

LA-UR-14-23673

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Title: FISCAL YEAR 2013 TRAILS MANAGEMENT PROGRAM MITIGATION ACTION PLAN
ANNUAL REPORT OCTOBER 2013

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Intended for: Report
Environmental Programs

Issued: 2015-04-07 (rev.2)

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MITIGATION ACTION PLAN ANNUAL REPORT

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New kiosks and gates at the Potrillo Canyon Trailhead, installed during summer 2013

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ACRONYM LIST

CFR	Code of Federal Regulations
DOE	Department of Energy
EA	environmental assessment
FONSI	Finding of No Significant Impact
FY	Fiscal Year
LANL	Los Alamos National Laboratory
LANS	Los Alamos National Security, LLC
MAP	Mitigation Action Plan
MAPAR	Mitigation Action Plan Annual Report
NMED	New Mexico Environment Department
NNSA	National Nuclear Security Administration
NPS	National Park Service
SWEIS	Site-Wide Environmental Impact Statement
TA	Technical Area
TWG	Trails Working Group
USFS	US Forest Service
VTF	Volunteer Task Force

1.0 EXECUTIVE SUMMARY

This Trails Management Program Mitigation Action Plan Annual Report (Trails MAPAR) has been prepared for the Department of Energy (DOE)/National Nuclear Security Administration (NNSA) as part of implementing the 2003 *Final Environmental Assessment for the Proposed Los Alamos National Laboratory Trails Management Program* (DOE 2003). The Trails Mitigation Action Plan (MAP) is now a part of the *Site-Wide Environmental Impact Statement for the Continued Operation of Los Alamos National Laboratory (DOE/EIS 0380) Mitigation Action Plan* (2008 SWEIS MAP) (DOE 2008). The MAP provides guidance for the continued implementation of the Trails Management Program at Los Alamos National Laboratory (LANL) and integration of future mitigation actions into the 2008 SWEIS MAP to decrease impacts associated with recreational trails use at LANL.

This eighth MAPAR includes a summary of Trails Management Program activities and actions during Fiscal Year (FY) 2013, from October 2012 through September 2013.

2.0 CONTEXT: TRAILS AT LANL

Recreational trails use at LANL has been considered one of the benefits of working and living in Los Alamos County. However, there was never an explicit DOE/NNSA or Los Alamos National Security, LLC (LANS) policy or mechanism to balance trails use on LANL property with environmental, cultural, safety, security, and operational concerns. In 2003, the DOE directed LANL to establish such a program. DOE/NNSA published the *Final Environmental Assessment for the Proposed Los Alamos National Laboratory Trails Management Program* and a Finding of No Significant Impact (FONSI) (DOE 2003) in September 2003. The DOE/NNSA issued a MAP for this environmental assessment (EA) on the same date. The most pertinent trails issues identified during the scoping of the EA were:

- DOE/NNSA does not have a public recreational mission established by Congress.
- The public gets conflicting messages regarding trails on LANL property because signs, access controls, and enforcement at LANL vary.
- Trespassing occasionally occurs from LANL onto adjacent lands where trail use is not permitted.
- Trail use poses threats to some cultural and natural resources.
- Trail use in certain LANL areas increases the risks of human exposure at potential release sites, and other operational and natural hazards including wildfires.
- Security concerns are posed by the use of certain LANL trails.

The MAP established the Trails Management Program, which would be implemented through individual projects, including measures for planning, repair and construction, environmental protection, safety, security, and post-repair and construction end-state conditions assessments. A standing Trails Working Group made up of LANL and other agency's stakeholders was formed to carry out this program.

The goals of the trails management program are:

Reduce the risk of damage and injury to property, human life, and health, and sensitive natural and cultural resources from social trail use at LANL.

Facilitate the establishment of a safe, viable network of linked trails across the Pajarito Plateau that traverse land holdings of various private and government entities for recreational use and for alternate transportation purposes without posing a threat to DOE and NNSA mission support work at LANL or disrupting LANL operations.

Maintain the security of LANL operations.

Respect the wishes of local Pueblos to maintain access to traditional cultural properties by Pueblo members while also preventing unauthorized public access to adjacent Pueblo lands and other lands identified as both religious and culturally sensitive areas to Native American communities.

Adapt trail use at LANL to changing conditions and situations in a responsive manner.

