



Pueblo of Jemez Special Use Permit for Traditional Religious Cultural Activities at Valles Caldera National Preserve

Environmental Assessment

New Mexico

DOI-NPS-133763

October 2026

The National Park Service (NPS) has considered the factors mandated by the National Environmental Policy Act (NEPA). This environmental assessment represents the NPS's good-faith effort to fulfill NEPA's requirements by prioritizing documentation of the most important relevant considerations within the statutorily mandated page limits and timeline. This prioritization reflects the NPS's expert judgment; and any considerations addressed briefly or left unaddressed are, in NPS's judgment, comparatively non-substantive and would not meaningfully inform NPS's consideration of environmental effects and the decision to be made. The environmental assessment is substantially complete, considers the factors mandated by NEPA, and, in the decisionmaker's judgment, contains analysis adequate to inform NPS's decision regarding the proposed action.

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Chapter 1: Purpose and Need

In compliance with the National Environmental Policy Act (NEPA), the National Park Service (NPS) prepared an Environmental Assessment (EA) to examine alternative actions and environmental impacts associated with the issuance of a special use permit to the Pueblo of Jemez at Valles Caldera National Preserve. The EA is prepared in accordance with 516 DM 1, U.S. Department of the Interior (DOI), Handbook of National Environmental Policy Act Implementing Procedures, February 2026 (DOI NEPA Handbook), its appendices, and the DOI National Environmental Policy Act Implementing Regulations at 43 Code of Federal Regulations (CFR) Part 46.

Background

Valles Caldera National Preserve was first established in 2000 as a unit of the National Forest System and managed by the Valles Caldera Trust, a wholly owned government corporation overseen by a board of trustees appointed by the President of the United States. On December 19, 2014, Valles Caldera National Preserve (the park) was designated as a unit of the National Park System. After a brief transition period, the NPS assumed management of the park on October 1, 2015. The park protects, preserves, and restores ecosystems and cultural landscapes within an outstanding example of a volcanic caldera for the purpose of education, scientific research, public enjoyment and use, and cultural continuity.

Valles Caldera is of spiritual and ceremonial importance to 37 traditionally associated American Indian tribes and pueblos. These cultural connections are both contemporary and of great antiquity, and the NPS seeks to recognize the values and respect the voices of the Tribal Nations for whom this special place continues to be part of their practices, beliefs, identity, and history.

For thousands of years, Native peoples have used the caldera for hunting all sizes of game, small and large mammals, birds, waterfowl, and fish; collecting an abundance of seeds, nuts, and berries; and gathering various plants and minerals for food, medicine, tools, manufacture, economic, and ceremonial use. Throughout prehistory and continuing today, this landscape has supported hunting and gathering to supplement agricultural subsistence. Traditionally associated tribes and pueblos in the region have deep historic and cultural connections to the caldera that are expressed today through ceremonial activities, rich oral histories, and sacred traditions.

The park is designated as a “shall-hunt” park under its enabling legislation (Public Law 113-291, § 3043(b)(7)). Specifically, the authorizing statute directs that, “the Secretary shall permit hunting, fishing, and trapping on land and water within the [park] in accordance with applicable Federal and State law.” The same subsection provides that “[n]othing in this section affects any jurisdiction or responsibility of the State with respect to fish and wildlife in the [park],” and authorizes the Secretary to limit the activity “for reasons of public safety, administration, or compliance with applicable law.”

In addition, the park’s enabling legislation states at Public Law 113-291, § 3043(b)(11)(A-B)):

- (A) In General.—The Secretary, in consultation with Indian tribes and pueblos, shall ensure the protection of traditional cultural and religious sites in the Preserve.
- (B) Access.—The Secretary, in accordance with Public Law 95-341 (commonly known as the “American Indian Religious Freedom Act” (42 U.S.C 1996)—
 - (i) shall provide access to the sites described in subparagraph (A) by members of Indian tribes or pueblos for traditional cultural and customary uses; and
 - (ii) may, on request of an Indian tribe or pueblo, temporarily close to general public use 1 or more specific areas of the Preserve to protect traditional cultural and customary uses in the area by members of the Indian tribe or pueblo.

In 2016, the United States Fish and Wildlife Service (USFWS) prepared a Programmatic Environmental Impact Statement for the Eagle Rule Revision (USFWS 2016a). It stated that “Bald eagles and golden eagles remain sacred to many American Indian tribes and tribal members and are central to the religious practices of some tribal cultures in North America and other localities throughout the species’ range.” Native American interests are unique and unlike any other interests due to the status of federally recognized tribes as governmental sovereigns, as well as the unique relationship between the U.S. government and each tribe. There exists a separate federal trust responsibility to tribes, which among many other things, safeguards indigenous religious practices, cultural practices, places, sites, and objects. Moreover, the Bald and Golden Eagle Protection Act specifically establishes an exception allowing the USFWS to authorize possession and take of bald and golden eagles for the “religious purposes of Indian Tribes” (16 USC 668a). Of note, a 1962 amendment to the Act authorized the take of eagles for religious purposes of Indian tribes as requested by the Secretary of the Interior, who was concerned about the effect prohibiting all take of golden eagles would have on Indian religious and cultural use (USFWS 2016a).

The USFWS issues three types of permits related to Indian religious activities under 50 CFR § 22.22. The permit issued for use within the park is an Eagle American Indian Religious Take (EAIRT) Permit, which authorizes take of bald or golden eagles that is necessary for a traditional tribal religious ceremonial purpose that requires eagles to be taken from the wild (USFWS 2016a). By regulation, the permit “only authorizes take ... under the Bald and Golden Eagle Protection Act” (50 C.F.R. § 22.10(c)).

The terms of the USFWS eagle take for Indian religious purposes permit with the Pueblo of Jemez (Jemez) includes the following stipulations (USFWS 2026): The area of collection includes Los Alamos, Rio Arriba, Sandoval, San Miguel, and Santa Fe counties of New Mexico.

- The total combined take over the area of collection will not exceed eight (8) individual eagles.

- Outside the boundaries of the Jemez Reservation, bald eagle take is limited to no more than four (4) bald eagles.
- Bald eagle take is restricted to the local migration and overwintering period of November 1 – February 28.
- Golden eagle take is limited to August 16 – February 28, avoiding local adult breeding and nesting periods.

Some Native Americans must capture a bird the traditional way in the wild, as their ancestors did, to properly perform sacred ceremonies that have been practiced since time immemorial. For Native Americans, permits to take eagles from the wild (50 CFR 22.22) are currently limited to Tribal Nations that can attest to a traditional religious need to take live, wild eagles for which the National Eagle Repository does not provide an adequate substitute. For example, as described above, the USFWS has issued an annual permit to the Hopi every year since 1987 allowing the take of up to 40 golden eagles per year (USFWS 2016a).

The USFWS has issued Eagle American Indian Religious Take permits to eight tribes in situations where the case was made sufficiently that wild-caught eagles were necessary to meet traditional religious and cultural needs. A tribal official must apply on behalf of the tribe for an Eagle American Indian Religious Take Permit to take an eagle from the wild for religious use. Usually, permits provide specific limitations, such as times, dates, places, methods of takings, numbers and kinds of wildlife, location of activity, or circumscribed transactions. Each USFWS region coordinates and consults with the respective tribes and states on a case-by-case basis.

While not federally listed, the bald eagle is listed as Threatened by the state of New Mexico ([New Mexico Natural Heritage Program](#)). However, the state did not object to issuance of the USFWS eagle take for Indian religious purposes permit to Jemez because take of bald eagles authorized by the eagle take for Indian religious purposes permit is limited to the species' migration and overwintering periods (USFWS 2025).

