
Decision Notice and Finding of No Significant Impact
Search and Rescue Communication Site
Duffield Peninsula, Baranof Island
Forest Plan Amendment

Tongass National Forest
Sitka Ranger District
Sitka, Alaska

Introduction

The Tongass National Forest received a proposal by the U.S. Coast Guard (USCG) to develop a new communication site for a search and rescue (SAR) communication facility on the Duffield Peninsula on Baranof Island in the City and Borough of Sitka, Alaska. The proposed USCG project is part of the National Distress and Response System (NDRS) Modernization Project, now called Rescue 21 (R21), and would provide SAR service to portions of Peril Strait and Sergius Narrows not currently served by existing SAR communication facilities.

Decision

This Decision Notice documents my decision to amend the 2008 Tongass National Forest Land and Resource Management Plan (Forest Plan) to designate a new communication site at Duffield Peninsula and to authorize the United States Coast Guard (USCG) to use National Forest System (NFS) lands to build, operate, and maintain a communication facility through the issuance of a special use permit. Based on the Environmental Assessment (EA), completed for this project, I have decided to implement Alternative 2, the Proposed Action, as described in the EA. The project will occupy less than 0.5 acres of federal land, which is administered by the Forest Service, U.S. Department of Agriculture, (Forest Service). The selected alternative consists of: a communication tower, communication hut, generator hut, propane fuel tanks, solar array, helicopter pad, and all necessary electronic equipment. Construction materials for the selected alternative will be transported to either Goose Cove or Rodman Bay, depending on conditions as discussed in this document.

A communication site is an area of NFS land designated through the Forest land and resource management planning process for telecommunication uses. Sites approved for telecommunication facilities are characterized by antennas, electronic transmitters, equipment shelters, and a wide variety of electronic communication support equipment. Forest Service policy encourages co-location of communication equipment where proposed uses are compatible with existing uses at an electronic site. As stipulated in the 2008 Forest Plan, Appendix E (pg. E-1), new sites may be added as non-significant Forest Plan amendments. A non-significant Forest Plan amendment would not:

- alter the multiple-use goals and objectives for long-term land and resource management;

- affect opportunities for additional projects or activities that will contribute to achievement of the management prescriptions; or
- have more than minor effects on management prescriptions, LUDs, or Forest-wide standards and guidelines for the LUD which would be changed.

The proposed project would be added to the list in Appendix E of the Tongass Forest Plan as an approved communication site and therefore requires an amendment to the Forest Plan for approval. An Environmental Assessment and Biological Evaluations for plants and wildlife were completed for the project area. The Environmental Assessment identified no significant impacts would occur as a result of designating this site for communication use, and from the construction and operation of the proposed facility.

No extraordinary circumstances exist which would result in additional impacts and no irreversible commitment of resources are anticipated.

The following design elements and mitigation measure are part of this decision and will be implemented to reduce or prevent negative effects:

All project designs adhere to Best Management Practices (BMPs) outlined in the *Alaska Region's Soil and Water Conservation Handbook* and the *Water Quality Management on National Forest System Lands*.

A number of additional management measures and Forest-wide standards and guidelines are included in the action to ensure that potential impacts are avoided or minimized. These measures are described below.

Measures to Avoid or Minimize Impacts to Soils

1. A site survey will be conducted by the USCG (in conjunction with the Forest Service) in early April 2013 to evaluate the soils at the proposed landing and staging areas at Goose Cove. Soils containing less than 35% gravels within the top 12 inches will require:
2. If soils are less than 35% gravels but are otherwise deemed competent (coarse sand under Unified/AASHTO), then materials will be off-loaded using a small forklift with tracks for staging prior to helicopter transport.
3. If soils are silt or silt loam without coarse material (fine sand or finer under Unified/AASHTO), then in addition to tracked equipment, energy dissipation systems (e.g. log matting, tire grid, steel plates) will be deployed to prevent rutting.

Measures to Avoid or Minimize Impacts from Invasive Weeds

1. Shovels, picks, forklift(s) or other earth moving tools shall be cleaned of soil before leaving the contractor's yard to prevent the accidental transfer of invasive species seeds to the site. This cleaning shall be done by powerwashing all of the surfaces of the hand tools and the undersurface including tires or tracks of the forklift.

Measures to Avoid or Minimize Impacts to Sensitive Plant Species or Habitat

1. A site survey will be conducted by the USCG (in conjunction with the Forest Service) in early June 2013 to determine if moonworts (*Botrychium spp.*) and/or lichen (*Lobaria amplissima*) (or any other sensitive plants species) are within the proposed Goose Cove staging area. If these or any other R-10 Sensitive plants are found, the staging area will be moved to avoid them or flagged to ensure that there is no damage to them or within a meter of any stalk.
2. Staging area site placement shall avoid areas that have Cowardin classification parameters of wetland soils, wetland plants and/or presence of water.
3. Staging area site placement shall avoid wetland small trees such as *Alnus rubra*, *Salix spp.*, etc.

