



IN REPLY REFER TO:  
L7615(YOSE-PM)

# United States Department of the Interior

NATIONAL PARK SERVICE

Yosemite National Park  
P. O. Box 577  
Yosemite, California 95389

## Memorandum

To: Marty Nielson, Project Manager, Yosemite National Park

From: Acting Superintendent, Yosemite National Park

Subject: NEPA and NHPA Clearance: 2009-060 El Portal, Davenport Residential Replacement (25606)

The Management Team has reviewed the proposed project/action 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:

- No mitigations identified.

//Luis Shram// (acting)  
David V. Uberuaga

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.*



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## Categorical Exclusion Form

Project: **2009-060 El Portal Davenport Residential Replacement**

PEPC ID: **25606**

Project Description: Homeowners Andrew and Erin Davenport will make necessary repairs to the existing home located at 5521 Foresta Road in El Portal. The proposed repairs will be located within the dimensions of the foot print of the existing building in essentially the same location. Square footage (926 sq. ft.) and number of bedrooms (n=2) are to remain unchanged. Relevant Mariposa County building permits will be obtained, and all work will be completed by licensed professionals to ensure quality. Repairs are to include upgrades of the foundation, siding, insulation, windows, doors, HVAC, and plumbing systems.

Project Locations:

**Mariposa County, CA**

Mitigations:

- **No mitigations identified.**

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.8 Replacement in kind of minor structures and facilities with little or no change in location, capacity or appearance.**

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 (e.g. all boxes in the ESF are marked "no") or conditions in Section 3-6 apply, and the action is fully described in Section 3-4 of DO-12.

**Park Acting Superintendent**  //Luis Shram// (acting) \_\_\_\_\_

**Date**  12/11/09 \_\_\_\_\_

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



**ENVIRONMENTAL SCREENING FORM (ESF)  
DO-12 APPENDIX 1**

Updated May 2007 - per 2004 DM revisions and proposed DO-12 changes

**Today's Date:** August 3, 2009

**Date Form Initiated:** 08/03/2009

**A. PROJECT INFORMATION**

**Park Name:** Yosemite NP

**Project Title:** 2009-060 El Portal Davenport Residential Replacement

**PEPC Project Number:** 25606

**Project Type:** Demolition of existing structure and replace with new residence (OTHER)

**Project Location: County, State:** Mariposa, California      **Other:** 5521 Foresta Road, El Portal

**Project Leader:** Marty Nielson

**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 physical, natural, or cultural resources | No Effect | Negligible Effects | Minor Effects | Exceeds Minor Effects | Data Needed to Determine/Notes  |
|--|-----------|--------------------|---------------|-----------------------|---|
| 1. Geologic resources – soils, bedrock, streambeds, etc.                             |           | X                  |               |                       | Negligible impacts to the soil include an area 23' X 32'. A 24" perimeter foundation will be installed.   |
| 2. From geohazards   | X         |                    |               |                       |   |
| 3. Air quality   |           | X                  |               |                       | During the construction there will be temporary air emissions.  |
| 4. Soundscapes   |           | X                  |               |                       | There will be temporary construction equipment noise associated with this project. Demolition and construction will only occur between 8am to 4pm, Monday - Friday. |
| 5. Water quality or quantity   | X         |                    |               |                       |   |
| 6. Streamflow  | X         |                    |               |                       |   |

