

National Park Service U.S. Department of the Interior

Yosemite National Park Date: 01/15/2021

A PDF text file of the project's approved environmental compliance package containing the letter of compliance completion, categorical exclusion form, environmental screening form, and any other associated environmental clearance forms, as applicable (e.g., Wilderness Minimum Requirement Analysis, Wild and Scenic River Section 7 Analysis). The signed originals of the package are on file in the Environmental Planning and Compliance Office at Yosemite National Park.

Letter of Compliance Completion

To: Ruth Middlecamp, Project Manager, Yosemite National Park

From: Cicely Muldoon, Superintendent, Yosemite National Park

Subject: NEPA and NHPA Clearance: 2021-008 Programmatic CE for Hang Gliding CUA (Updated 2021) (PEPC: 94529)

The Superintendent and park interdisciplinary team have reviewed the proposed project and completed an impact analysis and documentation, and have determined the following:

- There will no effect on threatened, endangered, or rare species and/or their critical habitat.
- There will be no adverse effect to historic properties.
- There will not be serious or long-term undesirable environmental or visual effects.

The subject proposed project, therefore, is now cleared for all National Environmental Policy Act (NEPA) and National Historic Preservation Act (NHPA) compliance requirements as presented above. Project plans and specifications are approved and construction and/or project implementation can commence.

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

- Only action specified in PEPC 94529 are approved for implementation. The programmatic CE will be
 reviewed annually by Yosemite Business and Revenue Management Staff and if changes are warranted,
 the PCE will be updated. Any changes to the CUA will be reviewed and approved by Yosemite Resources
 Management and Science staff prior to the CUA being issued annually.
- The start date for hang glider launches must be approved by the Superintendent. Landing hang gliders in Leidig Meadow will not be authorized until Resources Management determines meadow moisture levels are dry enough to minimize impacts to vegetation. This will typically occur from Mid-June to Mid-October but will depend on the water year.
- Glider pilots should avoid landing on the same spot each day. It is recommended that landings be spread out over the designated landing zone to minimize impacts to the meadow.
- While the holder is not responsible for the actions of park visitors, all observers associated with the hanggliding activity must remain outside of Leidig Meadow, on the bike path or sandy area.
- Pilots must move their gliders to the sandy area on the east side of the bike path to breakdown and demobilize their equipment.

- Glider pilots are authorized to be in the restricted area of Leidig Meadow to land their gliders. To minimize impact, pilots must immediately move their gliders out of the meadow after landing for break down
- CUA holders will obey park speed limits.
- If wildlife are noticed in the meadow, leave the area as soon as possible to minimize disturbance to them. Do not handle wildlife and do not loiter near them for close-range viewing or photography.
- Compliance with food-storage and garbage disposal requirements must be achieved at all times.

Superintendent: Cicely Muldoon		Date:	February 18, 2021
Cicely Muldoon, Superintendent		_	
	al of this document is on file at the lanning and Compliance Office in		
Yosemite National Park			



Yosemite National Park Date: 01/15/2021

Categorical Exclusion Documentation Form (CE Form)

Project: Programmatic CE for Hang Gliding CUA (Updated 2021)

PEPC Project Number: 94529

Description of Action (Project Description):

This programmatic Categorical Exclusion (PCE) would allow the park to issue a Commercial Use Authorization Permit (CUA) to authorize the Yosemite Hang Gliding Association (YHGA), a nonprofit group, to conduct noncommercial hang gliding activities in Yosemite National Park. This PCE has been updated with additional resource protection measures and will supersede the former one (PEPC 43657), which had previously covered the hang gliding CUAs.

This CE is in accordance with the NPS Management Policies (2006), Endangered Species Act (1973), Director's Order 77 (Natural Resources Protection), Code of Federal Regulations Title 36, and the Superintendent's Compendium.

The Commercial Use Authorization is issued to companies and organizations conducting commercial activities in Yosemite National Park. The permit holder must agree to abide by the terms and conditions of the Commercial Use Authorization (attached) which is administered and managed by the Yosemite National Park, Commercial Use Authorization Office in conjunction with the Yosemite Protection Division and Resources Management Division.

Hang gliding in the park was originally conducted in cooperation with Yosemite National Park Rangers who both participated in and managed the program prior to 1992. Beginning in 1992 the Yosemite Hang Gliding Association began managing the program under a permit from Yosemite National Park.

