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South Lane Television

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EUGENE DISTRICT OFFICE

ENVIRONMENTAL ASSESSMENT NO. OR090-02-05
South Lane Television Communication Use Lease

I. INTRODUCTION

A. BACKGROUND

The Eugene District of the Bureau of Land Management (BLM) manages public land on Hawley Butte, located at Township 21 South, Range 1 West, Section 29, Willamette Meridian, as a communication site. South Lane Television (SLTV) has operated television translators from this site since the 1960's, providing local Eugene-based television coverage for rural residents in the Culp Creek-Disston-Sharps Creek areas. SLTV wants to improve local television reception by installing a taller tower. This would require that the area covered under their existing right-of-way (ROW) grant be expanded.

B. PURPOSE OF AND NEED FOR THE ACTION

The purpose of the Proposed Action is to issue a new communication use lease to SLTV so that they can install a taller translator tower. The need for the action is that SLTV was issued a communication site right-of-way in the 1960's under the authority of The Act of March 4, 1911. Right-of-way authority under this law was repealed by the Federal Land Policy and Management Act of 1976 (90 STAT. 2744, P.L. 94-579) [FLPMA]. Consequently, right-of-way grants issued under The Act of March 4, 1911, cannot be renewed or amended. SLTV has submitted an application requesting a new right-of-way grant issued under the authority of FLPMA in order to replace their existing tower and expand the area covered under their right-of-way grant. Existing right-of-way grant OR 6431 would be replaced by this new authorization, if approved.

C. CONFORMANCE WITH LAND USE PLAN

The Proposed Action and alternative are in conformance with the Eugene District Record of Decision and Resource Management Plan (RMP, 1995) as amended by the *Record of Decision for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (S&M ROD, USDA Forest Service and USDI Bureau of Land Management, January 2001). Hawley Butte is identified as a communication site on Map 11 of the RMP.

II. PROPOSED ACTION AND ALTERNATIVE

A. PROPOSED ACTION

The proposed action would be to approve the request by SLTV for a new communication use lease. The new lease would allow SLTV to implement the following actions:

1. Construct a guyed, 160 foot Rohn model #55 lattice-type, steel tower to replace three existing utility pole towers currently in use. The tower would be a triangular structure in cross-section, each leg of the triangle being 18" long. The installation of 3 guy-line anchors would be required in conjunction with the erection of the tower. The guy-line anchors may consist of rock bolts epoxied into bedrock, if bedrock at the designed anchor locations is competent enough to permit. Otherwise, holes would be excavated at the anchor locations, each filled with approximately 2 cubic yards of concrete (approximately 4'x4'x4'), and with an embedded anchor placed in each. The tower would be mounted on a base of approximately 1 cubic yard of concrete placed in an excavated hole (approximately 3'x3'x3'). Since the tower is below 200 feet in height, it would have no FAA-required lighting.
2. Install 4 solar panels on the roof of the existing building or on a small tripod (6-10 feet high) deployed on the ground adjacent the concrete block building to augment the existing propane-powered thermoelectric power system.
3. Improve the road approach/vehicle turnaround at the site. The approach road is steep and too narrow to allow a propane truck to turn around at the site safely, according to SLTV. A truck turnaround, approximately 40 feet wide would be constructed to the west of the concrete block building and propane tanks. Excess excavated material from turnaround construction would be sidecast on an adjoining slope of approximately 30%. No surfacing is planned for the road improvement.

No merchantable trees are proposed for cutting, although some brush and sapling clearing would be required at the anchor locations and tower base, and some limbing of one tree would be required to accommodate the southwesterly guyline. Other special provisions for construction of the tower are shown in Exhibits A, B, and C of the draft communication use lease, attached.

Construction of the improvements described above would take approximately two weeks. See attached map for specific locations of the improvement that would occur under the Proposed Action, including the lease boundaries.

