

USDA
Forest Service

Intermountain
Region

Sawtooth
National Forest

Sawtooth National
Recreation Area

July 2008



Decision Notice and Finding of No Significant Impact

Galena Summit Communication Project

Wireless Communication Facility and Communications Site Designation

USDA Forest Service - Intermountain Region
Sawtooth National Forest
Sawtooth National Recreation Area
Blaine County, Idaho
T6N, R15E, Section 6

For Information Contact:
Jackie Richter – Special Uses Staff
Sawtooth National Forest
2647 Kimberly Road East
Twin Falls, ID 83301
(208) 737-3200
<http://www.fs.fed.us/r4/sawtooth/>

USDA FOREST SERVICE MISSION STATEMENT

The mission of the USDA-Forest Service is to sustain the health, diversity, and productivity of the Nation's forests and grasslands to meet the needs of present and future generations.

USDA NONDISCRIMINATION STATEMENT

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington DC 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.



Printed on Recycled Paper

DECISION NOTICE

BACKGROUND

A communications facility has been operated under special use permit on Galena Summit for more than 30 years. The facility is located off of Forest Service road 70405 within the Sawtooth National Recreation Area (NRA). Sawtooth Telephone Company is the current permit holder and facility operator. The existing facility includes a communication building and short tower. A microwave reflector previously in use at the site was removed in 2006.

The Forest received a proposal in 2003 from Idaho Tower Company to construct a wireless telecommunications facility (cell tower and support building) on Galena Summit near the Sawtooth Telephone facility. The public was asked to comment on the proposal in 2004 and 147 interested citizens provided comments.

At the time of the 2004 public comment period the Forest Service was considering soliciting bids from prospective companies if it was determined there was a need for cellular coverage in the Sawtooth Valley and Stanley Basin. Ultimately, the Forest Service did not issue a prospectus to advertise for proposals, but instead decided to accept the Idaho Tower Company application. In compliance with National Environmental Policy Act (NEPA), an Environmental Assessment (EA) was prepared to address this proposal. The *Environmental Assessment: Galena Summit Communication Project* was completed in July, 2008.

The proposed wireless telecommunications facility is located within the Sawtooth National Recreation Area (NRA). On August 22, 1972, Congress passed Public Law 92-400 (PL 92-400) establishing the Sawtooth NRA. The intent of establishing the Sawtooth NRA was to protect the area's primary values of fish and wildlife resources, and the natural, scenic, pastoral, and historical values, and recreation attributes. Under PL 92-400, special uses such as a cell tower and building area recognized as a valid use so long as it does not cause substantial impairment of the Sawtooth NRA key values.

THE DECISION

It is my decision to select Alternative A – No Action. I will not issue Idaho Tower a special use permit. There would be no construction of a cell tower and support building, and thus, no ground disturbance. The 'no action' alternative does not affect the existing Sawtooth Telephone communication facility currently in use on the Galena Summit area. This site would continue to be operated and maintained as a communications site.

It is also my decision to make a non-significant amendment to the current Sawtooth Forest Plan-Visual Quality Objective (VQO) Map. Taking into consideration current levels of winter use, this amendment will display a Retention VQO as seen from the heavily used cross-country ski trail (referred to locally as the "skin track"). The currently mapped VQO within the project area is Partial Retention and Modification as seen from State Highway 75. All other VQO mapping will remain as

currently depicted on the Forest Plan VQO map, including the Modification VQO surrounding the Sawtooth Telephone communication site.

RATIONALE FOR THE DECISION

I received approximately 230 comments from the two comment periods. Whether they were ‘for or against’ the project, it was evident that people held very strong beliefs about this proposal. The comments received on this project reflect the diverse interests of the public regarding use of National Forest System lands. In reaching my decision, I have sought to carefully and objectively assess public comments and the analysis of issues disclosed in the EA. I have also taken into consideration compliance with appropriate laws and regulations.

