

**ALBENI FALLS O&M
RILEY CREEK CAMPGROUND
ADA MODERNIZATION
PROGRAMMATIC
BIOLOGICAL EVALUATION
And
Amendment Dated March 17, 2003**

NOVEMBER 27, 2002



US ARMY CORPS OF ENGINEERS
SEATTLE DISTRICT



**US Army Corps
of Engineers®**
Seattle District

ALBENI FALLS DAM
IDAHO

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1.0 INTRODUCTION

Albeni Falls Dam operated by the U.S. Army Corps of Engineers maintains the Riley Creek site that is used for camping and day use by the general public. The American Disabilities Act (ADA) ensures that individuals with disabilities have access to facilities that are open to the general public. The recreational area Riley Creek is in need of upgrade to become ADA compliant. In addition to ensuring ADA compliance the modernization portions of this project will extend the usability and reduce overall maintenance of this facility. Due to budget constraints the modernization construction could take place over a period of five fiscal years, or if the funds become available the work could be completed in one fiscal year. Therefore, we are asking for a programmatic concurrence for a period of five years beginning with fiscal year 2003.

2.0 HISTORY OF RECREATIONAL AREA

Riley Creek Recreation Area was initially developed in 1962 and 1963 with construction of the west camp loop (Raven Loop), day use facilities, swim beach, boat launch, etc. Construction of the east loop (Nighthawk Loop) was completed in 1966, and the basic layout and facilities of the park were much the same as they are today.

Since the initial development of the recreation area, the project has worked to modernize and improve the park to safely handle increased use, accommodate changes in camping equipment, comply with new regulations and requirements, and protect Corps lands and facilities. While the overall layout and facility counts have change little from the initial development: buildings have been improved and modernized; roads and parking areas have been expanded and paved; grounds have been landscaped and irrigated; campsites have been improved; and water, sewer, and power installations have been upgraded to modern standards with adequate capacity and safety the guiding factors in the work. Bank protection and stabilization work has occurred over time to stop shoreline erosion and prevent loss of improved property. Unserviceable improvements have been repaired or replaced as needed to maintain safe and sanitary conditions.

Future effort will continue this trend with the emphasis on safety, accessibility for persons with disabilities, and customer satisfaction balanced with protecting the natural, cultural, and man-made resources at this site.

3.0 DESCRIPTION OF PROJECT AREA AND ACTION AREA

This campground and day use areas are comprised of a mix of open ground and forested area typical of this region. Predominant over-story species include Douglas Fir (*Pseudotsua menziesii*), Ponderosa Pine (*Pinus ponderosa*), Western

Redcedar (*Thuja plicata*), Grand Fir (*Abies grandis*), Lodgepole Pine (*Pinus contorta*), and Western larch (*Larix occidentalis*). Other trees that are not as numerous include Cottonwood (*Populus trichocarpa*), Rocky Mountain Maple (*Acer glabrum*), and Birch (*Betula sp.*). The mixture of trees varies from site to site, as does the understory vegetation. Under-story vegetation is limited in and around the campsites, and more prevalent in areas away from developed portions of the park. Ornamental trees and shrubs have been planted in and around open areas and bordering the maintained lawn in the day-use portion of the park.

3.1 Riley Creek

Riley Creek Recreation Area is located at T56N, R4W, Section 36 near the community of Laclede, Idaho. The park area is located at the end of a peninsula with water on three sides. The Pend Oreille River lies to the south, while the west and north boundaries are formed by a backwater from the river and the channel of Riley Creek. Private land lies to the east of the boundary fence. The recreation area includes only part of the Corps managed lands in the vicinity. To the north and west are another 150 acres of open water, wetland, and riparian forest. U.S. Highway 2 and the Pend Oreille Valley Railroad lie to the north of the Corps managed lands. This facility includes a typical campground with two loop roads and 70 camping spurs (three for Park Attendants). Riley Creek has a boat launch ramp and parking area for vehicles with boat trailers. Day use features are primarily in the south and west areas of the site. The boat launch ramp, swim beach, playground, and open lawn areas are shared among campers and day users. All roads and parking areas are currently paved within the recreation area. The recreation area is open from early May through the middle of September. During the closed season, public access is allowed and the area receives moderate use by local residents for walking, biking, wildlife viewing, etc. Existing site features include the following:

1. 4 restroom buildings (two with showers)
2. 67 camp sites (three additional sites for Park Attendants)
3. 47 picnic sites and 2 group shelters
4. parking for 79 cars and 21 trailers
5. amphitheater for evening campfires and programs
6. single-lane boat ramp and courtesy dock
7. playground equipment
8. domestic water system (Source is Laclede Water District)
9. swim beach
10. partial perimeter trail and pedestrian bridge
11. horse-shoe pits
12. small boat moorage area (tie-offs on bank)

4.0 Description of Proposed Project

Since the majority of the work to be accomplished is similar, in terms of effect, to existing features and conditions, the description of the proposed project elements will be addressed as a unit rather than individually. The work to be performed on the above mentioned camp ground and day use facilities are to upgrade the sites to meet the American Disabilities Act and to improve and modernize the facilities (map 5 of 11) to improve safety and reduce maintenance cost over the life of the project. Existing conditions are represented in Map 1 of 11.

