



# United States Department of the Interior

## NATIONAL PARK SERVICE

Yosemite National Park

P. O. Box 577

Yosemite, California 95389

IN REPLY REFER TO:  
L7615(YOSE-PM)

### Memorandum

To: Sean McCabe, Project Manager, Yosemite National Park

From: Superintendent, Yosemite National Park

Subject: NEPA and NHPA Clearance: 2010-022 El Portal John Sun Residence Geotech Borings and Retaining Wall Installation (28709)

The Management Team has reviewed the proposed project and completed its environmental assessment documentation, and we have determined that there:

- Will not be any effect on threatened, endangered, or rare species and/or their critical habitat.
- Will not be any effect on historical, cultural, or archeological resources.
- 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.

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

- Ensure archeological monitoring during all ground disturbances through park archeologist, Laura Kirn, (209) 379-1314.

//Stan Austin// (acting)  
Don L. Neubacher

Enclosure (with attachments)

cc: Statutory Compliance File

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



National Park Service  
U.S. Department of the Interior

Yosemite National Park  
Date: 04/14/2010

## Categorical Exclusion Form

**Project:** 2010-022 El Portal John Sun Residence Geotech Borings and Retaining Wall Installation

**PEPC Project Number:** 28709

**Project Description:** This project continues the rehabilitation of the John Sun residence located within the El Portal Administrative Site. A previously reviewed and approved project dealt with new roofing and siding materials. Mr. Sun recently repaired the foundation, but failed to secure the necessary building permits and is currently in "stop work order" status with Mariposa County. To proceed with the project and rehabilitate the house for occupancy, official civil engineer drawings are necessary to satisfy the Mariposa County Building Department permit requirements and National Park Service Special Use Permit held by Mr. Sun.

The National Park Service would drill approximately six geotechnical borings to determine soil characteristics for the repair of the foundation as well as the design and construction of the a new retaining wall to support a failed retaining wall. These borings would disturb an area 8 to 12 inches in diameter and extending down to the bedrock, estimated to be about 15 feet deep. The information gathered would be used to conduct an engineering review to design the foundation. When the subsurface investigations have been completed, an engineer can evaluate the existing repairs and make a determination as to their sufficiency. If the repairs meet Mariposa County building code standards, there may be no further repair. If they do not, or if the subsurface investigations warrant a new design, additional excavation of possibly 24 inches wide by 24 inches deep may be needed.

Currently, the failed retaining wall is leaning 30 degrees or more out of plumb and, as an emergency stabilization measure, is supported by steel supports. This old and possibly historic retaining wall supports fill underneath a concrete slab on which the house sits. It appears that the house was built on top of the remains of an earlier structure. The new retaining wall would be built several feet outside of the existing wall. The void between the two walls would be filled with cement grout. The new wall is estimated to be 43 feet long and 4 feet high. The footer for the new wall would be 12 to 18 inches deep. The excavation area is estimated to be 24 to 30 inches deep and 45 feet long.

**Project Location:**

Mariposa County, CA

**Mitigations:**

- Ensure archeological monitoring during all ground disturbances. Park archeologist, Laura Kirn, (209) 379-1314.

**Describe the category used to exclude action from further NEPA analysis and indicate the number of the category (see Section 3-4 of DO-12):**

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

On the basis of the environmental impact information in the statutory compliance file, with which I am familiar, I am categorically excluding the described project from further NEPA analysis. No exceptional circumstances or conditions in Section 3-6 apply, and the action is fully described in Section 3-4 of DO-12.

**Park Superintendent** //Stan Austin// (acting)

**Date** 5/11/10

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## ENVIRONMENTAL SCREENING FORM (ESF)

### DO-12 APPENDIX 1

Date Form Initiated: 04/14/2010

Updated May 2007 - per 2004 Departmental Manual revisions and proposed Director's Order 12 changes

### A. PROJECT INFORMATION

**Park Name:** Yosemite National Park  
**Project Title:** 2010-022 El Portal John Sun Residence Geotech Borings and Retaining Wall Installation  
**PEPC Project Number:** 28709  
**Project Type:** Facility Maintenance (FM)  
**Project Location:** County, State: Mariposa, California  
**Project Leader:** Sean McCabe

