



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: Erin Dickman, Project Manager, Yosemite National Park

From: Cicely Muldoon, Superintendent, Yosemite National Park

Subject: NEPA and NHPA Clearance: 2022-136 Merced River Plan Implementation: Sugar Pine Bridge Floodplain and Riverbank Restoration (PEPC: 105734)

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 has been assessed as "likely to adversely affect" the California red-legged frog and is being placed under the 2018 California Red Legged Frog Biological Opinion (BO) issued by the U.S. Fish and Wildlife Service. The effect determination means that while it is possible that the project may impact a few individuals, it will not result in a magnitude of impact that would jeopardize the species at the population or species level. All protection measures contained in the BO will be applied to minimize potential effects to the species. The project will have no effect on other 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:

Air Quality

- During excavation and soil loading activities, a water mister/sprayer will be used to suppress dust. Cessation of work may be necessary during excessively windy conditions.

Cultural Resources

- Tribal monitoring is required for ground disturbing work.
- Arrange with park archeologists to hold a pre-construction educational talk with workers to familiarize them with the cultural sensitivity of the work area.
- Heavy equipment access routes should be designed to avoid archeological site boundaries.

General

- Only project actions described in Planning, Environment, and Public Comment (PEPC) 105734 are approved for implementation. Modifications to plans or additional actions require additional review and approval from the Yosemite National Park Environmental Planning and Compliance Office.

Vegetation

- Measures shall be taken to prevent the introduction of exotic species in the project area and staging areas. All earth moving equipment must enter the Park free of dirt, dust, mud, seeds, or other potential contaminant. Examples of equipment that require inspection are excavators, skid steers, or boring equipment. Passenger vehicles do not need inspection but should be clean prior to entry in the park. Equipment exhibiting any dirt or other material attached to frame, tires, wheels, or other parts shall be thoroughly cleaned by the Contractor before entering the Park. Areas inspected shall include, but not be limited to, tracks, track guard/housings, belly pans/under covers, buckets, rippers, and other attachments. Equipment that does not pass inspection will be turned around to the nearest cleaning facility outside the park. The Contractor shall notify the Construction manager at least two work days (not including weekends) prior to bringing any equipment into the Park. Equipment found to have entered the Park with potential contaminants will be removed from the Park at the direction of the Contracting Officer at Contractor's sole expense. 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.
- During project planning and design, consult with Vegetation staff to survey project area, including buffer zone and staging areas, for special status plant species. Avoid during design, and flag for construction avoidance. If disturbance can't be avoided, consult with Vegetation staff on mitigation measures.

Water Quality

- The project includes more than one acre of ground disturbance; therefore, according to the National Pollutant Discharge Elimination System (NPDES) General Permit, Order No. 2012-0006-DWQ, as amended, a Stormwater Pollution Prevention Plan (SWPPP) must be prepared, or exemption from SWPPP coverage must be demonstrated, before work begins on site. The project manager is responsible for SWPPP preparation and implementation, or for demonstrating that the project is exempt from SWPPP coverage.
- Project manager will adhere to the requirements of the 401 water quality certification and/or 404 permit for this action.

Wildlife

- The following California Red Legged Frog (CRLF) protection measures apply:
 - Please include the park Aquatic Ecologist as a core team member on any planning meetings or reviews. This project restores habitat that is likely to be enhanced by project actions and made more favorable/suitable for CRLF. Consult with the Aquatic Ecologist to ensure that project timing avoids sensitive periods for CRLF and enhances habitat.
 - Educational talk by Aquatic Wildlife Biologist is required- please schedule no later than 2 weeks before work start, this would need to happen for both tree felling/piling crews, as well as restoration crews.
 - Pre-work CRLF surveys are required, please contact park Aquatic Ecologist at least 2 weeks before work starts to schedule surveys, preferably much earlier. Monitoring may be required depending on the findings from the surveys.
 - Minimize use of heavy equipment in natural areas; go in and out if they must drive into areas for work. Avoid turning in natural areas.
 - Staff will be reminded to obey park speed limits to avoid vehicle strikes of wildlife, with extra caution exercised during warm wet conditions when frogs may be more likely to wander onto roads during dispersal events that often coincide with precipitation.
 - If CRLF are discovered in the work area during work activities, work must stop in the vicinity (within 500 feet of the CRLF) and the park Aquatic Ecologist must be contacted immediately

(209-379-1438). Staff may not relocate, handle, or disturb in any way a CRLF. Work may resume at the direction of the Aquatic Ecologist.

