



National Park Service
U.S. Department of the Interior

Valles Caldera National Preserve
Jemez Springs, New Mexico

FINDING OF NO SIGNIFICANT IMPACT
Front Country Infrastructure Improvements Project
August 2023

Recommended:

Digitally signed by JORGE
SILVA-BANUELOS

Date: 2023.09.08 07:57:59 -06'00'

Jorge Silva-Bañuelos
Superintendent, Valles Caldera National Preserve
National Park Service

Date

Approved:

Kate Hammond
Regional Director, Interior Regions 6, 7, and 8
National Park Service

Date

Contents

1. Introduction.....	2
2. Selected Action and Rationale for the Decision.....	3
Rationale for the Decision.....	3
3. Mitigation Measures	4
4. Agencies and Persons Consulted.....	4
Public Participation	4
Consultation with Native American Tribal and Pueblo Governments.....	4
Consultation with New Mexico State Historic Preservation Office.....	2
U.S. Fish and Wildlife Service, Endangered Species Act: Section 7.....	2
5. Finding of No Significant Impact.....	2
6. Conclusion.....	9
Appendix A: Errata Sheet and Response to Public Comments.....	10
Substantive Comments and NPS Responses	10
Errata.....	18
Appendix B: Non-Impairment Determination	23
Cultural Resources	24
Wildlife	24
Conclusion	25

1. Introduction

Introduction

The National Park Service (NPS) has prepared an Environmental Assessment (EA) in accordance with the requirements of the National Environmental Policy Act of 1969 (NEPA) to examine alternative actions and environmental impacts associated with the proposed project to implement front country infrastructure improvements at Valles Caldera National Preserve. The EA was posted to the NPS Planning, Environment and Public Comment (PEPC) website at: [PEPC 106210 \(nps.gov\)](https://www.nps.gov/pepc/106210) on October 11, 2022, where it was available for public review and comment through November 9, 2022. The statements and conclusions reached in this FONSI are based on documentation and analysis provided in the EA and associated decision file.

Background

The United States (U.S.) Government purchased Valles Caldera in 2000 and passed the Valles Caldera Preservation Act establishing Valles Caldera as a National Preserve and as a unit of the national forest system under the management of the Valles Caldera Trust, a wholly owned government corporation overseen by a board of trustees appointed by the President of the U.S. The Valles Caldera Trust managed Valles Caldera from 2000 through 2014 and during this period managed the lands to provide efficient and economically viable practices while conducting a real-world experiment in decentralized public land management and ecosystem restoration. Subsequently, the U.S. Congress designated Valles Caldera National Preserve (“Valles Caldera” or “park”) as a unit of the National Park System through the passage of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015.

Prior to its purchase by the federal government in 2000, the property, then known as the Baca Ranch, was privately owned and accessible only by invitation of the landowners. Public access under the management of the Valles Caldera Trust (2000-2014) was also limited, and one of the primary motivating factors for Congress to transfer administrative jurisdiction of the park to the National Park Service (NPS) was to provide for increased public access and enjoyment. As such, public interest in accessing and experiencing the park has been growing since it became part of the NPS (NPS 2022[a]).

After an internal review of the visitor services and experience at Valles Caldera in 2016, the park determined that facilities, services, access, and visitor engagement levels within the front country of the park were not sufficient to meet the purposes for which the unit was established by Congress.

The project is needed to provide a high-quality visitor experience in the Baca Ranch Cabin District (Cabin District) by improving public services and recreational infrastructure and making accessibility improvements to existing infrastructure. The goal of increasing visitor access to the Cabin District is to provide better opportunities for Valles Caldera to interpret, and visitors to experience, park resources such as the historic legacy of the park, traditional cultural landscapes, and tribal connections, and the Valle Grande, which all occur in or near the Cabin District and are fundamental resource values. The project is also needed as the park is unable to provide increased opportunities for high-quality visitor experience in the Cabin District because the existing infrastructure cannot support the increase without compromising the natural and cultural resource values of the area.

News releases regarding the availability of the EA for public comment were sent to local, county, state, and federal government agencies, statewide newspapers, radio networks, television channels, and other publications including magazines and journals. The information was also published on the Valles Caldera website (<https://www.nps.gov/vall/>) and posted in public buildings around communities local to the park. The park received thirty-four (34) comments during the public comment period for this project. The comments did not change the conclusions in the EA regarding the environmental effects of the action. Responses to public comments and errata are found in Appendix A. 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.

2. Selected Action and Rationale for the Decision

Selected Action

Based on the analysis presented in the EA, the NPS selected Alternative 2: Conduct Front Country Improvements at Valles Caldera (Proposed Action and Preferred Alternative). Improvements would occur in two distinct locations: the Cabin District and the Entrance Station. Many of the improvements are intended to be interim in nature where the park could feasibly modify them as needed based on the direction of future plans for these areas; however, not all improvements would be temporary, and it is likely that some would become permanent. Details are described in Section 2.2 of the EA.

Rationale for the Decision

The NPS selected alternative 2 because it best meets the project purpose and need without causing significant impacts to park resources and values. The project will:

- Provide the recreational setting necessary to provide for an exceptional visitor experience.
- Make meaningful improvements to existing infrastructure intended to improve accessibility.
- Construct several of the improvements where they could feasibly be retained, removed, or relocated, subject to future decisions reached during ongoing planning processes.

The selected alternative will also provide visitors to Valles Caldera with increased access into the Cabin District, enhance visitor services and experience, and make important accessibility improvements to park infrastructure. Increasing visitor access to the Cabin District is to provide better opportunities for Valles Caldera to interpret and visitors to experience park resources such as the historic legacy of the park, traditional cultural landscapes and tribal connections, and the Valle Grande, which all occur in or near the Cabin District and are fundamental resource values outlined in the Valles Caldera National Preserve Foundation Document (NPS, 2018[a]).

Implementing accessibility improvements to park infrastructure will ensure compliance with the Architectural Barriers Act and make the park a welcoming and accessible place for all. In addition, the project will implement several resource protection measures which will minimize the degree of negative impacts to park cultural resources, wildlife, and the visitor use and recreation setting (see EA Appendix C).

3. Mitigation Measures

The NPS strongly emphasizes avoiding, minimizing, and mitigating potentially adverse environmental impacts. Therefore, the NPS will require multiple mitigation measures and best management practices to protect environmental and cultural resources potentially affected by the project. These measures and practices are described in Appendix C of the EA. The selected alternative incorporates by reference the mitigation measures and best management practices listed in Appendix C of the EA.

The authority for mitigation for this project comes from laws and policies, including:

- National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291, § 3043)
- NPS Organic Act (16 U.S.C. § 1)
- The Redwood Act ([H.R. 3813 {95th}])
- 1978 National Parks and Recreation Act (54 U.S.C. § 100101)
- Endangered Species Act, as amended (16 U.S.C. § 1531 et seq.)
- National Historic Preservation Act of 1966, as amended (54 U.S.C. § 300101 et seq.)
- NPS Management Policies 2006 (chapters 4 and 5)
- Migratory Bird Treaty Act of 1918 (16 U.S.C. § 703-712)

4. Agencies and Persons Consulted

Public Participation

Public participation on the EA began with scoping in 2021 when Valles Caldera sent out a news release with preliminary information regarding pertinent issues at the park. The NPS accepted public comments during a public comment period through the NPS Planning, Environment, and Public Comment (PEPC) at: <https://parkplanning.nps.gov/projectHome.cfm?projectID=106210> from December 22, 2021, through January 14, 2022. The NPS received 44 unique public comments. The park reviewed and considered these comments during the project planning stage of the project. The EA was also available for review during a public comment period from October 11, 2022 through November 9, 2022.

