Lucas (PMP-E)

Public Notice Date: 31 August 2018  
Expiration Date: 16 September 2018  
Reference: PMP-18-20

Project Name: Blackwell Flats Riparian Improvement Project

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Interested parties are hereby notified that the U.S. Army Corps of Engineers, Seattle District (USACE) has prepared, pursuant to the National Environmental Policy Act, a draft environmental assessment (EA) to address the potential environmental impacts with the implementation of the Blackwell Flats Riparian Improvement Project downstream of Libby Dam, Lincoln County, Montana. The purpose of this Public Notice is to solicit comments from interested persons, groups, or agencies.

## AUTHORITY

Libby Dam, Kootenai River, Montana, was authorized by the Flood Control Act of May 17, 1950, 81st Congress (Public Law 516), substantially in accordance with the plan set forth in House Document 531, 81st Congress, Second Session as part of the comprehensive plan for water resource development of the Columbia River and tributaries. House Document 531 indicates that Libby Dam is intended to provide benefits of flood control, power generation, navigation, fish and wildlife conservation, and recreation. Authority to administer and manage the project lands associated with recreation and fish and wildlife conservation is found in the initial project authorization. The authority for public use development is derived from the Flood Control Act of 1944, Public Law 78-534, as amended. Overall planning, development and management of the land and water resources of the project, which is located primarily within the Kootenai national Forest, is governed by the principles and policies of the August 13, 1964 Memorandum of Agreement by the Secretaries of the Army and Agriculture. The Corps of Engineers is responsible for the development and administration of visitor facilities and the appurtenant works needed for public accommodations on Corps of Engineers administered lands.

This EA is being prepared pursuant to Sec. 102(c) of the National environmental Policy Act (NEPA) of 1969.

## PURPOSE and NEED

The Corps' land use classification in this area is currently classified as a recreational ice skating pond. Although it is neither suited to that function, nor historically has been used as such. The purpose of the project is to realign land use and management designations for the riparian areas at Blackwell Flats with those more reflective of the public's current use of the land as a wildlife and fish spawning area.

This Project is needed to support shifting and increasing demands from the recreating public for both wildlife viewing and ongoing fishing opportunities near the Blackwell Flats recreation site. The habitat improvement actions proposed will likely improve shoreline and riparian habitat complexity, promote nutrient exchange, and increase off-channel habitat for aquatic species,

thus increasing rearing habitat for juvenile trout. Additionally, this project is intended to restore, in part, the ecological function of the Kootenai River downstream of Libby Dam.

### PROPOSED ACTION

The Corps would enhance riparian and riverine habitat for fish by breaching approximately 380 linear feet of a berm just upstream of Blackwell Flats to create inlet and outflow channels connecting the Kootenai River and adjacent depressional wetlands. The excavated channel breaches along the stream bank would be backfilled with large woody debris bank structures and native material. The top of the bank would be graded and revegetated to match existing ground elevations. Within the proposed inlet and outlet channels, the Corps would create microtopography through grading and installation of partially buried log structures to enhance floodplain roughness. This design would provide protection of disturbed stream bank areas, retain sediment, and reduce erosion. Excavation and backfill would occur only in areas that are currently classified as uplands; only vegetation plantings would occur in existing wetland areas. The Project is expected to result in a net gain of 0.1 acres of riverine wetlands. Additionally, these improvement efforts are expected to improve shoreline and riparian habitat complexity and increase off-channel habitat for aquatic species, thus increasing rearing habitat for juvenile trout.

### ANTICIPATED IMPACTS

Impacts from the project are expected to include minor construction related effects on water quality, vegetation, fish and wildlife and noise. Additionally the public boat ramp would be closed during construction, then realigned and regraded. Because the area has no historic use as an ice skating pond, no impacts to winter recreation are anticipated. These impacts would generally be highly localized and short in duration. USACE would use best management practices (BMPs) to minimize potential adverse effects to aquatic and terrestrial resources. Long-term impacts associated with this Project are expected to include beneficial effects on aquatic habitat and water quality which would offset the short-term construction related impacts.

USACE concluded that this Project meets all 2017 Nationwide Permit (NWP) General Conditions under the Federal Clean Water Act and is functionally analogous to the parameters of NWP 27 for Aquatic habitat restoration, establishment and enhancement activities. A water quality evaluation [404(b)(1)] was prepared for this project and concurrence was issued by the State of Montana. USACE has determined the proposed action would not likely have an adverse effect on bull trout and its designated critical habitat. Project concurrence was issued by USFWS on 10 Aug 2018 pursuant to Section 7 of Endangered Species Act. The proposed action area is within the area of interest of the Confederated Salish and Kootenai Tribes of the Flathead Reservation and the Kootenai Tribe of Idaho. USACE has been coordinating and consultation with these tribes on the proposed action is ongoing.

### EVALUATION

USACE has made a preliminary determination that the environmental impacts of the proposal can be adequately evaluated under the National Environmental Policy Act through preparation of a draft EA. USACE has made a preliminary determination that this project, with the incorporation and satisfactory execution of BMPs, will not result in significant adverse environmental impacts.

### PUBLIC REVIEW PROCESS

The decision on whether to conduct the project will be based on an evaluation of the probable impact on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to

accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among these are: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

Any person who has an interest that may be affected by this project may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice, and must clearly set forth the following: the interest that may be affected, the manner in which the interest may be affected by this activity, and the particular reason for holding a public hearing regarding this activity.

USACE invites submission of factual comment on the environmental impact of the proposal. Comments will also be considered in determining whether it would be in the best public interest to proceed with the proposed project. USACE will consider all submissions received before the expiration date of this notice. The nature or scope of the proposal may be changed upon consideration of the comments received. USACE will initiate an Environmental Impact Statement (EIS), and afford all the appropriate public participation opportunities attendant to an EIS, if significant effects on the quality of the human environment are identified and cannot be mitigated.

Submit comments to the address posted at the top of this notice or to [Rhonda.S.Lucas@usace.army.mil](mailto:Rhonda.S.Lucas@usace.army.mil) no later than *16 September 2018* to ensure consideration. Requests for additional information should be directed to Rhonda Lucas, at 206-764-3512 or the above e-mail address. The draft EA and Appendices are available at the following website: <http://www.nws.usace.army.mil/Missions/Environmental/Environmental-Documents/> under "Blackwell Flats Riparian Improvement Project".