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First name: Dave
Last name: Eckert
Organization: Marys Peak Alliance of AFRANA
Title:
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To: Forest Supervisor, Siuslaw NF, ATTN: Katie Isacksen, 3200 SW Jefferson Way, Corvallis, OR 97331 - : https://cara.ecosystem-management.org/Public/CommentInput?Project=50453

From: Marys Peak Alliance of AFRANA, P.O. Box 101, Corvallis, OR 97339

Subject: Marys Peak BPA Communications Site Project OBJECTIONS

The Marys Peak Alliance of AFRANA OBJECTS TO THE BPA EVALUATION AND SELECTION OF ALTERNATIVE 3C, for the following reasons:

OBJECTION #1 - FAILURE TO DEFEND AN APPROPRIATE AND BEST DESIGN OPTION The BPA failed to adequately defend transmission reliability directly to their Eugene to Florence transmission line corridor as the primary reason for a communication facility on the Marys Peak Summit rather than on West Point. They have failed to show the need for transmission from the Marys Peak Summit to the Eugene-Florence corridor and this seems to undermine the only real stated reason for choosing the Marys Peak Summit site over the West Point site. BPA concurs that the West Point site is an equal or better site selection due to safety, environmental and cost issues. But those acknowledged issues appear to be considered less important for this decision. The overriding reason appears to be to communicate with the Eugene to Florence corridor. However, much or all of this area is distant and shadowed by surrounding hills and mountains and they have not demonstrated in the EA that crews working in this area can communicate with any point on Marys Peak.

* The BPA is choosing a design option that places employee lives at risk when a safer design option, such as at the West Point is available. Federal law doesn't state that if one option is a little more functional, that human life can be less considered.
* The BPA provides contradictory statements regarding whether transmission to the Eugene to Florence corridor is critical and fails to prove that a West Point design cannot match the transmission capabilities of the Marys Peak summit choice.
* The remedy is to choose Option #4 on West Point.
* Background - The USFS will continue to have environmental and safety issues with the BPA towers on the Marys Peak summit and the BPA service trucks driving up and down the service road between the summit parking lot and the communication site. The BPA contends that with the new design, they will not have any maintenance issues. We believe that with more extreme weather conditions resulting from climate change that this claim of no maintenance problems will prove to be incorrect?
* The remedy is removal of the site to West Point, where the public is not invited, nor does it visit. Tall structures on Marys Peak Summit receive 100 MPH winds that are predicted to increase with climate change. ice accumulation is an inherent risk and is predicted to increase. Placing a new structure in harm's way on the very public Marys Peak Summit when an alternate, viable choice is available on West Point is an unnecessary public and employee safety risk.

Background

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* Table 2-5 lists six "Project Purposes" and Alternative 4 is as good or better than the other 3 alternatives except that the BPA states that Alternative 4 doesn't provide VHF coverage "equal to or better to what currently exists." The BPA states Alternative 4 has lesser or no coverage to portions of BPA's Eugene region."
* There is a confusing BPA statement in the EA that needs justification and validation:

* Comment 05-02 - the BPA states "Under Alternative 4, BPA linemen working on the transmission system may or may not be able to connect to other parts of the BPA Eugene Region's communications network in those reduced UHF coverage areas."
* However, BPA must already have reliable communications with all parts of the Eugene-Florence corridor, so the Marys Peak site would only be redundant, if useful, for this purpose.

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* It appears that the BPA simply wants to keep the communication site on Marys Peak, regardless of the predictable safety problems, significantly higher costs, environmental impacts and damaging public relations issues they will be causing by selecting the Marys Peak summit site when another design on West Point is feasible. and are using seeming irrational reasons for choosing the summit as a site. The BPA is agreeing that our concerns for safety and costs are correct, yet want to move forward anyway. We cannot understand the logic.

* Under Comment 05-02 of the EA, the BPA acknowledges "Therefore, it is likely that maintenance staff would encounter safer road conditions when accessing the CPI communications site under Alternative 4 during inclement winter weather conditions than accessing the Marys Peak summit."
* Under Comment 20-05, the BPA acknowledges that wind factors are far worse on the summit than on West Point.
* There is a maximum 500-Watt transmission power limit for the Marys Peak summit communication site. There is, however, no limit for the West Point site (there used to be a 20,000-Watt omnidirectional FM transmitter there a few decades ago). The BPA communications to the West Hills or Albany site will be unidirectional (pencil thin beam) UHF transmitter and the BPA can use whatever transmitter power they need to get equal or better signal strength from Marys Peak West Point to Salem West Hills - better than they can from the summit to Albany.
* In conclusion, if the BPA already has good communications to the Eugene region through other facilities like Albany, then why does the BPA list this as a problem with alternative 4 when Option #4 can communicate adequately with BPA facilities?

* Objection #1 relates to the Marys Peak Alliance November 13, 2020 public comments 20-2, 20-3, 20-4, 20-4, 20-05, 20-06, 20-07, 20-8, 20-09, 20-10, 20-11 in the final EA.

OBJECTION #2 - FAILURE TO ADEQUATELY ADDRESS SECURITY ISSUES

* The BPA failed to adequately address security issues on the Marys Peak summit site. The stated security defense was that if someone enters the fenced area on the summit, they will be video recorded. The Marys Peak Alliance contends that communications security would be more effective at West Point than on the Marys Peak summit.
* We are not aware of Federal Law being broken. Only security is endangered.
* The remedy is to choose Option #4 on West Point.
* Background - There is less chance to detect or provide an effective and timely security response on Marys

Peak summit than on West Point if there is a security breach.

* Marys Peak summit is a highly-visited site. With so many people walking right up to the fence line on all sides (note the new unofficial trail all around the fence), it would be difficult to detect a potential security threat by anyone, but the most obvious offenders. Public visitation provides excellent cover for an offender. By the time anyone breaches the fence, it is too late to defend the communications site. Video security is therefore only valuable in finding out who the offender was following the offense.
* The West Point site is not a public access area. Unlike Marys Peak summit, there is no publicity and no public invitation to go the West Point site. ANY entry to the West Point area from the gate or surrounding access area should heighten security awareness prior to someone reaching the surround fence for the communication site.
* There are numerous security measures that could be triggered with any approach to the communication site. These measures could limit damage to a communication site and limit any collateral damage to the public. On West Point, there would be no public to protect. On Marys Peak summit, collateral damage would be likely.
* With the heightened anti-government sentiment demonstrated by the Jan. 6, 2021 attack on the capital and recent federal investigations of dangerous and seditious domestic activities, security for communications towers should not be taken lightly by thinking past experiences will provide a guide for the future. Simply stating that they will video anyone entering the fence in a potentially highly populated site is not facing the security realities of this new world.
* Security is primarily a design issue and the Marys Peak Summit design is not the better design for security. The West Point design is.

* Objection #2 relates to the Marys Peak Alliance November 13, 2020 public comment listed as Comment 20-8.

OBJECTION #3 - FAILURE TO PROTECT FEDERALLY-SENSITIVE LAND INSTEAD OF USING AVAILABLE VALID OPTION #4

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* The BPA states in the EA page F-41, response to Comment 20-22, "As indicated in the EA, overall the lands that would be disturbed under Alternative 2A or Alternative 3C are considered more sensitive than the lands that would be disturbed under Alternative 4." Not only are the lands more sensitive, but far more sensitive land is damaged on Marys Peak Summit than on West Point. The BPA has therefore chosen with forethought a design that is more environmentally damaging than another valid alternative on West Point.

* This is in violation of general terms of the SBSIA and other federal protection lands. There is a better design that will protect Federally-sensitive land of the Marys Peak summit. The SBSIA allows certain communication construction to occur if it consolidates and there is not a better design option. The best design is on West Point.

* The remedy to resolve the safety issue is to choose Option #4 on West Point.

* Background - Without other design options available, the USFS would have a legal reason to accept Option 3C, as it would allow consolidation of the site. There is, however, another valid and acceptable solution with Option 4, as stated by the BPA. Option 4 is not just a little better, it improves the environmental conditions on Marys Peak summit for well into the future. The USFS is missing its one opportunity to make a lasting difference on Marys Peak during this generation. By selecting Option 3C over Option 4, the USFS is failing to protect one of the most sensitive and sacred sites in the Coast Range Mountains.
* The "Marys Peak Communication Site Management Plan" (19 March 2009) page 12 VII.B.6 Construction Methods and Resource Protection states "Minimize to the greatest extent possible, ground disturbance and vegetation removal." Option 4 achieves this goal far better than other options. Section VIII.A page 16 says

"Construction and maintenance activities should minimize disturbance of this fragile alpine site. [hellip] Protection of the alpine soil and rock, the natural plant communities [hellip] are of high importance and will be a critical evaluation standard for proposed modifications and maintenance work that would potentially disturb the ground of plants [hellip]"
* Finally, in 2011, the USFS failed to enforce egregious violations of the SBSIA and the Management Plan by contractors and subcontractors during the Communication site fence installation. Considering staff shortages and mounting priorities, how does the USFS plan to detect and enforce any violations by the BPA, its contractors and their sub-contractors during the deconstruction and construction process. There is great skepticism by the public that protection of the Marys Peak environment will be enforced during any further construction on the summit. It is in the best interest of the USFS to both assure and follow through in its goal to protect this sensitive and unique environmental setting.

* Objection #3 relates to the Marys Peak Alliance November 13, 2020 public comment listed as Comment 20-12 & 20-22.

OBJECTION #4 - BPA AND USFS FAIL TO ACCEPT THE DESIGN ALTERNATIVE (OPTION #4) THAT RETAINS THE VQO OBJECTIVES

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* The BPA states in the EA page F-42-43, response to Comment 20-27, "Comment acknowledged. The 360-degree panoramic view from the top of Marys Peak is currently disrupted by the existing communications site. Under both Alternative 2A and Alternative 3C, the new steel-lattice communications structure would further disrupt the 360-degree panoramic view from the top of Marys Peak." The BPA only compares the scenic impact of 3C specifically with Alternative 2A., which is not a real option. The comparison must also be made with Alternative 4 which clearly is the best choice for scenic view. The Marys Peak Alliance believes that the USFS must retain the VQO objectives because Option #4 is a viable design alternative that will retain the VQO objectives.

* This acceptance of the Alternative 3C reasoning is in violation of:

* The SBSIA, which demands consolidation for all new communication site construction. While the site itself is consolidated, the scenic view is not consolidated. A new and significant portion of the scenic view is being blocked.
* Management goals for the National Environmental Policy Act (NEPA) recreation area call for reducing visual "pollution"
* Wording in NEPA calls for special attention to recreation areas to improve the recreation experience for visitors, and we should emphasize this.
* The same wording as above is also in the Forest Service manual.

* The remedy is to choose Option #4 on West Point.

* Background - There is a valid and acceptable solution to resolve the VQO issue - Option 4, as stated by the BPA. Option 4 is not just a little better, it significantly improves the protected scenic view on Marys Peak summit for well into the future. The USFS is missing its one opportunity to make a lasting VQO difference on Marys Peak during this generation. By selecting Option 3C over the West Point Option 4, the USFS is failing to protect the

most important and visited scenic view site in the Coast Range Mountains.

* This objection is directly related to the Marys Peak Alliance November 13, 2020 public comment listed as Comment 20-15 on page F-38 and Comment 20-27 on pages F-42-43.

* The "Marys Peak Communication Site Management Plan" (19 March 2009) page 5 II.A Site Description states "[hellip] electronic facilities will be concentrated at the summit and will be as visually unobtrusive as possible." Adding a new taller tower certainly will not comply with the visually unobtrusive requirement.
* Section VIII.A page 16 says "Protection of the [hellip] visual and aesthetic qualities [hellip] are of high importance and will be a critical evaluation standard for proposed modifications [hellip]"
* The 2009 Marys Peak Communications Site Management Plan states in:
VII. Conditions for new construction and modification or expansion of a facility
E. New or Remodeled/Expanded Towers

5. "Tower height should be as low as possible for proper functioning, and all new towers (including antennas) shall not exceed 60 feet. Al new towers shall be self-supporting unless specifically authorized."

The self-supporting part means that the BPA cannot use guy wires for support, but must be designed structurally sound enough to withstand external forces without additional support. Guy wire would require constructing anchor points outside the communications site boundaries. The tower in the plan BPA submitted is designed to be self-supporting - a mini-Eiffel Tower design. Is that correct?

ALSO, can the USFS clarify how the 60-foot tower is being measured as required by Management Plan VII, E., 5.?

1. Is the 60 feet measured from the ground level to the top of the tower, or
2. Is the 60-feet height measured from the top of the concrete foundation to the top of the tower?
3. Is the USFS going to enforce the Management Plan condition that antennas height is included in the 60-foot limitation, as required?
4. Is the USFS going to enforce the Management Plan condition that the structure is self-supporting and not using guy wires?

OBJECTION #5 - THE BPA AND USFS FAILS TO CONSIDER A LOWER IMPACT CONCRETE FOUNDATION

The BPA states in the EA page F-42, response to Comment 20-26, "The additional stormwater runoff and heat generated from this concrete footing could impact vegetation immediately adjacent to the footing." The stormwater runoff from that 625 square foot pad for the 60-foot towner results in approximately 400 extra gallons of water per every inch of rainfall rushing into the native vegetation. The shallow-rooted native vegetation around that pad has not evolved to handle that excessive amount of rainfall and mitigate the runoff. Weeds, on the other hand, brought in with the gravel can do quite well under those conditions. The BPA fails to consider this smaller concrete option which may prove to be more structurally effective.

The BPA also fails to address the heat island effect of the concrete pad on the surrounding plants. Concrete absorbs and holds heats at a different rate than soil and plant material due to the difference in water transfer, retention and transpiration. Concrete warms the immediate surrounding area to a higher degree, which impact

microclimates. This is neither acknowledged or calculated in any way for environmental impact.

This practice of knowingly and uselessly damaging and destroying the sensitive native vegetation in this protected area is in violation of general terms of the SBSIA and the electronic site Management Plan. The SBSIA demands sensitive construction practices. The Marys Peak Alliance does not believe the best management practices are proposed.

* The remedy to resolve the safety issue is to choose Option #4 on West Point. A less effective remedy is to install individual small foundations under each corner of the tower. Solid gabbro is a short distance beneath the surface and would provide a much more stable foundation than a slab of concrete resting on the soil. This proposed technique would be at least as good as a concrete slab poured on the gabbro and probably better. And the proposed technique would not create such disturbance to the soils and vegetation.

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* This objection is directly related to the Marys Peak Alliance November 13, 2020 public comment listed as Comment 20-26 on pages F-42.

OBJECTION #6 - FAILURE TO PROTECT THE SBSIA FROM IMPORTED WEEDS AND FROM ALTERATION OF THE SOILS

* The BPA states in the EA page F-41, response to Comment 20-21," 3.5.5 (Vegetation) was revised as follows:Obtain rock and gravel used for road surfacing, fill material, and other uses from a quarry that is approved by the SNF botanist prior to installation on Marys Peak, and ideally is local and ODA-certified weed-free." The Marys Peak Alliance recognizes that the word "ideally" is a word that means "not required". There will always be a reason that the ideal situation will not work, especially when working with sub-contractors. If ODA-certified weed-free local gravel is REQUIRED, then there is more likelihood for compliance.
* Compliance with the SBSIA and USFS policies for sensitive areas need to be followed.
* The remedies are to:

* Remove the word "ideally" and substitute required.
* Place a penalty in the approval for introducing weeds to the project area.
* Without such a change, the USFS is guaranteeing we will have a repetition of mistakes made in the 2011 construction on the summit which resulted in an invasion of invasive exotic plants.

* Background: Conflicting statements and unresolved enforcement oversight.

* The "Marys Peak Communication Site Management Plan" (19 March 2009) page 13 VII.B.12 says "To prevent the spread of noxious weeds into the area, power wash off any earth-moving or heavy equipment, such as dozers, graders, cranes, backhoes and so forth before it is brought into the National Forest System lands."
* There are conflicting and unresolved issues within the EA as to who provides oversight with the subcontractors who deliver and clean gravel and who drive trucks up to and down from Marys Peak summit during the construction phase. At one place in the document, the BPA states the USFS provides oversight or enforcement and then the USFS states the BPA provides oversight and enforcement. Since the USFS has final authority over who can access the summit by vehicle, there is no clear statement as to how the USFS will ensure this cleaning

process will be enforced and if there are penalties and liabilities for non-enforcement.
* When the communications site grounding and fencing were expanded in 2011 the Forest Service failed to provide adequate supervision of the contractor. As a result, extensive soil and plant disturbance occurred outside the communication site and noxious weeds were introduced. Based upon this history and the non-specific language in the Final EA regarding requirements and enforcement procedures to protect the area and avoid introducing invasive species, we question whether the requirements of the Siuslaw Forest Management Plan, the Marys Peak Communication Site Management Plan and the SBSIA management directive can be carried out faithfully

* This objection is directly related to the Marys Peak Alliance November 13, 2020 public comment listed as Comment 20-21 on pages F-41