



*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:** Victoria Hartman, Project Manager, Yosemite National Park

**From:** Cicely Muldoon, Superintendent, Yosemite National Park

**Subject:** NEPA and NHPA Clearance: 2021-071 Wilderness Restoration Programmatic CE 2021 (99897)

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 not be any 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 NEPA and 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:

### Wildlife

- Protections for listed amphibians will include: Project staff will choose travel routes that minimize trampling in meadow and riparian vegetation, will take care to avoid stepping on rodent burrows (which are important habitat elements for the Yosemite Toad), and will avoid stepping on wet areas in the meadow. Project staff will be trained in the identification of the Yosemite Toad and Sierra Nevada yellow-legged frogs. If either species is observed in or near the work area, work will be temporarily halted and the park Aquatic Ecologist will be contacted and consulted; work would commence at the direction of the park Aquatic Ecologist. Please report all observations of the species, regardless of if they are in the work area (documenting location, date time, and photos, ideally).
- Care shall be taken not to disturb any wildlife species (reptiles, migratory birds, raptors, or bats) found nesting, hibernating, estivating, or otherwise living in, or immediately nearby, worksites.
- Compliance with food-storage and garbage disposal requirements must be achieved at all times.
- If a species that is listed (or proposed for listing) under the federal or state Endangered Species Act is found at a work site, immediately halt work and contact the wildlife branch prior to resuming.
- All employees/contractors will be trained on the Endangered Species Act and any relevant terms and conditions and conservation measures from relevant biological opinions from the U.S. Fish and Wildlife Service

## Wilderness

- All actions will conform to the project's Minimum Requirement Analysis (MRA). Construction methods will use minimum tools and all workers will follow Leave No Trace principles while at the work site.
- Work groups will travel in accordance with Yosemite National Park Directive #15: Yosemite Wilderness Travel.
- Employees will follow all wilderness regulations imposed on wilderness permit holders ([www.nps.gov/yose/planyourvisit/wildregs.htm](http://www.nps.gov/yose/planyourvisit/wildregs.htm)) and stipulated in the current version of the Superintendent's Compendium.
- Use of mechanized equipment in wilderness is prohibited.
- Refer to hazard tree removal policy for wilderness areas.
- Grazing in wilderness must occur within established grazing dates and capacities at identified sites.

## Archeology

- The Branch of Anthropology staff will work with the wilderness ecological restoration crews to ensure that effects to archeological sites are avoided or minimized. Following current archeological guidelines, the archeology crew: 1) conducts archeological survey and site documentation within project work areas that have not been previously surveyed; 2) provides heritage education for restoration crews so that archeological resources can be recognized and avoided using modified restoration techniques; 3) informs restoration crew leaders of archeological site locations requiring modified restoration methods, as necessary, to avoid or minimize effects to archeological sites; and 4) encourages removal of inappropriate campsites/fire rings on archeological sites when feasible to reduce the potential for ongoing disturbances.
- Archeological recommendations include; following current guidelines; conduct archeological survey and site documentation; provide education for restoration crews; and inform crews of locations requiring modified restoration methods, as necessary, to avoid or minimize effects to archeological sites. Prior to the field season, the project manager should review the archeological guidelines and implement any changes.
- If previously unknown cultural resources are encountered during ground disturbing work, temporarily suspend work in the immediate area and contact the Cultural Resource Program Manager who will evaluate and determine appropriate action to protect resources, which could include consultation with appropriate parties (e.g., tribes, SHPO). Although not expected under routine activities, should previously unknown American Indian burial sites be discovered, the Cultural Resource Program Manager will provide direction to follow provisions of the Native American Graves Protection and Repatriation Act.
- The park Cultural Resources Management (CRM) workgroup will review and approve (with sign-off in PEPC) all projects or workplans being placed under this PCE. Work that is determined to fall within the scope of the 2020 Yosemite Programmatic Agreement will follow all applicable avoidance measures in the PA
- Implement Best Management Practices to minimize introduction or spread of weeds. a. Inspect equipment, tools, or materials that are entering the park from an outside source, prior to entry into the park. b. Ensure that equipment, tools, and materials are free of mud, dirt, and plant parts prior to work. c. Crews will inspect and clean shoes, clothing, and any other equipment (e.g. camping) of dirt, mud, and plant parts prior to mobilizing to a new job site and/or when leaving a job site.

## Invasive Species Management

- To avoid the spread of non-native, invasive plant and animal species, all fill, mulch, reseeding, and sod material brought into the park must be free of non-native, invasive plants and animals, and noxious weeds.
- Pack stock used in the park will either be fed by grazing or by weed-free feed, with strict adherence to the current stock-use management plan.
- All project staff working on site shall be informed of and follow best management practices for preventing the introduction and spread of non-native, invasive species. Best management practices are outlined in the park's standard Division 1 Specifications and the park's Invasive Plant Management Plan.

