Yosemite Lodge Area Redevelopment

Yosemite National Park

Revised Finding of No Significant Impact

I. Background

This Revised Finding of No Significant Impact (Revised FONSI) documents the decision of the National Park Service to rescind the February 2004 *Yosemite Lodge Area Redevelopment Finding of No Significant Impact* (2004 FONSI) and portions of the underlying Environmental Assessment (EA) and to instead approve a Modified Alternative 2 (Modified Alternative 2). Modified Alternative 2 consists of the development of an Indian Cultural Center in partnership with the American Indian Council of Mariposa County, which action was tiered directly from the 1980 *General Management Plan* (GMP) and two minor projects. The environmental compliance for the Indian Cultural Center project embodied in the 1980 GMP and the Yosemite Lodge Area Redevelopment Project (Lodge Project) remains in place. Similarly, the environmental compliance contained in the Lodge Project environmental assessment for the two minor projects identified below remains in place. The reasons for this decision are as follows:

This Revised FONSI is being issued as a result of the decision by the National Park Service to settle two lawsuits that were filed against the Merced Wild and Scenic River Comprehensive Management Plan (Merced River Plan) and the Yosemite Valley Plan YVP). In 2000, a lawsuit was filed challenging the Merced River Plan (MRP). (Friends of Yosemite Valley v. Salazar, CV-F-00-6191 (E.D. Cal.).) In 2006, a lawsuit was filed challenging the Yosemite Valley Plan. (Friends of Yosemite Valley v. Salazar, CV-F-06-1902 (E.D. Cal.).) Because the Yosemite Valley Plan was tiered from the Merced River Plan, the court agreed to suspend proceedings on the YVP case until the court reached a final decision on the MRP case. In March 2008, the U.S. Court of Appeals for the Ninth Circuit issued an opinion finding that the 2005 Merced River Plan did not satisfy the requirements of the National Environmental Policy Act (NEPA) or the Wild and Scenic Rivers Act. Following that decision, the National Park Service and the plaintiffs began settlement discussions to resolve the YVP and MRP lawsuits and to establish a framework for moving forward on a new version of the Merced River Plan. The NPS and the plaintiffs reached a Settlement Agreement in September 2009, which can be viewed on the park's website: http://www.nps.gov/yose/parkmgmt/upload/mrpsettlementagreement.pdf.

As a part of the Settlement Agreement, the National Park Service agreed to prepare a Revised Record of Decision for the 2000 *Final Yosemite Valley Plan/Supplemental Environmental Impact Statement*. The Revised Record of Decision for the Yosemite Valley Plan revokes NEPA

compliance for many of the actions that had originally been selected for implementation in the 2000 YVP Record of Decision. This decision had implications for the Lodge Project, because many of the actions included in the Lodge Project were tiered from the Yosemite Valley Plan. In addition, the National Park Service committed to prepare a new version of the Merced River Plan by 2012. These two factors led the National Park Service to conclude that additional actions from the Lodge Project should be not be implemented at this time. This Revised FONSI, therefore, rescinds the underlying NEPA compliance for all actions other than those included in Modified Alternative 2 and it rescinds approval for all projects other than those included in Modified Alternative 2. This Revised FONSI does not preclude the NPS from proposing the same or similar actions in the future through a new conservation planning and environmental impact process.

II. Purpose and Need

The goal of the Yosemite Lodge Area Redevelopment Project was to undertake a comprehensive redevelopment of the Yosemite Lodge area, including the following.

- Redevelopment of Yosemite Lodge.
- Redesign of the Camp 4 walk-in campground.
- Relocation of Northside Drive.
- Development of an Indian Cultural Center in partnership with the American Indian Council of Mariposa County (aka Southern Sierra Miwuk Nation).

