



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: Garrett Dickman, Project Manager, Yosemite National Park

From: Cicely Muldoon, Superintendent, Yosemite National Park

Subject: NEPA and NHPA Clearance: 2022-141 Tuolumne River Plan Implementation: Tuolumne Meadows Conifer Removal (PEPC: 107719)

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 has been assessed as “likely to adversely affect” the Yosemite Toad and Sierra Nevada Yellow Legged Frog. The effect determination means that while it is possible that the project may impact a few individuals, it will not result in a magnitude of impact that would jeopardize the species at the population or species level. All protection measures contained in this CE will be applied to minimize potential effects to the species. There will be no effect on the Pacific Fisher. The project will have no effect on other 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:

Cultural Resources

- Integrate archeologist into project implementation and identify archeological site boundaries prior to implementation and identify priority sites for fuel reduction efforts.
- Archeologist will monitor work within sensitive archeological sites. Removal of trees within site boundaries for resources that have the potential to be disturbed by these actions [REDACTED] [REDACTED] will involve methods that minimize or do not include ground disturbance.

- Associated site protection actions include moving slash outside of site boundaries, chipping and hauling slash instead of piling, and removing fuels from on top of and adjacent to features and concentrations of artifacts. These methods are implemented on a site-by-site basis to ensure no adverse effect to archeological sites.

Wildlife

- If Yosemite toads or Sierra Nevada yellow-legged frogs are discovered in the work area, work must stop in the vicinity (within 500 feet of the animal) and the park Aquatic Ecologist must be contacted immediately (209-379-1438). Staff may not relocate, handle, or disturb in any way a Yosemite toad or Sierra Nevada yellow-legged frog. Work may resume at the direction of the Aquatic Ecologist.
- Project staff working on the project will be advised to follow park speed limits, reducing their speed, and increasing their awareness during warm, wet/rainy conditions to avoid vehicle strikes of amphibians and other wildlife.
- Minimize use of heavy equipment in natural areas; go in and out if they must drive into areas for work. Avoid turning in natural areas.
- Tree material removed should be preferentially chipped in areas within 100 feet of aquatic habitat, including meadows. If chipping is not feasible, materials needing to be piled/burned should be piled outside of meadows and piles should be located 100 feet or more from aquatic habitats (rivers, streams, ponds, meadows). Any piles constructed should be burned as soon as possible, preferably within 6 months - as the piles can attract wildlife, including listed amphibians, who may use them as refugia. Piles not burned within 1 year of construction will need to be de-constructed and re-built before burning.
- Staff will avoid stepping on rodent burrows, which are important habitat elements for the Yosemite toad.
- The project will be timed to coincide dry portions of the year (late summer to early fall) within time frames when Yosemite toads are least likely to be concentrated in meadow habitat for breeding.
- Pre-construction surveys are required for the greater Tuolumne Meadows area at the expense of the project budget. The surveys must occur during the toad's breeding season, during times when meadow conditions are wet. Coordinate surveys with the park Aquatic Ecologist the spring before work is planned to start. (These surveys are planned for summer 2022 already)
- All staff working on the project will attend a resource protection briefing given by Aquatic Wildlife Staff, which will detail protection measures and species identification. Educational talk by Aquatic Wildlife Biologist is required- please schedule no later than 2 weeks before work start, this would need to happen for both tree felling/piling crews, as well as pile burning crews.
- If the project occurs between May 31st and August 15th, trees must be surveyed by a qualified biologist for nesting migratory birds before removal or trimming. Once surveyed the project has 1 week to remove trees. If work is not completed within 1 week, trees must be resurveyed.
- Compliance with food-storage and garbage disposal requirements must be achieved at all times.