Other

- Supervisors and employees shall treat safety as a top priority in their daily operations. This includes providing safety training, providing and utilizing personal protective equipment, maintaining safe working conditions, exercising vigilance, and complying with all safety related guidance, regulations, and policies. All employees are encouraged to report potentially unsafe or unhealthful working conditions to the Yosemite Safety Office.
- Only work described in PEPC 99897 is approved for implementation. Any changes to the scope of work deviates from the attached approved plans and requires additional review and approval from the Yosemite Environmental Planning and Compliance Office
- Annual workplans will be reviewed annually by Resource Management and Science (RMS) subject matter experts needed for archaeology, hydrology, vegetation, and wildlife to ensure avoidance of resource damage and to plan revegetation treatments, if necessary.

**Superintendent Signature:** \_\_\_\_\_ Cicely Muldoon

**Date:** \_\_\_\_\_ July 16, 2021

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



## Categorical Exclusion Documentation Form (CE Form)

**Project:** Wilderness Restoration Programmatic CE 2021

**PEPC Project Number:** 99897

**Description of Action (Project Description):**

This programmatic Categorical Exclusion (PCE) supersedes PEPC 52187, provides updates to restoration and resource protection activities, and serves as a programmatic record for activities to restore natural conditions to Yosemite Wilderness. The wilderness' montane, subalpine, and alpine ecosystems are experiencing vegetation loss, soil erosion and compaction, habitat fragmentation, and hydrological changes due to visitor and administrative use. This program will focus on ecologically restoring inappropriately located campsites and reducing and maintaining appropriate campsites; restoring social, abandoned, and parallel trails, including trail re-routes; restoring habitat for wildlife; and removing non-native invasive plants. This work is categorically excluded under: C.3. Routine maintenance and repairs to non-historic structures, facilities, utilities, grounds and trails.

The Council on Environmental Quality (CEQ) directs agencies to use CEs for actions which do not individually have a significant effect on the human environment and which are therefore exempt from requirements to prepare an environmental impact statement (40 CFR §1500-1508). This CE is in accordance with the NPS Management Policies (2006), Endangered Species Act (1973), The Wilderness Act (1964), Director's Order 77 (Natural Resources Protection), Code of Federal Regulations Title 36, and the Superintendent's Compendium. Any work that is outside the normal routine park operations, including actions occurring within wilderness, may require separate analysis. Work conducted in wilderness requires an appropriate Minimum Requirement Analysis (MRA) to receive proper approval. This includes both Section 4(c) prohibitions, such as any mechanized equipment use, motorized equipment, installations, etc., and, any actions that may have an effect on wilderness character. An MRA has been prepared for the scope of work in wilderness covered under this PCE.

This PCE is intended to cover work to ecologically restore denuded and inappropriate campgrounds, close inappropriate, social, or abandoned trails, re-route trails in sensitive areas, restore wildlife habitat, and remove nonnative exotic plants. This does not include: mechanical treatments of plants, such as spraying plants with herbicide, the use of chainsaws or other motorized or mechanized equipment in any restoration work, creating new trails and campsites, or any activities expressly prohibited in the Wilderness Act (1964) or the Yosemite Wilderness Management Plan (1989). Please refer to the complete list of covered activities below.

### Contributing Documents and Consultation Process

Workgroups wishing to perform work under this programmatic CE will submit a workplan to the Environmental Planning and Compliance Office for review and approval on an annual basis, at least 4 months prior to the start date of the work plan. Stand-alone projects with activities that are covered in this PCE that are outside of the scope of an annual workplan will be submitted for review and approval by the compliance office at least 4 months ahead of the anticipated start date. Annual workplans will be entered into the PEPC system as a new project for review, approval, and record-keeping purposes. The PEPC entry should describe all proposed activities in the workplan or project in sufficient detail (include building locations, names, and numbers), including relevant photographs (uploaded into a single word file that includes captions of each photo), descriptions and locations of soil disturbance (with depth and dimensions of soil disturbance), a description of equipment and methods that would be used to accomplish work goals, maps of proposed work areas, plans (if applicable) for proposed work, and anticipated schedule of work to be accomplished. Ideally, the project manager or work supervisor will present workplans or stand-alone projects at the monthly Project Planning Meeting (PPM) to facilitate comprehensive and expeditious review by park subject matter experts. The Compliance Office will provide guidance and

documentation on those activities in the workplan which are fully covered by this PCE, those activities which are covered but which may require further compliance (e.g. consultation with Wildlife or the U.S. Fish and Wildlife Service, Tribes, U.S. Army Corps of Engineers, State Historic Preservation Office, etc.) and those activities which fall outside of the scope of this PCE and may need to be removed from the PEPC entry for the annual workplan and submitted as a separate project.

