



IN REPLY REFER TO:
L7615(YOSE-PM)

United States Department of the Interior

NATIONAL PARK SERVICE

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

Memorandum

To: Michael Pieper

From: Superintendent, Yosemite National Park

Subject: NEPA and Section 106 Clearance: 2006-065 Yosemite Valley Elementary School Safety Fencing Installation (20914)

The Management Team has reviewed the proposed project and completed its environmental assessment documentation, and we have determined that there:

- Will not be any effect on threatened, endangered, or rare species and/or their critical habitat.
- Will not be any effect on historical, cultural, or archeological resources.
- Will not be serious or long-term undesirable environmental or visual effects.

The subject proposed project, therefore, is now cleared for all NEPA and Section 106 compliance requirements as presented above. Project plans and specifications are approved and construction and/or project implementation can commence.

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

- Ensure that all equipment and materials brought into the park are free of non-native, invasive plants and animals, and noxious weeds. All staff working on site shall be informed of and follow best management practices for preventing the introduction and spread of non-native, invasive species as described in Division 1 Specifications, Section 1335.

- Measures to minimize impacts to historic properties are integrated into the project description the fence will be black and 4 feet in height. Final fence design will be developed in consultation with History, Architecture and Landscapes branch. The park Archeology office will be consulted for posthole placement, and will monitor when appropriate.

//R. Kevin Cann//

Michael J. Tollefson

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.*



National Park Service

Categorical Exclusion Form

Project: 2006-065 Yosemite Valley Elementary School Safety Fencing Installation

PIN: 20914

Date: April 18, 2008

Project Description: The proposed project includes installation of a new chain link fence around the drainage swale located near Yosemite Valley Elementary School. The proposed chain link fence shall be black in color and 4 feet in height with an estimated perimeter length of 300 feet. The fence shall include multiple gates for maintenance and emergency access. The project is a short-term solution to an immediate health and life safety issue, where the long-term solution will address land use and drainage during the development of a stormwater plan as part of the Yosemite Village planning process. The proposed safety fencing is actually an extension of the previous PEPC project (2005-037 Yosemite School Yard Drainage Culvert Replacement). Shortly after completion of the drainage swale school administrators and residence voiced safety concerns with children playing so near this water source. During a site visit, the Central Valley Regional Water Quality Control Board (CVRWQB) also recommended installation of a safety fence due to the nearby school playground. The reason a safety fence was not included in the original drainage design is because there was hope that after the CVRWQB completed their water analysis they would allow it to drain into Yosemite Creek as it had done for many years. The CVRWQB denied this request. Cultural resources staff from the park's History, Architecture, and Landscape branch will meet with the project manager regarding final design. This project was discussed with park Archeology staff (Sonny Montague & Jessica Middleton) and they concurred that they do not anticipate this work to have any impact on any known archeological resources; however it may require an initial monitor during placement of posts. This proposal is short-term by nature of the project to address immediate health and life safety issues.

Project Locations:

Mariposa County, CA.

Mitigation(s):

- Ensure that all equipment and materials brought into the park are free of non-native, invasive plants and animals, and noxious weeds. All staff working on site shall be informed of and follow best management practices for preventing the introduction and spread of non-native, invasive species as described in Division 1 Specifications, Section 1335.
- Measures to minimize impacts to historic properties are integrated into the project description such as the fence will be black and 4 feet in height. Final fence design will be developed in consultation with History, Architecture and Landscapes branch. The park Archeology office will be consulted for posthole placement, and will monitor when appropriate.

Describe the category used to exclude action from further NEPA analysis and indicate the number of the category (see Section 3-4 of DO-12):

C.18. Installation of fencing enclosures, exclosures, or boundary fencing posing no effect on wildlife migrations.

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 (e.g. all boxes in the ESF are marked "no") or conditions in Section 3-6 apply, and the action is fully described in Section 3-4 of DO-12.

