

FINDING OF NO SIGNIFICANT IMPACT COMMUNICATION TOWER REPLACEMENT AND CO-LOCATION IN THEODORE ROOSEVELT NATIONAL PARK

In compliance with the National Environmental Policy Act (NEPA) of 1969, as amended, the National Park Service (NPS) prepared the Communication Tower Replacement and Co-location in Theodore Roosevelt National Park Environmental Assessment (EA). The EA documents the potential environmental impacts associated with the proposed action.

There are three primary purposes of an EA: (1) to help determine whether the impact of a proposed action or alternative could be significant, (2) to aid in NEPA compliance when no environmental impact statement is required by evaluating a proposal that will have no significant impact but that may have measurable adverse impacts, and (3) to facilitate preparation of an environmental impact statement (EIS) if one is determined to be necessary.

The Council on Environmental Quality (CEQ) regulations specifically direct that "Agencies shall integrate the NEPA process with other planning at the earliest possible time to ensure that planning and decisions reflect environmental values, to avoid delays later in the process, and to head off potential conflicts" (40 *Code of Federal Regulations* [CFR] 1501.2). Additionally, both CEQ regulations and NPS policies direct EAs to be prepared when compliance with NEPA can be achieved through environmental analysis and preparation of an EIS is therefore not necessary.

PURPOSE OF THE PROPOSED ACTION

The purpose of the plan is the issuance of a right-of-way permit to ensure the installation of the proposed telecommunications system is completed in a manner that will not conflict with the purpose, significance, and fundamental resources and values of Theodore Roosevelt National Park as described in the 2014 Foundation Document and 1987 General Management Plan.

NEED FOR THE ACTION

The need for the proposed action is to improve cellular coverage along US Highway 85/200 while reducing measurable adverse impacts to park wilderness, scenery resources, and the night sky by installing a shorter tower without a flashing light or other lighting and maintain critical communication support to park operations.

THE SELECTED ACTION

Alternative 2 is the Agency Preferred Alternative. The preferred alternative will result in the NPS issuance of a right-of-way permit to Cellco Partnership and its affiliates performing work for Verizon Wireless to co-locate antennas on a replacement tower within the park.

Alternative 2

Under Alternative 2, the NPS would issue a right-of-way permit to Verizon Wireless to replace an existing radio tower with a communications tower, and to install a pre-fabricated equipment outbuilding adjacent to the tower in Theodore Roosevelt National Park. The replacement tower would be the same design as the existing guyed tower, and would provide a location and support for co-located Verizon Wireless cellular antennas and equipment, with NPS and U.S. Forest Service (USFS) radio antennas. The replacement tower will be thirty feet shorter than the existing NPS tower (190 feet rather than 220

feet). Unlike the existing NPS tower, no lighting would be installed on the replacement tower because it would not meet the minimum specifications requiring lighting under Federal Aviation Administration regulations for aviation safety (14 CFR Part 77.13). Three cellular antennas will target the US Highway 85 corridor and be pointed to the northeast (azimuth 60 degree), south (azimuth 170 degree), and north northwest (azimuth 320 degrees). The pre-fabricated equipment outbuilding would encompass an area 11.5 feet by 29.5 feet. Verizon Wireless and its contractors would be responsible for the management and costs of the construction. Verizon Wireless would own the tower after construction is complete. Verizon Wireless would undertake maintenance activities for the tower and co-located equipment after construction. The NPS and USFS would maintain their respective radio equipment on the tower in coordination with Verizon Wireless. Verizon Wireless would access the tower via a 20-foot wide access and utility easement along the existing NPS access road from the US Highway 85/200 right-of-way.

Other Alternatives Considered

Alternative 1 (No Action)

Under the no action alternative, the NPS would not issue a right-of-way permit to Verizon Wireless for replacement of the existing radio tower and installation of a pre-fabricated equipment outbuilding on NPS lands. The NPS would continue to use and maintain the existing site and tower to support the NPS radio repeater and co-located USFS equipment until such time it would require replacement. The NPS would continue to maintain the existing site and road in accordance with current management plans. Verizon Wireless would seek a new location on privately owned land nearby for the construction of a new tower to support antennas that would promote more continuous cellular coverage along US Highway 85/200.

Significance Criteria Review

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

Impacts that may be both beneficial and adverse. A significant effect may exist even if the federal agency believes that, on balance, the effect will be beneficial.

Under the selected alternative, potential adverse impacts could result to air quality, cultural resources, and transportation and roads. Beneficial impacts could result to night sky resources, scenery, and migratory birds.

Negative effects resulting from the selected alternative are generally short-term and minimal, resulting from construction activities to replace the tower, with negligible ongoing effects from regular maintenance activities. Positive long-term effects result from the reduction in tower height and removal of lighting on the tower. Therefore, we determined that no significant effects would result from the proposed action.

The degree to which the proposed action affects public health or safety:

The selected alternative will not adversely affect public health and safety. The project will not create unsafe or unhealthy conditions. Verizon Wireless has prepared a Material Abatement Oversight Scope of Work to manage lead-based paint during removal of the existing tower in order to prevent the unnecessary release of lead into the environment, and as a health and safety precaution.

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:

There will be no impacts to wetlands, wild and scenic rivers, or ecologically critical areas.

There are soils classified as farmland of statewide importance at the selected alternative site; however, the selected alternative would not result in a change of land use or convert farmland to other uses and, therefore, would have no impact.

There are two isolated archaeological finds present at the selected alternative site that may be impacted by the selected alternative. However, these isolates have been determined not to meet the eligibility criteria for listing on the National Register of Historic Places. The North Dakota State Historic Preservation Office (NDSHPO) concurred with a determination of "No Historic Properties Affected" for the selected alternative.

The degree to which the effects on the quality of the human environment are likely to be highly controversial:

Comments received from two commenters during the preparation of the environmental assessment and public review period expressed concern about potential impacts to wilderness, viewsheds, and visitor experience. Potential effects to these resources have been evaluated and were determined to be either positive or negligible. Therefore, potential effects on the quality of the human environment are not anticipated to be highly controversial.

The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks:

There is currently limited cellular coverage within the park that would be improved by the selected alternative. This increase in coverage would not directly affect any resources, but positive or negative incidental effects are possible based on how visitors choose to utilize it. Based on experience from the current available cellular signals in the Theodore Roosevelt National Park North Unit, and from a Verizon Wireless antenna installation in the South Unit more than ten years ago, impacts to wilderness or visitor experience resulting from improved cellular coverage are not expected to be significant. Therefore, the effects of the selected action are not highly uncertain, nor are they anticipated to involve unique or unknown risks.

The 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 is not expected to set a precedent for future actions with significant effects, nor does it represent a decision in principle about a future consideration. There is currently a Verizon Wireless antenna installation co-located on a NPS tower in the Theodore Roosevelt National Park South Unit.

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, regardless of what agency or person undertakes such other actions. The NPS determined that there will be no significant cumulative impacts associated with the selected alternative.

The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources:

An archaeological survey conducted at the selected alternative site identified the presence of two isolated archaeological finds. Implementation of the selected alternative may result in disturbance of these isolates. The results of the archaeological survey conclude that the identified isolated finds are not eligible for listing in the National Register of Historic Places and that no historic properties will be affected by the selected alternative. There are no previously recorded cultural resources or historic structures listed in, or determined eligible for listing in, the National Register of Historic Places that will be directly or indirectly affected by the selected alternative. The NPS consulted with the NDSHPO regarding the effects to cultural and historic resources. The NDSHPO concurred with the NPS determination that the selected alternative would result in no historic properties being affected.

The degree to which the action may adversely affect an endangered or threatened species or its critical habitat:

The NPS solicited comment from the North Dakota office of the U.S. Fish and Wildlife Service (USFWS) regarding potential effects to threatened and/or endangered species. The USFWS responded and concurred with the appropriateness of co-location of facilities as an alternative to tower proliferation. The response did not identify any threatened, endangered, or sensitive species or critical habitat that may be affected by the selected alternative.

Whether the action threatens a violation of federal, state, or local laws; including environmental protection laws:

The selected alternative violates no federal, state, or local laws, including environmental protection laws. The NPS consulted with the NDSHPO regarding the effects to cultural and historic resources. The NDSHPO concurred with the NPS determination that the selected alternative would result in no historic properties being affected. No threatened or endangered species or critical habitat under Section 7 of the Endangered Species Act will be affected by the selected alternative.

PUBLIC INVOLVEMENT

The Draft EA was made available for public review and comment from January 22, 2016 through February 22, 2016 and again from September 28, 2016 through October 31, 2016 on the NPS Planning, Environment and Public Comment (PEPC) website. Announcement of the review opportunity was made through news releases on January 22, 2016 and February 5, 2016 that were issued to representatives of 34 news media outlets, four municipal offices, one county office, one state office, and one partner organization. The February 5th release was also posted on the park website and announced a public open house meeting that was held at the North Unit Visitor Center on February 11, 2016. A Federal Register notice was published on September 30, 2016 (81 FR 67379). A paid advertisement inviting public comment was also published in the Dickinson Press on September 30, 2016.

Correspondence was received from two individuals or organizations, and was documented on the NPS PEPC website.

CONCLUSION

Based on a review of the facts and analysis contained in this EA, the selected alternative will not have a significant impact, either by itself or in consideration of cumulative impacts. Accordingly, the requirements of the NEPA, regulations promulgated by the CEQ, the US Department of the Interior, and provisions for NPS Director's Order 12 and Handbook have been fulfilled.

I find that the selected alternative does not constitute a major federal action significantly affecting the quality of the human environment. Therefore, in accordance with the NEPA of 1969 and regulations of the CEQ (40 CFR 1508.9), an EIS will not be prepared for this project.

Recommended: 
Superintendent, Theodore Roosevelt National Park

3/24/2017
Date

Approved: 
Regional Director, Midwest Region

3/30/2017
Date

COMMUNICATION TOWER REPLACEMENT AND CO-LOCATION IN THEODORE ROOSEVELT NATIONAL PARK

APPENDIX 1: NON-IMPAIRMENT DETERMINATION

The NPS Management Policies 2006 require analysis of potential effects to determine whether or not actions would impair park resources. The fundamental purpose of the national park system, established by the Organic Act and reaffirmed by the 1916 General Authorities Act, as amended, begins with a mandate to conserve park resources and values. NPS managers must always seek ways to avoid, or to minimize to the greatest degree practicable, adversely impacting park resources and values.

However, the laws do give NPS managers discretion to allow adverse impacts to park resources and values when necessary and appropriate to fulfill the purposes of a park, as long as the impact does not constitute impairment of the affected resources and values. Although Congress has given the NPS the management discretion to allow certain impacts within parks, that discretion is limited by statutory requirement that the NPS must leave park resources and values unimpaired, unless a particular law directly and specially provides otherwise. The prohibited impairment is an impact that, in the professional judgment of the responsible NPS manager, would harm the integrity of park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources and values. An impact to any park resource or value may, but does not necessarily, constitute impairment. An impact would be more likely to constitute impairment to the extent that it affects a resource or value whose conservation is:

- necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park, or
- key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park, or
- identified in the park's general management plan or other relevant NPS planning documents as being of significance.

An impact would be less likely to constitute impairment if it is an unavoidable result of an action necessary to pursue or restore the integrity of park resources or values and it cannot be further mitigated.

Park resources and values that are subject to the non-impairment standard include:

- the park's scenery, natural and historic objects, and wildlife, and the processes and conditions that sustain them, including, to the extent present in the park: the ecological, biological, and physical processes that created the park and continue to act upon it; scenic features; natural visibility, both in daytime and at night; natural landscapes; natural soundscapes and smells; water and air resources; soils; geological resources; paleontological resources; archeological resources; cultural landscapes; ethnographic resources; historic and prehistoric sites, structures, and objects; museum collections; and native plants and animals;
- appropriate opportunities to experience enjoyment of the above resources, to the extent that can be done without impairing them; and
- any additional attributes encompassed by the specific values and purposes for which the park was established.

Impairment may result from NPS activities in managing the park, visitor activities, or activities undertaken by concessioners, contractors, and others operating in the park. Impairment findings are not necessary for transportation and roads because impairment findings relate back to park resources and values, and these impact areas are not generally considered park resources or values according to the Organic Act, and cannot be impaired in the same way that an action can impair park resources and values. The threshold for considering whether there could be impairment is based on whether an action will have significant effects. This determination on impairment has been prepared for the selected action described in this finding of no significant impacts. An impairment determination is made for air quality, migratory birds, and cultural resources.

Air Quality

The Federal Clean Air Act of 1970 stipulates that federal agencies have an affirmative responsibility to protect a park's air quality from adverse air pollution impacts. The park is located within a Class I air quality area. The selected action will result in localized short to long term adverse impacts to the air quality. Short term impacts will result from the temporary introduction of particulates into the environment during construction activities. Long term, localized impacts will result from the maintenance and operation of the emergency diesel generator. Operation of the emergency generator is expected to be six times per year. The selected action will not permanently degrade the park's Class I air quality. The impacts discussed above do not constitute impairment of park resources.

Migratory Birds

The protection of birds is regulated by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the USFWS. The selected action will result in positive effects in comparison to the no-action alternative. The selected action will reduce the existing tower higher under 200 feet and eliminate the need for FAA obstruction lighting. The impacts discussed above do not constitute impairment of park resources.

Cultural Resources (Archeological Resources)

The area of potential effect for the selected action was clearly defined and a systematic surface survey was conducted by walking five meter interval transects to determine the presence or absence of isolated finds, artifact scatters, or features on the surface. Two isolated finds were documented during the survey. The selected action has the potential to adversely impact the two known archeological sites during construction and post-construction maintenance activities. Based on the absence of additional materials these isolated finds were recommended as not eligible for inclusion in the National Register, and a finding of No Historic Properties Affected was recommended for the project area as surveyed and mapped. The NDSHPO agreed with this assessment (NDSHPO 2014). The impacts discussed above do not constitute impairment or park resources.

COMMUNICATION TOWER REPLACEMENT AND CO-LOCATION IN THEODORE ROOSEVELT NATIONAL PARK ERRATA

The *Communication Tower Replacement and Co-location in Theodore Roosevelt National Park Environmental Assessment* was made available for public review during a 30-day period from September 28 through October 31, 2016. There were two written correspondences received and documented in the NPS Planning, Environment and Public Comment (PEPC) website from individuals or organizations.

This appendix consists of two parts. Part 1 contains corrections and minor revisions to the environmental assessment. Page numbers referenced pertain to the January 2016 *Communication Tower Replacement and Co-location in Theodore Roosevelt National Park Environmental Assessment*. The edits and text corrections do not result in any substantive modifications being incorporated into the selected alternative, and it has been determined that the revisions do not require additional environmental analysis. Part 2 contains responses to substantive public comments on the EA. In some cases, the NPS also chose to respond to non-substantive comments received during the review period when doing so helped clarify aspects of the selected alternative.

The Errata, when combined with the EA, comprises the only amendment deemed necessary for the purposes of completing the final EA for the communication tower replacement and co-location in Theodore Roosevelt National Park.

CORRECTIONS TO THE ENVIRONMENTAL ASSESSMENT

The comments received did not result in substantial modifications of Alternative 2 (NPS preferred alternative). Some comments necessitated minor corrections to the EA. These minor corrections were made to the environmental assessment.

1. **Correction.** Section 1.2 was revised to clarify that the need for the project is to improve cellular coverage along the US Highway 85/200 corridor.
2. **Correction.** Section 2.1.2 was revised to clarify that Verizon Wireless would retain ownership of the tower after construction and would maintain the tower in the future.
3. **Additional Information Added.** Verizon Wireless confirmed that the antenna will be pointed away from the designated wilderness and toward US Highway 85. The language added to Section 2.1.2 is:
Three cellular antennas will target the US Highway 85 corridor and be pointed to the northeast (azimuth 60 degree), south (azimuth 170 degree), and north northwest (azimuth 320 degrees).

RESPONSES TO COMMENTS

The comments received on the environmental assessment were largely substantive. A substantive comment is defined by NPS Director's Order 12 (section 4.6A) as one that does the following:

- Question, with a reasonable basis, the accuracy of information in the environmental analysis.
- Question, with a reasonable basis, the adequacy of the environmental analysis.
- Present reasonable alternatives other than those presented in the environmental analysis.
- Cause change or revisions in the proposal.

The following are NPS responses to substantive comments. In some cases, the NPS also chose to respond to non-substantive comments when doing so would clarify aspects of the selected alternative.

Responses are provided under five comment categories: EA process, relationship to management policies, alternatives considered, issue topics, and miscellaneous comments.

ENVIRONMENTAL ASSESSMENT PROCESS

Comments were received that suggested the EA process implemented by the NPS did not adhere to NEPA requirements in the NPS DO-12 Handbook. Specifically, that scoping comments were not addressed in the EA and public notices were not properly made following receipt of Verizon Wireless' SF-299 right-of-way application and publication of the environmental assessment.

NPS Response: The NPS revised the document based on substantive scoping comments and re-released the EA document for additional public review as part of the planning process.

One commenter suggested that based on documents obtained through a Freedom of Information Act (FOIA) request, the NPS had improperly pre-determined the outcome of the EA by discussing a Finding of No Significant Impact (FONSI) with Verizon Wireless prior to the publication of the Federal Register notice notifying the public of the availability of the EA.

NPS Response: This project has been in the proposal stage for several years, and the NPS started development of a FONSI during the Draft EA public release in coordination with Verizon Wireless with the understanding that any comments, new information, or changes be added to the document after the public comment period was ended. The agency decision is not final until the FONSI is signed. The FONSI is based on an evaluation of the issues and assessment of potential effects as presented in the attached EA. The decision-maker gave thorough consideration to that assessment and a review of the significance criteria, and subsequently concluded that no significant impacts would occur as a result of the proposed action.

Comments were also received indicating that Verizon Wireless' SF-299 right-of-way application was not posted to the NPS PEPC website and was, therefore, not readily available for public review and comment. Additionally, commenters indicated that the SF-299 application did not include all required attachments.

NPS Response: The NPS provided materials on the PEPC website for reviewers. During the initial public scoping phase (December 15, 2014 and January 09, 2015) the NPS released on the PEPC site: the Project Location Map; Photo Log of the Existing Tower and Site; and the 3/12/13 Proposed Site Plan Schematic. Documents released to the public in January 7, 2016 and September 28, 2016 for both Draft EA reviews were: the Draft North Unit Communication Tower Environmental Assessment; Appendix A: Tower and Site Specifications; Appendix B: Photo Log of the Existing Tower and Site; News Release Open House for NU Celltower EA; and Map of Tower Coverage with Park Boundaries.

One commenter suggested that the public notice announcing the availability of the EA was published in an inappropriate newspaper, the Dunn County Herald, that does not circulate in the affected area or nearest metropolitan area as required in NPS Reference Manual 53 (RM-53).

NPS Response: The EA was made available for public review and comment from January 22,

2016 through February 22, 2016 and again from September 28, 2016 through October 31, 2016 on the NPS Planning, Environment and Public Comment (PEPC) website. Announcement of the review opportunity was made through news releases on January 22, 2016 and February 5, 2016 that were issued to representatives of 34 news media outlets, four municipal offices, one county office, one state office, and one partner organization. The February 5th release was also posted on the park website and announced a public open house meeting that was held at the North Unit Visitor Center on February 11, 2016. A Federal Register notice was published on September 30, 2016 (81 FR 67379). A paid advertisement inviting public comment was also published in the Dickinson Press on September 30, 2016.

RELATIONSHIP TO MANAGEMENT POLICIES

One commenter indicated that the NPS Reference Manual 53 (RM-53) states that right-of-way permits for wireless telecommunications facilities should only be issued when there is no practicable alternative and the facility will not result in derogation of the resources, values and purpose for which the park was established. The commenter also indicated that NPS Management Policy requires avoiding unacceptable impacts to park resources or values. The commenter suggests that the selected alternative will derogate park values and conflict with the purpose of the park, and/or unreasonably interfere with the atmosphere of peace and tranquility, or the natural soundscape maintained in wilderness and natural, historic or commemorative locations within the park.

NPS Response: The 1987 General Management Plan for Theodore Roosevelt National Park states that the park is “dedicated to the preservation and public enjoyment of important historic, scenic, and natural resources”. As such, the protection of viewsheds and scenery is part of the park’s purpose. The selected alternative is preferable to the no action alternative as it reduces the visibility (by reducing the height and removing lighting) of the existing tower and helps prevent the proliferation of additional towers in the area.

One commenter suggested that NPS should consider mitigation measures for impacts in accordance with RM-53.

NPS Response: There are no additional adverse impacts as a result of the tower replacement which need to be mitigated. Replacing the existing tower with a shorter tower, and eliminating the flashing warning lights, is a positive impact. Verizon confirmed that the cellular antennas were pointed north and south along the US Highway 85 corridor and were not pointed west into the park.

One commenter suggested that the selected alternative violates NPS Management Policy section 8.6.4.3 regarding siting non-NPS telecommunications antennas on NPS lands, by not adequately considering design option to minimize impacts.

NPS Response: In accordance with NPS Management Policy section 8.6.4.3, the NPS sought to avoid and minimize potential impacts by locating the telecommunication facility where it would have the least impact on park resources; away from scenic, historic, and sensitive areas integral to the park’s mission; and would include the maximum potential for future co-location. The NPS determined that the selected alternative would best meet these objectives.

Commenters suggested that the selected alternative compromises wilderness values and is a violation of NPS Director’s Order 41 on wilderness. The commenters also stated that the minimum requirement

policy regarding wilderness resource management in the NPS Management Policy (section 6.3.5) should be applied, as well as the “emerging technologies/use” section of the Theodore Roosevelt National Park Wilderness Stewardship Strategy.

NPS Response: The selected alternative is not located within a wilderness area, and the NPS has determined that the selected alternative would not significantly affect wilderness. Therefore, any policies pertaining to wilderness would not be applicable in this situation.

Commenters suggested that the selected action represents an inappropriate commercial use of public land.

NPS Response: The selected action replaces an existing communications tower with a similar tower, and results in a reduction in impacts due to reduced height of the tower and removal of associated lighting. There are no significant impacts anticipated as a result of the selected action, there is no conflict with the park’s mission, and there are potential benefits from increased cell coverage and co-location of services.

One commenter indicated that the selected alternative conflicts with the current use of the property and the right-of-way permit should be denied in accordance with the Telecommunications Act of 1996.

NPS Response: The use of the property would not change under the selected alternative; the existing tower would be replaced by a shorter tower, and result in a reduction of potential impacts.

ALTERNATIVES CONSIDERED

Commenters suggested that the existing NPS tower has a negative impact on park resources, including the natural viewshed. The commenters suggested an alternate location, inside or outside of Theodore Roosevelt National Park, should have been considered to avoid or minimize the existing impacts.

NPS Response: The existing NPS tower serves a communications function that must be maintained. The NPS evaluated the possibility of an additional tower in Alternative 1, but found it to be inferior to the selected alternative.

One commenter suggested that alternative tower heights should have been considered in the environmental assessment.

NPS Response: Tower height is a consideration in the EA. The NPS determined that lowering the tower height from 220ft to 190ft and removing the associated lighting would have a beneficial impact on viewshed.

One commenter suggested that the use of emergency 911 only antennas should have been considered.

NPS Response: This would not have addressed the larger purpose and need for the project, to improve coverage in the area while maintaining NPS communication capabilities.

Commenters suggested that providing public internet access at the visitor center, either wi-fi or hardline, in lieu of cellular service should have been considered.

NPS Response: Providing an internet connection to visitors in the North Unit was not part of the defined purpose or need; therefore, consideration of alternative methods for providing internet service within the park would not be relevant. This would not have addressed the need to improve coverage in the area while maintaining NPS communication capabilities.

One commenter questioned whether Verizon Wireless would definitely build another tower near the park if the right-of-way permit was denied.

NPS Response: Verizon Wireless has indicated that if the right-of-way permit is denied and they cannot replace and co-locate on the NPS tower, they would seek to build a tower nearby in order to improve cellular coverage along US Highway 85/200. Whether or not a tower is actually built, and the exact location of the tower, would be dependent upon numerous factors including landowner interest, local zoning requirements and environmental considerations.

ISSUE TOPICS

One commenter questioned the assessment of effects to migratory birds, specifically related to a comment issued by the USFWS) during scoping suggesting a preference for towers without guy wires, or if guy wires are necessary, use of daytime visual markers on the guy wires.

NPS Response: The USFWS has issued guidance on the siting, construction, operation and decommissioning of communications towers to reduce impacts on migratory birds. The first recommendation in this guidance is to co-locate services on a single tower, rather than building multiple towers in the same area. The USFWS comment supported NPS efforts to replace the existing tower with one capable of supporting additional users. The selected alternative also supports other items in the USFWS guidance, including reducing the tower height under 200 feet and eliminating the need for Federal Aviation Administration lighting on the tower. NPS considered the guidance provided by the USFWS regarding the use of guy wires and daytime visual markers, and determined that the use of a self-supporting tower design or daytime visual markers on guy wires would increase the visibility of the tower and have a negative effect on the viewshed. Replacing the tower with one of similar design, but shorter height and without lighting was determined to have the smallest overall impact.

One commenter suggested that wireless service would have a significant impact on wilderness values and soundscapes and these issues were improperly dismissed as impact topics in the environmental assessment.

NPS Response: The selected alternative would have no direct effect on wilderness or soundscapes; any effects would be incidental and dependent on how visitors choose to use cellular devices. NPS determined that impacts to wilderness and soundscapes resulting from the selected alternative would not be significant. The 2015 NPS NEPA Handbook indicates that only significant issues should be discussed in detail; therefore, these issues were dismissed from discussion in the environmental assessment.

One commenter suggested that replacing the existing 220 foot tower with a 190 foot tower equipped with Verizon Wireless antennas would not significantly affect park scenery. The commenter suggested that any positive impacts resulting from lowering the tower height would be offset by the additional antennas. Additionally, the commenter suggested that future and cumulative impacts resulting from additional co-locators were not included.

NPS Response: By reducing the tower height, the tower will be visible from fewer locations within Theodore Roosevelt National Park. Additionally, by removing the blinking light from the top of the tower, it will be less intrusive on the landscape. Based on these changes, NPS determined that the overall impact of the selected alternative on scenery would be positive. Based on NPS experience with a Verizon Wireless co-located tower in the South Unit, the future and cumulative impacts from additional co-locators was determined to be insignificant.

Commenters suggested that public safety was improperly dismissed as an impact topic in the EA as driver distraction from using cellular devices could lead to more vehicle accidents.

NPS Response: There is currently limited cellular coverage within Theodore Roosevelt National Park North Unit. The NPS does not believe that improved cellular coverage within Theodore Roosevelt National Park North Unit will have a significant impact on the occurrence of distracted driving and public safety. Improved cellular coverage would allow travelers to call for help in the event of an emergency. The NPS determined that impacts to public safety would be positive or neutral. The 2015 NPS NEPA Handbook indicates that only significant issues should be discussed in detail; therefore, this issue was dismissed from discussion in the environmental assessment.

One commenter suggested that several relevant topics were not addressed in the EA including: wilderness, threatened and endangered species, soundscapes, park operations, visitor use and experience, and visual quality and viewsheds.

NPS Response: The NPS considered potential impacts to the resources identified by the commenter, and determined that impacts resulting from the selected alternative would not be significant. The 2015 NPS NEPA Handbook indicates that only significant issues should be discussed in detail; therefore, these issues were dismissed from detailed discussion in the environmental assessment. However, some were briefly discussed in section 1.4.3 *Issues Not Considered in Detail with Rationale* and section 1.4.4 *Issues Involving Resources Not Applicable to the Proposed Action or No Action Alternative* in the EA.

MISCELLANEOUS COMMENTS

One commenter noted that Verizon Wireless calls the project “Teddy’s Repeater” and suggested that this was inappropriate because Theodore Roosevelt did not care for the nickname “Teddy” during his lifetime.

NPS Response: The NPS has requested that Verizon Wireless change the name of the project to remove the reference to “Teddy”.

One commenter stated that the Theodore Roosevelt National Park Wilderness Stewardship Strategy document was not available online for public reference.

NPS Response: NPS policy does not require the Wilderness Stewardship Strategy to be posted online.