

GOLDFIELD – STEWART MOUNTAIN COMMUNICATIONS FACILITIES PROJECT

Decision Notice and Finding of No Significant Impact

**USDA Forest Service
Tonto National Forest
Mesa Ranger District
Maricopa County, Arizona**

Decision and Reasons for the Decision

The Forest Service (FS) prepared an Environmental Assessment (EA) for the Goldfield – Stewart Mountain Communications Facilities Project in compliance with the National Environmental Policy Act (NEPA) and other relevant laws and regulations. The EA discloses the direct, indirect and cumulative environmental impacts that would result from the alternatives. Additional documentation, including more detailed analyses of project-area resources, may be found in the project record located at the Mesa Ranger District Office in Mesa, AZ.

The EA (pages 4 - 5) explains the Purpose and Need for Action, of which the key points are:

- Improve wireless communication service on the Lower Salt River below Stewart Mountain Dam.
- Improve wireless coverage to better provide for the safety and convenience of visitors, businesses, permittees, and multi-agency law enforcement.
- Remove private commercial communication equipment on Stewart Mountain Dam.
- Provide adequate wireless and internet communications service to FS at the Goldfield Administrative Site.
- Improved wireless communications coverage allows the Tonto National Forest to comply with direction from Congress and the President to facilitate implementation of the Nations' strategy for wireless communications (Telecommunications Act of 1996) and meet expectations of the public and government agencies for reliable wireless telephone and internet services.

The Proposed Action, as described in the EA (pages 5 - 7) proposes the FS to authorize construction of a new communications facility at the Goldfield Administrative Site, that will include a 145 foot tall free standing monopole tower and associated infrastructure, a new 45 ft. tower at the existing Stewart Mountain Communications Site, placement of a four-foot diameter microwave dish on the existing Salt River Project Saguaro Lake Marina Tower, and issuance of a Special Use Authorization to DW Holdings, LLC for the use and maintenance of these facilities. A more detailed description is located in Chapter 1 of the EA.

Design Features have been developed and are described in detail in Chapter 2 of the EA to reduce impacts to visual, biological, soils and water resources.

The Proposed Action responds to the goals and objectives outlined in the Tonto National Forest Land and Resource Management Plan (Forest Plan).

This document contains a Decision Notice and Finding of No Significant Impact (FONSI). The Decision Notice identifies the decision and the rationale for selecting or modifying an alternative from the EA. The FONSI shows that the decision does not cause significant impacts on the human environment and explains why an environmental impact statement is not necessary.

Decision

Based upon my review of the alternatives, I decided to implement Alternative 2, the Proposed Action Alternative, as described in the EA (pages 11 - 13). In reaching this decision, I reviewed and considered the most recent information, including the specialist reports included in the project record and input from interested parties. My decision authorizes construction of a new communications facility at the Goldfield Administrative Site that includes a 145 foot tall monopole tower and associated infrastructure, a new tower at the existing Stewart Mountain Communications Site, placement of a four-foot diameter microwave dish on the existing Salt River Project Saguaro Lake Marina site, and issuance of a Special Use Authorization to DW Holdings, LLC for the use and maintenance of these facilities. The details of the decision are as follows:

Goldfield Communications Site:

- Authorize construction of the Goldfield Communications Site, which is a new communications site at the Goldfield Administrative Site, in Section 34, T3N, R7E, Gila and Salt River Base Line Meridian. The communications site is an approximately 100 foot. X 100 foot (ft.) fenced area that contains a cell tower and associated infrastructure as described below.
- Construction of a 100 ft. by 12 ft. new single lane access road into the site. See EA page 11 and Appendix D. page 84 for additional details and specific requirements for the road design and construction and maintenance responsibilities.
- Construct a free standing monopole tower 145 feet tall. After the tower is erected, it will be treated by spraying with Natina Steel to give it the appearance of weathered steel. See EA page 11 for additional details and descriptions of construction activities.
- Install wireless communications antenna on the tower including microwave dishes.
- Construct radio equipment buildings and backup power supply (generator).
- Install electrical power which will be brought to the site via an underground line (buried four ft. deep), that will run down the new access road from the existing Salt River Project distribution line located approximately 100 feet north of the tower site. A new transformer will be installed at the power line. See EA, page 12 for additional details.
- The communications facility will be linked to the Goldfield Administrative Site by underground fiber optics running from the tower site to the existing eastern building. Trenching for this section (4 feet deep) will run along the existing road totaling approximately 520 feet. See EA, page 12 for additional details.
- Place gravel material within the proposed fenced area to provide an all-weather working surface. The tower and equipment building designs are displayed in Appendix C and D of the EA, pages 80 - 84.
- Install a 6 foot tall chain link fence treated with Natina Steel around the 100 x 100 foot fenced area.

