



Letter of Compliance Completion

To: Josh Keyes; Project Manager, Yosemite National Park

From: Cicely Muldoon; Acting Superintendent, Yosemite National Park

Subject: 2020-007 NEPA and NHPA Clearance: Degnan's Entrance Pavement Replacement (YH 2018) (PEPC: 83980)

For complete compliance information see PEPC Project 83980.

The Superintendent and park interdisciplinary team have reviewed the proposed project and completed an impact analysis and documentation, and have determined the following:

- There will not be any effect on threatened, endangered, or rare species and/or their critical habitat.
- There will be no adverse effect to historic properties.
- 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.

Required Mitigations - For the proposed project actions to be within compliance requirements during construction and/or project implementation, the following mitigations must be adhered to:

- Personnel will obey all park speed limits. On-site speed limits will be limited to 25 miles per hour. Staff will drive slowly on warm, wet nights to avoid impacts to listed frogs. Construction staff will check beneath all heavy-equipment mats at the beginning of each day before equipment drives over them to ensure that California red-legged frogs (CRLF) are not hiding beneath them. During construction activities, personnel shall maintain vigilance for CRLF caught in excavations. If CRLF are found, personnel/ the contractor will call a qualified NPS biologist to capture and relocate CRLF to the immediate vicinity surrounding the project area.
- Avoid digging within driplines of any bigleaf maple or dogwood tree, and trees larger than 12 inches in diameter-at-breast height. If this can't be avoided, dig by hand within the dripline to retain roots 2 inches in diameter and larger. Roots less than 2 inches diameter should be given a clean straight cut with a saw. Consult with the botanist if digging in the vicinity of black oak trees. If any bedding or backfill material is proposed for import, sources must be approved in advance by park botanist. Protect trees and vegetation that might be retained within an island of the future parking lot.
- Although there is no surface evidence of archeological resources, clearance to proceed is recommended with the condition that if concealed archeological resources are encountered during project activities, all necessary steps will be taken to protect them and the Park Cultural Resources Manager will be notified immediately.

- Carefully supervise construction operations near trees to prevent damage. Protect tree roots that underlie pavement as much as possible during demolition and repaving.
- All construction equipment that will leave paved or dirt roads shall be pressure-washed prior to entering the park and shall be clean of any soil, plant matter, or other materials. NPS natural resource specialists or the project manager shall inspect the vehicles prior to entry into the park. Call or email Garrett Dickman to arrange equipment inspection.

Acting

Superintendent:

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

Date: _____

Cicely Muldoon

A PDF text file of the project's approved environmental compliance package containing the letter of compliance completion, categorical exclusion form, environmental screening form, and any other associated environmental clearance forms, as applicable (e.g., Wilderness Minimum Requirement Analysis, Wild and Scenic River Section 7 Analysis). The signed originals of the package are on file in the Environmental Planning and Compliance Office at Yosemite National Park.



Categorical Exclusion Documentation Form (CE Form)

Project: 2020-007 Degnan's Entrance Pavement Replacement (YH 2018)

PEPC Project Number: 83980

Description of Action (Project Description):

The asphalt in front of Degnan's Restaurant and Loft is cracked and presents significant safety hazards for visitors. A tree in the path was removed and the remaining tree well continues to increase in size as the pavement fails. This area is a trip hazard and "dust pit" in dry weather and fills with water and mud in wet weather. The southeast pathway is the primary entrance from the bike and promenade in Yosemite Village. This project will remove the non-historic asphalt and replace it with exposed aggregate paving with redwood spacers to match the covered walkway along the building on the same side.

SCOPE: This project would remove the existing pavement and replace it with exposed aggregate paving with redwood spacers to match the existing walkways and patios adjacent to the building.

The outdoor dining areas (covered walkway along west elevation and patio at north end) with exposed aggregate paving and redwood spacers are character-defining features of the historic building. In recent analysis of historic photos, the tree that was removed does not appear to have been present during the period of significance. The pathways and entrance changed significantly when the road and parking area were converted to a pedestrian mall.