Special Use Permit

The Jemez has submitted a Special Use Permit (SUP) application to the NPS to conduct ceremonial take¹ of a bald or golden eagle within the park. The proposed eagle take would be limited in scope, conducted in accordance with Jemez's traditions and supported by an eagle take permit for Indian religious purposes issued by the USFWS under 50 C.F.R § 22.60; and used solely for religious purposes to support ceremonial continuity, cultural identity, and intergenerational knowledge transmission.

¹ As defined under the Bald and Golden Eagle Protection Act (50 CFR § 22.6), "take" includes pursuing, capturing, wounding, killing, or otherwise disturbing eagles. In this environmental assessment, "take" refers to the number of eagles removed, whether authorized by permit or resulting from unauthorized human actions.

Purpose and Need

The purpose of the action is to evaluate Jemez’s SUP application for access to the park to conduct traditional cultural and religious activities associated with ceremonial eagle take, including Jemez’s request to an eagle within park boundaries as part of traditional cultural and religious practices, and to determine appropriate terms and conditions for timing, location, resource protection visitor use, and park operations. Implementation of the proposed action depends on Jemez obtaining the required eagle take for Indian religious purposes permit from the USFWS under the Bald and Golden Eagle Protection Act (16 U.S.C. §§ 668–668d), which Jemez has received for 2026/2027.

Action is needed to respond to Jemez’s SUP application and to ensure that such activities are conducted in a manner consistent with federal and state law, NPS policies, and park resource protection obligations. Additionally, because requests from Jemez for this ceremonial use, including park access and requests for eagle take within park boundaries, are anticipated to occur on an ongoing and recurring basis – potentially as frequently as annually, recognizing that Jemez states it considers the effect on the eagle population, takes precautions, and often does not undertake the ceremony for several years – a programmatic approach is needed to guide long-term management and to simplify subsequent compliance responsibilities. This approach would allow future SUP decisions concerning this ceremonial use to tier from this analysis, supporting consistent decision-making, streamlining future environmental reviews, coordination with the State of New Mexico and other federal permitting authorities, and the application of standardized resource protection measures, while retaining flexibility to address conditions on a case-by-case basis and incorporating any additional environmental review necessary to address site-specific circumstances, new information, or changed conditions.

Project Area

The park is located in the Jemez Mountains of north-central New Mexico, approximately 124 km (77 mi) northwest of Albuquerque, New Mexico, and 48 km (30 mi) west of Los Alamos, New Mexico. The park encompasses approximately 35,977 ha (88,900 ac) and is surrounded by the Santa Fe National Forest along its northern, western, southern, and eastern boundaries and adjoins the Santa Clara Indian Reservation along its northeastern boundary and Bandelier National Monument along its southeastern boundary. With elevations ranging from 2,438 m (8,000 ft) to 3,430 m (11,254 ft), the park in its entirety is a high elevation ecosystem that includes streams, wetlands and wet meadows, montane grasslands, woodlands, and coniferous forests, all of which contrast with the lower elevations and more arid regions of New Mexico (NPS 2022a). The current and programmatic project area is equivalent to the 5,751-acre closure area within the northwestern corner of the park identified in Figure 1.

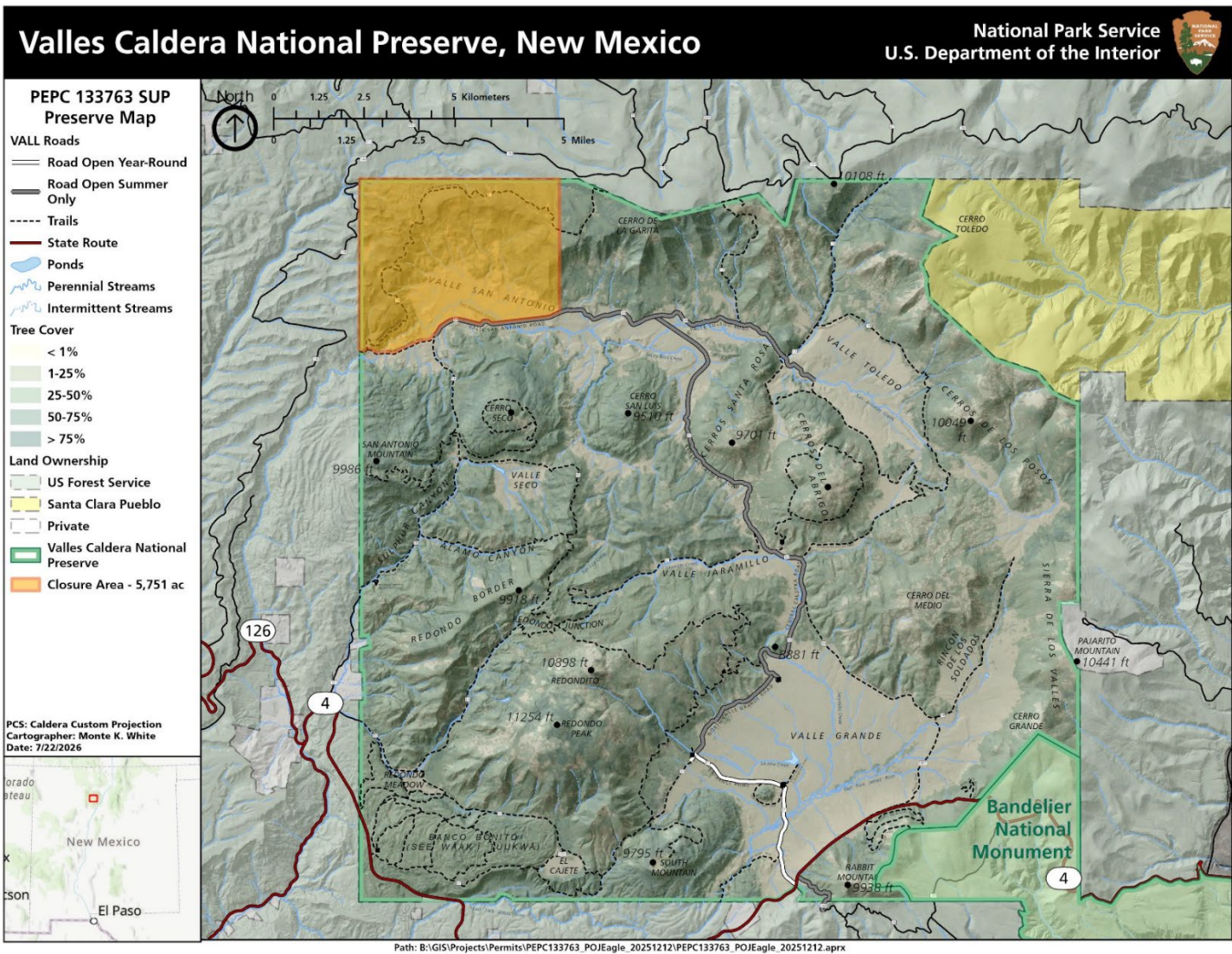


Figure 1. Map of Proposed Closure Area.

Chapter 2: Alternatives

This section describes actions the NPS would implement to address Jemez's SUP application. This section provides an overview of Alternative A (the no action alternative) and Alternative B (the Proposed Action). In addition to Alternatives A and B, this document also describes alternatives that were considered but not analyzed in detail. Those are included in Appendix B.

Alternative A – No Action Alternative

Under the No Action Alternative, the NPS would not issue the requested SUP; including the exclusive ceremonial use of the designated area, the associated temporary closure, campsite establishment, transportation provisions, eagle take within park boundaries, and excavation or re-excavation of ceremonial sites.

Alternative B – Proposed Action

Under this alternative, NPS would issue a Special Use Permit (SUP) to Jemez to access the Preserve and conduct ceremonial eagle take activities within the park, supported by a USFWS eagle take for Indian religious purposes permit issued under the Bald and Golden Eagle Protection Act. The SUP would grant exclusive use of a ceremonial area in the northwest portion of the park (Figure 1) for approximately 30 days, as authorized under 36 C.F.R. § 1.5 and 1.6 U.S.C. 698v-11(b)(11)(B)(ii).