Vegetation

- Soil disturbance shall be minimized to the greatest extent possible to reduce disturbance to native plants and reduce the potential for the introduction or spread of invasive non-native plant species.
- Altered landforms shall be restored to natural conditions, which may require decompaction, recontouring, removal of fill, filling voids, treating areas of potential erosion, or bio-stabilization of riverbanks. Consult with Vegetation Branch early in project conception to determine and plan for ecological restoration needs.
- Track mats are required for driving vehicles and equipment into meadows.
Comment: ingress/egress points and locations for avoiding social trail establishment

- Measures shall be taken to prevent the introduction of exotic species in the project area and staging areas. All earth moving equipment must enter the park free of dirt, dust, mud, seeds, or other potential contaminant. Examples of equipment that require inspection are excavators, skid steers, or boring equipment. Passenger vehicles do not need inspection but should be clean prior to entry in the park. Equipment exhibiting any dirt or other material attached to frame, tires, wheels, or other parts shall be thoroughly cleaned by the Contractor before entering the park. Areas inspected shall include, but not be limited to, tracks, track guard/housings, belly pans/under covers, buckets, rippers, and other attachments. Equipment that does not pass inspection will be turned around to the nearest cleaning facility outside the park. The Contractor shall notify the Construction manager at least two workdays (not including weekends) prior to bringing any equipment into the park. Equipment found to have entered the park with potential contaminants will be removed from the park at the direction of the Contracting Officer at Contractor's sole expense. All staff working on site shall be informed of and follow best management practices for preventing the introduction and spread of non-native, invasive species as described in Division 1 Specifications, Section 1335.
- During project planning and design, consult with Vegetation staff to survey project area, including buffer zone and staging areas, for special status plant species. Avoid during design, and flag for construction avoidance. If disturbance can't be avoided, consult with Vegetation staff on mitigation measures.

Superintendent Signature: _____ Cicely Muldoon **Date:** _____ June 8, 2022

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: Tuolumne River Plan Implementation: Tuolumne Meadows Conifer Removal

PEPC Project Number: 107719

Description of Action (Project Description):

This project was selected for implementation in the 2014 Record of Decision for the Tuolumne River Plan/EIS (PEPC 14043). This project must adhere to mitigation and stipulations specified in the Final EIS/Record of Decision and in this Categorical Exclusion (CE). The CE includes additional mitigations for the protection of more recently recognized threatened and endangered species along with documentation of NHPA 106 analysis and consultation.

WHAT This project removes lodgepole pine growing in Tuolumne Meadows to protect visitor experience, viewsheds, soil water holding capacity, and the cultural landscape. **HOW** Trees will be cut using loppers, handsaws, chainsaws, or brush cutters. Trees <6" diameter will be targeted for removal. Trees 6-12" diameter may be removed when trees are isolated, within 200' of the road, obscure visual connectivity within meadow, or block viewsheds. Small material (<2" diameter) and branches may be left in place to decompose, piled to be burned later, or hauled offsite where feasible and where transporting material does not cause further damage to the meadow. Branches and trees close to the road will be hauled offsite, or chipped. Chips may be distributed back into the meadow to minimize carbon loss to a depth no greater than one inch. A vehicle may be used to haul material that cannot be carried by hand and not for transportation. Vehicles can have lower pressure per square inch than foot traffic and will require fewer trips than hand hauling material, which will reduce incidental social trail creation. Any vehicle tracks will be raked out. No vehicle will enter Wilderness, areas where tires could leave a rut, near riverbanks, wet areas, or archeological sites. No work will occur in Wilderness. Track mats will be used at ingress/egress for vehicles. Workers will obscure trails to avoid social trail creation.

