

**National Park Service**  
**U.S. Department of the Interior**

**Lake Clark National Park and Preserve**  
**Alaska**



---

**Finding of No Significant Impact**

**Sucker Bay / Silver Salmon Creek Land Exchange**

**March 2007**

Recommended:

  
Superintendent, Lake Clark National Park and Preserve

3/26/2007  
Date

Approved:

  
Regional Director, Alaska

3/26/07  
Date

## **FINDING OF NO SIGNIFICANT IMPACT**

### **Sucker Bay/ Silver Salmon Creek Land Exchange Lake Clark National Park and Preserve March 2007**

The National Park Service (NPS) prepared an environmental assessment (EA) to evaluate a land exchange in Lake Clark National Park and Preserve (LACL). The Southcentral Foundation (SCF) owns a 79.98-acre inholding located on the southwestern shore of Lake Clark at Sucker Bay and wishes to exchange it for a 4.95-acre parcel near Silver Salmon Creek between Tuxedni and Chinitna Bays in the park. The Silver Salmon Creek parcel is not located within designated wilderness.

The NPS has selected Alternative 2 (NPS Preferred Alternative) which would exchange the 4.95-acre park parcel near Silver Salmon Creek for the 79.98-acre parcel at Sucker Bay owned by the SCF. The alternative was not modified by public comment.

An Errata is attached to the FONSI to clarify the no-action alternative. Thirty-seven comments were received during the 30-day public comment period.

### **ALTERNATIVES**

Two alternatives were evaluated in the EA.

#### **Alternative 1, No Action**

Under the No Action Alternative, the NPS and SCF would not complete a land exchange. The NPS would retain the 4.95-acre parcel located near Silver Salmon Creek and SCF would retain the 79.98-acre parcel located at Sucker Bay on Lake Clark. The NPS would not authorize SCF use of the Silver Salmon Creek site.

#### **Alternative 2 – Proposed Action (NPS and Environmentally Preferred Alternative)**

The NPS would exchange a 4.95-acre parcel located near Silver Salmon Creek, which includes the Silver Salmon Creek camp, for a 79.98-acre parcel located along the southeast shore of Lake Clark at Sucker Bay owned by SCF (U.S. Survey No. 8481). The Silver Salmon Creek parcel is located in Lake Clark National Park. The Sucker Bay property is a private inholding located within the Lake Clark National Preserve. The following stipulations would apply to the land exchange:

- Costs associated with the land exchange would be paid by SCF. Such costs would include the survey and appraisal costs for the properties.
- The NPS would continue to permit SCF to use the Silver Salmon Creek parcel, pursuant to the existing agreement, until the land exchange is final.
- SCF would develop a formal land use plan outlining how SCF would use the exchanged lands and conduct activities on adjacent park lands.

- Commercial uses on the Silver Salmon Creek parcel would be prohibited and the NPS would have the right of first refusal in the event that SCF sells the parcel in the future.

## **PUBLIC INVOLVEMENT**

The EA was released for a 30-day public comment period from January 22, 2007 to February 21, 2007. The EA was sent to 86 agencies, organizations, and individuals and was posted on the NPS Planning, Environment, and Public Comment website.

Comments were received from 32 individuals and 5 environmental organizations. Four environmental organizations and two individuals supported the land exchange while 30 individuals and 1 environmental organization did not support the exchange. The comments did not change the conclusions in the EA concerning environmental effects of the proposed action.

## **DECISION**

The NPS decision is to select Alternative 2 (Proposed Action), along with mitigating measures.

## **MITIGATING MEASURES**

The land exchange would include guidelines outlined in a formal land use plan for the Silver Salmon Creek parcel developed by SCF (Appendix D of EA).

## **RATIONALE for the DECISION**

Alternative 2 (NPS Preferred Alternative) was selected, with mitigation. A cultural easement would also be affixed to the property. ANILCA specifically emphasizes that the park and preserve be managed to protect the watershed necessary for perpetuation of the red salmon fishery in Bristol Bay and land acquisition priorities have long emphasized the Lake Clark shoreline as the most critical for the park to acquire, when possible, for enhanced protection. This alternative would further the conservation goals of the NPS by protection of the Lake Clark watershed as well as the protection of the shoreline of Sucker Bay and adjacent spawning habitat of sockeye salmon. Moreover, NPS management of the Sucker Bay parcel would maintain the unimpaired visual resources and aesthetics of the parcel, as well as permit visitor use to an area previously in private ownership.

Acquiring the Sucker Bay parcel would protect the area from possible future development and add about 80 acres of wildlife habitat and shoreline to Lake Clark National Preserve. Water quality and fish resources would be maintained by protection of the Sucker Bay shoreline and the Lake Clark watershed which provides habitat for one of the most economically important salmon runs in Bristol Bay. While no development



currently exists on the Sucker Bay parcel this private inholding could be developed at any time.

The preferred alternative would restrict growth of commercial activities and limit impacts to the Silver Salmon Creek parcel and adjacent park land through stipulations included in the land exchange agreement. Current activities would be allowed to continue as they have for over two decades, but no commercial activities would be allowed. The prohibition of commercial uses on the parcel would limit increases of visitor use and competition with existing lodges.

