



DAVID EVANS
AND ASSOCIATES INC.

MEMORANDUM

DATE: January 13, 2004
TO: Sajid Aftab - FHWA
FROM: Ron Bockelman
SUBJECT: **Section 4(f) and Section 6(f) Research and Planning**
PROJECT: Fernan Lake Road EIS
PROJECT NO: FHAX0000-0137 (file 856)
COPIES: see Table 2

The purpose of this memorandum is to identify properties that might be affected by reconstruction of Fernan Lake Road in Kootenai County, Idaho, and which are regulated by Section 4(f) of the U.S. Department of Transportation Act of 1966 or Section 6(f) of the Land and Water Conservation Fund Act of 1965 (and successors of these laws). Preliminary results and planned activities relative to 4(f) and 6(f) are described. The memo is being distributed to agencies with 4(f) or 6(f) jurisdiction or involvement, which are listed in Table 2.

Fernan Lake Road is designated as Idaho Public Forest Highway 80 connecting Coeur d'Alene with Idaho Panhandle National Forests (IPNF) at Fernan Saddle (Figure 1). Reconstruction of Segments 1 and 2 and maintenance of Segment 3 is being evaluated as a safety improvement project under the Forest Highway Program administered by Western Federal Lands Highway Division of Federal Highway Administration (FHWA). IPNF, Idaho Transportation Department (ITD), and East Side Highway District (ESHD) are partner agencies in the project.

Research Results – The attached Table 1 summarizes the properties and facilities identified and researched. Preliminary conclusions on 4(f) and 6(f) eligibility and impacts are presented for consideration and concurrence by respective agencies with jurisdiction. Results can be summarized as

1. The existing Fernan Lake Road is the only 4(f) property that would be impacted by proposed reconstruction.. Segments 1 and 2 of the road are considered eligible for listing on the National Register of Historic Places under Criterion A of regulations of the Advisory Council on Historic Preservation (36 CFR 63). Segment 3 of the road is not eligible for NRHP, which is administered by the National Park Service. The Idaho State Historic Preservation Officer (SHPO) stated that reconstruction of Segments 1 and 2 of the road would be an adverse effect to this historic property.
2. None of the other recreational or historic properties identified appear to meet 4(f) eligibility requirements or else they are not proposed to be taken or used by the proposed reconstruction and maintenance.
3. None of the properties acquired or developed with 6(f) funds would be converted to non-recreational uses.

Ongoing and Planned Section 4(f) Activities – The following activities are expected to satisfy 4(f) requirements for the Fernan Lake Road Safety Improvement Project:

1. Evaluate feasible and prudent alternatives to reconstructing the existing road. If none are found, explore measures to avoid, minimize, or mitigate adverse effects to the historic road.
2. If mitigation of adverse effects proves necessary, FHWA and SHPO will enter into a Memorandum of Agreement describing the required mitigation and its implementation.

3. Include a chapter on Section 4(f) in the draft and final EIS being prepared for the project. The project is not eligible for coverage under an otherwise applicable programmatic Section 4(f) agreement because an EIS is being prepared.

Table 1. Properties Evaluated for Section 4(f) and Section 6(f).

Property / Location / Agency	Research Results	4(f) / 6(f) Conclusion
Fernan Park Western Fernan Lake, before project starts at MP 0.0 Kootenai County Department of Parks and Waterways	1. Publicly owned and managed recreation facility/property 2. LWCFE funds used 3. Public access not affected 4. No take, use, or conversion	4(f) – Eligible but not taken or used 6(f) – Eligible but not converted
Fernan Fishing Dock Eastern Fernan Lake, project MP 1.85 Kootenai County Department of Parks and waterways	1. Publicly managed 2. No public ownership or agreement for recreational use 3. LWCFE funds not used	4(f) – Not eligible 6(f) – Not Eligible
East Fernan Boat Launch Eastern Fernan Lake, project MP 2.18 Kootenai County Department of Parks and Waterways	1. Publicly managed 2. No public ownership or agreement for recreational use 3. LWCFE funds not used	4(f) – Not Eligible 6(f) – Not Eligible
Canfield Mountain Trailhead Project MP 5.1, west side of road Idaho Panhandle National Forests	1. Publicly owned and managed 2. No take, use, or conversion planned 3. LWCFE funds not used	4(f) – Eligible but not taken or used 6(f) – Not Eligible
Forest Service Shooting Range Project MP 5.1, east side of road Idaho Panhandle National Forests	1. Publicly owned, not a managed site 2. No take, use, or conversion planned 3. LWCFE funds not used	4(f) – Not taken or used, regardless of eligibility 6(f) – Not Eligible
Fernan Rod and Gun Club Project MP 5.3 Idaho Panhandle National Forests	1. Publicly owned, operated under IPNF special use permit 2. Open to club members only 3. No take, use, or conversion planned 4. LWCFE funds not used	4(f) – Not Eligible 6(f) – Not Eligible
Fernan Saddle Trailhead After project ends at MP 10.7 Idaho Panhandle National Forests	1. Publicly owned and operated 2. No take, use, or conversion planned 3. LWCFE funds not used	4(f) – Eligible but not taken or used 6(f) – Not Eligible
Fernan Lake Road Project Segments 1 & 2, MP 0.0 to 5.0 Idaho SHPO	1. Eligible for NRHP-listing 2. Adversely affected by reconstruction 3. LWCFE funds not used	4(f) – Eligible and Taken/Used, Evaluation/Documentation Required 6(f) – Not Eligible
Kelly Homestead Project MP 4.1, east side of road Idaho SHPO	1. Possibly eligible for NRHP-listing 2. Not in Area of Potential Effect 3. LWCFE funds not used	4(f) – Tentatively eligible but not taken or used 6(f) – Not Eligible