Measures to Avoid or Minimize Impacts to Marine Mammals

1. The Coast Guard, as a condition of contract specifications, and through monitoring by Coast Guard personnel, will ensure that should Humpback whale, Steller sea lions, or any other marine mammal be sighted within 100 yards of the staging barge at Rodman Bay, staging operations, including helicopter flights, shall be delayed until the marine mammal(s) has left the area of its own accord.
2. The USCG will adhere to the National Marine Fisheries Service (NMFS) guidelines for marine mammal protection in Alaska, which recommend that all aircraft maintain a minimum of 1,500 feet from individuals that are encountered and a minimum of 3,000 feet from important haulouts.

*Measures to Avoid or Minimize Impacts to Mountain Goat (*Oreamnos americanas*)*

1. The USCG will conduct visual surveys of the construction site within two weeks of start of construction to determine if mountain goats are present at the site or in the vicinity. Visual surveys will be done from helicopters and will typically be conducted from at least 1,500 feet vertical clearance to ensure mountain goats, if present, are not impacted by noise and presence. If mountain goats are present at the site, the Coast Guard will work with the Forest Service to devise measures to ensure that these animals will not be disturbed by the construction activities. Methods may include constructing exclusion fencing around the site. This fencing shall be large enough to include the helicopter landing area(s) and all other equipment and supplies. The fencing will be placed in a manner that does not exclude mountain goat dispersal and/or block animal corridors.
2. Helicopter flights, including for transport of materials to or from the staging site or transport of personnel to/from Sitka, shall avoid flying within 1,500 feet of any mountain goats. Helicopter flights from either the Goose Cove or Rodman Bay staging area will all ultimately approach the construction site from the north such that, should any mountain goats be present that were previously not known, the mountain goats would likely move south and east, away from the site/helicopter and toward Rodman Bay, which is their general travel route and is away from steeper slopes to the north.

*Measures to Avoid or Minimize Impacts to Queen Charlotte Goshawk (*Accipiter gentilis laing*)*

1. Helicopter pilots will avoid flying within known goshawk nest sites during the fledgling stages, between June 1 to August 15 during construction or continued operation of the site.
2. The proposed helicopter flight paths from the staging area to the construction site will not affect the one known goshawk nest site on the northern tip of the Duffield Peninsula. If the proposed helicopter paths change substantially so as to enter areas further north, near the known nest site, preconstruction surveys for goshawks shall occur within two weeks of start of construction to determine if these species are present in the vicinity.

3. Helicopter flights shall maintain an altitude of at least 500-foot vertical clearance, and when possible, 1,000-foot vertical clearance to avoid or minimize any potential impacts to any goshawk foraging areas or unknown goshawk nest sites.

Measures to Avoid or Minimize Impacts to Bald Eagle (Haliaeetus leucocephalus)

1. Preconstruction surveys shall occur within two weeks of start of construction to determine if bald eagles are present at or in the vicinity of the staging site(s) (Goose Cove or Rodman Bay).
2. All activities, including helicopter landings, shall be at least 0.25 mile from any active nest site.
3. Helicopter flights shall maintain an altitude of at least 500-foot vertical clearance, and when possible, 1,000-foot vertical clearance to avoid potential impacts to any bald eagle foraging areas or unknown bald eagle nest sites.

Measures to Avoid or Minimize Impacts to Brown Bear (Ursus arctos)

1. Presence of brown bears is assumed and, therefore, the staging area and possibly the construction site shall be surrounded by an electrified bear exclusion fence.
2. The staging area shall be located at least 500 feet from any anadromous streams.
3. Good housekeeping BMPs will be adhered to, including not storing food at the staging site. At the construction site, using sealed bear proof containers and cleaning the construction site daily of trash and food scraps will be conducted.
4. Bear safety education shall be provided to all employees. The bear safety program shall emphasize construction site sanitation, basic bear biology and behavior, how to avoid contact with bears in the field, and what to do in the event of a bear encounter.

Measures to Avoid or Minimize Impacts to Cultural Resources

1. The cultural resource near the site of the proposed communication facility shall be flagged and avoided.
2. The cultural resource located near Goose Cove shall be avoided with a buffer zone, as determined by a qualified archaeologist. The buffer area will be flagged by the archaeologist prior to materials arriving at the site.

In accordance with standard USCG contract specifications, 36 CFR 800.13(a) and (b)(1) (Section 106 Guidelines), if cultural resources are encountered during construction, work will stop, the District Ranger will be notified and appropriate action taken by a Forest Service archaeologist to assess the nature and character of the resources. Alternatives would be evaluated in consultation with the State Historic Preservation Officer and affected stakeholders, including Alaska Native tribes and organizations, and the project modified to avoid such resources, or a program of conservation and preservation implemented.