Approval of the SLTV request described above would be in the form of a communications use lease issued under the authority of FLPMA in accordance with the regulations contained in 43 CFR 2800. Additionally, the communications use lease would authorize the existing facilities and existing operations currently authorized under grant OR 6431. Coincident with approval of the communications use lease, existing right-of-way grant OR 6431 would be terminated.

One of the conditions of the standard communications use lease would allow the lessee (SLTV) to sublease excess space on the newly-erected tower to other users without prior approval of the BLM, in accordance with communication site regulations that went into effect in 1996 (found in 43 CFR 2800). This subleasing provision is a feature that grant

OR 6431 did not provide for.

B. ALTERNATIVE A (NO ACTION)

This alternative would deny approval of SLTV's proposed changes (160' tower, solar panels, and road improvements). Right-of-way grant OR 6431 would remain in effect, authorizing existing facilities and operations until September 8, 2020, at which time the grant expires. This alternative could precipitate future requests to the BLM regarding the topping or cutting of more trees around the summit of Hawley Butte.

C. ALTERNATIVES CONSIDERED BUT NOT ANALYZED

An alternative location for the translator facility on private property along the north shore of Dorena Reservoir was considered. Although the site has the advantage of readily available commercial electric power, the site proved to be too restricted by terrain to provide adequate television signals to the service area.

III. AFFECTED ENVIRONMENT

Hawley Butte lies within the Lower Row Creek fifth field watershed, approximately one mile north of the community of Culp Creek. Hawley Butte is the home of several communication installations. The BLM manages a Remote Automatic Weather Station facility at the site. Additionally, the Umpqua National Forest operates a radio repeater at the site under BLM right-of-way reservation OR 43048. The Forest Service facilities consist of a 6'x8' fiberglass building and a guyed 50' Rohn model #45 tower.

Existing facilities owned by SLTV consist of a small concrete block building (12'x6'), two propane tanks (575 gallon capacity and 150 gallon capacity), and three utility poles (less than 40 feet tall) with antennae mounted on them. Since the facility became operational in 1970, the timber stand around the perimeter of the Butte has grown tall enough to interfere with the signals that are rebroadcast to the Culp Creek area, resulting in degraded television reception in the translator's service area. Conversation with the BLM about degraded signals is documented in the OR 6431 file, beginning in 1994, and some tree-topping work has been done in the past in an attempt to improve signals.

Vegetation

The Hawley Butte communication site is surrounded by a stand of 70 year-old Douglas-fir. The project area is a southwest facing slope, and includes areas of open, rocky ground dominated by grasses and mosses. Trees at the edge of this "bald" include a mixture of madrone, chinkapin, pine, and Douglas fir. The "rocky bald" qualifies as a special habitat under the District's RMP. Soils appear to be rocky and shallow. A botanical survey was conducted in 1997, and no sensitive plant species were found.

Scotch broom, a noxious weed and aggressive colonizer of disturbed ground with open canopies, has become established along the access road as it approaches the facilities, but is not found in the open bald.

Wildlife

Northern Spotted Owl. The Hawley Butte communication site is within the core area of the Cedar Creek Owl Site (NE 1/4 Section 29). This site has not been active for approximately 10 years and suitable old growth habitat no longer exists within the immediate area. There is

suitable dispersal habitat within the surrounding timber stand.

Marbled Murrelet. The Hawley Butte communication site is outside of the designated critical habitat for this species.

Survey and Manage Species. The communication site lies at 3,058 feet above sea level. Currently, areas above 2,000 feet and east of Interstate 5 in Lane County require clearance surveys for *Pristoloma artium crateris* as outlined in the Terrestrial Mollusk Survey Protocol, Draft, Version 2.0 (1997). Habitat for *Pristoloma* consists of moist to wet forest sites, such as riparian areas, springs, seeps, wetlands, and well-vegetated mountain meadows. Essential habitat components include un-compacted soil, litter, logs, and other woody debris in a site where the ground is shaded or otherwise protected from excessive fluctuations in temperature and humidity. It is unlikely that any suitable habitat for *Pristoloma* occurs within the proposed communication lease area. However, clearance surveys are planned for the Spring of 2002. If any individuals of this species are located in the project area, the Proposed Action would be modified as needed to protect the species' essential habitat components.

