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: Garrett Chun, Project Manager, Yosemite National Park

From: Superintendent, Yosemite National Park

Subject: NEPA and NHPA Clearance: 2013-009 Yosemite Valley Emergency Services Complex Rehabilitation (46316)

The Executive Leadership Team has reviewed the proposed project 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 be an adverse effect to archeological resources and historic properties with religious and cultural significance.
- There will not be serious or long-term undesirable environmental or visual effects.

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.

Recommendations for Conditions or Stipulations:

- To resolve adverse effects, the NPS will adhere to the stipulations contained in the project's Memorandum of Agreement and Native American Graves Protection and Repatriation Act Plan of Action.

For complete compliance information see PEPC Project 46316.

//Don L. Neubacher//
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.

Letter of Compliance Completion - Yosemite Valley Emergency Services Complex Rehabilitation - PEPC ID: 46316

Categorical Exclusion Form

Project: 2013-009 Yosemite Valley Emergency Services Complex Rehabilitation
PEPC Project Number: 46316
Project Description:

The Yosemite Valley Emergency Services Complex (ESC) was built in 1916. The complex was originally used as a warehouse. The original footprint included the main building (Bldg #530) and garage structure (Bldg #529) with the storage shed (Bldg #532) attached to the garage structure. The complex has undergone many alterations and additions to meet the changing needs and uses. The most significant alteration was the 1974 construction effort following the fire that burned the garage and office. This construction separated the storage shed and garage and added a 620 square feet addition to the main building. The existing ESC includes the main building, the garage, and the storage shed. The Yosemite Valley ESC is the headquarters for Valley Search and Rescue, Valley Fire Management, Park Aviation Management, Wilderness Patrol, and Park Desk Office operations. This core visitor and employee protection service is currently threatened due to the inadequacy and safety issues with the buildings. No other facility is available to house these functions.

This project will rehabilitate the Yosemite Valley ESC to conform to life safety code requirements and to improve the floor layout. Rehabilitation of the buildings will adhere to the Secretary of the Interior's Standards for Rehabilitation and follow the recommendations of the Historic Structures Report. Rehabilitation will address all the structural deficiencies and safety issues including fire egresses, electrical system violations, lack of accessibility, substantial wood rot, and other structural integrity concerns. A complete scope of work is included in the attached memorandum of agreement for the project.

Project Locations:

Mariposa County, CA

Mitigations:

- To resolve adverse effects, the NPS will adhere to the stipulations contained in the project's Memorandum of Agreement and NAGPRA Plan of Action (POA).

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: *//Don L. Neubacher//* **Date:** 1/17/15

Don L. Neubacher

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

ENVIRONMENTAL SCREENING FORM (ESF)

DO-12 APPENDIX 1

Date Form Initiated: 12/17/2014

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: 2013-009 Yosemite Valley Emergency Services Complex Rehabilitation
PEPC Project Number: 46316
Project Type: Repair/Rehabilitation (REHAB)
Project Location:
County, State: Mariposa, California
Project Leader: Garrett Chun

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.			Minor		This project includes extensive ground disturbing activities including constructing a perimeter foundation around the majority of the building, utility trenching (plumbing propane, electrical, and fire suppression), and accessible pathways.
2. From geohazards	No				
3. Air quality		Negligible			During the rehabilitation work there will be temporary air

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
					emissions from construction equipment and dust from ground disturbance.
4. Soundscapes		Negligible			This project will produce construction noises throughout the rehabilitation work.
5. Water quality or quantity	No				
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				