Decision Rationale

I have chosen to implement the proposed action because it meets the needs of the USCG. The USCG is required to evaluate and improve the safety of navigation for vessels. They have identified the need for improved maritime distress and response communication coverage in the Peril Strait and Sergius Narrows areas north and northeast of Baranof Island. Congress has approved funding in the USCG budget for construction of facilities that would enhance VHF communications in the State of Alaska. Severe communication limitations will be eliminated by establishing this new communication site to correct the existing deficiency in this area. This

decision is issued for the permitting of the construction, operation, and maintenance of a USCG search and rescue communication facility which will provide reliable communications coverage in the Peril Strait area which will enhance public safety. There have been no objections raised by the public or significant issues identified that have not been addressed in the design of the facilities and the implementation of mitigation measures.

Several alternative sites were considered during the planning process but were eliminated from detailed evaluation in the EA. These alternative sites were eliminated because they did not meet the purpose and need of the proposed action or would not provide the public benefit that would be available from the proposed action.

Background

The USCG has submitted an application to the Tongass National Forest to develop a communication facility on an unnamed peak, marked with the benchmark “Cross” on topographic maps, located on the Duffield Peninsula at the northern part of Baranof Island. The USCG’s intent is to address the limitations of the current communications systems and improve maritime distress and response communication coverage in the area of Peril Strait, north of Sitka, Alaska. The proposed site is approximately 30 miles northwest of downtown Sitka, Alaska, within the Sitka Ranger District (NE quarter of Section 21, Township 50 South, Range 62 East of the Copper River Meridian; 57° 31’ 21.6” N, 135° 27’ 42.0” W).

The selected alternative will be incorporated into the National Distress and Response System (NDRS) Modernization Project, now called Rescue 21 (R21), and would provide SAR service to portions of Peril Strait and Sergius Narrows not currently served. Rescue 21 is the Coast Guard’s advanced command and control communications system and was created to better locate mariners in distress. Rescue 21 allows the USCG to more accurately identify the location of callers in distress using digital selective calling (DSC) radio transmissions, thereby significantly reducing search time. The R21 Alaska program is designed to provide an integrated emergency communication system extending 20 nautical miles from the shoreline.

Selected Alternative

The communication facility will consist of a communication tower, communication hut, generator hut, propane fuel tanks, solar array, helicopter pad, refueling pad, and all necessary electronic equipment capable of receiving and transmitting radio signals. One of these radio signals would include the transmission of weather broadcasts, connecting 24/7 to a National Weather Service link at Mud Bay via microwave. The site would occupy less than 1/2 acre. Details for each component of the proposed facility are described below (all measurements are approximate):

- **Communication Tower** – An unlighted and unpainted 60-foot-tall, self-supporting, galvanized steel, lattice tower on single leg foundations with an approximately 64- to 100-square-foot footprint. Each of the three sides of the tower will be 8 to 10 feet in

width. A steel climbing ladder will be inside the structure. The tower will provide support for VHF (including DSC and National Weather Service broadcasts), UHF antennas, a microwave dish, and three small wind generators (as discussed further below). A 4-foot diameter microwave dish will be placed as low as possible on the structure, but high enough to clear natural obstructions. Six 4-foot whip antennas will be installed on the tower. The tower will include lightning protection, ice shield, and an ice bridge connecting the tower to the communication hut. A grounding loop with 5 to 10 grounding rods will be installed around the tower and structures. The color of all structures that can be seen above the ridgeline will be a dull matte light grey to lessen contrast with the typical cloudy sky. For both skyline and nonskyline applications the galvanized steel surfaces will be a shade of dull gray and is sufficiently weathered to be non-reflective.

- **Communication Shelter** – An 8-foot by 10-foot by 8-foot-tall fiberglass shelter will house the electronics equipment required to transmit and receive signals and transfer these signals between the site and its control center. The hut foundation will consist of four 12-inch to 18-inch diameter concrete pedestals anchored to bedrock. The floor of the hut will vary from approximately 1 to 3 feet above the natural ground surface. The shelter and all other structures will be painted a dull, matte shade of gray to blend with the surrounding landscape.
- **Generator Shelter** – A 10-foot by 16-foot by 8-foot-tall metal shelter will house two generators and two sets of battery packs to provide power to the communication hut and its electronic equipment. A 4-foot porch will extend from each end of the shelter for removal or replacement of generators or batteries, making the total length of the shelter and porch structure approximately 24 feet. The generator hut foundation will consist of six to eight 12-inch to 18-inch-diameter concrete pedestals anchored to bedrock. The floor of the hut will vary from approximately 1 to 3 feet above the natural ground surface. The shelter will be painted a dull, matte gray to blend with the surrounding landscape.
- **Solar Array** – An approximately 364 square foot solar array will be installed with a face area of $\sim 315 \text{ ft}^2$. The solar array will provide the majority of the site power during the summer months. The foundations for the array will be mounted on concrete pedestals anchored to bedrock. The solar collector surfaces are non-reflective.
- **Propane Tanks** – Ten 500-gallon above ground propane tanks will be installed to provide fuel for the generators. The approximate footprint for the 10 tanks will be 600 square feet. The foundations for the tanks will consist of 16 to 20, 12-inch to 18-inch-diameter concrete pedestals anchored to bedrock and treated lumber cribbing.
- **Helicopter Landing Pad** – A 16-foot x 16-foot (256 ft^2) helicopter landing pad made from either pressure-treated lumber or galvanized expanded metal will be installed. The foundation will consist of concrete pedestals anchored to bedrock. The helicopter pad colors will conform to USCG operational and safety standards, and will be unpainted wood or galvanized steel. This landing pad area will be used during both the construction process and permanent operation.
- **Refueling Pad** – A 10-foot x 10-foot (100 ft^2) refueling pad made from pressure-treated lumber will be installed near the propane tanks. This pad will provide a level and stable surface on which transfer tanks could be set during refueling operations. The foundation will consist of concrete pedestals anchored to bedrock.

