Environmental Assessment

June 2002

Photo courtesy of City of Kotzebue

Property Acquisition in Kotzebue, Alaska
Western Arctic Parklands
Alaska

United States Department of the Interior
National Park Service

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PURPOSE AND NEED FOR ACTION

PURPOSE AND NEED

The National Park Service (NPS) is considering the purchase of 1.0 acres of land, and associated existing structures, in Kotzebue, Alaska. The property is located on the west end of Third Avenue (specifically, Lots 4, 5, 6, 7, 8 and 9, Block 11, US Survey 2863A), and would be purchased from the NANA Regional Corporation and private individuals. The purchase would include the following existing structures:

- the 19,035 square-foot NANA Museum building,
- an 1,800-2,000 square foot mobile home, and
- a 2000-gallon above-ground fuel storage tank.

In order to determine development constraints for future design and construction on the site, the NPS also would assess subsurface characteristics such as soils and archeological resources.

The purpose of this acquisition is to increase NPS land holdings in Kotzebue to provide a site for a cultural and heritage center and, possibly, NPS and NANA administrative offices. (Actual construction of these facilities would require additional environmental documentation and public review.)

The 1986 General Management Plan for Cape Krusenstern National Monument (GMP) called for the construction of several new NPS facilities in Kotzebue, including a visitor contact facility, a museum, administrative offices, and equipment storage. A more recent Programmatic Needs Assessment completed in 2002 listed several other structures, including an improved maintenance building, warehouse storage, curatorial storage, and an employee bunkhouse (NPS 2002).

When considering new development, the 1986 GMP encouraged the NPS to comply with section 1306 of the 1980 Alaska National Interest Lands Conservation Act (ANILCA). Section 1306 authorizes the Secretary of Interior and Federal agencies to attempt to locate sites and facilities on Native lands in the vicinity of the park unit to the extent practicable and desirable. Toward this end, ANILCA authorizes the Secretary and other Federal agencies to "lease or acquire by purchase, donation, exchange, or any other method (except condemnation) real property (other than Federal land), office space, housing, and other necessary facilities." Acquisition of the NANA property specifically would fulfill this directive. More specifically, the GMP identified NANA as one of several possible cooperators in funding the construction and operating a museum in Kotzebue.

The GMP further stated that consideration would be given to combining the NPS visitor contact station and the museum in a single building in order to lower construction, maintenance, and operational costs and offer a single visitor destination. In 1998, the NPS and NANA entered into a formal cooperative agreement pursuant to which the parties developed a planning document for a joint visitor center and natural and cultural museum in Kotzebue (the cultural and heritage center). The project authorized by the cooperative agreement was analyzed through the completion of a conceptual plan and its proposed use evaluated under Section 1306 of ANILCA. The focus of the conceptual planning document was the NANA-owned property located on the west end of Third Avenue in Kotzebue. Since this planning document was completed, additional

acreage adjacent to the NANA site has become available for purchase by the NPS. This additional acreage would enhance the ability of the NPS and NANA to construct administrative facilities and expanded parking, as well as the cultural and heritage center.

This environmental assessment (EA) analyzes the proposed action and no-action alternative and related impacts. This EA has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969 and regulations of the Council of Environmental Quality (40 CFR 1508.9).

ISSUES

The NPS conducted several meetings with park staff and representatives of the NANA Regional Corporation in an effort to identify concerns related to the proposed property acquisition. As a result of these meetings, one issue was identified. Subsequent discussions of the environmental consequences related to each alternative focus on this issue. A brief rationale for the selection of this topic is given below; rationales also are provided for dismissing other topics from further analysis.

Issues Selected for Analysis

Vegetation, Including Wetlands. Though these resources would not be impacted directly by the proposed land acquisition, archeological and geologic testing would impact vegetation, including wetlands, due to the excavation involved.

Issues Dismissed from Further Analysis

Fish and Wildlife. The property is within the developed area of Kotzebue and does not support fish or wildlife populations (including threatened or endangered species).

Floodplains. The property is within Flood Zone B as shown on the National Flood Insurance Program Flood Insurance Rate Map, Panel 11 of 30. Zone B is described as "Areas between limits of the 100-year flood and 500-year flood 'or certain areas subject to 100-year flooding with average depths less than one foot or where the contributing drainage area is less than one square mile' or areas protected by levees from the base flood" ASCG 2000). Acquisition of the property would not impact the floodplain.

Cultural Resources. Although cultural resource inventories have not been completed, NPS cultural resource specialists believe there is a high likelihood the property contains significant cultural resources. The existence of these resources could affect whether and how the property could be developed. However, simple acquisition of the property by the National Park Service is considered to have no adverse effect on significant cultural resources. Under the 1995 Servicewide Programmatic Agreement, if reviewed and documented by the *Assessment of Actions Having an Effect on Cultural Resources* form, this undertaking has an exclusion (IV.B.5.) from further SHPO/ACHP review.

Subsistence. Acquiring the property would have no effect on subsistence resources because the proposed site, located in the village of Kotzebue, is not used for subsistence activities (see Appendix A for the ANILCA Section 810 subsistence evaluation).

Minority or Low-Income Populations or Communities. The proposed action would not result in adverse impacts on any minority or low-income populations or communities; therefore, it complies with Executive Order 12898 which requires Federal agencies to incorporate environmental justice into their missions by identifying and addressing high and adverse human health or environmental effects in their programs and policies on minorities and low-income populations and communities.

Park Operations. Acquisition of the property would have no effect on park operations compared to taking no action and using the existing park-owned property for construction of new facilities.

PERMITS AND APPROVALS NECESSARY TO IMPLEMENT THE PROJECT

Table 1 outlines the permits and approvals needed to complete the land acquisition project, including the assessment of subsurface characteristics

Table 2: Environmental Permits and Approvals for Project Completion

Required Permit/Approval	Regulatory Agency	Authority	Description
U.S. ACE Nationwide #6 Permit: Survey Activities	U.S. Army Corps of Engineers (ACE)	Section 404, Federal Water Pollution Control Act of 1972, as amended in 1977 (Clean Water Act)	The U.S. ACE must authorize the discharge of fill in U.S. waters. A U.S. ACE Nationwide Permit #6 applies.

ALTERNATIVES, INCLUDING THE PROPOSED ACTION

NO ACTION ALTERNATIVE

Under the No Action Alternative, the NPS would not purchase the property.

PROPOSED ACTION ALTERNATIVE (Agency Preferred)

Under the Proposed Action Alternative, the National Park Service (NPS) would purchase 1.0 acres of land, and associated existing structures, in Kotzebue, Alaska. The property is located on the west end of Third Avenue (specifically, Lots 4, 5, 6, 7, 8 and 9, Block 11, US Survey 2863A), and would be purchased from the NANA Regional Corporation and private individuals. NPS purchase of Lot #9 from the NANA Regional Corporation assumes the Corporation will have already completed a land exchange with the Alaska Department of Transportation (AKDOT), transferring Lot #9 from AKDOT, its current owner, to the NANA Regional Corporation.

