

Mosier Ridge Cellular Communications Facility

Decision Record

Environmental Assessment Number: DOI-BLM-OR-S040-2012-0001-EA

April, 2013

United States Department of the Interior
Bureau of Land Management
Oregon State Office, Salem District
Clackamas County, Oregon

T. 3 S., R. 3 E. section 29 Tract 6, W.M.

Responsible Agency: USDI - Bureau of Land Management

Responsible Official: John Huston, Field Manager
Cascades Resource Area
1717 Fabry Road SE
Salem, OR 97306

For further information, contact: Janet Myers, Project Leader
Cascades Resource Area
1717 Fabry Road SE
Salem, OR 97306
(503) 315-5978



As the Nation's principal conservation agency, the Department of Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering economic use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historical places, and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to assure that their development is in the best interest of all people. The Department also has a major responsibility for American Indian reservation communities and for people who live in Island Territories under U.S. administration.

BLM/OR/WA/AU-13/027+1792

1.0 Introduction

The Bureau of Land Management (BLM) completed the environmental analysis for the Mosier Ridge Cellular Communications facility, which is documented in the “Mosier Ridge Cellular Communications Facility Environmental Assessment and Finding of No Significant Impact” (EA) (<http://www.blm.gov/or/plans/nepa-details.php?id=2211>) and the associated project file. The EA is incorporated here by reference in this Decision Record (DR). The Proposed Action is for the BLM to issue a Communication Use Lease that would authorize construction and operation of a communications facility to provide local cellular communication service. The site is located on South Mosier Road, Oregon City, Oregon. The proposal includes the installation of a 150 foot monopole tower, an equipment shelter, an underground utility conduit and a short access road. This project is located in T. 3 S., R. 3 E. section 29; W.M. Clackamas County, Oregon.

A Finding of No Significant Impact was signed on July 6, 2012. It and the EA were made available for public review from July 25, 2012 to August 10, 2012 (DR section 6.0). No comment letters were received during the public review period. The project was initiated by AT&T and recently exchanged to the current proponent, American Tower Corporation (ATC).

In reviewing ATC’s proposal during preparation of this Decision Record it was determined that some changes had occurred to the proposed action from those disclosed in the EA. The BLM thoroughly reviewed those changes, consulted with its interdisciplinary team and determined that no alteration in the effects disclosed in the environmental assessment would occur. Details of these changes are included as Appendix A in this decision.

2.0 Decision

I have decided to implement the proposed action as described below. This decision is based on site-specific analyses in the EA, the supporting project record, comments to the EA, as well as the management direction contained in the *Salem District Resource Management Plan* (May 1995), which are incorporated here by reference and in the EA. This Decision is summarized in this section of the DR and is hereafter referred to as the “selected action”. The following is a summary of the selected action.

The BLM will issue a Communication Use Lease that will authorize construction and operation of a communications facility to support cellular phone communications in the local area. The lease will authorize the following actions.

- Placing a 1,300 square foot prefabricated equipment shelter within the lease area.
 - Constructing a 6 inch thick concrete slab-on-grade to serve as a foundation for the shelter per manufacturer’s instructions.
 - Installing a diesel generator in the equipment shelter to provide backup power along with a built-in fuel tank.
- Constructing a 150 foot monopole tower within the lease area adjacent to the equipment shelter.
 - Provide for additional space within the facility for future carriers.
 - Mounting three panels near the top of the tower with 4 antennas mounted to each panel (a total of 12).

- Painting the tower and attached equipment matte green to blend with the natural surroundings.

Other Actions within the Lease Area

- Covering the fenced portion of the site with 6 inches of ¾ inch diameter crushed rock above a weed barrier.
- Constructing two - five foot by five foot concrete stoops outside and adjacent to the equipment shelters.
- Enclosing the lease area with a 6 foot tall chain link fence topped with barbed wire.
- Installing a 12 foot double swing gate to provide access on the SW side of the lease area.

Other Authorizations

- The BLM will authorize a 10 foot wide utility Right-of-Way Grant for a conduit to connect electrical power and telephone service to the facility. The Right-of Way will be directionally drilled underground from an adjacent privately held parcel for a total length of approximately 560 feet.

