

kenna eric

1011

From: towernotifyinfo@fcc.gov
Sent: Friday, March 31, 2006 3:01 AM
To: kenna eric
Cc: kim.pristello@fcc.gov; diane.dupert@fcc.gov
Subject: NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #1014398

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 this information include leaders or their designees of federally-recognized American Indian Tribes, including Alaska Native Villages (collectively "Tribes"), Native Hawaiian Organizations (NHOs), and State and Tribal Historic Preservation Officers (SHPOs and THPOs). For your convenience in identifying the referenced Tribes and in making further contacts, the City and State of the Seat of Government for each Tribe and NHO is included in the listing below. We note that Tribes may have Section 106 cultural interests in ancestral homelands or other locations that are far removed from their current Seat of Government.

The information you provided was forwarded to the following Tribes, NHOs, SHPOs, and THPOs who have set their geographic preferences on TCNS. If the information you provided relates to a proposed antenna structure in the State of Alaska, the following list also includes Tribes located in the State of Alaska that have not specified their geographic preferences:

1/ THPO - Karen Kaniatobe - Absentee-Shawnee Tribe of Indians of Oklahoma - Shawnee, OK - electronic mail and regular mail

Exclusions: If the ground of the proposed project area has been previously disturbed or if there will be no ground disturbing activity, then we request no project notification. If the project is within our state/county of interest please send a copy of the cultural resources/archeological survey and the response letter from the respective SHPO from your state regarding the project. Please include county of proposed project location.

We do request to be notified upon the discovery of American Indian remains and related and/or unrelated funerary objects anywhere within the state.

2/ Chief - Darwin Hill - Tonawanda Band of Seneca - Basom, NY - electronic mail and regular mail

Exclusions: If the Applicant/tower builder receives no response from the Tonawanda Seneca Nation within 30 days after notification through TCNS, the Tonawanda Seneca Nation has no interest in participating in pre-construction review for the site. The Applicant/tower builder, however, must IMMEDIATELY notify Christine Abrams of the Tonawanda Seneca Nation in the event archaeological properties or human remains are discovered during construction (tonsene@buffnet.net or 716-542-4244).

3/ Faithkeeper - Anthony Gonyea - Onondaga Indian Nation - Nedrow, NY - electronic mail and regular mail

Exclusions: We will not be commenting on projects that involve co-location with no ground disturbance.

4. Cayuga Nation Representative - Clint Halftown - Cayuga Nation - Versailles, NY - regular mail

Exclusions: If the Applicant receives no response from the Cayuga Nation within 30 days after notification through TCNS, the Cayuga Nation has no interest in participating in pre-construction review for the site. The Applicant, however, must notify the Cayuga

As we are all aware, Section 106 of the Historic Preservation Act requires private companies and public agencies to consult with Native American Tribes on projects regulated or funded by a federal agency.

The Delaware Tribe takes great interest in protecting Delaware patrimonial sites and to this end we have been working diligently with private companies and public agencies over the past few years. We have provided valuable information to different entities on the location of important sites as well as consistently replied to all inquiries. If we have been late in answering some requests it is because of the high volume of requests we have been receiving since starting the section #106 process. We are currently up to about 45 letters a week.

We have provided such consultation services without any kind of compensation and we have now come to the realization that we are the only entity in the Section 106 process that is not federally funded or privately profitable. While we wish to sustain our strong relationships established with your company or agency, we simply cannot continue unless we are justly compensated for our services rendered. If you wish to resubmit the request for consultation once again with the fee included we will gladly answer them as quickly as possible. We are sorry for any inconvenience this might have caused, and we will work hard to expedite the information back to you after receiving such payment.

The Delaware Tribe of Indians Tribal Council has passed a resolution therefore charging a flat fee of \$50.00 to perform an initial review service for each individual project. The fee will ensure that your written request is promptly investigated, reviewed and responded to within 30 days via written correspondence or even quicker if you prefer via fax or e-mail. The fee will also obligate us to continue with the consultation process should further information and involvement be necessary, i.e. Phase 1 and 2 archaeology reports, etc.

Please include the payment (check or money order, no cash) with each individual future request. If you have any questions or concerns, feel free to contact Dr. Brice Obermeyer at (918) 335-7026. Or if I am not available, please contact Levi Randall at (918) 336-5272 Ext. 558. Thank you.

Sincerely,

Dr. Brice Obermeyer
Delaware Tribe NAGPRA Director/Assistant Professor
Department of Sociology/Anthropology
Emporia State University
Roosevelt Hall, Rm 121
1200 Commercial St.
Emporia, KS 66801

THPO & Tribal Administrator - Rebecca Hawkins - Shawnee Tribe - Miami, OK - electronic mail and regular mail

Exclusions: If you have received this notification through the TCNS, then the Shawnee Tribe is interested in consulting on the tower for which that notification was received. Please consider this our official indication of interest.

The Shawnee Tribe wishes to review co-location projects ONLY IF new ground disturbance is anticipated (such as from an expanded compound or access road, or construction of an ancillary structure). The Shawnee Tribe does NOT wish to review co-location projects where no new ground disturbance is anticipated.

The Shawnee Tribe considers the Tower Construction Notification System's weekly e-mail to be the first notification that a tower will be constructed in an area of our concern. We do not view the TCNS notification as completion of 106 consultation obligations.

The Shawnee Tribe has developed streamlined consultation procedures for cell tower developers and their subcontractors. If you do not have a copy of the procedures that have been updated for 2006, please contact us, as you must follow these procedures to consult with us on cell tower projects. Call us at 918-542-2441 or fax us at 918-542-2922.

PLEASE DO NOT SEND US INFORMATION, QUERIES, OR COMMENTS ELECTRONICALLY. WE WILL NO LONGER, AS OF 1 DECEMBER 2005, HANDLE ANY CELL TOWER CONSULTATION CORRESPONDENCE VIA E-

MAIL.

12. THPO - Kathleen Mitchell - Seneca Nation of Indians - Salamanca, NY - electronic mail and regular mail
Clear TCNS - No Response = No Interest.
lclm

13. SHPO - Kyle Hupfer - Department of Natural Resources - Indianapolis, IN - electronic mail and regular mail

Exclusions: If your APE (Area of Potential Effects) includes a portion of the state of Indiana, the Indiana SHPO will need to be notified of the project.

14. Deputy SHPO - Jon Smith - Department of Natural Resources - Indianapolis, IN - electronic mail

Exclusions: If your APE (Area of Potential Effects) includes a portion of the State of Indiana, the Indiana SHPO will need to be notified of the project.

