



Letter of Compliance Completion

To: Michael Pieper, Project Manager, Yosemite National Park

From: Cicely Muldoon, Superintendent, Yosemite National Park

Subject: NEPA and NHPA Clearance: 2023-100 Connect NPS Henness Ridge Water Tanks to a Yosemite West Water System (114596)

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

- Not likely to adversely affect threatened, endangered, or rare species and/or their critical habitat.
- There will be no adverse effect to historic properties.
- There will not be serious or long-term undesirable environmental or visual effects.

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

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

Name	Title	Phone	Email
Athena Demetry	Supervisory Resources Manager	(209)-347-0358	Athena_demetry@nps.gov
Garrett Dickman	Forest Ecologist	(209)-347-6148	Garrett_dickman@nps.gov
David Campbell	Invasive Plant Manager	(209)-379-3298	David_m_campbell@nps.gov
Heather Mackey	Terrestrial Biologist	(209)-347-9876	Heather_mackey@nps.gov
Ninette Daniele	Aquatic Ecologist	(209) 379-1457	Ninette_daniele@nps.gov
Erin (Echo) Davenport	Cultural Resources & Tribal Monitor Coordinator	(209) 347-2926	Erin_davenport@nps.gov

General:

- Only work specified in PEPC project 114596 is approved for implementation. All work is to be limited to the building and no ground disturbance is authorized. Changes to the scope of work require additional review and approval by the Yosemite Environmental Planning and Compliance Office.

Vegetation:

- Any imported aggregate must come from approved sources. Call Invasive Plant Botanist (David Campbell) for a list of sources or to consult on need to inspect sources.
- To prevent invasive plant introductions, earthmoving equipment will be cleaned of all dirt and plant parts and inspected by NPS staff prior to entering park to ensure cleanliness. Call Invasive Plant Botanist (David Campbell) at least one week in advance.
- Consult with vegetation staff on restoration specifications of temporary access road following installation of blow-out valve. Contact Garrett Dickman or Athena Demetry.
- Rare Fresno mat (*Ceanothus fresnensis*) occurs in the area, and it favors disturbed soils. Prior to finalizing construction documents, the project should coordinate and fund rare plant survey during flowering season (early summer) to detect plants in areas that will be disturbed and to select location of temporary access road to avoid populations.
- Fungicides to treat cut trees will be non-toxic (e.g., borax) and will dry within eight hours of application.

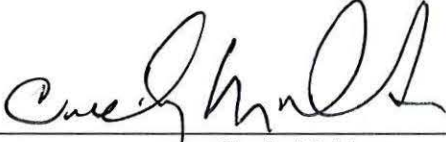
Wildlife:

- If project work involves vegetation modification and occurs during the breeding season (May 15 - July 31), vegetation must be surveyed for nesting migratory birds before removal or trimming. Once surveyed the project has 1 week to perform vegetation work, if work is not completed within 1 week, trees must be resurveyed. If an active nest is discovered, project work may not occur within a defined protection nest buffer until nestlings fledge. Please reach out to Heather Mackey for survey coordination.
- CONSERVATION MEASURES FOR FISHER:
- Minimize Disturbance
 - To avoid disturbance to breeding and denning fishers, work will occur outside the LOP of March 1st to June 30th.
 - All work will occur between 30 minutes after dawn and 30 minutes before dusk each day. Exceptions may be made in consultation with the park biologist (Heather Mackey).
 - The Park wildlife biologist will teach work crews how to identify fisher, den trees, and other important habitat components that if feasible, should be retained.
 - If a fisher is spotted in a potential den tree, work that has the potential to result in take of the individual will cease, and the Park wildlife biologist will be contacted. The Park wildlife biologist will then contact the Service for further guidance.
- Protect and Enhance Habitat
 - Any known den trees and resting sites will be retained.
 - To the extent feasible, downed wood will be left to provide habitat structure.
 - There will be an attempt to retain all trees greater than 20" DBH, and where they must be removed for safety, they will be cut as high as possible. (High-quality trees are live hardwoods >20" DBH, live conifers >30" DBH, dead hardwoods >27" DBH, and dead conifers >35" DBH)
 - Cavities will be maintained as much as possible, including broken tops of trees, cavities, large branches, and mistletoe.
 - All potential natal and maternal den trees and resting sites will be maintained to the extent possible.
 - As much understory as possible will be maintained.
 - When possible, slash piles and downed trees will be left to provide resting sites and habitat for prey.
 - If any culverts are replaced, they will be enlarged where possible, or replaced with a double-culvert system to allow for safe travel of fisher and other wildlife species.