The purchase would include the following existing structures:

- the 19,035 square-foot NANA Museum building,
- an 1,800-2,000 square foot mobile home, and
- a 2000-gallon above-ground fuel storage tank.

The City of Kotzebue currently owns the alley that runs through the above property. The City was approached about the possible abandonment of a segment of the alley for incorporation into a re-platted parcel upon which the Heritage and Cultural Center would be constructed. The City indicated that it was likely that such an application would be approved assuming all necessary utility requirements for easements could be met. The alley is 20 feet in width and intersects with Second Avenue at an acute angle so the portion that would be dedicated would vary in length from 139 to 224 feet (0.08 ac). Utility easements for water and overhead electrical are included within the alley and in all likelihood would be relocated so that any improvements would not be restricted. The alley contains flat, grassy terrain and is completely free of any buildings.

In order to determine development constraints for future design and construction on the site, the NPS would assess subsurface characteristics such as soils and archeological resources. In late summer 2002, the NPS would excavate sections of the property to identify soil types, as well as the extent of any archeological artifacts, features, and/or human remains. At this time, the exact location and methods for these excavations is not known, so for the purpose of this analysis, it's assumed that these tests would be conducted over the entire property.

Mitigating Measures

Hazardous Materials. Any hazardous materials identified on the properties would be removed prior to property acquisition by the NPS.

ENVIRONMENTALLY PREFERRED ALTERNATIVE

In accordance with Director's Order-12, *Conservation Planning, Environmental Impact Analysis, and Decision-making*, the NPS is required to identify the "environmentally preferred alternative" in all environmental documents, including EAs. The environmentally preferred alternative is determined by applying the criteria suggested in the National Environmental Policy Act (NEPA) of 1969, which is guided by the Council on Environmental Quality (CEQ).

Generally, these criteria mean the environmentally preferable alternative is the alternative that causes the least damage to the biological and physical environment and that best protects, preserves, and enhances historic, cultural, and natural resources (Federal Register, 1981).

The "No Action Alternative" is the environmentally preferred alternative, because no excavation or vegetation clearing would occur under this alternative for subsurface site assessments. However, the "No Action Alternative" is environmentally preferred over the "Proposed Action Alternative" by only the smallest of margins. The fact that the property is already developed minimizes the environmental impacts of further disturbance resulting from proposed acquisition and subsurface site assessments and allows for the assumption that impacts under the "Proposed Action Alternative" and the "No Action Alternative" are not that different.

AFFECTED ENVIRONMENT

LAND AND STRUCTURES

The property being proposed for acquisition consists of a 1.0 acre parcel with the following existing major structures:

- the 19,035 square-foot NANA Museum building,
- an 1,800-2,000 square foot mobile home, and
- a 2000-gallon above-ground fuel storage tank.

The property is located at the west end of Third Avenue in Kotzebue, Alaska (Tract A, Lots 4, 5, 6, 7, 8, and 9, Block 11, US Survey 2863A).

The NANA Museum/multipurpose building was constructed in 1975 and served three main functions: office space, an auditorium/museum, and a jade shop used to process raw jade acquired from local sources. The office space and the auditorium/museum are still in use as part of a tourism-related business operated by NANA Development Corporation. The jade shop closed in the early 1990s and the majority of this space was gutted and is now being used for miscellaneous equipment storage and vehicle maintenance. One apartment also is located on the second floor of the old jade shop and is occupied. Most of the building and the wall surfaces appear to be in good condition, though the jade shop, because it has not been used for a number of years, is somewhat in disarray.

The double-wide mobile home is approximately 1800-2000 square feet total. The first floor is roughly framed in and is set on a concrete foundation. It was previously used by the Alaska State Troopers for snow machine and ATV storage (most are personally owned by staff). The second floor is now used for miscellaneous storage (primarily personal items) by the Alaska State Troopers. It's an older mobile home, dating from the early 1970's, and shows obvious signs of neglect.

The City of Kotzebue currently owns the alley that runs through the above property. The alley is 20 feet in width and intersects with Second Avenue at an acute angle. Utility easements for water and overhead electrical are included within the alley. The alley contains flat, grassy terrain and is completely free of any buildings.

Hazardous Materials

In September 2001, Hart Crowser, Inc. prepared a pre-acquisition environmental assessment of Lots 6, 7, and 8 that provided information on current site conditions, as well as past practices, and the likelihood of hazardous waste contamination or other environmental conditions of concern on the subject property.

According to the assessment, indications of hazardous waste generation on the subject property included small quantities of household products such as used oils and cleaning products. There is also a possibility that wastes associated with equipment and vehicle maintenance (anti-freeze, batteries, solvents, used oil, fuel, etc.) may have been generated on-site. It also is possible spilled petroleum products may have resulted in contamination of the grounds surrounding the

mulitpurpose building. Approximately sixteen 55-gallon drums were observed in three locations around the multipurpose building. The area around these drums was observed to have pooled liquid (which appeared to be petroleum), stressed vegetation, and stained soils. In addition, there is stressed vegetation near the base of a 2,000-gallon heating oil above ground storage tank (AST), which may indicate a history of petroleum releases. One such release was reported to the Alaska Division of Environmental Conservation by NANA on May 27, 1986. The release was thought to be about 250 gallons, and flowed under the building before being pumped into recovery drums.

Four pole-mounted transformers are located on the property; however, the owner of the transformers, the Kotzebue Electric Association, reported that the transformers do not contain polychlorinated biphenyls (PCBs).

Hart Crowser, Inc. performed a limited visual asbestos survey for the NANA Museum/multipurpose building. Several building materials were suspected of containing asbestos. These building materials pose no immediate environmental concern; however, before renovating the structure, these materials should be characterized. Painted surfaces also should be checked for the presence of lead-based paint (LBP).

There are no known hazardous materials requiring management on these three lots. Because of the 2,000-gallon AST on-site, the property owner is required to maintain a Spill Prevention, Control, and Countermeasure Plan. The assessment did not confirm the existence of this plan.

An assessment of hazardous materials on the remainder of the property (Lots 4, 5, and 9), is scheduled to be completed in the spring of 2002. Any hazardous materials identified would be removed prior to NPS acquisition of the land.

