



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:** William Bryan, Project Manager, Yosemite National Park

**From:** Superintendent, Yosemite National Park

**Subject:** NEPA and NHPA Clearance: 2014-008 Issuance of El Portal Market Concessions Contract Prospectus (51483)

The Executive Leadership Team has reviewed the proposed project/action and completed its environmental assessment documentation, and we have determined the following:

- There will not be any effect on threatened, endangered, or rare species and/or their critical habitat.
- There will not be any effect on historic, cultural, or archeological resources.
- There will not be serious or long-term undesirable environmental or visual effects.

The subject proposed project, therefore, is now cleared for all NEPA and NHPA compliance requirements as presented above. Project plans and specifications are approved and construction and/or project implementation can commence.

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 51483.

//Mike Gauthier for//

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.*

Letter of Compliance Completion - Issuance of El Portal Market Concessions Contract Prospectus - PEPC ID:  
51483



## Categorical Exclusion Form

**Project:** 2014-008 Issuance of El Portal Market Concessions Contract Prospectus

**PEPC Project Number:** 51483

**Project Description:**

To provide necessary and appropriate visitor services in the El Portal Administrative Site, the National Park Service will issue a prospectus for competitive offers for a concessions contract at the El Portal Market. Visitor services required in this draft contract are grocery (including general merchandise, retail, and food and beverage sales) as well as an automatic teller machine provider. If awarded, the draft contract will begin January 1, 2014, and will expire December 31, 2024.

**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):**

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.**

**Superintendent:** //Mike Gauthier for//

Don L. Neubacher

**Date:** 5/15/14

*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

Date Form Initiated: 04/24/2014

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:** 2014-008 Issuance of El Portal Market Concessions Contract Prospectus  
**PEPC Project Number:** 51483  
**Project Type:** Issuance of Concessions Contract Prospectus (OTHER)  
**Project Location:**  
**County, State:** Mariposa, California **District:** El Portal Administrative Area  
**Project Leader:** William Bryan

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        |                    |               |                       |                                |

Environmental Screening Form (ESF) - Issuance of El Portal Market Concessions Contract Prospectus - PEPC ID: 51483

| <b>Identify potential effects to the following physical, natural, or cultural 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,  | No               |                           |                      |                              |                                       |

| <b>Identify potential effects to the following physical, natural, or cultural 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>  |
|--|------------------|---------------------------|----------------------|------------------------------|--|
| etc.   |                  |                           |                      |                              |  |
| 17. Visitor experience, aesthetic resources  |                  | Negligible                |                      |                              | The El Portal Market has a beneficial impact to the visitor experience by providing general merchandise and groceries. |
| 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 |                  | Negligible                |                      |                              | The El Portal Market provides employment for a few local residents.  |
| 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               |                           |                      |                              |  |

| <b>Identify potential effects to the following physical, natural, or cultural 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> |
|---|------------------|---------------------------|----------------------|------------------------------|---------------------------------------|
| 27. Resource, including energy, conservation potential, sustainability                      | No               |                           |                      |                              |                                       |
| 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**

| <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        |            |  |

| <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> |
|---|------------|-----------|------------|--|
| 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        |            |  |
| 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   |            | No        |            |  |

Environmental Screening Form (ESF) - Issuance of El Portal Market Concessions Contract Prospectus - PEPC ID: 51483

| <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> |
|--|------------|-----------|------------|--|
| practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?   |            |           |            |  |
| 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        |            |  |

#### **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><b>Interdisciplinary Team</b></u> | <u><b>Field of Expertise</b></u>                      |
|--------------------------------------|---|
| Don L. Neubacher                     | Superintendent  |
| Michael Gauthier                     | Chief of Staff  |
| Kathleen Morse                       | Chief of Planning                                     |
| Randy Fong                           | Chief of Project Management                           |
| Teri Austin                          | Chief of Administration Management                    |
| Lou Summerfield                      | Acting Chief of Facilities Management                 |
| Linda C. Mazzu                       | Chief of Resources Management & Science               |
| Kris Kirby                           | Chief of Business and Revenue Management              |
| Tom Medema                           | Chief of Interpretation and Education                 |
| Kevin Killian                        | Chief of Visitor and Resource Protection              |
| William Bryan                        | Project Leader  |
| Madelyn Ruffner                      | 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><br>Compliance Specialist – Renea Kennec            | <u>5/8/14</u>  |
| <u>//Madelyn Ruffner//</u><br>Compliance Program Manager – Madelyn Ruffner | <u>5/9/14</u>  |
| <u>//Randy Fong//</u><br>Chief, Project Management – Randy Fong            | <u>5/12/14</u> |

### Approved:

|  |                |
|--|----------------|
| Superintendent                                   | Date           |
| <u>//Mike Gauthier for//</u><br>Don L. Neubacher | <u>5/15/14</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: April 24, 2014

### PROJECT INFORMATION

**Park Name:** Yosemite National Park  
**Project Title:** 2014-008 Issuance of El Portal Market Concessions Contract Prospectus  
**PEPC Project Number:** 51483  
**Project Type:** Issuance of Concessions Contract Prospectus (OTHER)  
**Project Location:**  
**County, State:** Mariposa, California **District:** El Portal Administrative Area  
**Project Leader:** William Bryan

