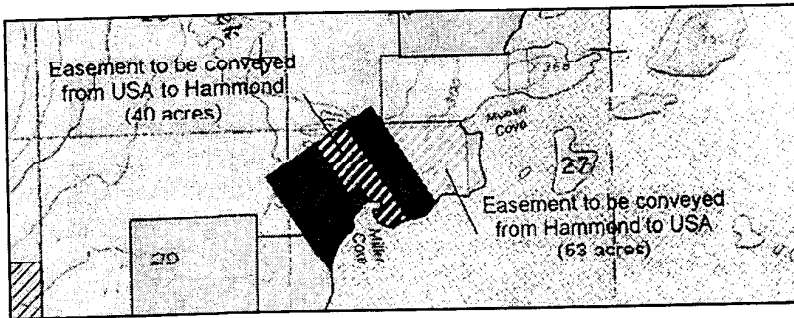


FINDING OF NO SIGNIFICANT IMPACTS

Complete a Land Exchange for a Conservation Easement on Lake Clark Lake Clark National Park and Preserve, Alaska

The National Park Service (NPS) has prepared an environmental assessment (EA) to evaluate a proposed conservation easement exchange along the north shore of Lake Clark in Lake Clark National Park and Preserve. The landowners offered to exchange 40 acres of their property that was placed into a conservation easement in 1990 for 53 acres of a contiguous Native allotment. The original 66-acre conservation easement precludes any development or surface disturbances on the subject lands. The NPS would retain 26 acres of the original conservation easement and acquire 53 acres into the easement for a total of 79 acres. The owners would acquire development rights on 40 acres of land nearest their



homestead buildings for future development of structures in the Miller Cove area. In the new conservation easement most of the shore of Moose Cove would be off limits to development, and both parties would maintain nearly the same length of shoreline.

Section 1302 of the Alaska National Interest Lands Conservation Act (ANILCA) authorizes the Secretary of the Interior to acquire by purchase, donation, exchange, or otherwise lands within the boundaries of a conservation system unit. An exchange would need to be on the basis of "equal value", with the option of using cash to equalize values as needed. An NPS appraisal found the value of the 40-acre parcel around Miller Cove and the 53-acre parcel near Moose Cove within \$2,000 of each other.

Public Involvement

The EA was released on October 9 for a 30-day public review period ending November 8, 2002. The EA was mailed to interested parties, including adjacent landowners, Local Native tribes and corporations, local, state and federal agencies, the Alaska Congressional Delegation, and various non-governmental organizations

The NPS received 2 comment letters; one letter was from the Lake and Peninsula Borough and one was from the National Parks and Conservation Association. Both parties supported the conservation easement land exchange.

Alternatives

The EA evaluated the no-action alternative and the preferred alternative.

No-action Alternative: This alternative describes the status quo. The NPS and landowners would not complete a land exchange involving an existing conservation easement on the Jay Hammond Homestead and a portion of the Bella Hammond Native allotment. The NPS would retain the conservation easement on 66 acres of the Hammond Homestead. Bella Hammond would retain fee simple ownership of her 59.98-acre native allotment lot 2.

NPS Preferred Alternative: This alternative would complete a land exchange putting about 53 acres of the Bella Hammond Native allotment lot 2 into the NPS conservation easement and removing about 40 acres of the original 66-acre conservation easement. The NPS conservation easement would be about 79 acres

in area, for a net gain of 13 acres. The Hammonds would retain fee simple interest in about 7 acres of the Bella Hammond allotment lot 2. The exchange of shoreline would be nearly equal at about 1,700 feet for the landowners and the NPS. The NPS would have the first right of refusal should the Hammonds decide to sell the remaining 7 acres of the Bella Hammond allotment lot 2.

Environmentally Preferred Alternative

The preferred alternative is the environmentally preferred alternative because a net 13 acres of land would be added to the conservation easement, cultural resources on an additional 117 acres of area would be protected, likely future developments would be concentrated in the Miller Cove area, and important moose habitat would be protected in the Moose Cove area.

Mitigation

The land exchange would include covenants to protect cultural resources on the former conservation easement and on the entire Hammond Homestead. These covenants include measures to avoid, protect, or mitigate effects to cultural resources discovered during development on the subject property.