In particular, with regard to the Indian Cultural Center, the goals of the project were to:

- Restore, protect, and enhance the resources of Yosemite Valley by providing a traditional tribal presence for the American Indian Council of Mariposa County (aka Southern Sierra Miwuk Nation) to continue their traditions in Yosemite Valley and to enhance the meaning and sacred nature of Yosemite, as identified in the 1980 *General Management Plan.*

III A. Original Selected Alternative and Alternatives Considered or Analyzed

The *Yosemite Lodge Area Redevelopment Environmental Assessment* analyzed three alternatives: Alternative 1, No Action; Alternative 2, Preferred Alternative (rescinded); and Alternative 3. These alternatives were developed by the National Park Service based on the project purpose and need, issues raised during scoping, and other public comments. The Lodge Project environmental assessment disclosed the potential environmental consequences that may result from implementation of each alternative. As a result of Settlement Agreement discussed above, the National Park Service has decided to implement Modified Alternative 2

that includes the Indian Cultural Center component of the original Alternative 2 and two other minor projects. These actions were the subject of full public review and comment during the NEPA process that accompanied the Lodge Project environmental assessment and 2004 FONSI.

Alternative 1: No Action Alternative

The No Action Alternative maintains the status quo for the Yosemite Lodge Area Redevelopment site. It provides a baseline from which to compare the action alternatives, to evaluate the magnitude of proposed changes, and to measure the environmental effects of those changes. This no-action concept follows the guidance of the Council on Environmental Quality, which describes the No Action Alternative as representing no change from existing management direction or level of management intensity.

Under the No Action Alternative, the Yosemite Lodge Area Redevelopment site would remain in its existing condition which includes the following: 245 lodging units; 464 vehicle and 15 overnight bus parking spaces at Yosemite Lodge; 37 campsites; and 111 vehicle parking spaces at Camp 4. Necessary maintenance and repairs would continue, but no major undertakings (e.g., removal of existing buildings or construction of new buildings) would occur.

The No Action Alternative would not provide the proposed new facilities and restoration activities identified in the Yosemite Valley Plan, and the proposed Indian Cultural Center would not be developed. This would adversely affect the National Park Service purpose and need to restore, protect, and enhance the resources of Yosemite Valley; provide opportunities for high-quality, resource-based visitor experiences; reduce traffic congestion; provide effective park operations to meet the mission of the National Park Service; and provide improved facilities and services for people who visit Yosemite Valley. The No Action Alternative would limit the park's ability to implement actions called for in the Yosemite Valley Plan.

Alternative 2 (2003 Agency Preferred Alternative)

Alternative 2 would implement approved Yosemite Valley Plan actions for the Yosemite Lodge Area Redevelopment, including providing 251 lodging units and parking spaces at Yosemite Lodge, 65 campsites and 195 parking spaces at Camp 4, relocating Northside Drive south of the Yosemite Lodge, and converting existing Northside Drive to a multi-use paved trail in the vicinity of the Yosemite Lodge. Consistent with the 1980 *General Management Plan*, the National Park Service in partnership with the American Indian Council of Mariposa County (aka Southern Sierra Miwuk Nation) would develop the Indian Cultural Center at the site of the last-occupied Indian village in Yosemite Valley, west of Camp 4.

Yosemite Lodge

The layout of the Yosemite Lodge site under the Selected Alternative would group together lodging units of similar types and would feature centralized parking. The one-story cabin units would be clustered in the center of the site, and the two-story cottages would be interspersed with existing two-story buildings. The National Park Service would provide two small-scale

viewing plazas along the proposed promenade, and the amphitheater would be relocated and the capacity expanded to accommodate 300 to 350 individuals.

Camp 4

At Camp 4, the Selected Alternative would provide a free-standing climbing display building, a cooking pavilion, gear storage lockers, and shared fire rings. The west portion of Camp 4 would feature a renovated restroom building. A new restroom building would be located in the eastern area of Camp 4, and a new restroom and shower building would be located near Camp 4 parking.

Indian Cultural Center

The National Park Service in partnership with the American Indian Council of Mariposa County (aka Southern Sierra Miwuk Nation) would develop the Indian Cultural Center at the site of the last-occupied American Indian village in the Yosemite Valley and return to the site the last remaining cabin from the historic village for adaptive reuse. The Indian Cultural Center would include a ceremonial roundhouse, sweatlodge, 15 cedar-bark umachas (houses), a community building, and shade structures. The Indian Cultural Center would provide opportunities for cultural continuity in the Yosemite Valley.

