

**Environmental Assessment:
R&S Media Owyhee Ridge Radio Tower**

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May 29, 2003

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1. INTRODUCTION

1.1 DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

1.1.1 Alternative 'A' (Proposed Action)

R&S Media of Lake Oswego, Oregon (proponent) proposes to construct and operate a broadcast communications tower and transmitter facility (as authorized by FCC Facility License 87812) on Owyhee Ridge in Malheur County, Oregon. The facility would require the construction of a six mile long overhead distribution power line to provide electricity to the site. The tower site and most of the proposed power line corridor lie on Bureau of Land Management (BLM) land.

The tower would be less than 200 feet tall, and would be of steel, uniform cross-section, lattice-type construction, requiring nine guy wires for support. The tower would be painted a dull color to blend in with the surroundings. The tower would not contain aircraft warning lights (see Attachment 1 for background information on tower lighting issue).

The associated transmitter building (approximately 25 feet by 25 feet) would be constructed of cinder blocks with a locked steel access door. The building would be either left unpainted (dull grey color) or painted a dull color to blend in with the surroundings. The entire compound would be surrounded by a galvanized chain-link fence with a locked access gate. The perimeter would be marked with warning signs. The tower facility would require a site covering less than 500 feet by 500 feet in total area.

The facility would be self-operating via remote control, 24 hours a day, 365 days per year. Periodic maintenance visits to the site would be necessary. Access would be achieved using existing BLM dirt roads in the area.

The power distribution line would take off of an existing Idaho Power Company (IPC) line on private land at the base of Coyote Gulch, approximately one mile west of Highway 201 (Figure 1). From here, the proposed line route heads west for approximately 0.3 miles, before entering BLM land for the rest of its length up to the tower site (located approximately 5.75 miles to the west). The route follows the slope north of Coyote Gulch for approximately 2.2 miles, and then heads up a long, wide slope to the tower site.

The powerline would be primarily single wood pole construction (approximately 45 feet tall), with poles spaced approximately 350 feet apart. At each angle in the line, two guy wires would be needed. At several points, where spans are long, the poles may need to be of two-pole H-brace design. The line would be constructed using a raptor-safe design following the guidelines in *Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996* (Avian Power Line Interaction Committee, 1996, Edison Electric Institute, Washington, DC). The total right-of-way width required is 50 feet.

Construction of the powerline would take approximately three weeks. Disturbance would be primarily limited to the right-of-way, although vehicles would travel existing roads to access the right-of-way. In addition, it may be necessary to travel outside of the right-of-way for short distances to avoid obstacles. It is expected that limited upgrades to certain of the existing roads outside of the right-of-way would be needed. However, this would be limited to the construction period only, with no additional need for ongoing maintenance of these roads. The road upgrades would be covered under a separate temporary-use permit issued for the construction period only.

Specifically, there are two places where blading of existing roads may be required to provide construction access (Figure 1). Blading in these areas would be limited to the existing road prism and water bars would be installed (where appropriate) to limit erosion. In addition, a section of jeep trail to the north of the line between points 'E' and 'C' may also require blading (Figure 1). In all other cases, existing access roads are thought to be in adequate condition to provide construction access to the project.

During construction, vehicles would travel the length of the line corridor to set poles and string conductor. Equipment would consist of a backhoe, a line bed pole truck, a line bed truck, two bucket trucks, and two pickups.

Construction equipment traveling frequently along the corridor would compress or remove vegetation, and create some soil disturbance. For the western half of the line corridor, where the vegetation is primarily shrubless annual grassland and weedy forbs, construction travel is not expected to create a persistent defined roadway within the right-of-way. Here, soils are relatively compact, slopes are gentle, and vegetation is weedy and low (Figure 2).

The eastern 2.2 miles of proposed line corridor, however, are primarily shrublands (Figure 3), with a higher percentage of native species. Here, due to the taller vegetative structure and looser soils, construction travel may create a visible road corridor within the right-of-way in places. Where possible, in this section, the proposed line has been routed to closely parallel the existing road to the north of Coyote Gulch.

For the segment of line between points 'E' and 'F' (Figure 1), an existing road closely parallels the proposed right-of-way. In order to protect sagebrush habitat in this segment, the existing road will be used to provide primary access to the line during construction. Short spur tracks will be created perpendicular to this road (if necessary) to access the pole bases. These tracks will be created by lowering a bull-dozer blade to within a few inches of the ground to remove vegetation, without disturbing the soil. In this segment, the line will be strung by driving a truck or track vehicle once down the right-of-way.

In three places within this eastern portion, where the terrain is relatively steep, it may be necessary to blade and level the corridor to provide efficient access. These three segments total less than 0.6 miles, and are located in the following areas (refer to Figure 1): between Points of Inflection (PIs) 'C' and 'D' where the corridor crosses a dry gulch; between PIs 'D' and 'E' where the corridor traverses a steeper slope; and between PIs 'F' and 'G' where the corridor traverses the side of Coyote Gulch just west of the BLM property line.

Following construction, cursory maintenance checks would occur on the powerline approximately every 2 years, with thorough checks occurring every 10 years. Maintenance check access to the line would be via pickup truck, ATV, or on foot. The tower site would be visited on a regular basis to perform maintenance and check operation of the facility.

1.1.2 Alternative 'B' (Coyote Gulch Powerline Routing)

Alternative 'B' is similar to the proposed alternative, except for the routing of the powerline in the eastern 2.2 miles of the project area (Figure 1). The alternative 'B' routing crosses through Coyote Springs, and down Coyote Gulch, before joining up with the proposed alternative routing at the BLM property line. Alternative 'B' was the first alternative analyzed in detail, but was considered undesirable due to a number of environmental factors.

