



United States
Department of
Agriculture

Forest
Service

National Forests in North Carolina
Pisgah National Forest
Appalachian Ranger District
Hot Springs Station

PO Box 128
Bridget St
Hot Springs, NC 28743-0128
828-622-3202

File Code: 1900/2700

Date: August 23, 2006

Dear Interested Members of the Public:

The Decision Memo (DM) for the Rich Mountain – U.S. Cellular project located on the Appalachian Ranger District, Madison County has been signed. The DM discusses the decision and rationale for reaching it—copies are enclosed. The Agency recognizes that this project generated a substantial amount of interest from members of the public and would like to thank all who were involved in the project. Each comment was carefully considered prior to the decision.

The decision is not subject to administrative appeal pursuant to 36 Code of Federal Regulations 215.12(f) and is consistent with the October 19, 2005, *Earth Island v. Ruthenbeck* order.

For further information on this decision, contact Ray Johns, Realty Specialist, National Forests in North Carolina at 828-257-4859 or Michael Hutchins, NEPA Coordinator, Pisgah National Forest at 828-682-6146.

Sincerely,

/s/ *PL Bradley*

PAUL L. BRADLEY
District Ranger

Enclosure



DECISION MEMO

Rich Mountain – U.S. Cellular

USDA Forest Service
Appalachian Ranger District
Pisgah National Forest
Madison County, North Carolina

I. DECISION

I have decided to issue a new Special Use Permit to U.S. Cellular for a twenty year term to allow construction of a new cell tower to be placed at the top of Rich Mountain, Madison County, North Carolina. The permit will allow the following activities: 1) placement of about 20 new above ground power poles with powerline by French Broad EMC from the junction of State Road 212 and Highway 25/70 – the above ground poles with powerline would continue in the road right-of-way of Highway 25/70 for about 1 to 1.5 miles; from there, the line will be buried below ground at least 2-3 feet in a <1 foot wide ditch using a “ditch witch” or similar device up to Tanyard Gap (a backhoe may be used if rock is encountered). 2) From Tanyard Gap, the line would remain underground and continue within the width of Forest Service Road 3514 (Neal Barnette Road) up to an existing dozer line about ¼ mile below Rich Mountain. The line would continue in the width of the dozer line up to Rich Mountain—the below ground line will cross the Appalachian Trail in this section. 3) At Rich Mountain a new non-reflective, 120 foot mono-pole tower would be placed near the Rich Mountain Fire Tower and an equipment platform and wooden fence would be placed at the foot of the fire tower. Existing antennas and equipment near the fire tower will be removed. The total area affected is expected to be less than about four acres of National Forest System (NFS) lands. Native seed sources will be used where needed.

These actions are consistent with the goals, objectives, and desired future condition identified in the Land and Resource Management Plan for the Nantahala and Pisgah National Forests issued in April 1987 and as amended (Forest Plan). With this, I have decided to implement the project as proposed.

II. PROJECT SCOPING

Public scoping was conducted through the Forest’s July 2005 Schedule of Proposed Actions; a scoping letter mailed on July 26, 2005; an open house at the Appalachian District office in Hot Springs on August 24, 2005; and through a second scoping letter mailed October 14, 2005. Based on this coping, over 150 individual letters or e-mails were submitted along with petitions signed by over 1,000 individuals. The vast majority of individuals were in support of the proposal, but some concerns with the design of the project were identified. I believe the final project’s design adequately addresses comments received while meeting the purpose for the project—providing cell phone coverage for the Hot Springs area.

A Biological Evaluation (BE) was prepared for this project on October 31, 2005, that determined the “[p]roposal will have no known effect upon any Federally Listed species. Consultation with the U.S. Fish and Wildlife Service is not required. This proposal will not impact any Regionally Sensitive species.”

An archaeological report was completed by the Zone Archaeologist in April 2006 that concluded there would be no adverse archaeological effects. The State Historic Preservation Officer was sent the report to review and comment on April 24 and they concurred with our determination.

III. REASONS FOR CATEGORICAL EXCLUSION OF PROJECT

This project is categorically excluded under Section 31.2 (3) of the Environmental Policy and Procedures Handbook, FSH 1909.15, *Approval, modification, or continuation of minor special uses of National Forest System lands that require less than five contiguous acres of land*. There are no other extraordinary circumstances that exist which might cause the action to have significant effects [FSH 1909.15 Section 30.3 (2)].

IV. FINDINGS

1. The actions of this project are consistent with the Forest-wide direction given in the Land and Resource Management Plan for the Nantahala and Pisgah National Forests (Forest Plan).
2. The actions of this project are consistent with the Forest Plan because mitigation measures for impacts have been fully applied in the planned actions. The project is feasible and reasonable, and will result in applying management practices that meet the Forest Plan's overall direction of protecting the environment while producing goods and services.
3. The actions of this project have met all requirements of the Endangered Species Act and all agreements with the State Natural Heritage Program, in that there are no impacts expected on Proposed, Endangered, Threatened, or Sensitive species or critical habitat for these species.
4. There are no significant heritage or cultural resources in the project area that would be adversely affected.
5. There are no irreversible or irretrievable resource commitments.

V. APPEAL ELIGIBILITY & IMPLEMENTATION

My decision is not subject to administrative appeal pursuant to 36 CFR 215.12(f) and is consistent with the October 19, 2005, *Earth Island v. Ruthenbeck* order. My decision is categorically excluded from an environmental assessment or environmental impact statement and this project may be implemented immediately upon signature.

VI. CONTACTS

For further information on this decision, contact Linda Randolph, Project Leader, Appalachian Ranger District at 828-622-3202, Michael Hutchins, Pisgah National Forest NEPA Coordinator at 828-682-6146, or Ray Johns, Forest Lands Program Manager at 828-257-4859.

/s/ *Monica J. Schwalbach*

for MARISUE HILLIARD

Forest Supervisor

August 22, 2006

Date

Enclosure

**Proposed U.S. Cellular Tower Proposal
 Rich Mountain Communication Site
 Appalachian Ranger District
 French Broad Unit
 Madison County, North Carolina**

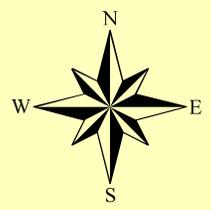
Rich Mountain
 Communication Site

Underground
 Powerline

Above Ground
 Powerline

Legend

- - - Overhead Powerline
- - - Underground Powerline
- New US 25/70
- National Forest



1 inch equals 0.35 miles

