



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: Ruth Middlecamp, Project Manager, Yosemite National Park
From: Superintendent, Yosemite National Park
Subject: NEPA and NHPA Clearance: 2017-004 2017 Commercial Use Authorization - Commercial Stock Use (70435)

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 no adverse effect on historical, cultural, or archeological resources.
- 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.

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

- To avoid or minimize potential new disturbances to culturally significant sites, commercial use authorization holders are highly recommended to limit their activities to previously used areas. In 2017, the interdisciplinary stock group should continue to address ethnographic and archeological resource issues at stock use areas, inventory camp site locations, improve GIS data, develop draft best management practices, and implement protection measures when possible.

For complete compliance information see PEPC Project 70435.

// Palmer L. Jenkins //

Palmer L. Jenkins (Acting Superintendent)

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: 2017-004 2017 Commercial Use Authorization - Commercial Stock Use

PEPC Project Number: 70435

Description of Action (Project Description):

The purpose of this project is to issue Commercial Use Authorizations (CUA) to approved commercial stock users for the 2017 season in Yosemite National Park. Issuance of the CUA's and administrative processing will begin May 2017. The activity will be authorized to begin May 2017. Stock trips typically do not begin until around Memorial Day weekend, depending on weather and trail conditions. The authorization will expire after October 31, 2017.

Commercial stock outfitters (herein referred to as Holders) are required to obtain a CUA each season prior to taking clients into Yosemite National Park. A CUA allows Holders to provide guided day rides, full service pack trips and/or pack support trips for backpackers with the use of pack stock. Holders are required to originate and terminate pack trips outside of the park boundary, unless authorized by the Superintendent. Holders are required to use designated camp areas when travelling overnight in the wilderness. Holders are regulated by the terms and conditions of the Commercial Use Authorization which is administered and managed by Yosemite National Park, Office of Special Park Uses in conjunction with the Yosemite Wilderness Office. Each permit Holder is limited to a maximum number of annual visitor use nights and stock nights.

Stock camp information and maps, along with Kerrick Meadow grazing information and map are located in the appendices of the CUA.

With the exceptions of some minor edits, there are no significant changes from the Stock CUA approved in 2016.

Project Locations:

Mariposa County, CA
Madera County, CA
Mono County, CA
Tuolumne County, CA

Mitigation(s):

- To avoid or minimize potential new disturbances to culturally significant sites, commercial use authorization holders are highly recommended to limit their activities to previously used areas. In 2017, the interdisciplinary stock group should continue to address ethnographic and archeological resource issues at stock use areas, inventory camp site locations, improve GIS data, develop draft best management practices, and implement protection measures when possible.

CE Citation: A.6 Commercial use licenses involving no construction.

CE Justification:

Decision: I find that the action fits within the categorical exclusion above. Therefore, I am categorically excluding the described project from further NEPA analysis. No extraordinary circumstances apply.

Superintendent: // Palmer L. Jenkins //

Date: 5/11/2017

Palmer L. Jenkins (Acting Superintendent)

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Extraordinary Circumstances:

If implemented, would the proposal...	Yes/No	Notes
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 alternative uses of available resources (NEPA section 102(2)(E))?	No	
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, 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 (EO 12898)?	No	
K. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or adversely affect the physical integrity of such sacred sites (EO 130007)?	No	
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	



ENVIRONMENTAL SCREENING FORM (ESF)

Updated Sept 2015 per NPS NEPA Handbook

A. PROJECT INFORMATION

Project Title: 2017 Commercial Use Authorization - Commercial Stock Use
PEPC Project Number: 70435
PMIS Number:
Project Type: Commercial Use Authorization (CUP)
Project Location:
County, State: Mariposa, California
County, State: Madera, California
County, State: Mono, California
County, State: Tuolumne, California
Project Leader: Ruth Middlecamp

B. RESOURCE IMPACTS TO CONSIDER:

Resource	Potential for Impact	Potential Issues & Impacts
Air Air Quality	None	
Biological Nonnative or Exotic Species	Potential	The use of weed free feed is strongly encouraged by the park and is stated in the commercial use authorization to prevent introduction of non-native plants.
Biological Species of Special Concern or Their Habitat	None	
Biological Vegetation	Potential	Feeding or salting will not be allowed in meadows. Rocky or timbered areas will be used to hold stock for the purpose of feeding. The CUA holder must follow park direction on grazing (available in appendices 1 and 2 of the CUA).
Biological Wildlife and/or Wildlife Habitat including terrestrial and aquatic species	Potential	All CUA holders are required to follow park regulations for food storage, and educate paying customers and staff on proper food storage techniques in Yosemite.
Cultural Archeological Resources	Potential	As part of an ongoing project, an interdisciplinary group of resource specialists continue to address resource concerns related to commercial stock use. In 2017, the archeology staff plans to monitor the condition of three sensitive resources located in Virginia Canyon, Dorothy Lake, and Benson Lake.

