



DECISION NOTICE AND FINDING OF NO SIGNIFICANT IMPACT
TRIANGLE MOUNTAIN COMMUNICATIONS SITE AND FOREST PLAN
AMENDMENT #16
U.S. FOREST SERVICE
T.22.S R.1.E SECTION 11
RICHFIELD RANGER DISTRICT, FISHLAKE NATIONAL FOREST
SEVIER COUNTY, UTAH

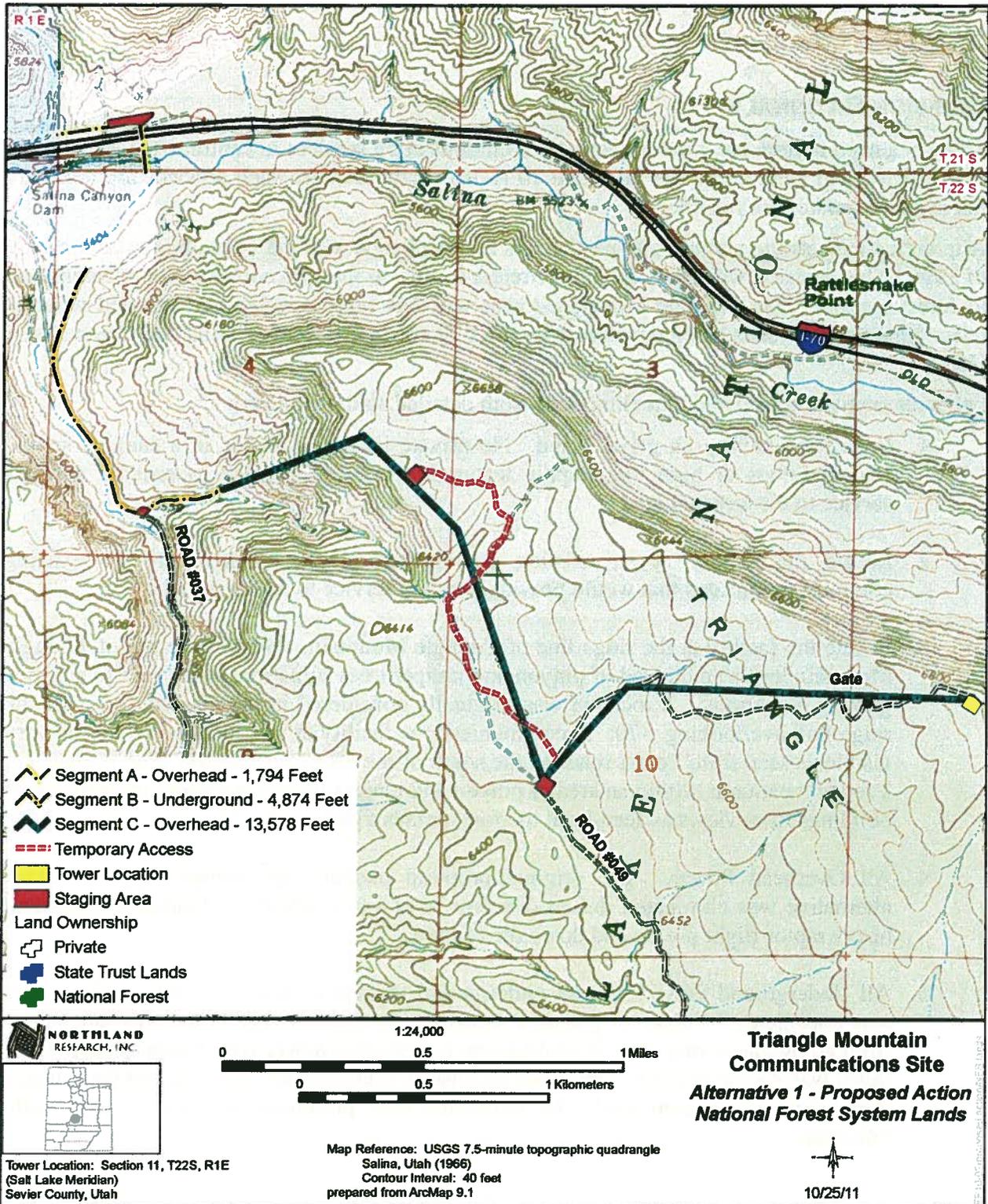
DECISION

Based upon my review of the Triangle Mountain Communications Site Environmental Assessment (EA), I have decided to implement Alternative 1 (Proposed Action). My decision will authorize a 20 year Communication Site Lease for the construction, operation, and maintenance of the Triangle Mountain Communications Facilities to be located in T22S R1E Section 1 as shown on Map 1. My decision includes the following actions:

- Construct a communications facility to accommodate up to 4 wireless carriers and other low power users within a 100 foot by 100 foot fenced compound. Low power is defined as being limited to 500 watts effective radiating power (ERP). The maximum power output expressed as ERP is based on the maximum output allowed for two-way radio under the Federal Communications Commission's rules at Title 47, Code of Federal Regulations, Part 90. As of the 2003 regulation, that is 500 watts ERP. Television, FM and AM broadcast/translators and other continuous broadcast uses are not allowed.
- Construct a 180 foot tall free standing lattice tower capable of accommodating at least four wireless carriers and associated microwave dishes.
- Construct equipment shelters designed to house all tenants within a 100 foot by 100 foot compound. The equipment shelters will be designed to initially accommodate three wireless carriers with the ability to expand within the compound area to provide additional tenant space for another carrier or other low power users.
- Authorize use, spot improvements, and maintenance of the existing Forest roads needed for construction and facility operational access.
- Designate the Triangle Mountain Communications Site in the Fishlake National Forest Land Management Plan through a non-significant plan amendment.
- Install approximately 3.8 miles of distribution power line on National Forest land. Approximately 15,372 feet will be overhead and 4,874 feet will be underground.

Alternative 1 includes the following required design criteria:

- Construction may occur only during the period of June 16 – December 31 (dependent on weather).
- To prevent disturbance to wintering big game during the critical period, construction is not allowed from January 1 to April 15.
- To prevent possible nest abandonment by golden eagles, power line construction is not allowed during the period of February 1 (courtship) – June 15 (young fledgling).
- Overhead power line pole design will include raptor protection devices.
- The tower will be painted a non-reflective slate gray color which will blend with the skyline.
- The equipment shelters will be painted earth neutral colors approved by the permit administrator.
- Overhead power poles will be wood and a dark brown in color.
- All vehicles and earthmoving vehicles will be weed washed and inspected prior to beginning work on National Forest System lands and roads.
- Seed mixtures, if needed for reseeded disturbed ground, will be certified weed free.
- Site construction will be restricted during periods of wet soil conditions as directed by the permit administrator when rutting from equipment more than 2 inches deep is observed. Operational and maintenance access will be minimized during periods of wet soil conditions.
- Emergency access requiring snow removal will be handled on a case by case basis, requiring separate authorization.
- A gate will be installed on the intersection FR 049 and FR 2096. FR 2096 will be restricted to FS administrative and special use holder use only.
- Disturbed area will be re-seeded with salt tolerant species.



Map 1.

DECISION RATIONALE

There is a need to improve wireless personal communication services in central Utah, principally east of Richfield Utah along the Interstate 70 (I-70) corridor where such services are currently not available and/or not reliable.

Alternative 1 meets the purpose and need and is in compliance with the Telecommunications Act of 1996. This decision will allow reliable wireless service to the I-70 corridor east of Salina and to forest visitors. The Triangle Mountain tower will link other existing and planned wireless telecommunications sites being developed for the I-70 corridor between Salina and Green River, Utah.

Other alternatives considered, but eliminated from detailed study, included:

1. Locate the facility on private land. No private land is available in a suitable setting (mountaintops or high topographic features) for tower location to provide wireless service to the targeted area.
2. Locate the facility at an existing communication site. There are no existing communication sites that would provide wireless service to the target area.
3. Locate the facility at the ridge line of Triangle Mountain. Most of the top of Triangle Mountain has been cleared of pinyon and juniper trees sometime in the past to enhance grazing conditions. A location was originally considered in the cleared area near the ridge line overlooking I-70. A communications facility at this location would be very visible as seen from Forest roads to the south of the proposed facility. The Alternative 1 tower location is within an area of pinyon and juniper trees that screens the equipment buildings from views as seen from the forest roads to the south.
4. All Overhead Power. The original proposal included all overhead power. This alternative was eliminated due to concerns over visual effects in Soldier Canyon and heavy raptor flight use up and down the canyon.
5. All Underground Power. An all underground alternative that followed existing roads was considered because of potential concerns for raptors and impacts to rare plants from an overhead line. An all underground alternative power run of approximately 7.5 miles was considered but eliminated because it would create more ground disturbance through trenching compared with individual pole placement and was economically infeasible.

The Triangle Mountain Communications Site EA documents the environmental analysis and conclusions upon which this decision is based.

PUBLIC INVOLVEMENT

This action was originally listed as a proposal on the Fishlake National Forest Schedule of Proposed Actions beginning on October 1, 2010 and has been updated periodically during the analysis. On August 25, 2010, a Notice of Proposed Action and Request for Comments document was mailed to 44 interested individuals and groups. On November 5, 2010 the same items were mailed to another six names including local government, two Indian Tribes, and a local grazing association. A total of three comments were received. The Back Country Horsemen of Central Utah supported the project stating the importance of cell coverage during emergencies. The Hopi Tribe expressed interest in consulting on the project if cultural resources are identified and will be adversely affected. Surveys determined that no cultural resources will be affected. The Public Lands Policy Coordination Office provided information regarding Air Quality rule R307-205-5 for Fugitive Dust that apply to construction activities that disturb areas greater than ¼ acre in size. Fugitive dust was analyzed in the EA pages 40-41.

