



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: Tom Richie, Project Manager, Yosemite National Park

From: Cicely Muldoon, Superintendent, Yosemite National Park

Subject: NEPA and NHPA Clearance: 2022-04 Old El Portal Network Improvement: Modify utility pole location (109898)

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:

- A tribal monitor has been requested to be present during digging by the Southern Sierra Miwuk Nation.
- Only project actions described in PEPC 109898 are approved for implementation; additional actions or deviations from those described must be reviewed and approved by the Yosemite Environmental Planning and Compliance office.
- All holes or trenches will be preferentially backfilled at the end of each workday. If holes or trenches must be kept open overnight, they must be capped or plated; minimize time that holes must be capped/plated.
- If previously unknown cultural resources are encountered, the project manager shall 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, should previously unknown American Indian burial sites be discovered, the Cultural Resource Program Manager will provide direction to follow provisions Native American Graves Protection and Repatriation Act requirements.

- Workers shall obey posted speed limits while traveling through the park. All personnel will properly store and dispose of food and trash. Food storage and trash systems must follow park regulations.

Superintendent Signature: Cicely Muldoon **Date:** August 18, 2022



Categorical Exclusion Documentation Form (CE Form)

Project: Old El Portal Network Improvement: Modify utility pole location

PEPC Project Number: 109898

Description of Action (Project Description):

This project amends PEPC 90460 to change the location of the utility pole in Old El Portal to provide wireless bridge internet improvements for the Old El Portal NPS offices. Instead of installing the 55-foot utility pole in the parking lot east of the Nature Bridge building along El Portal Road (continuation of Highway 140 into the park), the project would install a 50-foot utility pole at the southeast corner of the Old El Portal firehouse. An antenna would be mounted at the top of the utility pole (12" tall x 12" diameter) to transmit and receive the signal to its partner device. To install the utility pole, ground disturbance would be required to dig the hole and mount the utility pole (hole 10 inches in diameter, 72 inches deep, set directly in the ground).

Mitigation(s):

See Letter of Compliance Completion Form for mitigations.

CE Citation: 3.3.C.5 Installation of signs, displays, kiosks, etc.

CE Justification:

Installation of the pole for the repeaters has very similar impacts as those for installation of signs, displays, and kiosks and is therefore being undertaken under this CE.

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:** _____ August 18, 2022

Extraordinary Circumstances:

If implemented, would the proposal...	Yes/No	Explanation
A. Have significant impacts on public health or safety?	No	The proposed action would have beneficial impacts on public health or safety by improving communication abilities at the Veg Office.
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	The proposed actions would have minimal impact on soils and vegetation. The project area is not within wilderness or national landmarks and monuments. The project is within the boundary of the Merced Wild and Scenic River but will not have a significant impact on outstanding resource values because it is hidden from the river corridor by trees and tall shrubs. Nor will affect the ecology of the river corridor because of the relatively small size of the pole and the distance from the river.
C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))?	No	Effects of the project on community use of the space behind the firehouse are minimal because the pole will be placed directly behind the existing firehouse, not in the middle of the yard. The environmental effects of a power pole placement are not controversial.
D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	No	The installation of a wooden utility pole does not pose significant environmental risks to the area any more than the dozens of utility poles already present in the area.
E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	No	Completion of this project does not preclude future electrical projects from the NEPA process.
F. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?	No	This project is not tied to any other projects in the area.
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	The Old EP Firehouse is not listed on the NRHP and is not eligible for listing.
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	The area has been evaluated by wildlife biologists in Yosemite and is found to be outside the range of any listed species. (Email communication, Ninette Daniele)
I. Violate a federal, state, local or tribal law or requirement imposed for the protection of the environment?	No	The proposed action is consistent with environmental laws.
J. Have a disproportionately high and adverse effect on low income or minority populations (EO 12898)?	No	This project will not have a high and adverse effect on any population of people in Old El Portal.
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 13007)?	No	There are no known sacred sites at this location and work within this area would not limit access to or use of sacred sites if they were present.

If implemented, would the proposal...	Yes/No	Explanation
<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	Mitigations to prevent the spread of noxious weeds and non-native species would be followed during the project.



ENVIRONMENTAL SCREENING FORM (ESF)

Updated Sept 2015 per NPS NEPA Handbook

A. PROJECT INFORMATION

Project Title: Old El Portal Network Improvement: Modify utility pole location

PEPC Project Number: 109898

Project Type: Other Administrative Activities (ADM)

Project Location: County, State: Mariposa, California

Project Leader: Tom Richie

B. PROJECT DESCRIPTION

See Categorical Exclusion form.

C. RESOURCE IMPACTS TO CONSIDER:

Resource	Potential for Impact	Potential Issues & Impacts
Air Air Quality	None	None
Biological Nonnative or Exotic Species	None	None
Biological Species of Special Concern or Their Habitat	None	None
Biological Vegetation	None	None
Biological Wildlife and/or Wildlife Habitat including terrestrial and aquatic species <i>Wildlife Behavior</i>	Potential	Issue: Proper food and trash storage are essential to maintaining natural behavior and preventing food conditioning in wildlife. Impact: Follow resource protection related to food/trash storage.

