



United States Department of the Interior

NATIONAL PARK SERVICE

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

IN REPLY REFER TO:
L7617 (YOSE)

Memorandum

To: Larry Harris/Earl Zack

From: Superintendent

Subject: 2006-011 Badger Pass Emergency Phone Line Relocation and Repair

Your proposed project is an action that has been determined to result in no measurable environmental effects. It is therefore categorically excluded from further National Environmental Policy Act analysis under Categorical Exclusion: DO12 3.4 C(16) *Installation of underground utilities in areas showing clear evidence of recent human disturbance or areas within an existing road prism or within an existing overhead utility right-of-way.*

Necessary compliance coordination has been completed regarding the National Historic Preservation Act, the Wilderness Act, the Wild and Scenic Rivers Act, and the Endangered Species Act, as applicable. This project clearance is valid providing that you adhere to the conditions stipulated under "Project Mitigations and Conditions," below, and in the attached *Environmental Screening Form*, *Cultural Resource Effects Assessment Form* (XXX; when attached), and *Wilderness Minimum Requirement Analysis* (when attached) when implementing this project.

Project Mitigations and Conditions:

1. Include Division 1 Specifications in all project contracts and specifically inform all contractor, DNC, and park staff involved in the project of the provisions in Section 1355 regarding best management practices for avoiding the introduction and spread of non-native invasive plant species and federally listed noxious weeds.
2. All attempts shall be made to hide the exposed conduit along the walkway at the end of the Badger Pass Ski Lodge so that it is not in open view of the visitor. This can be done by running it under the path or on the outside edge along the wall or wooden handrail. The exposed conduit shall be of a material that shall rust or that can be powder-coated Wosky Brown. Consult with the park Historic Landscape Architect (Steve Torgerson, 379-1295) regarding the location and design of the above-ground phone line conduit and submit final plans to him for review and approval prior to initiating work.

On the basis of the environmental impact information in the statutory compliance file, with which I am familiar, I am categorically excluding the described project from further NEPA analysis. No exceptional circumstances or conditions in DO12 3.5 or 3.6 apply and the action is fully described in DO12, Section 3.4.

//MJTollefson//
Michael J. Tollefson

11/30/05
Date

Original: Statutory Compliance File
cc: Project Proponent

Enclosure (2)

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

A. PROJECT INFORMATION

Park Name: Yosemite NP

Project Number: 14015

Project Type: Facility Rehabilitation (FR)

Project Location: County, State: Mariposa, California District, Section: Badger Pass,

Project Originator/Coordinator: Larry Harris/Earl Zack

Project Title: 2006-011 Badger Pass Emergency Phone Line Relocation and Repair

B. PROJECT DESCRIPTION AND BACKGROUND

During the Badger Pass Rental Shop Demolition project, the contractor cut the main Badger Pass phone line buried in the wetland meadow under the rental shop. The contractor was unable to repair the line before high groundwater infiltrated the lines making them irreparable.

This project proposes to repair and relocate the phone line out of the designated wetland. The relocation plan involves an above ground conduit running along the walkway on the Badger Pass Lodge building from the existing phone pull-box to the adjacent asphalt parking area where it will go underground. Burying the phone line involves trenching through disturbed soil (2 inches wide by 18 inches deep by 290 lineal feet) on the edge of the asphalt parking area to the phone pull-box located near the A-Frame parking lot. This will restore phone service to Badger Pass and the functionality of Badger Pass fire alarm system without disturbance to the meadow.

SBC (the phone company) was on site and assisted with this phone line relocation plan, hoping to avoid the need to dig in the meadow for future line repairs.

Project Background Information	Yes	No	N/A	Explanation/Notes
1. Did NPS staff conduct a site visit? If no, explain.	X			
2a. Is the project in an approved plan? (Identify the plan and provide a section or page citation.)		X		
2b. Is the project consistent with that plan?			X	
2c. Is the Plan's CE, FONSI, or ROD current?			X	
3a. Are there any interested or affected parties?	X			DNC & SBC
3b. Has a diligent effort been made to communicate with them?	X			
4a. Are there any affected agencies or tribes?		X		
4b. Has consultation been completed?				

