



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.

Letter of Compliance Completion

To: Russell Mitchell, Project Manager, Yosemite National Park

From: Cicely Muldoon, Superintendent, Yosemite National Park

Subject: NEPA and NHPA Clearance: 2020-158 Prescribed Burn- Yosemite Valley Units 10, 14, and 17 (PEPC: 97036)

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

- The project is not likely to adversely affect 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:

Wildlife- Amphibians

- There is a BO in place for California Red-legged Frogs. Please follow mitigations specific to prescribed burning:
 1. A Resource Advisor will be on staff for all prescribed fires or wildfires in the Valley. Please regularly update Heather Mackey and Rob Grasso on plans (allowing a minimum of a week ahead of time to enable assignment of a READ).
 2. For prescribed fires, a biological monitor will conduct pre- and post- surveys for CRLF.
 3. Slash piles will be burnt as soon as possible to prevent potential colonization from red-legged frogs.
 4. All wood piles in frog habitat will be lit from the top or from one side to allow for frogs or other animals at the bottom of pile to escape.
 5. No lighting of wood piles will be allowed directly in meadow or wetland habitat, or 25 feet from standing or flowing water.

6. No direct application of petroleum fuel are allowed within 25 feet of standing water; the use of a propane torch is allowed to the water's edge, but drip torches are not.
 7. The lighting strategy will require minimal passes in known occupied areas.
 8. If possible, conduct burning of 'burn piles' one day before broadcast burns to allow frogs to move out of the area.
- California Red-Legged Frog mitigations common to all projects:
 1. Park biologists will facilitate education and outreach activities with associated YNP work teams prior to project implementation, including CRLF identification, CRLF habitat, and best practices for minimizing impacts to the species and habitat.
 2. YNP will encourage employees to drive slowly on rainy, warm nights (nights where CRLF dispersal is likely).
 3. Workers will avoid working at night and during/shortly after rain events to the greatest extent possible.
 4. If pits or trenches are excavated, NPS or the Contractor shall maintain routes of escape for CRLF (ramps or inclines) or pits/ trenches will be covered.
 5. If dewatering occurs, intakes will be completely screened with wire mesh not larger than 5 millimeters to prevent CRLF from entering the pump system. Water will be released or pumped downstream at an appropriate rate to maintain downstream flows during construction.
 6. Work crews will follow BMPs to reduce sediment and erosion.

Wildlife- Fisher

- There is a BO in place for fisher. Please follow mitigations specific to prescribed burning:
 - Emphasize low-intensity broadcast burning, especially in areas with heavy fuel loads.
 - Rake or pre-burn around high quality trees and snags where fuel conditions threaten their retention.
 - Consult with the Park wildlife staff during planning to avoid and/or enhance suitable habitat and corridors to the greatest extent possible.
 - Avoid tree-cutting or other pre-burning prep-work that involves habitat modification or disturbance within potential or high-quality denning habitat from March 1 to May 31 or within den clusters from March 1 to June 30. This limited operating period (LOP) within den clusters can be lifted on June 1 if pre-project surveys document absence of fisher (Tucker et al. 2020). This LOP within den clusters may otherwise be waived or modified if the Park Biologist determines that the project is unlikely to result in breeding disturbance due to the intensity, duration, timing, and specific location of the activity (e.g., activities that will affect only ten acres of denning habitat along a high traffic road for a period of three days after May 1 and will not remove any large trees).
 - Avoid prescribed understory burning in potential denning habitat from March 1 to April 30.
 - Leave slash piles and downed trees where possible to provide resting sites and habitat for prey, while still meeting project goals of fuel reduction. If they must be burned, avoid burning from March 15 to April 30.
 - If understory burning must be conducted from March 1 to April 30, use topography to limit smoke buildup in potential or high quality denning habitat.
- Please follow fisher mitigations common to all projects:
 - To the extent feasible, maintain all high quality trees (i.e., trees with broken tops, cavities, large branches, or other deformities that occur in high quality habitat, especially live hardwoods >20 inches in dbh, live conifers >30 inches in dbh, dead hardwoods >27 inches in dbh, and dead conifers >35 inches in dbh).
 - To the extent feasible, maintain all potential natal and maternal den trees and resting sites.
 - Maintain and enhance desired stand-level characteristics in suitable habitat.
 - Maintain and enhance habitat heterogeneity within and between core habitat areas.