Stewart Mountain Communications Site:

- Authorize construction of additional facilities at the existing Stewart Mountain Communications Site, located in Section 29, T3N, R8E, Gila and Salt River Base Line Meridian, which includes the following activities:
- Construct a helispot to be used for construction and maintenance access, see EA - Figure 3. Since there is no road access to Stewart Mountain Communications Site., access for construction and operation will be limited to helicopter and or pedestrian. All construction equipment and materials will be required to be flown in by helicopter. Helispot construction will not require ground disturbance. Activities will be limited to trimming and lopping of vegetation to within 2 feet of the ground on an area approximately 100 feet in diameter.
- Construct a 45 foot tall free standing monopole tower.
- Install two four foot diameter dishes on the monopole.
- Install a 4 foot by 4 foot by 6 foot equipment cabinet next to the monopole.
- Install a solar panel approximately 5 foot x 6 foot and a battery cabinet.

Saguaro Lake Marina Tower

- Install a four foot diameter microwave dish on the existing Saguaro Lake Marina monopole tower owned by Salt River Project located on FS land.

Administrative

- Issue a Special Use Authorization to DW Holdings, LLC for the use and maintenance of these facilities.

Reasons for the Decision

I selected Alternative 2 the Proposed Action for the following reasons:

1. Alternative 2 best meets the purpose and need of improving wireless communications service throughout the Saguaro Lake/Lower Salt River Recreation Area/Bush Highway Corridor and Goldfield Administrative Site
2. Alternative 2 and it's improved wireless communications services further meets the purpose and need of the project by improving communications abilities for safety and convenience of visitors, businesses, permittees, and multi-agency law enforcement entities.
3. Alternative 2 is most responsive and compliant to the August 10, 1995 Congressional and Presidential memorandum, the Telecommunications Act of 1996 and the General Services Administration's bulletin issued in the Federal Register on June 16, 1997, titled, "Placement of Commercial Antennas on Federal Property" to facilitate use of government lands and buildings for the siting of mobile service antennas. The bulletin encourages requests for the use of property, right-of-way, and easements by duly authorized telecommunications service providers to be granted, unless there are unavoidable conflicts with the department's or agency's mission, or current or planned use of the property or access to that property. The EA has not identified any conflicts with department or agency mission or current or planned use of the property.

4. Potential environmental effects to Visual Resources, Sonoran Desert Tortoise, Bald Eagles, Desert Bighorn Sheep and from Invasive/Noxious weeds have been reduced or eliminated through mitigation and design criteria (see EA pages 13 -15).

Other Alternatives Considered

In addition to the selected alternative, I considered three other alternatives that were considered, but not analyzed in detail, and the The No Action Alternative – Alternative 1. The EA – Table 1 - Comparison of Alternatives (pages 18 - 25) includes a comparison of Alternatives 1 – No Action and Alternative 2 – Proposed Action.

Alternative 1 (No Action)

The no action alternative represents no change from current conditions. No additional wireless communications facilities will be constructed continuing the current state of poor to no wireless service for the Lower Salt River Recreation Area. The wireless carriers microwave system serving the Salt River Project marina tower will continue to use a microwave dish located on Stewart Mountain Dam, which is in violation of Bureau of Reclamation policy, and regulation.

I did not select Alternative 1 (No Action) for the following reasons:

1. The No Action Alternative – Alternative 1, does not meet the Purpose and Need for the project. Wireless personal communication services along the Bush Highway corridor from Goldfield Administrative Site to the Lower Salt River and Saguaro Lake recreation sites are currently unavailable and/or unreliable.
2. Implementing the No Action Alternative will result in continued none to poor wireless communication services in the area which could result in longer response time to emergency services and limited internet/cellular opportunities to the traveling and recreating public, the Goldfield Administrative Site, businesses with commercial special use permits, and the surrounding rural area.

Alternatives Considered, but Eliminated from Detailed Study

The Tonto National Forest analyzed several alternatives in response to proposals submitted under the Saguaro Lake/Lower Salt River Wireless Communications Prospectus dated March 2011 as follows:

1. Tower locations were considered at the tubing outfitter facilities near the intersection of Usery Pass Road and Bush Highway.
2. Tower locations were considered near the Maricopa County Sheriff's Office compound.