**Preliminary drawings attached?** Yes

**Is project a hot topic (controversial or sensitive issues that should be brought to attention of Regional Director)?** No

### B. RESOURCE EFFECTS TO CONSIDER:

Identify potential effects to the following natural and physical resources	No Effect	Negligible Effects	Minor Effects	Exceeds Minor Effects	Data Needed to Determine/Notes
1. Geologic resources – soils, bedrock, streambeds, etc.		Negligible			Six geotech borings up to 15 feet deep; foundation and retaining wall footings up to 24 inches deep and 1 to 3 feet wide for the perimeter of the house.
2. From geohazards	No				
3. Air quality		Negligible			This project would include temporary air emissions during construction.
4. Soundscapes		Negligible			Some equipment would be needed to complete foundation and retaining wall construction work. Work would occur during daylight hours from 7 a.m. to 7 p.m.
5. Water quality or quantity	No				
6. Streamflow characteristics	No				

<b>Identify potential effects to the following natural and physical resources</b>	<b>No Effect</b>	<b>Negligible Effects</b>	<b>Minor Effects</b>	<b>Exceeds Minor Effects</b>	<b>Data Needed to Determine/Notes</b>
7. Marine or estuarine resources	No				
8. Floodplains or wetlands	No				
9. Land use, including occupancy, income, values, ownership, type of use	No				
10. Rare or unusual vegetation – old growth timber, riparian, alpine	No				
11. Species of special concern (plant or animal; state or federal listed or proposed for listing) or their habitat	No				
12. Unique ecosystems, biosphere reserves, World Heritage Sites	No				
13. Unique or important wildlife or wildlife habitat	No				
14. Unique or important fish or fish habitat	No				
15. Introduce or promote non-native species (plant or animal)	No				
16. Recreation resources, including supply, demand, visitation, activities, etc.	No				
17. Visitor experience, aesthetic resources	No				
18. Museum collections (objects, specimens, and archival and manuscript collections)	No				
19. Socioeconomics, including employment, occupation, income changes, tax base, infrastructure	No				
20. Minority and low income populations, ethnography, size, migration patterns, etc.	No				
21. Energy resources	No				
22. Other agency or tribal land use plans or policies	No				
23. Resource, including energy, conservation potential, sustainability	No				
24. Urban quality, gateway communities, etc.	No				
25. Long-term management of resources or land/resource productivity	No				

<b>Identify potential effects to the following natural and physical resources</b>	<b>No Effect</b>	<b>Negligible Effects</b>	<b>Minor Effects</b>	<b>Exceeds Minor Effects</b>	<b>Data Needed to Determine/Notes</b>
26. Other important environment resources (e.g. geothermal, paleontological resources)?	No				

<b>Identify potential effects to the following cultural resources</b>	<b>No Historic Properties Affected</b>	<b>No Adverse Effect</b>	<b>Adverse Effect</b>	<b>Data Needed to Determine/Notes</b>
1. Archeological resources		X		El Portal Archeological District.
2. Prehistoric/historic structure		X		
3. Cultural landscapes	X			
4. Ethnographic resources	X			

### C. MANDATORY CRITERIA

<b>Mandatory Criteria: If implemented, would the proposal:</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comment or Data Needed to Determine</b>
A. Have significant impacts on public health or safety?		No		
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		
C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))?		No		
D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		No		
E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?		No		

<b>Mandatory Criteria: If implemented, would the proposal:</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comment or Data Needed to Determine</b>
F. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		No		
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		
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		
I. Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?		No		
J. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		No		
K. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?		No		
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		

For the purpose of interpreting these procedures within the NPS, any action that has the potential to violate the NPS Organic Act by impairing park resources or values would constitute an action that triggers the DOI exception for actions that threaten to violate a federal law for protection of the environment.

