



United States Department of the Interior

NATIONAL PARK SERVICE

Yosemite National Park
P. O. Box 577
Yosemite, California 95389

IN REPLY REFER TO:
L7615(YOSE-PM)

Memorandum

To: Bill Kuhn, Project Manager, Yosemite National Park

From: Superintendent, Yosemite National Park

Subject: NEPA and NHPA Clearance: 2013-001 Yosemite Valley California Black Oak Preservation (45422)

The Executive Leadership Team has reviewed the proposed project/action and completed its environmental assessment documentation, and we have determined the following:

- Will not be any effect on threatened, endangered, or rare species and/or their critical habitat.
- Will not be any effect on historical, cultural, or archeological resources.
- Will not be serious or long-term undesirable environmental or visual effects.

The subject proposed project, therefore, is/are now cleared for all NEPA and NHPA compliance requirements as presented above. Project plans and specifications are approved and construction and/or project implementation can commence.

For the proposed project actions to be within compliance requirements during construction and/or project implementation, the following mitigations must be adhered to:

- A No Adverse Effect determination is dependent on the following: 1) Project manager will avoid excavations at the two archeological sites in the Bridalveil Straight area; 2) In the Yosemite Village/Lodge area, where large, complex archeological sites are located, project manager will work with archeological monitor to avoid known human burial locations and implement monitoring and education strategy for the remaining archeological site locations.

For complete compliance information see PEPC Project 45422.

//Don L. Neubacher//
Don L. Neubacher

*The signed original of this document is on file at the
Environmental Planning and Compliance Office in
Yosemite National Park.*

Enclosure (with attachments)

cc: Statutory Compliance File



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

**Yosemite National Park
Date: 02/12/2013**

Categorical Exclusion Form

Project: 2013-001 Yosemite Valley California Black Oak Preservation

PEPC Project Number: 45422

Project Description:

This project proposes to restore iconic and ecologically and culturally important California black oak groves within Yosemite Valley. Previous research found that these groves are slowly declining as adults die and are not being replaced naturally by younger trees. Young seedlings that are not surviving are likely succumbing to over browsing by an overabundant deer population as well as predation by rodents. Acorns will be collected from trees and then planted in winter 2013 and 2014 in selected groves. Once planted, one half of the acorns will receive protection from deer and rodents in the form of above ground and below ground wire cages. This process will be repeated for a second year in 2014. The growth and survival of the emerging seedlings will be tracked over the two year period. Over the two year period, approximately 300-400 new seedlings will be established in the groves in an effort to slowly restore these important populations.

In 2013, the six sites where restoration will occur are:

- Bridalveil Straight
- El Cap Meadow
- Schoolyard/Yosemite Village
- Ahwahnee Meadow
- Ahwahnee
- Stoneman Meadow

In these six groves (sites) dominated by California black oak, locally collected acorns will be planted in the ground during the period February - April in 2013. Acorns will not be planted within the adjacent meadows far from existing black oak groves, but within and next to the existing black oak groves. The number of acorns planted at each site varies by the number of acorns collected from the site and the number of existing adult black oaks at the site. In total, over all six sites approximately 150-200 pairs of acorns will be planted for each of the two years of the project. Each pair will consist of side-by-side plantings. Around one of each pair, an above ground cylindrical, deer exclusion cage and below ground cylindrical cage will be placed to protect the emerging seedling from mammals. This cylindrical exclusion cage is made from steel four inch x four inch mesh fencing that is five feet tall. The cylinder is secured to the ground with a metal t-post. The other side of each pair will receive no deer exclusion cage. For the below ground cages, a hand auger will be used to dig a hole approximately 12 inches deep and six inches wide. A cylindrical non-galvanized steel wire cylinder will then be placed in the hole and the hole filled with the soil excavated. A small identification tag will be placed on each cage. In summary, for the 150-200 pairs of acorn plantings over all six sites for each year, each will have one above ground cage that is four feet in diameter and five feet tall. Half of those cages will be a smaller cylindrical cage that is

sunk 12 inches into the ground and extends two feet above ground. On one to several cages per grove, a small (~five inch x seven inch) laminated sign will be placed informing visitors of the project, its purpose, and recognition of the Yosemite Conservancy. The sign will read: "This is a native California black oak research and restoration project conducted by the National Park Service and supported by the Yosemite Conservancy. These cages will be protecting growing seedlings in an effort to promote recruitment of new trees into these groves and enhance this important ecological and cultural resource." Above ground deer and rodent exclusion cages will stay in place until the oak seedling grows to at least six feet tall over a period of approximately five to ten years. When the young oak reaches this height, all material will be removed and the tree will be tagged for further monitoring. In 2014, the planting locations will be the same, but may include some new sites, depending on where acorns will be collected.