VEGETATION, INCLUDING WETLANDS

Kotzebue is located on a 3-mile long spit at the end of the Baldwin Peninsula. "The predominant vegetation type on the Baldwin Peninsula is moist coastal tundra. Moist tundra ecosystems usually form a complete ground cover and are extremely productive during the growing season. They vary, from almost continuous, uniformly developed cotton grass tussocks with sparse growth of other sedges and dwarf shrubs, to stands where tussocks are scarce or lacking and dwarf shrubs dominate." (City of Kotzebue 2000) Moist tundra vegetation is classified as wetland in Alaska (NPS 1994).

The majority of the property is previously disturbed land. Where not entirely gravel fill, the property is characterized by wetlands, as well as by opportunistic non-wetland species that have colonized the hard-packed bare ground and thin scattered layer of gravel. Wetlands cover about 0.25 acres of the property, including about 0.23 acres of palustrine unconsolidated bottom cobble/gravel seasonally flooded wetlands beneath the NANA Museum building and 0.02 acres of palustrine emergent persistent saturated wetland on the extreme southern end of the property. These wetlands are highly degraded and provide minimal functions (see attached *Wetland Statement of Findings* for more information). Non-wetland plant species cover less than a half-acre of the site and include grasses (*Hordeum jubatum Agropyron repens, Arctagrostis latifolia, Poa arctica, Elymus arenarius* ssp. *mollis*), herbaceous perennials (*Artemisia Tilesii, Tripleurospermum phaeocaphalum, Descurainia sophioides, Matricaria matricarioides*), and shrubs (*Salix alaxensis*).

CULTURAL RESOURCES

Kotzebue is situated on a low spit at the northern tip of Baldwin Peninsula, in Kotzebue Sound. The spit is formed by a series of beach ridges. The property is located at the west-southwest end of the City of Kotzebue, at the junction of Second and Third Avenues. Although the beach ridges that make up the landform have been rendered indistinct by development, two or more ridge crests appear to come together at this location (the roads appear to follow the ridge crests).

Although the NPS is unsure of their exact location, this is the general area of the "Old Kotzebue" site and some of the 1940s and 1950s excavations conducted by J. Louis Giddings and James W. VanStone. These archeological investigations demonstrated that the "Old Kotzebue" site was occupied about AD 1400. More recently, on either side of Second Avenue, structural features (c. AD 1150-1400) were excavated at the Park four-plex about 80 meters to the northeast of the property and two burials (c. AD 1400-1550) were excavated on private property about 230 meters to the northeast. More anecdotally, a variety of artifacts, faunal remains, archeological features, and/or human remains have been observed in subsurface disturbances at a number of places along Second and Third Avenues in the vicinity of the property.

The project area is within the boundary of the Kotzebue Archaeological District, which has been determined eligible for the National Register of Historic Places. There is a relatively high probability that archeological remains, including human remains, are present within the property, which may entail considerable archeological mitigation.

PARK OPERATIONS

Western Arctic National Parklands (WEAR) has offices in Kotzebue and Nome. The Kotzebue staff of WEAR consisted of 18 full time employees, with an additional 9 seasonal employees working various lengths of time throughout the fiscal year 2001. The Kotzebue full time staff consists of: Superintendent, Assistant Superintendent, two Administrative Officers, Chief of Maintenance, Maintenance Worker, Chief of Interpretation, Interpretive Ranger, Environmental Educator, Chief of Natural Resources, Wildlife Biologist, Geologist, Chief Ranger, Pilot, two Wilderness Rangers, and a Public Information Officer. Seasonal staff provided support for the full time workers during the busy summer and fall seasons. Seasonal staff consisted of two Rangers, three Maintenance Workers, three Interpretative Rangers and a Subsistence Specialist.

The NPS Kotzebue staff, equipment and facilities are dispersed in six different buildings: The Eskimo Building, the EON building, the hangar, the shop, the visitor center and the warehouse. Administrative, management and seasonal personnel utilize office space at the Eskimo Building located on Shore Drive. The Chief of Maintenance office and staff is located on Fifth Street in the shop, (the former Dairy Queen building.) The Interpretive staff uses the WEAR Visitor's Center on the south end of Second Street for office space and program presentation during the summer that building is open to the public only during the summer months due to difficulty heating the building. The pilot's office space and equipment storage is located in the hangar, at the south end of the airport and is shared with other federal agencies. The Cultural Resources division uses office space, lab and curatorial space in a portion of the EON building on Second Street. All Kotzebue staff makes use of the maintenance building and warehouse on Fifth Street for storage, logistic staging and repairs.

WEAR has cooperative research agreements and joint projects with numerous academic institutions, and state and federal agencies. All the field project personnel utilize park facilities for support during research projects occurring on parklands in northwestern Alaska. At times during the short and busy research season the number of people needing access to the Kotzebue NPS facilities can double the full time and seasonal workers. This applies intense pressure to WEAR facilities that are already utilized to the maximum extent possible. In addition to research projects, the personnel from the Alaska Regional Office, and other NPS personnel working in the area, visiting VIPs, and other project personnel utilize Kotzebue facilities throughout the year.

The dispersed WEAR facilities do not allow for effective communication between Park Service personnel, and present a scattered organizational façade to the public. Modern telecommunication networks are difficult to install and maintain in a productive manner throughout the network of mostly old buildings. Communication between staff members takes greater effort because the scattered offices. The continual, easy exchange of information that occurs when coworkers encounter each other many times a day in the same office is lacking. In addition, the public often has a difficult time locating the appropriate Park Service contact for needed information.

ENVIRONMENTAL CONSEQUENCES

NO ACTION ALTERNATIVE

Vegetation, Including Wetlands

General Analysis. Under this alternative, the NPS would not acquire the property and no assessment of subsurface resources would be conducted. Therefore, the vegetation, including wetlands, on the property would not be impacted.

Cumulative Impacts Analysis. Cumulative impacts are defined as the *incremental impacts* on the environment resulting from adding the proposed action to other past, present, and reasonably foreseeable future actions (also referred to as regional actions), including those taken by both federal and nonfederal agencies, as well as actions undertaken by individuals. Cumulative impacts may result from singularly minor but collectively significant actions taking place over a period of time (CEQ Sec 1508.7).

Past, present, and reasonable foreseeable future actions impacting vegetation (including wetlands), within Kotzebue, Alaska, include the following:

- Over the past century, Kotzebue has grown from a village of less than 200 people (1909) to one supporting about 3,000 people (City of Kotzebue 2000). To support this population growth, housing, gravel roads, schools, an airport, businesses, a hospital, water and wastewater systems, and other facilities were constructed. Most of the land suitable for development in Kotzebue has been developed, resulting in a loss of much of moist coastal tundra vegetation formerly covering the 3 mile long spit where Kotzebue is located.
- The *2000 City of Kotzebue Comprehensive Plan* predicts continued growth, including an additional 100 housing units, 70 apartment units, three new roads linking the village to other nearby communities or areas, and infrastructure improvement/replacement. It's expected that this new development will result in further loss of an unknown amount of moist coastal tundra vegetation.