Many comments received focused on the philosophical – cell phones are simply not needed and technology does not need to follow us everywhere, especially into a special and unique area such as the Sawtooth NRA. Conversely, others said that cell phones are part of modern life and cell phone use should be enabled whenever possible. While I can truly appreciate both thoughts, it is not within my capacity to act upon philosophical advice. I look to laws, regulations, policy, and Forest Plan direction in which to make my decision. Because this project generated contentious disagreement I sought to very carefully follow the decision-making process. In times of great disagreement, a transparent process is invaluable to all of us.

Ultimately, the disagreement focused on two key issues that divided the comments: 1) Safety; and 2) Scenic Environment. I am committed to protecting the unique resource values of the Sawtooth NRA, while at the same time providing needed services to the public and their land. In making my decision, I looked at each of these issues in depth to determine if the proposal would comply with appropriate direction.

Safety

I first turned to laws, regulations, and policy for guidance on safety issues. Perhaps it is not surprising that there is little in the way of guidance specific to cell phone use. The vast majority of safety directives are related to wildfire safety or direct imminent threats to human life. The Sawtooth Forest Plan (p. 111-52, 111-56) gives the following direction for special uses, which include wireless telecommunications facilities:

Goals: LSGO05 - Special use authorizations are issued for uses that:

- a) Serve the public,
- b) Promote public health and safety,
- c) Protect the environment, and/or
- d) Are legally mandated.

Objectives: LSOB10 - Provide for communication site designations and developments that meet public needs and are consistent with direction for National Forest resources.

Guidelines: LSGUOS - Priority for modifying existing authorizations should consider the current and potential negative effects on human health and safety and resource values that may be affected.

When authorizing special uses such as a cell tower and equipment building, I am directed to promote public health and safety while simultaneously protecting the environment and resources. Next, I turned to the specific issues raised during the comment periods about safety.

The cell phone industry is growing at a rapid rate and we have all grown accustomed to using our cell phones just about everywhere. The opportunities afforded to emergency services as a result of cell phones, is invaluable. In case of accidents or search and rescue efforts within the Sawtooth NRA, emergency services are dispatched from the Ketchum Fire Department from the south and from the Sawtooth Valley Fire Department in Stanley from the north. Under ideal conditions, it can take at least 20-30 minutes to reach an affected highway accident from either direction. The availability of improved cell coverage could reduce emergency response times by providing for more timely notification of authorities of an emergency event. There is no question in my mind that cell phones have an important role in this day and age in emergency services. The analysis in the EA reflects that the proposal would provide for improvement in emergency service response in the Highway 75/Salmon River corridor (pp. 64-67).

Others offered that safety would decrease as vehicle accidents would increase due to inappropriate use of cell phones while driving on State Highway 75. In reviewing the literature it was clear that distracted drivers have significantly more vehicle accidents. Drivers become distracted for many reasons such as eating, reading a map, attending to children, viewing wildlife, and using a cell phone. However, there were no studies indicating a direct correlation that installation of cell towers or an increase in the cell phone coverage area automatically resulted in increased accidents. I can make an indirect conclusion that the opportunity for a new distraction would become available should the proposal be approved. The EA reflects that increased opportunity for distraction (pp. 59-62).

Others pointed out that enhanced cell phone coverage leads to a false sense of security by some backcountry users who may rely upon their cell phone rather than preparation or judgment for safety and security. This is one of the hottest topics today amongst emergency responders across the nation. Studies are being conducted to determine the correlations. There have always been people exhibiting poor judgment when entering the backcountry ill-prepared, and subsequently needing search and rescue. Whether the use of cell phones has increased this statistic is yet to be determined. The EA reflects this uncertainty (pp. 62-64).

In order to meet the goal of promoting safety as identified in the Forest Plan, I evaluated the potential for increased accidents, effects to search and rescue rates as well as improved emergency response times. After review of public comment and the safety issue as disclosed in the EA, I reached the conclusion that from a safety standpoint, the wireless facility as proposed, would be appropriate.

Scenic Environment

Many members of the public were concerned about impacts to the scenic quality from this proposal. A key issue with cell towers is protecting the scenic resource. The Sawtooth NRA has worked

diligently for 35 years to remove above ground encumbrances. Currently there are more than 140 miles of buried telephone and fiber optic lines on the Sawtooth NRA, with over half of them along Highway 75. In any given year, the Sawtooth NRA receives proposals to convert above ground lines to below ground lines resulting in less visual impact from the lines as well as the poles. I do believe that visual resources are an important value of such a unique area.