Approved work performed under this programmatic CE must follow standard avoidance/minimization/mitigation measures and Standard Operating Procedures (SOPs) (attached here, and also refer to the current SOPs for programmatic categorical exclusions found on Sharepoint at Project Management/Environmental Planning & Compliance/Programmatic CEs). In addition to following requirements and mitigations contained in the Programmatic CE SOPs, the Project Manager must implement, in consultation with the park's subject-matter experts, the mitigations specific to wilderness restoration activities included in this CE document.

This document will be reviewed periodically to determine if any updates are needed. Any new activities, significant changes in technology or scope of work, or amendments to this PCE will trigger consultation with the Compliance Office, Facilities Management, the Wilderness Office, and Resources Management and Science.

#### *2020 Programmatic Agreement (PA) (attached)*

Yosemite's Parkwide PA allows the park's Cultural Resource Management (CRM) team to review and sign off on activities that have no adverse effects to historic properties if they meet the criteria for streamlined review. Many actions included in this PCE are tiered from the 2020 PA for efficient streamlining of projects through the National Environmental Policy Act (1969) and the National Historic Preservation Act (1966) processes. Projects that are not likely to be included under the PA will be referred to the park's CRM team for review and implementation of the standard four-step NHPA process. For example, in the PA under stipulation 16 (g), 'Removal of non-historic trails' is an activity that falls under streamlined review for NHPA consideration and is also an activity that is permissible under this PCE. However, many trails in the Yosemite Wilderness are unevaluated, which can create a grey area. In the instance of an unevaluated trail, the project may need CRM review and may also be subject to the four-step NHPA process as well as undergo full NEPA considerations.

#### *2021 Wilderness Restoration Minimum Requirements Analysis (MRA) (attached)*

A programmatic MRA has been completed for routine restoration work occurring in wilderness. Project managers should check with the Wilderness Office for a complete listing of approved programmatic MRAs. For non-routine work occurring in wilderness, project managers should work with the Environmental Planning and Compliance Office, who will review project proposals to determine the necessary Wilderness Act requirements.

#### *Federally Endangered and Threatened Species*

Four federally-listed Endangered Species Act (ESA) species are found within the wilderness boundary. The Sierra Nevada bighorn sheep (*Ovis canadensis sierrae*) is listed as endangered, the fisher (*Pekania pennanti*), specifically the West Coast Distinct Population Segment (DPS) is listed as endangered, the Sierra Nevada yellow-legged frog (*Rana sierrae*) is listed as endangered, and the Yosemite toad (*Anaxyrus canorus*) is listed as threatened under the ESA. Critical habitat has been listed for the Sierra Nevada yellow-legged frog and the Yosemite toad. The Sierra Nevada red fox is a candidate species for listing under the ESA. The park compliance biologist will review annual workplans to determine if work will occur within areas potentially occupied by listed or special status species or impact wildlife habitat. For work in habitat of listed species, the project must follow all applicable conservation measures contained in the Biological Opinions issued to the park by the U.S. Fish and Wildlife Service (USFWS). Specific protection measures are in place if the species are encountered during restoration activities. For instance, there is a Biological Opinion from the USFWS on Wilderness Pack Stock Use discussing the potential effects to the Sierra Nevada yellow-legged frog (*Rana sierrae*), and the Yosemite toad (*Anaxyrus canorus*) as Yosemite Wilderness has designated critical habitat for both species. Restoration activities included under this PCE are not likely to impact the ESA-listed species or their habitat.

## Restoration Activities

The following methods for habitat restoration, removing invasive species, removing inappropriate campsites, and removing and rerouting trails are covered under this PCE. Projects not specifically listed but of the same nature, impact, and scale may be approved after consultation with the Compliance office.

Work will be performed by NPS employees, outside contractors, conservation crews, volunteers, or others designated by the NPS. Vegetation may include native trees, shrubs, forbs and grasses for the purpose of habitat restoration; soil conservation and erosion control; replacement of current, aged or diseased vegetation; shade; aesthetics; natural barriers; and other utilitarian functions in disturbed areas. Stock support will occur in conjunction with certain projects. The majority of the work will be done with hand tools including shovels, rakes, buckets, large bags, webbing, crosscut saws, grass whips and sickles. A solar water pump for watering salvaged plants and grip hoists for moving large obstructions may also be used on meadow restoration projects in an effort to reduce impacts.