15. SHPO - Brian Conway - State Historic Preservation Office, Michigan Historical Center - Lansing, MI - electronic mail

16. Department Head - Mark Epstein - Ohio Historic Preservation Office - Columbus, OH - electronic mail and regular mail

17. Deputy SHPO - Franco Ruffini - Ohio Historic Preservation Office - Columbus, OH - electronic mail

18. Deputy SHPO - Jean Cutler - Pennsylvania Historical & Museum Comm, Bureau for Historic Preservation - Harrisburg, PA - electronic mail

19. Deputy SHPO - Susan Pierce - West Virginia Division of Culture & History, Historic Preservation Office - Charleston, WV - electronic mail

The information you provided was also forwarded to the additional Tribes and NHOs listed below. These Tribes and NHOs have NOT set their geographic preferences on TCNS, and therefore they are currently receiving tower notifications for the entire United States:

None

"Exclusions" above refer to types of tower notifications that the Tribe, NHO, SHPO, or THPO has stated it does not wish to review. TCNS automatically forwards all notifications to all Tribes, NHOs, SHPOs, and THPOs that have an expressed interest in the geographic area of a proposal, as well as Tribes and NHOs that have not limited their geographic areas of interest. However, if a proposal falls within a designated exclusion, you need not expect any response and need not pursue any additional process with that Tribe, NHO, SHPO, or THPO.

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 Tribes and NHOs listed above must be afforded a reasonable opportunity to respond to this notification, unless the proposed construction falls within an exclusion designated by the Tribe or NHO. (NPA, Section IV.F.4). For those Tribes and NHOs that have specified an interest in the geographic area of a proposed construction, if the Tribe or NHO fails to respond within a reasonable time, you should make a reasonable effort at follow-up contact, unless the Tribe or NHO has agreed to different procedures (NPA, Section IV.F.5). In the event such a Tribe or NHO does not respond to a follow-up inquiry, or if a substantive or procedural disagreement arises between you and a Tribe or NHO, you must seek guidance from the Commission (NPA, Section IV.G).

For those Tribes and NHOs that have not designated their geographic areas of interest through TCNS, you are required to use reasonable and good faith efforts to determine if the Tribe or NHO may attach religious and cultural significance to historic properties that may be affected by its proposed undertaking. Such efforts may include, but are not limited to, seeking information from the relevant SHPO or THPO, Indian Tribes, state agencies, the U.S. Bureau of Indian Affairs, or, where applicable, any federal agency with land holdings within the state (NPA, Section IV.B). If after such reasonable and good faith efforts, you determine that a Tribe or NHO may attach religious and cultural

significance to historic properties in the area and the Tribe or NHO does not respond to TCNS notification within a reasonable time, you should make a reasonable effort to follow up, and must seek guidance from the Commission in the event of continued non-response or in the event of a procedural or substantive disagreement. If you determine that the Tribe or NHO is unlikely to attach religious and cultural significance to historic properties within the area, you do not need to take further action unless the Tribe or NHO indicates an interest in the proposed construction or other evidence of potential interest comes to your attention.

If you are proposing to construct a facility in the State of Alaska, you should contact Commission staff for guidance regarding your obligations in the event that Tribes do not respond to this notification within a reasonable time.

Please be advised that the FCC cannot guarantee that the contact(s) listed above opened and reviewed an electronic or regular mail notification. The following information relating to the proposed tower was forwarded to the person(s) listed above:

Notification Received: 03/25/2006
Notification ID: 13815
Entity Name: Motorola/Cuyahoga County
Individual or Contact Name: Eric N Kenna
Street Address: 499 Col. Eileen Collins Blvd
City: Syracuse
State: NEW YORK
Zip Code: 13212
Phone: 315-455-2000
Email: ekenna@cscos.com
Structure Type: UTOWER - Unguyed - Free Standing Tower
Latitude: 41 deg 28 min 20.2 sec N
Longitude: 81 deg 52 min 40.8 sec W
Location Description: 955 Clague Road
City: Westlake
State: OHIO
County: CUYAHOGA
Ground Elevation: 198.1 meters
Support Structure: 91.4 meters above ground level
Overall Structure: 91.4 meters above ground level
Overall Height AMSL: 289.6 meters above mean 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>.

If you prefer, you may contact the FCC's Universal Licensing System (ULS) hotline by telephone at (717) 338-2888, or toll free at (877) 480-3201. When prompted by the FCC operator, please select Option #2.

Thank you,
Federal Communications Commission

kenna eric

DII - Raw Land

Receivably Disturbed?

From: towernotifyinfo@fcc.gov
Sent: Tuesday, April 11, 2006 9:53 PM
To: kenna eric
Cc: towernotifyinfo@fcc.gov
Subject: Reply to Proposed Tower Structure (Notification ID #13815) - Email ID #1035849

Dear Eric Kenna,

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 Historic Preservation Officer, Rhonda Dixon in reference to Notification ID #13815:

The Ottawa Tribe of Oklahoma is interested in consulting on this tower. The Ottawa Tribe of Oklahoma has developed consultation procedures for cell tower projects effective as of 1 March 2006. Please call Rhonda Dixon, at the Ottawa Tribe, at 918-540-1536 to request a copy of these procedures. The Tribe's historic preservation consultant, Algonquin Consultants, Inc., will then assist you in complying with your Section 106 responsibilities for this tower. We look forward to working with you.

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

Notification Received: 03/25/2006
Notification ID: 13815
Tower Owner Individual or Entity Name: Motorola/Cuyahoga County
Consultant Name: Eric N Kenna

Street Address: 499 Col. Eileen Collins Blvd
City: Syracuse
State: NEW YORK
Zip Code: 13212
Phone: 315-455-2000
Email: ekenna@cscos.com
Structure Type: UTOWER - Unguyed - Free Standing Tower
Latitude: 41 deg 28 min 20.2 sec N
Longitude: 81 deg 52 min 40.8 sec W
Location Description: 955 Clague Road
City: Westlake
State: OHIO
County: CUYAHOGA
Ground Elevation: 198.1 meters
Support Structure: 91.4 meters above ground level
Overall Structure: 91.4 meters above ground level
Overall Height AMSL: 289.6 meters above mean sea level

kenna eric

1011

From: towernotifyinfo@fcc.gov
Sent: Wednesday, April 19, 2006 11:36 AM
To: kenna eric
Cc: towernotifyinfo@fcc.gov
Subject: Reply to Proposed Tower Structure (Notification ID #13815) - Email ID #1054724

Dear Eric Kenna,

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 Administrative Assistant, Jo Ann Beckham in reference to Notification ID #13815:

April 19, 2006

To Whom It May Concern:

Thank you for notice of the referenced project(s). The Eastern Shawnee Tribe of Oklahoma is currently unaware of any documentation directly linking Indian Religious Sites to the proposed construction. In the event any items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) are discovered during construction, the Eastern Shawnee Tribe request notification and further consultation.

