



Draft Environmental Assessment

Orange County Interoperable Communications Tower

Port Security Grant Program Project # 2015-PU-00086 (30459)

Shaffer Tower Services, Inc.
1239 West 19th Street, Suite:B
Houston, Texas 77008

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**U.S. Department of Homeland Security
Federal Emergency Management Agency**
Region 6
800 North Loop 288
Denton, TX 76209

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ACRONYMS AND ABBREVIATIONS

$\mu\text{g}/\text{M}^3$	Micrograms per cubic meter
ACHP	Advisory Council on Historic Preservation
APE	Area of Potential Effect
ASME	American Society of Mechanical Engineers
BMP	Best Management Practices
CAA	Clean Air Act
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CO	Carbon Monoxide
CWA	Clean Water Act
CZMA	Coastal Zone Management Act
dB	Decibel
dBA	A-weighted Decibel
DNL	Day-Night Average Sound Level
DHS	Department of Homeland Security
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
ESSS	Ecologically Significant Stream Segment
FAA	Federal Aviation Administration
FCC	Federal Communications Committee
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FONSI	Finding of No Significant Impact
FPPA	Farmland Protection Policy Act
GHz	Gigahertz
Hz	Hertz
MHz	Megahertz
mg/m^3	Milligrams per cubic meter
MBTA	Migratory Bird Treaty Act

NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHO	Native Hawaiian Organization
NHPA	National Historic Preservation Act
NO ₂	Nitrogen dioxide
NPA	National Programmatic Agreement
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
O ₃	Ozone
OCEM	Orange County Emergency Management
Pb	Lead
PL	Public Law
PM	Particulate Matter
ppm	Parts per million
PSGP	Port Security Grant Program
PSIC	Public Safety Interoperable Communications
RF	Radio frequency
SHPO	State Historic Preservation Office
SO ₂	Sulfur dioxide
TCNS	Tower Construction Notification System
THC	Texas Historical Commission
THPO	Tribal Historic Preservation Officer
TPWD	Texas Parks and Wildlife Department
tpy	Tons per year
TxDOT	Texas Department of Transportation
TXNDD	Texas Natural Diversity Database
U.S.	United States
U.S.C.	United States Code
USCB	U.S. Census Bureau
USFWS	U.S. Fish and Wildlife Services
USGS	U.S. Geological Survey
VOC	Volatile Organic Compounds

1.0 INTRODUCTION

The Orange County Communications Tower project proposed by the Orange County Office of Emergency Management (OCEM) would provide for improved radio coverage in the Orange County area for various federal, state, and local disaster and emergency personnel as part of the South East Texas wide interoperability communications system project under the Department of Homeland Security (DHS)-Federal Emergency Management Agency's (FEMA) Port Security Grant Program (PSGP).

This Environmental Assessment (EA) has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, the Council on Environmental Quality regulations implementing NEPA (40 Code of Federal Regulations [CFR] Parts 1500 through 1508), and FEMA's regulations implementing NEPA (44 CFR Part 10).

FEMA is required to consider potential environmental impacts before funding or approving actions and projects. The purpose of this EA is to analyze the potential environmental impacts of OCEM's Proposed Action. FEMA will use the findings in this EA to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

2.0 PURPOSE AND NEED

Communications interoperability, as defined by the DHS SAFECOM program, "refers to the ability of first responders to communicate across jurisdictions and disciplines to support incident management when needed and as authorized."

OCEM operates and services the interoperable public safety communications system serving the Sabine Neches Waterway. There is a need to improve radio reception and reduce critical communications coverage gaps across the Sabine Neches Waterway, including its eastern and northern sections, and thereby improve public safety for residents, first responders, and motorists that travel US Highway 10.

The tower is proposed for funding under FEMA's Port Security Grant Program (PSGP). PSGP plays an important role in the implementation of the National Preparedness System by supporting the building, sustainment, and delivery of core capabilities essential to achieving the National Preparedness goal of a secure and resilient nation. The fiscal year 2015 PSGP is one of FEMA's grant programs that directly supports maritime transportation infrastructure security activities. PSGP is one tool in the comprehensive set of measures authorized by Congress and implemented by the Administration to strengthen the Nation's critical infrastructure against risks associated with potential terrorist attacks. The vast majority of U.S. maritime critical infrastructure is owned and operated by state, local, and private sector maritime industry partners. PSGP funds available to these entities are intended to improve port-wide maritime security risk management; enhance maritime domain awareness; support maritime security training and exercises; and to maintain or reestablish maritime security mitigation protocols that support port recovery and resiliency capabilities.

3.0 ALTERNATIVES

These following alternatives were considered to address the need for improved/reliable radio coverage in Orange County, Texas.

3.1 No Action

Under the No Action alternative, nothing would be done to improve signal strength and radio reception in Orange County. This alternative was considered unacceptable, as there is a clear need to improve public safety radio communications coverage along the Sabine Neches River in Orange County. Taking no action would allow this problem to persist; leaving residents and first responders in the western parts of the County within the current coverage pattern which does not provide for optimum reception.

The No Action alternative serves as the baseline to assess the likely impacts of the other project alternatives. The No Action alternative also would not address the needs of public safety officials or the citizens of Orange County.

3.2 Proposed Action

Under the Proposed Action, FEMA would fund the construction of a new 450 foot tall self-supported lattice communications tower at 675 East Railroad Street, Vidor, Texas 77662 (Latitude: 30.13002; Longitude: -94.00519). This strategically placed site, in an undisturbed field adjacent to the City of Vidor Police Department, would significantly improve communications coverage for Orange County and provide for more reliable interoperable communications for public safety first responders in support of their efforts to protect the public.

An 11-feet 8-inch by 26 feet by 6 inch reinforced concrete pad would be built at the base of the tower. A precast concrete shelter that is 11-feet 8-inches by 26 feet would be placed atop the reinforced pad. The shelter will have one room designated for mission critical emergency service radio equipment and the second room would house a diesel emergency backup generator to ensure the system is continuous. A diesel fuel tank would also be installed to provide fuel for the backup generator. The tower and the communications shelter would be enclosed inside a chain link fence within the compound measuring 70-feet by 80-feet by 6-feet. The enclosed area will be overlaid with gravel to slow the growth of vegetation. Under normal operations, the proposed tower and equipment would draw electricity from the local power supply, with the generator only being used in the event of a power outage. A schematic of the proposed tower can be found in the Appendices section (Figure 1); along with a view of the Proposed Action site plan (Figure 2).

3.3 Alternatives Considered and Dismissed

Other than the new tower location, there are no other viable communications towers on which OCEM equipment could be installed in this part of Orange County. Another option would be to build the new tower in another location but that would not reduce the coverage gap the proposed location would. Moving to another leased site was also dismissed because there are no other available towers in this part of the County. The site

selected for this new tower is the ideal location for effectively reaching hard-to-hit areas of the County.

4.0 Affected Environment and Potential Impacts

This section provides a detailed review of the proposed tower site and discusses the potential impacts that might result from the construction of a new communication tower at this location.

The proposed Orange County Emergency Management tower project would be located far west into Orange County in a rural, residential area of Vidor, Orange County, Texas. The proposed tower will be 8.4 miles northeast of the City of Beaumont on a plot of land that is owned by the City of Vidor at the intersection of East Railroad Street and Watts Street. Orange County is located in the Southeast corner of Texas and covers about 950 square miles. The County is bordered to the East by the State of Louisiana, Jefferson County to the South, Hardin County to the West, and Newton and Jasper County to the North. Orange County's population was approximately 84,260 according to the United States Census Bureau (USCB). The proposed Orange County Emergency Management tower site is located at an elevation of 22.05 feet Above Mean Sea Level (AMSL) [Figure 3]

4.1 Physical Resources

4.1.1 Geology, Soils, and Seismicity

The Proposed Action is not located on a unique geologic formation. Geology would not be affected by the Proposed Action and was not further evaluated.

Per the U.S. Geological Survey (2014) National Seismic Hazard Maps, the proposed tower location is within an area with a very low probability for seismic activity, therefore seismicity is not analyzed further in this EA.

The table below identifies the soil conditions in the area of interest for the Proposed Action tower site. The information was obtained from a soil analysis that was performed by Science Engineering, LTD. on November 30, 2015.

The area is fairly level and shows no indication of cross-lot runoff, wales or drainage flow. There are no active rills or gullies on or nearby the proposed project site. Prime and unique farmlands are protected under the Farmland Protection Policy Act (FPPA). The FPPA applies to prime and unique farmlands and those that are of state and local importance. Prime farmland is defined as land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is also available for these uses. The land could be cropland, pastureland, rangeland, forestland, or other land but not urban built-up land or water.

According to the Natural Resources Conservation Service's Web Soil Survey, the soils located at the project site are not considered prime or unique farmland, and therefore the Proposed Action is not subject to review under the FPPA (NRCS, 2016).

Additional visualizations of the project site and distribution of area soils are found in the Appendices (Figure 4).

Stratum No.	Average Depth, feet	Description of Strata
I	0.00 – 4.00	Dark Gray SILTY CLAY (CL); Fill
II	4.00 – 15.00	Gray and Red CLAY (CH) with ferrous nodules
III	15.00 – 22.00	Gray and Tan Sandy Clay (CL) with sand seams
IV	22.00 – 32.00	Gray SILTY SAND (SM)
V	34.00 – 37.00	Gray SANDY CLAY (CL)
VI	37.00 – 57.00	Gray SILTY SAND (SM)
VII	57.00 – 77.00	Gray SAND (SP)
VII	77.00 – 85.00	Gray SANDY CLAY (CL)
IX	85.00 – 100.00	Gray and Tan CLAY (CH) with sand seams

Science Engineering, LTD. 2015

No Action Alternative – Under the No Action alternative, there will be no impact to geology, soils or seismicity.

Proposed Action – Under the Proposed Action, no impacts to geology or seismicity are anticipated.

Proposed Action site grading and excavating would temporarily cause soil disturbance and will have the possibility of soil erosion and surface runoff. The proposed project will result in the clearing of approximately 0.129 acres so a City of Vidor construction permit will be acquired. As a result, Best Management Practices (BMPs) would be used to reduce erosion and sedimentation.

There will be a negligible amount of permanent soil disturbance in that the project also involves the construction of a 11-foot 8-inch x 26-foot x 6-inch concrete pad will provide the foundation for the proposed mission critical communication equipment shelter with interior generator. The 80-foot x 70-foot fenced compound will contain the new telecommunications tower and communication equipment shelter and it will be overlaid with gravel to slow the growth of vegetation.

4.1.2 Air Quality

The Clean Air Act requires the U.S. Environmental Protection Agency (EPA) to set National Ambient Air Quality Standards for pollutants considered harmful to public health and the environment. The Act established two types of national air quality standards: primary standards set limits to protect public health, including the health of “sensitive” populations such as asthmatics, children, and the elderly and secondary standards set limits to protect public welfare, including protection against decreased visibility, damage to animals, crops, vegetation, and buildings. The current criteria pollutants are: Carbon Monoxide (CO), Nitrogen Dioxide (NO₂), Ozone (O₃), Lead (Pb), Particulate Matter (PM₁₀), and Sulfur Dioxide (SO₂).

A nonattainment area is an area considered to have air quality that is worse than the National Ambient Air Quality Standards (NAAQS), as defined in the Clean Air Act Amendments of 1970 (P.L. 91-604, Sec. 109). Nonattainment areas must develop and then implement a plan to reduce their pollutant levels and meet the NAAQS standard. The project area is well outside of any of the EPA-designated nonattainment areas in Texas; the closest such being Liberty County; a distance of over 70 miles from the Proposed Project site.

No Action Alternative – Under the No Action alternative, there would be no impacts to air quality because no construction would occur.

Proposed Action – Under the Proposed Action, no significant impacts to air quality are anticipated. Construction activities and emergency generator use are not expected to cause ambient air quality levels to notably increase at the proposed tower site. Due to the limited duration and frequency of generator use and short-term nature of construction activities, there would be no long-term adverse impacts on air quality.

Construction vehicle and equipment activities would be during normal working hours of 7:00 a.m. to 5:00 p.m., and would have minor, short-term impacts on air quality at and near the Proposed Action site. Due to the short-term duration of vehicle and equipment use and by properly maintaining and operating the vehicles and equipment, criteria air pollutants would not increase above accepted levels, resulting in no significant impact to air quality.

The Proposed Action would not result in the long-term operation of significant emission generating sources, nor would it significantly alter existing ambient air quality. The proposed emergency diesel-powered generator, located within the proposed tower site compound, would be an intermittent emission source. Generator frequency and duration of emissions would be limited due to the generator only being used during power outages and routine inspections. Also, federal regulations limit backup generator use to 500 hours per year.

As part of the site maintenance plan, the generator would be periodically tested to ensure it remains in good working order. The primary pollutant associated with the use of the generator would be CO emissions. CO is a colorless, odorless gas emitted from combustion processes which at extremely high concentrations may cause harmful health effects or death. For CO emissions, the EPA has set the 8-hour primary standard at 9 parts per million (ppm) and a 1-hour primary standard at 35 ppm. The backup generator would not exceed these standards.

4.1.3 Climate Change

“Climate change” refers to changes in Earth’s climate caused by a general warming of the atmosphere. Its primary cause is emissions of carbon dioxide and methane. The impact climate change may have on the proposed project area is uncertain and difficult to anticipate. Climate change is capable of affecting species distribution, temperature fluctuations, sea level dynamics, and weather patterns.

This project will create slight to imperceptible levels of greenhouse gases. The tower equipment would be powered primarily by electricity.

The back-up generator would be fueled with diesel and used only during power interruptions or maintenance checks. There may be some short-term emissions during the construction phase (from equipment and vehicle use). However, once construction is complete, operational emissions would be limited to the use of electricity (which powers the site's radios, lights, and environmental-controls of the site's equipment shed). The back-up generator would only be used for brief periods during power outages until electrical power can be restored.

The tower being installed as part of this project has been designed to withstand Orange County's climate extremes in accordance with the American National Standards Institute/ Telecommunications Industry Association (ANSI/TIA) 222-G; the national standards for Steel Antenna Towers and Antenna Supporting Structures; which is published by the Telecommunications Industry Association (TIA). The tower equipment would be maintained in an environmentally controlled shelter.

No Action Alternative - Under the No Action alternative, no impacts on climate change would occur.

Proposed Action - Under the Proposed Action, no impacts on climate change are anticipated. There may be a brief period of emissions during the project's construction phase from the use of construction equipment. The likelihood of further emissions would greatly diminish once the new tower site becomes operational. OCEM will ensure that the site's back-up generator is well maintained.

4.2 Water Resources

4.2.1 Water Quality

Sections 303(d) and 305(b) of the Clean Water Act (CWA) require all states to identify and characterize waters that do not meet, or are not expected to meet, water quality standards). The Texas Commission on Environmental Quality (TCEQ) is the regulatory agency responsible for compliance with water quality standards in Texas. The TCEQ's 2014 Integrated Report for CWA Sections 303(d) and 305(b) characterizes the quality of Texas surface waters and identifies those waters that do not meet water quality standards on the 303(d) list, an inventory of impaired waters (TCEQ 2014). Streams are classified by segment within their respective basin. There are two impaired segments near the project site: Segment 0511E Terry Gully to the east and Segment 0601 Neches River to the west. There are no surface water features in the immediate project area.

The major aquifer underlying the proposed project area is the Gulf Coast Aquifer. The Gulf Coast Aquifer is a major aquifer that parallels the coastline along the Gulf of Mexico. The aquifer is composed of discontinuous sand, silt, clay, and gravel beds. Water quality in the Gulf Coast Aquifer varies with depth and location and the water quality generally declines towards the coastline (Texas Water Development Board 2015).

The sole source aquifer protection program is authorized by section 1424 of the Safe Drinking Water Act of 1974. EPA defines a sole source aquifer as an aquifer that supplies at least 50 percent of the drinking water for the area overlying the aquifer. Texas only has one sole source, the Edwards Aquifer. Orange County is not located on Edwards Aquifer contributing zones; therefore, the proposed work would not impact sole source aquifers. There is a sole source aquifer adjacent to Orange County in Louisiana (the Chicot Aquifer), but the aquifers under Orange County have not been designated by EPA as sole source aquifers.

Impacts to water resources can result from several types of activities and procedures that would be in use at transmitting and receiving sites. Impacts would typically result from erosion caused by site runoff, direct contamination by chemicals used in the surrounding area that would be washed into body of water or absorbed into the water table, and building directly in or adjacent to a water resource (e.g., wetland).

No Action Alternative - Current water quality and hydrologic conditions would not be altered, and there would be no impacts to surface or groundwater quality under the No Action alternative.

Proposed Action – Ground disturbance depths for the proposed tower are not anticipated to be deep enough to impact groundwater. The groundwater in the project area is not subject to the sole source aquifer protection program under the Safe Drinking Water Act.

The two impaired water segments are several miles from the project site and there are no regulated surface waters in the immediate project area. Site grading and excavation would temporarily cause soil disturbance and surface runoff. The proposed project will result in the clearing of approximately 0.129 acres. BMPs would be used to reduce erosion and sedimentation to any surrounding water features.

Any impacts as a result of the Proposed Action would be minor, localized, and short-term in nature.

4.2.2 Wetlands and Waters of the U.S.

The U.S. Army Corps of Engineers regulates the discharge of dredged or filled material into waters of the U.S., including wetlands, pursuant to Section 404 of the Clean Water Act. Additionally, Executive Order (EO) 11990 [Protection of Wetlands] requires federal agencies to avoid, to the extent possible, adverse impacts of wetlands. There are no known wetlands within the designated project area. The project will not create any discharges or have any adverse effects or impacts on a wetland.

No Action Alternative – Under the No Action alternative, no impacts to wetlands would occur.

Proposed Action - Under the Proposed Action, no impacts to wetlands are anticipated; the proposed project site is not located in or immediately adjacent to a wetland.

4.2.3 Floodplains

EO 11998 (Floodplain Management) requires federal agencies to take action to minimize occupancy and modifications of the floodplain. Specifically, EO 11998 prohibits federal

agencies from funding construction in the 100-year floodplain unless there are no practicable alternatives. Flood Insurance Rate Maps (FIRMs) are used to identify the regulatory 100-year floodplain for the National Flood Insurance Program. FEMA's Preliminary FIRM map for the project area (48361C0020D, dated 08/30/2012) indicates that the proposed site is within an area of 500-year flooding, and it does not lie within the regulatory 100-year floodplain.

No Action Alternative – Under the No Action alternative, no impacts to a floodplain would occur.

Proposed Action – The Proposed Action is located outside of the 10-year floodplain and no impacts to floodplains are anticipated.

4.3 Coastal Resources

The Coastal Zone Management Act (CZMA) enables coastal states to designate state coastal zone boundaries and develop coastal management programs to improve protection of sensitive shoreline resources and guide sustainable use of coastal areas. The Texas Coastal Management Program is administered by the Texas General Land Office (GLO). The proposed project site lies just within the designated coastal zone of Texas. Under the CZMA, the GLO has the authority to conduct reviews on federal projects in order to determine if they are consistent with the state's coastal management plan.

No Action Alternative – Under the No Action alternative, no impacts would occur to coastal resources.

Proposed Action – Under the Proposed Action, no impacts to coastal resources are anticipated. However, OCEM is required to coordinate with the Texas GLO's Coastal Resources Division prior to starting work to ensure that the proposed activity, its associated facilities, and their probable effects comply with the relevant enforceable policies of the Texas Coastal Management Program, and that the proposed activity will be conducted in a manner consistent with such policies.

4.4 Biological Resources

4.4.1 Threatened and Endangered Species and Critical Habitat

In accordance with Section 7 of the Endangered Species Act (ESA) of 1973 the project area was evaluated for the potential presence of federally listed threatened and endangered species.

The ESA requires any federal agency that funds, authorizes, or carries out an action to ensure that their action is not likely to jeopardize the continued existence of any endangered or threatened species (including plant species) or result in the destruction or adverse modification of designated critical habitats.

The Texas Parks and Wildlife Department (TPWD) uses the Texas Natural Diversity Database (TXNDD) to manage and disseminate scientific information on rare species, native plant communities, and animal aggregations for defensible, effective conservation

action. Its purpose is to facilitate the design and implementation of ecologically sound development projects (TPWD 2015d).

Additionally, the TPWD designates Ecologically Significant Stream Segments (ESSS) for waters that display unique ecological value based on biological function, hydrologic function, riparian conservation areas, water quality, aquatic life, aesthetics, or habitat for threatened or endangered species (TPWD 2015b). The proposed project area is not located in or nearby a TPWD-designated ESSS.

The ESA also provides for the conservation of “critical habitat,” the areas of land, water, and air space that an endangered species needs for survival. These areas include sites with food and water, breeding areas, cover or shelter sites, and sufficient habitat to provide for normal population growth and behavior.

One of the primary threats to endangered and threatened species is the destruction or modification of essential habitat areas by uncontrolled land and water development. According to the USFWS’s Critical Habitat Portal (USFWS 2015a) website, there are no designated critical habitat areas for any endangered/threatened species in or nearby the proposed project site.

Appendix B lists those fish and wildlife species with a geographic range that includes Orange County and that are considered by USFWS to be threatened or endangered. These species include three birds (least tern, red knot, and piping plover) and one mammal (West Indian manatee). It should be noted that inclusion on the list does not imply that a species is known to occur in the study area, but only acknowledges the potential for occurrence. Per the USFWS Information, Planning, and Consultation System Report (Appendix B), the federally listed endangered and threatened birds that have the potential to exist in the project area, only need to be considered for wind energy projects. In addition, no critical habitat, as identified by the USFWS, exists within the project area.

Further, there is no indication that the parcel of land in which the proposed project site lies is inhabited by any of the animal, reptile, or insect species listed on the TPWD Annotated County List of Rare Species for Orange County. Given its location, the surrounding land uses, and type of vegetative cover, the area is considered to have limited value for harboring or supporting threatened or endangered wildlife species. Though no adverse effects are anticipated, measures would be taken to minimize ground cover disturbances to mitigate encroachments on local species habitat.

No Action Alternative - Under the No Action alternative, no impacts to threatened or endangered species would occur.

Proposed Action - FEMA has determined based on the scope of work, current land use, and site investigations, that the Proposed Action will have no effect on threatened or endangered species. In addition, critical habitat will not be adversely modified because there is none in the project area.