The permit authorizes Class 1 and 2, non-powered, hang gliding in Yosemite National Park under supervision of the Yosemite Hang Gliding Association. The CUA does not authorize paragliding. The difference between Class 1 and Class 2 gliders is related to hang glider competitions that recognize two different kinds of "hang gliders" and does not represent a functional difference as far as the PCE or CUA is concerned. In the United States and internationally, the words 'hang glider' and 'paraglider' are enough to separate the two types of wings. A basic distinction is that a hang glider has a frame and is launched by foot, while a paraglider is a frame-less parachute launched by foot. Paragliding is not permitted in Yosemite National Park.

Leidig Meadow is identified as an outstanding remarkable value by the Merced Wild and Scenic River Plan and is an area of active ecological restoration. The public is asked to stay on designated trails and off of sensitive meadow vegetation. While hang gliders may receive special permission to land in Leidig Meadow, it is imperative that their impact is minimized as outlined in the CUA conditions.

Areas of use are limited to the assigned Glacier Point set up area and launch site, and the Leidig Meadow landing sites. The activity is permitted to be conducted from mid-June through mid-October of the permit year. The mid-June date is dependent upon the moisture conditions of the Leidig Meadow landing area and may be delayed until the area is determined to be dry enough to allow safe landings and minimal resources impacts. Launches are allowed daily from 8 am to 9 am, but they typically occur on weekends.

A maximum of 16 launches are allowed per day, however only 5 to 7 gliders are launched on average with an average of 18 launches per month over the past 10 years. Prior to the first launch of the day the onsite YHGA monitor muse contact the Yosemite Emergency Communication Center for approval to launch. A launch will only be approved if there are no concurrent Fire, SAR or Medical air operations in the Yosemite Valley area. A launch may only take place under the supervision of YHGA authorized monitors, pursuant to the Yosemite Hang Gliding Site Manual (Site Procedures and Safety Requirements), and CUA conditions. YHGA monitors are notified of Peregrine nesting areas along the flight path that must be avoided while in flight and the information is made part of the preflight instructions for each participant.

2021 Summary of Updates:

- Clarified -Landing in Leidig Meadow when the ground is still wet will not be authorized. (This was assumed but not stated in previous conditions.)
- Recommend that the meadow be checked by RMS, the week prior to the authorized start of the launch season to confirm that the landing area is dry enough to allow landings to occur with little impact to the natural resources. (The CUA office will contact RMS to request a check of the meadow at least 1 week prior to the 1st launch date.)
- NPS changed the activity start date to later in June when the meadow has had more time to dry out and extend the end date to mid-October (June 15-Oct 15).
- Added additional meadow protections: Pilots must minimize the amount of time spent in the meadow. After landing in Leidig Meadow pilots must move gliders to the east side of the bike path, river side, to disassemble and pack.

•			
Location 1			
County:	Mariposa	State:	CA

Mitigation(s):

Project Locations:

- Only action specified in PEPC 94529 are approved for implementation. The programmatic CE will be reviewed annually by Yosemite Business and Revenue Management Staff and if changes are warranted, the PCE will be updated. Any changes to the CUA will be reviewed and approved by Yosemite Resources Management and Science staff prior to the CUA being issued annually.
- The start date for hang glider launches must be approved by the Superintendent. Landing hang gliders in Leidig Meadow will not be authorized until Resources Management determines meadow moisture levels are dry enough to minimize impacts to vegetation. This will typically occur from Mid-June to Mid-October but will depend on the water year.
- Glider pilots should avoid landing on the same spot each day. It is recommended that landings be spread out over the designated landing zone to minimize impacts to the meadow.
- While the holder is not responsible for the actions of park visitors, all observers associated with the hanggliding activity must remain outside of Leidig Meadow, on the bike path or sandy area.
- Pilots must move their gliders to the sandy area on the east side of the bike path to breakdown and demobilize their equipment.
- Glider pilots are authorized to be in the restricted area of Leidig Meadow to land their gliders. To minimize impact, pilots must immediately move their gliders out of the meadow after landing for break down
- CUA holders will obey park speed limits.