//R. Kevin Cann//
Park Superintendent

4/18/08
Date

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National Park Service

ENVIRONMENTAL SCREENING FORM (ESF)

DO-12 APPENDIX 1

(Revised June 2004, per DM)

Today's Date: **March 10, 2008**

Date Form Initiated: **02/20/2008**

A. PROJECT INFORMATION

Park Name: **Yosemite NP**

Project Title: **Yosemite Valley Elementary School Safety Fencing Installation**

PEPC Project Number: **20914**

Project Type: **Safety (OTHER)**

Project Location: County, State: **Mariposa, California**

Project Leader: **Michael Pieper**

B. PROJECT DESCRIPTION

The proposed project includes installation of a new chain link fence around the drainage swale located near Yosemite Valley Elementary School. The proposed chain link fence shall be black in color and 4 feet in height with an estimated perimeter length of 300 feet. The fence shall include multiple gates for maintenance and emergency access. The project is a short-term solution to an immediate health and life safety issue, where the long-term solution will address land use and drainage during the development of a stormwater plan as part of the Yosemite Village planning process. The proposed safety fencing is actually an extension of the previous PEPC project (2005-037 Yosemite School Yard Drainage Culvert Replacement). Shortly after completion of the drainage swale school administrators and residence voiced safety concerns with children playing so near this water source. During a site visit, the Central Valley Regional Water Quality Control Board (CVRWQB) also recommended installation of a safety fence due to the nearby school playground. The reason a safety fence was not included in the original drainage design is because there was hope that after the CVRWQB completed their water analysis they would allow it to drain into Yosemite Creek as it had done for many years. The CVRWQB denied this request. Cultural resources staff from the park's History, Architecture, and Landscape branch will meet with the project manager regarding final design. This project was discussed with park Archeology staff (Sonny Montague & Jessica Middleton) and they concurred that they do not anticipate this work to have any impact on any known archeological resources; however it may require an initial monitor during placement of posts. This proposal is short-term by nature of the project to address immediate health and life safety issues.

Preliminary drawings attached? **Yes**

Is project a hot topic (controversial or sensitive issues that should be brought to attention of Regional Director)? **No**

C. RESOURCE EFFECTS TO CONSIDER:

Identify potential effects to the following physical, natural, or cultural resources	No Effect	Negligible Effects	Minor Effects	Exceeds Minor Effects	Data Needed to Determine/Notes
1. Geologic resources – soils, bedrock, streambeds, etc.		X			Fence posts will be buried 3 feet deep at 12 feet intervals.
2. From geohazards	X				
3. Air quality	X				
4. Soundscapes	X				
5. Water quality or quantity	X				
6. Streamflow characteristics	X				
7. Marine or estuarine resources	X				
8. Floodplains or wetlands	X				
9. Land use, including occupancy, income, values, ownership, type of use	X				
10. Rare or unusual vegetation – old growth timber, riparian, alpine	X				
11. Species of special concern (plant or animal; state or federal listed or proposed for listing) or their habitat	X				
12. Unique ecosystems, biosphere reserves, World Heritage Sites	X				Yosemite National Park is a World Heritage site; no historic properties would be adversely affected by implementing this project.
13. Unique or important wildlife or wildlife habitat	X				
14. Unique or important fish or fish habitat	X				
15. Introduce or promote non-native species (plant or animal)	X				
16. Recreation resources, including supply, demand, visitation, activities, etc.	X				

17. Visitor experience, aesthetic resources		X			The fence will be constructed of black chain link to minimize the visual obstruction.
18. Archeological resources	X				
19. Prehistoric/historic structure	X				
20. Cultural landscapes	X				
21. Ethnographic resources	X				
22. Museum collections (objects, specimens, and archival and manuscript collections)	X				
23. Socioeconomics, including employment, occupation, income changes, tax base, infrastructure	X				
24. Minority and low income populations, ethnography, size, migration patterns, etc.	X				
25. Energy resources	X				
26. Other agency or tribal land use plans or policies	X				
27. Resource, including energy, conservation potential, sustainability	X				
28. Urban quality, gateway communities, etc.	X				
29. Long-term management of resources or land/resource productivity	X				
30. Other important environment resources (e.g. geothermal, paleontological resources)?	X				