Regardless of the above past, present, and reasonably foreseeable future actions, there would be no cumulative (incremental) impacts on vegetation, including wetlands, under this alternative, as no new actions would be taken.

Conclusions. There would be no impacts on vegetation, including wetlands, and, therefore, there would be no impairment of park resources and values.

PROPOSED ACTION ALTERNATIVE

Vegetation, Including Wetlands

General Analysis. Vegetation would not be impacted directly by the proposed land acquisition. However, for the purpose of this analysis, it's assumed the entire parcel would be cleared to conduct subsurface resource assessments needed for future design and construction on the site.

As described above, the 0.23 acres of non-jurisdictional palustrine unconsolidated bottom, cobble/gravel, seasonally flooded wetland beneath the NANA Museum building has already been severely compromised and provides minimal wetland functions. Because of its current condition, draining or filling this wetland as part of an assessment of subsurface characteristics would, for all purposes, have no additional wetland impacts. The only wetland impacts resulting from this proposal would be the loss of the 0.02 acres of jurisdictional palustrine emergent persistent saturated wetland on the extreme southern end of the property. Given the disturbed nature of this wetland and limited value in terms of functions served (see *Wetland Statement of Findings*), the permanent loss of this amount is considered a negligible adverse impact on wetland vegetation. Further support for this conclusion lies in the fact that the city of Kotzebue is surrounded by thousands of acres of intact, high quality, moist tundra vegetation, which is classified as wetland in Alaska (NPS 1994).

The loss of less than half an acre of non-wetland vegetation would have no impacts on overall plant populations, due to the abundance of these types of opportunistic plant species throughout the Kotzebue area.

Cumulative Impacts Analysis. As noted in the "No Action Alternative," past, present, and reasonably foreseeable future actions have impacted vegetation, including wetlands, in many ways. These actions and related impacts would not differ under this "Proposed Action Alternative." The loss of an additional 0.02 acres of wetlands as a result of implementing the "Proposed Action Alternative" would have a negligible adverse incremental impact on wetlands, as thousands of acres of high quality, moist tundra vegetation (wetland) would remain intact.

Conclusions. The permanent loss of 0.02 acres of wetlands would have a negligible adverse impact on wetland vegetation. The loss of less than half an acre of non-wetland vegetation would have no impact on overall plant populations. The nature of these impacts would not result in the impairment of park resources and values.

CONSULTATION AND COORDINATION

The following agencies, organizations, and individuals were consulted in the preparation of this document.

Federal Agencies/Individuals Consulted

National Park Service, Western Arctic Parklands

Dave Spirtes, Superintendent
Lois Dalle Molle, Chief of Resources
Robert Gal, Chief Archeologist
Jerry Post, Geologist
Steve Klingler, Archeologist
MaryAnn Porter, Chief of Interpretation

National Park Service, Alaska Support Office
z Joan Darnell, Team Manager, Environmental Resources
Paul Schrooten, Project Manager/Landscape Architect

National Park Service, Washington Water Resources Division
Joel Wagner, Chief, NPS Water Resources Division

Bureau of Land Management, Kotzebue
Randy Meyers, Botanist

NANA Development Corporation, Inc.
Mel Nichols, Senior Operations Manager and Project Consultant
Joe Mathus, Project Consultant
Rose Barr, Project Consultant

EA PREPARER

Heather Todd Rice, Environmental Protection Specialist
National Park Service
Alaska Support Office

REFERENCES

ASCG Incorporated

2000 Northwest Arctic Region Visitor and Cultural Center: NANA and NPS Joint Proposal Concept. On file at the National Park Service's Alaska Support Office, Anchorage, Alaska.

City of Kotzebue

2000 City of Kotzebue Comprehensive Plan. On file at the National Park Service's Alaska Support Office, Anchorage, Alaska.

National Park Service

1994 Memo to Files on NPS Land Acquisition of EON Property and Wetland Issue, prepared by Bob Gerhard, NPS, on February 9. On file at the National Park Service's Alaska Support Office, Anchorage, Alaska.

2002 Programmatic Needs Assessment for Northwest Arctic Heritage and Cultural Center. On file at the National Park Service's Alaska Support Office, Anchorage, Alaska.

Snyder, Abraham

2001 Personal communication between Abraham Snyder, City Planner, City of Kotzebue, and Heather Todd Rice, Environmental Protection Specialist, NPS, October 29.

APPENDIX A

ANILCA SECTION 810 (a) SUMMARY EVALUATION AND FINDINGS

APPENDIX A

ANILCA SECTION 810 (a) SUMMARY EVALUATION AND FINDINGS

I. INTRODUCTION

This section was prepared to comply with Title VIII, Section 810 of the Alaska National Interest Lands Conservation Act (ANILCA). It summarizes the evaluations of potential restrictions to subsistence activities, which could result from the proposal to acquire up to 1.0 acre of land within the City of Kotzebue for the purpose of constructing a cultural and heritage center and, possibly, administrative offices.

II. THE EVALUATION PROCESS

Section 810(a) of ANILCA states:

"In determining whether to withdraw, reserve, lease, or otherwise permit the use, occupancy, or disposition of public lands … the head of the federal agency … over such lands … shall evaluate the effect of such use, occupancy, or disposition on subsistence uses and needs, the availability of other lands for the purposes sought to be achieved, or disposition of public lands needed for subsistence purposes. No such withdrawal, reservation, lease, permit, or other use, occupancy or disposition of such lands which would significantly restrict subsistence uses shall be effected until the head of such Federal agency -

(1) gives notice to the appropriate State agency and the appropriate local committees and regional councils established pursuant to Section 805;
(2) gives notice of, and holds, a hearing in the vicinity of the area involved;
(3) determines that (A) such a significant restriction of subsistence uses is necessary, consistent with sound management principles for the utilization of the public lands, (B) the proposed activity will involve the minimal amount of public lands necessary to accomplish the purposes of such use, occupancy, or other disposition, and (C) reasonable steps will be taken to minimize adverse impacts upon subsistence uses and resources resulting from such actions."

ANILCA created new units and additions to existing units of the national park system in Alaska. Cape Krusenstern National Monument, Noatak national Preserve, and Kobuk Valley National Park were created for the purposes among others of protecting and interpreting, in cooperation with Native Alaskans, archeological sites associated with Native cultures; protecting habitat for, and populations of fish and wildlife; and to protect the viability of subsistence resources. Subsistence uses by local residents will continue to be permitted under the provisions of Title VIII of ANILCA.