WHY Conifer encroachment has been thought to be largely anthropogenic with historic grazing, ditching, construction of the road, alteration of the floodplain, river processes and riparian area suggested as culprits. Recent studies strongly support changing climatic conditions (changes in snowmelt timing, summer temperatures, precipitation amounts, and timing) as the primary culprit that promotes lodgepole establishment across subalpine meadows in the Sierra Nevada (Lubetkin et al. 2017). Meadow encroachment by conifers is predicted to be increasingly favorable to recruitment, which will lead to changes in visitor experience, meadow vegetation composition, animal communities, and downstream ecosystem services. Manual removal of conifers growing in Tuolumne Meadows has occurred since at least the 1930's from the Civilian Conservation Corps. Sheep herders and cultural burning may have also played a role in meadow maintenance. In 2005, park staff and volunteers removed 71,185 trees <6"diameter from the meadows. The Tuolumne River Plan 2014 states that conifer removal outside of designated scenic vistas would not occur until further studies on possible triggers for encroachment occurred. Lubetkin et al distinctly show climate and landscape as the primary drivers. This suggests that no singular restoration activity will exclude further germination, and the only natural tool to reverse encroachment is fire. Researchers are undertaking further studies to determine if other techniques can be used to support meadow vegetation. However, once established, conifers will not be displaced. Removal of conifers now, while small, will provide managers in the future opportunities to implement other restoration techniques and will increase soil moisture that will make restoration more likely to be successful

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

CE Citation: 3.3.E.4 Removal of non-historic materials and structures in order to restore natural conditions.

CE Justification: Removal of conifers now, while small, will provide managers in the future opportunities to implement other restoration techniques and will increase soil moisture that will make restoration more likely to be successful. This project was selected for implementation in the 2014 Record of Decision for the Tuolumne River Plan/EIS (PEPC 14043), but required the park to examine why conifers are encroaching on the Tuolumne Meadows. Recent studies strongly support changing climatic conditions (changes in snowmelt timing, summer temperatures, precipitation amounts, and timing) as the primary culprit that promotes lodgepole establishment across subalpine meadows in the Sierra Nevada (Lubetkin et al. 2017).

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:** June 8, 2022

Extraordinary Circumstances:

If implemented, would the proposal...	Yes/No	Explanation
A. Have significant impacts on public health or safety?	No	NPS staff will follow all tree removal safety protocol during the removal process to protect themselves and the public.
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	This project removes lodgepole pine growing in Tuolumne Meadows. The project will protect visitor experience, viewsheds, soil, water holding capacity, and the cultural landscape.
C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))?	No	No
D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	No	Removal of conifers now, while small, will provide managers opportunities in the future to implement other restoration techniques to increase soil moisture making future restoration efforts even more successful.
E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	No	Researchers are undertaking further studies to determine if other techniques can be used to support meadow vegetation. This project does not preclude other actions that might be taken in the future.
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	No
H. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?	No	This project occurs in close proximity to aquatic and critical habitats of the Yosemite Toad and the Sierra Nevada yellow-legged frog and is being placed under the biological opinion, which covers actions in the Tuolumne Wild and Scenic River Plan EIS to remove trees to mitigate conifer encroachment. The project has been assessed as "may affect, likely to adversely affect" the species. Applying the attached protection measures is intended to minimize impacts to the species.
I. Violate a federal, state, local or tribal law or requirement imposed for the protection of the environment?	No	No, this project has been assessed for all federal, state, local and tribal laws and found to be in compliance.
J. Have a disproportionately high and adverse effect on low income or minority populations (EO 12898)?	No	N/A

If implemented, would the proposal...	Yes/No	Explanation
<p>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)?</p>	No	<p>This project was included on the April Tribal Spreadsheet and distributed to the associated Native American groups for consultation. No potential project impacts to sacred or sensitive sites, locales, or landscapes were identified. There are no recorded ethnographic areas within the APE. While there are archeological sites within the project area, there is expected to be no adverse effect.</p>
<p>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)?</p>	No	<p>This project removes encroaching conifers and will not introduce non-native invasive species or noxious weeds.</p>



ENVIRONMENTAL SCREENING FORM (ESF)

Updated Sept 2015 per NPS NEPA Handbook

A. PROJECT INFORMATION

Project Title: Tuolumne River Plan Implementation: Tuolumne Meadows Conifer Removal

PEPC Project Number: 107719

Project Type: Restoration (REST)