### **SIGNIFICANCE CRITERIA**

The preferred alternative will not have a significant effect on the human environment. This conclusion is based on the following examination of the significance criteria defined in 40 CFR Section 1508.27.”

*(1) Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.*

The impacts of the proposed land exchange would be both beneficial and adverse with the addition of about 80 acres to the preserve outweighing the effect of reducing the acreage of the park by 5 acres. Long-term protection would be provided to a portion of the Lake Clark watershed that provides habitat for one of the most economically important salmon runs in Bristol Bay. The exchange would provide protection to the shoreline of Sucker Bay and adjacent sockeye salmon spawning habitat.

The EA concludes that the effects of transferring five acres, in the Silver Salmon Creek area, to the Southcentral Foundation would have a minor to negligible effect on the resources of the area.

*(2) The degree to which the proposed action affects public health or safety.*

The proposed action would not affect public health or safety.

*(3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetland, wild and scenic rivers, or ecologically critical areas.*

The Lake Clark watershed provides habitat for one of the most economically important salmon runs in Bristol Bay. Protection of this watershed is mandated in ANILCA §201(7)(a). The land exchange would further the conservation goals of the NPS by protection of the Lake Clark watershed as well as the protection of the shoreline of Sucker Bay and adjacent spawning habitat for a genetically distinct population of sockeye salmon.

*(4) The degree to which effects on the quality of the human environment are likely to be highly controversial.*

The impacts associated with the land exchange are not scientifically controversial. The local community is primarily concerned that commercial development would occur on the Silver

Salmon Creek parcel, increasing visitation and effects on the resources of the area. Alternative 2 includes a prohibition on commercial uses of the parcel which will be a key component of the land exchange agreement.

*(5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

The effects of the selected alternative do not involve unique or unknown risks.

*(6) The degree to which the action may establish a precedent of future actions with significant effects or represents a decision in principle about a future consideration.*

The land exchange would not set a precedent for future actions.

*(7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.*

The action is not related to other actions with individually insignificant but cumulative significant impacts.

*(8) Degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*

The selected alternative would not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. There are no known cultural or archeological resources present on the Sucker Bay or Silver Salmon Creek properties.

*(9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

The selected alternative would not adversely affect an endangered or threatened species or its habitat. According to the U.S. Fish and Wildlife Service, there are no federally listed or proposed species in the project area.

*(10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

The selected alternative would not violate any Federal, State, or local law.

## **FINDINGS**

The levels of adverse impacts to park resources anticipated from the selected alternative will not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or that are key to the natural or cultural integrity of the park.

The selected alternative complies with the Endangered Species Act, the National Historic Preservation Act, and Executive Orders 11988 and 11990]. There will be no restriction of subsistence activities as documented by the Alaska National Interest Lands Conservation Act, Title VIII, Section 810(a) Summary Evaluation and Findings.

The National Park Service has determined that the selected 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 on Environmental Quality (40 CFR 1508.9), an environmental impact statement is not needed and will not be prepared for this project.



**NPS RESPONSES TO PUBLIC COMMENTS and ERRATA  
for the  
SUCKER BAY/ SILVER SALMON CREEK LAND EXCHANGE  
ENVIRONMENTAL ASSESSMENT**

In response to the n, the NPS received comment letters/statements. Described below are the substantive comments and the NPS responses.

Comment 1: The EA should include an alternative that would not authorize a land exchange and remove and cleanup the exist camp on the 5 acre parcel.

*The NPS does not believe that the EA should be revised to include an additional alternative. Under the no-action alternative the NPS and SCF would not complete a land exchange. The NPS would not authorize SCF use of the Silver Salmon Creek site. The removal of the camp is consider a reasonability foreseeable future action if the land exchange is not consummated. The effects of camp removal are analyzed in the cumulative impacts for the no-action alternative.*

Comment 2: The EA should be revised to include an in-depth discussion of the history of the land claim dispute.

*The NPS believes that the discussion is of adequate depth to provide the reader with basics of the land claim dispute.*

Comment 3: An EIS is needed to evaluate the proposed land exchanges impacts on the threatened Steller's eider and the impacts of noise generation and generator exhaust is the SCF constructs a facility on the Silver Salmon Creek parcel.

*An EIS is not needed to evaluate the effects on the Steller's eider. The NPS requested an informal section 7 consultation as per the Endangered Species Act. On November 11, 2006 the U.S. Fish and Wildlife Service concurred with the NPS determination that the proposed land exchange would be unlikely to adversely affect the threatened Steller's eider. See Appendix D in the EA regarding the ESA section 7 informal consultation for this project.*

*The effects of noise generation and generator exhaust from the continued operation of the SCF camp were deemed to be minimal and were not analyzed under Alternative 2. These effects would be minimal and not have a level of significance that would require an EIS.*

Comment 4. The text in the ANILCA section 810 analysis (Page A-6 of EA) is in error when it states that there are no federally qualified subsistence users living in the Silver Salmon Creek area.

