

## **SECTION 9 – Table of Contents**

<b>9 Coeur d' Alene Subbasin Inventory of Existing Programs – Terrestrial .....</b>	<b>2</b>
9.1 Current Management Directions.....	2
9.2 Existing and Imminent Protections.....	3
9.3 Inventory of Recent Restoration and Conservation Projects .....	5
9.4 Strategies Currently Being Implemented Through Existing Projects.....	9

## 9 Coeur d' Alene Subbasin Inventory of Existing Programs – Terrestrial<sup>1</sup>

### 9.1 Current Management Directions

State and Federal agencies and Tribal governments that have management authority over wildlife resources in the Coeur d'Alene Subbasin include the U.S. Fish and Wildlife Service (USFWS), U.S. Forest Service (USFS), Idaho Fish and Game (IDFG), Washington Department of Fish and Wildlife (WDFW), and the Coeur d'Alene Tribe (CDAT). Only a very small portion of the Subbasin is located within Washington state. Other state and federal agencies, including, but not limited to, the U.S. Army Corps of Engineers (USACE), Environmental Protection Agency (EPA), the Natural Resources Conservation Service (NRCS), Idaho Department of Environmental Quality (IDEQ), and Washington Department of Ecology (WDOE) are involved in programs that affect the land or water that provide habitat for fish and wildlife. A complete list of state, federal, and Tribal entities that are involved in management of fish and wildlife or their habitats is included in section 2.4.1, along with a description of each agency's management direction.

#### 9.1.1 Local Government

##### 9.1.1.1 Kootenai-Shoshone Soil and Water Conservation District

The current management strategies of Kootenai-Shoshone Soil and Water Conservation District (KSSWCD) can be summarized from excerpts of the District's current five-year plan. The goals and objectives include:

##### Water Quality

Goal: Improve water quality in streams and lakes that do not meet state water quality standards.

Objective: Administer programs and projects that accelerate Best Management Practice (BMP) implementation.

Objective: Represent private land interests on local committees and groups.

##### Information and Education

Goal: Increase public awareness of KSSWCD activities.

Objective: Provide conservation information to youth and adults.

##### Urban

Goal: Maintain agricultural base within District.

Objective: Protect farmland from urban encroachment.

##### Woodland

Goal: Insure healthy, productive woodlands within the district

Objective: Assist producers with woodland planning and implementation of forestland BMPs, including forest road remediation.

---

<sup>1</sup> Much of this section was taken directly from the Coeur d' Alene Subbasin Summary, 2001 pp. 63-68.

Objective: Strengthen partnerships with other agencies and groups working on forestland issues.

Objective: Stimulate reforestation with private landowners on large- and small-scales by providing low-cost tree stock through the District's tree sales program.

### District Operations

Goal: Maintain an active and effective KSSWCD board.

Objective: Seek training for KSSWCD members and staff.

Objective: Insure adequate funding for KSSWCD operations.

Although not specifically addressed with goals and objectives within the five-year plan, other important resource concerns are mentioned in the introduction. These concerns include riparian, recreation, rangeland, and fish and wildlife.

### **9.1.2 Coeur d' Alene Tribe**

The Coeur d' Alene Tribe's Natural Resources Department is dedicated to the management of all natural resources within the historical and cultural territories of the Tribe. The Tribal fish and wildlife programs operate under a mission to restore, protect, expand, and re-establish native fish and wildlife populations to sustainable levels to provide harvest opportunities. The CDAT is responsible for the management and enforcement of all Tribal member harvest within the Subbasin. The Tribe also serves as a core member of the Albeni Falls Interagency Work Group and uses this forum as the mechanism for mitigating the impacts of construction and operation of Albeni Falls Dam on wildlife resources throughout the ceded and usual and accustomed lands of the Coeur d' Alene peoples.

Section 11.3E.1 of the Council 1995 Program directed the states and Tribes to form long-term agreements within three years following the adoption of the program for all wildlife mitigation. In response, IDFG, KT, CDAT, Kootenai Tribe of Idaho, USFWS, USACE, NRCS, and USFS formalized the Work Group and signed an agreement. The *Albeni Falls Interagency Work Group Operating Guidelines and Guiding Principles for Mitigation Implementation* (1998) guides the implementation of wildlife mitigation projects. The impetus for the agreement was provided not only by the members' desire to meet the Program directive, but more importantly, the members wanted to implement the Program at a local level by providing the mechanism for non-profit organizations, watershed groups, and other members of the public to propose projects directly to the fish and wildlife managers.