## CAMPSITES

Inappropriate campsites have proliferated throughout the wilderness, particularly in proximity to rivers, lakes, and streams. Ecological restoration actions seek to rehabilitate damaged soils, thereby facilitating the return of native plant and animal communities.

Activities to remove inappropriate campsite include:

- A. Dispersing the fire rings and charcoal from inappropriately located sites in a way that protects the surroundings
- B. Obstructing the site with logs and large rocks to camouflage the area as well as discourage camping
- C. De-compacting the soil, and
- D. Naturalizing the site with locally gathered seeds and mulch to add organic matter to the site which helps prevent erosion and provides a seed bank. Materials will be gathered in a way that minimizes impacts on the local surroundings.

## PARALLEL TRAILS, ABANDONED TRAILS, SOCIAL TRAILS, and MINOR TRAIL REROUTES

Throughout the wilderness, inappropriately located trails occur when users; avoid wet, muddy areas in a trail; take (or make) a short cut; or create a new trail to access water or another campsite. These trails cause habitat fragmentation, hydrological change, and erosion. Work is done in small sections, to minimize the amount of time the salvaged plants are out of the ground. Materials will be gathered in a way that minimizes impacts on the local surroundings.

Activities to remove or reroute inappropriate trails, such as parallel trails, abandoned trails, climbing access trails, social trails accessing river, stream, and lake banks, and other informal trails, include:

- A. Ecological restoration of shallow trails which can be as simple as placing an obstruction and de-compacting the trail, preventing further damage.

Activities to remove deeper ruts include:

- B. Salvaging of any existing plants from along the trail
- C. Removing linear nature of trail edge
- D. De-compacting and /or bringing rut up to grade
- E. Discouraging use by placing obstructions and disguising old trail. A grip hoist may be used
- F. Replanting salvaged plants
- G. Scattering locally gathered seeds and duff, and
- H. Plants will be watered with a solar powered water pump thereby eliminating new social trail development.

Activities involving minor trail reroutes include:

- I. Minor realignment of trails
- J. Construction of water bars in keeping with the historic design and configuration or following the recommendations of an approved treatment plan
- K. Removal of non-historic trails
- L. Establishment of new trails that avoid adverse effects to historic properties

- M. Removal, pruning, topping, trimming, and limbing of trees and vegetation to provide for tree health or to address critical health/safety conditions along trails, and campsite areas. The park shall use directional falling and limbing to avoid damage to archeological sites
- N. Decompaction of soil and/or contouring impacts to immediate landscape.

#### INVASIVE NON-NATIVE PLANTS, HABITAT RESTORATION

Invasive species enter the wilderness through seed dispersal from non-wilderness locations via stock, wind, hikers, and human-caused disturbance including firefighting. Invasive plant removal methods vary depending on the species. Invasive species removal is one aspect of habitat restoration; restoring habitat for numerous special status species, such as the threatened Yosemite Toad and endangered Sierra Nevada Yellow Legged Frogs are other aspects of habitat restoration. Invasive, non-native plant removal and wildlife habitat restoration activities include:

- A. Hand pulled with minimal soil disturbance
- B. Severing the stem at the base of the plants just beneath the soil surface, minimizing soil disturbance or
- C. By digging up the plant
- D. Removing non-historic exotic and invasive plant and animal species (e.g., Himalayan blackberry, velvet grass, non-native bullfrogs)
- E. Salvage and replanting of locally obtained plants
- F. Seeding, mulching, and planting of restoration areas with locally gathered materials
- G. Obstructing restoration areas with logs, rocks, fencing, and natural camouflage to discourage use.

**Mitigation(s):** See Letter of Compliance Completion Form for mitigations

**CE Citation:** C.3 Routine maintenance and repairs to non-historic structures, facilities, utilities, grounds and trails.

**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 Signature:** \_\_\_\_\_ Cicely Muldoon **Date:** \_\_\_\_\_ July 16, 2021

### Extraordinary Circumstances:

If implemented, would the proposal...	Yes/No	Notes
<b>A.</b> Have significant impacts on public health or safety?	No	None
<b>B.</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	None
<b>C.</b> Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))?	No	None
<b>D.</b> Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	No	None
<b>E.</b> Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	No	None
<b>F.</b> [Repealed per DOI] Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?	N/A	No longer applicable per the updated 2020 CEQ NEPA regulations and DOI direction
<b>G.</b> 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	None
<b>H.</b> 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	None
<b>I.</b> Violate a federal, state, local or tribal law or requirement imposed for the protection of the environment?	No	None
<b>J.</b> Have a disproportionately high and adverse effect on low income or minority populations (EO 12898)?	No	None
<b>K.</b> 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	None
<b>L.</b> 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	None





