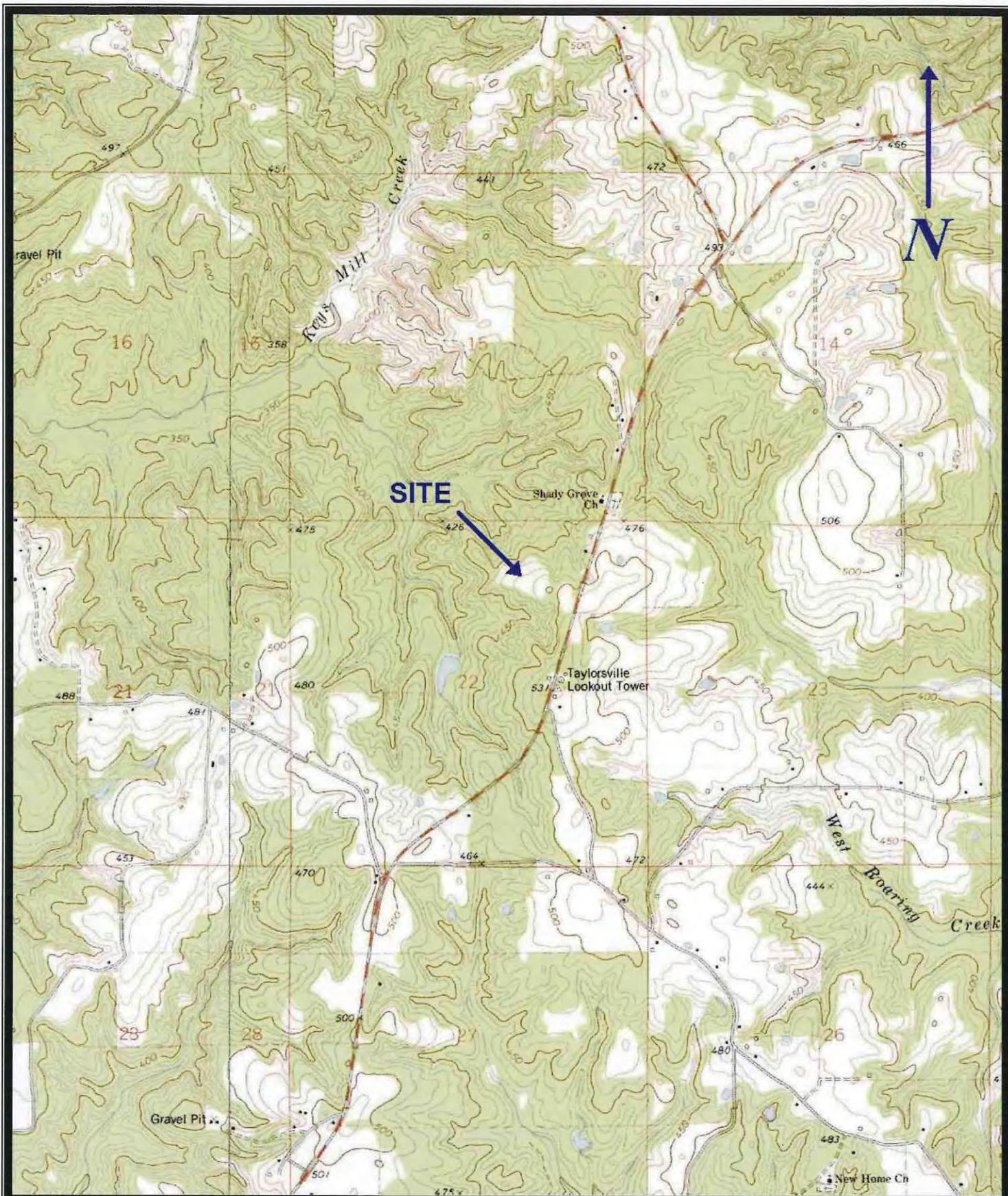


Figures



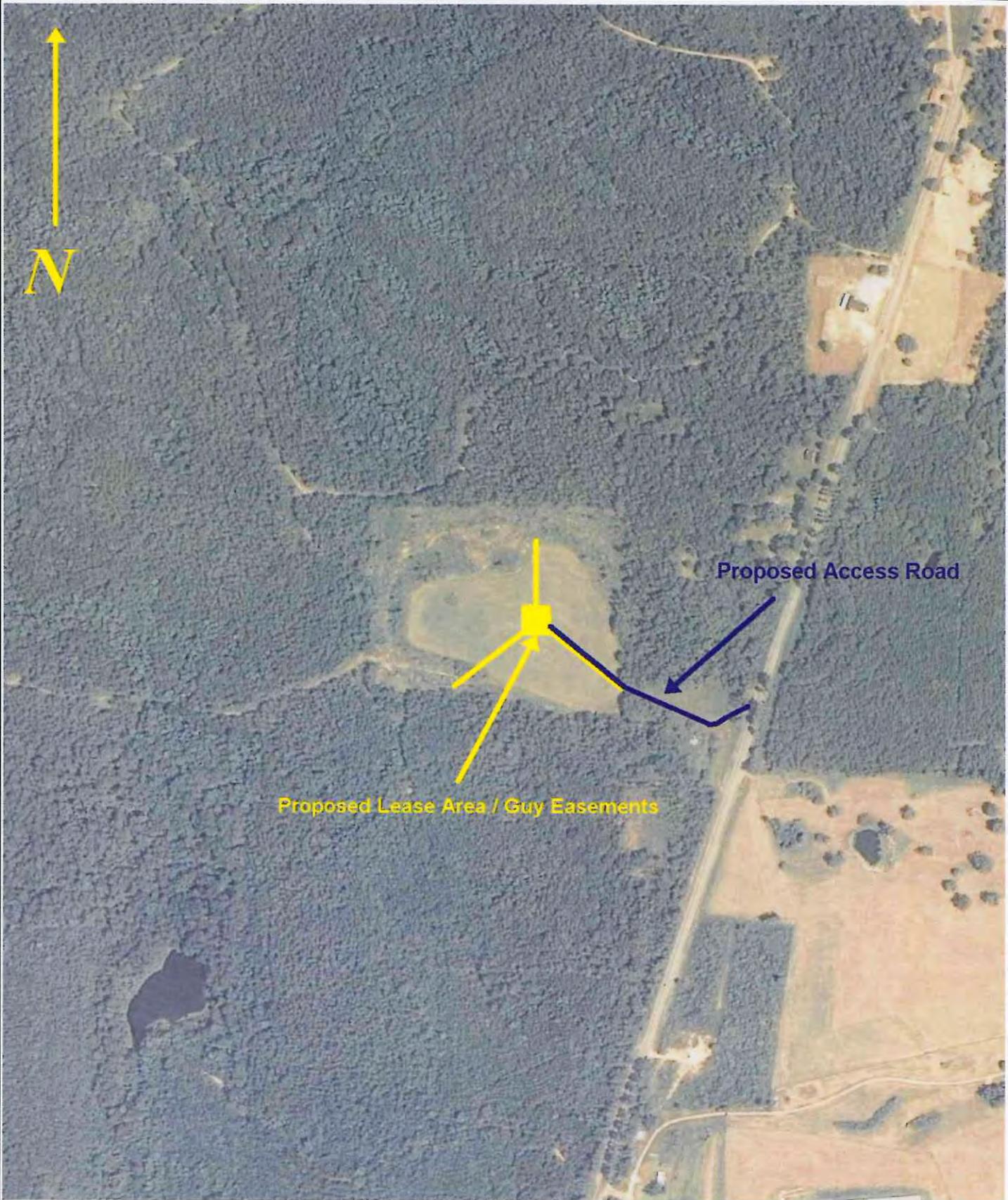
Environmental Engineers, Inc.

Subject:
 Draft Environmental Assessment
 Proposed MSWIN 20601 B Communications Tower
 Bay Springs, Smith County, Mississippi
 Project No.: JSE01P0818

Figure 1
 Site Location Map

Scale: 1" = 2000'





Environmental Engineers, Inc.

Subject:
Draft Environmental Assessment
Proposed MSWIN 20601 B Communications Tower
Bay Springs, Smith County, Mississippi
Project No.: JSE01P0818

Figure 2
2007 Aerial Photograph

Scale: 1" = 500'





View across the site toward the north.



View across the site toward the east.

Environmental Engineers, Inc.

Subject:
Draft Environmental Assessment
Proposed MSWIN 20601 B Communications Tower
Bay Springs, Smith County, Mississippi
Project No.: JSE01P0818

Figure 3
Site Photographs





View across the site toward the south.



View across the site toward the west.

Environmental Engineers, Inc.

Subject:
Draft Environmental Assessment
Proposed MSWIN 20601 B Communications Tower
Bay Springs, Smith County, Mississippi
Project No.: JSE01P0818

Figure 4
Site Photographs





View from the northern guy anchor toward the site.



View from the southeastern guy anchor toward the site.

Environmental Engineers, Inc.

Subject:
Draft Environmental Assessment
Proposed MSWIN 20601 B Communications Tower
Bay Springs, Smith County, Mississippi
Project No.: JSE01P0818

Figure 5
Site Photographs





View from the southwestern guy anchor toward the site.



View toward the site from the existing access gate.

Environmental Engineers, Inc.

Subject:
Draft Environmental Assessment
Proposed MSWIN 20601 B Communications Tower
Bay Springs, Smith County, Mississippi
Project No.: JSE01P0818

Figure 6
Site Photographs





View toward Highway 531 from the midpoint of the proposed access road. View includes the existing access gate.

Environmental Engineers, Inc.

Subject:
Draft Environmental Assessment
Proposed MSWIN 20601 B Communications Tower
Bay Springs, Smith County, Mississippi
Project No.: JSE01P0818

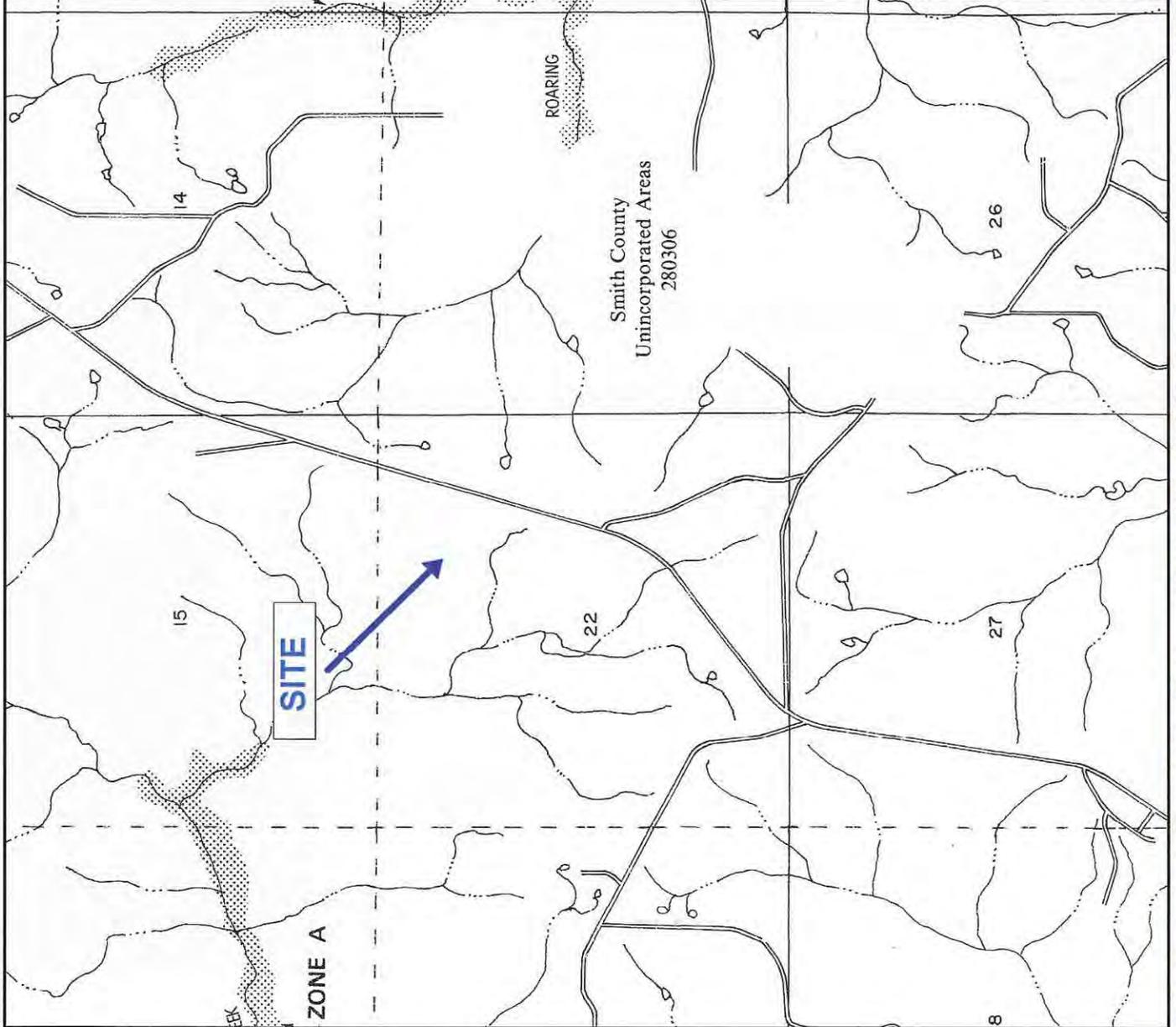
Figure 7
Site Photographs



Insurance agent or call the National Flood Insurance Program at (800) 638-6620.