The Eastern Shawnee Tribe has no objection to the proposed construction. At present, the Eastern Shawnee Tribe does not wish to participate as a consulting party on the above referenced project(s). However, if any human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, the construction should stop immediately, and the appropriate persons, including state and tribal NAGPRA representatives contacted.

Sincerely,
Jo Ann Beckham, Administrative Assistant
Eastern Shawnee Tribe of Oklahoma

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

Notification Received: 03/25/2006
Notification ID: 13815
Tower Owner Individual or Entity Name: Motorola/Cuyahoga County
Consultant Name: Eric N Kenna

Street Address: 499 Col. Eileen Collins Blvd
City: Syracuse
State: NEW YORK
Zip Code: 13212
Phone: 315-455-2000
Email: ekenna@cscos.com
Structure Type: UTOWER - Unguyed - Free Standing Tower
Latitude: 41 deg 28 min 20.2 sec N
Longitude: 81 deg 52 min 40.8 sec W
Location Description: 955 Clague Road
City: Westlake
State: OHIO
County: CUYAHOGA

Ground Elevation: 198.1 meters
Support Structure: 91.4 meters above ground level
Overall Structure: 91.4 meters above ground level
Overall Height AMSL: 289.6 meters above mean sea level

kenna eric

N11 Fill. Plat

From: towernotifyinfo@fcc.gov
Sent: Thursday, May 04, 2006 11:39 AM
To: kenna eric
Cc: towernotifyinfo@fcc.gov
Subject: Reply to Proposed Tower Structure (Notification ID #13815) - Email ID #1088290

Dear Eric Kenna,

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 & Tribal Administrator, Rebecca Hawkins in reference to Notification ID #13815:

This is a blanket reply from the Shawnee Tribe to tower builders proposing to construct towers in the areas of geographic preference we have defined on the TCNS web site. The Shawnee Tribe is interested in consulting on this tower. However, many of you are already consulting with us on the tower/s for which you will receive this e-mail, or you may have already concluded that consultation, in which case you may ignore this e-mail. Inherent malfunctions in the TCNS web site automatic reply function have prohibited the Shawnee Tribe from responding to tower sites for several months in many cases. For those of you who have not initiated consultation, please do so now. The Shawnee Tribe developed consultation procedures in 2005 for cell tower projects. If you need a copy of those procedures (updated for 2006) please call the THPO's Assistant (Belinda Pryor) at 918-542-2441. DO NOT contact us by e-mail, as we do not handle any consultation electronically. We look forward to working with you.

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

Notification Received: 03/25/2006
Notification ID: 13815
Tower Owner Individual or Entity Name: Motorola/Cuyahoga County
Consultant Name: Eric N Kenna

Street Address: 499 Col. Eileen Collins Blvd
City: Syracuse
State: NEW YORK
Zip Code: 13212
Phone: 315-455-2000
Email: ekenna@cscos.com
Structure Type: UTOWER - Unguyed - Free Standing Tower
Latitude: 41 deg 28 min 20.2 sec N
Longitude: 81 deg 52 min 40.8 sec W
Location Description: 955 Clague Road
City: Westlake
State: OHIO
County: CUYAHOGA
Ground Elevation: 198.1 meters
Support Structure: 91.4 meters above ground level
Overall Structure: 91.4 meters above ground level
Overall Height AMSL: 289.6 meters above mean sea level



**ENGINEERS
DESIGN BUILD
TECHNICAL RESOURCES
OPERATIONS**

C&S Engineers, Inc.
499 Col. Eileen Collins Boulevard
Syracuse, NY 13212
phone 315-455-2000
fax 315-455-9667
www.cscos.com

May 15, 2006

Onondaga Indian Nation
ATTN: Anthony Gonyea, Faithkeeper
RR#1, Box 319-B
Nedrow, New York 13120

**Re: Second Notification for Consultation, TCNS Notification ID 13815
FCC / NEPA Environmental Compliance Checklist
Wireless Communications Tower
Westlake, Cuyahoga County, Ohio**

**Site No. N11 Filtration Plant
File: D60.002.001**

Dear Mr. Gonyea:

C&S Engineers, Inc. has been retained by Motorola, Inc. and Cuyahoga County to perform professional engineering and environmental services for the above-referenced project site. As part of the project's pre-construction phase, we are preparing an FCC / NEPA Environmental Compliance Checklist. I would like to request that your office provide C&S with information on existing concerns with regard to historical, cultural or religious resources known to be significant to the Onondaga Indian Nation, within the area of the proposed project site and/or outlying areas.

The proposed project site is located at 955 Clague Road, within Westlake, Cuyahoga County, Ohio. The coordinates of the project site being 41° 28' 20.2" N / 81° 52' 40.8" W.

Generally speaking, the proposed project will include the construction of a new 300 ft self-support style wireless communications tower. Furthermore, the project will also involve the installation of a wireless equipment shelter within a fenced compound area.

C&S Engineers, Inc., on behalf of Motorola and Cuyahoga County, requests a determination as to whether the above referenced project has potential to impact any historical cultural or religious resources known to be significant to the Onondaga Indian Nation. Furthermore, I would be happy to provide you with additional information, or answer any questions that you may have.

Very truly yours,

C&S ENGINEERS, INC.

Eric N. Kenna
Project Engineer

Attachments

*no response received
replied 6/9/06*



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C&S Engineers, Inc.
499 Col. Eileen Collins Boulevard
Syracuse, NY 13212
phone 315-455-2000
fax 315-455-9667
www.cscos.com

May 15, 2006

Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin
ATTN: Jerry Smith, THPO
13394 West Trepania Road, Bldg No. 1
Hayward, Wisconsin 54843

**Re: Second Notification for Consultation, TCNS Notification ID 13815
FCC / NEPA Environmental Compliance Checklist
Wireless Communications Tower
Westlake, Cuyahoga County, Ohio**

**Site No. N11 Filtration Plant
File: D60.002.001**

Dear Mr. Smith:

C&S Engineers, Inc. has been retained by Motorola, Inc. and Cuyahoga County to perform professional engineering and environmental services for the above-referenced project site. As part of the project's pre-construction phase, we are preparing an FCC / NEPA Environmental Compliance Checklist. I would like to request that your office provide C&S with information on existing concerns with regard to historical, cultural or religious resources known to be significant to the Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin, within the area of the proposed project site and/or outlying areas.

The proposed project site is located at 955 Clague Road, within Westlake, Cuyahoga County, Ohio. The coordinates of the project site being 41° 28' 20.2" N / 81° 52' 40.8" W.