## ENVIRONMENTAL SCREENING FORM (ESF)

Updated Sept 2015 per NPS NEPA Handbook

### A. PROJECT INFORMATION

**Park Name:** Yosemite National Park

**PEPC Project Number:** 99897

**Project Title:** Wilderness Restoration Programmatic CE 2021

**Project Type:** Restoration

**Project Location:**

**County, State:** Mariposa, CA

**County, State:** Tuolumne, CA

**County, State:** Madera, CA

**Project Leader:** Victoria Hartman

### B. PROJECT DESCRIPTION

See Categorical Exclusion form.

### C. RESOURCE IMPACTS TO CONSIDER:

Resource	Potential for Impact	Potential Issues & Impacts
<b>Air</b> Air Quality	None	Issue: Restoration activities may produce dust or small debris  Impact: Visual impacts from the dust or small debris will be localized to the work area and will not have long term impacts
<b>Biological</b> Nonnative or Exotic Species	Potential	Issue: nonnative or exotic species may be accidentally transferred into the wilderness on the crew's clothes or camping gear. If pack stock are utilized, the stock or their food may be vectors of nonnative or exotic species  Impact: Weed free hay is mandatory in the wilderness. Restoration crews will be knowledgeable about native and nonnative plants and will take precautions not to transport nonnative plants into the wilderness.
<b>Biological</b> Species of Special Concern or Their Habitat	Potential	Issue: Some restoration work may take place in areas occupied by threatened or endangered species, such as the Sierra Nevada yellow-legged frog ( <i>Rana sierrae</i> ) listed as endangered, and the Yosemite toad ( <i>Anaxyrus canorus</i> ) listed as threatened under the ESA.  Impact: Restoration staff should take extra care in these habitats, will follow standard protection measures, and will consult with the wildlife branch if any threatened or endangered species are discovered.

<b>Resource</b>	<b>Potential for Impact</b>	<b>Potential Issues &amp; Impacts</b>
<b>Biological</b> Vegetation	Potential	Issue: Restoration work will involve manipulation of vegetation  Impact: Plants may be dug up and transferred into areas such as social trails or inappropriate campsites that restoration crews are closing.
<b>Biological</b> Wildlife and/or Wildlife Habitat including terrestrial and aquatic species	Potential	Issue: Restoration work will take place in montane, sub-alpine, and alpine ecosystems, which often contain rare and unusual plants and animals  Impact: Restoration work involves ground disturbance and potential transferring of plants. Some work may take place in wetland areas as well.
<b>Cultural</b> Archeological Resources	Potential	Issue: There will be ground disturbance involved in restoration work  Impact: Archeological monitoring has not taken place in all of the wilderness, so there is potential that archeological resources may be found during ground disturbing phases of restoration.
<b>Cultural</b> Cultural Landscapes	None	None
<b>Cultural</b> Ethnographic Resources	None	Issue: There is potential for previously unknown ethnographic resources to be discovered during the course of work  Impact: If ethnographic resources are discovered or encountered, restoration staff will follow standard protection measures, stop work, and notify the archeology branch of the discovery
<b>Cultural</b> Museum Collections	None	None
<b>Cultural</b> Prehistoric/historic structures	None	None
<b>Geological</b> Geologic Features	None	None
<b>Geological</b> Geologic Processes	None	None
<b>Lightscares</b>	None	None
<b>Other</b> Human Health and Safety	Potential	Issue: Restoration activities will require travel in the backcountry and use of hand tools  Impact: Situational awareness should be maintained, along with proper and safe use of all tools.
<b>Other</b> Operational	None	None
<b>Other</b>	None	None

<b>Resource</b>	<b>Potential for Impact</b>	<b>Potential Issues &amp; Impacts</b>
<b>Socioeconomic</b> Land Use	None	None
<b>Socioeconomic</b> Minority and low-income populations, size, migration patterns, etc.	None	None
<b>Socioeconomic</b>	None	None
<b>Soundscapes</b>	None	None
<b>Viewsheds</b>	Potential	None
<b>Visitor Use and Experience</b> Recreation Resources	Potential	<p>Issue: Social trails and inappropriate campsites will be closed</p> <p>Impact: Visitors create social trails and inappropriate campsites in desirable areas. Closing the trails and campsites will allow fewer recreational activities.</p>
<b>Visitor Use and Experience</b>	Potential	<p>Issue: Visitors may be unhappy about illegal campsites and social trails being closed. Visitors may see restoration crews while they are working</p> <p>Impact: Visitors will have access to approved campsites and trails and will no longer be able to access the social trails and inappropriate campsites closed by the restoration staff. Overall wilderness visitor experience will be enhanced as wilderness qualities such as natural processes, pristineness, wildness and opportunities for solitude will be protected. Obvious human impacts will be reduced</p>
<b>Water</b> Floodplains	None	None
<b>Water</b> Marine or Estuarine Resources	None	None
<b>Water</b> Water Quality or Quantity	None	None
<b>Water</b> Wetlands	Potential	<p>Issue: Some restoration activities may take place in wetland areas</p> <p>Impact: Wetland areas are delicate and may contain threatened or endangered species. Some work in wetlands may require compliance with Section 404 of the Clean Water Act. Restoration staff will take extra care in wetland areas.</p>

