



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: Ruth Middlecamp, Project Manager, Yosemite National Park

From: Superintendent, Yosemite National Park

Subject: NEPA and NHPA Clearance: 2012-036 Programmatic Special Use Permit - Nordic Guiding (43184)

The Executive Leadership 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.

For complete compliance information see PEPC Project 43184.

//Don L. Neubacher//
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: 08/28/2012

Categorical Exclusion Form

Project: 2012-036 Programmatic Special Use Permit - Nordic Guiding

PEPC Project Number: 43184

Project Description:

This is a request for a 5 year programmatic Categorical Exclusion (CE) to issue Special Use Permits (SUP) for nonprofit guided hiking and backpacking services in Yosemite National Park. This programmatic CE will cover SUPs issued beginning on January 1, 2013.

This SUP is issued to companies, organizations or individuals conducting nonprofit guided nordic activities in Yosemite National Park. Authorized nordic activities include day hiking, snowshoeing, cross-country skiing, snow camping and winter backpacking. The permit holder (permittee) must agree to abide by the terms and conditions of the SUP which is administered and managed by the Yosemite National Park, Office of Special Park Uses in conjunction with the Yosemite Wilderness Office.

The hiking/backpacking SUP is used as the core permit to which additional activities, authorized through the compliance process, are attached if requested. When multiple activity permits are requested the additional conditions are attached to the hiking/backpacking permit rather than issuing each permit separately.

The permitted activities are to be conducted only in those areas of Yosemite National Park open to the public and authorized by the SUP. The permittee is required to obtain any additional permits or license required by law. The SUP will only be issued for a period of one year at a time. Groups/organizations must apply for a new SUP each year that they plan to offer guided trips in Yosemite National Park. The permittee is required to conduct all business (advertisements and bookings and financial transaction) outside of the park.

The permittee must obtain a wilderness permit separately and in addition to the SUP when conducting overnight stays in the wilderness. The permittee is required to provide their proposed trip itinerary to the Yosemite Wilderness Office prior to their trip(s) beginning in the park. The itinerary information is used by the Wilderness Office to schedule patrols in areas to attempt to make contact with groups in the field and provide written reports on the findings of their contacts. Each permittee is required to submit monthly use reports listing the actual trailheads and campsites used, along with the number of days/night spent in the park, and the number of clients guided.

Project Locations:

Mariposa, Tuolumne, and Madera Counties

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):

A.6 Commercial use licenses involving no construction.

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.

//Don L. Neubacher//
Don L. Neubacher

9/24/12
Date

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Environmental Planning and Compliance Office in
Yosemite National Park.*



National Park Service
U.S. Department of the Interior

Yosemite National Park
Date: 08/28/2012

ENVIRONMENTAL SCREENING FORM (ESF)

DO-12 APPENDIX 1

Date Form Initiated: 08/28/2012

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: 2012-036 Programmatic Special Use Permit - Nordic Guiding
PEPC Project Number: 43184
Project Type: Permit - Special Use (SUP)
Project Location:
County, State: Mariposa, Tuolumne, Madera Counties, California
Project Leader: Ruth Middlecamp

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.	No				
2. From geohazards	No				
3. Air quality	No				
4. Soundscapes	No				
5. Water quality or quantity	No				
6. Streamflow characteristics	No				
7. Marine or estuarine resources	No				

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
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				Yosemite National Park is a World Heritage Site.
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,	No				

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
aesthetic resources					
18. Archeological resources	No				
19. Prehistoric/historic structure	No				
20. Cultural landscapes	No				
21. Ethnographic resources	No				
22. Museum collections (objects, specimens, and archival and manuscript collections)	No				
23. Socioeconomics, including employment, occupation, income changes, tax base, infrastructure	No				
24. Minority and low income populations, ethnography, size, migration patterns, etc.	No				
25. Energy resources	No				
26. Other agency or tribal land use plans or policies	No				
27. Resource, including energy, conservation potential, sustainability	No				

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
28. Urban quality, gateway communities, etc.	No				
29. Long-term management of resources or land/resource productivity	No				
30. Other important environment resources (e.g. geothermal, paleontological resources)?	No				

C. MANDATORY CRITERIA

Mandatory Criteria: If implemented, would the proposal:	Yes	No	N/A	Comment or Data Needed to Determine
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		

Mandatory Criteria: If implemented, would the proposal:	Yes	No	N/A	Comment or Data Needed to Determine
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		
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		No		

Mandatory Criteria: If implemented, would the proposal:	Yes	No	N/A	Comment or Data Needed to Determine
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)?				