Table 2. Agencies Contacted / Consulted on Section 4(f) and Section 6(f)

Agency / Contact	Address	Phone / Email
Kootenai County Parks and Waterways Kurtis Robinson, Director	10905 North Ramsey Road Hayden, ID 83835	208-446-1275 krobinson@kcgov.us
Idaho Department of Fish and Game Ned Horner, Fisheries Biologist	2750 Kathleen Avenue Coeur d'Alene, ID 83814	208-769-1414 nhorner@idfg.state.id.us
Idaho Dept. of Parks and Recreation Brian Miller, North Region Grants	P.O. Box 83720 Boise, ID 83720	208-334-4180 bmiller@idpr.state.id.us
Idaho State Historic Preservation Officer Mary Anne Davis	210 Main Street Boise, ID 83702	208-334-3847 mdavis@ishs.state.id.us
Idaho Panhandle National Forests District Recreation Specialist	2502 East Sherman Avenue Coeur d'Alene, ID 83814-5899	208-769-3066 jdorrell@fs.fed.us
Idaho Panhandle National Forests Cort Sims, Forest Archaeologist	3815 Schreiber Way Coeur d'Alene, ID 83815-8363	208-765-7306 csims@fs.fed.us
National Parks Service Gloria Shinn, Outdoor Rec. Coord.	909 First Avenue Seattle, WA 98104	206-220-4126 gloria_shinn@nps.gov

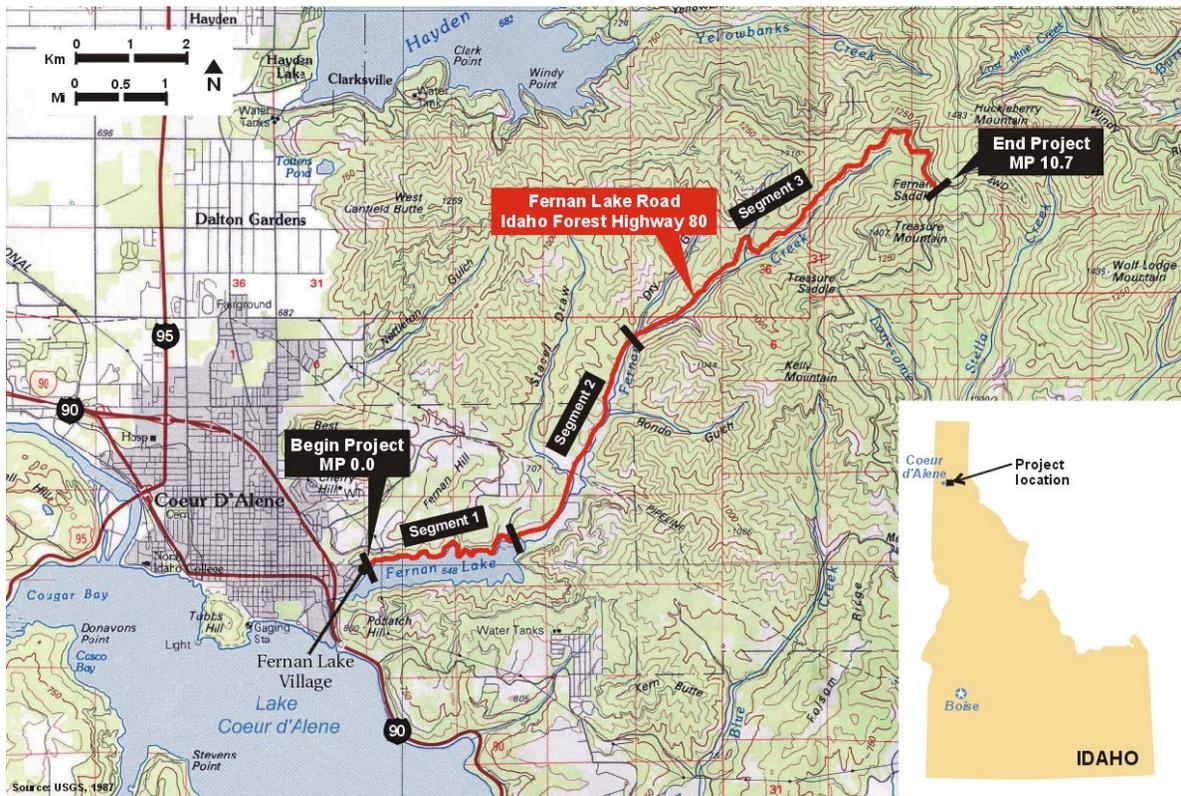


Figure 1. Vicinity Map