Resource	Potential for Impact	Potential Issues & Impacts
<b>Water</b> Wild and Scenic River	Potential	<p>Issue: Project areas may fall in the Tuolumne or Merced Wild and Scenic River corridors</p> <p>Impact: Restoration activities will not negatively impact Wild and Scenic River ORVs or the free-flowing condition of the river.</p>
<b>Wilderness</b> Wilderness	Potential	<p>Issue: All restoration activities will occur within wilderness boundaries</p> <p>Impact: A Minimum Requirements Analysis (MRA) has been completed for this CE. Restoration activity may improve wilderness character qualities such as “natural” by restoring native plants and “undeveloped” by decommissioning inappropriate trails and campsites.</p>



# ASSESSMENT OF ACTIONS HAVING AN EFFECT ON HISTORIC PROPERTIES

## A. DESCRIPTION OF UNDERTAKING

1. **Park:** Yosemite National Park

### 2. **Project Description:**

**PEPC Project Number:** 99897

**Project Title:** Wilderness Restoration Programmatic CE 2021

**Project Type:** Restoration

**Project Location:**

**County, State:** Mariposa, CA

**County, State:** Tuolumne, CA

**County, State:** Madera, CA

**Project Leader:** Victoria Hartman

### **Describe project:**

See Categorical Exclusion form.

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

All areas, likely near trails and campsites, within the Yosemite Wilderness. Ground disturbance is generally minimal and occurring in areas disturbed by visitor use to a maximum depth of 12 inches below surface.

3. **Has the area of potential effects been surveyed to identify historic properties?** No

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

**Archeological Resources Present: Yes**

**Archeological Resources Notes:** The Branch of Anthropology staff work with wilderness ecological restoration crews on an annual basis to ensure that effects to archeological sites are avoided or minimized. Following current archeological guidelines, the crew: 1) conducts archeological survey and site documentation within project work areas that have not been previously surveyed; 2) provides heritage education for restoration crews so that archeological resources can be recognized and avoided using modified restoration techniques; 3) informs restoration crew leaders of archeological site locations requiring modified restoration methods, as necessary, to avoid or minimize effects to archeological sites; and 4) encourages removal of inappropriate campsites/fire rings on archeological sites when feasible to reduce the potential for ongoing disturbances.

**Historical Structures/Resources Present: Yes**

**Cultural Landscapes Present: Yes**

## Ethnographic Resources Present: Yes

**Ethnographic Resources Notes:** This project has been presented on multiple previous project spreadsheets, including March 2018, April 2019, March 2020, and April 2021 tribal spreadsheets for 30 day review to traditionally associated American Indian tribes. No comments or concerns have been received as part of these consultation efforts.

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

Yes/No	The proposed action will...
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 ] 106 Advisor

**Name:** Hope Schear

**Date:** 06/23/2021

**Comments:** Compliance complete. No comments or concerns have been received from tribal partners and all activities fall under the streamlined categories within the YOSE PA. Summary of categories included in NHPA section of PEPC.

*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:** Please follow archeologist's recommendations.

**Doc Method:** Park Specific or Other Programmatic Agreement

#### [ X ] Anthropologist

**Name:** Liz Williams

**Date:** 05/12/2021

**Comments:** Project submitted for tribal consultation in April 2021 Tribal Spreadsheet emailed to tribes for 30

day review on April 15, 2021  
No tribal comments received within 30 day review period.

**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:**

**Doc Method:** Park Specific or Other Programmatic Agreement

[ X ] **Archeologist**

**Name:** Wesley Wills

**Date:** 05/11/2021

**Comments:** The Branch of Anthropology staff will work with the wilderness ecological restoration crews to ensure that effects to archeological sites are avoided or minimized. Following current archeological guidelines, the archeology crew: 1) conducts archeological survey and site documentation within project work areas that have not been previously surveyed; 2) provides heritage education for restoration crews so that archeological resources can be recognized and avoided using modified restoration techniques; 3) informs restoration crew leaders of archeological site locations requiring modified restoration methods, as necessary, to avoid or minimize effects to archeological sites; and 4) encourages removal of inappropriate campsites/fire rings on archeological sites when feasible to reduce the potential for ongoing disturbances.