Project Locations:

Mariposa County, CA

Mitigation:

- A No Adverse Effect determination is dependent on the following: 1) Project manager will avoid excavations at the two archeological sites in the Bridalveil Straight area; 2) In the Yosemite Village/Lodge area, where large, complex archeological sites are located, project manager will work with archeological monitor to avoid known human burial locations and implement monitoring and education strategy for the remaining archeological site locations.

Describe the category used to exclude action from further NEPA analysis and indicate the number of the category (see Section 3-4 of DO-12):

E.2 Restoration of noncontroversial native species into suitable habitats within their historic range and elimination of exotic species.

On the basis of the environmental impact information in the statutory compliance file, with which I am familiar, I am categorically excluding the described project from further NEPA analysis. No exceptional circumstances (e.g. all boxes in the ESF are marked "no") or conditions in Section 3-6 apply, and the action is fully described in Section 3-4 of DO-12.

Superintendent //Don L. Neubacher//

*The signed original of this document is on file at the
Environmental Planning and Compliance Office in
Yosemite National Park.*

Date 3/15/13



National Park Service
U.S. Department of the Interior

Yosemite National Park
Date: 02/12/2013

**ENVIRONMENTAL SCREENING FORM (ESF)
DO-12 APPENDIX 1**

Date Form Initiated: 01/15/2013

Updated May 2007 - per 2004 Departmental Manual revisions and proposed Director's Order 12 changes

A. PROJECT INFORMATION

Park Name: Yosemite National Park
Project Title: 2013-001 Yosemite Valley California Black Oak Preservation
PEPC Project Number: 45422
Project Type: Special Resource Study/New Area Study (SRS)
Project Location:
County, State: Mariposa, California
Project Leader: Bill Kuhn

Is project a hot topic (controversial or sensitive issues that should be brought to attention of Regional Director)? No

B. RESOURCE EFFECTS TO CONSIDER:

Identify potential effects to the following physical, natural, or cultural resources	No Effect	Negligible Effects	Minor Effects	Exceeds Minor Effects	Data Needed to Determine/Notes
1. Geologic resources – soils, bedrock, streambeds, etc.		Negligible			There will be 75-100 holes dug, each 6 inches in diameter and 12 inches deep.
2. From geohazards	No				
3. Air quality	No				
4. Soundscapes	No				
5. Water quality or quantity	No				

Identify potential effects to the following physical, natural, or cultural resources	No Effect	Negligible Effects	Minor Effects	Exceeds Minor Effects	Data Needed to Determine/Notes
6. Streamflow characteristics	No				
7. Marine or estuarine resources	No				
8. Floodplains or wetlands	No				
9. Land use, including occupancy, income, values, ownership, type of use	No				
10. Rare or unusual vegetation – old growth timber, riparian, alpine	No				
11. Species of special concern (plant or animal; state or federal listed or proposed for listing) or their habitat	No				
12. Unique ecosystems, biosphere reserves, World Heritage Sites	No				Yosemite National Park is a World Heritage Site.
13. Unique or important wildlife or wildlife habitat	No				
14. Unique or important fish or fish habitat	No				
15. Introduce or promote non-native species (plant or animal)	No				
16. Recreation resources, including supply, demand,	No				

Identify potential effects to the following physical, natural, or cultural resources	No Effect	Negligible Effects	Minor Effects	Exceeds Minor Effects	Data Needed to Determine/Notes
visitation, activities, etc.					
17. Visitor experience, aesthetic resources		Negligible			There will be some visual intrusion until the young seedlings are at least six feet tall - approximately five - ten years.
18. Archeological resources		Negligible			Yosemite Valley Archeological District
19. Prehistoric/historic structure	No				Ahwahnee National Historic Landmark
20. Cultural landscapes		Negligible			Yosemite Valley Historic District; Yosemite Village Historic District.
21. Ethnographic resources	No				Yosemite Valley Traditional Cultural Property.
22. Museum collections (objects, specimens, and archival and manuscript collections)	No				
23. Socioeconomics, including employment, occupation, income changes, tax base, infrastructure	No				
24. Minority and low income populations, ethnography, size, migration patterns, etc.	No				
25. Energy resources	No				
26. Other agency or tribal land use plans or policies	No				