APPROXIMATE SCALE



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP
SMITH COUNTY,
MISSISSIPPI AND
INCORPORATED AREAS

PANEL 150 OF 175
 (SEE MAP INDEX FOR PANELS NOT PRINTED)

CONTAINS:
 COMMUNITY NUMBER 280306
 UNINCORPORATED AREAS PANEL NUMBER 0150
 SUBFLEX C

Notice To Users: The MAP NUMBER shown below should be used when placing map orders; the COMMUNITY NUMBER shown above should be used on insurance applications for the subject community.

MAP NUMBER
28129C0150 C

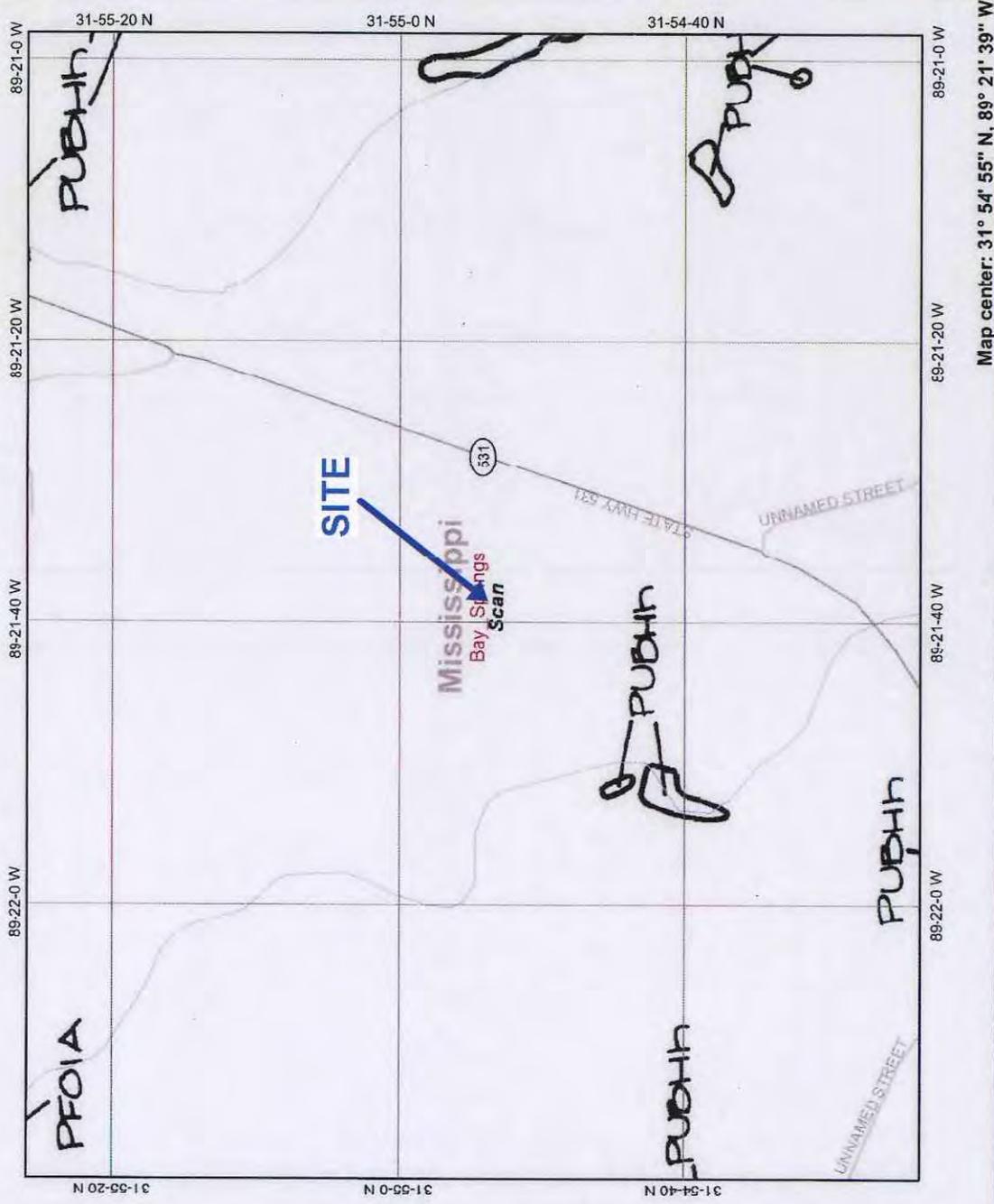
EFFECTIVE DATE:
DECEMBER 3, 1993



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

MSWIN 20601B Tower



Map center: 31° 54' 55" N, 89° 21' 39" W

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.



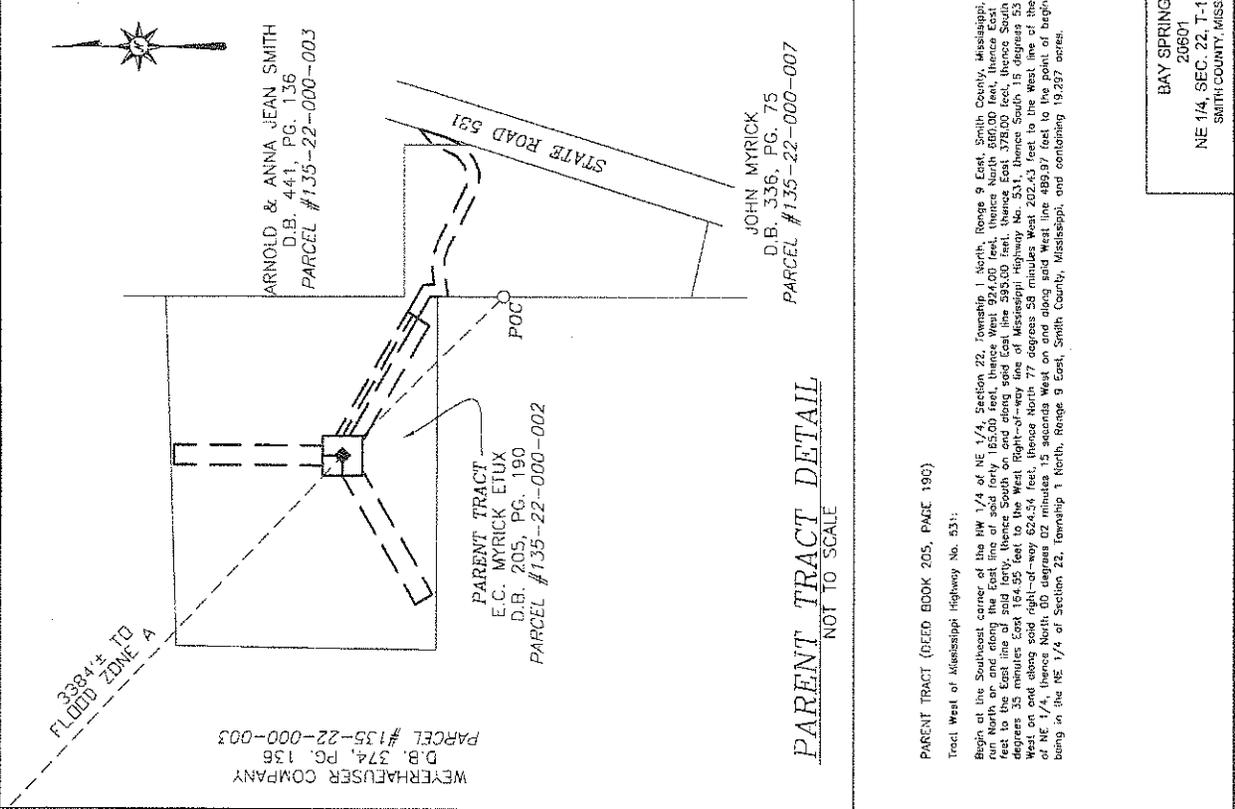
Legend

- Ohio_wet_scan
 - 0
 - 1
- Out of range
- Interstate
- Major Roads
- Other Road
- Interstate
- State highway
- US highway
- Roads
- Cities
- USGS Quad Index 24K
- Lower 48 Wetland Polygons
 - Estuarine and Marine Deepwater
 - Estuarine and Marine Wetland
 - Freshwater Emergent Wetland
 - Freshwater Forested/Shrub Wetland
 - Freshwater Pond
 - Lake
 - Other
 - Riverine
- Lower 48 Available Wetland Data
 - Non-Digital
 - Digital
 - No Data
 - Scan
- NHD Streams
- Counties 100K
- States 100K
- South America
- North America



Scale: 1:13,527

Appendix A



PARENT TRACT (DEED BOOK 205, PAGE 190)
 Tract West of Mississippi Highway No. 531:
 Begin at the Southeast corner of the NW 1/4 of NE 1/4, Section 22, Township 1 North, Range 9 East, Smith County, Mississippi, thence
 South 89 degrees 58 minutes 00 seconds East 164.55 feet to the West Right-of-way line of Mississippi Highway No. 531, thence South 15 degrees 53 minutes
 West 164.55 feet to the West Right-of-way line of Mississippi Highway No. 531, thence South 15 degrees 53 minutes West 202.43 feet to the SE 1/4
 of NE 1/4, thence North 80 degrees 02 minutes 15 seconds West on and along said West line 489.97 feet to the point of beginning. All
 being in the NE 1/4 of Section 22, Township 1 North, Range 9 East, Smith County, Mississippi, and containing 19.297 acres.

BAY SPRINGS
 20601
 NE 1/4, SEC. 22, T-1-N, R-9-E
 SMITH COUNTY, MISSISSIPPI

Appendix B

Home > Maps, Data, and Images > Maps > GIS Map

U.S. National Wilderness Preservation System Map

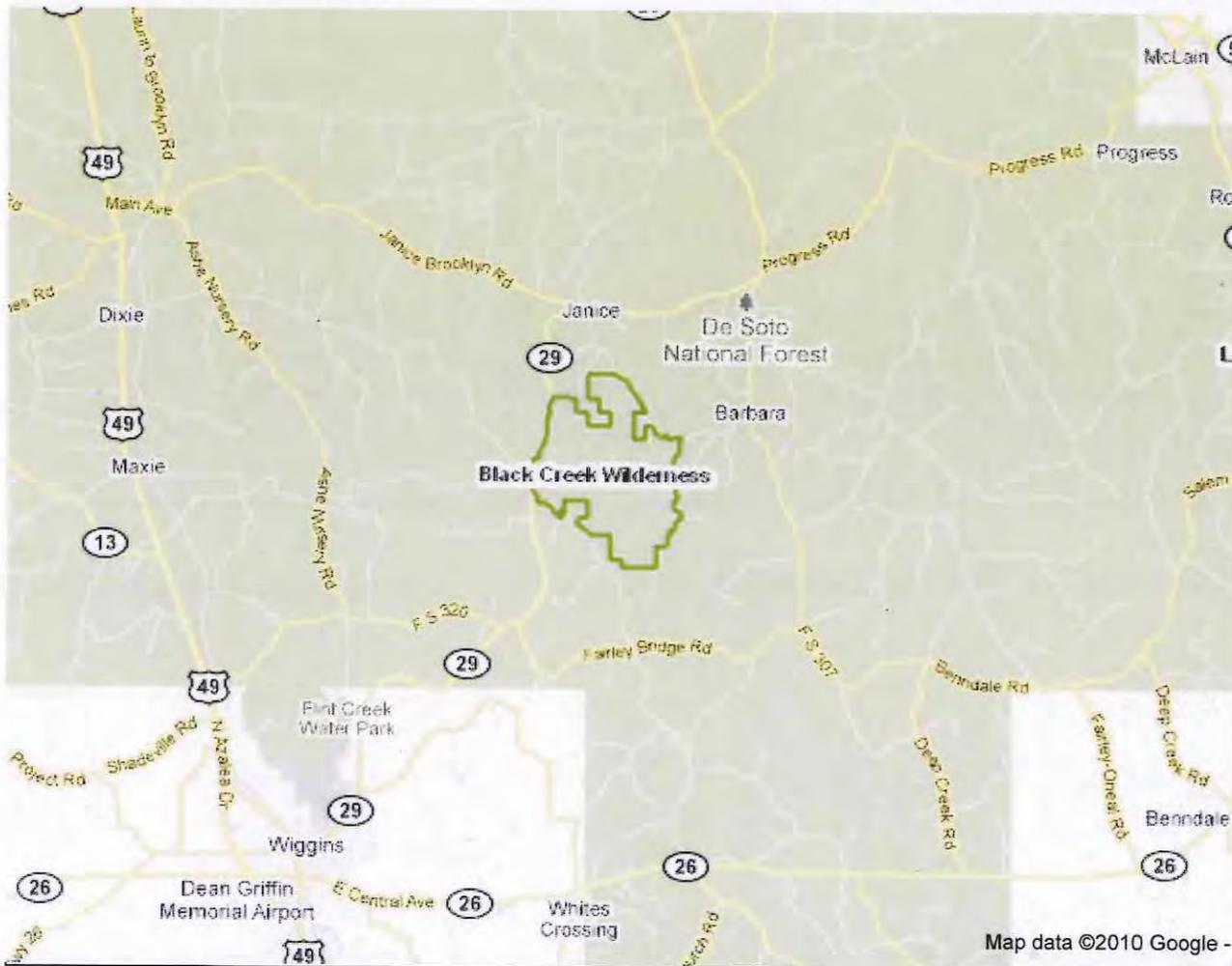
Click inside a wilderness polygon to open an information window (window may take a second to appear). Want to give us feedback on our map?