- To the extent feasible, maintain and enhance cover between habitat patches to allow for connectivity.
- To the extent feasible, avoid habitat modifications or disturbance-causing activities within potential or high-quality denning habitat during the denning season.
- Store food and anthropogenic garbage in Park-approved containers so fishers cannot obtain it.
- Ensure construction fencing allows for the safe passage of fishers and does not cause entrapment.
- Teach work crews how to identify a fisher and den trees before work begins. Instruct them to contact the Park Wildlife Biologist immediately if a fisher is seen in or near the project site. If a fisher is spotted within a construction site, work will cease until the animal moves on without harassment. If a fisher is spotted in a potential den tree, work will cease, and the Park Wildlife Biologist will be contacted. The wildlife biologist will contact the Service for further guidance.

Wildlife- General

- Compliance with food-storage and garbage disposal requirements must be achieved at all times.

Meadows/Wetlands

- When igniting prescribed fire in open meadows in Yosemite Valley, VER prefers multiple spot ignitions and jackpotting at meadow edges/areas of conifer encroachment, allowing fire to spread on its own into the interior of open meadows. We request that fire staff avoid lining out ignitions through meadow interiors and avoid trying to burn entire meadow interiors. While native meadow vegetation benefits from fire (along with thinning conifers/maintaining open conditions), VER prefers a mosaic of burned and unburned conditions in meadow interiors that they hope will mitigate the invasive plant spread that happens after fire in meadows that currently have many small patches of invasive plants. Please work with VER staff to discuss this in more detail ahead of the burn.
- Please place containment lines in upland vegetation, not within the meadow. If possible, use a wet line at meadow edges and don't use tools to scratch out every last ember in perennial herbaceous vegetation in the meadow edge during mop up. (This is from the following observations: there can be some excessive disturbance during mop up to scratch out every bit of smoldering vegetation. Scratching the plants over and over leads to a lot of disturbance and unintentionally killing perennial vegetation. Many native perennials will re-sprout after burning, but if they get raked with tools over and over, it kills the living roots, and they don't re-sprout. The disturbed soil, where perennial vegetation has been killed off and won't be able to quickly re-establish is basically freshly cultivated and fertilized soil, and perfect habitat for non-native plants to quickly invade into.)

Archeology

- Assessment of no adverse effect is contingent on the following stipulations:
 - Ensure that fuels reduction—removal of dense brush, downed trees, duff removal—and scratch lines around specific features and sites will be completed at the direction of the Fire Archeologist prior to ignition.
 - Ensure that slash from fuels reduction will be piled and burned outside of archeological site boundaries or removed from the project area.
 - Ensure that any ground-disturbing mop-up activities do not take place within sites.
 - If concealed archeological resources are encountered during project activities, ensure protection measures are taken and initiate consultation with SHPO and traditionally associated tribes, as necessary.
 - If additional containment lines become necessary, ensure that archeological sites will be avoided unless previously constructed lines are utilized.
 - Integrate cultural resource awareness and protection into daily fire briefings during implementation of the prescribed burn.

- Conduct post-burn assessments at archeological sites following prescribed burning to document fire effects to cultural resources and assess potential post-fire treatment needs.
- The apple trees in the Sentinel Beach area will be protected through pre-burn fuels removal around the trees and monitoring the trees during the burn. Dead, diseased, and damaged wood on these trees may be removed at their juncture with a live and healthy branch by an arborist and may be chipped and used as mulch around the base of the trees

Air Quality

- The Project Manager should work with the appropriate Air Resource District to register the burn and secure any necessary Smoke Management Plan permits prior to ignition to minimize any adverse smoke impacts to air quality. Project Manager will refer to procedures noted in the 2004 Final Yosemite Fire Management Plan EIS for mitigation of potential air quality impacts.

Superintendent: Cicely Muldoon **Date:** 12/15/2020
Cicely Muldoon

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



Categorical Exclusion Documentation Form (CE Form)

Project: Prescribed Burn- Yosemite Valley Units 10, 14, and 17

PEPC Project Number: 97036

Description of Action (Project Description):

The National Park Service is proposing to initiate prescribed burns in 2021 in the Yosemite Valley outer Wildland-Urban Interface (WUI) area. The proposed burn would cover an area of approximately 170 acres of the park within three of the Yosemite Valley burn units (YV-10, YV-14, and YV-17) south of the Merced River between El Capitan to the west and Yosemite Village to the east. This project will build on past prescribed fire activities and recent thinning and pile burning work in the area with the goal of reducing fuel loading within the Yosemite Valley outer WUI buffer.