1.1.3 Alternative 'C' (No Action)

Under the No Action alternative, the radio transmitter facility would not be constructed or operated. The powerline to supply electricity to the ridgetop site would not be built.

1.1.4 Alternatives Considered but Eliminated from Detailed Analysis

The location of the tower site was mutually agreed upon between the proponent and the BLM (Attachment 2). Prior to this agreement, the BLM considered an alternate site located approximately 0.25 miles north of the proposed location.

In addition, several alternative routings were considered for the powerline up to the site. An early proposal to route the powerline up from Owyhee Reservoir was dropped from consideration due to several environmental concerns: 1) visual impacts of the line as viewed from Owyhee Reservoir and vicinity; and 2) potential conflicts with a proposed Area of Critical Environmental Concern (ACEC) located on the canyon slopes above Lake Owyhee State Park.

The proposed powerline route coming into the tower site from the east was chosen, in consultation with BLM specialists, for several reasons: 1) given the topography, this was one of the straightest feasible paths from the existing IPC powerline to the proposed tower site; 2) the route avoids Coyote Gulch on BLM land to minimize associated riparian impacts; 3) the route is located entirely on land designated by the BLM as Visual Resource Management Class IV (the least restrictive class); and 4) the route follows existing jeep trails where possible in the shrub habitat areas to minimize impacts from increased access roads.

1.2 PURPOSE AND NEED

The facility will provide FM broadcast radio service to a broad population base. Currently underserved areas will receive a new broadcast service, and some rural homes will receive their first radio signal. This facility would be the first broadcast service licensed to Homedale, Idaho, and provide additional coverage to Vale, Oregon; Mountain Home, Idaho; and Boise, Idaho.

The FCC granted the station to Homedale after careful consideration of the needs of the community and surrounding area. The Commission reviewed comments received, community support, and a host of other factors. The FCC concluded that the community good would be served by granting the station to Homedale. The FCC also stipulated that the tower be located at the proposed site. This was necessary to avoid impermissible interference with other broadcast facilities in the area.

1.3 CONFORMANCE WITH LAND USE PLAN

The proposed project conforms with the objectives of the BLM's Southeast Oregon Resource Management Plan (approved September 30, 2002) as required by 43 CFR 1610.5-3 (a). This plan is the guiding document for decisions related to the use of BLM lands in the project area.

1.4 RELATIONSHIP TO STATUTES, REGULATIONS, OR OTHER PLANS

Installation of the tower facility is permitted by Federal Communications Commission FM Broadcast Station Construction Permit number BMPH-20000229ABO (Facility ID: 87812) dated March 30 2001.

The proposed project conforms to the relevant State of Oregon planning goals (numbers 2, 3, 5, 6, and 9) (OAR 660-150). Current Malheur County land use planning documents are not applicable to projects on federal lands.

An Owyhee Ridge Complex Communication Site Management Plan is currently being developed by the BLM. Presently, a draft plan has been prepared and is undergoing a review and revision process. The proposed project conforms to the draft plan, which incorporates the proposed tower at the agreed upon site.

2. AFFECTED ENVIRONMENT

2.1 GENERAL SETTING

The proposed tower facility is located at the top of a ridge between the Snake and Owyhee Rivers. The proposed powerline corridor extends generally east from the tower site, down gradually sloping ridgelines, to the Alkali Creek basin below (Figure 1). Elevations within the project area range from 2,420 feet above mean sea level at the proposed connection with the IPC power line, to 4,100 feet at the proposed tower site.

2.2 PROJECT AREA RESOURCES AND MANDATORY ELEMENTS

Vegetation: Due to past disturbance, the vegetation within the project area has been modified to various degrees. Several plant communities are present. The tower site itself is dominated primarily by native species. Sandberg's bluegrass (*Poa secunda*) is the primary grass species, although bluebunch wheatgrass (*Pseudoregnaria spicata*) and cheatgrass (*Bromus tectorum*) are also present. Grey rabbitbrush (*Chrysothamnus nauseosus*) shrubs are present, along with scattered big sagebrush (*Artemisia tridentata*). Compared to much of the powerline corridor, the tower site is relatively free of invasive, non-native species.

Along the western four miles of the powerline corridor the vegetation is in a degraded ecological condition, dominated by non-native species. Cheatgrass and medusahead (*Elymus caput-medusae*) dominate, along with seeded grasses such as crested wheatgrass (*Agropyron cristatum*). Weedy forbs are common, and total shrub cover (primarily green rabbitbrush [*Chrysothamnus viscidiflorus*]) is low. Vegetation around Coyote Springs is heavily degraded, and dominated by annual wheatgrass (*Eremopyrum triticeum*) as well as other weedy species.

The eastern two miles of power line corridor (to the edge of BLM lands) are in relatively good condition. Shrub cover is high, primarily consisting of big sagebrush, grading into salt desert shrubs in the lower Coyote Gulch area. Native bunchgrasses (primarily Sandberg's bluegrass and bluebunch wheatgrass) dominate the grass layer, with only a few isolated areas of cheatgrass. A wide variety of native forbs are present here, and overall species diversity is relatively high.

Invasive, Nonnative Species: The proposed tower site is relatively free of non-native plant species, as compared to much of the power line corridor. The western four miles of the corridor show signs of heavy past disturbance and the habitat here is currently dominated by non-native species. Cheatgrass and medusahead dominate, although some seeded native species are present. The eastern two miles of the corridor (to the edge of BLM lands) contain more intact communities, and non-native species are sparse.

Although non-native species are common within much of the power line corridor, the rare plant surveys only located three individuals of one noxious weed species (Scotch thistle [*Onopordum acanthium*]). No other noxious weeds were found.

