



FINDING OF NO SIGNIFICANT IMPACT

Frijoles and Alamo Headwaters Public Access Project

Bandelier National Monument

In compliance with the National Environmental Policy Act of 1969 (NEPA), the National Park Service prepared an Environmental Assessment/Assessment of Effect to examine various alternatives and environmental impacts associated with the proposal to open lands within Bandelier National Monument that are currently closed to public access. These lands include areas acquired in 1977, 1998, and 2000, totaling approximately 3,997 acres and are hereafter referred to as the project area. Of this total, approximately 1,488 acres are currently open to seasonal winter use only. The remaining 2,509 acres are closed to public access year- round. The purpose of the proposed action is to formally designate all 3,997 acres open for year- round public use as these lands currently do not meet criteria for closure under NPS Management Policies 2001 and the five year closure requirement from the deed of sale for the 1977 parcel has since expired. By opening these lands, the public will be able to access the highest point in the monument and better experience and enjoy the natural and cultural resources of Bandelier.

PREFERRED ALTERNATIVE

Three alternatives, including the No Action alternative were evaluated in the EA: Alternative A—No Action, Alternative B—NPS Preferred Alternative, Open Lands with Designated Routes, and Alternative C—Open Lands with No Designated Routes. Alternative B was selected as the NPS Preferred Alternative. Under the Preferred Alternative, lands located north of NM 4 and west of FR 289 within Sandoval County, New Mexico would be open to the public for year-round day use. The lands south of NM 4 that are currently open to winter use only would be open to year- round day use. No trespassing signs would be removed from closed areas, and dispersed public recreation would be allowed through the entire project area. Public access would be for day use only and all NPS regulations and current on- going activities such as scientific research and educational activities including fire monitoring and ecology research would be in effect. Designated parking signs would be installed at two pullouts along NM 4 as well as at the two paved parking areas along NM 4

Under this alternative, two hiking routes would be designated for day use. These routes would be unimproved, low standard, and primitive. These routes would utilize existing game trails and logging skid trails to the extent possible with minimal new ground disturbance. While the routes would not be located in designated wilderness, they would be developed consistent with NPS Management Policies 2001 (USDI National Park Service 2000) such that:

park visitors must accept wilderness on its own terms, without modern facilities provided for their comfort or convenience. Users must also accept certain risks, including possible dangers arising from wildlife, weather conditions, physical features, and other natural phenomena, that are inherent in the various elements and conditions that comprise a wilderness experience and primitive methods of travel.

The designated routes would not be maintained in the same manner as the more developed trails in the monument. Only minimal hazard tree removal would occur if required. The routes would be monitored, and if they are found to degrade over time, additional route maintenance work may be done to improve the route and install erosion controls. However, these types of activities and their specific scope would be subject to future compliance requirements per the Bandelier Trails Maintenance Plan (USDI National Park Service 2004b).

A route accessing the Cerro Grande area would be designated and would be approximately 2.0 miles in length one way. The Cerro Grande Route would start at the existing parking areas for the cross country ski trail located north of NM 4 and would end at the summit of Cerro Grande, with an elevation gain of approximately 1,300 feet. The route will follow existing logging skid trails and general topographic features, to the uppermost west fork, then towards the southwest saddle to the ridgeline, then shift northeast to the summit. The route would utilize existing game trails and logging skid trails (created by the previous owner) to the extent possible with minimal new ground disturbance. Minor changes to route designation may occur during on- the- ground route marking efforts to implement this alternative. The route will be marked with tree tags and posts.

At this time, the route will be designated an out- and- back route. Opportunities for loop trails or intersections with trails on the Valles Caldera National Preserve or the Española District of the Santa Fe National Forest are not precluded by this proposed route but these future opportunities are not analyzed as part of this alternative and will not be discussed further in this EA. As stated above, this route would utilize existing game trails and logging skid trails (created by the previous owner) to the extent possible with minimal new ground disturbance. No new parking areas would be developed for this route, but parking adequacy would be monitored to determine whether future expansion of the parking area or additional designated parking may be warranted. Visitors would be encouraged to utilize the existing ski trail parking area located north of NM 4 and the parking area located at the intersection of FR 289 and NM 4. Visitors parking in this lot would be directed to stay along the south side of NM 4 until reaching the trailhead for the ski trails and then cross NM 4 within a signed pedestrian crossing area.