Project Location: County, State: Tuolumne, California

Project Leader: Garrett Dickman

B. PROJECT DESCRIPTION

See Categorical Exclusion Form

C. RESOURCE IMPACTS TO CONSIDER:

Resource	Potential for Impact	Potential Issues & Impacts
Air Air Quality	Potential	Issue: Dust, Exhaust Impact: Negligible, temporary impacts
Biological Nonnative or Exotic Species	None	None
Biological Species of Special Concern or Their Habitat <i>Red Legged Frog</i>	Potential	Issue: Frogs and toads may be present in work sites. Trees to be removed are in critical habitat for frogs and toads. Impact: No adverse impacts are anticipated if mitigation measures are followed.
Biological Vegetation <i>Meadows</i>	Potential	Issue: Conifers are encroaching on Tuolumne Meadows Impact: Removing the trees will slow the spread of conifers

Resource	Potential for Impact	Potential Issues & Impacts
Biological Wildlife and/or Wildlife Habitat including terrestrial and aquatic species <i>Birds</i>	Potential	Issue: Trees to be removed may contain nests Impact: RMS will complete a survey and conifer removal must take place within seven days of the survey.
Cultural Archeological Resources	None	None
Cultural Cultural Landscapes <i>Historic viewsheds</i>	Potential	Issue: Invasive trees have grown to block historic viewsheds Impact: Project will positively impact the cultural landscape in that removal of conifers from the historic viewshed.
Cultural Ethnographic Resources	None	None
Cultural Museum Collections	None	None
Cultural Prehistoric/historic structures	None	None
Geological Geologic Features	None	None
Geological Geologic Processes	None	None
Lightscares	None	None
Other Human Health and Safety	None	None
Other Operational	None	None
Other Other	None	None
Paleontological Paleontological Resources	None	None

Resource	Potential for Impact	Potential Issues & Impacts
Socioeconomic Land Use	None	None
Socioeconomic Minority and low-income populations, size, migration patterns, etc.	None	None
Socioeconomic	None	None
Soundscapes	None	None
Viewsheds <i>Historic viewsheds</i>	Potential	Issue: Invasive trees have grown to block historic viewsheds Impact: Project will have positive impacts to the cultural landscape; removal of conifers restores historic viewsheds.
Visitor Use and Experience Recreation Resources	None	None
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: Tuolumne River Plan Implementation: Tuolumne Meadows Conifer Removal

Prepared by: Erin Gearty **Date Prepared:** 03/15/2022 **Telephone:** (209) 379-1317

PEPC Project Number: 107719

Location: County, State: Tuolumne, CA

Describe project:

See Categorical Exclusion Form

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

Various archeological survey projects have occurred in the proposed work areas. This work also covers work discussed in the 2022/2023 Scenic Vista Management Plan work plan (PEPC 107716) on scenic vista sites 27-29. The APE includes a buffer of 30m around the work areas. The APE includes the approach to the work areas that could be accessed with vehicles. The total APE area is roughly 755,000 square meters. The APE maps contain specific information on archeological sites and ethnographically important areas within the APE for each work area. Ground disturbance may be caused by impact from falling trees, and equipment working in and removing timber from project areas.

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

Source or reference: Many- See Project Review Form

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

Archeological Resources Present: Yes

Archeological Resources Notes:

[Redacted] The specific site numbers are listed in the attached Project Review Form.

Historical Structures/Resources Present: No

Cultural Landscapes Present: Yes

Property Name: Tuolumne Meadow Archeological District **LCS:**

Property Name: Tuolumne Meadows Historic District **LCS:**
Location: Tuolumne Meadows

Ethnographic Resources Present: No

Ethnographic Resources Notes: There are no recorded ethnographic areas within the APE.

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:

106 Advisor

Name: Hope Schear

Date: 05/05/2022

Comments: Compliance complete. No HA required. Streamlined review completed under YOSE PA category 5. Tribes consulted through April 2022 TSS and no objections received.

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 specialist's recommendations.