- Due to the amount of disturbance in naturalized areas, pre-construction clearance surveys are recommended to reduce impacts to resident amphibians, such as salamanders. Please schedule pre-construction surveys with Yosemite's Aquatic Wildlife Program Ninette Daniele.
- Compliance with food-storage and garbage disposal requirements must be achieved at all times.
- All food will be stored in wildlife-proof lockers, buildings, or closed vehicles (i.e., never in an open truck bed) at all times. All garbage and recycling will be put into wildlife-proof trash or dumpsters at the end of each day.
- Any pipes, water tanks, or similar structures will be capped, screened, or fitted with escape ramps to avoid entrapment of wildlife. Fences will allow for safe passage of fishers and other wildlife.
- Project staff will follow posted speed limits and reduce their speed by an additional five mph during dusk and dawn.

Cultural:

- **SUBSURFACE SURVEY/TESTING REQUIRED:** Initial subsurface survey to determine the presence or absence of cultural materials shall be conducted in the area(s) proposed for ground disturbance, to first determine if the presence of site components can be verified. If so, the methods of achieving the proposed action shall be modified and/or relocated, if possible. If effects cannot be avoided, archeological treatment measures will be developed within project parameters.
 - Project leader should coordinate with archeological staff to avoid the boundaries of the archeological site based on results of the subsurface testing.
- **Tribal Monitoring Recommended:** Coordinate with the park Tribal Monitoring Coordinator at least 2 months before ground-disturbing work is to occur. The monitoring coordinator will work with tribes to determine if monitoring is necessary in the context of competing monitoring priorities at the time of construction and develop a contracting strategy as necessary. Should a monitor be required, they will advise on the protection of tribal cultural values during construction. Please note that tribal cultural values are not limited to archeological sites and historic properties of religious and cultural significance. If the tribal monitor identifies threats or disturbances to value(s) of concern, they will work with NPS staff and construction crews to determine necessary protection measures which may include temporary work stoppage in the sensitive area, resource documentation, and flagging of avoidance areas. Tribal advisors must be incorporated into project planning communication and must be kept abreast of any construction delays or modifications.

Superintendent:  Date: 17 MAY 2023
 Cicely Muldoon



Categorical Exclusion Documentation Form (CE Form)

Project: Connect NPS Henness Ridge Water Tanks to a Yosemite West Water System

PEPC Project Number: 114596

Description of Action (Project Description):

Yosemite plans to construct a water supply line from the two existing National Park Service (NPS) water storage tanks at the Henness Ridge on the National Environmental Science Center (NESC) campus heading westerly to a private development in Yosemite West Henness Circle Road (Mariposa County APN 006-150-003). A contractor would be solicited to design and install the line using directional drilling technology. This project would connect the Henness Ridge water tanks (NPS) to a private residence (KL Water & Land LLC) water system with a single 3-inch HDPE (High Density Polyethylene) water line (supply/fill) approximately 1,700 lineal feet long. A contractor under a contract with the National Park Service (NPS) would also install the necessary check valves, air relief valves, gate valves, controls and associated appurtenances. These measures would ensure that the private Yosemite West water system would provide potable water to the NPS Henness Ridge water tanks for the Nature Bridge Campus, and to allow the NPS Henness Ridge water tanks to provide additional water storage in the event of a fire in that Henness Ridge-Yosemite West area of the park.

The project would require about 100 linear feet of heavy disturbance and a 10'X10'X4' feet deep trench at five locations, one on each end of the water line for the bore pit and vault and two for the air relief valves and one to separate the existing waterline at Nature Bridge from this new water source. This trenching along the east end of the line would be in previously disturbed soils and/or developed areas as well as the separation of the old/new water system blind flange installation, whereas the west end would be trenched into undisturbed soils and the two air relief valve areas would be installed in the undeveloped mid-portion of the directionally drilled line. The trenching disturbance required to install the air relief valve would be approx. 10 feet long X 10 feet wide and 4 feet deep. Crews would create a temporary access road to the air relief valve locations. The temporary path will be restored to natural conditions after installation of the valves.

