Finding of No Significant Impact

Final Environmental Assessment

Development of Poison Creek Marina Facilities Project

Valley County, Idaho

U.S. Department of the Interior
Bureau of Reclamation
Columbia-Pacific Northwest Region
Snake River Area Office

CPN FONSI # 2025-03

Introduction

The Bureau of Reclamation (Reclamation) has prepared this Finding of No Significant Impact (FONSI) to comply with the Council on Environmental Quality regulations for implementing procedural provisions of the National Environmental Policy Act. This document briefly describes the Proposed Action, other alternatives considered, the scoping process, Reclamation's consultation and coordination activities, and Reclamation's finding. The Final Environmental Assessment (EA) fully documents the analyses of the potential environmental effects of implementing the changes proposed.

Location and Background

The proposed project would occur on the shores of Cascade Reservoir, a reservoir and state park on the North Fork of the Payette River in Donnelly, Idaho. Cascade Dam, which created Cascade Reservoir, was constructed in 1948 and was authorized primarily for irrigation and Federal hydroelectric power production purposes. The Cascade Power Plant is licensed by the Federal Energy Regulatory Commission to the Idaho Power Company.

Cascade Reservoir became a state park through an agreement with IDPR and Reclamation in 1994. Although Reclamation owns most of the land surrounding the reservoir, IDPR manages many of Reclamation's public recreation areas at Cascade Reservoir. The state park boasts many activities such as camping, boating, paddle sports, biking, Nordic tracks, and hiking. Poison Creek Campground sits on the northwest side of the reservoir and is named after the tributary to the south. The campground was redeveloped in 2011 to provide updated amenities like day-use areas, vaulted toilet restrooms, and 21 campsites that are all managed by IDPR. A parking lot connects the campground to a boat ramp to the south where there are currently two handling docks on either side of a two-vehicle-wide asphalt ramp. An additional L-shaped boat dock exists to the north of the boat ramp and is operated under permit by Tamarack Resort.

Tamarack Resort is a four-season destination resort across the Old State Highway/West Mountain Road from Poison Creek Campground and originally opened as a ski resort in 2004. Now Tamarack Resort offers lodging, dining, event space, skiing, mountain biking, zip lining, watersport rentals and other activities. Tamarack Resort has operated under small concessions permit with the IDPR at Poison Creek since 2005, offering public access to boat, stand up paddle board, jet ski and kayak rentals as well as seasonal boat moorage using an EZ Dock marina system that is removed at the end of each season. A small building currently sits on the shore next to the L-shaped dock, near the day-use area, where concessions and rentals are handled. The seasonal operation of these services usually runs from Memorial Day weekend to Labor Day weekend.

Cascade Reservoir does not have any permanent marina services and growing support for a marina has occurred over the last few decades from the recreating public, surrounding community and IDPR itself. A request for proposals was issued by Lake Cascade State Park in 2021 after the Cascade Community Review was completed in 2016 which revealed continued support for marina development on the lake. In addition to the Tamarack Resort proposal, a second proposal was submitted by Lake Cascade Sport and Marine for a Van Wyck marina at the Van Wyck Campground on the Southeast side of the reservoir, but it was later withdrawn by the proponent. Tamarack Resort's proposal was approved by IDPR, and an agreement was established between the two entities and Reclamation in 2023. A 20-year agreement between IDPR and Tamarack is contingent upon Reclamation's review and approval of the proposed project.

Purpose and Need

Reclamation's purpose and need for the Proposed Action is to review IDPR's proposal request from Tamarack Resort to proceed with construction of the Poison Creek Marina facilities on land owned by Reclamation. The Poison Creek Campground location has been providing public services through permits from IDPR since 2005. The proposed project is in line with several laws, such as Public Law 89-72, that allows Reclamation to work with non-federal public entities to manage and maintain recreational facilities. Additionally, IDPR has the authority under Idaho code 67-4204 and 4223 (7) to grant concessions to other parties, and they have a specific agreement with Reclamation that allows them to develop and operate recreational facilities at Cascade Reservoir. IDPR conforms with Reclamation's 2002 Lake Cascade Resource Management Plan in which there was a goal to plan for more marinas and boat services in the area.

Alternatives Considered

The range of alternatives developed for analysis of this Proposed Action was based on the purpose and need for the project, and on the issues raised during internal, external, and Tribal scoping. The alternatives analyzed include a No Action alternative (Alternative A) and the Proposed Action (Alternative B). The No Action alternative does not meet the defined purpose and need for action but was evaluated because it provides an appropriate baseline.

Summary of Environmental Effects

The following summarizes the effects that the preferred alternative – the Proposed Action (Alternative B) – would have on each resource category analyzed in the EA. Chapter 3 of the EA provides a full analysis and explanation of how each resource was evaluated.

Recreation

Development of the proposed marina and associated facilities would result in the addition of new recreation opportunities and facilities at Cascade Reservoir, which would be considered a benefit to the public. Development of the marina and associated facilities would partially meet the regional demand for marina slips. Spatial boating capacity, calculated based on usable acres of water surface, would remain the same. While Alternative B would result in the net gain of recreational boating facilities and opportunities, the larger portfolio of recreation activities at the reservoir would remain similar to what is currently available. Facility boating capacity, based on the capacity of infrastructure to support boating activities, would be increased from approximately 437 to approximately 537, due to the addition of 100 marina slips and 150 passenger vehicle parking spaces.

The density of boater use may increase slightly compared to Alternative A, because of the increase in boating facility capacity. It could be expected that approximately half of the marina slip renters would be existing local users of Cascade Reservoir who do not have private docks and must use the public boat ramps in order to access the water, while the remaining half of the marina slip renters would come from the Boise Metro and greater regional area. In the event that all marina slip renters are not existing users of Lake Cascade and they are all using the lake at the same time, this would result in an increase of 100 boaters at high use. An increase of 100 boaters to the lake would result in the current high level of use being effectively doubled, from 208 to 308, which is still below the existing facility capacity of 437. In the event that all 128 boat trailer parking spaces, all 309 private docks and mooring buoys, and all 100 marina slips were being used at the same time, there would be approximately 537 boat users on the water, which is approximately three times the existing level of high use. However, 537 is still well below the estimated spatial capacity of the reservoir, 1000 users, based on a suggested density of 20 acres per user. The increase in boater use would become even more concentrated in the Poison Creek area and may further degrade the quality of recreation experience for non-boaters and non-motorized boaters in the area. Non-boaters and non-motorized boaters may be displaced to other areas of the reservoir that are less congested and less developed. The current Valley County ordinance for a 300-foot no-wake zone is expected to help buffer some of the user conflict between the different user groups.

Facilities- The additional parking facilities proposed are expected to accommodate the existing demand for passenger vehicle parking in the area, the demand that would be created from marina slips, as well as to provide additional passenger vehicle parking to meet the demand from increases in visitation due to population growth. The proposed marina and parking facilities are expected to help alleviate congestion at the boat ramps and parking lots, since marina slip renters would not need to use the boat ramps to launch their boats or the boat trailer parking spaces in the parking lots. Additionally, revenues paid to the state parks from the concessionaire, would be expected to help maintain, replace, and improve the quality of existing facilities that would continue to experience higher levels of use and visitor demands.

Visitor Satisfaction- Overall visitor use and satisfaction would probably increase due to the increase in the number and types of recreation facilities and opportunities available. However, as visitor use increases, the number of visitors experiencing feelings of crowdedness may increase, especially among historic users of the reservoir. Visitors who perceive the reservoir as being more crowded may report lower levels of satisfaction. The addition of new facilities would also slightly change the character of the reservoir and the recreation experience along the spectrum of development from "less" developed to "more" developed. However, even with the addition of the marina and expanded parking facilities, the overall character of the reservoir would likely still fall in the low to moderately developed range. Some individuals who desire an unconfined and unregulated experience could be displaced to areas where those opportunities are available at other locations. The loss of those users would likely be offset by increases in other visitors attracted by improved opportunities and facilities.

Impacts from Construction- During construction of the proposed marina and day use facilities, it is expected that construction vehicles, equipment, and personnel would be onsite and traveling on the local roads that provide access to the site but would not create disturbance beyond that currently experienced as a result of population growth and existing housing development in the area. Construction activities would occur for several months ideally during the shoulder season. Construction activities could result in negative short-term impacts to users of the Poison Creek Boat Ramp, parking lot, campground and possibly to residents who live nearby and visitors to other recreation sites on the west side of the reservoir.

Combined Effects

Local residential and recreational development, combined with high rates of growth in Ada and Canyon Counties 75 miles to the south, are expected to result in increased levels of day-use, camping, and boating at existing recreation facilities. Generally speaking, the more developed an area becomes, the more use/visitation it would receive and vice-versa. This applies to both nearby residential development as well as the development of recreation infrastructure to support recreation use. As visitation and use increases, feelings of crowdedness and user conflict tend to increase as well, shifting the experience of the user from a more isolated/remote experience to an experience with a higher density of recreation users and a higher frequency of interactions between users. This may degrade the quality of user experiences and visitor satisfaction levels. Combined, these sources of increased demand would likely result in some changes to the existing recreation experience.

The paving of West Mountain Road is likely to have a long-term beneficial impact on the recreation experience for visitors of the Poison Creek Campground, day use area, and boat ramp. Additionally, paving this portion of the road may result in a slight increase in visitation to the Poison Creek unit by making the area more accessible to visitors who would otherwise prefer not to drive on gravel roads.

Water Quality

Water quality effects would be similar as those described in Alternative A. The same ecological and anthropogenic processes would continue to occur. Effects from the proposed actions are separated into "Construction" and "Post Construction" effects and are described below. The effects would be additive to the "No Action" effects. It is assumed that Tamarack or their representative would have

all necessary permits, as identified in Section 2.4 Alternative B project description, before construction is initiated.

Construction

Staging Area-The proposed extended parking lot would be used for equipment and material staging until the lot is constructed. Due to the extent of bare soil from active construction in the staging area, excess sediment could enter the Poison Creek (less than 100 ft away) or the reservoir (over 500 ft away) either by fugitive dust or by runoff from a storm event. The area would need a dust abatement plan and stormwater pollution prevention plan (SWPPP), which are typically required before construction can begin. These plans identify specific BMPs such as periodically wetting the surface soils to prevent fugitive dust and sediment barriers to prevent runoff from rain events to flow into the waterbodies. These actions are specific to the site and construction techniques to protect the adjacent water quality. Minor if any effects to Poison Creek and Cascade Reservoir water quality are expected due to these actions.

Related to the staging area, heavy equipment used for construction could introduce contaminates such as oil, grease, hydraulic fluid, and fuel due to construction near the reservoir or parked at the staging area. Standard operations near water requires contaminant containment usually for fuel, but also would include oil, grease, and hydraulic fluid, thereby reducing the risk to the reservoir to a minimum.

Extended Parking Lot, Rental Facility, and Utility Trenching- These proposed construction activities would expose soil that could enter the Poison Creek or the reservoir either by fugitive dust due to construction or wind or by runoff from a storm event. Like the Staging Area analysis, BMPs in the SWPPP such as wetting the surface soil and sediment barriers would minimize the amount of dust/sediment entering the waterbodies.

Trenching for the utility lines is a bit different because the amount of time the trenches are left open and how close they are to water would increase the opportunity for sediment to enter the reservoir. This could be controlled by minimizing the time the specific trench is open by placing the utility line and burying the trench. The exposed trenches for water, electrical and fuel are the closest to the reservoir and the most likely potential sediment contributors. BMPs such as sediment barriers would be used if the trenches were left open for a long time, preventing sediment from directly eroding into the reservoir due to a storm event. Any sedimentation not prevented by the BMPs would be negligible.

Enhanced Public Beach and Upland Recreation Site-The upland recreation site construction would have minimal effects to water quality due to its size and distance from a waterbody. The enhanced public beach area construction would include the placing of sand on the beach and adding a walking path above the beach area. The addition of sand below high-water mark is considered "fill" by USACE and would require a 404 permit. The 404 permit would have specific requirements for adding the sand such as the specific amount of sand that can be added, sand would have to be cleaned (no contaminants or invasive species), and other requirements. These requirements would be part of the permit and would have to be followed by the contractor. Constructing the walking path and placing the sand would have minimal affect to the reservoir water quality. Heavy

equipment could have effects and mitigation as identified in the Staging Area analysis section. Potential erosion of placed sand into the reservoir is discussed in the Post Construction section.

Fuel Tank and Dock Anchors- Construction of these items would have minimal effects to the reservoir water quality. The fuel tank construction consists of poring a concrete pad and constructing a fence around the tank and creation of an earthen berm between the fuel tank and reservoir. These are minor construction activities that are not expected to affect water quality.

Placing the helical dock anchors are also a minor construction activity consisting of "screwing" the anchor into the bottom of the reservoir until secure. There could be minor sediment displacement, but the disturbance would be localized and minor and could manifest into a slight increase in turbidity for a short period of time.

Post Construction

Water quality effects from the extended parking lot, rental facility, utility trenching, upland recreation site, season storage of boat docks, and dock anchors post construction are expected to be minimal if any in Poison Creek and Cascade Reservoir. Once these areas are fully functional, vegetated, and otherwise completely constructed, the only water quality effects would be stormwater runoff. This is mitigated by the drainage swale and basin immediately west of the parking lot. Areas around the development have a gutter system directing flows to this area where the stormwater would evaporate and/or percolate in the surrounding soil. Water quality effects are expected to be minimal.

Fuel Tank and System- Once completed, the fuel tank and system hazard to the reservoir water quality would be from a fuel leak in the system or a fuel spill. The fuel tank has containment prevention via an earthen berm to prevent fuel from flowing directly into the reservoir. As for a fuel spill or leak, there would be spill prevention measures performed regularly, and a spill response plan and equipment in place to prevent/contain/clean potential fuel spills. There is a potential of fuel contamination from this system but is minimal compared to uncontrolled fueling/refueling that do not have these measures. Water quality effects are considered minor with these mitigative measures and plans in place. Please refer to sections 3.4 Hazardous Materials and 3.5 Mitigative Measures for a full analysis on the proposed fuel tank and system.

Enhanced Public Beach- Adding sand to a beach is inherently temporary, because a portion would eventually erode into the waterbody. This occurs due to wave action, overland flow from storm events, and wind action. Effects from this include possible increase in turbidity and sedimentation in the local vicinity immediately after the erosion event occurs. This action would be the same as any bare-reached section of beach that is not protected from erosion. For comparison, the proposed enhanced public beach is a very minor source of potential sediment compared to miles of unprotected shoreline around the reservoir. Overall, short and long-term effects to water quality would be minor.

Boat Dock and Boating- The 100-slip boat dock structure is not expected to cause direct water quality issues, but potential increases in recreational boating may have some effects. As noted in Section 3.2 Recreation, the recreational experience at Cascade Reservoir is shifting from relatively isolated to more developed and structured, a trend likely to continue with population growth and

rising visitation. While recreational boating is anticipated to increase, it is essential to differentiate between the "normal" increase in boating that would occur regardless of the marina and the "new" increase driven specifically by the marina's presence. No specific data was found, but assuming that a portion of the 100 boat slips would be used by current recreational boaters, that would leave a certain number of boat slips for "new" recreational boaters. Section 3.2 Recreation identifies baseline number of boats observed during high use was 208 and the during low use was 40. Assuming 25% of the high observed use boats (52 boats) begin to use the marina, that allow 48 "new" boats, assuming the marina was the draw for the boaters. That equates to approximately 23% increase in "new" recreational boats over a period of time. This increase in "new" boating activity could increase the turbidity, possibly resuspend sediments that increase nutrients and if conditions are right, lead to increase potential algae blooms (as described in Alternative A) and could occur almost anywhere in the reservoir. Additionally, these same water quality effects could occur near the marina due to potentially more boat traffic. To mitigate the effects of the recreational boat traffic, the 300-foot no-wake zone would aid in decreasing shoreline erosion and disturbance of bottom sediments, thereby decreasing turbidity, sedimentation, and all the issues previously discussed with reservoir bottom sediments. Additionally, the total number of proposed boat-slip was reduced from 200 down to 100, thereby decreasing the total amount of possible boat traffic. It is important to note that adherence and enforcement of the 300-foot no-wake zone is important to successful mitigation of boat traffic on shoreline erosion and disturbance of bottom sediments. Also to note is that there are many assumptions on "new" recreational boat increases at Cascade Reservoir due to lack of specific data.

Combined Effects

The paving of West Mountain Road is unlikely to have water quality effects in the reservoir, when combined with the proposed action water quality effects. Specifically, due to how near this action is to the reservoir, there is a small chance that paving material/gravel could enter the reservoir. With this type of road construction being near water, it is likely BMPs such as erosion barriers would be used to prevent any material from reaching the water. Additionally, the construction is only for a 21-day period, decreasing the time of active construction that could cause the water quality effect.

The other three projects, Cascade Dam Crest Roadway improvements, Garnet Valley Housing in Donnelly, and East Lake Fork Road to SH 55 Project by Valley County are not expected to have any combined water quality effects when combined with the proposed action. The Cascade Dam Crest Roadway improvements has been completed, therefor no effects and Garnet Valley Housing in Donnelly and East Lake Fork Road to SH 55 Project are not near a to Poison Creek or Cascade Reservoir to have combined water quality effects.

Hazardous Materials

The proposed action would introduce a fixed fueling system including a double walled 12,000-gallon gasoline above ground storage tank (AST), fueling dispensers, a buried piping system that spans the riparian area and continues onto the floating dock system, and all required containment and emergency shutdown equipment. Installation of the fueling system requires minor improvements to

the existing property in support of burying piping, constructing secondary containments, and preparing the site for placement of a tank in accordance with state and federal requirements.

The 12,000-gallon AST will be filled utilizing commercial fuel transporters commuting from distribution facilities. Fuel transportation will begin from a tank farm or wholesale location and continue along federal interstates, state highways, and public access roads concluding at the AST. The AST would likely be refilled once a year for the first few years and then increase to twice over the next five years.

The fuel system would be in conformance with all current AST regulations, include the Tier II Spill Prevention Control and Countermeasures (SPCC) requirements, prior to operation. Reportable releases as defined by IDEQ would be reported and managed through existing regulations via Idaho Office of Emergency Management, the National Response Center and local emergency planning committees. Because fueling systems are regulated across multiple agencies and regulations, long term effects from the installation and usage of the AST would not be present for this project. Required emergency equipment would be installed to include emergency shutdown, secondary containment, staff training, on-site spill kits, and on-going inspection programs. Fueling operations support recreation activities and will largely replace open water refueling using portable gas cans. The potential for contamination from incidental spills and organic vapors increases due to the increased volume of fuel near the reservoir and operational activities on Cascade Reservoir. Because the entire fuel system would be operated and managed in accordance with federal and state regulations, the potential for a release is minimal.

Short term effects would be presented when spills limited to small drips or releases during boat refueling occur. These instances would introduce Volatile Organic Compounds to ambient air, disperse gasoline into the water column, and have potential to impact biological factors (see section 3.6 Biological Resources). Due to the expected size of small spills, natural attenuation is the most effective and least invasive means for clean-up. In the event of a larger spill, response procedures would be listed and followed in the facility's SPCC plan. The greatest refueling operations will be seasonal, as the dispensers will be open in conjunction with Marina operating hours and removed for the winter. Spill prevention measures would be performed regularly, and a spill response plan and spill response equipment would be in place.

Mitigation Measures:

Management of Hazardous Materials

Various federal and state laws address the proper handling, use, storage, and disposal of hazardous materials, as well as requiring measures to prevent or mitigate injury to health or the environment if such materials are accidentally released. The EPA is the agency primarily responsible for enforcement and implementation of federal laws and regulations pertaining to hazardous materials. The marina is required to be operated in accordance with applicable Federal hazardous materials regulations. Applicable federal regulations pertaining to hazardous materials are primarily contained in CFR Titles 29, 40, and 49.

Transport of Hazardous Materials

The US Department of Transportation regulates transport of hazardous materials between states and is responsible for protecting the public from dangers associated with such transport. The federal hazardous materials transportation law, 49 USC 5101 et seq. is the basic statute regulating transport of hazardous materials in the United States. 49 CFR consolidates the laws and defines hazardous materials in 49 CFR 172.101. The definition includes Motor Spirit, or Gasoline, or Petrol. Based on the definition, tankers refueling the AST with gasoline must be transported in accordance with applicable rules specified in 49 CFR.

Storage of Petroleum in AST

EPA is the regulatory authority on ASTs. Regulations listed in 40 CFR 112. These regulations require the development and implementation of a Tier II SPCC plan reviewed and signed by a licensed Professional Engineer familiar with the system and location. This plan would further detail what operational controls and response equipment is present as well as the specific inspection schedule. Facility staff would be required to maintain an annual training program for the site.

Worker Safety

The Federal Occupational Safety and Health Administration (OSHA) is the agency responsible for assuring worker safety in the handling and use of chemicals identified in the Occupational Safety and Health Act of 1970 (Public Law 91-596, 9 USC 651 et seq.). OSHA has adopted numerous regulations pertaining to worker safety, contained in CFR Title 29. These regulations set standards for safe workplaces and work practices, including standards relating to the handling of hazardous materials and those required for excavation and trenching.

Biological Resources

Vegetation

Due to the nature of the project, some of the actions involve impacts to previously undisturbed vegetation. Due to periodic maintenance (such as regular mowing intervals) and previous disturbance of the natural understory, and mid-story, the vegetation impact would be minimal. Since there is already existing dock access there should be minimal impacts to the shoreline wetland areas. Short-term effects would be temporary during construction but would be restored to their previous conditions re-contoured and replanted if necessary. Ongoing treatment of invasive vegetative species would continue as necessary. IDPR would place the well-known, 'Clean, Drain, Dry' slogan signs at the boat ramp to inform recreators of the steps to take as a boat owner to help prevent the spread of invasive species. These signs are placed at other boat ramps around the reservoir and are part of a well-known program through US Fish and Wildlife Service. Additionally, Tamarack Resort would include dry drainpipes in the expansion of the parking lot and is in the process of applying for Valley County Waterways grants for inspection and/or boat hot wash capabilities to continue to prevent the spread of invasive species.

Combined Effects: Past, present, and reasonably foreseeable future actions would have minimal impacts on vegetation and wetlands within or surrounding the proposed project area because of the timing and location of these projects being geographically far enough away.

Fish

The construction of any additional boat slips in the vicinity of the Poison Creek area could result in minor, short-term or temporary impacts to aquatic life. The observed shore aquatic habitat is limited due to the site already being used as a dock and boat launch/ramp. Construction of the boat slips associated with the action alternative could provide some additional structural habitat for fish in the reservoir. However, the benefits associated with dock construction would be offset by increased activity during construction and may temporarily displace aquatic species due to installation of dock facilities in the expanded lease areas. It is anticipated that displaced aquatic resources would return and reestablish after project construction was complete.

In the long-term, as with any substantial marina expansion, the addition of vessels into a concentrated area of water over time may result in increased risk for leak of pollution sources associated with boating recreation including, but not limited to, litter and fuel leakage, which may impact aquatic habitat. However, conditions in commercial marina leases generally include a condition that all sanitation facilities on boats moored at the Lessee's facilities, including rental boats, to be sealed against any discharge into the lake. Lease requirements also generally require services for waste disposal, to be provided by the Lessee and prohibit the discharge waste or effluent from the premises in a manner that would contaminate streams or other bodies of water or otherwise become a public nuisance. These restrictions help to mitigate the potential impact of vessel-based pollutants.

Wildlife

Under Action Alternative B, there would be short-term adverse effects to wildlife. Increases in noise, vibration and turbidity could have temporary adverse impacts to nearby wildlife but would cease after construction is completed. This effect is expected to be minor for the following reasons: the preferred action area is already used as a park and boat ramp area, the abundance of adjoining similar habitat to the preferred action area, and the minor amount of wildlife within the immediate preferred action area. There is the potential for in-water activities to disturb species, however wildlife in this area is accustomed to boats and people in these locations and could have minimal short-term additional effect. This project may deter bald eagles and migratory birds from the area with the presence of equipment, vibrations, and excessive noise.

Long-term actions would have minimal impacts on wildlife as many would relocate permanently and/or return when desirable.

Combined Effects

Past, present, and reasonably foreseeable future actions would have minimal impacts on fish within or surrounding the proposed project area because the activities are not near the water except for the East Lake Fork Bridge which would have BMPs for their construction to lessen any minor impacts that could compound for fish in the reservoir. Past, present, and reasonably foreseeable future actions would have minimal impacts on wildlife within or surrounding the proposed project area because of the timing and location of these projects being geographically far enough away from the proposed project area.

Cultural Resources

Under the Proposed Action alternative, Reclamation would approve IDPR's request to proceed with construction of Tamarack Resort's Poison Creek Marina facilities proposal on land owned by Reclamation. The project includes installation of up to 100 seasonal boat slips for the public at Poison Creek Campground as well as new facilities and improvements. Those would involve adding on-site fuel sales for boats including a 12,000 gallon above ground tank; construction of a 1,000 square foot rental and retail facility; expanded public parking area at a ratio of 1.5 parking stalls per boat slip; and an enhanced recreation area for the public on the beach and upland areas.

The identified cultural resources within the project area (the two flakes in 10VY1208) would see one likely adverse effect as a result of the implementation of the proposed action. This adverse effect would be related to an increase in human presence and use over the project area. The flakes are not located near the locations of the specific updated or newly added facilities at present. The flakes themselves are not terribly distinct and would likely not be recognized as cultural artifacts by most recreationalists who use this area. However, an increase in the number of people in the project area after the improvements are made may lead people to wander farther from the crowds, and the "cool rocks" on the shoreline may be tempting souvenirs of time spent at Poison Creek campground and marina. The increased number of people using and visiting the area increases the possibility that people will come across and maybe collect the flakes for personal interest. Though the site of the two flakes was determined to not be eligible for listing on the National Register of Historic Places, the removal or loss of any cultural artifact reduces the evidence of a pre-contact presence, which is a detrimental occurrence to current tribes.