Generally speaking, the proposed project will include the construction of a new 300 ft self-support style wireless communications tower. Furthermore, the project will also involve the installation of a wireless equipment shelter within a fenced compound area.

C&S Engineers, Inc., on behalf of Motorola and Cuyahoga County, requests a determination as to whether the above referenced project has potential to impact any historical cultural or religious resources known to be significant to the Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin. Furthermore, I would be happy to provide you with additional information, or answer any questions that you may have.

Very truly yours,

C&S ENGINEERS, INC.

Eric N. Kenna
Project Engineer

No reply 2



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C&S Engineers, Inc.
499 Col. Eileen Collins Boulevard
Syracuse, NY 13212
phone 315-455-2000
fax 315-455-9667
www.cscos.com

May 15, 2006

Pokagon Band of Potawatomi Indians
ATTN: Mark Parrish, Environmental Coordinator
58620 Sink Road
Dowagiac, Michigan 49047

**Re: Second Notification for Consultation, TCNS Notification ID 13815
FCC / NEPA Environmental Compliance Checklist
Wireless Communications Tower
Westlake, Cuyahoga County, Ohio**

**Site No. N11 Filtration Plant
File: D60.002.001**

Dear Mr. Parrish:

C&S Engineers, Inc. has been retained by Motorola, Inc. and Cuyahoga County to perform professional engineering and environmental services for the above-referenced project site. As part of the project's pre-construction phase, we are preparing an FCC / NEPA Environmental Compliance Checklist. I would like to request that your office provide C&S with information on existing concerns with regard to historical, cultural or religious resources known to be significant to the Pokagon Band of Potawatomi Indians, within the area of the proposed project site and/or outlying areas.

The proposed project site is located at 955 Clague Road, within Westlake, Cuyahoga County, Ohio. The coordinates of the project site being 41° 28' 20.2" N / 81° 52' 40.8" W.

Generally speaking, the proposed project will include the construction of a new 300 ft self-support style wireless communications tower. Furthermore, the project will also involve the installation of a wireless equipment shelter within a fenced compound area.

C&S Engineers, Inc., on behalf of Motorola and Cuyahoga County, requests a determination as to whether the above referenced project has potential to impact any historical cultural or religious resources known to be significant to the Pokagon Band of Potawatomi Indians. Furthermore, I would be happy to provide you with additional information, or answer any questions that you may have.

Very truly yours,

C&S ENGINEERS, INC.

Eric N. Kenna
Project Engineer

No reply?

Attachments



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C&S Engineers, Inc.
499 Col. Eileen Collins Boulevard
Syracuse, NY 13212
phone 315-455-2000
fax 315-455-9667
www.cscos.com

May 15, 2006

Seneca Nation of Indians
ATTN: Kathleen Mitchell, THPO
1490 Rte. 438
Irving, New York 13655

**Re: Second Notification for Consultation, TCNS Notification ID 13815
FCC / NEPA Environmental Compliance Checklist
Wireless Communications Tower
Westlake, Cuyahoga County, Ohio**

**Site No. N11 Filtration Plant
File: D60.002.001**

Dear Ms. Mitchell:

C&S Engineers, Inc. has been retained by Motorola, Inc. and Cuyahoga County to perform professional engineering and environmental services for the above-referenced project site. As part of the project's pre-construction phase, we are preparing an FCC / NEPA Environmental Compliance Checklist. I would like to request that your office provide C&S with information on existing concerns with regard to historical, cultural or religious resources known to be significant to the Seneca Nation of Indians, within the area of the proposed project site and/or outlying areas.

The proposed project site is located at 955 Clague Road, within Westlake, Cuyahoga County, Ohio. The coordinates of the project site being 41° 28' 20.2" N / 81° 52' 40.8" W.

Generally speaking, the proposed project will include the construction of a new 300 ft self-support style wireless communications tower. Furthermore, the project will also involve the installation of a wireless equipment shelter within a fenced compound area.

C&S Engineers, Inc., on behalf of Motorola and Cuyahoga County, requests a determination as to whether the above referenced project has potential to impact any historical cultural or religious resources known to be significant to the Seneca Nation of Indians. Furthermore, I would be happy to provide you with additional information, or answer any questions that you may have.

Very truly yours,

C&S ENGINEERS, INC.

Eric N. Kenna
Project Engineer

Attachments

kenna eric

011 3rd Attempt

From: towernotifyinfo@fcc.gov
Sent: Tuesday, May 30, 2006 11:08 AM
To: kenna eric
Cc: kim.pristello@fcc.gov; diane.dupert@fcc.gov
Subject: Confirmation - Referral of a Proposed Tower Construction Notification - Email ID #1139257

Dear Eric N Kenna,

Your referral of a proposed tower structure notification has been successfully submitted via the Tower Construction Notification System. The Federal Communications Commission (FCC) will be processing this referral for purposes of contacting federally recognized Indian Tribes, including Alaska Native Villages, and Native Hawaiian Organizations as specified by Section IV.G of the Nationwide Programmatic Agreement and the Declaratory Ruling of October 6, 2005. You will receive a Proposed Construction of Communications Facilities Notification of Final Contacts when the FCC has completed processing this referral. Below are the details you provided in the referral of the tower you have proposed to construct:

Notification Received: 03/25/2006
Notification Referred: 05/30/2006

Notification ID: 13815
Tower Owner Individual or Entity Name: Motorola/Cuyahoga County
Consultant Name: Eric N Kenna

Street Address: 499 Col. Eileen Collins Blvd

City: Syracuse
State: NEW YORK
Zip Code: 13212
Phone: 315-455-2000
Email: ekenna@cscos.com

Structure Type: UTOWER - Unguyed - Free Standing Tower
Latitude: 41 deg 28 min 20.2 sec N
Longitude: 81 deg 52 min 40.8 sec W
Location Description: 955 Clague Road
City: Westlake
State: OHIO
County: CUYAHOGA
Ground Elevation: 198.1 meters
Support Structure: 91.4 meters above ground level
Overall Structure: 91.4 meters above ground level
Overall Height AMSL: 289.6 meters above mean sea level

First Contact Date: 03/29/2006
Second Contact Date: 05/15/2006

Entities Who Have Not Responded:
Onondaga Indian Nation
Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin
Pokagon Band of Potawatomi Indians

**Note that the FCC will assign a unique Notification ID number for a site where the initial contact was not made through TCNS. You will need to reference this Notification ID number when you update your project's Status with us.