Because SUP applications for this ceremonial use are anticipated to be recurring at uncertain intervals², this analysis is designed to support future, tiered site-specific SUP decisions. Tiering would promote consistent decision-making, coordination with other federal permitting authorities, and the application of standardized resource protection measures, while retaining flexibility to address specific conditions. Accordingly, subsequent SUP applications would be evaluated on a case-by-case basis, considering site-specific monitoring data, USFWS and NPS permit conditions, and meeting the park's enabling statute's mandate to protect park resources and provide access to cultural and religious sites for traditional cultural and customary uses with those permit conditions.

The SUP would include enforceable conditions to govern timing, location, and resource protection measures, ensuring that the NPS meets the park's enabling statute's mandate to provide access to cultural and religious sites for traditional cultural and customary uses while all activities avoid or minimize impacts to park natural and cultural resources, visitor use, and park operations.

Eagle Take

For the 2026/2027 USFWS eagle take for Indian religious purposes permit, the NPS SUP would authorize the ceremonial take of one (1) adult eagle (bald or golden) within the park between

² Activities may occur annually or may not arise for more than a decade depending on religious circumstances.

October 28, 2026 until November 27, 2026. Take of a bald eagle would be prohibited prior to November 1 in accordance with the terms of the Jemez's permit from the USFWS.

Ceremonial Site and Camping

The permit would balance protection of ceremonial and general park purposes, ensuring Jemez access to the park to conduct traditional cultural and religious activities within designated areas of the park. Jemez would have exclusive use of a designated temporary campsite located within a previously used site in the northwestern portion of the park. This site is recognized as having cultural significance to Jemez, based on consultation with Jemez.

The permit would also authorize limited excavation activities within a nearby documented archeological site characterized by a Late Archaic-period lithic scatter (approximately 1100 B.C. to 400 A.D.). Excavation would be restricted to previously disturbed areas associated with past traditional use to avoid or minimize adverse effects on intact archeological deposits.

Access and Transportation

Motorized access to the ceremonial area would be limited to designated public / administrative roads and trails. Motorized vehicle use would be prohibited beyond the San Antonio Creek Trail and Northwest Rim Trail intersection; all travel past this point would be restricted to non-motorized means.

Bicycle and electric bicycle use, including bicycles with gear trailers, would be allowed for travel between the designated parking area and campsite.

The use of pack animals, including horses, mules, burros, alpacas, and llamas, would be permitted on designated trails, with a maximum of twelve (12) animals allowed. Animals would be kept at least 100 feet from structures and campsites, and at least 300 feet from water sources when tethered. Only USDA-certified weed-free feed would be permitted, beginning 48 hours prior to park entry. Pack animals would not be allowed to stay in the park overnight.

Other Resource Protection Measures

All activities conducted under the proposed action would be required to avoid or minimize impacts to park resources, wildlife, and visitor use. The permit would include, but is not limited to, the following conditions:

- All materials brought into the park would be packed out; burying, burning, or leaving materials on site would be prohibited. The permitted area would be maintained in the same or better condition following use. No permanent structures would be allowed and any temporary structures will be removed at the end of the permitted activity.
- All food, trash, and scented items would be secured in animal-resistant canisters located 50 to 100 feet from campsites, or suspended from a tree where appropriate. Human waste would be collected using waste alleviation and gelling (WAG) bags or other NPS-

approved devices and packed out of the park, and temporary establishment and use of a portable toilet at the intersection of the maintained road would be permitted.

- The collection or disturbance of minerals, antlers, or cultural artifacts would be prohibited. Wildlife, with the exception of eagles, would not be harassed, harmed, or fed. Natural and cultural features would not be disturbed, damaged, or removed.
- Fishing would be allowed in accordance with the terms and conditions within the SUP that follows recreational fishing requirements in the park.
- To protect habitat for the Jemez Mountains salamander, new ground disturbance and the movement of rocks or logs would be prohibited. This limitation includes rocks greater than 12 inches in diameter that are partially embedded or grouped and logs greater than 6 inches in diameter. Any ground disturbance associated with authorized religious activities would be limited to previously used areas.
- The use of fire would be limited to firewood transported to the campsite and an existing fire ring. Cutting or collecting wood within the park would be prohibited.

Chapter 3: Affected Environment and Environmental Consequences

This chapter describes the current and expected future condition of eagle populations, archeological and ethnographic resources, special status species, and visitor use and experience. Additionally, this chapter analyzes the beneficial and adverse impacts that would likely result from implementing the proposed action.

Impact Topic 1: Eagle Populations

The USFWS analyzed local bald and golden eagle populations within the broader geographic area, including lands beyond the boundaries of the park, as part of the 2016 Programmatic Environmental Impact Statement for the Eagle Rule Revision (USFWS 2016a) and a site-specific analysis of the local eagle population for the eagle take for Indian religious purposes permit issued to Jemez (USFWS 2026). These analyses are incorporated by reference into this environmental assessment and are used to inform the evaluation of potential impacts to eagle populations under the proposed action.

Affected Environment

Eagles are important components of the park's predator assemblage, feeding primarily on small mammals (golden eagles), reptiles, and fish (bald eagles). Eagles also function as scavengers on animal carcasses (e.g., elk, deer) that die naturally or by human hunters. Small mammal prey of golden eagles in the park includes Gunnison's prairie dogs and mountain cottontail rabbits among others, while migrating bald eagles feed primarily along streams, taking brown and rainbow trout during the ice-free period of October – December. Thus, eagles are an important component of the park's biodiversity, trophic structure, and ecosystem functioning.

Bald and golden eagles consistently cross jurisdictional boundaries, including the park boundary. Eagles may move throughout the day and potentially within and outside the park depending on food availability. An eagle that uses the park one year may not return to the park the following year.

Bald Eagle (*Haliaeetus leucocephalus*). The park is known to host a small population of migratory bald eagles (up to 20) during the late fall/early winter (Johnson 2007). Over the past several years, the Cornell Lab of Ornithology eBird database has reported observations of bald eagles in the park between October and January and sporadically in May (eBird 2026). Most recorded observations have been of a single eagle, though observations of up to three individuals have been recorded during winter months in the past eight years.

Wintering bald eagles begin to arrive in the park in October and leave when all streams freeze over and have become inaccessible for fish, usually by early January (although eagles may visit periodically all winter if snow/ice conditions permit). The location and abundance of wintering eagles is dependent on food and availability of appropriate roosting and foraging habitat and can

change year to year. Concentrations occur around reservoirs and along rivers, with a scattering of birds in terrestrial habitat (Johnson 2003).

There are no large water bodies to provide breeding/foraging habitat within or near the park and the Jemez Mountains do not contain known breeding habitat. The main areas in which bald eagles are found are along San Antonio Creek, although individuals can be observed during the day at numerous locations throughout the park. Most individuals observed away from water are feeding on elk carcasses because of hunting activities in the park. Bald eagles typically use trees near the creek as overnight roosts (Valles Caldera Trust 2014).

As noted by USFWS in the application review to reinstate the Jemez 2025 take permit (USFWS 2025), bald eagle populations in Bird Conservation Region (BCR) 16, which encompasses the park, have been increasing substantially since 2000. This BCR exhibited an 11.0% annual increase in total bald eagle numbers during 2000-2022 (95% credible interval = 7.4-9.3). In the Fish and Wildlife Service's most recent estimate in 2020, the bald eagle population in the coterminous U.S. totaled 316,700 individuals, and breeding pairs occupied 71,467 nesting territories (USFWS 2025). Across the U.S., bald eagles exhibited an 8.4% annual increase in total population numbers during 2000-2022 (95% credible interval = 7.4-9.3) (USFWS 2025). Some bald eagles that migrate through or overwinter within the authorized area of collection may come from Canada and Alaska. Breeding Bird Survey (BBS) data indicate significant population growth in these regions with annual increases in Alaska (1.0%) and Canada-wide (2.4%) between 2000-2019 (USFWS 2013b, USFWS 2025).