Project Design Features

- Height & Type: The tower will be a 150 foot monopole tower.
- Lighting: According to the FAA's Advisory Circular (AC 70/7460-1K) "Obstruction Marking and Lighting", the FAA does not typically require lighting for communication structures below 200 feet in height or high intensity white lights for communication structures below 500 feet in height.
- Timber: No commercial size timber will be harvested by this proposal.
- Any vegetative waste or debris created will be disposed of in a proper landfill or waste facility offsite.

3.0 Alternatives Considered

1. Proposed Action: I have selected the proposed action, which is described above in Section 2.0 Decision.
2. No Action: No construction would take place, therefore there would be no disturbance of the existing environment and site conditions.

4.0 Decision Rationale

Considering public comments, the content of the Mosier Ridge EA, the supporting project record, and the management direction contained in the RMP, I have decided to implement the selected action as described in DR section 2.0. The following is my rationale for this decision.

1. No Action Alternative: This alternative was not selected because it would not allow for improved cellular communications in the area and does not meet the purpose and need for action.

2. Selected Action: The selected action implements the construction and operation of a cellular phone tower and facility as detailed in DR section 2.0.

The Selected Action:

- Meets the purpose and need for action described in EA section 1.1.1 (EA p. 5) by improving cellular communications in the area while minimizing impacts to the environment.
- Complies with authorities described in EA section 1.2 (EA pp. 7-8) and DR section 5.
- Will not have significant impacts on the affected elements of the environment beyond those already anticipated and addressed in the RMP EIS (EA FONSI, pp. 20-26, and DR section 7.0).
- Concerns expressed by the public relating to aircraft safety during scoping are offset by the assurances provided by the Federal Aviation Administration (FAA) and the Oregon Department of Aviation (ODA) (see DR section 6.1).

5.0 Compliance with Direction

The analysis documented in the Project EA is site-specific and supplements analyses found in the Salem District Proposed Resource Management Plan/Final Environmental Impact Statement, September 1994 (RMP/FEIS). This project was designed under the Salem District Record of Decision and Resource Management Plan, May 1995 (RMP) and related documents which direct and provide the legal framework for management of the BLM lands within the Salem District (EA pp. 7-8). All of these documents may be reviewed at the Cascades Resource Area office.

Survey and Manage Review (EA p. 7): The Mosier Ridge Cellular Communications Facility project is in compliance with the survey and management standards and guidelines in the 2001 Survey and Manage Record of Decision (2001 ROD), as modified by the July 6, 2011 Settlement Agreement (Conservation Northwest, et al. v. Rey, et al., No. 08-1067, W.D. Wash., Coughenour, J. - IM-OR-2011-063, July 2011) because no habitat for Wildlife Survey and Manage would be modified due to the location and nature of the project. With regard to botanical species, surveys were conducted. Although suitable habitat to support some Botanical Survey and Manage species was identified at the proposed Cell Tower and Right-of-Way site, no Survey and Manage species were found.

6.0 Public Involvement/ Consultation/Coordination

6.1 Scoping

The BLM sent a scoping letter on July 28, 2010 to federal, tribal, state and municipal government agencies, nearby landowners, and interested parties on the Cascades Resource Area mailing list. The BLM received 10 scoping comments in total. Many of the comments received expressed concern for air traffic safety from the location of the tower relative to a nearby airstrip.

The BLM inquired about this to the Federal Aviation Administration (FAA) and the Oregon Department of Aviation (ODA). The FAA states in a 08/30/2010 letter that the proposed action “would not be a hazard to air navigation provided the following conditions are met:”. The condition listed is that within 5 days after the construction reaches its greatest height FAA form 7460-2, Part II is filed with FAA. It is the responsibility of the leaseholder to ensure that this provision is attained. The ODA has determined in its letter dated August 30, 2010 that provided notice to the FAA is given as detailed above “the structure does not exceed any Observational

Standards of OAR 738-70-0100 and would not be a hazard to air navigation.”

6.2 Comment Period and Comments:

The BLM made the EA and FONSI available for public review from July 25, 2012 to August 10, 2012. The BLM received no comment letters during this public review period.