Tower locations close to Bush Highway were eliminated from further consideration because of concerns over the visual quality effects to travelers on the Bush Highway. Also, in the Prospectus, the FS suggests using the area around the Goldfield Administrative Site. Additional information from Mesa Ranger District personnel confirmed the Forest Service's desire to have the facility located adjacent or within the administrative site. Propagation studies confirmed that a tower at the Goldfield Administrative Site will provide wireless coverage comparable to a tower near the tubing facility.

Public Involvement

The Forest Service first listed the Goldfield – Stewart Mountain Communications Facilities Project in the January 2012 issue of the Tonto National Forest Schedule of Proposed Actions

(SOPA). The Forest SOPA is available on the internet at: <http://www.fs.fed.us/sopa/forest-level.php?110312>.

On June 21, 2012 the Forest sent a scoping letter to approximately 90 individuals, permittees, organizations, agencies, and tribes interested in this project. The letter requested comments on the Proposed Action between June 22, 2012 and July 22, 2012. During scoping, one comment was received from a tribe thanking the FS for the information and one comment letter was received from the Arizona Game and Fish Department. The letter from the Arizona Game and Fish Department identified several species of concern, including the Sonoran desert tortoise, bald eagle, and desert bighorn sheep. The letter included requests for timing restriction considerations and contact information for project coordination during implementation. The FS was able to include Forest Service mitigation and design criteria that addressed all of the request of the Department.

A legal notice, announcing a 30-day Opportunity to Comment on the EA appeared in the Arizona Capitol Times on May 3, 2013. The Forest mailed a letter of notification of availability of the EA for comment to the 90 individuals, permittees, organizations, agencies, and Tribes contacted during the scoping process. The 30-day comment period ended on June 3, 2013. During the comment period, four comments were received. Two comments were from tribes expressing support for the project and two were from individuals requesting additional map and geographical location information. The requested information was provided to the commentors. One of the two commenters that requested maps expressed that his ability to comment was affected by a missing map that was omitted in the letter notifying interested parties that the EA was available for review and of the pending 30 day comment period. Once the map was provided the commentator indicated that he had the information needed to make comment. There were no comments received expressing concern or issues with the project once was the requested information was provided. The project file contains a summary of the comments received.

Finding of No Significant Impact

After considering the environmental effects described in the EA (pages 27 - 49), I determined that these actions will not have a significant effect on the quality of the human environment, considering the context and intensity of impacts (40 CFR 1508.27); therefore, an environmental impact statement will not be prepared. I incorporate, by reference, the EA and project record, in making this determination. I base this finding on the following:

Context

Context is the scale of aspect; the EA considers the effects of this project on multiple resources at multiple scales of analysis (EA, Chapters 2 & 3) and fully discloses them. The Goldfield – Stewart Mountain Wireless Communications Facilities Project is a site specific or local project and by itself would not cause any significant adverse effects nationally, regionally, or at the statewide level. Both short-term and long-term effects of the project have been considered, including cumulative effects that are limited to only a portion of the Lower Salt River/Bush Highway Corridor area on the Mesa Ranger District (EA, Chapter 3).

Intensity

I considered the following ten elements of impact intensity (40 CFR 1508.27b) in assessing the potential significance of project effects.

My finding of no significant environmental effects is not biased by the beneficial effects of the action. All practical means to avoid or minimize environmental harm have been adopted (EA

pages 13 - 15). For this project there are “no known” significant irreversible resource commitments or irretrievable losses of timber production, recreation opportunities, wildlife habitats, or soil productivity. Environmental effects of this project that may be both beneficial and adverse are discussed in Chapter 3 (Environmental Consequences) of the EA (pages 27 - 49). Key subtopics of that discussion included effects on visual quality, soils and water, vegetation, riparian habitat, and invasive plants. Also discussed are Threatened and Endangered Species including the Sonoran desert tortoise (also, a FS Sensitive Species), bald eagles (also, a FS Sensitive Species), lesser long nosed bat, cactus ferruginous pygmy owl, cave myotis, desert bighorn sheep (also, a FS Sensitive Species), and effects on Management Indicator Species and Migratory Birds. I concur with what the EA says about this factor and therefore find that: 1) the EA evaluated adverse effects of this project separately from beneficial effects, to determine whether such adverse effects would have been significant in their own right, and no such effects were found to be significant; 2) in no cases did the analysis in the EA use beneficial effects to offset the potential significance of any adverse effect; and 3) the EA did not use any long term beneficial effects to offset the potential significance of any short term adverse effects.

