



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: Joe Meyer, Project Manager, Yosemite National Park

From: Acting Superintendent, Yosemite National Park

Subject: NEPA and NHPA Clearance: 2009-089 El Portal Barium Mine (AML), Mitigate Hazards (27151)

The Management Team has reviewed the proposed project/action 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 NHPA 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:

- No adverse effect determination is conditional upon results of American Indian consultation, which did not occur during project planning and development. Allow 120 days for American Indian consultation. Modify project description as needed to address tribal concerns brought forward during consultation process, if any.

//Katariina Tuovinen// (acting)  
David V. Uberuaga

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.*



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## Categorical Exclusion Form

Project: **2009-089 El Portal Barium Mine (AML), Mitigate Hazards**

PEPC ID: **27151**

Project Description: The objective of this project is to mitigate safety hazards at the El Portal Barium Mine, located within the boundary of the El Portal Administrative Site. The mine, in operation from 1910 to 1948, presents hazards of serious injury or death due to deep unobstructed shafts, accessibility of surface entrances, and proximity of the site to the Rancheria residential area. There is extensive evidence that people frequently enter the mine shafts in spite of current barriers.

This project proposes to reduce hazards by more effectively limiting access through surface entrances, reducing hazards and mobility within the mine shafts, and communicating safety hazards to the public. This project proposes to mitigate hazards as follows:

- (1) Replacement of the door: The solid steel door currently barring the main entrance to the mine (see file, El Portal Barium Mine Base Map and photo, El Portal Barium Mine Main Entrance) will be replaced with a bat-friendly steel gate. Approximate gate dimensions are 4' wide by 7' tall.
- (2) Restoration of barrier fences: The five surface openings (see file, El Portal Mine Base Map) have vertical shafts that are currently surrounded by 6 ft. high chain link fences. These fences have been in place for nearly 50 years and are in poor to fair condition. This project proposes to repair these fences by reinstalling up to five old fence posts in concrete and replacing small sections of chain-link mesh with new mesh (color - flat black). A few small conifer trees and shrubs that grow near the fence will be removed, because they compromise the integrity of the post foundations and enable people to scale the fence more easily.
- (3) Installation of external gates: Hinged steel gates (color - flat black) will be installed at surface openings #1 and #5 (see file, El Portal Mine Base Map) to block horizontal, "walk-in" access to the vertical shafts. These gates will be locked for security, designed to be bat friendly and to allow for emergency access if rescue is necessary. Approximate dimensions of gates are 4' wide by 4' tall.
- (4) Installation of internal gates: Hinged steel gates (color - flat black) will be installed at two pre determined "pinch points" inside the mine to limit movement should anyone gain access. These gates will be locked for security, designed to be bat friendly and to allow for emergency access if rescue is necessary.
- (5) Installation of grates: Fixed steel grates (color - flat black) will be installed over vertical pits at five locations within the mine (see file, El Portal Mine Base Map) to eliminate the risk of falling into the shafts.
- (6) Installation of signage: A free-standing interpretive display will be installed near the main entrance to give a brief history of the mine and communicate safety hazards. Caution signs will be posted on fences and gates at up to ten locations at and around the mine site.

Initial funding to mitigate hazards and reduce risk is available through the American Recovery and Reinvestment Act of 2009 (ARRA).

Abandoned mine sites are often difficult and expensive places to work. Work crews will be instructed on how to minimize risk of injury while working at the site.

Subject matter experts from the Archeology & Anthropology, History Architecture & Landscapes (HAL), Wildlife, and Vegetation & Ecological Restoration (VER) branches of Resources Management and Science have been consulted in the development of this project. The project will be implemented following the National Park Service Plan to Minimize the Impacts of Physical Safety Hazard Mitigation Treatments at Abandoned Historic Mines.

The mine shafts provide habitat for several species of wildlife, most notably bats. Wildlife experts will continue to be consulted in the development of this project.