Paving will be a significant component of the work. Much of the new pavement is overlay on existing paved surfaces that have deteriorated beyond the point where seal coating will restore a safe and smooth surface. Existing pavement will be removed in some areas where root damage has occurred or where realignment of roadways is needed. Roadways will be widened to meet two-way traffic standards, and parking areas enlarges slightly to provide additional parking or better traffic flow. (See map 2 of 11).

Individual campsites will remain unpaved and surfaced with compacted crushed rock. Sites will be enlarged and re-oriented for safety and convenience of the users, and the sites “defined” with a timber edge to reduce the impact area around each site. All sites will be ADA compliant. Parking spurs and impact areas not included in the revised site plan will be restored and revegetated with native trees, shrubs, forbs and grasses. (See map 3 of 11)

Trails as indicated in the attached plans will be upgraded to be ADA compliant. Most trails will be paved, with gravel surface limited to the north shore perimeter trail (map 4 of 11).

Recreational facility and feature enhancement will occur as indicated on attached maps 5-7 of 11.

Utility improvements within the recreation area will include upgrades to water, electrical and irrigation systems. (See maps 8 and 9 of 11.) Water and electrical hookups will be provided at each campsite. The existing irrigation system will be extended into one un-irrigated area and automated. Sanitary sewer improvements are limited to replacement of one septic tank and drainfield where the existing system is marginal and the septic tank has to be relocated to allow expansion of a camploop restroom building.

Tree removal will occur within the campground but only as needed to facilitate the modernization effort. It is estimated that an average of 5 trees/stumps per site will be have to be removed to facilitate the change in site size and alignment.

Changes in entrance roads and trails will also require that some trees be removed,

but in all cases, tree removal will be minimized. Based on preliminary design, it is estimated that these trees will have an average diameter at breast height (DBH) of 14 inches. There is an average of 2 stumps to be removed per site with the DBH averaging 8 inches. Vegetation is represented in map 10 of 11. Revegetation of sites and other planting areas will largely offset the tree removal over the long term.

Boat Ramp improvements include the addition of a second launch lane and associated courtesy dock. Existing ramp planks will be replaced as they are in marginal condition. The new courtesy dock will be constructed using composite recycled plastic limber.

Planting of low shrubs (*Arctostaphylos uva-ursi*, *Mahonia repens*, *Pachistima myrsinites*), large shrubs (*Sambucus racemosa*, *Symphocarpus albus*, *Acer glabrum*), medium shrubs (*Rosa nutkana*, *Rubus parviflorus*, *Spirea betulifolia*), conifers (*Pinus contorta*, *Pinus monticola*, *Pinus ponderosa*) and various forbes will be incorporated into the revegetation scheme to provide screening, define sites, and add visual effects to the area. Side benefits are expected for songbirds in the off-season.

This modernization effort will likely occur over the next five fiscal years. Work will be performed during the off-season as much as possible to prevent interruption of the availability of the area to the public. If funds become available to complete the work all in one fiscal year the campsite will be closed to the public for that entire year. The work will adhere to recommendations provided by the resource agencies as to timing restriction. At present, the work will be scheduled to start in October of any given year during this 5-year period and end by March 1st of that same construction year. Monitoring of Eagles during this work period will have priority over construction of this project. If Eagles are present and within the project action area, work will stop until the Eagle has moved to a different location. One of the main focus areas is to ensure the work is done when pool level is down for the winter to ensure no in-water work will occur during construction. Best management practices will be enforced at each work site. All necessary measures to control storm water run-off will be in place at all work sites.

Building up-grades and or replacement could occur any time of year. This work would probably occur based on weather conditions. As these sites are already removed from the areas ecosystem (existing building), no additional impact is expected to occur. To ensure no additional impacts all best management practices will be in effect and monitoring of the site for listed species will occur during daily construction operations.