6.3 ESA Section 7 Consultation

1. U.S. Fish and Wildlife Service – No consultation is necessary as detailed in EA sections 4.5.1, p.26 and 6.1.1, p 31.
2. National Marine Fisheries Service (NMFS) – No consultation is necessary as detailed in EA sections 4.5.1, p.20 and 6.1.1, p 31.

7.0 Conclusion

I have reviewed the information in the EA, public comments, and this DR. I have determined that no change to the Finding of No Significant Impact is necessary. No new information was provided during the public comment period for the EA that led me to believe the analysis, data or conclusions related to environmental effects of the proposed action are in error or that the selected action needs to be altered. The selected action will not have effects beyond those already anticipated and addressed in the RMP EIS

8.0 Administrative Review Opportunities and Implementation

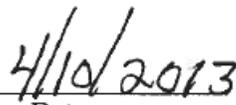
8.1 Administrative Review Opportunities

Individuals have the right to appeal this decision to the BLM Cascades Field Manager and thereafter appeal to the Board of Land Appeals, Office of the Secretary, in accordance with the regulations of 43 Code of Federal Regulations, Part 4. A notice of appeal and/or request for a stay electronically transmitted will not be accepted. A notice of appeal and/or request for stay must be on paper. To appeal this decision, it must be filed in writing to John Huston, Field Manager, Cascades Resource Area, Salem District BLM, 1717 Fabry Road SE, Salem, OR, 97306.

8.2 Implementation Date

If no appeals are filed, this decision will become effective after April 30, 2013. For additional information, contact Janet Myers, (503) 375-5978 at the Salem District Office.

Approved by: 
John Huston, Field Manager
Cascades Resource Area


Date

Appendix A

Clarification of the proposed action as detailed in the EAFONSI

Differences were found between the proposed action the BLM evaluated and disclosed in July of 2012 and the proposed action as shown by the current plans and communications with American Tower Corporation (ATC). American Tower has replaced ATT as the project proponent.

Note: American Tower Corporation builds and operates telecommunication facilities with the intention of subletting their facilities to various telecommunication providers.

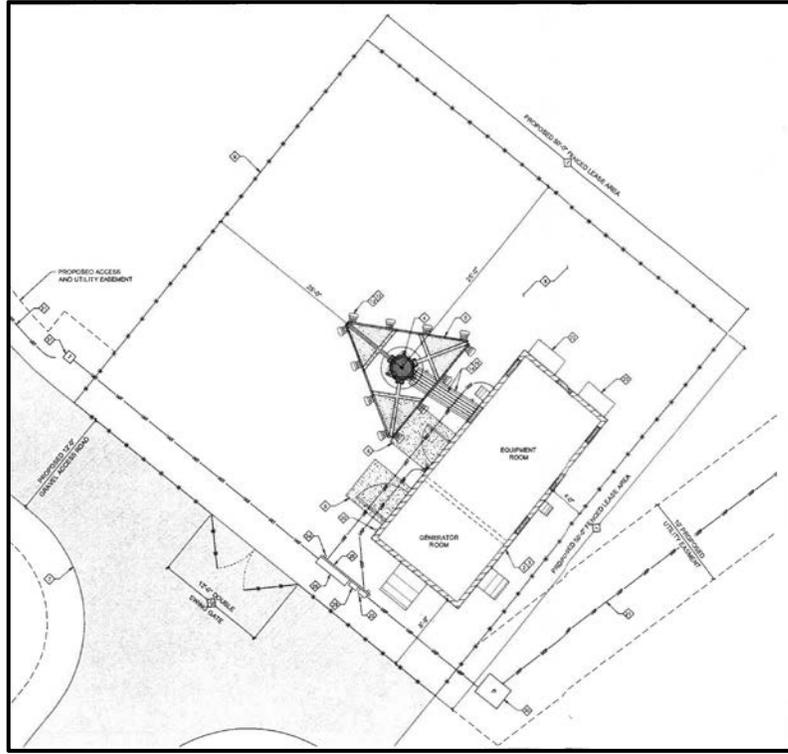
Photos of a similar facility (50 foot X 50 foot) in eastern Oregon. Note: the vegetation regime is very different at Mosier Ridge.



