

Protected Areas Petition

Applicant: Idaho Dept. of Parks and Recreation Date Submitted: October 30, 1989
 Address: Statehouse Mail
 City: Boise State: Idaho Zip: 83720
 Telephone: 208-334-2154
 Representing: Idaho Dept. of Parks and Recreation

Type of Change Requested (check only one)

- 1. Change designation as protected or unprotected X
- 2. Change reason for protected designation _____
- 3. Technical correction (no change to protected codes) _____
- 4. Exception from protected areas for project with exceptional fish and wildlife benefits _____

Reach Information

Reach number: 170603807300.00 ID number: 6522 Clearwater
 Reach name: Elk Creek
 Lower boundary: Bull Run Creek
 Upper boundary: Headwaters
 Tributary to: Long Meadow Creek
 County & state: Clearwater, Idaho

	Current Value	Proposed Change
Protected category:*	<u>U</u>	<u>Z</u>
Protected length:	<u>17.2</u>	<u>17.2</u>
Starting mile:	<u>2.1</u>	<u>2.1</u>
Ending mile:	<u>19.3</u>	<u>19.3</u>

* Protected Area Codes

Code	Meaning	Code	Meaning
A	Anadromous fish only	B	Resident fish and wildlife
C	Anadromous and resident and wildlife	D	Anadromous and resident or wildlife
F	Resident fish only	W	Wildlife only
U	Unprotected	Z	Already protected by federal or state

Pending Projects

Is there a proposed hydro project on the reach in question? (Y/N) Y
 If so, what is the name and FERC number of the project? FERC No. 6524

Consultations (check one)

- Consultations completed and summary attached; or
- Consultations not completed—agency review of this petition is requested.

Please attach (1) a statement of the facts supporting the proposed change; and (2) a summary of the consultations (if any) which you have had with fish and wildlife agencies, Indian tribes and others regarding this petition.

NOV 03 1989



IDAHO DEPARTMENT
OF
PARKS & RECREATION



CECIL D. ANDRUS
Governor

YVONNE S. FERRELL
Director

October 31, 1989

89 11 0054

PAC 0017

Dr. Peter Paquet
Northwest Power Planning Council
851 S.W. 6th Ave, Suite 1100
Portland, OR 97204

PP BL
RA BF
JV

Dear Mr. Paquet:

Enclosed please find a petition for protected areas status under the Northwest Power Planning Council for Elk Creek. The request is for the status of Elk Creek to be changed from 'unprotected' to 'already protected by federal or state'.

The reasons for this request is not strong. Currently the Idaho Department of Parks and Recreation is requesting that the Water Resource Board grant us an instream water right on Elk Creek for aesthetics and fish flushing flows. There is also a FERC permit application for hydro power development by Hi-Tech. At one point the FERC denied the permit and the Idaho Department of Water Resources denied the water right. Both decisions were contested in court, and both fell.

We have consulted with the Idaho Department of Fish and Game on the Coeur d'Alene Salamander, a species of special concern that lives on the rock in the spray zone of Elk Creek Falls. We feel that their request for protected area status is considerably stronger and more substantial than ours.

Sincerely,

Mary Jean Lucachick
Resource Specialist

cc: Stan Allen, IDFG
Frank Sherman, IDWR

STATEHOUSE MAIL
BOISE, IDAHO 83720
(208) 334-2154

Street Address
2177 Warm Springs Ave.

NOV 03 1989