Identify potential effects to the following physical, natural, or cultural resources	No Effect	Negligible Effects	Minor Effects	Exceeds Minor Effects	Data Needed to Determine/Notes
27. Resource, including energy, conservation potential, sustainability	No				
28. Urban quality, gateway communities, etc.	No				
29. Long-term management of resources or land/resource productivity	No				This project has a positive impact on managing the California Black Oak population in Yosemite Valley.
30. Other important environment resources (e.g. geothermal, paleontological resources)?	No				

C. MANDATORY CRITERIA

Mandatory Criteria: If implemented, would the proposal:	Yes	No	N/A	Comment or Data Needed to Determine
A. Have significant impacts on public health or safety?		No		
B. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas?		No		
C. Have highly controversial environmental effects or involve		No		

Mandatory Criteria: If implemented, would the proposal:	Yes	No	N/A	Comment or Data Needed to Determine
unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))?				
D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		No		
E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?		No		
F. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		No		
G. Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places, as determined by either the bureau or office?		No		
H. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?		No		
I. Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?		No		
J. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		No		
K. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites		No		

Mandatory Criteria: If implemented, would the proposal:	Yes	No	N/A	Comment or Data Needed to Determine
(Executive Order 13007)?				
L. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?		No		

For the purpose of interpreting these procedures within the NPS, any action that has the potential to violate the NPS Organic Act by impairing park resources or values would constitute an action that triggers the DOI exception for actions that threaten to violate a federal law for protection of the environment.

D. OTHER INFORMATION

1. Are personnel preparing this form familiar with the site? Yes
- 1.A. Did personnel conduct a site visit? No
2. Is the project in an approved plan such as a General Management Plan or an Implementation Plan with an accompanying NEPA document? No
3. Are there any interested or affected agencies or parties? Yes
- 3.A. Did you make a diligent effort to contact them? Yes
4. Has consultation with all affected agencies or tribes been completed? No
5. Are there any connected, cumulative, or similar actions as part of the proposed action? (*e.g., other development projects in area or identified in GMP, adequate/available utilities to accomplish project*) No

E. INTERDISCIPLINARY TEAM SIGNATORIES

<u>Interdisciplinary Team</u>	<u>Field of Expertise</u>
Don L. Neubacher	Superintendent
Woody Smeck	Deputy Superintendent
Michael Gauthier	Chief of Staff
Kathleen Morse	Chief of Planning
Randy Fong	Chief of Project Management
Teri Austin	Chief of Administration Management
Ed Walls	Chief of Facilities Management
Linda C. Mazzu	Chief of Resources Management & Science
Kris Kirby	Chief of Business and Revenue Management
Tom Medema	Chief of Interpretation and Education
Kevin Killian	Acting Chief of Visitor and Resource Protection
Bill Kuhn	Project Leader

Madelyn Ruffner Renea Kenec	Acting Environmental Planning and Compliance Program Manager NEPA Specialist
--------------------------------	--

F. SUPERVISORY SIGNATORY

Based on the environmental impact information contained in the statutory compliance file and in this environmental screening form, environmental documentation for this stage of the subject project is complete.

Recommended:

Compliance Specialists	Date
<u>//Renea Kenec//</u> Compliance Specialist – Renea Kenec	<u>3/4/13</u>
<u>Erin Davenport//</u> Acting Compliance Program Manager – Madelyn Ruffner	<u>3/6/13</u>
<u>//Randy Fong//</u> Chief, Project Management – Randy Fong	<u>3/7/13</u>

Approved:

Superintendent	Date
<u>//Don L. Neubacher//</u> Don L. Neubacher	<u>3/15/13</u>

The signed original of this document is on file at the Environmental Planning and Compliance Office in Yosemite National Park.