Tony Gonyea
Onondaga Nation
RR #1, Route 11A
Box 258C
via Nedrow, NY 13120

Friday, June 9th, 2006

Eric N. Kenna
C & S Engineers, Inc.
499 Col. Eileen Collins Blvd.
Syracuse, NY 13212

N-11

REGARDING: TCNS #'s 12852, 13813, 13938 and 13815

Dear Mr. Kenna:

On behalf of the Onondaga Nation I have reviewed the information you have provided to the FCC Tower Construction Notification System (TCNS) for your project(s), identified by the TCNS Number(s) shown above.

In the event that during project construction, any archeological resources or remains, including, without limitation, human remains, funerary objects, sacred objects, or objects of cultural patrimony are uncovered during the course of project construction, please immediately stop construction and contact me at (315)952-3109, the Onondaga Nation's General Counsel Mr. Joseph Heath at (315)475-2559, and the New York State Historic Preservation Office at (518)237-8643.

If you have any comments or questions about this matter, please do not hesitate to let me know. Thank you for your help.

Sincerely,



Tony Gonyea
A Faithkeeper for the Onondaga Nation
Onondaga Nation Historic Preservation Office



Seneca Nation Tribal Historic Preservation

467 Center St. Salamanca, NY 14779
Phone: (716) 945-9427 ▪ Fax: (716) 945-0351
E-mail: snithpo@sni.org

June 19, 2006

Mr. Eric N. Kenna
Project Engineer
C & S Engineers, Inc.
499 Eileen Collins Blvd.
Syracuse, NY 13212

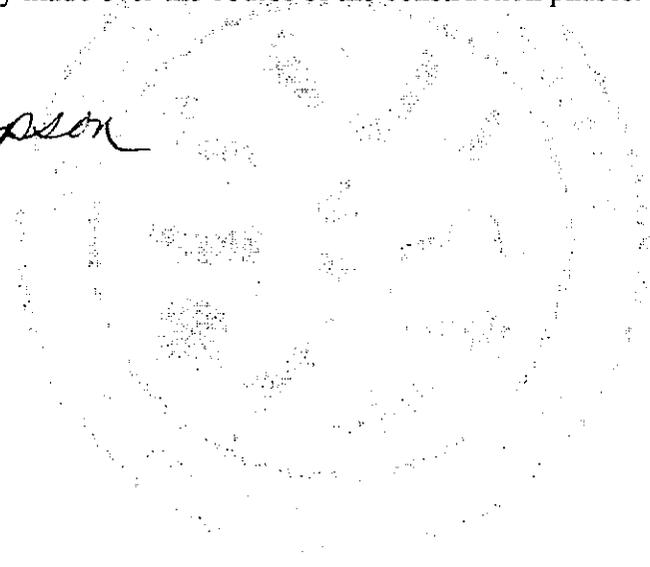
RE: TCNS Notification ID: Ohio 13813, 13815, 12852

Dear Mr. Kenna,

Our office has completed a review of the above referenced project areas and has determined that the projects will affect no known cultural resources within the proposed project areas. Immediate notification is requested, however, in the event of an inadvertent discovery made over the course of the construction phases.

Respectfully,

Gail Thompson
Gail Thompson
SNI Archaeologist





**ENGINEERS
DESIGN BUILD
TECHNICAL RESOURCES
OPERATIONS**

C&S Engineers, Inc.
499 Col. Eileen Collins Boulevard
Syracuse, NY 13212
phone 315-455-2000
fax 315-455-9667
www.cscos.com

May 15, 2006

Ms. Rebecca Hawkins, THPO
Shawnee Tribe
21 North Eight Tribes Trail
Miami, OK 74355

**Re: Request for Consultation, TCNS Notification ID 13815
FCC / NEPA Environmental Compliance Checklist
Wireless Communications Tower
Westlake, Cuyahoga County, Ohio**

**Site No. N11 Filtration Plant
File: D60.002.001**

Dear Ms. Hawkins:

C&S Engineers, Inc. has been retained by Motorola, Inc. and Cuyahoga County to perform professional engineering and environmental services for the above-referenced project site. As part of the project's pre-construction phase, we are preparing an FCC/NEPA Environmental Compliance Checklist. I would like to request that your office provide C&S with information on existing concerns with regard to historical, cultural or religious resources known to be significant to the Shawnee Tribe, within the area of the proposed project site and/or outlying areas.

The proposed project site is located at 955 Clague Road, within Westlake, Cuyahoga County, Ohio. The coordinates of the project site being 41° 28' 20.2" N / 81° 52' 40.8" W.

Generally speaking, the proposed project will include the construction of a new 300 ft self-support style wireless communications tower. Furthermore, the project will also involve the installation of a wireless equipment shelter within a fenced compound area.

The project was submitted to the Ohio Historic Preservation Office on 5/10/06. Please find enclosed a check for the consultation fee, a portion of a USGS Map, a portion of FCC Form 620 and a letter outlining results section of the archaeological investigations performed at the proposed site.

C&S Engineers, Inc., on behalf of Motorola and Cuyahoga County, requests a determination as to whether the above referenced project has potential to impact any historical cultural or religious resources known to be significant to the Shawnee Tribe. Furthermore, I would be happy to provide you with additional information, or answer any questions that you may have.

Very truly yours,

C&S ENGINEERS, INC.

Eric N. Kenna
Project Engineer



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C&S Engineers, Inc.
499 Col. Eileen Collins Boulevard
Syracuse, NY 13212
phone 315-455-2000
fax 315-455-9667
www.cscos.com

May 15, 2006

Ms. Rhonda Dixon
Ottawa Tribe of Oklahoma
13 South 69a Highway
Miami, OK 74354

**Re: Request for Consultation, TCNS Notification ID 13815
FCC/NEPA Environmental Compliance Checklist
Wireless Communications Tower
Westlake, Cuyahoga County, Ohio**

**Site No. N11 Filtration Plant
File: D60.002.001**

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The proposed project site is located at 955 Clague Road, within Westlake, Cuyahoga County, Ohio. The coordinates of the project site being 41° 28' 20.2" N / 81° 52' 40.8" W.

Generally speaking, the proposed project will include the construction of a new 300 ft self-support style wireless communications tower. Furthermore, the project will also involve the installation of a wireless equipment shelter within a fenced compound area.

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C&S Engineers, Inc., on behalf of Motorola and Cuyahoga County, requests a determination as to whether the above referenced project has potential to impact any historical cultural or religious resources known to be significant to the Ottawa Tribe of Oklahoma. Furthermore, I would be happy to provide you with additional information, or answer any questions that you may have.

Very truly yours,

C&S ENGINEERS, INC.