Project Locations:

**Mariposa County, CA**

Mitigations:

- **No adverse effect determination is conditional upon results of American Indian consultation, which did not occur during project planning and development. Allow 120 days for American Indian consultation. Modify project description as needed to address any tribal concerns brought forward during the consultation process.**

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.17 Construction of fencing enclosures 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.

**Park Acting Superintendent** //Katariina Tuovinen// (acting)

**Date** 9/30/09

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



National Park Service  
U.S. Department of the Interior

Yosemite NP  
Date: 09/30/2009

## ENVIRONMENTAL SCREENING FORM (ESF)

### DO-12 APPENDIX 1

Date Form Initiated: **09/28/2009**

Updated May 2007 - per 2004 DM revisions and proposed DO-12 changes

#### A. PROJECT INFORMATION

Park Name: **Yosemite National Park**  
Project Title: **El Portal Barium Mine (AML), Mitigate Hazards**  
PEPC Project Number: **27151**  
PMIS Number: **148275A**  
Project Type: **Abandoned Mine Lands (OTHER)**  
Project Location: **County, State: Mariposa, California**  
Project Leader: **Joseph Meyer**

Preliminary drawings attached? **Yes**

Target compliance completion date: **10/01/2009**

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

#### B. 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.		Negligible			Fence posts will be replaced in the existing locations.
2. From geohazards	No				
3. Air quality	No				
4. Soundscapes		Negligible			Fencing installations will generate temporary construction noises.
5. Water quality or quantity	No				
6. Streamflow characteristics	No				
7. Marine or estuarine resources	No				
8. Floodplains or wetlands	No				

9. Land use, including occupancy, income, values, ownership, type of use	No				
10. Rare or unusual vegetation – old growth timber, riparian, alpine	No				
11. Species of special concern (plant or animal; state or federal listed or proposed for listing) or their habitat		Negligible			Wooly sunflower is known to be in the area, a species with state (not federal) status.
12. Unique ecosystems, biosphere reserves, World Heritage Sites	No				
13. Unique or important wildlife or wildlife habitat	No				
14. Unique or important fish or fish habitat	No				
15. Introduce or promote non-native species (plant or animal)	No				
16. Recreation resources, including supply, demand, visitation, activities, etc.	No				
17. Visitor experience, aesthetic resources	No				
18. Archeological resources		Negligible			
19. Prehistoric/historic structure		Negligible			
20. Cultural landscapes	No				
21. Ethnographic resources	No				
22. Museum collections (objects, specimens, and archival and manuscript collections)	No				
23. Socioeconomics, including employment, occupation, income changes, tax base, infrastructure	No				
24. Minority and low income populations, ethnography, size, migration patterns, etc.	No				
25. Energy resources	No				
26. Other agency or tribal land use plans or policies	No				
27. Resource, including energy, conservation potential, sustainability	No				
28. Urban quality, gateway	No				

communities, etc.					
29. Long-term management of resources or land/resource productivity	No				
30. Other important environment resources (e.g. geothermal, paleontological resources)?	No				

### C. 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?		N		
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?		N		
C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))?		N		
D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		N		
E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?		N		
F. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		N		
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?		N		
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?		N		

I. Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?		N		
J. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		N		
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)?		N		
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)?		N		

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.

#### **D. OTHER INFORMATION**

Are personnel preparing this form familiar with the site? **Yes**

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

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**

Did you make a diligent effort to contact them? **N/A**

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**

## E. INTERDISCIPLINARY TEAM SIGNATORIES

<u>Interdisciplinary Team</u>	<u>Field of Expertise</u>
David V. Uberuaga	Acting Superintendent
Jim Hammett	Acting Deputy Superintendent
Kristina Rylands	Acting Chief of Planning
Mark Butler	Chief of Project Management
Katariina Tuovinen	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
Tom Medema	Acting Chief of Interpretation and Education
Steve Shackelton	Chief Ranger
Joe Meyer	Project Leader
Elexis Mayer	Environmental Planning and Compliance Program Manager
Jeannette Simons	NHPA Specialist
Renea Kennec	NEPA Specialist