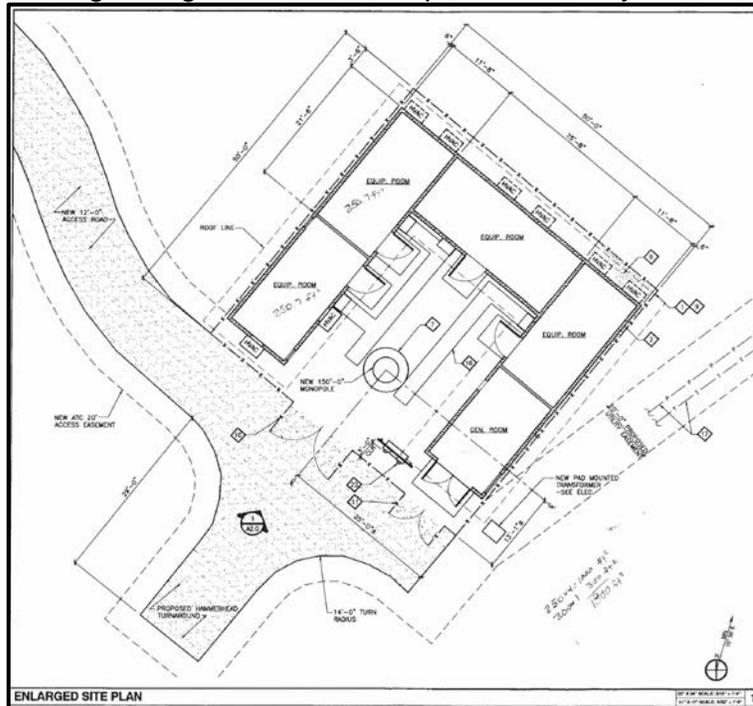
Site Configuration

Building configuration on the footprint has changed:

Original Proposed Building Configuration:- 300 square foot facility – 50 foot X 50 foot footprint



Current Proposed Building Configuration – 1,300 square foot facility – 60 foot X 60 foot footprint



- Site footprint changes from 50 feet X 50 feet (2,500 square feet) to 60 feet X 60 feet (3,600 square feet)
- All vegetative debris created by construction activities will be removed from the site. No piles, burning or debris to remain
- The 10 foot easement stays 10 foot and the BLM will require directional drilling for the underground power lines and telephone lines coming in from adjacent private lands.

The original EA can be found at:

http://www.blm.gov/or/districts/salem/plans/files/Mosier_Ridge_EA_final.pdf

Text from the original EA clarified to reflect the corrected proposed action.

2.2 Proposed Action

Original text:

The proposed action includes the construction of a communications facility to support AT&T facilities at the following coordinates: 45.287369 N, 122.464825 W (NAD83). The host property is located near Oregon City, on South Mosier Road in Township 3 South, Range 3 East, Section 29, Tract 6 W.M., Clackamas County, Oregon. The property is managed by the Bureau of Land Management. Construction is expected to occur in spring and/or summer of 2012. Detailed construction drawings are included in Appendix A. The total area of disturbance is approximately one quarter of an acre.

Corrected text:

The proposed action includes the construction of a communications facility to support American Tower Corporation, (ATC) facilities at the following coordinates: 45.287369 N, 122.464825 W (NAD83). The host property is located near Oregon City, on South Mosier Road in Township 3 South, Range 3 East, Section 29, Tract 6 W.M., Clackamas County, Oregon. The property is managed by the Bureau of Land Management. Construction is expected to occur in the spring and/or summer of 2013. Detailed construction drawings are included in Appendix A. The total area of disturbance is approximately one quarter (0.28) of an acre.

Original Text:

The proposed lease area is forested land located near a private residential property. The proposed lease area would occupy a 50' x 50' area located approximately 300 feet from the adjacent privately owned driveway. The area surrounding the proposed lease area is developed with a mix of residential properties, agricultural-use land, and forested BLM managed land. Topographically, the proposed lease area slopes down to the south and is 798.5 feet above mean sea level. A recent (2011) aerial photograph of the project location is depicted in Figure 2.