Combined Effects

Combined impacts from the ongoing and upcoming projects in the vicinity of the Poison Creek Campground, which have been identified as installation of additional parking and slips in the marina, would be the same as the aforementioned direct effect – increased human presence and use of the area would increase chances of removal of cultural resources/artifacts from their locations within or near the project area.

Unaffected Resources

The Proposed Action would not cause any short- or long-term direct, indirect, or cumulative effects to the following resource categories:

- Hydrology
- Threatened and Endangered Species
- Indian Sacred Sites
- Indian Trust Assets
- Treaty Rights

Consultation, Coordination, and Public Involvement

In compliance with Section 106 of the National Historic Preservation Act of 1966 (as amended in 1992), Reclamation consulted with the Idaho State Historic Preservation Office to identify cultural and historic properties in the area of potential effect. Reclamation initiated consultation with the Idaho SHPO on December 15, 2023. SHPO concurrence with Reclamation's finding of No Adverse Effects to Historic Properties that would be affected in the action area was received on December 22, 2023.

Additionally, Section 106 consultation with each tribe was initiated to fulfill the National Historic Preservation Act on December 15, 2023. The Nez Perce Tribe responded with a request for further investigation around the project area in the form of shovel test pits and an ethnographic effort completed by the tribe through a landscape survey to fulfill this requirement. Shovel test pits were completed in October 2024 and the landscape survey was completed in May 2025. No other responses or concerns from the Tribes were brought forward.

On March 18, 2024, Reclamation mailed a scoping document, including a letter, project information, and a map to agencies, Indian tribes, members of Congress, organizations, and residence within a 1-mile buffer, soliciting their help in identifying any issues and concerns related to the Proposed Action. Additionally, an ad was placed in the Star Newspaper out of McCall, Idaho and a media release was issued IDPR public affairs regarding the public open house that was held on April 2nd at American Legion in Cascade, Idaho. Reclamation received 173 comments during the scoping period. The topics most common within comments include recreation and wake concerns, water quality concerns, and hazardous material containment concerns.

Reclamation mailed scoping letters to the Shoshone-Bannock Tribes, Nez Perce Tribe and the Shoshone-Paiute Tribes on March 15, 2024. No responses or concerns from the Tribes were brought forward during the scoping period. The mailing list, scoping letters, and comments received and responses are presented in Appendix C of the Final EA.

Finding

Based on the analysis of the environmental effects presented in the Final EA and consultation with potentially affected agencies, Tribes, organizations, and the general public, Reclamation concludes that implementation of the preferred alternative – the Proposed Action (Alternative B) – will not have a significant impact on the quality of the human environment or natural and cultural resources. The overall effects of the Proposed Action will be minor, temporary, and localized. Therefore, preparation of an Environmental Impact Statement (EIS) is not required.

Recommended:

ROCHELLE OCHOA Digitally signed by ROCHELLE OCHOA
Date: 2025.07.21 11:41:10 -06'00'

Rochelle Ochoa
Natural Resource Specialist
Snake River Area Office, Boise, Idaho

Date

Approved:

RYAN ALCORN Digitally signed by RYAN ALCORN
Date: 2025.07.21 11:55:10 -06'00'

Ryan Alcorn
Snake River Acting Area Manager
Columbia-Pacific Northwest Region, Boise, Idaho

Date

BUREAU OF RECLAMATION

Environmental Assessment

Development of Poison Creek Marina Facilities Project

Valley County, Idaho
Columbia-Pacific Northwest Region

CPN EA # 2025-03

U.S. Department of the Interior **October 2025**

Mission Statements

The U.S. Department of the Interior protects and manages the Nation's natural resources and cultural heritage; provides scientific and other information about those resources; honors its trust responsibilities or special commitments to American Indians, Alaska Natives, Native Hawaiians, and affiliated Island Communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

Cover Image – Paddleboarders and boaters enjoy the shores of Lake Cascade at Poison Creek Campground. (Justina Thorsen/Bureau of Reclamation)

Environmental Assessment

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Valley County, Idaho
Columbia-Pacific Northwest Region

CPN EA # 2025-03

Prepared by:

Bureau of Reclamation
Technical Service Center
Denver, Colorado

U.S. Department of the Interior **October 2025**

Acronyms and Abbreviations

APE	Area of Potential Effect
AST	aboveground storage tank
BMP	best management practices
BP	Before Present
CFR	Code of Federal Regulations
COS	Conservation Open Space
DO	dissolved oxygen
DOI	Department of the Interior
EA	Environmental Assessment
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FONSI	Finding of No Significant Impact
ft^3/s	cubic feet per second
GIS	Geographic Information System
HPRCIT	historic properties of religious and cultural importance to tribes
IDEQ	Idaho Department of Environmental Quality
IDFG	Idaho Department of Fish and Game
IDPR	Idaho Department of Parks and Recreation
IPaC	Information for Planning and Conservation
IPDES	Idaho Pollutant Discharge Elimination System
ITAs	Indian Trust Assets
m	meters
MBTA	Migratory Bird Treaty Act
NEPA	National Environmental Policy Act
NRHP	National Register of Historic Places
OSHA	Occupational Safety and Health Administration
Reclamation	Bureau of Reclamation
RMP	Resource Management Plan
SHPO	State Historic Preservation Office
SISCRA	Southwest Idaho Senior Citizen Recreation Association

SPCC	Spill Prevention Control and Countermeasures
STP	shovel test pits
SWPPP	stormwater pollution prevention plan
TCP	traditional cultural properties
TMDL	Total Maximum Daily Load
TP	total phosphorus
USACE	U.S. Army Corps of Engineers
USFS	U.S. Forest Service
USFWS	U.S. Fish and Wildlife Service
WMA	Wildlife Management Area

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1.0 Purpose and Need

1.1 Introduction

The Bureau of Reclamation (Reclamation) prepared this Environmental Assessment (EA) in accordance with the National Environmental Policy Act (NEPA). This EA analyzes the potential environmental effects that could result from the construction activities associated with the proposed development of Poison Creek Marina Facilities. Specifically, Tamarack Resort's proposal to Idaho Department of Parks and Recreation (IDPR) would increase the public parking area and install 100 seasonal boat slips for the public, on-site fuel sales for boats, and a rental and retail facility all on Reclamation owned land.

This EA serves as a tool to aid the authorized official in making an informed decision that is in conformance with applicable federal laws and regulations. The proposed action and additional alternatives are described in section 2 of this document, and the effects (short-term and long-term, cumulative, adverse and beneficial, and public health and safety and effects that would violate Federal, State, Tribal, or local laws protecting the environment) of each alternative are evaluated for each of the affected resource areas in section 3 of this document.

The NEPA process requires analysis of discretionary Federal actions that may have an impact on the human environment. This EA is being prepared to assist Reclamation in finalizing a decision on the proposed action, and to determine whether to issue a Finding of No Significant Impact (FONSI) or a notice of intent to prepare an Environmental Impact Statement (EIS).

1.2 Location and Background

The proposed project would occur on the shores of Cascade Reservoir, a reservoir and state park on the North Fork of the Payette River in Donnelly, ID. Cascade Dam, which created Cascade Reservoir, was constructed in 1948 and was authorized primarily for irrigation and Federal hydroelectric power production purposes. The Cascade Power Plant is licensed by the Federal Energy Regulatory Commission to the Idaho Power Company.

Cascade Reservoir became a state park through an agreement with IDPR and Reclamation in 1994. Although Reclamation owns most of the land surrounding the reservoir, IDPR manages many of Reclamation's public recreation areas at Cascade Reservoir. The state park boasts many activities such as camping, boating, paddle sports, biking, Nordic tracks, and hiking. Poison Creek Campground sits on the northwest side of the reservoir and is named after the tributary to the south. The campground was redeveloped in 2011 to provide updated amenities like day-use areas, vaulted toilet restrooms, and 21 campsites that are all managed by IDPR. A parking lot connects the campground to a boat ramp to the south where there are currently two handling docks on either side of a two-vehicle-wide asphalt ramp. An additional L-shaped boat dock exists to the north of the boat ramp and is operated under permit by Tamarack Resort. Tamarack Resort is a four-season destination resort across the Old State Highway/West Mountain Road from Poison Creek Campground and originally opened as a ski resort in 2004.

Now Tamarack Resort offers lodging, dining, event space, skiing, mountain biking, zip lining, watersport rentals, and other activities. Tamarack Resort has operated under small concessions permit with the IDPR at Poison Creek since 2005, offering public access to boat, stand up paddle board, jet ski and kayak rentals as well as seasonal boat moorage using an EZ Dock marina system that is removed at the end of each season. A small building currently sits on the shore next to the L-shaped dock, near the day-use area, where concessions and rentals are handled. The seasonal operation of these services usually runs from Memorial Day weekend to Labor Day weekend.

Cascade Reservoir does not have any permanent marina services and growing support for a marina has occurred over the last few decades from the recreating public, surrounding community and IDPR itself. A request for proposals was issued by Lake Cascade State Park in 2021 after the Cascade Community Review was completed in 2016 which revealed continued support for marina development on the lake. In addition to the Tamarack Resort proposal, a second proposal was submitted by Lake Cascade Sport and Marine for a Van Wyck marina at the Van Wyck Campground on the Southeast side of the reservoir, but it was later withdrawn by the proponent. Tamarack Resort's proposal was approved by IDPR, and an agreement was established between the two entities and Reclamation in 2023. A 20-year agreement between IDPR and Tamarack is contingent upon Reclamation's review and approval of the proposed project.

1.3 Purpose and Need

Reclamation's purpose and need for the Proposed Action is to review IDPR's proposal request from Tamarack Resort to proceed with construction of the Poison Creek Marina facilities on land owned by Reclamation. The Poison Creek Campground location has been providing public services through permits from IDPR since 2005. The proposed project is in line with several laws, such as Public Law 89-72, that allows Reclamation to work with non-federal public entities to manage and maintain recreational facilities. Additionally, IDPR has the authority under Idaho code 67-4204 and 4223 (7) to grant concessions to other parties, and they have a specific agreement with Reclamation that allows them to develop and operate recreational facilities at Cascade Reservoir. IDPR conforms with Reclamation's 2002 Lake Cascade Resource Management Plan in which there was a goal to plan for more marinas and boat services in the area.

1.4 Regulatory Compliance

The following major laws, executive orders, and secretarial orders apply to the proposed project, and compliance with their requirements is documented in this EA:

- NEPA
- Endangered Species Act

- National Historic Preservation Act
- Clean Water Act
- Migratory Bird Treaty Act
- Bald and Golden Eagle Protection Act
- American Indian Religious Freedom Act
- Executive Order 11988 Floodplain Management
- Executive Order 11990 Protection of Wetlands
- Executive Order 13112 Invasive Species
- Executive Order 13007 Indian Sacred Sites
- Executive Order 13175 Consultation and Coordination with Tribal Governments
- Executive Order 14154 Unleashing American Energy
- Secretarial Order 3175 Department Responsibilities for Indian Trust Assets

1.4.1 Certifications

Page Limit Certification

Reclamation has considered the factors mandated by NEPA; that the environmental assessment represents the bureau's good-faith effort to prioritize documentation of the most important considerations required by the statute within the congressionally mandated page limits; that this prioritization reflects the bureau's expert judgment; and that any considerations addressed briefly or left unaddressed were, in the bureau's judgment, comparatively not of a substantive nature that meaningfully informed the consideration of environmental effects and the resulting decision on how to proceed.

Deadline Certification

When the environmental assessment is published, a responsible official will certify (and the certification will be incorporated into the environmental assessment) that the resulting environmental assessment represents Reclamation's good-faith effort to fulfill NEPA's requirements within the congressional timeline; that such effort is substantially complete; that, in Reclamation's expert opinion, it has thoroughly considered the factors mandated by NEPA; and that, in Reclamation's judgment, adequately informs Reclamation's decision regarding the proposed Federal action. Reclamation was required, under 40 CFR § 1506.10, to seek an environmental assessment deadline extension request from the Department of Interior due to additional time needed to fulfill the Section 106 process and was approved on May 19, 2025. The approved request extended the deadline for this document until August 30, 2025.

1.5 Scoping Summary

The scoping process provides an opportunity for the public, governmental agencies, and tribes to identify their concerns or other issues and aids in developing a full range of potential alternatives that address meeting the project's purpose and need as stated in this document. To accomplish this, Reclamation provided information to the public by mailing an information package, hosting a public open house, and soliciting comments from the public, governmental agencies, and potentially affected tribes. Details regarding the public and agency scoping are presented in section 4.

2.0 Description of Alternatives

2.1 Introduction

This section describes the two alternatives analyzed in this EA: Alternative A, the No Action alternative; and Alternative B, the Proposed Action alternative.

2.2 Alternative Development

The alternatives presented in this section were developed based on the purpose and need for the project, as described in section 1, and the issues raised during internal, external, and tribal scoping. The alternatives analyzed in this document include the No Action alternative and the Proposed Action alternative to developing Poison Creek Marina facilities. A no-action alternative is evaluated because it provides an appropriate baseline to which the other alternative is compared. No new alternatives were identified during the scoping process. A summary of alternatives considered but not carried forward can be found in section 2.5.

2.3 Alternative A – No Action

Under the No Action alternative, Reclamation would not approve IDPR's request to continue with construction of Tamarack's proposal. Therefore, no additional boat slips would be installed, no additional parking lot would be created, no fuel tank would be installed. It is likely that Tamarack would continue to operate the same seasonal amenities under renewed small concessions permit through IDPR. For this analysis. the assumption is that the project would not go forward under the No Action alternative. The environmental effects associated with taking no action can be compared to the other alternatives as required under NEPA.

2.4 Alternative B – Poison Creek Marina Facilities (Proposed Action)

The IDPR is requesting to proceed with Tamarack Resort's proposal to develop a public marina and recreation area on land owned by Reclamation consisting of up to 100 seasonal boat slips for the public at Poison Creek Campground area. The marina would also include the following facilities and improvements (figure 1) which are described in more detail below this bulleted list:

- On-site fuel sales for boats including a 12,000 gallon above ground fuel storage tank.
- 1,000 square foot rental and retail facility.
- Expanded public parking area at a ratio of 1.5 parking stalls per boat slip.
- Enhanced recreation area for the public on the beach and upland areas.

Figure 1.—Tamarack's proposed marina facilities map.

2.4.1 Boat slips and expanded public parking area

The boat slips have been engineered to be removed from the water at the end of the season (Labor Day time frame) as the reservoir reaches low water due to spring ice melt and ice movement on Lake Cascade. The marina would be taken apart in approximately 50-foot sections and would remain below the high-water mark, but above the water line, effectively on dry ground for the winter. The slips would be stored on the shore for the winter season (figure 2). In the spring, after the ice melts, the slips would be installed for the season. The slips are anchored in place using helical anchors that are approximately 9 inches in diameter with a 2-inch shaft and would be seated at a depth of approximately 20–25 feet depending on their location. The anchors would have marine grade chains connected to the slips. These anchors would be permanently in place while the marina sections would be removed and replaced seasonally.

Figure 2.—Proposed winter storage area for slips.

The boat slip installation would begin in the fall of 2025 and completed in spring of 2026. There would be 100 boat slips and helical anchors installed as well as 150 parking stalls, the installation of the fuel tank, retail facility, and enhanced recreation area. A drainage swale and basin would be created on the southwest edge of the parking lot expansion, where a natural depression already exists, to allow for parking lot runoff to be filtered and infiltrate. The upland recreation area work and marina work would occur in close conjunction and overlap each other. The installation of the marina and slips, including the helical/piling anchors is expected to take approximately 60–90 days. The exact time frame for starting the work can't be determined until

the NEPA is completed. Once work is authorized to commence, it is estimated that from start to completion would take approximately 90 days and the ideal time frame for construction starting in the fall and ending in spring prior to opening in summer.

2.4.2 Staging Area

One major staging area would be used by the proponent for storage of materials and equipment (figure 3). The staging area would be used to store heavy equipment and materials for construction. All staging and storage would occur on Reclamation property.

Figure 3.—Proposed staging areas.

2.4.3 Fuel Tank

The double walled, above ground fuel storage tank is 12,000-gallon capacity and is fabricated from A36 mild carbon steel. It would sit above ground on a concrete pad that would be poured, and two saddles would hold the fuel tank in place on either side. The tank would be surrounded by security fencing and signs installed by fill ports to inform fuel deliveries and the public on safety precautions. A pipe would be buried for approximately 200 feet at the depth of 18 inches until it reaches the floating dock. Once it reaches the floating dock, the piping would transition from underground and then be connected to the underside of the marina's float system and would always remain above water. The system would not be buried underground beneath the lake or

anywhere below the highwater mark and would never be under any water at all. It would be connected to the underside of the marina's dock system. An earth berm or swell would be located on the south side of the tank. Spill prevention measures would be performed regularly, and a spill response plan and spill response equipment would be in place.

2.4.4 Rental and Retail Facility

A 1,000 square foot preconstructed modular building would be delivered to the work site and placed on an 80 by 35-foot compacted gravel pad. Potable water and sewer would be trenched to tie into existing lines along West Mountain Road. The water line would be an overall length of 426 linear feet with approximately 97 of that in a shared trench (i.e. two water lines in same trench).

The sewer line would be an overall length of 150 linear feet. There would also be a seasonal food truck on site that offers grab and go items. This truck would be mobile and sit behind the modular building on the compacted gravel pad.

2.4.5 Enhanced recreation area

The enhanced recreational area would consist of creating a 73 by 85-foot sand volleyball pit that would be dug out by excavator and filled with sand delivered by truck. Additionally, an asphalt walking path would be created to better connect the beach front area with the boat ramp and retail facility. Sand would be brought in and used along the beach area to allow for an open recreation area. Grassy turf rehabilitation would be placed throughout the area and the current picnic shelter as well as trees in the area would be retained. The existing horseshoe pits and firepit would be removed.

2.4.6 Permits

All county, state and federal permits, necessary for construction would be obtained by Tamarack or their construction representative before construction begins. These permits could include but are not limited to:

- Idaho Pollutant Discharge Elimination System (IDPES) permit
- 404 Dredge and Fill permit from Army Corps of Engineers (USACE)
- 401 Water Quality Certification from the State of Idaho
- Idaho Stream Channel Alteration permit

All best management practices (BMPs) identified by the permitting agency are expected to be adhered to minimize environmental effects and hazards. Typical and usual BMPs include erosion control measures and post-construction site stabilization in the construction area, as necessary.

Measures for controlling sediment and erosion shall include placement of silt fences, straw dikes, and other structural controls, as appropriate. Spill Control Plans would be prepared and implemented to prevent spills into the waterway. The storage of petroleum-based fuels and the refueling of construction machinery would occur in approved designated staging/batch plant areas or in areas utilizing containment BMPs.

2.5 Alternatives Considered but Eliminated from Further Study

The NEPA encourages the consideration of alternatives developed through public scoping. However, only those alternatives that are reasonable and meet the purpose and need of the proposed action must be analyzed. Comments received in the tribal, public, and agency scoping process led to an adjustment to the proposed action by way of a reduction in the number of boat slips to be considered for construction from 200 to 100. The number of parking spaces was also reduced to 150 stalls total. These changes were confirmed to meet the purpose and need as well as consider the requests received from scoping.

2.6 Past, Present, and Reasonably Foreseeable Actions Considered for Combined Effects

Combined effects can result from individually minor but collectively significant actions taking place over a period of time. Past, present, and reasonably foreseeable actions identified in the area (public or private) that could adversely affect the same resource areas evaluated in this EA would be additive effects to the proposed project.

2.6.1 Paving of West Mountain Road

Tamarack Resort LLC plans to pave approximately half a mile of West Mountain Road beginning just west of the main entrance to Tamarack. The paving would occur for a 21-day period during May 2024.

2.6.2 Garnet Valley Housing in Donnelly, Idaho

Roseberry Park LLC plans to construct 324 multifamily units and 10-single-family homes in a development between Roseberry and Price roads in Donnelly, Idaho. This construction would occur off the only paved route to reach the Poison Creek Marina. However, no known construction delays are currently planned that might temporarily close or detour this route. There would be nine apartment buildings, each housing 36 units. This includes a 32-unit building for low-income housing within the development and 47 additional workforce units dispersed throughout. There will also be a free, dedicated unit for the Fire District of Valley County.

The project has several amenities including a 7,500-square-foot clubhouse, two pickleball courts, a half-basketball court, and 20 acres of open space. The large-scale project would cover over 38 acres of land. If approved, the applicant anticipates construction starting in the spring of 2024 and home occupancy is expected by the fall of 2025.

2.6.3 East Lake Fork Rd to SH 55 Project by Valley County

Beginning 2026 the E. Lake Fork Rd to SH 55 project will commence. This is a rehabilitation project of .55 mile long on E. Lake Fork Rd. between Lake Fork Creek Bridge and the intersection of SH 55. This project is expected to widen the roadway and lesson the vertical grade near SH55. Additional improvements will include replacing deteriorated culverts, acquiring right-of-way and mitigating impacts to wetlands adjacent to the roadway.

2.6.4 Cascade Dam Crest Roadway Improvements

In the summer of 2022, U.S. Department of Transportation's Federal Highway Administration placed asphalt concrete on top of the existing gravel surface Dam Road. It also included addressing a safety issue at the south approach to the single lane spillway bridge and improved signage as needed.

The Valley County road maintenance dashboard shows no ongoing or planned projects within the project area, which can be found at https://valleycounty.maps.arcgis.com/apps/instant/portfolio/index.html?appid=409f41c98e554dfe930f954bdd28ff26.

3.0 Affected Environment and Environmental Consequences

3.1 Introduction

This section evaluates the environmental consequences of implementing each of the alternatives described in section 2. The level and depth of the environmental analysis corresponds to the potentially affected environment and the degree of the effects of the action anticipated for each environmental component (resource). The affected environment addressed in this EA is defined in varying contexts, depending on the affected resource being analyzed.

Resources evaluated in this document and analyzed in this section were selected based on Reclamation requirements; compliance with laws, statutes, and executive orders; public and internal scoping; and the potential for resources to be affected by the proposed project.

3.2 Recreation

3.2.1 Affected Environment

This section describes the existing recreation resources around and in the vicinity of Lake Cascade. The description of these facilities covers a larger area than the immediate vicinity of the proposed marina because the Preferred Alternative would expand a recreation resource for the region. Recreation use at Lake Cascade includes land-, water-, and snow-based activities. These activities involve both day and overnight use at developed recreation facilities, as well as undeveloped dispersed sites or use areas. Recreation opportunities and facilities are provided in the Cascade Reservoir area by Reclamation, U.S. Forest Service (USFS), IDPR, Idaho Department of Fish and Game (IDFG), City of Cascade, City of Donnelly, 4-H Club, various church camps, the Southwest Idaho Senior Citizens Recreation Association (SISCRA), and many private sector enterprises. Approximately 475 campsites exist at Lake Cascade on Reclamation's partner-managed lands. For those facilities managed by IDPR, the Reclamation-IDPR management agreement requires IDPR to comply with Reclamation's Lake Cascade Resource Management Plan (RMP) (Reclamation 2002), or any subsequent updates to this plan. Development around the reservoir is more concentrated on the east and north sides of the reservoir with scattered development on the west side.

3.2.1.1 *Visitation*

Common visitor activities at Cascade Reservoir include RV camping, tent camping, observing wildlife, motorized boating, wakesurfing, non-motorized boating and paddleboarding, picnicking, swimming, fishing from a boat, and fishing from the shore. These activities are provided at many campgrounds, day use areas, and public boat ramps at the lake. Winter sport

activities are also popular, such as snowmobiling and ice fishing. In addition, non-motorized trail activities occur along the Crown Point Trail, such as bicycling, hiking, equestrian use, and cross-country skiing and fat-biking in winter.

An estimated 520,000 people visited the 17 units of Lake Cascade State Park during 2023 for day use activities and approximately 67,000 people camped there in 2023. Annual visitation varies depending on a variety of factors such as weather, area fires, water levels, and fishing success. Peak recreation season occurs between Memorial Day and Labor Day, with the heaviest use occurring on the weekends and holidays.

3.2.1.2 *Law Enforcement*

Reclamation maintains a law enforcement contract with Valley County Sheriff's Office to enforce state and local regulations on Reclamation lands, facilities, and water surface at Cascade Reservoir. All waterways in Valley County, including Cascade Reservoir, are subject to the provisions of the Idaho state boating laws as found in the The Idaho Safe Boating Act, Idaho Code Title 67, Chapter 70. In addition to Federal and State laws and regulations, Valley County has implemented a 'Waterways Ordinance' that applies to all public waterways within the county, including Cascade Reservoir. Part of the Waterway Ordinance includes a new 300-foot no-wake zone, excluding some areas in the northernmost portions of the reservoir. Valley County Sheriff's Office is responsible for patrol and enforcement of the Waterways Ordinance, along with applicable State laws and regulations.