Retired campsites will be restored to a vegetated condition to provide for screening, aesthetic, and environmental concerns. Compacted surface conditions

will be scarified and amended as needed to prepare the sites for planting. Two plant list will be used - one for semi-shaded to dense shade conditions and one for semi-shaded to full sun conditions. All plant material will be native species and include a full range of plant sizes and layering. All plant beds will be seeded with a native seed mix that includes grasses, forbs, and shrubs and is intended to out compete weeds. Plant beds will be mulched thoroughly for moisture retention and hand watered through a minimum of two dry seasons for establishment. Barrier protection of re-vegetated areas will help to ensure successful restoration.

With the events that occurred in the month of September 2001, there is a probability that funding for all the proposed improvements at one time will be slim. If this is the case, modernization will occur as small projects with a ranking of the most critical work to occur first. Funding will dictate the schedule and intensity of work to be accomplished. If this does occur the following list is the schedule of work to occur based on funding:

- Upgrade features/design of four restrooms. Construct 2-ADA Restroom modular additions.
- Renovate Amphitheater
- Replace existing picnic shelter and park office
- Construct storage building
- Replace existing bridge
- Construct volleyball court, multi-purpose play court and renovate playground
- Expand the sand beach, re-grade boat basin, and replace boat ramp, install new docks
- Pave and relocate campsites and new roads

5.0 Species

In accordance with Section 7(a)(2) of the Endangered Species Act of 1973 (ESA), as amended, the Corps is required to assure that its actions have taken into consideration impacts to federally listed or proposed threatened or endangered species for all federally funded, permitted, or licensed projects. Five species listed as either threatened or endangered and two species of concern are potentially found in the project areas:

- Gray Wolf (*Canus lupus*)
- Bald Eagle (*Haliaeetus leucocephalus*)

- Ute ladies’-tresses (*Spiranthes diluvialis*)
- Bull trout (*Salvelinus confluentus*)
- Westslope Cutthroat Trout (*Oncorhynchus clarki lewisi*)
- Lynx (*Lynx canadensis*)
- Wolverine (*Gulo gulo luscus*)

6.0 DETERMINATION SUMMARY

Below is a table summarizing the status and effect determinations made for each of the species potentially occurring in the project vicinity. Also included are the page numbers where detailed descriptions of the forecasted effects of the proposed action on these species can be found.

Table 2. Determination Summary Table

| Species | Listing Status | Effect Determination |
|---------------------------|-------------------|--|
| Bald Eagle | Listed Threatened | Not likely to adversely affect |
| Bull Trout | Listed Threatened | Not likely to adversely affect |
| Gray Wolf | Listed Threatened | Not likely to adversely affect |
| Ute ladies’-tresses | Listed Threatened | Not likely to adversely affect |
| Lynx | Listed Threatened | No affect |
| Westslope Cutthroat Trout | Specie of Concern | Not likely to jeopardize the continued existence |
| Wolverine | Specie of Concern | Not likely to jeopardize the continued existence |

6.1 GRAY WOLF

Gray wolves occurring in Idaho north of Interstate 90 are listed as endangered, and receive full protection in accordance with provisions of the Endangered Species Act. Gray wolves occurring in Idaho south of Interstate 90 are listed as nonessential experimental population, with special regulations published in the Federal Register, Vol. 59, No. 224- November 22, 1994. This area is located above Interstate 90 and is therefore protected under the ESA.

The gray wolf is the largest member of the dog family (*Canidae*). Adult males average 31.8-45.4 kg (70-100 lbs.) and females weigh in at around 24.9-38.6 kg (55-85 lbs.). Gray wolves measure 1.5-1.8 m (5-6 ft.) from nose to tail, and stand 66-81 cm (26-32 in.)

at the shoulder. The pelt may be any color from black to white, or a mix. They have long legs and the chest is deep and narrow. These aspects of the wolf's anatomy are especially well suited for fast, far ranging travels, such as frequent hunting expeditions. Wolves' sense of smell is very keen and they are reported to be able to hear other wolves howling at up to 9.7 km (6mi.) away. There are as many as 24 sub-species in North America.

The gray wolf reaches sexual maturity in approximately 2 years. About six pups are born in April in a den dug by the female. The pack (2-8 wolves) shares in the responsibility of raising the pups. Gray wolves are carnivorous, feeding on most game animals from large ungulates such as elk to small rodents like deer mice. Their diet is very seasonal and is based on food availability. Gray wolves will travel as far as 30 miles per day in search of food.

Known Occurrences in the Project vicinity

Although the habitat north of the project and State Highway 2 that borders the project is ideal gray wolf habitat, it is believed that no packs live within the immediate project area (Nachman personal communication).

Effects of the Action

If wolves or a single wolf were to enter the proposed project area there would be potential for disruption of their feeding behavior, because the project will have a tendency to frighten avian and other prey away from the immediate vicinity. However, there would be no long-term effects due to this feeding behavior interference.