## **9.2 Existing and Imminent Protections**

Refer to Section 2.4 for a description of the natural resources management agencies and organizations and their primary authorities at the federal, state, and regional levels. Many State and Federal laws and regulations protect natural resources within the IMP. Tribal governments and local governments also have regulations that protect specific areas or locations within the IMP. The following section summarizes the existing and imminent protections for federal and state threatened and endangered wildlife species known or potentially occurring in the Coeur d' Alene Subbasin.

## **9.2.1 Endangered Species**

### **Bald Eagle**

Bald eagles are currently listed as threatened under the federal Endangered Species Act (ESA). This provides protection from “take” (i.e., harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect...). Bald eagles were proposed for removal from the endangered species list in 1999. That action has not been taken, in part because one prerequisite for delisting, a nationwide monitoring plan, has not yet been met. If a development project occurs on federal land or involves federal funding (i.e., nexus), an endangered species consultation may be required by the USFWS.

Bald eagles are classified as threatened in Washington and endangered in Idaho.

In 1984, Chapter 77.12.655 RCW was adopted by the Washington State Legislature, requiring the establishment of rules defining buffer zones around bald eagle nests and roost sites. The law states that the rules shall take into account the need for variation of the extent of the buffer zone on a case-by-case basis.

In 1986, the Bald Eagle Protection Rules (WAC 232-12-292) were adopted by the Washington Wildlife Commission. The rules require permitting agencies (i.e., Department of Natural Resources, counties, cities) to review the database of bald eagle nest and communal roost locations prior to issuing permits for timber harvest, clearing land, residential development, etc. If the activity is within ½ mile of an eagle nest, the permitting agency notifies WDFW, who works with the applicant to develop a Bald Eagle Management Plan (see WAC 232-12-292 (4.4)).

Deliberate harassment of eagles is prohibited by state and federal law (Chapter 77.15.130 RCW; Bald Eagle Protection Act; Endangered Species Act; and, Migratory Bird Treaty Act).

### **Canada Lynx**

The lynx was listed as a state threatened species in Washington in 1993 and was listed as a federally threatened species under ESA in April 2000. Lynx is not given special management status in Idaho.

Canada lynx has been reported in many locations within the Subbasin, including all major drainages except the North Fork Coeur d' Alene River (IDFG 2003). Several lynx analysis units are located within the Subbasin.

Legal take of lynx in Washington ceased in 1991 and consequent designation as a threatened species presently provides complete protection from hunting or trapping at both the state (Chapter 77.16.120 RCW) and federal level.

### **Fisher**

The fisher is will become a candidate for federal listing under the ESA in the near future (USFWS 2004). Fisher is a state endangered species in Washington; it is not given special management designation in Idaho.

In Washington, fisher is managed based on the findings of the WDFW status report (Lewis and Stinson 1998). Protection of fisher in Washington from hunting, possession, or control is provided under Chapter 77.16.120 RCW. Washington further charges those convicted of illegal take of state endangered species with a \$2,000 reimbursement for each animal taken or possessed (Chapter 77.21.070 RCW).

### **Gray Wolf**

The gray wolf is listed as a federally threatened species under the ESA. Washington classifies the species as endangered.

The gray wolf is state designated as endangered in Kootenai, Shoshone, Bonner, and Boundary counties of Idaho. Elsewhere in Idaho, the State considers the species an experimental non-essential population. The Central Idaho Non-essential Experimental Population Area includes the portion of the Coeur d' Alene Subbasin located south of Interstate Highway 90. No portions of federally designated wolf recovery areas are located within the Subbasin.

In Washington, protection of gray wolf from hunting, possession, or control is provided under Chapter 77.16.120 RCW. Washington further charges those convicted of illegal take of state endangered species with a \$2,000 reimbursement for each animal taken or possessed (Chapter 77.21.070 RCW).

### **Grizzly Bear**

The grizzly bear listed as a threatened species under ESA, as a threatened species in the State of Idaho, and as an endangered species in the State of Washington.