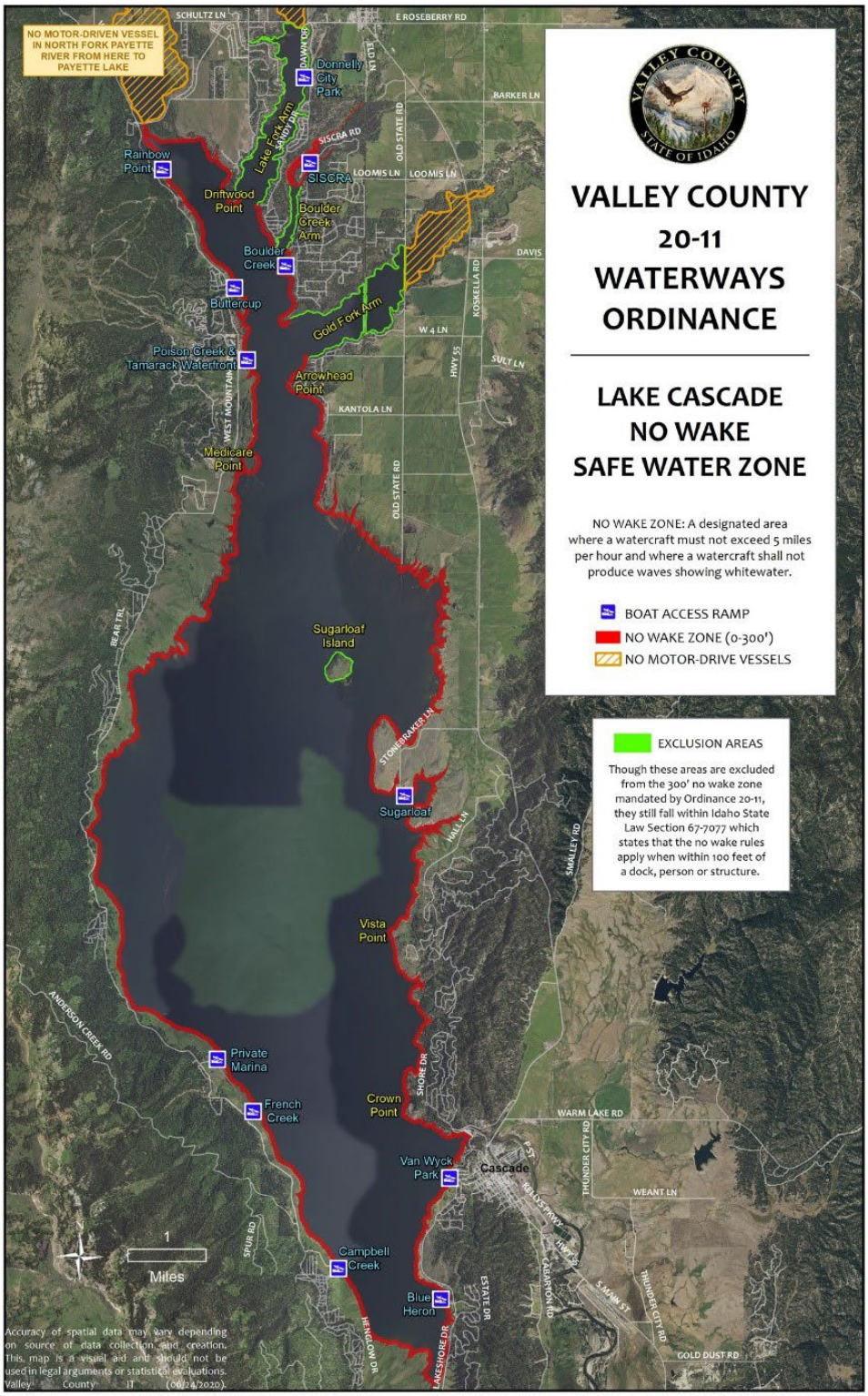

Figure 4.—Map of Cascade Reservoir no wake safe water zone.

3.2.1.3 *Boating Access and Physical Carrying Capacity*

Boat Ramps - Public access to the water is provided via public boat launches and docks. There are 11 public boat ramps around the reservoir, 6 of which are managed by Lake Cascade State Park. In addition to the Poison Creek Boat Ramp, which is in the immediate vicinity of the proposed marina, there are two other nearby boat ramps to the north of Poison Creek. Buttercup boat ramp is located approximately 1 mile north on the west side of the reservoir and Boulder Creek is located approximately 1.25 miles north on the east side of the reservoir. Boat Ramps at Lake Cascade State Park can become congested during peak recreation season, with the following boat ramps experiencing the highest levels of congestion: Van Wyck, Poison Creek, and Blue Heron.

Boat Trailer Parking - There are approximately 128 boat trailer parking spaces within Lake Cascade State Park, not counting the overflow parking at Van Wyck, Boulder Creek, and Poison Creek. These 128 parking spaces are located at the 6 IDPR managed boat ramps at Poison Creek (30), Buttercup (20), Boulder Creek (10), Sugarloaf (21), Van Wyck (29), Blue Heron (18).

Private Boating Access - There are currently 290 private (non-public) boat docks and 19 private mooring buoys that are permitted through Reclamation. The Code of Federal Regulations (43 CFR 429.31) prohibits the authorization of any new private exclusive use, which includes new non-public boat docks, mooring buoys, or other recreation facilities.

Facility Boating Capacity - Facility Boating Capacity is based on the recreation infrastructure at the reservoir that is able to support boating activities. Facility Boating Capacity is currently limited based on the number of boat ramp launch lanes and parking spaces to accommodate boat users, in addition to the number of private docks and mooring buoys. The facility boating capacity is approximately 437, based on the number of public boat trailer parking spaces and private boat docks.

Spatial Boating Capacity - The Spatial Capacity of a reservoir is calculated based on the acres of surface water divided by a suggested number of boats per acre. According to case studies, the suggested number of boats per acre ranges from 4 to 40, with most recommendations for all uses combined falling somewhere between 10 to 20 boats per acre. Surveys of the number of boat users on the water were conducted as part of Valley County's Waterways Management planning effort. According to these surveys, the baseline number of boats observed at Cascade Reservoir during high use was 208 and the baseline during low use was 40. The 30-year average pool level for mid-July at Cascade Reservoir is 4825 feet. Using a pool level of 4825, applying a buffer for the Valley County Ordinance for a 300-foot no-wake zone, and subtracting the exclusion areas identified in the Ordinance, the approximate wake boating acreage of Cascade Reservoir is 20,000 acres. Using a suggested density of 20 acres per boat for all activities combined, gives a spatial carrying capacity of 1,000 users.

At current high use levels (208 boat users), there is approximately one boater per 100 acres of boatable water surface. However, this does not mean that the use is evenly distributed across the reservoir. Residential developments, and private boat docks, are more heavily concentrated to the north of the reservoir, near the Lake Fork Arm, Boulder Creek Arm, and Gold Fork Arm. The

reservoir area near Poison Creek and the location of the proposed marina is more densely used due to a higher concentration of residential development in this area as well as both private and public boating facilities.

Physical Carrying Capacity- The Physical Carrying Capacity of the reservoir is a combination of spatial capacity and facility capacity, which are based on the size of the reservoir, the desired density of use, as well as the recreation infrastructure available to support a specific activity, such as boating. The spatial capacity of Cascade Reservoir (1000 boats) is greater than the current facility capacity (437 boats), therefore the physical carrying capacity of the reservoir would be equivalent to the facility capacity.

3.2.1.4 *Visitor Experience*

Level of Development - Cascade Reservoir is a moderately developed reservoir, with 11 public boat ramps and over 475 publicly available individual campsites on Reclamation partner-managed lands. Much of the residential development and recreation infrastructure is more concentrated on the east and north sides of the reservoir with scattered residential development and recreation sites on the west side. The recreation experience at Cascade Reservoir has been steadily changing over the past several decades from a relatively isolated and remote experience to a more moderately developed and structured experience. This trend is expected to continue into the future, with current population growth predictions and increased visitation demands, as a method to manage visitor use while minimizing resource damage.

Social Carrying Capacity and Feelings of Crowdedness - Social carrying capacity is highly subjective, as illustrated by the visitor use questionnaires conducted during the Valley County Waterways planning effort. For Cascade Reservoir, approximately 75 percent of survey respondents indicated that they felt the reservoir was “not crowded at all” to “slightly crowded” while approximately 25 percent reported a feeling of “moderately crowded” to “extremely crowded” (Valley County 2022). Survey respondents also reported high levels of satisfaction with an experience rating of “excellent” during times of high use and an experience rating of “high’ during low use. It is presumed that social capacity is reached when feelings of crowdedness or user conflict begin to affect user satisfaction or result in users choosing not to utilize the recreation resource any longer. Responses to the visitor use questionnaires seem to indicate that current levels of use at Cascade Reservoir are below the social carrying capacity of the reservoir, since the majority of visitor responses indicated a feeling of “not crowded” to “slightly crowded” along with high levels of satisfaction.

Transportation - The access route to Poison Creek Campground by vehicle is by West Mountain Road also known as Old State Highway. The most popular route to access the campground from the City of Donnelly would be from State Highway 55 to West Roseberry Road and then West Mountain Road. On West Roseberry Road a bridge that is well known in the area as the ‘S’ bridge crosses Cascade Reservoir and is the second most travelled road in Donnelly with State Highway 55 being the first (City of Donnelly 2020). Traffic volumes along this route can be found through Idaho Transportation Department records which traffic counts annually with GIS software accessible online at https://iplan.maps.arcgis.com.

The City of Donnelly Master Transportation Plan states that these two roads can expect to see an increase in traffic contribution due to the rise in population in the area as well as areas like McCall to the north and recreation/tourism to Lake Cascade and Tamarack. Donnelly Public Works Department maintains all of Donnelly's local roads, Valley County maintains Roseberry Road, and ITD maintains State Highway 55.

3.2.1.5 *Marinas in the Intermountain West Region*

There are approximately twelve marinas in the intermountain west region (from northern Utah to northern Idaho and southeast Washington) home to approximately 1,700 boat slips in total. There are relatively few marinas in the region and facilities are spread apart from one another by great distances, with a concentration of facilities in the far north of Idaho.

For the Boise Metropolitan area, Spring Shores Marina at Lucky Peak is the closest and most convenient boating opportunity, with Cascade Reservoir being the next closest to the north. Spring Shores Marina is the largest marina in Idaho with 298 slips and a waitlist of over 500. Evidence suggests that there is a very strong unmet demand for marina slips throughout the region.

3.2.2 Environmental Consequences

For purposes of this assessment, the alternative would have an impact on recreation if it:

- Resulted in an adverse impact on the number of existing recreation facilities, the type of recreation opportunities available, or the quality of the visitor experience.
- Created a demand for recreation facilities such that the construction and operation of additional recreation facilities would be required.

3.2.2.1 *Alternative A – No Action*

If the No Action Alternative is selected, the proposed marina would not be developed. The small temporary concession would likely continue to be authorized. No other use is planned at this time and the site would continue in its present condition for the foreseeable future. Facility boating capacity would be maintained. Spatial boating capacity, calculated based on usable acres of water surface, would remain the same. The types of activities and recreation opportunities would remain the same. Visitation, and the density of boat users on the water, as well as traffic in the area and use of the road system, is expected to continue to increase along with regional population growth.

Facilities - Congestion at the Poison Creek boat ramp and parking lot, as well as other public boat ramps and parking areas around the reservoir, would be expected to worsen as visitation increases. Facility shortages, including parking and facility quality would worsen as a result of increasing recreation and visitation demands.

Visitor Satisfaction - Increased visitation, without an increase in facilities to support the additional users, would likely result in a decrease in visitor satisfaction due to congestion and competition for use of facilities. Historic users of the reservoir would likely continue to experience feelings of overcrowding as visitation numbers continue to increase. Existing user conflict would continue and increase along with an increase in visitation. Motorized boat use would continue to increase, per current recreation trends. The current Valley County ordinance for a 300-foot no-wake zone is expected to help buffer some of the user conflict between the different user groups. The user experience would continue to move from a more isolated experience to an experience with more crowding and more competition for use of facilities.

3.2.2.2 *Alternative B – Poison Creek Marina Facilities (Proposed Action)*

Development of the proposed marina and associated facilities would result in the addition of new recreation opportunities and facilities at Cascade Reservoir, which would be considered a benefit to the public. Development of the marina and associated facilities would partially meet the regional demand for marina slips. Spatial boating capacity, calculated based on usable acres of water surface, would remain the same. While Alternative B would result in the net gain of recreational boating facilities and opportunities, the larger portfolio of recreation activities at the reservoir would remain similar to what is currently available. Facility boating capacity, based on the capacity of infrastructure to support boating activities, would be increased from approximately 437 to approximately 537, due to the addition of 100 marina slips and 150 passenger vehicle parking spaces.

The density of boater use may increase slightly compared to Alternative A, because of the increase in boating facility capacity. It could be expected that approximately half of the marina slip renters would be existing local users of Cascade Reservoir who do not have private docks and must use the public boat ramps in order to access the water, while the remaining half of the marina slip renters would come from the Boise Metro and greater regional area. In the event that all marina slip renters are not existing users of Lake Cascade and they are all using the lake at the same time, this would result in an increase of 100 boaters at high use. An increase of 100 boaters to the lake would result in the current high level of use being effectively doubled, from 208 to 308, which is still below the existing facility capacity of 437. In the event that all 128 boat trailer parking spaces, all 309 private docks and mooring buoys, and all 100 marina slips were being used at the same time, there would be approximately 537 boat users on the water, which is approximately three times the existing level of high use. However, 537 is still well below the estimated spatial capacity of the reservoir, 1000 users, based on a suggested density of 20 acres per user. The increase in boater use would become even more concentrated in the Poison Creek area and may further degrade the quality of recreation experience for non-boaters and non-motorized boaters in the area. Non-boaters and non-motorized boaters may be displaced to other areas of the reservoir that are less congested and less developed. The current Valley County ordinance for a 300-foot no-wake zone is expected to help buffer some of the user conflict between the different user groups.

Facilities - The additional parking facilities proposed are expected to accommodate the existing demand for passenger vehicle parking in the area, the demand that would be created from marina slips, as well as to provide additional passenger vehicle parking to meet the demand from

increases in visitation due to population growth. The proposed marina and parking facilities are expected to help alleviate congestion at the boat ramps and parking lots, since marina slip renters would not need to use the boat ramps to launch their boats or the boat trailer parking spaces in the parking lots. Additionally, revenues paid to the state parks from the concessionaire, would be expected to help maintain, replace, and improve the quality of existing facilities that would continue to experience higher levels of use and visitor demands.

Visitor Satisfaction - Overall visitor use and satisfaction would probably increase due to the increase in the number and types of recreation facilities and opportunities available. However, as visitor use increases, the number of visitors experiencing feelings of crowdedness may increase, especially among historic users of the reservoir. Visitors who perceive the reservoir as being more crowded may report lower levels of satisfaction. The addition of new facilities would also slightly change the character of the reservoir and the recreation experience along the spectrum of development from "less" developed to "more" developed. However, even with the addition of the marina and expanded parking facilities, the overall character of the reservoir would likely still fall in the low to moderately developed range. Some individuals who desire an unconfined and unregulated experience could be displaced to areas where those opportunities are available at other locations. The loss of those users would likely be offset by increases in other visitors attracted by improved opportunities and facilities.

Impacts from Construction - During construction of the proposed marina and day use facilities, it is expected that construction vehicles, equipment, and personnel would be onsite and traveling on the local roads that provide access to the site, but would not create disturbance beyond that currently experienced as a result of population growth and existing housing development in the area. Construction activities would occur for several months ideally during the shoulder season. Construction activities could result in negative short-term impacts to users of the Poison Creek Boat Ramp, parking lot, campground and possibly to residents who live nearby and visitors to other recreation sites on the west side of the reservoir.

3.2.2.3 *Combined Effects*

Local residential and recreational development, combined with high rates of growth in Ada and Canyon Counties 75 miles to the south, are expected to result in increased levels of day-use, camping, and boating at existing recreation facilities. Generally speaking, the more developed an area becomes, the more use/visitation it would receive and vice-versa. This applies to both nearby residential development as well as the development of recreation infrastructure to support recreation use. As visitation and use increases, feelings of crowdedness and user conflict tend to increase as well, shifting the experience of the user from a more isolated/remote experience to an experience with a higher density of recreation users and a higher frequency of interactions between users. This may degrade the quality of user experiences and visitor satisfaction levels. Combined, these sources of increased demand would likely result in some changes to the existing recreation experience.

The paving of West Mountain Road is likely to have a long-term beneficial impact on the recreation experience for visitors of the Poison Creek Campground, day use area, and boat ramp. Additionally, paving this portion of the road may result in a slight increase in visitation to the Poison Creek unit by making the area more accessible to visitors who would otherwise prefer not to drive on gravel roads.

3.3 Water Quality

3.3.1 Affected Environment

Cascade Reservoir is in the North Fork Payette River subbasin (HUC 17050123) located in the west central Idaho and has five major tributaries: the North Fork Payette River, Mud Creek, Lake Fork, Boulder Creek, Willow Creek, and Gold Fork River. Much of the watershed is steeply sloped forestland, while the area immediately adjacent to the reservoir and major tributaries is predominately shallow-sloped agricultural land (IDEQ 2018). Lake Cascade is relatively shallow with an average depth of 26.5 feet and is 4.5-mile wide at the widest point (Reclamation 2002). The area of potential effect is in the northern end of the reservoir at Poison Creek campground. Poison Creek is the nearest tributary to the proposed project location at approximately 1100 feet due south of the current boat ramp and is within the area of potential effect.

Idaho Department of Environmental Quality (IDEQ) has identified these beneficial uses for Cascade Reservoir and Poison Creek: cold water aquatic life, salmonid spawning, wildlife habitat, primary contact recreation, aesthetics, and agriculture/domestic/industrial water supply (IDEQ 2023). Cascade Reservoir is not meeting the cold-water aquatic life beneficial use due to exceedances in pH and total phosphorus (TP) while Poison Creek also is not meeting cold water aquatic life beneficial use due to exceedances in TP (IDEQ 2023). IDEQ (2023) has identified that Cascade Reservoir is meeting the primary contact recreation beneficial use. For these deficiencies in not meeting the cold-water aquatic life beneficial use, Cascade Reservoir and Poison Creek were placed on the §303(d) list for impaired waters and Total Maximum Daily Loads (TMDLs) were developed. Water quality targets were developed to move the respective water bodies towards meeting the cold-water aquatic life beneficial use (see table 1).

Table 1.—Water quality targets for Lake Cascade and Poison Creek

Cascade Reservoir Water Quality Targets		
Dissolved oxygen (DO)		Greater than 6.0 mg/L[1], except in hypolimnion stratified lakes and reservoirs and the bottom 20 percent of water depth in lakes and reservoirs with less than 35 meters in depth
Nutrients	Total Phosphorus	Surface waters shall be free from excess nutrients that can cause visible slime growths or other nuisance aquatic growths impairing designated beneficial uses. No greater than 0.025 mg/L TP in-reservoir water column concentration Chlorophyll *a* in-reservoir water column concentration no greater than 10 µg/L[2] d
	Chlorophyll *a*	
pH		No less than 6.5 and no greater than 9.0 standard units
Poison Creek[3]		
Total Phosphorus		No greater than 0.025 mg/L TP
pH		No less than 6.5 and no greater than 9.0 standard units

Note: adapted from table 4 of the Cascade Reservoir Watershed 5-Year Review by IDEQ (2018)

[1] milligrams per liter

[2] micrograms per liter

[3] Poison Creek TMDLs are identified as West Mountain Tributaries in Cascade Reservoir Watershed 5-Year Review by IDEQ (2018)

In the early 1990s, excessive algal growth affected all of Cascade Reservoir's beneficial uses. The reservoir was then placed on the §303(d) list of impaired waters due to excessive algal growth, DO, and pH criteria exceedances in 1994. And in 1996 and 1998, IDEQ developed TMDLs for TP to reduce primary productivity and increase DO concentrations in the reservoir (IDEQ 1996 and 1998). IDEQ identified that, "Attaining these targets will likely support beneficial uses within the reservoir and tributary segments and will contribute to attaining beneficial use support in the Cascade Reservoir watershed. Additionally, attaining TP and chlorophyll *a* targets will help achieve DO and pH criteria," (IDEQ 2018). It is important to note that the 1996 TP TMDL developed pollutant allocations for both point and nonpoint sources in the reservoir. IDEQ noted the two primary point sources were McCall wastewater treatment plant and IDFG fish hatchery in McCall (IDEQ 1998), which have been rectified. The major nonpoint source pollutants were from management practices by forestry, agricultural, urban and suburban areas, and internal recycling of nutrient within the reservoir (IDEQ 1998) which are still ongoing and have not been resolved.

The latest iteration of water quality review by IDEQ is documented in the 2018 Cascade Reservoir Watershed 5-Year Review. In that document, IDEQ identifies that from the various water quality parameters they collected in 2015 and 2016 from the reservoir, that "TP concentrations in the hypolimnion peaked during August, which is also associated with the

lowest DO concentrations in the reservoir. The elevated TP concentrations in the hypolimnion indicate the redox conditions induced by anoxic conditions are likely causing dissolved inorganic phosphorus to be released from particles at the bottom of the reservoir" (IDEQ 2018). IDEQ also conducted systematic water quality sampling in the reservoir tributaries. Samples collected from Poison Creek on multiple occasions in 2015 and 2016 exceeded 0.025 milligrams per liter (mg/L) TP limit (IDEQ 2018). The overall conclusion from the 2018 Cascade Reservoir Watershed 5-Year Review is, "water quality improvement projects have been implemented in the Cascade Reservoir watershed, instream water quality targets established by the Phase II TMDL are not being met for TP. Cascade Reservoir's chlorophyll *a* concentrations in 2015 and 2016 were below the target established by the Phase II TMDL, but departures from DO and pH criteria are assumed to be associated with excess biological growth in Cascade Reservoir. The relationship between anoxic conditions in the hypolimnion and resuspension of dissolved phosphorus is also not well understood at this time. The ratio of internal phosphorus to external loading should be examined during the next 5-year review cycle" (IDEQ 2018). IDEQ's overall recommendation is not to adjust water quality parameters identified above in table 1.

The 2022 Monitoring Report on Cascade Reservoir by IDEQ (2023) assessed water quality in relation to TMDL goals for TP, DO, pH, and chlorophyll-a, revealing that TP, pH, and chlorophyll-a targets were not met. Additional monitoring covered total nitrogen, turbidity, specific conductivity, and temperature. The report indicates that beneficial uses such as recreation and aquatic habitat are impaired, primarily due to nuisance algae and frequent cyanobacteria blooms. A 37 percent reduction in external phosphorus sources is recommended for at least five years to improve water quality. The report also states that although nutrient levels in the reservoir improved significantly based on a 5-year review (IDEQ 2018), recreational health advisories related to harmful algal blooms have been issued annually from 2018 to 2021. In 2022, two notable cyanobacteria blooms were recorded, but harmful levels of cyanotoxins were not detected. In a related note, a health advisory was issued for Cascade Reservoir and below the dam by Idaho Department of Health and Welfare on October 18, 2024 (DHW 2024).

In March 2025, Reclamation published *Cascade Reservoir Operations Pilot: Evaluating Operational Alternatives to Reduce Harmful Algae in Cascade Reservoir, Idaho* (https://www.usbr.gov/watersmart/pilots/studies.html). In this study, four reservoir operations were modeled based on specific operational constraints and flexibilities within the Payette River basin system to identify potential effects operations on harmful algae. Overall model results showed:

- Operational alternatives caused minor changes in harmful algae concentrations (-2 to +3 percent), which were not considered significant due to model uncertainties,
- Dynamics of harmful algae were not particularly sensitive to operational changes in dam releases and reservoir levels within the Payette River basin's flexibility, and Various dam release structures did not significantly alter reservoir temperatures, as intake points at mid-elevations released similar average temperatures.

This study also modeled potential future climate and hydrology changes from various global climate models and predicted warmer temperatures could increase the risk of harmful algae growth. But because of the low sensitivity of harmful algae to changes in water levels suggests that simply adjusting reservoir operations may not adequately address these future impacts and additional measures such as nutrient management, would be necessary to effectively control harmful algal blooms. This study can be obtained and viewed in its entirety at: https://www.usbr.gov/watersmart/pilots/studies.html.

All water quality data, graphs, analyses, and discussion can be found in IDEQ's 2018 Cascade Reservoir Watershed 5-Year Review at: cascade-reservoir-watershed-tmdl-five-year-review.pdf (idaho.gov). Additionally, water quality data for Cascade Lake and Poison Creek are available to the public and can be found at: Water Quality Data Home. This database is a cooperative service sponsored by the United States Geological Survey, the Environmental Protection Agency (EPA), and the National Water Quality Monitoring Council. Reclamation regular monitors water quality parameters at Lake Cascade on a 3 to 5-year cycle and all data is housed at the above website.

3.3.2 Environmental Consequences

3.3.2.1 *Alternative A – No Action*

Cascade Reservoir and Poison Creek water quality would continue to change based on anthropogenic and natural upstream watershed inputs, snowpack/precipitation events, reservoir drawdowns/drought, and cyclic changes in reservoir biology. Nutrients, mostly dissolved phosphate concentrations, should decrease slowly in the reservoir water column because of TMDLs administered to the contributing tributaries that limit the concentrations of nutrients identified in the Water Quality Affected Environment section. However, this would be a slow process. Additionally, reservoir sediments likely serve as a phosphate sink, where phosphates from various pollutant sources (such as from past point sources from McCall and continuing non-point sources from around the reservoir) are buried under depositing sediments and when these sediments are mobilized during spring runoff or recreational boating in shallow water, nutrients would become available.

Urbanization and recreation would continue to increase in and around Cascade Reservoir. This would increase the risk of urban related non-point sources such as leaky septic systems and stormwater runoff. These would increase nutrient/chemical loads into the reservoir. And increases in recreation (as suggested in Section 3.2 Recreation), including boating, would potentially increase turbidity, and possibly resuspend sediments that increase nutrients (Alexander and Wigart 2013 and Sagerman et al. 2020) and if conditions are right, potential algae blooms. There are BMPs and other actions to prevent/mitigate issues on Reclamation jurisdictional properties such as provisions for improving sanitation at waste management sites and prohibiting the use of chemicals on Reclamation lands (Reclamation 2002). However, there are sizable areas around the reservoir that are not controlled by Reclamation that could contribute to the non-point source pollutants unchecked. As for recreation, the 300-foot no-wake zone in Cascade Reservoir from the Valley County Waterways Ordinance would aid in decreasing

shoreline erosion and disturbance of bottom sediments, thereby decreasing turbidity, sedimentation, and all the issues previously discussed with reservoir bottom sediments.

Biological processes that contribute to algae population in summer would likely continue to some extent and affect reservoir DO through respiration. When these conditions occur (typically in the late summer), DO concentration could decrease until wind and wave action reintroduces oxygen into the water column, raising DO concentrations. These processes would continue to occur into the long term. Harmful algae blooms would also likely continue and may even increase in the short-term as indicated by the 2022 Monitoring Report on Cascade Reservoir by IDEQ and inferred by the 2025 Reclamation study *Cascade Reservoir Operations Pilot: Evaluating Operational Alternatives to Reduce Harmful Algae in Cascade Reservoir, Idaho*. In the long term, when TMDLs are met, this may decrease the amount harmful algae blooms, but unlikely to eliminate them completely because they are native to the environment.