Eric N. Kenna
Project Engineer

13813



SHAWNEE TRIBE
HISTORIC PRESERVATION DEPARTMENT
P.O. Box 189
Miami, Oklahoma 74355
918-542-2441 PHONE
918-542-9915 OR 918-542-2922 FAX

FACSIMILE COVER PAGE

To: ERIC
FIRM/AGENCY: C-5
FAX NUMBER: 315-455-9667
PHONE NUMBER: _____

FROM: R.H.
DATE/TIME: 5/25/06 depending 6/8/06
NO. OF PAGES, INCLUDING COVER: _____
MEMO: 13813-13818-12853-13938-12609
12952-12270

MESSAGE:

THE SHAWNEE TRIBE'S TRIBAL HISTORIC PRESERVATION OFFICER FINDS NO COMPELLING EVIDENCE THAT KNOWN HISTORIC PROPERTIES WILL BE NEGATIVELY IMPACTED BY CONSTRUCTION OF THIS/THESE TOWER SITE/S (SEE MEMO LINE ABOVE FOR TCNS NUMBER/S); THUS THE SHAWNEE TRIBE DOES NOT OBJECT TO CONSTRUCTION. THE SHAWNEE TRIBE THPO CONDITIONS THIS FINDING ONLY IN THE EVENT THAT THE STATE SHPO FINDS THAT HISTORIC PROPERTIES UNKNOWN TO THE TRIBE WILL BE NEGATIVELY IMPACTED IN THE EVENT THAT THE SHPO DOES MAKE SUCH A FINDING, PLEASE CONTACT THE SHAWNEE TRIBE FOR ADDITIONAL COMMENT.

THE SHAWNEE TRIBE'S ARCHIVES DO NOT REVEAL ANY ISSUES OF CONCERN AT THIS TOWER LOCATION. IN THE EVENT THAT ARCHAEOLOGICAL MATERIALS ARE ENCOUNTERED LATER DURING CONSTRUCTION, UP OR MAINTENANCE OF THIS TOWER LOCATION, PLEASE RE-NOTIFY US AT THAT TIME, AS WE WOULD LIKE TO RESUME CONSULTATION UNDER SUCH A CIRCUMSTANCE.

PLEASE DO NOT HESITATE TO CALL US FOR ADDITIONAL COMMENT.



OTTAWA TRIBE OF OKLAHOMA
HISTORIC PRESERVATION DEPARTMENT
P.O. Box 110
Miami, Oklahoma 74355
918-540-1536 PHONE
918-542-3214 Fax

FACSIMILE COVER PAGE

TO: E. KENNA FROM: RHOODA DIXON
 FIRM/AGENCY: C & S DATE/TIME: 6/7/06
 FAX NUMBER: 315-455-9667 NO. OF PAGES, INCLUDING COVER: 1
 PHONE NUMBER: _____ MEMO: TCNS # 13815, 13813, 12853,
13938

MESSAGE: The Ottawa Tribe of Oklahoma is interested in consulting on this tower location or locations (see TCNS number/s in Memo line, above). If you have not provided us with the TCNS number/s, then a copy of your correspondence to us follows this fax cover sheet.

The Ottawa Tribe requests the following to complete Section 106 consultation:

- Please provide a copy of the letter FROM the State Historic Preservation Officer regarding the SHPO opinion about impact to or effect on historic properties at this/these tower location/s.
- Please provide a copy of the summary of archaeological methods and findings for this/these tower location/s.
- Please provide the \$50 per tower research fee. This fee is not charged for determining our initial interest in consulting; rather, it covers the research that we subsequently conduct to address concerns about the existence of sites that may be culturally significant to this Tribe.
- We have included, as part of this fax, a copy of our Section 106 of the National Historic Preservation Act consultation procedures for cell tower sites. Please follow these procedures so that we might complete the consultation process in a timely fashion.
-

If you have difficulty receiving this fax, please contact us at 918-540-1536.
The contents of this fax may contain confidential information, please distribute only to addressee.



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C&S Engineers, Inc.
499 Col. Eileen Collins Boulevard
Syracuse, NY 13212
phone 315-455-2000
fax 315-455-9667
www.cscos.com

November 17, 2006

Ottawa Tribe of Oklahoma, Historic Preservation Department
ATTN: Rhonda Dixon, Historic Preservation Officer
P.O. Box 110
Miami, Oklahoma 74355

**Re: Filtration Plant, Cellular Site No. N-11
City of Westlake, Cuyahoga County, Ohio**

TCNS No: 13815

Dear Ms. Dixon:

C&S Engineers, Inc. entered the above-referenced tower site into the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS) on March 25, 2006. The FCC subsequently transmitted notifications of the proposed action on March 31, 2006, in response to which C&S received notification of the Ottawa Tribe of Oklahoma's desire to participate in official consultations.

An initial information packet, dated May 15, 2006, was formerly prepared and transmitted. Included within the initial information packet was: (1) Check for the \$50 consultation fee, (2) Portion of the applicable USGS mapping, (3) Applicable portions of the completed FCC Form 620, (4) A letter outlining the results of the cultural resources survey, and (4) A transmittal. In response to our May 15, 2006 submittal, C&S received the attached fax from the Ottawa Tribe of Oklahoma requesting that C&S submit a copy of the Ohio SHPO office's determination of effect letter.

Our most recent submission to the Ohio Historic Preservation Office (OHPO), a copy of which is attached, was dated October 11, 2006 and consisted of a summarization of our public involvement process for the proposed communications site. To date no written reply has been received from the OHPO, meaning that 37 days have elapsed without a response. Based upon telephone conversations with OHPO it is our understanding that the proposed action has been granted a 'no adverse effect' determination by the office's archaeological resources staff; however, review by the office's historical architecture staff is still pending.

Pursuant to our telephone conversation, dated November 17, 2006, it is my understanding that failure to respond within 30 days is interpreted to mean that the SHPO office has no concerns regarding the proposed action; therefore, C&S requests that you view this transmittal, with attachments, as a 'no adverse effect' determination by SHPO.

C&S appreciates your assistance with this matter; furthermore, I would be happy to provide you with additional information or answer what questions you may have.

Sincerely,

C&S ENGINEERS, INC.

Robert MacMurray
Environmental Scientist

Attachments



OTTAWA TRIBE OF OKLAHOMA
HISTORIC PRESERVATION DEPARTMENT
 P.O. Box 110
 Miami, Oklahoma 74355
 918-540-1536 PHONE
 918-542-3214 Fax

FACSIMILE COVER PAGE

TO: E. KENNA FROM: RHOODA DIXON
 FIRM/AGENCY: CSS DATE/TIME: 6/7/06
 FAX NUMBER: 315-455-9667 NO. OF PAGES, INCLUDING COVER: 1
 PHONE NUMBER: _____ MEMO: TCNS # 13815, 13813, 12853,
13938

MESSAGE: The Ottawa Tribe of Oklahoma is interested in consulting on this tower location or locations (see TCNS number/s in Memo line, above). If you have not provided us with the TCNS number/s, then a copy of your correspondence to us follows this fax cover sheet.