*The NPS regrets the error and acknowledges that two federally qualified subsistence users live in the Silver Salmon Creek area.*

## ERRATA

The text of the EA was modified based on public comment to clarify the intent of Alternative 1 (No Action) and the resulting environmental impacts. Under the No-Action Alternative, the NPS and SCF would not complete a land exchange. The NPS would retain the 4.95-acre parcel located near Silver Salmon Creek and SCF would retain the 79.98-acre parcel located at Sucker Bay on Lake Clark. The NPS would not authorize SCF use of the Silver Salmon Creek site.

The removal of the existing structures at the SCF Silver Salmon Creek Camp is considered as a reasonable foreseeable future action. The removal of the camp is analyzed for all impact topics in the Cumulative Impacts analysis for Alternative 1 (no-action).

Page 2-1, Section 2-2, Alternative 1 - No Action, 4th sentence. The following sentence is deleted from the text.

*“The No Action Alternative describes the status quo and provides a baseline against which to measure the impacts of the Proposed Action”.*

Page 2-3, Table 1. Impact Comparison. The following modifications were made to Alternative 1 impact summaries.

Water Resources and Fish. Modify the 2<sup>nd</sup> sentence as follows: *Impacts in the Silver Salmon Creek area could result from soil compaction and run-off from existing camp facilities.*

Wildlife Habitat. Modify the 2<sup>nd</sup> sentence as follows: *The existing camp would have negligible effects on wildlife habitat given the relatively small size of the parcel. Closure of the camp would eliminate human disturbance to wildlife.*

Land Use and Status. Modify the sentence as follows: *The land status of the Sucker Bay and Silver Salmon Creek parcels would remain unchanged. The NPS would not authorize SCF use of the Silver Salmon Creek site.*

Visitor Use: Replace the 2<sup>nd</sup> sentence with the following. *The Silver Salmon Creek parcel would remain under federal ownership. The NPS would not authorize SCF use of the Silver Salmon Creek site. This action would have a negligible impact on visitor use in the Silver Salmon Creek area as the reduction in visitor numbers would be minimal.*

Page 4-2, Section 4.3.1 Water Resources and Fish, Silver Salmon Creek. The sentence is revised as follows:

*Maintaining federal ownership of the Silver Salmon Creek parcel would likely contribute a negligible impact to water resources and fish because of soil compaction and run-off from the existing camp facilities.*



Page 4-3, Section 4.3.1 Water Resources and Fish, Conclusion, 2<sup>nd</sup> sentence. The sentence is revised as follows:

*Impacts in the Silver Salmon Creek area could result from soil compaction and run-off from existing camp facilities.*

Page 4-3, Section 4.3.2 Wildlife Habitat, Silver Salmon Creek: The paragraph is revised as follows:

*The alternative would keep the 4.95 acre Silver Salmon Creek parcel in federal ownership and unavailable for use by SCF. The existing camp would have negligible effects on wildlife habitat given the relatively small size of the parcel. Closure of the camp would eliminate human disturbance to wildlife, but visitation and resulting impacts would likely continue at Silver Salmon Creek as past camp guests would likely adjust to fly-in day use or 14 camping stays to continue to fish and enjoy the area.*

Page 4-3, Section 4.3.2, Wildlife Habitat, Silver Salmon Creek, Conclusion, 2<sup>nd</sup> sentence. The sentence is revised as follows:

*The existing camp would have negligible effects on wildlife habitat given the relatively small size of the parcel. Closure of the camp would eliminate human disturbance to wildlife.*

Page 4-4, Section 4.3.3, Land Use and Status, Silver Salmon Creek. The sentence is revised as follows:

*The Silver Salmon Creek parcel would remain under federal ownership. The NPS would not authorize SCF use of the Silver Salmon Creek site.*

Page 4-4, Section 4.3.3, Land Use and Status, Silver Salmon Creek, Conclusion. The sentence is revised as follows:

*The land status of the Sucker Bay and Silver Salmon Creek parcels would remain unchanged.*

Page 4-5, Section 4.3.5 Visitor Use, Silver Salmon Creek. The paragraph is revised as follows:

*The Silver Salmon Creek parcel would remain under federal ownership. The NPS would not authorize SCF use of the Silver Salmon Creek site. This action would have a negligible impact on visitor use in the Silver Salmon Creek area as the reduction in visitor numbers would be minimal. Visitation would likely continue at Silver Salmon Creek as past camp guests would likely adjust to fly-in day use or 14 camping stays to continue to fish and enjoy the area.*

Page 4-5, Section 4.3.5 Visitor Use, Cumulative Impacts, 2<sup>nd</sup> paragraph, last sentence. The following sentence is deleted from the text.

*“The existing structures give an indication that the parcel is privately owned land and therefore likely discourages visitor use.”*

Page 4-5, Section 4.3.5 Visitor Use, Conclusion, 2<sup>nd</sup> sentence. The sentence is revised as follows:

*The NPS would not authorize SCF use of the Silver Salmon Creek site. This action would have a negligible impact on visitor use in the Silver Salmon Creek area as the reduction in visitor numbers would be minimal.*