#### **D. OTHER INFORMATION**

Are personnel preparing this form familiar with the site? **Yes**

Did personnel conduct a site visit? **No**

Is the project in an approved plan such as a General Management Plan or an Implementation Plan with an accompanying NEPA document? **No**

Are there any interested or affected agencies or parties? **No**

Has consultation with all affected agencies or tribes been completed? **No**

Are there any connected, cumulative, or similar actions as part of the proposed action? (e.g., other development projects in area or identified in GMP, adequate/available utilities to accomplish project)? **No**

## E. INTERDISCIPLINARY TEAM SIGNATORIES

<u>Interdisciplinary Team</u>	<u>Field of Expertise</u>
Don L. Neubacher	Superintendent
Stan Austin	Acting Deputy Superintendent
Kathleen Morse	Chief of Planning
Mark Butler	Chief of Project Management
Katariina Tuovinen	Chief of Administration Management
Ed Walls	Chief of Facilities Management
Niki Nicholas	Chief of Resources Management & Science
Marty Nielson	Chief of Business and Revenue Management
Tom Medema	Chief of Interpretation and Education
Charles Cuvelier	Acting Chief of Visitor and Resource Protection
Sean McCabe	Project Leader
Elexis Mayer	Environmental Planning and Compliance Program Manager
Jeannette Simons	NHPA Specialist
Renea Kennec	NEPA Specialist

## F. SUPERVISORY SIGNATORY

*Based on the environmental impact information contained in the statutory compliance file and in this environmental screening form, environmental documentation for this stage of the subject project is complete.*

Recommended:

Compliance Specialists	Date
<u>//Madelyn Rufner// (acting)</u> Compliance Specialist – Renea Kennec	<u>4/29/10</u>
<u>//Madelyn Rufner// (acting)</u> Compliance Program Manager – Elexis Mayer	<u>4/29/10</u>
<u>//Mark A. Butler// (acting)</u> Chief, Project Management – Mark Butler	<u>5/6/10</u>

Approved:

Superintendent	Date
<u>//Stan Austin// (acting)</u> Don L. Neubacher	<u>5/11/10</u>

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Yosemite National Park  
Date: 04/14/2010