Northside Drive

Northside Drive would be rerouted around the south side of the Yosemite Lodge to reduce conflicts between vehicles and pedestrians on Northside Drive and to provide safer pedestrian access between the lodge and Lower Yosemite Fall. The Selected Alternative reroutes Northside Drive into the Merced River 100-year floodplain. Realigned Northside Drive would continue to cross Yosemite Creek at the historic Yosemite Creek Bridge. West of Yosemite Creek Bridge, Northside Drive would be routed through a roundabout to direct traffic south of the lodge site.

Restoration and Revegetation

Three areas on the Yosemite Lodge Area Redevelopment site would be restored to approximate natural conditions, including the area between the proposed realignment of Northside Drive at Yosemite Lodge and the Merced River (the site of former Yosemite Lodge cabins, Pine Cottage, and employee housing), the area between the cabins and parking area on the lodge site, and an area between Camp 4 and the Indian Cultural Center. Approximately 37.89 acres would be restored to natural conditions under this alternative. The restoration effort would remove the revetment and diversion dam along Yosemite Creek to restore overland flow across the Merced River floodplain. The landscape of the Yosemite Lodge Area Redevelopment site would be revegetated based upon the principles described in the *Comprehensive Landscape and Revegetation Plan for Yosemite Lodge*. Existing and historic vegetation communities would be re-established and enhanced within the project area. The site design would provide communal outdoor spaces that encourage visitors to experience the out-of-doors.

III B. Selected Alternative – Modified Alternative 2 (2010)

Modified Alternative 2 is a modification of Alternative 2 as described in the 2004 *Yosemite Lodge Redevelopment Environmental Assessment.* Modified Alternative 2 consists of the following components.

- The development of an Indian Cultural Center west of Camp 4.
- Limited tree removal detailed in the 2004 *Yosemite Lodge Area Redevelopment* FONSI related to the construction of additional paved parking for Camp 4.
- The removal of an electrical substation near Camp 4 as specified in the 2004 *Yosemite Lodge Area Redevelopment* FONSI

Indian Cultural Center

Under the selected alternative (Modified Alternative 2), the National Park Service in partnership with the American Indian Council of Mariposa County (aka Southern Sierra Miwuk Nation), would develop an Indian Cultural Center at the site of the last-occupied American Indian village in the Yosemite Valley and return to the site the last remaining cabin from the historic village for adaptive reuse.

Because Indian people have inhabited the park for at least 6,000 years, their continued use of the park is as important as preserving the wildlife and natural surroundings. The culture and traditions of the Miwok Indians and their ancestors enhance the meaning and sacred nature of Yosemite. Through an understanding of local Indian culture and traditions, the public would have an opportunity to gain a greater respect for the natural wonders of the park and their significance to a different culture (NPS 1980).

The Yosemite Indian people, through the American Indian Council of Mariposa County, would be encouraged to practice their traditional ceremonies at the Indian Cultural Center and to share their traditions, culture, and history with park visitors. The center would provide an opportunity for visitors to become aware of the local Indian culture and would also help the Indian culture of Yosemite to remain alive. The atmosphere must be proper for traditional ceremonies and private enough to conduct sacred ceremonies in a dignified and traditional manner (NPS 1980). The American Indian Council of Mariposa County would be responsible for the construction and operation of the Indian Cultural Center and for conducting cultural and educational activities at the center.

Indian Cultural Center Facilities

The traditional village facilities would include a partly subterranean ceremonial roundhouse and a smaller sweatlodge constructed by tribal members. Approximately 15 cedar-bark umachas (houses) would be constructed on the Indian Cultural Center site. The traditional village would be

closed to the public for privacy during ceremonial activities, but would be open to visitors at other times so that cultural traditions may be shared.

The Indian Cultural Center would include shade structures and a community building that would incorporate a common meeting room, kitchen, public restrooms, dressing room with showers for use by traditional dancers, and a storage area. The last extant structure from the original village (the former Westley and Alice Wilson home) would be relocated from its current non-historic location to the Indian Cultural Center and adaptively reused. The historic cabin would be relocated adjacent to the community building.

The site facilities would include construction of demonstration areas, shade structures (between 150 to 1,500 square feet), and an outdoor fire pit for exterior functions. The site would be landscaped with plants used by American Indians for food, medicine, and other cultural purposes. Potential plant species include black oak, bracken fern, elderberry, manzanita, and mugwort. In addition, landscaping would provide visual screening for the site and would include such species as incense-cedar, red-osier dogwood, and spicebush.

