

# **DECISION MEMO**

## **RICHLAND TOWERS FACILITY REPLACEMENT PROJECT**

### **LOS ANGELES RIVER RANGER DISTRICT ANGELES NATIONAL FOREST LOS ANGELES COUNTY, CALIFORNIA**

#### **BACKGROUND**

Since the mid-forties, Mt. Wilson has been the location for broadcast facilities for the greater Los Angeles and southern California region. The Richland Towers Facility has been in use since the plans for construction were developed in 1948. Richland Towers purchased the facility from KCOP-TV (Channel 13) in 2004. As broadcast technology has changed over time, so has the equipment and function of the broadcasting facilities at Mt. Wilson.

#### **DECISION**

It is my decision to approve Richland Towers Facility Replacement Project, as described below, as it is in compliance with the Mt. Wilson Electronic Site Plan (2003) and the revised Angeles Forest Land Management Plan (2005).

#### ***Project Description***

The legal description of the proposed project is T.2 N., R.11 W., NE1/4SE1/4 of Section 30, SBBM, Mt. Wilson 7.5' USGS Topographic Map (see enclosed figures).

This project proposal will replace two (2) recently removed broadcast towers with two (2) new broadcast towers. The center of the new towers will be in the same location as the two previously existing towers. These replacement towers will effectively reduce the number of antenna support structures at the site from the previous four (4) to a new total of two (2). The height of the two new towers will be 249 feet above ground level, and 497 feet above ground level. The Federal Aviation Administration issued an extension of their determination, dated December 12, 2007, that the tower increase does not pose an effect to aeronautical operations in that area.

The project also includes replacing a previously existing equipment building with new equipment buildings. The new equipment buildings will consist of two (2) two-story unmanned structures with approximate footprints of 2100 square feet each. The height of the replacement buildings will be forty-one (41) feet above ground level. These replacement structures will be placed within the footprint of the previously existing structure and retaining walls and previously existing concrete driveway and concrete parking/storage areas. The proposal of two buildings is a modification from the proposal for one building in the original project description.

New construction will not disturb anything outside of the previously developed areas. Existing trees within facility boundaries will be protected; extensive new landscaping (including new mature oaks and pines), irrigation, and erosion control will be added.

With regard to Richland's compliance with the Site Management Plan's provision regarding interference, Richland has represented to the Forest Service that the nature of its proposed multi-tenant collocation facility is not conducive to studies of frequency data at this stage of the project because no specific users have contracted to locate on the tower. There are no frequencies to evaluate because there are no contracted users. There are no interference problems because no frequencies have yet been proposed. When individual tenants are identified and finalize their deployment decisions, they will be required to conduct the appropriate studies regarding potential interference, and they will need to resolve any interference problems and other technical issues.

### ***Mitigation and Minimization Measures***

The avoidance and minimization measures included in Appendix A are incorporated into my decision, and are mandatory conditions of the authorization for this project.

### **REASONS FOR CATEGORICALLY EXCLUDING THE PROPOSED ACTION**

The action is in a category of actions that may be excluded from documentation in an Environmental Impact Statement (EIS) or Environmental Assessment (EA). The category of exclusion is pursuant to Forest Service Handbook (FSH) 1909.15.31.2(3):

- Section 31.2 (3) "Approval, modification, or continuation of minor special uses of National Forest System lands that require less than five contiguous acres of land."

The environmental analysis determined that there were no extraordinary circumstances or conditions that might cause the action to have significant effects. Extraordinary circumstances include but are not limited to the presence of the following:

#### **1. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species.**

The BEBA reached a determination that project activities may affect individuals but are not likely to result in a trend toward Federal listing or loss of viability for the California spotted owl, Townsend's big-eared bat, pallid bat, San Diego coast horned lizard, California legless lizard, San Bernardino ringneck snake and San Bernardino mountain kingsnake. Project activities will not affect designated or proposed critical habitat for any listed species. There is no suitable habitat for special status species of plants, fish or amphibians. (USDA Forest Service 2005a, 2008a).

#### **2. Flood Plains, Wetlands, or Municipal Watersheds**

The project area does not encompass flood plain, wetlands, or municipal watersheds.