The 'Visual Resource Management (VRM) System' has been used, nation-wide, by the Forest Service since 1973. VRM provides the basis for describing acceptable degrees of landscape alteration within the public and private lands of the Sawtooth NRA. All land within the Sawtooth NRA was inventoried in the early 1980's. As a result of this inventory Visual Quality Objectives (VQOs) were mapped from all visually sensitive travel routes and viewpoints. When the inventory was completed for the Galena Summit area, the only inventoried travel route in the area was State Highway 75. The 1980's inventory has been used without change as the VQO map upon which both the 1987 and 2003 Sawtooth Forest Plan were based. Since completion of the original inventory, Forest Road 70405, which accesses the proposed communication tower and building, was added to our road inventory and maintenance system.

An assumption that is inherent in the application of the VRM system is that VQOs may be modified over time as uses and conditions on the ground change, these changes may be necessary due to changes in recreational use patterns, and/or changes in the landscape such as fire or insect epidemics. It is expected that during any project level assessment that modifications may be made to the mapped inventory data to best reflect on-the-ground conditions (*Visual Management System for the Sawtooth National Forest, p. 31, circa 1986*).

As part of the analysis for this project, the Sawtooth NRA landscape architect evaluated the proposal for scenic impacts. He provided me with a draft "*Visual Evaluation For the Galena Summit Communications Site*" on August 31, 2007. In his report the Sawtooth NRA Landscape Architect explained that one key element which helps determine the appropriate VQO for an area is how many people (quantity) are viewing the site, how often (frequency) they view the site, and for how long (duration) they at the site. Recent road use estimates indicate that Forest Road 70405 is currently receiving a Seasonal (summer) Average Daily Traffic in excess of 10 vehicles per day. Common activities on the road are driving for pleasure, enjoying scenic views, hiking, camping, etc.

More important is the winter recreation use pattern that has developed at the Galena Summit area since 1980. Some 2700 winter sports enthusiasts were utilizing the ski terrain in and around Galena Summit in 1996. The plowed parking area at the junction of Forest Road 70405 and Highway 75 has now become the primary winter sports access point for the Galena Summit area. In the winter season, Forest Road 70405, referred to as the 'skin track', is used to access many popular ski runs on Galena Summit. Although we do not have exact car/user counts, estimates by our Winter Sports Specialist indicate there are in excess of 6000 winter users on Galena Summit per season, with 3,500 back-country skiers utilizing the "skin track" that passes just below the proposed tower site.

Given the change in use that has occurred since the original VQO designation at the project area, the Sawtooth NRA Landscape Architect recommended a change in the VQO for the site to reflect the increased sensitivity of the site. He determined the appropriate VQO for the project area should be 'Retention' with Forest Road 70405 as the travel corridor from which the VQO should be

mapped. Based on this, he made a determination that the project, as seen from Skin Track would result in a condition of 'Modification'. This is two VQOs below his recommended VQO of 'retention', and would by definition (Forest Plan, Vol. 2 - Appendix I) result in substantial impairment of the visual values of the Sawtooth NRA.

Unfortunately, the Sawtooth NRA Landscape Architect retired before he could complete his report or the process of mapping the proposed change in the VQO. Given this, I contracted with the Boise National Forest Landscape Architect to evaluate the effects of the proposal from State Highway 75 and from other visually sensitive travel locations. His report concluded that the cell tower was compatible with the existing VQOs as seen from State Highway 75. He concluded that the proposal would not result in substantial impairment of the currently mapped visual objectives. I did not ask him to evaluate whether or not there was a need for change in the VQOs based on changed use of road 70405, as the first report had done.