- **Wind Generators** – Three small horizontal axis wind generators will be installed on the communications tower, one on the top of each tower leg. The 22-inch wind generator blades have a total diameter of about 4 feet including the hub. The blades include a special high visibility “Anti-bird” coating on the tips of the blades. The wind generators will be an alternate power source for charging the batteries and running the communications equipment thereby minimizing generator run times and fuel use.

Construction is proposed to last approximately 6 to 8 weeks and take place between July and September 2013 (depending on site access), with site operation commencing late September 2013. Construction and installation would occur in three phases. Phase I will be installing the rock anchors and foundations, Phase II will be infrastructure installation (tower, shelters, and power systems), and Phase III will be electronics installation, testing, and activation. Equipment will be transported to a staging area, as described further below, and then flown up to the proposed communications site by helicopter. Site construction will require use of hand tools, small power tools, a medium sized rock drill, a cement mixer, and a generator(s).

Construction materials will be transported by barge or landing craft to one of two staging areas for subsequent transport up to the communications site by helicopter. The two staging sites are Goose Cove, approximately 3 miles southwest of the communication facility, and Rodman Bay, approximately 4 miles southeast of the communication facility.

If a landing craft is available for transport of construction materials, the Goose Cove site will be used for staging. The landing craft would beach at the site and materials off-loaded using a small forklift for staging prior to helicopter transport to the communications site. A temporary electrified perimeter fence will be installed at Goose Cove to deter bears from damaging the construction materials and from becoming habituated to the materials. No camping, fuel transfer, food preparation, or food storage will occur at the staging area.

If a barge is available for transport of construction materials, the Rodman Bay site will be used for staging. The barge would be anchored in Rodman Bay and a helicopter would transport the materials directly from the barge to the communications site. No terrestrial staging area would be necessary if the Rodman Bay staging alternative is chosen.

Approximately 30 helicopter flights will be required to transport materials from either staging area to the communication site. An additional 5 helicopter trips will be required to bring construction equipment back to the staging area following completion of site construction. Helicopter refueling will take place at the existing refueling station on False Island, approximately 10 miles east of the proposed communications site. If weather conditions are favorable, helicopter transport of construction materials will require approximately 2 days over the estimated 6 to 8 week construction period. The helicopter flight paths from either Goose Cove or Rodman Bay will depend on wind and weather conditions; however, the likely flight paths are shown in Figure 2-5 of the EA. The helicopter will generally be at least 500 ft above ground level within ½ mile of the staging site and will proceed to climb as quickly as possible to ensure adequate altitude over obstacles and achieve the communication site elevation. If prevailing winds dictate, the helicopter route from Goose Cove will be clockwise over Peril

Strait and up to the site; however, this flight route is less desirable because much of it would be over water where the consequences of a failure in the lift would be more serious.

After completion of Phase II, the propane tanks will be filled on site. A separate landing craft or barge will anchor in one of the nearby bays and a helicopter will sling transportable propane tanks up to the site where the propane will be transferred into the stationary 500-gallon tanks at the communications site. Depending on the size of transportable propane tanks used, up to 20 helicopter trips will be necessary. The propane capacity at the site is designed for refueling every two years or longer depending on availability of solar and wind power.

The onsite work force will consist of up to eight workers, depending on the Phase. The construction crews will be transported by helicopter from Juneau or Sitka directly to the communication site where they will camp, returning to Juneau or Sitka periodically for days off or specialty crew changes. Prior to construction, the contractor will be required to provide the Forest Service and Coast Guard a detailed camp plan for approval. A portable toilet will be authorized within the construction site. All waste will be containerized and removed from the site when transport is available, or as needed. An electric bear fence will be installed around the perimeter of the site area to discourage bears. In addition, all food, refuse or other attractants will be properly stored unless it is being prepared for eating, being eaten, being transported, or being prepared for acceptable storage. The storage of all petroleum fuels, oils, and hydraulic fluids for construction will utilize secondary containment. Fuels and lubricants will be stored in containment with absorbents available for use during fuel transfer to the construction equipment. Trash will be contained to prevent waste from being dispersed by wind.