### **3. Congressionally Designated Areas, Such as Wilderness, Wilderness Study Areas, or National Recreation Areas**

There are no congressionally designated areas within the project area (U.S. Department of Agriculture, 2005b).

### **4. Inventoried Roadless Areas**

The project area is not located within an inventoried roadless area (Angeles National Forest, 2000).

### **5. Research Natural Areas**

There are no research natural areas within the project area (U.S. Department of Agriculture, 2005b).

### **6. American Indians and Alaska Native Religious or Cultural sites**

Regularly scheduled meetings and correspondence with the Native Americans on general Forest issues and mutual concerns have not identified any American Indian or Alaska Native religious or cultural sites of concern located within the project area.

### **7. Archaeological Sites or Historic Properties or Areas**

The Forest Archaeologist has determined that there are no known archaeological sites, or potential historic properties within the area of potential effect. Compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, has been completed for this project [(06LAR18Irev.) (USDA Forest Service 2008b)]. The project site has been surveyed as part of the original project proposal. Consultation with the State Historic Preservation Office resulted in concurrence that there are no historic properties within the Richland Towers lease (Donaldson 2005).

## **SCOPING**

No significant issues were raised during the internal scoping which was conducted among the following Forest Resource Specialists:

Mike McIntyre – District Ranger  
Vic Andresen – Forest Hydrologist  
Steve Bear – District Resource Officer  
Sonja Bergdahl – Forest Engineer  
Marty Dumpis – Forest Recreation and Lands Officer  
Joe Gonzales – Forest Hazmat Coordinator  
Jose Henriquez-Santos – Landscape Architect  
Ricardo Lopez – Civil Engineer  
Mike McCorison – Air Quality Specialist  
Janet Nickerman – District Botanist  
Darrell Vance – Forest Archaeologist  
Leslie Welch – Wildlife Biologist

The initial proposed project was previously scoped in February 2006, consisted of two phases, demolition and replacement. The demolition phase has concluded and the replacement phase consisting of towers and equipment buildings is covered by this decision. Since February 2006, the proposal was modified from replacing the demolished building with two buildings, phased in based on need, instead of the originally identified one building. As such, public scoping was reinitiated for this proposal.

A total of 39 letters requesting comments on the proposed action were mailed to interested or affected persons or organizations on April 3, 2008. No comments identifying significant or substantive issues were received. One response was received and the reply is included within this decision as Appendix B. This project was published in the Forest Schedule of Proposed Actions (SOPA) on January 1, 2008.

**FINDINGS REQUIRED BY OTHER LAWS**

This proposed action is consistent with management direction (Angeles National Forest Land Management Plan), as required by the National Forest Management Act (FSM 1926.41 and FSH 1909.12); National Environmental Policy Act; Endangered Species Act; National Historic Preservation Act; Clear Water Act; Clean Air Act; and, all other applicable Acts.

This action will not require a Civil Rights Impact Statement because it will not have a significant impact on the social environment.

**IMPLEMENTATION DATE**

This action may be implemented immediately.

**ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES**

This action is not subject to review or appeal under the requirements of 36 CFR 215.12(f); and therefore is not subject to administrative review (appeal) process as codified in 36 CFR 215.8.

**CONTACT PERSON**

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(818) 899-1900 ext. 223

APPROVED Michael J. McIntyre DATE 9/25/08  
Michael J. McIntyre  
District Ranger  
Los Angeles River Ranger District

## **REFERENCES**

Angeles National Forest.

2000. Inventoried Roadless Areas Map. Roadless Area Conservation. September 15, 2000. Available: <http://www.roadless.fs.fed.us/states/ca/ange.pdf>.

Donaldson, Milford Wayne

2005. Memo to Jody Noiron (Case Number USFS050801A). State of California Office of Historic Preservation. December 19, 2005.

U.S. Department of Agriculture, Forest Service.

2003. Mt Wilson Communications Site Management Plan, Angeles National Forest, Los Angeles River Ranger District. November 4, 2003.

2005a. Proposal for Facility Modifications at the Richland Towers Communication Site at Mount Wilson. Biological Evaluation/Assessment prepared by Leslie Welch, Wildlife Biologist. September 2005.

2005b. Record of Decision Angeles Land Management Plan. Pacific Southwest Region R5-MB-081. September 2005.