D. OTHER INFORMATION

1. Are personnel preparing this form familiar with the site? Yes
- 1.A. Did personnel conduct a site visit? No
2. Is the project in an approved plan such as a General Management Plan or an Implementation Plan with an accompanying NEPA document? No
3. Are there any interested or affected agencies or parties? No
4. Has consultation with all affected agencies or tribes been completed? No
5. 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
Woody Smeck	Deputy Superintendent
Michael Gauthier	Chief of Staff
Kathleen Morse	Chief of Planning
Randy Fong	Chief of Project Management
Teri Austin	Chief of Administration Management
Ed Walls	Chief of Facilities Management
Linda C. Mazzu	Chief of Resources Management & Science
Tara Riggs	Acting Chief of Business and Revenue Management
Tom Medema	Chief of Interpretation and Education
Charles Cuvelier	Chief of Visitor and Resource Protection
Ruth Middlecamp	Project Leader
Madelyn Ruffner	Acting Environmental Planning and Compliance Program Manager
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>//Renea Kennec//</u> Compliance Specialist – Renea Kennec	<u>8/28/12</u>
<u>//Madelyn Ruffner//</u> Acting Compliance Program Manager – Madelyn Ruffner	<u>9/21/12</u>
<u>//Randy Fong//</u> Chief, Project Management – Randy Fong	<u>9/24/12</u>

Approved:

Superintendent	Date
<u>//Don L. Neubacher//</u> Don L. Neubacher	<u>9/24/12</u>

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Yosemite National Park.*



National Park Service
U.S. Department of the Interior

Yosemite National Park
Date: 08/28/2012

PARK ESF ADDENDUM

Today's Date: August 28, 2012

PROJECT INFORMATION

Park Name: Yosemite National Park
Project Title: 2012-036 Programmatic Special Use Permit - Nordic Guiding
PEPC Project Number: 43184

Project Type: Permit - Special Use (SUP)
Project Location:
County, State: Mariposa, Tuolumne, Madera Counties, California
Project Leader: Ruth Middlecamp

PARK ESF ADDENDUM QUESTIONS & ANSWERS

ESF Addendum Questions	Yes	No	N/A	Data Needed to Determine/Notes
SPECIAL STATUS SPECIES CHECKLIST				
Listed or proposed threatened or endangered species (Federal or State)?		No		
Species of special concern (Federal or State)?		No		
Park rare plants or vegetation?		No		
Potential habitat for any special-status species listed above?		No		
NATIONAL HISTORIC PRESERVATION ACT CHECKLIST				
Entail ground disturbance?		No		
Are any archeological or ethnographic sites located within the area of potential effect?		No		
Entail alteration of a historic structure or cultural landscape?		No		
Has a National Register form been completed?		No		
Are there any structures on the park's List of Classified Structures in the area of potential effect?		No		
WILD AND SCENIC RIVERS ACT CHECKLIST				
Fall within a wild and scenic river corridor?	Yes			This permit is parkwide and falls within the Merced and Tuolumne Rivers.

ESF Addendum Questions	Yes	No	N/A	Data Needed to Determine/Notes
Fall within the bed and banks AND will affect the free-flow of the river?		No		
Have the possibility of affecting water quality of the area?		No		
Remain consistent with its river segment classification?	Yes			
Fall on a tributary of a Wild and Scenic River?	Yes			
Will the project encroach or intrude upon the Wild and Scenic River corridor?		No		
Will the project unreasonably diminish scenic, recreational, or fish and wildlife values?		No		
Consistent with the provisions in the Merced River Plan Settlement Agreement?	Yes			
WILDERNESS ACT CHECKLIST				
Within designated Wilderness?	Yes			The Holder of the permit is required to obtain a wilderness permit prior to wilderness travel; no Minimum Requirement Analysis is necessary for this type of permit.
Within a Potential Wilderness Addition?		No		

UNITED STATES DEPARTMENT OF THE INTERIOR
National Park Service
YOSEMITE NATIONAL PARK
20XX
Special Use Permit

↓NAME (Authorized Agent)	
↓ORGANIZATION	
↓MAILING ADDRESS	
↓TELEPHONE NUMBER	↓ FAX NUMBER

Park Alpha Code: 8800

Type of Use: Guided Nordic Activities

Permit #: YOSE-##-_____

(for NPS office use only)

TRANSPORTATION AUTHORITY if applicable

PUC # or CA# _____

(for California Groups Only)

DOT# _____
(for Out of State Groups)

is hereby authorized to use the following described land or facilities in the above named area:

The permit begins on January 1, 20XX The permit expires after January 31, 20XX .

SUMMARY OF PERMITTED ACTIVITY: Guided Nordic Activities

In areas open to the public for day hiking and areas designated by the Yosemite Wilderness Permit for overnight backpacking (see attached sheets for additional information and conditions)

(Guided rock climbing is not authorized under this permit; see permit condition #20.)

Authorizing legislation or other authority: 16 USC 1a-1, 3a; 36 CFR Parts 1-7

NEPA Compliance: CATEGORICALLY EXCLUDED X EA/FONSI EIS PEPC ##### & #####

NHPA section 106 is NO ADVERSE EFFECT pursuant to permit conditions 28(b) & 29(a)

APPLICATION FEE Received Not Required Amount \$ 50.00

LIABILITY INSURANCE: Required X Not Required Amount \$ 1,000,000.00 (Reference condition #8.)

COST RECOVERY: Required X Not Required Amount \$ 350.00

ISSUANCE of this permit is subject to the attached conditions. The undersigned hereby accepts this permit subject to the terms, covenants, obligations, and reservations, expressed or implied herein.