- If wildlife are noticed in the meadow, leave the area as soon as possible to minimize disturbance to them. Do not handle wildlife and do not loiter near them for close-range viewing or photography.
- Compliance with food-storage and garbage disposal requirements must be achieved at all times.

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

CE Justification: N/A

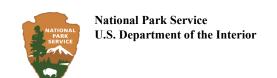
Decision: I find that the action fits within the categorical exclusion above. Therefore, I am categorically excluding the described project from further NEPA analysis. No extraordinary circumstances apply.

Superintendent: Cicely Muldoon		Date:	February 18, 2021
_	Cicely Muldoon, Superintendent		
Environmental P	tal of this document is on file at the Planning and Compliance Office in Demite National Park.		

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	No	
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?		
C. Have highly controversial environmental effects or involve unresolved	No	
conflicts concerning alternative uses of available resources (NEPA section		
102(2)(E))?		
D. Have highly uncertain and potentially significant environmental effects or	No	
involve unique or unknown environmental risks?		
E. Establish a precedent for future action or represent a decision in principle	No	
about future actions with potentially significant environmental effects?		
F. Have a direct relationship to other actions with individually insignificant,		no longer applicable
but cumulatively significant, environmental effects?		following 2021 departmental
		and EQD guidance
G. Have significant impacts on properties listed or eligible for listing on the	No	
National Register of Historic Places, as determined by either the bureau or		
office?		
H. Have significant impacts on species listed or proposed to be listed on the	No	
List of Endangered or Threatened Species, or have significant impacts on		
designated Critical Habitat for these species?		
I. Violate a federal, state, local or tribal law or requirement imposed for the	No	
protection of the environment?		
J. Have a disproportionately high and adverse effect on low income or	No	
minority populations (EO 12898)?		
K. Limit access to and ceremonial use of Indian sacred sites on federal lands	No	
by Indian religious practitioners or adversely affect the physical integrity of		
such sacred sites (EO 130007)?		

L. Contribute to the introduction, continued existence, or spread of noxious	No	
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)?		



ENVIRONMENTAL SCREENING FORM (ESF)

Updated Sept 2015 per NPS NEPA Handbook

A. PROJECT INFORMATION

Project Title:	Programmatic CE for Hang Gliding CUA (Updated 2021)
PEPC Project Number:	94529
Project Type:	Commercial Use Authorization (CUP)
Project Location:	
County, State:	Mariposa, California District, Section: Yosemite Valley & Glacier Point
Project Leader:	Ruth Middlecamp

B. PROJECT DESCRIPTION

See Categorical Exclusion form

C. RESOURCE IMPACTS TO CONSIDER:

Resource	Potential for Impact	Potential Issues & Impacts
Air Air Quality	None	
Biological Nonnative or Exotic Species	None	
Biological Species of Special Concern or Their Habitat California red-legged frog; Peregrine falcon	Potential	Issue: Landing area is potential California red-legged frog habitat. Some glider flight paths may pass peregrine nesting areas. Impact: Follow resource protections to avoid impacts to listed amphibians and raptors.
Biological Vegetation Leidig Meadow	Potential	Issue: Landing area is meadow where sensitive vegetation is located. Impact: Follow resource protection to avoid impacts to vegetation.
Biological Wildlife and/or Wildlife Habitat including terrestrial and aquatic species Wildlife Behavior and food conditioning	Potential	Issue: CUA holders must store food and garbage properly to avoid food conditioning in bears and other wildlife. Impact: Follow resource protections with regard to food and trash storage.
Cultural Archeological Resources	None	

Cultural Cultural Landscapes	None	
Cultural Ethnographic Resources	None	
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 Safety	Potential	Issue: Hang glider landings need to be planned to maximize safety of participants and NPS staff.
		Impact: CUA holders mostly conduct activities on weekends, largely avoiding overlap with NPS restoration crews working in the area. Support personnel waiting for gilder pilots will remain behind fencing on the bike trail for safety purposes.
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 Recreation Resources Available activities	Potential	Issue: The CE allows for CUA to be issued to hang gliding organization.