While not federally listed, the bald eagle is listed as Threatened by the state of New Mexico ([New Mexico Natural Heritage Program](#)). However, the state did not object to issuance of the USFWS eagle take for Indian religious purposes permit to Jemez in 2025 because take of bald eagles authorized by the eagle take for Indian religious purposes permit is limited to the species' migration and overwintering periods (USFWS 2025).

Golden Eagle (*Aquila chrysaetos*). Over the past several years, the Cornell Lab of Ornithology eBird database has reported observations of golden eagles within the park between May and December. Most recorded observations have been of one to two eagles during the breeding, rearing, and fledging seasons (April through August), though observations of up to six individuals have been recorded in September over the past eight years (eBird 2026). Multiple observations indicated eagles traveling in pairs. There may be one breeding pair of resident golden eagles in the vicinity of the park during spring and summer; however, it is unknown whether this resident pair overwinters on the park or adjacent lands or whether it migrates south in winter (NPS 2017).

The USFWS has created "breeding habitat models" for golden eagles based on nest records obtained from state, federal, tribal, and private entities (USFWS 2023b). These models account for regional variability in habitat availability based on ecoregions (USFWS 2023b). Spatial variation in density of golden eagle nest sites was used to model breeding habitat in the

Southwestern Plains and Southwestern Plateaus ecoregions, which includes the park. While the park is likely utilized by resident golden eagles, the model suggests a higher probability that golden eagles nest more frequently outside the park relative to within the park. No golden eagle nests have been documented within the park.

In winter, migrant golden eagles arrive in the western U.S. from Canada and Alaska. During this time, resident adult eagles may move beyond their breeding-season ranges to seek additional food resources, and many juvenile and subadult golden eagles disperse further within their home region to winter ranges. These shifts in golden eagle distribution during winter are an important component of risk assessments and conservation planning but have not been systematically described (USFWS 2023b).

The USFWS estimated the total population size in the conterminous western U.S. in 2016 was 32,256 golden eagles (median estimate) (USFWS 2025). Population size and trend of the late summer population of golden eagles in Bird Conservation Region 16 (BCR 16; Southern Rockies/Colorado Plateau), which encompasses Jemez's collection area, were estimated via aerial surveys conducted in 2003 and annually during 2006-2016. Results of these surveys indicated a stable population (all age classes combined). In general, golden eagle populations across the western U.S. appear stable (USFWS 2016b), though recent demographic modeling suggests a slow decline may be occurring (USFWS 2016b). BBS data indicate golden eagles in BCR 16 exhibited a 0.5% annual decrease in total population size during 1993-2022 (95% credible interval = -1.4-0.5) (USFWS 2025).

Impacts to eagles from other past, present, and reasonably foreseeable actions include increased energy development and changes to land-uses within the local area population. Impacts to eagles resulting from the potential for lead poisoning, electrocution, habitat modification/loss, energy development (especially wind energy), and disturbance caused by outdoor recreation. The extent to which these factors individually or cumulatively impact eagle populations is unknown (Dunk et al. 2019).

As noted by USFWS in the application review to reinstate the Jemez 2025 take permit (USFWS 2025), other Native American Tribes and Pueblos also may apply for permits to take golden eagles for religious purposes. The Jemez's golden eagle area of collection overlaps areas where other tribes may collect golden eagles by up to about 25% (USFWS 2025). The extent of this overlap currently has no effect on the level of authorized take by Native Americans for any involved local area populations. This is likely to continue unless substantial changes occur such as (1) a markedly declining trend in the golden eagle population in the Eagle Management Units encompassing Jemez's area of collection, especially the Central Flyway, or (2) if numbers of golden eagles in the local area population were significantly diminished due in large part to take by Native Americans (USFWS 2023b).

Environmental Effects

Effects of the No Action Alternative

The NPS would not issue the SUP for access and take of eagles within the park. Therefore, impacts from the no action alternative would be the same as described in the *Affected Environment* section above.

Effects of the Proposed Action

Under the proposed action, there is a possibility that one (1) adult eagle (bald or golden) could be taken in the park. Because Jemez would utilize traditional methods to capture the eagle and their success would be influenced by numerous environmental factors beyond their control, their rate of success could be low and there would be the potential for no eagle to be taken.

Of note, ongoing take of eagles by Native Americans for religious purposes is considered part of the biological baseline level of take and mortality and is therefore not subject to local area population take limits (USFWS 2025). Regardless, the USFWS does analyze and consider the effects of this take on local area populations and has determined that take of up to 8 bald or golden eagles within BCR 16 would result in negligible effects on eagle populations (USFWS 2025). Two environmental assessments (USFWS 2009, 2013b) have been presented to the public that conclude ongoing take of eagles by Native Americans for religious purposes has no discernible effect on the stability of eagle populations in question (USFWS 2025).

As noted above, all bald eagles seen within the park are migratory. Autumn/winter surveys for bald eagles within the park have observed numbers in the range of 1 to 20 individuals present in a single day with the peak number recorded in 2002 (NPS 2017). Under the proposed action, if one bald eagle was captured and killed within the park, the potential for short-term and long-term impacts to ecosystem function would be too insignificant to measure. While there could be potential for changes to the seasonal trophic structure and functioning of the predator-prey community within the park, it is not likely given the presence of other migratory eagles and other birds of prey (hawks and falcons). The habitat and potential food sources for other migratory bald eagles would remain intact. It is likely migratory bald eagles would continue to occupy the park during migration season and overall effects on the local-area population would be negligible. The taking of one bald eagle is well below the threshold identified by the USFWS to prevent population-level impacts to the current local area population. Bald eagle populations are reported to be increasing by approximately 8% annually nationwide and possibly faster in BCR 16 (USFWS 2025). Overall, long-term impacts to future migratory populations in the park are unlikely.

If Jemez is successful in their take of a golden eagle, the magnitude of impacts would differ depending on whether the golden eagle was taken in fall are migratory or resident golden eagles observed in the vicinity of the park during spring and summer. Take of a migratory golden eagle would result in similar impacts to take of bald eagles described above.

It is understood that take of a resident golden eagle in the vicinity of the park could reduce a resident population of golden eagles around the park, at least temporarily. Within a stable regional population, USFWS documentation has noted that there may be enough “floaters” in a local area population to fill the role of the missing eagle(s) and compensate for the loss (USFWS 2016a). Given the documented breeding in the area and the mapped available nesting habitat in areas surrounding the park, it is likely that other golden eagles would take up residence in/around the park.

It should be noted that in issuing its eagle take for Indian religious purposes permit, the USFWS utilized a biological basis for defining a local area population of golden eagles to account for the resiliency of the local population. The threshold for take of golden eagles from the local area population encompassing the collection area for the eagle take for Indian religious purposes permit (which includes the park) is 87 golden eagles (USFWS 2025). Take of one golden eagle would be well below the identified threshold for the local area (USFWS 2025). The threshold for take of bald eagles from the local area population encompassing the collection area for the eagle take for Indian religious purposes permit (which includes the park) is 94.9 bald eagles. Take of one eagle within the park is well below the identified threshold for the local area (USFWS 2025). This is particularly true for bald eagles given that much of the take is likely to be of northern migrant eagles from populations other than the local area population.

BCR 16 encompasses a large geographic area over which golden and bald eagle populations are assessed for long-term viability and resilience. The annual take of the maximum allowable amount permitted by the USFWS for eagles represents a small fraction of the broader regional eagle population. This take level remains within the bounds that the USFWS has already determined would have negligible impacts on the regional scale, and an annual cycle of take does not alter that determination. In general, if Jemez were successful in taking one bald or golden eagle under the proposed action, the effect on the overall local area eagle populations (bald and golden) would be acceptable and within the identified thresholds established by the USFWS.