Attached Project Information (becomes part of CE)	Yes	No	N/A	Explanation/Notes
1. Maps: 2 required (vicinity map & site map)	X			Site map only; see Attachment A.
2. Drawings (e.g., design, construction)				
3. Site Plans				
4. Photographs				
5. Non-NEPA/NHPA Approvals (Explain)				
6. Other (Explain)				

C. ASSESSMENT OF POTENTIAL RESOURCE EFFECTS

Are any impacts possible on the following resources?	Yes	No	N/A	Data Needed to Determine/Notes
1. Geologic resources: soils, bedrock, streambeds, etc	X			Trenching in disturbed soil
2. From geohazards		X		
3. Air quality	X			Exhaust from trenching equipment
4. Soundscapes	X			Noise from trenching equipment
5. Water quality or quantity		X		
6. Stream flow characteristics		X		
7. Marine or estuarine resources			X	
8. Floodplains or wetlands		X		
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			Mitigated; equipment from outside park
16. Recreation resources, including supply, demand, visitation, activities, etc.		X		
17. Visitor experience, aesthetic resources		X		
18. Cultural resources including cultural landscapes, ethnographic resources		X		
19. Socioeconomics, including employment, occupation, income changes, tax base, infrastructure		X		
20. Minority and low income populations, ethnography, size, migration patterns, etc.		X		
21. Energy resources		X		
22. Other agency or tribal land use plans or policies		X		
23. Resource, including energy, conservation potential		X		
24. Urban quality, gateway communities, etc.		X		
25. Long-term management of resources or land/resource productivity		X		
26. Other important environment resources (e.g. geothermal, paleontological resources)?		X		
Comments, Mitigations and Conditions:				
1. Project contracts shall include Division 1 Specifications and all contractor, DNC, and park staff involved in the project shall be informed of the provisions in Section 1355 regarding best management practices for avoiding the introduction and spread of non-native invasive plant species and federally listed noxious weeds.				

D. MANDATORY CRITERIA

If implemented, would the proposed action:	Yes	No	N/A	Data Needed to Determine/Notes
A. Have material adverse effects on public health or safety?		X		
B. Have adverse effects on such unique 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; floodplains; or ecologically significant or critical areas, including those listed on the National Register of Natural Landmarks?		X		
C. Have highly controversial environmental effects?		X		
D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		X		
E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?		X		
F. Be directly related to other actions with individually insignificant, but cumulatively significant, environmental effects?		X		
G. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places?		X		
H. Have adverse effects on species listed or proposed to be listed on the List of Endangered or Threatened Species or have adverse effects on designated Critical Habitat for these species?		X		
I. Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act?		X		
J. Threaten to violate a federal, state, local, or tribal law or requirement imposed for the protection of the environment?		X		
K. Involve unresolved conflicts concerning alternative uses of available resources (NEPA sec. 102(2)(E))?		X		
L. Have a disproportionate, significant adverse effect on low-income or minority populations (EO 12898)?		X		
M. Restrict access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites (EO 130007)?		X		
N. Contribute to the introduction, continued existence, or spread of federally listed noxious weeds (Federal Noxious Weed Control Act)?		X		Mitigated; see condition 2, below
O. Contribute to the introduction, continued existence, or spread of non-native invasive species or actions that may promote the introduction, growth or expansion of the range of non-native invasive species (EO 13112)?		X		Mitigated; see condition 2, below
P. Require a permit from a federal, state, or local agency to proceed, unless the agency from which the permit is required agrees that a CE is appropriate?		X		

D. MANDATORY CRITERIA

If implemented, would the proposed action:	Yes	No	N/A	Data Needed to Determine/Notes
Q. Have the potential for significant impact as indicated by a federal, state, or local agency or Indian tribe?		X		
R. Have the potential to be controversial because of disagreement over possible environmental effects?		X		
S. Have the potential to violate the NPS Organic Act by impairing park resources or values?		X		
Comments, Mitigations and Conditions: 1. Include Division 1 Specifications in all project contracts and specifically inform all contractor, DNC, and park staff involved in the project of the provisions in Section 1355 regarding best management practices for avoiding the introduction and spread of non-native invasive plant species and federally listed noxious weeds.				