Excess sediment that erodes into the reservoir via the shoreline would continue to be reduced due to Reclamation's active shoreline protection program started in the 1980s (Reclamation 2002). These measures are effective for preventing erosion of the shoreline during higher pool elevations by minimizing re-suspension of sediments from seiches and waves. Reclamation also issues public permits to construct retaining walls and other erosion control structures to prevent shoreline erosion (Reclamation 2002). Shoreline erosion and sedimentation would continue to affect reservoir water quality in the short and long terms during higher pool elevations on the vast majority of the reservoir's shoreline that is not protected. The shoreline protection program would continue to add rip rap as funding and time is available, and Reclamation would continue to issue retaining wall permits, reducing the potential for shoreline sediments to enter the reservoir.

3.3.2.2 *Alternative B – Poison Creek Marina Facilities (Proposed Action)*

Water quality effects would be similar as those described in Alternative A. The same ecological and anthropogenic processes would continue to occur. Effects from the proposed actions are separated into "Construction" and "Post Construction" effects and are described below. The effects would be additive to the "No Action" effects. It is assumed that Tamarack or their representative would have all necessary permits, as identified in Section 2.4 Alternative B project description, before construction is initiated.

Construction

Staging Area - The proposed extended parking lot would be used for equipment and material staging until the lot is constructed. Due to the extent of bare soil from active construction in the staging area, excess sediment could enter the Poison Creek (less than 100 ft away) or the reservoir (over 500 ft away) either by fugitive dust or by runoff from a storm event. The area would need a dust abatement plan and stormwater pollution prevention plan (SWPPP), which are typically required before construction can begin. These plans identify specific BMPs such as periodically wetting the surface soils to prevent fugitive dust and sediment barriers to prevent runoff from rain events to flow into the waterbodies. These actions are specific to the site and

construction techniques to protect the adjacent water quality. Minor if any effects to Poison Creek and Cascade Reservoir water quality are expected due to these actions.

Related to the staging area, heavy equipment used for construction could introduce contaminates such as oil, grease, hydraulic fluid, and fuel due to construction near the reservoir or parked at the staging area. Standard operations near water requires contaminant containment usually for fuel, but also would include oil, grease, and hydraulic fluid, thereby reducing the risk to the reservoir to a minimum.

Extended Parking Lot, Rental Facility, and Utility Trenching - These proposed construction activities would expose soil that could enter the Poison Creek or the reservoir either by fugitive dust due to construction or wind or by runoff from a storm event. Like the Staging Area analysis, BMPs in the SWPPP such as wetting the surface soil and sediment barriers would minimize the amount of dust/sediment entering the waterbodies.

Trenching for the utility lines is a bit different because the amount of time the trenches are left open and how close they are to water would increase the opportunity for sediment to enter the reservoir. This could be controlled by minimizing the time the specific trench is open by placing the utility line and burying the trench. The exposed trenches for water, electrical and fuel are the closest to the reservoir and the most likely potential sediment contributors. BMPs such as sediment barriers would be used if the trenches were left open for a long time, preventing sediment from directly eroding into the reservoir due to a storm event. Any sedimentation not prevented by the BMPs would be negligible.

Enhanced Public Beach and Upland Recreation Site -The upland recreation site construction would have minimal effects to water quality due to its size and distance from a waterbody. The enhanced public beach area construction would include the placing of sand on the beach and adding a walking path above the beach area. The addition of sand below high-water mark is considered “fill” by USACE and would require a 404 permit. The 404 permit would have specific requirements for adding the sand such as the specific amount of sand that can be added, sand would have to be cleaned (no contaminants or invasive species), and other requirements. These requirements would be part of the permit and would have to be followed by the contractor. Constructing the walking path and placing the sand would have minimal affect to the reservoir water quality. Heavy equipment could have effects and mitigation as identified in the Staging Area analysis section. Potential erosion of placed sand into the reservoir is discussed in the Post Construction section.

Fuel Tank and Dock Anchors - Construction of these items would have minimal effects to the reservoir water quality. The fuel tank construction consists of poring a concrete pad and constructing a fence around the tank and creation of an earthen berm between the fuel tank and reservoir. These are minor construction activities that are not expected to affect water quality.

Placing the helical dock anchors are also a minor construction activity consisting of “screwing” the anchor into the bottom of the reservoir until secure. There could be minor sediment displacement, but the disturbance would be localized and minor and could manifest into a slight increase in turbidity for a short period of time.

Post Construction

Water quality effects from the extended parking lot, rental facility, utility trenching, upland recreation site, season storage of boat docks, and dock anchors post construction are expected to be minimal if any in Poison Creek and Cascade Reservoir. Once these areas are fully functional, vegetated, and otherwise completely constructed, the only water quality effects would be stormwater runoff. This is mitigated by the drainage swale and basin immediately west of the parking lot. Areas around the development have a gutter system directing flows to this area where the stormwater would evaporate and/or percolate in the surrounding soil. Water quality effects are expected to be minimal.

Fuel Tank and System - Once completed, the fuel tank and system hazard to the reservoir water quality would be from a fuel leak in the system or a fuel spill. The fuel tank has containment prevention via an earthen berm to prevent fuel from flowing directly into the reservoir. As for a fuel spill or leak, there would be spill prevention measures performed regularly, and a spill response plan and equipment in place to prevent/contain/clean potential fuel spills. There is a potential of fuel contamination from this system but is minimal compared to uncontrolled fueling/refueling that do not have these measures. Water quality effects are considered minor with these mitigative measures and plans in place. Please refer to Sections 3.4 Hazardous Materials and 3.5 Mitigative Measures for a full analysis on the proposed fuel tank and system.

Enhanced Public Beach - Adding sand to a beach is inherently temporary, because a portion would eventually erode into the waterbody. This occurs due to wave action, overland flow from storm events, and wind action. Effects from this include possible increase in turbidity and sedimentation in the local vicinity immediately after the erosion event occurs. This action would be the same as any bare-reached section of beach that is not protected from erosion. For comparison, the proposed enhanced public beach is a very minor source of potential sediment compared to miles of unprotected shoreline around the reservoir. Overall, short and long-term effects to water quality would be minor.

Boat Dock and Boating - The 100-slip boat dock structure is not expected to cause direct water quality issues, but potential increases in recreational boating may have some effects. As noted in Section 3.2 Recreation, the recreational experience at Cascade Reservoir is shifting from relatively isolated to more developed and structured, a trend likely to continue with population growth and rising visitation. While recreational boating is anticipated to increase, it is essential to differentiate between the "normal" increase in boating that would occur regardless of the marina and the "new" increase driven specifically by the marina's presence. No specific data was found, but assuming that a portion of the 100 boat slips would be used by current recreational boaters, that would leave a certain number of boat slips for “new” recreational boaters. Section 3.2 Recreation identifies baseline number of boats observed during high use was 208 and the during

low use was 40. Assuming 25 percent of the high observed use boats (52 boats) begin to use the marina, that allow 48 "new" boats, assuming the marina was the draw for the boaters. That equates to approximately 23 percent increase in "new" recreational boats over a period of time. This increase in "new" boating activity could increase the turbidity, possibly resuspend sediments that increase nutrients and if conditions are right, lead to increase potential algae blooms (as described in Alternative A) and could occur almost anywhere in the reservoir. Additionally, these same water quality effects could occur near the marina due to potentially more boat traffic. To mitigate the effects of the recreational boat traffic, the 300-foot no-wake zone would aid in decreasing shoreline erosion and disturbance of bottom sediments, thereby decreasing turbidity, sedimentation, and all the issues previously discussed with reservoir bottom sediments. Additionally, the total number of proposed boat-slip was reduced from 200 down to 100, thereby decreasing the total amount of possible boat traffic. It is important to note that adherence and enforcement of the 300-foot no-wake zone is important to successful mitigation of boat traffic on shoreline erosion and disturbance of bottom sediments. Also to note is that there are many assumptions on "new" recreational boat increases at Cascade Reservoir due to lack of specific data.

Combined Effects

The paving of West Mountain Road is unlikely to have water quality effects in the reservoir, when combined with the proposed action water quality effects. Specifically, due to how near this action is to the reservoir, there is a small chance that paving material/gravel could enter the reservoir. With this type of road construction being near water, it is likely BMPs such as erosion barriers would be used to prevent any material from reaching the water. Additionally, the construction is only for a 21-day period, decreasing the time of active construction that could cause the water quality effect.

The other three projects, Cascade Dam Crest Roadway improvements, Garnet Valley Housing in Donnelly, and East Lake Fork Road to SH 55 Project by Valley County are not expected to have any combined water quality effects when combined with the proposed action. The Cascade Dam Crest Roadway improvements have been completed, therefore no effects and Garnet Valley Housing in Donnelly and East Lake Fork Road to SH 55 Project are not near a to Poison Creek or Cascade Reservoir to have combined water quality effects.

3.4 Hazardous Materials

3.4.1 Affected Environment

The Proposed Project area is on Cascade Reservoir which is relatively shallow and currently has no fueling systems anywhere on the reservoir. The area of potential effect is in the northern end of the reservoir at Poison Creek campground.

The IDEQ governs the management of hazardous materials and waste in Idaho. The IDEQ, through rules and standards, defines hazardous waste as having properties that make it dangerous or potentially harmful to human health or the environment. Hazardous wastes can be liquids, solids, contained gases, or sludges. They can be by-products of manufacturing processes or simply discarded commercial projects, such as cleaning fluids or pesticides.

Aboveground storage tanks are containers that store petroleum products or certain other hazardous liquids that can harm the environment and human health if released in the environment. The only way to transport fuel and refuel watercrafts is with handheld fueling cans on surfaces such as parking lot asphalt, ramps, or open water. Fueling operations support recreation activities and largely replace open water refueling using portable gas cans. Installation of the fueling system requires preparing the site for placement of a tank in accordance with state and federal requirements.

3.4.2 Environmental Consequences

3.4.2.1 *Alternative A- No Action*

The No Action Alternative would create no new fueling system. The existing methods of using portable fuel cans and open water refueling methods would continue and increase in proportion to boating operations. The existing method requires the filling at fuel stations, or transportation of gas cans as needed by boat operators. Methods for transportation, storage and filling is largely at the discretion of the operators. Small releases from portable gas cans may go unnoticed and unreported for tracking.

3.4.2.2 *Alternative B- Poison Creek Marina Facilities (Proposed Action)*

The proposed action would introduce a fixed fueling system including a double walled 12,000-gallon gasoline above ground storage tank (AST), fueling dispensers, a buried piping system that spans the riparian area and continues onto the floating dock system, and all required containment and emergency shutdown equipment. Installation of the fueling system requires minor improvements to the existing property in support of burying piping, constructing secondary containments, and preparing the site for placement of a tank in accordance with state and federal requirements.

The 12,000-gallon AST will be filled utilizing commercial fuel transporters commuting from distribution facilities. Fuel transportation will begin from a tank farm or wholesale location and continue along federal interstates, state highways, and public access roads concluding at the AST. The AST would likely be refilled once a year for the first few years and then increase to twice over the next 5 years.

The fuel system would be in conformance with all current AST regulations, include the Tier II Spill Prevention Control and Countermeasures (SPCC) requirements, prior to operation. Reportable releases as defined by IDEQ would be reported and managed through existing regulations via Idaho Office of Emergency Management, the National Response Center and local emergency planning committees. Because fueling systems are regulated across multiple agencies

and regulations, long term effects from the installation and usage of the AST would not be present for this project. Required emergency equipment would be installed to include emergency shutdown, secondary containment, staff training, on-site spill kits, and on-going inspection programs. Fueling operations support recreation activities and will largely replace open water refueling using portable gas cans. The potential for contamination from incidental spills and organic vapors increases due to the increased volume of fuel near the reservoir and operational activities on Cascade Reservoir. Because the entire fuel system would be operated and managed in accordance with federal and state regulations, the potential for a release is minimal.

Short term effects would be presented when spills limited to small drips or releases during boat refueling occur. These instances would introduce Volatile Organic Compounds to ambient air, disperse gasoline into the water column, and have potential to impact biological factors (see Section 3.6 Biological Resources). Due to the expected size of small spills, natural attenuation is the most effective and least invasive means for clean-up. In the event of a larger spill, response procedures would be listed and followed in the facility's SPCC plan. The greatest refueling operations will be seasonal, as the dispensers will be open in conjunction with Marina operating hours and removed for the winter. Spill prevention measures would be performed regularly, and a spill response plan and spill response equipment would be in place.

3.4.3 Mitigation Measures

Management of Hazardous Materials

Various federal and state laws address the proper handling, use, storage, and disposal of hazardous materials, as well as requiring measures to prevent or mitigate injury to health or the environment if such materials are accidentally released. The EPA is the agency primarily responsible for enforcement and implementation of federal laws and regulations pertaining to hazardous materials. The marina is required to be operated in accordance with applicable Federal hazardous materials regulations. Applicable federal regulations pertaining to hazardous materials are primarily contained in CFR Titles 29, 40, and 49.

Transport of Hazardous Materials

The U.S. Department of Transportation regulates transport of hazardous materials between states and is responsible for protecting the public from dangers associated with such transport. The federal hazardous materials transportation law, 49 USC 5101 et seq. is the basic statute regulating transport of hazardous materials in the United States. 49 CFR consolidates the laws and defines hazardous materials in 49 CFR 172.101. The definition includes Motor Spirit, or Gasoline, or Petrol. Based on the definition, tankers refueling the AST with gasoline must be transported in accordance with applicable rules specified in 49 CFR.

Storage of Petroleum in AST

The EPA is the regulatory authority on ASTs. Regulations listed in 40 CFR 112. These regulations require the development and implementation of a Tier II SPCC plan reviewed and signed by a licensed Professional Engineer familiar with the system and location. This plan would further detail what operational controls and response equipment is present as well as the specific inspection schedule. Facility staff would be required to maintain an annual training program for the site.

Worker Safety

The Federal Occupational Safety and Health Administration (OSHA) is the agency responsible for assuring worker safety in the handling and use of chemicals identified in the Occupational Safety and Health Act of 1970 (Public Law 91-596, 9 USC 651 et seq.). OSHA has adopted numerous regulations pertaining to worker safety, contained in CFR Title 29. These regulations set standards for safe workplaces and work practices, including standards relating to the handling of hazardous materials and those required for excavation and trenching.

3.5 Hydrology

3.5.1 Affected Environment

Cascade Dam, near Cascade, Idaho, on the North Fork on the Payette River, is a zoned earthfill structure 785 feet across the crest. The initial total storage capacity was 703,200 acre-feet (active 653,200 acre-feet). The spillway is located on the right abutment of the dam. The invert is 45 feet wide at the crest under the radial gates and about 330 feet long excluding the open cut channel to the reservoir. The design capacity is 12,500 cubic feet per second (ft^3/s) with the water surface at elevation 4828.0 feet. Two 21-foot wide by 20-foot high radial gates are installed on the crest of the spillway to provide means for regulating the discharge of water over the spillway and to provide protection for the dam in the event of a sudden rise in reservoir water level. A sedimentation survey completed in 1995 at Lake Cascade estimated the total capacity at 693,200 acre-feet (active 646,500 acre-feet).

The reservoir is used for irrigation, recreation, flood control, and wildlife purposes. During the spring, the dam is operated to reduce flood impacts while attempting to capture and store as much runoff for irrigation use in the summer and early fall. During the summer and early fall, water is released to meet downstream demands. In mid-October, flows are reduced to winter minimum flows of 200 ft^3/s and held at that rate until spring runoff occurs and flood operations begin, normally in the March-April time period. Figure 5 depicts the average, maximum and minimum elevation from the last 20 years (2000 to 2020).

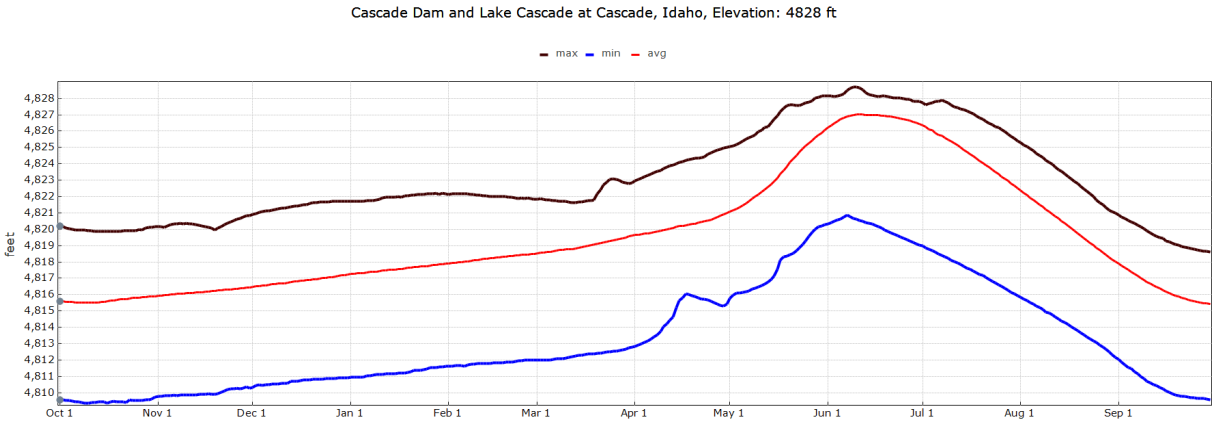

Figure 5.—Average, maximum, and minimum water elevation of Lake Cascade from the last 20 years (2000–2022).

3.5.2 Environmental Consequences

3.5.2.1 *Alternative A – No Action & Alternative B – Poison Creek Marina Facilities (Proposed Action)*

Under the No Action and Proposed Action alternative, water operations would continue as status quo. In the spring, the dam would be operated to reduce flooding events and store water for summer and early-fall delivery needs. In mid-October, flows would be reduced to the target minimum flows of 200 ft^3/s until the following spring runoff.

3.6 Biological Resources

3.6.1 Affected Environment

3.6.1.1 *Vegetation*

Much of the vegetation within the proposed project footprint is already disturbed, manicured, mowed lawns intermixed with some native vegetation. Natural vegetation types found within and surrounding the proposed project area may include understory grasses and forbes, mid-story shrubs, pockets of forest, and wetland and riparian communities. Understory grasses may include Bluebunch wheatgrass (*Agropyron spicatum),* Western wheatgrass (*Agropyron spicatum)* Idaho fescue (*Festuca idahoensis),* Needle-and-thread grass (*Stipa comata),* and Sandberg's bluegrass (*Poa secunda)*. Forbes found within the proposed project area may include Fireweed (*Epilobium angustifolium),* Penstemon (*Penstamon deustus),* Arrowleaf balsamroot (*Balsamorhiza sagittate),* Pacific trillium (*Trillim ovatum),* Lupine (*Lupinus* spp.), Tapertip hawksbeard (*Crepis acuminata),* and Goldenrod *(Solidago Sp*.) among others. The Poison Creek area does contain some dispersed mid-story shrubs such as ninebark (*Physocarpus malvaceus*), serviceberry (*Amelanchier alvifolia*), hawthorn (*Crataegus douglasii*), bitter cherry (*Prunus emarginata*), mountain ash (*Sorbus* spp.), Woods rose (*Rosa woodsii*) and syringa (*Philadelphus lewisii*) are

scattered throughout this community. It also contains a few remnant conifers including Douglas-fir (*Pseudotsuga menziesii*), Lodgepole (*Pinus contorta*) and Ponderosa Pine (*Pinus Ponderosa*) as well as a few quaking aspen (*Populus tremuloides*) groves.

Executive Order (EO) 13112, Invasive Species requires federal agencies to prevent the introduction of invasive species, provide for their control, and to minimize the economic, ecological, and human health impacts that invasive species cause. However, given the project setting (IDPR managed park setting), and the lack of regulatory database information for potential invasive species, no further consideration to invasive species (beyond the potential spread of invasive terrestrial vegetation) is warranted.

3.6.1.2 *Wetlands*

Wetlands and riparian communities along the reservoir and Poison Creek tributary perform many important ecological functions, including improved water quality, flood control, shoreline stabilization, contribution to groundwater recharge and streamflows, primary production in the food chain, and wildlife and fish habitat (Reclamation 2002). In addition, they also provide social benefits as natural areas for aesthetic, recreational, and educational opportunities. A variety of Federal and state regulations require consideration of wetlands during construction and other activities. The most substantial of these regulations are the Clean Water Act (especially Section 404, which requires a permit for wetland disposal of fill and dredge material), NEPA, the Idaho Lake Protection Act, and the Stream Channel Protection Act. All Federal agencies are subject to these regulations.

Wetland and riparian communities, as defined for the purposes of the proposed project, include shallow and deep marshes; wet meadows; and herbaceous riparian communities. Many of the wetland and riparian communities are directly supported by the water stored in the reservoir. Wetlands extend along much of the western shoreline. This shore has a cover of rushes, sedges, various grasses (both wetland and upland species), and occasional clumps of other emergent wetland species such as cattails (*Typha latifolia*), wet meadow forbes such as shooting stars (*Dodecatheon meadia*), common camas (*Camassia quamash*) and elephants head (*Pedicularis groenlandica*), with willow (*Salix* spp.), alders (*Alnus* spp.) and aspens (*Populus tremuloides*) along the high-water areas and tributaries. The largest concentrations of wetlands along the western shore occurs between Poison and Gibson creeks, and in the Willow Creek area at the southern tip of the reservoir.

Although the proposed project is primarily within a designated recreation area, the adjacent lands have been designated either Conservation Open Spaces (COS) or Wildlife Management Areas (WMAs) which were officially designated at the locations of many of the larger wetland areas as a result of implementation of the 1991 RMP. Two of these are located just to the south of Poison Creek, Mallard Bay (COS) was created as a buffer between residential area of the now Tamarack Resort and the Duck Creek (WMA). Several COS areas are also designated to the north in between the established Recreation areas.

3.6.1.3 *Fish*

Both IDFG and the U.S. Fish and Wildlife Service (USFWS) assist Reclamation in managing fish and wildlife resources. The Fish and Wildlife Coordination Act, the Endangered Species Act, and the NEPA provide authority and guidance for Reclamation as a Federal agency to protect, conserve, and enhance wildlife and fisheries resources. Lake Cascade reservoir provides a mixed fishery (both cold water and warm water species) and is one of the most heavily fished waters in the state (IDFG 2023). In addition to recreational benefits, the reservoir fishery is also the main source of prey for eagles, ospreys, otters, and other wildlife. Associated with the reservoir are the fisheries resources of its four main tributaries, the North Fork Payette River, the Lake Fork River, Gold Fork River, and Willow Creek. These tributaries, along with numerous smaller ones, also provide recreational fishing opportunities as well as forage for local wildlife.

Rainbow trout and coho salmon (*O. kisutch*) populations are supplemented through stocking programs by IDFG. Yellow perch (*Perca flavescens*) were at one time the most common catch in the reservoir, until they almost disappeared from the reservoir due to predation by pikeminnow (*Ptychocheilus oregonensis*) and suckers (*Catostomidae macrocheilus*) The quality of this fishery improved dramatically when IDFG staff completed a major restoration project in 2004–2006. The project included suppressing northern pikeminnow to decrease predation rates on perch and transplanting more than 800,000 mostly adult perch from nearby waterbodies (IDFG 2020a).

Cascade Reservoir is open to fishing all year. Sport fishing activity focuses primarily on rainbow trout (*Oncorhynchus mykiss*) during spring and fall. Summer fishing focuses on warm water species. Winter fishing opportunities on the reservoir are limited since the decline of the perch fishery. Unlike the reservoir, the major tributaries are closed to fishing during the spring and fall spawning period upstream of slack water reservoir areas. This closure protects spawning fish and helps maximize production from the tributaries.

Spawning conditions for warm water game and non-game fish in the reservoir are generally good. Shoreline gravels, rocks, and vegetation usually remain inundated long enough for spawning, egg development, and fry emergence to occur. The cold-water species and some non-game species, such as the northern pikeminnow, primarily spawn in the tributaries. Cascade Reservoir has the potential to provide good rearing habitat for both warm and cold-water fish. The reservoir inundates a broad, flat valley and has relatively flat underwater topography. The existing shallow profile of the reservoir is exaggerated by periodic drawdowns. Even with annual fluctuations, the large, shallow shoreline zone is productive for benthic organisms and some aquatic vegetation. However, this high productivity, coupled with the shallow reservoir profile and watershed-wide nutrient inputs, has resulted in periodic poor water quality conditions in the reservoir. The primary hazards to fish as a result of the poor water quality are low dissolved oxygen levels during winter and summer months and elevated water temperatures in the late summer.

Species from the reservoir using the tributaries for rearing and spawning include rainbow trout, coho and kokanee salmon (*O. nerka*), and northern pikeminnow. Warm water reservoir species may also occasionally be found in the tributaries, but their use is probably limited. The main tributaries also have resident populations of cold-water species, which include rainbow trout, mountain whitefish (*Prosopium williamsoni*), and northern pikeminnow.

3.6.1.4 *Wildlife*

Most permanent wildlife within the immediate project area is limited since most of the areas native vegetation and habitat has been established as a recreation site, however within the general environment and adjacent COS and WMAs and shoreline wildlife is always a constant. The surrounding areas provide habitat for forage, shelter, and reproduction sites, for several wildlife species. The most crucial, abundant, and sensitive of these habitats are the riparian areas and wetlands. The emergent vegetation, adjacent wet meadows, swales, mudflats, and sandbars are critical as nesting, feeding, and loafing habitat for waterfowl, shorebirds, and wading birds. USFWS (1990) indicates that 151 species of birds, 47 mammal species, 8 amphibian, and 5 reptile species are found in the vicinity of Lake Cascade (Reclamation 2002).

Birds

The 1918 Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703-712) establishes a federal prohibition to pursue, hunt, capture, kill, collect, possess, buy, sell, trade, or transport migratory bird, nest, young, feather, or egg, without a permit issued in accordance with the policies and regulations of the MBTA. Under the act, "take" is defined as "to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect migratory birds." The MBTA does not prohibit the destruction of the bird nest alone (without birds or eggs), provided that no possession of the nest occurs during destruction. There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured.

