

Yosemite National Park
CATEGORICAL EXCLUSION FORM

A. PROJECT INFORMATION

Title: El Portal (5551 Foresta Road) Dumpster Site Preparation

Compliance Tracking Number: 2006-012

PEPC Project Number: 14051

Location: Mariposa County, California; El Portal

NPS Project Proponent: Facilities Management, Tim Ludington

B. COMPLIANCE DETERMINATION

This 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 (9) – *Repair, resurfacing, striping, installation of traffic control devices, and repair/replacement of guardrails, culverts, signs, and other minor existing features on existing roads when no potential for environmental impact exists..*

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. Environmental impacts will be minor or less when the project is implemented with the conditions stipulated under **Project Mitigations and Conditions** in **Section I** at the end of the attached *Environmental Screening Form*.

Additional supporting information for this determination and the stipulated conditions can be found in the following attachments (when checked):

- ☒ *Cultural Resource Effects Assessment Form (XXX)*
- ☐ *Wilderness Minimum Requirement Analysis*
- ☐ *Wild and Scenic River Section 7 Determination*
- ☐ *Park Management Terms and Conditions*
- ☐ Other:

C. DECISION

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

1/3/06
Date

Attachments (2)

Original: Statutory Compliance File
cc: Project Proponent

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



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: Tim Ludington, Project Manager

From: Superintendent, Yosemite National Park

Subject: Notice to Proceed, 2006-012 El Portal (5551 Foresta Road) Dumpster Site Preparation

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 (9) – *Repair, resurfacing, striping, installation of traffic control devices, and repair/replacement of guardrails, culverts, signs, and other minor existing features on existing roads when no potential for environmental impact exists.*

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 in the enclosed *Categorical Exclusion Form* and associated documents when implementing this project.

//MJTollefson//
Michael J. Tollefson

1/5/06
Date

Enclosure (1, 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.*

A. PROJECT INFORMATION

Park Name: Yosemite NP

Project Number: 14051

Project Type: Facility Maintenance (FM)

Project Location: County, State: Mariposa, California

District, Section: El Portal

Project Originator/Coordinator: Tim Ludington

Project Title: El Portal (5551 Foresta Road) Dumpster Site Preparation

B. PROJECT DESCRIPTION AND BACKGROUND

This Project will install 2 - 6 inches of compacted aggregate road base on the existing dirt surface of a parking area immediately adjacent to the Foresta Road in El Portal. This will provide a hardened, durable surface on which to install an open topped dumpster bin and to allow firm tread for the truck to safely dump the can. Additionally, one rock will need to be topped or removed. See attached photo for clarification of the project.

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		
3b. Has a diligent effort been made to communicate with them?				
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)				
2. Drawings (e.g., design, construction)		X		
3. Site Plans		X		
4. Photographs	X			Proposed Site Photo
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			Negligible; remove one rock or knock off top if too large to remove.
2. From geohazards		X		
3. Air quality		X		
4. Soundscapes	X			Negligible; temporary during construction.
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			Yosemite is a World Heritage Site. Assessment of effect is “no effect”; see attached XXX.
13. Unique or important wildlife or wildlife habitat		X		
14. Unique or important fish or fish habitat		X		
15. Introduce or promote non-native species (plant or animal)		X		
16. Recreation resources, including supply, demand, visitation, activities, etc.		X		
17. Visitor experience, aesthetic resources		X		
18. 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.				

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		
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		

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		
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.				

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.				

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			Mitigated; assessment of effect is "No Effect."
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		
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		
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.				

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.				

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			Merced River
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			Site preparation and placement of dumpster is consistent with this segment's classification as "Recreational."
5. Protect and enhance river ORVs?	X			Site preparation and placement will protect and enhance ORVs.
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			Site preparation and placement of dumpster is consistent with this area's management zoning of "3C-Park Operations and Administrations."
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.				