E. SPECIAL STATUS SPECIES CHECKLIST

Within the area of potential effect, are there:	Yes	No	N/A	Data Needed to Determine/Notes
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		
If "yes" to any of the above questions, a Special-Status Species Checklist must be completed and attached.				
Comments, Mitigations and Conditions: 1. N/A				

F. NATIONAL HISTORIC PRESERVATION ACT CHECKLIST

Within the area of potential effect:	Yes	No	N/A	Data Needed to Determine/Notes
1. Will there be ground disturbance?	X			In disturbed soil/road prism; determination is "no effect"; see attached XXX.
2. Are there any archeological sites?		X		
3. Are there any traditional cultural resources?		X		
4. Is the project within the boundary of an archeological or historic district?	X			Badger Pass: see condition 1, below; see attached XXX.
5a. Is there a National Historic Landmark?		X		
5b. Is there a structure(s) on the park's <i>List of Classified Structures</i> ?	X			Badger Pass Lodge: see condition 1, below; see attached XXX.
5c. Is there a historic property with a DOE and concurrence by the SHPO or a completed National Register form?			X	
5d. Is there a cultural property requiring review under NHPA, Section 110?			X	
6. Would there be alteration of a structure or cultural landscape covered by 5a-d, above?			X	
If "yes" to any of the above, then an Assessment of Effects form (YOSE-XXX) must be completed and attached.				
Mitigations and Conditions:				
1. All attempts shall be made to hide the exposed conduit along the walkway at the end of the Badger Pass Ski Lodge so that it is not in open view of the visitor. This can be done by running it under the path or on the outside edge along the wall or wooden handrail. The exposed conduit shall be of a material that shall rust or that can be powder-coated Wosky Brown. (Resources Management & Science)				

G. WILDERNESS ACT CHECKLIST

Is the proposed project:	Yes	No	N/A	Data Needed to Determine/Notes
1. Within designated Wilderness?		X		
2. Within a Potential Wilderness Addition?		X		
If "yes" to either of the above, then a Wilderness Minimum Requirements Analysis must be completed and attached.				
Mitigations and Conditions:				
1. N/A				

H. WILD AND SCENIC RIVERS ACT CHECKLIST

Does the proposed project:	Yes	No	N/A	Data Needed to Determine/Notes
1. Fall within a wild and scenic river corridor? If 'yes', name the river(s)		X		
2. Fall within the bed and banks AND affect the free-flow of the river?			X	
3. Potentially affect water quality of the area?			X	
4. Remain consistent with its river segment classification?			X	
5. Protect and enhance river ORVs?			X	
6a. Fall within the River Protection Overlay?			X	
6b. If "yes", is it consistent with conditions of the River Protection Overlay?			X	
8. Remain consistent with the areas Management Zoning?			X	
9a. Fall on a tributary of a Wild and Scenic River?			X	
9b. If 9a is "yes", will the project affect the Wild and Scenic River corridor?			X	
9c. If 9a is "yes", will the project unreasonably diminish scenic, recreational, or fish and wildlife values?			X	
If "yes" to questions 2, 9b, or 9c, then a WSRA Section 7 determination must be completed and attached.				
Mitigations and Conditions:				
1. N/A				

I. NEPA Analysis and Approval Conditions

When implemented as detailed in the project description and following all Project Mitigations and Conditions listed below, this project meets the terms and conditions of a categorical exclusion to NEPA.

Applicable Categorical Exclusion:

DO12 3.4 C(16) Installation of underground utilities in areas showing clear evidence of recent human disturbance or areas within an existing road prism or within an existing overhead utility right-of-way.

Project Mitigations and Conditions:

1. **Include Division 1 Specifications in all project contracts and specifically inform all contractor, DNC, and park staff involved in the project of the provisions in Section 1355 regarding best management practices for avoiding the introduction and spread of non-native invasive plant species and federally listed noxious weeds.** (Environmental Planning and Compliance Review Office)
2. **All attempts shall be made to hide the exposed conduit along the walkway at the end of the Badger Pass Ski Lodge so that it is not in open view of the visitor. This can be done by running it under the path or on the outside edge along the wall or wooden handrail. The exposed conduit shall be of a material that shall rust or that can be powder-coated Wosky Brown. Consult with the park Historic Landscape Architect (Steve Torgerson, 379-1295) regarding the location and design of the above-ground phone line conduit and submit final plans to him for review and approval prior to initiating work.** (Resources Management & Science)

This project has been reviewed in accordance with the above criteria and it has been determined that the project will result in no or minimal environmental effects. Therefore, it is categorically excluded from further environmental review required under the National Environmental Policy Act. Additionally, the necessary compliance coordination has been completed with regard to the National Historic Preservation Act, the Wilderness Act, the Wild and Scenic Rivers Act, and the Endangered Species Act.