National Park Service
U.S. Department of the Interior

Yosemite National Park
Date: 02/12/2013

PARK ESF ADDENDUM

Today's Date: February 12, 2013

PROJECT INFORMATION

Park Name: Yosemite National Park
Project Title: 2013-001 Yosemite Valley California Black Oak Preservation
PEPC Project Number: 45422
Project Type: Special Resource Study/New Area Study (SRS)
Project Location:
County, State: Mariposa, California
Project Leader: Bill Kuhn

PARK ESF ADDENDUM QUESTIONS & ANSWERS

ESF Addendum Questions	Yes	No	N/A	Data Needed to Determine/Notes
SPECIAL STATUS SPECIES CHECKLIST				
Listed or proposed threatened or endangered species (Federal or State)?		No		
Species of special concern (Federal or State)?		No		
Park rare plants or vegetation?		No		
Potential habitat for any special-status species listed above?		No		
NATIONAL HISTORIC PRESERVATION ACT CHECKLIST				
Entail ground disturbance?	Yes			There will be 75-100 holes dug, each 6 inches in diameter and 12 inches deep.
Are any archeological or ethnographic sites located within the area of potential effect?	Yes			Yosemite Valley Archeological District; Yosemite Valley Traditional Cultural Properties.
Entail alteration of a historic structure or cultural landscape?	Yes			The tree plantings are within the Ahwahnee Hotel

ESF Addendum Questions	Yes	No	N/A	Data Needed to Determine/Notes
				area.
Has a National Register form been completed?	Yes			
Are there any structures on the park's List of Classified Structures in the area of potential effect?	Yes			Ahwahnee National Historic Landmark
WILD AND SCENIC RIVERS ACT CHECKLIST				
Fall within a wild and scenic river corridor?	Yes			Merced River
Fall within the bed and banks AND will affect the free-flow of the river?		No		
Have the possibility of affecting water quality of the area?		No		
Remain consistent with its river segment classification?			N/A	
Fall on a tributary of a Wild and Scenic River?		No		
Will the project encroach or intrude upon the Wild and Scenic River corridor?		No		
Will the project unreasonably diminish scenic, recreational, or fish and wildlife values?		No		
Consistent with the provisions in the Merced River Plan Settlement Agreement?	Yes			
WILDERNESS ACT CHECKLIST				
Within designated Wilderness?		No		
Within a Potential Wilderness Addition?		No		



National Park Service
U.S. Department of the Interior

Yosemite National Park
Date: 02/12/2013

ASSESSMENT OF ACTIONS HAVING AN EFFECT ON CULTURAL RESOURCES

A. DESCRIPTION OF UNDERTAKING

1. **Park:** Yosemite National Park

2. **Project Description:**

Project Name: 2013-001 Yosemite Valley California Black Oak Preservation

Prepared by: Renea Kennec

Date Prepared: 01/28/2013

Telephone: 209-379-1038

PEPC Project Number: 45422

Area of potential effects (as defined in 36 CFR 800.16[d])

3. **Has the area of potential effects been surveyed to identify historic properties?**

No

Yes

Source or reference: Yosemite Valley Historic District; Yosemite Village Historic District; Yosemite Valley Archeological District; Yosemite Valley Traditional Cultural Properties; Ahwahnee National Historic Landmark.

4. **Potentially Affected Resource(s):**

Archeological resources affected:

Name and numbers: Yosemite Valley Archeological District

NR status: 1 - Listed in Register and documented

Historical Structures/Resources Affected:

Name and numbers: Ahwahnee Hotel National Historical Landmark

NR status: 7 - A designated National Historical Landmark

Cultural Landscapes Affected:

Name and numbers: Yosemite Village Historic District

NR status: 1 - Listed in Register and documented

Name and numbers: Yosemite Valley Historic District
NR status: 1 - Listed in Register and documented

5. The proposed action will: (check as many as apply)

- No Destroy, remove, or alter features/elements from a historic structure
- No Replace historic features/elements in kind
- No Add non-historic features/elements to a historic structure
- No Alter or remove features/elements of a historic setting or environment (inc. terrain)
- No Add non-historic features/elements (inc. visual, audible, or atmospheric) to a historic setting or cultural landscape
- Yes
- No Disturb, destroy, or make archeological resources inaccessible
- No Disturb, destroy, or make ethnographic resources inaccessible
- Yes Potentially affect presently unidentified cultural resources
- No Begin or contribute to deterioration of historic features, terrain, setting, landscape elements, or archeological or ethnographic resources
- No Involve a real property transaction (exchange, sale, or lease of land or structures)
- No Other (please specify): _____

6. Supporting Study Data:

(Attach if feasible; if action is in a plan, EA or EIS, give name and project or page number.)