|  |   |   |  |  |   |
|--|---|---|--|--|---|
| characteristics  |   |   |  |  |   |
| 7. Marine or estuarine resources   | X |   |  |  |   |
| 8. Floodplains or wetlands   |   |   |  |  |   |
| 9. Land use, including occupancy, income, values, ownership, type of use   | X |   |  |  |   |
| 10. Rare or unusual vegetation – old growth timber, riparian, alpine   | X |   |  |  |   |
| 11. Species of special concern (plant or animal; state or federal listed or proposed for listing) or their habitat | X |   |  |  |   |
| 12. Unique ecosystems, biosphere reserves, World Heritage Sites  | X |   |  |  |   |
| 13. Unique or important wildlife or wildlife habitat   | X |   |  |  |   |
| 14. Unique or important fish or fish habitat   | X |   |  |  |   |
| 15. Introduce or promote non-native species (plant or animal)  | X |   |  |  |   |
| 16. Recreation resources, including supply, demand, visitation, activities, etc.                                   | X |   |  |  |   |
| 17. Visitor experience, aesthetic resources  | X |   |  |  |   |
| 18. Archeological resources  |   | X |  |  | El Portal Archeological District.   |
| 19. Prehistoric/historic structure   | X |   |  |  | This structure was determined not to be eligible for National Register listing. |
| 20. Cultural landscapes  |   | X |  |  |   |
| 21. Ethnographic resources   |   | X |  |  | El Portal Foresta American Indian Traditional Cultural Resource Area.           |
| 22. Museum collections (objects, specimens, and archival and manuscript collections)                               | X |   |  |  |   |
| 23. Socioeconomics, including employment, occupation, income changes, tax base,                                    | X |   |  |  |   |

|   |   |  |  |  |  |
|---|---|--|--|--|--|
| infrastructure  |   |  |  |  |  |
| 24. Minority and low income populations, ethnography, size, migration patterns, etc.    | X |  |  |  |  |
| 25. Energy resources  | X |  |  |  |  |
| 26. Other agency or tribal land use plans or policies                                   | X |  |  |  |  |
| 27. Resource, including energy, conservation potential, sustainability                  | X |  |  |  |  |
| 28. Urban quality, gateway communities, etc.  | X |  |  |  |  |
| 29. Long-term management of resources or land/resource productivity                     | X |  |  |  |  |
| 30. Other important environment resources (e.g. geothermal, paleontological 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?  |            | X         |            |  |
| 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? |            | X         |            | Mitigated; this project has been determined to have "No Historic Properties Affected." |
| C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))?  |            | X         |            |  |
| D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown  |            | X         |            |  |

|  |  |   |  |  |
|--|--|---|--|--|
| environmental risks?   |  |   |  |  |
| E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?   |  | X |  |  |
| F. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?   |  | X |  |  |
| 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?  |  | X |  |  |
| 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?  |  | X |  |  |
| I. Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?   |  | X |  |  |
| J. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?  |  | X |  |  |
| 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)?   |  | X |  |  |
| 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)? |  | X |  |  |

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? **Yes, Resources Management and Science staff.**

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**

| <b>Interdisciplinary Team</b> | <b>Field of Expertise</b>                             |
|-------------------------------|---|
| David V. Uberuaga             | Acting Superintendent                                 |
| Dennis Schramm                | Acting Deputy Superintendent                          |
| Kristina Rylands              | Acting Chief of Planning                              |
| Mark Butler                   | Chief of Project Management                           |
| Katariina Tuovinen            | Chief of Administration Management                    |
| Paul Laymon                   | Acting Chief of Facilities Management                 |
| Niki Nicholas                 | Chief of Resources Management & Science               |
| Marty Nielson                 | Chief of Business and Revenue Management              |
| Tom Medema                    | Acting Chief of Interpretation and Education          |
| Steve Shackelton              | Chief Ranger  |
| Marty Nielson                 | 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:

| <b>Compliance Specialist</b>   | <b>Date</b>     |
|--|-----------------|
| <u>//Renea Kennec//</u><br>Compliance Specialist – Renea Kennec      | <u>11/24/09</u> |
| <u>//Elexis Mayer//</u><br>Compliance Program Manager – Elexis Mayer | <u>11/24/09</u> |
| <u>//Mark A. Butler//</u><br>Chief, Project Management – Mark Butler | <u>12/3/09</u>  |

Approved:

| <b>Acting Superintendent</b>                        | <b>Date</b>     |
|---|-----------------|
| <u>//Luis Shram// (acting)</u><br>David V. Uberuaga | <u>12/11/09</u> |

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



## PARK ESF ADDENDUM

Today's Date: **November 24, 2009**

### PROJECT INFORMATION

**Park Name:** Yosemite National Park  
**Project Title:** 2009-060 El Portal, Davenport Residential Replacement  
**PEPC Project Number:** 25606  
**Project Type:** Demo existing structure and replace with new residence (OTHER)  
**Project Location:** County, State: Mariposa, California Other: 5521 Foresta Road, El Portal  
**Project Leader:** Marty Nielson