## PARK ESF ADDENDUM

Today's Date: **April 14, 2010**

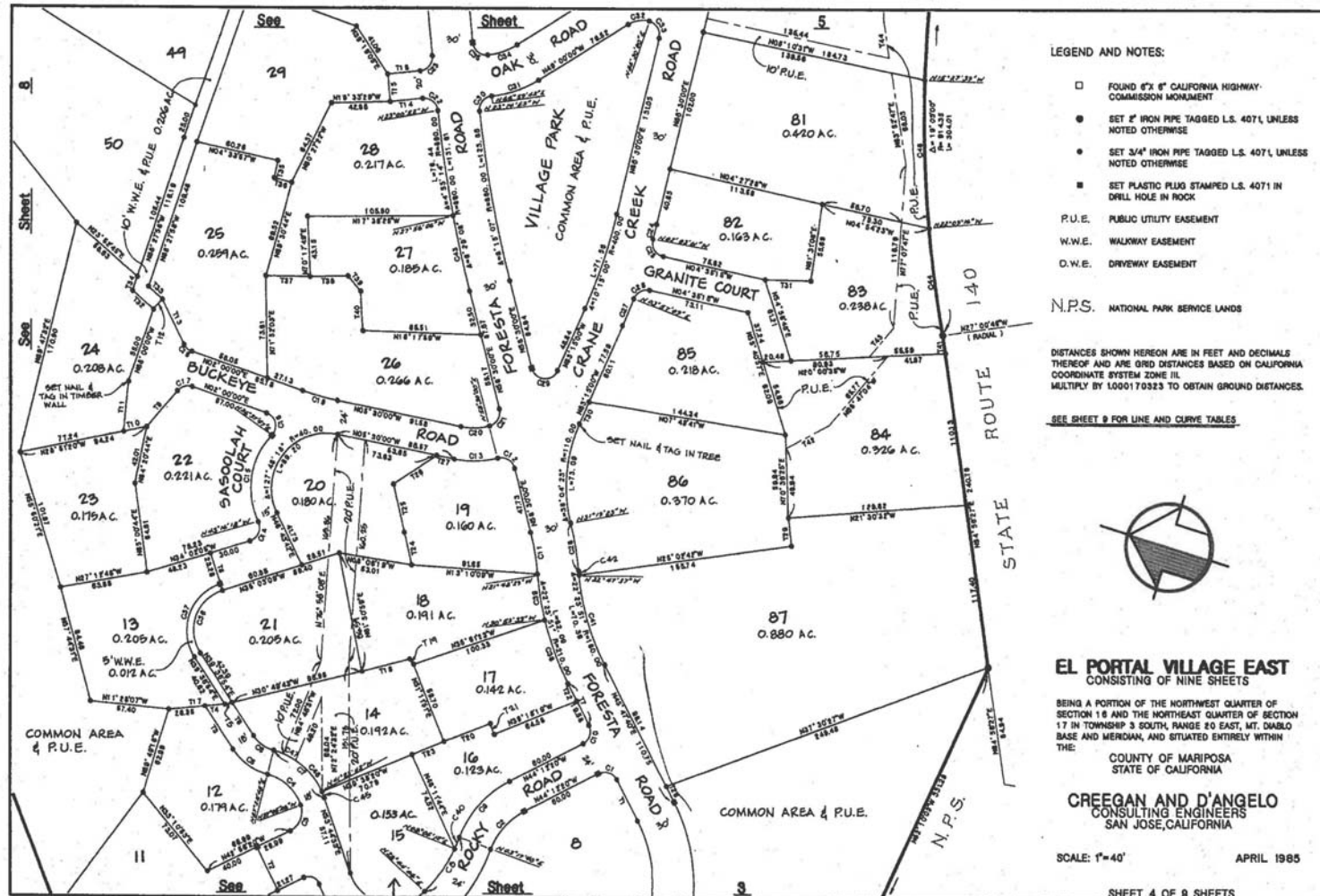
### PROJECT INFORMATION

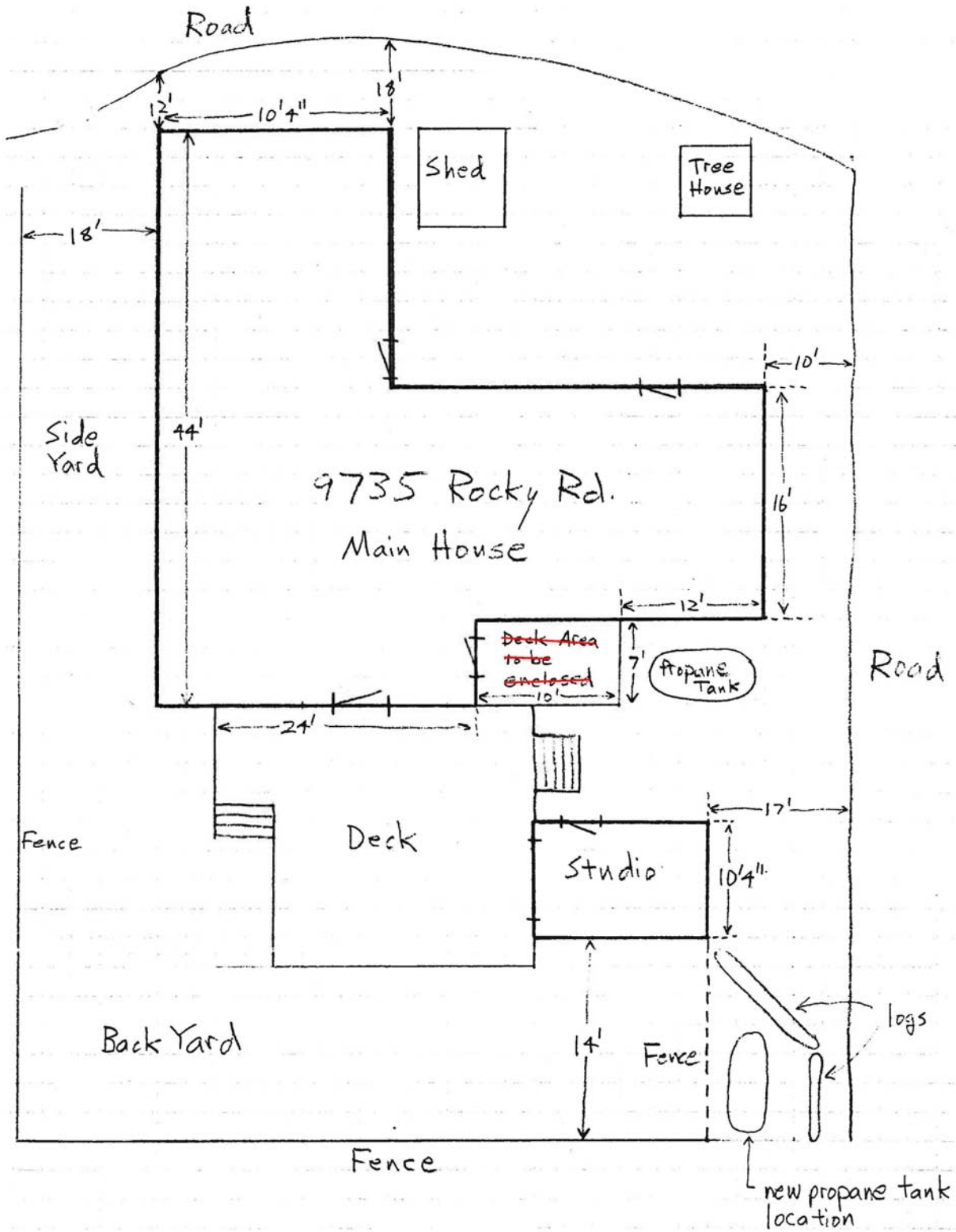
**Park Name:** Yosemite National Park  
**Project Title:** 2010-022 El Portal John Sun Residence Geotech Borings and Retaining Wall Installation  
**PEPC Project Number:** 28709  
**Project Type:** Facility Maintenance (FM)  
**Project Location:** County, State: Mariposa, California  
**Project Leader:** Sean McCabe