Biological Evaluations (BE), Biological Assessments (BA) and specialist reports prepared for this project are available in the project record, and unless otherwise noted are available upon request. Those documents provide the basis for the following determinations:

- **Visual Quality** - The proposed towers at both the Goldfield Administration Site and the Stewart Mountain Communications Site were found to be within the acceptable range for visual impacts to the area. .
- **Soils** - Implementation of best management practices and other construction planning activities will effectively reduce the potential negative effects from construction activities at both sites.
- **Water** - Due to the flatness of the terrain, and minimal (less than ½ acre) area of disturbance, no impacts to water resources are anticipated from Alternative 2 at the Goldfield Communications Site. No impacts to water resources are anticipated at the Stewart Mountain Communications Site because there are no naturally occurring perennial surface water resources at the construction sites nor will any sediment from the sites move into any water resources.
- **Vegetation** - Due to the minimal amount of soil disturbance and clearing needed for the structures to be installed at both sites (less than ½ acre) there is very minimal effect on vegetation.
- **Riparian** - Due to the separation by the flat to level bench area and a vegetated slope between the Salt River riparian area and the Goldfield Communications site, and minimal amount of vegetation to be disturbed and/or removed at the project area there is no effect on riparian habitat at the Goldfield Communications Site. There is no riparian habitat within or near the Stewart Mountain Site.
- **Invasive Plants** - The incorporation of the Design Criteria in the EA at Chapter 2, page 14, will prevent the introduction of new noxious or invasive weed populations, therefore Alternative 2 will not contribute to the spread of invasive species and/or noxious weeds at either site.
- **Desert Tortoise** - Tortoises are unlikely to be adversely affected by the installation of the cell towers at the Goldfield Communications Site or Stewart Mountain Communications

- Site. No tortoises have been observed at either site and mitigation and design criteria address surveys during construction and procedure in the event of a discovery.
- **Bald Eagle** - Bald eagles are unlikely to be adversely affected by the installation of the cell towers at the Goldfield Communications Site and Stewart Mountain Communications Site. Mitigation and design criteria address timing restriction needs if implementation occurs during the breeding season between December 1 through June 30, and Arizona Game and Fish Department contacts if any disturbance during implementation is detected.
 - **Lesser long nosed bat** - Bats are unlikely to be adversely affected by the installation of the cell towers at the Goldfield Communications Site and Stewart Mountain Communications Site.
 - **Cactus ferruginous pygmy owl** - Cactus ferruginous pygmy-owls are unlikely to be adversely affected by the installation of the cell towers at the Goldfield Communications Site and Stewart Mountain Communications Site.
 - **Cave myotis bats** - Bats are unlikely to be adversely affected by the installation of the cell towers at the Goldfield Communications Site and Stewart Mountain Communications Site.
 - **Desert Big Horn Sheep** - Desert bighorn sheep are unlikely to be adversely affected by the installation of the cell towers at the Goldfield Communications Site and Stewart Mountain Communications Site. Mitigation and Design Criteria requires implementation to occur outside the breeding season of December 1 through June 30.
 - **Management Indicator Species** - There will be no effect to the Forest-wide population or habitat trend for the two applicable Management Indicator Species (black-throated sparrow and canyon towhee) because of the small amount of habitat impact (less than one acre) relative to the amount of habitat available and used by the species on the Tonto National Forest.
 - **Migratory Birds** – Alternative 2 may impact local birds but only minimally through small scale disturbance over a short time period. Any unintentional take reasonably attributable to the implementation of this action alternative is not likely to have any measurable negative effect on migratory bird populations.
3. There will be no significant effects on public health and safety, because the communications sites are generally isolated from the general public. The site at Goldfield Administrative Office is fenced with no public road access. (EA pages 11- 12). The site at Stewart Mountain is near the top of a tall rugged mountain with no established trail. Public access is discouraged by the terrain, and in general the site is rarely visited.
4. There will be no significant effects on unique characteristics of the area, because 1) ecologically critical areas such as park lands, prime farmlands, wetlands, wild and scenic rivers, etc. do not exist in the project area; 2) cultural resources have been surveyed within and adjacent to proposed treatment areas and the cultural resource survey reports concluded that no significant cultural resources or isolated occurrences were recorded during the survey and that no direct impacts to cultural resources will result from implementation of Alternative 2, 3) design criteria for this project meet the cultural resources site protection standards in the programmatic agreement between the U.S. Forest Service Region 3 and the Arizona State Historic Preservation Office and comply with best management

practices. The conclusion is that this project would not cause any adverse effects on unique characteristics of the geographic area. I think that conclusion is supported by the EA, and therefore I make the same finding.