Areas of Critical Environmental Concern (ACECs): The proposed project is not located within any ACECs.

Cultural Resources: A cultural resource investigation (including field survey) was performed for the tower facility site, both line routing alternatives, and the new proposed guzzler site. One potentially significant pre-historic site was found at Coyote Spring. In addition, several isolates were found scattered at other locations. Full details of the investigation can be found in the Cultural Resource Study Report (and addendum) located in the project file.

Farmlands: No prime or unique farmlands are located within the proposed project area.

Floodplains: The proposed project is not located on any significant floodplains.

Native American Religious Concerns: No sites of Native American religious concern have been identified within the project area.

Threatened or Endangered Species: A rare plant survey was conducted within the Alternative 'B' project area in June of 2000. The Alternative 'A' project area, and the proposed new guzzler site, were surveyed for rare plants in the spring of 2003. The investigation addressed all federally listed and BLM 'Sensitive' plant species, as well as all other federal and state special status plant species. No special status plant species were found within the project area, and no historical element occurrences of such species are known from the area. Much of the project area was found to be unsuitable habitat for special status plant species due to past disturbance. However, potential habitat for several special status plant species was found in the eastern part of the power line corridor. These habitats were searched thoroughly, with negative results.

Bald Eagles may occasionally use the project area for foraging or diurnal perching. This use, however, is infrequent, as significant concentrations of prey items are not present. Other federally Threatened or Endangered wildlife species are not thought to occur within the project area.

The project area also contains potential habitat for several BLM special status species. These are: Western toad, Woodhouse toad, Ferruginous hawk, Loggerhead shrike, Western burrowing owl, Western sage grouse, Mojave black-collared lizard, and Desert horned lizard.

Hazardous and Solid Wastes: No known hazardous or solid waste sites are present in the project area or vicinity.

Water Quality: Water resources within the project area are limited to intermittent streams, stock reservoirs, Coyote Springs, and an artificial wildlife watering facility (commonly called a 'guzzler') near the tower site. The guzzler has a corrugated steel collection apron, with a 600 gallon underground steel tank. The facility is fenced to exclude cattle. The Oregon Department of Fish and Wildlife (ODFW), which owns and maintains the guzzler, rates wildlife use of the facility as 'Moderate'.

Wildlife: General wildlife use within the project area is likely similar to that found within nearby areas. No specific features are present (such as extensive perennial water bodies) that would attract a large number and diversity of wildlife species. The guzzler and Coyote Springs do attract limited numbers of wildlife, but likely no more than other springs and guzzlers in the vicinity.

Wetlands/Riparian Zones: The only wetland within the project area is located at Coyote Springs. The springs have been developed to promote cattle use, and the vegetation (both riparian and upland) is heavily degraded. Few wetland plant species are present, and riparian shrubs and trees are absent.

Wild & Scenic Rivers: There are no wild and scenic rivers within the project area.

Wilderness: The project area is not located within any wilderness areas or wilderness study areas.

Environmental Justice: There are no environmental justice issues related to this project.

Paleontological Resources: No significant paleontological resources are known from the project area.

Recreation and Visual Resources: Dispersed outdoor recreation within the proposed project area consists primarily of limited upland hunting and off-highway vehicle use. Big game and upland game birds are the primary species hunted. Based on observed disturbance patterns, off-highway vehicle use is infrequent and limited in extent. Several two-track jeep trails are located in the project vicinity, but are only passable with high-clearance vehicles.

Some dispersed general sightseeing may also occur within the project area, although it is expected that this activity occurs on a limited basis only. There are no specific outstanding natural features or views to draw sightseers to the project area.

The project area is located entirely on lands classed as Visual Resource Management (VRM) Class IV. The objective of VRM Class IV is to, "...provide for management activities that require major modification of the landscape. These management activities may dominate the view and become the focus of viewer attention. However, every effort should be made to minimize the impact of these projects by carefully locating activities, minimizing disturbance, and designing the projects to conform to the characteristic landscape." (*Proposed Southeastern Oregon Resource Management Plan and Final EIS*).

Based on GIS modeling, it is predicted that the radio tower would not be visible from the vast majority of Owyhee Reservoir. However, the top of the tower may be visible in the distance from certain sites along the west shoreline of the reservoir. These sites are limited in number and, all are more than two miles from the tower.

Soils: Soils within the project area are well-drained, and sandy to fine-textured. Soils are mostly shallow to very shallow, but are deeper within Coyote Gulch. Limited areas of sand and ash deposits are present, and some microsites contain gravelly alluvium approaching a "desert pavement" surface.

Fisheries: No water bodies capable of supporting fish species are present in the project area.

Range Resources: Cattle grazing occurs throughout the project area. Several reservoirs are present in the western half of the project area, and troughs have been installed at Coyote Springs.

3. ENVIRONMENTAL IMPACTS

3.1 IMPACTS OF ALTERNATIVE 'A' (PROPOSED ACTION)

Vegetation: Vegetation impacts can be divided into three categories: permanent, temporary, and indirect. The proposed project would result in the permanent replacement of a small amount of

native and non-native vegetation. Permanent conversion of vegetation would primarily be limited to the areas directly under the tower base, transmitter facility building, parking area, and power pole bases.

In addition, vegetation and soil disturbance would occur along some segments of the powerline corridor between the permanent facilities. For the western four miles of line corridor, where the vegetation is primarily low non-native grasses and forbs, the disturbed areas would likely return to pre-construction conditions relatively quickly. In this area, once construction is complete, it is not expected that line maintenance activities would significantly re-disturb the vegetation.