Corrected Text:

The proposed lease area is forested land located near a private residential property. The proposed lease area would occupy a 60 foot X 60 foot area located approximately 300 feet from the adjacent privately owned driveway. The area surrounding the proposed lease area is developed with a mix of residential properties, agricultural-use land, and forested BLM managed land. Topographically, the proposed lease area slopes down to the south and is 798.5 feet above mean sea level. A recent (2011) aerial photograph of the project location is depicted in Figure 2.

Original Text:

A 150 foot monopole tower would be constructed within the lease area. Two spaces within the lease area would be reserved for future carriers. Three panels would be mounted near the top of the tower with 4 antennas mounted to each (a total of 12). Future collocation on the tower itself is expected to be likely and is considered within the context of this analysis. The tower and attached equipment would be painted matte green to blend with the natural surroundings.

Corrected Text:

A 150 foot monopole tower would be constructed within the lease area. Three panels would be mounted near the top of the tower with 4 antennas mounted to each (a total of 12). Future collocation on the tower itself is expected to be likely and is considered within the context of this analysis. The tower and attached equipment would be painted matte green to blend with the natural surroundings.

Original Text:

An 11'6" x 26'0" prefabricated equipment shelter would be placed within the lease area alongside the tower, and would also be painted to match the surrounding area (green or black). A 6" concrete slab-on-grade would be constructed to serve as a foundation for the shelter per manufacturer's instructions. A diesel generator would be installed in the equipment shelter to provide backup power along with built in fuel tank. Two 5' by 5' concrete stoops would be constructed outside and adjacent to the equipment shelters. A 6' chain link fence topped with barbed wire would enclose the lease area. A 12' double swing gate would provide access on the SW side of the lease area. The site would be filled with 6" of ¾" diameter crushed rock above a weed barrier.

Corrected Text:

A five bay, three sided 43 foot X 37.4 foot X 43 foot (see "Current Proposed Building Configuration") prefabricated equipment shelter would be placed within the lease area alongside the tower, and would also be painted to match the surrounding area (green or black). A 6 inch concrete slab-on-grade would be constructed to serve as a foundation for the shelter per manufacturer's instructions. A diesel electrical generator would be installed in the equipment shelter to provide backup power along with a built in fuel tank. Two 5 foot by 5 foot concrete stoops would be constructed outside and adjacent to the equipment shelters. A 6 foot chain link fence topped with barbed wire would enclose the lease area. A 12 foot double swing gate would provide access on the SW side of the lease area. The site would be filled with 6 inches of ¾ inch diameter crushed rock above a weed barrier.

Original Text:

A 10' wide utility Right-of-Way Grant would be established as part of this project. Directional drilling would be used to connect from the NE of the lease area to a pad mounted power transformer located on an adjacent parcel. An existing power transformer would be replaced as part of this project. Power would be then routed to the site via this trench. Telco would run in this trench parallel to the underground power past the transformer to an existing pole for a total length of ~560'.

Corrected Text:

A 10 foot wide underground utility Right-of-Way Grant would be established as part of this project (Figure 1). Directional drilling would be used to connect from the NE of the lease area to a pad mounted power transformer located on an adjacent parcel. An existing power transformer would be replaced as part of this project. Power and telephone service would be then routed to the site via this underground conduit. ATC would run in this trench parallel to the underground power past the transformer to an existing pole for a total length of approximately 560 feet.

Original Text:

A 12' by ~200' gravel road would be constructed to provide access to the site from an existing asphalt road located at the NW corner of the property. The entire length of the access road which will be constructed is on the BLM managed land.

Corrected Text:

A 12 foot by approximately 200 foot (20 foot wide easement) gravel road would be constructed to provide access to the site from an existing asphalt road located at the NW corner of the property. The entire length of the gravel road is on lands managed by the BLM.

Original Text:

An electrical grounding system would be installed within the confines of the proposed lease area. The areas used for this grounding system would already have been disturbed during construction of the lease area.