****This permit is not valid until signed by the Superintendent or authorized agent thereof.***

PERMITTEE

Signature (Sign & Print Name)

Title

Date

Authorizing NPS Official

Signature

(Chief of Business & Revenue Mgmt. Division for Superintendent)

Date

CONDITIONS OF THIS PERMIT

1. **False Information:** The permittee is prohibited from knowingly giving false information; to do so will be considered a breach of conditions and be grounds for revocation: [36 CFR 2.32(a)(3)].
2. **Legal Compliance:** The permittee shall exercise this privilege subject to the supervision of the Superintendent or designee, and shall comply with all applicable Federal, State, county and municipal laws, ordinances, regulations, codes, and the terms and conditions of this permit. Failure to do so may result in the immediate suspension of the permitted activity or the termination of the permit.
3. **Validation & Enforcement of Permit Provisions:** If any provision of this permit shall be found to be invalid or unenforceable, the remainder of this permit shall not be affected and the other provisions of this permit shall be valid and be enforced to the fullest extent permitted by law.
4. **Additional Requirements:** The permittee is responsible for making all necessary contacts and arrangements with other Federal, State, and local agencies to secure required inspections, permits, licenses, etc.
5. **Failure to Comply:** Failure to comply with any of the terms and conditions of this permit may result in the immediate suspension or revocation of the permit. All costs associated with clean up or damage repairs in conjunction with a terminated permit will be the responsibility of the permittee.
6. **Revocation of Permit:** This permit may be revoked at the discretion of the Superintendent upon 24 hours notice, or without notice if damage to resources or facilities occurs or is threatened, notwithstanding any other term or condition of the permit to the contrary.
7. **Liabilities & Claims:** This agreement is made upon the express condition that the United States, its agents and employees shall be free from all liabilities and claims for damages and/or suits for or by reason of any injury, injuries, or death to any person or persons or property of any kind whatsoever, whether to the person or property of the (Permittee/Grantee), its agents or employees, or third parties, from any cause or causes whatsoever while in or upon said premises or any part thereof during the term of this agreement or occasioned by any occupancy or use of said premises or any activity carried on by the (Permittee) in connection herewith, and the (Permittee) hereby covenants and agrees to indemnify, defend, save and hold harmless the United States, its agents, and employees from all liabilities, charges, expenses and costs on account of or by reason of any such injuries, deaths, liabilities, claims, suits or losses however occurring or damages growing out of the same.
8. **Insurance:** Permittee agrees to carry general liability insurance against claims occasioned by the action or omissions of the permittee, its agents and employees in carrying out the activities and operations authorized by this permit. The policy shall be in the amount of \$1,000,000.00 and underwritten by a United States company naming the United States of America as “**Additional Insured**”. The permittee agrees to provide the Superintendent with a Certificate of Insurance with the proper endorsements prior to the effective date of the permit. If the Permittee operates a motor vehicle used to transport clients, the Permittee shall also obtain comprehensive automobile liability insurance in the amount required by the State of California and/or the Federal Motor Carrier Safety Administration.
9. **Cost Recovery:** Costs incurred by the park as a result of accepting and processing the application and managing and monitoring the permitted activity will be reimbursed by the permittee. Administrative costs and estimated costs for activities on site must be paid when the permit is approved.
10. **Benefit by Congressional Member:** As a condition of acceptance of this permit by the permittee and pursuant to 41 U.S. C. 22, “No Member of Congress shall be admitted to any share or part of any contract or agreement made, entered into, or accepted by or on behalf of the United States,

or to any benefit to arise thereupon.”

SAMPLE

11. **NPS Expenditures:** Nothing herein contained shall be construed as binding the Service to expend in any one fiscal year any sum in excess of appropriations made by Congress or administratively allocated for the purpose of this Agreement for the fiscal year, or to involve the Service in any contract or other obligation for the further expenditure of money in excess of such appropriations or allocations.
12. **Transfer of Authorization:** This permit may not be transferred or assigned without the prior written consent of the Superintendent.

APPENDIX

SPECIAL PARK CONDITIONS (Guided Nordic Activities)

Regulations: Reference copies of the *Yosemite National Park 36 C.F.R. 1.7(b) Compendium* is available on the internet at <http://www.nps.gov/yose/parkmgmt/lawsandpolicies.htm>. The *Wilderness Management Plan* (approved 1989) is available from the Research Library. (209-372-0280). A copy of 36 CFR Part 1 to 199 may be found on the internet at: <http://home.nps.gov/applications/npspolicy/getregs.cfm>.

DEFINITIONS:

{Permittee}: For the purpose of this Permit the word "Permittee" or "Holder" shall include employees and/or agents of the company issued this Permit.

{Permit}: The term and "Permit" shall be used interchangeably in reference to the Special Use Permit.

{Commercial Transportation}: For the purpose of this Permit the term "Commercial Transportation" shall mean the transportation by the Permittee of any client, by any motor vehicle owned, operated or hired by the Permittee, within areas of Yosemite National Park, whether, or not, it is incidental to the commercial operation.