//GWColliver// 11/22/05

Compliance Specialist **Date**

//Mark A Butler// 11/22/05

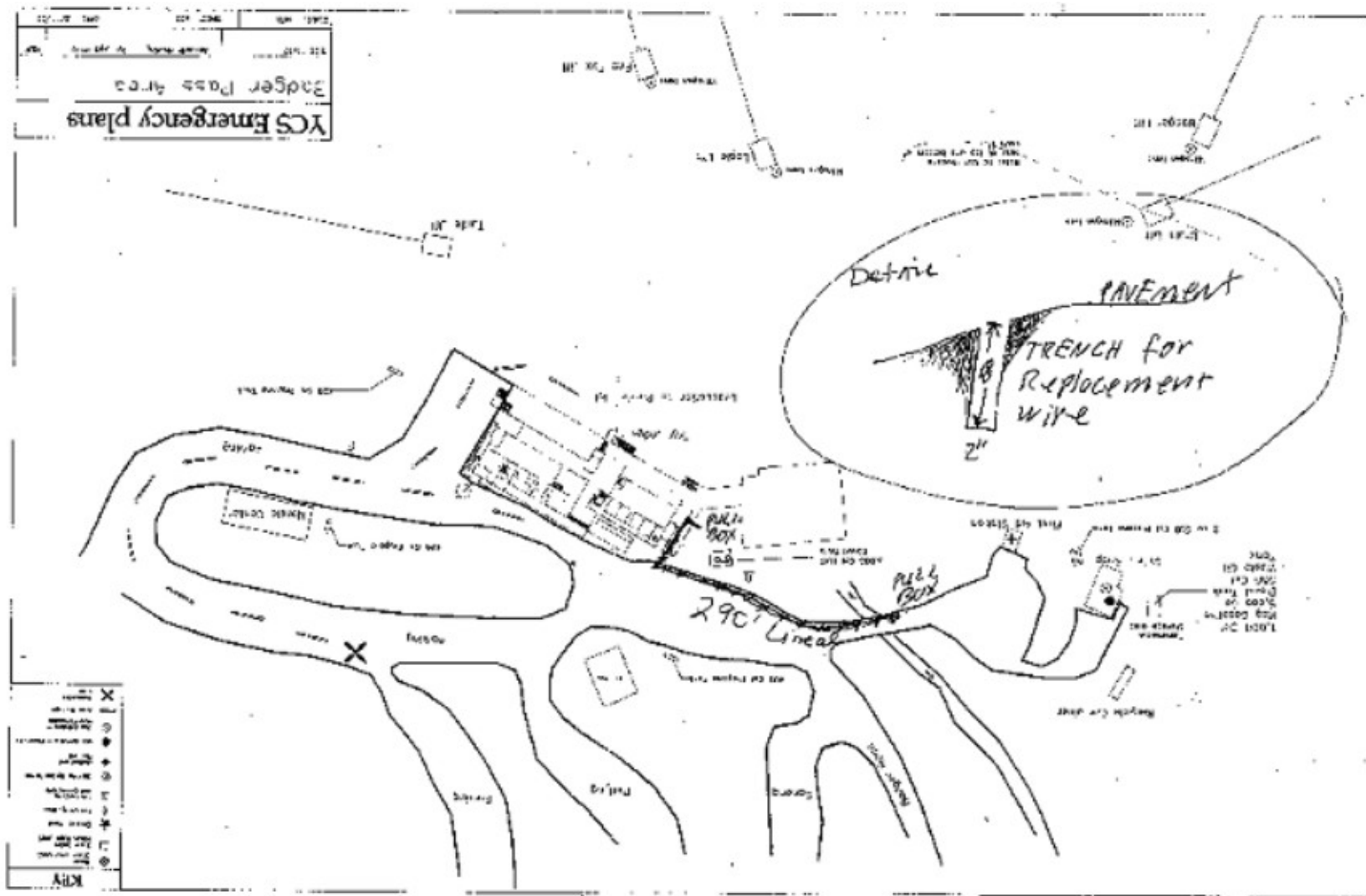
Compliance Program Manager **Date**

//Bill Delaney// 11/28/05

Chief, Project Management **Date**

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

Attachment A



A. DESCRIPTION OF UNDERTAKING

1. **Project Title & ID:** 2006-011 Badger Pass Emergency Phone Line Repair and Relocation
2. **Project Manager:** Larry Harris/ Earl Zack
3. **Project Description**

During the Badger Pass Rental Shop Demolition project, the contractor cut the main Badger Pass phone line buried in the wetland meadow under the rental shop. The contractor was unable to repair the line before high groundwater infiltrated the lines making them irreparable.

This project proposes repair and relocate the phone line out of the designated wetland. The relocation plan involves an above ground conduit running along the walkway on the Badger Pass Lodge building from the existing phone pull-box to the adjacent asphalt parking area where it will go underground. Burying the phone line involves trenching through disturbed soil (2 inches wide by 18 inches deep by 290 lineal feet) on the edge of the asphalt parking area to the phone pull-box located near the A-Frame parking lot. This will restore phone service to Badger Pass and the functionality of Badger Pass fire alarm system without disturbance to the meadow.

SBC (the phone company) was on site and assisted with this phone line relocation plan, hoping to avoid the need to dig in the meadow for future line repairs.

4. Project Location and Area of Potential Effect

The project is located at the Badger Pass Ski Area. The area of potential effect is the northwest end of the Badger Pass Ski Lodge, the walkway running northeast to the adjacent parking area, and along the southwest/south edge of the parking area and roadway to the phone pull-box near the Badger Pass A-Frame building.

5. Attached Sensitive* Information	Yes	No	Explanation/Source/Notes
a. Maps		X	See map attached to the ESF
b. Drawings			
c. Site Plans			
d. Photographs			
e. Sample			
f. List of Materials			
g. Other (Explain)			