Comments:

D. MANDATORY CRITERIA

Mandatory Criteria: If implemented, would the proposal:	Yes	No	N/A	Comment or Data Needed to Determine
A. Have significant impacts on public health or safety?		X		
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?		X		Mitigated; measures are being taken to minimize impacts to historic properties; the assessment of effect is "No Adverse Effect."
C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))?		X		
D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		X		
E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?		X		
F. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		X		
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?		X		
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?		X		
I. Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?		X		
J. Have a disproportionately high and adverse effect on low income or minority		X		

populations (Executive Order 12898)?				
K. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?		X		
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)?		X		

For the purpose of interpreting these procedures within the NPS, any action that has the potential to violate the NPS Organic Act by impairing park resources or values would constitute an action that triggers the DOI exception for actions that threaten to violate a federal law for protection of the environment.

E. OTHER INFORMATION

Are personnel preparing this form familiar with the site?

Did personnel conduct a site visit? **Yes**, Facilities Management and Resources Management and Science.

Is the project in an approved plan such as a General Management Plan or an Implementation Plan with an accompanying NEPA document? **No**

Are there any interested or affected agencies or parties? **No**

Has consultation with all affected agencies or tribes been completed? **No**

Are there any connected, cumulative, or similar actions as part of the proposed action? (e.g., other development projects in area or identified in GMP, adequate/available utilities to accomplish project)? **No**

F. INTERDISCIPLINARY TEAM SIGNATORIES

All interdisciplinary team members sign as directed or deemed necessary by the Superintendent. By signing this form, you affirm the following: you have either completed a site visit or are familiar with the specifics of the site; you have consulted with affected agencies and tribes; and you, to the best of your knowledge, have answered the questions posed in the checklist correctly.

Interdisciplinary Team	Field of Expertise
Michael Tollefson	Superintendent
Kevin Cann	Deputy Superintendent
Linda Dahl	Chief of Planning
Bill Delaney	Chief of Project Management
Larry Harris	Chief of Administration Management
Dennis Mattiuzzi	Chief of Facilities Management
Niki Nicholas	Chief of Resources Management & Science
Marty Nielson	Chief of Business and Revenue Management
Chris Stein	Chief of Interpretation and Education
Steve Shackelton	Chief Ranger
Bill Rust	Project Leader
Mark Butler	Environmental Planning and Compliance
Jeannette Simons	Program Manager
Renea Kennec	NHPA Specialist
	NEPA Specialist

G. SUPERVISORY SIGNATORY

Based on the environmental impact information contained in the statutory compliance file and in this environmental screening form, environmental documentation for this stage of the subject project is complete.

Recommended:

Compliance Specialist	Date
<u>//Renea Kennec//</u> Compliance Specialist – Renea Kennec	<u>3/10/08</u>
<u>//Mark A. Butler//</u> Compliance Program Manager – Mark Butler	<u>3/13/08</u>
<u>//Bill Delaney//</u> Chief, Project Management – Bill Delaney	<u>4/1/08</u>

Approved:

Superintendent	Date
<u>//R. Kevin Cann//</u> Michael Tollefson	<u>4/8/08</u>

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National Park Service

ASSESSMENT OF ACTIONS HAVING AN EFFECT ON CULTURAL RESOURCES

A. DESCRIPTION OF UNDERTAKING

1. Park: Yosemite NP Park District: Yosemite Valley

2. **Work/Project Description:**

a. Project Name: 2006-065 Yosemite Valley Elementary School Safety Fencing Installation

Date: February 29, 2008 Park Project Number: 20914

b. Describe project and area of potential effects (as defined in 36 CFR 800.2[c]).

