



Letter of Compliance Completion

Memorandum

To: Ainsley Holeso, Sarah Raube

From: J. Penman-Brotzman

Subject: NEPA and NHPA Clearance: Upgrade Visitor Use Area at Dante's View to Meet ADA Compliance (70676)

The Office of Environmental Compliance 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/action(s), therefore, is/are 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:

- Standard mitigation for archeology
- Standard mitigation for invasive species
- Fencing to protect cultural sites at the staging area must occur
- All equipment must stay on pavement at the staging area

Recommendations for Conditions or Stipulations:

The Park Section 106 Coordinator's standard stipulations for ensuring No Historic Properties Affected and/or No Adverse Effect to Historic Properties still apply. There should be No Historic Properties Affected by this undertaking provided that: 1. All responsibilities for compliance with Section 106 of the NHPA are completed prior to implementing the project. 2. All project activities are restricted to the APE, including the access routes, staging areas, and project area. 3. The staging area at the bathroom at Dante's View is fenced with orange construction fencing to ensure equipment does not drive off of the pavement and onto the archeological site. 4. In the unlikely event that previously undocumented archeological features are encountered during project implementation, all necessary steps should be taken to protect them and work in that location should be immediately suspended until the Park Compliance Archeologist or other archeologist meeting the Secretary of Interior Standards evaluates the find. 5. In the unlikely event that human remains are encountered during project implementation, all work shall be suspended immediately until measures stipulated in the DEVA NAGPRA Inadvertent Discovery Plan are completed and the Native American Graves Protection and Repatriation Act is followed.

For complete compliance information see PEPC Project 70676.

If you have any questions, please let me know. *J. Penman-Brotzman*