I now had two reports providing different results depending on how we chose to handle the changed use in the Galena summit area. Given the seemingly contradictory reports, I asked a third Landscape Architect to review both reports and assist me with the process. I asked him to complete two technical tasks:

1. Review each of the subject reports to determine if the Visual Resource Management system and relevant Forest Plan directives were appropriately applied, and note any errors or omissions, and;
2. Based on the first scenic evaluation, determine if there was a substantiated basis for the assertion that an amendment to the VQO in the project area is appropriate;

His review of the reports concluded that both visual evaluations were correct as they looked at different components of the project. He recommended that one final process step occur –evaluate if the VQO at the project site should be changed based on use as recommended in the first scenic evaluation report. He concluded that, based on the criteria on page 18 in the Visual Management System for the Sawtooth National Forest¹, an adequate volume (3500 skiers per season) of use may be occurring now and would warrant re-inventory of the seen areas and sensitivity levels in this portion of the landscape.

Given this recommendation, I contracted with the Landscape Architect from the Humboldt-Toiyabe National Forest to conduct an evaluation of the VQO at the project site. Specifically, I asked him to analyze whether a change of the VQO in the project area was warranted based on the change in use that has occurred since the original VQO was mapped, and if so, based on the VRM what the new VQO should be.

The H-T Landscape Architect visited the project site and determined that views of the proposed cell tower location are seen within a foreground view from the ski trail. Based on direction in the National Forest Landscape Management Volume 2, Chapter 1, Agriculture Handbook Number 462 and the Visual Management System for the Sawtooth National Forest, he determined that the

¹ Criteria on page 18 states that use on “trails, snowmobile routes, and cross-country ski routes with greater than 500 users per season” are considered high Use Volume travel routes that should be considered for inclusion as sensitive view corridors.

appropriate VQO from the Skin Track is **Retention**. He then mapped the Retention VQO to confirm that the proposed tower site is well within the Retention VQO area.

Next he reviewed the proposed cell tower relative to VQOs and determined that the degree of visual dominance created by the proposed cell tower would not be consistent with either the recommended VQO of 'Retention', or the currently mapped VQO of 'Partial Retention'. The proposed cell tower would create visual dominance and also a discordant element within a foreground view that will result in lowering the VQO to 'Modification' of the characteristic landscape. This is two levels below the recommended VQO of 'Retention', which would constitute 'Substantial Impairment' of the Scenic values of the Sawtooth NRA. (*Sawtooth Forest Plan, Volume 2, Appendix 1, p. 1-18*).

Substantial Impairment of any of the key values identified for the Sawtooth NRA is not permitted by PL 92-400. Therefore I will not approve the cell tower proposal as submitted. I am hopeful in the future that emerging technology will permit a cell tower that does not visually impair the scenic values of the Sawtooth NRA. I am committed to protecting the unique resource values of the Sawtooth NRA, while at the same time providing needed services to the public and their land.

I have outlined this lengthy scenic evaluation process so that you can know the process that was used, and the steps I used to reach my conclusion. All four reports are included in the project record. The scenic analysis is found in the EA on pages 26-36.

As we entered into this analysis, I did not have a pre-conceived outcome in mind. Instead, I let the process raise the issues to be analyzed. I looked to the effects analysis documented in the EA as well as Forest Plan direction and PL 92-400 to give me guidance in making this decision. I know in reaching this conclusion, some of you will agree with me and some will not. I believe the process was fairly conducted and adhered to as required by law.

PUBLIC INVOLVEMENT

Initial scoping for the proposed tower occurred in September 2004 and 147 comments were received. The Quarterly Schedule of Proposed Actions (SOPA) for the Sawtooth has shown the project since 2004. A 30-day formal Notice and Comment period for the project was published on April 19, 2007 in the Challis Messenger (Challis, ID) and the Times-News (Twin Falls, ID). At the same time, notice was also sent to all the scoping responders. A press release was sent out to the media, with a news article published in the Idaho Mountain Express on April 20, 2007. A total of 93 comment letters/responses were received during the formal 30-day comment period.

ISSUES

Scoping input was reviewed to determine the key issues that would drive the analysis documented in the EA. These issues are summarized below.

Issue 1 - Visual Resources: The installation of a communications tower and building could impact the quality of the visual environment. Concerns were expressed that the tower would rise 40' or more above the existing tree line and therefore would be visually obtrusive and impactive to the scenic quality of the area. Backcountry skiers expressed concerns that the proposed facility would be highly visible from the "skin track" on the summit and would pose a serious visual intrusion.