Print/View/Download:

Zoom: U.S. State Wilderness

On/Off: Wilderness Names

Key: BLM FWS FS NPS



Latitude/longitude: 31.0299897, -89.021530

Disclaimer: Wilderness.net's GIS-based map overlays wilderness boundaries on satellite data provided by Google Maps. Boundary updates are obtained from the wilderness management agencies. Boundary names containing "(Draft boundary)" have not been finalized and are not official. Different wildernesses treat inholdings differently, so you should consult agency-specific maps to identify the exact location of private inholdings within wilderness. Wilderness.net manages this map as a service to Internet users of digital

geographic data. Wilderness.net is in no way condoning or endorsing the application of these data for any given purpose. It is the sole responsibility of the user to determine whether or not the data are suitable for the intended purpose. It is also the obligation of the user to apply those data in an appropriate and conscientious manner. Although Wilderness.net attempts to use the most current and complete geospatial data available, accuracy varies. Wilderness.net provides no warranty, nor accepts any liability occurring from any incorrect, incomplete, or misleading data, or from any incorrect, incomplete, or misleading use of these data.

On 3/30/09 President Obama signed the Omnibus Public Land Management Act of 2009 (Public law 111-11) into law. This law designated 52 new wilderness areas and added acreage to 26 existing areas, a total addition to the NWPS of over 2 million acres. All these new areas are now pictured on Wilderness.net's maps. You can also [view a list of all areas affected by Public Law 111-11](#) with links to more information about them.

Maps of the National Wilderness Preservation System have been produced for many years. Read about the [history of wilderness mapping](#).



Feedback Analytics

Black Creek Wilderness Fact Sheet

General

The United States Congress designated the Black Creek Wilderness in 1984 and it now has a total of 5,052 acres. All of the wilderness is in Mississippi and is managed by the Forest Service.

The Black Creek Wilderness is located in the gulf coastal plains of southern Mississippi. Most of this Wilderness, the state's largest, lies in the broad valley of Black Creek, stained a deep caramel color by the tannic acid of decaying vegetation. The creek is Mississippi's only designated Wild and Scenic River (for 21 miles) with the emphasis exclusively on scenic. It bisects the Wilderness, creating a hardwood floodplain of oxbow lakes and thick stands of sweet gum, sweet bay, red maple, oak, pine, and bald cypress. The 5- to 20-foot banks offer plenty of white sandbars suitable for camping or a picnic. You may want to float the meandering creek leisurely paddling your canoe. If the water level is running low, keep an eye out for logs.

The Black Creek National Recreation Trail (open only to foot traffic) runs about 41 miles along the drainage of Black Creek, with about 10 miles within the Wilderness. Here you'll be on a part of the Lower Coastal Plain: piney woods growing over low rolling hills with a few moderate ridges. The relatively flat terrain rises 100 feet on Black Creek itself to only 270 feet on nearby uplands.

Bass and panfish attract anglers, and hunters come in their season, mostly for deer. On many days you'll see no evidence that a human has ever stepped foot in the Wilderness or dipped a canoe paddle into Black Creek.

Area Management

The Black Creek Wilderness is part of the 109 million acre National Wilderness Preservation System. This System of lands provides clean air, water, and habitat critical for rare and endangered plants and animals. In wilderness, you can enjoy challenging recreational activities like hiking, backpacking, climbing, kayaking, canoeing, rafting, horse packing, bird watching, stargazing, and extraordinary opportunities for solitude. You play an important role in helping to *"secure for the American people of present and future generations the benefits of an enduring resource of wilderness"* as called for by the Congress of the United States through the Wilderness Act of 1964. Please follow the requirements outlined below and use Leave No Trace techniques when visiting the Black

Creek Wilderness to ensure protection of this unique area.

General Wilderness Prohibitions

Motorized equipment and equipment used for mechanical transport is generally prohibited on all federal lands designated as wilderness. This includes the use of motor vehicles, motorboats, motorized equipment, bicycles, hang gliders, wagons, carts, portage wheels, and the landing of aircraft including helicopters, unless provided for in specific legislation.

In a few areas some exceptions allowing the use of motorized equipment or mechanical transport are described in the special regulations in effect for a specific area. Contact the Forest Service office or visit the websites listed below for more specific information.

These general prohibitions have been implemented for all national forest wildernesses in order to implement the provisions of the Wilderness Act of 1964. The Wilderness Act requires management of human-caused impacts and protection of the area's wilderness character to insure that it is "unimpaired for the future use and enjoyment as wilderness." Use of the equipment listed as prohibited in wilderness is inconsistent with the provision in the Wilderness Act which mandates opportunities for solitude or primitive recreation and that wilderness is a place that is in contrast with areas where people and their works are dominant.

Wilderness-Specific Regulations

Wilderness managers often need to take action to limit the impacts caused by visitor activities in order to protect the natural conditions of wilderness as required by the Wilderness Act of 1964. Managers typically implement 'indirect' types of actions such as information and education measures before selecting more restrictive measures. When regulations are necessary, they are implemented with the specific intent of balancing the need to preserve the character of the wilderness while providing for the use and enjoyment of wilderness.

The following wilderness regulations are in effect for this area. Not all regulations are in effect for every wilderness. Contact the national forest office or visit the websites listed below for more specific information about the regulations listed.

- AREA CLOSURE

- THE FOLLOWING ACTS ARE PROHIBITED: 1. STORING EQUIPMENT, PERSONAL PROPERTY, OR SUPPLIES. 2. DISPOSING OF DEBRIS GARBAGE, OR OTHER WASTE. 3. POSSESSING OR USING A WAGON, CART, OR OTHER VEHICLE. 4. OPERATING AN INTERNAL COMBUSTION ENGINE, EXCEPT FOR OUTBOARD MOTORS IN BLACK CREEK RIVER. 5. POSSESSING, DISCHARGING, OR USING ANY TYPE FIREWORKS OR OTHER PYROTECHNIC DEVICE. VIOLATION OF THIS PROHIBITION IS PUNISHABLE BY A FINE OF NOT MORE THAN \$5,000 OR IMPRISONMENT FOR NOT MORE THAN SIX MONTHS OR BOTH.
- MAXIMUM LENGTH OF STAY : 30 DAYS
 - CAMPING FOR A PERIOD LONGER THAN THIRTY (30) CONSECUTIVE DAYS ON ALL FOREST SERVICE LANDS IN MISSISSIPPI WITH THE EXCEPTION OF DEVELOPED RECREATION AREAS IS PROHIBITED. VIOLATION OF THIS PROHIBITION IS PUNISHABLE BY A FINE OF NOT MORE THAN \$5,000 OR IMPRISONMENT FOR NOT MORE THAN SIX MONTHS OR BOTH.

Contacts

De Soto Ranger District

PO BOX 248

654 WEST FRONTAGE ROAD

WIGGINS, MS 39577

Restrictions: Office hours are from 7:30 AM to 4:00 PM, Monday through Friday, except federal holidays.

Phone: 601-928-6160

Links to Other Websites

<http://www.southernregion.fs.fed.us/mississippi/desoto/> -- De Soto Ranger District Website - National Forests in Mississippi

Links on Wilderness.net

<http://www.wilderness.net/index.cfm?fuse=NWPS&sec=links&WLCID=7#results> --

National, Regional and Local Wilderness Organizations (NGOs)

A listing of societies, organizations, coalitions and other wilderness-related advocacy and stewardship groups.

<http://www.wilderness.net/index.cfm?fuse=NWPS&sec=links&WLCID=11#results> --

Career and Volunteer Opportunities

A listing of sites providing information about wilderness- and environmentally-related career and volunteer opportunities.

Things to Consider When Planning a Trip to Wilderness

- Plan Ahead and Prepare
 - Know the regulations and special concerns for the area you'll visit.
 - Prepare for extreme weather, hazards, and emergencies.
 - Schedule your trip to avoid times of high use.
 - Visit in small groups. Split larger parties into groups of 4-6.
 - Repackage food to minimize waste.
 - Use a map and compass to eliminate the use of marking paint, rock cairns or flagging.
- Travel and Camp on Durable Surfaces
 - Durable surfaces include established trails and campsites, rock, gravel, dry grasses or snow.
 - Protect riparian areas by camping at least 200 feet from lakes and streams.
 - Good campsites are found, not made. Altering a site is not necessary.
 - In popular areas:
 - Concentrate use on existing trails and campsites.
 - Walk single file in the middle of the trail, even when wet or muddy.
 - Keep campsites small. Focus activity in areas where vegetation is absent.
 - In pristine areas:
 - Disperse use to prevent the creation of campsites and trails.
 - Avoid places where impacts are just beginning.
- Dispose of Waste Properly
 - Pack it in, pack it out. Inspect your campsite and rest areas for trash or spilled foods. Pack out all trash, leftover food, and litter.
 - Deposit solid human waste in catholes dug 6 to 8 inches deep at least 200 feet from water, camp, and trails. Cover and disguise the cathole when finished.
 - Pack out toilet paper and hygiene products.
 - To wash yourself or your dishes, carry water 200 feet away from streams or lakes and use small amounts of biodegradable soap. Scatter strained dishwater.
- Leave What You Find
 - Preserve the past: examine, but do not touch, cultural or historic structures and artifacts.
 - Leave rocks, plants and other natural objects as you find them.
 - Avoid introducing or transporting non-native species.
 - Do not build structures, furniture, or dig trenches.
- Minimize Campfire Impacts
 - Campfires can cause lasting impacts to the backcountry. Use a lightweight stove for

cooking and enjoy a candle lantern for light.

- Where fires are permitted, use established fire rings, fire pans, or mound fires.
- Keep fires small. Only use sticks from the ground that can be broken by hand.
- Burn all wood and coals to ash, put out campfires completely, then scatter cool ashes.
- **Respect Wildlife**
 - Observe wildlife from a distance. Do not follow or approach them.
 - Never feed animals. Feeding wildlife damages their health, alters natural behaviors, and exposes them to predators and other dangers.
 - Protect wildlife and your food by storing rations and trash securely.
 - Control pets at all times, or leave them at home.
 - Avoid wildlife during sensitive times: mating, nesting, raising young, or winter.
- **Be Considerate of Other Visitors**
 - Respect other visitors and protect the quality of their experience.
 - Be courteous. Yield to other users on the trail.
 - Step to the downhill side of the trail when encountering pack stock.
 - Take breaks and camp away from trails and other visitors.
 - Let nature's sounds prevail. Avoid loud voices and noises.

The source for the above information is the Leave No Trace: Center for Outdoor Ethics.

For more detailed information on the seven principles of Leave No Trace and suggestions you can use to help plan a trip to wilderness, visit the following address:

<http://www.lnt.org/programs/lnt7/index.html>.

General Equipment List

The following is a general list of the types of equipment recommended for backcountry travel. You will want to modify this list accordingly for the climate in which you will be traveling. For example, if you are traveling in cold, high-mountain country you will may want to pack additional cold-weather clothing or mountaineering gear. Additionally, if you plan hunt, fish, canoe etc. in wilderness, you will want to pack additional gear needed for such activities.