Note: The Contractor would be responsible for all design and construction related coordination with the aforementioned Yosemite West private water system, PG&E, AT&T and any other Yosemite West Residents, however the Contractor shall coordinate all work with these entities in consultation and thru the onsite Contracting Officer's Representative (COR).

The NESC has a User maximum day demand of 7,200 gallons per day (gpd) and the results of the Fall 2019 pump tests ensures that the planned private water system connection has the capacity to satisfy this User daily demand. Note: the initial or first phase demand of the NESC campus is approx. 3,000 gallons per day. The private water system owner (Seller) intends to deliver water to Nature Bridge-NESC (Buyer) at the Park Boundary (Delivery Point) in accordance with the terms of the private-to-private Water Supply Agreement dated, December 31, 2022, between K L Water & Land LLC and Nature Bridge. As mentioned above, the NPS will design and install a 1,700 lineal foot long water line 3" in diameter from the park boundary (Delivery Point) to the NPS Water Storage Tanks at the Nature Bridge-NESC campus.

Proposed Construction Schedule: Award in August-September and hopefully we could start construction shortly thereafter. My hope is to get the line installed by the time the snow shuts us down late this year and then finish up at the connection points next year (depending upon how much we have left). As I noted, this is my hope, given the various approvals, contracting, unknowns, weather, etc...

Mitigation(s):

See Letter of Compliance Completion form.

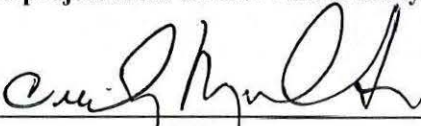
CE Citation: 3.3.B.1 Changes or amendments to an approved plan, when such changes would cause no or only minimal environmental impact.

CE Justification:

An EIS was completed in 2010 with the preferred alternative to build a new Nature Bridge (Yosemite Institute) campus at Hennes Ridge. Per Record of Decision (pg. 7) "The center at Hennes Ridge would be supplied with water from the Chinquapin area...Under Alternative 3, the groundwater well at Indian Creek would supply the campus with water. The treatment and control facilities would be built in the existing Chinquapin Ranger Station garage, which is a historic structure, to treat the groundwater so it would be appropriate for human consumption and use." This option turned out to be non-viable, thus, another water source is needed for the Hennes Ridge campus.

Decision: I find that the action fits within the categorical exclusion above. Therefore, I am categorically excluding the described project from further NEPA analysis. No extraordinary circumstances apply.

Superintendent:


Cicely Muldoon

Date:

17 May 2023

Extraordinary Circumstances:

If implemented, would the proposal...	Yes/No	Explanation
A. Have significant impacts on public health or safety?	No	Connecting the private water system to the NPS water storage tanks will improve public health and safety by creating a reservoir suitable for firefighting, should the area have a wildfire in the future.
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	The project area was archeologically surveyed in 1990, 1992, 1998, and 2018. The southern end of an archeological site crosses the new alignment of the proposed waterline. Because it is at the recorded edge of the site, adverse impacts can be avoided to the site if the waterline is routed around the southern end of the site.
C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))?	No	Park subject matter experts have determined that there will be no effect on natural or cultural resources. Additionally, fall 2019 pump tests ensured that the planned private water system connection has the capacity to satisfy the user daily demand of the NESC, thus eliminating concern regarding detrimental water draw down.
D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	No	Connecting water systems to new locations is a routine construction activity. Further, the construction methods employed are common practice, therefore, there are no highly uncertain or potentially significant environmental effects or risks associated with the work.
E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	No	The establishment of the NESC at Hennes Ridge went through the most rigorous environmental review process available (EIS). Were a similar project to be proposed, it would also have to undergo an equally rigorous environmental and cultural review.
F. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?	No	This project is related to the building of the NESC, for which an EIS was completed in 2010 to analyze the environmental effects. It was determined in the EIS that providing water to the campus from a local, natural water source would be an appropriate choice.
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	There are no historic properties within the area of potential effect for this project.
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	According to Yosemite terrestrial wildlife biologist, "Fisher occur near the project area, we have a biological opinion and informal consultation in place with US Fish and Wildlife Service