Doc Method: Park Specific or Other Programmatic Agreement

Anthropologist

Name: Hope Schear

Date: 05/05/2022

Comments: Tribes consulted through the April 2022 TSS. No comments, concerns, or objections received within the 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: Erin Gearty

Date: 03/15/2022

Comments: Various archeological survey projects have occurred in the proposed work areas. This work also covers work discussed in the 2022/2023 Scenic Vista Management Plan work plan (PEPC 107716) on scenic vista sites 27-29. Multiple archeological sites are in proposed work areas [REDACTED]

[REDACTED] As with this project and others related to fuel management, such as biomass and hazard tree removal and prescribed burns, the Branch of Anthropology coordinates with project managers to identify site boundaries and provide buffers for avoidance. Site locations are conveyed through face-to-face interaction, monthly meetings, and shared spatial data on secured mobile devices. In other instances, archeologists have teamed with crews to identify locations within site boundaries that would benefit from vegetation management/fuel reduction actions, particularly removing fallen trees on the site surface. To reduce the risk to archeological sites, archeologists identify treatment areas and specify methods for reducing ground disturbance.

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: Integrate an archeologist into project implementation and identify archeological site boundaries prior to implementation. Archeologist will monitor work within sensitive archeological sites. Removal of trees within site boundaries for resources that have the potential to be disturbed by these actions [REDACTED] will involve methods that minimize or do not include ground disturbance. Associated site protection actions include moving slash outside of site boundaries, chipping and hauling slash instead of piling, and removing fuels from on top of and adjacent to features and concentrations of artifacts. These methods are implemented on a site by site basis to ensure no adverse effect to archeological sites. All of the work areas have been previously surveyed. There are many overlapping surveyed areas in the APE, some of which were completed prior to current standards. The archeological monitor should keep this in mind when working with project managers to identify sensitive features, places where heavy equipment can travel, etc. Several blazes were recorded as isolates in the project area. These were included on the APE maps.

Doc Method: Park Specific or Other Programmatic Agreement

[X] **Historical Landscape Architect**

Name: Vida Germano

Date: 03/15/2022

Comments: Conifer removal will help retain the historic character of the meadow. 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: Park Specific or Other Programmatic Agreement

No Reviews From: Curator, Historical Architect, Historian, Other Advisor

C. PARK SECTION 106 COORDINATOR'S REVIEW AND RECOMMENDATIONS

1. Assessment of Effect:

Select with X	Assessment of Effect
<input type="checkbox"/>	No Potential to Cause Effects
<input type="checkbox"/>	No Historic Properties Affected
<input checked="" type="checkbox"/>	No Adverse Effect
<input type="checkbox"/>	Adverse Effect

2. Documentation Method:

A. Standard 36 CFR Part 800 Consultation

Further consultation under 36 CFR Part 800 is needed.

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

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

Applicable Streamlined Review Criteria

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

C. 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: 4/2/2022

THPO Received: No tribal comments received within 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:

- Integrate archeologist into project implementation and identify archeological site boundaries prior to implementation and identify priority sites for fuel reduction efforts. Archeologist will monitor work within sensitive archeological sites. Removal of trees within site boundaries for resources that have the potential to be disturbed by these actions (e.g, lithic scatters, historical refuse, rock walls, bedrock milling features, tree blazes) will involve methods that minimize or do not include ground disturbance. Associated site protection actions include moving slash outside of site boundaries, chipping and hauling slash instead of piling, and removing fuels from on top of and adjacent to features and concentrations of artifacts. These methods are implemented on a site-by-site basis to ensure no adverse effect to archeological sites.

6. Assessment of Effect Notes:

This project falls within the 2020 YOSE Parkwide PA Streamlined Activity 5: Routine Grounds Maintenance.