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
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, etc.	No				
17. Visitor experience, aesthetic resources		Negligible			The Desk Officer will be relocated during the rehabilitation work. This will be a temporary, negligible inconvenience to the visitor.
18. Archeological resources				Exceeds Minor	The project is within the Yosemite Valley Archeological District and archeological site CA-MRP-056/H. Archeological investigations have been conducted within the CA-MRP-056/H site complex and within the immediate project area, including site recordation, subsurface testing, and monitoring of construction projects. During investigations, Native American human remains and associated cultural items have been discovered in multiple locations within CA-MRP-56/H, some of these in close proximity to the project area.
19. Prehistoric/historic structure			Minor		
20. Cultural landscapes	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
21. Ethnographic resources				Exceeds Minor	The project will be conducted within a historic property with religious and cultural significance to American Indian tribes and will result in negative impacts to highly sensitive ethnographic resources. The project constitutes an adverse effect to the historic property with religious and cultural significance to American Indian tribes. The park has prepared a Native American Graves Protection Act Plan of Action for both the archeological investigations and construction activities.
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, including energy,	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
conservation potential, sustainability					
28. Urban quality, gateway communities, etc.	No				
29. Long-term management of resources or land/resource productivity	No				The rehabilitation will maintain the structure's continued use and revitalize its purpose.
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 unresolved conflicts concerning		No		

Mandatory Criteria: If implemented, would the proposal:	Yes	No	N/A	Comment or Data Needed to Determine
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		

D. OTHER INFORMATION

1. Are personnel preparing this form familiar with the site? Yes

1.A. Did personnel conduct a site visit? Yes, see the Assessment of Effect.

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, State Historic Preservation Office and Advisory Council of Historic Preservation

3.A. Did you make a diligent effort to contact them? Yes, see the Assessment of Effect.

4. Has consultation with all affected agencies or tribes been completed? Yes, Memorandum of Agreement was developed in consultation with the State Historic Preservation Office and all the associated tribes and groups.

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

Interdisciplinary Team	Field of Expertise
Don L. Neubacher	Superintendent
Michael Gauthier	Chief of Staff
Kathleen Morse	Chief of Planning
Randy Fong	Chief of Project Management
Jeff Hilliard	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
Garrett Chun	Project Leader
Madelyn Ruffner	Environmental Planning and Compliance Program Manager
Renea Kennec	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
//Renea Kennec// Compliance Specialist – Renea Kennec	1/26/15
//Madelyn Ruffner// Compliance Program Manager – Madelyn Ruffner	1/26/15
//David Engelstad// Chief, Project Management – Randy Fong	1/26/15

Approved:

Superintendent	Date
//Don L. Neubacher// Don L. Neubacher	1/27/15

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: January 7, 2015

PROJECT INFORMATION

Park Name: Yosemite National Park
Project Title: 2013-009 Yosemite Valley Emergency Services Complex Rehabilitation
PEPC Project Number: 46316
Project Type: Repair/Rehabilitation (REHAB)
Project Location:
County, State: Mariposa, California
Project Leader: Garrett Chun

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			This project includes extensive ground disturbing activities including constructing a perimeter foundation around the majority of the building, utility trenching (plumbing propane, electrical, and fire suppression), and accessible pathways.
Are any archeological or ethnographic sites located within the area of potential effect?	Yes			The project is within the Yosemite Valley Archeological District and archeological site CA-

ESF Addendum Questions	Yes	No	N/A	Data Needed to Determine/Notes
				MRP-056/H. Archeological investigations have been conducted within the CA-MRP-056/H site complex and within the immediate project area, including site recordation, subsurface testing, and monitoring of construction projects. During investigations, Native American human remains and associated cultural items have been discovered in multiple locations within CA-MRP-56/H, some of these in close proximity to the project area.
Entail alteration of a historic structure or cultural landscape?	Yes			The park has determined that the rehabilitation of the Yosemite Valley Utility Area Supply Warehouse #530 will not adversely affect the Yosemite Valley Historic District. The warehouse has functioned as an office complex for several decades resulting in substantial changes to the building's design and materials over time. The building's significance is linked to criterion A but likely does not possess enough integrity to qualify for significance under criterion C as a structure that embodies distinctive architectural characteristics.
Has a National Register form been completed?	Yes			Building #530 of the Emergency Services Complex is a contributing feature of the Yosemite

ESF Addendum Questions	Yes	No	N/A	Data Needed to Determine/Notes
				Valley Historic District.
Are there any structures on the park's List of Classified Structures in the area of potential effect?	Yes			Yosemite Valley Utility Area Supply Warehouse #530.
WILD AND SCENIC RIVERS ACT CHECKLIST				
Fall within a wild and scenic river corridor?		No		
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		
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: 2013-009 Yosemite Valley Emergency Services Complex Rehabilitation
Prepared by: Renea Kennec **Date Prepared:** 01/07/2015 **Telephone:** 209-379-1038
PEPC Project Number: 46316