The potential for significant restriction must be evaluated for the proposed action's effect upon "… subsistence uses and needs, the availability of other lands for the purposes sought to be achieved and other alternatives which would reduce or eliminate the use."

III. PROPOSED ACTION ON FEDERAL LANDS

The National Park Service is considering purchasing up to 1.0 acres of land, and associated existing structures, within the 2nd Class City of Kotzebue for the purpose of constructing a

cultural and heritage center and, possibly, administrative offices. In order to determine development constraints for future design and construction on the site, the NPS also would assess subsurface characteristics such as oils and archeological resources.

The site already is developed and contains several buildings. This analysis addresses two alternatives: the "No Action" alternative and the "Proposed Action" alternative. It only focuses on the land acquisition and site assessments, since actual construction of facilities would require additional environmental documentation and public review.

IV. AFFECTED ENVIRONMENT

The City of Kotzebue[1] is located in northwest Alaska at the tip of the Baldwin Peninsula in Kotzebue Sound. It serves as a regional center providing a hub of governmental, social, medical, and transportational services for the ten outlying communities within the NANA region. The heavily developed area of town lays on a spit about three miles long and ranging in width from 1,100 to 3,600 feet. The larger area of town is comprised of an area of about 27 square miles of land and about 1.7 square miles of water that shows very little development. The location for the proposed action is within the heavily developed portion of the town The site does not support fish or wildlife populations. The vegetation is characteristic of opportunistic species that have colonized the hard-packed bare ground and thin scattered layer of gravel and does not support subsistence uses.

Kotzebue has a population of 3,082 people of which 76.7 % are Alaska Native. It has a mixed economy with the harvest of wild foods for subsistence purposes comprising a prominent sector of the economy. A 1986 study indicated that households in Kotzebue harvested an estimated 1,067,278 pounds of edible, wild resources. Caribou comprised 24.4 % of the harvest, bearded seal 19.0 %, salmon 18.4 %, and sheefish 12.2 %. A variety of remaining resources including but not limited to birds and their eggs, small mammals, and berries and green plants each comprised 3.2 % or less of the harvest by weight. The greatest percentage of this harvest took place outside of Kotzebue, especially at seasonal camps located particularly along the lower Noatak River, along the Kotzebue Sound-Chukchi Sea coast northwest of Kotzebue, the Kobuk River, and "Kobuk Lake". An estimated 3.5 % of households maintained camps on the Baldwin Peninsula immediately adjacent to or very near Kotzebue. These included "North Tent City", "South Tent City", "Sadie Creek", and *Iluviaq*. These camps were primarily used from May through October for fishing, seal and beluga hunting, and berry picking. Many Kotzebue residents pick berries in the tundra near Kotzebue especially between "Cemetery Hill" and "Sadie Creek". Salmon fishing would be the most significant subsistence activity to occur in the vicinity of the proposed action since Kotzebue beaches remain a popular location for some residents for setting nets.

V. SUBSISTENCE USES AND NEEDS EVALUATION

To determine the potential impact on existing subsistence activities, three evaluation criteria were analyzed relative to existing subsistence resources that could be impacted.

- the potential to reduce important subsistence fish and wildlife populations by (a) reductions in numbers; (b) redistribution of subsistence resources; or (c) habitat losses;

[1] The physical description and population information is taken from the Alaska Department of Community and Economic development web based Community Database. The subsistence information is taken from the 1986 study of subsistence uses in Kotzebue by Georgette and Loon. See the references section of this 810 for full citations.

- what effect the action might have on subsistence fisherman or hunter access;
- the potential for the action to increase fisherman or hunter competition for subsistence resources.

1) The potential to reduce populations:

The "No Action" alternative is the status quo. It does not involve any land acquisition by the National Park Service, and consequently has no potential to reduce populations of subsistence resources through the actual reduction of numbers, the redistribution of resources, or habitat loss beyond the existing level resulting from the existing level of development of the City of Kotzebue.

The "Proposed Action" alternative involves acquisition of a small amount of already developed land within the heavily developed area of the City of Kotzebue. The proposed site does not support any subsistence resources in useable amounts and consequently does not support subsistence uses. Consequently, the "Proposed" Action will not result in a reduction of populations of subsistence resources through the actual reduction of numbers, the redistribution of resources, or habitat loss beyond the existing level resulting from the existing level of development of the City of Kotzebue.

2) Restriction of Access:

The "No Action" alternative is the status quo. It does not involve any land acquisition by the National Park Service. Consequently, it will not lead to an increase in restrictions to access.

The "Proposed Action" alternative involves acquisition of a small amount of already developed land within the heavily developed area of the City of Kotzebue. The majority of subsistence uses occur outside the city with lesser levels occurring along beaches in the vicinity of the site. City streets already bound the site, and this arrangement will not change. Consequently this alternative will not lead to any restrictions in access.

3) Increase in Competition:

The "No Action" alternative is the status quo. It does not involve any land acquisition by the National Park Service, nor anticipated change in land use. Consequently, it will not lead to an increase in competition.

The "Proposed Action" alternative involves acquisition of a small amount of already developed land within the heavily developed area of the City of Kotzebue. The site already houses the NANA Museum which figures importantly in the tourist industry segment of the Kotzebue economy. Most visitors currently come in the summer, and arrive as part of package tours, with transportation to the museum via small buses. In the past, increasing levels tourism have been linked to some reductions in the level of traditional subsistence activities occurring along the beaches. Subsistence activities had either declined or been displaced beyond the zone of tourist activity. The NPS intends to use the site for the purpose of constructing a visitor facility and, possibly, NPS administrative offices (actual construction of these facilities would require additional environmental documentation and public review). Land use patterns will not be changed and tourism levels are not expected to substantially increase. Consequently, under this alternative, while there may be some minor increase in the level of competition, that increase will not be significant.

VI. AVAILABILITY OF OTHER LANDS

The 1986 General management Plan for Cape Krusenstern National Monument called for the construction of several new National Park Service facilities in Kotzebue. These included a visitor contact facility, a museum, administrative offices, and equipment storage. A more recent Needs Assessment completed in 2001 listed several other structures including an improved maintenance building, warehouse storage, curatorial storage and an employee bunkhouse. A 2.61 acre parcel in located Kotzebue, and already owned by the NPS was considered but it was determined it did not meet the combined needs of the National Park Service and its partner in the cultural and heritage center project, the NANA Regional Corporation.

VII. ALTERNATIVES CONSIDERED

No alternatives other than the "NO Action" and "Proposed Action" alternatives were considered.

VIII. FINDINGS

This analysis concludes that the "Proposed Action" alternative will not result in a significant restriction of subsistence uses. The "No Action" alternative will also not result in a significant restriction of subsistence uses.