- Tent
- Sleeping bag with stuff sack
- Backpack
- Clothing
 - Hiking boots (broken in and waterproofed)

- Socks (wool and liner)
- Jacket/sweater
- Rain gear
- Hat and/or stocking cap
- Shirts (long- and short-sleeve), pants, shorts (pack according to the climate you will be travelling in)
- Cook stove with extra fuel bottle
- Cook pans
- Waterproof matches or lighter
- Bear canister (if travelling in bear country)
- Rope (long enough to hang food, if necessary)
- Cup, bowl, spoon, fork, knife (sharpened)
- Water bottles or canteens
- Water filter or water treatment kit
- Garbage bags, ziplock-type bags (for packing out waste and repackaging food)
- Sun glasses
- Mosquito repellent, chapstick, sun screen
- Toilet paper (in plastic bag with additional plastic bag for packing out used paper)
- Flashlight or headlamp (with extra batteries and bulb), candle lantern
- Toiletries (toothbrush/paste, personal medications etc.)
- First-aid kit, emergency survival blanket
- Repair kits for your stove, tent, backpack, hiking boots etc.
- Camera, binoculars
- Maps, compass, field guide, guidebook

The above information was obtained from the following URL and is current as of 2/26/10:

<http://www.wilderness.net/index.cfm?fuse=NWPS&sec=wildView&WID=54>

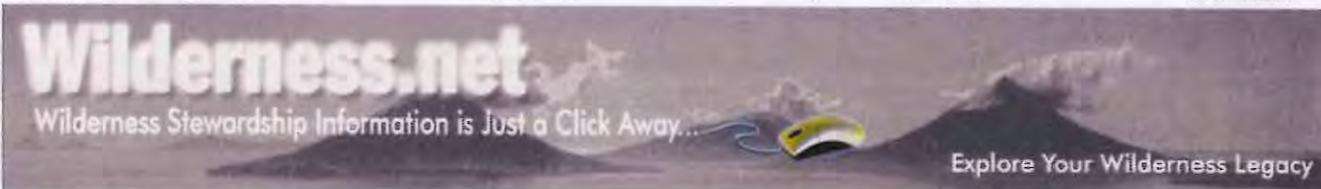


Feedback Analytics

▾ Aleutian Islands Wilderness, Alaska

Visit our mobile website: <http://m.wilderness.net>

Keywords:



- About Wilderness
- Wilderness Stewardship
- Tools for Managers
- Research
- Education
- Find a Wilderness
- ▾ Maps, Data and Images

Home > Maps, Data, and Images > Maps > GIS Map

U.S. National Wilderness Preservation System Map Text size: A | A | A [Print]

Click inside a wilderness polygon to open an information window (window may take a second to appear). Want to give us feedback on our map?

Print/View/Download:

Zoom: U.S. Wilderness

On/Off: Wilderness Names

Key: BLM FWS FS NPS



Latitude/longitude: 31.0410213, -88.797169

Disclaimer: Wilderness.net's GIS-based map overlays wilderness boundaries on satellite data provided by Google Maps. Boundary updates are obtained from the wilderness management agencies. Boundary names containing "(Draft boundary)" have not been finalized and are not official. Different wildernesses treat inholdings differently, so you should consult agency-specific maps to identify the exact location of private inholdings within wilderness. Wilderness.net manages this map as a service to Internet users of digital geographic data. Wilderness.net is in no way condoning or endorsing the application of these data for any given purpose. It is the sole responsibility of the user to determine whether or not the data are suitable for the intended purpose. It is also the obligation of the user to apply those data in an appropriate and conscientious manner. Although Wilderness.net attempts to use the most current and complete geospatial data available, accuracy varies. Wilderness.net provides no warranty, nor accepts any liability occurring from any incorrect, incomplete, or misleading data, or from any incorrect, incomplete, or misleading use of these data.

On 3/30/09 President Obama signed the Omnibus Public Land Management Act of 2009 (Public law 111-11) into law. This law designated 52 new wilderness areas and added acreage to 26 existing areas, a total addition to the NWPS of over 2 million acres. All these new areas

are now pictured on Wilderness.net's maps. You can also [view a list of all areas affected by Public Law 111-11](#) with links to more information about them.

Maps of the National Wilderness Preservation System have been produced for many years. Read about the [history of wilderness mapping](#).

About Us  | [Site Map](#) | [Contact Us](#) | [Wilderness.net policies](#)



Feedback Analytics

Leaf Wilderness Fact Sheet

General

The United States Congress designated the Leaf Wilderness in 1984 and it now has a total of 994 acres. All of the wilderness is in Mississippi and is managed by the Forest Service.

South Mississippi's tiny Leaf Wilderness lies almost entirely on the floodplain of the east-flowing Leaf River, just north of Black Creek Wilderness. Except for a little western upland, the entire Wilderness consists of meandering sloughs, oxbow lakes, and level terrain of spruce-pine forest or oak-gum-cypress river bottom. Loblolly and shortleaf pines shade the upland, with a dense understory of dogwood, redbud, persimmon, blueberries, and honeysuckle. The only threatening shrub is poison oak, which always seems to find a way to make contact with exposed skin. The 1.5 mile Leaf Trail, one of two main attractions in the area, crosses the Wilderness and three bridges and a boardwalk to access this piece of Mississippi, where camping is unrestricted. The other attraction is wildlife, including white-tailed deer and wild turkeys, which bring in hunters during the fall months.

Area Management

The Leaf Wilderness is part of the 109 million acre National Wilderness Preservation System. This System of lands provides clean air, water, and habitat critical for rare and endangered plants and animals. In wilderness, you can enjoy challenging recreational activities like hiking, backpacking, climbing, kayaking, canoeing, rafting, horse packing, bird watching, stargazing, and extraordinary opportunities for solitude. You play an important role in helping to *"secure for the American people of present and future generations the benefits of an enduring resource of wilderness"* as called for by the Congress of the United States through the Wilderness Act of 1964. Please follow the requirements outlined below and use Leave No Trace techniques when visiting the Leaf Wilderness to ensure protection of this unique area.

General Wilderness Prohibitions

Motorized equipment and equipment used for mechanical transport is generally prohibited on all federal lands designated as wilderness. This includes the use of motor vehicles, motorboats, motorized equipment, bicycles, hang gliders, wagons, carts, portage wheels, and the landing of aircraft including helicopters, unless provided for in

specific legislation.

In a few areas some exceptions allowing the use of motorized equipment or mechanical transport are described in the special regulations in effect for a specific area. Contact the Forest Service office or visit the websites listed below for more specific information.

These general prohibitions have been implemented for all national forest wildernesses in order to implement the provisions of the Wilderness Act of 1964. The Wilderness Act requires management of human-caused impacts and protection of the area's wilderness character to insure that it is "unimpaired for the future use and enjoyment as wilderness." Use of the equipment listed as prohibited in wilderness is inconsistent with the provision in the Wilderness Act which mandates opportunities for solitude or primitive recreation and that wilderness is a place that is in contrast with areas where people and their works are dominant.

Wilderness-Specific Regulations

Wilderness managers often need to take action to limit the impacts caused by visitor activities in order to protect the natural conditions of wilderness as required by the Wilderness Act of 1964. Managers typically implement 'indirect' types of actions such as information and education measures before selecting more restrictive measures. When regulations are necessary, they are implemented with the specific intent of balancing the need to preserve the character of the wilderness while providing for the use and enjoyment of wilderness.

The following wilderness regulations are in effect for this area. Not all regulations are in effect for every wilderness. Contact the national forest office or visit the websites listed below for more specific information about the regulations listed.

- CACHING OF EQUIPMENT PROHIBITED
- DISPOSING OF DEBRIS, GARBAGE PROHIBITED
- FIREWORKS PROHIBITED
 - POSSESSING, DISCHARGING, OR USING ANY TYPE FIREWORKS OR OTHER PYROTECHNIC DEVICE IS PROHIBITED.
- MAXIMUM LENGTH OF STAY : 30 DAYS
 - CAMPING IS PROHIBITED FOR A PERIOD OF LONGER THAN THIRTY (30) CONSECUTIVE DAYS ON ALL FOREST SERVICE LANDS IN MISSISSIPPI WITH THE EXCEPTION OF DEVELOPED RECREATION AREAS UNTIL FURTHER NOTICE. VIOLATION OF THIS

PROHIBITION IS PUNISHABLE BY A FINE OF NOT MORE THAN \$5,000 OR IMPRISONMENT FOR NOT MORE THAN SIX MONTHS OR BOTH.

- MECHANICAL PROPULSION DEVICES PROHIBITED
 - OPERATING AN INTERNAL COMBUSTION ENGINE, EXCEPT FOR OUTBOARD MOTORS IN THE BLACK CREEK RIVER.
- WAGON, WHEELBARROW, STROLLER, BICYCLE, GAME CART OR OTHER VEHICLE PROHIBITED (WHEELCHAIRS ALLOWED)

Contacts

De Soto Ranger District

PO BOX 248

654 WEST FRONTAGE ROAD

WIGGINS, MS 39577

Phone: 601-928-6160

Restrictions: Office hours are from 7:30 AM to 4:00 PM, Monday through Friday, except federal holidays.

Links to Other Websites

<http://www.southernregion.fs.fed.us/mississippi/desoto/> -- De Soto Ranger District Website - National Forests in Mississippi

Links on Wilderness.net

<http://www.wilderness.net/index.cfm?fuse=NWPS&sec=links&WLCID=7#results> --

National, Regional and Local Wilderness Organizations (NGOs)

A listing of societies, organizations, coalitions and other wilderness-related advocacy and stewardship groups.

<http://www.wilderness.net/index.cfm?fuse=NWPS&sec=links&WLCID=11#results> --

Career and Volunteer Opportunities

A listing of sites providing information about wilderness- and environmentally-related career and volunteer opportunities.

Things to Consider When Planning a Trip to Wilderness

- Plan Ahead and Prepare
 - Know the regulations and special concerns for the area you'll visit.
 - Prepare for extreme weather, hazards, and emergencies.
 - Schedule your trip to avoid times of high use.

- Visit in small groups. Split larger parties into groups of 4-6.
- Repackage food to minimize waste.
- Use a map and compass to eliminate the use of marking paint, rock cairns or flagging.
- Travel and Camp on Durable Surfaces
 - Durable surfaces include established trails and campsites, rock, gravel, dry grasses or snow.
 - Protect riparian areas by camping at least 200 feet from lakes and streams.
 - Good campsites are found, not made. Altering a site is not necessary.
 - In popular areas:
 - Concentrate use on existing trails and campsites.
 - Walk single file in the middle of the trail, even when wet or muddy.
 - Keep campsites small. Focus activity in areas where vegetation is absent.
 - In pristine areas:
 - Disperse use to prevent the creation of campsites and trails.
 - Avoid places where impacts are just beginning.
- Dispose of Waste Properly
 - Pack it in, pack it out. Inspect your campsite and rest areas for trash or spilled foods. Pack out all trash, leftover food, and litter.
 - Deposit solid human waste in catholes dug 6 to 8 inches deep at least 200 feet from water, camp, and trails. Cover and disguise the cathole when finished.
 - Pack out toilet paper and hygiene products.
 - To wash yourself or your dishes, carry water 200 feet away from streams or lakes and use small amounts of biodegradable soap. Scatter strained dishwater.
- Leave What You Find
 - Preserve the past: examine, but do not touch, cultural or historic structures and artifacts.
 - Leave rocks, plants and other natural objects as you find them.
 - Avoid introducing or transporting non-native species.
 - Do not build structures, furniture, or dig trenches.
- Minimize Campfire Impacts
 - Campfires can cause lasting impacts to the backcountry. Use a lightweight stove for cooking and enjoy a candle lantern for light.
 - Where fires are permitted, use established fire rings, fire pans, or mound fires.
 - Keep fires small. Only use sticks from the ground that can be broken by hand.
 - Burn all wood and coals to ash, put out campfires completely, then scatter cool ashes.
- Respect Wildlife

- Observe wildlife from a distance. Do not follow or approach them.
- Never feed animals. Feeding wildlife damages their health, alters natural behaviors, and exposes them to predators and other dangers.
- Protect wildlife and your food by storing rations and trash securely.
- Control pets at all times, or leave them at home.
- Avoid wildlife during sensitive times: mating, nesting, raising young, or winter.
- Be Considerate of Other Visitors
 - Respect other visitors and protect the quality of their experience.
 - Be courteous. Yield to other users on the trail.
 - Step to the downhill side of the trail when encountering pack stock.
 - Take breaks and camp away from trails and other visitors.
 - Let nature's sounds prevail. Avoid loud voices and noises.

The source for the above information is the Leave No Trace: Center for Outdoor Ethics. For more detailed information on the seven principles of Leave No Trace and suggestions you can use to help plan a trip to wilderness, visit the following address: <http://www.lnt.org/programs/lnt7/index.html>.

General Equipment List

The following is a general list of the types of equipment recommended for backcountry travel. You will want to modify this list accordingly for the climate in which you will be traveling. For example, if you are traveling in cold, high-mountain country you will may want to pack additional cold-weather clothing or mountaineering gear. Additionally, if you plan hunt, fish, canoe etc. in wilderness, you will want to pack additional gear needed for such activities.