### PARK ESF ADDENDUM QUESTIONS & ANSWERS

| ESF Addendum Questions  | Yes | No | N/A | Data Needed to Determine/Notes |
|---|-----|----|-----|--------------------------------|
| <b>SPECIAL STATUS SPECIES CHECKLIST</b>   |     |    |     |                                |
| 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 |     |                                |
| <b>NATIONAL HISTORIC PRESERVATION ACT CHECKLIST</b>   |     |    |     |                                |
| 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 |     |                                |
| <b>WILD AND SCENIC RIVERS ACT CHECKLIST</b>   |     |    |     |                                |
| Fall within a wild and scenic river corridor?   | Yes |    |     | Merced River                   |
| 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 |     |                                |

| <b>ESF Addendum Questions</b>   | <b>Yes</b> | <b>No</b> | <b>N/A</b> | <b>Data Needed to Determine/Notes</b> |
|---|------------|-----------|------------|---------------------------------------|
| Remain consistent with its river segment classification?                                  | Yes        |           |            |                                       |
| Fall on a tributary of a Wild and Scenic River?   |            | No        |            |                                       |
| 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        |           |            |                                       |
| <b>WILDERNESS ACT CHECKLIST</b>   |            |           |            |                                       |
| Within designated Wilderness?   |            | No        |            |                                       |
| Within a Potential Wilderness Addition?   |            | No        |            |                                       |



# ASSESSMENT OF ACTIONS HAVING AN EFFECT ON HISTORIC PROPERTIES

## A. DESCRIPTION OF UNDERTAKING

1. **Park:** Yosemite National Park

2. **Project Description:**

**Project Name:** 2014-008 Issuance of El Portal Market Concessions Contract Prospectus

**Prepared by:** Renea Kennec

**Date Prepared:** 04/24/2014

**Telephone:** 209-379-1038

**PEPC Project Number:** 51483

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

       No

  X   Yes

**Source or reference:** El Portal Archeological District

4. **Potentially Affected Resources:** None

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

       No 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. Supporting Study Data:**

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

**B. REVIEWS BY CULTURAL RESOURCE SPECIALISTS**

The park 106 coordinator requested review by the park's cultural resource specialist/advisors as indicated by check-off boxes or as follows:

---

[ X ] Archeologist

Name: Sonny Montague

Date: 04/29/2014

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

Assessment of Effect:  X  No Potential to Cause Effect      No Historic Properties

Affected      No Adverse Effect      Adverse Effect      Streamlined Review

Recommendations for conditions or stipulations:

---

[ X ] Historical Architect

Name: Gabrielle Harlan

Date: 04/24/2014

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

Assessment of Effect:   No Potential to Cause Effect     X  No Historic Properties

Affected      No Adverse Effect      Adverse Effect      Streamlined Review

Recommendations for conditions or stipulations:

Doc Method: Park Specific Programmatic Agreement

---

[ X ] Historical Landscape Architect

Name: Kevin McCardle

Date: 05/08/2014

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

Assessment of Effect:  X  No Potential to Cause Effect      No Historic Properties

Affected      No Adverse Effect      Adverse Effect      Streamlined Review

Recommendations for conditions or stipulations:

---

**No Reviews From:** Curator, Archeologist, Historian, 106 Advisor, and Other Advisor

---

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

Assessment of Effect Form - Issuance of El Portal Market Concessions Contract Prospectus - PEPC ID: 51483

**1. Assessment of Effect:**

- ☐ No Potential to Cause Effects  
☒ No Historic Properties Affected  
☐ No Adverse Effect  
☐ Adverse Effect

**2. Documentation Method:**

☐ A. STANDARD 36 CFR PART 800 CONSULTATION

Further consultation under 36 CFR Part 800 is needed.

☐ B. STREAMLINED REVIEW UNDER THE 2008 SERVICEWIDE PROGRAMMATIC AGREEMENT (PA)

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

APPLICABLE STREAMLINED REVIEW Criteria  
(Specify 1-16 of the list of streamlined review criteria.)

☐ C. 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: 1999 Programmatic Agreement

☐ E. COMBINED NEPA/NHPA Document

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

☐ G. Memo to SHPO/THPO

☐ H. Memo to ACHP

**3. Additional Consulting Parties Information:**

**Additional Consulting Parties:** No

**4. Stipulations and Conditions:**

**Following are listed any stipulations or conditions necessary to ensure that the assessment of effect above is consistent with 36 CFR Part 800 criteria of effect or to avoid or reduce potential adverse effects.**

**5. Mitigations/Treatment Measures:**

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

**No Assessment of Effect mitigations identified.**

**D. RECOMMENDED BY PARK SECTION 106 COORDINATOR:**

**Acting Historic Preservation Officer:**

Kimball

Koch

//Kimball Koch//

**Date:** 5/8/2014

**E. SUPERINTENDENT'S APPROVAL**

**The proposed work conforms to the NPS *Management Policies* and *Cultural Resource Management Guideline*, and I have reviewed and approve the recommendations, stipulations, or conditions noted in Section C of this form.**

**Superintendent:** //Mike Gauthier for//

Don L. Neubacher

**Date:** 5/14/14

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