The Coeur d' Alene Subbasin is located within the northwestern portion of the Bitterroot Ecosystem. The USFWS (2000b) determined that there were no grizzly bears remaining in the Bitterroot Ecosystem, and proposed several alternatives for recovery. The preferred alternative is to reintroduce a non-essential experimental population into a recovery area; each of the recovery area alternatives includes portions of the Coeur d' Alene Subbasin.

### **Peregrine Falcon**

Peregrine falcon is classified as an endangered species in Idaho. No recent sightings are reported for the Coeur d' Alene Subbasin in the state of Idaho database (IDFG 2003).

Refer to the Coeur d' Alene Subbasin Terrestrial Resources Assessment, Section 8, for additional information on the occurrence and status of federal and state threatened and endangered species in the Subbasin.

## **9.3 Inventory of Recent Restoration and Conservation Projects**

Below is a summary of some BPA and non-BPA funded projects identified within the Subbasin. Projects that are relevant to both terrestrial and aquatic resources may be presented in the aquatic inventory section for this Subbasin (see Section 7). Refer to Section 2.4, Inventory of Projects in the IMP, for description of projects involving more than one subbasin. Major Grand Coulee Dam wildlife mitigation projects are located and managed in more than one subbasin. Refer to

Appendix H for a more comprehensive list of the BPA and non-BPA funded projects conducted in this Subbasin and the entire IMP.

### **9.3.1 BPA Funded Projects**

#### ***Project #9004401: Lake Creek Land Acquisition and Enhancement***

This project is part of an ongoing effort by the Coeur d' Alene Tribe and the Bonneville Power Administration (BPA) to protect, enhance, and maintain high value fish and wildlife habitat in the Lake Creek Watershed. The project involves the enhancement and long-term operation and maintenance of approximately 155 acres of emergent wetlands at the mouth of Lake Creek and 180 acres of associated forested/riparian wetlands. This area is one component of a recent 2,100 acre acquisition that was funded by BPA to partially mitigate for resident fish and wildlife losses attributed to the Grand Coulee and Albeni Falls hydroelectric facilities. All activities on the project site complement ongoing habitat restoration work in the Lake Creek Watershed and help to establish a precedent for watershed management efforts on the Reservation. The enhancement and protection of wetland, riparian, and upland areas will provide measurable improvements in channel stability, sediment abatement, water quality, habitat availability, and suitability for wildlife and fish.

The Lake Creek Watershed provides valuable habitat for populations of black bear, moose, elk, white-tailed deer, muskrat, Canada geese, mallards, bald eagles, black-capped chickadees, westslope cutthroat trout, bull trout, and many species of song birds and other non-target wildlife species.

#### ***Project # 200204500 Wetland / Riparian Protection, Restoration, Enhancement, and Maintenance in the Coeur d' Alene Subbasin***

This project is funded by BPA and sponsored by IDFG with collaboration from the CDAT, Kalispel Tribe, and Kootenai Tribe of Idaho. The project's goals are to protect wetland and riparian habitats within the Coeur d' Alene Subbasin through management rights acquisitions. Restoring, enhancing, and maintaining wetland and riparian habitats will benefit native fish and wildlife in perpetuity. The project will consist of baseline evaluations of project site, with continued monitoring of water quality, vegetation and coverage parameters, and wildlife populations. Baseline maps will be developed to illustrate the location, acreage, and percent cover of noxious weeds within the project sites.

### **9.3.2 Non-BPA Funded Projects**

#### ***Plummer Creek SAWQP 95-5***

##### Project Description:

1,600 acres of dryland crop: bluegrass/winter wheat. Many gullies treated.

##### Associated Monitoring:

≥ annual inspections by Benewah Soil and Water Conservation (BSWCD) and NRCS

##### Accomplishments:

Years 99-03: 237 acres no-till, 7 gully plugs, 1 sediment basin, 1,335 feet grassed waterway.

Notes:

Much more conservation work is in order. Landowners willing to participate if more cost-sharing can be secured. Some land is in Conservation Reserve Program (CRP). Landowner suggests that some soil conservation practices can easily be combined with habitat improvement.

***Plummer Creek SAWQP 95-6***

Project Description:

129 acre grass/grain farm draining to Plummer Creek. Soil erosion contributes to sediment load in Plummer Creek. This project ended in 2002 and was sponsored by the BSWCD.

Associated Monitoring:

≥ annual inspections by BSWCD and NRCS

Accomplishments:

90.5 acres were planted using no-till during grain rotations.