Impact Topic 2: Archeological and Ethnographic Resources

Affected Environment

The rich assemblage of vegetation, wildlife, and volcanic resources of the Jemez Mountains has attracted diverse groups of people throughout human history up to the present-day. For at least 11,000 years, indigenous people have used what is now called Valles Caldera National Preserve for hunting, fishing, gathering, and the collection of plants and minerals for medicinal and ceremonial purposes.

Without a SUP, the Pueblo of Jemez is not allowed to access or conduct ceremonial eagle take activities and associated traditional cultural practices within the park. As explained by Jemez, the park holds deep ethnographic significance to them, and the specific locations within the park where these activities occur are meaningful to their ceremonial practices. Unlike other resources

analyzed in this EA, ethnographic impacts of this nature are not readily mitigated through permit conditions or resource protection measures, as the significance of the practice is tied to the specific landscape and the ability to conduct the ceremony in its entirety and in its traditional context.

Throughout prehistory and continuing today, the Valles Caldera landscape has supported hunting and gathering to supplement agricultural subsistence. Native American Tribal Nations in the region and beyond have deep historic and cultural connections to the caldera that are expressed today through ceremonial activities, rich oral histories, and sacred traditions (NPS 2018). There are five identified historic sites located within the project area.

One of the sites within the project area contains a rock shelter with pre-colonization, Puebloan-period artifacts. It is very close to a trail open to all visitors. Park visitors regularly use this trail for horseback riding, mountain biking, and hiking. To engage in ceremonial activities, Jemez would pass by this site, using the aforementioned trail.

A second site within the area is a lithic scatter with over 100 pieces of debitage, likely from the archaic time-period. There are also several historic artifacts from the 20th century. The permittees would go past this site when traveling on a historic logging road. This bulldozed, side-cast legacy logging road had previously disturbed the lithic scatter site, as did the subsequent passage of heavily laden logging trucks. The depth of the road cut varies from 1.5 meters to 3 meters, placing much of the road surface below any reasonably expected cultural levels. It is approximately 9 meters wide at its widest and was likely bladed for maintenance purposes on numerous occasions when the park was a private ranch.

A third site (the ceremonial site), is a prehistoric lithic scatter, located in one of the locations where ceremonial activities have taken place and are proposed to take place again under the terms of the permit. This site is an archaic archeological site that predates ancestral Puebloan settlement of the area. Past archeological documentation of features interpreted to be rodent or coyote burrows instead may be attributable to ceremonial activities. In November 2023, the NPS documented changes to the site when compared to previous surveys, including two new excavated pits, each measuring approximately one meter by one meter. A third, older pit was also documented within the site boundaries during this site visit.

The fourth site is a lithic scatter where only foot traffic would take place under permit requirements.

The final known site is identified by Jemez as a Traditional Cultural Property (TCP) of Jemez, consisting of cultural features related to Jemez use, but has not been formally evaluated by the NPS as such. While the tribe has long practiced ceremonial activities in Valles Caldera, access was difficult at certain times due to changing ownership in the 20th century. This site was established in the late-1990s or early-2000s when Jemez was again allowed to engage in traditional religious and ceremonial activities. This historic property only has significance for the

National Register of Historic Places (NRHP) from Pueblo of Jemez use. Surveys have not documented any pre-historic cultural artifacts at this site.

In November 2023, the NPS documented changes to this site when compared to previous surveys, including the construction of a new fire pit on a leveled earthen platform, two new holes measuring one meter by one meter near other holes, expanded foundation terraces for the wooden cabin structure, and a water diversion trench on the upper edge of the terraces. Other observed changes documented during the November 2023 survey include a 616-meter-long trail of UTV tracks north of the site.

From 2022 – 2023, the New Mexico Gas Company decommissioned a natural gas pipeline that crossed the broader project area by removing above-ground pipeline infrastructure and leaving the underground pipeline in situ while filling it with concrete to avoid future long-term subsidence. In 2023, the New Mexico Gas Company completed the reclamation process by decommissioning the Right-of-Way making it inaccessible by motor vehicles with the addition of large berms and recontouring areas along the Right-of-Way to mitigate future water-caused erosion. The Right-of-Way was subsequently extinguished. While within the broader project area, the former Right-of-Way does not come into close proximity of the proposed temporary campsite or ceremonial site.

Environmental Effects

Effects of the No Action Alternative

The NPS would not issue the SUP for access and take of eagles within the park. Therefore, impacts from the no action alternative would be the same as described in the *Affected Environment* section above.

Effects of the Proposed Action

SUP stipulations restricting ground disturbance, fire use, waste disposal, and foot travel would minimize potential impacts to the sites within the project area: no permanent structures may be built and all temporary materials, gear, and waste must be packed out; human waste must be managed with WAG bags rather than excavated latrines or catholes; campsite leveling and other ground-disturbing activities are prohibited; campfires are restricted to the existing fire ring; foot travel is limited to designated routes; and the movement of rocks and logs for religious purposes is limited by size to avoid impacts to salamander habitat. Together, these stipulations are designed to protect the physical integrity of the sites' documented features and deposits.

Other Tribal Nations may perceive the ceremonial activities associated with the proposed action as adverse to the archeological and ethnographic resources within the area. Such perceptions may stem from differing tribal views regarding the appropriate treatment of eagles, the manner in which ceremonial activities are conducted, or the potential for these activities to disturb,

diminish, or otherwise affect the integrity of resources that hold cultural, historical, or religious significance to those Tribal Nations.

Ceremonial Site – The proposed action authorizes the re-excavation of three existing ceremonial pit features within the archaic archeological site. Because the pits were previously excavated for ceremonial purposes, the soils within and immediately surrounding them have already been disturbed, and re-excavation would be limited to previously disturbed contexts. The discrete, small-scale nature of the pit features, each measuring approximately one meter by one meter, further limits the potential for impacts to extend into undisturbed archeological deposits. While the site contains confirmed subsurface archeological deposits, the reuse of existing locations rather than the excavation of new ones substantially reduces the likelihood of encountering intact stratigraphic contexts or displacing *in situ* artifacts. As such, the re-excavation of these features are not anticipated to result in adverse effects to the site's information potential or its eligibility for listing on the National Register of Historic Places (NRHP) under Criterion D.

Surface artifact densities at this site are high, with over 1,000 artifacts estimated across the site; however, the majority appear to be lithic debitage that, while contributing to assemblage-level analyses, is generally less sensitive to incidental surface disturbance than formal tools or *in situ* features.

Ceremonial site excavation would generate back-dirt that, if not carefully managed, could obscure or displace surface artifacts in the immediate vicinity of excavation. Additionally, open sites temporarily expose subsurface deposits to wind and water erosion, particularly relevant given the silty, deflation-prone surface sediments documented across the site. Post-use infilling of sites, if required under SUP conditions, would mitigate but not eliminate these effects.

This site has experienced moderate disturbance from rodent and coyote burrowing, livestock grazing and trampling, fenceline erosion, and wind deflation. These processes have collectively disturbed surface sediments and brought subsurface artifacts to the surface across much of the site. Ceremonial site excavation under the proposed action would add discrete, localized subsurface disturbances to this context.

TCP Site – The proposed action would permit Jemez to access the TCP site, re-establish a temporary campsite within or adjacent to the site boundary, and conduct ceremonial activities consistent with the site's documented traditional cultural use. The site previously has served as a base camp for such activities throughout the western Valle San Antonio, and this traditional use is directly tied to its significance under NRHP Criterion A. Ceremonial use consistent with that documented function would not diminish the qualities that make the site eligible. SUP stipulations governing ground disturbance, fire use, sanitation, and foot travel are designed to protect the physical integrity of the site's features and deposits, and the qualities that make the site NRHP-eligible are therefore not expected to be affected by the proposed action.