5. The effects on the quality of the human environment are not likely to be highly controversial. Because there is no known scientific controversy over the impacts of the project. All comments received during scoping and the 30 day comment period on the EA were neutral or suggested ways to reduce or eliminate effects which supports the conclusion that no scientific or factual evidence has been uncovered to indicate that the environmental effects of this project as proposed would be different from the effects analyzed and disclosed in this EA. For these reasons I find that the effects of this project are not highly controversial.
6. The Tonto National Forest has considerable experience with the types of activities to be implemented. The effects analysis (EA Chapter 3) shows the effects are not uncertain, and do not involve unique or unknown risk.
7. The action is not likely to establish a precedent for future actions with significant effects because it conforms to all existing Forest Plan direction and is applicable only to the project area. Future projects that are proposed outside of but near the Goldfield – Stewart Mountain Communications Facilities Project will be analyzed on their own merits, separately from this project. Neither Scoping nor public comment for this project raised any disputes pertaining to the appropriate scope of this project, connectedness of other actions, or reasonably foreseeable future actions other than those considered in cumulative effects analysis in Chapter 3 of the EA. The EA supports the conclusion that this project would not establish a precedent, and for that reason I hereby make that same finding.
8. The cumulative impacts are not significant. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts is discussed in the EA in Chapter 3 in cumulative effects analysis for each resource. That discussion supports the conclusions that the cumulative impacts of this project would not be significant, and proposed treatments are not related to other actions, that when combined, would have significant impacts. I believe the EA supports those conclusions and hereby make the same findings.
9. The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, as discussed in the EA (EA pages 56 -57) The action will also not cause loss or destruction of significant scientific, cultural, or historical resources, because the EA provides adequate support for the conclusion that Alternative 2 would have no adverse effect on National Register-eligible districts, highways, or structures. In my judgment, the EA fully supports this conclusion, so I hereby make the same finding. Potential archeological, cultural, and historic sites were inventoried within the Goldfield – Stewart Mountain Wireless Communications Facilities project area in October 2012. A Cultural Resources Report (TNF Cell Towers Cultural Resources Survey, October, 31, 2012) that supports these conclusions is located in the project record.
10. The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species act of 1973, as described in the EA, Chapter 3, (pages 39 – 46). The conclusions that this action would not adversely affect any T&E species or habitat that has been determined to be critical under the Endangered Species act of 1973, or any Forest Service sensitive species are analyzed under

the Biological Evaluation (BE) Specialist Report and the EA. The BE is located in the project record (Goldfield – Stewart Pass Biological Evaluation, February 27, 2013). I think the EA supports that conclusion, and for that reason I hereby make that same finding.

11. The action will not violate applicable laws and regulations for the protection of the environment. The action is consistent with the Forest Plan as discussed at EA pages 1, 27, 48, 52, 53, and 54.

Findings Required by Other Laws and Regulations

This decision to implement Alternative 2 is consistent with the long term goals and objectives of the Forest Plan (Tonto National Forest Plan, 1985). The project conforms to the Forest Plan by incorporating appropriate standards, guidelines and desired conditions (EA pages 27, 29, 48, 53 and 54).

Implementation Date

Implementation of the decision may begin immediately following the publication date of the legal notice of this decision in the Arizona Capitol Times, the newspaper of record [36 CFR 215.9(c)].

Administrative Review or Appeal Opportunities

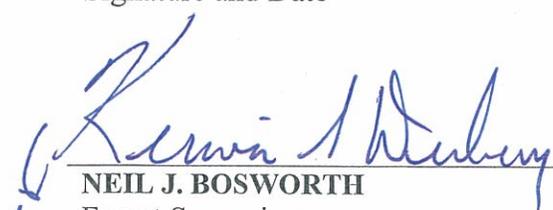
Since no comments or only supportive comments were received during the 30-day comment period (36 CFR 215.6), this decision is not subject to appeal (36 CFR 215.12).

Contact Person

For additional information concerning this decision contact:

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Signature and Date


NEIL J. BOSWORTH
Forest Supervisor
Tonto National Forest

7/22/2013
Date