REFERENCES:

Alaska Department of Community and Economic Development

2001 Alaska Community Database – Community Information Summary. http://www.dced.state.ak.us/mra/CF_CIS.cfm.

Georgette, Susan and Hannah Loon

1993 Subsistence Use of Fish and Wildlife in Kotzebue, Northwest Alaska Regional Center. Division of Subsistence, Alaska Department of Fish and Game, Juneau, Technical Paper No. 167.

APPENDIX B

WETLANDS STATEMENT OF FINDINGS

DRAFT

WETLANDS STATEMENT OF FINDINGS

PROPERTY ACQUISITION IN KOTZEBUE
WESTERN ARCTIC PARKLANDS, ALASKA

June 2002

RECOMMENDED: _____
SUPERINTENDENT, WESTERN ARCTIC PARKLANDS DATE

CERTIFIED FOR TECHNICAL ADEQUACY AND SERVICEWIDE CONSISTENCY:

_____
CHIEF, WATER RESOURCES DIVISION, NPS DATE

APPROVED: _____
REGIONAL DIRECTOR, ALASKA REGION DATE

INTRODUCTION

The National Park Service (NPS) is considering the purchase of 1.0 acres of land, and associated existing structures, in Kotzebue, Alaska. In accordance with regulations of the National Environmental Policy Act (NEPA) of 1969, the NPS has prepared and distributed an Environmental Assessment (EA) for this proposal. (Actual development of the land would require additional environmental documentation and public review.)

Executive Order 11990 (Protection of Wetlands) requires all federal agencies to evaluate the likely impacts of proposed actions on wetlands. The objectives of Executive Order 11990 are to enhance and restore wetland values, avoid development in wetlands when practicable alternatives exist, and mitigate adverse impacts if a wetland will be occupied or modified.

The NPS has described agency policies for compliance with Executive Order 11990 in *Director's Order 77-1: Wetland Protection and Procedural Manual #77-1: Wetland Protection*. These policies and procedures stress exploring all practicable alternatives to building on or working in wetlands. NPS policies define a wetland as any area classified as wetland habitat according to the U.S. Fish and Wildlife Service's "Classification of Wetlands and Deepwater Habitats of the U.S." (1979 Cowardin et al.).

NPS wetland protection procedures require a "Statement of Findings" to be written justifying any unavoidable impacts to wetlands. In addition, National Park Service policy generally requires wetland impact compensation if the adverse impacts on wetlands from the entire project total 0.1 acre or more.-

Section 4.1.C of Procedural Manual #77-1 addresses applicability of NPS wetland protection procedures when the agency is acquiring land for administrative purposes. In cases where the land to be acquired includes wetlands that may be affected by future development, a Statement of Findings must be prepared and must focus on justifying why no sites with fewer potential wetland impacts were practicable.

PROPOSED ACTION

Under the Proposed Action Alternative, the National Park Service (NPS) would purchase 1.0 acres of land, and associated existing structures, in Kotzebue, Alaska. The property is located on the west end of Third Avenue (specifically, Lots 4, 5, 6, 7, 8 and 9, Block 11, US Survey 2863A), and would be purchased from the NANA Corporation and private individuals. The purchase would include the following existing structures:

- the 19,035 square-foot NANA Museum building,
- an 1,800-2,000 square foot mobile home, and
- a 2000-gallon above-ground fuel storage tank.

The City of Kotzebue currently owns the alley that runs through the above property. The City was approached about the possible abandonment of a segment of the alley for incorporation into a re-platted parcel upon which the Heritage and Cultural Center would be constructed. The City indicated that it was likely that such an application would be approved assuming all necessary utility requirements for easements could be met. The alley is 20 feet in width and intersects with Second Avenue at an acute angle so the portion that would be dedicated would vary in length from 139 to 224 feet (0.08 ac). Utility easements for water and overhead electrical are included

within the alley and in all likelihood would be relocated so that any improvements would not be restricted. The alley contains flat, grassy terrain and is completely free of any buildings.

In order to determine development constraints for future design and construction on the site, the NPS would assess subsurface characteristics such as soils and archeological resources. In late summer 2002, the NPS would excavate sections of the property to identify soil types, as well as the extent of any archeological artifacts, features, and/or human remains. At this time, the exact location and methods for these excavations is not known, so for the purpose of this analysis, it's assumed that these tests would be conducted over the entire property.

Purpose and Need for the Proposed Action

The purpose of this acquisition is to increase NPS land holdings in Kotzebue to provide a site for a cultural and heritage center and, possibly, NPS and NANA administrative offices. (Actual construction of these facilities would require additional environmental documentation and public review.)

The 1986 General Management Plan for Cape Krusenstern National Monument (GMP) called for the construction of several new NPS facilities in Kotzebue, including a visitor contact facility, a museum, administrative offices, and equipment storage. A more recent Needs Assessment completed in 2001 listed several other structures, including an improved maintenance building, warehouse storage, curatorial storage, and an employee bunkhouse.

When considering new development, the 1986 GMP encouraged the NPS to comply with section 1306 of the 1980 Alaska National Interest Lands Conservation Act (ANILCA). Section 1306 authorizes the Secretary of Interior and Federal agencies to attempt to locate sites and facilities on Native lands in the vicinity of the park unit to the extent practicable and desirable. Toward this end, ANILCA authorizes the Secretary and other Federal agencies to "lease or acquire by purchase, donation, exchange, or any other method (except condemnation) real property (other than Federal land), office space, housing, and other necessary facilities." Acquisition of the NANA property specifically would fulfill this directive. More specifically, the GMP identified NANA as one of several possible cooperators in funding the construction and operating a museum in Kotzebue.

The GMP further stated that consideration would be given to combining the NPS visitor contact station and the museum in a single building in order to lower construction, maintenance, and operational costs and offer a single visitor destination. In 1998, the NPS and NANA entered into a formal cooperative agreement pursuant to which the parties developed a planning document for a joint visitor center and natural and cultural museum in Kotzebue (the cultural and heritage center). The project authorized by the cooperative agreement was analyzed through the completion of a conceptual plan and its proposed use evaluated under Section 1306 of ANILCA. The focus of the conceptual planning document was the NANA-owned property located on the west end of Third Avenue in Kotzebue. Since this planning document was completed, additional acreage adjacent to the NANA site has become available for purchase by the NPS. This additional acreage would enhance the ability of the NPS and NANA to construct administrative facilities and expanded parking, as well as the cultural and heritage center.

OTHER ALTERNATIVES CONSIDERED IN THE ENVIRONMENTAL ASSESSMENT

One other alternative was analyzed in the EA, the no action alternative. Under the no action alternative, the NPS would not purchase the property.

