National Park Service
U.S. Department of the Interior

Death Valley National Park
California/Nevada

FINDING OF NO SIGNIFICANT IMPACT

COMMNET CELL SERVICE FOR STOVEPIPE WELLS DEATH VALLEY NATIONAL PARK, CALIFORNIA and NEVADA

April 2015

INTRODUCTION

This Finding of No Significant Impact (FONSI) has been prepared for the Commnet Cell Service Proposal for Stovepipe Wells at Death Valley National Park (Park), in accordance with the National Environmental Policy Act of 1969 (NEPA) and the National Historical Preservation Act of 1966 (NHPA). This document describes the selected alternative and provides an explanation of why it will have no significant adverse effects on the human environment. The government action is to grant a right-of-way permit to allow the construction and placement of a new 60-foot "Lite-Site" tower and other components on previously disturbed land at Stovepipe Wells Village, in proximity to existing infrastructure. Infrastructure includes a telecommunications tower managed by AT&T/Pacific Bell Telephone Company (AT&T), a concessionaire housing area, park residences, a fire station, and multi-building park lodge complex.

PURPOSE AND NEED FOR FEDERAL ACTION

Commnet of Nevada, LLC submitted a right-of-way application to the NPS to provide cellular telephone service in the highly visited Stovepipe Wells Village and surrounding highway access. The NPS must accept applications in accordance with the Telecommunications Act of 1996 (47 USC 332(C)(7) which authorizes, but does not mandate a presumption that such requests be granted, the purpose and need for federal action is to provide for enhanced communication technology in a heavily visited location, and make communications available along adjacent roadways that currently do not have cellular service. Additional communication infrastructure is needed to enhance emergency services in a remote and vast location.

ALTERNATIVES CONSIDERED

In order to analyze possible impacts of granting the right-of-way permit, the EA evaluated the cellular telephone communication needs of Park visitors, while working to avoid adverse impacts to wilderness character, natural resources, cultural resources, public safety, and visitor use and experience. The analysis resulted in:

No-Action Alternative

The lack of cellular telephone communication system for Stovepipe Wells and the surrounding areas would continue. The conditions of the ecosystem and viewshed in the Stovepipe Wells area would continue.

Selected Alternative
Via an NPS issued right-of-way permit, Commnet will provide critically needed cellular telephone service to residents and visitors in Stovepipe Wells and surrounding areas. The cellular service will be in the 850 MHz and 1900 MHz ranges, with both CDMA and GSM systems, allowing many wireless customers to use the roaming service. The service will operate 24 hours a day, 7 days a week. Commnet will construct the necessary telecommunications infrastructure to accomplish this goal. The construction will take less than 30 days and the system will operate immediately upon completion.

An installation site will be located within Stovepipe Wells within the development footprint of Stovepipe Wells Village at an established telecommunications site. Commnet will place a new 60' self-supporting "Lite-Site" tower for its exclusive use, component cabinets and a 4' - 6' diameter dish, a small poured foundation, and underground conduit. Ground disturbance will be minimal and consist of approximately 200 feet of trenching (to install conduit for electrical power). The facility will be contained within a requested 20' x 30' fenced area. Commnet will use an adjacent approximately 50' x 50' previously disturbed area to be used for construction sequencing.

Construction Sequence

The Lite-Site tower will reach 60 feet in height and will be quickly assembled from modular stock parts that will be configured for low visual impact poles. The assembly process will be very simple and eliminate variability and error during the construction process and will streamline the installation of the site.

Site Preparation
Limited ground penetration will be required and the site will be leveled and compacted. The construction site is in an area that has been disturbed.

Delivery and Offloading
The Lite-Site tower and materials will be hauled to the site on an 18 wheel semi-trailer truck which will be parked in a 50' x 50' staging area. The materials will be offloaded by a small crane.

Base Frame Assembly
The base frame is the structure for the on-grade foundation and consists of three trays and four side channels. One of the three trays contains the base plate. The base frame assembly consists of the following steps:

- Anchor bolts are attached to the base frame plate.
- Other base frames are positioned and bolted together.
- Side channels are bolted to the four sides.
- The base frame is now ready for the ballast.

Adding Ballast

- Eight ballast blocks will be installed into the trays to form the floor.

Lite-Site Tower Installation

- Pole (Tower) sections will be flanged together to build the monopole.

Antenna Mounts

- Antenna mounts will be mounted and coaxial cable will be routed through the center of the monopole and exit at the bottom of the antenna mount.

Following construction of the monopole, the following construction activities would take place:

- Radio cabinets will be placed adjacent to the tower and within the 20' x 30' fenced area. A 4' - 6' diameter dish that will connect the cellular system to the ground telephone system via a satellite link will be placed adjacent to the tower and within the 20' x 30' fenced area.
- An underground electrical connection will be made between the cellular facility and a transformer approximately 200 feet from the facility. A trench two feet deep and a foot wide will be made for the electrical line which will be placed in a 3" conduit. After placement of the line, the trench will be backfilled with native and backfill material.
- A chain link security fence will be erected around the facility. The fence will be treated to lessen visual impacts such as reflectivity.

Commnet Contractor Requirements/Mitigation Measures

Comment will require that the Contractor commit to the following construction requirements or mitigation measures. The NPS Designated Contracting Officer Representative (COR) will coordinate with park experts including, the concessions and special use permits specialist, archeologist, hydrologist, and visual resources specialist for daily oversight of the construction and make spot checks and periodic inspections.

- Ensure the site area is clean and free of construction debris on a daily basis.
- Repair any damage to the site area caused by construction or delivery of material to the site.
- All equipment and vehicles will be cleaned of soil and vegetative debris before entering the Park. No soil or fill material will be brought into the Park for the purposes of this project to prevent introduction of invasive species.
- Verify the location of underground pipes/conduits using an independent underground locator service.
- All excavation will be done with care to avoid damaging underground pipes/conduits. Any damage caused by construction will be repaired immediately and monitored by the Contractor until repairs are completed.
- In any areas disturbed by construction, the Contractor will ensure the site is graded properly during construction to avoid standing water.

- Coordinate the excavation work with the NPS so as not to interfere with compound access by the NPS and/or current tenants.
- Compact backfill of trenching for the installation of electric and telecommunication lines, as necessary, to ensure no settling occurs.
- Ensure that existing service roads are in equal or better condition after construction compared to their pre-construction condition.

MITIGATION MEASURES OF THE SELECTED ALTERNATIVE

Mitigation measures are presented as part of the action alternative. These actions have been developed to lessen the adverse effects of the proposed action.

Table 1. Mitigation Measures of the Selected Alternative

Resource Area	Mitigation Measure	Park Responsibility	Milestone
General Considerations	The Commnet project manager would ensure the project remains confined within the parameters established in the compliance document and that mitigation measures would be properly implemented.	The assigned NPS Contracting Officer Representative or other agency technical representative (ATR) will provide oversight at the site to ensure the parameters are adhered to through spot checks during construction and a post construction inspection.	A pre-construction meeting followed by spot checks and a post-construction meeting will occur.
	Staging for vehicles and equipment would be sited in a previously disturbed area adjacent to the project area.	NPS Archeologist The archeologist will ensure that staging/laydown shall be located in areas free and clear of any archeological concerns. Vehicles must not leak fluids.	The archeologist will establish the staging area prior to the beginning of construction and will ensure adherence through spot checks and a post construction inspection.
	The Commnet project manager would coordinate project construction activities with NPS staff at Stovepipe Wells and concessions operations run by Death Valley Lodging Company to mitigate potential impacts to operations.	NPS Concessions Specialist The NPS Concessions Specialist will provide oversight to Commnet regarding park and concessions operations	Same comment.

Resource Area	Mitigation Measure	Park Responsibility	Milestone
		prior to the beginning of, during and post construction.	
Soils	Soils disturbed by construction and trenching activities for the electrical interconnection will be graded properly during construction to avoid standing water and erosion.	NPS Hydrologist The park hydrologist will inspect disturbed soils upon completion of the project to ensure that the areas are well drained and not excessively susceptible to erosion.	The disturbed soils will be inspected for drainage or erosion problems annually or following precipitation events. The inspections will continue until the soils to have re stabilized (at minimum two years).
Wilderness and Visual Resources	To reduce visual impacts in the Stovepipe Wells area and nearby wilderness area as well as visibility from Highway 190 (the Eichbaum Toll Road, a designated California State Historical Landmark), all visible Lite-Site tower metal surfaces or components (i.e., pole, cabinets) shall be finished with a Marine Coating Alkyd paint made by RUST-OLEUM in the Sand Beige color. This paint is UV Rated, abrasion and weather resistant, and is compatible with architectural features at Stovepipe Wells and/or the surrounding natural landscape.	Park Visual Resource specialist. The visual resource specialist will inspect the tower at time of construction to ensure the finished surface meets specifications.	The tower and components will be inspected on a 5 year interval to judge whether or not the finish is holding up and if refinishing necessary.
Cultural Resources	The NPS Archeologist will be notified in writing at forty-eight (48) hours in advance of any ground-disturbing activities in order to arrange for the NPS's monitoring of archeological resources. If	NPS Archeologist Will conduct a pre-construction meeting and inform workers of the criminal penalties for illegally collecting artifacts or	Pre-construction meeting and daily monitoring during ground disturbance activities. A post construction site visit will be

Resource Area	Mitigation Measure	Park Responsibility	Milestone
	concealed archeological resources are encountered during project activities, work in the immediate area should cease. All necessary steps should be taken to protect the resources and notify the National Park Service Archeologist immediately.	intentionally damaging any archeological or historic property. Workers will also be informed of the correct procedures should previously unknown resources be uncovered during construction activities. In the event of an inadvertent discovery, NPS personnel will assess and develop a treatment plan as appropriate. Although there is no surface evidence of archeological resources, clearance to proceed is recommended with the condition that if concealed archeological resources are encountered during project activities, all necessary steps will be taken to protect them and the Park Cultural Resources Manager will be notified immediately. Archeological monitoring during ground disturbance activities will be arranged by the park archeologist.	undertaken to ensure no additional or non-approved ground disturbance has occurred and that the site is rehabilitated to its original or near original condition.

ALTERNATIVES CONSIDERED BUT DISMISSED

The NPS considered two additional alternatives during internal scoping for this project. These alternatives, which were considered but dismissed, include:

Approving the right-of-way application for the proposed development at a different location within the Stovepipe Wells area. This proposal was considered, but dismissed because the proposed project location is in an area that is presently disturbed and construction at another location could result in significant adverse impacts on the natural environment.

Co-location of the Commnet tower with the existing AT&T tower. Pursuant to National Park Service (NPS) Management Policies, the NPS requested the new facilities be co-located on the existing telecommunications tower. AT&T formally reviewed and denied this request.

Alternative Tower Heights

Three heights were reviewed for this location – 40', 60', and 150'. Much of the surrounding highways from the 40' height were not covered, including key portions of State Highway 190, North Highway, and Daylight Pass Road. The area covered at this height would be approximately 25% less than the area covered by the 60' cell tower would not provide cell phone coverage to high visitor use areas in Death Valley National Park.

Commnet decided on a 60' cell tower. This height was determined to meet the coverage objectives of the area through propagation analysis, terrain analysis, and site visits. The main coverage objectives of the site are to cover the buildings near the site, and as much of State Highway 190 and surrounding highways and roads as possible.

Commnet Wireless also reviewed coverage in this area with a 150' tower which would dramatically increase coverage in the area (approximately 35% more area than the 60' tower). Commnet Wireless recognized, however, that the 150' tower may not be viewed favorably due to the nature of the area.

Even though the coverage at 150' is dramatically better the potential visual impacts were adverse. The 60' tower still meets most of the coverage objectives, while minimizing the potential impact to the surrounding areas. The smaller tower eliminates the FAA's requirement for marking/lighting requirements. The continuous blinking warning lights would have been an adverse effect on the recreational experience in the Park. At the 60' height, the highways will receive better coverage, especially more of the high visitor use areas of State Highway 190, North Highway, and Daylight Pass Road which will enhance public and Park employee safety, and provide a better overall visitor experience.

Alternative Tower Design

Comnnet also considered various design options for this proposed tower and determined that a painted monopole would blend in best with the surrounding landscape. Stealth designs that

mimic nature, such as an imitation tree, were considered for this project. It was determined, however, that a stealth tower would likely stand out more than a painted monopole in the visual landscape at the Stovepipe Wells location.

When choosing a site location for coverage, Commnet Wireless preferred to co-locate on existing structures, such as other telecommunications facilities or tall buildings. However, there are no co-locatable towers within the preferred area and no buildings tall enough to meet coverage objectives, and then a new site location will be pursued.

ENVIRONMENTALLY PREFERRED ALTERNATIVE

The Selected Alternative is the "Environmentally Preferable Alternative." This alternative takes proactive steps to preserve the Park's natural and cultural resources, including the preservation and enhancement of wilderness character, and best balances resource protection goals with visitor use and the socio-economic environment. This alternative will promote the national environmental policy expressed in NEPA [Sec. 101(b)], and specifically:

- **Fulfills the responsibilities of each generation as trustee of the environment for succeeding generations**. Implementation of the Selected Alternative will ensure the NPS has fulfilled this responsibility as trustee for the Park's resources.
- **Ensures for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings.** Implementation of the Selected Alternative will increase the safety of Park visitors by providing increased cell phone coverage and will not significantly alter the existing viewshed and cultural landscape which makes Death Valley National Park one of the nation's unique National Parks.
- **Attains the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences**. Implementation of the Selected Alternative will achieve the most measured and long-term balance between preservation of the Park's diverse resources and the multitude of beneficial uses of Death Valley's wilderness and backcountry, from recreation to research, from historic living history events to art, and from education to inspiration. The implementation of the Selected Alternative will allow for the widest range of beneficial uses of the Park without degradation, risk of health or safety, or other undesirable consequences.
- **Preserves important historic, cultural, and natural aspects of our national heritage and maintains, wherever possible, an environment that supports diversity and variety of individual choice**. Implementation of the Selected Alternative will not affect historic and cultural features in the Park. Implementation of the Selected Alternative will also involve specific steps to preserve the natural environment and maintain healthy ecological systems.
- **Achieves a balance between population and resource use that will permit high standards of living and a wide sharing of life's amenities.** Implementation of the Selected Alternative will best achieve the balance between the socio-economic

environment and the varied and appropriate uses of Death Valley's resources.

- **Enhances the quality of renewable resources and approaches the maximum attainable recycling of readily depleted resources.** Implementation of the Selected Alternative will minimize the use of natural resources of the Park and ensure that these remain renewable resources.

DECISION RATIONALE FOR SELECTED ALTERNATIVE

The NPS's selection of an alternative was based on the balance of the project objectives with the NPS's mandate to preserve natural and cultural resources and provide for visitor enjoyment. The selected alternative will significantly enhance the health and safety of Park visitors, employees, and emergency response personnel by providing a larger area of cell phone coverage than the existing conditions under the No Action Alternative. There are no significant detrimental environmental effects to the natural and human environment associated with implementation of the selected alternative which would best achieve the project's full stewardship objectives for the natural and human environment.

- Consideration was given under NPS Management Policies to the potential benefit of having telephone access for emergency law enforcement and public safety services;
- Consideration was given to the proposed project's location and its impact on Park resources and values; and,
- Consideration was given to existing telecommunication facilities, cumulative impacts, the potential for co-location, and future needs and capacity for the Stovepipe Wells area.

WHY THE SELECTED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT IMPACTS ON THE HUMAN ENVIRONMENT

As defined in 40 CFR §1508.27, significance is determined by examining the following criteria:

Impacts that may have both beneficial and adverse aspects and which on balance may be beneficial, but that may still have significant adverse impacts which require analysis in an EIS.

No major adverse or beneficial impacts were identified that would require analysis in an environmental impact statement.

Soils

There will be short-term negligible to minor impacts to soils. A 600 square foot area of previously disturbed soil will be graded and leveled for the cell tower. Soils will be disturbed during trenching activities associated with the electrical interconnection. All trenching will be backfilled with native soils. Soils along the trench should stabilize within one year to withstand heavy rainfall events. There is a very low probability that the soils displacement will create standing water or erosion susceptibility.

Wildlife
There will be no appreciable change or impact to wildlife or wildlife habitat. The wildlife habitat quality is very poor and the presence of wildlife is sparse; there will therefore be no adverse impacts to terrestrial wildlife. The erection of a monopole cell tower does represent a potential threat to birds. The cell tower will meet the U.S. Fish and Wildlife Service's standard for communication tower design to reduce potential impacts to birds.

Special Status Species
The selected alternative will have no effect on Special Status Species as there are no Special Status Species reported in the proposed project area.

Wilderness
The natural quality of wilderness character in and around Stovepipe Wells will not be changed. The new cellular tower is within Stovepipe Wells Village which can be seen from wilderness, but mitigations should lessen any visual impact. The presence of a cellular signal in the Mesquite Flat Dunes area may allow visitors to use their cell phones in the wilderness as is the case in some other wilderness areas in the park. This could temporarily adversely impact the opportunities for solitude and unconfined recreation. Impact levels from the proposed action will range from long-term adverse negligible to moderate, depending on where visitors to the wilderness were located and their proximity to other visitors who might choose to use their cell phones in a wilderness setting. None of these potential impacts will rise to the level of significance.

Cultural Resources
Construction of the cell tower will not affect cultural or archeological resources. The area has been significantly disturbed by grading and construction of infrastructure. No cultural resources were noted and none are likely to be present and intact.

The historic Eichbaum Toll Road, which is outside the Area of Potential Effect (APE) is present in Stovepipe Wells Village and generally follows the route of Highway 190. A remnant portion consisting of two abandoned segments still exists 700 feet northwest of the proposed cellular tower location but these portions are located outside of the APE.

Qualitative view shed and contrast analyses resulted in a finding of negligible to minor visual impacts to the area surrounding Stovepipe Wells Village and the Eichbaum Toll Road. The degree of contrast between the structure and surrounding background was found to be weak to moderate. The tower will be finished to blend in with the existing landscape to minimize visual impacts. The viewshed of the Eichbaum Toll Road at Stovepipe Wells has been altered by the development of the resort complex, including concession and Park employee housing and associated infrastructure. There will be no adverse effect to historic structures eligible for or listed on the National Register of Historic Places (NRHP). It should be noted that Stovepipe Wells has been determined not to be eligible for the NRHP.

Visitor Use and Experience
Visitation patterns in the Stovepipe Wells area will continue in conformity with current use patterns. The cell service will provide substantial cell phone coverage in Death Valley National Park in a previously unserved vast and remote area. It is believed that the cell tower could significantly enhance safety in the Park by increasing the cell phone coverage area. The cell coverage will be present primarily in the Stovepipe Wells Village, Highway 190 in the vicinity, along a portion of Scotty's Castle Road and some of the area (Mud Canyon) along the road to Beatty (Daylight Pass Road). These are some of the highest used areas in the Park. It is expected that the service could either enhance visitors' experiences and safety in the Park by providing additional communication access, or distract from some visitors' experience through additional communication access.

During the scoping process for the project, nine comments were received from the public. Seven commenters generally supported the project from the standpoint of enhancing visitor experience and aiding in public safety and emergencies, as well as assisting communications with Park staff. Two commenters were against adding cell service in the Park because they felt that the new cell service will lessen the unique experience in Death Valley National Park and they preferred the sense of isolation. Generally, it appears the public recognizes the benefits of the cell tower.

For those visitors that value the importance of the enhanced communication benefits, the selected alternative will result in a long-term major beneficial impact. For those visitors not in favor of increased cell phone coverage in the Park, the selected alternative will result in a long-term moderate adverse impact. The selected alternative will therefore have both long-term beneficial and moderate long-term adverse impacts on visitor use and experience associated with the increased cell phone coverage. Visitors will continue to access the area on a seasonal basis for diverse forms of recreation and will have ample opportunities for self-directed exploration.

Health and Safety
The will be an increase of cell phone coverage in Death Valley National Park. The cell tower will provide some level of cell phone coverage to around 920 square miles. Most importantly, it will provide coverage to high visitor use areas such as Stovepipe Wells, Scotty's Castle, and the Daylight Pass Road. A primary health and safety concern in the area is the remoteness of these areas and the time lapse for emergency response to accidents or other emergencies. For example, if an accident is witnessed on the midpoint of Scotty's Castle Road, a 30 minute drive will be required in either direction to report the accident. With faster communication capability, the lapse time between an accident or other emergency and response time will therefore be reduced substantially.

Park Operations
The area of cell phone coverage will be increased and the additional cell phone coverage will enhance communications for park operations and emergency response.

Visual Resources

There will be some visual changes to the landscape in the Stovepipe Wells area associated with construction of the proposed cell tower. The changes in visual setting will depend upon the location of the viewer and the distance from the cellular tower. A visual resource analysis was accomplished by a qualitative viewshed analysis, visual resource contrast rating analysis, and photo simulation at Key Observation Points (KOPs). The main change in contrast will be associated with the cellular tower extending the vertical lines in Stovepipe Wells. The potential area of influence will be an approximate 0.5 to 0.8 mile radius around Stovepipe Wells. The visual resource analysis concluded that depending upon where the viewer is located, the cellular tower will result in a range of long-term negligible to moderate adverse impacts to visual resources in the immediate area of Stovepipe Wells.

Degree of effect on public health or safety.

The selected alternative will have a beneficial impact by increasing the area of cell phone coverage in Death Valley National Park. Most importantly, it will provide coverage to high visitor use areas such as Stovepipe Wells, Scotty's Castle, and the Daylight Pass Road. A primary health and safety concern in the area is the remoteness of these areas and the time lapse for emergency response to automobile accidents which are a common occurrence or other emergencies. With faster communication capability, the lapse time between an accident or emergency and response time will therefore be reduced substantially, which will provide a long-term major beneficial impact to visitor and employee (especially emergency staff) health and safety.

Unique characteristics of the geographic area, such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

Prime farmlands, wetlands, wild and scenic rivers, and ecologically critical areas will not be affected. No critical habitat for any endangered species will be affected. The U.S. Fish and Wildlife Service was consulted with this finding. Construction of the cell tower under the selected alternative will not affect cultural or archeological resources. While the Commnet tower will have a negligible impact on the setting in the Stovepipe Wells Village area and segments of the Eichbaum Toll Road, the effect will not be adverse. The Timbisha Shoshone Tribe was consulted and they concurred with this finding. There will be no adverse effect to historic structures eligible for or listed on the National Register of Historic Places. The California SHPO has concurred with this finding.

Degree to which effects on the quality of the human environment are likely to be highly controversial.

During the scoping process for the project, nine comments were received from the public. Seven commenters generally supported the project from the standpoint of enhancing visitor experience and aiding in public safety and emergencies, as well as assisting communications with Park staff. Two commenters were against adding cell service in the Park because they felt that the new cell service would lessen the unique experience in Death Valley National Park and they preferred the

sense of isolation. Generally, it appears the public recognizes the benefits of the cell tower. There were 32 public review comments received on the Draft Environmental Assessment. Thirty of the commenters were supportive of the proposed cell tower because of enhanced safety public safety and communications in Death Valley National Park. Two commenters were not supportive because they felt the cell tower's potential visual resource impact and the use of cell phones by some visitors would diminish the visitor experience for those that enjoy the tranquility of the Park. Effects on the quality of the human environment from the selected action are not likely to be highly controversial.

Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risks.
The potential impacts are well-defined and analyzed in the EA. The impacts of the selected action are well understood, and will be mitigated or minimized through the implementation of a series of mitigation measures. There were no highly uncertain, unique, or previously unknown risks identified during either preparation of the EA or the public review period.

Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.
The selected alternative neither establishes a National Park Service precedent for future actions with significant effects nor represents a decision in principle about a future consideration. The selected alternative has been reviewed and analyzed in accordance with the objectives in the General Management Plan.

Whether the action is related to other actions with individually insignificant, but cumulatively significant impacts.
Cumulative impacts were determined by combining the impacts of the selected alternative with other past, present, and reasonably foreseeable future actions. Several plans or actions were identified that would have negligible or minor contributions to cumulative impacts of the selected alternative. No plans or projects were identified that, when considered with the impacts of the selected alternative, would have greater than minor impacts.

Degree to which the action may adversely affect districts, sites, highways, structures, or objects listed on National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.
The selected alternative will not adversely affect districts, sites, highways, structures, or objects listed on the National Register of Historic Places, nor will it cause loss or destruction of significant scientific, cultural, or historic resources.

Degree to which the action may adversely affect an endangered or threatened species or its critical habitat.
The selected alternative will not adversely affect an endangered or threatened species or its critical habitat.

Whether the action threatens a violation of federal, state, or local environmental protection

law.
The selected alternative will not violate any federal, state, or local environmental protection laws.

PUBLIC INVOLVEMENT

An August 8, 2013 press release initiated public scoping and described the proposed action. Public comments were solicited via the Park's mailing list and the NPS Planning, Environment and Public Comment website during a public scoping period that ended September 10, 2013. Nine comments were received. Seven commenters generally supported the project from the standpoint of enhancing visitor experience, aiding in public safety and emergencies, as well as assisting communications with Park staff. Two commenters were against adding cell service in the Park because they felt the cell service would lessen the unique experience in Death Valley and they preferred the sense of isolation. One commenter felt the idea was worthy, but first wanted a better image of what the visual impacts would be.

A December 22, 2014 press release included an invitation for public review of the EA and the notice of availability of the document on the public Planning Environment and Public Comment website. The EA was available to interested parties from December 20, 2014 to January 30 2015 on the PEPC website. All comments received were all via PEPC or in emails. No written comments were received in the US mail. A dozen printed or cd rom copies of the EA with an attached "Dear Interested Party" letter were distributed to area public libraries including those at Pahrump, Amargosa, and Beatty, NV; Ridgecrest, Tecopa, Lone Pine, Independence, Big Pine, Bishop, CA; and to the Timbisha Shoshone Tribe to enhance the availability of the EA. No requests for hard copies of the EA were received. The press release did not result in local or regional publicity.

A total of 32 comments were received. Twenty-nine of the commenters were from unaffiliated individuals and the remaining three were from Death Valley Lodge Company, Death Valley Natural History Association, and Piekunka Photographic Imagery. Thirty of the commenters were supportive of the proposed cell tower because of the enhanced public safety and communications in Death Valley National Park. Two commenters were not supportive because of the cell tower's potential visual resource impact and the use of cell phones by some visitors could diminish the visitor experience for those that enjoy the tranquility of the Park.

TRIBAL CONSULTATION

The project was discussed with Timbisha Shoshone tribal government on July 17, 2013 and formal consultation with the Tribal Historic Preservation Officer (THPO) was initiated on August 8, 2013. Formal government to government consultation and request for comments was also submitted to the Timbisha Shoshone Tribal Chairman on the same date. It is common for the Timbisha Shoshone Tribe not to respond unless they have negative comments or requests for more information regarding a project. There was Tribal representation by the Tribal Historic Preservation Officer and Tribal Environmental Coordinator at meetings where the project was discussed at great length.

US FISH and WILDLIFE (USFWS) CONSULTATION

A formal scoping letter was sent to the USFWS on August 8, 2013. The USFWS provided a response on September 5, 2013, and stated there are no federally listed, proposed, or candidate species, nor their critical habitats, known to exist in the project area. The USFWS also provided a copy of the 2013 USFWS Revised Guidelines for Communication Tower Design, Siting, Construction, Operation, Retrofitting, and Decommissioning.

STATE HISTORIC PRESERVATION OFFICE CONSULTATION

Formal consultation with the State Historic Preservation Office (SHPO) was initiated on August 8, 2013 via a scoping letter, but the SHPO had no comments at the time. An NHPA Section 106 document was sent to the California SHPO on April 1, 2014 requesting concurrence with the Park's definition of the APE, determination of eligibility for properties within the APE, and assessment of effects to the Eichbaum Toll road by the proposed project.

On May 7, 2014, the California SHPO responded with additional questions regarding the project. The Park provided the requested information on May 29, 2014, with a follow-up on July 31, 2014 and provided an administrative draft of the EA on September 3, 2014. On February 25, 2015, the California SHPO's office provided a letter of concurrence that there would be No Adverse Effects for the project.

CONCLUSION

The Park has determined that the Selected Alternative is not an action that will have a significant effect on the quality of the human environment. Negative environmental impacts that could occur are generally negligible or minor in intensity, and temporary. There are no significant impacts on public health, public safety, threatened or endangered species, cultural resources, or other unique characteristics of the region. No highly uncertain or controversial impacts or unknown risks, significant cumulative effects, or unacceptable environmental impacts were identified. Based on the foregoing, it has been determined that an EIS is not required for this project and thus will not be prepared. Implementation of the alternative will begin as soon as practicable.

Recommended:

Superintendent — Date: 4-16-15

Approved:

Regional Director, Pacific West Region — Date: 4/21/15

Acting