Prescribed fire preparation may include brush clearing and snagging along holding lines and construction of a minimal handline along the rocky drainage in the middle of YV-14. If additional control lines are deemed necessary to facilitate safe burning and to protect resources, they will be reviewed by an interdisciplinary team and approved by the deciding official prior to implementation. The interdisciplinary team is made up of NPS fire staff as well as cultural and natural resources staff (including archaeologists, historians, and cultural anthropologists/tribal liaisons). Firing operations will be conducted along the holding lines using a drip torch. Helicopters or Unmanned Aerial Vehicles (UAVs) may be used to assist with igniting the burn if needed. Mop-ups of hotspots along holding lines will be accomplished through the use of water and hand tools.

The project is located in the lower Yosemite Valley area, between the El Capitan Crossover Road and the Sentinel Beach Picnic Area. The western holding line will be the El Capitan Crossover Road, between Southside Drive and Northside Drive. The burn will be held on the east in YV-17 at the Sentinel Beach Picnic area where the loop road and parking meet the sandy shore of the river. The northern holding line for all three segments will be the Merced River and the southern holding line will be Southside Drive. There are three points between the western and eastern holding lines where fire can be held if needed. These are the Cathedral Beach Picnic Area access road in YV-10, a rocky drainage running between the river and Southside Drive in the middle of YV-14, and a narrow section at the eastern side of YV-14 where the road is only approximately 30 feet from the river. The rocky drainage and narrow section in YV-14 will likely hold with a minor scratch line or hose lay and should not require significant ground disturbance.

All three units have a long history of prescribed fire, with the entirety of each unit being burned at least once since 1976. The entirety of unit YV-10 has been burned two times (1978 and 1986). The central portion was burned in 1996 and the western section was burned in 2003. The entirety of YV-14 has been burned twice (1978 and 2007). Additionally, the western portion was burned in 1979 and the eastern portion was burned in 1980 and 1990. The entirety of YV-17 burned in 1976. The southern half and a small section in the northern half of YV-17 burned in 1991 and the southern half was burned more recently in 2004.

Mitigation(s):

See Letter of Compliance Completion Form for mitigations.

CE Citation: B.1 Changes or amendments to an approved plan, when such changes would cause no or only minimal environmental impact.

CE Justification:

Action is generally covered by the 2017 Fire Management Plan amendment (PEPC 41967). New impacts not covered by the FMP amendment are addressed in the Mitigations and Other Compliance/Consultations section.

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.

Superintendent: Cicely Muldoon **Date:** 12/15/2020
Cicely Muldoon

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Yosemite National Park.*

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 longer applicable per the updated 2020 CEQ NEPA regulations and DOI direction.
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 13007)?	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: Prescribed Burn- Yosemite Valley Units 10, 14, and 17
PEPC Project Number: 97036
Project Type: Fire - Prescribed Burn (PB)
Project Location:
County, State: Mariposa, California
Project Leader: Russell Mitchell

B. PROJECT DESCRIPTION

See Categorical Exclusion Form.

C. RESOURCE IMPACTS TO CONSIDER:

Resource	Potential for Impact	Potential Issues & Impacts
Air Air Quality	Potential	<p>Issue: Prescribed fire project anticipated to generate smoke and air quality impacts.</p> <p>Impact: Air quality impacts are anticipated to be minor, and much smaller than those produced in large, catastrophic fires (which could result by not taking action). Project manager will refer to procedures noted in the 2004 Final Yosemite Fire Management Plan EIS for mitigation of potential air quality impacts.</p>
Biological Nonnative or Exotic Species <i>Introduction of noxious plants</i>	Potential	<p>Issue: If fire trucks, bulldozers, or other heavy equipment are staged for fire contingencies, they may act as vectors that could introduce non-native plants.</p> <p>Impact: Follow resource protections outlined with regard to heavy equipment cleaning and inspection.</p>