Significance Analysis for a Non-Significant Amendment to the Forest Plan

Based on the project level analysis contained in the Environmental Assessment, a permanent communication site is authorized on an unnamed peak, marked with the benchmark “cross” on topographic maps, located on the Duffield Peninsula at the northern part of Baranof Island. This site will be added to the list of communication sites identified in the Tongass Land and Resource Management Plan, Appendix E as an amendment to the 2008 Forest Plan. The site is approximately 30 miles northwest of Sitka, Alaska, within the Sitka Ranger District (NE quarter of Section 21, Township 50 South, Range 62 East of the Cooper River Meridian; 57° 31' 21.6” N, 135° 27' 42.0” W). As required by Forest Plan standards and guidelines for administration of special use permits for non-recreation activities (LAND2, #14, pg. 4-28), the proponent has provided technical data for site designation, including demand for the site, consideration of alternative locations, compatibility with other electronic uses, interference with other uses, areas of electronic signal coverage, signal paths, and relationship of the proposed site to other sites.

Changes to forest plans that are not significant are described in FSM 1926.51. The proposed communication site is located within an Old-growth LUD. This project meets the objectives of an Old-growth LUD in that it is located on the top of a peak, above the timberline, and the amount of vegetation disturbance will not affect wildlife populations or subsistence hunting or gathering opportunities. The LUD objectives are directed to maintaining habitat for flora and fauna biodiversity and ecological processes associated with old-growth forests. Designation of

the Duffield Peninsula site as a communication site will have no measurable effect on outputs identified in the Forest Plan.

An Old-Growth Habitat LUD has a scenic integrity objective (SIO) of “high” for all distance zones. In order to comply with a “high” SIO, activities are designed to not be visually evident to the casual observer. Guidance to meet this objective includes selecting materials and colors that blend with those found in the natural surroundings and screening from view points and travel routes if feasible. Regardless, during times when lighting and weather conditions make it possible, the vertical structure of the tower might be evident to a casual observer. Therefore, the facility does not meet the “high” SIO.

As allowed by the 2008 Forest Plan, exceptions for small areas of non-conforming development may be considered on a case-by-case basis. The selected alternative would blend sufficiently with the local landscape to be largely unnoticed by people traveling and recreating on the adjacent waters, having a negligible effect on the scenery resource. The EA has discussed the substantial beneficial effects on public health and safety and findings of negligible, temporary, or no impact on other environmental consequences. The new communication site will have a site specific SIO of “moderate”.

Adding the Duffield Peninsula Communication Site to the approved list of communication sites in Appendix E of the 2008 Tongass Forest Plan will not alter any goals and objectives nor adjust any management area boundaries or management prescriptions.

The Duffield Peninsula site will occupy an area less than 0.5 acres in size and will not conflict with existing uses or Land Use Designation objectives. Designation of this communication site to improve marine safety is consistent with the Goals of the Forest Plan.

Conclusion – Based on a consideration of the factors above, I conclude this is not a significant amendment to the Tongass Forest Plan. This amendment is fully consistent with current Forest Plan goals and objectives. The amendment provides a facility to serve the demonstrated need of the USCG SAR program. This analysis documents my decision to amend the Forest Plan with a non-significant amendment by designating Duffield Peninsula as a new, permanent communication site.

ALTERNATIVES

No Action Alternative – Under this alternative, a new communication site would not be authorized and the Forest Plan would not be amended. The USCG would be required to continue to operate with the existing network of analog transceivers located at existing tower sites. No new communication equipment would be installed and no new antenna tower sites would be constructed. There would continue to be gaps in the communication coverage in Peril Strait and Sergius Narrows.

Proposed Action – USCG’s proposal as noted in the Selected Alternative above was analyzed in the EA.

Other Alternatives –Alternative sites were considered during the USCG planning development but were eliminated from detailed evaluation in the EA because they would not meet the purpose and need of the project.

Public Involvement

The project was first listed in the Forest Service's Schedule of Proposed Actions (SOPA) on April 1, 2007. The Forest Service met with the Sitka Tribe of Alaska regarding the proposed communication site; no concerns were raised. The scoping process for the environmental review started with a Public Mailing. A scoping letter, providing information on the proposed action and seeking public comment was mailed to 894 federal and state agencies, municipal offices, interest groups, tribal entities, and individuals on April 30, 2010. Seventeen responses to the scoping letter were received. Seven respondents favored the proposed project. The remaining 10 respondents expressed concerns regarding the potential establishment of roads, the visibility and footprint of the communication site, re-seeding, erosion control, noise, wildlife, electrical grounding of the propane tanks, waste disposal, and potential air traffic interference. Comment letters received are part of the project record.

On November 29-30 and December 1, 2012 the Forest Service and USCG noticed the availability of the EA to solicit public comment and to provide an opportunity to gain standing for appeal per the regulations at 36CFR215. The legal notice was published in the Ketchikan Daily News, the newspaper of record for a decision made by the Forest Supervisor. A paid advertisement was also put in the Daily Sitka Sentinel November 28-30 to increase local awareness of the activity.