Mitigation(s):

- Personnel will obey all park speed limits. On-site speed limits will be limited to 25 miles per hour. Staff will drive slowly on warm, wet nights to avoid impacts to listed frogs. Construction staff will check beneath all heavy-equipment mats at the beginning of each day before equipment drives over them to ensure that California red-legged frogs (CRLF) are not hiding beneath them. During construction activities, personnel shall maintain vigilance for CRLF caught in excavations. If CRLF are found, personnel/ the contractor will call a qualified NPS biologist to capture and relocate CRLF to the immediate vicinity surrounding the project area.
 - Avoid digging within driplines of any bigleaf maple or dogwood tree, and trees larger than 12 inches in diameter-at-breast height. If this can't be avoided, dig by hand within the dripline to retain roots 2 inches in diameter and larger. Roots less than 2 inches diameter should be given a clean straight cut with a saw. Consult with the botanist if digging in the vicinity of black oak trees. If any bedding or backfill material is proposed for import, sources must be approved in advance by park botanist. Protect trees and vegetation that might be retained within an island of the future parking lot.
 - Although there is no surface evidence of archeological resources, clearance to proceed is recommended with the condition that if concealed archeological resources are encountered during project activities, all necessary steps will be taken to protect them and the Park Cultural Resources Manager will be notified immediately.
 - Carefully supervise construction operations near trees to prevent damage.
- Comment:* Protect tree roots that underlie pavement as much as possible during demolition and repaving.

- All construction equipment that will leave paved or dirt roads shall be pressure-washed prior to entering the park and shall be clean of any soil, plant matter, or other materials. NPS natural resource specialists or the project manager shall inspect the vehicles prior to entry into the park.
Comment: Call or email Garrett Dickman to arrange equipment inspection.

CE Citation: C.4 Routine maintenance and repairs to cultural resource sites, structures, utilities and grounds under an approved Historic Structures Preservation Guide or Cyclic Maintenance Guide; or if the action would not adversely affect the cultural resource.

Decision: I find that the action fits within the categorical exclusion above. Therefore, I am categorically excluding the described project from further NEPA analysis. No extraordinary circumstances apply.

Acting
Superintendent: _____ **Date:** _____
The signed original of this document is on
file at the Environmental Planning and
Compliance Office in Yosemite National Park.
Cicely Muldoon

Extraordinary Circumstances:

If implemented, would the proposal...	Yes/No	Notes
A. Have significant impacts on public health or safety?	No	
B. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas?	No	
C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))?	No	
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, 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 (EO 12898)?	No	
K. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or adversely affect the physical integrity of such sacred sites (EO 130007)?	No	
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	



ENVIRONMENTAL SCREENING FORM (ESF)

Updated Sept 2015 per NPS NEPA Handbook

A. PROJECT INFORMATION

Project Title: 2020-007 Degnan's Entrance Pavement Replacement (YH 2018)
PEPC Project Number: 83980
Project Type: Repair/Rehabilitation (REHAB)
Project Leader: Josh Keyes; Project Manager, Yosemite National Park

B. PROJECT DESCRIPTION

See Categorical Exclusion form.

C. RESOURCE IMPACTS TO CONSIDER:

Resource	Potential for Impact	Potential Issues & Impacts
Air Air Quality	None	
Biological Nonnative or Exotic Species <i>Introduction of non-native and invasive species</i>	Potential	Issue: All construction equipment that will leave paved or dirt roads shall be pressure-washed prior to entering the park and shall be clean of any soil, plant matter, or other materials. NPS natural resource specialists or the project manager shall inspect the vehicles prior to entry into the park. Call or email Garrett Dickman to arrange equipment inspection.
Biological Species of Special Concern or Their Habitat <i>California Red-Legged Frogs</i>	Potential	Issue: Construction staff will check beneath all heavy-equipment mats at the beginning of each day before equipment drives over them to ensure that California red-legged frogs (CRLF) are not hiding beneath them. During construction activities, personnel shall maintain vigilance for CRLF caught in excavations. If CRLF are found, personnel/ the contractor will call a qualified NPS biologist to capture and relocate CRLF to the immediate vicinity surrounding the project area.
Biological Vegetation <i>High-Value Trees</i>	Potential	Issue: Avoid digging within driplines of any bigleaf maple or dogwood tree, and trees larger than 12 inches in diameter-at-breast height. If this can't be avoided, dig by hand within the dripline to retain roots 2 inches in diameter and larger. Roots less than 2 inches diameter should be given a clean straight cut with a saw.