**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:** Following current guidelines: conduct archeological survey and site documentation; provide education for restoration crews; and inform crews of locations requiring modified restoration methods, as necessary, to avoid or minimize effects to archeological sites.

**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:

Select with X	Assessment of Effect
n/a	No Potential to Cause Effects
n/a	No Historic Properties Affected
X	No Adverse Effect
n/a	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.)

**[X] C. Undertaking Related to Park Specific or Another Agreement**

The proposed undertaking is covered for Section 106 purposes under another document such as a park, region or statewide agreement established in accord with 36 CFR 800.7 or 36 CFR 800.14.

**[ ] D. Combined NEPA/NHPA Process**

Process and documentation required for the preparation of an EA/FONSI or an EIS/ROD to comply with Section 106 is in accord with 36 CFR 800.8.c.

**[ ] E. Memo to Project File**

**3. Consultation Information**

**SHPO Required:** No

**SHPO Sent:**

**SHPO Received:**

**THPO Required:** Yes

**THPO Sent:** April 15, 2021

**THPO Received:** No tribal response after 30 days

**SHPO/THPO Notes:**

**Advisory Council Participating:** No

**Advisory Council Notes:**

**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.)

**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:

- If previously unknown cultural resources are encountered during ground disturbing work, temporarily suspend work in the immediate area and contact the Cultural Resource Program Manager who will evaluate and determine appropriate action to protect resources, which could include consultation with appropriate parties (e.g., tribes, SHPO). Although not expected under routine activities, should previously unknown American Indian burial sites be discovered, the Cultural Resource Program Manager will provide direction to follow provisions of the Native American Graves Protection and Repatriation Act
- The park Cultural Resources Management (CRM) workgroup will review and approve (with sign-off in PEPC) all projects or workplans being placed under this PCE. Work that is determined to fall within the scope of the 2020 Yosemite Programmatic Agreement will follow all applicable avoidance measures in the PA
- Annual workplans will be reviewed annually by Resource Management and Science (RMS) subject matter experts needed for archeology, hydrology, vegetation, and wildlife to ensure avoidance of resource damage and to plan revegetation treatments, if necessary.



- The Branch of Anthropology staff will work with the wilderness ecological restoration crews to ensure that effects to archeological sites are avoided or minimized. Following current archeological guidelines, the archeology crew: 1) conducts archeological survey and site documentation within project work areas that have not been previously surveyed; 2) provides heritage education for restoration crews so that archeological resources can be recognized and avoided using modified restoration techniques; 3) informs restoration crew leaders of archeological site locations requiring modified restoration methods, as necessary, to avoid or minimize effects to archeological sites; and 4) encourages removal of inappropriate campsites/fire rings on archeological sites when feasible to reduce the potential for ongoing disturbances.
- Archeological recommendations include; following current guidelines: conduct archeological survey and site documentation; provide education for restoration crews; and inform crews of locations requiring modified restoration methods, as necessary, to avoid or minimize effects to archeological sites. Prior to the field season, the project manager should review the archeological guidelines and implement any changes.

#### **6. Assessment of Effect Notes:**

YOSE PA 5j) Removal of exotic and/or invasive species of plants or animals that are not historic features (e.g., Himalayan blackberry, velvet grass, non-native bullfrogs), k) Maintenance and repair of historic vegetation, scenic vistas, and small-scale landscape features. Addition of non-historic small-scale landscape features (e.g., planter borders, pathway delineation) must be consistent with the Standards.

16a) Disassembly of non-historic cairns, rock features, campfire rings and dispersal of charcoal determined not to be archeological resources by a qualified archeologist. Features must not be associated with contemporary traditional use by Federally Recognized American Indian Tribes and traditionally associated American Indian groups, b) Decompaction of soil and/or contouring impacts to immediate landscape, c) Salvage and replanting of locally obtained plants, d) Removal of conifers for meadow restoration, e) Seeding, mulching, and planting of restoration areas with locally gathered materials, f) Obstruction of restoration areas with logs, rocks, fencing, and natural camouflage to discourage use, g) Removal of non-historic trails.