Under the S&M ROD, two species of mollusk, blue gray tail-droppers (*Prophysaon coeruleum*) and papillose tail-droppers (*Prophysaon dubium*) were removed from the Survey and Manage list of species. Neither pre-disturbance surveys nor management of known sites are required for these species under the S&M ROD. A third mollusk species, the Oregon megomphix (*Megomphix hemphilli*) is still a category F Species. Any sites known prior to September 30, 1999 require special management, however subsequent to this date pre-disturbance surveys are no longer required in Lane County. There are no known sites for *Megomphix* within or adjacent to the project area.

The project area is within the known range and vegetation community type associated with red tree voles; however, the project area itself is not considered suitable habitat because vegetation is limited to the open meadow and shrubs. As a result, no pre-disturbance surveys are required.

Visual Resources

The top of Hawley Butte is readily apparent from the nearby Red Bridge proposed recreation site (RMP, page 77). The viewshed from the Red Bridge proposed recreation site is in VRM Class II (retain landscape character— i.e. management activities may be seen but should not attract attention of the casual observer).

In much of the rest of the Row River valley, the Hawley Butte ridgetop is screened from view. However, the butte is visible from various locations along the main roads, the Row River Trail, Dorena Reservoir, and local communities. These areas are in Visual Resource Management (VRM) Class III (objectives for Class III areas are to partially retain landscape character— i.e. management activities may attract attention but should not dominate the view of the casual observer).

IV. ENVIRONMENTAL CONSEQUENCES

A. UNAFFECTED RESOURCES

The following resources are either not present or would not be affected by any of the alternatives: threatened or endangered species, fish, surface and groundwater quality, Areas of Critical Environmental Concern, prime or unique farmlands, floodplains, Native American religious concerns, solid or hazardous wastes, Wild and Scenic Rivers, cultural resources, Wildemess, minority populations, and low income populations.

B. DIRECT, INDIRECT, AND CUMULATIVE EFFECTS

The Proposed Action and No Action alternative would have environmental effects. However, neither of the alternatives would have effects beyond those described in the RMP EIS. This analysis also incorporates by reference the analysis of cumulative effects in the RMP EIS (Chapter 4). The following section supplements that analysis, providing site-specific information and analysis particular to the alternatives considered here.

1. Proposed Action

Vegetation. The Proposed Action would destroy a minimal amount of vegetation. Small areas to be used as guy-line anchors would be stripped of existing vegetation. Small trees (<6" dbh) may be cut, but no larger tree removal would be necessary to construct the anchors or to improve the vehicle turn-around. The third anchor would be located at the lower edge of the rocky bald. No overland vehicle use would be used to reach the location, so disturbance to the opening would be limited to that needed for anchor placement, which would be dug by hand. Negative impacts to the rocky bald would not be expected, and the Proposed Action would not restrict future management of the area as a special habitat.

Where the road would be widened and scotch broom already exists, all vegetative material removed would be piled and burned. This would help reduce the risk of encroachment of scotch broom into other areas, and would be neutral or a net benefit to the vegetative values of the rocky bald. The proposed action would not affect BLM's ability to manage the adjacent timber stand according to the direction provided by the Eugene RMP, nor is it likely to degrade the vegetation of the project area as a whole.

Wildlife. Expansion of the communication site area and construction of the tower would have no adverse effect on threatened or endangered wildlife species. Surveys for *Pristoloma* are scheduled for the Spring, 2002. It is unlikely that the site provides habitat for *Pristoloma*; however, if surveys reveal the presence of this species, the facilities would be redesigned to protect this species and its habitat. The tower and related facilities would not have cumulative effects on wildlife species or habitat.