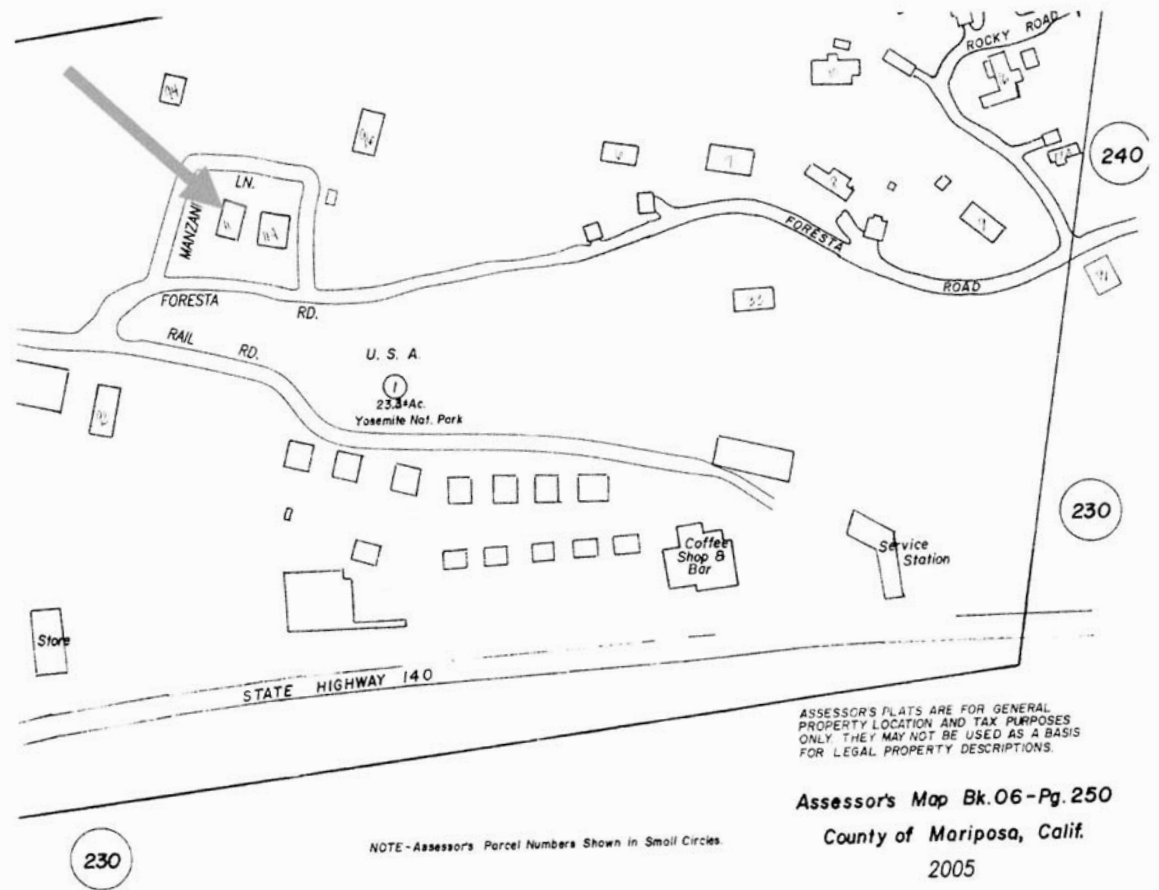
### PARK ESF ADDENDUM QUESTIONS & ANSWERS

| 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)?                  |     | X  |     |   |
| 2. Species of special concern (Federal or State)?   |     | X  |     |   |
| 3. Park rare plants or vegetation?  |     | X  |     |   |
| 4. Potential habitat for any special-status species listed above?                           |     | X  |     |   |
| <b>NATIONAL HISTORIC PRESERVATION ACT CHECKLIST</b>   |     |    |     |   |
| 5. Entail ground disturbance?   | X   |    |     | Negligible impacts to the soil include an area 23' X 32'.                                       |
| 6. Are any archeological or ethnographic sites located within the area of potential effect? | X   |    |     | El Portal Archeological District; the assessment of effect is "No Adverse Effect."              |
| 7. Entail alteration of a historic structure or cultural landscape?                         | X   |    |     | Old El Portal Historic District; the assessment of effect is "No Historic Properties Affected." |