The proposed project includes installation of a new chain link fence around the drainage swale located near Yosemite Valley Elementary School. The proposed chain link fence shall be black in color and 4 feet in height with an estimated perimeter length of 300 feet. The fence shall include multiple gates for maintenance and emergency access. The project is a short-term solution to an immediate health and life safety issue, where the long-term solution will address land use and drainage during the development of a stormwater plan as part of the Yosemite Village planning process. The proposed safety fencing is actually an extension of the previous PEPC project (2005-037 Yosemite School Yard Drainage Culvert Replacement). Shortly after completion of the drainage swale school administrators and residence voiced safety concerns with children playing so near this water source. During a site visit, the Central Valley Regional Water Quality Control Board (CVRWQB) also recommended installation of a safety fence due to the nearby school playground. The reason a safety fence was not included in the original drainage design is because there was hope that after the CVRWQB completed their water analysis they would allow it to drain into Yosemite Creek as it had done for many years. The CVRWQB denied this request. Cultural resources staff from the park's History, Architecture, and Landscape branch will meet with the project manager regarding final design. This project was discussed with park Archeology staff (Sonny Montague & Jessica Middleton) and they concurred that they do not anticipate this work to have any impact on any known archeological resources; however it may require an initial monitor during placement of posts. This proposal is short-term by nature of the project to address immediate health and life safety issues.

3. **Has the area of potential effects been surveyed to identify cultural resources?**

☐ No

☒ Yes Source or reference Yosemite Valley Historic District Yosemite Valley Archeological District

☐ Check here if no known cultural resources will be affected. (If this is because area has been disturbed, please explain or attach additional information to show the disturbance was so extensive as to preclude intact cultural deposits.)

4. Potentially Affected Resource(s):

Archeological resources affected?

Name and number(s): Yosemite Valley Archeological District

NR status: 1 - Listed in Register and documented

Notes:

Cultural landscapes affected?

Name and number(s): Yosemite Village Historic District

NR status: 1 - Listed in Register and documented

Name and number(s): Yosemite Valley Historic District

NR status: 1 - Listed in Register and documented

Notes: Impact minimized by using black color fencing of minimal height.

Ethnographic resources affected?

Name and number(s): Yosemite Valley American Indian Traditional Cultural Property

NR status: 8 - Within a Register

Notes: The project will not impact American Indian traditional cultural resources.

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)

Yes 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

No 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. Measures to prevent or minimize loss or impairment of historic/prehistoric properties:

(Remember that setting, location, and use may be relevant.)

- Measures to minimize impacts to historic properties are integrated into the project description: The fence will be black, 4 feet in height. Final fence design will be developed in consultation with History, Architecture and Landscapes Branch. The Park Archeology Office will be consulted for posthole placement, and will monitor when appropriate.

7. Supporting Study Data:

(Attach if feasible; if action is in a plan, EA or EIS, give name and project or page number.)

8. **Attachments:** ☐ Maps ☐ Archeological survey, if applicable ☐ Drawings ☐ Specifications
☐ Photographs ☐ Scope of Work ☐ Site plan ☐ List of Materials ☐ Samples
☐ Other _____

Prepared by Jeannette Simons **Date:** 2-29-08
Title: Historic Preservation Officer **Telephone:** 209-379-1372

B. REVIEWS BY CULTURAL RESOURCE SPECIALISTS

The park 106 coordinator requested review by the park's cultural resource specialist/advisers as indicated by check-off boxes or as follows:

[X] ARCHEOLOGIST

Name: Laura Kirn

Date: 01/29/2008

Comments:

Check if project does not involve ground disturbance ☐

Assessment of Effect: ☐ No Historic Properties Affected ☒ No Adverse Effect ☐ Adverse Effect
☐ Programmatic Exclusion

Recommendations for conditions or stipulations:

None

[] CURATOR

Name:

Date:

Comments:

Check if project does not involve ground disturbance ☐ Assessment of Effect: ☐ No Historic Properties Affected ☐ No Adverse Effect ☐ Adverse Effect ☐ Programmatic Exclusion

Recommendations for conditions or stipulations:

[] ANTHROPOLOGIST

Name:

Date:

Comments:

Check if project does not involve ground disturbance ☐ Assessment of Effect: ☐ No Historic Properties Affected ☐ No Adverse Effect ☐ Adverse Effect ☐ Programmatic Exclusion

Recommendations for conditions or stipulations:

[] HISTORIAN

Name:

Date:

Comments:

Check if project does not involve ground disturbance [] Assessment of Effect: _____ No Historic Properties Affected _____ No Adverse Effect _____ Adverse Effect _____ Programmatic Exclusion

Recommendations for conditions or stipulations:

[] HISTORICAL ARCHITECT

Name:

Date:

Comments:

Check if project does not involve ground disturbance []
Assessment of Effect: __ No Historic Properties Affected __ No Adverse Effect __ Adverse Effect __ Programmatic Exclusion

Recommendations for conditions or stipulations:

[X] HISTORICAL LANDSCAPE ARCHITECT

Name: David Humphrey

Date:02/28/2008

Comments: The long term solution of preventing pollution at the source (ie. corrals, sand storage, and paved parking) so that a retention pond is not necessary should be vigorously pursued.

Check if project does not involve ground disturbance []
Assessment of Effect: __ No Historic Properties Affected x No Adverse Effect __ Adverse Effect __ Programmatic Exclusion

Recommendations for conditions or stipulations:

The fence should be no higher than 4 feet and be a temporary solution until a storm water management plan is in place and be removed within 5 years

RESOURCES MANAGEMENT AND SCIENCE DIVISION RECOMMENDATIONS

Review by specialists: The appropriate subject-matter experts have reviewed the project and entered their comments and recommendations above.

The comments and recommendations for the proposed action are 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// **Date:** 3/5/08
Chief of Resources Management & Science Division

[X] 106 Advisor

Name: Jeannette Simons

Date:

Comments: Project Manager needs to update project description based on discussion with the Management Team at the Monthly Planning Forum. The height of the fence is changed, and it should be stated in the project description that this is a short-term solution to an immediate health and life safety issue, and that a long-term solution that will address land use and drainage will be sought during the up-coming Yosemite Village planning process.

Check if project does not involve ground disturbance []

Assessment of Effect: ☐ No Historic Properties Affected ☐ No Adverse Effect ☐ Adverse Effect
☐ Programmatic Exclusion

Recommendations for conditions or stipulations:

C. PARK SECTION 106 COORDINATOR'S REVIEW AND RECOMMENDATIONS

1. Assessment of Effect:

☐ No Historic Properties Affected ☒ No Adverse Effect ☐ Adverse Effect

2. Compliance requirements:

☐ A. STANDARD 36 CFR PART 800 CONSULTATION

Further consultation under 36 CFR Part 800 is needed.

☐ B. PROGRAMMATIC EXCLUSION UNDER THE 1995 SERVICEWIDE PROGRAMMATIC AGREEMENT (PA)

The above action meets all conditions for a programmatic exclusion under Stipulation IV of the 1995 Servicewide PA for Section 106 compliance.

APPLICABLE EXCLUSION: Exclusion IV.B

(Specify 1-13 or IV.C addition to the list of exclusions.)

☐ C. 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 Servicewide PA and 36 CFR Part 800.

Specify plan/EA/EIS: _____

☒ D. UNDERTAKING RELATED TO ANOTHER AGREEMENT

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

Specify: 1999 PA _____

☐ E. COMPLIANCE REQUIREMENTS SATISFIED BY USE OF NEPA

Documentation is required for the preparation of an EA/FONSI or an EIS/ROD has been developed and used so as also to meet the requirements of 36 CFR 800.3 through 800.6

☐ F. STIPULATIONS/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.

None

Recommended by Park Section 106 coordinator:

Signature of Historic Preservation Officer //Jeannette Simons// Date: 3/6/08

D. 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.

Signature of Superintendent //R. Kevin Cann//

Date 4/8/08

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Environmental Planning and Compliance Office in
Yosemite National Park.*