Visitor Use and Experience	None	Impact: The CE allows for a unique visitor use to remain as a possible recreational activity in the park; beneficial impact on recreation resources.
Visitor Use and Experience	None	
Water Floodplains	None	
Water Marine or Estuarine Resources	None	
Water Water Quality or Quantity	None	
Water Wetlands Leidig Meadow	Potential	Issue: Leidig Meadow is a wetland and, as of 2021, is an area of active restoration. Impact: Follow the listed resource protections to avoid impacts to Leidig Meadow.
Water Wild and Scenic River Leidig Meadow is an ORV of the Merced River	Potential	Issue: Leidig Meadow is identified as an outstanding remarkable value by the Merced Wild and Scenic River Plan. Impact: Follow the listed resource protections to avoid impacts to Leidig Meadow.
Wilderness Wilderness	None	

Yosemite National Park Date: 02/01/2021

ASSESSMENT OF ACTIONS HAVING AN EFFECT ON HISTORIC **PROPERTIES**

A. DESCRIPTION OF UNDERTAKING

1. Park: Yosemite National Park

2. Project Description:

Project Name: Programmatic CE for Hang Gliding CUA (Updated 2021)

Prepared by: Ninette Daniele **Telephone:** (209) 379-1457 **Date Prepared:** 01/14/2021

PEPC Project Number: 94529

Locations:

District, Section: Yosemite Valley & Glacier Point County, State: Mariposa, CA

Describe project: See Categorical Exclusion form

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

The project would allow landings for hang gliders in Leidig meadow in Yosemite Valley and launches from Glacier Point.

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

	No
X	Yes
	Source or reference:

4. Potentially Affected Resource(s):

Archeological Resources Present: Yes

Property Name: Yosemite Valley Archeological District

NR status: 1 - Listed in Register and documented

Archeological Resources Notes: The project does not involve ground disturbance and no sites are in the area.

Historical Structures/Resources Present: Yes

Property Name: Yosemite Village Historic District LCS:

Historical Structures/Resources Notes: Leidig Meadow is within the Yosemite Valley Historic District and is

a contributing feature.

Cultural Landscapes Present: Yes

Cultural Landscapes Notes: Leidig Meadow is within the Yosemite Valley Historic District and is a

contributing feature.

Ethnographic Resources Present: No

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)
Yes	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>
No	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)
X	Other (please specify): Glider pilots would continue to land in Leidig Meadow occasionally, no
	alterations to the meadow are necessary to facilitate this.

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: Hope Schear Date: 01/29/2021 Comments: No HA/HLA required. Streamlined review completed under YOSE 2020 PA (14)e.
Check if project does not involve ground disturbance [] Assessment of Effect:No Potential to Cause EffectNo Historic Properties AffectedX_No Adverse EffectAdverse EffectStreamlined Review Recommendations for conditions or stipulations: Doc Method: Park Specific or Other Programmatic Agreement
[X] Anthropologist Name: Liz Williams Date: 01/29/2021 Comments: To date, no tribal comments have been received about this activity. Please see archeologist comments.
Check if project does not involve ground disturbance [X] Assessment of Effect:No Potential to Cause EffectNo Historic Properties AffectedX_No Adverse EffectAdverse EffectStreamlined Review Recommendations for conditions or stipulations: Doc Method: Park Specific or Other Programmatic Agreement

[X] Archeologist
Name: Wesley Wills
Date: 01/29/2021
Comments: The project area has been archeologically surveyed using modern techniques and no sites are present
The undertaking will also not involve ground disturbance.
Check if project does not involve ground disturbance [X]
Assessment of Effect:No Potential to Cause EffectNo Historic Properties AffectedX_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, Historian, 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		
X	No Adverse Effect		
	Adverse Effect		

3. Consultation Information

SHPO Required: No SHPO Sent: NA SHPO Received: NA

THPO Required: NA THPO Sent: NA THPO Received: NA

SHPO/THPO Notes: None

Advisory Council Participating: No **Advisory Council Notes:** N/A

4. Stipulations and Conditions:

N/A

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.)

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

Only action specified in PEPC 94529 are approved for implementation. The programmatic CE will be
reviewed annually by Yosemite Business and Revenue Management Staff and if changes are warranted,
the PCE will be updated. Any changes to the CUA will be reviewed and approved by Yosemite
Resources Management and Science staff prior to the CUA being issued annually.

6. Assessment of Effect Notes:

This PCE would be an update to the existing PCE for these activities, which are currently allowed. Project being placed under the 2020 Yosemite National Park PA (section 14.e).