| <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?  |            | X         |            | This structure was determined not to be eligible. |
| 9. Are there any structures on the park's List of Classified Structures in the area of potential effect? |            | X         |            |   |
| <b>10. WILD AND SCENIC RIVERS ACT CHECKLIST</b>  |            |           |            |   |
| 11. Fall within a wild and scenic river corridor? (Name the river corridor)                              | X          |           |            | Merced River.                                     |
| 12. Fall within the bed and banks AND will affect the free-flow of the river?                            |            | X         |            |   |
| 13. Have the possibility of affecting water quality of the area?   |            | X         |            |   |
| 14. Remain consistent with its river segment classification?   |            |           | X          |   |
| 15. Protect and enhance river ORVs?  |            |           | X          |   |
| 17. If Yes, remain consistent with conditions of the River Protection Overlay?                           |            | X         |            |   |
| 18. Remain consistent with the areas Management Zoning?  |            |           | X          |   |
| 19. Fall on a tributary of a Wild and Scenic River?  |            |           | X          |   |
| 20. Will the project encroach or intrude upon the Wild and Scenic River corridor?                        |            | X         |            |   |
| 21. Will the project unreasonably diminish scenic, recreational, or fish and wildlife values?            |            | X         |            |   |
| 23. Consistent with the provisions in the Merced River Plan Settlement Agreement?                        | X          |           |            |   |
| <b>WILDERNESS ACT CHECKLIST</b>  |            |           |            |   |
| 22. Within designated Wilderness?  |            | X         |            |   |
| 25. Within a Potential Wilderness Addition?  |            | X         |            |   |

## Davenport Residence: 5521 Foresta Rd.



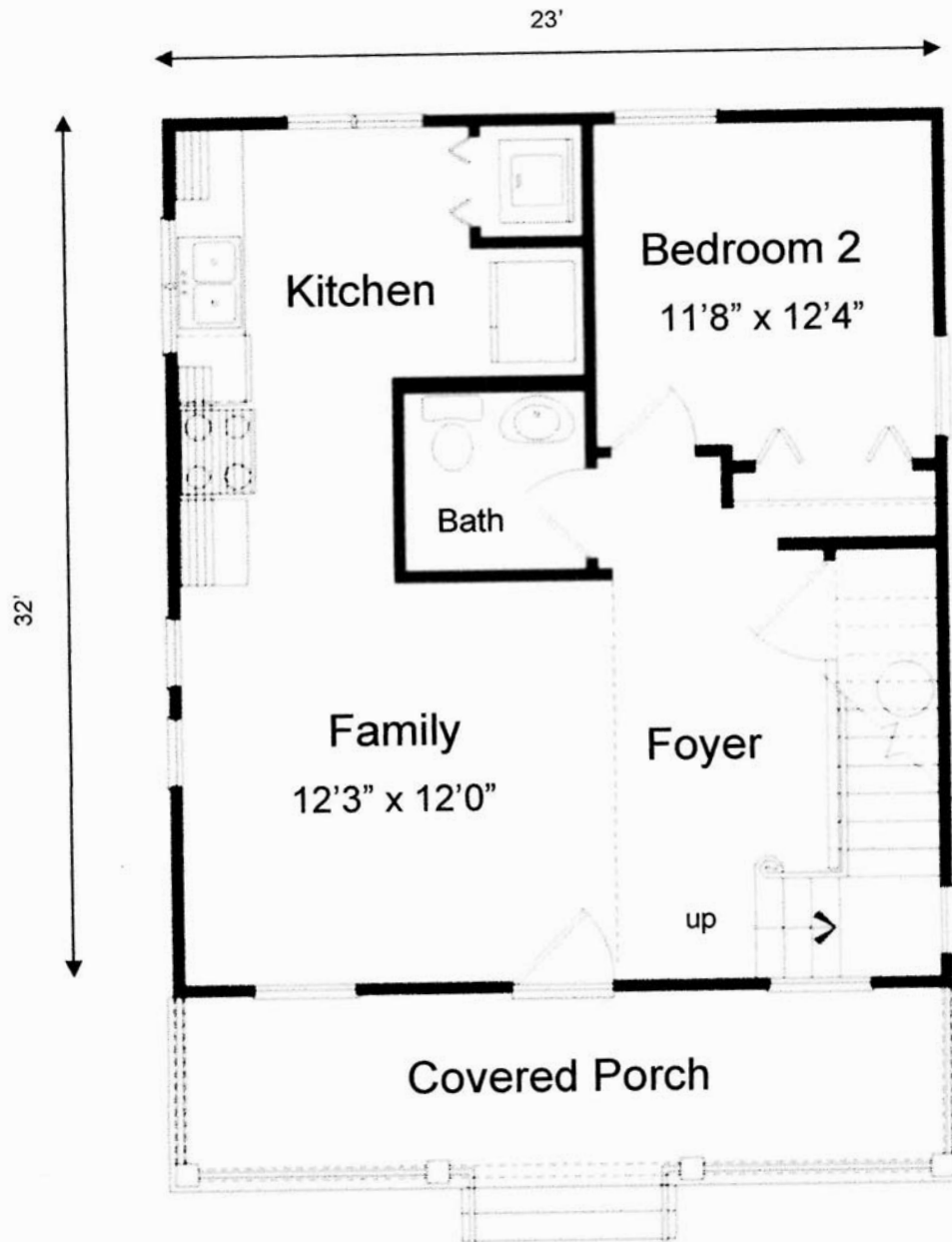
Erin and Andrew Davenport  
209-379-2690



### Proposed Residence Façade (Southern Elevation)

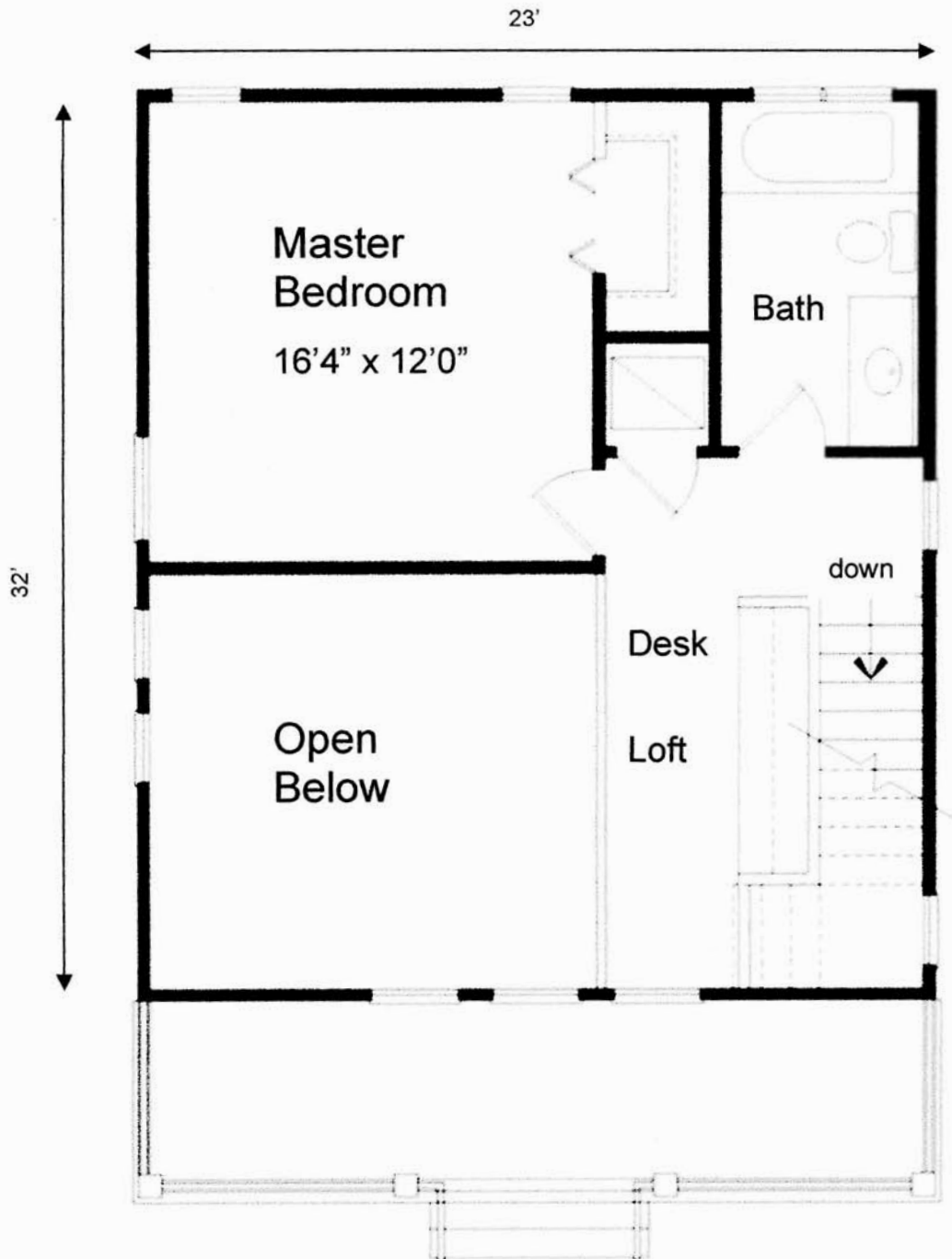
|                                       |                         |
|---------------------------------------|-------------------------|
| Total Living Area:                    | 1002 sq feet            |
| Bedrooms:                             | 2                       |
| Bathrooms:                            | 1.5                     |
| First Floor:                          | 605 sq feet             |
| Second Floor:                         | 397 sq feet             |
| 1 <sup>st</sup> floor Ceiling Height: | 8'0"                    |
| Foundation Type:                      | Perimeter – cement sill |