B. REVIEWS BY CULTURAL RESOURCE SPECIALISTS

The park 106 coordinator requested review by the park's cultural resource specialist/advisors as indicated by check-off boxes or as follows:

[X] Archeologist
Name: Sonny Montague
Date: 02/14/2013

Check if project does not involve ground disturbance []

Assessment of Effect: No Potential to Cause Effect No Historic Properties Affected No Adverse Effect Adverse Effect Streamlined Review

Recommendations for conditions or stipulations: The following conditions are recommended to achieve a no adverse effect determination: 1) Project manager will avoid excavations at the two archeological sites in the Bridalveil Straight area; 2) In the Yosemite Village/Lodge area, where large, complex archeological sites are located, project manager will work with archeological monitor to avoid known human burial locations and implement monitoring and education strategy for the remaining archeological site locations.

Doc Method: Park Specific Programmatic Agreement

Anthropologist

Name: Laura Kirn

Date: 02/14/2013

Comments: Project includes support for tribal cultural specialists to be involved. By incorporating tribal cultural perspectives and potentially cultural monitoring, project will avoid adverse effects to culturally significant resources.

Check if project does not involve ground disturbance

Assessment of Effect: No Potential to Cause Effect No Historic Properties

Affected No Adverse Effect Adverse Effect Streamlined Review

Recommendations for conditions or stipulations: Continue with tribal consultation, and tribal cultural specialist involvement in project.

Doc Method: Park Specific Programmatic Agreement

Historical Landscape Architect

Name: Kevin McCardle

Date: 01/31/2013

Check if project does not involve ground disturbance

Assessment of Effect: No Potential to Cause Effect No Historic Properties

Affected No Adverse Effect Adverse Effect Streamlined Review

Recommendations for conditions or stipulations: Efforts will be made to minimize visual impacts by not clustering plantings and looking at alternative staking methods.

Doc Method: Stipulations/Conditions

No Reviews From: Curator, Historical Architect, Historian, 106 Advisor, Other Advisor

C. PARK SECTION 106 COORDINATOR'S REVIEW AND RECOMMENDATIONS

1. Assessment of Effect:

No Potential to Cause Effects

No Historic Properties Affected

No Adverse Effect

Adverse Effect

2. Documentation Method:

A. STANDARD 36 CFR PART 800 CONSULTATION

Further consultation under 36 CFR Part 800 is needed.

B. STREAMLINED REVIEW UNDER THE 2008 SERVICEWIDE PROGRAMMATIC AGREEMENT (PA)

The above action meets all conditions for a streamlined review under section III of the 2008 Servicewide PA for Section 106 compliance.

APPLICABLE STREAMLINED REVIEW Criteria
(Specify 1-16 of the list of streamlined review criteria.)

C. PLAN-RELATED UNDERTAKING

Consultation and review of the proposed undertaking were completed in the context of a plan review process, in accordance with the 2008 Servicewide PA and 36 CFR Part 800.
Specify plan/EA/EIS:

D. UNDERTAKING RELATED TO ANOTHER AGREEMENT

The proposed undertaking is covered for Section 106 purposes under another document such as a statewide agreement established in accord with 36 CFR 800.7 or counterpart regulations.
Specify: 1999 Programmatic Agreement

E. COMBINED NEPA/NHPA Document

Documentation is required for the preparation of an EA/FONSI or an EIS/ROD has been developed and used so as also to meet the requirements of 36 CFR 800.3 through 800.6

G. Memo to SHPO/THPO

H. Memo to ACHP

3. Additional Consulting Parties Information:

Additional Consulting Parties: No

4. Stipulations and Conditions:

Following are listed any stipulations or conditions necessary to ensure that the assessment of effect above is consistent with 36 CFR Part 800 criteria of effect or to avoid or reduce potential adverse effects.

5. Mitigations/Treatment Measures:

Measures to prevent or minimize loss or impairment of historic/prehistoric properties:
(Remember that setting, location, and use may be relevant.)

No Assessment of Effect mitigations identified.

D. RECOMMENDED BY PARK SECTION 106 COORDINATOR:

Acting Historic Preservation Officer:

Kimball

Koch //Kimball Koch// Date: 3/5/13

E. SUPERINTENDENT'S APPROVAL

The proposed work conforms to the NPS *Management Policies* and *Cultural Resource Management Guideline*, and I have reviewed and approve the recommendations, stipulations, or conditions noted in Section C of this form.

Superintendent: //Don L. Neubacher// Date: 3/15/13

Don L. Neubacher

*The signed original of this document is on file at the
Environmental Planning and Compliance Office in
Yosemite National Park.*