Superintendent Signature: Cicely Muldoon **Date:** February 28, 2022

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: Merced River Plan Implementation: Sugar Pine Bridge Floodplain and Riverbank Restoration

PEPC Project Number: 105734

Description of Action (Project Description):

This project was selected for implementation in the 2014 Record of Decision (ROD) for the Merced River Plan (MRP) Environmental Impact Statement (EIS) (PEPC 18982). This project must adhere to mitigation and stipulations in the Final EIS/Record of Decision, the MRP programmatic agreement, the CA Red-legged Frog Biological Opinion, and permit requirements. This project was categorized as a Category 1 project in the MRP programmatic agreement for Section 106.

This project will implement mitigations for leaving Sugar Pine Bridge in place. The river in the vicinity of Sugar Pine Bridge is over-widened, locally confined within its banks by riprap, and largely disconnected from its once-active floodplain. This reach of the river was examined in a multi-year study by UC Santa Barbara and other collaborators. Their final recommendation is to leave the bridge in place, implement mitigation actions in their alternative 4, and study the results.

Their preferred alternative 4 includes:

- a) Floodplain reactivation (in floodplain between Reach 7 and Reach 5), with lower banks at swale entrances (within Reach 7)
- b) Selective riprap removal with follow-up revegetation, within Reach 6
- c) Berm removal between Ahwahnee Bridge and Sugar Pine Bridge
- d) Flow-deflecting Engineered Log Jam (ELJ) at Tenaya Creek confluence
- e) Floodplain-building logs (filled) with planting at specific locations within Reach 7
- f) Mid-bar-forming ELJs within Reach 7

This project will address components a), b), and d). Their final report, Basis of Design, Final Report-Phase 3 (2020), is located here: <https://www.nps.gov/yose/learn/nature/mercedrestoration-documents.htm>

This project has two components. It will restore 20 acres of the former Lower Pines campground to natural floodplain conditions (MRP reference, Appendix E, RES-2-019). Campground construction filled overflow channels that flowed across this peninsula. These channels played an important role during flood events, alleviating flows through Sugar Pine Bridge. We will remove any remaining asphalt, excavate fill from these overflow channels to reactivate them during flooding events and decompact soils of the former roadbed and campsite footprint. Channel excavation will be a maximum depth of 2 feet which is the minimum depth that would allow for flow activation during 2-year flood events. We will restore channel topography using the 1919 USGS maps as a guide. We will manually remove conifers within the channels to allow for excavation of the channels and will remove select conifers between the channels. This will allow for the floodplain to be dominated by a mosaic of deciduous riparian species including alder, big leaf maple and cottonwood, which are currently present but crowded and shaded by a conifer overstory. To achieve floodplain restoration, we would remove select conifers <20" diameter at breast height (DBH) and up to 119 trees between 20-30" DBH, 118 trees between 31-40" DBH, 42 trees between 41-50" DBH, and 5 trees between 51-60" DBH, as time permits. Riprap south of the berm between Sugar Pine and Ahwahnee bridges would be removed and replaced with native plants and willow stakes (MRP reference, Appendix E, RES-2-051).

To address river widening and low channel complexity, this project will also construct an engineered log structure upstream of Sugar Pine Bridge. This engineered log structure will mitigate effects of leaving the bridge in place (MRP reference, Appendix E, RES-2-052) and will push water toward the excavated overflow channels on the floodplain during high water events (MRP reference, Appendix E, RES-2-062). Studies have shown that the Merced River in this area has widened by ~30% since 1919. Crews will use logs generated from the floodplain restoration area and native soils. They will also plant native species such as willow, cottonwood and sedges to increase habitat quality, biodiversity and water quality. Crews will also install signage to direct the public to river access for swimming. Finally, we will install an interpretive sign on Merced River ecology and restoration.