Determination of Effect

The Corps believes this project is **not likely to adversely affect Gray Wolves**. This determination is based on the fact there are no known packs that live within the immediate vicinity of the proposed projects.

6.2 BALD EAGLE

Male bald eagles generally measure 3 feet from head to tail, weigh 7 to 10 pounds, and have a wingspan of approximately 6 ½ feet. Females are larger, some reaching 14 pounds and having a wingspan of up to 8 feet. Bald eagles have large pale eyes; yellow beak; and black talons. The distinctive white head and tail feathers appear after the bird is 4 to 5 years old. As juvenile eagles they are completely dark brown. Their life span is believed to be 30 years or longer in the wild, and even longer in captivity (U.S. Fish and Wildlife Service 1995). Nests are built usually in large trees near rivers; lakes, marshes or other associated wetland areas and are usually re-used year after year. These nests are very large, measuring up to six feet across and weighing hundreds of pounds. Bald

eagles normally lay two to three eggs once a year and the eggs hatch after about 35 days. The characteristic features of bald eagle breeding habitat are nest sites, perch trees, and available prey. Bald eagles primarily nest in uneven-aged, multi-storied stands with old-growth components. Factors such as tree height, diameter, tree species, position on the surrounding topography, distance from water, and distance from disturbance also influence nest selection. Snags, trees with exposed lateral branches, or trees with dead tops are often present in nesting territories and are critical to eagle perching, movement to and from the nest, and as points of defense of their territory.

Fish are the primary food source, but bald eagles will also take a variety of birds, mammals, and turtles (both live and as carrion) when fish are not readily available. Food is recognized as the essential habitat requirement affecting winter numbers and distribution of bald eagles. Other wintering habitat considerations are communal night roosts and perches. Generally the largest, tallest, and more decadent stands of trees on slopes with northerly exposures are used for roosting; eagles tend to roost in older trees with broken crowns and open branching. Bald eagles select perches on the basis of exposure, and proximity to food sources. Trees are preferred over other types of perches, which may include pilings, fence posts, power line poles, the ground, rock outcrops, and logs (Steenhof 1978). The bald eagle was proposed for de-listing in July 1999.

Known Occurrences in the Project Vicinity

Bald eagle sightings during the winter months are more frequent than during other times of the year, as the general area around the lake provides important bald eagle winter-feeding habitat. The area where construction is to take place is approximately 1.5 miles from the nearest eagle nest. Eagles are seen soaring over the area and at times there are reports of eagles sitting on the ground eating some type of carrion. There are no perch trees within the work area nor within the general location of the construction area.

Effects of the Action

No communal night roosts or perch trees would be affected, as none are present near the sites.

Foraging bald eagles may be displaced by the noise of heavy equipment, but the availability of prey will not be significantly disrupted by project construction. Eagles would be somewhat accustomed to high levels of human activity in and near the site. Eagles tend to tolerate more disturbances at feeding sites than in roosting areas (Steenhof 1978).

Determination of Effect

The Corps believes this project **is not likely to adversely affect** the bald eagle. This

determination is based on the lack of nests and communal night roosts in the immediate vicinity of the proposed project. This project would have no effect on bald eagle foraging, nesting, or roosting habitat. While heavy equipment activities have the potential to disrupt feeding opportunities in a localized area, this project would not alter the long-term food base.

6.3 BULL TROUT

Bull trout were first described as *Salmo spectabilis* by Girard in 1856 from a specimen collected on the lower Columbia River, and subsequently described under a number of names such as *Salmo confluentus* and *Salvelinus malma* (Cavender 1978). Bull trout and Dolly Varden (*Salvelinus malma*) were previously considered a single species (Cavender 1978; Bond 1992). Bull trout and Dolly Varden were formally recognized as separate species by the American Fisheries Society in 1980 (Robins et al. 1980).

Adult bull trout are olive-green to brown with faint pink spots. Bull trout exhibit resident and migratory life-history strategies through much of the current range (Rieman and McIntyre 1993). Resident bull trout complete their entire life cycle in the tributary (or nearby) streams in which they spawn and rear. Migratory bull trout spawn in tributary streams where juvenile fish rear from one to four years before migrating to either a lake (adfluvial), river (fluvial), or in certain coastal areas, to saltwater (anadromous), where maturity is reached in one of the three habitats (Fraley and Shepard 1989; Goetz 1994).

Water temperature above 15 deg. C (59 deg. F) is believed to limit bull trout distribution, which may partially explain the patchy distribution within a watershed (Fraley and Shepard 1989; Rieman and McIntyre 1995). Preferred spawning habitat consists of low gradient streams with loose, clean gravel (Fraley and Shepard 1989) and low water temperatures of 5 to 9 deg. C (41 to 48 deg. F) in late summer to early fall (Goetz 1994).