Consultation with Native American Tribal and Pueblo Governments

Initial consultation letters regarding this project were sent to tribal governments culturally affiliated with Valles Caldera. The following Native American Tribes and Pueblos were notified by mail (dated December 17, 2021) and by email thereafter of the proposed action and invited to consult with the park Superintendent:

- | | |
|---|---|
| • Apache Tribe of Oklahoma | • Jicarilla Apache Nation of New Mexico |
| • Cheyenne and Arapaho Tribes of Oklahoma | • Kiowa Indian Tribe of Oklahoma |
| • Pueblo of Cochiti | • Pueblo of Laguna |
| • Comanche Nation | • Mescalero Apache Tribe of the Mescalero Reservation |
| • Fort Sill Apache Tribe of Oklahoma | • Pueblo of Nambe |
| • Hopi Tribe of Arizona | |

- Navajo Nation of Arizona New Mexico, & Utah
- Pawnee Nation of Oklahoma
- Pueblo of Picuris
- Pueblo of Acoma
- Pueblo of Isleta
- Pueblo of Jemez
- Pueblo of Pojoaque
- Pueblo of San Felipe
- Pueblo of Zia
- San Carlos Apache Tribe of the San Carlos Reservation
- Pueblo of San Ildefonso
- Ohkay Owingeh of New Mexico
- Pueblo of Sandia
- Pueblo of Santa Ana
- Pueblo of Santa Clara
- Santo Domingo Pueblo
- Southern Ute Indian Tribe of the Southern Ute Reservation
- Standing Rock Sioux Tribe of North & South Dakota
- Pueblo of Taos
- Pueblo of Tesuque
- Tonto Apache Tribe of Arizona
- Ute Indian Tribe of the Uintah & Ouray Reservation
- Ute Mountain Ute Tribe
- White Mountain Apache Tribe of the Fort Apache Reservation
- Wichita and Affiliated Tribes
- Ysleta Del Sur Pueblo
- Zuni Tribe of the Zuni Reservation

In response to the initial consultation effort, in person tribal consultation occurred between Valles Caldera and the Pueblo of Jemez regarding the proposed project. This meeting was informative in nature and did not result in subsequent changes to the proposed project.

Following initial consultation, the park provided additional project information and an invitation to formally participate in the development of the Programmatic Agreement (PA) to provide a structured approach to addressing potential adverse impacts that could result from the implementation of the project. The Native American Tribes and Pueblos listed above were notified again by mail on March 8, 2022 regarding the project and the proposed development of the PA and invited to participate in the agreement. The park received interest from 5 affiliated Tribal Governments (Pueblo of Jemez, Navajo Nation of Arizona, New Mexico, & Utah, Hopi Tribe of Arizona, Pueblo of San Ildefonso, and Pueblo of Santa Clara) indicating interest in becoming consulting parties to the PA.

Additionally, the Native American Tribes and Pueblos listed above were notified again by mail (dated October 13, 2022) inviting consultation on the Front Country Infrastructure Improvements Project and to solicit comments on the draft EA that was subsequently released for public comment. During the public comment period, the park received one (1) comment letter regarding the project from the Native American Tribes and Pueblos that were directly contacted regarding the EA and proposed project.

Consultation with New Mexico State Historic Preservation Office

The park engaged in formal consultation with the New Mexico State Historic Preservation Officer (SHPO) in accordance with the National Historic Preservation Act (NHPA), and its implementing regulation, 36 CFR 800. NPS cultural resource professionals reviewed the project in January 2022 and determined that this action had the potential to adversely affect the proposed Baca Ranch Cabin District proposed historic district and cultural landscape, archeological resources in the project area, and historic buildings. The SHPO concurred with this finding in March 2022. To mitigate impacts to the proposed historic district and cultural landscape, archeological resources, and historic buildings the NPS entered into a PA with the SHPO which outlines an agreed-upon process for identifying,

minimizing, and mitigating impacts to cultural resources that may result from implementing the actions described in the EA.

U.S. Fish and Wildlife Service, Endangered Species Act: Section 7

The park consulted with the U.S. Fish and Wildlife Service (USFWS) on the proposed project, which included the initial assessment of impacts to threatened and endangered species within the park in accordance with the Endangered Species Act Section 7 (ESA). Valles Caldera prepared a Biological Assessment analyzing impacts from this project to listed species in the project area. The Biological Assessment indicates that the proposed project “*may affect but is not likely to adversely affect*” the Jemez Mountains salamander, New Mexico meadow jumping mouse, and the Mexican spotted owl. The Biological Assessment was transmitted to the USFWS in May 2022, and the park received concurrence from the USFWS in August 2022.

5. Finding of No Significant Impact

As described in the EA, the selected alternative has the potential for adverse impacts on cultural resources, visitor use and recreation setting, and wildlife. Based on the information contained in the EA, the NPS has determined that the 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.

To protect park resources and values, the impacts described below are being reduced to the extent possible through the implementation of best management practices detailed in Section 3: Mitigation Measures.

This finding is based on consideration of the Council on Environmental Quality (CEQ) criteria for significance (40 CFR 1501.3 [b] [2022]), both regarding the affected environment and degrees of effects of the impacts described in the EA (which are hereby incorporated by reference) and as summarized below. More details about the potentially affected environment can be found in Section 2.2 of the EA.

Potentially Affected Environment

Under the selected alternative (Alternative 2 or the Proposed Action in the EA), the park will construct front country infrastructure improvements in the project area, which is defined as the 1.25 acres in the front country at Valles Caldera and includes the Cabin District and the Entrance Station.

The Cabin District is historically part of the 19th century Spanish and U.S. land grant “Baca Location No. 1.” The buildings within the Cabin District are the ranch headquarters buildings constructed throughout multiple ownership periods during the 20th century (Otero family, Bond family, and Dunigan family). The Cabin District area is rich in prehistoric archaeological sites defined by obsidian lithic debitage and tools with Archaic components identified at some of the sites. The buildings within the Cabin District were constructed at the ecotone between the mix-conifer forested dome Redondo Peak and the montane grassland Valle Grande. These forest and grassland areas provide breeding and nesting habitat for migratory birds within the park, and upland areas are considered suitable habitat for the endemic Jemez Mountains salamander. The Cabin District is also a primary engagement point for the NPS where visitors use existing roadways to navigate the district, access the Ranger Station, visit historic cabins and buildings, and depart to other adjacent areas of the park (along the VC02 Road).

The Entrance Station is located along the main park entrance road (VC01) and comprises most of the front country use at Valles Caldera. Visitors stopping in at the Entrance Station receive general information on park natural and cultural resources, and are provided with maps, pamphlets, and other materials. The Entrance Station is currently where visitors may obtain fishing and backcountry vehicle permits and hosts the park bookstore operated by the official Valles Caldera cooperating association Los Amigos de Valles Caldera. The Entrance Station area also contains the Valle Grande Corral, a vestige from the 20th century livestock grazing that occurred in the Valle Grande. The Entrance Station also overlaps with a large, multicomponent prehistoric archaeological site that extends onto the southwest edge of Cerro La Jara (LA 132045). The montane grasslands surrounding the Entrance Station provide suitable breeding and nesting habitat for migratory birds at the park, provide habitat for an abundant herd of Rocky Mountain elk, support a large colony of Gunnison's prairie dogs, and occupied habitat for the State endangered Wrinkled marsh snail.

Many of the infrastructure improvements are intended to be interim in nature where the park could feasibly modify them as needed based on the direction of future plans for these areas. However, not all improvements would be temporary, and it is likely that some would become permanent.

Cabin District Infrastructure Improvements

The improvements would include the creation of two new parking areas within the Cabin District. The parking areas would be built to accommodate a combined minimum of 40 vehicles at any given time and will include accessible parking and access to the Ranger Station. The parking areas would be constructed entirely above grade to eliminate the need for excavation in areas with sensitive natural or cultural resources. Prior to construction a layer of geofabric material will be placed to separate native soils from construction fill. The parking areas would be constructed among a stand of old growth ponderosa pine trees and would result in the removal of several trees determined by the NPS to be in a hazardous condition. In addition, six electric vehicle charging stations will be installed in the Cabin District, split between two separate locations.

Three new trails are proposed for installation in the Cabin District. Two of the trails would be intended for public use and the third trail would be intended for employee use to connect the new Electric Vehicle Maintenance Garage and Facilities Operations Center (FOC) with the Ranger Station. The trails would be constructed entirely above ground by adding fill to achieve the desired grade and capping the trails with crushed rock to provide a firm surface for visitors to walk on. The trails would cross La Jara Creek in 4 separate locations. Creek crossing would be provided by foot bridges matching the width of the trail with footings installed outside of the riparian corridor associated with the creek. The trails would be 5 feet wide and compatible with ABA standards.

The improvement project will also include the addition of a flagpole at the Ranger Station, an automatic gate for vehicle access control, construction of a trailhead kiosk at the South Mountain Trail, fiber optic cable installation connecting cabins throughout the cabin district to provide internet connectivity. It will include installing interpretive programs in the Cabin District to provide education and engagement for park visitors and facilitate the opportunity for high-quality desirable experiences in the area such as guided walks to explore human history and interact with the natural environment, talks at the Ranger Station, exploring new exhibits to learn about the major resources and culture of Valles Caldera. Improvements will also include orientation and interpretation waysides in the Cabin District, audio tours, and improvements to the Cabin District section of the park website. Ranger-led programs will be available at the Ranger Station on a scheduled and recurring basis and will have seasonal variability but would likely occur at least daily during the peak

visitation months of April – October, and on a reduced schedule for the off-season months from November – March.