Mitigation(s):

See Letter of Compliance Completion form for mitigations.

CE Citation: 3.3.B.1 Changes or amendments to an approved plan, when such changes would cause no or only minimal environmental impact.

CE Justification:

Actions are generally covered by the 2014 Record of Decision for the Merced River Plan/EIS (MRP, PEPC 18982). New impacts not covered by MRP 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 Signature: Cicely Muldoon **Date:** February 28, 2022

Extraordinary Circumstances:

If implemented, would the proposal...	Yes/No	Explanation
A. Have significant impacts on public health or safety?	No	None
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	None
C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))?	No	None
D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	No	None
E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	No	None
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	None
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	The project has been assessed as likely to adversely affect the CRLF and has been placed under the CRLF BO. All protection measures in the BO will be applied to minimize potential effects to the species. The project is expected to improve habitat for CRLF.
I. Violate a federal, state, local or tribal law or requirement imposed for the protection of the environment?	No	None
J. Have a disproportionately high and adverse effect on low income or minority populations (EO 12898)?	No	None
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	None
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	None



ENVIRONMENTAL SCREENING FORM (ESF)

Updated Sept 2015 per NPS NEPA Handbook

A. PROJECT INFORMATION

Project Title: Merced River Plan Implementation: Sugar Pine Bridge Floodplain and Riverbank Restoration

PEPC Project Number: 105734

Project Type: Restoration (REST)

Project Location: County, State: Mariposa, California

Project Leader: Erin Dickman

B. PROJECT DESCRIPTION

See Categorical Exclusion Form for project description.

C. RESOURCE IMPACTS TO CONSIDER:

Resource	Potential for Impact	Potential Issues & Impacts
Air Air Quality <i>Dust</i>	Potential	Issue: Excavation may cause short-term, localized dust impacts. Impact: Use best management practices, such as water misting, to control construction-generated dust.
Biological Nonnative or Exotic Species	Potential	Issue: Heavy equipment may enter the park to perform this work, posing risk of introducing nonnative or exotic species. Impact: Follow protection measures outlined for the cleaning and inspection of equipment entering the park.
Biological Species of Special Concern or Their Habitat <i>CA Red Legged Frog</i>	Potential	Issue: This project takes place within CA Red Legged Frog Habitat. Impact: The project is expected to restore and enhance habitat for this species. Follow protection measures outlined for integrating the park Aquatic Ecologist in planning and survey efforts for the project to minimize potential effects to the species.
Biological Vegetation <i>Conifers</i>	Potential	Issue: The project involves the removal of approximately 300 mature conifers from the floodplain. Impact: Conifer removal will allow the re-establishment of historic overflow channels and clear a niche for the establishment of deciduous riparian species.

Resource	Potential for Impact	Potential Issues & Impacts
Biological Wildlife and/or Wildlife Habitat including terrestrial and aquatic species	None	None
Cultural Archeological Resources	None	None
Cultural Cultural Landscapes <i>Yosemite Valley Historic District</i>	Potential	Issue: Project takes place within the Yosemite Valley Historic District. Impact: Action was identified as a Class 1 action in the MRP with no adverse effect to historic properties.
Cultural Ethnographic Resources	None	None
Cultural Museum Collections	None	None
Cultural Prehistoric/historic structures <i>Sugar Pine Bridge</i>	Potential	Issue: This project was identified in the MRP as an alternative to removing the upstream Sugar Pine Bridge. Impact: This project will positively impact the historic bridge by reducing future upstream flooding impacts.
Geological Geologic Features <i>Soils</i>	Potential	Issue: Project involves the excavation of more than 1 acre of soil. Much of this soil was brought in to facilitate the creation of this campground. Impact: A SWPPP is required for this project, or exemption must be demonstrated.
Geological Geologic Processes	None	None
Lightscares	None	None
Other Human Health and Safety	Potential	Issue: Heavy equipment and chainsaws will be used for channel excavation and tree removal. Project will decrease the risks posed by future flooding. Impact: Follow NPS and Park protocols regarding the use of heavy equipment. Overall impacts to human health and safety are improved by decreasing the risks posed by future flooding.
Other Operational	None	None
Other	None	None
Socioeconomic Land Use	None	None