The eastern 2.2 miles of line corridor traverse predominately shrub habitats. This is also the area where blading may be necessary to provide access down the line corridor (see Section 1.1.1 above for a specific description of the potential blading areas). In this segment, compaction or removal of vegetation along the line corridor, and ground disturbance, may create vegetation impacts that do not return to pre-construction conditions quickly. These areas may also be re-disturbed during subsequent maintenance visits. However, because the line parallels existing roads for most of this segment, maintenance access would most often occur using the existing roads, and repeated disturbance should be minimal.

Indirect vegetation disturbance would primarily be the result of increased competition from non-native species, which is discussed in the following paragraph.

Invasive, Nonnative Species: If mitigation measures are not applied, the project has the potential to increase the spread of non-native, weedy species within the project area. Project-related disturbance could create a fertile environment for invasive species already in the area, and/or new noxious weed species may be transported into the area on construction vehicles.

Cultural Resources: Because the proposed action avoids the Coyote Springs area, where the only known potentially significant cultural resource site is located, no impacts to cultural resources are anticipated.

Threatened or Endangered Species: Due to the absence of Threatened or Endangered plant species within the project area, no project-related impacts are anticipated. Likewise, it is not expected that wildlife species of concern will be significantly impacted by this project, although some general wildlife impacts may occur (see wildlife section below). The powerline will be constructed using raptor-safe design to prevent electrocutions to bald eagles and other raptors.

Water Quality: Water quality in the area is not expected to be significantly affected by the proposed project, although some areas of increased erosion and runoff may result. This effect is expected to be limited, as the project is located away from perennial water bodies and streams, and erosion control techniques will be applied.

Wildlife: The project has the potential to impact certain wildlife species within the project area. One impact relates to the wildlife watering facility (guzzler) located approximately 200 feet from the proposed tower site. Raptors may use the tower, power poles, and guy wires as hunting perches to prey on birds and small mammals using the guzzler. While it is difficult to quantify this impact on these species groups, some increased mortality and decreased use of the guzzler is

likely to occur. In addition, the increased traffic and activity near the tower facility may discourage use of the guzzler by these species groups.

The second potential wildlife impact relates to bird collisions with the tower or guy wires. This is primarily thought to be a problem with night-migrating songbirds, although other species can be affected. For this project, however, a number of factors combine to reduce the likelihood that significant bird-strike incidents will occur: 1) the tower would be under 200 feet tall; 2) it would not be located in a known bird migration corridor; 3) it would not be located in an area of frequent dense fog; 4) it would not be located near a wetland; and 5) it would not be lighted. These five factors taken together indicate that the proposed project will not likely present a significant bird-strike hazard.

A third potential impact on wildlife is from the possible increase in public access as a result of the project. If the project creates new access roads in areas away from existing roads, increased wildlife disturbance and harassment may result. The most obvious area where this may create an additional access concern is at the eastern end of the BLM portion of the line between PIs 'F' and 'G' (see Figure 1) where the corridor traverses the slope of Coyote Gulch between the existing jeep trails at the top and bottom. Currently, it is difficult to travel between these two points, which is why this area may need to be bladed to provide access for construction vehicles. This may provide additional access for the public, although it is difficult to determine if this use would be significant.

In other areas, it is not anticipated that the proposed project would increase public access significantly. The line corridor closely parallels an existing jeep trail for most of the 2.2 miles that are located in shrub habitat. Although, in this segment, some crude access roads may be created through repeated construction travel, the established jeep trail already provides access to many of these areas. Between PIs 'C' and 'E', where there is no existing access road along the corridor, two existing jeep trails are located approximately 0.4 miles south (up Coyote Gulch) and 0.6 miles north of the proposed line corridor. These existing jeep trails provide access from PI 'E' to Coyote Springs (located just below PI 'C'). Because access between these points already exists, it is not expected that the proposed project will increase access significantly in this area.

As mentioned previously, in the western portion of the project area it is not expected that project construction or operation will create persistent new access routes. Few shrubs are present, and the vegetation is primarily low and degraded. In addition, existing roads provide access to a number of points along the proposed corridor in this segment.

Because both permanent and temporary habitat loss are limited in extent for this project, it is anticipated that habitat-related wildlife impacts during construction and operation of the project would be minimal. However, due to the elevation change and the several plant communities affected, the overall project will affect more wildlife species than either the tower or powerline individually. Some displacement of certain species may occur during construction, but these would likely return shortly after construction is completed. The permanent conversion of a limited amount of shrub-steppe and grassland habitats would not be expected to produce adverse impacts on local populations, given the abundance of these habitat types in the project vicinity.

Wetlands/Riparian Zones: Because the proposed action avoids wetlands and riparian zones, only minimal impacts are anticipated as a result of the project. The only wetland in the project vicinity (at Coyote Springs) would be avoided entirely. Increased sedimentation and runoff from construction activities is not expected to significantly affect riparian areas as facilities will be located out of riparian zones, and erosion control techniques will be employed.

Recreation and Visual Resources: Recreation resources are not expected to be impacted by the proposed project. The dispersed hunting and occasional sightseeing would likely continue at levels similar to the present.

Visual impacts from the powerline are also expected to be limited. The proposed line route stays on or below secondary and tertiary ridges, avoiding the most visible ridgelines where possible. In addition, the wooden poles and thin conductors should blend well with the surrounding land, avoiding high-contrast situations which would call attention to the line. Visual impacts for the line are consistent with the objectives for VRM Class IV management.

The tower itself, while more visible than the powerline, is also consistent with VRM Class IV management objectives. Although it would be visible on the horizon from areas of BLM land to the east (all VRM Class IV), it would be hidden from the road along Owyhee Reservoir to the west. The tower would not be visible from the reservoir itself, except for a few limited areas along the western shoreline. From these locations, which are all more than two miles away, only a small portion of the top of the tower would be visible.

Soils: Permanent soil compaction and disturbance is expected in the areas around pole bases and the tower site. In addition, temporary soil disturbance would take place along construction access corridors, staging areas, and work areas. In these areas, some additional wind and water erosion may occur, where soil is disturbed or exposed. Construction techniques that minimize soil disturbance and erosion would be used to limit both temporary and permanent impacts. In addition, revegetation of temporarily disturbed areas will limit wind and water erosion.

Other Elements: The following elements would receive no impacts from implementation of the proposed project:

- wild & scenic rivers;
- wilderness;
- environmental justice;
- paleontological resources;
- fisheries;
- range resources;
- Areas of Critical Environmental Concern (ACECs);
- farmlands;
- floodplains;
- Native American religious concerns; and
- hazardous and solid wastes.

3.2 IMPACTS OF ALTERNATIVE 'B' (COYOTE GULCH POWERLINE ROUTING)

For many of the resource elements, the potential project impacts for Alternative 'B' are identical to those described above for Alternative 'A'. As such, only those elements that have differing impacts for Alternative 'B' will be described in this section.

Vegetation: Because the routing for the powerline in Alternative 'B' follows fewer existing roads than the Alternative 'A' routing, it is anticipated that Alternative 'B' would create more direct vegetation impacts. Not only would additional access routes need to be created, but these routes would be further from existing roads, increasing the likelihood that they would remain due to public use.

Cultural Resources: The powerline routing for Alternative 'B' would directly impact the cultural site at Coyote Springs. The routing calls for a corner pole to be placed within the identified boundaries of the site, along with associated guy wires. In addition, the access route up the line for Alternative 'B' runs through the cultural site.

Wildlife: Given that the powerline routing for Alternative 'B' would be expected to create more public access opportunities, and remove more shrub-steppe vegetation, than Alternative 'A', it is expected to have greater impacts on wildlife species.

Wetlands/Riparian Areas: Because the powerline routing for Alternative 'B' crosses Coyote Springs and follows Coyote Gulch, it is expected to have greater impacts on wetland and riparian resources than the Alternative 'A' routing.

Recreation and Visual Resources: Because the powerline routing for Alternative 'B' traverses lower ground (down in Coyote Gulch) than Alternative 'A', it would be slightly less visible from a distance. However, the additional vegetation and ground disturbance associated with Alternative 'B' would create more visual impacts when viewed from a point closer to the project area.

3.3 IMPACTS OF ALTERNATIVE 'C' (NO ACTION)

Under the No Action alternative, the impacts described in Sections 3.1 and 3.2 above would not occur. The tower and powerline would not be built, and the benefits to the community would not be realized. The elements described in Section 2.2 would likely continue current trends in the project area.

3.4 MITIGATION MEASURES

The following mitigation would be applied to reduce or eliminate the adverse project-related impacts described in Section 3.1 above.

1. The proponent will move the existing wildlife watering facility (guzzler) to an agreed upon location at least 0.25 miles from the tower and power line. The location has been chosen and approved by ODFW wildlife biologists (Attachment 3). The new guzzler will be of similar

construction and capacity to that of the existing facility, and may use materials salvaged from the existing guzzler. The relocated guzzler will remain the property of ODFW, which will continue to be responsible for its upkeep and monitoring.

2. Tower facility design, construction, and operation will, to the extent practicable, follow the USFWS interim guidelines on avoiding bird collisions with communications towers (*Service Interim Guidelines For Recommendations On Communications Tower Siting, Construction, Operation, and Decommissioning*, dated September 14, 2000). The proposed tower and associated facilities would:
 - be under 200 feet tall (Guideline #2);
 - not be lighted (Guideline #2);
 - not be located near or in wetlands, flyways, known migratory paths, or areas with a high incidence of fog, mist, or low ceilings (Guideline #4);
 - maintain a minimum footprint to avoid habitat fragmentation (Guideline #7); and
 - not have security lighting that could extend upward, illuminating the tower (Guideline #10).
3. Areas of temporary ground and vegetation disturbance will be reseeded (if necessary) to revegetate the area in a timely manner. This will include all new bladed access routes not needed for maintenance, temporary staging areas, disturbance around pole bases, and areas where continued cross-country vehicle travel has created new access roads. Prior to construction, a revegetation plan will be developed, in consultation with the BLM, specifying the seed mix and revegetation techniques to be used.
4. All construction will be performed using minimum disturbance construction techniques to reduce ground and vegetation disturbance. These measures are also designed to ensure that construction activities do not promote the spread of noxious weeds. These measures will include the following:
 - All ground disturbing activities will be confined to a predefined construction corridor. The construction corridor will be no wider than is necessary for the safe and efficient completion of the construction task.
 - Appropriately sized equipment for the specific task will be used.
 - Materials and equipment will be stored within the construction corridor.
 - Excavated topsoil will be segregated and replaced last when backfilling.
 - Vehicles and equipment appropriate for the terrain will be used.
 - Previously disturbed areas will be used where possible.
 - Incidental activities (personal vehicle parking, sanitary facilities, staging areas, etc.) will be confined to a limited number of locations.
 - Disturbance in sensitive areas (springs, seeps, soft soils, etc.) will be avoided.
 - Banks, cuts, and fills will be stabilized as soon as possible to prevent wider erosion.
 - Weed-free fill material will be used.
 - Vehicles, equipment, and materials that have been brought in from other areas will be cleaned before using them in the construction site. One central location will be designated for cleaning activities.

- Vehicles, equipment, and materials will be cleaned before moving them to another site.
 - If straw is used for erosion control or revegetation efforts, only weed-free straw obtained from the local area will be used.
 - Disturbed areas will be revegetated as soon as is practical (based on appropriate planting times) following construction.
 - Only reseeding mixtures that are certified weed-free will be used.
 - Populations of noxious weeds which have established themselves as a result of construction will be actively controlled.
5. To avoid any impacts to cultural resources and wetlands, no construction disturbance will occur in the Coyote Springs area.

3.5 RESIDUAL IMPACTS

Residual impacts of the mitigated project would be the following:

1. Permanent conversion of limited areas of shrub-steppe and grassland habitat at the tower site, and pole bases.
2. Vegetation disturbance, compaction, and possible removal along some segments of powerline corridor. This is primarily expected to occur along the eastern 2.2 miles of powerline corridor where shrubs dominate. Project design and construction techniques will be implemented in this segment to reduce impacts to these habitats.
3. Visual quality in a VRM Class IV management area will be minimally impacted.
4. Wildlife use of an installed guzzler may be reduced in one area, but will be increased in another area due to relocation of the watering facility.
5. Limited permanent soil disturbance and compaction around pole bases and the tower site. Temporary soil disturbance and compaction along construction access roads, staging areas, and work areas. Potentially recurring soil disturbance during maintenance activities along the powerline route. Some increased wind and water erosion in areas of temporary and permanent soil disturbance.

4. CONSULTATION AND COORDINATION

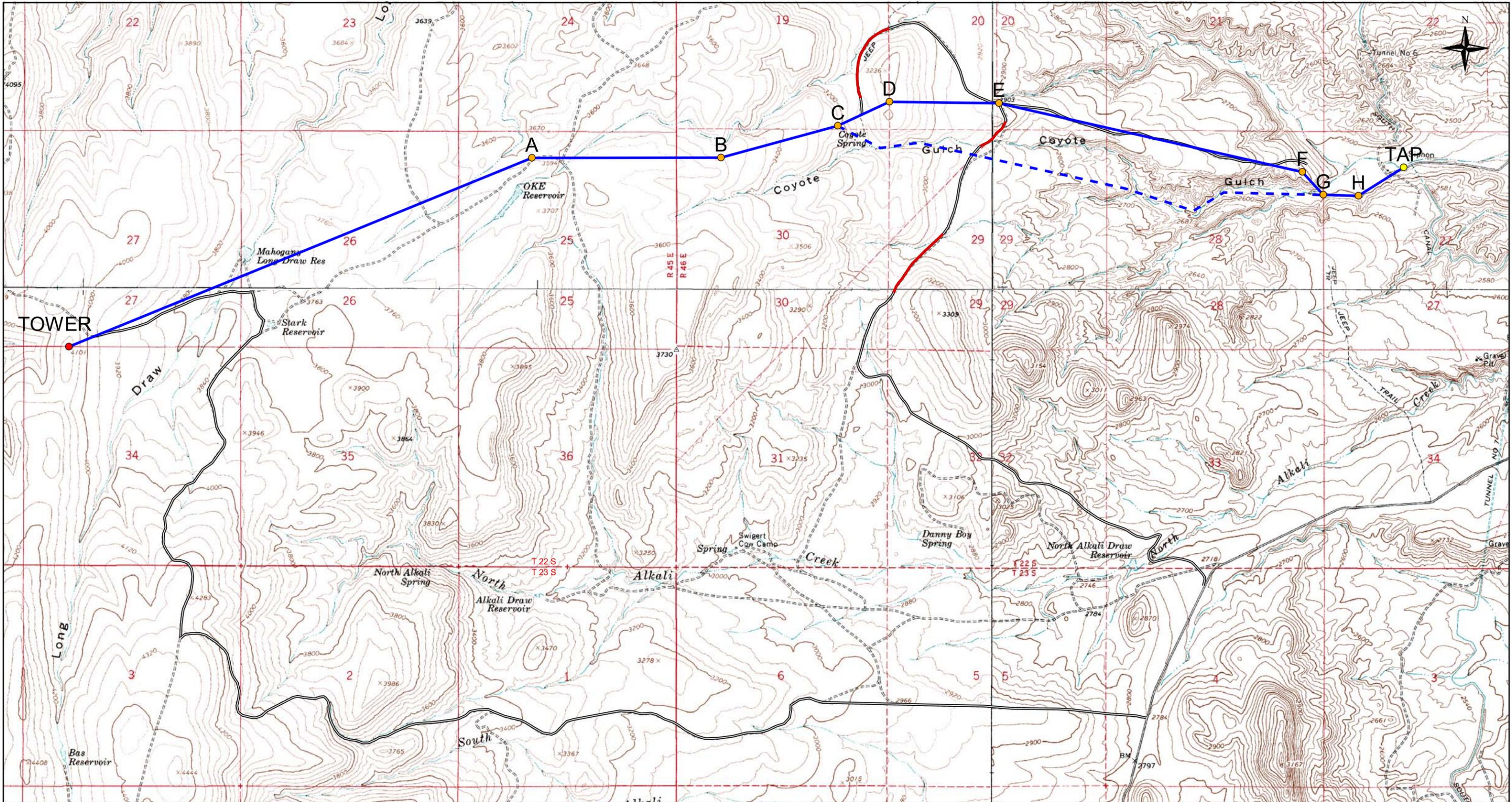
4.1 PERSONS AND AGENCIES CONSULTED

Susie Manezes - Realty Specialist (BLM)
Jean Findley - Botanist (BLM)
Diane Pritchard - Archaeologist (BLM)
Al Bammann - Wildlife Biologist (BLM)

Jon Freeman - Realty Specialist (BLM)
Bob Alward - Outdoor Recreation Planner (BLM)
Tom Dabbs - Malheur Field Office Manager (BLM)
Shaney Rockefeller - Soils Specialist (BLM)
Walter Van Dyke - Wildlife Biologist (ODFW)
Stuart Love - Wildlife Biologist (ODFW)
Phil Milburn - Habitat Biologist (ODFW)
Diana Pon - Permit Specialist (Idaho Power Company)
Kelly Qualls - Engineer (Idaho Power Company)
Don Walz - Design Leader (Idaho Power Company)
Don Hellsley - Engineer (Idaho Power Company)

FIGURES

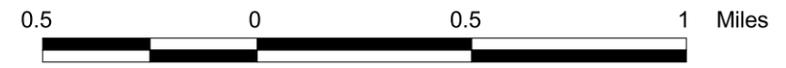
Figure 1: R&S Media Owyhee Ridge Radio Tower Project Area



Proposed Homedale Radio Tower Project Area

- Tower Site
- Tap
- Point of Inflection (PI)
- Alternative 'A' Powerline Route
- - - Alternative 'B' Powerline Route
- Existing Access Roads
- Potential Blading Areas for Existing Access Roads

Scale 1:27000
Willamette Meridian



May 3 2003

Figure 2: Photo of Typical Habitat in Western Half of Project Area



Figure 3: Photo of Typical Shrub Habitat in Eastern Half of Project Area



ATTACHMENTS

Attachment 1: Letter Regarding Tower Marking Considerations

F. W. HANNEL & ASSOCIATES

Registered Professional Engineers

Internet
<http://www.fwhannel.com>
Email: fred@fwhannel.com

10733 East Butherus Drive
Scottsdale, AZ 85255
(480) 585-7475
(800) 868-6592

FAX
(815)-327-9559

February 13, 2003

Eagle Cap Consulting Inc.
Attention: Randy Krichbaum
4130 S.W. 117th Street Suite 148
Beaverton, OR 97005

Re: R & S Media
Homedale, Idaho
FCC File No. BMPH-20000229ABO
Facility ID 87812

Dear Mr. Krichbaum,

This letter is in reference to a Construction Permit issued by the Federal Communications Commission to the above captioned applicant which authorizes the construction of a new FM Facility operating on FM Channel 292C with a power of 100 kilowatts licensed to Homedale, Idaho as that community's first local aural service. The center of radiation of this facility is specified to be 50 meters above ground level and the overall tower height is specified as 61 meters above ground level. The proposed tower is to be located at N43-37-15, W117-12-35, (NAD27), which is located on property controlled by the Bureau of Land Management and for which you are preparing an Environmental Assessment to provide that agency with an analysis of the environmental impact that the construction will present to the surrounding area. This letter addresses the issue of tower construction, as well as FAA and FCC requirements imposed on the applicant with regard to painting, lighting and other tower registration requirements of these agencies.

Initially, I should note that I have been an Engineering Consultant for over 30 years and have extensive experience in negotiations with the FAA as well as with the FCC in matters relating to tower construction and lighting as well as virtually every aspect of FAA and FCC requirements for tower erection. My qualifications as an expert have been accepted and I have provided expert opinions before the FCC as well as various other governmental bodies and I have been qualified as an expert in both state and federal courts where I have provided expert testimony regarding the technical aspects of tower erection and related matters. Additionally, I am an instrument rated multi-engine rated pilot with over 10,000 hours of flight time in the last 30 years and am very familiar with FAA regulations and procedures as both a pilot and as a Broadcast Engineering Consultant.

Educationally, I have both a Bachelor of Science and Master of Science degree in the specific field of Electrical Engineering, am a Registered Professional Engineer, by examination, in several states and I have taught undergraduate and graduate level Electrical Engineering courses for several years.

In the process of obtaining authority to construct the facilities authorized in the Construction Permit issued to R & S Media at Homedale, Idaho the applicant was required to follow a prescribed procedure to insure that the proposed tower construction satisfied both FAA and FCC requirements regarding tower lighting and marking as well as a number of other requirements.

Specifically, the applicant was required to submit its proposal to the FAA, using a prescribed form, for review at an early stage in the application process. The FAA then conducted a thorough review of this proposal consisting of a review of the potential for the facility to cause electromagnetic interference to navigational aids used by pilots, a review of the structure height to determine if it needed to have obstruction lights and/or obstruction paint to alert pilots of the tower location. In all cases the FAA determined that the structure did not require marking of any kind and that agency issued the applicant what is commonly

referred to as a “no hazard determination” and noted that the structure did not have to be either painted or lighted in order to comply with FAA standards. That determination is now final and not subject to further review and the FAA has closed the case file.

The applicant, in addition to meeting the FAA requirements, then had to submit the proposal to the FCC which also has jurisdiction over broadcast tower construction and has its own set of standards that parallel those of the FAA. The FCC maintains a system of tower registration regulations by which it evaluates proposals using a slightly different set of standards from the FAA. After reviewing this proposal the FCC also determined that no tower marking was required and that the tower did not need to be registered with that agency. That determination is now final and not subject to further review by the FCC.

Procedurally, once each of the agencies have reached a final determination, as is the case here, that agency loses jurisdiction over the tower construction and cannot impose any new or additional conditions on the constructed tower at a future date. So long as no changes in the tower are requested, neither the FAA nor FCC has the authority to impose new conditions on the existing tower, even if either of those agencies amend their internal standards. Any new standard adopted by either the FCC or the FAA would not apply to prior determinations and any constructed tower that did not comply with the new standard would be granted “grandfathered” status and not be subject to the new or different standard.

The tower proposed by R & S Media has been thoroughly evaluated and a final determination from both the FAA and the FCC has been issued that specifically states that the tower does not have to be either painted or lighted under the current standards. The tower would be exempt from any changes in the future that would apply to this structure.

The undersigned certifies that the statements in this document are true and correct to the best of his knowledge and belief. It is understood that this letter is being used in connection with the preparation of an Environmental

Assessment to be used in connection with the proposed tower of R & S Media and the undersigned consents to it being used for that purpose.

If you have any questions regarding the foregoing, or if I can provide additional information, please give me a call.

Very truly yours,

A handwritten signature in black ink, appearing to read "F. W. Hannel", written in a cursive style.

F. W. Hannel, PE

Copy: R & S Media
381 Black Hawk Road
Riverside, IL 60546

Attachment 2: Letter Regarding Tower Siting



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Vale District Office
100 Oregon Street
Vale, Oregon 97918
<http://www.or.blm.gov/Vale/>

IN REPLY REFER TO:
2860

JAN 10 2000

Owyhee Ridge Communication Site Complex
FM Radio Transmitter Site

Leopoldo Ramos
CNS Media
17393 Schalit Way
Lake Oswego, Oregon 97035

Dear Mr. Ramos:

In response to your telephone conversation with Sheldon Saxton on January 4, 2000, you requested a right-of-way application and communication site technical data report. This right-of-way application is for a proposed FM Radio Transmitter Site in the Owyhee Ridge Communication Site Complex area. Enclosed are two right-of-way SF 299 forms and one communication site technical data report form for the application process.

The proposed FM Radio Transmitter Site location that was mutually agreed upon between you and BLM would be located either on or slightly over the east side of a gentle rounding ridge which shows an elevation of 4101 feet on the Owyhee Ridge USGS 7.5 topographic Map. The ridge lies across section lines of 27 and 34. A short access road would traverse southwesterly from near an existing road bend in Section 27 to the transmitter site location. The short access road would be located on the contour to the transmitter site. The length of the access road would be approximately 1/8 to 1/4 mile in length. The BLM would like to be involved in the actual location of the transmitter site and access road on the ground. The legal description for the proposed FM Radio Transmitter Site and short access road is as follows (see attached site map):

T.22S., R. 45E., W.M.

Section 27: W1/2SE1/4SW1/4 and E1/2SW1/4SW1/4;

Section 34: W1/2NE1/4NW1/4 and E1/2NW1/4NW1/4.

The BLM will require that the FM radio transmitter site and access road be staked on the ground before resource inventories are initiated. When the actual site location and access road are mutually agreed to by you and BLM, a survey of the site and access road will be required by BLM. BLM has completed survey work in the area and has found a number of section and quarter corners in the area near the proposed site. This information can be made available in our Vale District Office to your contract surveyor.

In your right-of-way application, you should state the size of the area needed which should include the transmitter tower and guy wire locations, any fenced areas such as either around the entire right-of-way area (for example a 500 ft. X 500 ft. square area) or around the tower base, building and guy wire locations, type and height of tower, width and length of proposed access road, and as much detail information about the proposed site and facilities you can furnish so it can be analyzed in the Environmental Analysis document.

*Sheldon
OK*

As far as locating a power line to the proposed transmitter site, the BLM must be kept in the loop as to any proposed power line location. The BLM has a proposed ACEC located in the general area of the existing Owyhee Irrigation District power line. In order to avoid the proposed ACEC, we suggest you and the power company work with the BLM on any proposed route location. The avoidance of the ACEC may affect the length of the power line route and may cause additional expense to get power to the transmitter site.

In order to start processing your right-of-way application, BLM recommends that the minimum non-refundable Category I cost recovery fee of \$125.00 be submitted with your right-of-way application. This will allow BLM to start processing the right-of-way application. Upon receiving your application, you will be notified as to what the actual Category determination will be in processing your right-of-way application.

If you have any questions concern the right-of-way procedures, please contact Sheldon Saxton, Realty Specialist, at (541) 473-3144.

Sincerely yours,



Roy L. Masinton
Malheur Field Office Manager

Enclosures: (As stated above)

Attachment 3: ODFW Guzzler Letter and Map



Oregon

Theodore R. Kulongoski, Governor

Department of Fish and Wildlife

Ontario Field Station
Malheur Watershed District
3814 Clark Blvd.
Ontario, Oregon 97914
(541) 889-6975
FAX (541) 889-8133

May 1, 2003



Eagle Cap Consulting
Randy Krichbaum
4130 SW 117th #148
Beaverton, Or. 97005

Dear Randy,

This letter is to confirm that the location we found for relocating guzzler #5 on Owyhee Ridge near the Owyhee Reservoir is the most suitable. The location we came up with is at Township 23S., Range 45E. in the Northwest $\frac{1}{4}$ of section 12.

The components of the new guzzler should include; an 1800 gallon tank which sits on or near the surface of the ground, an apron large enough to ensure the system is capable of filling the tank with water considering the amount of precipitation available in that area. Water should be provided to wildlife in at least one drinker detached from the tank. The guzzler needs to be fenced in such a way to exclude cattle but allow wildlife to access the drinker. The fence should be constructed of three strands of wire with the bottom one being smooth wire and no less than 20 inches off the ground. The top two wires should be barbed wire with the top one being no more than 36 inches off the ground. Fence posts should be placed one rod (16.5 ft.) apart with at least one stay between posts. Corners should be constructed of rock jacks or other non-burnable material.

If there is any other information I can provide for this project please contact me or any of the other wildlife staff in the Ontario Field Office of ODFW. Our phone number and address are on this letter head. Thank you for contacting us on this issue.

Stuart Love

Wildlife Biologist
Ontario Field Office
Oregon Department of Fish and Wildlife