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:

This project will place road base on a heavily used road shoulder and a heavily disturbed area currently occupied by a dumpster and used for accessing the dumpster and for parking. The impacts of the project would be the same as DO12 3.4 C (9) – Repair, resurfacing, striping, installation of traffic control devices, and repair/replacement of guardrails, culverts, signs, and other minor existing features on existing roads when no potential for environmental impact exists.

Project Mitigations and Conditions:

None

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.

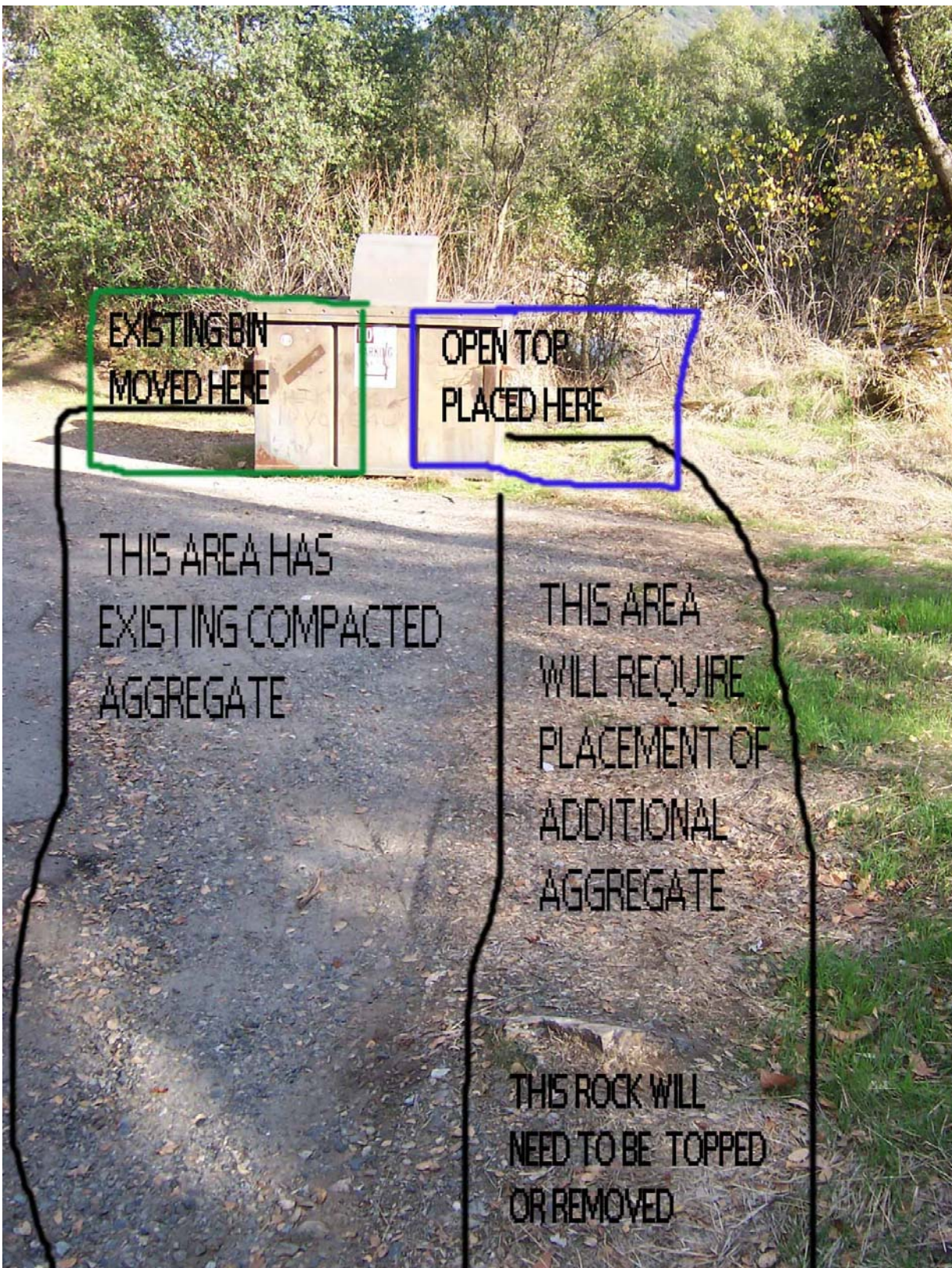
//Renea Kennec// 12/28/05
Compliance Specialist Date