- Tent
- Sleeping bag with stuff sack
- Backpack
- Clothing
 - Hiking boots (broken in and waterproofed)
 - Socks (wool and liner)
 - Jacket/sweater
 - Rain gear
 - Hat and/or stocking cap
 - Shirts (long- and short-sleeve), pants, shorts (pack according to the climate you will be travelling in)

- Cook stove with extra fuel bottle
- Cook pans
- Waterproof matches or lighter
- Bear canister (if travelling in bear country)
- Rope (long enough to hang food, if necessary)
- Cup, bowl, spoon, fork, knife (sharpened)
- Water bottles or canteens
- Water filter or water treatment kit
- Garbage bags, ziplock-type bags (for packing out waste and repackaging food)
- Sun glasses
- Mosquito repellent, chapstick, sun screen
- Toilet paper (in plastic bag with additional plastic bag for packing out used paper)
- Flashlight or headlamp (with extra batteries and bulb), candle lantern
- Toiletries (toothbrush/paste, personal medications etc.)
- First-aid kit, emergency survival blanket
- Repair kits for your stove, tent, backpack, hiking boots etc.
- Camera, binoculars
- Maps, compass, field guide, guidebook

The above information was obtained from the following URL and is current as of 2/26/10:

<http://www.wilderness.net/index.cfm?fuse=NWPS&sec=wildView&WID=314>



Feedback Analytics

Appendix C

Southeast Region

Conserving the Nature of America

- [Refuge Finder](#)
- [Service Finder](#)
- [Office Finder](#)
- [Contact Finder](#)

- [About Southeast Region](#)
- [Climate Change in the SE](#)
- [Connecting People with Nature:](#)
 - [Lets Go Outside](#)
 - [Educators](#)
 - [Southeast Kids](#)
 - [Reference and Research](#)
 - [Publications](#)
 - [Southeastern Currents](#)
- [Fish & Wildlife](#)
 - [Ecological Services](#)
 - [Contaminants](#)
 - [Coastal Program](#)
 - [Partners for FWS](#)
 - [T & E](#)
 - Species: [Achieving Recovery and Preventing Extinction](#)
 - [Recovery Program](#)
 - [Aquatic Resources: \[National Fish Habitat Action Plan\]\(#\)](#)
 - [Migratory Birds: \[Conservation & Management\]\(#\)](#)
- [Get Involved](#)
 - [Business Opportunities](#)
 - [Friends](#)
 - [Jobs](#)
 - [Volunteer](#)
- [NWRs: Conserving Our Lands & Resources](#)
 - [National Wildlife Refuges](#)
 - [Invasive Species](#)
- [Landscape Conservation:](#)

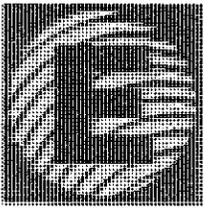
Map of Mississippi



National Wildlife Refuges

- [Bogue Chitto NWR](#)
- [Dahomey NWR](#)
- [Grand Bay NWR](#)
- [Hillside NWR](#)
- [Holt Collier NWR](#)
- [Mathews Brake NWR](#)
- [MS Sandhill Crane NWR](#)
- [Morgan Brake NWR](#)
- [Noxubee NWR](#)
- [Panther Swamp NWR](#)

Appendix D



ENVIRONMENTAL ENGINEERS, INC.

11578 US Highway 411, Odenville, Alabama 35120

Environmental and Geological Consultants

February 13, 2009

Mr. Ray Aycock
United States Fish and Wildlife Service
6578 Dogwood View Parkway
Jackson, Mississippi 39213

Subject:
Proposed MSWIN 20106 B Wireless Communications Tower
Bay Springs, Smith County, Mississippi
Environmental Engineers, Inc. Project No.: JSE01P0818

Dear Mr. Aycock:

Environmental Engineers, Inc. is requesting comment from the U.S. Fish and Wildlife Service on behalf of Towers of Mississippi and the State of Mississippi regarding impact to threatened or endangered species by construction of a wireless communications tower in Smith County, Mississippi.

The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Bay Springs, Mississippi," dated 1974. The site is located in the northwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 22, Township 1 North, Range 9 East, Smith County, Mississippi, at latitude $31^{\circ}54'54.800''$ north and $89^{\circ}21'38.845''$ west (Figure 1). The site is located off Highway 531 near Bay Springs, Mississippi. The site is located in a pasture and slopes gently downward to the northwest. The site consists of a proposed 100-foot by 100-foot communications tower compound with associated guy anchor easements, and a proposed access road. Proposed activities consist of construction of a 550-foot guyed communications tower, enclosing the compound in a fence, placement of support equipment within the compound, and covering the compound and access road with gravel. I have included a site location map and site photographs for your review.

Environmental Engineers, Inc. appreciates the opportunity to provide this information. Please reference the Environmental Engineers, Inc. project number (JSE01P0818) in correspondence regarding this site. Thank you for your time and assistance and we look forward to your response. Please call us at (205) 629-3868 if you have any questions or comments.

Sincerely,

ENVIRONMENTAL ENGINEERS, INC.

Angela Burttram
Staff Engineer

Attachments Site Location Map and Site Photographs

Phone: (205) 629-3868 • Fax: (877) 847-3060

7007 2680 0002 3655 6179

U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage \$	2/13/09 Postmark Here JSE01P0818 JSE01P0904 JSE01P0905
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
Sent To <u>Mr. Ray Aycock</u>	
Street, Apt. No., or PO Box No.	
City, State, ZIP+4	
PS Form 3800, August 2005 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <u>M. Ray</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery <u>M. Ray</u> <u>2/13/09</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>1. Article Addressed to: <u>Mr. Ray Aycock</u> <u>USF&WS</u> <u>6578 Dogwood View Pkwy</u> <u>Jackson, MS 39213</u></p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>2. Article Number (Transfer from service label)</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p>7007 2680 0002 3655 6179</p>	



United States Department of the Interior

**FISH AND WILDLIFE SERVICE
Mississippi Field Office
6578 Dogwood View Parkway, Suite A
Jackson, MS 39213**



February 23, 2009

Ms. Angela Burttram
Environmental Engineers, Inc.
11578 US Highway 411
Odenville, Alabama 35120

ENVIRONMENTAL ENGINEERS

FEB 25 2009

RECEIVED

RE: Proposed Tower in Smith County, Mississippi, Project No: JSE01P0818

Dear Ms. Burttram:

The U.S. Fish and Wildlife Service (Service) received your letter dated February 13, 2009 regarding the proposed construction of a new wireless telecommunications structure in Smith County, Mississippi. The proposal is for constructing a 350-foot guyed-wire tower within a 100-foot by 100-foot fenced equipment compound, associated guy wire anchor easements and is located off of Hwy 531 near Bay Springs. Our comments are submitted in accordance with the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and the Migratory Bird Treaty Act (16 U.S.C. 703-711).

Although there are three federally listed terrestrial species for Smith County (Louisiana black bear, gopher tortoise and red-cockaded woodpecker), based on the project site photographs of a pasture and a relatively small project footprint, the Service determines that this project will have no effect on listed species or critical habitat. However, due to the adverse impact these towers can have on migratory birds, we are attaching guidelines to reduce bird mortality.

Thank you for the opportunity to comment on this project. Please contact this office if your project plans change or if you have any questions. My office phone number is (601) 321-1129.

Sincerely,

Terri Jacobson
Fish and Wildlife Biologist

Appendix E

U.S. Fish and Wildlife Service Tower Guidance

Due to the adverse impact telecommunications towers can have on migratory birds, we would like to make the following recommendations:

1. Co-locate communications equipment on an existing communication tower or other structure (e.g., billboard, water tower, or building mount). Depending on tower load factors, from 6 to 10 providers may collocate on an existing tower.
2. If co-location is not feasible and a new tower or towers are to be constructed, towers should be no more than 199 feet above ground level (AGL), use construction techniques which do not require guy wires (e.g., use a lattice structure, monopole, etc.). Towers should be unlighted if Federal Aviation Administration regulations permit.
3. If constructing multiple towers, consider the cumulative impacts of all towers to migratory birds and threatened and endangered species as well as the impacts of each individual tower.
4. If at all possible, new towers should be sited within existing "antenna farms" (clusters of towers). Towers should not be sited in or near wetlands, other known bird concentration areas (e.g., state or Federal refuges, staging areas, rookeries), in known migratory or daily movement flyways, or in habitat of threatened or endangered species. Towers should not be sited in areas with a high incidence of fog, mist, and low ceilings.
5. If taller (>199 feet AGL) towers requiring lights for aviation safety must be constructed, the minimum amount of pilot warning and obstruction avoidance lighting required by the FAA should be used. Unless otherwise required by the FAA, only white (preferable) or red strobe lights should be used at night, and these should be the minimum number, minimum intensity, and minimum number of flashes per minute (longest duration between flashes) allowable by the FAA. The use of solid red or pulsating red warning lights at night should be avoided. Current research indicates that solid or pulsating (beacon) red lights attract night-migrating birds at a much higher rate than white strobe lights. Red strobe lights have not yet been studied.
6. Tower designs using guy wires for support which are proposed to be located in known raptor or waterbird concentration areas or daily movement routes, or in major diurnal migratory bird movement routes or stopover sites, should have daytime visual markers on the wires to prevent collisions by these diurnally moving species. (For guidance on markers, see *Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006* - a profile of the research and safeguards available to remedy the issue of avian electrocutions. Copies can be obtained from Edison Electric Institute by calling 1-800-334-5453 or via the Internet at http://www.eei.org/products_and_services/descriptions_and_access/index.htm.)

7. Towers and appendant facilities should be sited, designed and constructed so as to avoid or minimize habitat loss within and adjacent to the tower "footprint". However, a larger tower footprint is preferable to the use of guy wires in construction. Road access and fencing should be minimized to reduce or prevent habitat fragmentation and disturbance, and to reduce above ground obstacles to birds in flight.
8. If significant numbers of breeding, feeding, or roosting birds are known to habitually use the proposed tower construction area, relocation to an alternate site is recommended.
9. In order to reduce the number of towers needed in the future, new towers should be designed structurally and electrically to accommodate comparable antennas for at least two additional users (minimum of three users for each tower structure), unless this design would require the addition of lights or guy wires to an otherwise unlighted and/or unguyed tower.
10. Security lighting for on-ground facilities and equipment should be down-shielded to keep light within the boundaries of the site.
11. Service personnel or researchers from the Communication Tower Working Group should be allowed, if asked, access to the site to evaluate bird use, conduct dead-bird searches, to place net catchments below the towers but above the ground, and to place radar, Global Positioning System, infrared, thermal imagery, and acoustical monitoring equipment as necessary to assess and verify bird movements and to gain information on the impacts of various tower sizes, configurations, and lighting systems.
12. Towers no longer in use or determined to be obsolete should be removed within twelve months of cessation of use.

These voluntary recommendations are based on the Service's Guidance on the Siting, Construction, Operation and Decommissioning of Communications Towers which can be found at <http://www.fws.gov/migratorybirds/issues/towers/comtow.html>.

In order to obtain information on the usefulness of these guidelines in preventing bird strikes, and to identify any recurring problems with their implementation which may necessitate modifications, please advise us of the final location and specifications of the proposed tower. In your response please explain which of the recommended measures were implemented and if the recommended measures could not be implemented, please explain why they were not feasible.

Appendix F

Henry Fisher

From: towernotifyinfo@fcc.gov
Sent: Monday, January 26, 2009 9:41 AM
To: towerinfo@envciv.com
Subject: Proposed Tower Structure Info - Email ID #2107773

Dear Henry A Fisher,

Thank you for submitting a notification regarding your proposed structure via the Tower Construction Notification Application. Note that the FCC has assigned a unique Notification ID number for this proposed structure.

You will need to reference this Notification ID number when you update your project's Status with us.

Below are the details you provided for the tower you have proposed to construct:

Notification Received: 01/26/2009

Notification ID: 48507

Tower Owner Individual or Entity Name: Towers of Mississippi/State of Mississippi

Consultant Name: Henry A Fisher

Street Address: 11578 U.S. Highway 411

City: Odenville

State: ALABAMA

Zip Code: 35120

Phone: 205-629-3868

Email: towerinfo@envciv.com

Structure Type: GTOWER - Guyed Tower

Latitude: 31 deg 54 min 54.8 sec N

Longitude: 89 deg 21 min 38.8 sec W

Location Description: off Hwy 531

City: Bay Springs

State: MISSISSIPPI

County: SMITH

Ground Elevation: 146.6 meters

Support Structure: 167.6 meters above ground level

Overall Structure: 167.6 meters above ground level

Overall Height AMSL: 314.2 meters above mean sea level

Henry Fisher

From: towernotifyinfo@fcc.gov
Sent: Friday, January 30, 2009 2:01 AM
To: towerinfo@envciv.com
Cc: kim.pristello@fcc.gov; diane.dupert@fcc.gov
Subject: NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #2109138

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 "Tribes"), Native Hawaiian Organizations (NHOs), and State Historic Preservation Officers (SHPOs). 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, as well as the designated contact person, 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. 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 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 Tribe or NHO. (NPA, Section IV.F.4).