2008a. Management Indicator Species Analysis for the Richland Towers/Building Installation. Prepared by Leslie Welch, Wildlife Biologist, January 2008.

2008b. Section 106 of the National Historic Preservation Act of 1966 Programmatic Agreement Project Implementation Tracking Form for Richland Towers (Mt. Wilson #17) Site Renovation Project. Prepared by Darrell Vance, Heritage Resource Program Manager, February 13, 2008.

## **Appendix A**

### **Avoidance and Minimization Measures**

**Appendix B**  
**Response to Scoping Comments**

## Richland Towers Facility Replacement Project Proposal

### Response to Comments Received From Scoping Letter Los Angeles River Ranger District July 2008

Stephen J. O'Neil - Sheppard, Mullin, Richter, and Hampton  
Representing American Tower Corporation

*A. Richland's proposed project represents new construction that vastly expands Richland's transmission capacity; and this construction should not be allowed because there is reasonable space within existing buildings and towers.*

The proposed project is the second phase of a two-phased project, upgrading and replacing existing facilities to meet current requirements. This project was originally disclosed in mailings to other users at the Mt. Wilson Electronic Site in a February 8, 2006 mailing. This mailing described the proposed project which involved the demolition of the existing towers and construction of new broadcast facilities. The two existing towers would be removed and replaced with a 494-foot self supporting main tower and a 246-foot self supporting secondary tower. The existing 50-year old plus auxiliary building would be demolished and replaced by a new auxiliary building which would occupy almost the same footprint as the existing building.

The Mt. Wilson Site Management Plan (SMP), Section VII. Standards; D. Antenna Support Structures/Towers; 1. General; page 22 provides: "For existing facilities, new tower construction will only be allowed to replace existing towers. Structures being replaced shall be dismantled and removed within one (1) year following the completion of new tower construction. Existing building owners should strive to reduce their number of towers to one by making full use of antenna combining systems." Richland's proposal complies with this SMP standard. The proposed replacement towers are less than the maximum height that the SMP allows in Section VII. Standards; D. Antenna Support Structures/Towers; 3. Maximum Height; page 22, "Maximum tower elevations (antenna and appurtenances included) shall not exceed **6,176 feet** above mean sea level (AMSL). Due to varying ground elevations, maximum permissible tower heights (antenna included) would thus range from approximately 470-500 feet."

The SMP, Section IV. Responsibilities and Requirements; C. 1. Facility Owners and Facility Managers; d, paragraph 6, page 10 provides: "Before any new facility or facility modifications can be approved by the Forest Service, the applicant has the responsibility to demonstrate that they will not interfere with any existing uses. In addition, it is the applicant's responsibility to show that any new facilities will make the most efficient use of the limited amount of space at the site. Proposals that provide for future uses without additional construction are encouraged." These replacement towers will accommodate new digital TV and FM shared antenna systems, as well as conventional analog and telecommunication antennas. It will also reduce the RFR (RF emissions) in the area by utilizing digital technology, and by raising the transmitting elements to a safe level above the ground.



*B. Richland has refused to provide data that would allow American Tower Corporation to conduct an independent interference analysis and that refusal constitutes a violation of the Mt. Wilson Site Management Plan.*

The SMP Section VII. Standards; C. Electronic Equipment; 5. Interference; page 21, paragraph 4 provides: "Before the Forest Service will authorize new equipment at the site, it is the responsibility of an applicant to coordinate with other authorized users on the site to identify potential interference problems and correct/mitigate such concerns in a mutually satisfactory manner (See Section IV.-A.5. & 6.). Once an applicant receives a site authorization (i.e. lease or special-use permit), it is still the responsibility of the newest user to correct any interference problems that develop due to the addition of new equipment or new frequencies at the site."

Richland has represented to the Forest that the nature of its proposed multi-tenant collocation facility is not conducive to studies of frequency data at this stage of the project because no specific users have contracted to locate on the tower. There are no frequencies to evaluate because there are no contracted users. There are no interference problems because no frequencies have yet been proposed. When individual tenants are identified and finalize their deployment decisions, they will be required to conduct the appropriate studies regarding potential interference, and they will need to resolve any interference problems and other technical issues.