Maintain the recreational functionality of the DOE lands so that the land owned by the DOE remains open to all members of the public for non-motorized recreation, in compliance with federal laws and LANL operational constraints.

3.0 TRAILS MANAGEMENT PROGRAM

The Trails Working Group met eleven times in FY 2013. The Trails Working Group held its 91st meeting in September 2013. Typically, Trails Working Group attendees include subject-matter experts from LANL, representatives from Los Alamos County, nearby Pueblos, Bandelier National Monument, the Santa Fe National Forest, and interested local residents. Meetings provide an ongoing and in-depth forum for discussing and resolving trails mitigation issues that arise from active adaptive management. What follows are the highlights of the FY 2013 Trails Management Plan implementation at LANL.

3.1 Fixing and Protecting Trails

Trail repair and protection focused primarily on the 4,000-acre tracts located between White Rock and Bandelier National Monument, known as Technical Areas (TAs) 70 and 71. This buffer area is easily accessed from Pajarito Acres and State Road 4, and been used by the public for decades. LANS cultural resources staff and Bandelier patrols have observed problems in TA-70 and 71, and attempts to close trail segments were being challenged and impeded by users. In FY 2013 the Trails Management Program instituted a concerted effort to formally make the necessary changes recommended in previous studies of the area. Pursuant to an agreement with the DOE, National Park Service (NPS) rangers now have patrol and police enforcement authority under 36 Code of Federal Regulations (CFR). A mutual goal this past FY was to upgrade and standardize trailhead portals, signs, and general appearances in this area in order to better communicate privileges and responsibilities of trails users. The desired outcome of this effort is to implement a proper balance between LANL's federal stewardship requirements for protecting its natural and cultural resources with a long-standing popular trails access policy in TA-70 and 71. In March, LANS and DOE made the decision to install 12 trailhead gates, fences, kiosks, and to close other existing trailheads. These changes were implemented during the summer months of 2013. The NPS requested clarification about the use of mountain bicycles in TA-70 and 71. A subcommittee of the Trails Working Group subsequently met and later recommended allowing bikes on established trails.

In response to United States Forest Service (USFS) concerns about trailhead damage along West Jemez Road, the Trails Management Program coordinated with the Integrated Project Review Program to include a setback notification distance for LANL project reviews near the LANL boundary. It was agreed that 100 yards would suffice as the appropriate distance triggered in the LANL Permits and Requirements ID System. The intent is to avoid instances where work negatively impacts resources and trails on County, USFS and NPS lands. In September 2013, damage occurred on lands accessed by the Anniversary Trail when a County subcontractor bypassed access controls at the trailhead and operated on drill rig on the mesa for a week. Subsequent investigations and discussions between DOE/NNSA, LANS, and the County led to an agreement that the damage will be repaired by the County and its subcontractor(s). Coordination for County project will happen prior to work initiation in the future.

In 2013, the Volunteer Task Force Board (VTF) notified the Trails Management of its decision not to sign the revised Institutional Agreement between LANS and the VTF. The VTF cited costs of insurance coverage required by the agreement, competing priorities, and limited resources in its decision. Alternatives that would continue to allow volunteers to conduct trails maintenance are being explored by the Trails Working Group in light of the VTF's decision.

3.2 Public Information

In June 2013, a public meeting was held in White Rock, New Mexico, regarding issues with trails use, cultural resources, and stewardship efforts at TA-70 and 71. Topics covered included: an overview of trails and trails etiquette, resource protection requirements and proposed area closures, designs for fencing and kiosks, fire conditions, restrictions and the area closure process, Park Service Patrols and trails use rules, unexploded ordnance, and where to find trail information. The meeting was well attended mostly by local residents and long-time trail users who generally thought that a more proactive management approach was warranted, while their concerns about losing access were acknowledged and addressed. A follow-on site visit was held in mid-July with affected residents, those who live in areas adjacent to the proposed fence. The solution was to install segments of new fencing and access gates for the affected properties.

In order to provide more information to the public, the Trails Management Program has revamped its external website. The updated public website is found <http://www.lanl.gov/community-environment/environmental-stewardship/protection/trails.php>. There is now also a trails blog for LANS employees to comment on trails conditions and updates at <http://blog.lanl.gov/trails/>

In a related effort, new trailhead signs (Figure 1) were finalized after considerable review by the Trails Working Group. These signs will replace the current signs installed several years ago. The objective is to provide consistent, clear and comprehensible messaging for all trail users at TA-70 and 71. Signs like the one below will be placed in the kiosks at entrances to TA-70 and 71.