One letter was received from the US Fish and Wildlife Service (FWS) concurring with the determination the proposed action will have no effect on species listed as threatened or endangered pursuant to the Endangered Species Act. FWS further restated the importance of the National Bald Eagle Management Guidelines which were used during project planning to avoid impacts to nesting eagles and their young.

A letter was received on January 7, 2013 after the 30-day comment period from an individual who had also participated in the public scoping process. The letter had three main points which are summarized as follows:

- The overall environmental effects are minimal with more positives than negatives; the Forest Service should authorize the proposed action.
- The Goose Cove staging site is preferable to the Rodman Bay staging site because the shorter route could minimize the amount of noise effects and possibly reduce the number of refueling trips. The Forest Service has left the final staging site selection to the successful contractor based on available marine transportation. If the Rodman Bay site is selected, no Forest Service action is required. If the Goose Cove site is selected, the EA has adequately addressed the effects.

- The Coast Guard should design the facility specific to the bedrock as characterized in the 2012 geotechnical report that is appended to the EA. The Coast Guard contracted the geotechnical report to develop geotechnical engineering recommendations for the foundation of the new tower. The contract specifications will meet those recommendations.

No other comments were received.

The EA is available from the Tongass National Forest website at http://data.ecosystem-management.org/nepaweb/nepa_project_exp.php?project=20636.

Findings Required by Other Laws and Regulations

Many Federal laws and Executive Orders pertain to project-specific planning and environmental analysis on Federal lands. While most of the laws and Executive Orders listed below pertain to all Federal lands, some of the laws are specific to Alaska.

National Forest Management Act (NFMA) of 1976 (as amended)

This decision is consistent with the 2008 Tongass Land and Resource Management Plan (Forest Plan). The project is located within an area identified in the Forest Plan as having a Land Use Designation (LUD) of Old-Growth Habitat. Direction for management of this LUD is located in the Forest Plan on pages 3-57 through 3-62. The desired condition of the Old-Growth Habitat LUD is that all forested areas have attained old-growth forest characteristics. A diversity of old-growth habitat types and associated species and subspecies and ecological processes are represented.

The Lands Standard and Guidelines are to permit only improvements that are compatible with LUD objectives. The LUD objectives are directed to maintaining habitat for flora and fauna biodiversity and ecological processes associated with old-growth forests. The project is located on the top of a peak, above the timberline, and the amount of vegetation disturbance will not affect wildlife populations or subsistence hunting or gathering opportunities. Designation of the Duffield Peninsula site as a communication site will have no measurable effect on old-growth habitat management objectives.

The proposed staging area at Goose Cove is in a Scenic Viewshed LUD. Direction for the management of this area is located in the Forest Plan pages 3-101 through 3-108. The desired condition of the Scenic Viewshed LUD is that forest visitors, recreationists, and others using identified popular travel routes and use areas will view a natural-appearing landscape.

The Lands Standard and Guidelines are to:

- allow construction of structures only when Scenic Integrity Objectives can be achieved;
- permit only structures that will not be evident to casual observers when viewed in the foreground distance from Visual Priority Travel Routes and Use Areas; or

- in the middle to background distance, design structures to be subordinate to the characteristic landscape.

There will not be any new structures constructed in this LUD. The staging area will be temporary to a matter of days, and is designed to avoid leaving impacts that would be evident to casual observers.

Alaska National Interest Lands Conservation Act of 1980; Section 810 and 811

The effects of this project have been evaluated to determine potential effects on subsistence opportunities and resources. While there will be a potential temporary displacement of subsistence resources in the Duffield Peninsula during construction, there will be no overall change of access to and competition for subsistence resources; the project will not result in a significant restriction of subsistence uses or access.

Bald and Golden Eagle Protection Act of 1940 (as amended)

The project complies with the Bald and Golden Eagle Protection Act. National Bald Eagle Management Guidelines issued in May 2007 by the U.S. Fish and Wildlife Service (USFWS) restricts management activities near active bald eagle nest sites. Bald eagles and nest sites are known to occur in the vicinity of both the Goose Cove and Rodman Bay staging areas. Eagles may also forage or roost along the helicopter transit route(s) from the staging areas to the proposed communications site. Three bald eagle nests are known to be in the vicinity of the Goose Cove staging area. It is not known if any of these nests remain, if any additional nests have been established, or if any of these nests will be active during 2013 when construction will occur. Four nests are located on-shore in the vicinity of Rodman Bay where the staging barge would be anchored if this is the staging alternative chosen. Similarly, it is not known if these nests remain, if additional nests have been established, or if any of these nests will be active during 2013 when construction is proposed to occur.

The project will occur in August and September, during the hatching/rearing/fledging periods for bald eagles, which are considered to be periods that are very sensitive to disturbance. USFWS National Bald Eagle Management Guidelines recommend aircraft avoid operation within 1,000 feet of nest sites. All nest sites are at least ¼ mile (1,300 feet) from the identified staging areas and helicopter transit routes. The Coast Guard will conduct a survey of the chosen staging area for active eagle nests prior to commencement of construction in 2013, and should any nests be found, ensure that all helicopter operations avoid these sites by at least 1,000 ft.