The Forest will also comply with the SMP provisions regarding interference and other technical issues. The SMP, Section IV. Responsibilities and Requirements; A. The Forest Service, page 8 provides: "Forest Service authorization ... for proposed modifications to existing facilities or any new facilities will not be issued until: ... 4. The applicant demonstrates that all necessary coordination with other Federal (e.g. F.C.C. and F.A.A.), State and County Agencies has been completed; 5. The applicant has coordinated frequency data with current lease or permit holders on the site, including a minimum 30-day comment period concerning the application; 6. The applicant has satisfactorily resolved any potential, or actual, interference problems identified by current site users or Forest Service. This includes frequency interference, incompatibility issues and/or physical blockage or obstruction of signals posed by a proposal for a modified or new facility or structure; and 7. The applicant has received authorization from the F.C.C. or the NTIA/IRAC, if applicant plans to own or operate communications equipment inside the facility."

*C. Richland's proposed project is not an efficient use of Mt. Wilson's resources.*

The project proposal provides opportunities for minimizing some of the previous infrastructure because the replacement towers will reduce the number of antenna support structures at the site from the previous four (4) to a total of two (2). The two previously existing microwave antenna support structures will not be replaced. New microwave antennas will be located on the two replacement towers. This is consistent with and advances the standard expressed in the SMP Section VII. Standards; D. Antenna Support Structures/Towers; 1. General; page 22 that provides: "For existing facilities, new tower construction will only be allowed to replace existing towers. Structures being replaced shall be dismantled and removed within one (1) year

following the completion of new tower construction. Existing building owners should strive to reduce their number of towers to one by making full use of antenna combining systems.”

The Richland proposal includes the phased completion of two equipment buildings. This approach allows Richland to avoid construction, operation, and maintenance of one large building that may not be fully utilized and provides for the efficient use and protection of Mt. Wilson’s resources. This is consistent with and advances the requirement expressed in the SMP Section V. Site Use; A. Facility Use; 2. Use by Multiple Users, page 11 that provides: “Use of new facilities and improvements by more than one user is desirable and will be encouraged. Site applicants should take the lead in this area and design their proposals to accommodate multiple uses of facilities and improvements. This includes multiple use of buildings, towers, solar generating systems, back-up generators, grounding systems, access ways and parking areas. Due to the limited development space at the site, new facilities, or major modifications to existing facilities, must be designed to accommodate additional users-even if other users are, or could be competitors.”