If implemented, would the proposal...	Yes/No	Explanation
		(USFWS). As long as mitigations are followed this work is not likely to adversely affect the fisher."
I. Violate a federal, state, local or tribal law or requirement imposed for the protection of the environment?	No	No laws will be broken by this project.
J. Have a disproportionately high and adverse effect on low income or minority populations (EO 12898)?	No	There are no low income or minority populations within the direct project area, however, completing the Henness Ridge environmental education campus will positively impact school-aged children, some of whom may be low income, minority students.
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	The project area is not a sacred site or ceremonial use area. Further, the pipeline route will be routed around known archeological sites to prevent damage.
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	Heavy equipment will be used to excavate trenches and temporary roads, however, all equipment will be inspected and cleaned prior to entering the park.



ENVIRONMENTAL SCREENING FORM (ESF)

Updated Sept 2015 per NPS NEPA Handbook

A. PROJECT INFORMATION

Project Title: Connect NPS Henness Ridge Water Tanks to a Yosemite West Water System
PEPC Project Number: 114596
Project Type: Capital Improvement/New Construction (CI)
Project Location:
County, State: Mariposa, California **District, Section:** Wawona,
Project Leader: Michael Pieper

B. PROJECT DESCRIPTION

See Categorical Exclusion Form.

C. RESOURCE IMPACTS TO CONSIDER:

Resource	Potential for Impact	Potential Issues & Impacts
Air Air Quality	Potential	Issue: Airborne dust from heavy equipment. Impact: There will be a temporary increase in airborne dust during the time that heavy equipment is in use.
Biological Nonnative or Exotic Species <i>Nonnative or exotic species</i>	Potential	Issue: Heavy equipment can track in nonnative or exotic plant species. Impact: The threat of nonnative or exotic species introduction is mitigated by equipment inspections done by park staff prior to equipment entering the park.
Biological Species of Special Concern or Their Habitat <i>Rare Fresno mat;</i> <i>Pacific fisher</i>	Potential	Issue: A rare plant, Fresno mat (<i>Ceanothus fresnensis</i>) and the endangered Pacific fisher occur in the area. Impact: A rare plant survey must be conducted prior to construction and mitigations are in place to avoid impacts to the Pacific fisher (see Mitigations).
Biological Vegetation <i>Rare Fresno mat</i>	Potential	Issue: A rare plant occurs in the area.


Resource	Potential for Impact	Potential Issues & Impacts
<i>(Ceanothus fresnensis)</i>		Impact: Vegetation specialists will conduct a survey prior to construction to ensure that any rare plants are salvaged or that the construction route avoids them.
Biological Wildlife and/or Wildlife Habitat including terrestrial and aquatic species <i>Pacific fisher</i> <i>habitat</i>	Potential	Issue: The project area is in fisher habitat. Impact: Fishers may be temporarily disturbed by noise or presence of large machinery. Extensive mitigations are in place to minimize fisher disturbance.
Cultural Archeological Resources <i>Archeological</i> <i>resources and sites</i>	Potential	Issue: The area of potential effect is adjacent to known archeological sites. Impact: The construction route has been specifically designed to avoid overlapping with the known archeological sites. However, note that tribal cultural values are not limited to archeological sites and historic properties of religious and cultural significance. If the tribal monitor identifies threats or disturbances to value(s) of concern, they will work with NPS staff and construction crews to determine necessary protection measures which may include temporary work stoppage in the sensitive area, resource documentation, and flagging of avoidance areas. Tribal advisors must be incorporated into project planning communication, and must be kept abreast of any construction delays or modifications.
Cultural Cultural Landscapes	Potential	Issue: All areas of the park are considered valuable to the associated tribes. Impact: A tribal monitor will be present during construction.
Cultural Ethnographic Resources	None	
Cultural Museum Collections	None	
Cultural Prehistoric/historic structures	None	
Geological Geologic Features	None	
Geological Geologic Processes	None	
Lightscares	None	
Other Human Health and Safety	None	