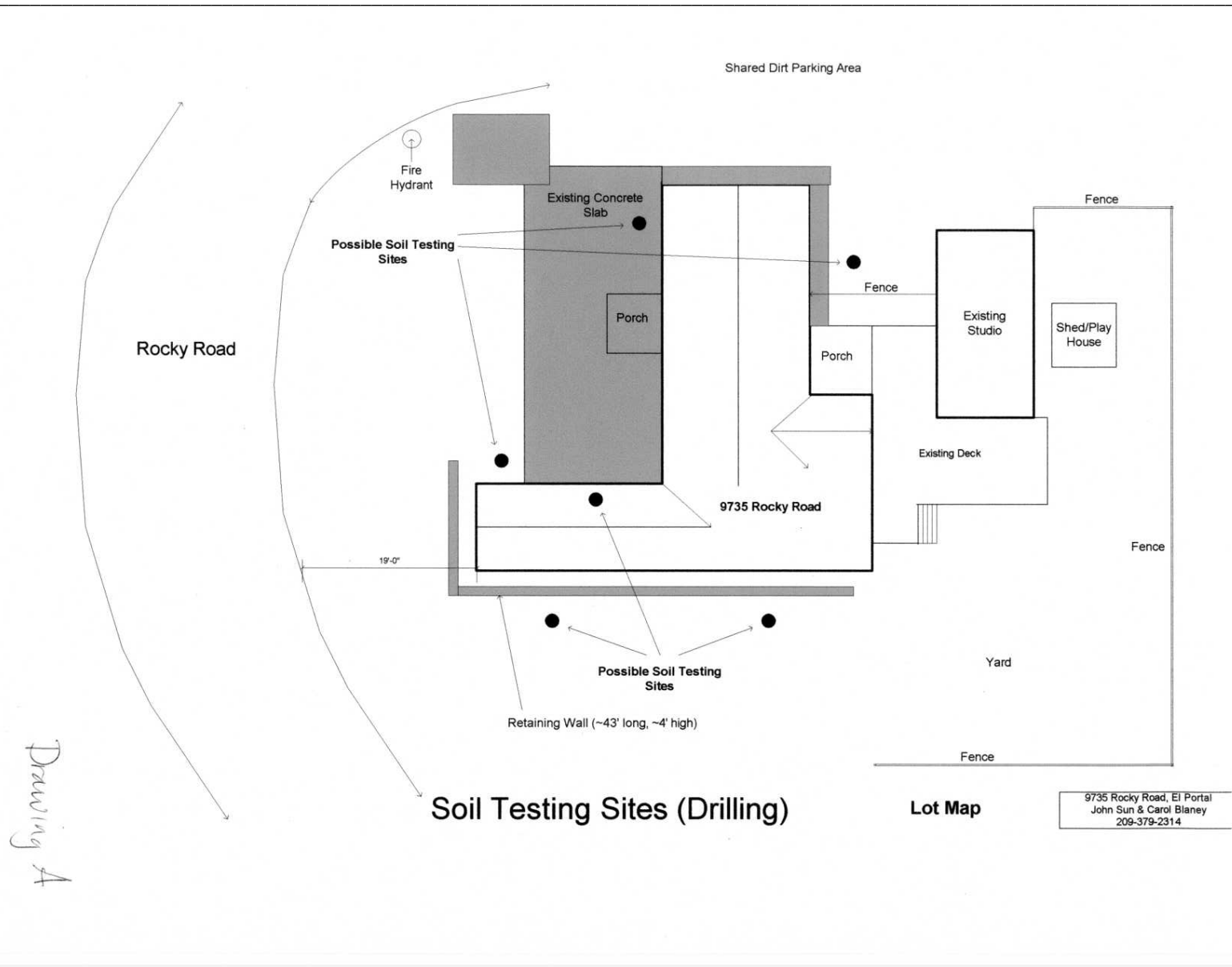
### PARK ESF ADDENDUM QUESTIONS & ANSWERS

