

DECISION MEMO

UNITED STATES CELLULAR OPERATING COMPANY OF MEDFORD WAMPUS BUTTE COMMUNICATIONS SITE INSTALLATION

USDA Forest Service
Bend/Fort Rock Ranger District, Deschutes National Forest
Deschutes County, Oregon
Township 22 South, Range 9 East, W1/2 NW1/4 Section 2, Willamette Principle
Meridian.

I. DECISION TO BE MADE

A. Decision

It is my decision to issue a communications use lease to the United States Cellular Operating Company of Medford (USCell) to locate communication facilities at Wampus Butte Communications Site on National Forest System lands. USCell will construct, operate and maintain a cellular base station facility to support two-way cellular transmissions. Facilities to be installed in support of this use are a co-locatable free-standing 85' lattice tower and 12' x 30' co-locatable equipment building positioned within a perimeter fence along with a back-up generator and propane tank adequate in capacity to accommodate all future tenants or customers located in or on the buildings and tower.

B. Location of the Project

The project area is located at the Wampus Butte Communications Site on Wampus Butte. The legal description is Township 22 South, Range 10 East, Section 2, Willamette Meridian. Wampus Butte is located approximately 6 miles northwest of La Pine, Oregon within the boundary of the Deschutes National Forest. This site is designated as a communications site in the Deschutes National Forest Land and Resource Management Plan (Forest Plan) (8/90). Two communication lessees currently occupy the site. The project area is within the following Forest Plan Management Area (MA)- 'General Forest' (MA-8). The goal of the 'General Forest' MA is "To emphasize timber production while providing forage production, visual quality, wildlife habitat and recreational opportunities for public use and enjoyment".

II. PURPOSE AND NEED FOR ACTIVITIES

A. Purpose and Need

USCell is licensed by the Federal Communications Commission to provide wireless telecommunications service for the central Oregon region. The new facility will provide

result of this authorization. Equipment to be used include an excavator, crane and service trucks. Project implementation will span approximately two months in duration and commence upon authorization.

C. Measures to Reduce or Eliminate Unwanted Impacts Include, But Are Not Limited To:

- Measures to reduce the risk of noxious weed introduction and spread
- Protecting archaeological resources
- Protecting visual quality
- Maintaining road standards
- Protecting wildlife and maintaining potential habitat

Weeds

- The lessee will be required to clean all equipment before entering National Forest System lands. All mud, dirt, and plant parts will be removed from equipment before it is moved onto the project area.
- If import fill material is required to complete the project, the FS botanist will inspect the material for weeds. Only weed-free fill material will be used.

Archaeology

- There are no known cultural sites. The lessee will be required to cease operations immediately if a previously unknown site is discovered.

Visual Quality

- No trees will be cut for this project. The building will be colored a neutral brown to blend with the surroundings. The microwave dish will be placed as low as possible on the tower considering future use and all tower mounted antennas will be of a non-reflective finish.

Roads

- If necessary as a result of project implementation, access road modifications will be approved by the FS engineering staff and be subject to FS standards and specification.

Wildlife

- To assure that the tower is not having any negative impacts to neotropical migratory birds, the permittee will report any carcasses of birds discovered during any of their visits to the facility. The reports will go to the Special Uses Administrator, and include the date the birds were found, the number of birds, and

2. Flood plains, wetlands, or municipal watersheds

Floodplains: Executive Order 11988 provides direction to avoid adverse impacts associated with the occupancy and modification of floodplains. Floodplains are defined by this order as, "...the lowland and relatively flat areas adjoining inland and coastal waters including flood prone areas of offshore islands, including at a minimum, that area subject to a one percent [100-year recurrence] or greater chance of flooding in any one year."

There are no floodplains within the project area.

Wetlands: Executive Order 11990 is to avoid adverse impacts associated with destruction or modification of wetlands. Wetlands are defined by this order as, "... areas inundated by surface or ground water with a frequency sufficient to support and under normal circumstances does or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds."

There are no wetlands within the project area.

Municipal Watersheds: There are no municipal watersheds within the project area.

3. Congressionally designated areas such as wilderness, wild and scenic rivers, and national recreation areas

The planning area is located within the Upper Deschutes River Wild and Scenic River corridor. The project shall occur well outside the designated ¼ mile foreground most sensitive viewing area of the river. Wampus Butte is .93 miles from the Deschutes River at its closest point within the '1/4 mile to 5 mile' designated secondary sensitive viewing area designated from the river. The secondary sensitive viewing area is defined as "areas that would be seen from various points along the river and from certain recreation sites". Field research showed, using the Oregon State Police (OSP) existing Wampus Butte facility as a visual model, that the 60' tower height development on Wampus Butte will have minimal influence on viewing areas from the Deschutes River. Considering the antenna heights extending above the existing 60' OSP tower compared to the 85' tower height proposed by US Cell, visual impacts would be similar and negligible. The site is fairly remote and hidden from recreational areas. There appears to be no major impacts to nearby scenic corridors such as the Cascade Lakes Scenic Byway (Highway 46) and the Deschutes River recreation sites and river corridor.