The TCP site has experienced ongoing deterioration from water erosion, structural deterioration, and accumulation of modern refuse since at least 2005 and is currently in poor to fair condition. The proposed ceremonial use does not include any vegetation removal, grading, or hydrological modification that would exacerbate these existing conditions. To the extent that NPS issuance of a SUP formalizes a relationship of stewardship between the agency and Jemez over this location, the proposed action may support longer-term monitoring and protection of the site.

Rock Shelter and other sites – Permit conditions would specify that pack animals, mountain bikes, and e-bikes must stay on the established trail, preventing damage to the off-trail rock shelter feature. While the superintendent’s compendium allows visitors to hike off trail in the park, there is little additional risk to the rock shelter from activities authorized under the permit.

Jemez would travel on a legacy logging road that bisects the sites. This road has been subjected to repeated disturbance and compaction by logging trucks far exceeding the load associated with pack animals, e-bikes, mountain bikes, and administrative UTV use. The proposed activities are not expected to create ground disturbance beyond the depth and extent already present within the road footprint.

Impact Topic 3: Special Status Species

An official species list was obtained from the USFWS Information for Planning and Conservation (IPaC) website (<https://ecos.fws.gov/ipac/>) on February 9, 2026. The list identified eight threatened, endangered, or candidate species with the potential to occur in the proposed action area (Table 2) and critical habitat areas associated with two of the species.

Table 1. Threatened, Endangered, Proposed, and Candidate Species and Critical Habitat with the Potential to Occur within the Project Area.

Species Common and Scientific Name	Status	Potential to Occur in the Project Area?	Critical Habitat in Project Area?	Carried Forward for Analysis	Habitat Description and Range in Park
Mammals— Mexican wolf (<i>Canis lupus baileyi</i>)	Federally listed endangered	Yes	No	No	Montane woodlands, adjoining grasslands, and forests in Valles Caldera likely constitute suitable habitat. Chances of occurrence in the park are very low or unlikely. The project area is considered outside the known distributional range of the species.

Species Common and Scientific Name	Status	Potential to Occur in the Project Area?	Critical Habitat in Project Area?	Carried Forward for Analysis	Habitat Description and Range in Park
Mammals—New Mexico meadow jumping mouse (<i>Zapus hudsonius luteus</i>)	Federally listed endangered	No	Yes	No	Habitat specialist dependent on riparian wetland vegetation including sedge and scrub-shrub vegetation communities. Uses adjacent dry upland for day nests and hibernacula. No suitable habitat identified in area of proposed action
Birds—Mexican spotted owl (<i>Strix occidentalis lucida</i>)	Federally listed threatened	Yes	No	No	Spotted owls are residents of old-growth or mature forests that have complex structural components (unevenly aged stands, high canopy closure, multistoried levels, high tree density). Proposed action would occur during the non-breeding period and proposed actions would not affect elements of suitable nesting habitat.
Birds—southwestern willow flycatcher (<i>Empidonax traillii extimus</i>)	Federally listed endangered	No	No	No	No suitable habitat in study area. For nesting, requires dense riparian habitats (cottonwood/willow and tamarisk vegetation); habitat not suitable for nesting may be used for migration and foraging. Typically found at elevations below 8,500 ft.
Birds—yellow-billed cuckoo (<i>Coccyzus americanus</i>)	Federally listed threatened	No	No	No	No suitable habitat in proposed action area. Uses wooded habitat with dense cover and water nearby, including woodlands with low, scrubby vegetation, overgrown orchards, abandoned farmland, and dense thickets along streams and marshes.
Amphibians—Jemez Mountains salamander (<i>Plethodon neomexicanus</i>)	Federally listed endangered	Yes	Yes	Yes	This strictly terrestrial species predominantly inhabits mixed-conifer forest. Although pure stands of ponderosa pine may not be considered ideal habitat, the species has occasionally been found in these woodlands; it has also occasionally been found in spruce-fir and aspen stands and high-elevation meadows.

Species Common and Scientific Name	Status	Potential to Occur in the Project Area?	Critical Habitat in Project Area?	Carried Forward for Analysis	Habitat Description and Range in Park
Insects— monarch butterfly (<i>Danaus plexippus</i>)	Proposed threatened	No	No	No	Outside known range. In western North America, nectar and milkweed resources are often associated with riparian corridors, and milkweed may function as the principal nectar source for monarchs in more arid regions.
Insects— Suckley’s cuckoo bumble bee (<i>Bombus suckleyi</i>)	Proposed endangered	Yes	No	No	Outside of known range. Has not been recorded in New Mexico since the 1950s (Lightfoot Pers Comm 2026). Chances of occurrence in the park are very low or unlikely.

The NPS initiated discussions with USFWS New Mexico Ecological Services Field Office in March 2026 to discuss the proposed action and its potential impact on federally listed species and their critical habitats. Based on an assessment of known habitat types in the project area and previous NPS survey efforts, the Jemez Mountains salamander and its critical habitat are evaluated in detail in this environmental assessment. Species were dismissed from further review if they lacked suitable habitat within the project area, had no potential to be affected by the proposed action, or had distributional and/or elevation ranges outside the project location (see Table 2).

Affected Environment

Jemez Mountains Salamander

The Jemez Mountains salamander is a slender, dark brown, federally endangered amphibian that is strictly terrestrial. It primarily occurs at the edges of the park’s abundant mixed conifer forest and grassland ecotones, as well as in high-elevation meadows. This species prefers stands of fir, spruce, and aspen habitat, with stands of ponderosa pine being less favorable. Ideal coniferous habitats have abundant rocks and surface logs, especially on steep, north-facing slopes. Jemez Mountains salamanders typically occur between 7,200 and 9,500 ft but have been found as low as 6,998 ft and as high as 10,990 ft (NPS 2022a).

The park provides numerous suitable habitat niches for this salamander species, given its unique microhabitats and moderately deep to deep soils with fractured, igneous subsurface rock that allows salamanders to retreat underground. Much of their life cycle occurs underground, with surface activity inside rotted coniferous logs or under rocks during a brief period in the summer when conditions are warm and wet (NPS 2022a). Designated critical habitat for Jemez Mountains salamanders includes much of the park’s south-central and western lands (e.g., Redondo Peak, Alamo Canyon, Sulphur Canyon, San Antonio Mountain, and the western portion

of the project area) and areas on the park's southern and eastern boundaries, such as Rabbit Mountain, Cerro Grande, and Cerros De Los Posos. Within the project area, the only known salamander detection occurred in 2003 approximately 450-500 ft north of the proposed campsite location.

The species continues to be threatened by wildfire, habitat loss (e.g., road construction and development), and Chytridiomycota fungal (*Batrachochytrium dendrobatidis*) infection (USFWS 2012a). Additional threats affecting the salamander and its associated habitat include alterations to habitat of varying magnitude from fire suppression, forest composition and structure conversions, fire management actions, habitat fragmentation, and recreation. Some of these threats may be intensified by the current and projected effects of climate change, such as increasing drought and wildfire and related shifts in forest type and extent.

Jemez Mountains Salamander Critical Habitat

The park is one of the largest fully protected areas within the historical range of the Jemez Mountains salamander and contains approximately 26 percent of the designated critical habitat for the species. The primary constituent elements (PCEs) of critical habitat for the Jemez Mountains salamander include: moderate to high tree canopy cover (typically 50–100 percent closure) consisting of Douglas fir, blue spruce, Engelmann spruce, white fir, limber pine, Ponderosa pine, and aspen, with an understory of Rocky Mountain maple, New Mexico locust, oceanspray, or shrubby oaks; elevations between 6,988 and 11,254 feet; moderate to high volumes of large fallen trees and woody debris, particularly coniferous logs at least 10 inches in diameter in varying stages of decay, as well as structural features such as rocks, bark, and moss mats; and underground habitat containing interstitial spaces provided by igneous rock fractures, loose rocky soils, rotted tree root channels, or rodent and invertebrate burrows.