Environmental Consequences of Preferred Alternative

As documented in the EA, the NPS has determined the preferred alternative can be implemented with no significant adverse effects to the local geology/topography, scenery, soundscapes, water quality and fish, wildlife and its habitat, vegetation, wetlands, cultural resources, private land and park management, subsistence, or wilderness. The environmental effects of the preferred alternative are summarized below.

Geology/Topography: Effects on the local geology and topography would be minor. A house or cabin would likely be constructed on leveled pad on a rocky peninsula on the southeast side of Miller Cove, and about the same length of coastline would be off limits to construction with an exchange. Construction of a new a boat ramp in Moose Cove would be unlikely.

Scenery: Effects on lakeshore scenery would be minor because future residential developments would likely be concentrated in the Miller Cove area and the undeveloped status of the Moose Cove area is likely to persist.

Soundscapes: Effects on natural sounds in the area would be minor because human activities would likely be concentrated in the Miller Cove area, where homestead buildings and a boat dock already exist. The relative natural quiet of the Moose Cove area would most likely be retained.

Water and Fish: Negligible impacts to water quality or fish would occur as an indirect result of the conservation exchange and the likely development of a residence on Miller Cove.

Wildlife and Habitat: The conservation easement exchange would result in a net gain of 13 acres of wildlife habitat into protected status and minor direct impacts to wildlife habitat on the original conservation easement. Important moose habitat in the Moose Cove area would be protected.

Vegetation and Wetlands: A net 13 acres of vegetation would be protected with the land exchange and a small area would likely be developed for a new residence on part of the former conservation easement in Miller Cove.

Cultural Resources: The exchange would result in a net positive impact on cultural resources in the area. Covenants would protect archeological and historical resources on the entire 140-acre Hammond Homestead and the 53 acres to be added to the conservation easement for a total protected area of 193 acres. This results in a net gain of 127 acres with known and potential cultural resources over the former 66-acre conservation easement.

Private Land and Park Management: The private landowners would receive legal rights to develop a residence on their preferred building site, and the NPS would further its management goal to protect the scenic integrity of Lake Clark's shores. Inclusion of the first right of refusal to the NPS for 7 acres of land along the shores of Lake Clark in Moose Cove extends this management goal. The exchange would occur in the Preserve part of the park and preserve, and designated wilderness lies about 8 miles east of the subject property.

Subsistence: As documented in the subject ANILCA 810 evaluation, there would not be any significant restrictions to subsistence uses in the area.

Cumulative Impacts: The NPS obtained the private parcel on the north side of Moose Cove and is considering developing a trailhead for the historic Telaquana Trail there, which would still be possible and desirable after the land exchange. Historically the trail began at Kijik Village, now abandoned, or the Miller Cove area. The land exchange would result in less total human activity in the Moose Cove area, which has been identified as important moose habitat.

Decision

The NPS decision is to select the preferred alternative and complete the conservation easement land exchange including covenants to protect cultural resources on the entire Hammond Homestead and the new conservation easement.

Rationale for the Decision

The preferred alternative will allow the landowners to pursue residential development on a preferred construction site while concentrating developments in one cove. The conservation easement exchange will also protect the scenic integrity of the Lake Clark area because the conservation easement will be enlarged by 13 acres with an equal length of protected shoreline. Covenants will increase protection of known and unknown cultural resources over 193 acres, nearly three times the area of the previous 66-acre conservation easement.

The preferred alternative complies with the Endangered Species Act, the National Historic Preservation Act, and Executive Orders 11988, 11990, and 12898. There will be no significant restriction of subsistence activities as documented by the ANILCA Title VIII, Section 810(a) summary evaluation and findings. Because all of the impacts of the proposed action are judged to be minor, negligible, or beneficial, this alternative would not result in the impairment of any park resources or purposes for which Lake Clark National Park and Preserve was established.

I find the preferred alternative does not constitute a major federal action significantly affecting the quality of the human environment. Therefore, in accordance with the National Environmental Policy Act of 1969 and regulations of the Council of Environmental Quality (40 CFR 1508.9), an environmental impact statement will not be prepared for this project.

Recommended:

Joe Fowler
Acting Superintendent, Lake Clark National Park and Preserve

12/19/02
Date

Approved:

Marcia Blaszyk
Acting Regional Director, Alaska

12/30/02
Date