



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: Jennifer Anderson, Project Manager, Yosemite National Park

From: Cicely Muldoon, Superintendent, Yosemite National Park

Subject: NEPA and NHPA Clearance: 2021-060 Prescribed Burn- Merced Grove PW4 and PW6 (PEPC: 101272)

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

- The project may affect and is likely to adversely affect threatened, endangered, or rare species and/or their critical habitat. Informal consultation with UFWFS was completed for this project.
- 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:

General

- Only work described in PEPC 101272 is approved for implementation. Any changes to the scope of work will require additional review by the Environmental Planning and Compliance Branch.
- Coordinate and consult with Park resources staff (wildlife, archeology, vegetation etc.), concessioners, facilities, and other affected stakeholders at least 1 week ahead of burning to identify sensitive areas, allow for operational planning, and ensure the implementation of applicable mitigation measures.

Cultural Resources

- Special care should be taken to avoid damaging the historic 1934 Historic Ranger Cabin along the trail.
- If previously unknown archeological resources are discovered during project implementation, all work in the immediate vicinity (600 feet) of the discovery shall be halted and the park's Cultural Resource Management team will be notified (Dawn Bringelson, Cultural Resources Branch Chief, (402) 437-5392 ex. 105).

- Crews working on the prescribed burn in the project area will be instructed to avoid damaging archeological sites. Protection measures will include:
 - Not staging equipment and materials within archeological site boundaries
 - Not felling culturally-modified trees (e.g., blazed trees, logging spar trees)
 - Not felling trees on sensitive components of archeological sites
 - Not constructing burn piles within site boundaries
 - Reducing fuel loading within site boundaries to reduce the threat of increased heat damage during prescribed fire
 - Digging handline around sensitive components of sites (e.g., features, artifact concentrations)

Vegetation

- To prevent introduction of invasive plants, fire crews should inspect and clean vehicles, boots, clothing, and equipment before entering project area. This is particularly important for out-of-park crews, before entering park.
- Avoid special status and invasive plant populations when constructing fire line. Consult with Vegetation POC (Garrett Dickman) in advance of project for data, survey, and/or plant flagging as needed.

Wildlife

- Compliance with food-storage and garbage disposal requirements must be achieved at all times.
- Helicopter and UAV operations should ideally occur outside of the migratory bird season (March 1 to July 31) and outside the raptor nesting season (March 1 to August 31) to limit disturbance. Wildlife will provide maps of non-fly zones based on nest locations and sensitive habitats. This project occurs in potential Great Gray Owl (GGOW) nesting habitat. If helicopter or UAV operations are proposed within the Limited Operating Period (LOP) of March 1 to August 15, contact Park Wildlife staff to conduct broadcast surveys and/or nest searches at least 1 month prior to implementation. If GGOW activity is detected, project staff will follow all recommendations made by Park Wildlife staff.

Wildlife- Fisher

- Timing:
 - This work is being planned for spring, fall, or winter 2021-2022. Any tree-cutting or other pre-burning prep-work that involves habitat modification or disturbance will occur outside the March 1 to June 30th LOP. A fall/winter implementation will limit impacts to fishers, nesting songbirds, amphibians, and reptiles.
 - If understory burning must be conducted from March 1 to June 30, it will use specific prescription parameters, firing techniques, air quality monitoring, and topography to limit smoke buildup in potential or high-quality denning habitat. In the event that smoke levels exceed unhealthy levels (AQI >150) on or near the fire line over the course of a day based on the 24-hour average, lighting patterns and firing techniques will be altered to reduce fire behavior and smoke impacts.
 - The Park will implement the March 1 to June 30 LOP (April 30 for prescribed fire only) in and adjacent to potential denning habitat if there is evidence of a female fisher detected via monitoring.
- Habitat Structure:
 - While the project will remove trees and vegetation by design, large diameter trees and California black oaks (>20" dbh) will be retained and protected where and when possible (i.e., if it is identified as a hazard to firefighter safety, it can't be retained).
 - Large diameter trees, California black oaks (>20" dbh) and other high-value trees and snags will be raked or pre-burned when possible to aid in protection of these fisher habitat components.