Parking

The Indian Cultural Center would have an emergency access drive and up to five limited access and disabled-access parking spaces. The paved drive and parking area would add approximately 7,600 square feet of new impervious surfaces in the project area. No visitor parking would be provided at the Indian Cultural Center site. Visitors would access the site on foot, or from shuttle buses. With the rescission of the 2003 *Yosemite Lodge Area Redevelopment* plan, Northside Drive would retain a two-way circulation pattern at the entrance of the Indian Cultural Center. Special event parking for the Indian Cultural Center would be incorporated into the overall day-visitor parking in Yosemite Valley.

Tree Removal

The rescinded 2004 Selected Alternative included the removal of 1,059 trees, of which 641 trees were to have been removed in the vicinity of Camp 4. Crews completed a portion of the tree removal work in the vicinity of Camp 4 prior to the stop-work order issued by the U.S. District Court in November 2006. Modified Alternative 2 retains the NEPA compliance for those trees that were already removed. No additional tree removal would occur under Modified Alternative 2.

Electrical Substation Removal

The rescinded 2004 Selected Alternative included the removal of an electrical substation as part of a plan to renovate Camp 4 and the surrounding area. Crews completed this action before the stop-work order issued by the U.S. District Court in November 2006. Modified Alternative 2 retains the NEPA compliance for this action.

Alternative 3

Alternative 3 would implement approved Yosemite Valley Plan actions for the Yosemite Lodge Area Redevelopment, including providing 251 lodging units and corresponding overnight

parking spaces at the Yosemite Lodge, providing 65 campsites and 195 parking spaces at Camp 4, relocating Northside Drive south of the lodge, and converting existing Northside Drive to a multi-use paved trail in the Yosemite Lodge area. Consistent with the 1980 *General Management Plan*, the National Park Service in partnership with the American Indian Council of Mariposa County (aka Southern Sierra Miwuk Nation) would develop the Indian Cultural Center at the site of the last-occupied American Indian village in Yosemite Valley, west of Camp 4.

The relocation of Northside Drive, development of the Indian Cultural Center, and revegetation activities would be the same as proposed under Alternative 2. Approximately 37.31 acres would be restored under this alternative. Alternative 3 differs from the Alternative 2 primarily in lodge site layout and the provision and location of the lodge and Camp 4 community facilities.

Yosemite Lodge

Under Alternative 3, new one- and two-story buildings would be interspersed throughout the lodge site. Alternative 3 would feature a remote parking configuration, with the largest lodge parking lot located at the western end of the site.

Alternative 3 would provide one large-scale viewing plaza along the proposed promenade. The amphitheater would be renovated in its current location and would retain its existing capacity (accommodating 150 to 200 individuals). Alternative 3 would provide changeable interior display space at the lodge instead of a climbing display building at Camp 4, as proposed under the Selected Alternative.

Camp 4

Individual fire rings would be provided at Camp 4. The west portion of Camp 4 would feature a renovated restroom building. New restroom and shower buildings would be located near the Camp 4 parking lot and in the eastern area of the campground.

IV. Environmentally Preferred Alternative

The National Park Service has considered the alternatives listed above in accordance with NEPA and Council on Environmental Quality regulations (Section 1505.2) and has determined that the Alternative 2 (the 2003 Preferred Alternative) and Alternative 3 as presented in the *Yosemite Lodge Area Redevelopment Environmental Assessment*, are environmentally preferable based on their furtherance of NEPA goals. The Selected Alternative 2 and Alternative 3 have small differences in their environmental impacts on natural and cultural resources. However, on balance, both alternatives are considered environmentally preferable. Modified Alternative 2 is derived from Alternative 2 but includes only the construction of an Indian Cultural Center and two minor actions. Modified Alternative 2 does not provide solutions to the environmental and visitor use issues that the environmentally preferable alternatives address, as detailed below.

The environmentally preferred alternative is determined by applying criteria identified in NEPA, Section 101, to each alternative considered. In accordance with NEPA, the environmentally preferred alternative would best: (1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations; (2) assure for all generations safe, healthful, productive, and esthetically and culturally pleasing surroundings; (3) attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences; (4) preserve important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, an environment that supports diversity and variety of individual choice; (5) achieve a balance between population and resource use that would permit high standards of living and a wide sharing of life's amenities; and (6) enhance the quality of renewable resources and approach the maximum attainable recycling of limited resources.