Facilities that provide essential services to visitors in the front country, such as restrooms, trash and recycling receptacles, and directional signage, will be installed within the Cabin District as necessary. The park will include a minimum of two additional wildlife resistance trash and recycling receptacles in the Cabin District near areas where visitors are likely to congregate (for example, the picnic tables outside of the Ranger Station). The incorporation of additional facilities and their placement would be determined by park staff prior to installation. If additional restrooms are recommended, they would be temporary portable toilets that will not require subsurface ground disturbance for installation. Informational signage within the Cabin District would be installed primarily along the newly constructed trails and in other areas where appropriate.

Entrance Station Infrastructure Improvements

Following the infrastructure improvements, the Entrance Station building would be converted from use as a visitor engagement facility to administrative use by park staff. The bookstore operation currently located at the Entrance Station; operated by the park's cooperating association, Los Amigos de Valles Caldera, would transition to the Ranger Station in the Cabin District. Additionally, NPS rangers currently staffing the Entrance Station would be reorientated to provide primary visitor engagement services at the Ranger Station. Public access to the Valles Caldera Entrance Station building would no longer be available.

Interpretive programs at the Entrance Station would continue to be available on a more limited basis. Educational waysides would be put in place to provide information and help orientate visitors to the park.

Road improvements to the Entrance stations will be made and will extend the road into what is currently the corrals, to direct all visitors through a newly constructed entrance booth. Also, as part of this project, a 300' section of the road that runs from the curve to 150' past the Entrance Station will be widened to a width of 30' to accommodate a 3' wide shoulder on each side of the road and two 12' wide lanes. This would allow larger delivery vehicles and employees to bypass the entrance booth. The inbound lane in front of the Entrance Station will have an automatic gate opener installed that can be operated by a keypad. The corrals next to the Entrance Station will be removed to allow for the road improvements.

After removing the corrals, the park will reroute a section of the Valle Grande Pond Trail so that the trailhead is located near the vault toilet. The rerouted section of the trail would be built entirely above grade to reduce impacts to natural and cultural resources in the project area. Prior to construction, a layer of geofabric materials will be placed to separate natural soils and construction and fill materials. The new section of trail would be constructed to meet ABA accessibility standards: 5' wide, have a hardened compacted gravel surface, and would meet the necessary grade requirements. The rerouted section of the trail would be approximately 370' long and would transition through the area previously occupied by the corrals.

A new entrance booth would be installed in the Entrance Station parking attached to the west side of the Entrance Station. This would be a staffed booth where employees working inside the Entrance Station would be able to step down into the booth when vehicles are present. The entrance booth would have an adjacent swing gate which would remain open during park business hours. The park will utilize the entrance booth to provide for access control to the Cabin District during peak hours

when capacity of the newly proposed parking areas may be exceeded, or when weather conditions or other safety considerations warrant limiting access to the Cabin District. The parking lot would be redesigned to allow for the entrance road to run through the middle of the current parking lot and then by the side of the Entrance Station where the entrance booth would be located. On each side of the road would be parking spaces. The side closest to the Entrance Station would be reserved for ADA, electric vehicles, and staff parking, and the side by the existing vault toilet would provide general visitor parking. The first two parking spots next to the vault toilet would also be converted into ADA parking.

An automatic gate with programmable keypads would be installed to regulate visitor access along the VC01 road adjacent to the Entrance Station. This gate would provide entry to staff, contractors, researchers, and delivery drivers and would eliminate the requirement by visitors to exit their vehicle to open/close the gate as they exit the park.

Valles Caldera would also replace the existing deck on the Entrance Station with a new deck using in-kind materials. The overall size of the deck would remain the same with one exception, the ramp on the front of the building would be extended to meet ADA/ABA standards for slope and width. Two electric vehicle charging stations would be installed in the Entrance Station parking lot adjacent to the building.

The trailheads for the Valle Grande Pond Trail and the La Jara Trail would have new kiosks installed providing information about park natural and cultural resources and maps for the trails. The Valle Grande Pond Trail kiosk would be located on the northeast corner of the Entrance Station parking lot near the restroom and where the newly rerouted section of trail connects to the parking lot. The La Jara Trail kiosk would be located on the southeast corner of the Entrance Station parking lot.

The Degree of Effects of the Action

The following topics have been considered in evaluating the degree of the effects (40 CFR 1501.3(b)(2)) for the selected alternative.

Beneficial, Adverse, and Short- and Long-term Effects of the Proposed Action

Cultural Resources:

The implementation of this project will result in adverse effects to historic properties within the Cabin District through the combination of new built environment features being placed within an eligible cultural landscape and historic district, visual impacts, and ground-disturbing activities that will disturb known archaeological sites. Additionally, the archaeological site (LA132045) located at the Entrance Station area will be adversely impacted by the expansion of the VC01 park entrance road and other ground-disturbing activities in this area. Although the Valle Grande corrals are currently considered ineligible for listing on the National Register of Historic Places (NRHP), subsequent re-consultation between the park and SHPO could result in changes to that determination and their removal or modification would result in an adverse effect. Infrastructure improvements are unlikely to significantly modify the integrity of these sites or change NRHP eligibility status because the overall historic setting, feeling, and association will remain along with the buildings and configuration that convey the historic character of the area. Primary intrusive features, such as the parking areas and trails being built in such a way that they could be feasibly removed in the future based on visual impacts and intrusiveness of these features,

will be minimized by visual screening, material choice, and site locations. In addition, the intentional partial burial of known archaeological sites and disturbance to other archeological sites are unlikely to result in loss or destruction of these resources or change NRHP eligibility status. This in part due to the use of fill to build the parking areas and trails above grade that will not result in ground disturbance. Ultimately, historic properties, cultural landscapes, and archeological resources in the Cabin District and Entrance Station will remain present and intact in a manner that will continue to display the continued cultural use of the area and the varied human history at Valles Caldera. Despite the impacts described above, the prehistoric and historic legacies from indigenous use for hunting, gathering, and resources, American Southwest land development, and ranching and grazing activities, will persist and continue to exhibit the cultural continuity of the area.

As mentioned in the Non-Impairment Determination, adverse effects on the potential Baca Ranch Cabin District historic district and cultural landscape, historic buildings, and archaeological sites will be resolved through a PA between the NPS, SHPO, and consulting parties. The PA details a process for phased identification of historic properties that will be impacted, phased assessment of effects for those resources, and the process for resolving adverse effects. Because multiple undertakings may occur over a multi-year period, a phased process for the park to complete NHPA § 106 obligations is necessary. Once properties have been identified and the degree of impact is known, the PA will provide for a range of options intended to mitigate adverse impacts including the development of treatment plans, Historic American Buildings Survey (HABS) and the Historic American Engineering Record (HAER) documentation, archaeological monitoring, development of historical and other technical reports, close consultation between the park, consulting parties and the SHPO, compensatory mitigation, and data recovery. The use of these mitigative measures will be evaluated and consultation on their appropriateness will occur on a case-by-case basis during the phased identification and assessment of effects.

Visitor Use and Recreation Setting:

Visitor use of the park's front country areas will be both positively and negatively impacted by the implementation of this project. Upon arrival at the park, visitors will travel through the Entrance Station area and proceed to the Cabin District without having to obtain a backcountry vehicle permit, which will provide additional access to the park for all visitors, increasing available recreational opportunities. The modification of park buildings and facilities aimed at improving accessibility will help bring facilities into compliance with the Architectural Barriers Act. Conditions encountered during construction periods are anticipated to disrupt or delay visitors resulting in negative impacts on the recreation setting. These impacts will be temporary and will cease once construction periods for road modifications, parking areas, and walking trails have been completed. The project will also result in the park making beneficial changes to interpretive programs; primarily in the Cabin District but to a lesser extent at the Entrance Station, which will create more opportunities for visitors to interact with NPS Rangers when visiting the park. The recreation setting will also be improved through new infrastructure such as signs, restrooms, benches, and kiosks making self-guided park exploration much more accommodating.

Wildlife:

The project will result in increased vehicle access further into the park, along the park entrance road VC01, and the road that travels in front of the Cabin District VC02. Increased vehicular traffic along

these roads has the potential to alter movement and habitat use of terrestrial wildlife species and increases the risk of vehicle to animal collisions potentially resulting in injury or death. The construction and modification of infrastructure in Valles Caldera front country areas will directly impact approximately 400 cubic yards of native soils and 1.5 acres of surface vegetation resulting in the modification and loss of habitat areas. Gunnison's prairie dogs will also experience 0.2 acres of habitat loss of active colony burrows located near the Entrance Station. In addition, the park will relocate prairie dogs that are present within construction zones using the reverse dispersal technique prior to construction in these areas. While these actions could have a detrimental effect on prairie dogs, with the potential to injure, kill, or displace individual prairie dogs, the park sustains approximately 6000 – 7000 acres of prairie dog colonies and the impacts related to this action are unlikely to significantly decrease population levels or long-term viability of the species within the park.