WETLANDS WITHIN THE PROJECT AREA

Hart Crowser, Inc., under contract to the National Park Service (NPS), prepared wetlands delineations for Lots 6, 7, and 8 of the NANA property. Field data collection was conducted on October 5, 2001 by Michael Muscari (Hart Crowser, Inc. wetland ecologist).

Hart Crowser, Inc. also performed an informal evaluation of Lots 4, 5, and 9 using simple visual observations and one soil pit at a low elevation. No hydrophytic (wetland) vegetation, hydric (wetland) soils, or wetland hydrology were present on these three lots; therefore, these lots are assumed to have no wetlands.

Lots 6, 7, and 8 of the NANA Property

Director's Order #77-1 requires the NPS to use "Classification of Wetlands and Deepwater Habitats of the United States" (Cowardin et al. 1979) as the standard for defining, classifying, and inventorying wetlands. This is a different standard than that used by the Corps of Engineers (Corps) for delineating "jurisdictional wetlands" regulated under section 404 of the Clean Water Act. Both standards use three parameters to define wetlands: wetland hydrology, hydrophytic vegetation, and hydric soils. The fundamental difference between the two systems is that for the Corps method, under normal circumstances and typical conditions, a site must have all three parameters. The Cowardin definition recognizes all such sites as wetlands, but also recognizes some additional wetland types that for various physical or chemical reasons (e.g., wave action, strong currents, drastic water level fluctuations, high salinity) do not exhibit all three parameters. Examples might include mudflats, high energy shorelines, or playas. Therefore, when delineating wetlands for NPS projects the Corps method can be used for most wetlands, but it must be recognized that some sites that do not qualify as wetlands under the Corps method must still be delineated according to the Cowardin system.

Routine Determinations wetland delineation methods were used, as described in the Corps of Engineers 1987 Wetlands Delineation Manual (Corps 1987). With few exceptions (e.g., atypical situations or problem areas), all three parameters are required for an area to be classified as a jurisdictional wetland. The site investigated was not considered to be atypical situations or problem areas; therefore, the Routine Determinations methods were deemed appropriate for use. Hydrophytic vegetation was considered to be present if more than 50 percent of the dominant plants in an area had wetland indicator statuses of FAC, FACW, or OBL as defined by Reed (1988) and Reed et al. (1993). Indicator statuses for the dominant plants species seen on the site are provided in the wetland descriptions below and in the wetlands field data forms in Appendix A of this document.

Wetland classification follows the U.S. Fish and Wildlife Service wetlands classification system (Cowardin et al. 1979).

A report describing the methodology and findings of the wetlands delineation was prepared by Hart Crowser, Inc. and is available from the National Park Service's Alaska Support Office (Hart Crowser, Inc.2001). The sections below summarize the information contained in this report.

General Site Description. The NANA Corporation property was likely historically wet or consisted of moist tundra prior to construction of the existing building and the roads more than two decades ago. Much of the site today contains from 1 to 2 feet of gravel fill, which characterize part of the normal circumstances that now exist. There is a small area at the south end of the site that appears to meet all three jurisdictional wetland criteria (Wetland 1). There is also an area of wetland (Wetland 2) beneath the existing building that does not appear to meet the criteria of a Corps jurisdictional wetland (no hydrophytic vegetation), but does have some wetland characteristics. Figure 1 shows the site boundaries, wetland boundaries, and sample plot locations for the NANA property. Sample plot locations are labeled as SP6, SP7, … SP9 and field data sheets are presented in Appendix A. Regardless of whether or not these areas meet the Corps criteria for jurisdictional wetlands, neither area may actually be a jurisdictional wetland because both appear to be isolated and may therefore be outside Corps jurisdiction under current regulations.

Wetland 1. An area of approximately 0.02 acres on the extreme southern end of the property meets the criteria for a jurisdictional wetland in the Corps of Engineers 1987 Wetland Delineation Manual (USACE 1987) (Figure 1). Although it meets the jurisdictional wetland criteria, this wetland appears to be isolated and therefore may not be a jurisdictional wetland. In January 2001 the U.S. Supreme Court (Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers, 121 S. Ct. 675) limited the jurisdictional authority of the Corps on some isolated wetlands.

Wetland 1 is in a shallow closed depression that is completely surrounded by gravel roads and does not have a surface water connection with other wetlands or with Kotzebue Sound. Two gravel roads and a row of buildings separate the wetland from the Sound. Water enters this wetland primarily as run-off from the surrounding gravel roads and infiltrates into the upper layers of the soil. Thus, it appears to meet the definition of isolated. A shallow permafrost layer limits the downward movement of water in this area. No surface water was in this wetland on October 5, 2001.

According to the U.S. Fish and Wildlife Service (USFWS) classification system, Wetland 1 is a palustrine emergent persistent saturated wetland (Cowardin, et al. 1979). Dominant plants in the wetland include foxtail (*Hordeum jubatum* - FAC), dunegrass (*Elymus glaucus* – FACU), bentgrass (*Agrostis* sp. - FAC), and Aleutian mugwort (*Artemisia tilesii* – NI). Given that this site is covered primarily by early successional grasses, it's assumed the original vegetation was removed at some point in the past (i.e., the site is highly disturbed). The wetland receives run-off from the surrounding roads and so may help to alleviate some localized flooding. There may also be a small amount of habitat for small mammals, but the small size of the wetland and barren ground surrounding it make it an unlikely habitat.

Wetland 2. Wetland 2 is in a closed depression beneath the existing NANA Museum building in the center of the property (Figure 1). The building is on posts and there is from 2 to 4 feet of clearance between the ground and the underside of the building. It appears as though the native peat soil was excavated from the building site prior to construction and replaced with gravel and sand.

Although no water was observed in Wetland 2 on October 5, 2001, greater-than 12 inches of water collects in the wetland following spring thaw and surface water persists into summer (personal communication, NPS staff, cited in Hart Crowser, Inc.2001). Hydric soils were identified in the wetland (See data sheet for SP6), which indicates that anoxic conditions exist for a portion of the growing season. However, this area beneath the building does not meet the Corps definition of a jurisdictional wetland because of the absence of hydrophytic vegetation. In addition, it also appears to be isolated. The surface water is a temporary feature and the lack of sunlight makes it unlikely that ephemeral aquatic plants cover at least 30% of the area in spring.