A second route (Alamo Boundary Route) would be designated under this alternative and would access the Alamo headwaters area. This route would start at FR 289 and end approximately 1.5 miles from the trailhead and meet the Bandelier/Valles Caldera National Preserve boundary line. The route will be marked with tree tags and posts. At this time, the Alamo Boundary Route would be designated an out- and- back route. Opportunities for loop trails or intersections with trails on the Valles Caldera National Preserve or the Jemez District of the Santa Fe National Forest are not precluded by this proposed route but these future opportunities are not analyzed as part of this alternative and will not be discussed further in this EA. During winter months, the gate to FR 289 is closed by the Santa Fe National Forest, Jemez Ranger District, in order to preserve the road surface and for wildlife protection. Bandelier would not request any alteration of the current Forest Service gate closure policy as part of this alternative. Thus, visitor parking for this route would be designated along FR 289 in the summer and at the paved parking lot at the intersection of FR 289 and NM 4 during winter. Visitors who wish to access FR 289 during winter may park in the parking lot and hike, ski, or snowshoe inside monument boundaries. When the road is open, visitors may utilize FR 289 to access the Alamo headwaters area in the monument.

Under the Preferred Alternative, a new designated parking area may be developed for the Alamo Boundary Route trailhead along FR 289. The proposed parking area would only be implemented if monitoring and high visitor use over the next three to five years indicates the need for a developed parking area at the trailhead. It is anticipated that visitor use of this route will be low and most visitors will park along FR 289 without difficulty. If visitor use is high at the trailhead and visitors are unable to safely park along FR 289, an improved parking area may be developed. This parking area would likely accommodate five to seven vehicles and would be approximately one acre in area. The area may be graded to help prevent erosion and a culvert may be installed at the entrance of the parking area from FR 289.

There will be a trailhead sign marking the start of the Cerro Grande Route at the paved parking area along NM 4. This sign will have backcountry user guidelines and a map of the Cerro Grande Route available. There may be a similar sign posted at the Alamo Boundary Route trailhead, but the need for such a sign will be determined following monitoring of use for at least one year subsequent to the opening. No other interpretative signage is proposed at this time.

Monitoring Program

Under the Preferred Alternative, the project area would be monitored for three to five years in order to quantify the number of visitors to the area as well as to

monitor for potential adverse impacts to resources from public use. The results of the monitoring will enable monument staff to identify actions to protect resources and enhance visitor experience and safety within the project area. The monitoring program may include, but is not limited to, the following:

- Patrol of parking areas, roads, and routes by Resource Protection staff.
- Installation of a trail- user counter at the Cerro Grande Route trailhead to help quantify visitor use.
- Establishment of photo points of critical areas along designated routes and parking areas to monitor potential resource impacts.
- Observational monitoring of project area by other monument staff and researchers.

Mitigation Measures for Alternative B

Under the Preferred Alternative, certain mitigation measures would be employed to reduce any potential adverse impacts from implementation of this alternative. The Cerro Grande Route and the Alamo Boundary Route will be designated so as to avoid archeological sites, sensitive natural resources, important ethnographic features, and wildlife use areas. Route designations would utilize existing game trails and disturbed areas such as logging skid trails to the extent possible. If new ground disturbance is required for route designation, such areas would be minimal in width, with a maximum width of 2 feet, and be primarily surficial (i.e., no digging, cut slopes). In the future, minor route changes may be implemented to reduce soil erosion or unforeseen impacts to sensitive or unique cultural and natural resources or to enhance visitor safety and enjoyment.

Specific mitigation measures for construction of the proposed Alamo Boundary Route parking area would include archeological site marking and avoidance, and presence of an archeological staff monitor during construction. During all grading and culvert installation operations, water quality and erosion control best management practices (BMPs) would be employed per U.S. Environmental Protection Agency standards (U.S. Environmental Protection Agency 2005).