NHPA Specialist	Hope Schear	Date:	February 1, 2021
	Hope Schear		•
E. SUPERINTENDENT'S	S APPROVAL		
	ns to the NPS <i>Management Police</i> prove the recommendations, stipu		O
Superintendent:	Cicely Muldoon	Date:	February 18, 2021
	Cicely Muldoon, Superintenden	t	
	this document is on file at the ng and Compliance Office in		

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Other Compliance/Consultations Form

Park Name: Yosemite National Park PEPC Project Number: 94529

Project Title: Programmatic CE for Hang Gliding CUA (Updated 2021)

Project Type: Commercial Use Authorization

Project Location:

County, State: Mariposa, CA District, Section: Yosemite Valley & Glacier Point

Project Leader: Ruth Middlecamp

ESA

Any Federal Species in the project Area? Yes

If species in area: No Effect

Was Biological Assessment prepared? Yes If Biological Assessment prepared, concurred?

Formal Consultation required? No

Formal Consultation Notes:

The project would allow hang gliding landing a few times per year in Leidig meadow, which is potential CRLF habitat. Landings would happen very infrequently (a few times a year) and the authorization to land would only be given by the park once the ground is dry in the landing area and only during the summer months, significantly reducing the likelihood that a frog would be occupying the area. The project also specifies that any support gathering of staff and demobilization of hang gliders would occur only on hard ground, on existing paths, outside of Leidig Meadow. For these reasons, the park has determined that the action would have no effect on the California red-legged frog.

Formal Consultation Concluded:

Any State listed Species in the Project Area? No

Consultation Information:

General Notes:

Data Entered By:	Heather Mackey	Date:	Jan 14, 2021

ESA Mitigations

Mitigation ID	Text			
110956	CUA holders will obey park speed limits.			

Floodplains/Wetlands/§404 Permits

Question	Yes	No	Details
A.1. Is project in 100- or 500-year floodplain or flash flood hazard area?	Yes		Determined to be exempt from compliance with Director's Order #77-2 and no Floodplain Statement of Findings required.

A.2. Is Project in wetlands as defined by NPS/DOI?	Yes		Determined to be exempt from compliance with Director's Order #77-1 and no Wetland Statement of Findings required.		
B. COE Section 404 permit needed?		No	No placement of fill in waters of the United States.		
C. State 401 certification?		No			
D. State Section 401 Permit?		No	Issue Date: Expiration Date:		
E. Tribal Water Quality Permit?		No			
F. CZM Consistency determination needed?		No	Date Review Requested: Date Reply Received: Date State Concurred:		
G. Erosion & Sediment Control Plan Required?		No	5		
H. Any other permits required?		No	o Permit Information:		
Other Information:					
Data Entered By: Ninette Daniele			Date: 1/14/2021		

Floodplains & Wetlands Mitigations

No Floodplains & Wetlands mitigations are associated with this project.

Wilderness

Question	Yes	No	
A. Does this project occur in or adjacent to Designated, Recommended, Proposed, Study, Eligible, or Potential Wilderness?		No	
B. Is the only place to conduct this project in wilderness?		No	
C. Is the project necessary for the administration of the area as wilderness?		No	
D. Would the project or any of its alternatives adversely affect (directly or indirectly) Designated, Recommended, Proposed, Study, Eligible, or Potential Wilderness? (If Yes, Minimum Requirements Analysis required)		No	
E. Does the project or any of its alternatives involve the use of any of the Wilderness Act Section 4(c) prohibited uses: commercial enterprise, permanent road, temporary road, motor vehicles, motorized equipment, motorboats, landing of aircraft, mechanical transport, structure, or installation? (If Yes, Minimum Requirements Analysis required)		No	
If the answer to D or E above is "Yes" then a Minimum Requirements Analysis is required. Describe the status of this analysis in the column to the right.			Initiation Date: Completed Date: Approved Date:
Other Information:			

Other Permits/Laws *Questions A & B are no longer used.*

Question	Yes	No
C. Wild and scenic river concerns exist?		No
D. National Trails concerns exist?		No
E. Air Quality consult with State needed?		No
F. Consistent with Architectural Barriers, Rehabilitation, and Americans with Disabilities Acts or not Applicable? (If N/A check Yes)		No
G. Other:		No

Other Information:

Data Entered By:	Ninette Daniele	Date:	1/14/2021