Resource	Potential for Impact	Potential Issues & Impacts
Socioeconomic Minority and low-income populations, size, migration patterns, etc.	None	None
Socioeconomic	None	None
Soundscapes	Potential	Issue: Heavy equipment, chainsaws, and other tools produce noise. Impact: Noise from hand tools and other equipment may disturb wildlife, but is expected to be highly localized and temporary in duration.
Viewsheds	Potential	Issue: The project will clear conifers and open up historic overflow channels. Impact: In the long term, the project is expected to positively impact views in this location by restoring historic river channels and riparian vegetation.
Visitor Use and Experience Recreation Resources	None	None
Visitor Use and Experience Visitor Use and Experience	None	None
Water Floodplains	Potential	Issue: The work area is within the floodplain of the Merced River. Impact: The goal of the project is to restore historic overflow channels of the Merced River. This action will improve channel complexity and reduce flooding hazards.
Water Marine or Estuarine Resources	None	None
Water Water Quality or Quantity	Potential	Issue: Work areas along the riverbank may result in discharge to the Merced River. Impact: The project manager will apply for and adhere to the requirements of the 401 water quality certification and 404 permit for this action.
Water Wetlands	None	None
Water Wild and Scenic River <i>Merced Wild and Scenic River</i>	Potential	Issue: This project takes place within Segment 2A (East Yosemite Valley) segment of the Merced Wild and Scenic River. This segment is classified as "Recreational". Impact: This project is a selected action under the preferred alternative of the Merced Wild and Scenic River ROD.
Wilderness	None	None



ASSESSMENT OF ACTIONS HAVING AN EFFECT ON HISTORIC PROPERTIES

A. DESCRIPTION OF UNDERTAKING

1. **Park:** Yosemite National Park

2. **Project Description:**

Project Name: Merced River Plan Implementation: Sugar Pine Bridge Floodplain and Riverbank Restoration

Prepared by: Daniel Sharon **Date Prepared:** 11/26/2021 **Telephone:** (209) 379-1038

PEPC Project Number: 105734

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 a 20-acre area of the former Lower Pines Campground in Yosemite Valley. The APE is bound to the south by Stoneman Meadow, to the north by the road/bike path which crosses over Stoneman and Sugar Pine Bridges, and to the east and west by the Merced River. The subvertical APE is associated with excavation of overflow channels that were filled during the construction of the campground and will be a maximum of 2 feet deep. Approximately 300 conifers will be removed from the restored overflow channels and adjacent floodplain.

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

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

Archeological Resources Present: No

Historical Structures/Resources Present: No

Cultural Landscapes Present: Yes

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

Ethnographic Resources Present:

Ethnographic Resources Notes: The park provided project details to the tribes via the January 2022 Tribal Spreadsheet. No comments were received.

5. **The proposed action will: (check as many as apply)**

Yes/No	The proposed action will...
No	Destroy, remove, or alter features/elements from a historic structure

Yes/No	The proposed action will...
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)
No	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.)

This map was made by CRM staff member Wesley Wills on 3/26/2020.

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: Hope Schear

Date: 02/22/2022

Comments: Compliance complete. Project reviewed under Merced River Plan Programmatic Agreement and is a listed Category 1 undertaking that does not require further SHPO review.

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 ___Streamlined Review

Recommendations for conditions or stipulations: Please follow all specialist's recommendations.

Doc Method: Park Specific or Other Programmatic Agreement

[X] Anthropologist

Name: Liz Williams

Date: 12/27/2021

Comments: This project was shared with the tribes in January 2022.

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 ___Streamlined Review

Recommendations for conditions or stipulations: Ground disturbance; tribal monitoring required.

Doc Method: Park Specific or Other Programmatic Agreement

[X] Archeologist

Name: Matthew Flynn

Date: 01/05/2022

Comments: Project was surveyed as part of YOSE Anth project 2015R and consulted on in the same year. Due to the time between initial survey and implementation of the project, follow up survey was conducted in May of 2021 that included auger test pits to confirm initial findings.