The project area includes approximately 250-300 acres of designated Jemez Mountains salamander critical habitat. The legacy logging road providing access to the campsite and ceremonial site is no longer in active use and motorized use and development do not occur in the surrounding area. The project area sits at approximately 8,500 feet in elevation, varying by approximately 200 feet along the access route, and is therefore entirely within the elevation range identified for the species.

Conditions within the project area vary by location. The legacy logging road corridor is largely devoid of tree canopy, fallen logs, and woody debris, though it may fall under canopy cover in some sections. The ceremonial site is located in a grassland setting and lacks tree canopy, fallen logs, and structural features. The established campsite is located within an area where several PCEs are present; however, the site has been previously disturbed and compacted through historical use, resulting in the relative scarcity of fallen trees and woody debris. Understory vegetation within the project area is more limited than in surrounding areas, as the site borders a meadow. Rock outcroppings are present but are not a dominant landscape feature. Greater

concentrations of fallen trees and woody debris are present upslope of the project area and to the west.

Soils along the legacy logging road and within the established campsite are more compacted than in other areas of designated critical habitat as a result of repeated historic use. Between 2014 and 2024, portions of the project area were included in hazardous fuels reduction, grassland restoration, and forest restoration activities as part of the park's forest landscape restoration program, which are anticipated to benefit the salamander over the long term. The cessation of vehicle use on the legacy logging road, the removal of logging from the now-protected landscape, and low levels of visitor use within this area of the park further benefit the salamander and its habitat.

Environmental Consequences

Effect of the No Action Alternative

The NPS would not issue the SUP for access and take of eagles within the park. Therefore, impacts from the no action alternative would be the same as described in the *Affected Environment* section above.

Effects of the Proposed Action

Under the Proposed Action, effects to the Jemez Mountains salamander and its designated critical habitat would be limited in scope, duration, and intensity. Ceremonial activities, including camping and access, would occur for a short, defined period (approximately 30 days during the species' inactive period) and would be confined to areas near existing administrative and public-use roads, avoiding off-road travel and minimizing ground disturbance within forested habitats. No new roads, trails, or permanent facilities would be constructed, and disturbances of soil and critical habitat features (cover objects) such as rocks and decaying logs would be restricted through permit conditions, including restrictions on vehicle use and camping location.

The salamander is most surface-active during warm, wet periods, particularly during the summer monsoon season. The proposed action would occur primarily in late fall, when salamanders are typically underground and inactive, further reducing the likelihood of direct interaction with individuals. The use of WAG bags and restrictions on soil disturbance within archeological and ceremonial areas would further minimize impacts to subsurface habitats and soil moisture conditions that support salamander occupancy.

Potential indirect effects could include minor, localized soil compaction or vegetation disturbance associated with foot traffic and camping; however, these effects would be temporary and reversible and would not measurably alter forest structure, microclimate conditions, or habitat connectivity at a scale relevant to salamander conservation. Vehicle use would be

restricted to existing roads, and off-road driving would be prohibited, preventing impacts to undisturbed forest floor and subterranean refugia.

Given the limited spatial extent of activities, the short duration of use, seasonal timing, and the application of permit conditions designed to protect soils, vegetation and the Jemez Mountain Salamanders, the proposed action is not expected to adversely modify designated critical habitat or contribute to population-level effects this species. The action would therefore result in localized, short-term effects and would not meaningfully contribute to the decline of the species.

Impact Topic 4: State-Licensed Hunting Access

Affected Environment

The park is located within the State of New Mexico Game Management Unit (GMU) 6B. The State’s codified hunting rules are limited draw hunts for two species (elk and turkey), 19.31.14 and 19.31.16 NMAC. The State summarizes within its hunting rules that, “[a]ll of unit 6B is closed to hunting and trapping, except elk and turkey draw hunts.”

Unit 6B is considered one of the state's top trophy elk hunting areas and the number of tags issued is limited. In 2025, 350 elk licenses were issued for the unit (<https://wildlife.dgf.nm.gov/>). Unit 6B is managed within a primary management zone, in which the New Mexico Department of Wildlife actively monitors herd productivity and recommends license adjustments to manage elk herds within a range of sustainable population metrics and harvest strategies. Public draw licenses are subject to a quota set by the legislature to ensure the majority of hunt opportunities are allotted to New Mexico residents and are valid on legally accessible public land and private land with written permission within the applicable GMU (<https://wildlife.dgf.nm.gov/>). Commercial hunting outfitters operate within the park under a Commercial Use Authorization. Authorized elk hunt dates within the park are shown in Table 3.

Table 3. Authorized Elk Hunt Dates within the Park.

Elk Hunter Type	Hunt Dates
Bow	September 1-14 September 15-24
Muzzle	October 10-14
Any Legal	October 17-21 October 24-28 October 31 – November 4 November 7-11 November 21-25 November 28-December 2 December 5-9

Turkey hunting within the park is open to any legal hunter type from April 15 through April 30 (<https://wildlife.dgf.nm.gov/>). This timeframe falls outside the authorized periods for Golden and Bald eagle take established under the USFWS-issued take permit.

In 2023, during the permitted ceremonial activity by Jemez in the area, the NPS temporarily closed the same proposed project area to public access, including hunting access, from October 13, 2023 to November 3, 2023, as authorized by the park's enabling statute (16 USC 698v–11(b)(11)(B)(ii)).

Environmental Consequences

Effects of the No Action Alternative

The NPS would not issue the SUP for access and take of eagles within the park. Therefore, impacts from the no action alternative would be the same as described in the *Affected Environment* section above.

Effects of the Proposed Action

The proposed action would establish a temporary 5,751-acre closure area within the northwest corner of the park during authorized elk hunting season. Hunters holding valid elk licenses for Game Management Unit 6B would be restricted from accessing the closure area during the periods when ceremonial activities are occurring. Given the limited number of tags issued for Unit 6B and the highly competitive nature of the draw, any restriction on access to huntable areas within the park has the potential to affect the quality of the hunt experience for affected license holders.

The extent of this effect is tempered by several factors. The closure area (5,751 acres) represents approximately 7.9 percent of the total huntable area (73,128 acres) within the park, and hunters would retain access to other areas of the unit outside the closure boundary. Elk hunting within the park is already subject to designated hunt dates, permit requirements, and orientation attendance, and hunters are therefore accustomed to operating within a structured set of conditions. The temporary and spatially limited nature of the closure reduces the likelihood that the proposed action would meaningfully affect overall hunter success rates or the long-term desirability of Unit 6B as a trophy elk hunting area.

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Appendix A: Consultation and Coordination

Endangered Species Act

In accordance with Section 7 of the Endangered Species Act, the National Park Service prepared a Biological Assessment (BA) to evaluate the potential effects of the proposed action on federally listed species and designated critical habitat. The BA was submitted to the U.S. Fish and Wildlife Service (USFWS) to initiate informal consultation.

The BA evaluated potential effects to federally listed species with the potential to occur within the project area, including species for which designated critical habitat is present within or adjacent to the park. USFWS concurred with the BA August 28, 2026.

National Historic Preservation Act

In accordance with Section 106 of the National Historic Preservation Act, the NPS consulted with the State Historic Preservation Officer (SHPO) and federally recognized tribes traditionally associated with the park concerning the impact on historic properties within the project area. This consultation has occurred separately, but concurrently, with this NEPA document.

Historic properties listed on, or eligible for listing on, the National Register of Historic Places have been identified within the project area that may be affected by the issuance of the SUP. These properties are described in Chapter 3, Affected Environment and Environmental Consequences. The New Mexico SHPO concurred with the NPS's finding of "no adverse effect" on August 14, 2026, provided all permit stipulations are followed.

