



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

**Aztec Ruins National Monument
New Mexico**

**FINDING OF NO SIGNIFICANT IMPACT
Old Spanish National Historic Trail Bicycle Use**

Recommended:

Denise Robertson
Superintendent, Aztec Ruins National Monument

Date

Approved:

Name
Regional Director, National Park Service Regional Office
Serving Department of Interior Regions 6, 7, and 8

Date

BACKGROUND

The Old Spanish Trail was the first recorded trade caravan from Santa Fe, NM all the way to Los Angeles, CA. The first journey was led by Antonio Armijo in 1829, and it was so difficult the traders never took that exact same route again. It is unclear where the trail on the ground is today and how close the caravan came to Aztec Ruins National Monument (AZRU). Visitors follow the nationally designated trail from the picnic area, over the bridge across the Animas River, and into historic downtown Aztec. In 2014, the city of Aztec, in partnership with the National Park Service (NPS), completed a pedestrian bridge and trails project to promote the city's parks, the river, trails and cultural resources. This bridge and trail network connect to the Old Spanish Trail, expanding visitor opportunities for AZRU and the city of Aztec.

The Old Spanish Trail within AZRU is a shared use bicycle and pedestrian pathway that was originally constructed in 2014 and paved with asphalt in 2016. It extends from the parking lot at AZRU to the park boundary where a connector trail and pedestrian bridge span the Animas River leading to the city of Aztec. The approximate length of the trail within AZRU is 1226 feet (ft) and the trail is approximately 8 ft wide. The general use of the trail is largely pedestrian with an estimated 10 percent bicycle use, but the trail is well suited for bicycle use given its width, paved asphalt surface, and grade.

In compliance with 36 CFR Part 4.30 and the National Environmental Policy Act (NEPA), the National Park Service prepared an Environmental Assessment (EA) to examine alternative actions and environmental impacts associated with the proposal to continue to allow bicycle use on the Old Spanish National Historic Trail at AZRU so that park visitors, park employees, and town residents can have multi-modal access between the AZRU visitor center and the town of Aztec. Action is needed at this time to designate the portion of the Old Spanish Trail within AZRU as a bike trail under 36 CFR Part 4.30, which requires park units to evaluate bicycle use on trails and administrative roads in an environmental assessment or environmental impact statement prior to authorization.

The statements and conclusions reached in this finding of no significant impact (FONSI) are based on documentation and analysis provided in the EA and associated decision file. To the extent necessary, relevant sections of the EA are incorporated by reference below in this finding of no significant impact.

The EA was available for public review and comment during a 17-day period, from December 10, 2021 through December 27, 2021. During that review period, five correspondences were received from the public through the PEPC website. Substantive comments are addressed in the Response to Public Comments.

SELECTED ALTERNATIVE AND RATIONALE FOR THE DECISION

The National Park Service has selected Alternative 1, the proposed action/no action/preferred alternative, from the EA for implementation because it best meets the purpose of, and need for, action without causing significant impacts on park resources. Details are described in Chapter 2 of the EA.

Under the selected alternative, the Old Spanish Trail will continue to be open for bicycle use from the AZRU visitor center to the pedestrian bridge outside the park that connects to the city of Aztec. Alternative 1 was selected because it will:

- Continue to provide multi-modal access between the AZRU visitor center and the town of Aztec for visitors, employees, and residents;
- Maintain positive visitor experience, access, and opportunities; and
- Limit exposure to safety hazards that would be encountered by bicyclists if not on trail.

The selected alternative will continue the existing visitor use and experience at AZRU with no change to the use or construction of the pathway. The pathway will continue to be a shared use path with both pedestrian and bicycle access. The Old Spanish Trail was constructed with asphalt so that the trail surface and underlying soil conditions are suitable for accommodating bicycle use. No bike-specific maintenance, rehabilitation or armoring would be necessary to upgrade the trail to sustainable conditions for continuing the existing use, access, and experience.

MITIGATION MEASURES

All mitigation measures are already incorporated as part of the selected action, including monitoring activities on the trail and making safety-related adjustments, as needed. There are no additional mitigation measures needed for the selected action.

FINDING OF NO SIGNIFICANT IMPACT

- Based on the information contained in the EA, the NPS has determined that the proposed action (selected alternative) does not constitute a major federal action having a significant effect on the human environment. Therefore, an environmental impact statement (EIS) will not be required.
- This finding is based on consideration of the Council on Environmental Quality (CEQ) criteria for significance (40 CFR 1501.3 [b] [2020]), both regarding the affected environment and degrees of effects of the impacts described in the environmental assessment (which is hereby incorporated by reference) and as summarized below.