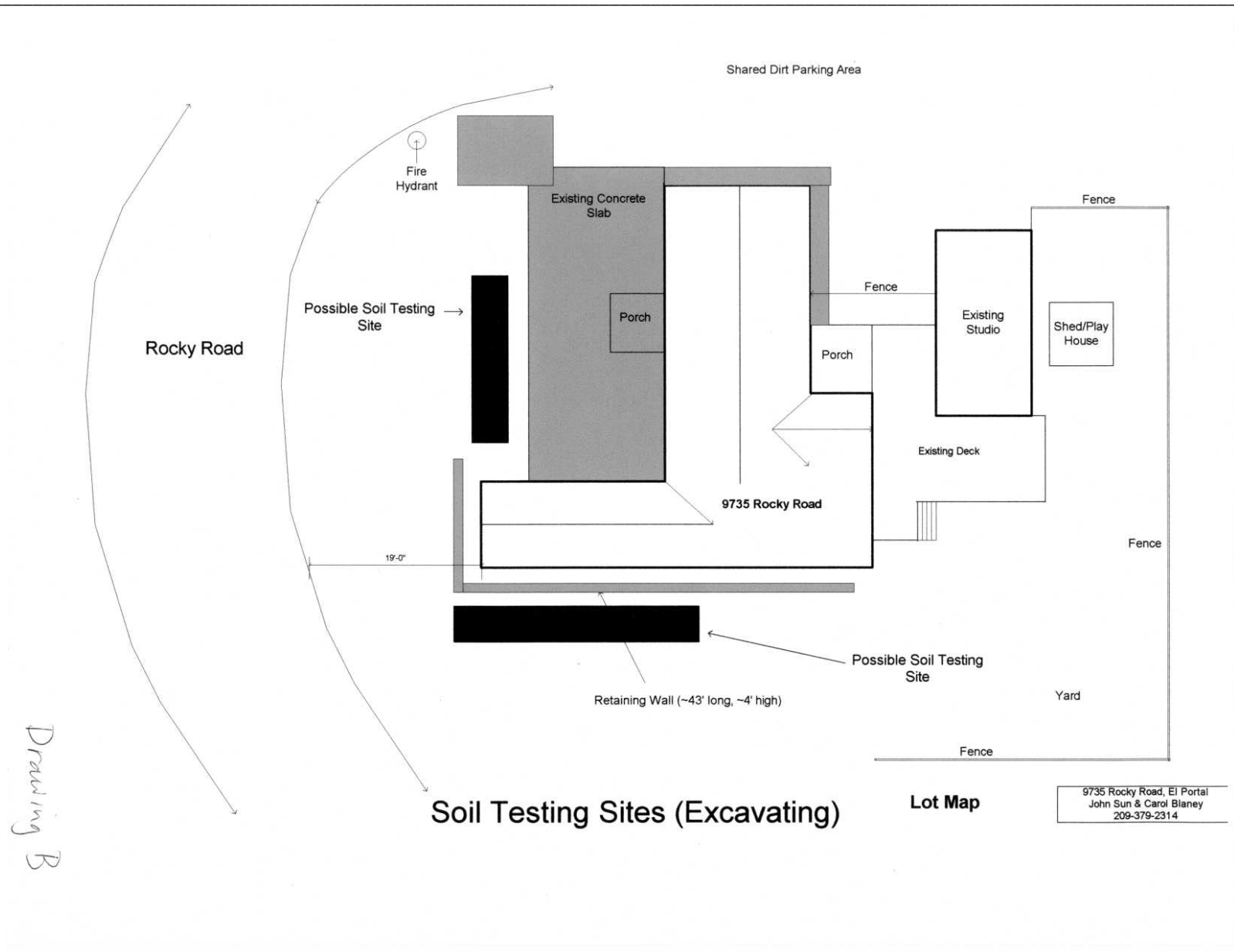
ESF Addendum Questions	Yes	No	N/A	Data Needed to Determine/Notes
<b>SPECIAL STATUS SPECIES CHECKLIST</b>				
1. Listed or proposed threatened or endangered species (Federal or State)?		No		
2. Species of special concern (Federal or State)?		No		
3. Park rare plants or vegetation?		No		
4. Potential habitat for any special-status species listed above?		No		
<b>NATIONAL HISTORIC PRESERVATION ACT CHECKLIST</b>				
5. Entail ground disturbance?	Yes			Six geotech borings up to 15 feet deep; foundation and retaining wall footings will be up to 24 inches deep and one to three feet wide for the perimeter of the house.
6. Are any archeological or ethnographic sites located within the area of potential effect?	Yes			El Portal Archeological District; monitoring is required during all ground disturbance.
7. Entail alteration of a historic structure or cultural landscape?		No		