## F. SUPERVISORY SIGNATORY

Recommended:

Compliance Specialist	Date
<u>//Renea Kennec//</u> Compliance Specialist – Renea Kennec	<u>9/30/09</u>
<u>//Elexis Mayer//</u> Compliance Program Manager – Elexis Mayer	<u>9/30/09</u>
<u>//Elexis Mayer// (acting)</u> Chief, Project Management – Mark Butler	<u>9/30/09</u>

Approved:

Acting Superintendent	Date
<u>//Katariina Tuovinen// (acting)</u> David V. Uberuaga	<u>9/30/09</u>

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Office in Yosemite National Park.*



## PARK ESF ADDENDUM

Today's Date: **September 30, 2009**

### PROJECT INFORMATION

Park Name: Yosemite NP

Project Number: 27151

Project Type: Abandoned Mine Lands (OTHER)

Project Location: County, State: Mariposa, California

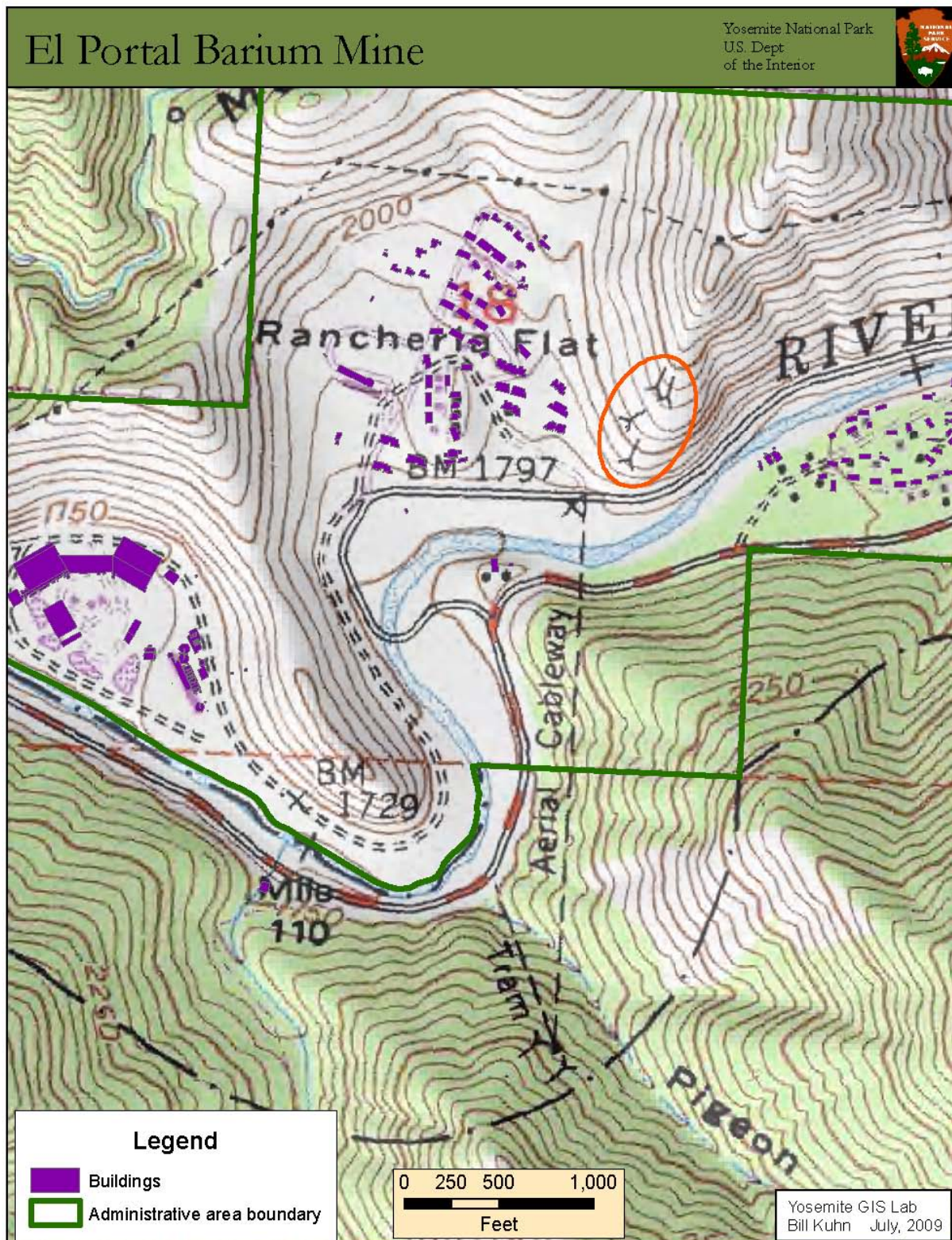
Project Manager: Joseph Meyer

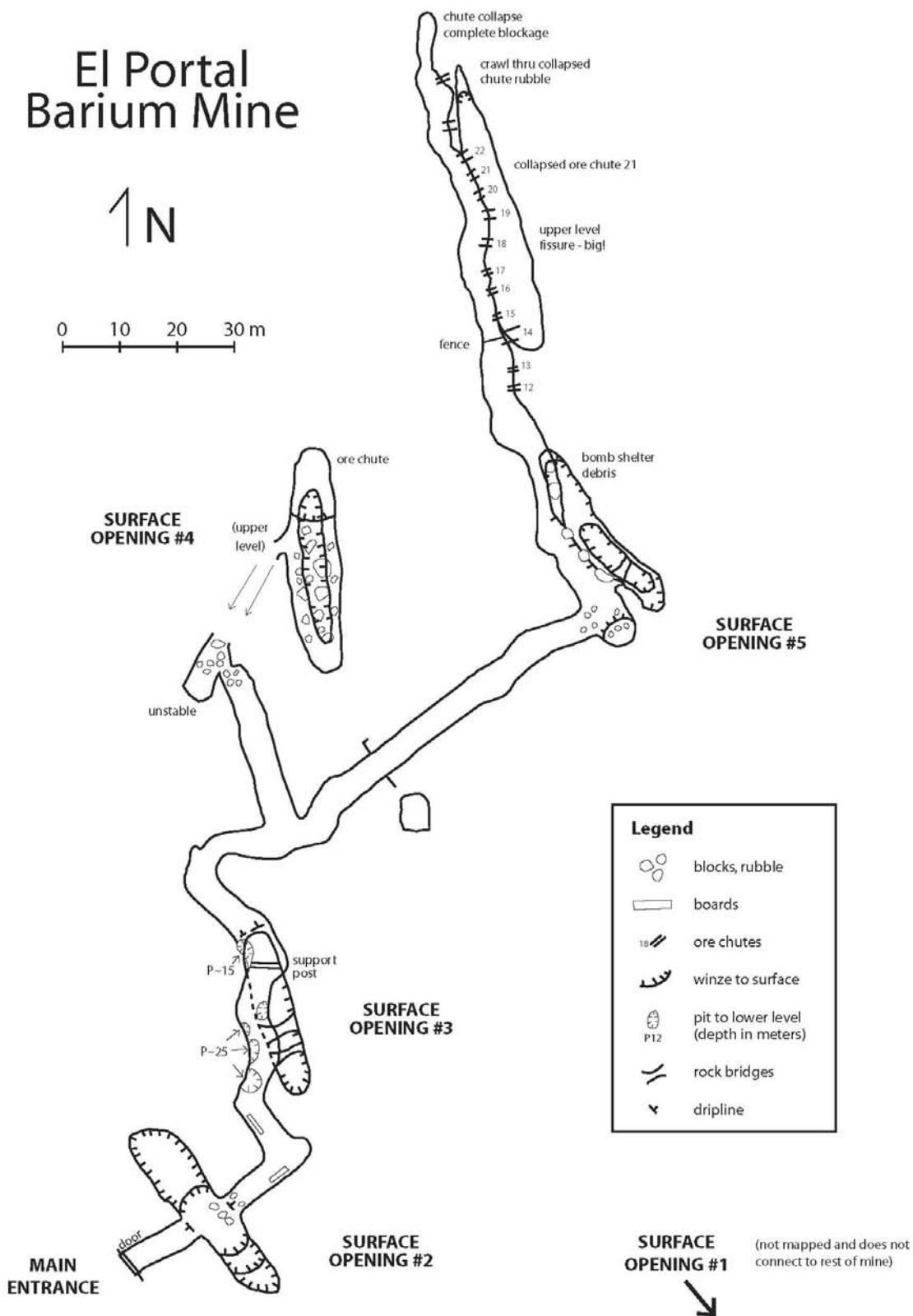
Project Title: 2009-089 El Portal Barium Mine (AML), Mitigate Hazards