Clean Air Act of 1970 (as amended)

The very small level of emissions from the project will have no detectable effect on air quality in the region or the site since the nearly constant winds in the area readily disperse any pollutants; there will be no appreciable changes in the overall air quality at the communication facility or at either of the staging area sites.

Clean Water Act of 1972 (as amended)

Congress intended the Clean Water Act to protect and improve the quality of water resources and maintain their beneficial uses. Section 313 of the Clean Water Act and Executive Order 12088

of January 23, 1987 addresses federal agency compliance and consistency with water pollution control mandates. Sections 208 and 319 address nonpoint source pollution caused by activities such as land clearing and construction.

The site-specific application of best management practices (BMPs), with a monitoring and feedback mechanism, is the approved strategy for controlling nonpoint source pollution as defined by Alaska's Nonpoint Source Pollution Control Strategy. The design of the project was guided by standards, guidelines and direction in the Forest Plan and applicable Forest Service Manuals and Handbooks. Due to the distances from the communication site to surface water bodies and due to the very limited use of hazardous materials, very limited ground disturbance, and use of the aforementioned BMPs, there will be no temporary or long-term effects to nearby water resources or water quality.

Coastal Zone Management Act (CZMA) of 1972 (as amended)

As of July 1, 2011, Alaska no longer has a federally approved coastal management program or defined coastal zones, so federal consistency does not apply to Alaska.

Endangered Species Act (ESA) of 1973 (as amended)

A Biological Assessment / Biological Evaluation has been completed for this action, a letter was received from the US Fish and Wildlife Service (FWS) concurring with the determination the action will have no effect on species listed or proposed as threatened or endangered pursuant to the Endangered Species Act..

Federal Cave Resource Protection Act of 1988

There are no occurrences of carbonate rock and associated cave resources in the project area. The activities of the project will not have a direct, indirect, or cumulative effect on any significant cave in the project area.

Magnuson-Stevens Fishery Conservation and Management Act

The Magnuson-Stevens Fishery Conservation and Management Act requires federal agencies to consult with NMFS on all actions that may adversely affect Essential Fish Habitat. There will be no effects on fish because the locations and actions will not affect water or fish habitat and no effects will be transported to the marine or freshwater environments during activities associated with this project.

Marine Mammal Protection Act of 1972 (as amended)

This project area is not located in but is accessed by marine waters and therefore measures to avoid or minimize impacts to marine mammals have been incorporated into the project design.

National Historic Preservation Act

Section 106 of the National Historic Preservation Act (NHPA) requires that every federal agency take into account how each of its undertakings could affect historic properties. Historic properties are districts, sites, buildings, structures, traditional cultural properties, and objects significant in American history, architecture, engineering, and culture that are eligible for

inclusion in the National Register of Historic Places (National Register).

The Forest Service has consulted with the Alaska SHPO under the requirements of Section 106 of the NHPA. The project will not adversely affect the resource situated nearest the communications site. Use of the Goose Cove staging area will have no long-term effect on historical, archaeological, or cultural resources.

Executive Order 11988 (Floodplains)

Executive Order 11988 directs Federal agencies to take action to avoid, to the extent possible, the long- and short-term adverse effects associated with the occupancy and modification of floodplains. This activity will not impact the functional value of any flood plain as defined by Executive Order 11988.

Executive Order 11990 (Wetlands)

Executive Order 11990 requires Federal agencies to avoid, to the extent possible, the long- and short-term adverse effects associated with the destruction or modification of wetlands. Construction at the site will not affect any wetlands. Use of the staging area will not permanently affect any wetlands in the Goose Cove area. Some grasses and shrubs above the high-water mark will be temporarily disturbed during the mobilization and staging Phases of the project. BMPs and project avoidance measures will ensure the staging area is sited on the driest area of this site. Measures to minimize impacts on soils will dissipate energy from landing equipment at the staging area avoiding rutting and other damage to sensitive soils.

Executive Order 12898 (Environmental Justice)

Executive Order 12898 directs Federal agencies to state clearly whether a disproportionately high and adverse human health or environmental impact on minority populations, low-income populations, or Indian tribes is likely to result from the proposed action and any alternatives.

In accordance with Executive Order 12898, this project does not have disproportionately high and adverse human health or environmental effects on minority populations and low income populations.

Executive Order 12962 (Aquatic Systems, Recreational fisheries)

Executive Order 12962 requires Federal agencies to evaluate the effects of proposed activities on aquatic systems and recreational fisheries. This project will not impact aquatic systems and recreational fisheries.

Executive Order 13007 (Indian Sacred Sites)

Executive Order 13007, Indian Sacred Sites, provides presidential direction to Federal agencies to give consideration to the protection of American Indian sacred sites and allow access, where feasible. In a government-to-government relationship, the tribal government is responsible for notifying the agency of the existence of a sacred site. A sacred site is defined as a site that has sacred significance due to established religious beliefs or ceremonial uses, and which has a specific, discrete, and delineated location that has been identified by the tribe. Tribal governments or their authorized representatives have been consulted and have not identified any

specific sacred site locations in the project area.