Resource	Potential for Impact	Potential Issues & Impacts
		In 2016, archeology staff assessed the Cathedral Lakes area, but primarily focused on data management and preparation of the draft stock management framework for the Wilderness Stewardship Plan (WSP). Until the WSP is implemented, commercial use authorization holders are advised to limit their activities to previously used areas in order to avoid potential new disturbances to resources that may exist in these locations.
Cultural Cultural Landscapes	None	
Cultural Ethnographic Resources	None	This project went on the May 2017 Tribal Spreadsheet as an informational item.
Cultural Museum Collections	None	
Cultural Prehistoric/historic structures	None	
Geological Geologic Features	None	
Geological Geologic Processes	None	
Lightscapes Lightscapes	None	
Other Human Health and Safety	Potential	One person on each guided trip must have a first aid certification card.
Other Operational	None	
Other Other	None	
Socioeconomic Land Use	None	
Socioeconomic Minority and low-income populations, size, migration patterns, etc.	None	
Socioeconomic Socioeconomic	None	
Soundscapes Soundscapes	None	
Viewsheds Viewsheds	None	
Visitor Use and Experience	None	

Resource	Potential for Impact	Potential Issues & Impacts
Recreation Resources		
Visitor Use and Experience Visitor Use and Experience	None	
Water Floodplains	None	
Water Marine or Estuarine Resources	None	
Water Water Quality or Quantity	Potential	Each CUA holder is responsible for training employees and practicing proper Leave-No-Trace to protect watersheds from contamination.
Water Wetlands	Potential	Watering of stock from creeks and stock grazing in meadows may occur near stock camps.
Water Wild and Scenic River	Potential	Commercial stock use can occur in both the Tuolumne and Merced River Corridors.
Wilderness Wilderness		As a commercial service the activity requires a determination of extent necessary, which is being developed by the Yosemite Wilderness Office.

Recommended:

Compliance Specialists	Date
<u>// Kristin Anderson //</u> Compliance Specialist – Kristin Anderson	<u>5/10/2017</u>
<u>// Madelyn Ruffner //</u> Compliance Program Manager – Madelyn Ruffner	<u>5/10/2017</u>
<u>// Ron Gaunt //</u> Chief, Project Management – Ron Gaunt	<u>5/11/2017</u>

Approved:

Superintendent	Date
<u>// Palmer L. Jenkins //</u> Palmer L. Jenkins (Acting Superintendent)	<u>5/11/2017</u>



ASSESSMENT OF ACTIONS HAVING AN EFFECT ON HISTORIC PROPERTIES

A. DESCRIPTION OF UNDERTAKING

1. **Park:** Yosemite National Park

2. **Project Description:**

Project Name: 2017-004 2017 Commercial Use Authorization - Commercial Stock Use

Prepared by: Kristin Anderson **Date Prepared:** 05/09/2017 **Telephone:** 209-379-1002

PEPC Project Number: 70435

Locations:

County, State: Mariposa, CA

County, State: Madera, CA

County, State: Mono, CA

County, State: Tuolumne, CA

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

☐ No
☒ Yes

Source or reference:

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

Archeological Resources Notes: This is parkwide permit; presence/absence of resources determined on a site by site basis.

Historical Structures/Resources Notes: This is parkwide permit; presence/absence of resources determined on a site by site basis.

Ethnographic Resources Affected Notes: This is parkwide permit; presence/absence of resources determined on a site by site basis.

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)
_____ 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] 106 Advisor
Name: Kimball Koch
Date: 05/09/2017

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 or Other Programmatic Agreement

[X] Anthropologist
Name: Eirik Thorsgard
Date: 05/09/2017

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 or Other Programmatic Agreement

[X] Archeologist
Name: Sara Dolan
Date: 05/09/2017

Comments: As part of an ongoing project, an interdisciplinary group of resource specialists continue to address resource concerns related to commercial stock use. In 2017, the archeology staff plans to monitor the condition of three sensitive resources located in Virginia Canyon, Dorothy Lake, and Benson Lake.

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: In 2016, archeology staff assessed the Cathedral Lakes area, but primarily focused on data management and preparation of the draft stock management framework for the Wilderness Stewardship Plan (WSP). Until the WSP is implemented, commercial use authorization holders are advised to limit their activities to previously used areas in order to avoid potential new disturbances to resources that may exist in these locations.
Doc Method: Park Specific or Other Programmatic Agreement

[X] Historian
Name: Scott Carpenter
Date: 05/09/2017

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 or Other Programmatic Agreement

[X] Historical Landscape Architect
Name: Kimball Koch
Date: 05/09/2017

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 or Other Programmatic Agreement

No Reviews From: Curator, Historical Architect, Other Advisor

C. PARK SECTION 106 COORDINATOR'S REVIEW AND RECOMMENDATIONS

1. Assessment of Effect:

___ No Potential to Cause Effects
___ No Historic Properties Affected
 X 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:

[X] 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 Parkwide PA as amended in 2014 and 2016

[] 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: The project was entered as a 30 day review item on the May 2017 Tribal Spreadsheet

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 - To avoid or minimize potential new disturbances to culturally significant sites, commercial use authorization holders are highly recommended to limit their activities to previously used areas. In 2017, the interdisciplinary stock group should continue to address ethnographic and archeological resource issues at stock use areas, inventory camp site locations, improve GIS data, develop draft best management practices, and implement protection measures when possible.

D. RECOMMENDED BY PARK SECTION 106 COORDINATOR:

Kimball Koch // Kimball Koch //

Date: 5/10/2017

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: // Palmer L. Jenkins //

Date: 5/11/2017

Palmer L. Jenkins

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