Resource	Potential for Impact	Potential Issues & Impacts
Biological Wildlife and/or Wildlife Habitat including terrestrial and aquatic species	None	
Cultural Archeological Resources <i>Inadvertent discoveries of subsurface archeological resources</i>	Potential	<p>Issue: The project is within the boundaries of archeological site CA-MRP-0056/61/196/298/300/301/H. Archeological investigations in this area include various archeological surveys, evaluations, testing, and construction monitoring since the mid-1970s and extending to 2018. This multi-component site contains large discontinuous concentrations of lithic material, granite boulder milling stations, and historic refuse scatters. Much of the site is interspersed with large areas of historic and contemporary development (including buildings, buried utilities, roads, paths, etc.) within Yosemite Village In 2016 park archeologists monitored ground disturbance construction activities associated with the installation of a grease trap near the Degnan's southeast walkway. This resulted in the discovery of no subsurface archeological deposits, most likely due to the historic parking lot built with Degnan's and located beneath the existing grade of the landscaped area west of the building.</p> <p>Impact: This project is not anticipated to disturb known archeological deposits and not additional archeological work is recommended.</p>
Cultural Cultural Landscapes <i>Compatibility with Mission 66 Resources</i>	Potential	<p>Issue: Modifications are compatible with the historic character of the area. The asphalt paving is not character defining. Aggregate concrete was preferred to provide a marked distinction between the asphalt walkway of the Yosemite Village, and the dining area within the concessioner's land assignment adjacent to the building. The aggregate concrete will match the color and course of the historic walkways with redwood spacers. The tree well that required treatment was discovered to not be part of the historic landscaping and it was not necessary to replace it or to retain the tree well.</p>
Cultural Ethnographic Resources	None	
Cultural Museum Collections	None	
Cultural Prehistoric/historic structures <i>Mission 66 Building</i>	Potential	<p>Issue: Degnan's Restaurant and Loft is an individually-eligible building and is also assumed to be a contributing building to the Yosemite Valley Historic District per the 95% draft amendment. The walkway was not evaluated as part of the building. The proposed walkway size, material, and design would be compatible with the historic building.</p>

Resource	Potential for Impact	Potential Issues & Impacts
Geological Geologic Features	None	
Geological Geologic Processes	None	
Lightscares Lightscares	None	
Other Human Health and Safety <i>Trip Hazards</i>	Potential	Issue: The existing tree well has become a significant trip hazard since the tree was removed in the last 10 years. The dust from the tree well affects the dining experience for visitors.
Other Operational	None	
Other Other	None	
Socioeconomic Land Use	None	
Socioeconomic Minority and low-income populations, size, migration patterns, etc.	None	
Socioeconomic Socioeconomic	None	
Soundscares Soundscares	None	
Viewsheds Viewsheds	None	
Visitor Use and Experience Recreation Resources	None	
Visitor Use and Experience Visitor Use and Experience <i>Access during construction</i>	Potential	Issue: The walkway to be replaced provides the primary access to the building for people with mobility concerns. The contractor will accommodate an accessible path to the building during construction. Furthermore, the construction will occur during a period when use of the building is low.