Increased human presence, including construction, vehicular access to the Cabin District and nonmotorized recreation in the surrounding areas will influence elk movement and resource selection in the vicinity of the Entrance Station. Approximately 2,500- 3,000 elk reside in the park, a majority of which will not be affected by localized activity in the park's front country areas. While detrimental impacts to elk individuals are anticipated from this project, they will not result in population-level effects on the overall health and abundance of the herd.

Additionally, the project will result in the removal of 1.5 acres of surface vegetation and the removal of approximately four hazardous trees (three snags, one live hazardous) in the Cabin District. The removal of surface vegetation displaces migratory birds that would otherwise use the habitat for ground nesting, foraging, and shelter. The infrastructure improvements may positively contribute to hydrologic flow by improving nearby wetland functions and habitat; however, vernal grassland pools may be impacted by petroleum or other contaminants running off roadways and parking areas, which may degrade water quality and harm the Wrinkled marshsnail.

Potential impacts to the Wrinkled marshsnail would be minimal as the areas known to be occupied by the snails would not be directly impacted by this project. In fact, installation, and repair of culverts in the Entrance Station area of the park would help to restore natural hydrological conditions which may result in an improvement to adjacent vernal grassland pool habitat areas. There is the potential that once hydrological conditions are restored following the installation and replacement of culverts near the Entrance Station, petroleum contaminants that run off from adjacent roads and parking areas may affect these pools. Continued water quality monitoring in this area of the park will take place to detect any detrimental changes that might occur.

Occasional disturbances to these species during such activities could cause them to move short distances away from construction activities. These disturbances could result in displacements during construction periods from project areas resulting in the increased expenditure of energy. However, these inadvertent effects are not likely to have impacts beyond the individual level in the project areas and ample surrounding habitat exists for birds to disperse to.

Impacts on federally threatened and endangered species are anticipated from this project. The park consulted with the USFWS through a Biological Assessment, and the NPS determined that the selected alternative may affect, but is not likely to adversely affect, the Jemez Mountains salamander,

New Mexico meadows jumping mouse, or Mexican spotted owl, as there are no known or designated critical habitat for these species located within the project area. The NPS also determined that there will be no effect on any other federally listed threatened or endangered species or critical habitat.

Jemez Mountains Salamander

All of Valles Caldera is included in the known range for this species with approximately 25% of the critical habitat for the Jemez Mountains salamander occurring within Valles Caldera. There is no proposed or designated critical habitat for the salamander within project areas. Valles Caldera contains approximately 41,500 acres of potentially suitable habitat for the Jemez Mountains salamander and the areas where the front country infrastructure improvements project would occur overlap with approximately 1.25 acres of mixed-conifer vegetation, which is considered preferred habitat for the endemic salamander. The species has been confirmed to be present within Valles Caldera, but specific surveys within parts of the Cabin District for salamanders in 2017, and again in 2019 have produced negative results.

New Mexico Meadow Jumping Mouse

The preferred alternative would create a 383-foot trail around the La Jara Pond in the Cabin District adjacent to potential riparian habitat for the jumping mouse. This trail would be located on the berm surrounding the pond, with foot bridges constructed crossing La Jara Creek. The project would create four additional new improved foot crossings across La Jara Creek associated with the Cabin District Trail and the Upland Cabin District Trail. Foot bridges would be constructed without the use of culverts, therefore allowing continued habitat connectivity. La Jara Creek is identified as a potential secondary habitat for the jumping mouse. It does not provide the identified USFWS minimum patch size and connectivity requirements for viable and healthy populations of jumping mouse but may provide limited habitat connectivity to the East Fork of the Jemez. Track plate surveys in 2018 conducted throughout the Cabin District on La Jara Creek did not identify current occupancy. Due to previous impacts on potential habitat and negative survey detections, La Jara Creek is not thought to be currently occupied by the jumping mouse.

Mexican Spotted Owl

The proposed project area does not intersect with critical habitat areas for the Mexican spotted owl (USFWS, 2022); however, the forested areas near the Cabin District are suitable habitat for the species. The Mexican spotted owl is susceptible to increased levels of noise and may be temporarily displaced during construction periods for infrastructure improvements in the Cabin District. The Cabin District will function as the future primary starting point for recreational visitors, which will contribute to an increase in visitor density and non-motorized recreational use of the surrounding landscape including South Mountain and Redondo Peak. These surrounding areas contain mixed-conifer vegetation suitable for the Mexican spotted owl. However, surveys conducted in the Cabin District and nearby South Mountain in 2020 and 2021 did not detect any current occupancy of owls and there is no known historic occupancy of these areas. Project mitigations to monitor and conduct surveys for the presence of the Mexican spotted owl in nearby suitable habitat (South Mountain, Redondo Peak), and to consider recreational seasonal restrictions as necessary, in consultation with USFWS if a Mexican spotted owl is detected, will reduce the potential for disturbance to this species.

Alternative 2 will not result in significant adverse impacts on cultural resources, visitor use and recreation setting, or wildlife.

Effects That Would Violate Federal, State, Tribal, or Local Law Protecting the Environment

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

The selected alternative will not violate any provision or requirement identified under legislation addressing Valles Caldera National Preserve, the National Park Service Organic Act, or any other subsequent legislation. Further details can be found in the non-impairment determination below.

Degree to Which the Selected Action Affects Public Health and Safety

There will be no significant impacts on public health, public safety, or unique characteristics of the region. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified.

6. Conclusion

Considering the criteria for significance (40 CFR 1501.3[b]), both regarding the affected environment and the degree of effects described in the EA and this FONSI, the NPS has determined that the selected alternative does not constitute a major federal action having a significant effect on the human environment in accordance with Section 102(2)(c) of NEPA. Based on the information contained in the EA, the NPS has determined that the proposed action (Alternative 2) does not constitute an action that normally requires the preparation of an environmental impact statement (EIS) (see Section 1.5.E of the NPS NEPA Handbook). Therefore, an EIS will not be required.

Appendices include:

- Appendix A: Errata Sheet and Response to Public Comments; and,
- Appendix B: Non-Impairment Determination.

Appendix A: Errata Sheet and Response to Public Comments

This section summarizes substantive comments that were received during public review of the EA. The NPS must consider all comments that are timely received, and the standard NPS practice is to respond to substantive comments that are submitted during the public review period of the EA. Substantive comments raise, debate, or question a point of fact or analysis. Comments that merely support or oppose a proposal or that merely agree or disagree with NPS policy are not considered substantive and do not require a formal response. A substantive comment is defined as one which leads the NPS to:

- (1) modify an alternative, including the proposed action;
- (2) develop and evaluate an alternative not previously given serious consideration;
- (3) supplement, improve, or modify the environmental analysis; or,
- (4) make factual corrections (CEQ NEPA Regulations 40 CFR 1503.4).

In response to the EA the NPS received thirty-four (34) comments through the Planning, Environment & Public Comment system, one (1) comment was received through postal mail, and zero (0) comments were received by fax at the Valles Caldera headquarters in Jemez Springs, New Mexico. Of the comments received, thirty-one (31) comments were from private individuals, one (1) comment was received from other federal, state, or local government agencies, one (1) comment was received from tribal governments, and two (2) comments were received from non-profit or special interest groups.

The NPS has read and considered all comments received. Substantive comments for this EA were condensed into concern statements, and a response to each statement is provided below. All comments have been retained as part of the decision file for this project.

Substantive Comments and NPS Responses

NEPA Law, Policy, and Regulation

Concern Statement: *The park should provide additional information regarding why the creation of alternative infrastructure closer to NM-4 was dismissed from further consideration in the EA.*

NPS Response: This project focuses on utilizing and repurposing existing infrastructure in order to effect changes that will improve the visitor experience in the short term while long term goals are being developed and implemented. Development of a future long term management plan is a multi-year planning process that will broadly consider a range of viable alternatives for the management of all areas of the park. Modifications to park management, such as creating alternative infrastructure closer to NM-4, which would require significant investment, the development of new assets or public use areas, or changes that may result in the need for additional staffing, permanent construction, or other expenditures of the park budget contained in a future long term management plan may require several years to implement due to funding and other logistical requirements.

Concern Statement: *The changes in the roles of the existing Entrance Station area and Ranger Station are not adequately described in the EA.*

NPS Response: The transition of visitor services from the Entrance Station to the Ranger Station is covered in the EA under section 2.2.2 (page 20 paragraph 8).

Concern Statement: *The EA is not clear on which infrastructure improvements would be temporary and which would be permanent.*

NPS Response: Table 1 on page 16 and table 2 on page 21 of the EA identify which improvements would be interim and which improvements would be permanent for the Cabin District and Entrance Station improvements.