In December 2017, Memorandum M-37050 (the "M-Opinion") was issued by the Department of the Interior (DOI) Office of the Solicitor. The M-Opinion reversed the previous prohibition of incidental take under the MBTA. The USFWS is subject to the M-Opinion and issued a Guidance Memorandum that concurs with the M-Opinion and describes how it applies to its enforcement of the MBTA moving forward. The USFWS guidance reiterates that the MBTA does not prohibit the incidental take of migratory birds when the ultimate purpose of an action is something other than the purposeful take of migratory birds, their eggs or their nests. However, the same guidance letter states that impacts to migratory birds must still be considered under NEPA. Therefore, for projects that have a federal nexus, impacts to migratory birds (including incidental take) must still be documented and evaluated.

Although they cover only 6 percent of the Earth's land surface, 40 percent of all plant and animal species depend partly or wholly on wetland and riparian communities for their survival (USFWS 2023). A few of the many species of water-oriented birds reported inhabiting the Lake Cascade area during the breeding season or during migration are: Bald eagle (*Haliaeetus leucocephalus*), Osprey (*Pandion haliaetus*), White pelican (*Pelecanus erythrorhynchos*), Common merganser (*Mergus merganser*), Western grebe (*Aechmophorus occidentalis*), Great

blue heron (*Ardea Herodias*), Sandhill Crane (Grus Canadensis), several species of gulls, ducks and shorebirds such as Killdeer (*Charadrius vociferus*), Lesser yellowlegs (*Tringa melanoleuca*), and Spotted sandpiper (*Actitis macularia*).

This is not a complete species list but represents the variety of water-oriented birds found at the reservoir. Cascade Reservoir is an important migration staging and resting area for water-oriented birds flying south in October. Birds generally flock in separate masses of 100 to 200 birds each according to species. Several of these species, such as dabbling ducks, feed on small grains harvested in fields east of the reservoir, then return to the reservoir for loafing. Shorebirds also use the area as a rest stop during migration. Because of its high elevation, Cascade Reservoir functions mainly for the initial congregation of migrating birds during the fall. Mallard Bay COS is one of the larger wetlands that support a number of species including a colony of nesting western grebes (*Aechmophorus occidentalis*). Common loons (*Gavia immer*), a species of special concern that have similar habitat requirements as the western grebe, have also been sighted in this wetland, although no nests have been found, possibly because this species needs seclusion. Long-billed curlews (*Numenius americanus*), a more upland shorebird, may also be seen in the area, but a nesting pair could not be confirmed, however a nesting pair of Sandhill Cranes was confirmed in 2022 within the Duck Creek WMA. Most of these water-oriented birds are sensitive to disturbance during the nesting and rearing season between mid-March and the end of June. The upper arms of the reservoir support the greatest abundance and diversity of wildlife because of the intermingled mosaic of habitat types.

In addition to water-oriented birds, numerous neotropical migrants are common, some species that may be observed in the area are Tree swallow (*Tachycineta bicolor*), Gray jay (*Perisoreus canadensis*), Western kingbird (*Tyrannus verticalis*), Dark-eyed junco (*Junco hyemalis*), Mountain chickadee (*Parus gambeli*), Mountain bluebird (*Sialia currucoides*), Belted kingfisher (*Ceryle alcyon*), Steller's jay (*Cyanocitta stelleri*), Calliope hummingbird (*Stellula calliope*), Yellow-rumped warbler (*Dendroica coronata*), Yellow warbler (*Dendroica petechia*), and Western Tanager (*Piranga Ludoviciana*). The conifers west of the proposed project area also provide suitable habitat for Blue (*Dendragapus obscurus*), ruffed (*Bonasa umbellus*), and spruce grouse (*D. canadensis*) and cavity-dependent bird species, such as pileated woodpecker (*Dryocopus pileatus*), Lewis' woodpecker (*Melanerpes lewis*), wrens (*Troglodytes* spp.), and nuthatches (*Sitta sp*.).

The Bald and Golden Eagle Protection Act, prohibits anyone, without a permit issued by the Secretary of the Interior, from "taking" bald eagles, including their parts, nests, or eggs. The Act provides criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof." The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." "Disturb" means: "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior." This definition also covers impacts resulting from human-induced alterations initiated

around a previously used nest site during a time when eagles are not present, if, upon the eagle's return, such alterations agitate or bother an eagle to a degree that interferes with or interrupts normal breeding, feeding, or sheltering habits, and causes injury, death or nest abandonment. Cascade Reservoir raptor populations include great-horned owls (*Bubo virginianus*), especially in the upper arms of the reservoir. Great Gray owl may also be present in the thicker forested areas. More common raptors that are usually seen are the osprey (*Pandion haliaetus*). Osprey numbers have increased considerably since Cascade Dam was completed and the reservoir filled. This expansion is the result of several factors, including prohibiting the use of long-lived pesticides, construction of nesting platforms, and a productive fishery in Cascade Reservoir. Nesting concentrations are highest where artificial nesting platforms have been erected around the reservoir. A study by college of Western Idaho in 2016 monitored more than 150 nests from south of Cascade in Cally County to north of McCall. Nests are built on snags (58 percent), live trees, power poles, and artificial platforms (20 percent) with concentrations in the Duck, Gold Fork, and Willow Creek areas (CWI 2016).

Ospreys are most sensitive to disturbance early in the nesting season from mid-April through mid-July. A no disturbance buffer area of 1/4- to 3/4-mile radius around a nest is generally recognized as the area needed to provide effective protection. However, many of the osprey at Lake Cascade have demonstrated their adaptability to certain types of human activity, with several nests located next to roads. Ospreys have shown a high degree of tolerance of high-speed highway traffic as long as vehicles move quickly past the nest site.

There have been summer sightings of peregrines in the Duck Creek area where their primary prey base, waterfowl, are abundant. No peregrines are known to nest in the vicinity of Lake Cascade. The nearest reports being around Warm Lake and Yellow Pine area (IDFG 2021).

Mammals

Some of the small mammals that commonly occur in the vicinity of the proposed project area though are likely seldom seen are Masked shrew (*Sorex cinereus*), Long-legged brown bat (*Myotis volans*), Montane meadow mouse (*Microtus montanus*), Deer mouse (*Peromyscus maniculatus*). More visible during the morning and evening mammals that may be seen or heard are the: Golden-mantled ground squirrel (*Spermophilus laterlis*), Red squirrel (*Tamiasciurus hudsonicus*), Snowshoe hare (*Lepus americanus*), Yellow-bellied marmot (*Marmota flaviventris*), Mountain cottontail (*Sylvilagus nuttallii*), Yellow pine chipmunk (*Eutamias amoenus*), and occasionally a Porcupine (*Erethizon dorsatum*). Terrestrial small mammals provide an important food supply for area predators. The open reservoir and reservoir arms and adjacent wetland meadows also provide high quality habitat for furbearers such as beaver (*Castor canadensis*), river otter (*Lutra canadensis*), muskrat (*Ondatra zibethicus*), mink (*Mustela vison*), badger (*Taxidea taxus)*, raccoon (*Procyon lotor*), coyote (*Canis latrans*), striped and spotted skunk (*Mephitis mephitis, Spilogale putorius)*, long-tailed weasel (*Mustela frenata*), and red fox (*Bulpes vulpes*).

Larger mammals are less common but are present in the area including White-tailed deer (*Odocoileus virginianus*) which occur in riparian areas. A few elk (*Cervus elaphus*) and mule deer (*Odocoileus virginianus*) use the dense timber and wet meadow complexes along West

Mountain Road during the spring and summer. An occasional Moose (*Alces alces)* may also be seen along this area, there is no resident population and overall Idaho moose populations are on the decline due to low winter survival and disease (IDFG 2020b). During late November, these species migrate west into the Weiser River drainage for the winter. The west shoreline is not good winter range because of its colder, east-facing exposure and greater accumulation of snow, although some wintering may occur in mild winters. Mountain lion (*Felis concolor*), bobcat (*Lynx rufus*), and pine marten (*Martes americana*) occur in the mountains to the west of the reservoir but rarely occur in the valley. Black bears (*Ursus americanus*) are nomadic, with their movements depending largely on berry production of forest shrubs, one of their main sources of food. Black bears generally stay in the forested areas on West Mountain except during dry, poor berry years.

Big game and waterfowl hunting on Reclamation lands is not encouraged because of the potential danger to adjacent residents. However, Reclamation has no enforcement authority with regard to hunting except in campground areas. The IDFG has full authority and responsibility and would cooperate with Reclamation if a hazard is shown to exist.

Amphibians and Reptiles

The former river meanders of the larger tributaries entering the reservoir provide high quality habitat for amphibians. Populations of many frog species have apparently suffered declines on a global scale in recent years, making all suitable habitats especially important. The following is a list of current amphibians and reptiles that may be present within the project area.

Table 2.—List of amphibians that may be present in the project area

Amphibians	
Common Name	**Scientific Name**
Long-toed salamander	*Ambystoma macrodactylum columbianum*
Western toad	*Bufo Boreas*
Pacific chorus frog	*Hyla regilla*
Spotted frog	*Rana luteiventris*

Table 3.—List of reptiles that may be present in the project area

Reptiles	
Common Name	**Scientific Name**
Rubber Boa	*Charina bottae*
Gopher snake	*Pituophis melanoleuces deserticola*
Common garter snake	*Thamnophis sirtalis*
Western garter snake	*Thamnophis elegans*

3.6.2 Environmental Consequences

3.6.2.1 *Alternative A – No Action*

Under the no action alternative, there would be no impacts to vegetation as much of the area within Poison Creek recreation area has already been modified or disturbed as manicured lawn or parking areas. All vegetation would remain in place and undisturbed. Wetlands along the shore would also be left untouched and any ongoing treatments for invasive plant species would continue if necessary. Additionally, there would be no short-term or long-term, adverse or beneficial effects to fish species. The existing boat dock and marina area within Poison Creek could eventually become overcrowded if the existing facilities remain the same. Under the no action alternative, the benefits to aquatic species using the existing area could include a slower increase in visitation numbers and no immediate increase in boat traffic, resulting in less stress and decline in potential boat interactions.

Under the No Action Alternative, there would be no long-term adverse or beneficial effects to wildlife species. The existing boat dock and proposed marina area within Poison Creek could eventually become overcrowded if the existing facilities remain the same. A slower increase in number of visitors to the Poison Creek area may have beneficial effects to wildlife because less disturbance from less human interaction and noise. Overall, the current condition of the proposed project area does not contribute a measurable impact to combined effects to wildlife but may be beneficial, resulting from less visitors.

3.6.2.2 *Alternative B – Poison Creek Marina Facilities (Proposed Action)*

Vegetation

Due to the nature of the project, some of the actions involve impacts to previously undisturbed vegetation. Due to periodic maintenance (such as regular mowing intervals) and previous disturbance of the natural understory, and mid-story, the vegetation impact would be minimal. Since there is already existing dock access there should be minimal impacts to the shoreline wetland areas. Short-term effects would be temporary during construction but would be restored to their previous conditions re-contoured and replanted if necessary. Ongoing treatment of invasive vegetative species would continue as necessary. IDPR would place the well-known, ‘Clean, Drain, Dry’ slogan signs at the boat ramp to inform recreators of the steps to take as a boat owner to help prevent the spread of invasive species. These signs are placed at other boat ramps around the reservoir and are part of a well-known program through US Fish and Wildlife Service. Additionally, Tamarack Resort would include dry drainpipes in the expansion of the parking lot and is in the process of applying for Valley County Waterways grants for inspection and/or boat hot wash capabilities to continue to prevent the spread of invasive species. Combined Effects: Past, present, and reasonably foreseeable future actions would have minimal impacts on vegetation and wetlands within or surrounding the proposed project area because of the timing and location of these projects being geographically far enough away.

Fish

The construction of any additional boat slips in the vicinity of the Poison Creek area could result in minor, short-term or temporary impacts on aquatic life. The observed shore aquatic habitat is limited due to the site already being used as a dock and boat launch/ramp. Construction of the boat slips associated with the action alternative could provide some additional structural habitat for fish in the reservoir. However, the benefits associated with dock construction would be offset by increased activity during construction and may temporarily displace aquatic species due to installation of dock facilities in the expanded lease areas. It is anticipated that displaced aquatic resources would return and reestablish after project construction was complete.

In the long-term, as with any substantial marina expansion, the addition of vessels into a concentrated area of water over time may result in increased risk for leak of pollution sources associated with boating recreation including, but not limited to, litter and fuel leakage, which may impact aquatic habitat. However, conditions in commercial marina leases generally include a condition that all sanitation facilities on boats moored at the Lessee's facilities, including rental boats, to be sealed against any discharge into the lake. Lease requirements also generally require services for waste disposal, to be provided by the Lessee and prohibit the discharge waste or effluence from the premises in a manner that would contaminate streams or other bodies of water or otherwise become a public nuisance. These restrictions help to mitigate the potential impact of vessel-based pollutants.

Wildlife

Under Action Alternative B, there would be short-term adverse effects to wildlife. Increases in noise, vibration and turbidity could have temporary adverse impacts on nearby wildlife but would cease after construction is completed. This effect is expected to be minor for the following reasons: the preferred action area is already used as a park and boat ramp area, the abundance of adjoining similar habitat to the preferred action area, and the minor amount of wildlife within the immediate preferred action area. There is the potential for in-water activities to disturb species, however wildlife in this area is accustomed to boats and people in these locations and could have minimal short-term additional effect. This project may deter bald eagles and migratory birds from the area with the presence of equipment, vibrations, and excessive noise.

Long-term actions would have minimal impacts on wildlife as many would relocate permanently and/or return when desirable.

Combined Effects: Past, present, and reasonably foreseeable future actions would have minimal impacts on fish within or surrounding the proposed project area because the activities are not near the water except for the East Lake Fork Bridge which would have BMPs for their construction to lessen any minor impacts that could compound for fish in the reservoir. Past, present, and reasonably foreseeable future actions would have minimal impacts on wildlife within or surrounding the proposed project area because of the timing and location of these projects being geographically far enough away from the proposed project area.

3.7 Threatened & Endangered Species

3.7.1 Affected Environment

A preliminary report for the area of impact in Valley County, Idaho was generated through the USFWS Information for Planning and Consultation (IPaC) online tool that indicated the potential presence of three listed (threatened) species (Canada Lynx – *Lynx canadensis*; North American Wolverine – *Gulo gulo luscus*; and Bull Trout – *Salvelinus confluentus*), and one Candidate species (monarch butterfly – *Danaus plexippus*). No proposed or designated critical habitats associated with any listed species overlap with the project's area of influence. Each species identified is discussed in further detail below and the full IPaC report is included as appendix A.

3.7.1.1 *Canada Lynx*

Life History and Threats

The Canada lynx (*Lynx Canadensis*) is a forest-dwelling cat native to northern latitudes. Canada lynx are highly adapted to moist, cool, boreal spruce-fir forest habitats where their large paws with attendant low foot-load ratio give them a hunting advantage in deep, powdery snow. Canada lynx are specifically associated with areas where this habitat type is occupied by snowshoe hare, the lynx's primary prey. Canada lynx are not well suited to other additional types of habitats where snowshoe hare are also found. Lynx populations cannot be sustained in more temperate forest type transition zones, as the species requires persistent deep, powdery snow through much of the year to limit predator competition for prey. This species is therefore likely sensitive to climate change, and the southern boundary of its range may recede toward higher latitudes with warming temperatures. It is currently listed as Threatened (USFWS 2024a).

Occurrence in the Affected Area

According to data made public by the IDFG, Canada lynx observations in Valley County are limited to one verified incidental observation of a dead specimen which occurred in 1939, two verified live individuals captured in 1999 (two individuals), one "trusted" incidental observation of lynx reported in 1976, and three "possible" observations reported in 1972 (dead), 1988 (alive) and 1992 (alive) (IDFG 2024a). Although it is possible individuals periodically move through the area surrounding the proposed project, it is unlikely given the relatively low elevation of the project site (approximately 1,471 meters (m) at the streambank) and the high human activity throughout the year in the project area.

3.7.1.2 *North American Wolverine*

Life History and Threats

The North American wolverine (*Gulo gulo luscus*) is the largest member of the Mustelidae family. Wolverines occur in alpine, boreal, and arctic habitats including boreal forests, tundra, and western mountains. The wolverine has a relationship with persistent spring snow that is obligate at the den scale; that is, the wolverine requires deep (greater than 1.5 meters (m) deep), stable, and persistent spring snow for successful denning and reproduction. Due to this habitat

requirement for conditions cold enough to support persistent snow, the southern portion of their range (California, Colorado, Idaho, Montana, Washington, and Wyoming) is limited to high-elevation alpine habitats. In Idaho, natal den sites are known to occur only in locations above 2,500 m (8,200 ft.). This species is currently listed as Threatened per the USFWS Environmental Conservation Online System species profile (USFWS 2024b).

Occurrence in the Affected Area

Due to the relatively low elevation range of the project area (1,471 m) and the lack of suitable alpine or boreal habitat conditions required by this species, denning populations of wolverines would not be expected to be present. However, wolverines are known to occasionally travel long distances between patches of suitable habitat. Therefore, although unlikely, it is possible that individuals could infrequently utilize habitat in or adjacent to the project area as a migration corridor.

3.7.1.3 *Bull Trout*

Life History and Threats

Bull Trout (*Salvelinus confluentus*) are dependent on cold, clean, and generally complex habitat features associated with higher elevation headwaters. They exhibit two life histories: resident and migratory. Adfluvial bull trout associated with Reclamation facilities have been documented to reside primarily in reservoirs and controlled rivers for about 6 months during the period from November to June; however, fish have been documented to spend as much as 20 months within these areas before returning to headwater streams to spawn (Salow and Hostettler 2004). Bull trout do, however, remain in mainstem, regulated rivers and occasionally move into reservoirs during the summer months. Dunham et al. (2003) found that the probability of bull trout occurrences is low when mean daily water temperatures exceed 14 to 16 °C (Celsius); Selong et al. (2001) reported that maximum growth of bull trout occurred at 13.2 °C.

Threats to Bull Trout include land management practices such as logging, grazing, and road construction, where such practices have degraded habitat through increased sedimentation of spawning gravels, high stream temperatures, and poor water quality (Dunham and Rieman 1999; USFWS 1999). Additional threats to Bull Trout, throughout their distribution, include dams and other barriers (such as impassable culverts) that block adult migrations and access to spawning habitat, and introduced non-native fishes (such as brook trout) that can hybridize with, compete with, and prey on Bull Trout (Kanda et al. 2002).

Occurrence in the Affected Area

This project involves activities which fall within the greater geographic range identified by USFWS as bull trout habitat. However, seasonal barriers are present in the streams that connect high elevation Bull Trout habitat to lower elevation habitats. Additionally, non-native brook trout have hybridized or outcompeted bull trout in most tributaries. Barriers and effects of non-native species have restricted the distribution of Bull Trout to high elevation habitats where individuals exhibit resident life history behavior. No detections for bull trout have been verified in Cascade Reservoir since the species was listed in 1998.

3.7.1.4 *Monarch Butterfly*

Life History and Threats

The Monarch butterfly is a butterfly species that is globally distributed, with the North American populations being well-known for long-distance migration. They are obligate to their larval host plant, milkweed (primarily *Asclepias spp.*), five native species of which are widespread in Idaho (Kinter 2019), on which they lay eggs and larvae emerge in 2 to 5 days. Multiple generations of monarchs are produced in a breeding season; most individuals live approximately 2 to 5 weeks, but overwintering adults enter reproductive diapause (suspended reproduction) and may live 6 to 9 months.

Migratory individuals in western North America generally fly shorter distances south and west to overwintering groves along the California coast into northern Baja California. In the spring in western North America, monarchs migrate north and west over multiple generations from coastal California toward the Rockies and to the Pacific Northwest. Adult monarch butterflies during breeding and migration require a diversity of blooming nectar resources (or nectaring habitat), which they feed on throughout their migration routes and breeding grounds (spring through fall). Monarchs also need milkweed (for both oviposition and larval feeding) embedded within this diverse nectaring habitat. The correct phenology, or timing, of both monarch presence and nectar plants and milkweed is important for monarch survival. In western North America, nectar and milkweed resources are often associated with riparian corridors, and milkweed may function as the principal nectar source for monarchs in more arid regions (USFWS 2020). This species is currently listed as a candidate species (USFWS 2024a).

Occurrence in the Affected Area

Milkweed has not been found around Lake Cascade since 1935 (WMMM 2024). Additionally, IDFG developed a Monarch Milkweed Predicted Distribution site that displays the likelihood of monarch butterfly, showy milkweed, and swamp milkweed distribution throughout Idaho. All areas around Lake Cascade, including the project site, have a near 0 likelihood of presence for these species (IDFG 2024b). It is unlikely that Monarch Butterfly or milkweed species are within the project area.

3.7.2 Environmental Consequences

3.7.2.1 *Alternative A – No Action*

Current aquatic and riparian habitat conditions, as described in the description of the affected environment, would remain mostly unchanged under the no-action alternative. Changes to the project area could include increased visitation over time which could lead to increased urban development and increased traffic which could increase human wildlife interactions, discouraging lynx and wolverine from traveling through the area. This would likely have a low impact on individuals traveling through because the area surrounding Cascade Reservoir is already unsuitable habitat and increased activity would be in the spring and summer months, when wolverine and lynx are likely not in the area. Climate variability may decrease the

available habitat in the surrounding higher elevations, reducing the likelihood of individual lynx or wolverine traveling through the project area. Monarch butterfly and bull trout are not found in the area and would therefore not be affected.

3.7.2.2 *Alternative B – Poison Creek Marina Facilities (Proposed Action)*

Monarch butterfly and bull trout are not found in the area and would therefore not be affected by the proposed action. There could be disturbance to individual lynx or wolverine traveling through the area, but this would be temporary and minimal. The project area is already developed and surrounded by urban development and therefore, no undisturbed habitat is being affected. Construction of the new parking lot, above ground fuel storage, retail and rental cabana, parking and gathering area, fuel dock, and boat slips would occur during spring and summer months when lynx and wolverine move to higher elevations (Copeland et al. 2010; Squires et al. 2010).

Seasonal relocation of docks, for winter storage and summer installation, would not affect these species because the docks would be stored on the beach in winter, which would not add significant disturbance over current city activity. The addition of boat slips would likely generate more attraction to the area, increasing human activity on land and water. The increased activity could lead to increased urban development and, at the least, increased traffic which could increase human wildlife interactions, discouraging lynx and wolverine from traveling through the area. This would likely have a low impact on individuals traveling through because the area surrounding Cascade Reservoir is already unsuitable habitat and increased activity would be in the spring and summer months, when wolverine and lynx are likely not in the area.

3.8 Cultural Resources

3.8.1 Affected Environment

This section includes an evaluation of the potential impacts to cultural resources that could result from project implementation. Cultural resources may include archaeological traces, such as Native American occupation sites and artifacts; historic-era buildings and structures; and places used for traditional Native American observances or places with special cultural significance. Cultural resources were investigated within the project area, which is equivalent to the Area of Potential Effect (APE) defined by the Section 106 process of the National Historic Preservation Act. The Section 106 process is required only for Alternative B. Section 106 does not deal with impacts on all types of cultural resources, or all cultural aspects of the environment; it deals only with impacts on properties included in or eligible for the National Register of Historic Places. This section addresses all cultural resources in the project area, regardless of eligibility, as required by NEPA.

Archaeological materials dating from the Paleo-Indian to Proto-historic periods have been documented in west-central Idaho, and around Lake Cascade, indicating an intensive presence by Native Americans. Ethnographically, the Nez Perce of the Plateau area and Shoshoni (especially the Tukudeka or Sheepeaters) of Great Basin affiliation visited Long and Round Valleys and

resided within and nearby the future-reservoir area. Prior to European-American contact, the native cultures followed seasonal rounds, moving to the places that offered fishing, hunting, and gathering opportunities as they became available (Nez Perce Wallowa Homeland Website 2024; Shoshone-Bannock Tribes Website 2024).

With respect for the tribal histories that state their people have existed in the area since time immemorial, the earliest archaeological evidence of human presence in Long Valley dates to the end of the last Ice Age. Arnold (1984:38) reported 224 lanceolate projectile points observed in private collections made from the reservoir. At least 10 percent are assignable to the Windust Phase (at least 10,000 to 9,000 or 8,000 years Before Present [BP]) and several others also appear to date to the Paleo-Indian Period. At least two Clovis points have been recovered from the southwest portion of the reservoir. Archaic sites (8,000 to 2,00 or 1,500 BP) are also represented at Lake Cascade, with artifacts characteristic of that period being large projectile points (including Cascade and Northern Side-Notched types), block and slab metates, slab biface knives, and bone from large and small game animals and salmonids.

Many of the projectile points that Arnold observed in private collections from the reservoir date to the middle to late Archaic periods (about 4,500 to 2,000 BP). These points include Cascade, Northern Side-Notched, Elko series, and Rosegate/Tucannon. A particular tradition that is part of the middle Archaic, identified as the Midvale Complex (named for several sites near the small community of Midvale about 30 miles west of Lake Cascade) may be represented in the area, as seen in the dominance of fine-grained basalt in many artifact assemblages. One specialized portion of the Midvale Complex is the Western Idaho Archaic Burial Pattern, characterized by oversized bifaces and turkey tail points, marine shell, and red ochre grave goods (Pavesic 1985:74) and specifically noted at the DeMoss Burial site located about 12.5 miles northwest of the reservoir.

Late Prehistoric period sites (about 2,000 to 100 BP) are distinguished by the presence of Elko, Rosegate, Desert Side-Notched, and Cottonwood projectile points and crude ceramics, which have been found at Lake Cascade. Arnold (1984) counted 25 Desert Side-Notched and Cottonwood points and 95 Rosegates in local collections from Lake Cascade. Ethnographic sites are known in the general area (Schwede 1966: figure 3; Paul 1987; Sappington et al. 1995) but none of the villages or camps are near the APE.