* Sensitive documents not for duplication or distribution beyond park management, subject matter experts, and the project statutory compliance file.

B. DESCRIPTION OF EFFECTS

	Yes	No	N/A	Explanation/Notes
1. Has the Area of Potential Effect been surveyed to identify cultural resources? If Yes, provide reference for the survey(s)	X			Badger Pass CLI (725353) YOSE 1974 CA
a. Would the proposed action affect a known cultural resource?		X		See Section C

2. List all Cultural Resources in the Area of Potential Effect:	Affected?		Explanation/Note
	Yes	No	
a. Badger Pass Ski Club House		X	See Section C
b. Badger Pass Ranger Residence 5100		X	
c. Badger Pass Cultural Landscape		X	See Section C

3. List resources in the Area of Potential Effect to which American Indians attach cultural and religious significance:	Affected?		Explanation/Note
	Yes	No	
a. None			

4. The proposed action will:	Yes	No	N/A	Explanation/Note
• Destroy, remove, or alter features or elements from a historic structure		X		
• Replace historic features/elements in kind		X		
• Add nonhistoric features/elements to a historic structure		X		
• Alter or remove features/elements of a historic setting or environment (including terrain)		X		
• Add nonhistoric features/elements (including visual, audible, or atmospheric) to a historic setting or cultural landscape	X			Phone line conduit will sit above ground
• Disturb, destroy, or make archeological resources inaccessible, or alter associated terrain		X		
• Disturb, destroy, or make ethnographic resources inaccessible, or alter associated terrain		X		
• Begin or contribute to the deterioration of historic fabric, terrain, setting, landscape elements, or archeological or ethnographic resources		X		
• Involve a real property transaction affecting historic cultural properties (i.e., the exchange, sale, or lease of land or structures)		X		
• Potentially affect presently unidentified cultural resources		X		
• Other		X		

5. Describe any measures that are incorporated as an original part of this project that will be taken to prevent or minimize loss or impairment of prehistoric or historic fabric, setting, integrity, or data: None proposed.