Resource	Potential for Impact	Potential Issues & Impacts
Biological Species of Special Concern or Their Habitat <i>CA Red-Legged Frog</i>	Potential	<p>Issue: The project overlaps with habitat for the Federally listed California Red-Legged Frog. Helicopter use may disturb wildlife, especially nesting birds.</p> <p>Impact: Follow resource protections with regard to special status species. Impacts from this action are expected to be minor and much smaller than those posed by catastrophic fire, which could result from not taking action. Disturbance caused by helicopters may be minimized by performing the burn in the fall or winter.</p>
Biological Vegetation	Potential	<p>Issue: The forest and associated vegetation in the vicinity are fire-adapted and will be impacted by this action.</p> <p>Impact: Impacts from this action are expected to be beneficial to forest health and intended to thwart the potential negative, extensive impacts from large, catastrophic fire, which could result from not taking action.</p>
Biological Wildlife and/or Wildlife Habitat including terrestrial and aquatic species <i>Wildlife and/or Wildlife Habitat including terrestrial and aquatic species</i>	Potential	<p>Issue: Fire may have impacts to wildlife communities and habitat (though these ecosystems are fire-adapted); wildlife behavior is impacted by human-caused food conditioning.</p> <p>Impact: Impacts from this action are expected to be beneficial to forest habitat health and intended to thwart the potential negative, extensive impacts from large, catastrophic fire, which could result from not taking action. Workers will follow resource protections with regard to food/trash storage outlined to prevent food conditioning in wildlife.</p>
Cultural Archeological Resources <i>CA-MRP-0070/H, CA-MRP-0076/H, CA-MRP-0322, CA-MRP-1735H</i>	Potential	<p>Issue: Archeological sites are located in the project area.</p> <p>Impact: Follow cultural resource protections outlined to avoid impacts to archeological resources.</p>
Cultural Cultural Landscapes <i>Yosemite Valley Historic District and Yosemite Valley Archeological District.</i>	Potential	<p>Issue: The project is located within the Yosemite Valley Historic District and Yosemite Valley Archeological District.</p> <p>Impact: The goal of the project is to protect the Yosemite Valley outer WUI and its associated cultural resources from the devastating effects of catastrophic wildfire.</p>
Cultural Ethnographic Resources <i>Villages, Gathering Areas</i>	Potential	<p>Issue: There are multiple ethnographic resources, including villages, gathering areas, and sacred sites, within the burn area.</p> <p>Impact: Follow protection measures to minimize impacts to ethnographic resources. The Park may involve tribal partners on fire crews to accomplish this burn. The burn is anticipated to improve accessibility to traditional gathering areas.</p>

Resource	Potential for Impact	Potential Issues & Impacts
Cultural Museum Collections	None	Issue: A historic dump site in the burn area contains potential artifacts. Impact: Artifacts are not abundant on the surface of the historic dump site and thus the prescribed burn is not anticipated to affect these resources.
Cultural Prehistoric/historic structures <i>Southside Drive and El Capitan Crossover Road</i>	None	Issue: Southside Drive and the El Capitan Crossover Road are within the burn area and are both contributing structures to the Yosemite Valley Historic District. Impact: The proposed project is not anticipated to impact these structures.
Geological Geologic Features	None	
Geological Geologic Processes	None	
Lightsapes Lightsapes	None	
Other Human Health and Safety	Potential	Issue: Fire operations pose inherent risks to human health and safety. Large, catastrophic fires (which could result from not taking action) also pose risks to human health and safety. Impact: Follow NPS and Park protocols to safely carry out prescribed burning activities and have contingency plans in place. Overall impacts to human health and safety are improved by decreasing the risk of large, catastrophic fire in the outer WUI that could result from not taking action.
Other Operational <i>Roads, Concessionaire operations</i>	Potential	Issue: Prescribed fire may impact NPS and concessionaire operations in Yosemite Valley, including delays on the roads serving as holding lines for the prescribed burn. Impact: Communicate and coordinate project actions well ahead of project implementation, refer to the 2004 Final Yosemite Fire Management Plan EIS for mitigations and procedures regarding communication and coordination.
Other Other	None	
Socioeconomic Land Use	None	
Socioeconomic Minority and low-income populations, size, migration patterns, etc.	None	
Socioeconomic Socioeconomic	None	