Historically, there is little doubt that early fur trappers came through Long Valley during the fur trade era, but for the most part their activities are undocumented. It appears to be known that Jedediah Smith led a group of fur traders through the North Fork of the Payette River and Long Valley to Payette Lake in 1826, and that in the fall of 1827, Peter Skene Ogden headed a group of Hudson’s Bay Company and American trappers in an expedition along the Payette River, though it is not clear if the group worked the river in Long Valley. In 1863, gold fever struck Long Valley when a small group of prospectors, headed by Jim Copeland, found a placer deposit in the foothills along the Gold Fork River in the middle valley region. Within a few years, however, the area had played out and was abandoned (Mills 1963).

Idaho's early gold mining booms also hastened the growth of the livestock industry in the territory as a demand for fresh meat encouraged stock raisers to move herds of cattle onto open rangeland in southern Idaho in the mid-1860s. Long Valley's natural lush hay fields were optimal summer range, but permanent ranches were not established until closer to the 20th century when Euroamerican settlement began to increase (1883–1913). More non-native people in Long Valley resulted in cultural clashes. The most memorable encounter occurred in 1878 and involved four white men and several Sheepeater Indians in what was termed an ambush by the Indians. Three of the Euroamericans were killed during the encounter, and the fourth, a man known as "Three Fingered Smith," was seriously wounded. The dead Euroamericans were buried near the Falls of the Payette (to the east of Crown Point not far from the dam) by an Army scout.

The coming of the railroad to Long Valley in 1882 brought a major link to the cities of Idaho to the south. Logging and homesteading, as well as ranching and cattle grazing, brought people into the valley for work and a way of life. One distinctive group – Finnish immigrants – came to Long Valley in larger numbers than most, and by 1915, reportedly 85 Finnish families had taken up homesteads in Long Valley and a couple of small Finnish communities had been established both just south of McCall and around Center, Roseberry, and Donnelly. Subsistence agriculture was the earliest form of agriculture in the valley, producing mostly oats and timothy for animal fodder, and some wheat which was milled and consumed locally.

The arrival of the Idaho Northern Branch of the Union Pacific Railroad into Long Valley in the mid-1910s had an immediate and long-lasting impact on the economic activities of its inhabitants as well as the area's population distribution. It brought the first, all-weather transportation to the valley and tied it into national networks of transportation and exchange. This allowed for transformation of an economy primarily based on subsistence agriculture into a more diversified commercial economy that supplied both agricultural and lumber products to outside markets (Rossillon and McCormick 1993). During this era, population in the valley increased from 2,100 in 1920 to about 3,500 in 1940. In the late 1940s, Reclamation completed construction of the Cascade Dam and reservoir, which greatly altered the physical landscape of Long Valley and had a significant impact on the local economy. The reservoir inundated several thousand acres of the most valuable agricultural lands in the valley but brought major new sources of income to the area through recreation and tourism.

3.8.1.1 *Cultural Resource Investigations*

The project proponent contracted with Robert Lee Sappington, independent archaeologist, to perform cultural resource investigations for the project. Dr. Sappington conducted pre-field records research, field survey, and development of a cultural resources report. Reclamation reviewed and used the contractor's report for consultation with the Idaho State Historic Preservation Office (SHPO) and associated tribes. All aspects of the cultural resource study were conducted in accordance with the Secretary of the Interior's Guidelines for Identification of Cultural Resources (48 CFR 44720-44723).

For cultural resource concerns, the project area boundaries were drawn to encompass all project activities with emphasis on those that would include probable ground disturbance, including parking area construction, trenching, and staging areas. Pre-field research included a cultural

resource record search (Record Search #23423) from the SHPO, the National Register of Historic Places (NRHP) list of listed properties for Valley County, General Land Office survey records, and other resources. No previously documented historic-era cultural resources or pre-contact archaeological resources have been documented previously within the project area.

An intensive pedestrian survey was performed over two days (October 20–21, 2023) by Dr. Sappington and a colleague. Two lithic flakes were found on the surface of the shore below the high-water line. Dr. Sappington documented the flakes as an archaeological site (10VY2108) on an Idaho archaeological resources form.

Consultation with the SHPO resulted in a finding of No Historic Properties Affected. Reclamation identified three federally recognized tribes with which to consult for this project—the Shoshone-Bannock Tribes of the Fort Hall Indian Reservation, the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation, and the Nez Perce Tribe. Several forms of outreach to tribes resulted in no specific cultural resources of tribal significance being identified to the agency.

However, the Nez Perce Tribe responded that shovel test pits (STPs) would be preferred to determine if any subsurface deposits may exist within the project area and requested an ethnographic study be undertaken to identify traditional cultural properties (TCPs) and/or historic properties of religious and cultural importance to tribes (HPRCITs). Tamarack's contractor, Parametrix, performed STPs across the project area to assess the presence of any subsurface cultural deposits. The STPs resulted in no cultural resource discoveries. Additional communications resulted in the proponent agreeing to fund a landscape study that was performed by members of the Nez Perce Tribe in the spring of 2025. The ethnographic study collected information about traditional use of the area but no TCPs or HPRCITs were identified within the project area. Upon completion of the fieldwork, the Tribe agreed that the project could move forward. The two lithic flakes discovered during the initial survey were the only cultural resources identified within the project area.

3.8.2 Environmental Consequences

Impacts from potential project activities to cultural resources were measured according to their potential to reduce or eliminate the property's historical significance. Identification and research of the cultural resources included identification of significance criteria. These criteria comprise the historical importance and integrity of the resources, and a reduction or loss of these criteria would be considered adverse to the cultural resource. For this analysis, the evaluation performed during the Section 106 process to identify adverse effects was used as an equivalent method for evaluating adverse impacts. These impacts are evaluated in terms of their context and the intensity of their effects on the cultural resource.

The following indicators, consistent with federal regulations for the protection of historic properties (36 CFR 800) and treatment of historic properties (36 CFR 68), were used to assess impacts on cultural resources for this analysis:

- Physical destruction of or damage to all or part of the resource
- Alteration of a resource, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation, and provision of handicapped access, that is not consistent with the Secretary of the Interior's standards for the treatment of historic properties (36 CFR 68) and applicable guidelines
- Removal of the property from its historic location
- Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance
- Introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features.

3.8.2.1 *Alternative A – No Action*

Under the No Action alternative, Reclamation would not approve review of IDPR's request to proceed with construction of Tamarack Resort's Poison Creek Marina facilities proposal on land owned by Reclamation. Tamarack Resort would continue to operate under a small concessions permit with the IDPR at Poison Creek. The resort would continue offering public access to boat, stand up paddle board, jet ski and kayak rentals as well as seasonal boat moorage using an EZ Dock marina system that is removed at the end of each season. Concessions and rentals would continue to be handled out of a small building that currently sits on the shore next to the L-shaped dock. Known cultural resources (the two flakes on the shoreline in 10VY2108) would continue to be affected by natural conditions, such as changing reservoir levels), but their location away from recreational activities may protect them from human-caused impacts.

Under the No Action alternative with "business as normal," the cultural resources identified within the project area would experience no effects either directly or indirectly. Effects to cultural resources in the Poison Creek area could be caused by extraordinary circumstances that may occur in the form of a natural disaster or human action that could cause greater-than-normal erosion or some other kind of ground disturbance. However, pursuing the No Action alternative would not directly or indirectly trigger the loss of known cultural resources.

3.8.2.2 *Alternative B – Poison Creek Marina Facilities (Proposed Action)*

Under the Proposed Action alternative, Reclamation would approve IDPR's request to proceed with construction of Tamarack Resort's Poison Creek Marina facilities proposal on land owned by Reclamation. The project includes installation of up to 100 seasonal boat slips for the public at Poison Creek Campground as well as new facilities and improvements. Those would involve adding on-site fuel sales for boats including a 12,000 gallon above ground tank; construction of a 1,000 square foot rental and retail facility; expanded public parking area at a ratio of 1.5 parking stalls per boat slip; and an enhanced recreation area for the public on the beach and upland areas.

The identified cultural resources within the project area (the two flakes in 10VY1208) would see one likely adverse effect as a result of the implementation of the proposed action. This adverse effect would be related to an increase in human presence and use over the project area. The flakes are not located near the locations of the specific updated or newly added facilities at

present. The flakes themselves are not terribly distinct and would likely not be recognized as cultural artifacts by most recreationalists who use this area. However, an increase in the number of people in the project area after the improvements are made may lead people to wander farther from the crowds, and the “cool rocks” on the shoreline may be tempting souvenirs of time spent at Poison Creek campground and marina. The increased number of people using and visiting the area increases the possibility that people will come across and maybe collect the flakes for personal interest. Though the site of the two flakes was determined to not be eligible for listing on the National Register of Historic Places, the removal or loss of any cultural artifact reduces the evidence of a pre-contact presence, which is a detrimental occurrence to current tribes.

Combined impacts from the ongoing and upcoming projects in the vicinity of the Poison Creek Campground, which have been identified as installation of additional parking and slips in the marina, would be the same as the aforementioned direct effect – increased human presence and use of the area would increase chances of removal of cultural resources/artifacts from their locations within or near the project area.

3.9 Indian Sacred Sites

A sacred site, as defined in Executive Order 13007, means any specific, discrete, narrowly delineated location on federal land that is identified by an Indian tribe, or Indian individual determined to be an appropriately authoritative representative of an Indian religion, as sacred by virtue of its established religious significance to, or ceremonial use by, an Indian religion; provided that the tribe or appropriately authoritative representative of an Indian religion has informed the agency of the existence of such a site. During consultation efforts, no sacred sites were identified, discussed, or delineated within the defined project area by the associated tribes. If such sites exist near the project area, but were not divulged specifically, it is assumed that project activities as described during scoping would not be sufficient to deny or limit access for Native American religious practitioners.

3.9.1 Affected Environment

The project area of the Poison Creek Marina update effort has been significantly altered from its natural state by the existence of the reservoir, its cycle of changing water levels and those effects to the shoreline, and prior construction activities. There is no record of this particular location (as a whole or in part) having served as a sacred site prior to the reservoir’s creation, although such records would most likely not exist in any written form and tribes may choose not to share their own knowledge of such sites. The landscape study performed by the Nez Perce Tribe did not identify any sacred sites within the project area.

3.9.2 Environmental Consequences

3.9.2.1 *Alternative A – No Action*

Reclamation has no information of any sacred sites within or near the project area and no sacred sites were identified by tribes during the scoping process. Under the No-Action alternative, Reclamation would not approve IDPR's request to continue with construction of Tamarack's proposal and the project would not go forward. No additional boat slips would be installed, no additional parking lot would be created, no fuel tank would be installed, and, generally, no ground disturbance would take place related to proposed project actions. It is likely that Tamarack would continue to operate the same seasonal amenities under renewed small concessions permit through IDPR. There would be no direct, indirect, or combined impacts to sacred sites.

3.9.2.2 *Alternative B – Poison Creek Marina Facilities (Proposed Action)*

Under the Proposed Action alternative, the upgrading and addition of boat slips, public-use facilities, and expanded parking areas would occur. Reclamation has no information about any sacred sites within or near the project area and no sacred sites were identified by tribes during the scoping process, cultural resources consultation, or as a result of the Nez Perce Tribe's landscape study. However, there would be no direct, indirect, or combined impacts to sacred sites.

3.10 Tribal Interests

3.10.1 Indian Trust Assets

Indian Trust Assets (ITAs) are legal interests in property held in trust by the United States for Indian Tribes or individual Indian trust landowners. ITAs include trust lands, natural resources, trust funds, or other assets held by the Federal government in trust. An Indian trust asset has three components: (1) the trustee, (2) the beneficiary, and (3) the trust asset. Treaty-reserved rights, for instance, fishing, hunting, and gathering rights on and off reservation, are usufructuary rights that do not meet the DOI definition of an ITA. The United States does not own or otherwise hold these resources in trust. ITAs do not normally include usufructuary rights alone (i.e., rights to access for hunting or fishing). Rather, they require first a possessory interest; that is, the asset must be held or owned by the Federal government as trustee.

The DOI requires that all impacts to trust assets, even those considered nonsignificant, must be discussed in a trust analysis in NEPA documents and appropriate compensation and/or mitigation implemented. Additionally, Reclamation's NEPA Handbook (Reclamation 2012) recommends a separate ITA section in all NEPA documents including a FONSI. These sections should be prepared in consultation with potentially affected tribal and other trust beneficiaries.

3.10.1.1 *Affected Environment*

No Indian trust land assets were identified in the proposed action area or staging areas during the scoping process, such as those held in trust by the Bureau of Indian Affairs for the benefit of

Tribes or individual Indian trust landowners. As part of the scoping process, Reclamation researched Tessel, a Federal Geographic Information System (GIS) land database that includes Federal lands held in trust for Tribes and Individual Indian trust landowners. This research indicated there are no Indian trust land assets in the proposed Action area or staging areas.

3.10.1.2 *Environmental Consequences*

Alternative A – No Action

Under the No Action alternative, Reclamation would not approve IDPR's request to continue with construction of Tamarack's proposal. Existing short-term or long-term effects, either beneficial or adverse, or effects on public health and safety in relationship to nearby ITAs would remain unchanged.

Alternative B – Poison Creek Marina Facilities (Proposed Action)

Under Alternative B, the Proposed Action, Reclamation would proceed with IDPR's request to develop a public marina and recreation area on land owned by Reclamation for the public at Poison Creek Campground area. If the Proposed Action occurs, there are no known beneficial or adverse effects to ITAs.

Reclamation requested information from the Nez Perce Tribe, Shoshone-Bannock Tribes of the Fort Hall Reservation, and the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation, who traditionally or currently use the area under their reserved treaty rights; however, no responses were received. The lack of specific information about the area is not indicative of a lack of importance to Tribes. With no specific responses, Reclamation assumes that there would be no adverse effects to Indian Trust Assets, such as adverse impacts to water, water rights, or land held in trust for the Tribes.

3.10.2 Treaty Rights

3.10.2.1 *Affected Environment*

The United States has a fiduciary responsibility to protect and maintain rights reserved by Indian Tribes or Indian individuals by treaties, statues, executive orders, and allotments. These rights are sometimes further interpreted through court decisions and regulations.

The proposed action area is surrounded by areas historically used by many Tribes. Treaty Rights at issue here are access and impacts to off-reservation hunting, fishing, gathering rights, livestock grazing rights, and cultural or ceremonial use rights. Although the proposed action area may have Federally-owned property, Courts have ruled that members of Federally-recognized Tribes with reserved Treaty Rights have the right to cross private or state lands in order to gain access to treaty areas (United States v. Winans, 1905).

The Nez Perce Tribe of the Nez Perce Reservation are a federally recognized Tribe in northern Idaho, situated approximately 91 miles north of the proposed action area. The United States and the Tribe entered into three treaties (Treaty of 1855, Treaty of 1863, and Treaty of 1868) and one

agreement (Agreement of 1893). The rights of the Nez Perce Tribe include the right to hunt, gather, and graze livestock on open and unclaimed lands, and to fish in all usual and accustomed places.

The Shoshone-Paiute Tribes of the Duck Valley Reservation are federally recognized Tribes in southern Idaho and northern Nevada, situated approximately 174 miles south of the proposed action area. The reservation was established by Executive Orders dated April 16, 1877; May 4, 1886; and July 1, 1910. The Shoshone-Paiute sometimes claim the interests of the Tribes that are reflected in the Bruneau, Boise, Fort Bridger, Box Elder, Ruby Valley, and other treaties and executive orders that the Tribes' ancestors agreed to with the United States. The Tribes continue to observe these treaties and executive orders in good faith; however, the Federal government did not ratify treaties that reserved off-reservation hunting and fishing rights. The Tribes assert they have aboriginal title and rights to those areas. All such treaties and executive orders recognize the need for the Tribes to continue to have access to off-reservation resources because most of the reservations established were and continue to be incapable of sustaining tribal populations. This need continues and has not diminished from the time of the first treaties and executive orders that established the Duck Valley Reservation (Cherokee Nation of Oklahoma and Shoshone-Paiute Tribes of the Duck Valley Reservation v. Leavitt 2005).

The Shoshone-Bannock Tribes of the Fort Hall Reservation are federally recognized Tribes in southeast Idaho, situated approximately 204 miles southeast of the proposed action area. On July 3, 1868, the Fort Bridger Treaty was signed and agreed to by the eastern and western bands of the Northern Shoshone and the Bannock (or Northern Paiute Bands). Article IV of the treaty states that members of the Shoshone-Bannock Tribes '…shall have the right to hunt on the unoccupied lands of the United States…' Courts interpreted this to mean "unoccupied federal lands."

In the case of *State of Idaho v. Tinno*, an off-reservation fishing case in Idaho, the Idaho Supreme Court interpreted the Fort Bridger Treaty of the Shoshone-Bannock Tribes. The Court determined that the Shoshone word for 'hunt' also included to 'fish.' Under Tinno, the Court affirmed the Tribal Members' right to take fish off-reservation pursuant to the Fort Bridger Treaty. The Court also recognizes, "that treaty Indians have subsistence and cultural interests in hunting and fishing…" and "The Fort Bridger Treaty … contains a unified hunting and fishing right, which…is unequivocal." The treaty did not grant a hunting, fishing, or gathering right, it reserved a right the Shoshone-Bannock Tribes have always exercised.

3.10.2.2 *Environmental Consequences*

The U.S. Supreme Court has ruled that treaties with Indian Tribes are to be construed liberally in favor of Tribes, as the Tribes would have understood the language of the treaty at the time the treaty was signed. It is likely that the ratified or unratified treaties listed above include areas surrounding approximately 15 miles south from the town of McCall, ID, the proposed action area.

Alternative A – No Action

Under the No Action alternative, Reclamation would not approve IDPR's request to continue with construction of Tamarack's proposal. There would be no short-term or long-term effects, either beneficial or adverse to existing reserved Treaty Rights for tribal hunting, fishing, or gathering in traditional or customary places or for livestock grazing in the area.

Alternative B – Poison Creek Marina Facilities (Proposed Action)

Under Alternative B, the Proposed Action, Reclamation would proceed with IDPR's request to develop a public marina and recreation area on land owned by Reclamation for the public at Poison Creek Campground area. If the Proposed Action occurs, there are no known beneficial or adverse effects to treaty rights. The proposed project construction ingress and egress routes may cause a temporary, short-term adverse effect on access to traditional or customary hunting, fishing, or gathering sites, or for livestock grazing areas during the construction periods.

Reclamation requested information from the Nez Perce Tribe, Shoshone-Bannock Tribes of the Fort Hall Reservation, and the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation, who traditionally and currently use the area for hunting, fishing, and gathering of plants; however, no responses were received. The lack of specific information about the area is not indicative of a lack of importance to Tribes. With no specific response, Reclamation assumes that there would be no adverse effects to reserved Treaty Rights, such as access or impacts to areas for hunting, fishing, or gathering, or for livestock grazing.

Mitigation Summary

Mitigation efforts may be required to reduce the effects of construction ingress and egress on tribal access to hunting, fishing, or gathering should construction ingress and egress activity take place in the same location and at the same time of year as traditional or customary hunting, fishing, and gathering of plants, or for livestock grazing. If this were to occur, Reclamation would meet with Tribes to formulate an appropriate mitigation measure.

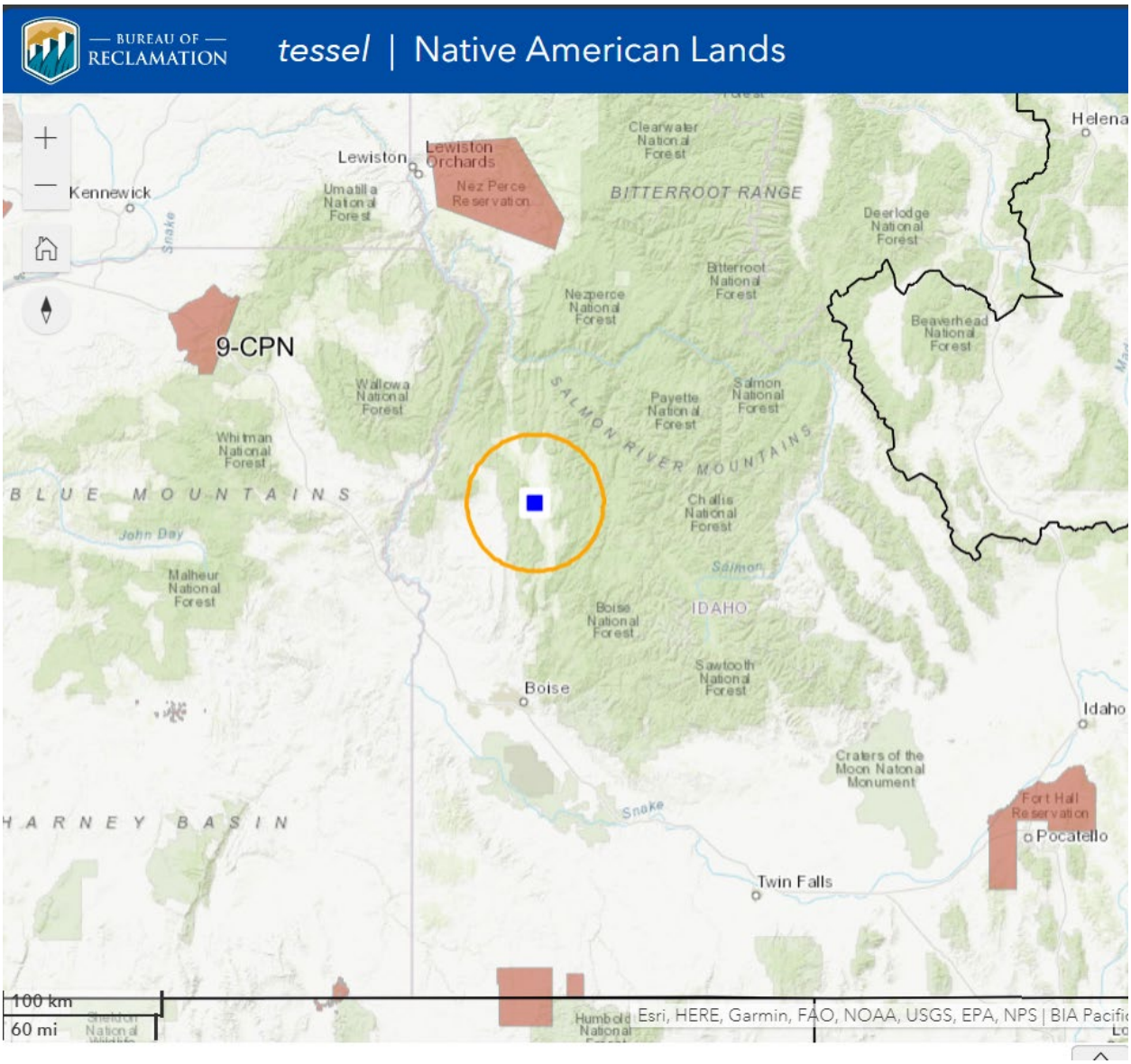

Figure 6.—Map of Native American lands compared to the project location.

4.0 Consultation and Coordination

On March 18, 2024, Reclamation mailed a scoping document, including a letter, project information, and a map, to agencies, Indian tribes, members of Congress, organizations, and residence within a 1-mile buffer, soliciting their help in identifying any issues and concerns related to the Proposed Action. Additionally, an ad was placed in the Star Newspaper out of McCall, Idaho and a media release was issued through IDPR public affairs regarding the public open house that was held on April 2nd at the American Legion in Cascade, Idaho. Reclamation received 173 comments during the scoping period. The comments were received from various members of the public, Idaho Department of Environmental Quality, Environmental Protection Agency, Idaho Conservation League, Valley Soil and Water Conservation District, Valley County Board of Commissioners and others. The topics most common within comments include recreation and wake concerns, water quality concerns, and hazardous material containment concerns. The mailing list, scoping letters, and comments received are presented in appendix C.

4.1 Agency Consultation and Coordination

4.1.1 National Historic Preservation Act

Reclamation initiated consultation with the Idaho SHPO on December 15, 2023. SHPO concurrence with Reclamation's finding of No Adverse Effects to Historic Properties for the action area was received on December 22, 2023.

4.1.2 Endangered Species Act

Reclamation generated a preliminary endangered species report through the USFWS IPaC site (appendix A). The report indicated that three listed (Threatened) species (Canada Lynx – Lynx canadensis; North American Wolverine – *Gulo gulo luscus*; and Bull Trout – Salvelinus confluentus), and one Candidate species (monarch butterfly – Danaus plexippus) are expected to be in the area of the proposed project. Since the Proposed Action would not adversely affect any listed species, no need exists for formal Section 7 consultation under the ESA.

4.2 Tribal Consultation and Coordination

Reclamation mailed scoping letters to the Shoshone-Bannock Tribes, Nez Perce Tribe and the Shoshone-Paiute Tribes on March 15, 2024 (appendix C). Additionally, Section 106 consultation with each tribe was initiated to fulfill the National Historic Preservation Act on December 15, 2023. The Nez Perce Tribe responded with a request for further investigation around the project area in the form of shovel test pits and an ethnographic effort completed by the tribe through a landscape survey to fulfill this requirement. Shovel test pits were completed in October 2024 and the landscape survey was completed in May 2025. No other responses or concerns from the

Tribes were brought forward during or after the scoping period. Reclamation was required, under 40 CFR § 1506.10, to seek an environmental assessment deadline extension request from the Department of Interior due to additional time needed to fulfill the Section 106 process and was approved on May 19, 2025.