Table 1. Wetland Types and Wetland and Upland Acreage within Property Boundary

Wetland Type	Cowardin Wetland Description	Acreage within property boundary	Artificial, Natural, or Modified
Wetland 1	palustrine emergent persistent saturated wetland	0.02 acres	highly disturbed
Wetland 2	palustrine unconsolidated bottom cobble/gravel seasonally flooded wetland	0.23 acres	modified: appears as though the native peat soil was excavated from the building site prior to construction and replaced with gravel and sand. Wetland lies beneath the NANA Museum building.
Total Area		0.25 acres	

Although this area does not appear to meet the jurisdictional criteria, it would be classified as a wetland according to the USFWS (Cowardin et al. 1979) wetland classification system and appears to provide very limited wetland functions. Wetland 2 is estimated to be approximately 0.23 acres and includes most of the area beneath the building. It would be classified as palustrine unconsolidated bottom, cobble/gravel, seasonally flooded wetland according to Cowardin et al (1979), and therefore is considered a wetland under NPS wetland protection procedures. Functions of this wetland include a minimal amount of local floodwater storage and water quality improvement, as it is an isolated wetland not connected to any streams or downstream water. Functions for wildlife would be limited to a small amount of habitat for benthic organisms and other invertebrates.

Table 1 shows the acreage of each wetland type on the property.

THE PROPOSAL'S IMPACT ON WETLANDS

Wetlands would not be impacted directly by the proposed land acquisition. However, for the purpose of this analysis, it's assumed the entire parcel would be cleared to conduct subsurface resource assessments needed for future design and construction on the site. As described above, the 0.23 acres of non-jurisdictional palustrine unconsolidated bottom, cobble/gravel, seasonally flooded wetland beneath the NANA Museum building (wetland #2), already has been severely compromised and provides minimal wetland functions. Given its current condition, draining or filling this wetland as part of an assessment of subsurface characteristics would, for all purposes, have no additional wetland impacts. Therefore, the only wetland impacts resulting from this proposal would be the loss of the 0.02 acres of jurisdictional palustrine emergent persistent saturated wetland on the extreme southern end of the property (wetland #1).

WETLAND IMPACT MITIGATION MEASURES

Avoidance Efforts

There are no practicable alternatives that would avoid wetland impacts entirely. The NPS currently owns a 2.61 acre parcel within Kotzebue; however, 1.2 acres in the center of this property is Corps jurisdictional wetland, specifically palustrine scrub-shrub broad-leaved deciduous saturated and palustrine emergent persistent saturated wetland.

Most (87%) of the wetland is classified as palustrine scrub-shrub broad-leaved deciduous saturated wetland. This wetland has a dense cover of shrubs over more than 80% of the area; the remaining 20% of the area is covered by a mix of shrubs and herbs. This wetland has been modified by past filling and grading activities. The main function provided by this wetland is wildlife habitat, primarily for birds and small mammals. A small amount of stormwater storage and water quality improvement also is provided. The dense vegetation potentially acts to filter particulates out of the stormwater that enters the wetland.

The remainder of the wetland on the NPS parcel is classified as palustrine emergent persistent saturated wetland. This wetland is dominated by herbs, grasses and sedges, and has less than 30% cover of shrubs. Past ditching and filling has modified this wetland and it now primarily functions as stormwater storage and water quality improvement. Dense shrubs along the ditches slow the flow of water through the wetland, which helps to control erosion and filter out particulates. A small amount of wildlife habitat also is provided for birds and small mammals.

Although previously disturbed, the wetlands on the NPS-owned parcel are vegetatively more diverse and provide slightly higher-level functions (e.g., greater wildlife habitat) than the wetlands on the NANA property; therefore, constructing needed facilities on this site would not decrease wetland impacts, but, rather, would increase them.

Other adequately sized properties potentially available for purchase within Kotzebue also contain wetlands. An analysis of different tracts of land within Kotzebue was conducted in 1994 as part of the NPS' EON site acquisition. The following statement is from a February 1994 memo on this subject (1994 NPS):

> John Hall, the Alaska Region U.S. Fish and Wildlife Service coordinator for the Congressionally-mandated wetlands inventory in Alaska, has examined air photographs

> of the Kotzebue area. Mr. Hall has determined that all large vegetated tracts in the Kotzebue area are indicative of moist tundra. Moist tundra, as a vegetation type, is classified as wetlands in Alaska. With this determination, which is supported by site-specific visual observations of parcels available for purchase, it appears that all undeveloped parcels of land likely contain wetlands.

Based on a more recent phone conversation with Mike Holly, a Corps wetlands regulatory specialist familiar with Kotzebue, this assessment remains accurate today – there are no large parcels of land available for purchase within Kotzebue that are devoid of wetlands (Holly 2001). Moreover, the wetlands contained on these other parcels are likely similar to or of higher value than the wetlands on the NANA property, so utilizing these sites instead of the NANA property would not reduce wetland impacts.

Design Measures to Minimize Impacts

To the extent practicable, design measures to minimize impacts to the wetlands would be created should the NPS pursue development of the site as intended. These measures would be incorporated into subsequent design-related environmental documents, including an amended *Wetland Statement of Findings*.

COMPENSATION

Director's Order 77-1: Wetland Protection and Procedural Manual #77-1: Wetland Protection state that if reconstruction of a facility in existence prior to May 28, 1980, involves no additional wetland impacts then no wetland compensation is required (Section 5.6, *NPS Procedural Manual #77-1*). The NANA Museum building was constructed in 1975. As described above, the 0.23 acres of non-jurisdictional wetland beneath the NANA Museum building (wetland #2), has already been severely compromised and provides minimal wetland functions. Given its current condition, draining or filling this wetland as part of an assessment of subsurface characteristics for future design and construction would, for all purposes, have no additional wetland impacts. Therefore, no compensation would be required.

The only new wetland impacts resulting from this proposal would be the loss of the 0.02 acres of wetland on the extreme southern end of the property (wetland #1). Because this adverse impact totals less than 0.1 acres and the loss of wetland functions would be minimal, the requirement for wetland compensation in this situation is waived.

CONCLUSIONS

The National Park Service has identified the proposed acquisition of the property in Kotzebue, Alaska, as the preferred alternative. There are no practicable alternatives that would avoid wetland impacts entirely. The NPS currently owns a 2.61 acre parcel within Kotzebue; however, 1.2 acres in the center of this property is Corps jurisdictional wetland. Other adequately sized properties potentially available for purchase within Kotzebue also contain wetlands. The wetlands contained on these other parcels are likely similar to or more intact and of higher value than the wetlands on the NANA property, so utilizing these sites instead of the NANA property would not reduce wetland impacts.

This project is consistent with E.O. 11990 and NPS Director's Order #77-1**.**

REFERENCES CITED

Hart Crowser, Inc.

2001 *Kotzebue Property Acquisition Wetlands Delineation Survey* by Bruce Ream and Michael Muscari, Hart Crowser, Inc. On file at the National Park Service's Alaska Support Office, Anchorage, Alaska.

Kelly, Mike

2001 Personal communication between Mike Holly, Regulatory Wetlands Specialist, U.S. Army Corps of Engineers, Anchorage Office, and Heather Todd Rice, Environmental Protection Specialist, NPS, November 15.

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