Historically, Lake Pend Oreille may have supported an estimated 10,000 or more adult bull trout (Pratt and Houston 1993). Although this estimation is lacking data, such as spawning ground surveys, and precludes making a reliable estimate of the actual number of fish, it can safely be assumed that Lake Pend Oreille sustained a large population of adult bull trout when compared to the Flathead Lake system.

Known Occurrences in the Project Vicinity

There is a high probability that bull trout could utilize the areas that surround the project. However most of the water that surrounds this project is shallow and has a higher water temperature than bull trout prefer. With the pool level at 2053 during the winter most of the surrounding area around this project is high and dry and therefore contains no habitat for bull trout. During the summer months the area is too shallow and has a potentially

high water temperature at or near the project location therefore, precluding the potential for bull trout to be in this area during summer water level.

Effects of the Action

Potential effects of this project on bull trout will be mitigated by timing restrictions. The work will occur during the winter months when the water level is low and the areas surrounding the project area is high and dry.

Determination of Effect

The Corps has determined that the proposed project is **not likely to adversely affect** bull trout. This determination is based upon the minimization of direct impacts that will result from scheduling work during the winter low water levels. There would be no effects to spawning habitat or behaviors. Potential effects of any disruptions to feeding would be discountable.

6.4 WESTSLOPE CUTTHROAT TROUT

The historic distribution of westslope cutthroat trout (*Oncorhynchus clarki lewisi*) in streams and lakes is not known precisely (Behnke 1992), but can be summarized that west of the Continental Divide, the subspecies is native to several major drainage's including the entire Clark Fork River drainage of Idaho, downstream to the falls on the Pend Oreille River near the Idaho-Washington border.

Millions of Yellowstone cutthroat (*Oncorhynchus clarki bouvieri*) have been stocked in the range of the westslope subspecies during the past 80 years (Behnke 1992), resulting in hybridization between the two species *lewisi* and *bouvieri*. Cutthroat trout with pronounced, large, round spots and brownish yellow coloration are due to hybridization. Hybridization is detected by the appearance of spots on the top of the head and on the anterior body below the lateral line (Marnell et al. 1987). The distribution of spots on westslope trout is in general, typical of interior cutthroat subspecies. The area within an arc extending from the origin of the pectoral fin to a point just above the lateral line and downward to the origin of the anal fin usually has very few or no spots. This spotting pattern was illustrated by Hanzel (1959), Brown (1971), and Campbell (1971) and is consistent within the subspecies range. Westslope has a genetic basis for bright coloration, particularly red hues, whereas the Yellowstone species does not express those colors as brightly (Behnke 1992).

The westslope cutthroat trout practices one of three lifestyles over its range: it migrates between lakes and streams, it migrates between small tributaries and main rivers, or it remains a nonmigratory resident of tributaries (Liknes and Graham 1988). It is native to Pend Oreille Lake and may migrate upstream to spawn between March and July. The

young typically spend 2 or 3 years in streams before migrating to the lake. After 1 to 3 years in the lake, sexual maturation occurs, typically at age 4 or 5 and an average maximum weight of 1.5 kg. All members of these populations over winter in main river channels (Liknes and Graham 1988).

In contrast to other subspecies of cutthroat trout, the westslope form does not appear to be highly predaceous on other fish (Behnke 1992). By specializing as invertebrate feeders, westslope trout have avoided direct feeding competition with other trout species. The introduction of other species of trout and various environmental impacts has reduced the population of westslope cutthroat trout.

Known Occurrences in Project Vicinity

Westslope cutthroat trout are more than likely present within the project surrounding vicinity during the summer pool elevation. As indicated above they are native to Pend Oreille Lake. However, they will not be within the immediate vicinity of the proposed project area during winter draw down. The work areas of the project sites will be completely void of water during this time frame when work is slated to take place near the waters edge (summer pool elevation).

Effects of Action

There is potential for the proposed project to actually provide habitat for the Westslope cutthroat trout upon completion of the project. Therefore, cutthroat trout would not be within the area of construction at waters edge (summer pool elevation).

Determination of affect

The Corps has determined that the proposed project is **not likely to adversely affect** the Westslope cutthroat trout. This determination is based on the work being conducted during winter draw.

6.5 UTE LADIES'-TRESSES

Spiranthes diluvialis is a perennial, terrestrial orchid with stems 20 to 50 centimeters (cm) (8 to 20 in) tall, arising from tuberously thickened roots. Its narrow leaves are about 28 cm (11in) long at the base of the stem, and become reduced in size going up the stem. The flowers consist of 7 to 32 small (7.5 to 15mm) (3/8 to 5/8 in) white or ivory flowers clustered into a spike arrangement at the top of the stem. The species is characterized by whitish, stout, ringent (gaping at the mouth) flowers. The sepals and petals, except for the lip, are rather straight, although the lateral sepals are variably oriented, with these often spreading abruptly from the base of the flower. Sepals are sometime free to the base.