- Low intensity broadcast burning will be the method of prescribed burning used in proximity to large diameter trees, California black oaks (>20 dbh”) and other high-value trees and snags, where possible.
- Project personnel will also be mindful of protecting cover for fishers, but allowing for a mosaic of burning within the unit. Where possible, the project will maintain and enhance desired stand-level characteristics in suitable habitat.
- Where possible, the project will maintain and enhance habitat heterogeneity within and between core habitat areas.
- If conditions allow, the project will maintain and enhance cover between habitat patches to allow for connectivity.
- The project manager will consult with Park wildlife staff during planning to avoid and/or enhance suitable habitat and corridors to the greatest extent possible.
- Park biologists will monitor the project area with remote cameras post-burn to ensure fisher continue to use the habitat. Park biologists also will prioritize this area for live-capture and collaring of fishers as part of a current project to understand how the prescribed burns affect fisher movement patterns across the landscape.
- Protections During Work:
 - Any temporary fencing will allow for the safe passage of fishers.
 - All food and garbage will be stored at all times in wildlife-proof containers.
 - Project staff will follow posted speed limits and reduce their speed by an additional five mph during dusk and dawn.
 - Work crews will attend a pre-work orientation taught by a Park Wildlife Biologist that will ensure crews understand how to identify a fisher and what actions are to be taken if a fisher is detected in or near the work site.
 - If a fisher is spotted within a work site, mechanical work in the area will cease until the animal safely moves out of the area and is in no danger from project activities. The Service will be notified of this sighting and determine if Section 7 consultation needs to be reinitiated.
 - Park fire staff will ensure prescribed fire activities are undertaken only when conditions are amenable to facilitating low to moderate intensity fires that will burn the forest understory and conserve habitat elements such as large diameter snags, as well as live large diameter trees. The prescribed fire burning activities would not take place unless environmental moisture levels and wind forecasts were supportive of controlled burns to minimize any chance that the managed fire could escape and potentially grow into high intensity fire.
 - Any future alterations to the project (i.e., additional control lines, expansion of burn area) will be reviewed by a Park Wildlife Biologist to determine if the changes are consistent with the existing consultation or if additional consultation with the Service is needed.
 - For known dens and as new dens are located, the Park fire staff will use wind conditions and lighting techniques on prescribed fires to minimize smoke in denning habitat during denning season.
 - During the denning LOP, in the event that smoke levels exceed unhealthy levels (AQI >150) on or near the fire line over the course of a day based on the 24-hour average, lighting patterns and firing techniques will be altered to reduce fire behavior and smoke impacts.

Air Quality

- The Project Manager should work with the appropriate Air Resource District to register the burn and secure any necessary Smoke Management Plan permits prior to ignition to minimize any adverse smoke impacts to air quality. Project Manager will refer to procedures noted in the 2004 Final Yosemite Fire Management Plan EIS for mitigation of potential air quality impacts.

Superintendent Signature: Cicely Muldoon **Date:** November 18, 2021



Categorical Exclusion Documentation Form (CE Form)

Project: Prescribed Burn- Merced Grove PW4 and PW6

PEPC Project Number: 101272

Description of Action (Project Description):

The National Park Service is proposing to initiate a prescribed burn as early as fall 2021 in and around the Merced Grove of Giant Sequoias in partnership with the USFS Stanislaus National Forest. The proposed burn would cover an area of approximately 869 acres of the park within the PW4 and PW6 units. This project will build on planned fuels reduction work in the area with the goal of reducing fuels, reducing the probability of future high intensity fire, increasing the resiliency of wildlife habitat, and protecting the Merced Grove of Giant Sequoias.

The burn units will utilize existing dozer lines, handlines, and roadways in order to burn safely across park & forest boundaries without using equipment that will disturb the ground with new firelines. The existing lines will be prepped using hand tools and chainsaws to ensure fire stays within the proposed units. Within the park, PW-4 will be held to the north by the Big Oak Flat Road and to the east by Moss Canyon Road/Forest Route 2S20. PW-6 will be held to the north and east by Forest Route 1S12 and to the west by Moss Canyon Road/Forest Route 2S20. If additional control lines are deemed necessary to facilitate safe burning and to protect resources, they will be reviewed by an interdisciplinary team and approved by the deciding official prior to implementation. The interdisciplinary team is made up of NPS fire staff as well as cultural and natural resources staff (including archaeologists, historians, and cultural anthropologists/tribal liaisons).