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Appendices

Appendix A – Information for Planning and Conservation (IPaC) Report

Appendix B – Cultural Resources and Sacred Sites Consultation with State Historic Preservation Office, Shoshone-Bannock Tribes, Shoshone-Paiute Tribes, and Nez Perce Tribe

Appendix C – Scoping Documents, Mailing List, and Scoping Comments Received

Appendix A

Information for Planning and Conservation (IPaC) Report

IPaC **U.S. Fish & Wildlife Service**

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Valley County, Idaho

Local office

Idaho Fish And Wildlife Office

(208) 378-5243
(208) 378-5262

1387 South Vinnell Way, Suite 368

Boise, ID 83709-1657

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species[1] and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries[2]).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

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1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
Canada Lynx Lynx canadensis There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/3652	Threatened
North American Wolverine Gulo gulo luscus Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/5123	Threatened

Fishes

NAME	STATUS
Bull Trout Salvelinus confluentus There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/8212	Threatened

Insects

NAME	STATUS
Monarch Butterfly Danaus plexippus Wherever found There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/9743	Proposed Threatened
Suckley's Cuckoo Bumble Bee Bombus suckleyi No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/10885	Proposed Endangered

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act [2] and the Migratory Bird Treaty Act (MBTA) [1]. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide avoidance and minimization measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

There are Bald Eagles and/or Golden Eagles in your project area.

Measures for Proactively Minimizing Eagle Impacts
For information on how to best avoid and minimize disturbance to nesting bald eagles, please review the National Bald Eagle Management Guidelines. You may employ the timing and activity-specific distance recommendations in this document when designing your project/activity to avoid and minimize eagle impacts. For bald eagle information specific to Alaska, please refer to Bald Eagle Nesting and Sensitivity to Human Activity.

The FWS does not currently have guidelines for avoiding and minimizing disturbance to nesting Golden Eagles. For site-specific recommendations regarding nesting Golden Eagles, please consult with the appropriate Regional Migratory Bird Office or Ecological Services Field Office.

If disturbance or take of eagles cannot be avoided, an incidental take permit may be available to authorize any take that results from, but is not the purpose of, an otherwise lawful activity. For assistance making this determination for Bald Eagles, visit the Do I Need A Permit Tool. For assistance making this determination for golden eagles, please consult with the appropriate Regional Migratory Bird Office or Ecological Services Field Office.

Ensure Your Eagle List is Accurate and Complete

If your project area is in a poorly surveyed area in IPaC, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the Supplemental Information on Migratory Birds and Eagles, to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to bald or golden eagles on your list, see the "Probability of Presence Summary" below to see when these bald or golden eagles are most likely to be present and breeding in your project area.

Review the FAQs

The FAQs below provide important additional information and resources.

NAME	BREEDING SEASON
Bald Eagle Haliaeetus leucocephalus This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Jan 1 to Aug 31
Golden Eagle Aquila chrysaetos This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Jan 1 to Aug 31

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental

Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

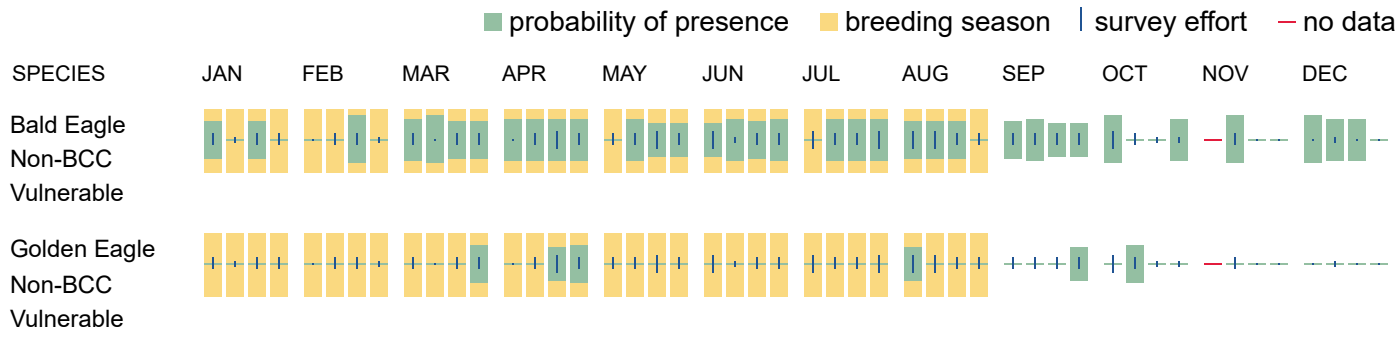
Breeding Season (■)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Bald & Golden Eagles FAQs

What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are an eagle (Bald and Golden Eagle Protection Act requirements may apply).

Proper interpretation and use of your eagle report

On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort line or no data line (red horizontal) means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide you in knowing when to implement avoidance and minimization measures to eliminate or reduce potential impacts from your project activities or get the appropriate permits should presence be confirmed.

How do I know if eagles are breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the RAIL Tool and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If an eagle on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your “IPaC PROBABILITY OF PRESENCE SUMMARY” at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

Interpreting the Probability of Presence Graphs

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:

The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

Migratory birds

The Migratory Bird Treaty Act (MBTA) [1] prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service).

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

Measures for Proactively Minimizing Migratory Bird Impacts

Your IPaC Migratory Bird list showcases birds of concern, including Birds of Conservation Concern (BCC), in your project location. This is not a comprehensive list of all birds found in your project area. However, you can help proactively minimize significant impacts to all birds at your project location by implementing the measures in the Nationwide avoidance and minimization measures for birds document, and any other project-specific avoidance and minimization measures suggested at the link Measures for avoiding and minimizing impacts to birds for the birds of concern on your list below.

Ensure Your Migratory Bird List is Accurate and Complete

If your project area is in a poorly surveyed area, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the Supplemental Information on Migratory Birds and Eagles document, to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the "Probability of Presence Summary" below to see when these birds are most likely to be present and breeding in your project area.

Review the FAQs

The FAQs below provide important additional information and resources.

NAME	BREEDING SEASON
Bald Eagle Haliaeetus leucocephalus This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Jan 1 to Aug 31
Bobolink Dolichonyx oryzivorus This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Jul 31
California Gull Larus californicus This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 1 to Jul 31
Calliope Hummingbird Selasphorus calliope This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9526	Breeds May 1 to Aug 15

Cassin's Finch Haemorhous cassinii — Breeds May 15 to Jul 15

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9462

Clark's Grebe Aechmophorus clarkii — Breeds Jun 1 to Aug 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Evening Grosbeak Coccothraustes vespertinus — Breeds May 15 to Aug 10

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Franklin's Gull Leucophaeus pipixcan — Breeds May 1 to Jul 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Golden Eagle Aquila chrysaetos — Breeds Jan 1 to Aug 31

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.
https://ecos.fws.gov/ecp/species/1680

Lesser Yellowlegs Tringa flavipes — Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9679

Lewis's Woodpecker Melanerpes lewis — Breeds Apr 20 to Sep 30

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9408

Olive-sided Flycatcher Contopus cooperi — Breeds May 20 to Aug 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/3914

Rufous Hummingbird Selasphorus rufus — Breeds Apr 15 to Jul 15
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/8002

Western Grebe aechmophorus occidentalis — Breeds Jun 1 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/6743

Williamson's Sapsucker Sphyrapicus thyroideus nataliae — Breeds May 1 to Jul 31
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of

presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

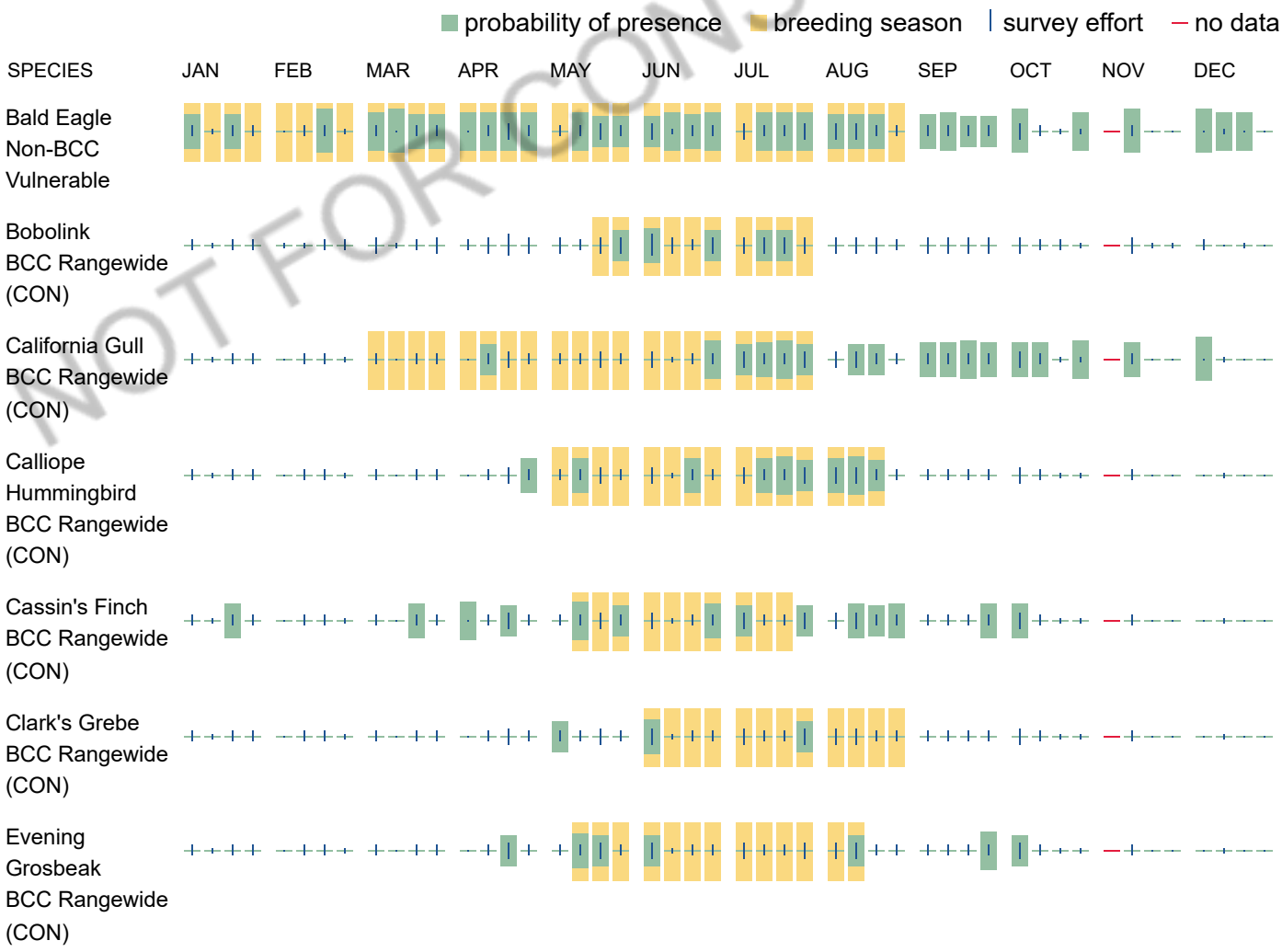
Breeding Season (▪)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Migratory Bird FAQs

Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Avoidance & Minimization Measures for Birds describes measures that can help avoid and minimize impacts to all birds at any location year-round. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is one of the most effective ways to minimize impacts. To see when birds are most likely to occur and breed in your project area, view the Probability of Presence Summary. Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location, such as those listed under the Endangered Species Act or the Bald and Golden Eagle Protection Act and those species marked as “Vulnerable”. See the FAQ “What are the

levels of concern for migratory birds?" for more information on the levels of concern covered in the IPaC migratory bird species list.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) with which your project intersects. These species have been identified as warranting special attention because they are BCC species in that area, an eagle (Bald and Golden Eagle Protection Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, and to verify survey effort when no results present, please visit the Rapid Avian Information Locator (RAIL) Tool.

Why are subspecies showing up on my list?

Subspecies profiles are included on the list of species present in your project area because observations in the AKN for **the species** are being detected. If the species are present, that means that the subspecies may also be present. If a subspecies shows up on your list, you may need to rely on other resources to determine if that subspecies may be present (e.g. your local FWS field office, state surveys, your own surveys).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the RAIL Tool and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and

3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Bald and Golden Eagle Protection Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially BCC species. For more information on avoidance and minimization measures you can implement to help avoid and minimize migratory bird impacts, please see the FAQ “Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds”.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Proper interpretation and use of your migratory bird report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list does not represent all birds present in your project area. It is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide implementation of avoidance and minimization measures to eliminate or reduce potential impacts from your project activities, should presence be confirmed. To learn more about avoidance and minimization measures, visit the FAQ "Tell me about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

Interpreting the Probability of Presence Graphs

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:

The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

Facilities

Wildlife refuges and fish hatcheries

Refuge and fish hatchery information is not available at this time

Wetlands in the National Wetlands Inventory (NWI)

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

FRESHWATER EMERGENT WETLAND

PEM1C

LAKE

L1UBHh

L2USCh

A full description for each wetland code can be found at the National Wetlands Inventory website

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Appendix B

Cultural Resources and Sacred Sites Consultation with State Historic Preservation Office, Shoshone-Bannock Tribes, Shoshone-Paiute Tribes, and Nez Perce Tribe

United States Department of the Interior
BUREAU OF RECLAMATION
Snake River Area Office
230 Collins Road
Boise, ID 83702-4520

IN REPLY REFER TO:
SRA-1214
2.1.4.17

VIA FEDERAL EXPRESS

Honorable Shannon Wheeler
Chairman
Nez Perce Tribal Executive Committee
Nez Perce Tribe
100 Agency Road
Lapwai, ID 83540

Subject: Request for Comments Regarding a Proposed Development of Poison Creek Marina Facilities Project in Valley County, Idaho

Dear Chairman Wheeler:

The Bureau of Reclamation has received a request from the Idaho Department of Parks and Recreation to review a proposal from Tamarack Resort to develop a public marina and recreation area. This action would occur on land owned by Reclamation at the Poison Creek Campground on Lake Cascade in Donnelly, Idaho. The purpose of this letter is to inform interested and affected Tribes of the proposal and to solicit comments pursuant to the National Environmental Policy Act of 1969. Enclosed is a Scoping Information Package describing the project proposal.

Analysis of the proposal is ongoing and will be documented in an environmental assessment with an estimated completion in the fall of 2024. Comments received in response to this solicitation will be used to identify potential environmental issues related to the proposed action and to identify alternatives to the proposed action that meet the purpose of and need for the project.

Please help us identify important issues and concerns regarding the proposed action by providing your written comments by **April 17, 2024.** Written comments should be submitted electronically to sra-nepa-comments@usbr.gov, or mailed or hand delivered to:

Ms. Rochelle Ochoa
Natural Resources Specialist
Bureau of Reclamation
Snake River Area Office
230 Collins Road
Boise, Idaho, 83702

There will be a public open house held during the scoping period to provide information and to answer questions about the proposed action. The meeting will be held on April 2, 2024, from 6:00–8:00 p.m. at the following location:

American Legion
105 E. Mill Street
Cascade, Idaho 83611

The primary contact for questions or comments for this analysis is Ms. Rochelle Ochoa, Natural Resources Specialist, at (208) 383-2277 or by email at rochoa@usbr.gov. Please direct any other concerns to Ms. Jessica Asbill-Case, Native American Affairs Advisor, by phone at (208) 383-2282 or by email at jasbillcase@usbr.gov. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

Sincerely,

BRYAN HORSBURGH
Digitally signed by BRYAN HORSBURGH
Date: 2024.03.14 08:48:19 -06'00'

Acting for Michael Hilliard
Acting Area Manager

Enclosure

cc: Mr. Keith Patrick Baird
Tribal Historic Preservation Officer
Nez Perce Tribe
P.O. Box 365
Lapwai, ID 83540

Mr. Emmit Taylor
Watershed Division Director
Nez Perce Tribe
P.O. Box 365
Lapwai, ID 83540

Mr. David B. Johnson
Program Manager
Dept. of Fisheries Resource Mgmt.
Nez Perce Tribe
P.O. Box 365
Lapwai, ID 83540
(w/encl to each)

United States Department of the Interior
BUREAU OF RECLAMATION
Snake River Area Office
230 Collins Road
Boise, ID 83702-4520

IN REPLY REFER TO:
SRA-1214
2.1.4.17

VIA FEDERAL EXPRESS

Honorable Lee Juan Tyler
Chairman, Fort Hall Business Council
Shoshone-Bannock Tribes
85 W. Agency Rd., Building #82
Fort Hall, ID 83203

Subject: Request for Comments Regarding a Proposed Development of Poison Creek Marina Facilities Project in Valley County, Idaho

Dear Chairman Tyler:

The Bureau of Reclamation has received a request from the Idaho Department of Parks and Recreation to review a proposal from Tamarack Resort to develop a public marina and recreation area. This action would occur on land owned by Reclamation at the Poison Creek Campground on Lake Cascade in Donnelly, Idaho. The purpose of this letter is to inform interested and affected Tribes of the proposal and to solicit comments pursuant to the National Environmental Policy Act of 1969. Enclosed is a Scoping Information Package describing the project proposal.

Analysis of the proposal is ongoing and will be documented in an environmental assessment with an estimated completion in the fall of 2024. Comments received in response to this solicitation will be used to identify potential environmental issues related to the proposed action and to identify alternatives to the proposed action that meet the purpose of and need for the project.

Please help us identify important issues and concerns regarding the proposed action by providing your written comments by **April 17, 2024.** Written comments should be submitted electronically to sra-nepa-comments@usbr.gov, or mailed or hand delivered to:

Ms. Rochelle Ochoa
Natural Resources Specialist
Bureau of Reclamation
Snake River Area Office
230 Collins Road
Boise, Idaho, 83702

There will be a public open house held during the scoping period to provide information and to answer questions about the proposed action. The meeting will be held on April 2, 2024, from 6:00–8:00 p.m. at the following location:

American Legion
105 E. Mill Street
Cascade, Idaho 83611

The primary contact for questions or comments for this analysis is Ms. Rochelle Ochoa, Natural Resources Specialist, at (208) 383-2277 or by email at rochoa@usbr.gov. Please direct any other concerns to Ms. Jessica Asbill-Case, Native American Affairs Advisor, by phone at (208) 383-2282 or by email at jasbillcase@usbr.gov. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

Sincerely,

BRYAN HORSBURGH
Digitally signed by BRYAN HORSBURGH
Date: 2024.03.14 08:47:48 -06'00'

Acting for Michael Hilliard
Acting Area Manager

Enclosure

cc: Mr. Wes Jones
Emergency Manager
Shoshone-Bannock Tribes
85 W. Agency Rd., Building #82
Fort Hall, ID 83203-0306

Mr. Cleve Davis
Environmental Program Manager
Shoshone-Bannock Tribes
85 W. Agency Rd., Building #82
Fort Hall, ID 83203-0306

Mr. Chad Colter
Fish and Wildlife Director
Shoshone-Bannock Tribes
85 W. Agency Rd., Building #82
Fort Hall, ID 83203-0306

Continued on next page.

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Mr. Candon Tanaka
Tribal Water Engineer
Water Resources Department
Shoshone-Bannock Tribes
85 W. Agency Rd., Building #82
Fort Hall, ID 83203-0306

Ms. Christina Cutler
Environmental Specialist
Shoshone-Bannock Tribes
85 W. Agency Rd, Building #82
Fort Hall, ID 83203-0306

Mr. Lester Galloway
Tribal Water Resources Commissioner
Shoshone-Bannock Tribes
85 W. Agency Rd., Building #82
Fort Hall, ID 83203-0306

Ms. Gail Martin
Tribal Water Resources
Shoshone-Bannock Tribes
85 W. Agency Rd., Building #82
Fort Hall, ID 83203-0306

Mr. Frances Roy
Tribal Water Resources Sergeant At Arms
Shoshone-Bannock Tribes
85 W. Agency Rd., Building #82
Fort Hall, ID 83203-0306

Mr. Claudeo Broncho
Supervisor, Natural Resources and
Fish and Wildlife Policy Representative
Shoshone-Bannock Tribes
85 W. Agency Rd., Building #82
Fort Hall, ID 83203-0306

Ms. Carolyn B. Smith
Cultural Resources Coordinator
Water Resources Department
Shoshone-Bannock Tribes
85 W. Agency Rd., Building #82
Fort Hall, ID 83203-0306
(w/encl to each)

Scoping Information Package

Proposal for Development of Poison Creek Marina Facilities Project, Payette Division, Boise Project, Valley County, Idaho

This information package summarizes Tamarack Resort's proposal to the Idaho Department of Parks and Recreation (IDPR) to develop a public marina and recreation area. This action would occur on land owned by the Bureau of Reclamation at Poison Creek Campground on Lake Cascade in Donnelly, Idaho. The project would increase the public parking area and install up to 200 seasonal boat slips for the public, on-site fuel sales for boats, and a small rental and retail facility.

This Federal action must be analyzed in accordance with the National Environmental Policy Act (NEPA) and other relevant Federal and State laws and regulations to determine potential environmental consequences. Reclamation is seeking input to better identify issues and concerns associated with this proposal as detailed below.

Background and Existing Condition

The proposed project would occur on the shores of Lake Cascade, a reservoir and state park on the North Fork of the Payette River in Donnelly, Idaho. Cascade Dam, which created Lake Cascade, was constructed in 1948 and was authorized primarily for irrigation and Federal hydroelectric power production purposes. The Cascade Power Plant is licensed by the Federal Energy Regulatory Commission to the Idaho Power Company.

Lake Cascade became a state park through an agreement with IDPR and Reclamation in 1994. Although Reclamation owns most of the land surrounding the reservoir, IDPR manages all of Reclamation's public recreation areas at Lake Cascade. The state park boasts many activities such as camping, boating, paddle sports, biking, Nordic tracks, and hiking. Poison Creek Campground sits on the northwest side of the reservoir and is named after the tributary to the south. The campground was redeveloped in 2011 to provide updated amenities like day-use areas, vaulted toilet restrooms, and 21 campsites that are all managed by IDPR. A parking lot connects the campground to a boat ramp to the south where there are currently two handling docks on either side of a two-vehicle wide asphalt ramp. An additional L-shaped boat dock exists to the north of the boat ramp and is operated by Tamarack Resort.

Tamarack Resort is a four-season destination resort across the Old State Highway/West Mountain Road from Poison Creek Campground and originally opened as a ski resort in 2004. Now Tamarack Resort offers lodging, dining, event space, skiing, mountain biking, zip lining and watersport rentals. Tamarack Resort has operated under small concessions permit with the IDPR at Poison Creek since 2005, offering public access to boat, stand up paddle board, jet ski and kayak rentals as well as seasonal boat moorage using an EZ Dock marina system that is removed at the end of each season. A small building currently sits on the shore next to the L-shaped dock, near the day-use area, where concessions and rentals are handled. The seasonal operation of these services usually runs from Memorial Day weekend to Labor Day weekend.

Lake Cascade does not have any permanent marina services currently and growing support has occurred over the last few decades from the recreating public, surrounding community and IDPR itself. A request for proposals was issued by Lake Cascade State Park in 2021 after the Cascade Community Review was completed in 2016 which revealed continued support for marina development on the lake. Tamarack Resort's proposal was approved by IDPR, and an agreement was established between the two entities and Reclamation in 2023. A 20-year agreement between IDPR and Tamarack is contingent upon Reclamation's review and approval.

Need for Action

Reclamation's purpose and need for the Proposed Action is to approve IDPR's request to proceed with construction of Tamarack Resort's Poison Creek Marina facilities proposal on land owned by Reclamation. Public services have been offered on an annual basis at this location through IDPR permitting since 2005. The proposed action is permitted by Public Law 89-72 which authorizes Reclamation to arrange for the operation and maintenance of recreation facilities by a non-federal public entity; Idaho Code 67-4204 and 67-4223 (7) which authorizes IDPR to grant concessions to parties; and Reclamation Agreement No. 21-07-11-L5422 which states IDPR is authorized to enter into contracts with concessionaires to develop, operate and manage certain Lake Cascade lands and facilities for recreation concessions with Reclamation's approval.

Proposed Action

IDPR is requesting to proceed with Tamarack Resort's proposal to develop a public marina and recreation area on land owned by Reclamation consisting of up to 200 seasonal boat slips for the public at Poison Creek Campground area. The marina would also include the following facilities and improvements:

- On-site fuel sales for boats including a 12,000 gallon above ground tank
- 1,000 square foot rental and retail facility
- Expanded public parking area at a ratio of 1.5 parking stalls per boat slip
- Enhanced recreation area for the public on the beach and upland areas.

The boat slips have been engineered to be removed from the water at the end of the season (Labor Day time frame) as the reservoir reaches low water due to spring ice melt and ice movement on Lake Cascade. The marina will be taken apart in approximately 50-foot sections and will remain below the high-water mark, but above the water line, effectively on dry ground for the winter. In the spring, after the ice melts, the slips will be installed for the season. The slips are anchored in place using helical anchors that are approximately 9 inches in diameter with a 2-inch shaft and will be seated at a depth of approximately 20–25 feet depending on their location. The anchors will have marine grade chains connected to the slips. These anchors will be permanently in place while the marina sections will be removed and replaced seasonally.

Preliminary Alternative Development

The environmental assessment would include consideration of the Proposed Action Alternative and the No Action Alternative. Additionally, alternatives would be developed with the identified issues throughout the NEPA process.

Exhibits

1. Project Area Map

United States Department of the Interior
BUREAU OF RECLAMATION
Snake River Area Office
230 Collins Road
Boise, ID 83702-4520

IN REPLY REFER TO:
SRA-1214
2.1.4.17

VIA FEDERAL EXPRESS

Honorable Brian Mason
Chairman
Shoshone-Paiute Tribes
1036 Idaho State Highway 51
Owyhee, NV 89832

Subject: Request for Comments Regarding a Proposed Development of Poison Creek Marina Facilities Project in Valley County, Idaho

Dear Chairman Mason:

The Bureau of Reclamation has received a request from the Idaho Department of Parks and Recreation to review a proposal from Tamarack Resort to develop a public marina and recreation area. This action would occur on land owned by Reclamation at the Poison Creek Campground on Lake Cascade in Donnelly, Idaho. The purpose of this letter is to inform interested and affected Tribes of the proposal and to solicit comments pursuant to the National Environmental Policy Act of 1969. Enclosed is a Scoping Information Package describing the project proposal.

Analysis of the proposal is ongoing and will be documented in an environmental assessment with an estimated completion in the fall of 2024. Comments received in response to this solicitation will be used to identify potential environmental issues related to the proposed action and to identify alternatives to the proposed action that meet the purpose of and need for the project.

