



# 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-PM)

## Memorandum

To: Ruth Middlecamp, Project Manager, Business and Revenue Management, Yosemite National Park  
From: Superintendent, Yosemite National Park  
Subject: Notice to Proceed, 2007-048 Commercial Use Authorization for Stock Use - 2007 (18135)

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 A (6) - *Incidental business permits (formerly called commercial use licenses) involving no construction or potential for new environmental impact.*

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 any conditions that may be stipulated in the enclosed *Categorical Exclusion Form* and associated documents when implementing this project.

//R. Kevin Cann//  
Michael J. Tollefson

4/11/07  
Date

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.*

## Categorical Exclusion

(Version: OCT06)

Compliance Tracking Number: 2007-048

PEPC Project Number: 18135

### A. PROJECT INFORMATION

**Title:** Commercial Use Authorization for Stock Use - 2007

**Location:** Parkwide, Mariposa, Tuolumne, and Madera Counties, California

**Project Manager:** Ruth Middlecamp, Business and Revenue Management, Yosemite National Park

### 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 A (6) - *Incidental business permits (formerly called commercial use licenses) involving no construction or potential for new environmental impact.*

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 negligible 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):

- ☒ *Environmental Screening Form*
- ☒ *Preservation Assessment Form (YOSE-XXX)*
- ☐ *Wilderness Minimum Requirement Analysis*
- ☐ *Wild and Scenic River Section 7 Determination*
- ☐ 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.*

//R. Kevin Cann//  
Michael J. Tollefson, Superintendent

4/11/07  
Date

Original: Statutory Compliance File  
cc: Project Proponent

Attachments (2)

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

## Environmental Screening Form

(Version: NOV06)

Compliance Tracking Number: 2007-048

PEPC Project Number: 18135

### A. PROJECT INFORMATION

**Title:** Commercial Use Authorization for Stock Use - 2007

**Location:** Parkwide, Mariposa, Tuolumne, and Madera Counties, California

**Project Manager:** Ruth Middlecamp, Business and Revenue Management, Yosemite National Park

### B. PROJECT DESCRIPTION AND BACKGROUND

The purpose of this project is to issue Commercial Use Authorizations (CUA) for 2007 Commercial Stock Use in Yosemite National Park. Commercial stock outfitters (herein referred to as holders) are required to obtain a CUA each season prior to taking clients into Yosemite National Park using stock. A CUA allows holders to provide guided pack animal trips and/or pack support trips for hikers. Holders are required to originate and terminate pack trips outside of the park boundary, unless authorized by the Superintendent. Holders are regulated by the terms and conditions of the Commercial Use Authorization.

The 2007 Commercial Stock Use CUAs shall be issued in accordance with historic levels of stock use and the associated number of clients/riders with these stock; therefore, the number of CUAs issued in 2007 will not exceed previous years. Individual holders will be permitted to provide guided pack animal trips and/or pack support trips for hikers in accordance with their historic levels of stock and/or client numbers. All holders shall comply with all requirements, "Conditions of Authorization," and "Special Park Conditions" stipulated in the CUA.

In an effort to work cooperatively in managing and protecting park resources the Office of Special Park Uses will endeavor to maintain positive communication with the commercial stock users. Information and instructions regarding the use and management of identified sensitive resources and resource areas which may be affected by the authorized activity will be disseminated through direct consultation, written and electronic notices, and/or group meetings.