The burn will be conducted along holding lines by hand ignition using drip torches or with aerial ignitions (using either Unmanned Aerial Vehicles or helicopter with Plastic Sphere Dispensers). Unit PW4 (YNP) and units 2 & 3 (STF) will be burned together and PW6 (YNP) and unit 4 (STF) will be burned together, over multiple burn periods as conditions allow. Firing patterns, weather, and fuel conditions are planned and monitored to create mosaic burn patterns, leaving areas of burned and unburned fuels. The burn will take place when all environmental parameters outlined in the prescription can be met, which can be any time of the year.

Much of this area is within the footprint of the 2018 Ferguson Fire (with the exception of PW6 on YNP). The desired forest condition is a landscape that is ecologically healthy and resilient to high intensity fire and includes mature forest connectivity between Stanislaus National Forest and Yosemite National Park.

Mitigation(s):

See Letter of Compliance Completion Form for Mitigations

CE Citation: B.1 Changes or amendments to an approved plan, when such changes would cause no or only minimal environmental impact.

CE Justification:

Action is covered by the 2017 Fire Management Plan amendment (PEPC 41967) and 2004 Fire Management Plan. New impacts not covered by the FMP amendment are addressed in the Mitigations and Other Compliance/Consultations section.

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:** November 18, 2021

Extraordinary Circumstances:

If implemented, would the proposal...	Yes/No	Notes
A. Have significant impacts on public health or safety?	No	None
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
C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))?	No	None
D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	No	None
E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	No	None
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	None
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	A Biological Analysis for the federally-listed Fisher has been prepared for this action.
I. Violate a federal, state, local or tribal law or requirement imposed for the protection of the environment?	No	None
J. Have a disproportionately high and adverse effect on low income or minority populations (EO 12898)?	No	None
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	None
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	None



ENVIRONMENTAL SCREENING FORM (ESF)

Updated Sept 2015 per NPS NEPA Handbook

A. PROJECT INFORMATION

Project Title: Prescribed Burn- Merced Grove PW4 and PW6

PEPC Project Number: 101272

Project Type: Fire - Prescribed Burn (PB)

Project Location:

County, State: Mariposa, California

County, State: Tuolumne, California

Project Leader: Jennifer Anderson

B. PROJECT DESCRIPTION

See Categorical Exclusion Form.

C. RESOURCE IMPACTS TO CONSIDER:

Resource	Potential for Impact	Potential Issues & Impacts
Air Air Quality <i>Smoke</i>	Potential	<p>Issue: Prescribed fire project is anticipated to generate smoke and air quality impacts.</p> <p>Impact: Air quality impacts are anticipated to be minor, and much smaller than those produced in large, catastrophic fires (which could result by not taking action). Project manager will refer to procedures noted in the 2004 Fire Management Plan and 2017 Fire Management Plan amendment (PEPC 41967) for mitigation of potential air quality impacts.</p>
Biological Nonnative or Exotic Species <i>Introduction of noxious plants</i>	Potential	<p>Issue: If fire trucks, bulldozers, or other heavy equipment are staged for fire contingencies, they may act as vectors that could introduce non-native plants.</p> <p>Impact: Follow resource protections outlined with regard to heavy equipment cleaning and inspection.</p>