While the project APE is predominantly in a low sensitivity floodplain located in a hairpin bend in the river, APE that extends North of the river includes areas in 3 locations of known archeological sensitivity, and borders on 3 more.

The three included in the APE are:

CA-MRP-0292/293/H - Location was surveyed in 2015 and then surveyed and augered in 2021. Auger test pits confirmed that the Southwest portion of the site is extremely low sensitivity, and likely to be unimpacted by restoration efforts.

CA-MRP-0291/751 - Location was surveyed in 2015 and then surveyed and augered in 2021. Auger test pits confirmed that the Southern portion of the site is extremely low sensitivity, and likely to be unimpacted by restoration efforts.

CA-MRP-0290 - Surveyed in 2015. Project work does not occur within this site however, original plan maps include having an access pathway for heavy equipment through the central portion of this site. Discussions between CR and project staff have agreed to develop alternate access paths so heavy equipment does not travel through this site.

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: Site boundaries should be flagged for avoidance. Project work in 0292 and 0291 should include spot checks and some monitoring and efforts should be made to minimize heavy equipment impact during traversing to work locations. An official alternate path for heavy equipment should be established so that equipment is not run through CA-MRP-0290. As mentioned by Tribal Liaison, tribal monitors should be present for ground disturbing work. Work crews need to have a tailboard where they are appraised of the cultural sensitivity of the area they're working in, along with education on archeological concerns. Cultural resource boundaries are not firm demarcations but areas where we've recognized increased sensitivity. Due to the overall sensitivity of the area caution is still advised even outside of boundaries.

Doc Method: Park Specific or Other Programmatic Agreement

[X] Historical Architect

Name: Donald Faxon

Date: 02/15/2022

Comments: This project will conduct a significant phase in the restoration of the Merced River to a more wild and natural state. There will be negligible impact to the campground and removal of rip-rap will greatly improve the natural appearance of the river banks. In addition, the 1928 Sugarpine Bridge will be retained in an environment that is said to impose less flood impact upon it.

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: Park Specific or Other Programmatic Agreement

[X] Historical Landscape Architect

Name: Vida Germano

Date: 01/28/2022

Comments: This project will have no adverse on the contributing resources of the Yosemite Valley Historic District, including the bridges and the Pines Campgrounds Developed Area. The areas of flooding are outside of the campground boundaries based on review of the APE map and the Basis of Design report.

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: Park Specific or Other Programmatic Agreement

No Reviews From: Curator, Historian, Other Advisor

C. PARK SECTION 106 COORDINATOR'S REVIEW AND RECOMMENDATIONS

1. Assessment of Effect:

Select with X	Assessment of Effect
n/a	No Potential to Cause Effects
n/a	No Historic Properties Affected
X	No Adverse Effect
n/a	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.)

[X] 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: 1/13/2022
THPO Received: No response received after 30 days

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:

- Tribal monitoring is required for ground disturbing work.
- Arrange with park archeologists to hold a pre-construction educational talk with workers to familiarize them with the cultural sensitivity of the work area.
- Heavy equipment access routes should be designed to avoid archeological site boundaries.

6. Assessment of Effect Notes:

This project was a selected action under the preferred alternative in the Merced River Plan EIS ROD. The project is identified as a Category 1 action with No Adverse Effect on page 53, row 20, of the ROD.

D. RECOMMENDED BY PARK SECTION 106 COORDINATOR:

Section 106 Coordinator Hope Schear **Date:** February 23, 2022
Signature: _____

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 Signature: Cicely Muldoon **Date:** February 28, 2022



Other Compliance/Consultations Form

Park Name: Yosemite National Park

PEPC Project Number: 105734

Project Title: Merced River Plan Implementation: Sugar Pine Bridge Floodplain and Riverbank Restoration

Project Type: Restoration

Project Location:

County, State: Mariposa, CA

Project Leader: Erin Dickman

ESA

Any Federal Species in the project Area? Yes

If species in area: Likely to Adversely Affect

Was Biological Assessment prepared?