**Table B1 – Background Information**

	Yes	No	N/A	Explanation/Notes
1. Did NPS staff conduct a site visit? If yes, list attendees. If no, explain.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Archeology staff.
2a. Is the project providing compliance for an action associated with but not covered by an approved plan? (Identify the plan and provide a section or page citation.); OR	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2b. Is the project in an approved plan? (Identify the plan and provide a section or page citation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2c. Is the project consistent with that plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2d. Is the Plan's CE, FONSI, or ROD current?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3a. Are there any interested or affected parties?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3b. Has a diligent effort been made to communicate with them?	<input type="checkbox"/>			
4a. Are there any affected agencies or tribes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4b. Has consultation been completed?	<input type="checkbox"/>			

**Table B2 – Environmental Screening Form Attachments (provide Attachment letter—A, B, etc.)**

	Yes	No	N/A	Explanation/Notes
1. Maps: (vicinity map & site map)	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
2. Drawings (e.g., design, construction)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Site Plans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Photographs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Non-NEPA/NHPA Approvals (Explain)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Commercial Use Authorization; attached.
6. Other (Explain)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

### 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Negligible: stock activity has the potential to disturb the soil surface on trails and in stock camps.
2. From geohazards	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Air quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Soundscapes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Water quality or quantity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Negligible: the CUA for Stock Use permit requires that all stock camps be located 100 feet away from any water source.
6. Stream flow characteristics	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7. Marine or estuarine resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. Floodplains or wetlands	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Land use, including occupancy, income, values, ownership, type of use	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Rare or unusual vegetation – old growth timber, riparian, alpine	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Species of special concern (plant or animal; state or federal listed or proposed for listing) or their habitat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. Unique ecosystems, biosphere reserves, World Heritage Sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yosemite National Park is a World Heritage Site; no historic properties would be adversely affected; see Section F, the National Historic Preservation Act Checklist and the attached XXX.
13. Unique or important wildlife or wildlife habitat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Unique or important fish or fish habitat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
15. Introduce or promote non-native species (plant or animal)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The CUA for Stock Use permit states that weed free feed is strongly encouraged; see Section D. Mandatory Criteria, below.
16. Recreation resources, including supply, demand, visitation, activities, etc.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The CUA for Stock Use permit allows commercial stock users the ability to provide this traditional use activity to visitors at historic levels.
17. Visitor experience, aesthetic resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The CUA for Stock Use permit will enhance the visitor experience by providing a service to access and enjoy the backcountry.
18. Cultural resources including cultural landscapes, ethnographic resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Negligible; the assessment of effect is "No Adverse Effect;" see Section F, the National Historic Preservation Act Checklist and attached XXX.
19. Socioeconomics, including employment, occupation, income changes, tax base, infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
20. Minority and low income populations, ethnography, size, migration patterns, etc.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
21. Energy resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
22. Other agency or tribal land use plans or policies	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
23. Resource, including energy, conservation potential	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
24. Urban quality, gateway communities, etc.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
25. Long-term management of resources or land/resource productivity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The CUA for Stock Use permit will ensure the park's long-term management goal of protecting backcountry resources.
26. Other important environment resources (e.g. geothermal, paleontological resources)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

**Comments, Mitigations and Conditions:**

1. None

## D. MANDATORY CRITERIA

If implemented, would the proposed action:	Yes	No	N/A	Data Needed to Determine/Notes
1. Have material adverse effects on public health or safety?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The assessment of effect is "No Adverse Effect;" see Section F, National Historic Preservation Act Checklist and attached XXX.
3. Have highly controversial environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. Be directly related to other actions with individually insignificant, but cumulatively significant, environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The assessment of effect is "No Adverse Effect;" see Section F, National Historic Preservation Act Checklist and attached XXX.
8. 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Threaten to violate a federal, state, local, or tribal law or requirement imposed for the protection of the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Involve unresolved conflicts concerning alternative uses of available resources (NEPA sec. 102(2)(E))?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. Have a disproportionate, significant adverse effect on low-income or minority populations (EO 12898)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. 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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Contribute to the introduction, continued existence, or spread of federally listed noxious weeds (Federal Noxious Weed Control Act)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mitigated; the CUA for Stock Use permit states that weed free feed is strongly encouraged: see condition 1, below.
15. 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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mitigated; the CUA for Stock Use permit states that weed free feed is strongly encouraged: see condition 1, below.
16. 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Have the potential for significant impact as indicated by a federal, state, or local agency or Indian tribe?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
18. Have the potential to be controversial because of disagreement over possible environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
19. Have the potential to violate the NPS Organic Act by impairing park resources or values?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