Resource	Potential for Impact	Potential Issues & Impacts
Soundscapes Soundscapes <i>Helicopters</i>	Potential	Issue: Helicopters produce a lot of noise. Impact: Noise from helicopters may disturb wildlife. See Species of Special Concern or Their Habitat, above. This burn occurs in a highly visited area of the park, however the burn is expected to be implemented during a period of low visitation.
Viewsheds Viewsheds <i>Forest Structure</i>	Potential	Issue: The project will clear excessive growth and vegetation from the project area, complementing a recent scenic vista project. Impact: The project is expected to positively impact the iconic views in the area by creating a more open, park-like forest structure.
Visitor Use and Experience Recreation Resources <i>Sentinel and Cathedral Beach Picnic Areas, Four Mile Trailhead, Valley Loop Trail</i>	Potential	Issue: Areas where prescribed fire activities are planned for implementation, including the Sentinel and Cathedral Beach Picnic Areas and a portion of the Valley Loop Trail, will be temporarily closed to visitation to protect visitor safety. Delays or reduced traffic speeds are possible along roads adjacent to the project area. Impact: Minor, temporary negative impact to recreation resources. The project area is a high-use area but the prescribed burning activities will take place in the low-visitation season. Refer to mitigations in the 2004 Final Yosemite Fire Management Plan EIS to reduce potential visitor impacts.
Visitor Use and Experience Visitor Use and Experience <i>Visitor Experience-views</i>	Potential	Issue: See Viewsheds, above.
Water Floodplains	Potential	Issue: The project overlaps with the 1% chance of annual flooding zone of the Merced River. Impact: The proposed project is expected to diminish flooding hazards by removing potentially damaging vegetative debris from the floodplain.
Water Marine or Estuarine Resources	None	
Water Water Quality or Quantity	None	
Water Wetlands	Potential	Issue: Several wetlands areas are located in YV-17. Impact: Follow resource protection measures to avoid degradation of the wetlands.

Resource	Potential for Impact	Potential Issues & Impacts
Water Wild and Scenic River <i>Merced Wild and Scenic River</i>	Potential	<p>Issue: The project area is mainly in Segment 2B (West Yosemite Valley) of the Merced Wild and Scenic River, with a small portion of YV-17 in Segment 2A (East Yosemite Valley). These segments are classified as "recreational" and "scenic", respectively.</p> <p>Impact: The project is not expected to adversely impact the scenic and recreational values of these river segments.</p>
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: Prescribed Burn- Yosemite Valley Units 10, 14, and 17

Prepared by: Daniel Sharon **Date Prepared:** 08/11/2020 **Telephone:** (209) 379-1038

PEPC Project Number: 97036

Locations:

County, State: Mariposa, CA

Describe project:

See Categorical Exclusion Form.

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

The APE is limited to the immediate vicinity of the proposed prescribed burn within the Yosemite Valley outer WUI area. The project will occur in an area of approximately 170 acres across three burn units: YV-10, YV-14, and YV-17.

Planned containment lines are either modern infrastructure or natural barriers. The western holding line will be the El Capitan Crossover Road, between Southside Drive and Northside Drive. The burn will be held on the east in YV-17 at the Sentinel Beach Picnic area where the loop road and parking meet the sandy shore of the river. The northern holding line for all three segments will be the Merced River and the southern holding line will be Southside Drive. There are three points between the western and eastern holding lines where fire can be held if needed. These are the Cathedral Beach Picnic Area access road in YV-10, a rocky drainage running between the river and Southside Drive in the middle of YV-14, and a narrow section at the eastern side of YV-14 where the road is only approximately 30 feet from the river. The rocky drainage and narrow section in YV-14 will likely hold with a minor scratch line or hose lay and should not require significant ground disturbance.

The vertical APE is expected to be limited to the surface and near-surface soils. The proposed burn is in a high-use public area and encompasses several popular recreational resources, however the project is anticipated to occur in the spring or the fall when visitation is typically lower. Visible smoke impacts will be temporary for the duration of the burn.

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

☐ No

☒ Yes

Source or reference:

4. Potentially Affected Resource(s):

Archeological Resources Present: Yes

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

Archeological Resources Notes: CA-MRP-70/H, CA-MRP-76, CA-MRP-322, CA-MRP-1735H

Historical Structures/Resources Present: Yes

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

Historical Structures/Resources Notes: Southside Drive and El Capitan Crossover Road are contributing structures to the Yosemite Valley Historic District. A cluster of three historic apple trees is located in the Sentinel Beach Picnic Area. These trees are being included in an upcoming determination of eligibility in conjunction with PEPC 96993 and will be assumed eligible for NRHP listing for the purposes of this project.