Ute ladies'-tresses generally blooms from late July through September, depending on location and climatic conditions. In some areas, this species may bloom in early July or as late as early October. Bumblebees are apparently required for pollination of this species. Ute ladies'-tresses is usually found in mesic or wet meadows along permanent streams.

Known Occurrences in Project Vicinity

The project location has very little understory vegetation and is disturbed throughout the camping year by visitors using the facility. Although the plant is subject to intermittent and unpredictable inundation as with the project areas edge, the disturbance from the woody debris movement (raise and lowering of water level) prevents suitable habitat for this species.

Effects of Action

There is potential for habitat to be restored that could possibility support the Ute ladies'-tresses at the recreational facility.

Determination of affect

The Corps has determined that the proposed project is **not likely to adversely affect** the Ute ladies'-tresses. This determination is based on the fact there are none located within the project vicinity and there is no habitat suitable at the proposed project site.

6.6 WOLVERINE

The wolverine ranges from northern Europe and Siberia through North America. Their distribution once extended as far south as Colorado, Indiana, Pennsylvania, and Michigan. A sighting occurred within two miles of the above listed projects according to the U.S. Fish and Wildlife Service (Spokane Office).

Their head and body length is 65-105 c.m. and tail length is 17-26 c.m. Females are at least ten percent smaller than males in linear measurements and 30 percent less in weight. *Gulo gulo* is reminiscent of a large marten with a heavy build, large head, relatively small and rounded ears, a short tail, and massive limbs. Wolverines have long, dense fur, which is generally blackish brown with a light brown band extending along each side of the body from shoulder to rump and joining over the base of the tail. They have poor eyesight but a good sense of smell. They are extremely strong and aggressive, and have been reported to drive bears, cougars and even a pack of wolves from their kills.

The Wolverine has a diet that can include anything from small eggs to full-sized deer. It

is capable of bringing down prey that is five times larger than its self. It is equipped with large claws and pads on its feet that allow it to chase down prey in deep snow. The Wolverine has been known to reach speeds of approximately 30 miles per hour.

Wolverines are monestrous and give birth only once every two years. Their mating season is between May and August. Both the male and female may mate with several partners during this time and the offspring may have multiple fathers. Gestation is usually 30-50 days and birth occurs between January and April. The offspring can attain adult size in one year and become fertile within 2 to 3 years.

Home ranges can cover as much as 2,000 sq. km in winter. Their activities can cover as much as 45 km in one day. They are mostly nocturnal, with the exception of northern areas where they may be active for four hours and rest for four hours. They readily mark their turf with the spray from an anal gland. Their scent and urine also enables them to mark their territory.

Wolverines have been nearly eliminated in the United States and have disappeared over most of southeastern and south-central Canada. Numbers have declined due to both fur trapping and hunting by those believing the wolverine is a nuisance. Loss of habitat is also a factor in their decline.

Known Occurrences in Project Vicinity

There are no known occurrences of Wolverines in or near the project vicinity.

Effects of Action

No affect.

Determination of affect

The Corps has determined that the proposed project is **not likely to jeopardize the continued existence** of the Wolverine. This determination is based on the fact that no Wolverine are located within or near the proposed projects sites.

6.7 Lynx

A medium-sized cat with long legs, large, well-furred paws, long tufts on the ears, and a short, black-tipped tail (McCord and Cardoza 1982). Adult males average 10 kilograms (kg) (22 pounds) in weight and 85 centimeters (33.5 inches) from head to tail, and females average 8.5 kilograms and 82 centimeters from head to tail (Quinn and Parker 1987). The well-tufted paws and long legs give the lynx and advantage for hunting in deep snow.

In the contiguous United States, the lynx historically occurred in the Cascade Range of Washington and Oregon; the Rocky Mountains from Montana, Idaho, and Oregon south to Utah and Colorado; the western Great Lakes region; and the northeastern United States region from Maine, south to New York and Pennsylvania, and east to Massachusetts (McCord and Cardoza 1982; Quinn and Parker 1987).

In the United States lynx inhabit a mosaic between boreal forest and subalpine coniferous forest or northern hardwoods (Barbour et al. 1980). They use late successional forest with large woody debris, such as downed logs and windfalls, to provide denning sites with security and thermal cover for kittens (McCord and Cardoza 1982, Koehler 1990, Koehler and Brittell 1990).