Some believed that the tower would blend well enough given its design to resemble a tree.

Issue 2 - Wildlife Resources:

Installation of the proposed facility could impact wildlife, including **ESA** listed species, in and migrating through the project area. Concerns were expressed that winter access into the Project area may not be consistent with Forest Plan direction related to groomed or designated over-snow routes within lynx habitat.

Concerns were also expressed that installation and operation of a cell tower may contribute to injury or mortality of bats and/or migratory birds as a result of collisions with the tower and associated equipment.

Issue 3 –Wilderness:

Concerns were expressed that the proposed wireless communication facility would result in cell phone coverage in some areas of the Sawtooth Wilderness, especially at higher elevations including ridgetops and high cirques. Concerns were expressed that this “bleed over” of cellular coverage is inconsistent with Public Law (PL) 88-577, the Act establishing the Sawtooth Wilderness, and may compromise the wilderness area’s opportunities for primitive recreation and solitude.

Issue 4 – Recreation:

Concerns were expressed that the presence of a cell tower and equipment building could affect the recreational experience on Galena Summit, especially for winter users.

Issue 5 – Safety:

Sa: Driving and Cell Phone Use

The proposed area of cell phone coverage includes State Highway 75 which is located on a high mountain pass (Galena Summit) with steep, windy switchbacks. There is a concern that by making cell phone service available, motorists who choose to use their cell phones while operating a vehicle would be more likely to get into an accident serious enough to injure themselves, other drivers, and bicyclists.

5b: Cell Phones Provide False Security

There is a concern that cell service availability could lead to a false sense of security for some visitors who may rely on their cell phone rather than being prepared when traveling in the backcountry. This may result in increased backcountry emergencies, and thus, increased Search and Rescue missions.

5c: Emergency notification during an incident

Cell service availability may provide quicker response times for emergency services through initial notification to locating the accident site. The availability of wireless communications would be a benefit in the event of accidents, search and rescues, and wildfire in an area such as the Sawtooth NRA where there are a high number of visitors and limited communication options. Emergency responders may be able to use cell phones to communicate with each other on an incident. It could also result in better communications overall for the traveling public, outdoor users and valley residents.

ALTERNATIVES CONSIDERED

Alternative A – No Action

Under the No-Action Alternative, the Forest Service would not issue Idaho Tower a special use permit. There would be no construction of a cell tower and support building, and thus, no ground disturbance. The Galena Summit Communication Site would not be designated and the Sawtooth Telephone building would continue to operate as an undesignated communication site. The ‘no action’ alternative would not affect the existing communication facility currently in use.

Alternative B – Proposed Action

The proposed action is to issue a twenty-year Special Use Communication Lease to Idaho Tower Company for the construction and maintenance of a new wireless communication facility approximately ½ mile east of Galena Summit. The wireless communication facility would consist of a 90 ft. self supporting stealth tower resembling an evergreen tree, with antennas for emergency services and up to four commercial carriers. The facility would also include a one story equipment building with a forest cabin façade. Multiple wireless communications carriers including public emergency services would co-locate, using the Idaho Tower Company tower and equipment building for their equipment. Idaho Tower Company would be the Facility Manager.

The proposed action would also formally designate the existing Sawtooth Telephone communication facility location on Galena Summit and the new Idaho Tower Wireless Communication Facility site as the Galena Summit Communication Site. The Communication Site Plan developed as part of the formal designation would limit development of the site to the existing Sawtooth Telephone facility and the proposed Idaho Tower Company tower and equipment building.

FINDINGS REQUIRED BY OTHER LAWS

Consistency with Forest Plan

This decision, as based on the **EA**, is consistent with the Sawtooth Forest Plan goals and objectives and standards and guidelines. While my decision to not grant the special use permit to Idaho Tower Company does not contribute to the Forest Plan goal LSGO05 and objective LSOB 10 of providing for communication site facilities, my decision does not foreclose the option for future consideration of facilities that may be more compatible with the visual resource concerns. A Forest Plan Consistency Checklist is made part of the project record.