D. RECOMMENDED BY PARK SECTION 106 COORDINATOR:

Section 106 Coordinator Hope Schear **Date:** May 20, 2022
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:** June 8, 2022



Other Compliance/Consultations Form

Park Name: Yosemite National Park

PEPC Project Number: 107719

Project Title: Tuolumne River Plan Implementation: Tuolumne Meadows Conifer Removal

Project Type: Restoration

Project Location: County, State: Tuolumne, CA

Project Leader: Garrett Dickman

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:

The project area includes multiple work areas within Tuolumne Meadows in close proximity to aquatic habitats [REDACTED] as well as critical habitat for the Yosemite Toad and the Sierra Nevada yellow-legged frog (*Rana sierrae*). The project is being placed under the biological opinion (attached), which covers actions in the Tuolumne Wild and Scenic River Plan EIS to remove trees to mitigate conifer encroachment. The project actions have overlap with potentially occupied Yosemite toad habitat and involve substantial disturbance; for these reasons, the project has been assessed as "may affect, likely to adversely affect" the species. Applying the attached protection measures is intended to minimize impacts to the species.

Protection measures:

All staff working on the project will attend a resource protection briefing given by Aquatic Wildlife Staff, which will detail protection measures and species identification. Educational talk by Aquatic Wildlife Biologist is required- please schedule no later than 2 weeks before work start, this would need to happen for both tree felling/piling crews, as well as pile burning crews.

Pre-construction surveys are required for the greater Tuolumne Meadows area at the expense of the project budget. The surveys must occur during the toad's breeding season, during times when meadow conditions are wet. Coordinate surveys with the park Aquatic Ecologist the spring before work is planned to start. (These surveys are planned for summer 2022 already).

The project will be timed to coincide dry portions of the year (late summer to early fall) within time frames when Yosemite toads are least likely to be concentrated in meadow habitat for breeding.

Staff will avoid stepping on rodent burrows, which are important habitat elements for the Yosemite toad.

Tree material removed should be preferentially chipped in areas within 100 feet of aquatic habitat, including meadows. If chipping is not feasible, materials needing to be piled/burned should be piled outside of meadows and piles should be located 100 feet or more from aquatic habitats (rivers, streams, ponds, meadows). Any piles constructed should be burned as soon as possible, preferably within 6 months - as the piles can attract wildlife, including listed amphibians, who may use them as refugia. Piles not burned within 1 year of construction will need to be de-constructed and re-built before burning.

Minimize use of heavy equipment in natural areas; go in and out if they must drive into areas for work. Avoid turning in natural areas.

Project staff working on the project will be advised to follow park speed limits, reducing their speed and increasing their awareness during warm, wet/rainy conditions to avoid vehicle strikes of amphibians and other wildlife.

If Yosemite toads or Sierra Nevada yellow-legged frogs are discovered in the work area, work must stop in the vicinity (within 500 feet of the animal) and the park Aquatic Ecologist must be contacted immediately (209-379-1438). Staff may not relocate, handle, or disturb in any way a Yosemite toad or Sierra Nevada yellow-legged frog. Work may resume at the direction of the Aquatic Ecologist.

Formal Consultation Concluded:
Any State listed Species in the Project Area?
Consultation Information:
General Notes:

Data Entered By: Ninette Daniele

Date: May 3, 2022

ESA Mitigations

See Letter of Compliance Complete

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
F. CZM Consistency determination needed?	No	Date Review Requested: Date Reply Received: Date State Concurred:
G. Erosion & Sediment Control Plan Required?	No	None
H. Any other permits required?	No	Permit Information:
Other Information:	No	None

Data Entered By: Kirstie Dunbar-Kari

Date: Apr 21, 2022

Floodplains & Wetlands Mitigations

No Floodplains & Wetlands mitigations are associated with this project.

Wilderness

Question	Yes/No	Details
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:

Question	Yes/No	Details
Other Information:	No	None
Data Entered By: Kirstie Dunbar-Kari		
Date: Apr 21, 2022		
Other Permits/Laws		
<i>Questions A & B are no longer used.</i>		

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)	Yes
G. Other:	No

Other Information:

Data Entered By: Kirstie Dunbar-Kari **Date:** Apr 21, 2022