



IN REPLY REFER TO:
L7615(YOSE-PM)

United States Department of the Interior

NATIONAL PARK SERVICE

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

Memorandum

To: Sean McCabe, Project Manager, Yosemite National Park

From: Superintendent, Yosemite National Park

Subject: NEPA and NHPA Clearance: 2014-023 El Portal Administrative Site Esquivel House Construction (52916)

The subject proposed project, therefore, is 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.

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

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

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

Archeological spot-check monitoring is stipulated to:

- 1) identify presence/absence of intact sediments;
- 2) document cultural materials;
- 3) identify and document any inadvertent discoveries; and
- 4) provide archeological recommendations for any changes in construction plans.

Since the homeowner plans to hand excavate the new foundation and propane line, the homeowner should consult with the park Archeologist for an orientation to archeological materials and proper handling techniques to ensure that any archeological findings are treated appropriately.

For complete compliance information see PEPC Project 52916.

 //Kevin Killian// for
Don L. Neubacher

Enclosure (with attachments)

cc: Statutory Compliance File

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



Categorical Exclusion Form

Project: 2014-023 El Portal Administrative Site Esquivel House Construction

PEPC Project Number: 52916

Project Description:

Tim and Mia Esquivel own a private home in the El Portal Administrative Site. The house is located within a residential neighborhood administered by the National Park Service (NPS) to provide housing for park employees, contractors, and partners.

The Esquivels have already demolished the existing house. They want to build a new house upon the site of the former building. In order to obtain a Mariposa County building permit to construct this new house they must first obtain the approval of the NPS.

The proposed new house would remain a single family residential structure and will retain the massing, scale, and character found in other single family residential structures in the neighborhood. Once approved the construction of the addition should take between 9 and 12 months to complete.

Project Locations:

Mariposa County, CA

Mitigations:

Archeological spot-check monitoring is stipulated to:

- 1) identify presence/absence of intact sediments;
- 2) document cultural materials;
- 3) identify and document any inadvertent discoveries; and
- 4) provide archeological recommendations for any changes in construction plans.

Since the homeowner plans to hand excavate the new foundation and propane line, the homeowner should consult with the park Archeologist for an orientation to archeological materials and proper handling techniques to ensure that any archeological findings are treated appropriately.

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):

C.19 Construction or rehabilitation in previously disturbed or developed areas, required to meet health or safety regulations, or to meet requirements for making facilities accessible to the handicapped.

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: //Kevin Killian// for

Don L. Neubacher

Date: 8/7/14

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ENVIRONMENTAL SCREENING FORM (ESF)

DO-12 APPENDIX 1

Date Form Initiated: 08/06/2014

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: 2014-023 El Portal Administrative Site Esquivel House Construction
PEPC Project Number: 52916
Project Type: Special Use Permit (SUP)
Project Location:
County, State: Mariposa, California
Project Leader: Sean McCabe

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 | | | Foundation work includes ground disturbance measuring 28 feet x 39 feet x 18 inches. |
| 2. From geohazards | No | | | | |
| 3. Air quality | | Negligible | | | The house construction will produce some temporary air emissions. |
| 4. Soundscapes | | Negligible | | | Typical construction noises will occur during the project. |
| 5. Water quality or quantity | No | | | | |
| 6. Streamflow characteristics | 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 |
|--|------------------|---------------------------|----------------------|------------------------------|---------------------------------------|
| 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 | | | | |
| 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, visitation, activities, | 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 |
|--|------------------|---------------------------|----------------------|------------------------------|---|
| etc. | | | | | |
| 17. Visitor experience, aesthetic resources | No | | | | |
| 18. Archeological resources | | Negligible | | | El Portal Archeological District |
| 19. Prehistoric/historic structure | No | | | | |
| 20. Cultural landscapes | No | | | | |
| 21. Ethnographic resources | | Negligible | | | El Portal historic property with religious and cultural significance. |
| 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 | | | | |
| 27. Resource, | 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 |
|---|-----------|--------------------|---------------|-----------------------|--------------------------------|
| including energy, conservation potential, sustainability | | | | | |
| 28. Urban quality, gateway communities, etc. | No | | | | |
| 29. Long-term management of resources or land/resource productivity | No | | | | |
| 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 | | No | | |

| Mandatory Criteria: If implemented, would the proposal: | Yes | No | N/A | Comment or Data Needed to Determine |
|--|------------|-----------|------------|--|
| integrity of such sacred sites (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 | | |

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? No
4. Has consultation with all affected agencies or tribes been completed? Yes
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 |
| Michael Gauthier | Chief of Staff |
| Kathleen Morse | Chief of Planning |
| Randy Fong | Chief of Project Management |
| Dale St. Vincent | Acting Chief of Administration Management |
| Ron Borne | 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 | Chief of Visitor and Resource Protection |
| Sean McCabe | Project Leader |
| Lisa Acree | Acting Compliance Program Manager |
| Renea Kenec | NEPA Specialist |

F. SUPERVISORY SIGNATORY

Environmental Screening Form (ESF) - El Portal Administrative Site Esquivel House Construction - PEPC ID: 52916

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 Kennec//</u> Compliance Specialist – Renea Kennec | <u>8/5/14</u> |
| <u>//Erin Davenport// for</u> Acting Compliance Program Manager – Lisa Acree | <u>8/6/14</u> |
| <u>//David Engelstad// for</u> Chief, Project Management – Randy Fong | <u>8/7/14</u> |

Approved:

| Superintendent | Date |
|--|---------------|
| <u>//Kevin Killian// for</u> Don L. Neubacher | <u>8/7/14</u> |