A preliminary version of the EA was mailed to interested parties and local libraries in February 2012. On February 22, 2012 a legal notice was published in the Richfield Reaper, newspaper of record, announcing the official 30 day comment period. The Hopi Tribe was notified that no cultural resources will be impacted and the EA was available for review. The Hopi Tribe responded with no concerns or expression of interest.

The EA lists agencies and people consulted.

Public input received during scoping, notice and comment periods did not bring forward issues that would develop additional alternatives, therefore no changes or updates were made to the preliminary version of the EA which has been approved as the final.

FINDING OF NO SIGNIFICANT IMPACT

I have reviewed the environmental effects described in the EA and evaluated whether the Selected Alternative constitutes a significant effect on the quality of the human environment. I have evaluated whether the environmental impacts would be significant based on their context and intensity as defined by the National Environmental Policy Act and as described in 40 CFR 1508.27.

CONTEXT

Effects are local in nature, primarily at the communications site and the powerline. The tower will be visible from a short stretch of I-70. There are a few locations on forest system roads south of the tower site where the tower can be seen. The buildings on the ground should be screened by the existing vegetation from all viewpoints. Effects are limited to a small area of the Richfield Ranger District.

INTENSITY

The intensity of effects was considered in terms of the following:

1. Consideration of the intensity of environmental effects is not biased by beneficial effects of the action.
2. There will be no significant effects on public health and safety. Improved wireless communications with emergency services will be enhanced, improving public health and safety. (See EA page 40)
3. There will be no significant effects on unique characteristics of the area, because no historic or cultural resources, park lands, prime farmlands, or ecologically critical areas are present.
4. The effects on the quality of the human environment are not likely to be highly controversial. There is no known credible scientific controversy over the impacts of the proposed action.
5. The Agency has considerable experience with communication towers similar to the proposed action. The analysis shows the effects are not uncertain, and do not involve unique or unknown risk.
6. The action is not likely to establish a precedent for future actions with significant effects. This action is limited to approvals related to the Triangle Mountain Communications Site.
7. The cumulative impacts are not significant. Effects of the action are limited to the local area. Effects of the project were considered for their additive nature with other effects and cumulative impacts are minor.
8. 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. The cultural resource survey report concluded that no impacts to cultural resources will occur. (See EA page 42-43). Archaeological clearance was approved on 04/11/2012.
9. 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. A wildlife specialist report and biological evaluation was prepared and summarized in the EA pages 27-28.
10. The action will not violate Federal, State, and local laws or requirements for the protection of the environment.

After considering the effects of the actions analyzed, in terms of context and intensity, I have determined that these actions will not have a significant effect on the quality of the human environment. Therefore, an environmental impact statement will not be prepared.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

National Forest Management Act

This decision is consistent with the Fishlake National Forest Land Management Plan. The project was designed in conformance with Management Prescriptions 9F and 5A. Although the tower will be evident from I-70, the proposed tower does not dominate the landscape and will not change the Fishlake National Forest's visual quality objectives for the area under the Scenic Management System or the Visual Management System.

My decision results in a non-significant amendment to the Fishlake National Land and Resources Management Plan to designate the new Triangle Mountain Communications Site. Appendix 1 is an evaluation of significance for this amendment.

The Wildlife Specialist Report determined that only two Forest Service Sensitive species, the greater sage grouse and the pygmy rabbit, may be impacted. The project is not located within important wintering or breeding habitat for the greater sage grouse. A minor amount (six acres) of possible greater sage grouse habitat may be impacted. The majority of the potential sage grouse habitat impacts will be temporary in nature associated with construction of the overhead power line. This action may impact individuals of the greater sage grouse but is not likely to result in a trend toward federal listing or loss of viability due to the small amount of habitat impacted. Construction activities, specifically pole placement and vehicles traveling cross country to set poles and pull electric lines, could crush burrow entrances of the pygmy rabbit. This action may impact individuals of the pygmy rabbit during the construction phase, but is not likely to result in a trend toward federal listing or loss of viability due to the small amount of habitat impacted.

There will be no effect to the Forest-wide population or habitat trend for the five applicable Management Indicator Species (elk, mule deer, sage thrasher, vesper sparrow, Brewer's sparrow) due to the small amount of habitat impacted relative to the habitat available and used by the species on the Fishlake National Forest.