Concern Statement: *The EA does not describe the purpose for the fiber optic cables being installed in the Cabin District.*

NPS Response: Upon implementation of this project the primary front country visitor engagement area at Valles Caldera will be the Cabin District. The fiber optic connections proposed in the Cabin District would provide the NPS the opportunity to facilitate interpretive programming from these buildings. This information will be incorporated into the EA through the errata sheets (see section below for Errata).

Concern Statement: *The EA did not analyze potential impacts to viewsheds.*

NPS Response: The EA analyzes impacts to resources that have the potential for significant impacts. Viewshed impacts were considered and addressed in a variety of ways including site selection and project design intended to minimize impacts to this resource. A programmatic agreement was developed for this project between the park, SHPO, and other consulting parties that minimized impacts to the viewsheds in and around the Cabin District. The new parking areas within the Cabin District would be partially screened by existing trees and would not result in the potential for a significant impact to the viewsheds at the park. This information will be incorporated into the EA through the errata sheets (see section below for Errata).

Concern Statement: *The EA did not include the full range of mitigative measures that might be appropriate to mitigate adverse effects to archaeological resources.*

NPS Response: Appropriate mitigation measures that are reasonable, effective, and feasible were incorporated into the selected action to reduce, eliminate, or compensate for impacts to affected resources. The incorporated mitigation measures mitigate impacts to resources and are measures that the NPS has the capacity and resources to undertake. These mitigative measures to reduce or eliminate impacts to archeological resources were developed in consultation with SHPO and consulting parties under the terms of the PA for this project. This information will be incorporated into the EA through the errata sheets (see section below for Errata).

Concern Statement: *The park should analyze the potential future removal or relocation of temporary infrastructure in the EA.*

NPS Response: Potential environmental impacts related to the removal or relocation of interim infrastructure are not included in this environmental assessment as under NEPA they are considered speculative at this time and would be based on the direction of future long term planning efforts.

Additional NEPA analysis would be conducted prior to removing or relocating interim infrastructure. This information is contained in the EA in the footnote on page 5. Additional information regarding future removal of fill and geotextile fabrics information will be incorporated into the EA through the errata sheets (see section below for Errata).

Concern Statement: *The comments submitted by the Pueblo of Jemez on the draft Historic Resources Study were not included in the EA.*

NPS Response: At this time the park is finalizing the Historic Resources Study, and Pueblo of Jemez comments have been included in a preface in the final version. Consultation between Tribal Governments and the NPS are not included in the references cited section of the EA. Tribal comments were considered in the development of this project and will be further considered through continued consultation and under the Programmatic Agreement for this project.

Concern Statement: *The EA does not adequately address potential impacts to Traditional Cultural Properties or Indian Sacred Sites.*

NPS Response: The NPS acknowledges that there are traditional cultural properties in the proposed project area attributed to the Pueblo of Jemez. The park treats this information with the utmost importance and out of respect for the privacy and sensitivity of these sites is withholding them from being described in detail in this assessment. The EA and PA do not alter the NPS obligations to consult with affiliated tribes, and consultations with tribes will continue as usual under Section 106.

Appendix A of the EA intentionally omits all Traditional Cultural Properties. A correction is being made to the text to indicate that the tables in Appendix A refer to known historic properties (see section below for Errata).

The NPS also acknowledges that the Pueblo of Jemez has identified the presence of specific areas of traditional and cultural significance in the area where the Front Country Infrastructure Improvements Project would be implemented. This letter informs us that there are Indian Sacred Sites. Ongoing consultation on these sacred sites is warranted in order to determine if they would be affected through the implementation of this project. The park has sought additional consultation on this topic between the park and the Pueblo as a consulting party and in development of the PA. The park will continue to consult with affiliated tribes as project implementation plans are developed.

Concern Statement: *The EA omits a reasonable alternative to implement consensus-based management between the NPS and affiliated Tribal governments.*

NPS Response: Valles Caldera is in the process of developing a management plan that will direct the long-term management of the park. The park is consulting with the Pueblo of Jemez and other tribes on the development of the management plan. For the current project, developing a consensus-based management alternative is not considered a reasonable alternative in the context of this NEPA analysis because it would require a major change to a law, regulation or policy. However, the PA developed for this project is intended to provide a process to include collaboration with tribes in developing measures to avoid, minimize, and mitigate any potential adverse effects to traditional cultural properties or other cultural values.

Concern Statement: *The EA references the Americans with Disabilities Act (ADA) when it should reference the Architectural Barriers Act (ABA).*

NPS Response: The National Park Service is committed to making all reasonable efforts to comply with the Architectural Barriers Act of 1968 (ABA), the Rehabilitation Act of 1973, and section 507 of the Americans with Disabilities Act (ADA). The EA was not consistent in referencing the requirement to comply with the ABA rather than the ADA in more situations. This information will be incorporated into the EA through the errata sheets (see section below for Errata).

Concern Statement: *The EA does not define the abbreviation PA (programmatic agreement) and does not provide enough information regarding compliance under the National Historic Preservation Act.*

NPS Response: Information has been added to the EA describing the park's requirement to comply with NHPA § 106. Additionally, the first instance of the abbreviation PA will be defined in section 3.1.5, on page 32, paragraph 1. These changes will be incorporated into the EA through the errata sheets (see section below for Errata).

Concern Statement: *The rationale for limiting backcountry vehicles to 35 vehicles at a time is not adequately described in the EA.*

NPS Response: The backcountry vehicle permit system was put into place under the management of the Valles Caldera Trust and carried forward under the management of Valles Caldera by the NPS. The enabling legislation for the NPS management of Valles Caldera National Preserve allows the park to continue to implement management activities or plans adopted by the Valles Caldera Trust until such time as the park has completed a management plan. The reasons for this permit requirement are identified in the EA under section 3.2.1 (page 32 paragraph 3). The NPS may elect to explore this issue in the future, including during other planning efforts underway at the park.

Concern Statement: *The backcountry vehicle permit system is a significant barrier to public visitation.*

NPS Response: The NPS disagrees that the 35-vehicle permit requirement poses a significant barrier to public visitation. The current project will increase the number of visitors allowed to proceed beyond the Entrance Station given the permit system. Based on visitor use data collected at the entrance station, the 35-vehicle permit limit was only reached 24 times in a 153-day period in 2022 representing the peak visitation season at Valles Caldera (from July 1 - December 3). Additionally, the park believes that allowing visitors to travel all the way into the Cabin District without having to obtain a backcountry vehicle permit will further reduce the number of visitors who have to wait for a backcountry vehicle pass and the overall need for additional permits to provide vehicle access into the park. The NPS may elect to explore this issue in the future, including during other planning efforts underway at the park.

Resource Impacts

Concern Statement: *The NPS should try and retain the rustic character and feeling of the Valle Grande wherever possible including in material selection for road improvements.*

NPS Response: Improvements to road surfaces are not included in this project. The only areas where hardened surfaces will be implemented are the two ABA accessible parking spaces at the Ranger Station and the Entrance Station building. The accessible parking spaces will be constructed in accordance with standards described in the 2015 ABA Standards reference manual.

Concern Statement: *The NPS should reconsider the removal of the Valle Grande corrals located at the Entrance Station.*

NPS Response: Removal of the corrals is a complex decision based on competing values at the park for resource preservation and restoration of the park landscape from the impacts occurred during 19th and 20th century uses of Valles Caldera.

Retention of the corrals in the Valle Grande would conflict with several fundamental resource values at the park including volcanic vistas and scenic viewsheds in the Valle Grande, non-agricultural and indigenous cultural landscapes, and most importantly a landscape in recovery.

Eligibility assessment for the corrals resulted in a “not eligible” determination in consultation with SHPO. However, SHPO has since asked the park to reconsult on eligibility of the corrals, and the subsequent Historic Resources Study brings important historic context that will be relevant for this re-consultation and assessment of effect.

The park may elect to interpret the corrals in various ways. Should they ultimately be removed or modified, the ways in which the corrals continue to contribute to the historic legacy of Valles Caldera would be determined in consultation with the SHPO under the NHPA §106 process and PA for this project.

Concern Statement: *The discussion of impacts to historic buildings, historic district, and cultural landscapes did not include potential impacts to design and materials.*

NPS Response: The NPS agrees on this point and will update the EA section 3.1.3 to include the potential impacts to historic building design and materials resulting from this project. These features and potential alterations may affect the integrity or historic character of the historic buildings and individual buildings. This information will be incorporated into the EA through the errata sheets (see section below for Errata).

Concern Statement: *The language used in the cultural resources, summary of impacts, section on page 31 was confusing.*

NPS Response: An update to the EA section 3.1.5 will be made through the errata sheets (see section below for Errata).