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



PARK ESF ADDENDUM

Today's Date: August 6, 2014

PROJECT INFORMATION

Park Name: Yosemite National Park
Project Title: 2014-023 El Portal Administrative Site Esquivel House Construction
PEPC Project Number: 52916
Project Type: Special Use Permit (SUP)
Project Location:
County, State: Mariposa, California
Project Leader: Sean McCabe

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 | | | Foundation work includes ground disturbance measuring 28 feet x 39 feet x 18 inches. |
| Are any archeological or ethnographic sites located within the area of potential effect? | Yes | | | Archeological spot-check monitoring is stipulated to: 1) identify presence/absence of intact sediments; 2) document cultural materials; 3) identify and document any inadvertent discoveries; and 4) provide archeological recommendations for |

| ESF Addendum Questions | Yes | No | N/A | Data Needed to Determine/Notes |
|---|------------|-----------|------------|--|
| | | | | any changes in construction plans. Since the home owner plans to hand excavate the new foundation and propane line, home owner should consult with the park Archeologist for an orientation to archeological materials and proper handling in order to ensure that any archeological findings are treated appropriately. |
| Entail alteration of a historic structure or cultural landscape? | | No | | |
| Has a National Register form been completed? | Yes | | | El Portal Archeological District |
| Are there any structures on the park's List of Classified Structures in the area of potential effect? | | No | | |
| 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? | Yes | | | |
| 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 | | |
| WILDERNESS ACT CHECKLIST | | | | |
| Within designated Wilderness? | | No | | |
| Within a Potential Wilderness Addition? | | No | | |



ASSESSMENT OF ACTIONS HAVING AN EFFECT ON HISTORIC PROPERTIES

A. DESCRIPTION OF UNDERTAKING

1. **Park:** Yosemite National Park

2. **Project Description:**

Project Name: 2014-023 El Portal Administrative Site Esquivel House Construction

Prepared by: Renea Kennec

Date Prepared: 08/06/2014

Telephone: 209-379-1038

PEPC Project Number: 52916

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

El Portal Archeological District; El Portal Historic Property with religious and cultural significance

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

No

Yes

Source or reference:

4. **Potentially Affected Resources:**

Archeological resources affected:

Name and numbers: El Portal Archeological District

NR status: 1 - Listed in Register and documented

Archeological Resources Notes: Residential and community development in Old El Portal overlies numerous historical and prehistoric archeological resources, located within the El Portal Archeological District historic property. The following characteristics are important considerations in the special use permitting process: protection of surface historic and prehistoric features, appropriate treatment of tribal cultural and religious values, documentation of cultural materials, protection of pockets of intact deposits where possible, and protection / appropriate treatment under NAGPRA of any discoveries of human remains. A recent site visit to the Esquivel lot revealed abundant obsidian debitage and one edge-modified piece, historical artifacts and historic-era faunal material (cut dietary bone), and abundant modern construction debris, clearly in disturbed context. No bedrock mortars or other surface features are present in the project area. Past construction and demolition of structures and utilities and terracing of the hill slope suggest that much of the proposed ground disturbance will occur in previously disturbed sediments, but there may be some areas of intact deposits.

Ethnographic Resources Affected:

Name and numbers: El Portal Resources of Cultural Significance (un-evaluated)

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
- 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] Anthropologist

Name: Jennifer Hardin

Date: 08/04/2014

Comments: Sent out for tribal review June/July 2014; no comments received as of August 4, 2014

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: Follow archeology guidelines for ensuring no adverse effect to archeological resources.

Doc Method: Park Specific Programmatic Agreement

[X] Archeologist
Name: Laura Kirn
Date: 08/04/2014

Comments: Residential and community development in Old El Portal overlies numerous historical and prehistoric archeological resources, located within the El Portal Archeological District historic property. The following characteristics are important considerations in the special use permitting process: protection of surface historic and prehistoric features, appropriate treatment of tribal cultural and religious values, documentation of cultural materials, protection of pockets of intact deposits where possible, and protection / appropriate treatment under NAGPRA of any discoveries of human remains.

A recent site visit to the Esquivel lot revealed abundant obsidian debitage and one edge-modified piece, historical artifacts and historic-era faunal material (cut dietary bone), and abundant modern construction debris, clearly in disturbed context. No bedrock mortars or other surface features are present in the project area. Past construction and demolition of structures and utilities and terracing of the hill slope suggest that much of the proposed ground disturbance will occur in previously disturbed sediments, but there may be some areas of intact deposits.

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: Archeological spot-check monitoring is stipulated to 1) identify presence/absence of intact sediments; 2) document cultural materials; 3) identify and document any inadvertent discoveries; and 4) provide archeological recommendations for any changes in construction plans. Since the homeowner plans to hand excavate the new foundation and propane line, homeowner should consult with Park Archeologist for an orientation to archeological materials and proper handling in order to ensure that any archeological findings are treated appropriately.

Doc Method: Park Specific Programmatic Agreement

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

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.

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.)**

- **Assessment of Effect - Archeological spot-check monitoring is stipulated to: 1) identify presence/absence of intact sediments; 2) document cultural materials; 3) identify and document any inadvertent discoveries; and 4) provide archeological recommendations for any changes in construction plans. Since the home owner plans to hand excavate the new foundation and propane line, home owner should consult with the park Archeologist for an orientation to archeological materials and proper handling in order to ensure that any archeological findings are treated appropriately.**

D. RECOMMENDED BY PARK SECTION 106 COORDINATOR:

Acting Historic Preservation Officer:

Kimball

Koch

//Kimball Koch//

Date: 8/6/14

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: //Kevin Killian//for

Date: 8/7/14

Don L. Neubacher

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Yosemite National Park.*