Please help us identify important issues and concerns regarding the proposed action by providing your written comments by **April 17, 2024.** Written comments should be submitted electronically to sra-nepa-comments@usbr.gov, or mailed or hand delivered to:

Ms. Rochelle Ochoa
Natural Resources Specialist
Bureau of Reclamation
Snake River Area Office
230 Collins Road
Boise, Idaho, 83702

There will be a public open house held during the scoping period to provide information and to answer questions about the proposed action. The meeting will be held on April 2, 2024, from 6:00–8:00 p.m. at the following location:

American Legion
105 E. Mill Street
Cascade, Idaho 83611

The primary contact for questions or comments for this analysis is Ms. Rochelle Ochoa, Natural Resources Specialist, at (208) 383-2277 or by email at rochoa@usbr.gov. Please direct any other concerns to Ms. Jessica Asbill-Case, Native American Affairs Advisor, by phone at (208) 383-2282 or by email at jasbillcase@usbr.gov. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

Sincerely,

BRYAN HORSBURGH
Digitally signed by BRYAN HORSBURGH
Date: 2024.03.14 08:47:01 -06'00'

Acting for Michael Hilliard
Acting Area Manager

Enclosure

cc: Ms. Marissa Snapp
Environmental Director
Shoshone-Paiute Tribes
1036 Idaho State Highway 51
Owyhee, NV 89832

Mr. Buster Gibson
Fish, Wildlife & Parks Director
Shoshone-Paiute Tribes
1036 Idaho State Highway 51
Owyhee, NV 89832

Ms. Nancy Egan
Interim Chief Executive Officer
Shoshone-Paiute Tribes
1036 Idaho State Highway 51
Owyhee, NV 89832

Mr. Pawan Upadhyay, PhD
Water Resources Director
Water Resources Department
Shoshone-Paiute Tribes
1036 Idaho State Highway 51
Owyhee, NV 89832

Ms. Maurissa Bigjohn
Tribal Administrator
Shoshone-Paiute Tribes
1036 Idaho State Highway 51
Owyhee, NV 89832

Ms. Jade Robideaux
Cultural Director
Shoshone-Paiute Tribes
1036 Idaho State Highway 51
Owyhee County, NV 89832
(w/encl to each)

Appendix C

Scoping Documents, Mailing List, and Scoping Comments Received

Scoping Information Package

Proposal for Development of Poison Creek Marina Facilities Project, Payette Division, Boise Project, Valley County, Idaho

This information package summarizes Tamarack Resort's proposal to the Idaho Department of Parks and Recreation (IDPR) to develop a public marina and recreation area. This action would occur on land owned by the Bureau of Reclamation at Poison Creek Campground on Lake Cascade in Donnelly, Idaho. The project would increase the public parking area and install up to 200 seasonal boat slips for the public, on-site fuel sales for boats, and a small rental and retail facility.

This Federal action must be analyzed in accordance with the National Environmental Policy Act (NEPA) and other relevant Federal and State laws and regulations to determine potential environmental consequences. Reclamation is seeking input to better identify issues and concerns associated with this proposal as detailed below.

Background and Existing Condition

The proposed project would occur on the shores of Lake Cascade, a reservoir and state park on the North Fork of the Payette River in Donnelly, Idaho. Cascade Dam, which created Lake Cascade, was constructed in 1948 and was authorized primarily for irrigation and Federal hydroelectric power production purposes. The Cascade Power Plant is licensed by the Federal Energy Regulatory Commission to the Idaho Power Company.

Lake Cascade became a state park through an agreement with IDPR and Reclamation in 1994. Although Reclamation owns most of the land surrounding the reservoir, IDPR manages all of Reclamation's public recreation areas at Lake Cascade. The state park boasts many activities such as camping, boating, paddle sports, biking, Nordic tracks, and hiking. Poison Creek Campground sits on the northwest side of the reservoir and is named after the tributary to the south. The campground was redeveloped in 2011 to provide updated amenities like day-use areas, vaulted toilet restrooms, and 21 campsites that are all managed by IDPR. A parking lot connects the campground to a boat ramp to the south where there are currently two handling docks on either side of a two-vehicle wide asphalt ramp. An additional L-shaped boat dock exists to the north of the boat ramp and is operated by Tamarack Resort.

Tamarack Resort is a four-season destination resort across the Old State Highway/West Mountain Road from Poison Creek Campground and originally opened as a ski resort in 2004. Now Tamarack Resort offers lodging, dining, event space, skiing, mountain biking, zip lining and watersport rentals. Tamarack Resort has operated under small concessions permit with the IDPR at Poison Creek since 2005, offering public access to boat, stand up paddle board, jet ski and kayak rentals as well as seasonal boat moorage using an EZ Dock marina system that is removed at the end of each season. A small building currently sits on the shore next to the L-shaped dock, near the day-use area, where concessions and rentals are handled. The seasonal operation of these services usually runs from Memorial Day weekend to Labor Day weekend.

Lake Cascade does not have any permanent marina services currently and growing support has occurred over the last few decades from the recreating public, surrounding community and IDPR itself. A request for proposals was issued by Lake Cascade State Park in 2021 after the Cascade Community Review was completed in 2016 which revealed continued support for marina development on the lake. Tamarack Resort's proposal was approved by IDPR, and an agreement was established between the two entities and Reclamation in 2023. A 20-year agreement between IDPR and Tamarack is contingent upon Reclamation's review and approval.

Need for Action

Reclamation's purpose and need for the Proposed Action is to approve IDPR's request to proceed with construction of Tamarack Resort's Poison Creek Marina facilities proposal on land owned by Reclamation. Public services have been offered on an annual basis at this location through IDPR permitting since 2005. The proposed action is permitted by Public Law 89-72 which authorizes Reclamation to arrange for the operation and maintenance of recreation facilities by a non-federal public entity; Idaho Code 67-4204 and 67-4223 (7) which authorizes IDPR to grant concessions to parties; and Reclamation Agreement No. 21-07-11-L5422 which states IDPR is authorized to enter into contracts with concessionaires to develop, operate and manage certain Lake Cascade lands and facilities for recreation concessions with Reclamation's approval.

Proposed Action

IDPR is requesting to proceed with Tamarack Resort's proposal to develop a public marina and recreation area on land owned by Reclamation consisting of up to 200 seasonal boat slips for the public at Poison Creek Campground area. The marina would also include the following facilities and improvements:

- On-site fuel sales for boats including a 12,000 gallon above ground tank
- 1,000 square foot rental and retail facility
- Expanded public parking area at a ratio of 1.5 parking stalls per boat slip
- Enhanced recreation area for the public on the beach and upland areas.

The boat slips have been engineered to be removed from the water at the end of the season (Labor Day time frame) as the reservoir reaches low water due to spring ice melt and ice movement on Lake Cascade. The marina will be taken apart in approximately 50-foot sections and will remain below the high-water mark, but above the water line, effectively on dry ground for the winter. In the spring, after the ice melts, the slips will be installed for the season. The slips are anchored in place using helical anchors that are approximately 9 inches in diameter with a 2-inch shaft and will be seated at a depth of approximately 20–25 feet depending on their location. The anchors will have marine grade chains connected to the slips. These anchors will be permanently in place while the marina sections will be removed and replaced seasonally.

Preliminary Alternative Development

The environmental assessment would include consideration of the Proposed Action Alternative and the No Action Alternative. Additionally, alternatives would be developed with the identified issues throughout the NEPA process.

Exhibits

1. Project Area Map

United States Department of the Interior
BUREAU OF RECLAMATION
Snake River Area Office
230 Collins Road
Boise, ID 83702-4520

IN REPLY REFER TO:
SRA-1214
2.1.4.17

Subject: Request for Public Comments Regarding a Proposed Development of Poison Creek Marina Facilities Project in Valley County, Idaho

Dear Interested Party:

The Bureau of Reclamation has received a request from the Idaho Department of Parks and Recreation to review a proposal from Tamarack Resort to develop a public marina and recreation area. This action would occur on land owned by Reclamation at Poison Creek Campground on Lake Cascade in Donnelly, Idaho. The purpose of this letter is to inform interested and affected public of the proposal and to solicit comments pursuant to the National Environmental Policy Act of 1969. Enclosed is a Scoping Information Package describing the project proposal.

Scoping is a public involvement process used to determine the scope of issues to be addressed and identify issues related to the proposed action. Analysis of the proposal is ongoing and will be documented in an environmental assessment with an estimated completion in the fall of 2024. Comments received in response to this solicitation will be used to identify potential environmental issues related to the proposed action and to identify alternatives to the proposed action that meet the purpose of and need for the project.

Please help us identify important issues and concerns regarding the proposed action by providing your written comments by **April 17, 2024.** Written comments should be submitted electronically to sra-nepa-comments@usbr.gov, or mailed or hand delivered to:

Ms. Rochelle Ochoa
Natural Resources Specialist
Bureau of Reclamation
Snake River Area Office
230 Collins Road
Boise, Idaho, 83702

There will be a public open house held during the scoping period to provide information and to answer questions about the proposed action. The meeting will be held on April 2, 2024, from 6:00–8:00 p.m. at the following location:

American Legion
105 E. Mill Street
Cascade, Idaho 83611

Before including your address, phone number, email address, or other personal identifying information in your comment, please be advised that your entire comment, including your personal identifying information, may be made publicly available at any time. While you may request that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

PLEASE NOTE: If you do not have any comment at this time but still wish to remain on the distribution list to continue to receive future updates on this proposed project, **you must opt in** via email (sra-nepa-comments@usbr.gov), phone call at (208) 383-2277, paper mail, or in-person at the Boise address listed above. **You will not receive further updates on this proposed project if you have not affirmatively opted in**. If you do not wish to receive further updates, no action is necessary.

The primary contact for questions or comments for this analysis is Ms. Rochelle Ochoa, Natural Resources Specialist, at (208) 383-2277. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

Sincerely,

BRYAN HORSBURGH

Digitally signed by BRYAN HORSBURGH
Date: 2024.03.14 09:14:07 -06'00'

Acting for Michael Hilliard
Acting Area Manager

Enclosure

Last name	First name	Comment	Resource	EA Discussion Chapter	Notes
Long	Lenard	Concerns for phosphorous increase, sediment disturbance, increased algal blooms, and increased erosion on shoreline	water quality, recreation	Section 3.2 Recreation page 19 law enforcement, Section 3.3 Water Quality page 27, 28, & 31	
Carter	Dennis and Suzanne	Increase lake traffic, create unsafe situations because of increased traffic, bad location due to choke point	recreation	Section 3.2 Recreation page 19 law enforcement	
Garrison	Terry and Penny	Concern is with the number of boat slips and increasing traffic and safety and would like to see enforcement. Supports the plan to increase fueling, beach and parking, and to expand the dock	recreation	Section 3.2 Recreation page 19 law enforcement	
Hill	Tony	Concern is with the number of boat slips and increasing traffic and safety. Suggests enforecement. Concern about wake. Interested in fish decrease in recent years.	recreation, fisheries	Section 3.2 Recreation page 19 law enforcement, Section 3.6 Bio Resources page 37 &42	
Barton	David	Concerns for phosphorous increase, sediment disturbance, increased algal blooms, and concern for safety and damage to docks, hazmat concerns of fuel spill, affect the bird population in the area	wq, hazmat, recreation, wildlife	Section 3.2 Recreation page 19 law enforcement, Section 3.3 Water Quality page 27, 28, & 31, Section 3.4 HazMat page 34 Mitigation Measures, Section 3.6 Bio Resources page 38, 39 & 40	
Steelsmith	Ernest and Rust	Increase traffic, become less safe, effect the birds negatively, needs enforcement	recreation	Section 3.2 Recreation page 19 law enforcement	
klein	chris & karen	multiple recreation concerns, water quality concerns, and ideas for solutions as well as tamarack specific questions	recreation, water quality	Section 3.2 Recreation page 19 law enforcement, Section 3.3 Water Quality 27, 28 & 31	
fink	peter	too big a project for cascade, water quality concerns, fuel spill concerns, understaffed safety department	recreation, hazmat, WQ	Section 3.2 Recreation page 19 law enforcement, Section 3.3 Water Quality page 27, 28 & 31, Section 3.4 HazMat page 34 Mitigation Measures	
oberti	jack	wants fair pricing for boat slip rental and power to charge boat motor installed on slips	recreation	Outside of scope of the EA	
valley soil & water conservation district		WQ concerns	water quality	Section 3.3 Water Quality page 27, 28 & 31	
jacobsen	patty	water quality concerns, wake boats are desctructive	water quality	Section 3.2 Recreation page 19 law enforcement, Section 3.3 Water Quality page 27, 28 & 31	
Doornbos	Martin	private landowner approved for 200-boat slips, other private land owners cannot for one boat dock? If this is approved, is there a plan to allow other land owners on the lake to also have boat docks/slips? Additional concerns about amount of boat slips.	recreation	Section 3.2 Recreation page 21 Private Boating Access	
clark	Patty	too much boat traffic, fuel leak concern, road concerns, parking concerns, water levels and boat slip location concern, suggested Van Wyck proposal is better	recreation, hazmat	Section 3.2 Recreation page 19 law enforcement, Section 3.4 HazMat page 34 Mitigation Measures, Section 1.2 Location and Background page 8	
Hungerford	Roger	WQ concerns, hazmat concerns,	WQ, hazmat	Section 3.2 Recreation page 19 law enforcement, Section 3.3 Water Quality page 27, 28 ,& 31, Section 3.4 HazMat page 34 Mitigation Measures	
Smoken	Sam	Bald eagle concerns, fisheries, infrastructure concern (road, fire, traffic), recreation, erosion, fuel spills	hazmat, wildlife, fish, recreation,	Section 3.2 Recreation page 19 law enforcement, Section 3.4 HazMat page 34 Mitigation Measures, Section 3.6 Bio Resources page 37	
Ray	Alex	various wake boat concerns,user interaction concerns, invasive species concern, hazmat spills, suggests additional alternatives	wq, aquatic species, Hazmat, recreation	Section 3.2 Recreation page 19 law enforcement, Section 3.3 Water Quality page 27, 28, & 31, Section 3.4 HazMat page 34 Mitigation Measures, Section 3.6 Bio Resources page 36 & 42	Alternatives proposed were taken into consideration but were eliminated due to either not meeting the purpose and need for the project or suggestions were outside the jurisdicition of the invovled parties.
Friends of Lake Cascade		wake boat concerns, wq concerns, noise concern, wildlife disturbances, AIS concerns,	wq, wildlife, recreation	Section 3.2 Recreation page 19 law enforcement, Section 3.3 Water Quality page 27, 28, & 31, Section 3.6 Bio Resources page 36, 37 & 42	
Witt	Diana	Congestion with traffic on water, Water quality,	recreation, wq	Section 3.2 Recreation page 21 Spatial boating capacity, Section 3.3 Water Quality page 27, 28 & 31	
McChrystal	Pamela	fuel leak concerns, WQ concerns, recreation concerns, bird nesting concerns during fireworks	recreation, wq, hazmat,	Section 3.2 Recreation page 19 law enforcement, Section 3.3 Water Quality page 27, 28 & 31, Section 3.4 HazMat page 34 Mitigation Measures	
Idaho conservation league		WQ concerns, erosion concerns, invasive species concerns, hazmat concerns,	wq, hazmat, recreation	Section 3.2 Recreation page 19 law enforcement, Section 3.3 Water Quality page 27, 28 & 31, Section 3.4 HazMat page 34 Mitigation Measures	
Gibboney	Gregg	WQ concerns, aging infrastructure concerns, privitzation concerns	WQ	Section 3.3 Water Quality page 27, 28 & 31, combined effects	Reclamation's agreement with IDPR includes limitations stating 'no right of exclusion' which guarantees Tamarack would only be able to operate this marina, and all land included, as available to the public.
Gibboney	Theresa	same letter	WQ	Section 3.3 Water Quality page 27, 28 & 31, combined effects	
EPA		wq concerns,air quality concern, hazmat (SPCC), EJ concerns, climate change concerns, noise concerns, ESA concerns	wq, air quality, hazmat, noise, ESA	Section 3.3 Water Quality page 27, 28, & 31, Section 3.4 HazMat page 34 Mitigation Measures, Section 3.6 Bio Resources page , Section 3.7 Threatened and Endangered Species	
Kooyers	Kim	WQ concerns	wq	Section 3.3 Water Quality page 27, 28 & 31	
Hembree	David	wq concerns, congestion on lake concerns, noise concerns	recreation, wq	Section 3.2 Recreation page 21 Spatial boating capacity, Section 3.3 Water Quality page 27, 28, & 31	
stammetti	john	traffic concerns, fuel concerns, wave action/erosion concerns,	recreation, hazmat	Section 3.2 Recreation page 19 law enforcement, Section 3.4 HazMat page 34 Mitigation Measures	

Eddy	Linda	Congestion with traffic on water, Water quality, road concerns, wq concerns, bank erosion, wants private dock, privitization concern	recreation, wq,	Section 3.2 Recreation page 19 law enforcement & page 21 private boating access, Section 3.3 Water Quality page 27, 28 & 31	Reclamation's agreement with IDPR includes limitations stating 'no right of exclusion' which guarantees Tamarack would only be able to operate this marina, and all land included, as available to the public. Additionally, 43 CFR Part 429.31. Reclamation prohibits any use that would result in new private exclusive recreational or residential use of Reclamation land, facilities, or waterbodies.
Kuenzli	James	boat traffic concerns, hazmat concerns, boat launch capacity cocnerns, request the boat launch be deepened	recreation, hazmat	Section 3.2 Recreation page 19 law enforcement & page 21 private boating access, Section 3.4 HazMat page 34 Mitigation Measures	
Burton	Fred	fisheries concerns, WQ concerns, erosion concerns,	fisheries, recreation, wq	Section 3.2 Recreation page 19 law enforcement, Section 3.3 Water Quality page 27, 28 & 31, Section 3.6 Bio Resources page 37 & 42	
Hallberg	Harry	hazmat concerns: containment, reprorting spills, clean up procedures	hazmat	Section 3.4 HazMat page 34 Mitigation Measures	
Beverage	Raymond	boat ramp is at max capacity	recreation	Section 3.2 Recreation page 19 law enforcement & page 21 private boating access	
Thies	Lloyd	hazmat concerns: containment, reporting spills, clean up procedures	hazmat	Section 3.4 HazMat page 34 Mitigation Measures	
jacobsen	Glenn	would like the leaking sewer line problem corrected before this project occurs	WQ	Section 3.3 Water Quality page 27, 28 & 31	This issue is outside of Reclamation's jurisdiction
Valley County Board of Commissioners		infrastructure concerns, invasives concerns, education opportunities, dark sky compliance	recreation, wq	Section 3.2 Recreation page 22 Transportation, Section 3.3 Water Quality page 27, 28, & 31, Section 3.6 Bio Resources page 36 & 42	Road maintenance is under jurisdiction of City of Donnelly and Valley County/ITD for Roseberry road. A traffic study is done annually by ITD which records traffic counts each year using GIS software which can be accessed online using IPLAN.

Type	Greeting	First Name	Last Name	Position	Organization	Address1	City	State	Zip	Phone	E-mail	OK to email?	Note
County	Mr.	Elting	Hasbrouck	County Commissioner	Valley County	PO Box 1350	Cascade	ID	83611		commissioners@co.valley.id.us	yes	
County	Ms.	Sherry	Maupin	County Commissioner	Valley County	PO Box 1350	Cascade	ID	83611		commissioners@co.valley.id.us	yes	
County	Mr.	Neal	Thompson	County Commissioner	Valley County	PO Box 1350	Cascade	ID	83611		commissioners@co.valley.id.us	yes	
Federal	Ms.	Tanya	Thrift	District Manager	Bureau of Land Management	3948 Development Avenue	Boise	ID	83705				
City / Town	Honorable	Judith	Nissula	Mayor	City of Cascade	PO Box 649	Cascade	ID	83611				
City / Town	Honorable	Susan	Dorris	Mayor	City of Donnelly	PO Box 725	Donnelly	ID	83615				
Congressional	Mr.	Dirk	Mendive		Congressman Fulcher's Office	33 E. Broadway Avenue, Suite 251	Meridian	ID	83642				
Congressional	Mr.	Craig	Quarterman		Congressman Simpson's Office	802 W. Bannock, Suite 600	Boise	ID	83702-5820				
County	Mr.	Larry	Laxson	Recreation Director	Valley County	PO Box 1350	Cascade	ID	83611	(208)405-3148	llaxson@co.valley.id.us	yes	
Federal				Director	Environmental Protection Agency	950 West Bannock Suite 900	Boise	ID	83702				
Federal					Fort Hall Agency-BIA	PO Box 220	Fort Hall	ID	83202				
Environmental	Ms.	Brad	Smith	Conservation Programs Director	Idaho Conservation League	PO Box 844	Boise	ID	83701	208-345-6933			
State	Mr.	Jess	Byrne	Director	Idaho Department of Environmental Quality	1410 N. Hilton	Boise	ID	83706				
State				Southwest Regional Office-McCall	Idaho Department of Fish and Game	555 Deinhard Lane	McCall	ID	83638	208-634-8137			
State	Mr.	Dustin	Miller	Director	Idaho Department of Lands	300 N 6th Street #103	Boise	ID	83702	208-334-3488	dmiller@idl.idaho.gov	yes	
State	Ms.	Susan	Buxton	Director	Idaho Department of Parks and Recreation	PO Box 83720	Boise	ID	83720-0065	208-334-4199			
State	Mr.	Mathew	Weaver	Director	Idaho Department of Water Resources	322 East Front Street	Boise	ID	83720				
State	Ms.	Julie	DeLorenzo	District 3 Board Member	Idaho Transportation Department	P.O. Box 7129	Boise	ID	83707				
State	Mr.	Jeff	Raybould	Chairman	Idaho Water Resource Board	322 East Front Street, Box 83720	Boise	ID	83720				
State	Mr.	Paul	Arrington	Executive Director and General Counsel	Idaho Water Users Association	1010 West Jefferson Suite 101	Boise	ID	83701				
Environmental	Mr.	Brian	Brooks	Executive Director	Idaho Wildlife Federation	1020 W Main Street Suite 450	Boise	ID	83702				
State	Mr.	Heath	Williamson	Heath Williamson	Cascade Power Plant			ID			hwilliamson@idahopower.com		Katy called Idaho Power to verify this on 3/12/24
Federal	Mr.	Kenneth	Troyer	Branch Chief	NOAA Fisheries	800 E. Park Blvd, PLAZA IV Suite 220	Boise	ID	83712-7768		kenneth.troyer@noaa.gov		
State	Ms.	Claudia	Nally	Executive Assistant	Office of the Governor	PO Box 83720	Boise	ID	83720-0001				
Congressional	Mr.	Casey	Attebery	State Director of Natural Resources and Environment	Senator Crapo's Office	251 East Front Street, Suite 205	Boise	ID	83702		casey_attebery@crapo.senate.gov		
Congressional	Mr.	Mitch	Silvers	State Director of Intergovernmental Affairs and Environment	Senator Crapo's Office	251 East Front Street, Suite 205	Boise	ID	83702				
Congressional	Ms.	Rachel	Burkett	State Director	Senator Risch's Office	350 North 9th Street Suite 302	Boise	ID	83702-5470		rachel_burkett@risch.senate.gov		
Congressional	Mr.	Darren	Parker	State Natural Resources Director	Senator Risch's Office	350 North 9th Street Suite 302	Boise	ID	83702-5470	208-342-7985	Darren_parker@risch.senate.gov		
Tribes	Honorable	Lee Juan	Tyler	Chairman	Shoshone- Bannock Tribal Council	PO Box 306	Fort Hall	ID	83203				
Tribes	Honorable	Brian	Thomas	Chairman	Shoshone-Paiute Tribal Council	PO Box 219	Owyhee	NV	89832				
Tribes	Honorable	Shannon	Wheeler	Chairman	Nez Perce Tribal Council	100 Agency Road	Lapwai	ID	83540				
Environmental	Ms.	Lisa	Young	Chapter Director	Idaho Chapter Sierra Club	503 W. Franklin	Boise	ID	83702		lisa.young@sierraclub.org	yes	
State	Governor	Brad	Little	Governor	State of Idaho	PO Box 83720	Boise	ID	83720-0001				

Other Contacts
Last updated 10/16/18

Info Verified?	Type	Greeting	First Name	Last Name	Position	Organization	Address1	Address2	City	State	Zip	Phone	E-mail	OK to email?	Note	AF?
10/5/2018	Congressional	Honorable	Mike	Simpson	Member, House of Representatives	Representative Mike Simpson	2312 Rayburn House Office Building		Washington	DC	20515				10/10/18 waiting to hear from M. Coffey on whether or not to send to DC offices	
10/5/2018	Congressional	Honorable	Raul	Labrador	Member, House of Representatives	Representative Raul Labrador	1523 Longworth HOB		Washington	DC	20515				10/10/18 waiting to hear from M. Coffey on whether or not to send to DC offices	
10/5/2018	Congressional	Honorable	Jim	Risch	United States Senator	Senator Jim Risch	483 Russell Senate Office Building		Washington	DC	20510				10/10/18 waiting to hear from M. Coffey on whether or not to send to DC offices	
10/5/2018	Congressional	Honorable	Mike	Crapo	United States Senator	Senator Mike Crapo	239 Dirksen Senate Building		Washington	DC	20510				10/10/18 waiting to hear from M. Coffey on whether or not to send to DC offices	
10/15/2018	Tribes	Honorable	Shannon	Wheeler	Chairman	Nez Perce Tribe	P.O. Box 305		Lapwai	ID	83540	208-843-2253				
10/15/5018	Tribes	Honorable	Darren	Parry	Chairperson	Northwestern Band of the Shoshone Nation	505 Pershing Ave. Suite 200		Pocatello	ID	83201				in Black Canyon EA from 2014	
10/5/2018	Tribes	Honorable	Dean	Adams	Chairperson	Upper Snake River Tribes Foundation	413 W Idaho St, Suite 101		Boise	ID	83702				www.uppersnakerivertribes.org	