ALTERNATIVES CONSIDERED

Under Alternative A, the No Action alternative, land closures and land management status in the acquired areas would remain in effect. This alternative was not selected because it did not meet the objective of opening public lands for daytime year-round use and was found to have moderate adverse direct and indirect, short and long term impacts to visitor use and experience. Visitors would not have the ability to participate in traditional National Park Service activities, such as hiking and wildlife watching, within the project area. Additionally, these closed lands currently do not meet criteria for closure under NPS Management Policies 2001 and the five year closure requirement from the deed of sale for the 1977 parcel has since expired.

Under Alternative C, Open Lands with No Designated Routes, lands currently closed would be opened for year round public access, day use only as described in the Preferred Alternative. However, there would be no designated routes to the summit of Cerro Grande or to the Alamo Boundary area, nor would there be a parking area along FR 289. This alternative was not selected because it had the potential for greater adverse impacts to cultural and natural resources when compared with the Preferred Alternative. Under this alternative, archeological sites may be adversely impacted through the development of social trails. There may be impacts to undisturbed ground cover and potential alteration of intact archeological deposits. Visitors may trample sensitive vegetation or disturb sensitive wildlife areas.

Under the Preferred Alternative, visitors would be directed away from any sensitive cultural or natural resources via the established routes. This would provide a higher level of protection to important cultural or natural resources in the project area.

ENVIRONMENTALLY PREFERRED ALTERNATIVE

The environmentally preferred alternative is determined by applying the criteria suggested in NEPA, which is guided by CEQ. The CEQ provides direction that “[t]he environmentally preferable alternative is the alternative that will promote the national environmental policy as expressed in NEPA, Section 101:

1. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations.
2. Attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences.
3. Preserve important historic, cultural, and natural aspects of our national heritage and maintain, whenever possible, an environment that supports diversity and variety of individual choice.
4. Achieve a balance between population and resource use that will permit high standards of living and a wide sharing of life’s amenities.
5. Enhance the quality of renewable resources and approach maximum attainable recycling of depletable resources.

Based on the criteria presented above, the NPS Preferred Alternative, is the environmentally preferred alternative. By opening up lands in the project area to public access, this alternative “[a]chieves a balance between population and resource use that will permit high standards of living and a wide sharing of life’s amenities.” Visitors will be able to access and experience this unique area within the monument that was formerly closed to public use. This alternative will also “[a]ttain the widest range of beneficial uses of the environment [including the

human environment] without degradation, risk of health or safety, or other undesirable or unintended consequences.” By designating two routes in the project area, visitors would be directed away from any sensitive cultural or natural resources. The routes would also provide guidance and navigation for visitors in the project area. This may enhance public safety and reduce the likelihood of lost hikers and search and rescue efforts. This alternative would also “[p]reserve important historic, cultural, and natural aspects of our natural heritage and [would] maintain...an environment that supports diversity and individual choice.” The routes would direct the major flow of visitor away from sensitive resources, and would also allow for dispersed recreation throughout the project area. Visitors would be able to access locations of their choice within the project area. For these reasons, Alternative B was selected as the environmentally preferred alternative.

WHY THE PREFERRED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE BIOLOGICAL, PHYSICAL, CULTURAL, AND SOCIAL ENVIRONMENT

As defined in 40 CFR §1508.27, significance is determined by examining the following criteria:

“Impacts that may have both beneficial and adverse aspects and which on balance may be beneficial, but that may still have significant adverse impacts which require analysis in an Environmental Impact Statement (EIS)”

Detailed analysis of the NPS Preferred Alternative, in relation to the impact topics analyzed in the EA, including soils/hydrology/water quality, vegetation, wildlife, special status species (animals and plants), archeological resources, ethnographic resources, park operations, visitor use and experience, and land/resource managing agencies and other plans and park neighbors, showed that there would be no significant or major, adverse or beneficial impacts to the biological, physical, cultural, or social environment. A brief description of potential impacts for each impact topic analyzed in detail in the EA is provided below:

Soils, Hydrology, and Water Quality: There may be negligible to minor, adverse, direct, and short to long term impacts over most of the project area, with moderate, adverse, short to long term impacts (e.g., soil compaction and erosion from foot traffic) limited to the immediate vicinity of high use areas including parking areas, designated routes, popular destinations, and stopping points.