### Comments, Mitigations and Conditions:

- The use of weed-free feed is strongly encouraged. Feeding or salting will not be allowed in meadows. Rocky or timbered areas will be used for this purpose. Manure deposited on parking areas and sidewalks shall be shoveled and removed from the area by the Holder. In other park locations, such as stock camps and areas where stock are held for rest or feeding, manure should be raked or scattered. (Commercial Stock Use CUA)

### 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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Species of special concern (Federal or State)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Yosemite Toad ( <i>Bufo canorus</i> ) is listed as California Protected and a species of special concern; see condition 1, below.
3. Park rare plants or vegetation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Potential habitat for any special-status species listed above?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If "yes" to any of the above questions, a Special-Status Species Checklist must be completed and attached.				

#### Comments, Mitigations and Conditions:

- Open grazing may only occur in meadows that have no known Yosemite Toad (*Bufo canorus*) populations.

### 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Minimal: stock activity has the potential to disturb the soil surface on trails and in stock camps.
2. Are there any archeological sites?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The CUA for Stock Use permit outlines protective clauses to mitigate impacts; the assessment of effect is "No Adverse Effect;" see condition 1, below and the attached XXX.
3. Are there any Native American Indian traditional cultural resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The CUA for Stock Use permit outlines protective clauses to mitigate impacts; the assessment of effect is "No Adverse Effect;" see condition 1, below and the attached XXX.
4. Is there a historic property (a building, structure, feature, or all or any part of an archeological district or site, or a historic district or site, or any associated landscape element) that is listed or eligible for listing on the <i>National Register</i> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The assessment of effect is "No Adverse Effect;" see the attached XXX.
5. Is there a National Historic Landmark?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. Is there a structure(s) on the park's <i>List of Classified Structures</i> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7. Is there any cultural resource requiring an evaluation of eligibility as a historic property under NHPA, Section 106, before an affect determination can be made?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The assessment of effect is "No Adverse Effect;" see the attached XXX.
8. Would there be alteration of any historic property or associated landscape element covered by 2-7, above?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If "yes" to <u>any</u> of the above, then an Assessment of Effects form (YOSE-XXX) must be completed and attached.				

#### Mitigations and Conditions:

- Information and instructions regarding the use and management of identified sensitive resources and resource areas which may be affected by the authorized activity will be disseminated through direct consultation, written and electronic notices, and/or group meetings. (Historic property protection stipulated in permit Special Conditions 26 A & C and 27 A & B)

### G. WILDERNESS ACT CHECKLIST

Is the proposed project:	Yes	No	N/A	Data Needed to Determine/Notes
1. Within designated Wilderness?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Within a Potential Wilderness Addition?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
If "yes" to either of the above, then a Wilderness Minimum Requirements Analysis must be completed and attached.				
<b>Mitigations and Conditions:</b>				
1. None				

### 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)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Merced and Tuolumne Rivers.
2. Fall within the bed and banks AND affect the free-flow of the river?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Potentially affect water quality of the area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The CUA for Stock Use permit requires that all stock camps be located 100 feet away from any water source.
4. Diminish or other wise change the values for which the river was designated as a Wild and Scenic River? If "yes", explain.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5a. Fall on a tributary of a Wild and Scenic River?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5b. If 5a is "yes", will the project affect the Wild and Scenic River corridor?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5c. If 5a is "yes", will the project unreasonably diminish scenic, recreational, or fish and wildlife values?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If "yes" to questions 2, 5b, or 5c, then a WSRA Section 7 determination must be completed and attached.				
<b>Mitigations and Conditions:</b>				
1. None				

## 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 A (6) - *Incidental business permits (formerly called commercial use licenses) involving no construction or potential for new environmental impact.*

