

DECISION MEMO

QWEST CORPORATION GENERAL PATCH BRIDGE PHONE LINE

USDA Forest Service
Bend/Fort Rock Ranger District, Deschutes National Forest
Deschutes County, Oregon
N ½ Section 26, Township 20 South, Range 10 East, Willamette Principle Meridian

I. DECISION TO BE MADE

A. Decision

It is my decision to authorize an amendment to a current special use permit issued to Qwest Corporation to allow the construction, operation, and maintenance of an additional segment of buried telephone line. The existing segments of phone line will be removed from General Patch Bridge where attached and abandoned in place where currently buried.

B. Location of the Project

The project is located in a portion of the N ½ Section 26, Township 20 South, Range 10 East. It proposes a re-route of an existing phone line spanning General Patch Bridge to Maxwell Bridge, which is located approximately 700' south of General Patch Bridge. The phone line will be buried along the north side of Forest Road 42 both east and west of Maxwell Bridge for approximately ¼ mile in each direction. The project area includes the following Forest Plan Management Areas (MA): Intensive Recreation, (MA11). The goal of Intensive Recreation MA is to provide a wide variety of quality outdoor recreation opportunities within a forest environment where localized settings may be modified to accommodate large numbers of visitors. Wild and Scenic River, (MA17). The goal of Wild and Scenic River MA is to protect and enhance those outstandingly remarkable values that qualified rivers on the Deschutes National Forest for inclusion in the National Wild and Scenic River Program.

II. PURPOSE AND NEED FOR ACTIVITIES

A. Purpose and Need

This project is needed to realign the existing buried and hanging phone line to facilitate removal of the General Patch Bridge.

B. Description of Project Activities

This project proposes to re-route a portion of a Qwest utility line. Approximately 155' of existing line will be removed from the old General Patch Bridge (which is to be

demolished) and the existing line leading to and from General Patch Bridge will be abandoned. 2000' of buried line will be abandoned west of the bridge while 1420' of buried line will be abandoned to the east of the bridge.

A total of 2660' of line is being installed. Approximately 1020' of line will be buried west of Maxwell Bridge where it will tie in with the existing Qwest pedestal #42. Approximately 1400' of new line will be buried to the east of Maxwell Bridge where it will tie in with the existing Qwest line on the north side of Forest Road 42. Buried line will be offset from Forest Road 42 approximately 5 feet. Trenches will be 30" deep and 18" wide and will be constructed using a backhoe and trencher. No trees will be removed for this project. 240' of black 4' conduit will be installed on the downstream side of Maxwell Bridge and will be attached with grey or brass colored pipe hangers and grey colored L brackets.

Two pedestals will be installed. One pedestal will be located 1400' to the east of Maxwell Bridge on the north side of Forest Road 42 and the other pedestal will be 70' from the east end of Maxwell Bridge approximately 5' from the Midstate Electric Cooperative power vault. Project duration is expected to last approximately 1 week.

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

- Reducing the risk of noxious weed introduction and spread
- Protection or avoidance of cultural sites

1. Botany

- There is a **HIGH** risk of weed spread in the project area
- There is a large population of spotted knapweed at the bridge and on the 42 road leading to it and adjacent to the old bridge that's being taken down. The site has been pulled at least twice in the summer of 2008, with all the adult plants (those that will flower and set seed) pulled. However, there is still a site there in terms of the seedbank and rosettes waiting for next year. There is a **HIGH** risk that weeds will be spread with the project, because there is a weed site and machinery will be working directly in it. With that in mind, here are the mitigations for Qwest:

a. Machinery involved in project activities must be washed prior to entry into the project area.

b. If fill material from outside the project is necessary to complete the project, a Forest Service botanist will inspect it for weeds.

2. Archaeology

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

III. REASONS FOR CATEGORICALLY EXCLUDING THE DECISION

Decisions may be categorically excluded from documentation in an environmental impact statement or environmental assessment when they are within one of the categories identified by the Chief of the Forest Service in Forest Service Handbook (FSH) 1909.15 section 31.2, and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment.