If Biological Assessment prepared, concurred?

Formal Consultation required? No

Formal Consultation Notes:

This project is being placed under the park's programmatic biological opinion for the California red-legged frog (*Rana draytonii*; CRLF), "Reinitiation of Formal Consultation on the California Red-legged Frog, Reintroduction Project in Yosemite Valley, Yosemite National Park" dated 12/12/2018 (attached). The park has determined that the project "may affect, and is likely to adversely affect" the California red-legged frog due to the proximity of the project area to areas that are known to be occupied by the frog and the project heavy equipment use.

The following protections apply for CRLF:

- Please include the park Aquatic Ecologist as a core team member on any planning meetings or reviews. This project restores habitat that is likely to be enhanced by project actions and made more favorable and suitable for CRLF. Consult with the Aquatic Ecologist to ensure that project timing avoids sensitive periods for CRLF and enhances habitat.
- Educational talk by Aquatic Wildlife Biologist is required- please schedule no later than 2 weeks before work start, this would need to happen for both tree felling/piling crews, as well as restoration crews.
- Pre-work CRLF surveys are required, please contact park Aquatic Ecologist at least 2 weeks before work starts to schedule surveys, preferably much earlier. Monitoring may be required depending on the findings from the surveys.
- Minimize use of heavy equipment in natural areas; go in and out if they must drive into areas for work. Avoid turning in natural areas.
- Staff will be reminded to obey park speed limits to avoid vehicle strikes of wildlife, with extra caution exercised during warm wet conditions when frogs may be more likely to wander onto roads during dispersal events that often coincide with precipitation.
- If CRLF are discovered in the work area, work must stop in the vicinity (within 500 feet of the CRLF) and the park Aquatic Ecologist must be contacted immediately (209-379-1438). Staff may not relocate, handle, or disturb in any way a CRLF. Work may resume at the direction of the Aquatic Ecologist.

Formal Consultation Concluded:

Any State listed Species in the Project Area?

Consultation Information:

General Notes:

Data Entered By: Ninette Daniele

Date: Jan 31, 2022

ESA Mitigations

No ESA mitigations are associated with this project.

Floodplains/Wetlands/§404 Permits

Question	Yes/No	Details
A.1. Is project in 100- or 500-year floodplain or flash flood hazard area?	Yes	Statement of Findings approval date: Mar 28, 2014
A.2. Is Project in wetlands as defined by NPS/DOI?	No	Not in wetland as defined by NPS/DOI.
B. COE Section 404 permit needed?	Yes	Request Date: Issue Date: Expiration Date:
C. State 401 certification?	Yes	None
D. State Section 401 Permit?	Yes	Issue Date: Expiration Date:
E. Tribal Water Quality Permit?	No	None
F. CZM Consistency determination needed?	N/A	N/A
G. Erosion & Sediment Control Plan Required?	Yes	None
H. Any other permits required?	No	Permit Information:
Other Information:	Yes	Action approved in March 28, 2014 Floodplain Statement of Findings in the MRP, as an alternative to the preferred action of removing Sugar Pine Bridge. Action will improve channel complexity and reduce flooding hazards. The project will adhere to any 401/404 permit requirements for this action.

Data Entered By: Daniel Sharon

Date: November 26, 2021

Floodplains & Wetlands Mitigations

No Floodplains & Wetlands mitigations are associated with this project.

Wilderness

Question	Yes/No	Notes
A. Does this project occur in or adjacent to Designated, Recommended, Proposed, Study, Eligible, or Potential Wilderness?	No	None
B. Is the only place to conduct this project in wilderness?	No	None
C. Is the project necessary for the administration of the area as wilderness?	No	None

Question	Yes/No	Notes
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)	No	None
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)	No	None
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.	N/A	Initiation Date: Completed Date: Approved Date:
Other Information:	No	None

Data Entered By: Daniel Sharon

Date: November 26, 2021

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?	No
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 identified as a selected action under the Merced Wild and Scenic River Plan ROD.

Data Entered By: Daniel Sharon

Date: November 26, 2021