- **NEPA Section 101 Requirement 1.** "Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations."

Alternative 2 (the 2003 Agency Preferred Alternative) and Alternative 3 would best fulfill the responsibilities of each generation as trustee of the environment for succeeding generations by restoring to approximate natural conditions 37.89 acres and 37.31 acres, respectively, of the Yosemite Lodge Area Redevelopment site largely within the Merced River 100-year floodplain and revegetating the rest of the project area using an applied ecological approach to revegetation. Alternative 1 and Modified Alternative 2 would not involve restoration or revegetation activities, and would not result in the same level of environmental protection and restoration of natural resources as Alternative 2 and Alternative 3. In addition, Alternative 1 would not fulfill the purpose of and need for the project.

Alternative 2 and Alternative 3 would place realigned Northside Drive and some new parking areas within the Merced River 100-year floodplain. Although Northside Drive would not be in the 100-year floodplain under Alternative 1 and the Modified Alternative 2, many other lodge facilities would continue to be in the 100-year floodplain, including four motel-type buildings (Maple, Alder, Hemlock, and Juniper), an employee wellness center, Yosemite Lodge housekeeping facilities, and several small structures near Tamarack Cottage.

- **NEPA Section 101 Requirement 2.** "Assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings."

Alternative 2 (the 2003 Agency Preferred Alternative) and Alternative 3 would best assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings by redesigning the Yosemite Lodge to refocus visitors' lodging experience from motel-like to one more connected with and unique to Yosemite National Park, and by redesigning Camp 4 to conform to the natural landscape. Alternative 2 and Alternative 3 would provide new opportunities to enjoy scenic views through the development of viewing plazas on the promenade. These alternatives would remedy vehicle and pedestrian conflicts on Northside Drive between the Yosemite Lodge and the Lower Yosemite Fall area. Alternative 2 and Alternative 3 would relocate the Camp 4 search and rescue sites outside the base of talus zone. Alternative 1 and Modified Alternative 2 would not fulfill goal 2 because the alternative would not

assure safe surroundings; vehicle and pedestrian conflicts on Northside Drive between the Yosemite Lodge and the Lower Yosemite Fall area would not be remedied, and portions of Camp 4 would continue to be located within the base of talus zone.

- **NEPA Section 101 Requirement 3.** "Attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences."

Alternative 2 (the 2003 Agency Preferred Alternative) and Alternative 3 would fulfill goal 3 of the national environmental policy goals by reducing risks to public health and safety by removing structures (i.e., Alder, Hemlock, Juniper, and Maple) from the Merced River floodplain, removing the traffic and pedestrian conflict on Northside Drive between the Yosemite Lodge and the Lower Yosemite Fall area, relocating the search and rescue sites outside the base of talus zone, and constructing new facilities that comply with current building standards. Both of these alternatives, along with Modified Alternative 2, would develop the Indian Cultural Center at the site of the last-occupied American Indian village in the Yosemite Valley.

Alternative 2 also would provide a cooking pavilion at Camp 4, a climbing display building to highlight the importance of Camp 4's climbing history, as well as an expanded amphitheater on the lodge site. Alternative 3 would provide an interior interpretive display space at the Yosemite Lodge for changing informational exhibits and would renovate the existing amphitheater at the Yosemite Lodge. These actions would provide a range of beneficial uses in the project area consistent with goal 3. Alternative 1 would be least effective in attaining goal 3, as described in Section 101, in that they would have the narrowest range of beneficial uses that could occur without degradation of natural and cultural resources in the project area.

- **NEPA Section 101 Requirement 4.** "Preserve important historic, cultural, and natural aspects of our national heritage and maintaining, wherever possible, an environment that supports diversity and variety of individual choice."