//GWColliver// 12/28/05
Compliance Program Manager Date

//Bill Delaney// 12/28/05
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:** 2006-012 El Portal Dumpster Site Preparation (14051)
2. **Project Manager:** Tim Ludington
3. **Project Description** This Project will install 2 - 6 inches of compacted aggregate road base on the existing dirt surface of a parking area immediately adjacent to the Foresta Road in El Portal. This will provide a hardened, durable surface on which to install an open topped dumpster bin and to allow firm tread for the truck to safely dump the can. Additionally, one rock will need to be topped or removed. See attached photo for clarification of the project.
4. **Project Location and Area of Potential Effect:** El Portal

5.Attached Sensitive* Information	Yes	No	Explanation/Source/Notes
a. Maps	X		GIS CR map
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			Old El Portal Historic Cultural Landscape El Portal Traditional Cultural Landscape El Portal Archaeological District
a. Would the proposed action affect a known cultural resource?	X			

2. List all Cultural Resources in the Area of Potential Effect:	Affected?		Explanation/Note
	Yes	No	
a. Old El Portal Historic Cultural Landscape	X		
b. El Portal Archaeological District			

3. List resources in the Area of Potential Effect to which American Indians attach cultural and religious significance:	Affected?		Explanation/Note
	Yes	No	
a. El Portal Traditional Cultural Landscape	X		

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			
• 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				

5. Describe any measures that are incorporated as part of this project that will be taken to prevent or minimize loss or impairment of prehistoric or historic fabric, setting, integrity, or data:

Checklist Preparer: Jeannette Simons

Date: 12/8/05

Title: Historic Preservation Officer/Native American Liaison

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 *Service-wide 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**
Comments: **No Archeological resources in this area**

Date: 12/8/2005

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

Assessment of Effect: No effect.

Recommendations for Conditions or Stipulations:

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

Cultural Anthropologist Name:
Comments:

Date:

Assessment of Effect:

Recommendations for Conditions or Stipulations:

Signature of Cultural Anthropologist: _____

Curator Name:
Comments:

Date:

Assessment of Effect:

Recommendations for Conditions or Stipulations:

Signature of Curator: _____

Historian

Name: **Charles Palmer**

Date: 12/08/2005

Comments:

Assessment of Effect: **No Adverse Effect.**

Recommendations for Conditions or Stipulations:

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

Historic Architect

Name: **Sueann Brown**

Date: 12/08/2005

Comments:

Assessment of Effect: **No adverse effect.**

Recommendations for Conditions or Stipulations:

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

Historic Landscape Architect

Name: **Steven Torgerson**

Date:

Comments:

Assessment of Effect: **No adverse effect.**

Recommendations for Conditions or Stipulations:

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

Preservation Specialist

Name: **Doug Martin**

Date: 12/8/2005

Comments:

Assessment of Effect: **No adverse effect.**

Recommendations for Conditions or Stipulations:

Signature of Preservation Specialist: //signed original on file//

Name:

Date:

Comments:

Assessment of Effect:

Recommendations for Conditions or Stipulations:

Signature of _____: _____

Name:

Date:

Comments:

Assessment of Effect:

Recommendations for Conditions or Stipulations:

Signature of _____: _____

**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: //Niki Nicholas//
Chief of Resources Management & Science Division

Date: 12/14/2005

- 2. Assessment of Effects: No effect.**

- 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:

None.

Recommended by Park Section 106 Coordinator:

Name: **Jeannette Simons**

Title: **Historic Preservation Officer**

Signature: //signed original on file//

Date: 12/19/2005

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: 1/3/2006

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