The information you provided was forwarded to the following Tribes and NHOs 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. For these Tribes and NHOs, if the Tribe or NHO does not 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). These procedures are further set forth in the FCC's Declaratory Ruling released on October 6, 2005 (FCC 05-176).

1. THPO Kenneth H Carleton - Mississippi Band of Choctaw Indians - Choctaw, MS - electronic mail

Exclusions: Please send all information via e-mail (and only via e-mail - no paper copies please) to: choctawhp@gmail.com (9 meg attachment limit)

The Mississippi Band of Choctaw Indians wishes to see full information packets for all towers within the designated areas for consultation.

Form 620, if it includes the a full text of the cultural resource survey with maps, is adequate for our needs. If your 620 does not include the text of the cultural resource survey, then attach it seperately.

Please include the tower identification (TCNS#, name, and any other information that may help us identify this site) and the county and state where the facility is proposed in the subject line.

If the applicant/tower builder receives no response from the Mississippi Band of Choctaw Indians within 30 days AFTER YOU HAVE E-MAILED THE AFOREMENTIONED INFORMATION TO US (begin counting the 30 day period AFTER the e-mail with all of the information has been sent), then the Mississippi Band of Choctaw Indians has no interest in participating in pre-construction review for the proposed site. The Applicant/tower builder, however, must immediately notify the Mississippi Band of Choctaw Indians in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

2. Compliance Review Supervisor Dawn P Hutchins - Seminole Tribe of Florida - Clewiston, FL - electronic mail

3. Director of Cultural Resources & THPO Terry D Cole - Choctaw Nation of Oklahoma - Durant, OK - electronic mail and regular mail

Exclusions: The Applicant may conclude that the Choctaw Nation of Oklahoma has no interest in a site if there is existing disturbance wherein the depth of the previous disturbance exceeds the proposed construction depth (excluding footing and other anchoring mechanisms) by at least 2 feet (Applying VI - D(2)(c)(i) of the Nationwide Programmatic Agreement concerning Field Surveys; 'In the Matter of Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act Review Process,' Report and Order, 20 FCC Rcd. 1073, WT Docket No. 03-128, October 5, 2004).

Furthermore, the Choctaw Nation of Oklahoma does not have an interest in a Tower that will be constructed on an existing structure, developed land, or within city limits. However, any of the above mentioned criteria should be communicated to us if not evident in the initial Notification Details. For all other towers, we request a signed field survey report that meets the Federal guidelines set forth by the Department of the Interior and a site location map along with pictures for each project.

Additionally, the Choctaw Nation of Oklahoma has informed FCC Staff that if the Applicant does not receive a response from the Tribe within 30 days of a TCNS notification, then the Applicant SHOULD MAKE A GOOD FAITH EFFORT WITH A FOLLOW-UP PHONE CALL to make sure that the tribe is aware of the proposed tower project. However, should construction expose buried archaeological or building materials such as chipped stone, tools, pottery, bone, historical crockery, glass or metal items, this office should be contacted immediately @ 1-800-522-6170 ext. 2137. [n.b. Please reference the TCNS number in all communications that follow the initial notification.]

4. MEKKO and Acting Tribal Administrator Jennie Lillard - Kialegee Tribal Town - Wetumka, OK - regular mail

Exclusions: If the Applicant receives no response from the Kialegee Tribal Town within 30 days after notification through TCNS, the Kialegee Tribal Town has no interest in participating in pre-construction review for the site. The Applicant, however, must immediately notify the Kialegee Tribal Town in the event archaeological properties or human remains are discovered during construction.

5. THPO Earl J Barbry Jr - Tunica-Biloxi Indians of Louisiana - Marksville, LA - regular 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. For these Tribes and NHOs, 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.

None

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.

6. SHPO Lee Warner - Alabama Historical Commission - Montgomery, AL - electronic mail

7. Deputy SHPO Elizabeth Ann Brown - Alabama Historical Commission - Montgomery, AL - electronic mail

8. SHPO Cathie Matthews - Department of Arkansas Heritage - Little Rock, AR - electronic mail

9. Deputy SHPO Ken Grunewald - Department of Arkansas Heritage - Little Rock, AR - electronic mail

10. SHPO Elbert Hilliard - Mississippi Dept of Archives & History - Jackson, MS - regular mail

11. Deputy SHPO Kenneth H P'Pool - Division of Historic Preservation - Jackson, MS -
electronic mail

"Exclusions" above set forth language provided by the Tribe, NHO, or SHPO. These exclusions may indicate types of tower notifications that the Tribe, NHO, or SHPO does not wish to review. TCNS automatically forwards all notifications to all Tribes, NHOs, and SHPOs 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, or SHPO. Exclusions may also set forth policies or procedures of a particular Tribe, NHO, or SHPO (for example, types of information that a Tribe routinely requests, or a policy that no response within 30 days indicates no interest in participating in pre-construction review).

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: 01/26/2009
Notification ID: 48507
Tower Owner Individual or Entity Name: Towers of Mississippi/State of Mississippi
Consultant Name: Henry A Fisher
Street Address: 11578 U.S. Highway 411
City: Odenville
State: ALABAMA
Zip Code: 35120
Phone: 205-629-3868
Email: towerinfo@envciv.com

Structure Type: GTOWER - Guyed Tower
Latitude: 31 deg 54 min 54.8 sec N
Longitude: 89 deg 21 min 38.8 sec W
Location Description: off Hwy 531
City: Bay Springs
State: MISSISSIPPI
County: SMITH
Ground Elevation: 146.6 meters
Support Structure: 167.6 meters above ground level
Overall Structure: 167.6 meters above ground level
Overall Height AMSL: 314.2 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>.

You may also call the FCC Support Center at (877) 480-3201 (TTY 717-338-2824). Hours are from 8 a.m. to 7:00 p.m. Eastern Time, Monday through Friday (except Federal holidays). To provide quality service and ensure security, all telephone calls are recorded.

Thank you,
Federal Communications Commission

Appendix G

NT SUBMISSION PACKET – FCC FORM 620

Approved by OMB
3060-1039
Estimated Time Per Response:
.5 to 10 hours

The NT Submission Packet is to be used only for the construction of new antenna support structures. Antenna collocations that are subject to Section 106 review should be submitted using the Collocation (“CO”) Submission Packet (FCC Form 621).

General Instructions: NT Submission Packet

Fill out the answers to Questions 1-5 on Form 620 and provide the requested attachments. Attachments should be numbered and provided in the order described below.

For ease of processing, provide the Applicant’s Name, Applicant’s Project Name, and Applicant’s Project Number in the lower right hand corner of each page of Form 620 and attachments.³

1. Applicant Information

Full Legal Name of Applicant: Towers of Mississippi/State of Mississippi

Name and Title of Contact Person: Taylor Robinson

Address of Contact Person (including Zip Code):
31560 Blakelev Way, Spanish Fort, AL 36527

Phone: 205-266-4466 Fax: _____

E-mail address: trobinson@vulcancompany.com

2. Applicant's Consultant Information

Full Legal Name of Applicant's Section 106 Consulting Firm:
MRS Consultants, LLC.

Name of Principal Investigator: Beth A. Ryba

Title of Principal Investigator: Cultural Resource Specialist/Archaeologist

Investigator's Address: P.O. Box 3146

³ Some attachments may contain photos or maps on which this information can not be provided.

Towers of Mississippi/
Applicant's Name: State of Mississippi
Project Name: Bay Springs
Project Number: 20601-B

NT SUBMISSION PACKET – FCC FORM 620

Approved by OMB
3060-1039
Estimated Time Per Response:
.5 to 10 hours

City: Tuscaloosa State AL Zip Code 35403

Phone: 205-556-6456 Fax: 205-556-6725

E-mail Address: earvba@earthlink.net

Does the Principal Investigator satisfy the Secretary of the Interior's Professional Qualification Standards?⁴ YES NO.

Areas in which the Principal Investigator meets the Secretary of the Interior's Professional Qualification Standards: M.A. Anthropology (Archaeology)

Other "Secretary of the Interior qualified" staff who worked on the Submission Packet (provide name(s) as well as well as the area(s) in which they are qualified):

3. Site Information

a. Street Address of Site: Mississippi Highway 531

City or Township: Bay Springs

County / Parish: Smith State: MS Zip Code: 39168

b. Nearest Cross Roads: Mississippi Highway 531 / South C Road A

c. NAD 83 Latitude/Longitude coordinates (to tenth of a second):

N 31 ° 54 ' 54.8"; W 89 ° 21 ' 38.8"

⁴ The Professional Qualification Standards are available on the cultural resources webpage of the National Park Service, Department of the Interior: <http://www.cr.nps.gov/local-law/arch_stnds_9.htm>. The Nationwide Agreement requires use of Secretary-qualified professionals for identification and evaluation of historic properties within the APE for direct effects, and for assessment of effects. The Nationwide Agreement encourages, but does not require, use of Secretary-qualified professionals to identify historic properties within the APE for indirect effects. See Nationwide Agreement, §§ VI.D.1.d, VI.D.1.e, VI.D.2.b, VI.E.5.

Towers of Mississippi/
Applicant's Name: State of Mississippi
Project Name: Bay Springs
Project Number: 20601-B

NT SUBMISSION PACKET – FCC FORM 620

Approved by OMB
3060-1039
Estimated Time Per Response:
.5 to 10 hours

d. Proposed tower height above ground level:⁵ 550 feet; 167.6 meters

e. Tower type:

guyed lattice tower self-supporting lattice monopole

other (briefly describe tower) _____

4. Project Status:⁶

a. Construction not yet commenced;

b. Construction commenced on [date] _____; or,

c. Construction commenced on [date] _____ and was completed on [date] _____.

5. Applicant's Determination of Effect:

a. Direct Effects (check one):

i. No Historic Properties in Area of Potential Effects ("APE") for direct effects;

ii. "No effect" on Historic Properties in APE for direct effects;

iii. "No adverse effect" on Historic Properties in APE for direct effects;

iv. "Adverse effect" on one or more Historic Properties in APE for direct effects.

b. Visual Effects (check one):

i. No Historic Properties in Area of Potential Effects ("APE") for visual effects;

ii. "No effect" on Historic Properties in APE for visual effects;

iii. "No adverse effect" on Historic Properties in APE for visual effects;

iv. "Adverse effect" on one or more Historic Properties in APE for visual effects.

⁵ Include top-mounted attachments such as lightning rods.

⁶ Failure to provide the Submission Packet and complete the review process under Section 106 of the NHPA prior to beginning construction may violate Section 110(k) of the NHPA and the Commission's rules. See Section X of the Nationwide Agreement.

Towers of Mississippi/
Applicant's Name: State of Mississippi
Project Name: Bay Springs
Project Number: 20601-B

NT SUBMISSION PACKET – FCC FORM 620

Approved by OMB
3060-1039
Estimated Time Per Response:
.5 to 10 hours

Certification and Signature

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



Signature

02/05/09

Date

Beth A. Ryba

Printed Name

Archaeologist/Cultural Resource Specialist

Title

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).

Towers of Mississippi/
Applicant's Name: State of Mississippi
Project Name: Bay Springs
Project Number: 20601-B

ATTACHMENT 1
Vitae

ATTACHMENT 2
ATTACHMENT 7
ATTACHMENT 8
ATTACHMENT 9
ATTACHMENT 10
ATTACHMENT 11
ATTACHMENT 12

See Accompanying Cultural Resource Report

Attachment 3. Tribal and NHO Involvement

Initial consultation with Native American tribes/organizations was submitted by Environmental Engineers, January 26, 2009 through the FCC Tower Construction Notification System (TCNS).

Applicant's Name: Towers of Mississippi/State of Mississippi
Project Name: MSWIN 20601 B
Project Number: JSE01P0818

Henry Fisher

From: towernotifyinfo@fcc.gov
Sent: Monday, January 26, 2009 9:41 AM
To: towerinfo@envciv.com
Subject: Proposed Tower Structure Info - Email ID #2107773

Dear Henry A Fisher,

Thank you for submitting a notification regarding your proposed structure via the Tower Construction Notification Application. Note that the FCC has assigned a unique Notification ID number for this proposed structure. You will need to reference this Notification ID number when you update your project's Status with us.