***Plummer Creek SAWQP 93-2***

Project Description:

141 acre dry cropland with 2.5 acre grassed waterway and 9 acre wildlife area

Associated Monitoring:

≥ annual inspections by BSWCD and NRCS

Accomplishments:

Installed 1,698 foot terrace, 4 gully plugs, 1,200 feet subsurface drain, and 1 sediment basin. 92 acres planted using no-till during grain rotation.

***Plummer Creek SAWQP 93-1***

Project Description:

614 acre cropland draining to Plummer Creek. Erosion contributing sediment load to creek.

Associated Monitoring:

≥ annual inspections by BSWCD and NRCS

Accomplishments:

Installed 5 gully plugs and 557 feet of subsurface drain. 196 acres put into permanent cover crop, 203 acres no-till grain

***Plummer Creek SAWQP 97-8***

Project Description:

2,000 acre crop/hay/grazing. Erosion contributing sediment load to Little Plummer Creek.

Associated Monitoring:

≥ annual inspections by BSWCD and NRCS

Accomplishments:

Installed 2 spring developments, 1 corral, 4046 feet of fencing, 2 hard crossings, and 309 feet of access road to better manage the cattle and keep the cattle out of the creek and riparian area. Planted 51.5 acres no-till oats.

Notes:

Property has been sold. Have not been able to determine the new owner's intentions. Good possibility for wildlife habitat enhancement.

***Plummer Creek SAWQP***

Project Description:

76 dryland crop

Associated Monitoring:

≥ annual inspections by BSWCD and NRCS

Accomplishments:

76 acres no-till permanent cover crop, 1,975 feet subsurface drain, 1 sediment basin, 500 feet grassed waterway.

***Plummer Creek SAWQP 97-11***

Project Description:

255 acres dry cropland, 73 acres hay/pasture

Associated Monitoring:

≥ annual inspections by BSWCD and NRCS

Accomplishments:

Installed 1,660 feet subsurface drain, 328 acres crop and hay put into permanent cover crops.

***Plummer Creek SAWQP 96-7***

Project Description:

105 acre dryland cropping. Soil erosion contributing sediment load to Plummer Creek

Associated Monitoring:

≥ annual inspections by BSWCD and NRCS

Accomplishments:

Installed 2 gully plugs and 270 feet subsurface drain with terrace and diversion. Reduced erosion, no new gullies.

## **9.4 Strategies Currently Being Implemented Through Existing Projects**

### **9.4.1 Limiting Factors and Strategies**

Refer to Figure 7.1 of the Aquatic Inventory section for a graph displaying the percent of all fish and wildlife mitigation projects in the Subbasin that respond to specific limiting factors. Wildlife mitigation projects in the Subbasin respond primarily to the limiting factors of habitat quantity and quality through land acquisition, protection, restoration, and enhancement activities. In addition, lack of information is addressed by projects involving research and data collection.

Figure 7.2 of the Aquatic Inventory section shows the types of management strategies used in the fish and wildlife mitigation projects in the Subbasin. Wildlife mitigation projects in the Subbasin rely heavily on habitat acquisition and habitat protection, improvement, and restoration strategies. Other strategies widely used in the Subbasin include watershed planning/recovery planning, and RM&E.

### **9.4.2 Gaps Between Actions Taken and Actions Needed**

The primary terrestrial resources mitigation need in the Coeur d'Alene Subbasin, with respect to the FCRPS, is completion of the construction loss mitigation for the Albeni Falls Project. Although this project is located outside of the Subbasin, its construction affected lands traditionally used by the CDAT. The construction loss assessment for the project was completed in 1988 (Martin et al. 1988); acquisition of mitigation parcels through the Albeni Falls Interagency Work Group began in earnest in 1992. As noted above, some of the acquisitions have occurred in the Coeur d'Alene Subbasin. A total of 5,248 acres had been acquired on a total of 18 parcels as of the 2002 Albeni Falls Wildlife Mitigation Project Annual Report (Terra-Burns 2002). Currently, the mitigation for the construction wildlife losses in terms of wildlife HUs is about 17 percent complete (refer to Section 8). Acquisition of HUs for the federally threatened bald eagle is less than 10 percent complete for breeding and wintering HUs.

Additional funding for habitat acquisitions, enhancement and/or restoration measures, and maintenance will be necessary to meet the existing construction loss mitigation obligation.