Public Law 92-400 / Substantial Impairment Determination

PL 92-400, which established the Sawtooth NRA, requires that the Sawtooth NRA be managed to best provide (1) the protection and conservation of the salmon and other fisheries; (2) the conservation and development of scenic, natural, historic, pastoral, wildlife and other values, contributing to and available for public recreation and enjoyment; and (3) management, utilization and disposal of natural resources such as timber, grazing and mineral resources insofar as their utilization will not substantially impair the purposes for which the recreation area is established.

As described in Appendix I of the Sawtooth Forest Plan (Vol. 2), direction for evaluating substantial impairment of the key SNRA values originates in 36 CFR Part 292:

36 CFR 292.17 (b) (10): “Substantial impairment means that level of disturbance of the values of the SNRA which is incompatible with the standards of the General Management Plan.”

The General Management Plan is defined as “the document setting forth the land allocation and resource decisions for management of the Sawtooth NRA.” The direction contained in the Sawtooth Forest Plan represents the General Management Plan as required by Public Law 92-400. The standards for management of the scenic, natural, historic, pastoral, and fish & wildlife on the Sawtooth NRA can be found in the Sawtooth Forest Plan - Chapter III and Appendix I.

I have followed the process developed to determine if this decision will cause substantial impairment of the Sawtooth NRA key values. Sawtooth NRA Area Ranger Baldwin wrote a memo to the project record with her determination on substantial impairment for this project. (Baldwin memo to project file). I also factored in the analysis of the EA and comment by the public in making this determination.

It is my determination that this decision is consistent with the Sawtooth Forest Plan and Public Law 92-400 and will not cause substantial impairment to the scenic, natural, historic, pastoral, fish and wildlife, and other values, contributing to and available for public recreation and enjoyment; nor will recreation values be substantially impaired.

Endangered Species Act

Because the No Action alternative was selected, no Federal action occurred. My decision is consistent with the Endangered Species Act.

Telecommunications Act of 1996

This law was passed in order to “promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies.” The law also states:

SEC. 601. Applicability of Consent Decrees and Other Law.

(c) Federal, State, and Local Law.

(1) No Implied Effect. —This Act and the amendments made by this Act shall not be construed to modify, impair, or supersede Federal, State, or local law unless expressly so provided in such Act or amendments.

While the Act requires me to encourage rapid deployment of new telecommunications technologies, it also says the Act cannot supersede or impair other existing laws including the provisions of PL 92-400. My decision to approve the No Action alternative is in compliance with the Telecommunications Act.

APPEAL RIGHTS AND IMPLEMENTATION

IMPLEMENTATION DATE

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. If appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR 215. Appeals must meet the content requirements of 36 CFR 215.14. Only individuals or organizations who submitted comments or otherwise expressed interest in the project during the formal comment period may appeal. Appeals must be postmarked or received by the Appeal Deciding Officer within 45 days of the publication of this notice in Twin Falls, Idaho 'Times News' newspaper. This date is the exclusive means for calculating the time to file an appeal. Timeframe information from other sources should not be relied on.

The Appeal Deciding Officer is Regional Forester Harv Forsgren. Appeals must be sent to: Appeal Deciding Officer, Intermountain Region USFS, 324 25th Street, Ogden, Utah 84401; or by fax to 801-625-5277; or by email to: appeals-intermtn-regional-office@fs.fed.us. Emailed appeals must be submitted in rich text (rtf), Word (doc) or portable document format (pdf) and must include the project name in the subject line. Appeals may also be hand delivered to the above address, during regular business hours of 8:00 a.m. to 4:30 p.m. Monday through Friday.

Contact

For additional information concerning this decision or the Forest Service appeal process, contact Jackie Richter – Special Uses Coordinator, Sawtooth Forest Supervisor's Office; 2647 Kimberly Road East, Twin Falls, by phone at (208) 737-3200.

FINDING OF NO SIGNIFICANT IMPACT

I have reviewed the Council on Environmental Quality regulations regarding determination of the significance of environmental impacts (40 CFR 1508.27), and I have determined that this decision is not a major Federal action that would significantly affect the quality of the human environment. This determination is based on the thorough environmental assessment process completed for this project and was made considering the following factors.