Resource	Potential for Impact	Potential Issues & Impacts
Biological Species of Special Concern or Their Habitat <i>Fisher, nesting birds</i>	Potential	<p>Issue: Special status species, including the Federally-listed Pacific Fisher, are present in the project area. Helicopter use may disturb wildlife, especially nesting birds.</p> <p>Impact: Follow resource protections with regard to special status species, including those in the Biological Analysis for the Fisher that was prepared for this action. Impacts from this action are expected to be minor and much smaller than those posed by catastrophic fire, which could result from not taking action. Disturbance caused by helicopters may be minimized by performing the burn in the fall or winter.</p>
Biological Vegetation	Potential	<p>Issue: The forest and associated vegetation in the vicinity are fire-adapted and will be impacted by this action.</p> <p>Impact: Impacts from this action are expected to be beneficial to forest health and intended to thwart the potential negative, extensive impacts from large, catastrophic fire, which could result from not taking action.</p>
Biological Wildlife and/or Wildlife Habitat including terrestrial and aquatic species	Potential	<p>Issue: Fire may have impacts to wildlife communities and habitat (though these ecosystems are fire-adapted); wildlife behavior is impacted by human-caused food conditioning.</p> <p>Impact: Impacts from this action are expected to be beneficial to forest habitat health and intended to thwart the potential negative, extensive impacts from large, catastrophic fire, which could result from not taking action. Workers will follow resource protections with regard to food/trash storage outlined to prevent food conditioning in wildlife.</p>
Cultural Archeological Resources	Potential	<p>Issue: [REDACTED]</p> <p>Impact: Follow cultural resource protections outlined to avoid impacts to archeological resources.</p>
Cultural Cultural Landscapes <i>Merced Grove Historic District</i>	Potential	<p>Issue: The project is located within the Merced Grove Historic District.</p> <p>Impact: The goal of the project is to protect the Merced Grove of Giant Sequoias and its associated cultural resources from the devastating effects of catastrophic wildfire.</p>
Cultural Ethnographic Resources <i>Giant Sequoias</i>	Potential	<p>Issue: Sequoia trees have previously been identified as important cultural resources.</p> <p>Impact: This project will not involve removal of sequoia trees and will instead promote better growing conditions for the trees, while also protecting them from high-severity fires. Tribal partners were provided details about the project and comments received were supportive of the prescribed burn.</p>
Cultural Museum Collections	None	None

Resource	Potential for Impact	Potential Issues & Impacts
Cultural Prehistoric/historic structures <i>Merced Grove Ranger Cabin</i>	Potential	Issue: The project will involve felling trees adjacent to the historic Merced Grove Ranger Cabin. Impact: Care will be taken to ensure that trees are not felled on the building and all heavy equipment will avoid this resource. Reducing fuel loading adjacent to the structure will protect it from potential future damage from fire.
Geological Geologic Features	None	None
Geological Geologic Processes	None	None
Lightscares	None	None
Other Human Health and Safety	Potential	Issue: Fire operations pose inherent risks to human health and safety. Large, catastrophic fires (which could result from not taking action) also pose risks to human health and safety. Impact: Follow NPS and Park protocols to safely carry out prescribed burning activities and have contingency plans in place. Overall impacts to human health and safety are improved by decreasing the risk of large, catastrophic fire that could result from not taking action.
Other Operational <i>Big Oak Flat Road</i>	Potential	Issue: Prescribed fire may impact some NPS operations along Big Oak Flat Road which will be used as a containment line for the project. Impact: Communicate and coordinate project actions well ahead of projected implementation, refer to the 2004 Fire Management Plan and 2017 Fire Management Plan amendment (PEPC 41967) for mitigations and procedures regarding communication and coordination.
Other	None	None
Socioeconomic Land Use	None	None
Socioeconomic Minority and low-income populations, size, migration patterns, etc.	None	None
Socioeconomic	None	None
Soundscapes <i>Helicopters</i>	Potential	Issue: Helicopters produce a lot of noise. Impact: Noise from helicopters may disturb wildlife. See Species of Special Concern or Their Habitat, above.