POTENTIALLY AFFECTED ENVIRONMENT

The project area is the Old Spanish Trail within AZRU. It is part of the Old Spanish National Historic Trail designated by Congress in 2002. Visitors follow the nationally designated trail from the picnic area, over the bridge across the Animas River, and into historic downtown Aztec. The trail is a shared use bicycle and pedestrian pathway that was originally constructed in 2014 and paved with asphalt in 2016. It extends from the parking lot at AZRU to the park boundary where a connector trail and pedestrian bridge span the Animas River leading to the city of Aztec. The approximate length of the trail within AZRU is 1226 feet (ft) and the trail is approximately 8 ft wide. The general use of the trail is largely pedestrian with an estimated 10 percent bicycle use, but the trail is well suited for bicycle use given its width, paved asphalt surface, and grade.

THE DEGREE OF EFFECTS OF THE ACTION

The following have been considered in evaluating the degree of the effects (40 CFR 1501.3(b)(2)) for this proposed action:

a. Beneficial and adverse, and short- and long-term effects of the proposed action

The selected alternative will result in long-term beneficial impacts to visitor use and experience at the park from continuing to allow bicycle, including e-bike, use on the Old Spanish Trail and provide park visitors, park employees and city residents the ability to easily move between the AZRU visitor center and the city of Aztec. It is anticipated there would be a slight increase in the number of bicyclists in future years as visitation numbers grow and development continues around AZRU and the city of Aztec. This may impact pedestrian visitors who are sharing the trail with bicyclists. However, bicycle use accounts for around 10 percent of users on the Old Spanish Trail and does not contribute to visitor crowding in areas of AZRU and the shared-use path is well suited for multiple uses due to its construction.

Impacts to visitor use and experience- carrying capacity; natural, scenic and aesthetic values; wildlife and park resources; cultural resources- Old Spanish National Historic Trail, soil compaction were considered but not analyzed due to the minimal environmental effects.

b. Degree to which the proposed action effects public health and safety

The selected alternative will continue to provide access for park visitors, park employees and city residents that value the experience of commuting by bicycle and find this to be a safer alternative than riding on adjacent roads. Maintaining the pathway allows for bicyclists and pedestrians to avoid roads with narrow road shoulders or with traffic which creates safety hazards. While the use of e-bikes may increase the risks of mounting and dismounting crashes due to the weight of the bicycle from the motor assist technology, intersection-related or speed-related crashes, and skidding while navigating corners from power transfer to the front wheels on some bicycles (NPS 2021a), AZRU has not documented any cases of these incidents occurring and no documented cases of visitor conflict between bicycle users, e-bike users, or pedestrians has been documented.

c. Effects that would violate federal, state, tribal, or local law protecting the environment

The selected alternative does not threaten or violate applicable federal, state, or local environmental laws or requirements imposed for the protection of the environment.

The selected alternative would not violate any provision or requirement identified under the enabling legislation of AZRU, the National Park Service Organic Act, or any other subsequent legislation. Further detail can be found in the Non-impairment determination below.

In 2013, NHPA compliance for the USDOT NEPA process was completed for the Old Spanish National Historic Trail implementation at Aztec ruins National Monument. The State of New Mexico Historic Preservation Office, FHWA, and NMDOT concurred with the determination of a no adverse effect on any resources listed or eligible for listing on the NRHP. Additionally, the National Park Service requested that FHWA conduct additional consultation with the tribes, which was conducted in November 2012. Five responses were received. Of the five, three responses had no comment other than the project would not affect any objects or places of religious or cultural importance. Ohkay Owingeh was of the same opinion but added that the Pueblo would like to be contacted if there are any unanticipated discoveries. The Hopi considers Aztec Ruins National Monument a Traditional Cultural Property (TCP). They requested that the prehistoric sites be avoided by project activities, and the project does affect cultural resources significant to the Hopi Tribe.

As described above, the selected alternative does not constitute an action meeting the criteria that normally requires preparation of an environmental impact statement (EIS). The selected alternative will not have a significant effect on the human environment in accordance with Section 102(2)(c) of NEPA.

Based on the foregoing, it has been determined that an EIS is not required for this project and, thus, will not be prepared.

Non-Impairment Determination Old Spanish National Historic Trail Bicycle Use

Background

By enacting the NPS Organic Act of 1916 (Organic Act), Congress directed the U.S. Department of the Interior and the National Park Service (NPS) to manage units “to conserve the scenery, natural and historic objects, and wild life in the System units and to provide for the enjoyment of the scenery, natural and historic objects, and wild life in such manner and by such means as will leave them unimpaired for the enjoyment of future generations” (54 U.S.C. 100101). An action constitutes impairment when its impacts “harm the integrity of park resources or values, including the opportunities that otherwise will be present for the enjoyment of those resources or values” (NPS 2006, Section 1.4.5). Whenever NPS actions require preparation of an environmental assessment (EA) or environmental impact statement (EIS) pursuant to the National Environmental Policy Act (NEPA), the NPS must also complete a “non-impairment determination” that states in writing that the action selected in a finding of no significant impact (FONSI) or record of decision (ROD) will not result in impairment to park resources or values. Section 1.4.6 of NPS Management Policies 2006 identifies several park resources and values that are subject to evaluation in a non-impairment determination. However, per the subsequent September 2011 NPS Guidance for Non-Impairment Determinations and the NPS NEPA Process, a non-impairment determination does not need to include discussion of impacts to visitor experience, socioeconomics, public health and safety, environmental justice, land use, park operations, etc., as these do not constitute impacts to park resources and values subject to the non-impairment standard.