Vegetation: There may be minor to moderate, adverse, direct, short and long term impacts, and minor to moderate cumulative impacts to vegetation from trampling in high use areas. Most impacts would be localized to the designated routes and mitigations would be implemented to monitor any potential impacts.

Wildlife: There may be negligible, direct and indirect, short and long term impacts and negligible to minor cumulative impacts to wildlife. Some individuals may disperse short distances in response to human presence, but overall population densities would not change.

Special Status Species: There may be negligible, adverse, direct and indirect, short and long term impacts to special status species. There may be negligible to minor cumulative effects when combined with past, present, and future foreseeable activities, such as certain fire management activities. For federally listed species, these impacts would equate to a “may affect, not likely to adversely affect” determination for section 7 consultation under the Endangered Species Act of 1973, as amended.

Archeological Resources: There may be minor adverse direct impacts to archeological resources due to artifact theft and dispersed ground disturbance from hiking. There may also be minor beneficial impacts to sites through stabilization and preservation. Cumulative impacts may be beneficial and adverse and minor. For the purposes of §106 consultation under the NHPA, the determination of effect would be “no adverse effect”.

Ethnographic Resources: There may be negligible to minor adverse, direct, short term and long term impacts and beneficial minor, direct, short and long term impacts. There may be negligible cumulative impacts.

Park Operations: There may be minor to moderate, direct and indirect, short and long term impacts to park operations. These impacts are not anticipated to be adverse, as current staffing and budget levels are expected to be sufficient to manage the opened lands. There may be minor to moderate cumulative impacts.

Visitor Use and Experience: There may be minor to major, beneficial, direct and indirect, short and long term impacts to visitor use and experience. Visitor experience within Bandelier would be enhanced by allowing public access to currently closed lands. There may be negligible cumulative impacts.

Land/Resource Managing Agencies, Tribal Land Management Plans, and Monument Neighbors: There may be negligible to minor, beneficial, direct and indirect, short and long term impacts and negligible cumulative impacts to monument inholders and neighbors. There would be no conflicts with existing local, state, federal, or tribal land management plans.

“The Degree to which public health or safety is affected”

Actions and activities proposed under the Preferred Alternative would not have significant adverse effects on public health or safety. Park operations, which

include the Visitor and Resource Protection Division (NPS Park Rangers, search and rescue operations, trail and road patrols, law enforcement, and visitor safety) may experience minor to moderate, direct and indirect, short and long term impacts. For example, in the long term there may be an increase in law enforcement and public safety efforts related to medical emergencies and search and rescue operations, but these impacts would only be adverse in the instance where budgeting and staffing levels would not be adequate to meet the needs and manage the open lands. Adverse impacts are not anticipated under this alternative.

“Any unique characteristics of the area (proximity to historic or cultural resources, wild and scenic rivers, ecologically critical areas, wetlands or floodplains, and so forth)”

As described above, detailed analysis of the Preferred Alternative in relation to the impact topics of soils/hydrology/water quality, vegetation, wildlife, special status species (plants and wildlife), archeological resources, ethnographic resources, park operations, visitor use and experience, and land/resource plans and monument neighbors showed that there would be no significant or major adverse or beneficial impacts to the biological, physical, cultural, or social environment. Mitigation measures as described under the Preferred Alternative would be applied to the actions and activities proposed in the EA to ensure that the biological, physical, cultural, and social environment s are protected.

There are no prime or unique agricultural farmlands, designated wild and scenic rivers, or other ecologically critical areas in or near Bandelier, and there are no activities proposed within identified wetland and floodplain areas of Bandelier.

“The degree to which impacts are likely to be highly controversial”

Based on public scoping and comments received during the public comment period, there are no highly controversial impacts identified.

“The degree to which the potential impacts are highly uncertain or involve unique or unknown risks”

The impacts identified in the EA are not likely to be highly uncertain or involve unique or unknown risks. Most impacts are negligible to minor in the short and long term. Mitigation measures as described under the Preferred Alternative would be applied to the actions and activities proposed in the EA to ensure that the biological, physical, cultural, and social environment s are protected.