The facility is located within a General Forest Management Area. It is not within a Scenic Views Management Area so there are no scenic views guidelines or qualifications to be met. The site is not located on or adjacent to a major travel route or use area so there will be minimal visual impacts to Forest resources in terms of scenic values or recreation experience.

ground disturbing equipment will be used during construction and there is potential for the import of fill material. The mitigation measures discussed in section II.C. of this document will be implemented to avoid introducing new populations of weeds.

IV. PUBLIC INVOLVEMENT

A scoping letter was mailed to 108 individuals, organizations, and agencies on February 14, 2008. The scoping period was closed on March 12, 2008. The project was also included in the winter 2008 edition of the Deschutes National Forest's 'Schedule of Proposed Actions'. The following tribal governments were contacted with letters: Confederated Tribes of the Warm Springs Reservation, Burns Paiute Tribe, and the Klamath Tribes. This categorically excluded activity is not subject to notice, comment, or appeal under the 36 CFR 215 rules.

Three individuals responded to scoping. All respondents expressed various concerns regarding the project:

Comment: A concerned citizen: "How much are these companies paying the forest service to place these structures on the National Forest lands? It seems these for profit companies should pay for the use of the land." and "It seems that an 85 foot tower might be an eyesore in the Forest."

Response: *US Cellular has paid cost recovery fees to fund the Forest Service for the analysis of the project's application. As a corporation with permitted use on public lands, an annual land use rental fee will be charged according to the scope and type of use. The 85' tower would be downslope of the existing towers where the top of the antennas on the tallest existing tower would be approximately the same height as the top of the 85' tower without antennas. Panel antennas would extend 10' above and a lightning rod would extend 15' above the 85' tower height. There are no scenic views guidelines or qualifications to be met. The site is not located on or adjacent to a major travel route or use area so there may be minimal visual impacts to Forest resources in terms of scenic values or recreation experience.*

Comment: Blue Mountain Biodiversity Project comment after the close of the scoping period, dated 3/13/2008: "Dangers of putting up cell phone towers are not limited to removal of trees or threats to PETS species on site. Research since the advent of cell phone technology is increasingly confirming the following..... cell phone towers: directly kill millions of birds nationwide; negatively affect migratory wildlife including terrestrial species such as salamanders & bees & pine martens; are thought to increase the risks of leukemia to local residents near the towers. Cell phone use: is now known to cause brain tumors in humans, increase traffic accidents, cause heart palpitations and possible harm to people standing within 100 feet of the cell phone in use.....illegal surveillance,contribute to a genocidal warover mineral necessary for cell phone manufacture and to the extirpation.....of lowland gorillas.....We request a full analysis of the impacts of cell phone towers and cell phone use expansion to local residents, citizens within reach of the projected cell phone use reception zone stemming from this tower and global recipients of indirect effects such as low land gorillas and people in the Congo."

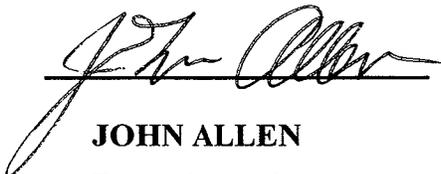
Response: *Mitigation measures are outlined in this document and are applied consistently to all proposals of this nature. USCell has paid cost recovery fees to fund the Forest Service for analysis of the application and monitoring of the subsequent authorization. As a corporation with permitted use of public lands, an annual land use rental fee will be charged according to the scope and type of use. Land use rental fees go to the U.S Treasury and discretion over the destination of these funds is a decision to be made by the U.S. Congress; therefore outside of the scope of this decision.*

V. FINDINGS REQUIRED BY OTHER LAWS

This project is consistent with the Deschutes National Forest Land and Resource Management Plan (Forest Plan) as required by the National Forest Management Act. The Plan is amended by Inland Native Fish Strategy, which provides standards and guidelines for protection of watersheds and riparian habitat conservation areas. There are no riparian habitat conservation areas within the planning area. The project record containing specialist reports supporting this document are on file at the Bend Fort Rock Ranger District office. The project record is designed in conformance with Forest Plan standards and incorporates appropriate guidelines for the 'General Forest' Management Allocation.

VI. APPEAL INFORMATION

This decision is not subject to appeal pursuant to 36 CFR 215.12(f). Implementation may begin immediately.



JOHN ALLEN
Forest Supervisor

10-10-02
Date