Cultural Landscapes Present: Yes

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

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

Ethnographic Resources Present: Yes

Ethnographic Resources Notes: Several ethnographic resources, including Loi-ah, Kis-se, and We-sum-meh villages, milkweed and mushroom gathering areas, and Bridgeport Tom's tree, are located in the project area. The park's American Indian Liaison has provided traditionally associated tribal partners with the project plans including a description of the undertaking through the March 2020 tribal spreadsheet. No comments or concerns have been received from the tribes regarding the undertaking.

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: 09/14/2020

Comments: No historical architect or historical landscape architect review needed as there is no potential to effect historic buildings or landscapes.

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: Fire crews to protect apple trees in Sentinel Beach area by reducing fuels and monitoring trees during the burn.

Doc Method: Standard 4-Step Process

[X] Anthropologist

Name: Liz Williams

Date: 09/14/2020

Comments: please see archeologist comments

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: Standard 4-Step Process

[X] Archeologist

Name: Wesley Wills

Date: 09/12/2020

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: Assessment of no adverse effect is contingent on the following stipulations: • Ensure that fuels reduction—removal of dense brush, downed trees, duff removal—and scratch lines around specific features and sites will be completed at the direction of the Fire Archeologist prior to ignition. • Ensure that slash from fuels reduction will be piled and burned outside of archeological site boundaries or removed from the project area. • Ensure that any ground-disturbing mop-up activities do not take place within sites. • If concealed archeological resources are encountered during project activities, ensure protection measures are taken and initiate consultation with SHPO and traditionally associated tribes, as necessary. • If additional containment lines become necessary, ensure that archeological sites will be avoided unless previously constructed lines are utilized. • Integrate cultural resource awareness and protection into daily fire briefings during implementation of the prescribed burn. • Conduct post-burn assessments at archeological sites following prescribed burning to document fire effects to cultural resources and assess potential post-fire treatment needs.

Doc Method: Standard 4-Step Process

No Reviews From: Curator, Historical Architect, Historian, Other Advisor, Historical Landscape Architect

C. PARK SECTION 106 COORDINATOR'S REVIEW AND RECOMMENDATIONS

1. Assessment of Effect:

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

2. Documentation Method:

☒ **A. Standard 36 CFR Part 800 Consultation**

Further consultation under 36 CFR Part 800 is needed.

☐ **B. Streamlined Review Under the 2008 Servicewide Programmatic Agreement (PA)**

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

Applicable Streamlined Review Criteria

(Specify 1-16 of the list of streamlined review criteria.)

☐ **C. 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: Yes

SHPO Sent: Oct 16, 2020

SHPO Received: Nov 20, 2020

THPO Required: Yes

THPO Sent: Mar 5, 2020

THPO Received: No THPO response received after 30 days

SHPO/THPO Notes: SHPO concurrence with finding of no adverse effects to historic properties.

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:

- Assessment of no adverse effect is contingent on the following stipulations:
 - Ensure that fuels reduction—removal of dense brush, downed trees, duff removal—and scratch lines around specific features and sites will be completed at the direction of the Fire Archeologist prior to ignition.
 - Ensure that slash from fuels reduction will be piled and burned outside of archeological site boundaries or removed from the project area.
 - Ensure that any ground-disturbing mop-up activities do not take place within sites.
 - If concealed archeological resources are encountered during project activities, ensure protection measures are taken and initiate consultation with SHPO and traditionally associated tribes, as necessary.
 - If additional containment lines become necessary, ensure that archeological sites will be avoided unless previously constructed lines are utilized.
 - Integrate cultural resource awareness and protection into daily fire briefings during implementation of the prescribed burn.
 - Conduct post-burn assessments at archeological sites following prescribed burning to document fire effects to cultural resources and assess potential post-fire treatment needs.
 - The apple trees in the Sentinel Beach area will be protected through pre-burn fuels removal around the trees and monitoring the trees during the burn. Dead, diseased, and damaged wood on these trees may be removed at their juncture with a live and healthy branch by an arborist and may be chipped and used as mulch around the base of the trees.