“Whether the action may establish a precedent for future actions with significant effects, or represents a decision in principle about a future consideration”

National Park Service mandates and policies stipulate public enjoyment of park resources and values. The Superintendent also has the discretionary authority to

impose local restrictions, public use limits, and closures, and designate areas for specific use or activity (36 CFR 1.5) based on NPS Management Policies 2001 (USDI National Park Service 2000, Section 8.2). The opening of currently closed lands, as proposed under the Preferred Alternative would not have any significant or major effects and would not set a precedent for future actions with significant effects. It is consistent with NPS Management policies.

Whether the action is related to other actions with individually insignificant but cumulatively significant impacts

Detailed analysis of the Preferred Alternative in relation to cumulative impacts for the impact topics of showed that there would be no significant or major adverse or beneficial cumulative impacts to the biological, physical, cultural, or social environment.

“The degree to which the action may adversely affect historic properties in or eligible for listing in the National Register of Historic Places, or other significant scientific, archeological, or cultural resources”

On February 9, 2005, The New Mexico State Historic Preservation Office (SHPO) met with Bandelier staff to discuss the proposed project. On July 6, 2005, the New Mexico SHPO concurred with our determination of no adverse effect to cultural resources in or eligible for listing on the National Register of Historic Places from implementation of the Preferred Alternative.

“The degree to which an action may adversely affect an endangered or threatened species or its habitat”

Detailed analysis of the Preferred Alternative in relation to special status species (plants and wildlife) showed that there would be no significant or major adverse or beneficial impacts to threatened or endangered species, federal species of concern, or state listed species.

Informal consultation with the U.S. Fish and Wildlife Service (Service), under section 7 of the Endangered Species Act of 1974, as amended, was initiated on June 17, 2005. On July 18, 2005, we received Service concurrence with our determination that the Frijoles and Alamo Headwaters Public Access Project “may affect, is not likely to adversely affect” the bald eagle and Mexican spotted owl or its designated critical habitat.

“Whether the action threatens a violation of Federal, state, or local law or requirements imposed for the protection of the environment”

The implementation of the Preferred Alternative would not violate any federal, state, or local environmental protection laws or the requirements imposed for the protection of the environment.

IMPAIRMENT

In addition to reviewing the list of significance criteria, the NPS has determined that implementation of the Preferred Alternative will not constitute an impairment to Bandelier's resources and values. This conclusion is based on a thorough analysis of the environmental impacts described in the EA, public comments received, relevant scientific studies, and the professional judgment of the decision-maker guided by the direction in NPS Management Policies (USDI National Park Service 2000). Overall, the implementation of the Preferred Alternative results in benefits to Monument resources and values, opportunities for their enjoyment, and it does not result in their impairment.

PUBLIC INVOLVEMENT

The EA was made available for public review and comment during a 30-day period ending July 17, 2005. A total of 24 responses were received. This total includes 5 responses from agencies and one affiliated Pueblo: New Mexico Historic Preservation Division, U.S. Department of Energy/National Nuclear Security Administration, U.S. Fish and Wildlife Service, U.S. Bureau of Land Management, New Mexico Department of Game and Fish, and the Pueblo de San Ildefonso. We received 19 responses from the general public. Eighteen public comments specifically stated support for the NPS preferred alternative. One public comment supported both alternatives B and C. No substantive comments were received that would require errata sheet responses with this FONSI, however we are choosing to address some concerns expressed by the Pueblo de San Ildefonso in the attached errata sheets.

CONCLUSION

The Preferred Alternative does not constitute an action that normally requires preparation of an EIS. The Preferred Alternative will not have a major or significant impact on the biological, physical, cultural, or social environment. Negative environmental impacts that could occur are negligible to moderate in intensity. There are no significant or major impacts to public health, public safety, unique characteristics of the area (such as historic or cultural resources, wild and scenic rivers, ecologically critical areas, or wetlands or floodplains), historic properties in or eligible for listing in the National Register of Historic Places, or threatened or endangered species. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified. Implementation of the Preferred Alternative, as described in the EA, will not violate any federal, state, or local environmental protection laws.

Based on the foregoing, it has been determined that an EIS is not required for implementation of the Preferred Alternative, as described in the EA, and thus will not be prepared.

Recommended:

Superintendent

Date

Approved:

Michael D. Snyder
Acting Director, Intermountain Region

Date