Alternative 2 (the 2003 Agency Preferred Alternative) and Alternative 3 would fulfill goal 4 through revegetation and restoration activities, which include removing a diversion dam and revetments in the overflow channels near Yosemite Creek. Removal of these structures would restore natural flow in this area of the creek and return the Merced River 100-year floodplain to near-natural, free-flow conditions (with the exception of placement of realigned Northside Drive and new parking areas in the 100-year floodplain). In addition, both alternatives would implement measures to reduce adverse effects on natural and cultural resources related to construction and operation of the facilities (e.g., mitigation measures identified in table 1-1, Impact/Mitigation Matrix), as required under goal 4 of the national environmental policy goals. Under Alternative 2, cultural resources would be managed in accordance with the 1999 Programmatic Agreement. Under Alternative 3, impacts to one archeological site would be reduced compared to Alternative 2. Because of existing natural resource impacts that would not be remedied, Alternative 1 does not best fulfill goal 4. Although Alternative 1 would include the least change to cultural resources, it would not provide opportunities for cultural continuity, since the National Park Service in partnership with the American Indian Council of Mariposa County would not build the Indian Cultural Center. Modified Alternative 2, however, would promote

opportunities for cultural continuity in moving ahead with construction of the Indian Cultural Center.

- **NEPA Section 101 Requirement 5.** "Achieve a balance between population and resource use that would permit high standards of living and a wide sharing of life's amenities."

Alternative 2 (the 2003 Agency Preferred Alternative) and Alternative 3 fulfill goal 5 by increasing the number of campsites, modestly increasing the number of lodging units, and developing an Indian Cultural Center, while also locating such facilities outside the 100-year floodplain of the Merced River as well as locating visitor overnight facilities outside the base of talus zone. Both alternatives incorporate revegetation and restoration activities, which include removing a diversion dam and revetments in the overflow channels near Yosemite Creek restoring natural flow in this area of the creek and return the Merced River 100-year floodplain to near-natural, free-flow conditions (with the exception of placement of realigned Northside Drive and new parking areas in the 100-year floodplain). These resource enhancements would achieve a balance between population and resource use, since the restoration activities would occur adjacent to the Yosemite Lodge, which is among the most intensely developed sites in the Yosemite Valley. Although existing patterns of visitor use would continue under Alternative 1 and Modified Alternative 2, traffic congestion and existing impacts on floodplains, visitor experience, and scenic resources in the project area would not be remedied.

- **NEPA Section 101 Requirement 6.** "Enhance the quality of renewable resources and approaching the maximum attainable recycling of depletable resources."

Alternative 2 (the 2003 Agency Preferred Alternative) and Alternative 3 would enhance the quality of renewable resources and approach maximum attainable recycling of depletable resources by implementing sustainable technologies designed to minimize impacts on natural resources, as required by the National Park Service *Guiding Principles of Sustainable Design*. Sustainable principles and technologies incorporated into this alternative include use of recycled materials and installation of energy- and water-efficient features and utilities. Alternative 1 and Modified Alternative 2 would retain existing technologies and utility infrastructure.

Conclusion

In conclusion, upon full consideration of the elements of NEPA, Section 101, Alternative 2 (the 2003 Agency Preferred Alternative) and Alternative 3 represent the environmentally preferable alternatives for the Yosemite Lodge Area Redevelopment plan. After review of potential resource and visitor impacts and developing mitigation for impacts to natural and cultural resources, Alternative 2 and Alternative 3 attain the widest range of beneficial uses of the environment achieving a balance between population and resource use, while minimizing environmental impacts on natural and cultural resources and assuring safe, healthful, productive, and aesthetically and culturally pleasing surroundings.

As explained below, Modified Alternative 2 presents a much more limited group of actions than Alternative 2 and only partially fulfills the environmental goals of NEPA, Section 101. For these

reasons, the National Park Service continues to believe that Alternative 2 is the environmentally preferable alternative.

V. Why the Selected Alternative Would Not Have a Significant Effect on the Human Environment

An analysis of the 2003 Preferred Alternative in the *Yosemite Lodge Area Redevelopment EA/FONSI* found that the actions contained in it would not have significant adverse effects on the Yosemite Lodge area. Modified Alternative 2 (Selected Alternative, 2010) presents much more limited action than the 2003 alternative, but retains one of its major components—the construction of an Indian Cultural Center west of Camp 4. As detailed in the 2003 environmental assessment, construction activities would impact the area in terms of noise and air quality, but offer enduring and significant benefits in terms of visitor educational and interpretive opportunities. Additionally, the Indian Cultural Center would preserve a precious cultural resource for decades to come. Overall, the actions contained in Modified Alternative 2 represent positive gains for the Yosemite Lodge area's human environment.