Below are the details you provided for the tower you have proposed to construct:

Notification Received: 01/26/2009

Notification ID: 48507

Tower Owner Individual or Entity Name: Towers of Mississippi/State of Mississippi

Consultant Name: Henry A Fisher

Street Address: 11578 U.S. Highway 411

City: Odenville

State: ALABAMA

Zip Code: 35120

Phone: 205-629-3868

Email: towerinfo@envciv.com

Structure Type: GTOWER - Guyed Tower

Latitude: 31 deg 54 min 54.8 sec N

Longitude: 89 deg 21 min 38.8 sec W

Location Description: off Hwy 531

City: Bay Springs

State: MISSISSIPPI

County: SMITH

Ground Elevation: 146.6 meters

Support Structure: 167.6 meters above ground level

Overall Structure: 167.6 meters above ground level

Overall Height AMSL: 314.2 meters above mean sea level

Henry Fisher

From: towernotifyinfo@fcc.gov
Sent: Friday, January 30, 2009 2:01 AM
To: towerinfo@envciv.com
Cc: kim.pristello@fcc.gov; diane.dupert@fcc.gov
Subject: NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #2109138

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 "Tribes"), Native Hawaiian Organizations (NHOs), and State Historic Preservation Officers (SHPOs). 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, as well as the designated contact person, 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. 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 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 Tribe or NHO. (NPA, Section IV.F.4).

The information you provided was forwarded to the following Tribes and NHOs 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. For these Tribes and NHOs, if the Tribe or NHO does not 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). These procedures are further set forth in the FCC's Declaratory Ruling released on October 6, 2005 (FCC 05-176).

1. THPO Kenneth H Carleton - Mississippi Band of Choctaw Indians - Choctaw, MS - electronic mail

Exclusions: Please send all information via e-mail (and only via e-mail - no paper copies please) to: choctawhp@gmail.com (9 meg attachment limit)

The Mississippi Band of Choctaw Indians wishes to see full information packets for all towers within the designated areas for consultation.

Form 620, if it includes the a full text of the cultural resource survey with maps, is adequate for our needs. If your 620 does not include the text of the cultural resource survey, then attach it seperately.

Please include the tower identification (TCNS#, name, and any other information that may help us identify this site) and the county and state where the facility is proposed in the subject line.

If the applicant/tower builder receives no response from the Mississippi Band of Choctaw Indians within 30 days AFTER YOU HAVE E-MAILED THE AFOREMENTIONED INFORMATION TO US (begin counting the 30 day period AFTER the e-mail with all of the information has been sent), then the Mississippi Band of Choctaw Indians has no interest in participating in pre-construction review for the proposed site. The Applicant/tower builder, however, must immediately notify the Mississippi Band of Choctaw Indians in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

2. Compliance Review Supervisor Dawn P Hutchins - Seminole Tribe of Florida - Clewiston, FL - electronic mail

3. Director of Cultural Resources & THPO Terry D Cole - Choctaw Nation of Oklahoma - Durant, OK - electronic mail and regular mail

Exclusions: The Applicant may conclude that the Choctaw Nation of Oklahoma has no interest in a site if there is existing disturbance wherein the depth of the previous disturbance exceeds the proposed construction depth (excluding footing and other anchoring mechanisms) by at least 2 feet (Applying VI - D(2)(c)(i) of the Nationwide Programmatic Agreement concerning Field Surveys; 'In the Matter of Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act Review Process,' Report and Order, 20 FCC Rcd. 1073, WT Docket No. 03-128, October 5, 2004).

Furthermore, the Choctaw Nation of Oklahoma does not have an interest in a Tower that will be constructed on an existing structure, developed land, or within city limits. However, any of the above mentioned criteria should be communicated to us if not evident in the initial Notification Details. For all other towers, we request a signed field survey report that meets the Federal guidelines set forth by the Department of the Interior and a site location map along with pictures for each project.

Additionally, the Choctaw Nation of Oklahoma has informed FCC Staff that if the Applicant does not receive a response from the Tribe within 30 days of a TCNS notification, then the Applicant SHOULD MAKE A GOOD FAITH EFFORT WITH A FOLLOW-UP PHONE CALL to make sure that the tribe is aware of the proposed tower project. However, should construction expose buried archaeological or building materials such as chipped stone, tools, pottery, bone, historical crockery, glass or metal items, this office should be contacted immediately @ 1-800-522-6170 ext. 2137. [n.b. Please reference the TCNS number in all communications that follow the initial notification.]

4. MEKKO and Acting Tribal Administrator Jennie Lillard - Kialegee Tribal Town - Wetumka, OK - regular mail

Exclusions: If the Applicant receives no response from the Kialegee Tribal Town within 30 days after notification through TCNS, the Kialegee Tribal Town has no interest in participating in pre-construction review for the site. The Applicant, however, must immediately notify the Kialegee Tribal Town in the event archaeological properties or human remains are discovered during construction.

5. THPO Earl J Barbry Jr - Tunica-Biloxi Indians of Louisiana - Marksville, LA - regular 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. For these Tribes and NHOs, 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.

None

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.

6. SHPO Lee Warner - Alabama Historical Commission - Montgomery, AL - electronic mail

7. Deputy SHPO Elizabeth Ann Brown - Alabama Historical Commission - Montgomery, AL - electronic mail

8. SHPO Cathie Matthews - Department of Arkansas Heritage - Little Rock, AR - electronic mail

9. Deputy SHPO Ken Grunewald - Department of Arkansas Heritage - Little Rock, AR - electronic mail

10. SHPO Elbert Hilliard - Mississippi Dept of Archives & History - Jackson, MS - regular mail

11. Deputy SHPO Kenneth H P'Pool - Division of Historic Preservation - Jackson, MS - electronic mail

"Exclusions" above set forth language provided by the Tribe, NHO, or SHPO. These exclusions may indicate types of tower notifications that the Tribe, NHO, or SHPO does not wish to review. TCNS automatically forwards all notifications to all Tribes, NHOs, and SHPOs 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, or SHPO. Exclusions may also set forth policies or procedures of a particular Tribe, NHO, or SHPO (for example, types of information that a Tribe routinely requests, or a policy that no response within 30 days indicates no interest in participating in pre-construction review).

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: 01/26/2009
Notification ID: 48507
Tower Owner Individual or Entity Name: Towers of Mississippi/State of Mississippi
Consultant Name: Henry A Fisher
Street Address: 11578 U.S. Highway 411
City: Odenville
State: ALABAMA
Zip Code: 35120
Phone: 205-629-3868
Email: towerinfo@envciv.com

Structure Type: GTOWER - Guyed Tower
Latitude: 31 deg 54 min 54.8 sec N
Longitude: 89 deg 21 min 38.8 sec W
Location Description: off Hwy 531
City: Bay Springs
State: MISSISSIPPI
County: SMITH
Ground Elevation: 146.6 meters
Support Structure: 167.6 meters above ground level
Overall Structure: 167.6 meters above ground level
Overall Height AMSL: 314.2 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>.

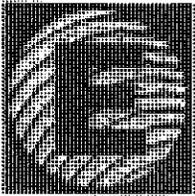
You may also call the FCC Support Center at (877) 480-3201 (TTY 717-338-2824). Hours are from 8 a.m. to 7:00 p.m. Eastern Time, Monday through Friday (except Federal holidays). To provide quality service and ensure security, all telephone calls are recorded.

Thank you,
Federal Communications Commission

Attachment 4. Local Government

The Smith County Board of Supervisors was contacted via letter dated February 3, 2009 for comment regarding potential impacts to historical or cultural sites by the proposed action.

Applicant's Name: Towers of Mississippi/State of Mississippi
Project Name: MSWIN 20601 B
Project Number: JSE01P0818



ENVIRONMENTAL ENGINEERS, INC.
11578 US Highway 411, Odenville, Alabama 35120
Environmental and Geological Consultants

February 3, 2009

Smith County Board of Supervisors
P.O. Box 160
Raleigh, MS 39153

Subject:
Proposed MSWIN 20601 B Wireless Communications Tower
Bay Springs, Smith County, Mississippi
Environmental Engineers, Inc. Project No.: JSE01P0818

To Whom It May Concern:

Pursuant to the requirements of the March 2005 Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission (NPA) we are requesting comment on behalf of Towers of Mississippi and the State of Mississippi regarding impact to historical or cultural sites listed on, or eligible for listing on the National Register of Historic Places (NRHP) by construction of a wireless communications tower in Smith County, Mississippi.

The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Bay Springs, Mississippi," dated 1974. The site is located in the northwest ¼ of the northeast ¼ of Section 22, Township 1 North, Range 9 East, Smith County, Mississippi, at latitude 31°54'54.800" north and 89°21'38.845" west (Figure 1). The site is located off Highway 531 near Bay Springs, Mississippi 39422. The site consists of a proposed 100-foot by 100-foot communications tower compound with associated guy anchor easements, and a proposed access road. Proposed activities consist of construction of a 550-foot guyed communications tower, enclosing the compound in a fence, placement of support equipment within the compound, and covering the compound and access road with gravel.

Environmental Engineers, Inc. appreciates the opportunity to provide this information. Please reference the Environmental Engineers, Inc. project number (JSE01P0818) in correspondence regarding this site. Please provide comment within thirty days of the date of this letter. Thank you for your time and assistance and we look forward to your response. Please call me at (205) 629-3868 or email me at towerinfo@envciv.com if you have any questions or comments. You can also send a response to us via facsimile at (877) 847-3060.

Sincerely,

ENVIRONMENTAL ENGINEERS, INC.

Henry A. Fisher, P.E.
Principal Engineer

Attachments: Site Location Map

Phone: (205) 629-3868 • Fax: (877) 847-3060

7007 2680 0002 3655 6131

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$5.32

2/3/09
Postmark Here
JSE01A818

Sent To
Street, Apt. No., or PO Box No.
City, State, ZIP+4
Smith County Bd of Supervisors

PS Form 3800 August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Smith County Bd of Supervisors
P.O. Box 160
Raleigh, MS 39153

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature
Melissa Walker Agent Addressee
B. Received by (Printed Name) C. Date of Delivery
Melissa Walker 2-5-09
D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

7007 2680 0002 3655 6131

Attachment 5. Public Involvement

A notice requesting comment regarding potential impacts to historical or archaeological properties by the proposed action was published in the *Smith County Reformer* on February 4, 2009.

4

Applicant's Name: Towers of Mississippi/State of Mississippi
Project Name: MSWIN 20601 B
Project Number: JSE01P0818

Henry Fisher

From: Cheryl Johnson [cjohnson@envciv.com]
Sent: Tuesday, January 27, 2009 2:54 PM
To: 'Henry Fisher'
Subject: Legal Notice JSE01P0818

Smith County Reformer 2/4/09

6

Towers of Mississippi and the State of Mississippi, in accordance with requirements of Section V.B. of the March 2005 Nationwide Programmatic Agreement (NPA) for Review of Effects on Historic Properties, for Certain Undertakings Approved by the Federal Communications Commission (FCC), are requesting comment regarding potential impacts to historical or archaeological properties listed on, or eligible for listing on the National Register of Historic Places (NRHP), by construction of a 550-foot guyed communications tower off Hwy 531, Bay Springs, Smith County, Mississippi, at latitude 31° 54' 54.8" north and longitude 89° 21' 38.8" west.

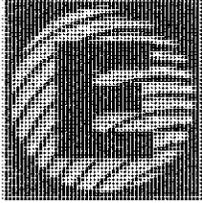
All comments should be submitted within 30 days of the publication of this notice referencing project JSE01P0818 and sent to the attention of Mr. Henry Fisher, Environmental Engineers, Inc., 11578 U.S. Highway 411, Odenville, AL 35120. Mr. Fisher may also be reached via email at towerinfo@envciv.com, via telephone at (205) 629-3868, or via facsimile at (877) 847-3060.

Attachment 6. Additional Consulting Parties

No additional consulting parties were identified for the proposed action.

Applicant's Name: Towers of Mississippi/State of Mississippi
Project Name: MSWIN 20601 B
Project Number: JSE01P0818

Appendix H



ENVIRONMENTAL ENGINEERS, INC.

11578 US Highway 411, Odenville, Alabama 35120

Environmental and Geological Consultants

February 9, 2009

Mr. Jim Woodrick
Mississippi Department of Archives and History
Charlotte Capers Archives and History Building
100 South State St.
Jackson, MS 39201

Subject:
Section 106 Review
Proposed MSWIN 20601 B Wireless Communications Tower
Bay Springs, Smith County, Mississippi
Environmental Engineers, Inc. Project No.: JSE01P0818

Dear Mr. Woodrick:

Environmental Engineers, Inc. is requesting a Section 106 review, on behalf of Towers of Mississippi and the State of Mississippi for the above referenced site. Enclosed you will find a copy of the completed FCC Form 620 for the project site, including all attachments.

Environmental Engineers, Inc. appreciates the opportunity to provide this information. Please reference the Environmental Engineers, Inc. project number (JSE01P0818) in correspondence regarding this site. If you have any questions or need additional information, please contact me at (205) 629-3868.

Sincerely,

ENVIRONMENTAL ENGINEERS, INC.