Tribal consultation remains ongoing. Due to objections to the NPS's no adverse effect determination, the NPS has requested Advisory Council on Historic Preservation (ACHP) review of the NPS's proposed finding of no adverse effect pursuant to 36 CFR § 800.5(c)(2)(i).

New Mexico Department of Wildlife

In accordance with the park's enabling legislation, on August 12, 2026, the NPS consulted with the New Mexico Department of Wildlife regarding the temporary closure of the northwest portion of the park to hunting for the duration of the SUP. The NPS agreed to the Department's request that the area closure be lifted as soon as the ceremonial activities conclude in order to keep the closure period as short as possible.

Tribal Consultation

In addition to on-going consultation and engagement throughout this process with the applicant, the NPS is also consulting with the following tribes:

- Apache Tribe of Oklahoma
- Comanche Nation, Oklahoma
- Cheyenne and Arapaho Tribes, Oklahoma
- Fort Sill Apache Tribe of Oklahoma

- Hopi Tribe of Arizona
- Jicarilla Apache Nation, New Mexico
- Kewa Pueblo, New Mexico
- Kiowa Indian Tribe of Oklahoma
- Mescalero Apache Tribe of the Mescalero Reservation, New Mexico
- Navajo Nation, Arizona, New Mexico and Utah
- Ohkay Owingeh, New Mexico
- Pawnee Nation of Oklahoma
- Pueblo of Acoma, New Mexico
- Pueblo de Cochiti, New Mexico
- Pueblo of Isleta, New Mexico
- Pueblo of Laguna, New Mexico
- Pueblo of Nambe, New Mexico
- Pueblo of Picuris, New Mexico
- Pueblo of Pojoaque, New Mexico
- Pueblo of San Felipe, New Mexico
- Pueblo of San Ildefonso, New Mexico
- Pueblo of Sandia, New Mexico
- Pueblo of Santa Ana, New Mexico
- Pueblo of Santa Clara, New Mexico
- Pueblo of Taos, New Mexico
- Pueblo of Tesuque, New Mexico
- Pueblo of Zia, New Mexico
- San Carlos Apache Tribe of the San Carlos Reservation, Arizona
- Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado
- Standing Rock Sioux Tribe of North and South Dakota
- Tonto Apache Tribe of Arizona
- Ute Indian Tribe of the Uintah and Ouray Reservation, Utah
- Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico, and Utah
- White Mountain Apache Tribe of the Fort Apache Reservation, Arizona
- Wichita and Affiliated Tribes
- Ysleta Del Sur Pueblo of Texas
- Zuni Tribe of the Zuni Reservation, New Mexico

Appendix B: Alternatives and Issues and Impact Topics Considered but Eliminated from Detailed Analysis

Alternatives Considered but Eliminated from Detailed Analysis

Included in the range of alternatives are those alternatives, or alternative elements, considered during the NEPA process but eliminated from detailed analysis. Below is a description of alternatives, or alternative elements, considered but eliminated and an explanation of why the alternative or element was eliminated.

Access for Ceremonial Activities Without Eagle Take within the Park

Under this alternative, the NPS would issue a SUP providing Jemez access to the park for traditional cultural and religious activities associated with ceremonial practices, but would not authorize the take of bald or golden eagles within park boundaries. Access, campsite establishment, and other ceremonial activities would follow procedures similar to those under the proposed action, including travel on foot from authorized parking areas and adherence to resource protection measures. Although eagle take would not be authorized in the park under this alternative, Jemez would retain the ability to conduct authorized eagle take activities elsewhere within their USFWS-permitted collection area.

This alternative was dismissed from detailed analysis for three reasons. First, it would not meaningfully reduce impacts to local eagle populations. The USFWS take permit authorizes the take of up to eight eagles within a regional collection area spanning multiple counties in northern New Mexico. Prohibiting take specifically within the park would not reduce the total number of eagles taken under the permit, since take could occur elsewhere in the authorized collection area and would likely draw from the same regional eagle populations that use the park.

Second, it would not meaningfully reduce impacts to archeological, ethnographic, special status species resources, or hunting access. Ceremonial access, temporary camping, foot travel between activity areas, and limited soil disturbance associated with traditional activities could all still occur under this alternative, producing similar levels of ground disturbance and use at the culturally significant site. Because these activities are the primary sources of potential effects to archeological and ethnographic resources, prohibiting eagle take alone would not substantially change the nature or intensity of those impacts. Similarly, the presence of participants during the same seasonal timeframes could still result in comparable levels of human disturbance to wildlife, including special status species. This activity would still involve establishing a temporary closure area within the park during authorized elk hunting seasons, resulting in similar impacts to hunting as the proposed action

Third, this alternative is largely duplicative of the existing alternatives and does not meet the purpose and need. The No Action Alternative would permit neither access nor take within the park; the Proposed Action would authorize both under strict permit conditions. Allowing access under similarly strict permit conditions while prohibiting take within the park would not represent a substantially different management approach or environmental outcome. For these reasons, this alternative was not carried forward for detailed analysis.

Resource Topics Dismissed from Further Analysis

Wildlife

In general, the park supports a great diversity of animals, plants, and other organisms. Species inventoried during 2001-2007 include 48 species of mammals, 113 breeding birds, 6 reptiles, 3 amphibians, 6 fish, 525 plants, 28 lichens, 11 algae and 5 slime molds. Ongoing inventories of insects have resulted in hundreds of species identified, including 131 species of aquatic insects from streams and wetlands within the park. The park is a designated National Audubon Society Important Bird Area.

The dynamic relationship between eagles and prey has impacts on other wildlife species in the park. Bald eagles primarily feed on fish and aquatic prey, but may also feed on other small mammals, waterfowl, and carrion (Johnson 2007). Golden eagles prey on white-tailed and black-tailed prairie dogs, jackrabbits and other small mammals (USFWS 2016a). In the park, bald eagles predominately predate on fish and carcasses from hunting, while golden eagles often feed on the park's robust prairie dog population. The removal of one (1) eagle could cause negligible changes to prey populations; however, these changes would likely not be noticeable because the regional population of bald and golden eagles would remain stable and eagles would continue to use the park in the future. Therefore, issues related to other wildlife have been dismissed from detailed analysis.

Visitor Use and Experience

Visitor use and experience can be adversely impacted by actions that would reduce opportunities for visitor enjoyment. Although viewing eagles positively contributes to an aspect of visitor experience, it constitutes just one of the ways in which visitors interpret and experience the park itself. The park offers opportunities to explore the unique geology, view wildlife, and learn about the rich human history of the site. Visitor experience at the park is derived from this wide array of available activities, with viewing of eagles representing a small portion of the overall visitor experience. It can be presumed that visitors' anticipation of seeing an eagle is an aspect of visitor experience within the existing landscape aesthetic. If no action is taken, future visitors to the park could have different experiences, both positive and negative, in the presence of typical fluctuating eagle population numbers. However, such experiences would not noticeably detract from the wider array of possible visitor experiences at the park.

Each visitor may derive symbolic meaning from the presence or absence of eagles at the park. However, these are individual value-based perceptions. While the NPS is aware of the symbolic meaning to visitors from the presence of eagles, its management of eagles is based on a responsibility to preservation and the park's purposes.

Visitor use within the western Valle San Antonio, where the proposed ceremonial activities and eagle capture activities would occur, is low relative to other areas of the park. This portion of the park is accessible only via an unpaved backcountry vehicle route and does not contain developed visitor infrastructure. Visitation to this area is further reduced during the fall and winter months, coinciding with the authorized elk hunt dates and the period proposed for ceremonial activities, as seasonal road closures and weather conditions limit access. As a result, the number of visitors likely to encounter or be affected by temporary closures or restricted access in this area during the proposed action is expected to be small. Given the already limited visitor use in this area and during this time of year, the proposed action would not meaningfully impact the overall quality or quantity of visitor experience opportunities within the park.