Area of potential effects (as defined in 36 CFR 800.16[d])
Yosemite Valley Historic District; Yosemite Valley Archeological District

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

___ **No**
X **Yes**
Source or reference:

4. Potentially Affected Resources:

Archeological resources affected:
Name and numbers: CA-MRP-56/H
NR status: 1 - Listed in Register and documented

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

Historical Structures/Resources Affected:
Name and numbers: Yosemite Valley Historic District
NR status: 1 - Listed in Register and documented

Ethnographic Resources Affected:
Name and numbers: Resources of Religious and Cultural Significance

Ethnographic Resources Affected Notes: The project will be conducted within a historic property with religious and cultural significance to American Indian tribes (CA-MRP-56/H)and will result in negative impacts to highly sensitive ethnographic resources. The project constitutes an adverse effect to the historic property with religious and cultural significance to American Indian tribes.

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

Yes	Destroy, remove, or alter features/elements from a historic structure
Yes	Replace historic features/elements in kind
Yes	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	Disturb, destroy, or make archeological resources inaccessible
Yes	Disturb, destroy, or make ethnographic resources inaccessible
Yes	Potentially affect presently unidentified cultural resources
Yes	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)
	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.)

Work Plan: Archeological Investigations at CA-MRP-56/H, Yosemite Valley Emergency Services Complex Rehabilitation, Yosemite National Park, California (Project YOSE 2014 E) (Jackson 2014)
Draft Report: Archeological Subsurface Survey at the Rehabilitation of the Yosemite Valley Emergency Services Complex, Northcentral Portion of CA-MRP-56/H, Yosemite National Park (Jackson 2014)
Yosemite National Park

NAGPRA Plan of Action: Procedures for the Treatment of Intentionally Excavated Native American Human Remains, Funerary Objects, Sacred Objects or Objects of Cultural Patrimony for the Yosemite Valley Emergency Services Complex Rehabilitation Project, Construction Phase Yosemite National Park
NAGPRA Plan of Action: Procedures for the Treatment of Intentionally Excavated or Inadvertently Discovered Native American Human Remains, Funerary Objects, Sacred Objects or Objects of Cultural Patrimony for Archaeological Investigations Associated with the Yosemite Valley Emergency Services Complex Rehabilitation Project

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: 01/20/2015
Comments: The project will be conducted within a historic property with religious and cultural

significance to American Indian tribes (CA-MRP-56/H)and will result in significant negative impacts to highly sensitive ethnographic resources. The project constitutes an adverse effect to the historic property with religious and cultural significance to American Indian tribes.

Check if project does not involve ground disturbance [ ]
Assessment of Effect: __ No Potential to Cause Effect __ No Historic Properties Affected __ No Adverse Effect _X_ Adverse Effect __ Streamlined Review
Recommendations for conditions or stipulations: The project will result in significant negative impacts to highly sensitive ethnographic resources. The project constitutes an adverse effect to the historic property with religious and cultural significance to American Indian tribes. To resolve adverse effects, the NPS will adhere to the stipulations contained in the project's NAGPRA Plan of Action (POA). The NPS will mitigate the adverse effects to the historic property by carrying out the mutually agreed upon mitigating measures outlined in the project's Memorandum of Agreement (MOA) between the NPS and the CA SHPO. Tribal consultation will be ongoing throughout the implementation of the construction project, POA and MOA.

Doc Method: Standard 4-Step Process

[X] Archeologist
Name: Sonny Montague
Date: 12/12/2014

Check if project does not involve ground disturbance [ ]
Assessment of Effect: __ No Potential to Cause Effect __ No Historic Properties Affected __ No Adverse Effect _X_ Adverse Effect __ Streamlined Review
Recommendations for conditions or stipulations: See NAGPRA plan of action and Memorandum of Agreement.

Doc Method: Standard 4-Step Process

[X] Historical Architect
Name: Gabrielle Harlan
Date: 01/16/2015
Comments: The individual ESC warehouse building will be adversely affected by the undertaking, but it will not adversely affect the integrity of the larger Yosemite Valley Historic District to which it is a contributor.