Executive Order 3112 (Invasive Species)

Executive Order 13112 directs Federal agencies to identify actions which may affect the status of invasive species; prevent the introduction of invasive species; detect and respond rapidly to and control populations of such species; monitor invasive species populations; and provide for restoration of native species and habitat conditions in ecosystems that have been invaded. The project is designed using best management practices to ensure that no nonnative species are introduced into the project work areas.

Executive Order 13175 (Consultation and Coordination with Indian Tribal governments)

Executive order 13175 directs Federal agencies to respect tribal self-government, sovereignty, and tribal rights, and to engage in regular and meaningful government-to-government consultation with tribes on proposed actions with tribal implications. This project was developed in consultation with Sitka Tribe of Alaska, a federally recognized Tribal Government.

Executive Order 13186 (Migratory Birds)

The Migratory Bird Treaty Act of 1918 (as amended) prohibits the taking of migratory birds, unless authorized by the Secretary of Interior. The law provides the primary mechanism to regulate waterfowl hunting seasons and bag limits, but its scope is not just limited to waterfowl. Federal agencies are required to analyze actions that have, or are likely to have, a measurable negative effect on migratory bird populations and avoid or minimize, to the extent practicable, adverse impacts on migratory bird resources. Additional objectives are to restore and enhance the habitat of migratory birds. No measurable effects on migratory bird populations are anticipated.

Executive Order 13443 (Facilitation of Hunting Heritage and Wildlife Conservation)

Executive Order 13443 directs Federal agencies to facilitate the expansion and enhancement of hunting opportunities and the management of game species and their habitat. The analysis considered and disclosed the effects on game species. There will be limited habitat alteration as a result of this project and effects on game species will be minimal.

FINDING OF NO SIGNIFICANT IMPACT

The significance of environmental impacts must be considered in terms of context and intensity. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human and national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. In the case of a site-specific action, significance usually depends upon the effects in the locale rather than in the world as a whole. Intensity refers to the severity or degree of impact (40 CFR 1508.27).

I have reviewed the Environmental Assessment, for this project using criteria identified in implementing regulations for the National Environmental Policy Act (40 CFR 1508.27). Based on the EA and the findings displayed above, I have determined that amending the Forest Plan to authorize a new communication site and issuing a special use authorization for the construction,

operation, and maintenance of the Duffield Peninsula search and rescue communication facility is not a major Federal action that would have a significant effect on the human environment, and therefore does not require the preparation of an Environmental Impact Statement.

1. **Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that, on balance, the effect will be beneficial. Consideration of the intensity of environmental effects is not biased by beneficial effects of the action.** My finding of no significant environmental effects is not biased by the beneficial effects of the action. The project meets Forest Plan standards and guidelines.
2. **The degree to which the proposed action affects public health or safety.** Based on the analysis in the EA, the project will have substantial beneficial effects on public health and safety from improved search and rescue and other communications coverage in the area.
3. **Unique characteristics of the geographic area, such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.** I have determined that there would be no significant effects on unique characteristics within NFS lands. The Alaska SHPO has determined that the proposed project will not have an adverse effect on historic, archaeological, or cultural resources. The new communication site contains no wetlands. Best management practices will avoid or minimize impacts of construction activities at the Goose Cove staging site. There are no park lands, prime farmlands, wild and scenic rivers, or other ecologically critical areas in the project area; there is no potential to affect these resources.
4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial.** 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. The public have been included in the process from the beginning. This project received very few public comments and inquiries, and those received were supportive of, incorporated into the project plan, or outside the scope of the project.
5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The effects of the project have a reasonable degree of certainty. There are over 70 communication sites authorized by the Forest Plan and the USCG has approximately 300 remotely controlled communication facilities throughout terrestrial regions of the U.S. (including Southeast Alaska), the

Caribbean Sea, and Guam. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk.

6. **The degree to which an action may establish a precedent for future actions with significant effects, or represents a decision in principle about a future consideration.** I have determined that the project will not establish a precedent for future actions with significant effects, nor represent a decision about a future consideration. The decision to amend the Forest Plan to authorize a new communication site is based on an environmental assessment of the potential effects. Any future actions would similarly involve the public and consider effects.
7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** The cumulative impacts are not significant.
8. **The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed, or eligible for listing, in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.** The action will not affect any of these objects.
9. **The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.** 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.
10. **Whether the action threatens to violate Federal, State, or local law or requirements imposed for the protection of the environment.** The findings section above shows that the proposed project does not violate Federal, State or local law or requirements imposed for the protection of the environment. The EA has been reviewed by Federal, State, and local agencies. The public involvement section of the EA includes information on agency coordination.

Implementation Date

No comments expressing concerns or only supportive comments were received during the comment period for this action. This decision is not subject to appeal pursuant to 36 CFR 215.12. It may be implemented immediately.

Contact

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Forest Supervisor
Tongass National Forest

Date

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