#### **D. RECOMMENDED BY PARK SECTION 106 COORDINATOR:**

**Section 106 Coordinator Signature:** Hope Schear **Date:** July 13, 2021

#### **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 Signature:** Cicely Muldoon **Date:** July 16, 2021



## Other Compliance/Consultations Form

**Park Name:** Yosemite National Park  
**PEPC Project Number:** 99897  
**Project Title:** Wilderness Restoration Programmatic CE 2021  
**Project Type:** Restoration  
**Project Location:**  
**County, State:** Mariposa, CA  
**County, State:** Tuolumne, CA  
**County, State:** Madera, CA  
**Project Leader:** Victoria Hartman

### ESA

**Any Federal Species in the project Area?** Yes

**If species in area:**

**Was Biological Assessment prepared?** No

**If Biological Assessment prepared, concurred?**

**Formal Consultation required?** No

**Formal Consultation Notes:**

**Formal Consultation Concluded:**

**Any State listed Species in the Project Area?**

**Consultation Information:**

**General Notes:** For work in habitat of listed species, the project must follow all applicable conservation measures contained in the Biological Opinions issued to the park by the U.S. Fish and Wildlife Service. Specific protection measures are in place if the species are encountered during restoration activities.

**Data Entered by:** Heather Mckey

**Date:** June 30, 2021

### ESA Mitigations

Mitigation ID	Mitigation
117246	All employees/contractors will be trained on the Endangered Species Act and any relevant terms and conditions and conservation measures from relevant biological opinions from the U.S. Fish and Wildlife Service
117247	If a species that is listed (or proposed for listing) under the federal or state Endangered Species Act is found at a work site, immediately halt work and contact the wildlife branch prior to resuming.

Mitigation ID	Mitigation
117248	<p>Protections for listed amphibians will include: Project staff will choose travel routes that minimize trampling in meadow and riparian vegetation, will take care to avoid stepping on rodent burrows (which are important habitat elements for the Yosemite Toad), and will avoid stepping on wet areas in the meadow. Project staff will be trained in the identification of the Yosemite Toad and Sierra Nevada yellow-legged frogs. If either species is observed in or near the work area, work will be temporarily halted and the park Aquatic Ecologist will be contacted and consulted; work would commence at the direction of the park Aquatic Ecologist. Please report all observations of the species, regardless of if they are in the work area (documenting location, date time, and photos, ideally).</p>

#### Floodplains/Wetlands/§404 Permits

Question	Yes/No	Details
<b>A.1. Is project in 100- or 500-year floodplain or flash flood hazard area?</b>	Yes	Determined to be exempt from compliance with Director's Order #77-2 and no Floodplain Statement of Findings required.
<b>A.2. Is Project in wetlands as defined by NPS/DOI?</b>	Yes	Determined to be exempt from compliance with Director's Order #77-1 and no Wetland Statement of Findings required.
<b>B. COE Section 404 permit needed?</b>	Yes	None
<b>C. State 401 certification?</b>	No	None
<b>D. State Section 401 Permit?</b>	No	<b>Issue Date:</b> <b>Expiration Date:</b>
<b>E. Tribal Water Quality Permit?</b>	No	None
<b>F. CZM Consistency determination needed?</b>	No	<b>Date Review Requested:</b> <b>Date Reply Received:</b> <b>Date State Concurred:</b>
<b>G. Erosion &amp; Sediment Control Plan Required?</b>	No	None
<b>H. Any other permits required?</b>	No	<b>Permit Information:</b>
<b>Other Information:</b>	Yes	Some work (e.g. filling in social trails that pass through wetlands) may be subject to Section 404 of the Clean Water Act

**Data Entered by:** Brenna McGown

**Date:** June 15, 2021

#### Floodplains & Wetlands Mitigations

*No Floodplains & Wetlands mitigations are associated with this project.*

## Wilderness

Question	Yes/No	Details
<b>A. Does this project occur in or adjacent to Designated, Recommended, Proposed, Study, Eligible, or Potential Wilderness?</b>	Yes	None
<b>B. Is the only place to conduct this project in wilderness?</b>	Yes	None
<b>C. Is the project necessary for the administration of the area as wilderness?</b>	Yes	None
<b>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)</b>	Yes	None
<b>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)</b>	No	None
<b>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.</b>	N/A	<b>Initiation Date:</b> <b>Completed Date:</b> <b>Approved Date:</b> Jun 11, 2021
<b>Other Information:</b>	None	None

**Data Entered by:** Brenna McGown

**Date:** June 15, 2021

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

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

### Other Information:

Some actions may occur within the Tuolumne or Merced Wild and Scenic River corridors and along sections of the Pacific Crest Trail, a National Trail, that runs through the Yosemite Wilderness

**Data Entered by:** Brenna McGown

**Date:** June 15, 2021