Concern Statement: *Valles Caldera should leave trees adjacent to new infrastructure in place unless they pose a significant hazard.*

NPS Response: The only trees planned for removal are those that are considered hazardous under the park's hazard tree management plan and the decision to remove hazard trees would be based on evaluations completed in accordance with that plan. Hazardous trees adjacent to park facilities would be evaluated for their apparent risk and may be modified or removed to eliminate the potential risk. This information is contained in the EA in Appendix B, page 56, Soils and Vegetation section.

Concern Statement: *The creation of new infrastructure in the Cabin District will detract from the rustic and natural feeling of the area.*

NPS Response: The infrastructure being proposed for construction in the Cabin District is likely to detract from the historic setting, feeling, and association of that district. These impacts were identified in the EA under section 3.1.3. The impacts to the Cabin District resulting from the placement of new modern features within the district are being addressed under the PA between the NPS, the SHPO, and other consulting parties through considerations such as construction design, visual screening, material choice, and other methods.

Visitor Experience

Concern Statement: *The park should consider allowing camping to occur near the Cabin District in conjunction with this project.*

NPS Response: The modification of camping regulations within the park including authorized camping locations, camping permit requirements, and backcountry dispersed camping contained in the park Superintendent's Compendium are outside of the scope of this project and are not included in this assessment. The NPS may elect to explore this issue in the future, including during other planning efforts underway at the park.

Concern Statement: *The existing Ranger Station building is not designed to handle the amount of visitation that it will receive after becoming the primary visitor contact point for the NPS.*

NPS Response: The Ranger Station will be modified to provide improved accessibility. In addition to the information contained on page 34 paragraph 3, additional details regarding Ranger Station modifications are contained in the EA (page 12 paragraph 2, and page 13 paragraph 1). Additional modifications to the Ranger Station may be required in the future based on visitation but are speculative at this time and would be subject to additional NEPA analysis. The NPS may elect to explore this issue in the future, including during other planning efforts underway at the park.

Concern Statement: *The NPS needs to make accessibility improvements to any adjacent areas where visitation is expected to increase as a result of this project.*

NPS Response: Areas outside of the Cabin District and the Entrance Station are not expected to experience increased public utilization as a result of this project, as back-country access will continue at current levels (i.e., permits/access are not being increased). As per NPS policy, NPS will conduct any future infrastructure improvements in accordance with NPS Management Policies Section 9.1.2: Accessibilities for Persons with Disabilities.

Concern Statement: *The park should consider keeping the road leading into the park from NM-4 as a gravel road without further improvements.*

NPS Response: NPS has determined that the entrance road is in need of maintenance and safety improvements, given the level of traffic observed to date; however, any specific proposed changes to the entrance road will be included in a separate planning effort. Any improvements or modifications to the entrance road or entrance gate are outside of the scope of this project and are not included in this assessment. The NPS may elect to explore this issue in the future, including during other planning efforts underway at the park.

Concern Statement: *The creation of parking areas A and B will destroy the existing trailhead leading out to South Mountain.*

NPS Response: The park will install a new trailhead kiosk for the South Mountain Trail at the parking area B location. This kiosk is described in the EA in section 2.2.1, page 14 paragraph 7 and page 15 paragraph 1.

Concern Statement: *The kiosk being installed to service the South Mountain Trail may need to include information regarding other area trails, adjacent areas, and wintertime use.*

NPS Response: The kiosk being described in the EA (page 14, paragraph 7) is being installed to service the South Mountain Trail. Currently there is no trail connecting History Grove with the Skinning Shed buildings. This wintertime access is provided by the VC02 road which is generally closed to vehicles in the winter months.

Concern Statement: *The EA identifies that additional trails in park front country areas need infrastructure improvements but fails to propose any.*

NPS Response: Modifications to trails and visitor use areas outside of the Cabin District and Entrance Station are outside of the scope of this project and are not included in this assessment. The NPS may elect to explore this issue in the future, including during other planning efforts underway at the park.

Concern Statement: *The park should consider modifying the location of the existing entrance gate.*

NPS Response: Any improvements or modifications to the entrance gate are outside of the scope of this project and are not included in this assessment. The NPS may elect to explore this issue in the future, including during other planning efforts underway at the park.

Park Management

Concern Statement: *The NPS needs to meaningfully consult with affiliated Pueblos and Tribes regarding infrastructure modifications at Valles Caldera.*

NPS Response: The NPS agrees that meaningful consultation with federally recognized Tribes and Pueblos is important to management of the park in relation to this and other projects and plans being considered at Valles Caldera. The park has formally invited Tribes and Pueblos with a cultural connection to Valles Caldera to consult on this project and to participate in the development of a Programmatic Agreement and to join in the agreement as consulting parties. This information is contained in the EA in the Consultation and Coordination section, Consultation with Native American Tribal and Pueblo Governments (page 49).

Concern Statement: *The NPS should consider modifying the hours of operation to allow for access into the park after dark.*

NPS Response: Changes to the park operating hours are outside of the scope of this project and are not included in this assessment. The NPS may elect to explore this issue in the future, including during other planning efforts underway at the park.

Concern Statement: *The NPS should complete long-term planning prior to making any modifications to front country areas.*

NPS Response: One of the stated goals for this project is to make meaningful improvements to visitor services and infrastructure at Valles Caldera in the interim period while a management plan for the park is being developed. The park has already begun working on a management plan and changes resulting from the implementation of that plan may not be realized within the park for several years. These infrastructure improvements would serve to improve visitor use and recreation setting conditions at Valles Caldera in the interim period while the management plan is being developed and implemented.

Concern Statement: *The Cabin District should not be the primary visitor engagement area for Valles Caldera.*

NPS Response: This project will shift the primary visitor engagement area in the park from the Entrance Station to the Ranger Station located within the Cabin District. In addition to making the Cabin District more accessible, this change will also make desirable front country locations such as the South Mountain Trail and History Grove more accessible to visitors without having to obtain a backcountry vehicle permit.

Concern Statement: *Rather than focusing on the Cabin District, the park should consider new construction and investments closer to NM-4.*

NPS Response: The only existing facilities at Valles Caldera which could support use as a visitor contact center are the Entrance Station building and the Ranger Station. The Entrance Station building has been serving this role for the past several years and upon implementation of this project that function will shift to the Ranger Station in the Cabin District. Transferring visitor use from the Entrance Station to the Cabin District will allow the park to expose more visitors to Fundamental Park Resources and Values while utilizing existing facilities during the period of time that the park is creating a new management plan.

While some developments exist at the pullouts along NM-4, Coyote Call Trail, and the Valle Grande Trail which are popular with park visitors, there are no other facilities in those areas that could serve as the location of the park bookstore, volunteer and ranger staffing, visitor parking, and visitor contact programs without the need to engage in new construction.

The park is investigating a variety of potential options for future visitor engagement and management in the front country area of the park through the development of a management plan.

Concern Statement: *The NPS may be ramping up the interpretative program within Valles Caldera too quickly based on existing visitation numbers and needs to consider wintertime visitor programs.*

NPS Response: The NPS currently offers guided ranger walks and talks in the front country area of the park. The modified interpretive program intended to be implemented in the Cabin District following the shift of primary visitor engagement from the Entrance Station to the Cabin District is contained in the EA under section 2.2.1 (page 15 paragraph 5). The park is planning for both short- and long-term changes to the interpretive program. These changes include considerations for wintertime visitor use.

Concern Statement: *The NPS should consider the implementation a shuttle system to provide alternative access into the Cabin District.*

NPS Response: creation of a new NPS shuttle system to access the Cabin District is not being considered as part of this project.

Other

Concern Statement: *The EA is vague in discussing the current existing parking area located behind the Otero and Commissary Cabins.*

NPS Response: The EA mentions this parking area in the EA under section 2.2.1 (page 13 paragraph 2) as "... an area currently used for employee parking." The accessible parking spaces planned for construction next to the Ranger Station are not within the parking area mentioned. The new parking areas being constructed, parking area A and B, are better suited for public parking in the winter than the spaces behind the Otero Cabin.

Concern Statement: *Several of the terms used to describe modification or improvements related to accessibility were outdated or incorrect.*

NPS Response: The NPS agrees that the terminology used in the EA to describe accessibility issues and proposed improvements was outdated and, in some cases, incorrect. Suggested changes to the language used in the EA are being incorporated into the EA through the errata sheets (see section below for Errata).

Concern Statement: *Figure 12 was miscaptioned indicating that it displayed visitation data from both 2020 and 2021, when in fact it only showed 2021 data.*

NPS Response: Figure 12 will be updated to clearly show the chart reflects vehicle counts at the Entrance Station in 2021. This information will be incorporated into the EA through the errata sheets (see section below for Errata).