Visual Resources. The proposed 160-foot tower would likely stand 40-60 feet above most of the surrounding trees. When viewed from the Red Bridge proposed recreation site, the tower would likely be visible, but not attract attention. The tower would basically blend in visually by mimicking the lines, textures, colors, and forms in its surrounding landscape. The peak is covered thickly with conifers, some being dominant trees and snags. As viewed from the Red Bridge site (at a distance of about two miles), the proposed tower would appear as a tall, thin, dark vertical line on a jagged skyline characterized by numerous thin, dark vertical lines. This project would meet VRM Class II objectives (retain the characteristic landscape— i.e. management activities may be seen but should not attract the attention of the casual observer) for the Red Bridge site's viewshed.

The lesser VRM objectives (partially retain) from the Class III viewpoints (e.g. Row River Trail, Dorena Reservoir, communities of Dorena and Culp Creek) would be met as well.

Reception/Communications. Increasing the height of the tower would allow the translators to be sufficiently above the treeline to improve television reception for the local area. The height of the tower would be sufficient to maintain the reception quality over time. Because of the poor growing conditions surrounding the communication site, the timber stand would not likely ever reach above the tower. It is unlikely that any radio

frequency interference would occur between the SLTV translators and existing BLM and USFS radio signals. No new frequencies would be introduced, and the new tower would not shield signals between BLM's RAWs station and the repeater site.

2. No Action Alternative

Under the No Action Alternative, the existing lease area would be maintained, and no tower replacement would be authorized.

Existing vegetation and wildlife resource would be unaffected. Visual resources would not be modified. Television reception would not be improved. Over time, it is reasonably foreseeable that SLTV would request approval from BLM to top or cut additional trees in an attempt to maintain the existing level of reception. It is unknown whether or not the existing level of local television reception could be maintained over the long term.

V. CONSULTATION AND COORDINATION

A. LIST OF PREPARERS

The Proposed Action and alternatives were analyzed by the following interdisciplinary team of BLM specialists:

Dave Schroeder	Realty Specialist
Carla Alford	Wildlife Biologist
Bryant Smith	Recreation Planner (Visual Resources)
Molly Widmer	Botanist
Jeff Apel	Engineering (Roads)
Rick Colvin	Landscape Planner

B. CONSULTATION

Consultation with the US Fish and Wildlife Service and the National Marine Fisheries Service is not required, pursuant to the Endangered Species Act, because the Proposed Action and the alternative would have no effect on any listed species.

C. PUBLIC PARTICIPATION

A public notice announcing the availability of this EA and preliminary Finding of No Significant Impact (FONSI) will appear in the Eugene Register-Guard on February 6, 2002. Copies will be mailed to any parties that request it.

VI. REFERENCES

USDI Bureau of Land Management. November 1994. Eugene District Resource Management Plan/Environmental Impact Statement (RMP EIS). Eugene, Oregon: Eugene District Office.

USDI Bureau of Land Management. June 1995. Eugene District Record of Decision and Resource Management Plan (RMP). Eugene, Oregon: Eugene District Office.

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Finding of No Significant Impact
for
South Lane Television Communication Use Lease

Determination:

On the basis of the information contained in the Environmental Assessment, and all other information available to me, it is my determination that implementation of the proposed action or alternatives will not have significant environmental impacts not already addressed in the *Final Eugene District Timber Management EIS* (May 1983), and the *Record of Decision (ROD) for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (April 1994) and the *Eugene District Record of Decision and Resource Management Plan* (June 1995), with which this EA is in conformance, and does not, in and of itself, constitute a major federal action having a significant effect on the human environment. Therefore, an environmental impact statement or a supplement to the existing environmental impact statement is not necessary and will not be prepared.

Date: _____

Field Manager, South Valley Resource Area