Context - My decision to select the ‘no action’ alternative (not authorizing the proposal) would not create any new environmental effects. Cumulative effects of past management, combined with ongoing activities, and reasonably foreseeable actions are displayed and discussed in Chapter 3 of the EA and in the project file. These effects were considered in my determination. My decision is consistent with the management direction, standards, and guidelines outlined in the 2003 Sawtooth Forest Plan.

Intensity - The following were considered in evaluating the intensity of identified environmental effects:

1. Environmental Effects: I considered beneficial and adverse impacts associated with the alternatives as presented in Chapter 3 of the EA and in the project file. The impacts from the Decision are within a range of effects identified in the Forest Plan. The overall impact of the decision does not result in significant adverse impacts. Impacts of the Decision are not unique to this project. On this basis, I conclude that the specific and cumulative adverse effects of the decision are not significant (see EA Chapter 3).

2. Public health or safety: The EA documents and discusses effects on public safety associated with the proposed wireless facility. (pp. 59-67). In addition, under the ‘Rationale for Decision’ (pp. 4-5), I go into detail how I considered safety issues as part of this decision. While approval of the proposal may have improved emergency response times, I find with this decision that there are no known effects on public health and safety. This project does not involve national defense or security.

3. Unique characteristics of the area: Based on field reviews, literature research, the Forest Plan, and information in the EA and the project file, I find that this decision results in no significant effects on unique characteristics such as historic or cultural resources, park lands, prime farm lands, wetlands, or wild and scenic rivers. Based on the same information, I find that no significant adverse effects are anticipated to any environmentally sensitive or critical resource. I conclude the decision will have no effect on these unique resources (see EA Chapter 3).

4. Controversy: I find the effects on the human environment are not highly uncertain and are unlikely to involve unique or unknown risks. I find that while there are strong opposing opinions regarding the proposed action, there is no substantiated controversy over the effects themselves. The EA documents and discusses the effects in Chapter 3, and there is additional documentation on effects in the Project Record. Public comments and opinions are contained in the Project Record and summarized in the EA, Chapter 1.

5. Uncertainty: I find the impact analysis shows the effects to the environment are not uncertain and do not involve unique or unknown risks (see EA Chapter 3). Since the decision is to take ‘no action’, there are no new effects resulting from it, thus does not present unknown risks to the human environment.

6. Precedent: The decision of ‘no action’ does not set a precedent for Forest Service permitting or administration of such projects. Any future decisions will need to consider all relevant scientific and site-specific information available at that time a proposal is made, This decision does not preclude the consideration and advancement of other proposals related to communication sites in the area.

7. Cumulative impact: I find the cumulative impacts are not significant. Cumulative effects are addressed in each resource section in Chapter 3 of the EA. Past, present, and foreseeable future projects that interact with the decision (‘no action’ alternative) are already present, and the combined effects are not significant.

8. National Register of Historic Places; Significant scientific, cultural or historic resources: I find the action will have no adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. There are no ground disturbing activities that would initiate consultation with the State Historic Preservation Office. I find the action will not cause loss or destruction of significant scientific, cultural, or historical resources.

9. Endangered or threatened species: I find the action will not adversely affect any federally listed or proposed endangered or threatened species or Forest Service listed sensitive species or their critical habitat. The Forest Service prepared a Biological Assessment for all threatened and endangered species potentially occurring in the permit area. The Forest Service prepared a Biological Evaluation for all Forest Service sensitive species potentially occurring in the permit area. These documents are included in the Project Record.

10. Legal requirements for environmental protection: I find the action is consistent with Federal, State, and local laws and requirements for the protection of the environment. Applicable laws and regulations were considered in the EA (pp. 14, 71). The action is consistent with the 2003 Sawtooth Forest Plan (Project Record – Forest Plan Consistency Checklist). This action does not threaten to violate Federal, State, or local law or requirements imposed for the protection of the environment.

Based on the above, I find that there are no significant impacts, and therefore an environmental impact statement will not be prepared.


Jane Kollmeyer
Forest Supervisor, Sawtooth National Forest

July 11 2008
Date: