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*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:** Jennifer Anderson, Project Manager, Yosemite National Park

**From:** Cicely Muldoon, Superintendent, Yosemite National Park

**Subject:** NEPA and NHPA Clearance: 2022-111 Prescribed Burn- Yosemite Valley Units 4, 7, 9, 10, 12, 30 (partial) (PEPC: 102910)

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 (CRLF) 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

- 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.

## **General**

- Only project actions described in Planning, Environment, and Public Comment (PEPC) 102910 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.
- Coordinate and consult with Park resources staff (wildlife, archeology, vegetation etc.), concessioners, facilities, and other affected stakeholders at least 1 week ahead of burning to identify sensitive areas, allow for operational planning, and ensure the implementation of applicable mitigation measures.

## **Cultural Resources**

- To ensure the integrity and protection of archeological sites, the Fire Archeologist will monitor the implementation of the prescribed burn and carry out the following standard protection measures:
  - Ensure that fuels reduction—removal of dense brush, downed trees, duff removal—and scratch lines around specific features and sites will be completed per site-specific recommendations.
  - 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.
- Since there hasn't been a full survey and inventory of the burn area for cultural landscape features, it is important to identify areas that have a high potential for cultural landscape features and survey them prior to the prescribed burn in order to ensure that wooden cultural landscape features are not destroyed. Work with park cultural resources staff to develop a plan to survey areas that have a high potential for cultural landscape features and protect any wooden features identified during the prescribed burn.
- Culturally significant black oaks are present in YV-09 and the Yosemite Falls portion of YV-30. Please work with the tribal liaison well ahead of the burn to incorporate tribes into the planning and implementation of the burn adjacent to these trees.
- If previously undocumented cultural resources are encountered during project implementation, all work in the vicinity will stop immediately. The project manager will promptly contact the Yosemite Department of Anthropology (Dawn Bringelson) to assess and document the finding.

## **Vegetation**

- Multiple recent and ongoing meadow restoration project areas across the Valley should be excluded from prepping or burning for a few years to avoid disturbance of new vegetation, spreading invasives, etc. The status and recommended timing of burning in and adjacent to these meadows are as follows:
  - Stoneman and Leidig Meadows: These meadows have been under active restoration in 2020-2021 and should not be prepped or burned until at least 2023.
  - El Capitan, Slaugtherhouse, Cooks, Sentinel, and Bridalveil Meadows: Ready to burn When the burn is implemented, wet lines should be used to exclude fire from these restoration areas. Please work with VER to assist with identifying these areas and providing site-specific protection measures well ahead of the burn.
- Avoid both special status plant populations and invasive plant populations when constructing fire line. Consult READ maps and arrange for plant surveys in advance of line construction, if necessary.

- If fire trucks, bulldozers, or other heavy equipment will be brought into the park and will leave paved or dirt roads, they should be pressure-washed prior to entering the park and shall be clean of any soil, plant matter, or other materials. Arrange with VER staff at least a week prior to project implementation to inspect the equipment prior to entry into the park.
- 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 meadows. 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.)

## Wildlife

- The following California Red-Legged Frog (CRLF) resource protections will be applied:
  - 1) All personnel will be trained in the identification of CRLF and protection measures. The project manager shall contact the Aquatic Ecologist no later than 2 weeks prior to planned prescribed fire activities to schedule a resource protection briefing.
  - 2) Pre-burn surveys for CRLF are required at the expense of the project budget; surveys must take place ahead of the prescribed fire activities, but within 2 weeks of initiating firing or tree felling operations. Schedule pre-construction surveys by contacting the park Aquatic Ecologist (209-379-1438; Rob\_Grasso@nps.gov) at least 2 weeks ahead of planned activities. Post-burn surveys for CRLF are required.
  - 3) Prescribed fire activities within [REDACTED] will preferentially occur during months and/or conditions when the CRLF is most likely to be occupying aquatic habitats. Coordinate timing of firing or tree felling operations with the park aquatic ecologist.
  - 4) A Resource Advisor will be on staff for all prescribed fires or wildfires in the Valley. Please regularly update Rob Grasso on plans (allowing a minimum of a week ahead of time to enable assignment of a READ).
  - 5) Any brush/limb piles constructed will be burned as soon as possible, preferentially within 6 months of constructing them to decrease the likelihood that piles will become occupied by CRLF as refugia. Any piles unburned for longer than 1 year must be re-piled before burning. Piles will not be constructed in meadows or within 25 feet of aquatic habitats (meadows, ponds, rivers, streams, etc). Piles will be lit slowly from the top-down or from one side, so that animals occupying the pile may have a better likelihood of escaping.
  - 6) No lighting of wood piles will be allowed directly in meadow or wetland habitat, or 25 feet from standing or flowing water. 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.

- 9) All staff will be reminded to obey park speed limits and exercise extra vigilance during warm, wet conditions to avoid vehicle strikes to frogs/toads that may be traveling across roadways.
  - 10) If a CRLF is located within the work area, operations must stop within 500 feet of the observation and the park Aquatic Ecologist will be contacted immediately (209-379-1438; Rob\_Grasso@nps.gov). Operations can resume at the direction of the park Aquatic Ecologist.
- Compliance with food-storage and garbage disposal requirements must be achieved at all times.

**Superintendent Signature:** Cicely Muldoon **Date:** April 29, 2022



## A Categorical Exclusion Documentation Form (CE Form)

**Project:** Prescribed Burn- Yosemite Valley Units 4, 7, 9, 10, 12, 30 (partial)

**PEPC Project Number:** 102910

**Description of Action (Project Description):**

The National Park Service is proposing to initiate prescribed burns as early as fall 2021 in the Yosemite Valley outer Wildland-Urban Interface (WUI) area. The proposed burn would cover an area of approximately 374 acres of the park within the Yosemite Valley burn units (YV-04, YV-07, YV-09, YV-10 (west side of El Capitan Cross), YV-12, and portions of YV-30 (Tunnel View & Yosemite Falls) north and south of the Merced River between Pohono Bridge 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.

All the units are located in Yosemite Valley and will be burned in several phases. YV-04 is located north of Bridalveil Creek, YV-07 is located at the west end of El Capitan between the Merced River to the south and Northside Drive to the north, YV-09 is located at El Capitan just to the west of El Capitan Crossover on either side of Northside Drive, YV-10 west is located at the El Capitan Crossover, and YV-12 is located west of the El Capitan Picnic Area and west of the El Capitan Bridge. YV-04, YV-07, YV-09, & YV-12, all located north of the Merced River, will be burned together over several days, weather permitting. The Merced River runs along the southern boundary of units YV-04, YV-07, YV-09, & YV-12. Northside Drive is the northern boundary of YV-04, YV-07, & YV-12. The Valley loop trail will be used as the holding line of the north side of YV-09. YV-10 west is surrounded by the Merced River on the west side, Southside Drive on the south, and El Capitan Crossover on the northern and eastern boundaries. YV-30 (Tunnel View) is a 72-acre unit located east of Pohono Bridge and south of Bridalveil Meadow. It is bound by Southside Drive to the north, Wawona Road to the south, Fern Springs to the west, and the Bridalveil Falls turnoff to the east. YV-30 (Yosemite Falls) is a 50-acre unit located on the west side of Yosemite Village. It is bound by Northside Drive on the southern boundary, Valley Loop Trail on the west & northern boundaries, and a portion of the Valley Loop Trail and a sparsely vegetated field on the eastern boundary.

The burn will be conducted by hand ignition using drip torches. Unmanned Aircraft Systems (UAS) may be used to assist with igniting and reconnaissance of the burn, if needed. The holding lines for units YV-04, YV-07, YV-09, and YV-12 are all currently maintained roads, trails, or natural barriers. Scratch line will be put in in YV-30 (Yosemite Falls), in CA-MRP-292/293/H (~130 ft) and CA-MRP-0056/61/196/298/299/300/301/1816/H (~200 ft) respectively, and this line will be limited to previously disturbed areas and monitored by an archeologist. Approximately 1000 feet of handline and/or hoselay along the western boundary of the YV-30 (Tunnel View) unit through a steep, rocky drainage will be needed to contain fire within the unit. 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). Avoidance of cultural sites will be necessary and additional survey may be needed. All recommendations for cultural resource preparations listed will be completed prior to ignition.

The Yosemite Valley Unit has a long history of prescribed fire, with the majority of the segments (YV-04, YV-07, YV-09, YV-10, YV-12) having been burned multiple times over the last 50 years (YV-04 in 2008, YV-07 in 2004, YV-09 in 2003 on the south and 2001 on the north side, YV-10 (west) in 2003, YV-12 in 2001, & 2016 (meadow)). The two YV-30 units have no known fire history.

**Mitigation(s):**

See Letter of Compliance Completion

**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:**

Action is covered by the 2017 Fire Management Plan amendment (PEPC 41967) and 2004 Fire Management Plan. 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 Signature:** Cicely Muldoon **Date:** April 29, 2022

### Extraordinary Circumstances:

If implemented, would the proposal...	Yes/No	Explanation
<b>A.</b> Have significant impacts on public health or safety?	No	None
<b>B.</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
<b>C.</b> Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))?	No	None
<b>D.</b> Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	No	None
<b>E.</b> Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	No	None
<b>G.</b> 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
<b>H.</b> 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.
<b>I.</b> Violate a federal, state, local or tribal law or requirement imposed for the protection of the environment?	No	None
<b>J.</b> Have a disproportionately high and adverse effect on low income or minority populations (EO 12898)?	No	None
<b>K.</b> 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
<b>L.</b> 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:** Prescribed Burn- Yosemite Valley Units 4, 7, 9, 10, 12, 30 (partial)

**PEPC Project Number:** 102910

**Project Type:** Fire - Prescribed Burn (PB)

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

**Project Leader:** Jennifer Anderson

### B. PROJECT DESCRIPTION

See Categorical Exclusion Form

### C. RESOURCE IMPACTS TO CONSIDER:

Resource	Potential for Impact	Potential Issues & Impacts
<b>Air</b> Air Quality <i>Smoke</i>	Potential	<p>Issue: The prescribed fire project is 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>
<b>Biological</b> Nonnative or Exotic Species	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>
<b>Biological</b> Species of Special Concern or Their Habitat <i>California Red-Legged Frog</i>	Potential	<p>Issue: The project overlaps with habitat for the Federally listed California Red-Legged Frog (CRLF). Helicopter or UAS 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 or UAS may be minimized by performing the burn in the fall or winter.</p>



<b>Resource</b>	<b>Potential for Impact</b>	<b>Potential Issues &amp; Impacts</b>
<b>Biological</b> 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>
<b>Biological</b> Wildlife and/or Wildlife Habitat including terrestrial and aquatic species	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>
<b>Cultural</b> Archeological Resources <i>Yosemite Valley Archeological District</i>	Potential	<p>Issue: 33 known archeological sites are located in the project area. See Assessment of Effect for details.</p> <p>Impact: Follow cultural resource protections outlined to avoid impacts to archeological resources.</p>
<b>Cultural</b> Cultural Landscapes <i>Yosemite Valley Archeological District, Yosemite Valley Historic District, Yosemite Village Historic District</i>	Potential	<p>Issue: The project is located within the Yosemite Valley Historic District, Yosemite Village 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>
<b>Cultural</b> Ethnographic Resources <i>Villages, Gathering Areas</i>	Potential	<p>Issue: [REDACTED]</p> <p>Impact: Follow protection measures to minimize impacts to ethnographic resources.</p>
<b>Cultural</b> Museum Collections	None	None

<b>Resource</b>	<b>Potential for Impact</b>	<b>Potential Issues &amp; Impacts</b>
<b>Cultural</b> Prehistoric/historic structures <i>Yosemite Village Historic District, Yosemite Valley Historic District</i>	Potential	<p>Issue: The burn takes place within the Yosemite Valley Historic District and Yosemite Village Historic District and many historic structures are within or adjacent to the project area.</p> <p>Impact: Extreme care will be taken in implementing the burn to avoid impacting historic structures. In the long-term, this project will result in these historic structures being better protected from the adverse impacts of catastrophic wildfire.</p>
<b>Geological</b> Geologic Features	None	None
<b>Geological</b> Geologic Features	None	None
<b>Geological</b> Geologic Processes	None	None
<b>Lightsapes</b>	None	None
<b>Other</b> Human Health and Safety	Potential	<p>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.</p> <p>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.</p>
<b>Other</b> Operational	Potential	<p>Issue: Prescribed fire may impact NPS and concessioner operations in Yosemite Valley, including delays on the roads serving as holding lines for the prescribed burn.</p> <p>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.</p>
<b>Other</b>	None	None
<b>Paleontological</b> Paleontological Resources	None	None
<b>Socioeconomic</b> Land Use	None	None
<b>Socioeconomic</b> Minority and low-income populations, size, migration patterns, etc.	None	None
<b>Socioeconomic</b>	None	None

<b>Resource</b>	<b>Potential for Impact</b>	<b>Potential Issues &amp; Impacts</b>
<b>Soundscapes</b>	None	None
<b>Viewsheds</b>	Potential	<p>Issue: The project will clear excessive growth and vegetation from the project area, complementing ongoing scenic vista projects.</p> <p>Impact: The project is expected to positively impact the iconic views in the area by creating a more open, park-like forest structure.</p>
<b>Visitor Use and Experience</b> Recreation Resources	Potential	<p>Issue: Areas where prescribed fire activities are planned for implementation, including popular attractions such as the Valley Loop Trail, may be temporarily closed to visitation to protect visitor safety. Delays or reduced traffic speeds are possible along roads adjacent to the project area.</p> <p>Impact: Minor, temporary negative impact to recreation resources. The project area is a high-use area but the prescribed burning activities will likely take place in the low-visitation season. Refer to mitigations in the 2004 Final Yosemite Fire Management Plan EIS to reduce potential visitor impacts.</p>
<b>Visitor Use and Experience</b> Visitor Use and Experience	Potential	Issue: See Viewsheds, above.
<b>Water</b> Floodplains	Potential	<p>Issue: The project area overlaps with the 1% chance of annual flooding zone of the Merced River.</p> <p>Impact: The proposed project is expected to diminish flooding hazards by removing potentially damaging vegetative debris from the floodplain.</p>
<b>Water</b> Marine or Estuarine Resources	None	None
<b>Water</b> Water Quality or Quantity	None	None
<b>Water</b> Wetlands	Potential	<p>Issue: Several burn units overlap with wetlands and meadows areas.</p> <p>Impact: Burn personnel will follow protection measures for avoiding impacts to meadows.</p>
<b>Water</b> Wild and Scenic River <i>Merced Wild and Scenic River</i>	Potential	<p>Issue: The project area is within Segments 2B (West Yosemite Valley) and 2A (East Yosemite Valley) of the Merced Wild and Scenic River. 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>
<b>Wilderness</b>	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:** Prescribed Burn- Yosemite Valley Units 4, 7, 9, 10, 12, 30 (partial)

**Prepared by:** Daniel Sharon    **Date Prepared:** 09/15/2021    **Telephone:** (209) 379-1038

**PEPC Project Number:** 102910

#### **Locations:**

**County, State:** Mariposa, CA

#### **Describe project:**

See Categorical Exclusion Form

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

The area of potential effects (APE) includes six burn units totaling 374 acres which lie north and south of the Merced River between Pohono Bridge to the west and Yosemite Village to the east.

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

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

**Archeological Resources Present:** Yes

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

**Archeological Resources Notes:** The project area has been completely surveyed, with associated work occurring frequently between 1974 and 2021.

**Historical Structures/Resources Present:** Yes

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

**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 villages identified by C. Hart Merriam during his

discussions with Native people from Yosemite Valley have been identified within the APE. These include:

Traditionally associated tribes were provided with project details through the October 1, 2021 tribal spreadsheet. No comments or concerns 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
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.)

**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: 04/08/2022

Comments: Compliance complete. SHPO concurrence received 4/8/2022. No comments, concerns, or objections received through tribal consultation.

**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 ] **Anthropologist**

**Name:** Liz Williams

**Date:** 12/27/2021

**Comments:** Tribes were invited to consult through the TSS on 10/01/2021.

The park did not receive a response to our consultation request within 30-days.

No comments, concerns, or objections have been received by the park within 30-days.

**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:** Erin Davenport

**Date:** 12/07/2021

**Comments:** The project area has been surveyed to current standards. While there are many archeological resources and properties with religious and cultural significance in the project area, best management practices will avoid potential for adverse effects to historic properties.

**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 ] **Historical Architect**

**Name:** Donald Faxon

**Date:** 10/01/2021

**Comments:** Most of the burn units involved in this campaign - -- YV-4, -7, -9, -12, -30 (Tunnel View) - -- are clustered at the West end of Yosemite Valley Historic District and thus very few if any standing historic buildings or structures are present other than the nearby Pohono, Bridalveil, El Capitan bridges. At the far opposite end is YV-3- (Yosemite Falls), from which both the northwestern portion of Yosemite Village and Yosemite Creek bridge lie adjacent.

**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:** The HLA has described in her review about the potential for historic resources within this part of the Valley, and this review adds to that caution and descriptions in the Archaeological review since - - as stated in previous HA review of other proposed Valley burn units - - there may be the potential for significant areas of Tribal presence

**Doc Method:** Standard 4-Step Process

**[ X ] Historical Landscape Architect**

**Name:** Vida Germano

**Date:** 11/22/2021

**Comments:** Since there hasn't been a full survey and inventory of the areas for cultural landscape features, it is important to identify areas that have a high potential for cultural landscape features and survey them prior to the prescribed burn in order to ensure that wood cultural landscape features are not destroyed.

**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:** Work with park cultural resources staff to develop a plan to survey areas that have a high potential for cultural landscape features and protect any wood features identified during the prescribed burn.

**Doc Method:** Standard 4-Step Process

**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
Not selected	No Potential to Cause Effects
Not selected	No Historic Properties Affected
X	No Adverse Effect
Not selected	Adverse Effect

### **2. Documentation Method:**

**[X] 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:** Mar 3, 2022

**SHPO Received:** Apr 8, 2022

**THPO Required:** Yes

**THPO Sent:** Oct 1, 2021

**THPO Received:** No response 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:

- To ensure the integrity and protection of archeological sites, the Fire Archeologist will monitor the implementation of the prescribed burn and carry out the following standard protection measures:
  - Ensure that fuels reduction—removal of dense brush, downed trees, duff removal—and scratch lines around specific features and sites will be completed per site-specific recommendations.
  - 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.
- Culturally significant black oaks are present in YV-09 and the Yosemite Falls portion of YV-30. Please work with the tribal liaison well ahead of the burn to incorporate tribes into the planning and implementation of the burn adjacent to these trees.



- Since there hasn't been a full survey and inventory of the burn area for cultural landscape features, it is important to identify areas that have a high potential for cultural landscape features and survey them prior to the prescribed burn in order to ensure that wooden cultural landscape features are not destroyed. Work with park cultural resources staff to develop a plan to survey areas that have a high potential for cultural landscape features and protect any wooden features identified during the prescribed burn.
- If previously undocumented cultural resources are encountered during project implementation, all work in the vicinity will stop immediately. The project manager will promptly contact the Yosemite Department of Anthropology (Dawn Bringelson) to assess and document the finding.
- Coordinate and consult with Park resources staff (wildlife, archeology, vegetation etc.), concessioners, facilities, and other affected stakeholders at least 1 week ahead of burning to identify sensitive areas, allow for operational planning, and ensure the implementation of applicable mitigation measures.

#### **6. Assessment of Effect Notes:**

SHPO concurred that identification efforts are sufficient, including the proposal to treat sites MRP-0766H, MRP-0818/H, MRP-0822H, MRP-0823, MRP-1346H, MRP-1425H, MRP-1445H, MRP-1446/H, MRP-1447H, MRP-1606H, MRP-1621/H, MRP-1622/H, MRP-1736H, MRP-1737H, MRP-1746H, MRP-2368H, MRP-2435/H, MRP-2528H, and YOSE-2021J-01 as eligible for the National Register of Historic Places.

#### **D. RECOMMENDED BY PARK SECTION 106 COORDINATOR:**

**Section 106 Coordinator** Hope Schear **Date:** April 27, 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:** April 29, 2022  
 \_\_\_\_\_



## Other Compliance/Consultations Form

**Park Name:** Yosemite National Park

**PEPC Project Number:** 102910

**Project Title:** Prescribed Burn- Yosemite Valley Units 4, 7, 9, 10, 12, 30 (partial)

**Project Type:** Fire - Prescribed Burn

**Project Location:**

**County, State:** Mariposa, CA

**Project Leader:** Jennifer Anderson

### ESA

**Any Federal Species in the project Area?** Yes

**If species in area:** Likely to Adversely Affect

**Was Biological Assessment prepared?** No

**If Biological Assessment prepared, concurred?**

**Formal Consultation required?** Yes

**Formal Consultation Notes:**

The project area is outside of the range of Sierra Nevada yellow-legged frog, Yosemite toad, and Southern Sierra DPS of Fisher in Yosemite National Park and is anticipated to have "no effect" on these species. The project area in Yosemite Valley is potentially occupied by California red-legged frogs (CRLF; federally threatened) and has been assessed as "likely to adversely affect" the species; the project is being placed under the 2018 Biological opinion (attached). The areas where CRLF are most likely to be encountered include burn units YV-07, YV-09, YV-10 West, and YV-12.

The following resource protections will be applied:

- 1) All personnel will be trained in the identification of CRLF and protection measures. The project manager shall contact the Aquatic Ecologist no later than 2 weeks prior to planned prescribed fire activities to schedule a resource protection briefing.
- 2) Pre-burn surveys for CRLF are required at the expense of the project budget; surveys must take place ahead of the prescribed fire activities, but within 2 weeks of initiating firing or tree felling operations. Schedule pre-construction surveys by contacting the park Aquatic Ecologist (209-379-1438; Rob\_Grasso@nps.gov) at least 2 weeks ahead of planned activities. Post-burn surveys for CRLF are required.
- 3) Prescribed fire activities within [REDACTED] will preferentially occur during months and/or conditions when the CRLF is most likely to be occupying aquatic habitats. Coordinate timing of firing or tree felling operations with the park aquatic ecologist.
- 4) A Resource Advisor will be on staff for all prescribed fires or wildfires in the Valley. Please regularly update Rob Grasso on plans (allowing a minimum of a week ahead of time to enable assignment of a READ).
- 5) Any brush/limb piles constructed will be burned as soon as possible, preferentially within 6 months of constructing them to decrease the likelihood that piles will become occupied by CRLF as refugia. Any piles unburned for longer than 1 year must be re-piled before burning. Piles will not be constructed in meadows or within 25 feet of aquatic habitats (meadows, ponds, rivers, streams, etc). Piles will be lit slowly from the top-down or from one side, so that animals occupying the pile may have a better likelihood of escaping.

- 6) No lighting of wood piles will be allowed directly in meadow or wetland habitat, or 25 feet from standing or flowing water. 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.
- 9) All staff will be reminded to obey park speed limits and exercise extra vigilance during warm, wet conditions to avoid vehicle strikes to frogs/toads that may be traveling across roadways.
- 10) If a CRLF is located within the work area, operations must stop within 500 feet of the observation and the park Aquatic Ecologist will be contacted immediately (209-379-1438; Rob\_Grasso@nps.gov).  
Operations can resume at the direction of the park Aquatic Ecologist.

**Formal Consultation Concluded:** Dec 8, 2018

**Any State listed Species in the Project Area?**

**Consultation Information:**

**General Notes:**

**Data Entered By:** Ninette Daniele      **Date:** Mar 23, 2022

### ESA Mitigations

See Letter of Compliance Completion Form

### Floodplains/Wetlands/§404 Permits

Question	Yes/No	Details
<b>A.1. Is project in 100- or 500-year floodplain or flash flood hazard area?</b>	Yes	Determined to be exempt from compliance with Director's Order #77-2 and no Floodplain Statement of Findings required.
<b>A.2. Is Project in wetlands as defined by NPS/DOI?</b>	Yes	Determined to be exempt from compliance with Director's Order #77-1 and no Wetland Statement of Findings required.
<b>B. COE Section 404 permit needed?</b>	No	No placement of fill in waters of the United States.
<b>C. State 401 certification?</b>	No	None
<b>D. State Section 401 Permit?</b>	No	<b>Issue Date:</b> <b>Expiration Date:</b>
<b>E. Tribal Water Quality Permit?</b>	No	None
<b>F. CZM Consistency determination needed?</b>	N/A	N/A
<b>G. Erosion &amp; Sediment Control Plan Required?</b>	No	None
<b>H. Any other permits required?</b>	No	<b>Permit Information:</b>

Question	Yes/No	Details
<b>Other Information:</b>	Yes	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. Meadow areas are located within and adjacent to many of the burn units. Project managers should follow mitigation measures to avoid degradation of wetlands.

**Data Entered By:** Daniel Sharon

**Date:** Oct 29, 2021

### Floodplains & Wetlands Mitigations

*No Floodplains & Wetlands mitigations are associated with this project.*

### Wilderness

Question	Yes/No	Notes
<b>A. Does this project occur in or adjacent to Designated, Recommended, Proposed, Study, Eligible, or Potential Wilderness?</b>	No	None
<b>B. Is the only place to conduct this project in wilderness?</b>	No	None
<b>C. Is the project necessary for the administration of the area as wilderness?</b>	No	None
<b>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)</b>	No	None
<b>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)</b>	No	None
<b>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.</b>	N/A	<b>Initiation Date:</b> <b>Completed Date:</b> <b>Approved Date:</b>
<b>Other Information:</b>	No	None

**Data Entered By:** Daniel Sharon

**Date:** Oct 29, 2021

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

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

<b>G. Other:</b>	No
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**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. The burn units are within the Merced Wild and Scenic River Corridor. The project is not expected to adversely impact the scenic and recreational values of these river segments.

**Data Entered By:** Daniel Sharon      **Date:** Oct 29, 2021