Non-Impairment Determination for the Old Spanish National Historic Trail Bicycle Use

This non-impairment determination has been prepared for the selected alternative, as described in the FONSI for the Old Spanish National Historic Trail Bicycle Use Environmental Assessment (EA). One impact topic was carried forward for detailed analysis in the EA: visitor use and experience. As noted above, non-impairment determinations are not necessary for this impact topic. All other potential impact topics that could be subject to the non-impairment determination (soils, cultural resources, wildlife, threatened, endangered or sensitive species; natural and scenic values) were dismissed from analysis in the EA (see appendix A), because they were found to have no or minimal environmental effects. As a result, these resources would continue to be available for the enjoyment of future generations.

In conclusion, it is the Superintendent’s professional judgment that implementation of the selected alternative will not constitute an impairment of the resources or values of Aztec Ruins National Monument.

RESPONSE TO PUBLIC COMMENTS

Old Spanish National Historic Trail Bicycle Use

The EA was available for public review and comment during a 17-day period, from December 10, 2021 through December 27, 2021. During that review period, five correspondences were received from the public through the PEPC website.

Response to public comments addresses substantive comments that were received during the public review period. Substantive comments are those that: "1) question, with reasonable basis, the accuracy of the information in the NEPA document; 2) question, with reasonable basis, the adequacy of the environmental analysis; 3) present reasonable alternatives other than those presented in the NEPA document; or 4) cause changes or revisions in the proposal." Four comments were substantive and suggested changes that caused slight revisions to the proposal.

Comment Summary: One commenter suggested a speed limit could be implemented to reduce the potential for unwelcome negative trail user interactions.

Response: Where appropriate, to prevent or minimize pedestrian-bicyclist conflicts along the trail, AZRU would install signs and post information on their website about the Old Spanish Trail and trail etiquette for a shared use path. Additionally, if monitoring indicates bicycle speeds are causing conflicts, speed limits signs could be posted.

Comment Summary: One commenter expressed concern that bicycle use would not be limited to the Old Spanish Trail and roads and parking areas within AZRU.

Response: In order to prevent resource and vegetation damage near the Old Spanish Trail, both sides of the trail are lined with an 18-inch-wide buffer of river cobble to prevent visitors from walking or biking off the trail. In accordance with 36 CFR 4.30, the use of a bicycle is permitted on park roads and in parking areas that are otherwise open for motor vehicle use by the general public. It is prohibited to bicycle off park roads and parking areas, except on administrative roads and trails that have been authorized for bicycle use. AZRU has not authorized this use and any violations could be subject to law enforcement citation. Because of the trail design and bicycle use restrictions, bicycle use would be limited to roads and trails where they are authorized to be operated.

Comment Summary: One commenter questioned if allowing bicycles would really expand visitor access in ways that the trail users would experience the ancestral Puebloan resources of AZRU or is a recreation activity the primary focus.

Response: Continuing to allow bicycles provides another means for visitors to access AZRU, and once inside the park they can go to the visitor center, tour the museum, and hike the self-guided trail. In accordance with CFR 4.30, a written determination will be prepared stating that the addition of bicycle use on the existing hiking or horse trail is consistent with the protection of the park area's natural, scenic and aesthetic values, safety considerations and management objectives, and will not disturb wildlife or park resources.

Comment Summary: One commenter expressed general concerns about safety and visitor experience from E-bike usage.

Response: Adverse impacts to visitor experience include safety concerns with pedestrians and conventional bicyclists, concerns with e-bike speed, crowding, and user conflicts. The literature reflects that these concerns are heightened for e-bikes (NPS Literature Review, 2021).

Research suggests that e-bike riders behave very similarly to bicycle riders; both had high violation rates on roads, and while the average speed of e-bikes was higher than bikes on roads, they were slower on average on shared-use paths. Several studies show that trail users who are unfamiliar with e-bikes express a preference to not share the trail with them, but the majority did not notice that they were sharing the trail with e-bikes. Similarly, once they were exposed to e-bikes, concerns about them decrease for many (Boulder County, 2019). Although adverse impacts are anticipated to visitor experience, these effects are very similar to those of traditional bicycles, overall bicycle use is very limited, and a majority of visitors would not be impacted because they would not be in an area with e-bikes.