VI. Non-Impairment of Park Resources

Based on the relevant analysis provided in the 2003 *Yosemite Lodge Area Redevelopment Environmental Assessment,* the National Park Service concludes that implementation of Modified Alternative 2 presents no major adverse impacts to a resource or value whose conservation is (1) necessary to fulfill specific purposes identified in the establishing legislation or proclamation of Yosemite National Park; (2) key to the natural or cultural integrity of Yosemite National Park or to opportunities for enjoyment of the park; or (3) identified as a goal in the park's *General Management Plan* or other relevant National Park Service planning documents. Consequently, implementation of the proposed action would not violate the National Park Service Organic Act.

VII. Measures to Minimize Environmental Harm

To ensure that natural and cultural resources and the visitor experience are fully protected during the implementation of this decision, a consistent set of mitigation measures has been applied to Modified Alternative 2. Although actions to be implemented have been modified as a result of the Settlement Agreement, the mitigation measures to minimize environmental harm have remained unchanged and can be viewed on the park's website: http://www.nps.gov/archive/yose/planning/lodge/

The National Park Service continues to find Modified Alternative 2 to be acceptable under Executive Order 11988 for the protection of floodplains and Executive Order 11990 for the protection of wetlands because measures to minimize environmental harm have not changed although the actions to be implemented have been modified and reduced or eliminated.

VIII. Public Involvement and Coordination

Scoping and Public Comment History

The National Park Service conducted an extensive public scoping process from the start of the Yosemite Lodge Area Redevelopment project. In the summer of 2002 and winter 2003, the *Yosemite Planning Update* newsletter provided information to the public on the plans for the Yosemite Lodge Area Redevelopment and project status. Letters from the park superintendent in September 2002 announced the public scoping period for the Yosemite Lodge Area Redevelopment and the decision to include the planning and compliance for the Indian Cultural Center in the environmental assessment. Information on the project was published on the park's Web site. Press releases announcing the availability of the environmental assessment and requesting comments were issued on September 8, 2003.

Litigation and Settlement

This Revised FONSI is being issued in accordance with the Settlement Agreement that resolved the lawsuits challenging the 2000 Merced River Plan, the 2005 revised Merced River Plan, and the 2000 Yosemite Valley Plan. Although public comments were not solicited on the selection of Modified Alternative 2, each of the actions included in alternative was subject to the full and complete public and interagency scoping and review process that was conducted for the *Yosemite Lodge Area Redevelopment Environmental Assessment.*

VIIII. American Indian Consultation

The National Park Service identified its commitment to the construction of an Indian Cultural Center in the 1980 *General Management Plan*. National Park Service consultation with American Indian tribes having cultural association with the Yosemite Valley (including the American Indian Council of Mariposa County (aka Southern Sierra Miwuk Nation), the Tuolumne Me-wuk Tribal Council, and the Mono Lake Kutzadika Paiute Indian Community) on Selected Action has been occurring and continues to occur. Information sharing and project planning has included face-to-face consultation sessions with the Southern Sierra Miwuk Nation on January 31, February 27, April 24, May 29, and July 16, 2003. Consultation and partnering would continue with the Native American Indian Tribes throughout the planning, design and implementation phases of the Indian Cultural Center project.

X. Conclusion

It is the determination of the National Park Service that the Revised Selected Alternative (Modified Alternative 2) is not a major federal action significantly affecting the quality of the human environment, and it comports with public review and scoping comments previously considered. All foreseeable connected actions were considered in arriving at this determination. No long-term adverse impacts to floodplains or wetlands would occur from the Selected Alternative. The National Park Service finds the Revised Selected Alternative to be acceptable under Executive Order *11988* for the protection of floodplains and Executive Order 11990 for the protection of wetlands. Therefore, in accordance with the National Environmental Policy Act of 1969 and regulations of the Council on Environmental Quality (40 CFR 1508.9), an environmental impact statement is not required. The Revised Selected Alternative may be implemented as soon as practicable.

Recommended:

David V. Uberuaga, Acting Superintendent — 1/20/2010 Date
Yosemite National Park

Approved:

Rory D. Westberg, Regional Director — 1/20/2010 Date
Pacific West Region, National Park Service