<b>ESF Addendum Questions</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Data Needed to Determine/Notes</b>
8. Has a National Register form been completed?		No		
9. Are there any structures on the park's List of Classified Structures in the area of potential effect?		No		
<b>WILD AND SCENIC RIVERS ACT CHECKLIST</b>				
10. Fall within a wild and scenic river corridor?	Yes			Merced River.
11. Fall within the bed and banks AND will affect the free-flow of the river?		No		
12. Have the possibility of affecting water quality of the area?		No		
13. Remain consistent with its river segment classification?	Yes			
14. Fall on a tributary of a Wild and Scenic River?		No		
15. Will the project encroach or intrude upon the Wild and Scenic River corridor?		No		
16. Will the project unreasonably diminish scenic, recreational, or fish and wildlife values?		No		
17. Consistent with the provisions in the Merced River Plan Settlement Agreement?	Yes			
<b>WILDERNESS ACT CHECKLIST</b>				
18. Within designated Wilderness?		No		
19. Within a Potential Wilderness Addition?		No		











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Yosemite National Park  
Date: 04/14/2010

## ASSESSMENT OF ACTIONS HAVING AN EFFECT ON CULTURAL RESOURCES

### A. DESCRIPTION OF UNDERTAKING

1. **Park:** Yosemite National Park    **Park District:** El Portal

#### 2. Project Description:

a. **Project Name:** 2010-022 El Portal John Sun Residence Geotech Borings and Retaining Wall Installation

b. **Date:** April 14, 2010

c. **PEPC Project ID Number:** 28709

#### 3. Has the area of potential effects been surveyed to identify cultural resources?

☐ No

☒ Yes, Source or reference: **El Portal Archeological District.**

☒ Check here if no known cultural resources will be affected. (If this is because area has been disturbed, please explain or attach additional information to show the disturbance was so extensive as to preclude intact cultural deposits.)

#### 4. Potentially Affected Resources:

Archeological resources affected?

Name and number: **El Portal Archeological District**

NR status: **1 - Listed in Register and documented**

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

☒ **No** Destroy, remove, or alter features/elements from a historic structure

☒ **No** Replace historic features/elements in kind

☒ **No** Add non-historic features/elements to a historic structure

☒ **No** Alter or remove features/elements of a historic setting or environment (inc. terrain)

☒ **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)  
    Other (please specify)

**6. Measures to prevent or minimize loss or impairment of historic/prehistoric properties:**  
(Remember that setting, location, and use may be relevant.)