### Project Mitigations and Conditions:

1. **The use of weed-free feed is strongly encouraged. Feeding or salting will not be allowed in meadows. Rocky or timbered areas will be used for this purpose. Manure deposited on parking areas and sidewalks shall be shoveled and removed from the area by the Holder. In other park locations, such as stock camps and areas where stock are held for rest or feeding, manure should be raked or scattered. (Commercial Stock Use CUA)**
2. **Open grazing may occur only in meadows that have no known Yosemite Toad (*Bufo canorus*) populations. (Resources Management and Science)**
3. **Information and instructions regarding the use and management of identified sensitive resources and resource areas which may be affected by the authorized activity will be disseminated through direct consultation, written and electronic notices, and/or group meetings. (Historic property protection stipulated in permit Special Conditions 26 A & C and 27 A & B) (Environmental Planning and Compliance)**

*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// 4/5/07  
**Compliance Specialist** **Date**

//Mark A Butler// 4/5/07  
**Compliance Program Manager** **Date**

//Bill Delaney// 4/9/07  
**Chief, Project Management** **Date**

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

## Preservation Assessment Form (YOSE XXX)

(Version: AUG06)

Compliance Tracking Number: 2007-048

PEPC Project Number: 18135

### A. DESCRIPTION OF UNDERTAKING

**Title:** Commercial Use Authorization for Stock Use - 2007

**Project Location and Area of Potential Effect:**

Parkwide, Mariposa, Tuolumne, and Madera Counties, California

Parkwide Trails

**Project Manager:** Ruth Middlecamp, Business and Revenue Management, Yosemite National Park

**Project Description:** The purpose of this project is to issue Commercial Use Authorizations (CUA) for 2007 Commercial Stock Use in Yosemite National Park. Commercial stock outfitters (herein referred to as holders) are required to obtain a CUA each season prior to taking clients into Yosemite National Park using stock. A CUA allows holders to provide guided pack animal trips and/or pack support trips for hikers. Holders are required to originate and terminate pack trips outside of the park boundary, unless authorized by the Superintendent. Holders are regulated by the terms and conditions of the Commercial Use Authorization.

The 2007 Commercial Stock Use CUAs shall be issued in accordance with historic levels of stock use and the associated number of clients/riders with these stock; therefore, the number of CUAs issued in 2007 will not exceed previous years. Individual holders will be permitted to provide guided pack animal trips and/or pack support trips for hikers in accordance with their historic levels of stock and/or client numbers. All holders shall comply with all requirements, "Conditions of Authorization," and "Special Park Conditions" stipulated in the CUA.

In an effort to work cooperatively in managing and protecting park resources the Office of Special Park Uses will endeavor to maintain positive communication with the commercial stock users. Information and instructions regarding the use and management of identified sensitive resources and resource areas which may be affected by the authorized activity will be disseminated through direct consultation, written and electronic notices, and/or group meetings.

1. Attached Sensitive Information**	Yes	No	Explanation/Source/Notes
a. Maps	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Drawings	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Site Plans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
d. Photographs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
e. Sample	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
f. List of Materials	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
g. Other (Explain)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

\*\* 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
<b>1. Has the Area of Potential Effect been surveyed to identify historic properties?</b> If Yes, provide reference for the Survey (s).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Seek references in library, since this is a park-wide permit.
a. Would the proposed action affect a known historic property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>2. List all Historic Properties in the Area of Potential Effect:</b>	<b>Affected?</b> Yes	No		<b>Explanation/Notes</b>
a. Archeological sites and historic structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Protective clauses in permit to mitigate impacts.
b.	<input type="checkbox"/>	<input type="checkbox"/>		
c.	<input type="checkbox"/>	<input type="checkbox"/>		
<b>3. List resources in the Area of Potential Effect to which American Indians attach cultural and religious significance:</b>	<b>Affected?</b> Yes	No		<b>Explanation/Notes</b>
a. unknown	<input type="checkbox"/>	<input type="checkbox"/>		
b.	<input type="checkbox"/>	<input type="checkbox"/>		
c.	<input type="checkbox"/>	<input type="checkbox"/>		
<b>4. The proposed action will:</b>	Yes	No	N/A	<b>Explanation/Note</b>
• Destroy, remove, or alter features or elements from a historic structure	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• Replace historic features/elements in kind	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• Add nonhistoric features/elements to a historic structure	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• Alter or remove features/elements of a historic setting or environment (including terrain)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• Add nonhistoric features/elements (including visual, audible, or atmospheric) to a historic setting or cultural landscape	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• Disturb, destroy, or make archeological resources inaccessible, or alter associated terrain	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• Disturb, destroy, or make ethnographic resources inaccessible, or alter associated terrain	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• Begin or contribute to the deterioration of historic fabric, terrain, setting, landscape elements, or archeological or ethnographic resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• Involve a real property transaction affecting historic cultural properties (i.e., the exchange, sale, or lease of land or structures)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• Potentially affect presently unidentified historic resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Use permit

