

## **DECISION MEMO**

### **RCC, ATLANTIC, INC WAMPUS BUTTE COMMUNICATIONS SITE BUILDING AND TOWER**

USDA Forest Service  
Bend/Fort Rock Ranger District, Deschutes National Forest  
Deschutes County, Oregon  
Township 22 South, Range 9 East, Section 2, (Willamette Meridian)

#### **I. DECISION TO BE MADE**

##### **A. Decision**

It is my decision to issue a communication lease to RCC, Atlantic, Inc. (RCC) to construct a building at the Wampus Butte communications site. RCC will construct, operate and maintain a building and tower to be used as a cellular base station facility to receive and transmit cellular telephone calls.

##### **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). One communication lessee currently occupies the site. The project area includes 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**

RCC Atlantic, Inc. is licensed by the Federal Communications Commission to provide 850 MHz frequency wireless telecommunications service for the central Oregon region. The new facility will replace RCC's existing facility currently located in the existing Oregon State Police's (OSP) Wampus Butte building and tower. OSP's facilities are at maximum capacity and cannot be enlarged or expanded to meet RCC's growth needs which include additional indoor electronic equipment and tower mounted antennas.

## **B. Description of Project Activities**

RCC will utilize a 40'x40' previously disturbed area adjacent to the existing OSP facility within the designated one acre Wampus Butte communications site. An 8'x14.5' building will be placed on concrete piers that will be buried. The 60' self supporting lattice tower will be placed on a 9'x9'x3' concrete slab. A short trench will be excavated to connect the new building to telephone line. No trees will be cut.

## **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

### 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.

### 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 and all tower mounted antennas will be of a non-reflective finish.

## **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 3: approval, modification or continuation of minor special uses of National Forest System lands that require less than five contiguous acres of land such as approving an additional telecommunication use at a site already used for such purposes.

### **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**

No federally listed threatened or endangered plant, wildlife or aquatic species or their habitat occurs within the project area.

#### **2. Forest Service Sensitive Species**

***Plant species:*** There are no known sensitive plant species or habitat within the project area.

***Aquatic Species:*** There are no sensitive aquatic species or habitat within the project area. There are no wetlands, streams or lakes within the project area.

***Wildlife Species:*** There are no suspected sensitive wildlife species or habitat within the project area.

#### **3. Flood plains, wetlands, or municipal watersheds**

***Floodplains:*** There are no floodplains within the project area

***Wetlands:*** There are no wetlands within the project area.

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

#### **4. 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 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 OSP existing Wampus Butte facility as a visual model, it is clear that the 60' tower height development on Wampus Butte shall have minimal influence on viewing areas from the Deschutes River. Wampus Butte's existing development is consistent with the Scenic River requirement of "blend in a manner that is consistent with viewer expectations". As part of this project, no trees shall be removed and the location of all improvements shall be located on the east portion of Wampus Butte to retain all scenic values as viewed from the Deschutes River.

## **5. Northwest Forest Plan**

The planning area is located outside of and to the east of the Northwest Forest Plan boundaries.

## **6. Inventoried Roadless Areas**

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

## **7. Research Natural Areas**

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

## **8. 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. A survey was conducted in 1994 for Native American religious or cultural sites, archaeological sites, and historic properties or areas that may be affected by this decision. No heritage sites were identified. This project is covered under the 2004 Programmatic Agreement, 'No Historic Properties' section.

## **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.

### **C. Other relevant resource conditions considered**

*Noxious Weeds:* Although there are no noxious weeds known to exist within the project area, this project was considered a moderate risk to help spread weeds because ground disturbing equipment will be used during construction. The mitigation measure discussed above will be implemented to avoid introducing new populations of weeds.

## **IV. PUBLIC INVOLVEMENT**

A scoping letter was mailed to 46 individuals, organizations, and agencies on April 11, 2006. Also, a legal notice was published in The Bulletin on April 12, 2006. The scoping period was closed on May 5, 2006. The following tribal governments were contacted with letters: Confederated Tribes of the Warm Springs Reservation, Burns Paiute Tribe, and the Klamath Tribes.

One (1) commenter responded to scoping:

Comment: 'Ochoco lumber supports the proposed action to replace RCC Atlantic, Inc.'s existing facility and to construct a new building and 60' tower. We see no harm in this proposed activity and understand and support the need for future growth and service for the local community.'

## **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 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 215.8 (a) (4).

**/s/ Phil Cruz**

PHIL CRUZ

District Ranger

**9/27/06**

Date