This project may be categorically excluded from documentation in an environmental impact statement or environmental assessment as it is a routine activity within a category of exclusion and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment.

A. Category of Exclusion

The appropriate category of exclusion is found in the Forest Service Handbook 1909.15 Section 31.2 Category 2: Additional construction or reconstruction of existing telephone or utility lines in a designated corridor.

B. Relationship to Extraordinary Circumstances

In determining the appropriateness of using the categorical exclusion, a determination of the potential impact to the resource conditions identified in FSH 1909.15 Section 30.3(2) must be made. The following is the list of the potential effects to the resource conditions from the project activities.

1. Federally listed Threatened or Endangered Species or designated habitat or species proposed for Federal listing or proposed critical habitat

Botany and wildlife evaluations were conducted and both found that no federally listed threatened or endangered plant, wildlife or aquatic species or their habitat occurs within the project area.

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 Wild and Scenic River corridor, segment 3B. This area is designated as recreational, which is defined as, “Those rivers or sections of rivers that are readily available by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past.” Scenic quality in this segment is given a significant value. Adverse effects to scenic quality are being minimized by using an existing right-of-way and buried lines. Conduit will span the Upper Deschutes River, but will do so attached to the existing Maxwell Bridge and will be attached on the downstream side of the bridge to minimize visual impact. Water quality will be maintained as no additional sediment will be added to the river.

The planning area is not located within a wilderness or a national recreation area.

4. Inventoried Roadless Areas

There are no inventoried roadless areas in the planning area. The project would not construct any permanent or temporary roads.

5. Research Natural Areas

There are no existing or proposed Research Natural Areas in the planning area.

6. American Indian and Alaska Native religious or cultural sites, archaeological sites or historic properties of areas

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effect of a project on any district, site, building, structure, or object that is included in, or eligible for inclusion in the National Register. Section 106 of the National Historic Preservation Act also requires federal agencies to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment. The

Archaeological Resources Protection Act covers the discovery and protection of historic properties (prehistoric and historic) that are excavated or discovered in federal lands. It affords lawful protection of archaeological resources and sites that are on public and Indian lands. The Native American Graves Protection and Repatriation Act covers the discovery and protection of Native American human remains and objects that are excavated or discovered in federal lands. It encourages avoidance of archaeological sites that contain burials or portions of sites that contain graves through “in situ” preservation, but may encompass other actions to preserve these remains and items.

This decision complies with the cited Acts. Surveys were conducted for Native American religious or cultural sites, archaeological sites, and historic properties or areas that may be affected by this decision. No known cultural sites were located.

Conclusion

Based on the conclusions regarding the effect to the resource conditions listed above, no extraordinary circumstances exist with the proposed project activities that may result in a significant direct, indirect, or cumulative effect on the quality of the human environment.

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 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.

Two individuals responded to scoping.

Comment: Blue Mountain Biodiversity Project comment dated 3/13/2008: “The existing line should be removed and any environmental damage restored.”

Response: *Excavation of the existing line poses more risk of resource damage than abandoning the lines. For this reason, common industry practice is to not remove these lines. Qwest reports they have no history of troubles with buried lines abandoned in place.*

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 “...seem(s) acceptable...”

Response: *Qwest Corporation and Pacific Power and Light has paid cost recovery fees to fund the Forest Service for the analysis of the project’s application and monitoring of the subsequent authorization. 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.*

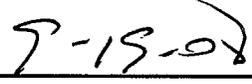
V. FINDINGS REQUIRED BY OTHER LAWS

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. The project is designed in conformance with Forest Plan standards and incorporates appropriate guidelines for Scenic Views management allocations and for preventing the introduction and spread of invasive plants. The project is consistent with the Wild and Scenic Rivers Act and complies with the direction in the Wild and Scenic River Plan.

VI. APPEAL RIGHTS

This decision is not subject to appeal. Implementation may begin immediately.

For additional information concerning this decision, contact Scotty McBride, Special Uses Administrator at the Bend-Fort Rock Ranger District, 1230 NE Third Street, A-262, Bend, OR 97701 or via telephone at 541-383-4000.

 
JOHN ALLEN Date
Forest Supervisor