Lynx are specialized predators that are highly dependent on the snowshoe hare for food. Lynx usually concentrate their foraging activities in areas where hare activity is high (Koehler et al. 1979). Lynx also prey opportunistically on other small mammals and birds, particularly when hare populations decline (Nellis et al. 1972; Brand et al. 1976; McCord and Cardoza 1982).

According to the proposed rule to list the Canada Lynx and to Rust (1946), lynx were distributed throughout northern Idaho in the early 1940's, occurring in 8 of the 10 northern and north-central counties. In 1990, Hash reported stable or declining small lynx populations in Idaho. Harvest records were unreliable prior to the 1980's because no distinction was made between bobcats and lynx. In 1982, Idaho Department of Fish and Game initiated a mandatory pelt-tagging program and the number of reported lynx harvested dropped to none. No current population estimates are available.

Prior to 1977, lynx were considered a predator, subject to unrestricted harvest with open season and no bag limit. In 1990, in response to concern over the status of the lynx in Idaho, the Idaho Department of Fish and Game instituted a statewide harvest quota of three lynx per year. Although still classified as a furbearer, lynx was dropped from the hunting and trapping seasons in 1997/1998. The U.S. Fish and Wildlife Service concluded that a self-sustaining resident population does not exist in Idaho, but individual animals are present. This could be from the movement of lynx across the Canadian border.

Known Occurrences in Project Vicinity

There are no known lynx populations associated with the proposed project site or area.

Effects of Action

With no known lynx associated with the proposed project area or the action area there will be a no affect determination for the lynx.

Determination of affect

The Corps has determined that the proposed project will have **no affect** on the Lynx. This determination is based on the fact that no known lynx are associated with the proposed projects sites or action areas and the habitat is not conducive habitat for Lynx.

7.0 Interrelated and Interdependent Actions

The interrelated or interdependent actions that are associated with the project described in Section 3 are the potential use of this campground by more people during the year. There is also potential for an increase in habitat that would lead to more use of the area by some of the above listed species.

8.0 Cumulative and Secondary Effects

The Corps knows of no other future State, tribal, local or private actions that are reasonably certain to occur in the action area considered in this evaluation. Future Corps actions unrelated to the proposed action are not considered here because they require separate evaluations.

9.0 Conservation Measures

The following are the conservation measures that will be implemented to ensure impacts will be at a minimum before, during, and after completion of the proposed projects.

1. A design plan will be implemented that will contain directions for the inclusion of habitat enhancement areas for each project during construction i.e., planting of shrubs, trees;
2. Monitoring of the project during construction to ensure no harassment of bald eagles will occur;
3. Best management practices will be enforced to ensure no unnecessary damage to the environment will occur, monitoring for oil spills etc and their clean up;
4. This project could be spaced out over the next two fiscal years to reduce the impact to the immediate environment;
5. Any work that occurs near waters edge (summer pool elevation) will only occur during the winter pool elevation ensuring work will take place in dry;
6. There will be no disturbance to any existing wetlands.

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Biological Amendment
Riley Creek Campground

1. INTRODUCTION

When the budget was passed this year in February 2003 the Riley Creek Campground Modernization received sufficient funds to begin construction as early as late August 2003. This time frame would be for mobilization of equipment with actual construction to take place on September 2nd or 3rd, 2003. There is a strong indication that funds to complete the work will occur in October 2003 or fiscal year 2004. This construction will consist of in-water work that is described in the proposed project section of this amendment. All other work for this project is covered under the original Biological Evaluation (BE) dated November 27, 2002. Concurrence for the original BE was received on February 19, 2003 for the original BE.

In the original BE the work window was from October 1 through March of any given year for a period of five years. With funding that is available we would like to broaden that window to run between August 1, 2003 and October 31, 2004. We feel that sufficient funds will become available in October 2003 to finish the project in approximately one year and therefore, only impacting the critical eagle wintering time one year vice five consecutive years.

2. PROPOSED PROJECT

Work under this item includes the construction of three new piers and an extension on one existing pier. Locations are as shown on the attached plan. One new pier will serve as the “courtesy dock” for the second lane of the boat launch ramp. The other two new piers and the pier extension will serve as fishing piers for the disabled.

Construction methods and materials will be similar for all of the pier construction work. Ten-inch diameter, open-end, steel piles will be driven into the lakebed to a depth of 12 feet (or refusal). Structural framing and handrails will be steel, and the decking will be composite plastic lumber. Size and configuration is as follows:

1. Pier Extension. The extension will be 30 feet long and 15 feet wide attached to an existing 48-foot long pier. Eight piles will be required for the extension. Added deck surface will be 450 square feet and the overall deck, with addition, will be 835 square feet.
2. Accessible Fishing Piers. One will be located on the riverbank to the west of the boat ramp, and the other in the Riley Creek “backwater” on the north side of the recreation area. Both will be of the same size and configuration. The “Tee” shaped piers will be 50 feet long overall with a total deck surface of 730 square feet. Each pier will require 14 steel piles for support.