Concern Statement: *The EA is incorrect in stating that public use of Valles Caldera did not occur before federal ownership of the park.*

NPS Response: The NPS agrees that past private landowners allowed some guests to access Valles Caldera. This information will be incorporated into the EA through the errata sheets (see section below for Errata).

Concern Statement: *There was a typo where the EA referenced the Norris and Elliott draft historic resources study.*

NPS Response: This typo will be corrected, and the change will be incorporated into the EA through the errata sheets (see section below for Errata).

Errata

This errata section provides clarifications, modifications, or additional information to the EA and to the selected alternative, Alternative 2: Conduct Front Country Infrastructure Improvements at Valles Caldera (Proposed Action and Preferred Alternative).

Section 2.2.1: page 12, paragraph 2, sentence 8

Accessible parking signs would be installed on posts centered on each parking spot.

Section 2.2.1: page 13, paragraph 1, insert after sentence 6

The modified doorway will comply with ABA guidelines for door swing.

Section 2.2.1: page 13, paragraph 1, sentence 2

The ramp would replace the steps on the front porch.

Section 2.2.1: page 13, paragraph 2, insert between sentence 3 and 4

One electric charging station will be made accessible to people with disabilities.

Section 2.2.1: page 14, paragraph 1, sentence 6

The trails would be 5 feet wide and compatible with all ABA standards.

Section 2.2.1: page 14, paragraph 7, insert between sentence 1 and 2

The trailhead kiosk would comply with ABA standards.

Section 2.2.1: page 15, paragraph 1, sentence 1

Cabins throughout the cabin district would be connected to fiber optic cable to provide internet connectivity and to facilitate NPS interpretive programs.

Section 2.2.1: page 15, paragraph 4, insert between sentence 2 and 3

Park programs would be conducted in compliance with section 504 of the Rehabilitation Act of **1973**.

Section 2.2.1: page 15, paragraph 5, insert between sentence 4 and 5

Temporary portable toilets would comply with ABA standards.

Section 2.2.2: page 19, paragraph 1, sentence 3

The side closest to the Entrance Station would be reserved for accessible parking, electric vehicles, and staff parking, and the side by the existing vault toilet would provide general visitor parking.

Section 3.1: page 22, paragraph 1, sentence 1

Valles Caldera has a rich prehistoric and historic record, with the area being an obsidian source area for prehistoric people and the grasses of the Valles used for prehistoric hunting areas and historic sheep and cattle ranching areas (Norris and Elliott 2021), which has left numerous cultural resources in the area.

Section 3.1: page 22, insert after paragraph 1

In compliance with the National Historic Preservation Act (NHPA) § 106, Valles Caldera is entering into a Programmatic Agreement (PA) with the New Mexico State Historic Preservation Officer (SHPO) and other consulting parties regarding potential impacts to cultural resources resulting from this project.

Section 3.1.3: page 25, paragraph 4, last sentence

Compaction of subsurface archaeological deposits has the potential to compromise their data potential, as does future removal of fill and geotextile fabric.

Section 3.1.3: page 27, paragraph 1, sentence 5

However, the proposed action's introduction of above-ground parking areas and trails and other features such as electric vehicle charging stations, gates, signs, trailhead kiosks, flag pole, and other newly constructed infrastructure would alter the Cabin District's historic setting with the introduction of modern built environment features that could affect the integrity, historic character, or detract from the historic setting, feeling and association, resulting in an adverse effect to both individual buildings and to the larger historic district.

Section 3.1.3: page 27, paragraph 2, last sentence

These impacts would be mitigated through the implementation of archaeological monitoring during construction, or other potential mitigation measures such as testing or data recovery.

Section 3.1.5: page 31, paragraph 3, sentence 4

New features within the Cabin District such as the parking areas and trails would be designed and built in a way to minimize adverse impacts, but these measures themselves may not mitigate potential adverse effects under NHPA § 106. Additional mitigation measures may be necessary.

Section 3.1.5: page 31, paragraph 4, sentence 1

The intentional partial burial of known archaeological sites (LA137534, LA136351, LA140252, LA137536, LA137537, and other areas that have been subject to subsurface testing) is unlikely to significantly modify the integrity of these sites nor change NRHP eligibility status because the project is using fill to build the parking areas and trails above grade and will not be ground disturbing, and because other foreseeable actions such as future removal of fill and geotextile fabric can be designed to minimize adverse effects.

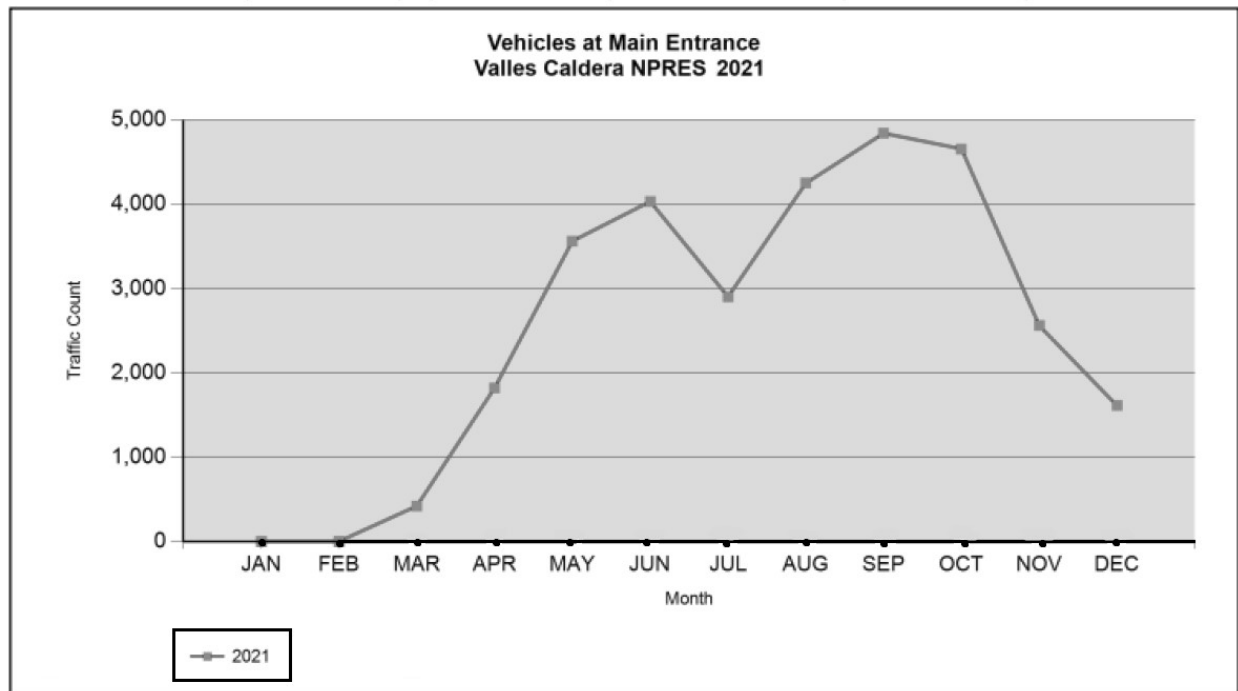
Section 3.1.5: page 32, paragraph 1, sentence 2

Should the park determine in consultation with SHPO and other consulting parties that adverse effects will occur or are likely to occur to intact subsurface archaeological deposits within the Cabin District, Valles Caldera will resolve the adverse effects through the Programmatic Agreement (PA) and in a treatment plan that is developed in consultation with consulting parties per the PA.

Section 3.2.1: page 32, paragraph 2, sentence 1 and 2

Limited use of Valles Caldera occurred with permission during the period of private ownership. After the passage of the Valles Caldera Preservation Act the Valles Caldera Trust was established and public visitation to Valles Caldera began.

Section 3.2.1: page 33, Figure 12, update figure



Section 3.2.3: page 37, paragraph 2, sentence 1

Accessibility improvements to the Ranger Station would allow visitors with disabilities to park adjacent to the building and experience access to entry.

Section 4: page 52

Norris, Frank, and Michael L. Elliott. 2021.

Appendix A: page 54, paragraph 2

The following tables identify the extent of known historic properties which would be affected by this project.

Appendix B: page 59, insert between paragraph 1 and 2

Viewscapes

Valles Caldera is a landscape of stunning views of broad grassland valleys surrounded by forested peaks and domes. These viewscapes are an important part of the park character and are included in the Valles Caldera Foundation Document (NPS 2018 [a]) as a Fundamental Resource Value, Valle Grande and Volcanic Vistas. Impacts to the park viewscape from the project would include the construction of two new parking areas on the northwest side of the Valle Grande near the Cabin District and from the removal of the corrals near the Entrance Station. The two new parking areas near the Cabin District have been designed to be partially screened by existing trees which are expected to minimize the visibility of the parking lots when seen from a distance. Consultation with SHPO will consider potential visual impacts to areas surrounding the Cabin District and will resolve those issues under the terms of the PA for this project. Removal of the corrals near the Entrance Station may also improve the landscape scale scenic views of the Valle Grande by reducing the visible footprint of manmade infrastructure associated with the Entrance Station area. Other temporary viewscape impacts would occur during construction periods for this project. For these reasons, impacts to viewscapes are being dismissed from detailed analysis.