The Ottawa Tribe requests the following to complete Section 106 consultation:

- Please provide a copy of the letter FROM the State Historic Preservation Officer regarding the SHPO opinion about impact to or effect on historic properties at this/these tower location/s.
- Please provide a copy of the summary of archaeological methods and findings for this/these tower location/s.
- Please provide the \$50 per tower research fee. This fee is not charged for determining our initial interest in consulting; rather, it covers the research that we subsequently conduct to address concerns about the existence of sites that may be culturally significant to this Tribe.
- We have included, as part of this fax, a copy of our Section 106 of the National Historic Preservation Act consultation procedures for cell tower sites. Please follow these procedures so that we might complete the consultation process in a timely fashion.
-

If you have difficulty receiving this fax, please contact us at 918-540-1536.
 The contents of this fax may contain confidential information, please distribute only to addressee.



ENGINEERS
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OPERATIONS

C&S Engineers, Inc.

October 11, 2006

Ohio Historic Preservation Office
 Resource Protection and Review
 Mr. Nathan Young, Project Reviews Manager
 567 East Hudson Street
 Columbus, OH 43211-1030

**Re: Request for NEPA Project Review Addendum (OHPO File No. 1006163)
 Construction of a 300 foot Lattice Tower and Attachment of Eight Antennas
 City of Westlake, Cuyahoga County, Ohio**

Site Name: Filtration Plant
Site Number: N-11

File: D60.002.001

Dear Mr. Young:

C&S Engineers, Inc. transmitted a request, dated May 10, 2006, for information on potential historic, architectural, archaeological, or cultural resources that exist within the area of the above-mentioned project site. In addition to the request, C&S also transmitted a completed FCC Form 620 and a letter report summarizing the results of a Phase I Cultural Resources Survey completed for the proposed site.

A response, dated June 8, 2006, was received from your office and signed by a Ms. Monica L. Kuhn. In her response, Ms. Kuhn noted that additional information was needed before a review could be completed; more specifically she stated that "no attempts were made to notify the local government or the public of the project." Furthermore, she noted that a nearby resident had called OHPO to express their concerns over the tower's potential effects on local historic properties.

C&S ran a public notice in the Plain Dealer newspaper to inform members of the public of the proposed project. This notice, a copy of which is attached, was published on September 21, 2006. The notice requested that individuals wishing to comment on the proposed project should do so in writing within 15 days of the notices publication. As of October 11, 2006, 20 days past the notices publication, C&S has received no comments from members of the public.

We hope that this letter and the attached photocopy of the public notice will provide you and your staff with the information you require to complete your review; however, should you have any questions or comments I would be happy to provide additional information or answer any questions you may have.

Sincerely,

C&S ENGINEERS, INC.

Robert MacMurray
 Environmental Scientist

Attachment



OTTAWA TRIBE OF OKLAHOMA
HISTORIC PRESERVATION DEPARTMENT
P.O. Box 110
Miami, Oklahoma 74355
918^ 542^ 6162 PHONE (NEW NUMBER)
918^ 542^ 9007 Fax (NEW Number)

FACSIMILE COVER PAGE

To: R. Mac MURRAY FROM: RHONDA DIXON
 FIRM/AGENCY: C&S DATE/TIME: 12/28/06
 FAX NUMBER: 315-455-9667 NO. OF PAGES, INCLUDING COVER: 1 ^{S-11}
 PHONE NUMBER: _____ MEMO: TCNS #'s 12853 13815 _{N-11}

MESSAGE: THE OTTAWA TRIBE OF OKLAHOMA CONCURS THAT NO KNOWN HISTORIC PROPERTIES WILL BE NEGATIVELY IMPACTED BY CONSTRUCTION OF THIS TOWER SITE OR SITES (SEE MEMO LINE ABOVE FOR TCNS NUMBER OR NUMBERS). OUR RESEARCH AND REVIEW EFFORTS DO NOT REVEAL ANY ISSUES CURRENTLY KNOWN TO BE OF CONCERN TO US AT THIS TOWER LOCATION OR LOCATIONS.

IN THE EVENT THAT ARCHAEOLOGICAL MATERIALS — INCLUDING HUMAN REMAINS — ARE ENCOUNTERED LATER DURING CONSTRUCTION, USE, OR MAINTENANCE OF THIS TOWER LOCATION OR LOCATIONS, PLEASE RE-NOTIFY US AT THAT TIME, AS WE WOULD LIKE TO RESUME CONSULTATION UNDER SUCH A CIRCUMSTANCE.

THE OTTAWA TRIBE OF OKLAHOMA TAKES THIS OPPORTUNITY TO EXPRESS ITS CONCERNS THAT TELECOMMUNICATIONS TOWERS CAN HAVE A POTENTIALLY DESTRUCTIVE IMPACT ON BATS AND BIRDS, ESPECIALLY MIGRATORY BIRDS. IMPACTED BIRDS AND BATS COULD INCLUDE SPECIES THAT ARE LISTED AS THREATENED OR ENDANGERED BY BOTH STATES AND THE FEDERAL GOVERNMENT. THE OTTAWA TRIBE STRONGLY SUGGESTS THAT THIS/THESE TOWER/TOWERS BE CONSTRUCTED IN ACCORDANCE WITH THE GUIDELINES AVAILABLE FROM THE US FISH AND WILDLIFE SERVICE IN ORDER TO REDUCE THE ADVERSE EFFECTS OF TELECOMMUNICATIONS TOWERS ON BIRDS AND BATS. THESE GUIDELINES MAY BE FOUND AT:

WWW.FWS.GOV/MIGRATORYBIRDS/ISSUES/TOWERS/COMTOW.HTML

PLEASE DO NOT HESITATE TO CALL US FOR ADDITIONAL COMMENT.

Rhonda Dixon

 RHONDA DIXON, HISTORIC PRESERVATION OFFICER

If you have difficulty receiving this fax, please contact us at 918-540-1536.
 The contents of this fax may contain confidential information, please distribute only to addressee.



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Eastern Regional Office
711 Stewarts Ferry Pike
Nashville, TN 37214

Trust Services
Natural Resources

SEP 22 2003

Eric N. Kenna
C & S Engineers
499 Col. Eileen Collins Blvd.
Syracuse, NY 13212

Dear Mr. Kenna:

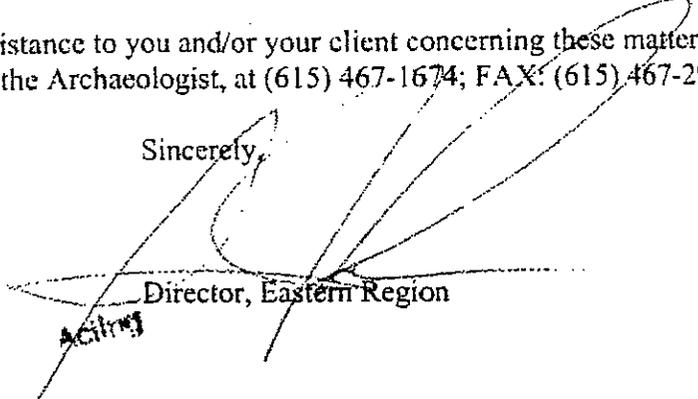
Due to the volumetric requests for NEPA survey compliance of potential Native American culturally sensitive sites that are **not** located on Native American reservation trust lands, the Bureau of Indian Affairs (BIA) has decided to issue a letter for your files that should satisfy NEPA requirements for your clients. Please enclose a copy of this letter with your application to the FCC to demonstrate compliance with NEPA. We do not maintain a database on or off Native American reservation trust lands and therefore we cannot provide you with the requested information. If communication towers are to be located on Native American Trust lands, then we do request that you contact us in addition to the affected tribes, nations or rancherias. We are enclosing a map and a list with the names and addresses of the tribes and nations in the Eastern Region. If they are not located on Trust lands, then no further correspondence will be necessary from your office to this office. This is a general policy that is being implemented for all communication sites within the BIA Eastern Region.

Please contact the State Historic Preservation Officer (SHPO) of the state of your concern. The SHPO may have knowledge of Native American religious sites located on state owned or privately owned Native American or non-Native American lands (not under BIA jurisdiction). The SHPO may be able to assist you and/or your client in identifying any of these particular sites and in assessing the impact that the proposed telecommunications facility/facilities might have on any Native American religious sites located on or near the designated project locations. Please contact the Tribal Historical Preservation Office (THPO) or Native American governments and the BIA if Trust lands are involved. The THPO and BIA can assist you with Trust land issues.

In conclusion, since the BIA does not have any trust interest in the lands designated for these projects and since the BIA does not maintain a database on Native American religious sites, we are unable to provide any pertinent information at this time. No further contact is needed from your office to the BIA with regards to cell towers that are not on reservation lands.

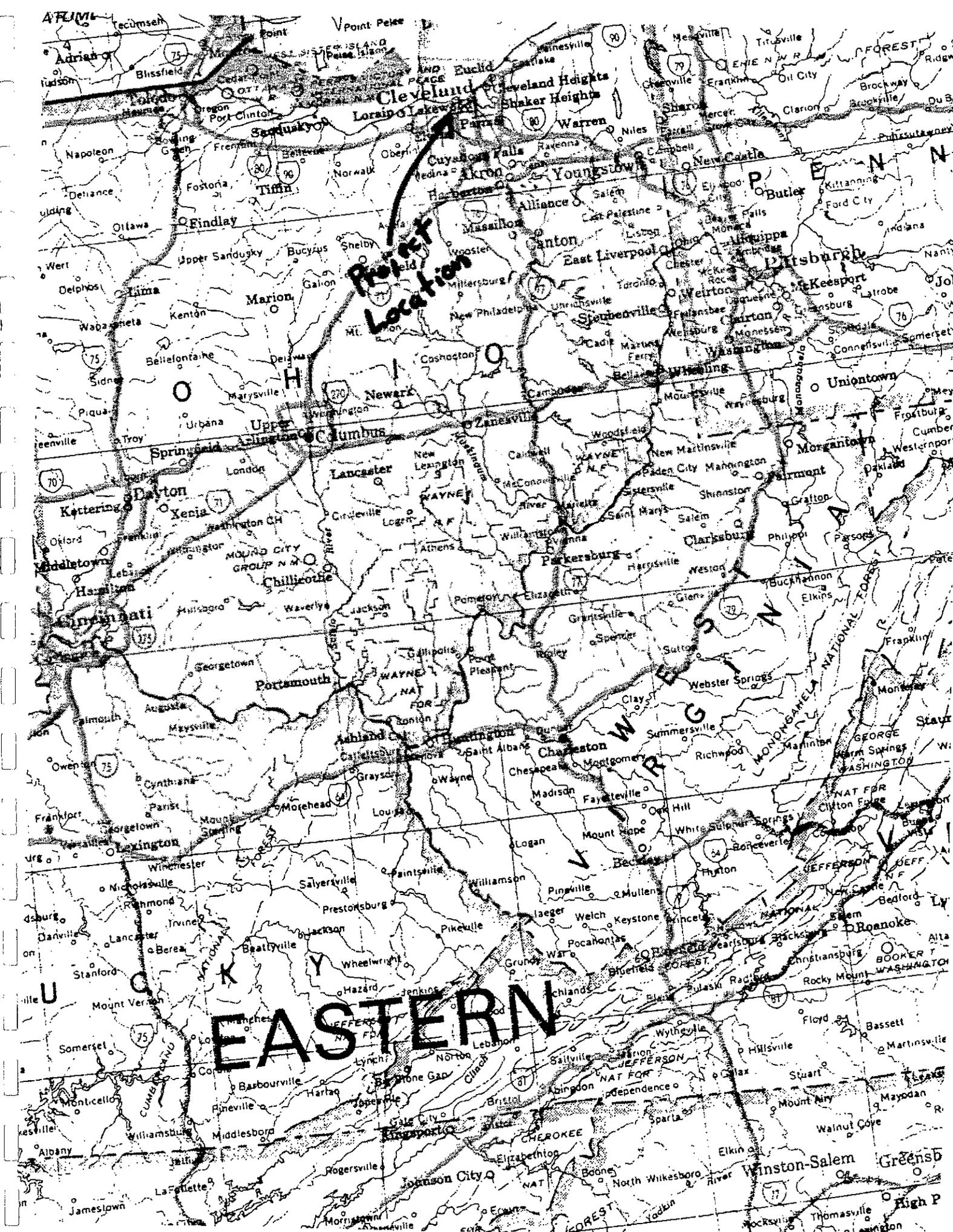
If we can be of further assistance to you and/or your client concerning these matters,
please feel free to contact the Archaeologist, at (615) 467-1674; FAX: (615) 467-2939.

Sincerely,


Director, Eastern Region

Acting

Enclosure



Project Location

EASTERN

WIRGINIA