**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:**

Information and instructions regarding the use and management of identified sensitive resources and resource areas which may be affected by the authorized activity will be disseminated through direct consultation, written and electronic notices, and/or group meetings.

Historic property protection stipulated in permit Special Conditions 26 A & C and 27 A & B.

**Checklist prepared by:** Jeannette Simons

**Date:** 03/08/07

**Title:** 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 *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.

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**Archeologist**Name: **Laura Kirn**

Date: 3/14/07

Comments:

Ground Disturbance Involved      Yes: ☒      No: ☐Assessment of Effect: **"No Adverse Effect"**

Recommended Conditions:

Signature of Archeologist: //Laura Kirn//

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**Cultural Anthropologist**Name: **Sonny Montague**

Date:

Comments:

Assessment of Effect: **<Choose Effect> or write it here >>**

Recommended Conditions:

Signature of Cultural Anthropologist: \_\_\_\_\_

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**Curator**Name: **Jonathan Bayless**

Date:

Comments:

Assessment of Effect: **<Choose Effect> or write it here >>**

Recommended Conditions:

Signature of Curator: \_\_\_\_\_

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**Historian**

Name: **Charles Palmer**

Date:

Comments:

Assessment of Effect: <**Choose Effect**> or write it here >>

Recommended Conditions:

Signature of Historian: \_\_\_\_\_

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**Historic Architect**

Name: **Sueann Brown**

Date:

Comments:

Assessment of Effect: <**Choose Effect**> or write it here >>

Recommended Conditions:

Signature of Historic Architect: \_\_\_\_\_

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**Historical Landscape Architect**

Name: **Dave Humphrey**

Date: 3/14/07

Comments:

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

Recommended Conditions:

Signature of Historic Landscape Architect: //David T. Humphrey//

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**Preservation Specialist**

Name: **Rod Kennec**

Date: 3/14/07

Comments:

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

Recommended Conditions: Recommended Conditions

Signature of Preservation Specialist: //Rod B Kennec//

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**Native American Liaison**

Name: **Jeannette Simons**

Date: 3/15/07

Comments:

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

Recommended Conditions:

Signature of Native American Liaison: //Jeannette Simons//

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**<Enter Specialist Title>**

Name:

Date:

Comments:

Assessment of Effect:

Recommended Conditions:

Signature of <Enter Specialist's Title>: \_\_\_\_\_

**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 Stephanie Nicholas//  
Chief of Resources Management & Science Division

**Date:** 3/16/07

- 2. 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 historic resource management advisors.

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

The above action meets all conditions for a programmatic exclusion under Stipulation IV. A of the 1995 NPS programmatic agreement, and is listed in Stipulation IV. B, as:

<Choose Type of Undertaking>

☐ **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:** <Enter Agreement Information>

☐ **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.

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

**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:

- a. No adverse effect is contingent upon implementation of Special Conditions 26 A & C, and 27 A & B.

**Recommended by Park Section 106 Coordinator:**

Name: **Jeannette Simons**

Title: **Historic Preservation Officer**

Signature: //Jeannette Simons// Date: 3/19/07

**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: 4/17/07  
Michael J. Tollefson

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