Resource	Potential for Impact	Potential Issues & Impacts
Viewsheds <i>Forest Structure</i>	Potential	Issue: The project will clear excessive growth and vegetation from the project area. Impact: The project is expected to positively impact the forest views in the area by creating a more open, park-like forest structure.
Visitor Use and Experience Recreation Resources	Potential	Issue: Areas adjacent to planned prescribed fire activities may be temporarily closed to visitation to protect visitor safety or may experience smoke impacts. Delays or reduced traffic speeds are possible along roads adjacent to the project area. Impact: Minor, temporary negative impact to recreation resources. Prescribed burning activities will take place in the low-visitation season. Refer to mitigations in the 2004 Fire Management Plan and 2017 Fire Management Plan amendment (PEPC 41967) to reduce potential visitor impacts.
Visitor Use and Experience Visitor Use and Experience	None	None
Water Floodplains	None	None
Water Marine or Estuarine Resources	None	None
Water Water Quality or Quantity	None	None
Water Wetlands	None	None
Water Wild and Scenic River	None	None
Wilderness	None	None



ASSESSMENT OF ACTIONS HAVING AN EFFECT ON HISTORIC PROPERTIES

A. DESCRIPTION OF UNDERTAKING

1. Park: Yosemite National Park

2. Project Description:

Project Name: Prescribed Burn- Merced Grove PW4 and PW6

Prepared by: Daniel Sharon **Date Prepared:** 05/19/2021 **Telephone:** (209) 379-1038

PEPC Project Number: 101272

Locations:

County, State: Mariposa, CA

County, State: Tuolumne, CA

Describe project:

See Categorical Exclusion Form.

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

The APE is limited to the immediate vicinity of the proposed prescribed burn within the PW4 and PW6 Merced Grove units. The project will occur in an area of approximately 869 acres.

The burn units will utilize existing dozer lines, handlines, and roadways in order to burn safely across park and forest boundaries without using equipment that will disturb the ground with new firelines. The existing lines will be prepped using hand tools and chainsaws to ensure fire stays within the proposed units. Within the park, PW-4 will be held to the north by the Big Oak Flat Road and to the east by Moss Canyon Road/Forest Route 2S20. PW-6 will be held to the north and east by Forest Route 1S12 and to the west by Moss Canyon Road/Forest Route 2S20.

The vertical APE is expected to be limited to the surface and near-surface soils. However, based on burn intensity the heat generated from the fire may cause disturbance to buried archeological materials to a depth of approximately 3 feet below surface. Visible smoke impacts will be temporary for the duration of the burn.

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

4. Potentially Affected Resource(s):

Archeological Resources Present: Yes

Archeological Resources Notes: The entire Merced Grove was surveyed in 2005 and 2018 with fair to good ground visibility. Additional areas within and adjacent to known archeological sites were also surveyed in 2019. However, small portions to the north of the unit have not been addressed and will be surveyed in 2021 prior to the burn.

Historical Structures/Resources Present: Yes

Historical Structures/Resources Notes: Portions of the Old Coulterville Road and Trail and the Merced Grove Ranger Cabin are within the project area.

Cultural Landscapes Present: Yes

Property Name: Merced Grove Historic District LCS:

Cultural Landscapes Notes: Site components of CA-MRP-0720H (the Yosemite Lumber Company and Yosemite Sugar Pine Lumber Company Railroad Logging, North Side Operations, Historic District) are within the project area.

Ethnographic Resources Present: Yes

Ethnographic Resources Notes: Sequoia trees have previously been identified as important cultural resources. This project will not involve removal of sequoia trees and will instead promote better growing conditions for the trees, while also protecting them from high-severity fires. The project was included on the April 2021 Tribal Spreadsheet. Comments received from tribes were supportive of the prescribed burn project.

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: 09/20/2021

Comments: Compliance complete. SHPO concurrence received 9/20/2021.

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: Please follow all specialists recommendations.

Doc Method: Standard 4-Step Process

[X] **Anthropologist**

Name: Liz Williams

Date: 06/11/2021

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: Standard 4-Step Process

[X] **Archeologist**

Name: Matthew Flynn

Date: 06/24/2021

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: As per mitigation notes attached under the NHPA section.

Doc Method: Standard 4-Step Process

[X] **Historical Architect**

Name: Donald Faxon

Date: 07/15/2021

Comments: The primary historic built resource in this area is the rustic log 1934 Old Ranger Patrol Cabin.

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: Special care should be taken to avoid damaging the 1934 cabin along the trail.

Doc Method: Standard 4-Step Process

[X] **Historical Landscape Architect**

Name: Vida Germano

Date: 06/30/2021

Comments: This project will have no adverse effect on the cultural landscape.