Appendix B: page 59, paragraph 4

Sacred sites are those places having established religious meaning and as locales of private ceremonial activities (NPS 2006). The NPS will, to the extent practicable, accommodate access to and ceremonial use of Indian sacred sites by religious practitioners from recognized American Indian tribes, and avoid adversely affecting the physical integrity of such sacred sites. Through consultation efforts (see EA Chapter 4: Consultation and Coordination), the park is aware that the entire landscape of Valles Caldera is of great traditional religious and cultural significance for many Indian peoples, with specific importance placed on sacred sites located within the park. Multiple tribes have identified the Valle Grande area as a Traditional Cultural Property.

The park has been informed by the Pueblo of Jemez that Indian Sacred Sites exist within the project area. Consultation on how the physical integrity of these sites may be affected by the project will occur with Pueblo of Jemez as a consulting party and can be addressed under the terms of the PA.

General Edit: throughout EA

All instances in the EA which refer to the Americans with Disabilities Act (ADA) will be modified to read Architectural Barriers Act (ABA).

General Edit: throughout EA

All instances referring to ADA parking will be modified to read accessible parking.

Appendix B: Non-Impairment Determination

By enacting the NPS Organic Act of 1916 (Organic Act), Congress directed the U.S. Department of the Interior and the National Park Service to manage units "to conserve the scenery, natural and historic objects, and wildlife in the System units and to provide for the enjoyment of the scenery, natural and historic objects, and wildlife in such manner and by such means as will leave them unimpaired for the enjoyment of future generations (54 U.S.C. 100101)." NPS Management Policies 2006, Section 1.4.4, explains the prohibition on impairment of park resources and values:

"While Congress has given the Service the management discretion to allow impacts within parks, that discretion is limited by the statutory requirement (generally enforceable by the federal courts) that the Park Service must leave park resources and values unimpaired unless a particular law directly and specifically provides otherwise. This, the cornerstone of the Organic Act, establishes the primary responsibility of the National Park Service. It ensures that park resources and values will continue to exist in a condition that will allow the American people to have present and future opportunities for enjoyment of them."

An action constitutes impairment when it's 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)." To determine impairment, the NPS must evaluate the particular resources and values that will be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts. An impact on any park resource or value may constitute impairment, but an impact would be more likely to constitute impairment to the extent that it affects a resource or value whose conservation is:

- Necessary to fulfill specific purposes identified in the enabling legislation or proclamation of the park.
- Key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park.
- Identified in the park's foundation document or other relevant NPS planning documents as being of significance.

The purpose of Valles Caldera National Preserve is to protect, preserve, and restore 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. The resources that were carried forward for detailed analysis in the EA were visitor use and recreation setting, wildlife, and cultural resources, including impacts to the Baca Ranch Cabin District potential historic district and cultural landscape, historic buildings, and archaeology. Accordingly, a non-impairment determination is made for cultural resources and wildlife. A non-impairment determination is not necessary for visitor use and recreation setting because impairment findings relate back to park resources and values, and this impact topic is not generally considered a park resource or value according to the Organic Act.

The following non-impairment determinations have been prepared for the selected alternative, as described in the FONSI, for the Valles Caldera Front Country Infrastructure Improvements Project EA.

Cultural Resources

The cultural heritage of Valles Caldera is specifically identified in the park's enabling legislation and in the park's Foundation Document expressed in the statements of park significance and as fundamental resources and values.

The selected alternative will impact the proposed historic district and cultural landscape located at the Cabin District, a feature that is potentially eligible for listing on the NRHP. Alternative 2 will also impact archaeological sites and previously undiscovered archaeological resources located within the Cabin District and the Entrance Station areas of the park. Additionally, implementation of the selected alternative has the potential to impact historic buildings located within the Cabin District, many of which have been added individually to the NRHP.

The adverse effects to the potential Baca Ranch Cabin District historic district and cultural landscape, historic buildings, and archaeological sites will be resolved through a PA between the NPS, SHPO, and consulting parties. The PA details a process for phased identification of historic properties which will be impacted, phased assessment of effects for those resources, and the process for resolving adverse effects. Because multiple undertakings may occur over a multi-year period, a phased process for the park to complete NHPA § 106 obligations is necessary. Once properties have been identified and the degree of impact is known the PA will provide for a range of options intended to mitigate adverse impacts including the development of treatment plans, Historic American Buildings Survey (HABS) and the Historic American Engineering Record (HAER) documentation, archaeological monitoring, development of historical and other technical reports, close consultation between the park, consulting parties, and the SHPO, compensatory mitigation, and data recovery. The use of these mitigative measures will be evaluated and consultation on their appropriateness will occur on a case-by-case basis during the phased identification and assessment of effects.

The successful implementation of the PA and best management practices in Appendix C of the EA to mitigate impacts on cultural properties at Valles Caldera will allow the project to be implemented without impairment to cultural resources. Ultimately, the historic properties, cultural landscapes, and archaeological resources in the Cabin District and Entrance Station would remain present and intact in a manner that will continue to display the continued cultural use of the area and the varied human history at Valles Caldera. Despite the impacts described above, the prehistoric and historic legacies from indigenous use for hunting, gathering, and resources; American Southwest land development; and ranching and grazing activities will persist and continue to exhibit the cultural continuity of the area.

Wildlife

Wildlife and wildlife habitat are included in the Foundation Document for Valles Caldera National Preserve and in the park's enabling legislation as a resource of significant value.

Alternative 2 will impact wildlife species, including adverse impacts to Jemez Mountains salamander, Gunnison's prairie dog, Wrinkled marshsnail, migratory birds, and Rocky Mountain elk. These animals will experience small-scale habitat loss of approximately 1.5 acres, altered movement and behavior due to increased human activity and presence in the Cabin District, and physical disturbance and harm from construction activities. The impacts will generally be localized to the area of disturbance and increased public activity at the Cabin District and Entrance Station areas of the park and will not result in effects to population level of wildlife species. Wildlife generalist species may be temporarily displaced, and habitat specialists permanently displaced from existing habitat areas but are likely to disperse into other adjacent areas of the park with minimal lasting effects.

Impacts to wildlife at the park are primarily related to disturbance resulting from nonmotorized summer recreation, which would likely occur in park areas adjacent to the Cabin District. Valles Caldera will maintain the rich vegetation diversity, including valley wetlands, expansive grasslands, and forested mountain slopes creating a mosaic of wildlife habitats, generating high-desert and mountain-dwelling wildlife communities that include numerous sensitive species and abundant game. These impacts would result in slight changes in habitat use and alteration of wildlife behavior in the project area. The degree of disturbance will vary by species, and by the success of project mitigations and best management practices.

The proposed project would result in direct impacts to approximately 400 cubic yards of native soils and approximately 1.5 acres of surface vegetation. Loss of wildlife habitat for both terrestrial and subterranean species would occur in frontcountry areas that are already in use as areas of infrastructure and development to accommodate visitation. These impacts would continue to occur for up to 10 years in some cases, or potentially longer, depending on the guidance provided from subsequent park planning decisions.

Additional wildlife impacts, mostly resulting from increased nonmotorized recreation, will alter wildlife habitat use and behavior in high visitor density areas within and adjacent to front country areas. However, wildlife use of these habitat areas is not likely to cease following the implementation of this project and would likely be modified both spatially (accounting for increased distances between people and wildlife) and temporally (accounting for wildlife not occupying habitat areas while humans are present) to adjust for increases in visitor use throughout these areas.

Due to these considerations, the NPS has determined that impacts to wildlife species will not result in an impairment to wildlife at Valles Caldera and allowing the resources to still be available for the enjoyment of future generations.

Conclusion

In conclusion, as guided by this analysis, best available science and scholarship, advice from subject matter experts and others who have relevant knowledge and experience, and the results of public involvement activities, it is the Superintendent's professional determination is that there will be no impairment of park resources and values from the implementation of Alternative 2 because affected resources will still be present for the enjoyment of current and future generations.. This conclusion is based on consideration of the park's purpose and significance, a thorough analysis of the environmental impacts described in the EA, comments provided by the public and others, and the professional judgment of the decision maker (NPS Regional Director) guided by the direction of *NPS Management Policies 2006*.