Check if project does not involve ground disturbance [ ]
Assessment of Effect: __ No Potential to Cause Effect __ No Historic Properties Affected __ No Adverse Effect _X_ Adverse Effect __ Streamlined Review
Recommendations for conditions or stipulations:

Doc Method: Standard 4-Step Process

[X] Historical Landscape Architect
Name: Kevin McCardle
Date: 04/16/2013

Check if project does not involve ground disturbance [ ]
Assessment of Effect: __ No Potential to Cause Effect __ No Historic Properties Affected _X_ No Adverse Effect __ Adverse Effect __ Streamlined Review
Recommendations for conditions or stipulations:

Doc Method: Park Specific Programmatic Agreement

No Reviews From: Curator, 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
__X__ Adverse Effect

The park and SHPO have determined that the rehabilitation of the supply warehouse (Yosemite Valley Utility Area Supply Warehouse #530) will not adversely affect the Yosemite Valley Historic District. The warehouse has functioned as an office complex for several decades resulting in substantial changes to the building's design and materials over time. The building's significance is linked to criterion A but likely does not possess enough integrity to qualify for significance under criterion C as a structure that embodies distinctive architectural characteristics. The most significant change to the building resulting from the current undertaking will be to the aspect of design. Although the park's historical architect has determined that the individual building will be adversely affected by the rehabilitation, through careful review by the park's cultural resource staff, the park believes that the current project meets the Secretary of the Interior's Standards for Rehabilitation and that the undertaking will not adversely affect the integrity of the Yosemite Valley Historic District.

Through consultation with Yosemite's traditionally associated American Indian tribes and groups, this site has been determined to be a historic property with religious and cultural significance. Human remains and cultural items were discovered in preliminary archeological investigations in support of the current undertaking.

Given the presence, concentration, and significance of cultural materials (including human remains) in proximity to the buildings, the NPS anticipates adverse effects from ground disturbance to archeological site CA-MRP-56/H, to the broader Yosemite Valley Archeological District to which it belongs, and to its designation as a property of religious and cultural significance to the tribes. In an effort to avoid or minimize adverse effects, the design drawings were modified to reduce the amount of ground disturbance.

2. Documentation Method:

[**X**] 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.

[ ] 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

SHPO/THPO Notes:

3. Additional Consulting Parties Information:

Additional Consulting Parties: Yes
American Indian Council of Mariposa County, Inc. (aka southern Sierra Miwuk Nation); Bishop Paiute Tribe; Bridgeport Indian Colony; Mono Lake Kutzadika Tribe; North Fork Rancheria of Mono Indians of California; Picayune Rancheria of the Chukchansi Indians; Tuolumne Band of Me-Wuk Indians

The Advisory Council of Historic Preservation declined to participate in consultation.

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.
The project will result in significant negative impacts to highly sensitive ethnographic resources. The project constitutes an adverse effect to the historic property with religious and cultural significance to American Indian tribes. To resolve adverse effects, the NPS will adhere to the stipulations contained in the project's NAGPRA Plan of Action (POA). The NPS will mitigate the adverse effects to the historic property by carrying out the mutually agreed upon mitigating measures outlined in the project's Memorandum of Agreement (MOA) between the NPS and the CA SHPO. Tribal consultation will be ongoing throughout the implementation of the construction project, POA and MOA.

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 – The project constitutes an adverse effect to archeology and historic properties with religious and cultural significance to American Indian tribes. To resolve adverse effects, the NPS will adhere to the stipulations contained in the project's NAGPRA Plan of Action (POA). The NPS will mitigate the adverse effects to archeological resources by carrying out the mutually agreed upon mitigating measures outlined in the project's Memorandum of Agreement (MOA) between the NPS and the CA SHPO. Tribal consultation will be ongoing throughout the implementation of the construction project, POA and MOA.

D. RECOMMENDED BY PARK SECTION 106 COORDINATOR:

Historic Preservation Officer:

Kimball Koch *//Kimball Koch//* **Date:** 1/26/15

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:** 1/27/15

Don L. Neubacher

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