Resource	Potential for Impact	Potential Issues & Impacts
Water Floodplains	None	
Water Marine or Estuarine Resources	None	
Water Water Quality or Quantity	None	
Water Wetlands	None	
Water Wild and Scenic River	None	
Wilderness Wilderness	None	



ASSESSMENT OF ACTIONS HAVING AN EFFECT ON HISTORIC PROPERTIES

A. DESCRIPTION OF UNDERTAKING

1. **Park:** Yosemite National Park

2. **Project Description:**

Project Name: 2020-007 Degnan's Entrance Pavement Replacement (YH 2018)

Prepared by: Erin Davenport **Date Prepared:** 02/11/2020 **Telephone:** 209-379-1067

PEPC Project Number: 83980

Describe project:

See Categorical Exclusion form.

Area of potential effects (as defined in 36 CFR 800.16[d])

The area of potential effect for this project includes the Yosemite Village Pedestrian Walkway and the entrance walkway into Degnan's Restaurant and Loft. The vertical APE would not exceed 6 inches.

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

<input type="checkbox"/>	No
X	Yes
<input type="checkbox"/>	Source or reference:

4. **Potentially Affected Resource(s):**

Archeological Resources Present: No

Property Name: Yosemite Valley Archeological District **LCS:**

Archeological Resources Notes: Project is located within archeological site CA-MRP-0056/61/196/298/300/301/H, however project activities will be limited to existing fill envelope and disturbed area of previous sidewalk.

Historical Structures/Resources Present: Yes

Property Name: Degnans Restaurant **LCS:**

Property Name: Yosemite Village Historic District **LCS:**

Property Name: Yosemite Valley Historic District **LCS:**

Historical Structures/Resources Notes: Degnan's is identified as a contributing building to the YVHD Mission

66 Amendment. A subsequent DOE has established individual eligibility as a Mission 66 Building. The building also falls within the boundary of the Yosemite Village Historic District, but does not contribute to it.

Cultural Landscapes Present: Yes

Property Name: Yosemite Valley Historic District **LCS:**

Cultural Landscapes Notes: Yosemite Valley is a nationally significant cultural landscape

Ethnographic Resources Present: Yes

Ethnographic Resources Notes: Project included on the March 2019 tribal spreadsheet as an informational item; no comments or concerns were received from tribes.

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
Yes	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] 106 Advisor

Name: Madelyn Ruffner

Date: 03/17/2020

Check if project does not involve ground disturbance []

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

Adverse Effect ___Adverse Effect X Streamlined Review

Recommendations for conditions or stipulations:

Doc Method: Streamlined Review (PA)

Streamlined Activity:

2. Rehabilitation and/or Minor Relocation of Existing Trails, Walks, Paths, and Sidewalks

[X] Anthropologist

Name: Liz Williams

Date: 02/11/2020

Comments: Project included on the March 2019 tribal spreadsheet as an informational item; no comments or concerns were received from tribes.

Check if project does not involve ground disturbance []

Assessment of Effect: ☐ No Potential to Cause Effect ☐ No Historic Properties Affected ☒ No
Adverse Effect ☐ Adverse Effect ☒ Streamlined Review

Recommendations for conditions or stipulations:

Doc Method: Streamlined Review (PA)

Streamlined Activity:

3. Repair/Resurfacing/Removal of Existing, Roads, Trails and Parking Areas

[X] Archeologist

Name: Wesley Wills

Date: 07/30/2019

Comments: The project is within the boundaries of archeological site CA-MRP-0056/61/196/298/300/301/H. Archeological investigations in this area include various archeological surveys, evaluations, testing, and construction monitoring since the mid-1970s and extending to 2018. This multi-component site contains large discontinuous concentrations of lithic material, granite boulder milling stations, and historic refuse scatters. Much of the site is interspersed with large areas of historic and contemporary development (including buildings, buried utilities, roads, paths, etc.) within Yosemite Village. In 2016 park archeologists monitored ground disturbance construction activities associated with the installation of a grease trap near the Degnan's southeast walkway. This resulted in the discovery of no subsurface archeological deposits, most likely due to the historic parking lot built with Degnan's and located beneath the existing grade of the landscaped area west of the building.