Checklist Preparer: //Mark A Butler//

Date: 11/22/05

Title: for Historic Preservation Officer

C. SPECIALIST SECTION

Specialists: Your comments here (or attached) show that you have reviewed this proposal for conformity with requirements of *National Historic Preservation Act, Section 106*; with the 1995 *Servicewide Programmatic Agreement* (if applicable); with applicable parts of the *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation*; with the NPS *Management Policies* and *Cultural Resource Management Guideline*; and have given your best professional advice about this project and the issues relevant to the Section 106 process, including identification and evaluation of historic properties and further consultation needs.

Archeologist

Name: **Laura Kirn**

Date: 11/10/05

Comments: **"Based on previous archeological inventory and the lack of documented resources, I recommend a determination of no effect" (see attached email dated 11/10/05).**

Ground Disturbance Involved Yes: **X** No:

Assessment of Effect: **"No Effect"** – See attached email dated 11/10/05

Recommendations for Conditions or Stipulations:

Signature of Archeologist: //signed original on file//

Historic Landscape Architect

Name: **Steve Torgerson**

Date: 11/15/05

Comments:

Assessment of Effect: **"No Adverse Effect"**

Recommendations for Conditions or Stipulations: All attempts shall be made to hide the exposed conduit along the walkway at the end of the Badger Pass Ski Lodge so that it is not in open view of the visitor. This can be done by running it under the path or on the outside edge along the wall or wooden handrail. The exposed conduit shall be of a material that shall rust or that can be powder-coated Wosky Brown.

Signature of Historic Landscape Architect: //signed original on file//

**D. RESOURCES MANAGEMENT AND SCIENCE DIVISION AND PARK 106 COORDINATOR
REVIEWS AND RECOMMENDATIONS**

- 1. Review by specialists:** The appropriate subject-matter experts have reviewed the project and entered their comments and recommendations in Section C, above.

The foregoing assessment is adequate: the proposed action is consistent with all applicable NPS management policies, standards, guidelines, or US DOI standards and guidelines, Rehabilitation of Historic Buildings, or others, and incorporates measures to avoid Adverse Effects.

Reviewed and Accepted by:

Signature: //Laura Kirn// **Date:** 11/21/05
for Chief of Resources Management & Science Division

2. Assessment of Effects:

- 3. Compliance Requirements:** The following is the park's assessment of Section 106 process needs and requirements for this undertaking.

☐ **Standard 36 CFR Part 800 Consultation**

Consultation under 36 CFR is needed subsequent to the preparation of this form and its review by appropriate cultural resource management advisors.

☐ **Undertaking related to the 1995 NPS Programmatic Agreement**

The above action meets all conditions for a programmatic exclusion under Stipulation IV of the 1995 NPS programmatic agreement.

☐ **Plan-Related Undertaking**

Consultation and review of the proposed undertaking were completed in the context of a plan review process, in accordance with the 1995 NPS programmatic agreement and 36 CFR Part 800.

☐ **Undertaking Related to Another Agreement**

The proposed undertaking is covered for Section 106 purposes under a document such as a statewide agreement written in accordance with 37 CFR Part 800.7 or counterpart regulations.

Agreement:

☐ **Flood-Recovery Related Undertaking**

The proposed undertaking is covered for Section 106 purposes under the letter-based agreement between the NPS, the State Historic Preservation Office, and the Council for Historic Preservation for "Highwater 97" flood repair and recovery

☐ **Undertaking Related to the 1999 Yosemite Programmatic Agreement**

The proposed undertaking is covered for Section 106 purposes under the park's 1999 programmatic agreement for planning, design, construction, operations and maintenance; the undertaking meets the stipulations identified in Article VII.C.2.

4. Project Stipulations and Conditions

Following are listed any stipulations or conditions necessary to ensure that the assessment of effects above is consistent with 36 CFR 800 criteria of effect or to mitigate potential adverse effects:

Recommended by Park Section 106 Coordinator:

Name: **Mark Butler**

Title: for **Historic Preservation Officer**

Signature: //Mark A Butler// Date: 11/22/05

E. SUPERINTENDENT'S APPROVAL

The proposed work conforms to NPS Management Policies and NPS-28 and I approve the recommendations, stipulations, and conditions noted in Section B of this form.

Signature of Superintendent: //MJTollefson//

Date: 11/30/05

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