Resource	Potential for Impact	Potential Issues & Impacts
Cultural Archeological Resources <i>Archeological Resources</i>	Potential	Issue: Project is not located in any known archeological site, but does involve ground disturbance and is located in the El Portal Archeological District. Impact: Follow resource protections to avoid impacts to archeological resources.
Cultural Cultural Landscapes	None	None
Cultural Ethnographic Resources	None	None
Cultural Museum Collections	None	None
Cultural Prehistoric/historic structures <i>Historic Structures in El Portal Community</i>	Potential	Issue: The utility pole proposed for installation in Old El Portal is in the vicinity of three historic buildings in the community and the El Portal Hotel along Highway 140. Impact: The pole would not be visible from the three historic buildings located within the community center because of their location and the intervening trees and vegetation. Existing vegetation would also screen the pole from the El Portal Hotel. The park's cultural resources team has assessed the project as having no adverse effects to historic properties within the El Portal.
Geological Geologic Features	None	None
Geological Geologic Processes	None	None
Lightscares	None	None
Other Human Health and Safety <i>Operational Impacts - NPS</i>	None	Issue: The existing network connectivity serving NPS offices in Old El Portal is prohibitively slow, causing impacts to work productivity. Impact: Project is anticipated to have a beneficial impact on NPS operations due to better network connectivity and speed.
Other Operational <i>Operational Impacts - NPS</i>	Potential	Issue: The existing network connectivity serving NPS offices in Old El Portal is prohibitively slow, causing impacts to work productivity. Impact: Project is anticipated to have a beneficial impact on NPS operations due to better network connectivity and speed.
Other	None	None

Resource	Potential for Impact	Potential Issues & Impacts
Paleontological Paleontological Resources	None	None
Socioeconomic Land Use	None	None
Socioeconomic Minority and low-income populations, size, migration patterns, etc.	None	None
Socioeconomic	None	None
Soundscapes	None	None
Viewsheds Viewsheds <i>Views to the Proposed Repeater on the saddle</i>	Potential	Issue: Views from the El Portal Maintenance Complex and the Rancheria Fat housing area towards the saddle where the repeater is proposed may be altered. Impact: The installation of the repeater tower along the ridge separating the El Portal Maintenance Complex and Rancheria Flat housing area would not be visible from either area because of its short height and minimal equipment.
Visitor Use and Experience Recreation Resources	None	None
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

Resource	Potential for Impact	Potential Issues & Impacts
Water Wild and Scenic River <i>Merced River</i>		<p>Issue: The new utility pole has the possibility of altering the view from the Merced River Corridor.</p> <p>Impact: The location of the utility pole is backed by resources identified as potentially significant fronting the Central Yosemite Highway roadside, such as the former El Portal Hotel and former Motor Inn Coffee Shop and cabins (1998 DOE; 2005 Level 1 CLI). The proposed pole with its attached antenna appears to reach but not exceed the height of trees and other poles in the area and therefore should be naturally screened by those trees on both the north (Forest Road) and south (Yosemite Highway) exposures, where it would otherwise be most visible, therefore it does not pose an adverse effect.</p>
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: Old El Portal Network Improvement: Modify utility pole location

Prepared by: Erin Gearty **Date Prepared:** 06/09/2022 **Telephone:** (209) 379-1317

PEPC Project Number: 109898

Locations:

County, State: Mariposa, CA

Describe project:

See Categorical Exclusion form.

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

The Area of Potential Effect includes a 50-foot utility pole at the southwest corner of the old El Portal Firehouse. An antenna would be mounted at the top of the utility pole (12" tall x 12" diameter). The horizontal APE is bounded on the north by the Firehouse building, on the south and east by the tree line and on the west by the Community Hall Building. The vertical APE includes the 50-foot-tall pole and ground disturbance 72" deep.

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

Source or reference: 1975AC: Napton, L., and E. Greathouse, 1976. Archeological Investigations in Yosemite National Park, California, California State College, Stanislaus; 2000KK: Leis, R., 2000. Letter Report for PG&E Hazard Tree Removal Powerline Projects, Yosemite National Park, California; 2018G: El Portal Sewer Rehabilitation - Phase 2

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

Archeological Resources Present: No

Historical Structures/Resources Present: Yes

Historical Structures/Resources Notes: The 1998 Determination of Eligibility for the El Portal Administrative Site identifies the El Portal Interagency Fire Station as a circa 1950s building. This building, however, was not included as a contributing building to the site.