{Backpacking/Backpacker}: For the purpose of this Permit the term(s) "Backpacking" and or "Backpacker" refer to the use of the backcountry by any person or group for trips which occur overnight and where a Yosemite Wilderness Permit is required.

{Day Hike/Day Hiker/ Hiker}: For the purpose of this Permit the term(s) "Day Hike", "Day Hiker" and or "Hiker" refers to the use of the frontcountry and/or backcountry by any person or group for day trips only, and where a Yosemite Wilderness Permit is not required.

{Frontcountry}: For the purpose of this Permit the term frontcountry is defined as those areas and trails outside of developed areas, such as road side vistas or developed visitor facilities and/or walkways, e.g. the Yosemite Village area.

{Backcountry}: For the purpose of this Permit the term backcountry is defined as those areas designated as Wilderness and/or areas where wilderness use permits are required and/or where backcountry/wilderness regulations apply, e.g. the Mist Trail or Four Mile Trail.

{Nordic Guide}: A guide certified to lead day tours and overnight trips using cross-country ski and/or snowshoe apparatus in winter wilderness conditions.

{Trans-Sierra}: For the purpose of this Permit the term "Trans-Sierra" shall mean any trip through Yosemite National Park that begins on the east side of the Sierra and ends on the west side of the Sierra, or begins on the west side of the Sierra and ends on the east side of the Sierra.

{Traditional Winter Use/Nordic Activity}: For the purpose of this Permit the term "Traditional Winter Use" or "Nordic Activity" shall refer to cross country skiing, snow shoeing and or snow camping activities only.

{Winter Use Activity}: For the purpose of this Permit the term "Winter Use Activity" shall include Cross-country skiing, snowshoeing, winter hiking, winter backpacking and winter camping activities.

This permit is only applicable for, use of the area(s), the activities and terms designated in this permit.

13. **Carry Permit:** The Permittee is required to carry a valid copy of this Permit or, a copy of the valid "Field Guide Permit", if issued, while conducting guiding services within the Park.
14. **Use Limits** - It is expressly understood that the Superintendent may impose public use limits based upon his authority stated in Title 36 of the Code of Federal Regulations, Section 1.5. (Under adverse weather, high water and fire conditions, the Superintendent may temporarily suspend this permit until the situation improves.)
15. **Compliance** -The Permittee shall exercise this privilege subject to the supervision of the Superintendent, and shall comply with all applicable regulations of the area. The Permittee and all participants authorized herein must comply with all of the conditions of this Permit including all exhibits, amendments, or written directions of the Park Superintendent. The Permittee will comply with any special instructions received from the Superintendent, or representative thereof, both written and or verbal, concerning operations within Yosemite National Park.
16. **Acknowledgement** - In accepting this Permit, the Permittee acknowledges that the proposed activity, in order to qualify for a Special Use Permit (SUP), must bear a direct relationship to the purpose for which the Park was established; *for example*, visitor understanding and enjoyment of the Park. Even though the activity may be primarily recreational in nature, the Permittee agrees to provide time, stops, and talks to accurately explain the natural ecosystems, history and culture within the Park, to their clientele.
17. **Business/Revenue Base** - It is understood that the Permittee shall not develop a business based on revenues generated through visiting Yosemite National Park.
18. **Solicitation** - This Permit does not permit the Permittee to advertise, solicit business, collect any fees, or sell any goods or services on lands owned and controlled by the United States.
19. **Advertising** - Advertising for the authorized activity (SUP) shall not state or imply endorsement by the National Park Service or Yosemite National Park. Commercial photography or commercial filming, within the Park, may require a separate filming permit and must be approved by the Superintendent. (Contact the Office of Special Park Uses, 209-379-1858, for information.)
20. **Additional Permits** - It is the responsibility of the Permittee to obtain any additional permits for activities not covered under this SUP. **(Note) Guided commercial and/or organized group bicycle tours, and guided commercial and/or organized climbing or climbing lessons are not activities permitted by Yosemite National Park.** Groups wishing to offer guided climbing activities for their clients should contact the park concession service's Mountaineering School at 209-372-8344 or 8435. For information regarding additional permits or permitted tour activities contact (209) 379-1851.
21. **Entrance Fees** - Permittee agrees to pay all applicable entrance fees in effect at the time of arrival at the Park entrance station or designated fee collection site. The Park entrance fee for a commercial vehicle is ten (10) dollars per person over the age of fifteen (15) and allows for a seven (7) consecutive day visit. Company guides will not be charged the entrance fee when entering for purposes of conducting the activity authorized under this SUP. Clients entering in their person vehicles will be charged the \$20 private vehicle rate. Attempting to avoid payment of appropriate fees is a violation of federal law. **Any attempt at fee fraud will result in the revocation of this Permit and the Permittee will be subject to criminal prosecution.**
22. **Traditional Winter Use** - Only winter activities traditionally allowed in the backcountry are to be conducted under the terms of this Permit. Snowboarding and other non-traditional activities are specifically prohibited.
23. **Harassment** - Any harassment and/or threats to any National Park Service employee or park visitor by the Permittee will result in the suspension and/or revocation of this Permit.
24. **Safety** - The Permittee shall take every reasonable precaution to ensure the safety of its clients, its employees, other Park visitors, and Park employees
25. **Damage** - The Permittee shall pay the United States Government for any damage(s) resulting from this special use which would not reasonably be inherent in the use which the Permittee is authorized to make, as described in

this Permit.