Migratory Bird Treaty Act

There will be no measureable effect on migratory bird populations as a result of any unintentional take. (EA page 38)

Bald and Golden Eagle Act

To prevent possible nest abandonment by golden eagles, powerline construction is not allowed during the period of February 1 (courtship) – June 15 (young fledgling). This timing restriction will keep the project in compliance with the Eagle Act.

Telecommunications Act of 1996

This decision is consistent with the Telecommunications Act by granting the use of National Forest Service System Lands for siting of mobile service antennas to authorized telecommunication service providers.



ADMINISTRATIVE REVIEW (APPEAL) OPPORTUNITIES

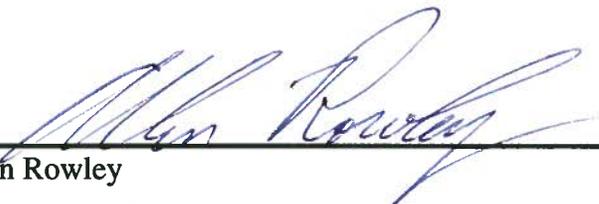
This decision is not subject to appeal pursuant to 36 CFR 251.12(e) (1).

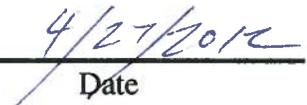
IMPLEMENTATION DATE

Implementation may begin immediately after publication of a legal notice announcing this decision in the Richfield Reaper, newspaper of record. Anticipated project construction is summer of 2012.

CONTACT

For additional information concerning this decision, contact: Dave Christensen, Richfield Ranger District, 115 East 900 North, Richfield, Utah 84701 or phone: 435-896-1054.


Allen Rowley


Date

Forest Supervisor, Fishlake National Forest

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Significance Determination Triangle Mountain Wireless Communication Site Forest Plan Amendment

Background

Forest Service Handbook direction (FSH 2709.11 Chapter 90) requires communication sites be designated as a land allocation through the land management planning process. Communications sites are one of the special uses recognized in the 1986 Fishlake National Forest Land and Resource Management Plan (Forest Plan), as amended.

Under the National Forest Management Act, Forest Land and Resource Management Plans may “be amended in any manner whatsoever after final adoption and after public notice”. Federal regulations at 36 CFR 219.14 allow Forests to use the provisions of the planning regulations in effect before November 9, 2000 in order to amend forest plans. These regulations state that the responsible official shall: 1) Determine whether proposed changes to a land management plan are significant or not significant in accordance with Forest Service Manual 1926.5; 2) Document the determination of whether the change is significant or not significant in a decision document; and 3) Provide appropriate public notification of the decision prior to implementing the changes.

Need for Site-Specific Amendment

Implementation of the selected alternative (Proposed Action) will require a site-specific amendment to the Fishlake National Forest Plan to designate a communication site on Triangle Mountain located in NW1/4 Section 11, Township 22 South, Range 1 East, Salt Lake Meridian on the Richfield Ranger District, Fishlake National Forest.

Significance Evaluation

The Forest Service Land and Resource Management Planning Manual (Forest Service Manual 1926.51) provides a framework of four criteria for consideration when determining if a proposed change to a Forest Plan is significant. An amendment is not significant when:

1. Actions that do not significantly alter the multiple-use goals and objectives for long-term land and resource management,
2. Adjustments of management area boundaries of management prescriptions resulting from further on-site analysis when the adjustments do not cause significant changes in the multiple-use goals and objectives for long-term land and resource management,
3. Minor changes in standards and guidelines, or
4. Opportunities for additional projects or activities that will contribute to achievement of the management prescription.

Following is an evaluation of the Triangle Mountain Communication Site Plan Amendment against the four significance criteria.

1. The proposed amendment to the Fishlake National Forest Land Management Plan does not alter any of the multiple use goals and objectives for long-term land and resource management. The amendment will improve wireless communication along a section of I-70 near Salina, Utah. It is a small scale site-specific amendment that will have no effect on Forest Plan objectives or outputs.

2. Management prescriptions are applied in the 1986 Fishlake National Forest Plan, as amended, through designation of Management Areas. This amendment will not change or have an effect on the management prescriptions.
3. The proposed amendment does not change the standards or guidelines in the Forest Plan.
4. The proposed amendment does not prohibit nor change the opportunities for additional projects or activities that will contribute to the achievement of management prescriptions.

Based on the four significance criteria, and considering the Forest Plan in its entirety, I have determined that this amendment to the Fishlake Forest Plan is not significant.

Public Notification

The need for this amendment has been disclosed in the scoping letter for the project, the legal notice announcing the official comment period, and the environmental assessment circulated for public review.

Direct, Indirect, and Cumulative Impacts of the Amendment

The direct, indirect, and cumulative impacts of this site-specific amendment are disclosed in the Triangle Mountain Wireless Communications Facility Environmental Assessment (March 2012). There are no significant impacts associated with this amendment.