3. Boat Ramp Courtesy Dock. This structure will be placed immediately to the west of the boat launch ramp. Pier is eight (8) feet wide and approximately 52-feet long with a total deck surface of 416 square feet. Eight steel piles will provide support.

Construction of the piers will require the use of a barge-mounted pile driver and crane for at least part of the construction work. The pier locations are not accessible from the uplands with heavy equipment, and the pier lengths require that piles be driven beyond the safe working radius for available pile driving equipment. The pile driving work will have to be accomplished at or near the regulated summer pool level of 2062.5 feet due to water depths in the vicinity of the sites, which will limit access by barge-mounted pile driving equipment. This pool level typically extends from mid- June to mid-September. The recommended construction period for this work would be late August through early September. Expected duration of the work would be three to four weeks.

3. THREATENED AND ENDANGERED SPECIES

Table 1. Threatened and Endangered Species of the Pend Oreille Lake and Albeni Fall Dam.

| Scientific Name | Common Name | Listing Status |
|-----------------------------------|---------------------------|--------------------|
| <i>Canus lupus</i> | Gray Wolf | Endangered |
| <i>Haliaeetus leucocephalus</i> | Bald Eagle | Threatened |
| <i>Spiranthes diluvialis</i> | Ute ladies' -tresses | Threatened |
| <i>Salvelinus confluentus</i> | Bull trout | Threatened |
| <i>Oncorhynchus clarki lewisi</i> | Westslope Cutthroat trout | Species of concern |
| <i>Lynx canadensis</i> | Lynx | Threatened |
| <i>Gulo gulo luscus</i> | Wolverine | Species of concern |

The species in Table 1, have been addressed in the original BE and the findings are contained in Table 2. However, with in-water work occurring in August – September 2004 it is necessary to re-address bull trout.

3a. Bull Trout

Water temperature above 15 deg. C (59 deg. F) is believed to limit bull trout distribution, which may partially explain the patchy distribution within a watershed (Fraley and Shepard 1989; Rieman and McIntyre 1995). Preferred spawning habitat consists of low gradient streams with loose, clean gravel (Fraley and Shepard 1989) and low water

temperatures of 5 to 9 deg. C (41 to 48 deg. F) in late summer to early fall (Goetz 1994).

There is a high probability that bull trout could utilize the areas that surround the project. However most of the water that surrounds this project is shallow and has a higher water temperature than bull trout prefer; during the time of construction water temperatures range between 69-73 degrees F., therefore, precluding the potential for bull trout to be in this area during summer water level.

With the square footage of all the piers at approximately 2,711 sq. ft., there is potential the shading provided by the new piers may provide habitat for bull trout. But with construction occurring in August and September it is highly unlikely that bull trout will be in the area of the proposed pier locations, due mainly to water temperature (69-73 degrees F) being to high and that water depth at the end of the piers will be approximately 8-10 feet. This depth is not deep enough for the water temperature to be reduced significantly enough for bull trout.

Minor sedimentation may occur with the pile driving of the steel post; however, this sedimentation will be short lived and disperse rapidly. Newcombe and Flagg found in 1983 that salmon could tolerate sedimentation up to 6,100mg/l; however, this amount of sedimentation was during a dredging operation and is far higher than what is expected during the pile driving operation.

Based on the above information the Corps still feels the determination is may effect, but is not likely to adversely affect for the threatened bull trout.

Table #2. Effects Determination

| Species | Listing Status | Effect Determination |
|---------------------------|-----------------------|--|
| Bald Eagle | Listed Threatened | Not likely to adversely affect |
| Bull Trout | Listed Threatened | Not likely to adversely affect |
| Gray Wolf | Listed Threatened | Not likely to adversely affect |
| Ute ladies' -tresses | Listed Threatened | Not likely to adversely affect |
| Lynx | Listed Threatened | No affect |
| Westslope Cutthroat Trout | Specie of Concern | Not likely to jeopardize the continued existence |
| Wolverine | Specie of Concern | Not likely to jeopardize the continued existence |

4. Conservation Measures

1. Eagle monitoring will occur as described in the concurrence letter received for the original BE;
2. Absorbent collar will be placed around the barge;
3. Spill response plan will be completed before construction can begin and onboard the vessel;
4. Any indication of stressed or dying fisheries all work will stop and the project manager notified immediately;
5. Due to the loud noise associated with pile driving all work will stop if eagles are noticed within ¼ mile of the project and can resume after the eagle has departed the area.

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