4.4.2 Wildlife and Fish

A “biotic province” is defined as a “geographic region characterized by the presence of one or more ecological associations that differ at least quantitatively from those of adjoining provinces and marked by a tendency to act as a center of ecological

dispersion.” The proposed project area lies within a biotic province classified as the Austroriparian Biotic Province (mapped by Blair [1950]). This classification is used to characterize the soil, climate, physiography, flora, and fauna of the area.

The Proposed Action site is inhabited by common small mammals, amphibians, insects, and other species typical in Orange County. There are no streams, creeks, or ponds in or in proximity to the proposed project site. Therefore, there were no fish or aquatic species available in the area to consider as part of this assessment.

The Migratory Bird Treaty Act (MBTA) protects birds that migrate across international borders and prohibits take of migratory bird species. Orange County lies within the migratory corridor for many bird species.

No Action Alternative - Under the No Action alternative, no impacts to wildlife and fish would occur.

Proposed Action - Under the Proposed Action, no significant impacts to wildlife and fish are anticipated.

Tower and site construction would include excavating and grading, which could temporarily affect individual common, small mammals, amphibians, insects, and other species. However, based on the limited area of disturbance associated with the proposed construction, any impacts would be temporary and limited to individuals. Proposed tower facility construction would not significantly impact overall populations of wildlife species.

Routine operations and maintenance would include mowing vegetation around the fenced compound. Mowing in these areas would maintain vegetation in early ecological successional stages of plant community development and may prevent reestablishment of some plant species. Similarly, normal tower site operations may lead to minor, local habitat degradation and occasional mortality of some wildlife or insect individuals.

Temporary noise generated by the emergency generator might disturb some wildlife species. This recurring, temporary low-level disturbance might exclude some wildlife or insect species, or promote colonization by disturbance-tolerant wildlife or insect species. However, all displaced species will be able to recolonize into similar habitat surrounding the tower site.

To mitigate the potential for collision-related bird mortality, the tower would be equipped with flashing lights in accordance with FAA regulations. In addition, the tower will not have guy wires, which, per USFWS voluntary guidelines (2015b), is preferred because it reduces the risk of bird collisions.

4.5 Cultural Resources

The Proposed Action’s potential effects on historic and archaeological resources were considered in compliance with the requirements of the National Historic Preservation Act (NHPA) Section 106 and 36 CFR Part 800 (Protection of Historic Properties). Historic properties are properties that are included in the National Register of Historic Places (National Register) or that meet National Register criteria.

The NHPA of 1966 is one of the federal environmental statutes implemented in the FCC’s NEPA rules. Under the NHPA, federal agencies are required to consider the effects of federal undertakings on historic sites. FCC licensees and applicants must comply with NHPA procedures for proposed facilities that may affect sites that are listed or eligible for listing in the National Register.

This process includes consultation with the relevant State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO) to consider whether the proposed facility may create an adverse effect on an eligible or listed historic property. The Texas Historical Commission (THC) is the designated SHPO in Texas.

On October 23, 2009, the Advisory Council on Historic Preservation (ACHP) issued a Program Comment (PC) for “Streamlining the Section 106 Review for Wireless Communications Facilities Construction and Modification Subject to Review Under the FCC National Programmatic Agreement (NPA) and/or the NPA for Collocation of Wireless Antennas.” According to the ACHP PC, FEMA is not required to conduct and complete its own Section 106 review process (no duplication of effort). Therefore, the Section 106 review conducted for the FCC NEPA review is described in this EA.

In March 2005, the FCC implemented an NPA that established rules for Section 106 consultation with the SHPOs, THPOs or other appropriate tribal official for tribes without a THPO and Native Hawaiian Organizations (NHOs) that have been historically located in and/or have indicated interest in proposed communications facility sites; and public and local government involvement. To assist with the Section 106 review process, the FCC developed and instituted the Tower Construction Notification System (TCNS) using Form(s) 620 and 621.

Form 620 is used to submit site specific information and records of local government consultations with the SHPO and for American Indian Tribes with the THPOs for proposed new communications tower facilities. FCC Form 621 is used to submit site specific information and records of local government consultations with the SHPO for proposed collocations of antennas on existing communications towers or non-tower structures such as buildings, elevated water tanks, and electric transmission towers. In the case of the Proposed Action, Form 620 was used to submit the required information to the FCC.

The FCC TCNS website, at <https://wireless2.fcc.gov/ulsclogin/index.htm>, was utilized by OCEM, under its FCC Registration Number (FRN), to input the proposed new communications tower facility’s site specific information, including: location, structure type, and structure height with and without attachments. Information entered into TCNS was then made available to the applicable SHPOs and THPOs who expressed interest in a specified geographic area.

4.5.1 Historic Properties

ECS Texas consulted with the SHPO and THPOs during the development of this assessment to confirm whether or not this proposed project would have adverse effect on any cultural resources or historic properties.

The National Register of Historic Places (NRHP) on the National Park Service webpage did not indicate any potential historic sites within the search radius. Information was also reviewed on the THC Atlas Database and that review did not identify historical resources which would be expected to be impacted by the proposed project.

No Action Alternative - Under the No Action alternative, no impacts to cultural resources or historic properties would occur.

Proposed Action - Under the Proposed Action, no impacts to cultural resources are anticipated. The SHPO made a determination of “No Historic Properties Affected” in a letter dated April 26, 2016 (Appendix C). Though not anticipated, in the event that archaeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted and OCEM would stop all work immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archaeological findings would be secured and access to the sensitive area restricted. OCEM would inform FEMA immediately, FEMA would consult with the SHPO and any applicable THPO and Tribes. Work in sensitive areas would not resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the NHPA.

4.5.2 American Indian/Native Hawaiian/Native Alaskan Cultural/Religious Sites

There is no evidence or accounts of any Native American cultural/religious sites being in or nearby the proposed project site. The US Department of Housing and Urban Development maintains a database identifying the Native American Tribes that may have a particular cultural interest in any county of the country (HUD 2015).

The Tribes having an interest in Orange County were contacted for comments or concerns through direct solicitation and via the FCC TCNS Section 106 Filing system. Those tribes included the Kiowa Indian Tribe of Oklahoma, the Wichita and Affiliated Tribes, the Tonkawa Tribe, the Alabama-Coushatta Tribe of Texas, the Apache Tribe of Oklahoma, the Eastern Shoshone Tribe, the Coushatta Indian Tribe, the Jena Band of Choctaw Indians, the Cherokee Nation, the Mescalero Apache Tribe, and the Northern Cheyenne Tribe. The tribes either did not respond, responded and indicated no interest in the project area, or responded with a concurrence of no historic properties affected. Tribal communication is found under Appendix D.

No Action Alternative - Under the No Action alternative, no impacts to American Indian religious or archaeological sites would occur.

Proposed Action - Under the Proposed Action, no impacts to American Indian religious or archaeological sites are anticipated.

While no Native American religious grounds or archaeological deposits are known to be in the area of the site, buried cultural materials may still be present. In the event that archaeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project would be halted and OCEM would stop all work immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archaeological findings would be secured and access to the sensitive area restricted. OCEM would inform FEMA immediately, FEMA would consult with the SHPO and any applicable THPO, and Tribes. Work in sensitive areas would not resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the NHPA. SHPO and tribal consultations have resulted in a determination that this Proposed Action will not result in a significant impact on sites that are culturally significant to Native Americans.

4.6 Socioeconomic Resources

4.6.1 Environmental Justice

EO 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations) mandates that federal agencies identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations. This project is designed to improve first responder communications in the western parts of the County to enhance public safety for all area residents; regardless of ethnicity or income level. This project would help to ameliorate the intermittent radio reception that can occur in this part of the County and would provide a benefit to all residents within the service areas of the responder agencies that operate in the area.

No Action Alternative – Under the No Action alternative, there would be no beneficial impact on minority or low-income populations. However, all residents could potentially be adversely impacted by the vulnerabilities in the current coverage pattern if no action is taken.

Proposed Action – Under the Proposed Action, no disproportionately high and adverse impacts on minority or low-income populations are anticipated. The improved radio coverage would benefit all residents in the area by strengthening the ability of local first responders to communicate on a timely and accurate basis.

4.6.2 Hazardous Material

Hazardous materials are those substances defined by the Comprehensive Environmental Response, Compensation, and Liability Act, as amended by the Superfund Amendments and Reauthorization Act, and the Toxic Substances Control Act. The Solid Waste Disposal Act defines hazardous wastes. In general, both hazardous materials and waste include substances that, because of their quantity, concentration, physical, chemical, or

infectious characteristics, may present substantial danger to public health or to the environment when released or otherwise improperly managed.

To determine whether any hazardous waste facilities exist in the vicinity of the project area, or whether there is a known and documented environmental issue or concern that could affect the project site, a search for Superfund sites, toxic release inventory sites, industrial water dischargers, hazardous facilities or sites, and multi-activity sites was conducted using the EPA EnviroMapper.

The proposed project site will be developed on the City of Vidor property. According to the EnviroMapper, no hazardous sites, including Superfund, toxic release, industrial water dischargers, hazardous waste, or multi-activity sites, exist at the proposed tower site.

No Action Alternative – Under the No Action alternative, there would be no hazardous material impacts.

Proposed Action – Under the Proposed Action, no hazardous waste impacts are anticipated. A diesel fuel tank would be installed to provide fuel to the tower’s back-up generator. Any risks associated with the on-site storage of this material would be mitigated through the use of a properly designed tank, meeting American Society of Mechanical Engineers (ASME) standards; which is installed in accordance with 29 CRF and regularly inspected by OCEM staff to ensure the efficacy of the equipment.

Unusable equipment, debris and material generated by the project shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, OCEM shall handle, manage, and dispose of petroleum products, hazardous materials and toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.

4.6.3 Noise

Noise is generally defined as unwanted sound. Sound is most commonly measured in decibels (dB) on the A-weighted scale, which is the scale most similar to the range of sounds that the human ear can hear. The Day-Night Average Sound Level (DNL) is an average measure of sound.

The DNL descriptor is accepted by federal agencies as a standard for estimating sound impacts and establishing guidelines for compatible land uses. EPA guidelines, and those of many other federal agencies, state that outdoor sound levels in excess of 55 dB DNL are “normally unacceptable” for noise-sensitive land uses such as residences, schools, or hospitals.

The Noise Control Act of 1972 (42 U.S.C. 4901) further states “that, while primary responsibility for control of noise rests with State and local governments, Federal action is essential to deal with major noise sources in commerce control which require national uniformity of treatment.” (EPA 1972). The purpose of the Act is “to establish a means for effective coordination of Federal research and activities in noise control, to authorize

the establishment of Federal noise emission standards for products distributed in commerce, and to provide information to the public respecting the noise emission and noise reduction characteristics of such products.”

The nearest facility to the proposed site is approximately ¼ mile to the Southeast of the proposed tower site. It is a police department which will have public safety vehicles whose noise output exceeds the noise levels that might be generated with the operation of the tower. In addition, the project area incurs noise from traffic on East Railroad Street and the railroad tracks to the south.

No Action Alternative – Under the No Action alternative, no impacts to noise would occur.

Proposed Action – Under the Propose Action, temporary short-term increases in noise levels are anticipated during construction. However, project construction will be carried out expeditiously to minimize the duration for potential noise. Except for the equipment shelter’s exterior HVAC equipment cooling unit and occasional interior backup power generator activation, the tower itself will not create noise. The low-level hum of the tower’s equipment would be nearly inaudible compared to the traffic sounds coming from East Railroad Street or the railroad tracks. There do not appear to be any noise sensitive land uses within sound range of the proposed site. The project would have nominal impact on sound levels in the area.

4.6.4 Traffic

Access to the proposed site would be through the Vidor Police Department secured parking lot which can be accessed by East Railroad Street or Watts Street in Vidor, Texas.

There are no Texas Department of Transportation (TxDOT) traffic counts available for Watts Street or East Railroad Street; however, based on observations, vehicle movement on Watts Street was very infrequent and East Railroad Street infrequent.

No Action Alternative – Under the No Action alternative, no impacts to traffic would occur.

Proposed Action – Under the Proposed Action, temporary short-term interruptions in normal traffic patterns may occur during the project’s construction phase. These disruptions to local traffic patterns during the construction phase should not last more than a few hours each day.

However, once construction is complete, there would be minimal traffic interference. In the long-term, the only traffic to the site would be OCEM and City of Vidor personnel conducting scheduled maintenance visits to the site, when repairs/adjustments have to be made to the tower equipment, and/or when the back-up generator’s diesel tank has to be refilled. This project will have little to no adverse effects or impacts on traffic patterns in or around the proposed project site.

4.6.5 Public Service and Utilities

One of the primary advantages of installing a new communications tower on the proposed site is the proximity of utilities; power lines run along the west and south boundaries of the proposed project site. The ready access to power would not only help to control the costs of running electricity to the tower's equipment shelter; it would also help to minimize the amount of environmental disturbance to the site. The electrical demands of the tower equipment will not overburden the electrical supply.

There are no other known public utilities in the area.

No Action Alternative - Under the No Action alternative, no impacts on public service or utilities would occur.

Proposed Action - Under the Proposed Action, no impacts on public service and utilities are anticipated. The proposed tower would draw electricity from the local power supply; but the amount of power used would be minimal. There are no other public services or utilities in the area that would be affected. Though none appear to exist at this time, before any construction work begins, the contractor will confirm once again that there are no buried petro-chemical lines under or nearby the proposed project site prior to the start of construction.

4.6.6 Public Health and Safety

The new communications tower would be equipped with repeaters and antennas to support land mobile radio use (for first responders) and microwave dishes to provide redundant roll-over capabilities for the Southeast Texas region's 9-1-1 system. This equipment may emit some levels of Radio Frequency (RF) and microwave radiation. The FCC describes RF and microwave radiation as follows.

Electromagnetic radiation consists of waves of electric and magnetic energy moving together (i.e., radiating) through space at the speed of light. Taken together, all forms of electromagnetic energy are referred to as the electromagnetic "spectrum." Radio waves and microwaves emitted by transmitting antennas are one form of electromagnetic energy. They are collectively referred to as "radiofrequency" or "RF" energy or radiation. Note that the term "radiation" does not mean "radioactive." Often, the terms "electromagnetic field" or "radiofrequency field" are used to indicate the presence of electromagnetic or RF energy.

The RF waves emanating from an antenna are generated by the movement of electrical charges in the antenna. Electromagnetic waves can be characterized by a wavelength and a frequency. The wavelength is the distance covered by one complete cycle of the electromagnetic wave, while the frequency is the number of electromagnetic waves passing a given point in one second. The frequency of an RF signal is usually expressed in terms of a unit called the "hertz" (abbreviated "Hz"). One Hz equals one cycle per second. One megahertz MHz equals one million cycles per second.

Different forms of electromagnetic energy are categorized by their wavelengths and frequencies. The RF part of the electromagnetic spectrum is generally defined as that

part of the spectrum where electromagnetic waves have frequencies in the range of about 3 kilohertz (3 kHz) to 300 gigahertz (300 GHz). Microwaves are a specific category of radio waves that can be loosely defined as radiofrequency energy at frequencies ranging from about 1 GHz to 30 GHz

The FCC goes onto describe the potential health effects of this type of energy.

Biological effects can result from exposure to RF energy. Biological effects that result from heating of tissue by RF energy are often referred to as "thermal" effects. It has been known for many years that exposure to very high levels of RF radiation can be harmful due to the ability of RF energy to heat biological tissue rapidly. This is the principle by which microwave ovens cook food. Exposure to very high RF intensities can result in heating of biological tissue and an increase in body temperature. Tissue damage in humans could occur during exposure to high RF levels because of the body's inability to cope with or dissipate the excessive heat that could be generated. Two areas of the body, the eyes and the testes, are particularly vulnerable to RF heating because of the relative lack of available blood flow to dissipate the excess heat load.

At relatively low levels of exposure to RF radiation, i.e., levels lower than those that would produce significant heating, the evidence for production of harmful biological effects is ambiguous and unproven. Such effects, if they exist, have been referred to as "non-thermal" effects. A number of reports have appeared in the scientific literature describing the observation of a range of biological effects resulting from exposure to low levels of RF energy. However, in most cases, further experimental research has been unable to reproduce these effects. Furthermore, since much of the research is not done on whole bodies (in vivo), there has been no determination that such effects constitute a human health hazard. It is generally agreed that further research is needed to determine the generality of such effects and their possible relevance, if any, to human health. In the meantime, standards-setting organizations and government agencies continue to monitor the latest experimental findings to confirm their validity and determine whether changes in safety limits are needed to protect human health.

The FCC's policies on RF exposure and categorical exclusion can be found in Section 1.1307(b) of the FCC's Rules and Regulations [47 CFR 1.1307(b)]. It should be emphasized, however, that these exclusions are not exclusions from compliance, but, rather, only exclusions from routine evaluation. Transmitters or facilities that are otherwise categorically excluded from evaluation may be required, on a case-by-case basis, to demonstrate compliance when evidence of potential non-compliance of the transmitter or facility is brought to the Commission's attention [see 47 CFR 1.1307(c) and (d)].

OCEM further confirms that the tower and all its associated antennas will comply with the RF exposure standards as provided within 47 CFR §§1.1310 and 2.1093.

No Action Alternative – Under the No Action alternative, no impacts on public health or public safety would occur.

Proposed Action – Under the Proposed Action, no significant impacts are anticipated. Low levels of RF would be emitted by the new communications tower but their impact on human health would be none to negligible. In order to mitigate any potential impact, OCEM will ensure that the tower antennas, microwave dishes, and associated equipment fully comply with the FCC’s RF emissions and exposure guidelines and standards.

This project would provide a significant benefit to public safety by enhancing the ability of the area’s first responders to communicate clearly and effectively when responding to public safety emergencies in Orange County.

4.7 Summary Table

The following section summarizes the findings/mitigation measures of this assessment.

Affected Environment	Impacts	Mitigation/BMPs
Geology, Soils, and Seismicity		
No Action	No impact	Not applicable
Proposed Action	No impacts are anticipated to geology or seismicity. Negligible permanent soil disturbance will occur as a result of the proposed project due to the ground cover applied to the interior of the tower compound and the installation of pads for the equipment shed and generator.	As needed, best management practices would be used during construction to prevent erosion. The amount of soil permanently disturbed will be kept to a minimum and will only include the 0.128 acres in the 70-foot x 80-foot compound tower compound.
Air Quality		
No Action	No impact	Not applicable
Proposed Action	Due to the limited duration and frequency that the emergency backup generator will be used and the short-term nature of construction activities, there would be no long-term adverse impacts on air quality.	OCEM would routinely maintain the generator to ensure it remains in good working order.
Climate Change		
No Action	No impact	Not applicable
Proposed Action	There are no anticipated impacts to the climate change. Brief periods of emissions may occur during construction but the potential for future emissions will be reduced once construction is completed.	The tower construction contractor and sub-contractors will ensure their equipment is in good working order to minimize emissions.
Water Quality		
No Action	No impact	Not applicable
Proposed Action	No impacts are anticipated; there is no surface water in the project area.	BMPs will be used during construction to mitigate the

		potential for run-off.
Affected Environment	Impacts	Mitigation/BMPs
Wetlands and Waters of the U.S.		
No Action	No impact	Not applicable
Proposed Action	No impacts are anticipated. The proposed project site is not located in or near to a wetland.	None.
Floodplains		
No Action	No impact	Not applicable
Proposed Action	No impacts are anticipated. The project site is not located within a regulated floodplain.	None.
Coastal Resources		
No Action	No impact	Not applicable
Proposed Action	No impacts are anticipated. The project is located within Texas’s coastal zone management area.	OCEM must coordinate with the Texas GLO’s Coastal Resources Division prior to starting work.
Threatened and Endangered Species and Critical Habitats		
No Action	No impact	Not applicable
Proposed Action	No impacts are anticipated. Though certain listed species are thought to inhabit the County; none are known to inhabit or frequent the proposed site. The proposed project site is not adjacent to or nearby an Ecologically Significant Stream Segment or identified Critical Habitat area.	None.
Wildlife and Fish		
No Action	No impact	Not applicable
Proposed Action	There will be no habitat clearing. Any low-level disturbances created by construction will be temporary. No significant impacts to wildlife, fish, or migratory birds are anticipated.	Though no adverse effects are anticipated, measures would be taken to minimize ground cover disturbances to mitigate encroachments on local species habitat. The tower will be equipped with flashing lights in accordance with FAA regulations.
Historic Properties		
No Action	No impact	Not applicable
Proposed Action	No impacts are anticipated. The proposed project site is not listed as a historic property.	If historic or archaeological materials are discovered during construction, all ground disturbing

		activities shall cease and FEMA/THC and tribes will be notified.
Affected Environment	Impacts	Mitigation/BMPs
American Indian/Native Hawaiian/Native Alaskan Cultural/ Religious Sites		
No Action	No impact	Not applicable
Proposed Action	No impacts are anticipated. There are no documented Native American religious sites on or around the proposed project site.	If historic or archaeological materials are discovered during construction, all ground disturbing activities shall cease and FEMA/THC and tribes will be notified.
Environmental Justice		
No Action	No impact	Not applicable
Proposed Action	No adverse impacts are anticipated. This project would provide universal benefits to all residents in Orange County. No groups would be disproportionately impacted by the project.	None.
Hazardous Material		
No Action	No impact	Not applicable
Proposed Action	No impacts are anticipated. No evidence of hazardous material on or nearby the proposed site. Diesel fuel used for the emergency backup generator will be properly stored.	Diesel would be stored and well-maintained in an ASME-complaint tank. Debris will be disposed of in an approved manner and location. OCEM shall handle, manage, and dispose of petroleum products, hazardous materials and toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.
Noise		
No Action	No impact	Not applicable
Proposed Action	Short-term effects may occur during construction but no significant long-term impacts are anticipated.	Project construction will be carried out expeditiously to minimize the duration for potential noise.
Traffic		
No Action	No impact	Not applicable
Proposed Action	No short-term effects or long term effects are anticipated to occur during construction.	Equipment would be located out of traffic lanes during construction.
Public Service and Utilities		

No Action	No impact	Not applicable
Affected Environment	Impacts	Mitigation/BMPs
Proposed Action	May be some short-term effects during construction but no long-term impacts anticipated.	Contractor will verify the potential presence of any underground lines before excavating.
Public Health and Safety		
No Action	No impact	Not applicable
Proposed Action	No significant impacts are anticipated. Low levels of RF would be negligible. Project would provide a benefit by enhancing communication of first responders.	OCEM will ensure that the tower antennas, microwave dishes, and associated equipment fully comply with the FCC’s RF emissions and exposure guidelines and standards.

5.0 Cumulative Impacts

Cumulative impacts are those effects on the environment that result from the incremental effect of an action when added to past, present, and reasonably foreseeable future actions. Regardless of what agency (Federal or Nonfederal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time.

No other tower construction projects or other large construction projects were identified as occurring in the project area in the foreseeable near-term future. Because federally funded tower projects could be proposed anywhere within the 50 states, 5 territories, and the District of Columbia and specific projects sites have not yet been identified, it is difficult to predict the cumulative effects of this project when combined with other potential but yet unknown projects. It is possible that additional development resulting from normal population growth in the project area could result in the co-location of other antennas on the proposed tower. In general, co-location of equipment is seen as less impactful to environmental resources as it reduces the amount of ground disturbance and minimizes potential obstructions to migrating species. On a larger scale, cumulative impacts resulting from such co-location are not expected to be significant because of the geographically dispersed nature and scale of communication tower projects.

The Proposed Action would not have any significant, adverse cumulative impacts on any resource described in this EA. The Proposed Action’s purpose is to meet OCEM’s current radio coverage needs in Orange County and along the Sabine Neches Waterway; and the need is to better protect the lives, property, environmental quality, and quality of life for approximately 84,260 people.

6.0 Agency Coordination, Public Involvement and Permits

The Orange County Emergency Management and the City of Vidor Police Department were consulted with regard to the placement of this new communications tower and how it would help

to resolve some of the first responder communication's issues in the County. The agencies listed below were also contacted for comment on the proposed project.

- Texas Historical Commission
- US Fish and Wildlife Service
- Federal Aviation Administration
- Federal Communications Commission

The availability of this EA will be advertised by public notice in the local weekly newspaper, The Vidor Vidorian. Copies of the EA will be available locally at the City of Vidor – City Offices between the hours of 9:00 am to 5:00 pm Monday through Friday. The public comment period will extend for a period of thirty (30) days. FEMA will consider and respond to all public comments in the final EA. If no substantive comments are received, the draft EA will become final, and a FONSI will be issued for the project. At this time, a public meeting is not planned because the proposed action is not considered controversial.

In accordance with applicable local, state and federal requirements, OCEM is responsible for obtaining any necessary permits or approval prior to commencing construction at the proposed project site or operating the tower, including any that are required by the FCC and FAA. On March 3, 2016, the FAA issued a Determination of No Hazard to Air Navigation for the Proposed Action. On June 23, 2016 the FCC issued an ASR number for the Proposed Action with registration number 1299632.

7.0 Mitigation

To the extent possible, OCEM will use all feasible means available to minimize and/or mitigate the adverse effects and impacts of this project on the environment and the residents of Orange County. Specific measures that will be taken are listed in the table in Section 4.7 of this EA. Concurrently, OCEM would work to optimize the benefits of this project to enhance the public safety improvements for the good of the County's residents and first responders.

BMPs and measures to be implemented to mitigate potential impacts will include:

- BMPs would be used to reduce erosion and sedimentation. BMPs may include, among others: wetting soil to reduce dust and erosion and installing silt and sediment control fences
- The amount of soil permanently disturbed will be kept to a minimum and will only include the approximate 0.128 acres of land within the 70-foot x 80-foot tower compound.
- Vehicles and equipment used will be properly maintained.
- Measures would be taken to minimize ground cover disturbances to mitigate encroachments on local species and habitats.
- BMPs would be utilized during construction to minimize potential for disturbance or conflict with migratory birds and to avoid or minimize habitat loss.
- The tower would be equipped with flashing lights in accordance with FAA regulations.
- If historic or archaeological materials are discovered during construction, all ground disturbing activities shall cease and FEMA/THC will be notified.
- Diesel fuel would be stored and well-maintained in an ASME-compliant tank.

- Project construction will be carried out expeditiously to minimize the potential for noise.
- Equipment would be located out of traffic lanes during construction
- Contractors will verify the potential presence of any underground lines before excavating.
- OCEM will ensure that all application provisions of 47 CFR §1.1307(b), §§1.1310 and §§2.1093 are met.

8.0 References

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9.0 List of Preparers

This Environmental Assessment was prepared by the staff of Shaffer Tower Services on behalf of Orange County Emergency Management; aided by staff of Environmentex and ECS Texas, LLP. The leads for this Environmental Assessment were:

Shaffer Tower Services:

Antonio Poy
President
Shaffer Tower Services, Inc.
713-463-0022
apoy@shafcomm.com

Anil Sam
Project Engineer
Shaffer tower Services, Inc.
Anil.sam@shafcomm.com

Government Reviewers:

Kevin Jaynes
Regional Environmental Officer
FEMA Region 6
Denton, Texas

Dorothy Weir Cook
Senior Environmental Specialist
FEMA Region 6
Denton, Texas

10.0 Appendices

Figure 1: Proposed Action Tower Schematic

Figure 2: Proposed Action Site Plan

Figure 3: Proposed Action Site Topographic Map

Figure 4: Proposed Action Site Aerial View

Figure 5: Proposed Action Site Area Floodplain Map

Appendix A: Proposed Action Site Photos

Appendix B: USFWS: List of threatened and endangered species that may occur in
proposed project location, and/or may be affected by your proposed project

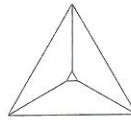
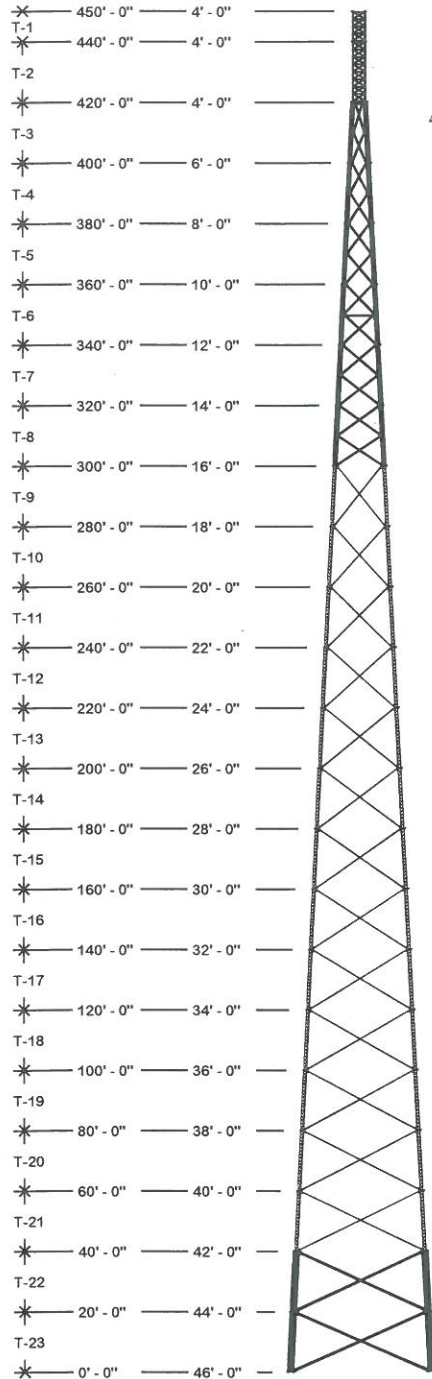
Appendix C: Proposed Action FCC Form 620

Appendix D: FCC Notice of Organizations That Were Sent Construction Notifications

Appendix E: FAA Determination of No Hazard to Air Navigation

Appendix F: Proposed Action Preliminary Site Documents

Appendix G: USFW Migratory Bird Review

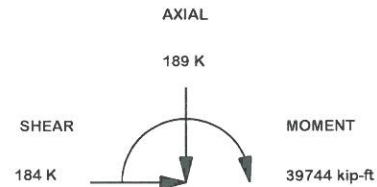


SEE PAGE 2 FOR APPURTENANCES

BUILDING_CODE(S): 2009 International Building Code
 Design Standard: TIA-222-G
 TOWER DESIGN CRITERIA
 Basic Wind Speed: 120 mph (no ice)
 30 mph (0.50" ice)
 60 mph (deflection only)
 Structure Class: III
 Exposure: C
 Topographic Category: 1
 Crest Height: 0 ft.

MATERIAL STRENGTHS
 Solid Rod A36 (rod dia. <3/4")
 A572 Gr.50 (3/4" thru 1" dia.)
 A572 Gr.58 (>1" dia. T-3 - T15)
 Pipe A500 Gr. B (antenna pipes)
 A500 Gr. B/C (tower legs min. Fy 50 ksi)
 Angle A36 Gr.36
 Plate A572 Gr.50
 Bolts A-325/A-449 (leg & angle)
 Anchor Bolt: F1554 grade 105 or A687
 Finish: Tower & Hardware are hot dip galvanized

Reactions - No Ice

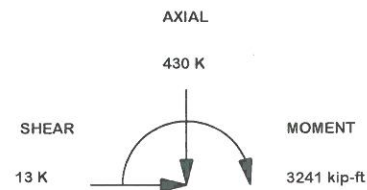


MAX. CORNER REACTIONS AT BASE:

DOWN: 1061 K
 UPLIFT: -875 K
 SHEAR: 116 K

TORQUE 139 kip-ft
 REACTIONS 120 mph WIND (no ice)

Reactions - Ice



MAX. CORNER REACTIONS AT BASE:

DOWN: 1061 K
 UPLIFT: -875 K
 SHEAR: 116 K

TORQUE 9 kip-ft
 REACTIONS 30 mph WIND (0.50" ice)

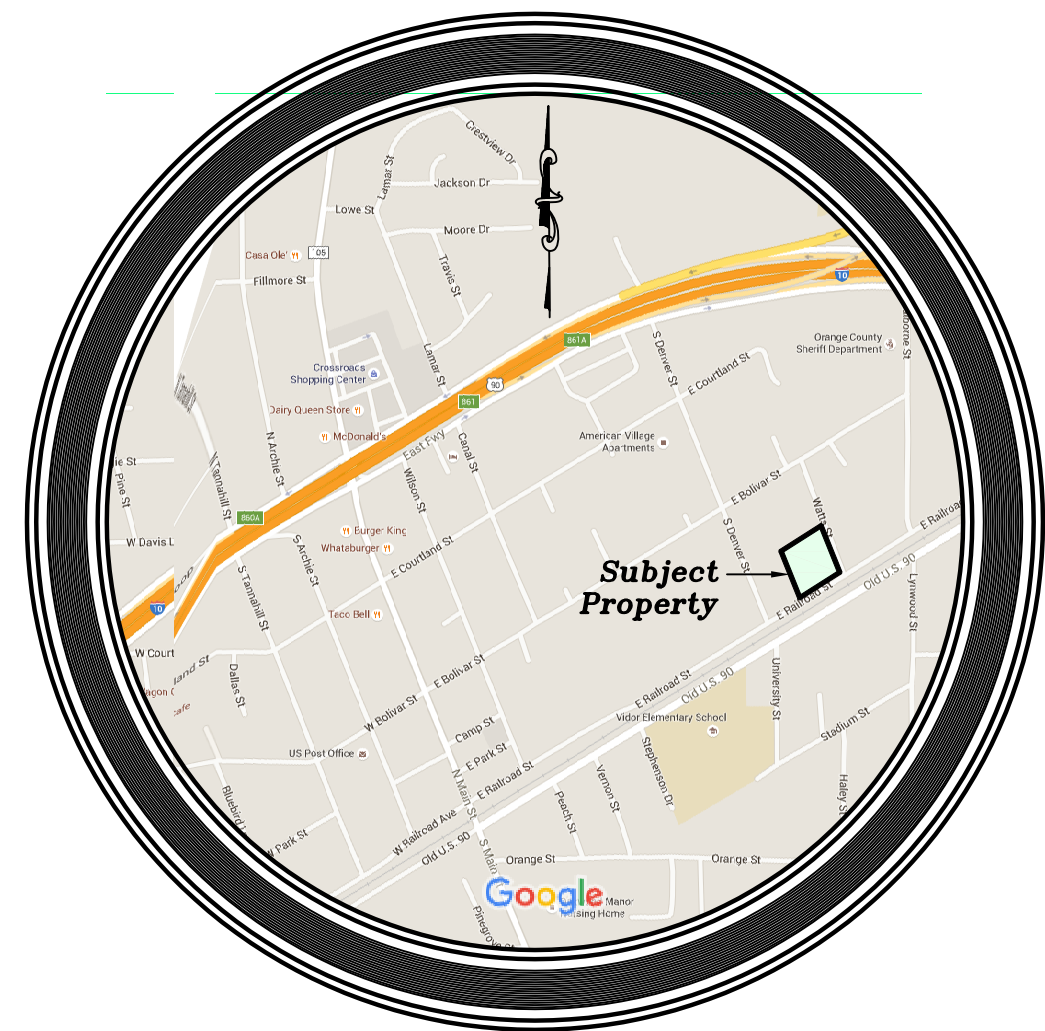
TOWER COLUMN										
SECTION	ELEVATION	FACE WIDTH	PANELS	LEG SIZE	LEG STYLE	LEG BOLT QTY & DIA	DIAGONAL BRACING SIZE	HORIZONTAL BRACING SIZE	BRACING BOLT QTY & DIA	SECTION WEIGHT
T1	440' - 450'	4.0'	4	1.50"	SHFAB	2 x 1"				513.6
T2	420' - 440'	4.0'	8	1.75"	SHFAB	2 x 1 1/4"				1500.49
T3	400' - 420'	6.0'	2	1.25"	12BDFH	6 x 1"	5/16" x 3-1/2" x 3-1/2"	3/16" x 3" x 3"	1" x 1	2462.70
T4	380' - 400'	8.0'	2	1.25"	12BDFH	6 x 1"	3/16" x 2-1/2" x 2-1/2"		1" x 1	1966.29
T5	360' - 380'	10.0'	2	1.50"	12BDFH	6 x 1"	3/16" x 2-1/2" x 2-1/2"		1" x 1	2348.55
T6	340' - 360'	12.0'	2	1.50"	12BDFH	6 x 1"	3/16" x 3" x 3"	3/16" x 3" x 3"	1" x 1	2618.67
T7	320' - 340'	14.0'	2	1.75"	12BDFH	6 x 1 1/4"	3/16" x 3" x 3"		1" x 1	3013.35
T8	300' - 320'	16.0'	2	1.75"	12BDFH	6 x 1 1/4"	5/16" x 3" x 3"		1" x 1	3606.87
T9	280' - 300'	18.0'	1	2.00"	12BDH2	12 x 1"	3/16" x 3" x 3"		7/8" x 1	4035.60
T10	260' - 280'	20.0'	1	2.00"	12BDH2	12 x 1"	1/4" x 3-1/2" x 3-1/2"		7/8" x 1	4817.79
T11	240' - 260'	22.0'	1	2.25"	12BDH2	12 x 1"	1/4" x 3-1/2" x 3-1/2"		7/8" x 1	5441.31
T12	220' - 240'	24.0'	1	2.25"	12BDH2	12 x 1"	1/4" x 3-1/2" x 3-1/2"		7/8" x 1	5547.09
T13	200' - 220'	26.0'	1	2.50"	12BDH2	12 x 1 1/4"	1/4" x 3-1/2" x 3-1/2"		7/8" x 1	6421.08
T14	180' - 200'	28.0'	1	2.50"	12BDH2	12 x 1 1/4"	1/4" x 3-1/2" x 3-1/2"		7/8" x 1	6650.61
T15	160' - 180'	30.0'	1	2.50"	12BDH2	12 x 1 1/4"	1/4" x 4" x 4"		7/8" x 1	7122.45
T16	140' - 160'	32.0'	1	2.75"	12BDH2	12 x 1 1/4"	1/4" x 4" x 4"		7/8" x 1	8039.19
T17	120' - 140'	34.0'	1	2.75"	12BDH2	12 x 1 1/4"	1/4" x 4" x 4"		7/8" x 1	8185.35
T18	100' - 120'	36.0'	1	3.00"	12BDH2	12 x 1 1/4"	3/8" x 4" x 4"		7/8" x 1	10536.03
T19	80' - 100'	38.0'	1	3.00"	12BDH2	12 x 1 1/4"	3/8" x 4" x 4"		7/8" x 1	10751.25
T20	60' - 80'	40.0'	1	3.00"	12BDH2	12 x 1-1/4"	3/8" x 4" x 4"		7/8" x 2	11225.01
T21	40' - 60'	42.0'	1	3.50"	12BDH2	18 x 1-1/4"	3/8" x 4" x 4"		7/8" x 2	13685.01
T22	20' - 40'	44.0'	1	3.50"	18BD	22 x 1-1/4"	3/8" x 5" x 5"		1" x 2	16862.46
T23	0' - 20'	46.0'	1	3.50"	18BD	22 x 1-1/4"	3/8" x 5" x 5"		1" x 2	16756.80



MAR 03 2016

William R. Heiden III, TX Professional Engineer #91262

SITE VIDOR PD SITE, TX MOTOROLA SOLUTIONS U 46 X 450'		DESCRIPTION Tower View Page 1		 1-877-467-4763 Plymouth, IN 1-800-547-2151 Salem, OR STRUCTURES	
COPYRIGHT 2013		STRUCTURE APPROVAL SKK 3/2/2016		FOUNDATION APPROVAL	
REV DESCRIPTION OF REVISIONS CPD BY DATE		ENG. FILE NO. 304505		DWG. NO. 264122T	
REVISION HISTORY		PROPRIETARY NOTE: THE DATA AND TECHNIQUES CONTAINED IN THIS DRAWING ARE PROPRIETARY INFORMATION OF VALMONT INDUSTRIES AND CONSIDERED A TRADE SECRET. ANY USE OR DISCLOSURE WITHOUT THE CONSENT OF VALMONT INDUSTRIES IS STRICTLY PROHIBITED.		PAGE 1 OF 25	

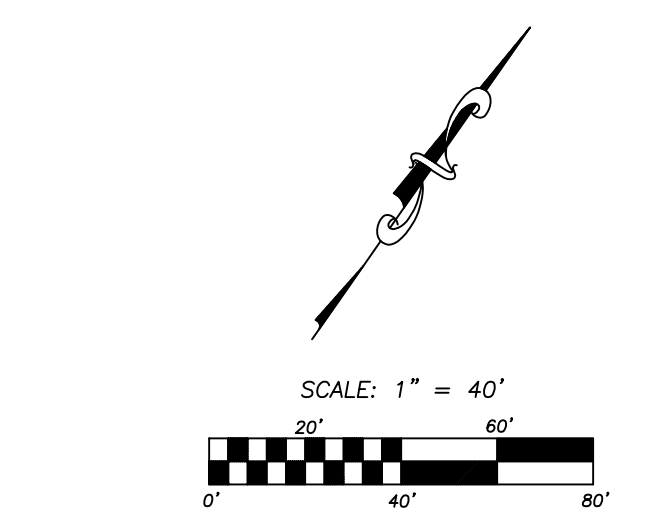
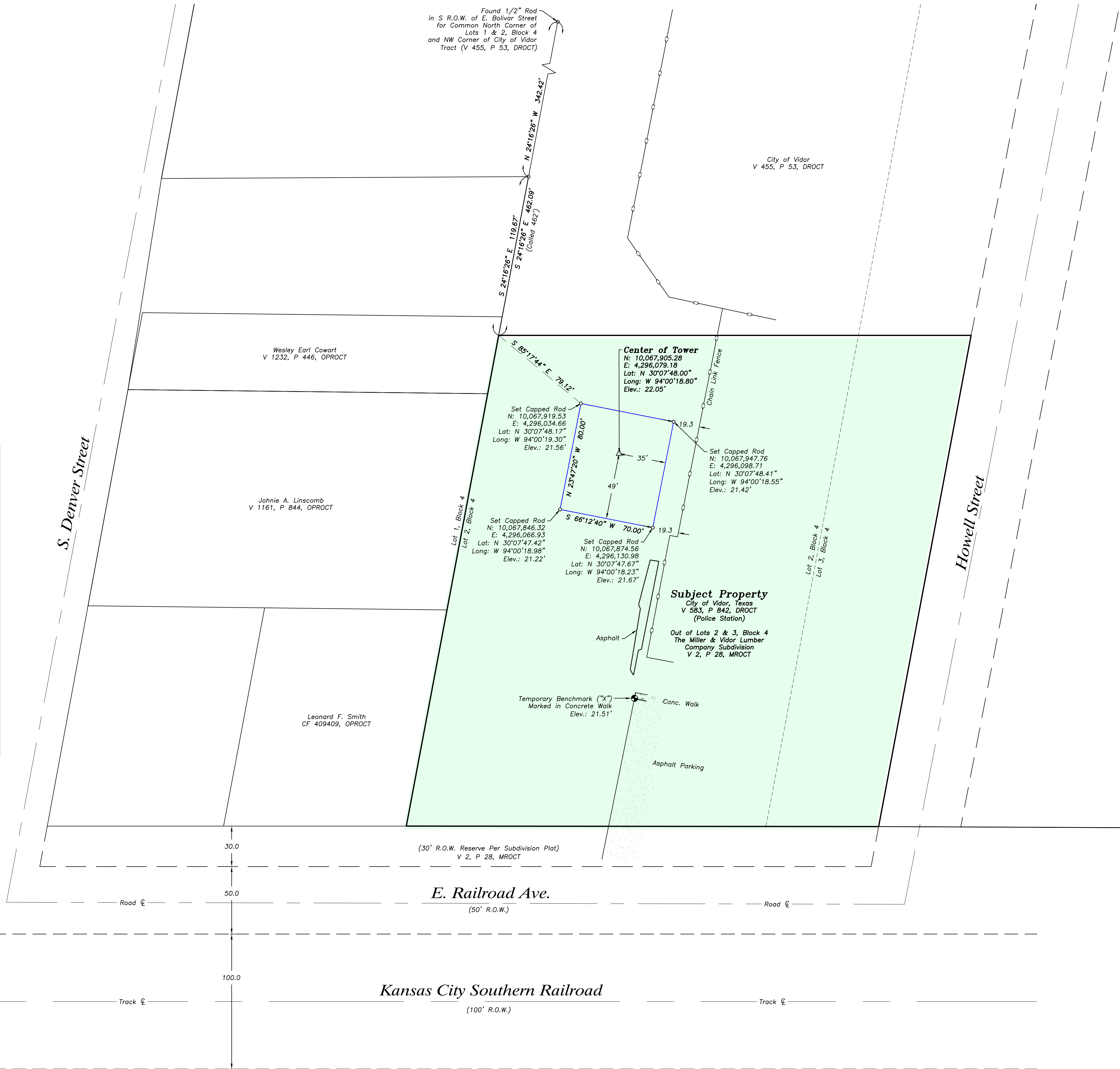


Vicinity Map
Not to Scale
(Map data ©2016 Google)



Overlay
Not to Scale
(Image ©2016 Google)

Found 1/2" Rod
in S.R.O.W. of E. Railroad Street
for Common North Corner of
Lots 1 & 2, Block 4
and NW Corner of City of Vidor
Tract (V 455, P 53, DROCT)



Surveyor's Notes:

- (1) The purpose of this plat is to show the proposed location of a radio tower and pad site, as laid out by the undersigned surveyor on March 03, 2016. Not all improvements, utilities or monuments were located as a part of this survey.
- (2) This survey was completed without the benefit of a title commitment, and not all easements or servitudes, whether of record or not, were researched at the time of this survey or shown hereon.
- (3) All bearings referenced hereon are based on the NAD83 Texas State Plane Coordinate System, Texas Central Zone (4203); all areas and distances are based on surface measurements.
- (4) All elevations are based on RTK GPS observation adjusted to NGS Monument PID BL0256 (Designation: P 1036), having a called elevation of 16.57' (NAVD 88).

Plat Prepared for:
Shaffer Tower Services, Inc.

Proposed Tower & Pad Site
675 E. Railroad Street
Vidor, Orange County, Texas

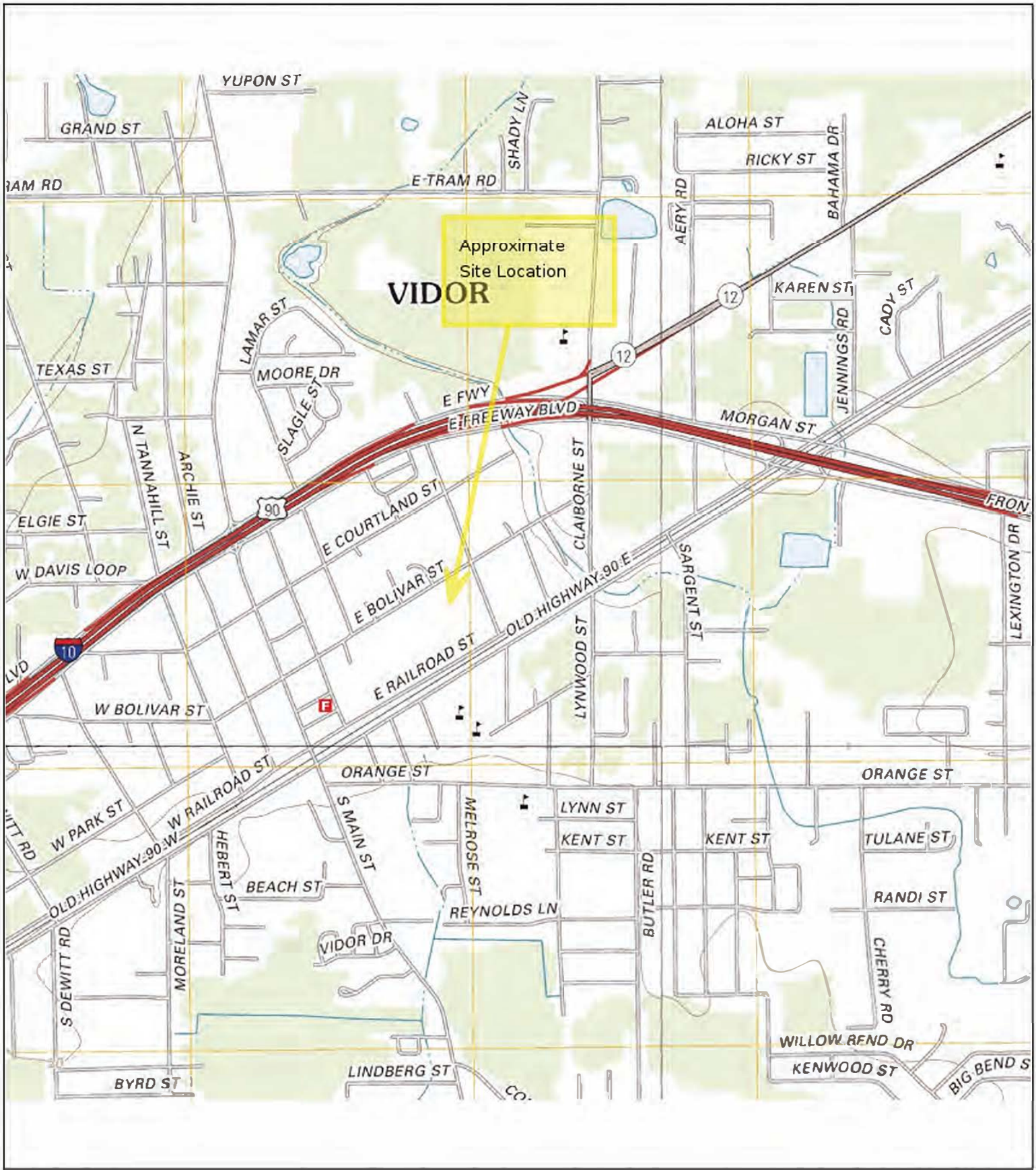
Part of the
T.H. BREECE LEAGUE,
Abstract No. 3
Orange County, Texas

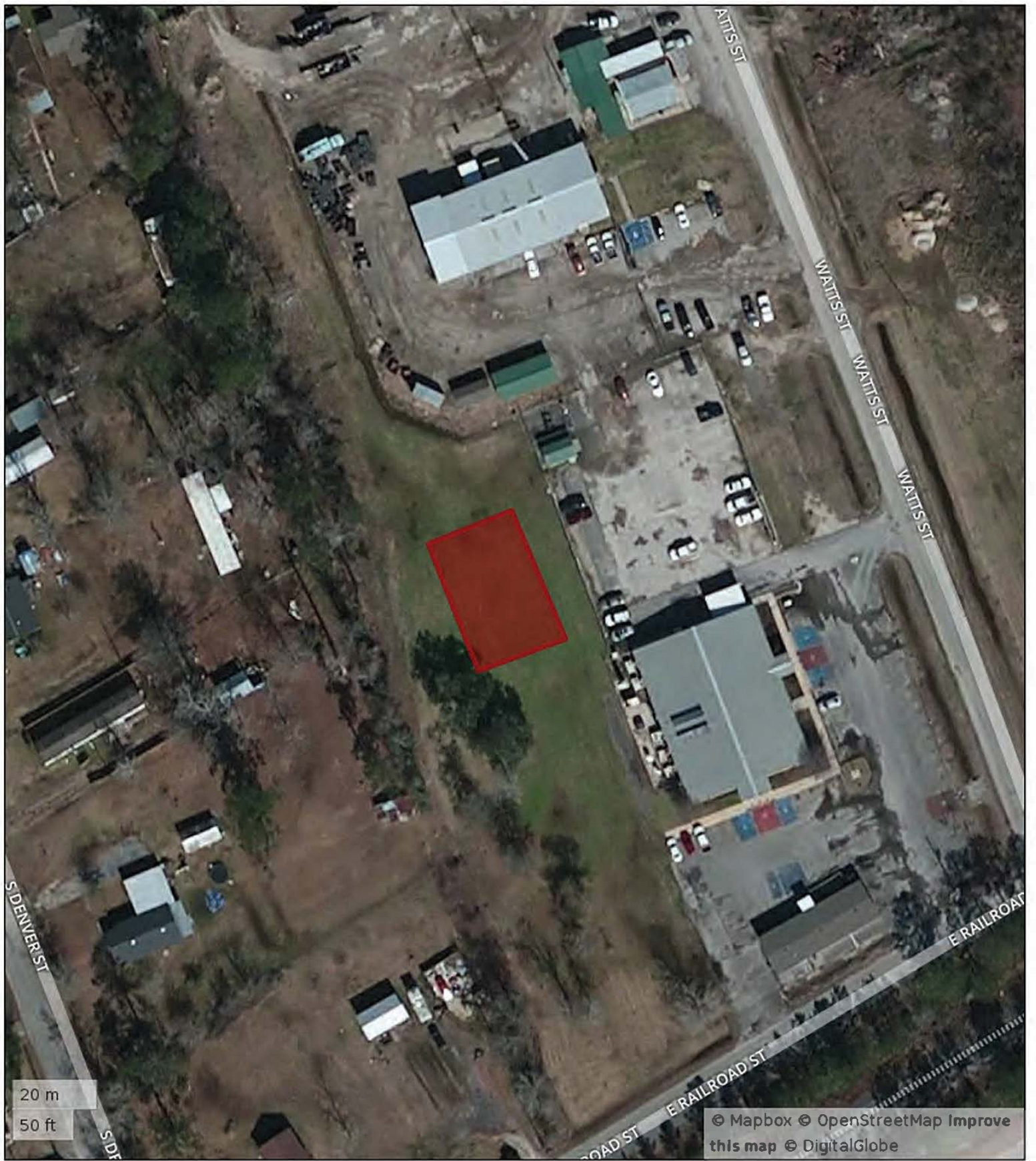
I, Joe A. Mattox, Texas Registered Professional Land Surveyor No. 5535, do hereby certify that I have made a survey on the ground of the property legally described hereon, that the survey is correct to the best of my knowledge and belief, and that said property has access to and from a dedicated public roadway, unless otherwise shown hereon.

Survey Dated: March 07, 2016



Joe A. Mattox
Joe A. Mattox
Registered Professional Land Surveyor No. 5535





Site Map
675 E Railroad Street
Vidor, Texas
ECS Project 17:4477



Task Pane

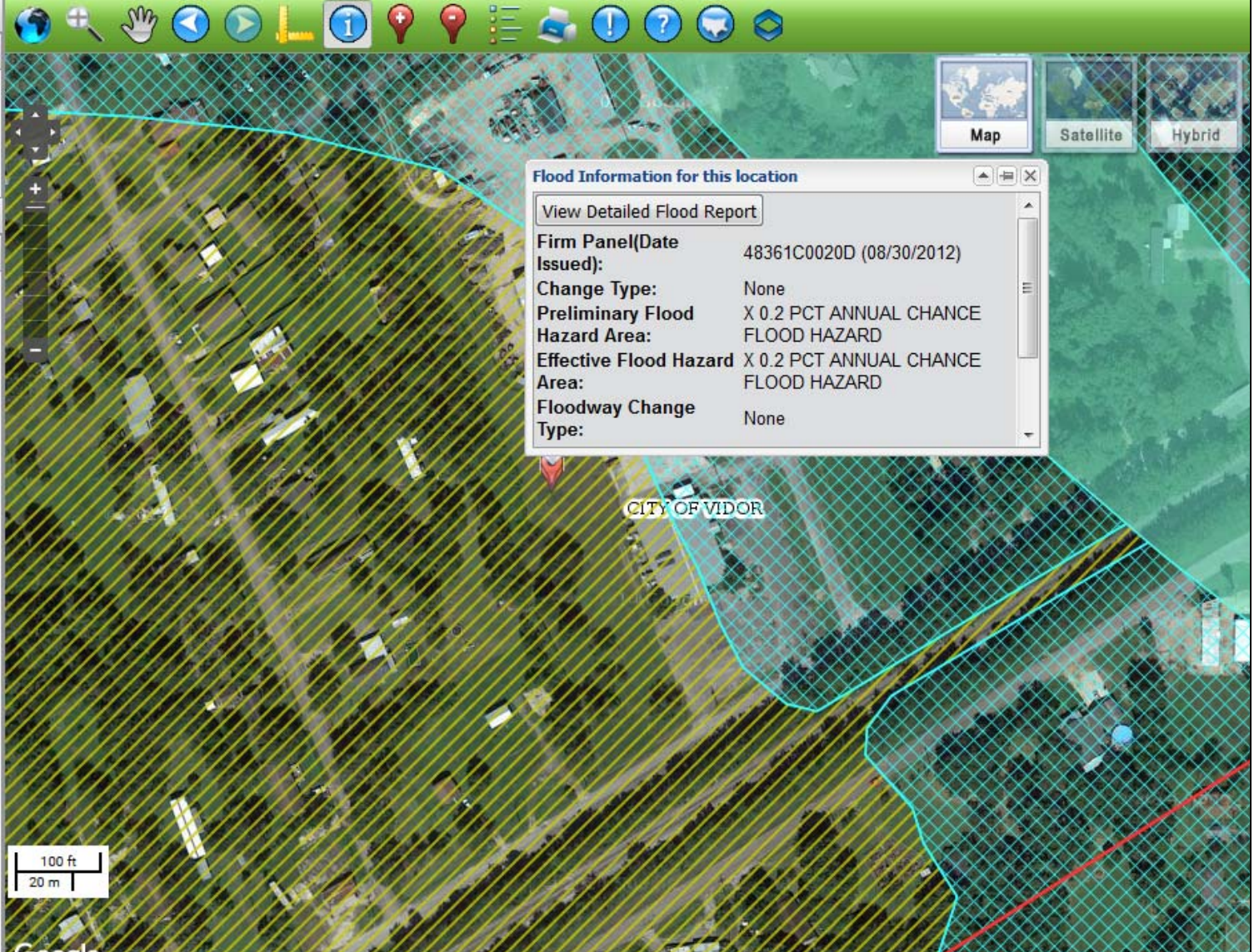
Search by Address

Enter Address:

Search by FIRM Panel #

Map Layers

- Results
 - Preliminary Flood Insurance Rate Map
 - Base Flood Elevations (BFEs)
 - Streams
 - LIMWA
 - FIRM Panel Scheme
 - Flood Hazard Areas
 - 100-yr Flood Depths
 - Communities
 - Effective Flood Insurance Rate Map
 - BFEs
 - Floodway Areas
 - Flood Hazard Areas
 - Change Layer
 - Floodway Changes Layer
 - Flood Hazard Area Changes Layer
 - Base Data Layers
 - Google Hybrid
 - Google Satellite
 - Google Maps



APPENDIX A



1 - Northern boundary of the site, looking west



2 - Site from the eastern boundary



3 - East adjoining property



4 - Southern boundary of the site, looking west



5 - Eastern boundary of the site, looking north



6 - Site from the southern boundary



7 - South adjoining property



8 - Western boundary of the site, looking north



9 - Southern boundary of the site, looking east



10 - Site from the western boundary



11 - West adjoining property



12 - Northern boundary of the site, looking east



13 - Western boundary of the site, looking south



14 - Site from the northern boundary



15 - North adjoining property



16 - Eastern boundary of the site, looking south

APPENDIX B



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Texas Coastal Ecological Services Field Office

17629 EL CAMINO REAL, SUITE 211

HOUSTON, TX 77058

PHONE: (281)286-8282 FAX: (281)488-5882

URL: www.fws.gov/southwest/es/TexasCoastal/;

www.fws.gov/southwest/es/ES_Lists_Main2.html

Consultation Code: 02ETTX0-2016-SLI-0562

March 28, 2016

Event Code: 02ETTX0-2016-E-00598

Project Name: Vidor Police Radio tower

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The U.S. Fish and Wildlife Service (Service) field offices in Clear Lake, Tx, and Corpus Christi, Tx, have combined administratively to form the Texas Coastal Ecological Services Field Office. A map of the Texas Coastal Ecological Services Field Office area of responsibility can be found at: <http://www.fws.gov/southwest/es/TexasCoastal/Map.html>. All project related correspondence should be sent to the field office responsible for the area in which your project occurs. For projects located in southeast Texas please write to: Field Supervisor; U.S. Fish and Wildlife Service; 17629 El Camino Real Ste. 211; Houston, Texas 77058. For projects located in southern Texas please write to: Field Supervisor; U.S. Fish and Wildlife Service; 6300 Ocean Drive, Unit 5837, Corpus Christi, Texas 78412.

The enclosed species list identifies federally threatened, endangered, and proposed to be listed species; designated critical habitat; and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list is provided by the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information from updated surveys, changes in the abundance and distribution of species, changes in habitat conditions, or other factors could change the list. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the ECOS-IPaC website <http://ecos.fws.gov/ipac/> at regular intervals during project planning and implementation for updates to species list and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

Candidate species have no protection under the Act but are included for consideration because they could be listed prior to the completion of your project. The other species information should help you determine if suitable habitat for these listed species exists in any of the proposed project areas or if project activities may affect species on-site, off-site, and/or result in "take" of a federally listed species.

"Take" is defined as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. In addition to the direct take of an individual animal, habitat destruction or modification can be considered take, regardless of whether it has been formally designated as critical habitat, if the activity results in the death or injury of wildlife by removing essential habitat components or significantly alters essential behavior patterns, including breeding, feeding, or sheltering.

Section 7

Section 7 of the Act requires that all Federal agencies consult with the Service to ensure that actions authorized, funded or carried out by such agencies do not jeopardize the continued existence of any listed threatened or endangered species or adversely modify or destroy critical habitat of such species. It is the responsibility of the Federal action agency to determine if the proposed project may affect threatened or endangered species. If a "may affect" determination is made, the Federal agency shall initiate the section 7 consultation process by writing to the office that has responsibility for the area in which your project occurs.

Is not likely to adversely affect – the project may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial. Certain avoidance and minimization measures may need to be implemented in order to reach this level of effects. The Federal agency or the designated non-Federal representative should seek written concurrence from the Service that adverse effects have been eliminated. Be sure to include all of the information and documentation used to reach your decision with your request for concurrence. The Service must have this documentation before issuing a concurrence.

Is likely to adversely affect – adverse effects to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial. If the overall effect of the proposed action is beneficial to the listed species but also is likely to cause some adverse effects to individuals of that species, then the proposed action "is likely to adversely affect" the listed species. An "is likely to adversely affect" determination requires the Federal action agency to initiate formal section 7 consultation with this office.

No effect – the proposed action will not affect federally listed species or critical habitat (i.e., suitable habitat for the species occurring in the project county is not present in or adjacent to the action area). No further coordination or contact with the Service is necessary. However, if the project changes or additional information on the distribution of listed or proposed species becomes available, the project should be reanalyzed for effects not previously considered.

Regardless of your determination, the Service recommends that you maintain a complete record of the evaluation, including steps leading to the determination of affect, the qualified personnel

conducting the evaluation, habitat conditions, site photographs, and any other related articles.

Please be advised that while a Federal agency may designate a non-Federal representative to conduct informal consultations with the Service, assess project effects, or prepare a biological assessment, the Federal agency must notify the Service in writing of such a designation. The Federal agency shall also independently review and evaluate the scope and contents of a biological assessment prepared by their designated non-Federal representative before that document is submitted to the Service.

The Service's Consultation Handbook is available online to assist you with further information on definitions, process, and fulfilling Act requirements for your projects at:

http://www.fws.gov/endangered/esa-library/pdf/esa_section7_handbook.pdf

Section 10

If there is no federal involvement and the proposed project is being funded or carried out by private interests and/or non-federal government agencies, and the project as proposed may affect listed species, a section 10(a)(1)(B) permit is recommended. The Habitat Conservation Planning Handbook is available at

<http://www.fws.gov/midwest/endangered/permits/hcp/hcphandbook.html>.

Service Response

Please note that the Service strives to respond to requests for project review within 30 days of receipt, however, this time period is not mandated by regulation. Responses may be delayed due to workload and lack of staff. Failure to meet the 30-day timeframe does not constitute a concurrence from the Service that the proposed project will not have impacts to threatened and endangered species.

Candidate Species

Several species of freshwater mussels occur in Texas and five are candidates for listing under the ESA. The Service is also reviewing the status of six other species for potential listing under the ESA. One of the main contributors to mussel die offs is sedimentation, which smothers and suffocates mussels. To reduce sedimentation within rivers, streams, and tributaries crossed by a project, the Service recommends that that you implement the best management practices found at: <http://www.fws.gov/southwest/es/TexasCoastal/FreshwaterMussels.html>.

Candidate Conservation Agreements (CCAs) or Candidate Conservation Agreements with Assurances (CCAAs) are voluntary agreements between the Service and public or private entities to implement conservation measures to address threats to candidate species. Implementing conservation efforts before species are listed increases the likelihood that simpler, flexible, and more cost-effective conservation options are available. A CCAA can provide participants with assurances that if they engage in conservation actions, they will not be required to implement additional conservation measures beyond those in the agreement. For additional information on CCAs/CCAAs please visit the Service's website at <http://www.fws.gov/endangered/what-we-do/cca.html>.

Migratory Birds

The Migratory Bird Treaty Act (MBTA) implements various treaties and conventions for the protection of migratory birds. Under the MBTA, taking, killing, or possessing migratory birds is unlawful. Many may nest in trees, brush areas or other suitable habitat. The Service recommends activities requiring vegetation removal or disturbance avoid the peak nesting period of March through August to avoid destruction of individuals or eggs. If project activities must be conducted during this time, we recommend surveying for active nests prior to commencing work. A list of migratory birds may be viewed at <http://www.fws.gov/migratorybirds/regulationspolicies/mbta/mbtandx.html>.

The bald eagle (*Haliaeetus leucocephalus*) was delisted under the Act on August 9, 2007. Both the bald eagle and the golden eagle (*Aquila chrysaetos*) are still protected under the MBTA and BGEPA. The BGEPA affords both eagles protection in addition to that provided by the MBTA, in particular, by making it unlawful to "disturb" eagles. Under the BGEPA, the Service may issue limited permits to incidentally "take" eagles (e.g., injury, interfering with normal breeding, feeding, or sheltering behavior nest abandonment). For more information on bald and golden eagle management guidelines, we recommend you review information provided at <http://www.fws.gov/midwest/eagle/pdf/NationalBaldEagleManagementGuidelines.pdf>

The construction of overhead power lines creates threats of avian collision and electrocution. The Service recommends the installation of underground rather than overhead power lines whenever possible. For new overhead lines or retrofitting of old lines, we recommend that project developers implement, to the maximum extent practicable, the Avian Power Line Interaction Committee guidelines found at <http://www.aplic.org/>.

Meteorological and communication towers are estimated to kill millions of birds per year. We recommend following the guidance set forth in the Service Interim Guidelines for Recommendations on Communications Tower Siting, Constructions, Operation and Decommissioning, found online at: <http://www.fws.gov/habitatconservation/communicationtowers.html>, to minimize the threat of avian mortality at these towers. Monitoring at these towers would provide insight into the effectiveness of the minimization measures. We request the results of any wildlife mortality monitoring at towers associated with this project.

We request that you provide us with the final location and specifications of your proposed towers, as well as the recommendations implemented. A Tower Site Evaluation Form is also available via the above website; we recommend you complete this form and keep it in your files. If meteorological towers are to be constructed, please forward this completed form to our office.

More information concerning sections 7 and 10 of the Act, migratory birds, candidate species, and landowner tools can be found on our website at: <http://www.fws.gov/southwest/es/TexasCoastal/ProjectReviews.html>.

Wetlands and Wildlife Habitat

Wetlands and riparian zones provide valuable fish and wildlife habitat as well as contribute to

ood control, water quality enhancement, and groundwater recharge. Wetland and riparian vegetation provides food and cover for wildlife, stabilizes banks and decreases soil erosion. These areas are inherently dynamic and very sensitive to changes caused by such activities as overgrazing, logging, major construction, or earth disturbance. Executive Order 11990 asserts that each agency shall provide leadership and take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial value of wetlands in carrying out the agency's responsibilities. Construction activities near riparian zones should be carefully designed to minimize impacts. If vegetation clearing is needed in these riparian areas, they should be re-vegetated with native wetland and riparian vegetation to prevent erosion or loss of habitat. We recommend minimizing the area of soil scarification and initiating incremental re-establishment of herbaceous vegetation at the proposed work sites. Denuded and/or disturbed areas should be re-vegetated with a mixture of native legumes and grasses. Species commonly used for soil stabilization are listed in the Texas Department of Agriculture's (TDA) Native Tree and Plant Directory, available from TDA at P.O. Box 12847, Austin, Texas 78711. The Service also urges taking precautions to ensure sediment loading does not occur to any receiving streams in the proposed project area. To prevent and/or minimize soil erosion and compaction associated with construction activities, avoid any unnecessary clearing of vegetation, and follow established rights-of-way whenever possible. All machinery and petroleum products should be stored outside the oodplain and/or wetland area during construction to prevent possible contamination of water and soils.

Wetlands and riparian areas are high priority fish and wildlife habitat, serving as important sources of food, cover, and shelter for numerous species of resident and migratory wildlife. Waterfowl and other migratory birds use wetlands and riparian corridors as stopover, feeding, and nesting areas. We strongly recommend that the selected project site not impact wetlands and riparian areas, and be located as far as practical from these areas. Migratory birds tend to concentrate in or near wetlands and riparian areas and use these areas as migratory ways or corridors. After every effort has been made to avoid impacting wetlands, you anticipate unavoidable wetland impacts will occur; you should contact the appropriate U.S. Army Corps of Engineers office to determine if a permit is necessary prior to commencement of construction activities.

If your project will involve filling, dredging, or trenching of a wetland or riparian area it may require a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers (COE). For permitting requirements please contact the U.S. Corps of Engineers, District Engineer, P.O. Box 1229, Galveston, Texas 77553-1229, (409) 766-3002.

Beneficial Landscaping

In accordance with Executive Order 13112 on Invasive Species and the Executive Memorandum on Beneficial Landscaping (42 C.F.R. 26961), where possible, any landscaping associated with project plans should be limited to seeding and replanting with native species. A mixture of grasses and forbs appropriate to address potential erosion problems and long-term cover should be planted when seed is reasonably available. Although Bermuda grass is listed in seed mixtures, this species and other introduced species should be avoided as much as possible. The Service also recommends the use of native trees, shrubs, and herbaceous species that are adaptable, drought tolerant and conserve water.

State Listed Species

The State of Texas protects certain species. Please contact the Texas Parks and Wildlife Department (Endangered Resources Branch), 4200 Smith School Road, Austin, Texas 78744 (telephone 512/389-8021) for information concerning fish, wildlife, and plants of State concern or visit their website at:

http://www.tpwd.state.tx.us/huntwild/wild/wildlife_diversity/texas_rare_species/listed_species/.

If we can be of further assistance, or if you have any questions about these comments, please contact 281/286-8282 if your project is in southeast Texas, or 361/994-9005 if your project is in southern Texas. Please refer to the Service consultation number listed above in any future correspondence regarding this project.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: Vidor Police Radio tower

Official Species List

Provided by:

Texas Coastal Ecological Services Field Office

17629 EL CAMINO REAL, SUITE 211

HOUSTON, TX 77058

(281) 286-8282

<http://www.fws.gov/southwest/es/TexasCoastal/>

http://www.fws.gov/southwest/es/ES_Lists_Main2.html

Consultation Code: 02ETTX0-2016-SLI-0562

Event Code: 02ETTX0-2016-E-00598

Project Type: COMMUNICATIONS TOWER

Project Name: Vidor Police Radio tower

Project Description: The proposed project is a 450-foot freestanding radio tower and support structure. It will be located at 675 E Railroad Street in Vidor, Texas.

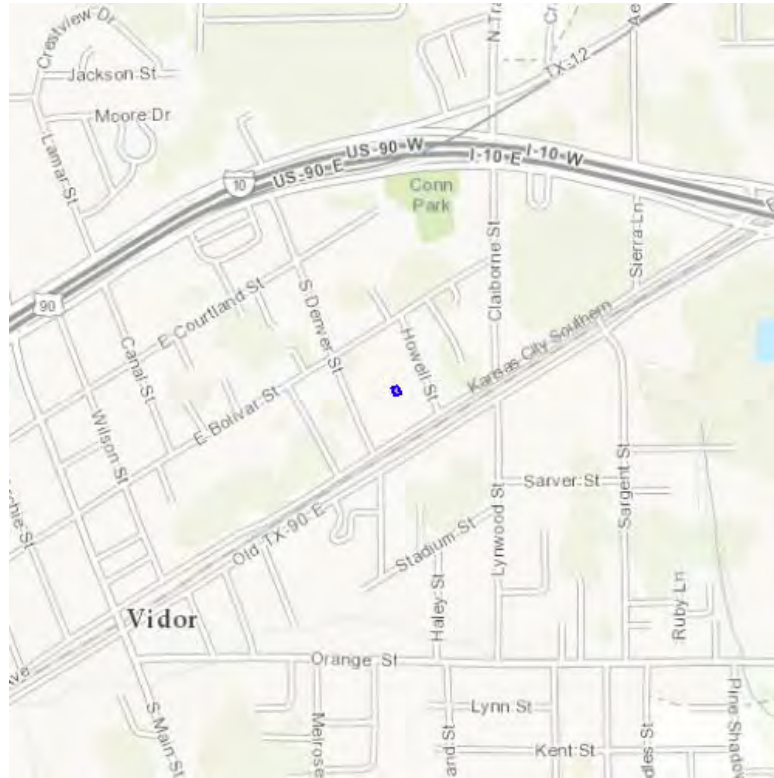
Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

Project name: Vidor Police Radio tower

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-94.00535345077515 30.130146994712398, -94.00519788265228 30.130193390878397, -94.00512278079987 30.13000780608358, -94.00528907775879 30.12996140983038, -94.00535345077515 30.130146994712398)))

Project Counties: Orange, TX



United States Department of Interior
Fish and Wildlife Service

Project name: Vidor Police Radio tower

Endangered Species Act Species List

There are a total of 4 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 3 of these species should be considered only under certain conditions. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Birds	Status	Has Critical Habitat	Condition(s)
Least tern (<i>Sterna antillarum</i>) Population: interior pop.	Endangered		Wind related projects within migratory route.
Piping Plover (<i>Charadrius melodus</i>) Population: except Great Lakes watershed	Threatened	Final designated	Wind related projects within migratory route.
Red Knot (<i>Calidris canutus rufa</i>)	Threatened		Wind related projects within migratory route.
Mammals			
West Indian Manatee (<i>Trichechus manatus</i>) Population: Entire	Endangered	Final designated	



United States Department of Interior
Fish and Wildlife Service

Project name: Vidor Police Radio tower

Critical habitats that lie within your project area

There are no critical habitats within your project area.

APPENDIX C

FL

FCC Wireless Telecommunications Bureau
New Tower ("NT") Submission Packet

Approved by OMB
3060 - 1039
See instructions for
public burden estimates

General Information

1) (Select only one) (NE) NE - New UA - Update of Application WD - Withdrawal of Application	
2) If this application is for an Update or Withdrawal, enter the file number of the pending application currently on file.	File Number:

Applicant Information

3) FCC Registration Number (FRN): 0025372632
4) Name: Orange County Emergency Management

Contact Name

5) First Name: Ryan	6) MI:	7) Last Name: Peabody	8) Suffix:
9) Title: Emergency Management Coordinator			

Contact Information

10) P.O. Box:	And /Or	11) Street Address: 11475 FM 1442
12) City: Oranger	13) State: TX	14) Zip Code: 77630
15) Telephone Number: (409) 882-7895	16) Fax Number: (409) 670-4143	
17) E-mail Address: rpeabody@orange.tx.us		

Consultant Information

18) FCC Registration Number (FRN): 0025372632
19) Name: ECS Texas

Principal Investigator

20) First Name: Roger	21) MI: S	22) Last Name: Willis	23) Suffix: II
24) Title: Environmental Scientist			

Principal Investigator Contact Information

25) P.O. Box:	And /Or	26) Street Address: 2120 Denton Drive suite 105
27) City: Austin	28) State: TX	29) Zip Code: 78758
30) Telephone Number: (512) 837-8005	31) Fax Number: (512) 837-8221	
32) E-mail Address: rwillis@ecslimited.com		

Professional Qualification

33) Does the Principal Investigator satisfy the Secretary of the Interior's Professional Qualification Standards?	() Yes (X) No
34) Areas of Professional Qualification: () Archaeologist () Architectural Historian () Historian () Architect () Other (Specify) _____	

Additional Staff

35) Are there other staff involved who meet the Professional Qualification Standards of the Secretary of the Interior?	() Yes (X) No
--	----------------

If "Yes", complete the following:

36) First Name:	37) MI:	38) Last Name:	39) Suffix:
40) Title:			
41) Areas of Professional Qualification: () Archaeologist () Architectural Historian () Historian () Architect () Other (Specify) _____			

**This page may be copied to include additional staff.
Consultant Information Attachments required – See instructions for details.**

Site Information

Tower Construction Notification System

1) TCNS Notification Number: 137067

Site Information

2) Site Name: Vidor Police Radio Tower

3) Site Address: 675 E Railroad Street

4) City: Vidor

5) State: TX

6) Zip Code: 77662

7) County/Borough/Parish: Orange

8) Nearest Crossroads: E Railroad Street + Watts Street

9) NAD 83 Latitude (DD-MM-SS.S): 30-07-48.0 (X) N or () S

10) NAD 83 Longitude (DD-MM-SS.S): 94-00-18.8 () E or (X) W

Tower Information

11) Tower height above ground level (include top-mounted attachments such as lightning rods): 450 (X) Feet () Meters

12) Tower Type (Select One):

() Guyed lattice tower

(X) Self-supporting lattice

() Monopole

() Other (Describe):

Project Status

13) Current Project Status (Select One):

(X) Construction has not yet commenced

() Construction has commenced, but is not completed Construction commenced on: ___/___/___

() Construction has been completed Construction commenced on: ___/___/___

Construction completed on: ___/___/___

Site Information Attachments required – See instructions for details.

Determination of Effect

14) Direct Effects (Select One):

- No Historic Properties in Area of Potential Effects (APE)
- No Effect on Historic Properties in APE
- No Adverse Effect on Historic Properties in APE
- Adverse Effect on one or more Historic Properties in APE

15) Visual Effects (Select One):

- No Historic Properties in Area of Potential Effects (APE)
- No Effect on Historic Properties in APE
- No Adverse Effect on Historic Properties in APE
- Adverse Effect on one or more Historic Properties in APE

Determination of Effect Attachments required – See instructions for details.

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	() Yes (<input checked="" type="checkbox"/>) No
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>137067</u> Number of Tribes/NHOs: <u>11</u>	
2b) Tribes/NHOs contacted through an alternate system: <u>via</u> Number of Tribes/NHOs: <u>0</u>	

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <u>Kiowa Indian Tribe of Oklahoma</u>

Contact Name

5) First Name: <u>Kellie</u>	6) MI:	7) Last Name: <u>Poolaw</u>	8) Suffix:
9) Title: <u>Acting Tribal Historic Preservation officer</u>			

Dates & Response

10) Date Contacted <u>03/24/16</u>	11) Date Replied <u>03/28/16</u>
<input type="checkbox"/> No Reply <input type="checkbox"/> Replied/No Interest <input checked="" type="checkbox"/> Replied/Have Interest <input type="checkbox"/> Replied/Other _____	

**This page may be copied to include additional Tribes/NHOs contacted.
Tribal/NHO Involvement Attachments may be required – See instructions for details.**

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	() Yes (<input checked="" type="checkbox"/>) No
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>137067</u> Number of Tribes/NHOs: <u>11</u>	
2b) Tribes/NHOs contacted through an alternate system: <u>VIA</u> Number of Tribes/NHOs: <u>0</u>	

Tribal/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <u>Wichita and Affiliated Tribes</u>

Contact Name

5) First Name: <u>Mary</u>	6) MI:	7) Last Name: <u>Botone</u>	8) Suffix:
9) Title: <u>Cell Tower Administrator</u>			

Dates & Response

10) Date Contacted <u>03,09,16</u>	11) Date Replied <u>03,22,16</u>
<input type="checkbox"/> No Reply <input type="checkbox"/> Replied/No Interest <input checked="" type="checkbox"/> Replied/Have Interest <input type="checkbox"/> Replied/Other _____	

This page may be copied to include additional Tribes/NHOs contacted.
Tribal/NHO Involvement Attachments may be required – See instructions for details.

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	() Yes (<input checked="" type="checkbox"/>) No
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>137067</u> Number of Tribes/NHOs: <u>11</u>	
2b) Tribes/NHOs contacted through an alternate system: <u>VIA</u> Number of Tribes/NHOs: <u>0</u>	

Tribal/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <u>Tonkawa Tribe</u>

Contact Name

5) First Name: <u>Joshua</u>	6) MI:	7) Last Name: <u>Waffle</u>	8) Suffix:
9) Title: <u>Tribal Administrator</u>			

Dates & Response

10) Date Contacted <u>03/09/16</u>	11) Date Replied <u>03/16/16</u>
() No Reply	
(<input checked="" type="checkbox"/>) Replied/No Interest	
() Replied/Have Interest	
() Replied/Other _____	

This page may be copied to include additional Tribes/NHOs contacted.
Tribal/NHO Involvement Attachments may be required – See instructions for details.

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>137067</u>	Number of Tribes/NHOs: <u>11</u>	
2b) Tribes/NHOs contacted through an alternate system: <u>N/A</u>	Number of Tribes/NHOs: <u>0</u>	

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <u>Alabama - Coushatta Tribe of Texas</u>

Contact Name

5) First Name: <u>Bryant</u>	6) MI:	7) Last Name: <u>Celestine</u>	8) Suffix:
9) Title: <u>Historic Preservation officer</u>			

Dates & Response

10) Date Contacted <u>03/09/16</u>	11) Date Replied <u>4/1/16</u>
<input checked="" type="checkbox"/> No Reply <input type="checkbox"/> Replied/No Interest <input type="checkbox"/> Replied/Have Interest <input type="checkbox"/> Replied/Other _____	

This page may be copied to include additional Tribes/NHOs contacted.
 Tribal/NHO Involvement Attachments may be required – See instructions for details.

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	() Yes (<input checked="" type="checkbox"/>) No
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>137067</u> Number of Tribes/NHOs: <u>11</u>	
2b) Tribes/NHOs contacted through an alternate system: <u>VIA</u> Number of Tribes/NHOs: <u>0</u>	

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <u>Apache Tribe of Oklahoma</u>

Contact Name

5) First Name: <u>Darrin</u>	6) MI:	7) Last Name: <u>Cisco</u>	8) Suffix:
9) Title:			

Dates & Response

10) Date Contacted <u>03/09/16</u>	11) Date Replied <u>1/1</u>
<input checked="" type="checkbox"/> No Reply <input type="checkbox"/> Replied/No Interest <input type="checkbox"/> Replied/Have Interest <input type="checkbox"/> Replied/Other _____	

**This page may be copied to include additional Tribes/NHOs contacted.
 Tribal/NHO Involvement Attachments may be required – See instructions for details.**

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	() Yes (<input checked="" type="checkbox"/>) No
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>137067</u> Number of Tribes/NHOs: <u>11</u>	
2b) Tribes/NHOs contacted through an alternate system: <u>WIA</u> Number of Tribes/NHOs: <u>0</u>	

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <u>Eastern Shoshone Tribe</u>

Contact Name

5) First Name: <u>Wilfred</u>	6) MI:	7) Last Name: <u>Ferris</u>	8) Suffix:
9) Title: <u>THPO</u>			

Dates & Response

10) Date Contacted <u>03/04/16</u>	11) Date Replied <u>03/21/16</u>
() No Reply	
() Replied/No Interest	
(<input checked="" type="checkbox"/>) Replied/Have Interest	
() Replied/Other _____	

This page may be copied to include additional Tribes/NHOs contacted.
Tribal/NHO Involvement Attachments may be required – See instructions for details.

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	() Yes (<input checked="" type="checkbox"/>) No
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>137067</u> Number of Tribes/NHOs: <u>11</u>	
2b) Tribes/NHOs contacted through an alternate system: <u>N/A</u> Number of Tribes/NHOs: <u>0</u>	

Tribes/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <u>Coushatta Indian Tribe</u>

Contact Name

5) First Name: <u>Linda</u>	6) MI:	7) Last Name: <u>Langley</u>	8) Suffix:
9) Title: <u>THPO</u>			

Dates & Response

10) Date Contacted <u>03/04/16</u>	11) Date Replied <u>03/18/16</u>
<input checked="" type="checkbox"/> No Reply <input type="checkbox"/> Replied/No Interest <input type="checkbox"/> Replied/Have Interest <input type="checkbox"/> Replied/Other _____	

**This page may be copied to include additional Tribes/NHOs contacted.
Tribal/NHO Involvement Attachments may be required – See instructions for details.**

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	() Yes (<input checked="" type="checkbox"/>) No
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>137067</u> Number of Tribes/NHOs: <u>11</u>	
2b) Tribes/NHOs contacted through an alternate system: <u>VIA</u> Number of Tribes/NHOs: <u>0</u>	

Tribes/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <u>Jena Band of Choctaw Indians</u>

Contact Name

5) First Name: <u>Lillie</u>	6) MI:	7) Last Name: <u>Williamson</u>	8) Suffix:
9) Title: <u>TCNS Representative</u>			

Dates & Response

10) Date Contacted <u>03/09/16</u>	11) Date Replied <u>03/18/16</u>
<input checked="" type="checkbox"/> No Reply <input type="checkbox"/> Replied/No Interest <input type="checkbox"/> Replied/Have Interest <input type="checkbox"/> Replied/Other _____	

This page may be copied to include additional Tribes/NHOs contacted.
Tribal/NHO Involvement Attachments may be required – See instructions for details.

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	() Yes (<input checked="" type="checkbox"/>) No
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>137067</u> Number of Tribes/NHOs: <u>11</u>	
2b) Tribes/NHOs contacted through an alternate system: <u>VIA</u> Number of Tribes/NHOs: <u>0</u>	

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <u>Cherokee Nation</u>

Contact Name

5) First Name: <u>Sheila</u>	6) MI:	7) Last Name: <u>Bird</u>	8) Suffix:
9) Title: <u>THPO</u>			

Dates & Response

10) Date Contacted <u>03/09/16</u>	11) Date Replied <u>03/18/16</u>
(<input checked="" type="checkbox"/>) No Reply	
() Replied/No Interest	
() Replied/Have Interest	
() Replied/Other _____	

This page may be copied to include additional Tribes/NHOs contacted.
Tribal/NHO Involvement Attachments may be required – See instructions for details.

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	() Yes (<input checked="" type="checkbox"/>) No
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>137067</u> Number of Tribes/NHOs: <u>11</u>	
2b) Tribes/NHOs contacted through an alternate system: <u>N/A</u> Number of Tribes/NHOs: <u>0</u>	

Tribal/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <u>Mescalero Apache Tribe</u>

Contact Name

5) First Name: <u>Holly</u>	6) MI:	7) Last Name: <u>Houghten</u>	8) Suffix:
9) Title: <u>Tribal Historic Preservation Officer</u>			

Dates & Response

10) Date Contacted <u>03/09/16</u>	11) Date Replied <u>1/1</u>
<input checked="" type="checkbox"/> No Reply <input type="checkbox"/> Replied/No Interest <input type="checkbox"/> Replied/Have Interest <input type="checkbox"/> Replied/Other _____	

**This page may be copied to include additional Tribes/NHOs contacted.
Tribal/NHO Involvement Attachments may be required – See instructions for details.**

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	() Yes (<input checked="" type="checkbox"/>) No
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>137067</u> Number of Tribes/NHOs: <u>11</u>	
2b) Tribes/NHOs contacted through an alternate system: <u>VIA</u> Number of Tribes/NHOs: <u>0</u>	

Tribal/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <u>Northern Cheyenne Tribe</u>

Contact Name

5) First Name: <u>Tedward</u>	6) MI:	7) Last Name: <u>Lippy</u>	8) Suffix:
9) Title: <u>THPO</u>			

Dates & Response

10) Date Contacted <u>03/09/16</u>	11) Date Replied <u>03/16/16</u>
() No Reply	
() Replied/No Interest	
(<input checked="" type="checkbox"/>) Replied/Have Interest	
() Replied/Other _____	

This page may be copied to include additional Tribes/NHOs contacted.
Tribal/NHO Involvement Attachments may be required – See instructions for details.

Other Tribes/NHOs Contacted

Tribe/NHO Information

1) FCC Registration Number (FRN):
2) Name:

Contact Name

3) First Name:	4) MI:	5) Last Name:	6) Suffix:
7) Title:			

Contact Information

8) P.O. Box:	And /Or	9) Street Address:		
10) City:		11) State:	12) Zip Code:	
13) Telephone Number: ()		14) Fax Number: ()		
15) E-mail Address:				
16) Preferred means of communication: () E-mail () Letter () Both				

Dates & Response

17) Date Contacted ____/____/____	18) Date Replied ____/____/____
() No Reply	
() Replied/No Interest	
() Replied/Have Interest	
() Replied/Other _____	

This page may be copied to include additional Tribes/NHOs.

Historic Properties

Properties Identified

1) Have any historic properties been identified within the APEs for direct and visual effect?	() <u>Yes</u> (<input checked="" type="checkbox"/>) <u>No</u>
2) Has the identification process located archaeological materials that would be directly affected, or sites that are of cultural or religious significance to Tribes/NHOs?	() <u>Yes</u> (<input checked="" type="checkbox"/>) <u>No</u>
3) Are there more than 10 historic properties within the APEs for direct and visual effect? If "Yes", you are required to attach a Cultural Resources Report in lieu of adding the Historic Property below.	() <u>Yes</u> (<input checked="" type="checkbox"/>) <u>No</u>

Historic Property

4) Property Name:
5) SHPO Site Number:

Property Address

6) Street Address:		
7) City:	8) State:	9) Zip Code:
10) County/Borough/Parish:		

Status & Eligibility

11) Is this property listed on the National Register? Source: _____	() <u>Yes</u> () <u>No</u>
12) Is this property eligible for listing on the National Register? Source: _____	() <u>Yes</u> () <u>No</u>
13) Is this property a National Historic Landmark?	() <u>Yes</u> () <u>No</u>

14) Direct Effects (Select One): <input type="checkbox"/> No Effect on this Historic Property in APE <input type="checkbox"/> No Adverse Effect on this Historic Property in APE <input type="checkbox"/> Adverse Effect on this Historic Property in APE
15) Visual Effects (Select One): <input type="checkbox"/> No Effect on this Historic Property in APE <input type="checkbox"/> No Adverse Effect on this Historic Property in APE <input type="checkbox"/> Adverse Effect on this Historic Property in APE

**This page may be copied to include additional Historic Properties.
Historic Property Attachments required – See instructions for details.**

Local Government Involvement

Local Government Agency

1) FCC Registration Number (FRN):
2) Name: Orange County Emergency Management

Contact Name

3) First Name: Ryan	4) MI:	5) Last Name: Pecbody	6) Suffix:
7) Title: Emergency Management Coordinator			

Contact Information

8) P.O. Box:	And /Or	9) Street Address: 11475 FM 1442
10) City: Orange	11) State: TX	12) Zip Code: 77630
13) Telephone Number: (409) 882-7895	14) Fax Number: (409) 670-4143	
15) E-mail Address: rpecbody@co.orange.tx.us		
16) Preferred means of communication:		
<input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Letter <input type="checkbox"/> Both		

Dates & Response

17) Date Contacted 03/16/16	18) Date Replied _ / _ / _
<input checked="" type="checkbox"/> No Reply <input type="checkbox"/> Replied/No Interest <input type="checkbox"/> Replied/Have Interest <input type="checkbox"/> Replied/Other _____	

Additional Information

19) Information on local government's role or interest (optional): Contracted Phase I, ER Testing, and NEPA review.

**This page may be copied to include additional local government agencies.
Local Government Attachments required – See instructions for details.**

Other Consulting Parties

Other Consulting Parties Contacted

1) Has any other agency been contacted and invited to become a consulting party?	() <u>Yes</u> () <u>No</u>
--	------------------------------------

Consulting Party

2) FCC Registration Number (FRN):
3) Name:

Contact Name

4) First Name:	5) MI:	6) Last Name:	7) Suffix:
8) Title:			

Contact Information

9) P.O. Box:	And /Or	10) Street Address:	
11) City:		12) State:	13) Zip Code:
14) Telephone Number: ()		15) Fax Number: ()	
16) E-mail Address:			
17) Preferred means of communication: () E-mail () Letter () Both			

Dates & Response

18) Date Contacted ____/____/____	19) Date Replied ____/____/____
() No Reply	
() Replied/No Interest	
() Replied/Have Interest	
() Replied/Other _____	

Additional Information

20) Information on other consulting parties' role or interest (optional):

**This page may be copied to include additional consulting parties.
Consulting Parties Attachments required – See instructions for details.**

Designation of SHPO/THPO

1) Designate the Lead State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO) based on the location of the tower.

SHPO/THPO

Name: Mark Wolfe

2) You may also designate up to three additional SHPOs/THPOs if the APEs include multiple states. If the APEs include other countries, enter the name of the National Historic Preservation Agency and any state and provincial Historic Preservation Agency.

SHPO/THPO Name: _____

SHPO/THPO Name: _____

SHPO/THPO Name: _____


NO HISTORIC PROPERTIES AFFECTED
PROJECT MAY PROCEED
by JA Kat Justin Ketriz
for Mark Wolfe
State Historic Preservation Officer
Date 4/26/2016

Designation of SHPO/THPO Attachments may be required – See instructions for details.

Certification

I certify that all representations on this FCC Form 620 Submission Packet and the accompanying attachments are true, correct, and complete.

Party Authorized to Sign

First Name: <u>Roger</u>	MI: <u>S</u>	Last Name: <u>willis</u>	Suffix: <u>II</u>
Signature: 			Date: <u>04.15.16</u>

FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

APPENDIX D



FEDERAL COMMUNICATIONS COMMISSION
Wireless Telecommunications Bureau
1270 Fairfield Road
Gettysburg, PA 17325-7245

**NOTICE OF ORGANIZATION(S) WHICH WERE SENT
PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION**

ORANGE COUNTY
RYAN PEABODY
2120 DENTON DR STE 105
AUSTIN, TX 78758

Date: 03/18/2016
Reference Number:

Dear Sir or Madam:

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this electronic mail message is to inform you that the following authorized persons were sent the information you provided through TCNS, which relates to your proposed antenna structure. The information was forwarded by the FCC to authorized TCNS users by electronic mail and/or regular mail (letter).

Persons who have received the information that you provided include leaders or their designees of federally-recognized American Indian Tribes, including Alaska Native Villages (collectively "Tribal Nations"), Native Hawaiian Organizations (NHOs), and State Historic Preservation Officers (SHPOs). For your convenience in identifying the referenced Tribal Nations and NHOs and in making further contacts, the City and State of the Seat of Government for each Tribal Nation and NHO, as well as the designated contact person, is included in the listing below. We note that Tribal Nations may have Section 106 cultural interests in ancestral homelands or other locations that are far removed from their current Seat of Government. Pursuant to the Commission's rules as set forth in the Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission (NPA), all Tribal Nations and NHOs listed below must be afforded a reasonable opportunity to respond to this notification, consistent with the procedures set forth below, unless the proposed construction falls within an exclusion designated by the Tribal Nation or NHO. (NPA, Section IV.F.4).

The information you provided was forwarded to the following Tribal Nations and NHOs. If a Tribal Nation or NHO does not respond within a reasonable time, you should make a reasonable effort at follow-up contact, unless the Tribal Nation or NHO has agreed to different procedures (NPA, Section IV.F.5). In the event a Tribal Nation or NHO does not respond to a follow-up inquiry, or if a substantive or procedural disagreement arises between you and a Tribal Nation or NHO, you must seek guidance from the Commission (NPA, Section IV.G). These procedures are further set forth in the FCC's Declaratory Ruling released on October 6, 2005 (FCC 05-176).

Letter to *Orange County Roger Willis*

Date:03/18/2016

Page 2

1. Acting Tribal Historic Preservation Officer - Kellie Poolaw - Kiowa Indian Tribe of Oklahoma - 100 Kiowa Way (PO Box: 50) - Carnegie, OK - kellie@tribaladminsivices.org; cbointy@kiowatribe.org - 580-654-2300

2. Cell Tower Administrator - Mary Botone - Wichita and Affiliated Tribes - (PO Box: 729) - Anadarko, OK - mary.botone@wichitatribe.com - 405-247-2425

Details: The Wichita and Affiliated Tribes is requesting consulting party status on all proposed projects that the Federal Communications Commission undertakes in the states of Kansas, Oklahoma and Texas.

As of January 4, 2016, we are also charging an administrative fee in the amount of \$750.00 for ALL TCNS filings, including collocations. There is also a \$50 per pole fee for all non-excluded poles for PTC when using the batch process.

Checks are to be made payable to: 'Wichita and Affiliated Tribes - Cell Tower Account.' Please make checks out individually for each site and mail to:

Wichita and Affiliated Tribes
ATTN: Mary M. Botone, Cell Tower Administrator
P.O. Box 729
Anadarko, OK 73005

Due to the mass amount of requests we will not be generating individual invoices, unless requested.

To expedite the review process, we are requesting the following information: purpose of tower and whether proposed site is a new or an existing site, site name, site and or project number, legal description or physical address of site, photographs in the four cardinal directions from proposed site, topographic and or quadrangle maps, height of tower by feet, type of tower, the complete FCC Form 620 or 621 packet, including a copy of the Survey Report and SHPO's concurrence letter.

All of the aforementioned information will assist us in making an accurate determination concerning the proposed site. Please send the Form 620 or 621 to Mary Botone via e-mail at mary.botone@wichitatribe.com. We will begin our research and review when payment and all requested information is received. A determination will not be issued without payment, and your Section 106 obligations with the Tribe IS NOT completed until payment is received.

3. Tribal Administrator - Joshua Waffle - Tonkawa Tribe - 1 Rush Buffalo Road - Tonkawa, OK - jwaffle@tonkawatribe.com - 580-628-2561

4. Historic Preservation Officer - Bryant Celestine - Alabama-Coushatta Tribe of Texas - 571 State Park Road 56 - Livingston, TX - Celestine.bryant@actribe.org - 936-563-1181

Details: Please consider this notification as our interest for consultation regarding your proposal.

As of August 1, 2013, the Alabama-Coushatta Tribe of Texas is implementing new procedures for consultations regarding cellular towers and antenna collocations. The Administrative Fee for our services is now \$500.00 to alleviate our

expenses for internal file searches, elder consultations, and if necessary, travel expenses for a site visit to complete our determination regarding your proposal. TAKE NOTE of the following procedures as this will assist our efforts to provide your firm with the most efficient process in returning our determinations:

1. Invoices will no longer be generated for each proposal. Please utilize the TCNS number(s) on your payment(s) payable to Alabama-Coushatta Tribe of Texas, Attention: Finance Department, 571 State Park Road 56, Livingston, TX 77351. A single payment is acceptable for multiple fees, provided each TCNS number is itemized on the payment. If a receipt is necessary, please contact our Finance Department at (936) 563-1100.
2. Submit your Form 620 or 621 by EMAIL to celestine.bryant@actribe.org. Please ensure your submission includes photographs, maps (topo, aerial, APEs), archival research, archaeological reports, and relevant project information.
3. Upon payment of the Administrative Fee, you will receive our determinations via email regarding your proposal(s). No response will be generated without payment and as a result, your Section 106 obligations with our Tribe ARE NOT complete.

Thank you, Bryant J. Celestine - Historic Preservation Officer

5. - Darrin Cisco - Apache Tribe of Oklahoma - 510 E Colorado Drive - Anadarko, OK -
Apacheculture510@yahoo.com - 405-247-7494

Details: The Apache Tribe of Oklahoma wishes to exercise its sovereign nation rights and participate in Section 106, NHPA Review of all TCNS/FCC tower construction activities planned or occurring in the Apache Tribe's listed Areas of Cultural Affiliation and Interest. All communications regarding this Section 106 review will be sent to the attention of Mr. Darrin Cisco at Apacheculture510@yahoo.com or mailed to: Darrin Cisco, PO Box 1330, Anadarko, Oklahoma 73005. Telephone: 405-247-1066. Review, research and documentation of each compliance review will adhere to the FCC Best Practices agreement and the Apache Tribe will charge a \$500.00 fee.

6. THPO - Wilfred Ferris - Eastern Shoshone Tribe - (PO Box: 538) - Fort Washakie, WY -
wferris.eshoshone@gmail.com - 307-349-6406

Details: The Eastern Shoshone Tribe has established a new online procedure for FCC TCNS review/consultation. Online submissions can now be completed at <http://app.tribal106.com>. The data platform is currently being administered by a third party who are providing consultation servicing through the online system on behalf of the Eastern Shoshone Tribe. For questions, please call Shastelle Swan at 406-395-4700

Based on the location of the proposed project and the pole(s) that you will be constructing as part of the Section 106 process in our particular aboriginal homelands, we are REQUESTING TO BE CONSULTED on this proposed project.

Please utilize the Tribal 106 NHPA consultation processing system website. Online submissions can be completed at <http://app.tribal106.com>

The Eastern Shoshone Tribe through the Historic Preservation Department has established a fee of \$400.00 per consultation. We are only accepting checks at this time. All checks should be mailed to the following address:

CCCRPD-EST

Letter to *Orange County Roger Willis*

Date:03/18/2016

Page 4

PO Box 87
Box Elder, MT 59521

If you have questions, please feel free to contact Mr. Wilfred Ferris, III THPO at wferris.eshoshone@gmail.com

Sincerely,
Wilfred J. Ferris, III, THPO
Eastern Shoshone Tribe

7. THPO - Linda Langley - Coushatta Indian Tribe - (PO Box: 10) - Elton, LA - llangley@coushattatribela.org - 337-584-1560

Details: The Coushatta Tribe of Louisiana has implementing a paperless review process for all new applications. Beginning November 20, 2013, we will no longer mail initial letters of interest, invoices, receipts for payments, or determination letters.

In order to expedite the review process, we are requesting that you upload the following information for each new or modified TCNS application to your Dropbox folder: New or existing tower site, site name & number, legal description or physical address of site, photographs in contour directions, topographic or quadrangle maps, height and type of tower, complete FCC Form 620 or 621, Phase 1 archaeological survey, and specific discussion of mitigation plans for any traditional cultural properties identified. Please be sure to identify and group information by the project TCNS application number.

Our research and review fee is \$500.00 per TCNS application. Please make checks payable to the Coushatta Tribe of LA, and mail them to the Coushatta Heritage Dept., PO Box 10, Elton, LA 70532.

8. TCNS Representative - Lillie Williamson - Jena Band of Choctaw Indians - (PO Box: 14) - Jena, LA - lwilliamson@jenachoctaw.org - 318-992-8258

Details: All FCC correspondence should be sent electronically to the email lwilliamson@jenachoctaw.org. We will no longer be utilizing invoice or receipts for projects. please accept this notification as our formal response and notification of receipt of payment. Since the proposed project falls within our area of interest, please submit maps and cultural resource surveys as they become available.

The Administrative fee is \$550.00, and addressed to JBCI Cultural Department C/O Lillie Williamson, P. O. Box 14, Jena, LA 71342 and checks made payable to the Jena Band of Choctaw Indians. No responses will be given without receiving the administrative fee beforehand. If you fail to submit a Archaeological Survey for the project, it will delay in a response from the tribe.

If you have any comments or questions, please feel free to contact me, Lillie Williamson at 318-992-8258.

9. THPO - Sheila Bird - Cherokee Nation - (PO Box: 948) - Tahlequah, OK - sheila-bird@cherokee.org - 918-453-5389
Details: The Cherokee Nation Historic Preservation Office has developed the following consultation procedures for all telecommunication projects identified as undertakings by the Federal Communications Commission.

Please submit by US postal mail or other carrier:

1. A 1-page cover letter with the following information:

- a. TCNS Number include on all correspondence
- b. Company Name
- c. Project Name, City, County, State
- d. Project type: new build, collocation, expansion, tower type-monopole, guyed-tower, height, land use, access road-existing or new build, utility lines-route with access road or new route, explanation of ground disturbance.
- e. Tower coordinates: GIS Shape files projected in NAD 1983 UTM Zone 15N coordinate system. Lats andLongs need to be in decimal degrees.
- f. Total area surveyed in acres
- g. Contact information include individuals name, address, phone and email

2. Professional cultural/archaeological survey report. With the first cultural resource survey report, include curriculum vitae for all archaeologists who conduct the field surveys and produce the cultural survey reports. At a minimum, the field surveyors must possess a BA or BS in anthropology with an emphasis in archaeology. Field surveyors who only possess a BA or BS in anthropology must be accompanied in the field by a supervisor who possesses an MA or MS in anthropology with an emphasis in archaeology. At a minimum, the individual who supervises and interprets the results of the field survey, determines the cultural resource recommendation, and produces the cultural survey report must possess an MA or MS in anthropology with an emphasis in archaeology.

3. Aerial and/or color USGS topographic maps locating project area within a) state, b) county, and c) within local area.

4. Aerial, color USGS topographic, or planimetric maps specifically locating:

- a) cell tower site,
- b) .5, .75 or 1.5 mile APE
- c) surveyed area for access road
- d) surveyed area for utility easement
- e) for guyed towers, surveyed locations for guy anchors
- f) surveyed staging area
- g) location of archaeological and historic sites in the APE and in the close vicinity of the APE.

Do not submit hand drawn or hand annotated maps.

5. Project site plan maps depicting labeled shovel test locations. Do not submit hand drawn or hand annotated maps.

At a minimum, shovel tests need to be at the center and four corners of the cell tower lease area, all guy anchor locations, throughout the access road and utility easement, and staging area.

The minimum shovel test density for access roads and utility easements is 1 every 20 m. Shovel test minimum width is 40 cm. Shovel test minimum depth is to 50 cm or sterile soil, whichever is encountered first. If terminated before sterile soil is reached, please provide an explanation either in the text or in the shovel test table.

Excavated shovel tests must be screened using a 0.25 in mesh screen, dug in stratigraphic or 10cm levels, and measurements must be recorded in centimeters.

6. Table listing shovel test locations, width (cm), depths (cm), soils, and results.

7. Site photographs in color, specifically images with exact location of a) cell tower construction site by taking shot with cell tower/base/compound location marked by stakes or flagging, b) guy anchor locations, c) access road, d) utility easement, and e) staging area.

8. Submit a \$500.00 per-tower fee for administration, data processing, handling, research, and review. Expedited tower fee is \$700.00. Make the check payable to the Cherokee Nation. On the memo line write all TCNS numbers.

Exceptions for information submission:

A. Collocations that do not involve any ground disturbance. Please submit the applicable information from item numbers 1, 3, 7, and 8 above.

B. Collocations or new towers that do involve ground disturbance and are in a location that previously experienced significant ground disturbance. Please submit the applicable information from item numbers 1, 3, 4, and 7-8 above. In addition, please provide documentation that confirms the significant ground disturbance claim, i.e. photographs, past land use, and/or inspection by a qualified archaeologist.

Mail one printed color copy of all documentation accompanied with a CD version.

Please, do NOT send FCC Form 620 (FCC submittal form and attachments packet), or any sections of the FCC form in place of the cultural resource survey report or any state Section 106 survey memo/short reporting form.

Use only the following contact and address information:

Sheila Bird, THPO
Cherokee Nation Historic Preservation Office
P.O. Box 948
Tahlequah, OK 74464
sheila-bird@cherokee.org
Phone: 918-453-5389

10. Tribal Historic Preservation Officer - Holly Houghten - Mescalero Apache Tribe - Mescalero Apache Tribal Historic Preservation Office 101 Central Ave(PO Box: 227) - Mescalero, NM - holly@mathpo.org - 575-464-3005

Details: The Mescalero Apache Tribe does not wish to review towers that are being placed upon existing buildings. For review of all other proposed towers located within the Mescalero Apache Tribe's traditional homelands, the Tribe will charge a \$125.00 review fee. Please send this fee to the Historic Preservation Office, Mescalero Apache Tribe, P.O. Box 227, Mescalero, NM 88340. Please make the check payable to the Mescalero Apache Tribe and note on the check, or an attachment, the TCNS# or project name/number that the review fee is provided for. Upon receipt of the review fee, the Mescalero Apache Tribe will promptly respond to your review request.

11. THPO - Teanna Limpy - Northern Cheyenne Tribe - (PO Box: 128) - Lame Deer, MT - teanna.limpy@cheyennation.com; teanna.limpy@cheyennation.com - 406-477-4839

Details: The Northern Cheyenne Tribe has an interest in this site.

The Northern Cheyenne Tribe requirement for project consultation is digitally through our website. Our website is <http://cms.cheyennation.com>

Please do not mail paper or emailed project submissions. For organization, documentation, and financial regulation, and by tribal resolution, all projects must be submitted to and processed through our website.

Our tribe requires the Cultural Resource or Archaeological Survey Reports completed for the project, such as the Class III Cultural Resource Inventory Report if done, or at least a Class I Cultural Inventory if fieldwork was not required. This report should include ALL known sites within the designated area of potential effect. This includes NOT ONLY the listed and eligible sites, we want the unevaluated and recommended not eligible sites included as well.

This report should include the previously located cultural resource designation, distance from the project, and National Register eligibility determination, if a determination has been made. No determination is fine if the site has not been evaluated, but we still want to see the information on these sites. Please include the resource type, such as historic irrigation, homestead, lithic scatter, burial mound, etc.

Each report should include maps that show the location of the proposed project and topographic features of the proposed project area. Each map should show the standard Area of Potential Effects as determined by the height of the tower and the FCC's Nationwide Programmatic Agreement.

When SHPO site files are referenced, please include the SHPO's file number, site name, and a brief narrative summary as to the type of site. The summary should be sufficient to enable the reader to understand why the site was documented. We would also like to know how far the site is from the project. Each report should include photographs of the tower and the surrounding landscape.

The Tribe does not consider predictive modeling to be adequate in the identification of cultural resources. Literature review, aerial photographs, and statistical probability are not a replacement for boots on the ground.

The Northern Cheyenne Nation has a long and rich history in the area including oral histories going back millennia. Under 36 CFR 800 .4 we have the right to evaluate federal undertakings with the potential to effect cultural resources. Our unique knowledge of sites and their potential significance under the National and Tribal Register make it essential

for us to evaluate all sites within the area of potential effect.

Also, please include a summary of all newly recorded cultural resources identified for the current undertaking.

If a full Class III survey report was not required, please state the reason why one is not attached, such as no new ground disturbance. Otherwise the processing of the project will be held up while we try to locate a report on the project. Even if fieldwork was not required, could you please send us a Class I file search of all know sites in the surrounding area.

The Tribe charges a review fee in the amount of \$400 for processing each request, including collocations - since we were not at the table to begin with on these collocation projects, we want to make sure we have the opportunity to look at these now and get that history known.

This paragraph only applies to Positive Train Control Projects. The Tribe charges \$400 plus \$250 for each additional tower listed under one TCNS for the current PTC batching method.

Payments can be made by check or money order, made payable to the Northern Cheyenne Tribal Historic Preservation Office, and mailed to PO Box 128, Lame Deer, Montana 59043. Please include the TCNS in the memo line of your check.

If you have any questions or need more information please call the Tribal Historic Preservation Office at 406-477-4838.

The information you provided was also forwarded to the following SHPOs in the State in which you propose to construct and neighboring States. The information was provided to these SHPOs as a courtesy for their information and planning. You need make no effort at this time to follow up with any SHPO that does not respond to this notification. Prior to construction, you must provide the SHPO of the State in which you propose to construct (or the Tribal Historic Preservation Officer, if the project will be located on certain Tribal lands), with a Submission Packet pursuant to Section VII.A of the NPA.

12. SHPO - Cathie Matthews - Department of Arkansas Heritage - 323 Center Street Suite 1500 - Little Rock, AR - cathiem@arkansasheritage.org - 501-324-9150

13. Deputy SHPO - Ken Grunewald - Department of Arkansas Heritage - 323 Center Street Suite 1500 - Little Rock, AR - keng@arkansasheritage.org - 501-324-9357

14. SHPO - Bob Blackburn - Oklahoma Historical Society - 2100 N. Lincoln Blvd - Oklahoma City, OK - - 405-521-2491

15. Historian - Sarah Forbes - Texas Historical Commission - (PO Box: 12276) - Austin, TX - TexFcc@thc.state.tx.us - 512-936-7403

Letter to *Orange County Roger Willis*

Date:03/18/2016

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Please be advised that the FCC cannot guarantee that the contact(s) listed above opened and reviewed an electronic or regular mail notification. If you learn any of the above contact information is no longer valid, please contact the FCC. The following information relating to the proposed tower was forwarded to the person(s) listed above:

Notification Received: 03/09/2016

Notification ID: 137067

Tower Owner Individual or Entity Name: Orange County

Consultant Name: Roger Willis

P.O. Box:

Street Address: 2120 Denton Dr Ste 105

City: Austin

State: TX

Zip Code: 78758

Phone: 512-837-8005

Email: rwillis@ecslimited.com

Structure Type: NNMTANN - Monopole Array

Latitude: 30 deg 7 min 48 sec N

Longitude: 94 deg 0 min 18.8 sec W

Location Description: 675 East Railroad Avenue

City: Vidor

State: TEXAS

County: ORANGE

Detailed Description of Project (Optional): 450' freestanding tower with utility shed inside an 80' by 70' fenced enclosure

Ground Elevation: 6.7 meters

Support Structure: 137.2 meters above ground level

Overall Structure: 137.2 meters above ground level

Overall Height AMSL: 143.9 meters above sea level

If you have any questions or comments regarding this notice, please contact the FCC using the electronic mail form located on the FCC's website at:

<http://wireless.fcc.gov/outreach/notification/contact-fcc.html>.

You may also call the FCC Support Center at (877) 480-3201 (TTY 717-338-2824). To provide quality service and ensure security, all telephone calls are recorded.

Thank you,
Federal Communications Commission

Reference Copy

THE NORTHERN CHEYENNE TRIBE

RWillis

From: towernotifyinfo@fcc.gov
Sent: Wednesday, March 16, 2016 11:56 AM
To: RWillis
Cc: tcns.fccarchive@fcc.gov; virginia.m.w.oboyle@gmail.com;
teanna.limpy@cheyennation.com
Subject: Reply to Proposed Tower Structure (Notification ID: 137067) - Email ID #4525378

Follow Up Flag: Follow up
Flag Status: Flagged

TargetType: project

Dear Ryan Peabody,

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this email is to inform you that an authorized user of the TCNS has replied to a proposed tower construction notification that you had submitted through the TCNS.

The following message has been sent to you from THPO Teanna Limpy of the Northern Cheyenne Tribe in reference to Notification ID #137067:

Attention:

The most important information our tribe requires are the records search results – all of the results. We are not consistently receiving these. The FCC requires information about the sites that are eligible for the National Register, but the FCC also requires companies to supply the tribes with additional requested information that is necessary for the tribes to complete their work. By statute, code of federal regulation, and the programmatic agreement, the tribe has the right to request additional information necessary for the tribe to evaluate the potential effect of the undertaking on cultural resources which may be significant to the tribe. Under 36 CFR 8004.5 “ the agency official shall apply the National Register criteria (36CFR part 63) to properties identified within the area of potential effects that have not been previously evaluated for National Register eligibility.”

We require the complete results of the file search of the area of potential effect. Nearly every single Native cultural resource that is identified by archaeologists is recorded as unevaluated and needing further evaluation. We require you to send ALL KNOWN sites identified in the complete file search – even the unevaluated, undetermined, and recommended ineligible sites. Please include the resource type and distance from the proposed project area. Details are below.

The Northern Cheyenne Tribe has an interest in this site. The Northern Cheyenne Tribe requirement for consultation is digitally through our website. Our website is <http://cms.cheyennation.com>

For organization, documentation, and financial regulation, all projects must be processed through our website. We do not accept paper or emailed submissions.

Our tribe requires the Cultural Resource or Archaeological Survey Reports completed for the project, such as the Class III Cultural Resource Inventory Report if done, or at least a Class I Cultural Inventory if fieldwork was not required. This report should include ALL known sites within the designated area of potential effect. This includes NOT ONLY the listed and eligible sites; we require the unevaluated, undetermined, and recommended not eligible sites included as well.

This report should include the previously located cultural resource designation, distance from the project, and National Register eligibility determination, if a determination has been made. No determination is fine if the site has not been evaluated, but we still want to see the information on these sites. Please include the resource type, such as historic irrigation, homestead, lithic scatter, burial mound, etc.

Each report should include maps that show the location of the proposed project and topographic features of the proposed project area. Each map should show the standard Area of Potential Effects as determined by the height of the tower and the FCC's Nationwide Programmatic Agreement.

When SHPO site files are referenced, please include the SHPO's file number, site name, and a brief narrative summary as to the type of site. The summary should be sufficient to enable the reader to understand why the site was documented. We would also like to know how far the site is from the project. Each report should include photographs of the tower and the surrounding landscape.

The Tribe does not consider predictive modeling to be adequate in the identification of cultural resources. Literature review, aerial photographs, and statistical probability are not a replacement for boots on the ground.

The Northern Cheyenne Nation has a long and rich history in the area including oral histories going back millennia. Under 36 CFR 800 .4 we have the right to evaluate federal undertakings with the potential to effect cultural resources. Our unique knowledge of sites and their potential significance under the National and Tribal Register make it essential for us to evaluate all sites within the area of potential effect. This is the very reason why we – the Tribes – are involved. The history, language, or religion of our people, the significance or sacredness of a place to us, our important people associated with these places, and our ongoing traditional uses of a location.

Also, please include a summary of all newly recorded cultural resources identified for the current undertaking.

If a full Class III survey report was not required, please state the reason why one is not attached, such as no new ground disturbance. Otherwise the processing of the project will be held up while we try to locate a report on the project. Even if fieldwork was not required, we still require a Class I file search of all know sites in the surrounding area.

The Tribe charges a review fee in the amount of \$400 for processing each request. The fee structure was created by council resolution. This includes colocations - since we were not at the table to begin with on these colocation projects, we want to make sure we have the opportunity to look at these now and get our history known.

This paragraph only applies to Positive Train Control Projects submitting multiple PTC towers using the FCC's batching method. The Tribe charges \$400 for the first non-excluded PTC tower in the batch, plus \$250 for each additional non-excluded tower listed under one TCNS number.

Payments can be made by check or money order, made payable to the Northern Cheyenne Tribal Historic Preservation Office and mailed to PO Box 128, Lame Deer Montana 59043. Please include the TCNS in the memo line of your check so that your payment is applied to the correct project.

If you have any questions or need more information please call the Tribal Historic Preservation Office at 406-477-4838/4839. If you have questions for our current compliance officer Gloria American Horse, she can answer project specific questions and track project payments. Her email is gloria.americanhorse@cheyennenation.com.

Thank you for “ensuring tribal cultural properties and other sacred sites of a historic nature are protected in a manner respectful of tribal sovereignty and consistent with the obligations of the Commission under the NHPA” (WT Docket No. 03-128 2004:38).

For your convenience, the information you submitted for this notification is detailed below.

Notification Received: 03/09/2016
Notification ID: 137067
Tower Owner Individual or Entity Name: Orange County
Consultant Name: Roger Willis
Street Address: 2120 Denton Dr Ste 105
City: Austin
State: TEXAS
Zip Code: 78758
Phone: 512-837-8005
Email: rwillis@ecslimited.com

Structure Type: NNMTANN - Monopole Array
Latitude: 30 deg 7 min 48.0 sec N
Longitude: 94 deg 0 min 18.8 sec W
Location Description: 675 East Railroad Avenue
City: Vidor
State: TEXAS
County: ORANGE

Detailed Description of Project: 450' freestanding tower with utility shed inside an 80' by 70' fenced enclosure
Ground Elevation: 6.7 meters
Support Structure: 137.2 meters above ground level
Overall Structure: 137.2 meters above ground level
Overall Height AMSL: 143.9 meters above mean sea level

THE TONKAWA TRIBE

RWillis

From: towernotifyinfo@fcc.gov
Sent: Wednesday, March 16, 2016 1:50 PM
To: RWillis
Cc: tcns.fccarchive@fcc.gov; jwaffle@tonkawatribe.com
Subject: Reply to Proposed Tower Structure (Notification ID: 137067) - Email ID #4525450

Follow Up Flag: Follow up
Flag Status: Flagged

TargetType: project

Dear Ryan Peabody,

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this email is to inform you that an authorized user of the TCNS has replied to a proposed tower construction notification that you had submitted through the TCNS.

The following message has been sent to you from Tribal Administrator Joshua Waffle of the Tonkawa Tribe in reference to Notification ID #137067:

The following site(s) have been reviewed and to date (Wednesday, March 16, 2016) with current resources, the Tonkawa Tribe has no known burial sites of the Tonkawa Indians. If any remains or artifacts are discovered please contact the appropriate Agencies and our Tribal Facilities immediately. If the Tonkawa Tribes databases change in regards to the statement in this letter, a Tribal Representative will contact you.

Respectfully,

Joshua Waffle

Tribal Administrator Tonkawa Tribe

Ph 580 628 2561 124

Fx 580 441 0104

Cl 580 491 1209

jwaffle@tonkawatribe.com

For your convenience, the information you submitted for this notification is detailed below.

Notification Received: 03/09/2016

Notification ID: 137067

Tower Owner Individual or Entity Name: Orange County

Consultant Name: Roger Willis

Street Address: 2120 Denton Dr Ste 105

City: Austin

State: TEXAS

Zip Code: 78758

Phone: 512-837-8005

Email: rwillis@ecslimited.com

Structure Type: NNMTANN - Monopole Array
Latitude: 30 deg 7 min 48.0 sec N
Longitude: 94 deg 0 min 18.8 sec W
Location Description: 675 East Railroad Avenue
City: Vidor
State: TEXAS
County: ORANGE

Detailed Description of Project: 450' freestanding tower with utility shed inside an 80' by 70' fenced enclosure
Ground Elevation: 6.7 meters
Support Structure: 137.2 meters above ground level
Overall Structure: 137.2 meters above ground level
Overall Height AMSL: 143.9 meters above mean sea level

THE EASTERN SHOSHONE TRIBE

RWillis

From: towernotifyinfo@fcc.gov
Sent: Monday, March 21, 2016 10:54 AM
To: RWillis
Cc: tcns.fccarchive@fcc.gov
Subject: Reply to Proposed Tower Structure (Notification ID: 137067) - Email ID #4529333

Follow Up Flag: Follow up
Flag Status: Flagged

TargetType: project

Dear Ryan Peabody,

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this email is to inform you that an authorized user of the TCNS has replied to a proposed tower construction notification that you had submitted through the TCNS.

The following message has been sent to you from THPO Wilfred Ferris III of the Eastern Shoshone Tribe in reference to Notification ID #137067:

The Eastern Shoshone Tribe has established a new online procedure for FCC TCNS review/consultation. Online submissions can now be completed at <http://app.tribal106.com>. The data platform is currently being administered by a third party who are providing consultation servicing through the online system on behalf of the Eastern Shoshone Tribe. For questions, please call Shastelle Swan or Falene Russette at 406-395-4700 Based on the location of the proposed project and the pole(s) that you will be constructing as part of the Section 106 process in our particular aboriginal homelands, we are REQUESTING TO BE CONSULTED on this proposed project. Please utilize the Tribal 106 NHPA consultation processing system website. Online submissions can be completed at <http://app.tribal106.com>. Please include the Archaeological Survey report, site plans, photo log, and coordinates in your submission to the online platform. The Eastern Shoshone Tribe through the Historic Preservation Department has established a fee of \$400.00 per consultation. We are only accepting checks at this time. Please mail checks to: CCCRPD-EST; PO Box 87; Box Elder, MT 59521. If you have questions, please feel free to contact Mr. Wilfred Ferris, III THPO at wferris.eshoshone@gmail.com.

Sincerely,
Wilfred J. Ferris, III, THPO
Eastern Shoshone Tribe

For your convenience, the information you submitted for this notification is detailed below.

Notification Received: 03/09/2016
Notification ID: 137067
Tower Owner Individual or Entity Name: Orange County
Consultant Name: Roger Willis
Street Address: 2120 Denton Dr Ste 105
City: Austin

State: TEXAS
Zip Code: 78758
Phone: 512-837-8005
Email: rwillis@ecslimited.com

Structure Type: NNMTANN - Monopole Array
Latitude: 30 deg 7 min 48.0 sec N
Longitude: 94 deg 0 min 18.8 sec W
Location Description: 675 East Railroad Avenue
City: Vidor
State: TEXAS
County: ORANGE

Detailed Description of Project: 450' freestanding tower with utility shed inside an 80' by 70' fenced enclosure
Ground Elevation: 6.7 meters
Support Structure: 137.2 meters above ground level
Overall Structure: 137.2 meters above ground level
Overall Height AMSL: 143.9 meters above mean sea level

THE WICHITA AND AFFILIATED TRIBES

RWillis

From: towernotifyinfo@fcc.gov
Sent: Tuesday, March 22, 2016 10:47 AM
To: RWillis
Cc: tcns.fccarchive@fcc.gov
Subject: Reply to Proposed Tower Structure (Notification ID: 137067) - Email ID #4529730

Follow Up Flag: Follow up
Flag Status: Flagged

TargetType: project

Dear Ryan Peabody,

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this email is to inform you that an authorized user of the TCNS has replied to a proposed tower construction notification that you had submitted through the TCNS.

The following message has been sent to you from Cell Tower Administrator Mary M Botone of the Wichita and Affiliated Tribes in reference to Notification ID #137067:

The Wichita & Affiliated Tribes is requesting consulting party status on any proposed projects that the Federal Communications Commission undertakes in the states of Kansas, Oklahoma and Texas.

We are also charging an ADMINISTRATIVE FEE of \$750.00 for ALL TCNS\PTC filings including colocation and an additional \$50.00 for each Non-Excluded PTC using the batch process. *PLEASE MAKE CHECKS OUT INDIVIDUALLY FOR EACH SITE*.

Checks are to be made payable to: "WICHITA & AFFILIATED TRIBES - CELL TOWER ACCOUNT" and mailed to: Wichita & Affiliated Tribes, PO Box 729, Anadarko, Oklahoma 73005 - ATTN: Mary M Botone, Cell Tower Administrator.

Due to the mass amount of requests, we will not be generating invoices, unless requested. To expedite the review process, we are requesting the following information; purpose of tower whether new or an existing site, site name, site and\or project number, legal description or physical address of site, photographs in the four cardinal directions from proposed site, shovel testing in the direct project area and along the access road\utility easement, topographic and\or quadrangle maps, height of tower by feet, type of tower, the complete FCC Form 620 or 621 packet, including a copy the Archeological Survey Report and the SHPO concurrence letter. All of the aforementioned information will enable us to make an accurate decision concerning the proposed site.

Please send the Form 620 or 621 and all other requested information (including the SHPO concurrence letter) to mary.botone@wichitatribe.com. We will begin our research and review when payment and all requested information is received. Clearance will not be given without payment and your Section 106 obligations with the Tribe IS NOT completed until payment is received.

If you have any questions pertaining to this matter, please contact me at 405.247.8667. Thank you for your time and attention to this matter.

For your convenience, the information you submitted for this notification is detailed below.

Notification Received: 03/09/2016
Notification ID: 137067
Tower Owner Individual or Entity Name: Orange County
Consultant Name: Roger Willis
Street Address: 2120 Denton Dr Ste 105
City: Austin
State: TEXAS
Zip Code: 78758
Phone: 512-837-8005
Email: rwillis@ecslimited.com

Structure Type: NNMTANN - Monopole Array
Latitude: 30 deg 7 min 48.0 sec N
Longitude: 94 deg 0 min 18.8 sec W
Location Description: 675 East Railroad Avenue
City: Vidor
State: TEXAS
County: ORANGE

Detailed Description of Project: 450' freestanding tower with utility shed inside an 80' by 70' fenced enclosure
Ground Elevation: 6.7 meters
Support Structure: 137.2 meters above ground level
Overall Structure: 137.2 meters above ground level
Overall Height AMSL: 143.9 meters above mean sea level

THE KIOWA INDIAN TRIBE OF OKLAHOMA

RWillis

From: towernotifyinfo@fcc.gov
Sent: Monday, March 28, 2016 8:42 AM
To: RWillis
Cc: tcns.fccarchive@fcc.gov; kellie@tribaladminsivices.org; cbointy@kiowatribe.org
Subject: Reply to Proposed Tower Structure (Notification ID: 137067) - Email ID #4536690

Follow Up Flag: Follow up
Flag Status: Flagged

TargetType: project

Dear Ryan Peabody,

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this email is to inform you that an authorized user of the TCNS has replied to a proposed tower construction notification that you had submitted through the TCNS.

The following message has been sent to you from Acting Tribal Historic Preservation Officer Kellie J Poolaw of the Kiowa Indian Tribe of Oklahoma in reference to Notification ID #137067:

Please email kellie@tribaladminsivices.org for consultation requirements. Thank you for your time and consideration.

For your convenience, the information you submitted for this notification is detailed below.

Notification Received: 03/09/2016
Notification ID: 137067
Tower Owner Individual or Entity Name: Orange County
Consultant Name: Roger Willis
Street Address: 2120 Denton Dr Ste 105
City: Austin
State: TEXAS
Zip Code: 78758
Phone: 512-837-8005
Email: rwillis@ecslimited.com

Structure Type: NNMTANN - Monopole Array
Latitude: 30 deg 7 min 48.0 sec N
Longitude: 94 deg 0 min 18.8 sec W
Location Description: 675 East Railroad Avenue
City: Vidor
State: TEXAS
County: ORANGE

Detailed Description of Project: 450' freestanding tower with utility shed inside an 80' by 70' fenced enclosure

Ground Elevation: 6.7 meters

Support Structure: 137.2 meters above ground level

Overall Structure: 137.2 meters above ground level

Overall Height AMSL: 143.9 meters above mean sea level

RWillis

From: Kellie J. Poolaw <kellie@tribaladminsivices.org>
Sent: Tuesday, March 29, 2016 8:26 AM
To: RWillis
Subject: Re: Proposed Tower Structure (Notification ID:137067)
Attachments: ECS #137067.doc

Follow Up Flag: Follow up
Flag Status: Flagged

TargetType: project

Good morning,

Attached are the requirements for this project. Should you have any questions, please do not hesitate to contact me. Thank you for your time and consideration.

Have a great day!

Kellie J. Poolaw

*Acting Tribal Historic Preservation Officer
Kiowa Tribe Office of Historic Preservation
P.O. Box 50
Carnegie, OK 73015
(405) 435-1650*

"The work goes on, the cause endures, the hope still lives and the dreams shall never die." ~Edward Kennedy

From: RWillis <RWillis@ecslimited.com>
Sent: Monday, March 28, 2016 9:49 AM
To: Kellie J. Poolaw
Subject: Proposed Tower Structure (Notification ID:137067)

Ms. Poolaw,

I am emailing you about consultation requirements for a proposed radio tower in Vidor, Texas as requested in your TCNS response (Email ID #4536690). What additional information do you require?

Roger S. Willis II

Environmental Scientist

ECS Texas, LLP 2120 Denton Drive, Suite 105, Austin, TX 78758
T: 512-837-8005 C: 512-962-9459 F: 512-837-8221 www.ecslimited.com

Confidential/proprietary message/attachments. Delete message/attachments if not intended recipient.



Kiowa Tribe of Oklahoma
Office of Historic Preservation
P.O. Box 50
100 Kiowa Way
Carnegie, OK 73015

March 28, 2016

Roger S. Willis II
Environmental Scientist
ECS Texas, LLP
2120 Denton Drive, Suite 105
Austin, TX 78758

RE: TCNS #137067; Section 106 Consultation and Review for proposed construction located at 675 East Railroad Avenue, Vidor, Orange County, Texas

Dear Mr. Willis,

The Kiowa Tribe of Oklahoma Office of Historic Preservation (OHP) has certain requirements for all Section 106 consultations subject to review. Section 106 of the National Historic Preservation Act of 1966 (NHPA) and 36 CFR Part 800 requires consultation with the Kiowa Tribe.

Please be advised the Kiowa Tribe Office of Historic Preservation requires the following items before research can begin on your request:

- ✓ A \$1,500 Non-Refundable Research Service Fee for all projects that require review
- ✓ A topographical map specifying the Area of Potential Effect (APE)
- ✓ Description of the work to be performed, including Earth disturbing activities, depth and breadth of the disturbance
- ✓ An electronic copy of the check for payment attached in a separate PDF. file
- ✓ Preferred documentation: Electronic copies of Cultural Resource Survey

Please make checks payable to the Kiowa Tribe Office of Historic Preservation, mail to the post office box above to my attention. After receipt of the materials mentioned above, we will process your request and you will receive our comment within 30 days.

Should you have questions, please do not hesitate to contact me at kellie@tribaladminsivices.org. Thank you for your time and consideration.

Sincerely,

Kellie J. Poolaw
Acting Tribal Historic Preservation Officer (THPO)

Phone: (405) 435-1650

Kellie J. Poolaw
Acting Tribal Historic Preservation Officer (THPO)
kellie@tribaladminsivices.org

Complex: (580) 654-2300

APPENDIX E



Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2016-ASW-1725-OE

Issued Date: 03/03/2016

Ryan Peabody
 Orange County
 11475 FM1442
 Orange, TX 77630

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Antenna Tower Vidor PD
 Location: Vidor, TX
 Latitude: 30-07-48.00N NAD 83
 Longitude: 94-00-18.80W
 Heights: 22 feet site elevation (SE)
 450 feet above ground level (AGL)
 472 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 L, Obstruction Marking and Lighting, a med-dual system - Chapters 4,8(M-Dual),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 09/03/2017 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (817) 222-5928. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2016-ASW-1725-OE.

Signature Control No: 281821589-283899359

(DNE)

Alice Yett
Technician

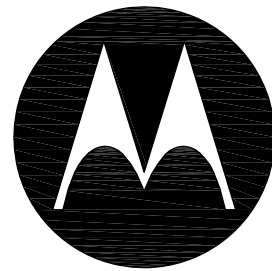
Attachment(s)
Frequency Data

cc: FCC

Frequency Data for ASN 2016-ASW-1725-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W

APPENDIX F



MOTOROLA SOLUTIONS

PROJECT NAME: CITY OF VIDOR P25 UPGRADE
 SITE NAME: VIDOR
 SITE ADDRESS: 675 E RAILROAD STREET
 VIDOR, TX 77662



DRAWN BY: TROY
 CHECKED BY: J. GEORGE
 ACGI JOB #: 16-0648

REVISIONS			
NO	DATE	DESCRIPTION	BY
B	05/23/16	REDLINES	TROY
A	04/25/16	ISSUED FOR REVIEW	TROY



PRELIMINARY - NOT FOR CONSTRUCTION

NOT VALID WITHOUT P.E. STAMP & SIGNATURE

VIDOR
 675 E RAILROAD STREET
 VIDOR, TX 77662
 ORANGE COUNTY

SHEET TITLE
TITLE SHEET

SHEET NUMBER
T-1

SITE INFORMATION

APPLICANT: ORANGE COUNTY
 CONTACT: RYAN PEABOY
 409-882-7895

SITE ADDRESS: 675 E RAILROAD STREET
 VIDOR, TX 77662

LATITUDE: 33° 07' 48.41" N
 LONGITUDE: -94° 00' 18.55" W
 GROUND ELEVATION: 21.42'

PARCEL/LOT: N/A
 ZONING: N/A
 JURISDICTION: CITY OF VIDOR

CODE: IBC 2012
 OCCUPANCY: UNMANNED - UTILITY FACILITY

ENLARGED VICINITY MAP



VICINITY MAP



DRIVING DIRECTIONS

DEPART HOUSTON INTERCONTINENTAL AIRPORT JOHN F KENNEDY BLVD, HOUSTON TX ON RAMP (NORTH) MERGE ONTO WILL CLAYTON PKWY TURN RIGHT (SOUTH) ONTO EASTEX FWY [US-59] TAKE RAMP (LEFT) ONTO US-59 [EASTEX FWY] TAKE RAMP (RIGHT) ONTO EASTEX FWY [HIGHWAY 59 N] TURN LEFT (EAST) ONTO (E) BELTWAY 8 [N SAM HOUSTON PKWY E] ROAD NAME CHANGES TO US-90 [E BELTWAY 8] ROAD NAME CHANGES TO E BELTWAY 8 [E SAM HOUSTON PKWY N] KEEP LEFT ONTO RAMP ROAD NAME CHANGES TO BELTWAY 8 S [SAM HOUSTON PKWY S] KEEP RIGHT ONTO RAMP TAKE RAMP (LEFT) ONTO I-10 [TX-73] AT EXIT 861, TAKE RAMP (RIGHT) ONTO I-10 E [EAST FWY] TURN RIGHT (SOUTH) ONTO S DENVER ST TURN LEFT (EAST) ONTO E BOLIVAR ST TURN RIGHT (SOUTH) ONTO HOWELL ST TURN RIGHT (WEST) ONTO LOCAL ROAD(S) ARRIVE TO 675 E RAILROAD ST, VIDOR TX 77662.

PROJECT DESCRIPTION

THIS PROJECT WILL INCLUDE THE COLOCATION OF NEW WIRELESS COMMUNICATIONS EQUIPMENT TO AN NEW SELF SUPPORT TOWER COMPOUND. PROPOSED EQUIPMENT SHELTER, NEW GENERATOR & ASSOCIATED POWER/TELEPHONE CIRCUITS WILL BE ADDED WITH THE SITE.

ORANGE COUNTY CONSTRUCTION APPROVAL

PRINT NAME _____
 SIGNATURE _____ DATE _____

MOTOROLA SOLUTIONS RF APPROVAL

PRINT NAME _____
 SIGNATURE _____ DATE _____

OWNER APPROVAL

PRINT NAME _____
 SIGNATURE _____ DATE _____

UTILITIES

ELECTRICAL COMPANY
 TBD

TELEPHONE COMPANY
 TBD



SHEET INDEX

SHEET No.:	SHEET TITLE:	REVISION HISTORY	
		NO.:	DATE:
T-1	TITLE SHEET	0	
GN-1	GENERAL NOTES	0	
C-1	CIVIL NOTES	0	
C-2	OVERALL SITE PLAN	0	
C-3	ENLARGED SITE PLAN	0	
C-4	ELEVATION	0	
C-5	ICE BRIDGE & CONDUIT SUPPORT DETAILS	0	
E-1	ELEC/TELCO GENERAL NOTES	0	
E-2	ELECTRICAL SITE PLAN	0	
E-3	UTILITY DETAILS	0	
G-1	GROUNDING SITE PLAN	0	
G-2	EQUIPMENT GROUNDING SYSTEM	0	
G-3	GROUNDING DETAILS	0	
G-4	GROUNDING DETAILS	0	
G-5	GROUNDING NOTES	0	
S-1	SHELTER FOUNDATION	0	
S-2	STRUCTURAL DETAILS	0	

PROJECT TEAM

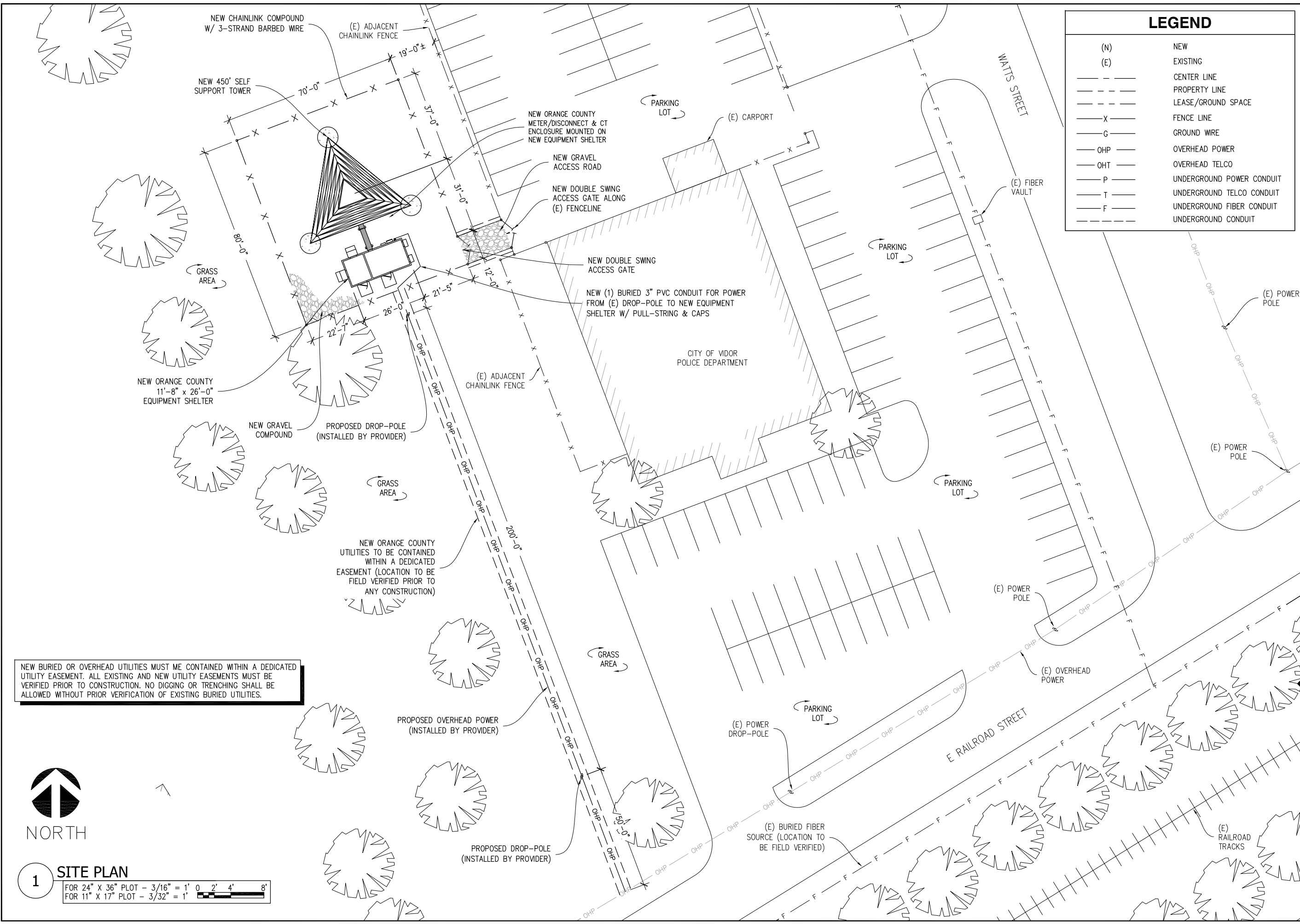
PROJECT MANAGEMENT: MOTOROLA SOLUTIONS
 CONTACT: ART CORREIRO
 3522 WINDSOR FOREST DR.
 GRAPEVINE, TX. 76051
 EMAIL: Art.Correiro@motorolasolutions.com
 MOBILE: (832) 428-5146
 FAX: (847) 761-1313

ENGINEER: BY OTHERS

A&E BY: ALLPRO CONSULTING GROUP, INC.
 9221 LYNDON B. JOHNSON
 FREEWAY SUITE 204
 DALLAS, TX. 75243
 CONTACT: JOJI M. GEORGE, P.E.
 OFFICE: (972) 237-8893
 FAX: 866-364-8375

CONSTRUCTION: STS SHAFFER TOWER SERVICES
 1239B WEST 19TH STREET
 HOUSTON, TX. 77008
 CONTACT: ANIL SAM
 EMAIL: anil.sam@shafcomm.com
 OFFICE: (713) 463-0022
 FAX: (713) 647-0044

CONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME



LEGEND

(N)	NEW
(E)	EXISTING
---	CENTER LINE
- - -	PROPERTY LINE
- - - -	LEASE/GROUND SPACE
- X -	FENCE LINE
- G -	GROUND WIRE
- OHP -	OVERHEAD POWER
- OHT -	OVERHEAD TELCO
- P -	UNDERGROUND POWER CONDUIT
- T -	UNDERGROUND TELCO CONDUIT
- F -	UNDERGROUND FIBER CONDUIT
- - - -	UNDERGROUND CONDUIT



DRAWN BY: TROY
 CHECKED BY: J. GEORGE
 ACGI JOB #: 16-0648

REVISIONS			
NO	DATE	DESCRIPTION	BY
B	05/23/16	REDLINES	TROY
A	04/25/16	ISSUED FOR REVIEW	TROY

ALLPRO
 CONSULTING GROUP, INC.
 9221 LYNDON B. JOHNSON FREEWAY
 SUITE 204, DALLAS, TX 75243
 PHONE: 972-931-8893
 FAX: 866-364-8375
 WWW.ALLPROCGI.COM
 FRM REGISTRATION # 8242

PRELIMINARY - NOT FOR CONSTRUCTION

NOT VALID WITHOUT P.E. STAMP & SIGNATURE

VIDOR
 675 E RAILROAD STREET
 VIDOR, TX 77662
 ORANGE COUNTY

SHEET TITLE
OVERALL SITE PLAN

SHEET NUMBER
C-2

NEW BURIED OR OVERHEAD UTILITIES MUST BE CONTAINED WITHIN A DEDICATED UTILITY EASEMENT. ALL EXISTING AND NEW UTILITY EASEMENTS MUST BE VERIFIED PRIOR TO CONSTRUCTION. NO DIGGING OR TRENCHING SHALL BE ALLOWED WITHOUT PRIOR VERIFICATION OF EXISTING BURIED UTILITIES.

NORTH

1 SITE PLAN

FOR 24" X 36" PLOT - 3/16" = 1' 0" 2' 4" 8"
 FOR 11" X 17" PLOT - 3/32" = 1'

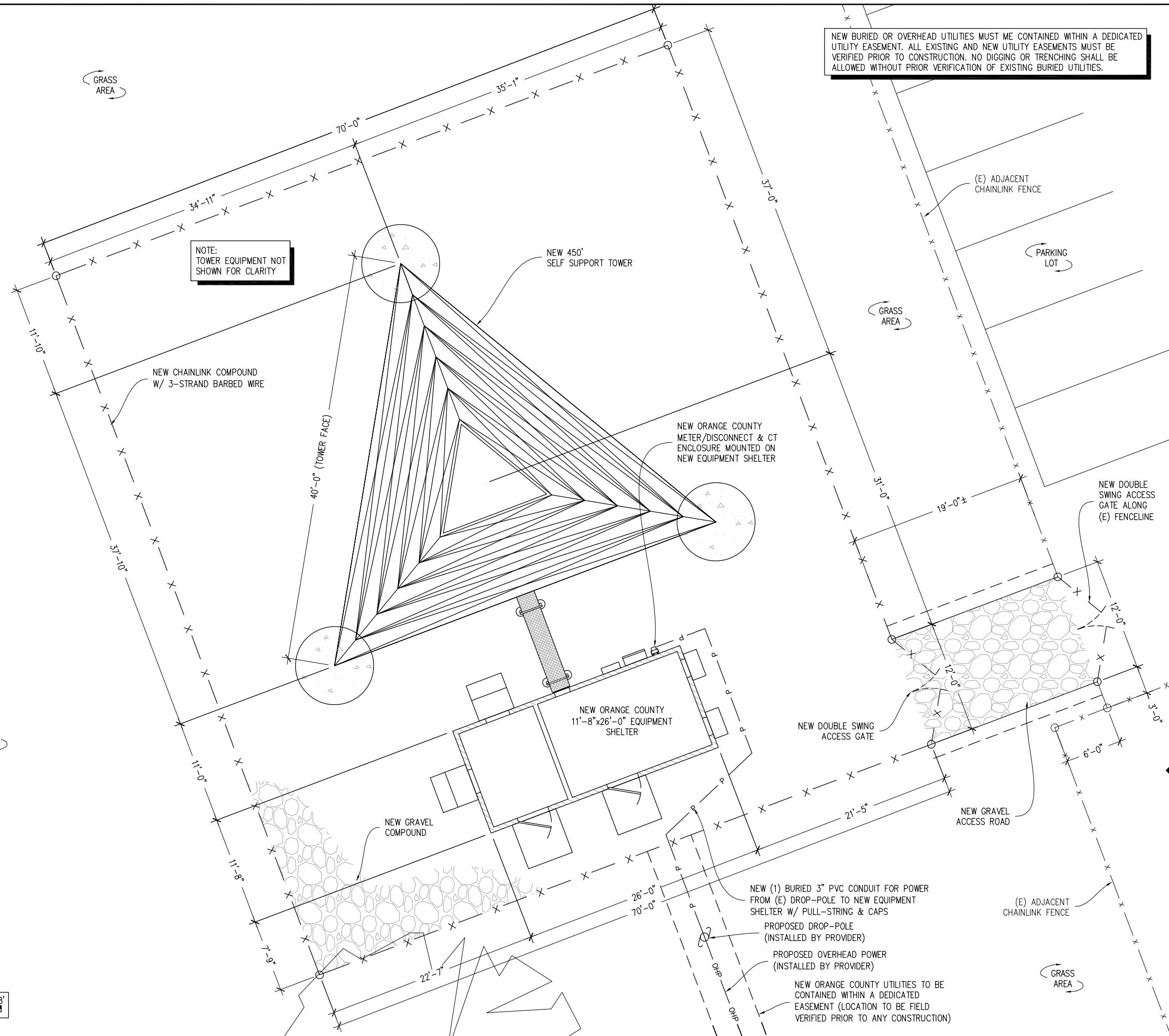
LEGEND

(N)	NEW
(E)	EXISTING
---	CENTER LINE
---	PROPERTY LINE
---	LEASE/GROUND SPACE
-X-	FENCE LINE
-G-	GROUND WIRE
-OHP-	OVERHEAD POWER
-OHT-	OVERHEAD TELCO
-P-	UNDERGROUND POWER CONDUIT
-T-	UNDERGROUND TELCO CONDUIT
-F-	UNDERGROUND FIBER CONDUIT
---	UNDERGROUND CONDUIT

STRUCTURAL NOTES:
SHELTER FOUNDATION REPORT BY ALLPRO CONSULTING GROUP, INC, ENG# 16-0648, DATED 04/21/2016.

STRUCTURAL NOTES:
TOWER FOUNDATION REPORT BY ALLPRO CONSULTING GROUP, INC, ENG# 16-0259, DATED 01/28/2016.

NEW BURIED OR OVERHEAD UTILITIES MUST BE CONTAINED WITHIN A DEDICATED UTILITY EASEMENT. ALL EXISTING AND NEW UTILITY EASEMENTS MUST BE VERIFIED PRIOR TO CONSTRUCTION. NO DIGGING OR TRENCHING SHALL BE ALLOWED WITHOUT PRIOR VERIFICATION OF EXISTING BURIED UTILITIES.



NOTE:
TOWER EQUIPMENT NOT SHOWN FOR CLARITY



DRAWN BY: TROY
CHECKED BY: J. GEORGE
ACGI JOB #: 16-0648

REVISIONS			
NO	DATE	DESCRIPTION	BY
B	05/23/16	REDLINES	TROY
A	04/25/16	ISSUED FOR REVIEW	TROY

ALLPRO CONSULTING GROUP, INC.
9221 LYNDON B. JOHNSON FREEWAY
SUITE 204, DALLAS, TX 75243
PHONE: 972-231-8893
FAX: 866-364-5375
WWW.ALLPROCGI.COM
FRM REGISTRATION # 8242

PRELIMINARY - NOT FOR CONSTRUCTION
NOT VALID WITHOUT P.E. STAMP & SIGNATURE

VIDOR
675 E RAILROAD STREET
VIDOR, TX 77662
ORANGE COUNTY

SHEET TITLE
ENLARGED SITE PLAN

SHEET NUMBER
C-3

1 SITE PLAN
FOR 24" X 36" PLOT - 3/16" = 1' 0" 2' 4" 8"
FOR 11" X 17" PLOT - 3/32" = 1'

APPENDIX G

RWillis

From: Vale, Arturo <arturo_vale@fws.gov>
Sent: Thursday, May 12, 2016 1:39 PM
To: RWillis
Cc: Joelle.Gehring@FCC.gov
Subject: Tower Vidor, TX - Migratory Bird Review
Attachments: Tower Evaluation Form.pdf; FCC Tower Lighting.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

TargetType: project

Mr. Willis,

The Service has reviewed your Tower Site Evaluation Form (attached) for a proposed 450-foot tower in Vidor, Orange County, TX. The project is located within a major migratory bird flyway. The project is also located along the Texas coast, which is itself a migratory corridor and year round habitat for raptors, shorebirds, waterfowl, colonial waterbirds, songbirds, etc.

The Service recommends you implement lighting measures to reduce collisions with migratory birds in accordance with the Service's *Interim Guidelines For Recommendations On Communication Tower Siting, Construction, Operation, and Decommissioning* at, <http://www.fws.gov/midwest/endangered/section7/telecomguidance.html>. The Service also recommends you implement the lighting measures to reduce collisions with migratory birds in accordance with the FCC's *Opportunities to Reduce Bird Collisions with Communications Towers While Reducing Tower Lighting Costs* (attached).

If you have any questions please feel free to contact me.

--

A.J. Vale
U.S. Fish and Wildlife Service
Fish and Wildlife Biologist
17629 El Camino Real
Houston, TX 77058
281-286-8282 ext. 223
fax. 281-481-5882



Federal Communications Commission
Washington, D.C. 20554

December 22, 2015

**Opportunities to Reduce Bird Collisions with Communications Towers
While Reducing Tower Lighting Costs**

On December 4, 2015, the Federal Aviation Administration (FAA) revised its advisory circular that prescribes tower lighting to eliminate the use of L-810 steady-burning side lights on towers taller than 350 ft. Above Ground Level (AGL). See [http://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_70_7460-1L .pdf](http://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_70_7460-1L.pdf). While the FAA made this change to reduce the number of migratory bird collisions (by as much as 70%), it also reduces construction and maintenance costs to tower owners. Implementing this type of lighting on towers that received an FAA Study prior to the release of the new advisory circular can be achieved through a simple application process with the FAA and the Federal Communications Commission (FCC).

The FAA and FCC recognize that:

- Birds are attracted to non-flashing red lights, such as L-810 side-marker lights; and
- Birds are much less attracted to flashing lights on towers, such as L-864 and L-865 lights.

A “lighting deviation” can be used to extinguish or eliminate L-810 steady-burning side lights from an existing registered tower, and typically the FAA quickly approves such a request. The following steps are necessary:

1. File a Marking and Lighting study electronically with the FAA (<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>) requesting the elimination or omission of steady-burning lights (L-810) with Form 7460-1, Notice of Proposed Construction or Alteration. Designate structure type: “Deviation from Red Obstruction Light Standards.”
2. Once the FAA has approved the request and assigned a FAA Study Number, file Form 854 with the FCC via the Antenna Registration System (ASR). Please select “MD – Modification” and choose the appropriate FAA Lighting Style.¹ The FCC will typically approve the application and modify the registration within 24 hours.
3. Once the lighting change for a tower has been granted by the FCC via ASR, the steady-burning, side-marker, L-810 tower lights can be extinguished. This is typically accomplished in the tower transmission building and does not ordinarily require climbing the tower. Per the FAA requirements, flashing red lights should flash at 30 FPM (+/- 3 FPM).

The elimination of continuously burning security lights under towers will also minimize bird attraction to the site and reduce energy costs. Many tower operators use down-shielded, motion sensor-triggered security lighting, which promotes tower safety and reduces the possibility of attracting migratory birds.

¹ If the FAA grants a lighting deviation referencing an advisory circular other than 70/7460-1L, select “3. Other” and describe the lighting in the field provided. If the FAA issues a new Study referencing 70/7460-1L, select the lighting style that corresponds to the lighting in the FAA Study.