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: Standard 4-Step Process

No Reviews From: Curator, Historian, Other Advisor

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:

[X] A. Standard 36 CFR Part 800 Consultation

Further consultation under 36 CFR Part 800 is needed.

[] B. Streamlined Review Under the 2008 Servicewide Programmatic Agreement (PA)

The above action meets all conditions for a streamlined review under section III of the 2008 Servicewide PA for Section 106 compliance.

Applicable Streamlined Review Criteria

(Specify 1-16 of the list of streamlined review criteria.)

[] C. 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: Yes

SHPO Sent: Aug 16, 2021

SHPO Received: Sep 20, 2021

THPO Required: Yes

THPO Sent: Apr 15, 2021

THPO Received: Apr 16, 2021

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:

- Special care should be taken to avoid damaging the historic 1934 Historic Ranger Cabin along the trail.
- Coordinate and consult with Park resources staff (wildlife, archeology, vegetation etc.), concessioners, facilities, and other affected stakeholders at least 1 week ahead of burning to identify sensitive areas, allow for operational planning, and ensure the implementation of applicable mitigation measures.
- If previously unknown archeological resources are discovered during project implementation, all work in the immediate vicinity (600 feet) of the discovery shall be halted and the park's Cultural Resource Management team will be notified (Dawn Bringelson, Cultural Resources Branch Chief, (402) 437-5392 ex. 105).
- Crews working on the prescribed burn in the project area will be instructed to avoid damaging archeological sites. Protection measures will include:
 - Not staging equipment and materials within archeological site boundaries
 - Not felling culturally modified trees [REDACTED]
 - Not felling trees on sensitive components of archeological sites
 - Not constructing burn piles within site boundaries
 - Reducing fuel loading within site boundaries to reduce the threat of increased heat damage during prescribed fire
 - Digging handline around sensitive components of sites (e.g., features, artifact concentrations)

6. Assessment of Effect Notes:

D. RECOMMENDED BY PARK SECTION 106 COORDINATOR:

Section 106 Coordinator Hope Schear **Date:** November 18, 2021
Signature:

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:** November 18, 2021



Other Compliance/Consultations Form

Park Name: Yosemite National Park
PEPC Project Number: 101272
Project Title: Prescribed Burn- Merced Grove PW4 and PW6
Project Type: Fire - Prescribed Burn
Project Location:
County, State: Mariposa, CA
County, State: Tuolumne, CA
Project Leader: Jennifer Anderson

ESA

Any Federal Species in the project Area? Yes

If species in area: Likely to Adversely Affect

Was Biological Assessment prepared? Yes

If Biological Assessment prepared, concurred?

Formal Consultation required? Yes

Formal Consultation Notes:

USFWS consultation initiated 6/8/2021 for the Pacific Fisher. Concurrence letter received 11/16/2021. Follow conservation measures to avoid adversely affecting the Fisher. See attached consultation letter.

Formal Consultation Concluded: Nov 16, 2021

Any State listed Species in the Project Area? Yes

Consultation Information: [REDACTED] Avoid the LOP of March-August if possible. If work occurs during this time, a 400 m no treatment buffer will be applied to active nest trees. Historic California spotted owl trees must be protected.

General Notes:

Data Entered By: Heather Mackey **Date:** Nov 16, 2021

ESA Mitigations

Mitigation ID	Text
123962	<p>Work must follow Habitat Structure mitigations set forth in the November 16th, 2021 formal consultation with USFWS on the Merced Grove Prescribed Burn Project:</p> <ul style="list-style-type: none"> • While the project will remove trees and vegetation by design, large diameter trees and California black oaks (>20" dbh) will be retained and protected where and when possible (i.e., if it is identified as a hazard to firefighter safety, it can't be retained). • Large diameter trees, California black oaks (>20" dbh) and other high-value trees and snags will be raked or pre-burned when possible to aid in protection of these fisher habitat components. • Low intensity broadcast burning will be the method of prescribed burning used in proximity to large diameter trees, California black oaks (>20" dbh) and other high-value trees and snags, where possible. • Project personnel will also be mindful of protecting cover for fishers, but allowing for a mosaic of burning within the unit. Where possible, the project will maintain and enhance desired stand-level characteristics in suitable habitat. • Where possible, the project will maintain and enhance habitat heterogeneity within and between core habitat areas. • If conditions allow, the project will maintain and enhance cover between habitat patches to allow for connectivity. • The project manager will consult with Park wildlife staff during planning to avoid and/or enhance suitable habitat and corridors to the greatest extent possible. • Park biologists will monitor the project area with remote cameras post-burn to ensure fisher continue to use the habitat. Park biologists also will prioritize this area for live-capture and collaring of fishers as part of a current project to understand how the prescribed burns affect fisher movement patterns across the landscape.

Mitigation ID	Text
123963	<p>Work must follow Protections During Work mitigations set forth in the November 16th, 2021 formal consultation with USFWS on the Merced Grove Prescribed Burn Project:</p> <ul style="list-style-type: none"> • Any temporary fencing will allow for the safe passage of fishers. • All food and garbage will be stored at all times in wildlife-proof containers. • Project staff will follow posted speed limits and reduce their speed by an additional five mph during dusk and dawn. • Work crews will attend a pre-work orientation taught by a Park Wildlife Biologist that will ensure crews understand how to identify a fisher and what actions are to be taken if a fisher is detected in or near the work site. • If a fisher is spotted within a work site, mechanical work in the area will cease until the animal safely moves out of the area and is in no danger from project activities. The Service will be notified of this sighting and determine if Section 7 consultation needs to be reinitiated. • Park fire staff will ensure prescribed fire activities are undertaken only when conditions are amenable to facilitating low to moderate intensity fires that will burn the forest understory and conserve habitat elements such as large diameter snags, as well as live large diameter trees. The prescribed fire burning activities would not take place unless environmental moisture levels and wind forecasts were supportive of controlled burns to minimize any chance that the managed fire could escape and potentially grow into high intensity fire. • Any future alterations to the project (i.e., additional control lines, expansion of burn area) will be reviewed by a Park Wildlife Biologist to determine if the changes are consistent with the existing consultation or if additional consultation with the Service is needed. • For known dens and as new dens are located, the Park fire staff will use wind conditions and lighting techniques on prescribed fires to minimize smoke in denning habitat during denning season. • During the denning LOP, in the event that smoke levels exceed unhealthy levels (AQI >150) on or near the fire line over the course of a day based on the 24-hour average, lighting patterns and firing techniques will be altered to reduce fire behavior and smoke impacts.

Floodplains/Wetlands/§404 Permits

Question	Yes/No	Details
A.1. Is project in 100- or 500-year floodplain or flash flood hazard area?	No	Not in floodplain or flash flood hazard area.
A.2. Is Project in wetlands as defined by NPS/DOI?	No	Not in wetland as defined by NPS/DOI.
B. COE Section 404 permit needed?	No	No placement of fill in waters of the United States.
C. State 401 certification?	No	None
D. State Section 401 Permit?	No	Issue Date: Expiration Date:
E. Tribal Water Quality Permit?	No	None

Question	Yes/No	Details
F. CZM Consistency determination needed?	N/A	N/A
G. Erosion & Sediment Control Plan Required?	No	None
H. Any other permits required?	No	Permit Information:
Other Information:	No	None

Data Entered By: Daniel Sharon **Date:** May 19, 2021

Floodplains & Wetlands Mitigations

No Floodplains & Wetlands mitigations are associated with this project.

Wilderness

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

Data Entered By: Daniel Sharon **Date:** May 19, 2021 **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?	Yes
F. Consistent with Architectural Barriers, Rehabilitation, and Americans with Disabilities Acts or not Applicable? (If N/A check Yes)	Yes

Question	Yes/No
G. Other:	No

Other Information:

Project Manager should work with the appropriate Air Resource District to register the burn and secure any necessary Smoke Management Plan permits prior to ignition to minimize any adverse smoke impacts to air quality.

Data Entered By: Daniel Sharon **Date:** May 19, 2021