Cultural Landscapes Present: Yes

Property Name: El Portal Archeological District **LCS:**

Property Name: El Portal Administrative Site Cultural Resources **LCS:**

Cultural Landscapes Notes: Although the project location is not within any recorded archeological sites or adjacent to any historic buildings that are listed as contributing to the El Portal Administrative Site, this project is within the viewshed of both cultural landscapes.

Ethnographic Resources Present: No

Ethnographic Resources Notes: There are no recorded ethnographic resources within the project area.

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)
Yes	Add non-historic features/elements (inc. visual, audible, or atmospheric) to a historic setting or cultural landscape
No	Disturb, destroy, or make archeological resources inaccessible
No	Disturb, destroy, or make ethnographic resources inaccessible
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: 08/04/2022

Comments: Compliance review complete. Tribal consultation update completed. After review of the original proposed Area of Potential Effects the new pole location is within the boundary of the original consultation and the pole is shorter than the originally proposed pole, therefore no updated SHPO consultation is required.

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] Anthropologist

Name: Hope Schear

Date: 08/02/2022

Comments: Tribes consulted through July 2022 Tribal Project Spreadsheet. One response received from AICMC, no specific locational information was provided for historic properties of religious or cultural significance however, they would like to monitor the project.

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: Tribal monitoring required.

Doc Method: Standard 4-Step Process

[X] Archeologist

Name: Erin Gearty

Date: 06/09/2022

Comments: The project is located within the El Portal Archeological District but not within the boundaries of any recorded archeological site. This project will therefore not impact any known archeological resources.

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: SHPO consultation originally occurred for this project in September of 2019. Because the scope of the project has changed, SHPO should be notified.

Doc Method: Standard 4-Step Process

[X] Historical Architect

Name: Donald Faxon

Date: 06/22/2022

Comments: The proposed El Portal utility pole is intended for erection in an area just behind the fire station along Foresta Road within the center of Old El Portal that is known to contain scattered historic cultural resources and a potential historic district. In addition, the location is backed by resources identified as potentially significant fronting the Central Yosemite Highway roadside, such as the former El Portal Hotel and former Motor Inn Coffee Shop and cabins (1998 DOE; 2005 Level 1 CLI).

The proposed pole with its attached antenna appears to reach but not exceed the height of trees and other poles in the area and therefore should be naturally screened by those trees on both the north (Forest Road) and south (Yosemite Highway) exposures, where it would otherwise be most visible, therefore it does not pose an adverse effect.

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, Historical Landscape Architect

C. PARK SECTION 106 COORDINATOR'S REVIEW AND RECOMMENDATIONS

1. Assessment of Effect:

Select with X	Assessment of Effect
Not selected	No Potential to Cause Effects
Not selected	No Historic Properties Affected
X	No Adverse Effect
Not selected	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 Service Wide Programmatic Agreement (PA)

The above action meets all conditions for a streamlined review under section III of the 2008 Service Wide 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: Jul 1, 2022

THPO Received: Aug 1, 2022

SHPO/THPO Notes: Southern Sierra Miwuk Nation (AICMC) responded on August 1, 2022 requesting to monitor this project. No updated SHPO consultation is required the new pole location is within the boundaries of the original consulted upon APE.

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:

- A tribal monitor has been requested to be present during digging by the Southern Sierra Miwuk Nation.
- If previously unknown cultural resources are encountered, the project manager shall 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, should previously unknown American Indian burial sites be discovered, the Cultural Resource Program Manager will provide direction to follow provisions Native American Graves Protection and Repatriation Act requirements.

6. Assessment of Effect Notes:

D. RECOMMENDED BY PARK SECTION 106 COORDINATOR:

Section 106 Coordinator Hope Schear **Date:** August 16, 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:** August 18, 2022



Other Compliance/Consultations Form

Park Name: Yosemite National Park
PEPC Project Number: 109898
Project Title: Old El Portal Network Improvement: Modify utility pole location
Project Type: Other Administrative Activities: Provide Network Infrastructure
Project Location:
County, State: Mariposa, CA
Project Leader: Tom Richie

ESA

<p>Any Federal Species in the project Area? No If species in area: No Effect Was Biological Assessment prepared? If Biological Assessment prepared, concurred? Formal Consultation required? No Formal Consultation Notes: Project is outside of the range of listed species.</p> <p>Formal Consultation Concluded: Any State listed Species in the Project Area? Consultation Information: General Notes:</p>

Data Entered By: Ninette Daniele Date: Aug 4, 2022

ESA Mitigations

No ESA mitigations are associated with this project.

Floodplains/Wetlands/404 Permits

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

Question	Yes/No	Details
E. Tribal Water Quality Permit?	No	None
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: Meredith Dennis

Date: Aug 4, 2022

Floodplains & Wetlands Mitigations

No Floodplains & Wetlands mitigations are associated with this project.

Wilderness

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

Data Entered By: Meredith Dennis

Date: Aug 4, 2022

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

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

Other Information:

Data Entered By: Meredith Dennis

Date: Aug 4, 2022