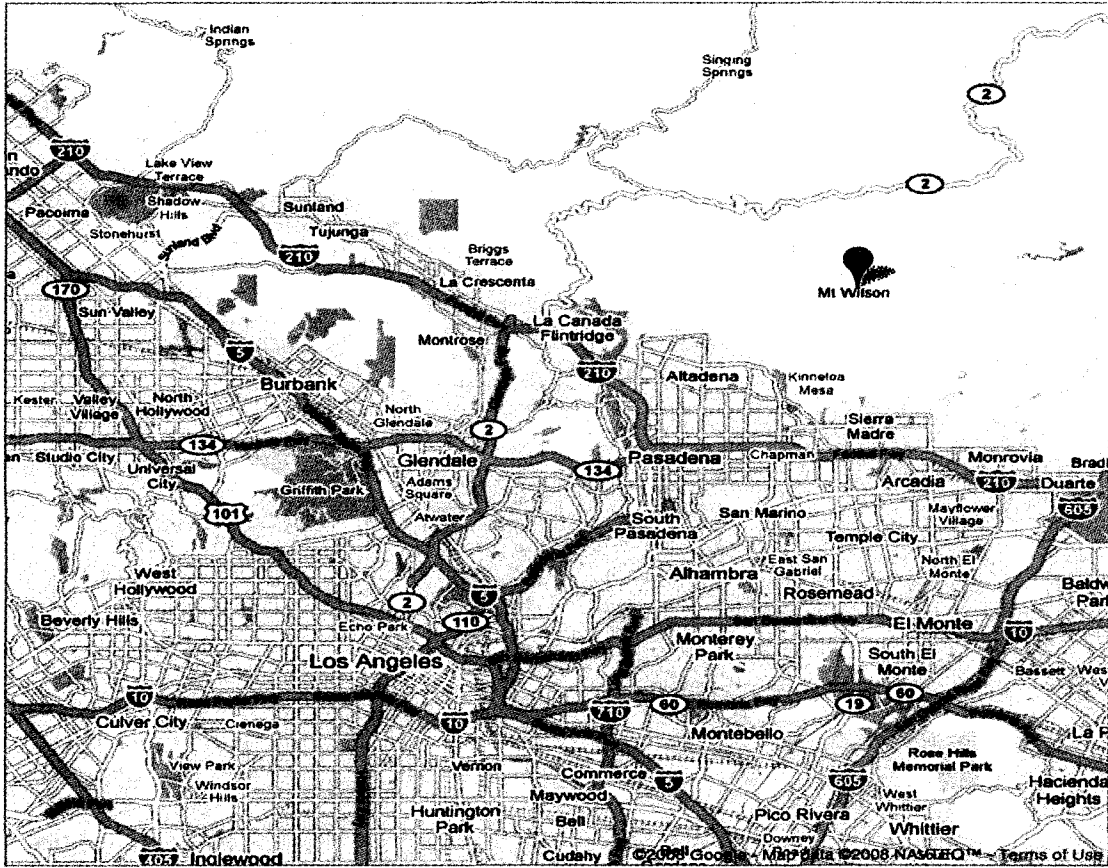


Figure 1. Location Map

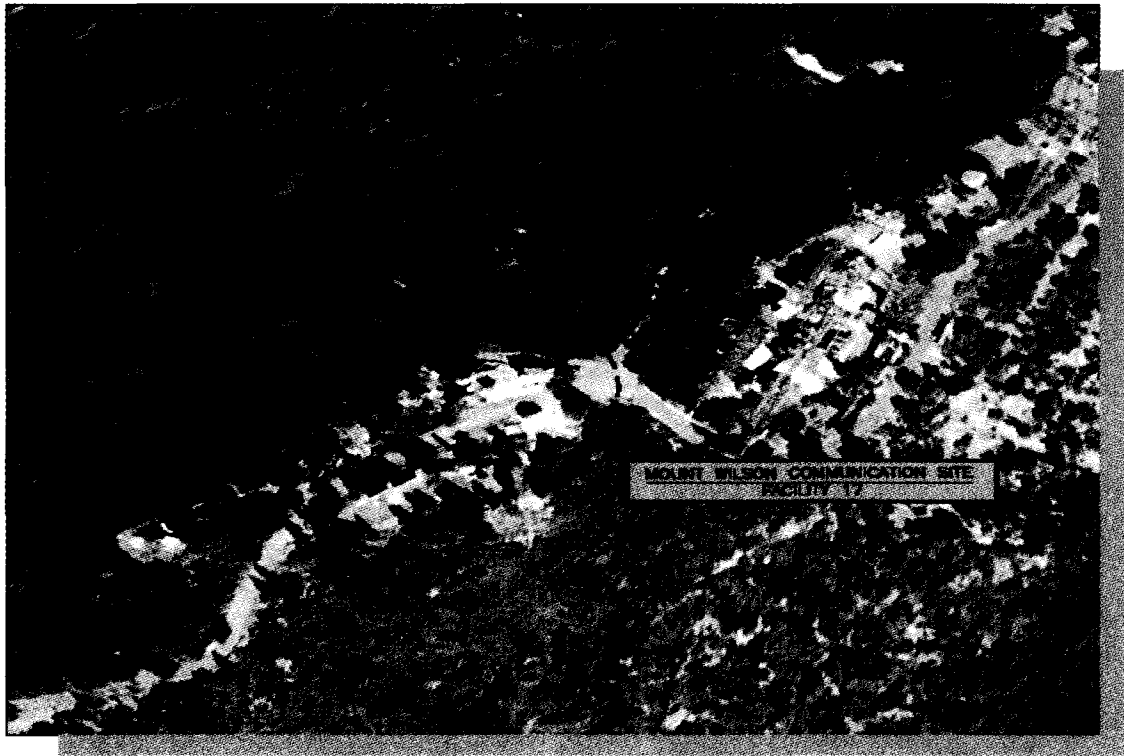


Figure 2. Aerial View of Richland Towers Lease