SAMPLE

26. **Addition of Clients:** Additional customers may not be added to the tour while the Permittee is in the Park. All bookings and financial transactions must take place outside of the Park.

27. **Employee - Agent Responsibility**

A.) Guides must be a minimum of eighteen (18) years old. The Permittee shall ensure that their Guides possess the knowledge, skills and experience necessary to safely lead groups on day or overnight trips into the Park. The Guides must have experience in the areas in which they guide. Guides, leading clients into the Park must understand the hazards involved and be properly trained and prepared for conditions and situations, which may be encountered.

B.) **Nordic Guides** – Commercial Nordic guides leading overnight trips into the backcountry must maintain current Advanced Ski Mountaineering and Advanced Avalanche certification from the Professional Ski Instructors of America (PSIA); American Mountain Guide Association (AMGA) or an equivalent nationally recognized certification program, which may be approved by the Superintendent. (Note: certification is required for those using areas beyond snow-covered trails in Yosemite Valley or marked trails at Crane Flat, Glacier Point Road area and the Mariposa Grove. Guides must carry their certification cards with them during the activity.)

C.) The Permittee shall train their guides and educate their clients to ensure that the Park's geological, biological, historical and archeological resources are not disturbed. The Permittee is responsible for informing their employees and clients of Park regulations and assuring compliance on full service trips. During backpacking trips, if the Permittee does not stay with the client(s) throughout their daily activities, that client, or at least one person in their group, must be in possession of a valid Yosemite Wilderness Regulation form. The Permittee shall insure that all employees and clients entering the Park are informed of all applicable "Special Park Conditions" of this Permit. (The company may be cited for any violations committed by their employee(s). The Permittee is responsible for the actions of its client(s) when the group is dispersed or unmonitored unless the Permittee can show proof that the client has signed an acknowledgement of having received, understood and agreed to abide by, a copy of current wilderness regulations for the area.)

28. **Regarding Supervision/Compliance:** *Common regulations include, but are not limited to the following.*

A.) **Protection of Natural Resources & Cultural Artifacts (Historic and Prehistoric)** - Permittee will not allow employees or clients to disturb or remove from the Park any natural and/or historic and/or cultural artifacts including arrowheads, rock mortars, glass bottles/jars or similar artifacts. Rocks, flowers, plants and parts of plants (alive or dead) as well as other natural resources may not be removed.

B.) **Cross Country Skiing/Snowshoeing**

1. **(Badger Pass Ski Resort)** Ski tours or snow shoeing tours are prohibited from using the Badger Pass Ski Resort for tour activities unless the group is participating as a customer in a concession service activity or a National Park Service activity conducted at Badger Pass.
2. **(Glacier Point Road Corridor)** Groups must be kept to no more than 8 individuals, including the guide.
3. **(Ostrander Lake Ski Hut)** Unless first approved in writing by the Superintendent, use of the Ostrander Lake Ski Hut is prohibited for commercial use.
4. **(Mariposa Grove)** The Permittee may ski or snowshoe on trails within the Mariposa Grove of Giant Sequoias open to the public.
5. **(Crane Flat Area)** The Permittee may ski or snowshoe on trails in the Crane Flat area open to the public. These trails include the Crane Flat Campground, Crane Flat Lookout Road, Tuolumne Grove Road the Tioga Road and other marked trails in the area.
6. **(Yosemite Valley)** The Permittee may ski or snowshoe on snow covered bike paths and trails in Yosemite Valley open to the public for similar use.

7. **(Tuolumne Meadows)** The Permittee must notify the Tuolumne winter rangers of any trip to the Tuolumne Meadows area prior to their arrival. Information regarding the group name, name of the trip leader, trip itinerary, number of participants and any emergency contact phone numbers should be called in to the ranger station at (209) 372-0450.
- C.) **Skiing/Snowshoeing on Roadways** - Skiing and/or snowshoeing is prohibited on open park roads except to cross from one side of the road to the other.
- D.) **Winter Camping** – Yosemite Winter Wilderness Permits are required for all users of the Yosemite Wilderness who begin backcountry overnight trips at Yosemite trailheads. Groups who enter the Park from a US Forest Service (USFS) trailhead, and spend a night in the Yosemite backcountry, must obtain their permit from the USFS district office overseeing that trailhead. (The phone number to call to reserve Yosemite wilderness permits is (209) 372-0740.) Camp areas must be left as they were found.
1. **Winter Camping is prohibited in the following areas:**
- Within one (1) mile of a plowed road.
 - Within one hundred (100) feet of a trail, flowing stream, river or any body of water.
 - Within four (4) trail miles of any trailhead in Yosemite Valley, Hetch Hetchy or Wawona.
 - Within 1.5 miles of the Badger Pass ski area boundary.
 - Summit Meadow, Dewey Point and the Glacier Point Area. (camping is permitted near both points, but not at the points themselves. See attached maps.)
2. **Camping in the Mariposa Grove** is permitted from December 1 to April 15 only above the Clothespin Tree and if the Mariposa Grove Road is closed to public vehicle access.
3. **Washing and rinsing water** must be disposed of at least 100 feet from lakes and streams in the wilderness.
- E.) **Campsites/Campfires** – *Camping* is prohibited within one hundred (100) feet of a trail, flowing stream, river or any body of water, unless designated. Permittee will use only existing fire rings, which will be left neat and clean. Only dead and down wood may be used. Wood fires are prohibited above 9600-foot elevation. The Permittee will leave campsite(s) clean after use. All garbage must be removed from fire rings and carried out.
- F.) **Construction** – With the exception of snow caves or igloos, no structures may be built, including trail markers, such as cairns or ducks; rock walls, balanced rocks, trenches in the soil or new fire rings. Cutting tree limbs or pine boughs for shelter is not permitted.
- G.) **Food Storage** – Food must be stored properly in approved bear resistant food storage containers during all overnight wilderness trips in all locations of the park. Food may not be left unattended during the day if not stored in approved storage containers. *During winter months* approved containers may be rented at any Yosemite Valley Visitor Center and the Wawona Store, for a fee. (Information regarding approved food storage containers may be found at <http://www.sierrawildbear.gov/> or by contacting the Yosemite Wildlife Office at 209-372-0476. Winter users should obtain the food storage requirements by calling the Wildlife Office.)
- H.) **Removal of Trash and Refuse** - All articles that are transported into the backcountry by the Permittee must be transported out. This includes all refuse, trash and toilet paper.
- I.) **Human Body Waste** – In non-developed snow covered areas human waste must be packed out unless it can be disposed of at least one hundred (100) feet from any water source, (including seasonal dry creek beds, etc.) high water mark of any body of water, campsite, or trail and must be buried six (6) inches deep in the soil, in accordance to park regulations. (To dispose of human body waste, dig through snow and at least six (6) inches into the soil.) Human waste must not be

buried in the snow. Toilet paper must be carried out with all trash.

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- J.) **Motorized Equipment** - Wilderness Area regulations prohibit the use of motorized equipment in designated wilderness.
- K.) **Controlling Clients** - The Permittee shall ensure that clientele and vehicles do not obstruct vehicular or pedestrian traffic on roads, trailheads or along trails. The Permittee will be responsible for controlling clients at those places where the tour travels in the Park. This will include keeping clients from walking in posted sensitive areas, where resource destruction may result. The Permittee shall share the roads and trails with other groups and park visitors. The Permittee is expected to exercise courtesy and sound judgment to avoid and alleviate risks when encountering other groups on park trails.
- L.) **Fireworks** – Possession and/or use of fireworks is prohibited in the Park.
- M.) **Audio Disturbances** – The Permittee will not transport external speaker audio devices, such as AM/FM radios and/or CD/MP3 players. Devices used with personal headphones/earplugs are allowed.
- N.) **Cell Phones** – Except in the case of an emergency, the Permittee should discourage the use of cell phones in areas where other hiker's wilderness experience might be negatively impacted by the use.
29. **Group Size** - - Group size shall not exceed fifteen (15) persons, including guides. Groups traveling cross-country shall not exceed eight (8) persons. Only one party at a time may camp at a particular location. Groups will not be combined to accommodate larger numbers. Groups exceeding permitted group size limits must separate into allowable sizes and use separate trail heads. These groups must travel and camp a minimum of ½ mile from each other at all times. (Hikers (day users) may have groups of up to thirty (30), but are required to divide them into groups of no more than fifteen (15) people each and follow the regulations stated previously.)
30. **Caches** - Equipment or food caches shall not be established or maintained within Yosemite National Park. Food must be properly stored. Property left unattended for more than twenty-four (24) hours will be considered abandoned and may be confiscated.
31. **Mitigation** - The Permittee shall be responsible for costs associated with mitigation of damage to resources resulting from violation of park rules and or regulations. The Permittee is responsible for the employee/guide knowing, understanding and following all Park regulations, and for their awareness and practice of Leave No Trace principles.
32. **Visitor Information** - Information provided through tour leaders, brochures, literature or advertising will insure that the information that is provided to Park visitors is accurate and reflects the most current information available to depict Park flora, fauna, culture and history. (Information may be found on the internet at <http://www.nps.gov/yose/index.htm> .)
33. **Commercial Transportation** - The Permittee shall not transport clients in motor vehicles within the boundaries of Yosemite National Park unless proof of Federal and/or State Transportation Authority and a valid commercial vehicle insurance certificate is on file with the Office of Special Park Use.
34. **Vehicle Markings** - Vehicle markings, transportation authority number and company name and/or logo, must be displayed on both right and left side of all company operated vehicles used to transport passengers. Minimum size lettering for logos will be four inches and must be visible from a distance of fifty (50) feet in daylight.

- 35. Commercial Vehicle Safety Inspections** – Permittee shall fully cooperate regarding the inspection of commercial passenger vehicles in Yosemite National Park, this includes vehicles owned, leased or hired by the Permittee for transportation of clients. (Commercial passenger vehicles in Yosemite National Park are occasionally inspected by law enforcement rangers for mechanical deficiencies and compliance with current laws, regulations and permit conditions.)
- 36. Equipment Inspection** - Permittee shall ensure equipment used in the authorized activity, including vehicles, shall be inspected to ensure that it is mechanically sound and in safe operating condition before each trip. Inspection documents, recording when equipment was placed into service, when equipment was inspected and/or repaired and who inspected it, will be maintained by the Permittee and will be made available for Park inspection upon request.
- 37. Emergency Medical Response** – The Permittee shall provide at least one guide per group who is trained and currently certified in Cardio Pulmonary Resuscitation (CPR certification by either Red Cross or American Heart Association will be accepted). While Wilderness First Responder certification is recommended, groups conducting overnight backcountry trips must include at least one guide per group with a minimum certification of Wilderness First Aid. Groups conducting day-hikes must include at least one guide, per group, certified for basic first-aid, as a minimum. Guides must carry a copy of their current certifications (CPR and WFA/WFR etc.) and present them to any Park Ranger upon request. The tour leader will carry and maintain a readily accessible emergency medical care kit with a sufficient depth of medical supplies and equipment to meet the basic first aid needs of the group.
- 38. Report of Injury** - The Permittee is required to make a report of ANY serious personal injury (an injury requiring professional medical attention) and/or property damage incident occurring within the Park involving Permittee vehicles, clientele, and/or employees. The report must be made at the first available opportunity before leaving the Park. A report will consist of a verbal description of the incident given to a Park Ranger, at the nearest Ranger Station or a Park Desk Officer. The Park Desk Officer is located in Yosemite Valley and may be contacted by phone at (209) 372-0608. The Permittee must cooperate with any investigation of the incident by the National Park Service. **A written report must be mailed or emailed to the Office of Special Park Uses within 7 business days after the incident.**
- 39. Search and Rescue Cost Recovery** - The Permittee shall assume all costs incurred by the National Park Service associated with rescues, evacuations and/or searches for persons participating in trips guided by the Permittee and resulting from the Permittee's negligence.
- 40. Wilderness Use Permits** - Permits for winter backcountry camping must be obtained separately from this Permit. Yosemite Wilderness Permits are required for all users camping overnight in the Yosemite backcountry. During the winter season Wilderness permits are not available by reservation. The permit must be obtained at the area permit station. If the station is closed for the season permits are available through a self-registration process at permit station. For trips beginning at Badger Pass you must obtain your permit at the Badger Pass A-Frame. When picking up a Wilderness Permit in Yosemite National Park the SUP group must identify themselves by providing the company name and show SUP permit to the permit issuing staff. The Wilderness permit will also require an itinerary for the trip which must be provided before the Wilderness Permit can be issued. (This is in addition to the proposed itinerary submitted during the permitting process.) The Wilderness Use Permits are subject to Yosemite's trailhead quota system. Groups who enter the Park from a US Forest Service (USFS) trailhead, and spend a night in the Yosemite backcountry, must obtain their permit from the USFS district office overseeing that trailhead. (The phone number to call for information about Yosemite wilderness permits is (209) 372-0740. Visit the park's website at <http://www.nps.gov/yose/planyourvisit/wildpermits.htm> for information on wilderness permits.)