Check if project does not involve ground disturbance []

Assessment of Effect: ☐ No Potential to Cause Effect ☐ No Historic Properties Affected ☒ No
Adverse Effect ☐ Adverse Effect ☒ Streamlined Review

Recommendations for conditions or stipulations: This project is not anticipated to disturb known archeological deposits and not additional archeological work is recommended.

Doc Method: Streamlined Review (PA)

Streamlined Activity:

3. Repair/Resurfacing/Removal of Existing, Roads, Trails and Parking Areas

[X] Historian

Name: Scott Carpenter

Date: 02/11/2020

Check if project does not involve ground disturbance []

Assessment of Effect: ☐ No Potential to Cause Effect ☐ No Historic Properties Affected ☒ No
Adverse Effect ☐ Adverse Effect ☒ Streamlined Review

Recommendations for conditions or stipulations:

Doc Method: Streamlined Review (PA)

Streamlined Activity:

3. Repair/Resurfacing/Removal of Existing, Roads, Trails and Parking Areas

[X] Historical Architect

Name: Sueann Brown

Date: 03/03/2020

Check if project does not involve ground disturbance []

Assessment of Effect: ☐ No Potential to Cause Effect ☐ No Historic Properties Affected ☒ No
Adverse Effect ☐ Adverse Effect ☒ Streamlined Review

Recommendations for conditions or stipulations:

Doc Method: Streamlined Review (PA)

Streamlined Activity:

2. Rehabilitation and/or Minor Relocation of Existing Trails, Walks, Paths, and Sidewalks

[X] Historical Landscape Architect

Name: Vida Germano

Date: 02/18/2020

Comments: Modifications are compatible with the historic character of the area. The asphalt paving is not character defining.

Check if project does not involve ground disturbance []

Assessment of Effect: ☐ No Potential to Cause Effect ☐ No Historic Properties Affected ☒ No
Adverse Effect ☐ Adverse Effect ☒ Streamlined Review

Recommendations for conditions or stipulations:

Doc Method: Streamlined Review (PA)

Streamlined Activity:

2. Rehabilitation and/or Minor Relocation of Existing Trails, Walks, Paths, and Sidewalks

No Reviews From: Curator, Other Advisor

C. PARK SECTION 106 COORDINATOR'S REVIEW AND RECOMMENDATIONS

1. Assessment of Effect:

	No Potential to Cause Effects
	No Historic Properties Affected
X	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.)

2. Rehabilitation and/or Minor Relocation of Existing Trails, Walks, Paths, and Sidewalks.

☐ **C. Undertaking Related to Park Specific or Another Agreement**

The proposed undertaking is covered for Section 106 purposes under another document such as a park, region or statewide agreement established in accord with 36 CFR 800.7 or 36 CFR 800.14.

☐ **D. Combined NEPA/NHPA Process**

Process and documentation required for the preparation of an EA/FONSI or an EIS/ROD to comply with Section 106 is in accord with 36 CFR 800.8.c.

☐ **E. Memo to Project File**

3. Consultation Information

SHPO Required: No

SHPO Sent:

SHPO Received:

THPO Required: Yes

THPO Sent: March 2019

THPO Received:

SHPO/THPO Notes:

Advisory Council Participating: No

Advisory Council Notes:

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.)

Required Mitigations - For the proposed project actions to be within compliance requirements during construction and/or project implementation, the following mitigations must be adhered to:

- Although there is no surface evidence of archeological resources, clearance to proceed is recommended with the condition that if concealed archeological resources are encountered during project activities, all necessary steps will be taken to protect them and the Park Cultural Resources Manager will be notified immediately.

6. Assessment of Effect Notes:

D. RECOMMENDED BY PARK SECTION 106 COORDINATOR:

NHPA Specialist

Madelyn

Ruffner

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

Date: _____

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.

Acting

Superintendent:

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

Date: _____

Cicely Muldoon