Figure 1. New trailhead sign.

3.3 Cultural and Biological Resources Protection

A primary focus of the Trails Management Program was cultural resources protection in FY 2013, specifically the efforts described above enhancing controls and patrolling at TA-70 and 71.

As part of the Laboratory’s Habitat Management Plan, which provides a strategy for the protection of threatened and endangered species and their habitats on LANL property, Mexican Spotted Owl surveys began on March 1 and concluded mid-May. There were seasonal trail closures when the surveys were conducted. Most trails were reopened, but trails in areas where the surveys indicated owls were present remained closed until August 31. The Mexican Spotted Owl (*Strix occidentalis lucida*) and Southwestern Willow Flycatcher (*Empidonax trailii eximius*) are federally listed threatened or endangered species. Reopening the Los Alamos Canyon Trail was discussed, as was the possibility of including it in the Bandelier National Monument patrol area. Issues concerning Mexican Spotted Owl impacts in the canyon, and PCB cleanup would need to be resolved before the area could open to the public. The Jemez Mountain Salamander was also listed as an endangered species in 2013 and some parts of Los Alamos Canyon are potential habitat.

In FY 2013, the Trails Working Group continued to review the problem of feral cattle in White Rock Canyon (where there are popular hiking trails). This is a trails management issue for several reasons. The canyon is part of the White Rock Canyon Reserve, which is an inappropriate place for bovines. There are sensitive species present, and there is a potential for the cows to damage habitat and cultural resources, and they threaten the safety of hikers because they are not tame. Cameras were installed on the Ancho Springs Trail in FY 2013 and they

showed lots of wildlife including bear, cougar, bobcat, and also cattle. A report with recommendations for feral cattle removal options was submitted to the Field Office.

3.4 Security and Safety

During FY 2013, the Trails Management Program continued to coordinate with Bandelier National Monument law enforcement on patrols and trespassing issues. This has been facilitated by the revised Superintendent's Compendium and agreement between DOE/NNSA and the NPS that allows enforcement pursuant to 36CFR on certain DOE lands at LANL. LANS cultural resources staff contacts Bandelier when they conduct fieldwork in the areas patrolled by NPS. The Trails Working Group contacts LANS security and the Los Alamos Police Department on matters of unauthorized trails use and parking to access trails. The Trails Management Program also coordinated with the Los Alamos County Trails and Open Space Program on a variety of issues affecting both Los Alamos County and LANL/DOE, including trails maintenance, closures, and way-finding.

The Trails Working Group also continued to review reopening Los Alamos Canyon to the public for hiking and bicycling during FY 2013. In July, a representative from the LANS Environmental Programs Directorate provided the Trails Working Group with an overview of the corrective actions activities that have occurred and those that are still planned by DOE and LANS to address the New Mexico Environment Department (NMED) Consent Order over the next few years to remediate legacy contamination in and around Los Alamos Canyon. The goal is to remediate to a level acceptable in the future and NMED must concur with the chosen methods and approve the final investigation report that demonstrates all necessary work has been completed.

Stage 3 fire restrictions began in June 2013 on most LANL trails with the exception of the Wellness Trails and at TA-70 and 71, but these were later rescinded with the onset of the monsoon rains. In early September extreme flooding impacted much of the LANL site. Preliminary assessments conducted at the end of FY 2013 indicated that the rains affected LANL canyons, trails, monitoring stations, and a variety of other mission activities and resources. Further evaluations may be conducted in FY 2014, but there have been no trail closures at LANL resulting from the rains and flooding.

4.0 REFERENCES

DOE 2003. US Department of Energy, 2003. Finding of No Significant for the Proposed Los Alamos National Laboratory Trails Management Program, DOE/EA-1431, Los Alamos, New Mexico.

DOE 2008: US Department of Energy, 2008. Site-Wide Environmental Impact Statement for the Continued Operation of Los Alamos National Laboratory (DOE/EIS-0380) Mitigation Action Plan, DOE/EIS-0380, Los Alamos, New Mexico.