Corrected Text:

An electrical grounding system would be installed within the confines of the proposed lease area. The areas used for this grounding system would already have been disturbed during construction of the lease area. Any vegetative debris created will be removed from the site and disposed of in an appropriate facility.

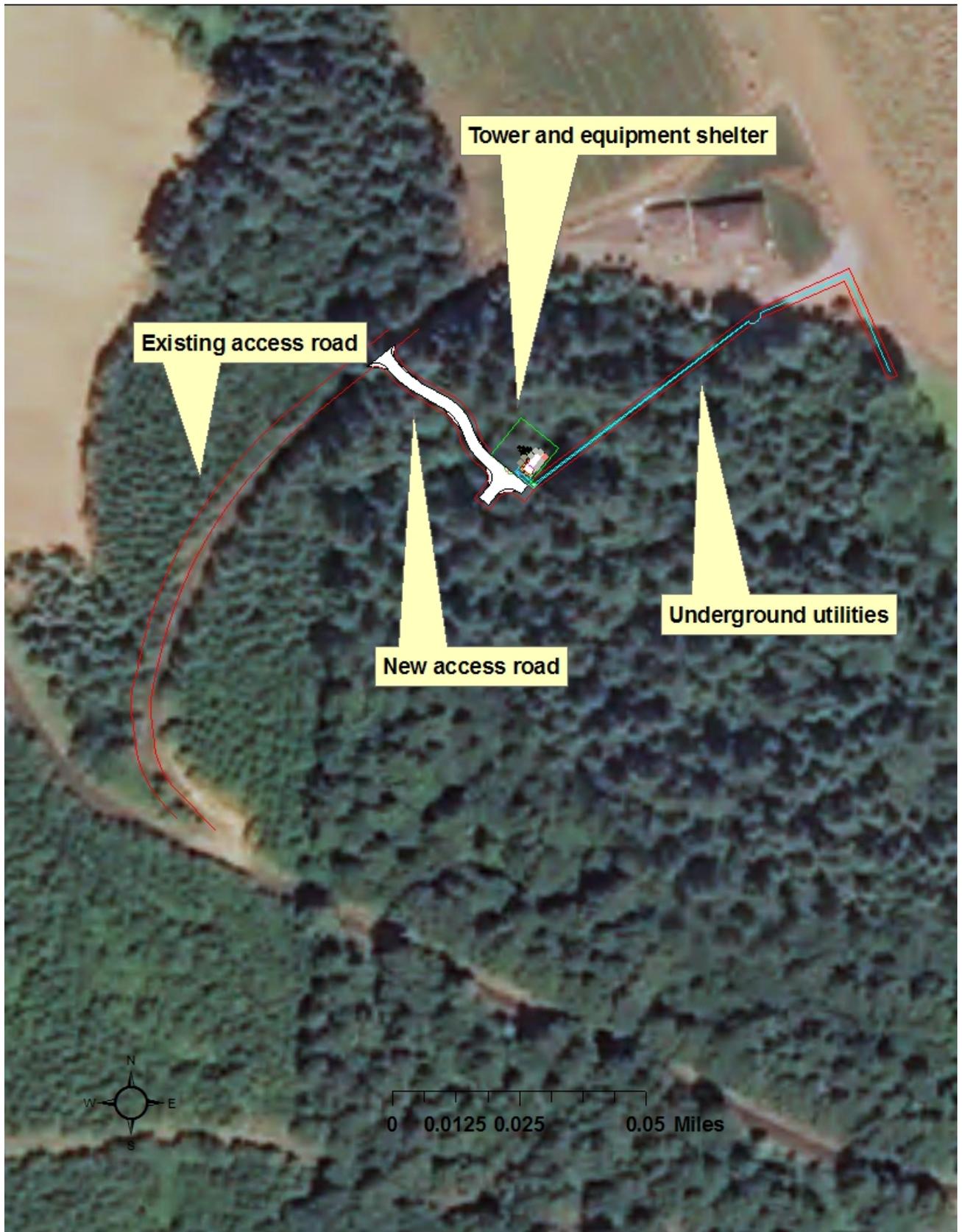


Figure 1 Aerial View of Proposal Area