Resource	Potential for Impact	Potential Issues & Impacts
Other Operational	None	
Other	None	
Paleontological Paleontological Resources	None	
Socioeconomic Land Use	None	
Socioeconomic Minority and low-income populations, size, migration patterns, etc.	None	
Socioeconomic	None	
Soundscapes Soundscapes <i>Natural soundscapes</i>	Potential	Issue: The presence of construction crews and earth-moving equipment will create a temporary increase in non-natural sounds. Impact: Temporary, loud, non-natural sounds may temporarily disturb wildlife.
Viewsheds	None	
Visitor Use and Experience Recreation Resources <i>Nature Bridge student access</i>	Potential	Issue: The current Nature Bridge campus does not have running, potable water. Impact: Creating a functional Nature Bridge campus at Hennes Ridge will improve access to Nature Bridge students, most of whom are elementary-middle-school aged.
Visitor Use and Experience Visitor Use and Experience	None	
Water Floodplains	None	
Water Marine or Estuarine Resources	None	
Water Water Quality or Quantity	None	

Resource	Potential for Impact	Potential Issues & Impacts
Water Wetlands	None	
Water Wild and Scenic River	None	
Wilderness		

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 the Assessment of Actions Having an Effect on Historic Properties (see project decision file).

106 Coordinator **HOPE SCHEAR** Digitally signed by HOPE SCHEAR
Date: 2023.05.11 12:25:23 -07'00' **Date:** 5/11/23
 Hope Schear _____

Superintendent:  **Date:** 17 May 2023
 Cicely Muldoon



Other Compliance/Consultations Form

Park Name: Yosemite National Park
PEPC Project Number: 114596
Project Title: Connect NPS Henness Ridge Water Tanks to a Yosemite West Water System
Project Type: Capital Improvement/New Construction
Project Location:
County, State: Mariposa, CA **District, Section:** Wawona,
Project Leader: Michael Pieper

ESA

Any Federal Species in the project Area? Yes
If species in area: Not Likely to Adversely Affect
Was Biological Assessment prepared?
If Biological Assessment prepared, concurred?
Formal Consultation required? No
Formal Consultation Notes:
Location is outside of the range of listed amphibians within the park. Project should have "no effect" to listed amphibians.

Fisher occur near the project area, we have a BO and informal consultation in place with USFWS. As long as mitigations are followed this work is not likely to adversely affect the fisher.

Formal Consultation Concluded:
Any State listed Species in the Project Area? No
Consultation Information:
General Notes:

Data Entered By: Ninette Daniele **Date:** May 1, 2023

ESA Mitigations

Mitigation ID	Text
143000	Due to the amount of disturbance is naturalized areas, pre-construction clearance surveys are recommended to reduce impacts to resident amphibians, such as salamanders. Please schedule pre-construction surveys with Yosemite's Aquatic Wildlife Program (Ninette Danielle, ninette_danielle@nps.gov).

Floodplains/Wetlands/§404 Permits

Question	Yes	No	Details
A.1. Is project in 100- or 500-year floodplain or flash flood hazard area?		No	Not in floodplain or flash flood hazard area.
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?		No	No placement of fill in waters of the United States.
C. State 401 certification?		No	
D. State Section 401 Permit?		No	Issue Date: Expiration Date:
E. Tribal Water Quality Permit?		No	
F. CZM Consistency determination needed?			N/A
G. Erosion & Sediment Control Plan Required?		No	
H. Any other permits required?			Permit Information:
Other Information:			Although there are some small, isolated wetland areas in the vicinity, the project area is outside all of them.

Data Entered By: Meredith Dennis

Date: Apr 27, 2023

Floodplains & Wetlands Mitigations

No Floodplains & Wetlands mitigations are associated with this project.

Wilderness

Question	Yes	No	
A. Does this project occur in or adjacent to Designated, Recommended, Proposed, Study, Eligible, or Potential Wilderness?		No	
B. Is the only place to conduct this project in wilderness?		No	
C. Is the project necessary for the administration of the area as wilderness?		No	
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	

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	
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.			
Other Information: The project area takes place adjacent to Yosemite West, a front-country area, outside the wilderness boundary.			

Data Entered By: Meredith Dennis **Date:** Apr 27, 2023

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:		

Other Information:

Data Entered
By: Meredith Dennis **Date:** Apr 27, 2023