Davenport Residence: 5521 Foresta Rd.  
Erin and Andrew Davenport: 209-379-2690



Main Level Floor Plan

Davenport Residence: 5521 Foresta Rd.  
Erin and Andrew Davenport: 209-379-2690



Second Floor Plan

Davenport Residence: 5521 Foresta Rd.  
Erin and Andrew Davenport: 209-379-2690



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## 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:** 2009-060 El Portal Davenport Residential Replacement

**b. Date:** August 3, 2009

**c. PEPC Project ID Number:** 25606

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

No

Yes, Source or reference: El Portal Archeological District; Old El Portal Historic District; El Portal Foresta American Indian Traditional Cultural Resource Area.

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 Resource(s):** None

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

Destroy, remove, or alter features/elements from a historic structure

Replace historic features/elements in kind

Add non-historic features/elements to a historic structure

Alter or remove features/elements of a historic setting or environment (inc. terrain)

Add non-historic features/elements (inc. visual, audible, or atmospheric) to a historic setting or cultural landscape

Disturb, destroy, or make archeological resources inaccessible

Disturb, destroy, or make ethnographic resources inaccessible

Potentially affect presently unidentified cultural resources

Begin or contribute to deterioration of historic features, terrain, setting, landscape elements, or archeological or ethnographic resources

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:** Jeannette Simons **Date:** August 3, 2009 **Title:** Historic Preservation  
**Officer** **Telephone:** 209-379-1372

**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: 06/24/2009  
Comments:

*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:

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

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Historical Architect  
Name: Sueann Brown  
Date: 06/24/2009  
Comments: The Evaluation of Historical Significance of Cultural Resources in the El Portal Administrative Site by Harlan Unrau that received SHPO concurrence in 1999 determined El Portal does not have enough historic integrity to be considered a historic district and did not list this structure as one that was individually eligible for National Register listing.

*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:

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

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Historical Landscape Architect  
Name: David Humphrey  
Date: 06/24/2009  
Comments: None.

*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: None.

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

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

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

1. Assessment of Effect:

No Historic Properties Affected  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: \_\_\_\_\_

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: \_\_\_\_\_



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 //Jeannette Simons//

Date: 11/18/09

**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 Acting Superintendent //Luis Shram// (acting)

Date: 12/11/09

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