### PARK ESF ADDENDUM QUESTIONS & ANSWERS

ESF Addendum Questions	Yes	No	N/A	Data Needed to Determine/Notes
1.SPECIAL STATUS SPECIES CHECKLIST				
2. Listed or proposed threatened or endangered species (Federal or State)?		X		
3. Species of special concern (Federal or State)?	X			Wooly sunflower is known to be in the area.
4. Park rare plants or vegetation?	X			Wooly sunflower is known to be in the area.
5. Potential habitat for any special-status species listed above?		X		
6.NATIONAL HISTORIC PRESERVATION ACT CHECKLIST				
7. Entail ground disturbance?	X			Fence repair will require digging new holes in previously disturbed areas.
8. Are any archeological or ethnographic sites located within the area of potential effect?		X		
9. Entail alteration of a historic structure or cultural landscape?		X		
10. Has a National Register form been completed?		X		
11. Are there any structures on the park's List of Classified Structures in the area of potential effect?	X			
12.WILD AND SCENIC RIVERS ACT CHECKLIST				
13. Fall within a wild and scenic river corridor?	X			Merced River.
14. Fall within the bed and banks AND will affect the free-flow of the river?		X		
15. Have the possibility of affecting water quality of the area?		X		
16. Remain consistent with its river segment classification?			X	
17. Protect and enhance river ORVs?			X	

18. Fall within the River Protection Overlay?		X		
19. If Yes, remain consistent with conditions of the River Protection Overlay?			X	
20. Remain consistent with the areas Management Zoning?			X	
21. Fall on a tributary of a Wild and Scenic River?		X		
22. Will the project encroach or intrude upon the Wild and Scenic River corridor?		X		
23. Will the project unreasonably diminish scenic, recreational, or fish and wildlife values?		X		
100. WILDERNESS ACT CHECKLIST				
101. Within designated Wilderness?		X		
102. Within a Potential Wilderness Addition?		X		









Main Entrance





Man Made Ladder



Surface Opening





El Portal Barium Mine - Opening



Winze





## ASSESSMENT OF ACTIONS HAVING AN EFFECT ON CULTURAL RESOURCES

### A. DESCRIPTION OF UNDERTAKING

1. Park: **Yosemite NP** Park District: **El Portal**

2. Project Description:

a. Project Name: **2009-089 El Portal Barium Mine (AML), Mitigate Hazards**

b. Date: **September 30, 2009**

c. PEPC Project ID Number: **27151**

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

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

☒ **No**

☐ Yes, Source or reference: **Harlan D. Unrau, June 30, 1998. Does not mention Barium Mine.**

☐ 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 Resources:

Ethnographic resources affected?