No Assessment of Effect mitigations identified.

**7. Supporting Study Data:**

(Attach if feasible; if action is in a plan, EA or EIS, give name and project or page number.)

**8. Attachments:**

☐ Maps ☐ Archeological survey, if applicable ☐ Drawings ☐ Specifications ☐ Photographs  
☐ Scope of Work ☐ Site plan ☐ List of Materials ☐ Samples ☐ Other:

**Prepared by:** Renea Kennec **Date:** April 14, 2010 **Title:** Environmental Protection  
Specialist **Telephone:** 209-379-1038

**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:

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☒ Archeologist

Name: Laura Kirn

Date: 03/30/2010

Comments: YOSE 1999 PA, Stipulation VII.C.2.g.&h.

*Check if project does not involve ground disturbance* ☐

Assessment of Effect: ☐ No Historic Properties Affected ☒ No Adverse Effect ☐ Adverse  
Effect ☐ Streamlined Review

Recommendations for conditions or stipulations: Archeological monitoring during ground disturbance,  
documentation of historic retaining wall if new wall is necessary.

Doc Method: Park Specific Programmatic Agreement

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[ X ] Historical Architect

Name: Sueann Brown

Date: 04/06/2010

Comments:

*Check if project does not involve ground disturbance* [ ]

Assessment of Effect:  X  No Historic Properties Affected    \_\_\_ No Adverse Effect    \_\_\_ Adverse Effect    \_\_\_ Streamlined Review

Recommendations for conditions or stipulations:

Doc Method: No Potential to Cause Effects [800.3(a)(1)]

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[ X ] Anthropologist

Name: Jeannette Simons

Date: 04/14/2010

Comments: Although within the boundary of the proposed El Portal Foresta American Indian TCP, the project will not impact non-archeological resources.

*Check if project does not involve ground disturbance* [ ]

Assessment of Effect: \_\_\_ No Historic Properties Affected     X  No Adverse Effect    \_\_\_ Adverse Effect    \_\_\_ Streamlined Review

Recommendations for conditions or stipulations:

Doc Method: Park Specific Programmatic Agreement

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[ X ] Historical Landscape Architect

Name: David Humphrey

Date: 04/12/2010

Comments:

*Check if project does not involve ground disturbance* [ ]

Assessment of Effect:  X  No Historic Properties Affected    \_\_\_ No Adverse Effect    \_\_\_ Adverse Effect    \_\_\_ Streamlined Review

Recommendations for conditions or stipulations:

Doc Method: No Potential to Cause Effects [800.3(a)(1)]

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No Reviews From: Curator, Historian, 106 Advisor, Other Advisor

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## C. PARK SECTION 106 COORDINATOR'S REVIEW AND RECOMMENDATIONS

### 1. Assessment of Effect:

\_\_\_\_\_ No Historic Properties Affected \_\_\_\_X\_\_\_\_ No Adverse Effect \_\_\_\_\_ Adverse Effect

### 2. Compliance requirements:

#### [ ] 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. PLAN-RELATED UNDERTAKING

Consultation and review of the proposed undertaking were completed in the context of a plan review process, in accordance with the 2008 Servicewide PA and 36 CFR Part 800.  
Specify plan/EA/EIS: \_\_\_\_\_

#### [ X ] D. UNDERTAKING RELATED TO ANOTHER AGREEMENT

The proposed undertaking is covered for Section 106 purposes under another document such as a statewide agreement established in accord with 36 CFR 800.7 or counterpart regulations.  
Specify: 1999 Programmatic Agreement

#### [ ] E. COMPLIANCE REQUIREMENTS SATISFIED BY USE OF NEPA

Documentation is required for the preparation of an EA/FONSI or an EIS/ROD has been developed and used so as also to meet the requirements of 36 CFR 800.3 through 800.6

#### [ ] F. No Potential to Cause Effects [800.3(a)(1)]

#### [ ] G. STIPULATIONS/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.  
Recommended by Park Section 106 coordinator:

Signature of Historic Preservation Officer //Madelyn Rufner// (acting)

Date: 4/29/10

#### D. 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.

Signature of Superintendent //Stan Austin// (acting)

Date: 5/11/10

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