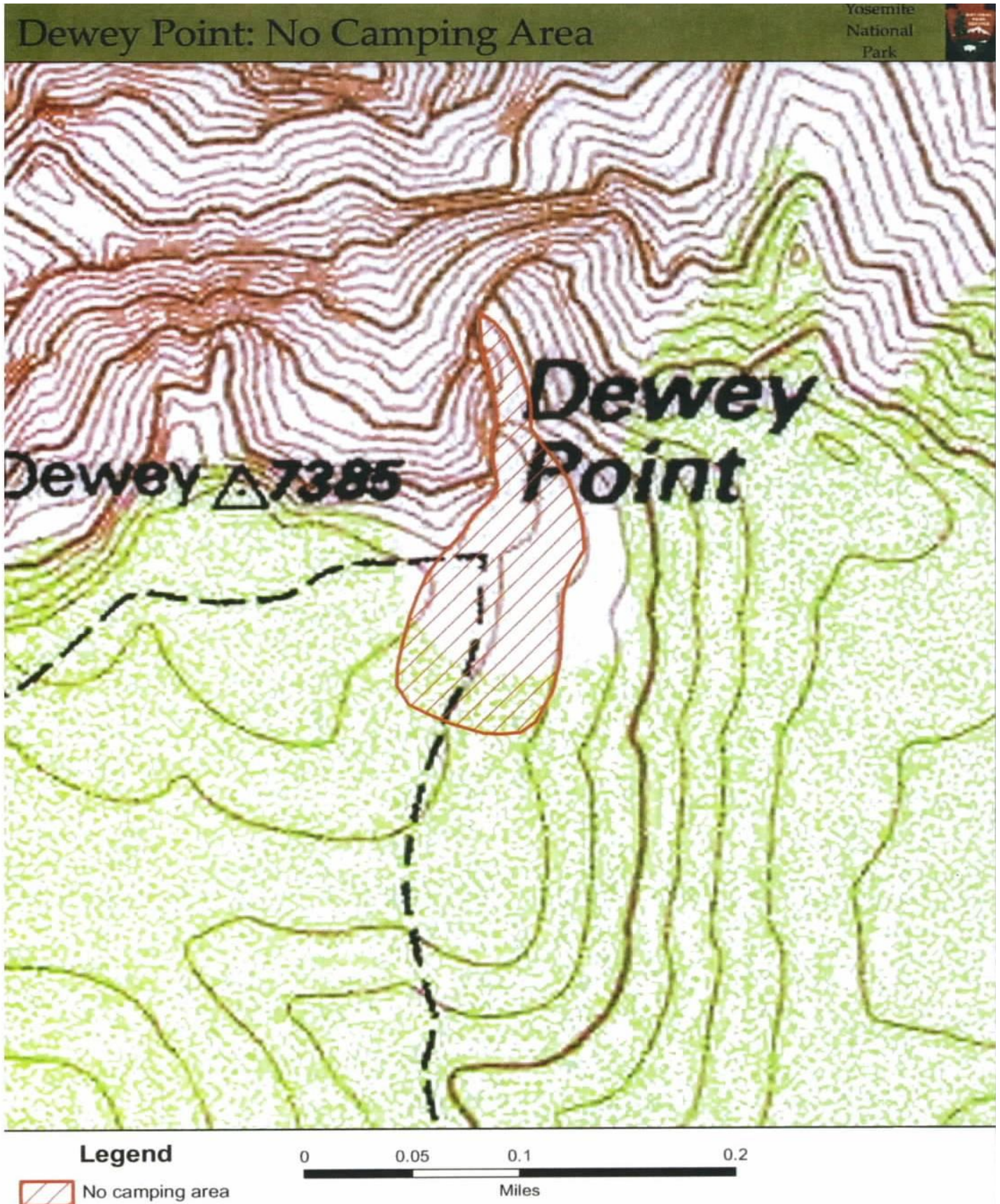
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- 41. Trip Itinerary** - The Superintendent may prohibit the Permittee from using areas of heavy use during certain periods of the year. The Permittee must submit a "proposed" trip itinerary prior to the beginning of the season or as soon as is feasible, prior to any trip beginning in the park. The itinerary must be submitted using the form included with this permit. The itinerary must provide a schedule of planned trips (both day use and overnight wilderness use). Any changes to the proposed itinerary **MUST** be faxed, mailed or emailed to the **Office of Special Park Uses** at least 30 days in advance of the scheduled trip(s). **Actual itineraries will be required when obtaining a Wilderness Permit within Yosemite National Park.** The **Office of Special Park Uses** must be notified immediately by phone, fax or email of any unscheduled trip booked less than thirty (30) days prior to the trip, and, not already submitted on the itinerary form. (The contact information may be found on the itinerary report form.).
- 45. Monthly Use Reports** At the end of each month that the authorized activities occurs the Permittee must complete the **Yosemite Monthly Use Report** form and send it to the **Office of Special Park Uses**. The form may be used to notify this office regarding any proposed trips, previously reported, that are cancelled; this includes both backpacking and day hiking activities. (Failure to submit the form is a violation of this Permit and compromises the Park's ability to manage park resources.) Send the completed report to the address, email or fax number listed on the report form.
- 46. Permit Renewal** - The Permittee shall give written notice of his/her intent to renew the Permit for the next calendar year. This notification serves as your application for permit renewal for the following year and must be received in this office by **December 1 of the current permit year**. *Groups providing trips to the Park through December may turn in their report by January 15, 20XX, with prior notification to the Office of Special Park Uses.*
- 42. Annual Survey** – The annual survey is a separate requirement from the monthly use report. (Information from the Monthly Use Report is collected by the Wilderness Office to assist in the management of Wilderness resources in the park. Information collected from the Annual Survey is used to assist the Office of Special Park Uses in updating records and to assist in park management efforts.) The Permittee shall submit an annual survey report, which summarizes total in-park visitor use and includes taxable gross revenues for the year. **Report forms are due by December 1 of the current permit year.** Companies providing trips to the Park through December may turn in their report by January 15, 20XX to this office with prior notification. (A blank Annual Survey Form will be sent to the Permittee by this office.) *Due to the increased workload involved in issuing these permits a strict cut-off date will be observed.* Organizations sending the Annual Survey in prior to the deadline will automatically receive the 20XX SUP without going through a new application process. *Organizations sending in the Annual survey after the **December 1 deadline**, without prior approval, will be required to apply for the 20XX SUP and pay the \$50 processing fee.*

Appendix 1 Dewey Point & Glacier Point No Camping Areas



Appendix 1a
Dewey Point No Camping Area



Appendix 1b
Glacier Point No Camping Area