Name and number(s): **El Portal-Foresta American Indian Traditional Cultural Property**

NR status: **8 - Within a Register-eligible district**

Notes: **Project is within the boundary of the Traditional Cultural Property.**

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

☒ **Yes** Destroy, remove, or alter features/elements from a historic structure

☐ **No** Replace historic features/elements in kind

☒ **Yes** 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 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.)

- **No adverse effect determination is conditional upon results of American Indian consultation, which did not occur during project planning and development. Allow 120 days for American Indian consultation. Modify project description as needed to address any tribal concerns brought forward during the consultation process.**

7. Supporting Study Data:

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

**Evaluation of Historical Significance and Integrity of the Cultural Resources in El Portal Administrative Site, Yosemite National Park, California: Determination of Eligibility for Listing in the National Register of Historic Places. The author is Harlan D. Unrau, Historian, NPS, DSC, RP, dated June 30, 1998.**

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: **September 30, 2009** 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/advisors as indicated by check-off boxes or as follows:

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[ **X** ] Archeologist

Name: **Laura Kirn**

Date: **09/28/2009**

Comments:

*Check if project does not involve ground disturbance* [ ]

Assessment of Effect: **X** No Historic Properties Affected    \_\_\_ No Adverse Effect    \_\_\_ Adverse

Effect ☐ Streamlined Review

Recommendations for conditions or stipulations:

Doc Method: **No Potential to Cause Effects [800.3(a)(1)]**

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[ ☒ ] Historical Architect

Name: **Sueann Brown**

Date: **09/29/2009**

Comments:

*Check if project does not involve ground disturbance [ ☐ ]*

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

Recommendations for conditions or stipulations:

Doc Method: **No Potential to Cause Effects [800.3(a)(1)]**

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[ ☒ ] 106 Advisor

Name: **Jeannette Simons**

Date: **09/30/2009**

Comments: **The Barium Mine has not been included in any survey and has not been evaluated for eligibility for the National Register of Historic Places. The evaluation should be done in accordance with NHPA Section 110 and DO. 28, but it is not necessary for this project, which will not affect the Barium Mine. However, the project proponent did not allow adequate time for American Indian consultation during project planning and development.**

*Check if project does not involve ground disturbance [ ☐ ]*

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

Recommendations for conditions or stipulations:

**Allow 120 days for American Indian consultation. Modify project description based on consultation, as needed to address tribal concerns.**

Doc Method: **Park Specific Programmatic Agreement**

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[ ☒ ] Anthropologist

Name: **Jeannette Simons**

Date: **09/30/2009**

Comments: **American Indian Liaison. Consultation with associated American Indian tribes is required.**

*Check if project does not involve ground disturbance* [ ☐ ]

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

Recommendations for conditions or stipulations:

**Determination of no adverse effect is conditional upon results of American Indian consultation.  
Allow 120 days for consultation; modify project description to address tribal concerns as needed.**

Doc Method: **Park Specific Programmatic Agreement**

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[ ☒ ] Historical Landscape Architect

Name: **David Humphrey**

Date: **09/29/2009**

Comments: **None.**

*Check if project does not involve ground disturbance* [ ☐ ]

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

Recommendations for conditions or stipulations:

**None.**

Doc Method: **No Potential to Cause Effects [800.3(a)(1)]**

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No Reviews From: **Curator, Historian, Other Advisor**

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### **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. 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. PLAN-RELATED UNDERTAKING

Consultation and review of the proposed undertaking were completed in the context of a plan review process, in accordance with the 2008 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: \_\_\_\_\_

☐ 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. No Potential to Cause Effects [800.3(a)(1)]

☐ G. 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.

Recommended by Park Section 106 coordinator:

Signature of Historic Preservation Officer //Jeannette Simons//

Date: 8/30/09

**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 Acting Superintendent //Katariina Tuovinen// (acting)

Date: 9/30/09

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