6. Assessment of Effect Notes:

D. RECOMMENDED BY PARK SECTION 106 COORDINATOR:

NHPA Specialist

Hope Schear _____ *Hope Schear* _____ **Date:** 12/7/2020

E. SUPERINTENDENT'S APPROVAL

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

Superintendent: _____ *Cicely Muldoon* _____ **Date:** 12/15/2020
Cicely Muldoon

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



Other Compliance/Consultations Form

Park Name: Yosemite National Park

PEPC Project Number: 97036

Project Title: Prescribed Burn- Yosemite Valley Units 10, 14, and 17

Project Type: Fire - Prescribed Burn

Project Location:

County, State: Mariposa, CA

Project Leader: Russell Mitchell

ESA

Any Federal Species in the project Area? Yes

If species in area: Not Likely to Adversely Affect

Was Biological Assessment prepared? No

If Biological Assessment prepared, concurred?

Formal Consultation required? No

Formal Consultation Notes:

This project is in CA Red-Legged Frog habitat. It is covered by the programmatic BO for that species. This burn will be a broadcast, controlled burn in the fall, winter, or spring. The main concern is pile burning- see mitigation measures to avoid impacts.

Formal Consultation Concluded:

Any State listed Species in the Project Area? No

Consultation Information:

General Notes:

Data Entered By: Rachel Mazur

Date: Aug 19, 2020

ESA Mitigations

See Letter of Compliance Completion for ESA mitigations.

Floodplains/Wetlands/§404 Permits

Question	Yes	No	Details
A.1. Is project in 100- or 500-year floodplain or flash flood hazard area?	Yes		Determined to be exempt from compliance with Director's Order #77-2 and no Floodplain Statement of Findings required.

A.2. Is Project in wetlands as defined by NPS/DOI?	Yes		Determined to be exempt from compliance with Director's Order #77-1 and no Wetland Statement of Findings required.
B. COE Section 404 permit needed?		No	No placement of fill in waters of the United States.
C. State 401 certification?		No	
D. State Section 401 Permit?		No	Issue Date: Expiration Date:
E. Tribal Water Quality Permit?		No	
F. CZM Consistency determination needed?			N/A
G. Erosion & Sediment Control Plan Required?		No	
H. Any other permits required?		No	Permit Information:
Other Information:			The project overlaps with the 1% chance of annual flooding zone of the Merced River. The proposed project is expected to diminish flooding hazards by removing potentially damaging vegetative debris from the floodplain. Several wetlands areas are located in YV-17. Project managers should follow mitigation measures to avoid degradation of the wetlands.

Data Entered By: Daniel Sharon

Date: Nov 30, 2020

Floodplains & Wetlands Mitigations

See Letter of Compliance Completion form for Wetlands mitigations.

Wilderness

Question	Yes	No	
A. Does this project occur in or adjacent to Designated, Recommended, Proposed, Study, Eligible, or Potential Wilderness?		No	
B. Is the only place to conduct this project in wilderness?			
C. Is the project necessary for the administration of the area as wilderness?			
D. Would the project or any of its alternatives adversely affect (directly or indirectly) Designated, Recommended, Proposed, Study,			

Eligible, or Potential Wilderness? (If Yes, Minimum Requirements Analysis required)			
E. Does the project or any of its alternatives involve the use of any of the Wilderness Act Section 4(c) prohibited uses: commercial enterprise, permanent road, temporary road, motor vehicles, motorized equipment, motorboats, landing of aircraft, mechanical transport, structure, or installation? (If Yes, Minimum Requirements Analysis required)			
If the answer to D or E above is "Yes" then a Minimum Requirements Analysis is required. Describe the status of this analysis in the column to the right.			Initiation Date: Completed Date: Approved Date:
Other Information:			

Data Entered By: Daniel Sharon Date: Nov 30, 2020

Other Permits/Laws *Questions A & B are no longer used.*

Question	Yes	No
C. Wild and scenic river concerns exist?		No
D. National Trails concerns exist?		No
E. Air Quality consult with State needed?	Yes	
F. Consistent with Architectural Barriers, Rehabilitation, and Americans with Disabilities Acts or not Applicable? (If N/A check Yes)	Yes	
G. Other:		No

Other Information:

Project Manager should work with the appropriate Air Resource District to register the burn and secure any necessary Smoke Management Plan permits prior to ignition to minimize any adverse smoke impacts to air quality.

Data Entered By: Daniel Sharon Date: Nov 30, 2020