Henry A. Fisher, P.E.
Principal Engineer

Enc. FCC Form 620

Phone: (205) 629-3868 • Fax: (877) 847-3060

From: Origin ID: CZCA (205) 629-3868
HENRY FISHER
ENVIRONMENTAL ENGINEERS, INC
11578 U.S. Highway 411

Odenville, AL 35120



J3014806122023

Ship Date: 09FEB09
ActWgt 1.0 LB
CAD: 4760346/INET9011
Account#: S *****

Delivery Address Bar Code



Ref # JSE01P818 - JSE819 - JSE905
Invoice #
PO #
Dept #

SHIP TO: (601) 359-6940 BILL SENDER

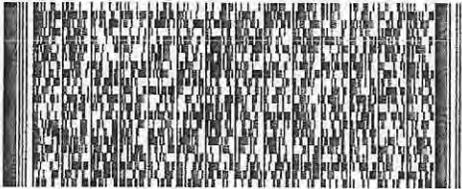
Mr. Jim Woodrick
MS Dept of Archives & History
200 NORTH ST

JACKSON, MS 39201

THU - 12FEB A2

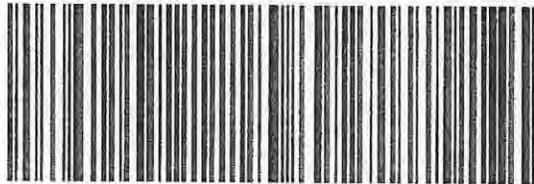
EXPRESS SAVER
RES

TRK# 7963 2730 1737
0201



SA JANA

39201
MS-US
MEM



After printing this label:

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

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Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

Cheryl Johnson

From: TrackingUpdates@fedex.com
Sent: Wednesday, February 11, 2009 3:01 PM
To: cjohnson@envciv.com
Subject: FedEx Shipment 796327301737 Delivered

This tracking update has been requested by:

Company Name: ENVIRONMENTAL ENGINEERS, INC
Name: HENRY FISHER
E-mail: cjohnson@envciv.com

Our records indicate that the following shipment has been delivered:

Reference: JSE01P818 - JSE819 - JSE905
Ship (P/U) date: Feb 9, 2009
Delivery date: Feb 11, 2009 2:54 PM
Sign for by: S.PETERS
Delivered to: Mailroom
Service type: FedEx Express Saver
Packaging type: FedEx Envelope
Number of pieces: 1
Weight: 2.00 lb.
Special handling/Services: Residential Delivery
Deliver Weekday

Tracking number: 796327301737

Shipper Information	Recipient Information
HENRY FISHER	Mr. Jim Woodrick
ENVIRONMENTAL ENGINEERS, INC	MS Dept of Archives & History
11578 U.S. Highway 411	200 NORTH ST
Odenville	JACKSON
AL	MS
US	US
35120	39201

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 3:00 PM CST on 02/11/2009.

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All weights are estimated.

To track the latest status of your shipment, click on the tracking number above, or visit us at fedex.com.

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Thank you for your business.

2/11/2009



HISTORIC PRESERVATION
Ken P'Pool, director • Jim Woodrick, acting director
PO Box 571, Jackson, MS 39205-0571
601-576-6940 • Fax 601-576-6955
mdah.state.ms.us

February 17, 2009

Henry A. Fisher, P.E.
Environmental Engineers, Inc.
11578 US Highway 411
Odenville, Alabama 35120

ENVIRONMENTAL ENGINEERS

FEB 20 2009

RECEIVED

RE: Proposed MSWIN 20601 B Wireless Communications Tower, Bay Springs (EE Project No. JSE01P0818), MDAH Project Log #02-097-09, Smith County

Dear Henry:

We have reviewed your February 9, 2009, cultural resources assessment request and February 6, 2009, cultural resources survey report by Beth Ryba, Principal Investigator, received on February 11, 2009, for the above referenced undertaking, pursuant to our responsibilities under Section 106 of the National Historic Preservation Act and 36 CFR Part 800. After reviewing the information provided, we concur that no cultural resources listed in or eligible for listing in the National Register of Historic Places will be directly or visually affected. Therefore, we have no reservations with the project.

There remains the possibility that unrecorded cultural resources may be encountered during the project. Should this occur, we would appreciate your contacting this office immediately in order that we may offer appropriate comments under 36 CFR 800.13.

Please provide a copy of this letter to Ms. Ryba. If you need further information, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Jim".

Jim Woodrick
Review and Compliance Officer

FOR: H.T. Holmes
State Historic Preservation Officer

Appendix I

Henry Fisher

From: Henry Fisher [hfisher@envciv.com]
Sent: Monday, February 09, 2009 10:39 AM
To: 'Caren Johnson'
Subject: Towers of Mississippi - State of Mississippi MSWIN 20601 B Communications Tower TCNS 48507
Attachments: FCC Form 620 Proposed MSWIN 20601 B Tower TCNS 48507.pdf

February 9, 2009

Mr. Terry Cole
Choctaw Nation of Oklahoma

Subject:
TCNS 48507
Proposed MSWIN 20601 B Wireless Communications Tower
Bay Springs, Smith County, Mississippi
Environmental Engineers, Inc. Project No.: JSE01P0818

Dear Mr. Cole:

I am requesting comment on behalf of Towers of Mississippi and the State of Mississippi regarding potential impacts to Native American religious or cultural sites by construction of a wireless communications tower in Smith County, Mississippi. This project was also submitted through the FCC TCNS on January 26, 2009 (TCNS ID # 48507). The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Bay Springs, Mississippi," dated 1974. The site is located in the northwest ¼ of the northeast ¼ of Section 22, Township 1 North, Range 9 East, Smith County, Mississippi, at latitude 31°54'54.800" north and 89°21'38.845" west. The site is located off Highway 531 near Bay Springs, Mississippi 39422. The site consists of a proposed 100-foot by 100-foot communications tower compound with associated guy anchor easements, and a proposed access road. Proposed activities consist of construction of a 550-foot guyed communications tower, enclosing the compound in a fence, placement of support equipment within the compound, and covering the compound and access road with gravel. I have attached the FCC Form 620 prepared for this project by MRS Consultants, LLC and Environmental Engineers, Inc.

Environmental Engineers, Inc. appreciates the opportunity to provide this information. Please reference the Environmental Engineers, Inc. project number (JSE01P0818) in correspondence regarding this site. Thank you for your time and assistance and I look forward to your response. Please call us at (205) 629-3868 or email me at hfisher@envciv.com if you have any questions or comments. You can also send a response to us via facsimile at (877) 847-3060.

Sincerely,

Henry A. Fisher
Environmental Engineers, Inc.
11578 US Highway 411
Odenville, Alabama 35120
Tel (205) 629-3868
Fax (877) 847-3060

Henry Fisher

From: Caren Johnson [cjohnson@choctawnation.com]
Sent: Friday, March 20, 2009 2:47 PM
To: 'Henry Fisher'
Subject: RE: Towers of Mississippi - State of Mississippi MSWIN 20601 B Communications Tower TCNS 48507

March 20, 2009

Mr. Henry Fisher:

The Choctaw Nation of Oklahoma has reviewed cell tower(s) FCC # **48507** and based on the information provided to the best of our knowledge it will have no adverse effect on any historic properties in the project's area of potential effect. However, should construction expose buried archaeological or building materials such as chipped stone, tools, pottery, bone, historic crockery, glass or metal items, or should it uncover evidence of buried historic building materials such as rock foundations, brick, or hand poured concrete, this office should be contacted immediately @ 1-800-522-6170 ext. 2137.

Sincerely,

*Caren A. Johnson,
Administrative Assistant
Choctaw Nation of Oklahoma
P. O. Box 1210, 16th & Locust
Durant, OK 74702-1210
1-580-924-8280 Ext. 2133
Fax 1-580-920-3181*

From: Henry Fisher [mailto:hfisher@envciv.com]
Sent: Monday, February 09, 2009 10:39 AM
To: 'Caren Johnson'
Subject: Towers of Mississippi - State of Mississippi MSWIN 20601 B Communications Tower TCNS 48507

February 9, 2009

Mr. Terry Cole
Choctaw Nation of Oklahoma

Subject:
TCNS 48507
Proposed MSWIN 20601 B Wireless Communications Tower
Bay Springs, Smith County, Mississippi
Environmental Engineers, Inc. Project No.: JSE01P0818

Dear Mr. Cole:

I am requesting comment on behalf of Towers of Mississippi and the State of Mississippi regarding potential impacts to Native American religious or cultural sites by construction of a wireless communications tower in Smith County, Mississippi. This project was also submitted through the FCC TCNS on January 26, 2009 (TCNS ID # 48507). The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Bay Springs, Mississippi," dated 1974. The site is located in the northwest ¼ of the northeast ¼ of Section 22, Township 1 North, Range 9 East, Smith County, Mississippi, at latitude 31°54'54.800" north and 89°21'38.845" west. The site is located off Highway 531 near Bay Springs, Mississippi 39422. The site consists of a proposed 100-foot by 100-foot communications tower compound with associated guy anchor easements, and a proposed access road. Proposed activities consist of construction of a

550-foot guyed communications tower, enclosing the compound in a fence, placement of support equipment within the compound, and covering the compound and access road with gravel. I have attached the FCC Form 620 prepared for this project by MRS Consultants, LLC and Environmental Engineers, Inc.

Environmental Engineers, Inc. appreciates the opportunity to provide this information. Please reference the Environmental Engineers, Inc. project number (JSE01P0818) in correspondence regarding this site. Thank you for your time and assistance and I look forward to your response. Please call us at (205) 629-3868 or email me at hfisher@envciv.com if you have any questions or comments. You can also send a response to us via facsimile at (877) 847-3060.

Sincerely,

Henry A. Fisher
Environmental Engineers, Inc.
11578 US Highway 411
Odenville, Alabama 35120
Tel (205) 629-3868
Fax (877) 847-3060

Henry Fisher

From: Henry Fisher [hfisher@envciv.com]
Sent: Monday, February 09, 2009 10:40 AM
To: 'Carleton, Ken'; 'choctawhp@gmail.com'
Subject: Towers of Mississippi - State of Mississippi MSWIN 20601 B Communications Tower TCNS 48507
Attachments: FCC Form 620 Proposed MSWIN 20601 B Tower TCNS 48507.pdf

February 9, 2009

Mr. Ken Carleton
Mississippi Band of Choctaw Indians

Subject:
TCNS 48507
Proposed MSWIN 20601 B Wireless Communications Tower
Bay Springs, Smith County, Mississippi
Environmental Engineers, Inc. Project No.: JSE01P0818

Dear Mr. Carleton:

I am requesting comment on behalf of Towers of Mississippi and the State of Mississippi regarding potential impacts to Native American religious or cultural sites by construction of a wireless communications tower in Smith County, Mississippi. This project was also submitted through the FCC TCNS on January 26, 2009 (TCNS ID # 48507). The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Bay Springs, Mississippi," dated 1974. The site is located in the northwest ¼ of the northeast ¼ of Section 22, Township 1 North, Range 9 East, Smith County, Mississippi, at latitude 31°54'54.800" north and 89°21'38.845" west. The site is located off Highway 531 near Bay Springs, Mississippi 39422. The site consists of a proposed 100-foot by 100-foot communications tower compound with associated guy anchor easements, and a proposed access road. Proposed activities consist of construction of a 550-foot guyed communications tower, enclosing the compound in a fence, placement of support equipment within the compound, and covering the compound and access road with gravel. I have attached the FCC Form 620 prepared for this project by MRS Consultants, LLC and Environmental Engineers, Inc.

Environmental Engineers, Inc. appreciates the opportunity to provide this information. Please reference the Environmental Engineers, Inc. project number (JSE01P0818) in correspondence regarding this site. Thank you for your time and assistance and I look forward to your response. Please call us at (205) 629-3868 or email me at hfisher@envciv.com if you have any questions or comments. You can also send a response to us via facsimile at (877) 847-3060.

Sincerely,

Henry A. Fisher
Environmental Engineers, Inc.
11578 US Highway 411
Odenville, Alabama 35120
Tel (205) 629-3868
Fax (877) 847-3060

Henry Fisher

From: Henry Fisher [hfisher@envciv.com]
Sent: Monday, February 09, 2009 10:38 AM
To: 'Dawn Hutchins'
Subject: Towers of Mississippi - State of Mississippi MSWIN 20601 B Communications Tower TCNS 48507
Attachments: FCC Form 620 Proposed MSWIN 20601 B Tower TCNS 48507.pdf

February 9, 2009

Ms. Dawn Hutchins
Seminole Tribe of Florida

Subject:
TCNS 48507
Proposed MSWIN 20601 B Wireless Communications Tower
Bay Springs, Smith County, Mississippi
Environmental Engineers, Inc. Project No.: JSE01P0818

Dear Ms. Hutchins:

I am requesting comment on behalf of Towers of Mississippi and the State of Mississippi regarding potential impacts to Native American religious or cultural sites by construction of a wireless communications tower in Smith County, Mississippi. This project was also submitted through the FCC TCNS on January 26, 2009 (TCNS ID # 48507). The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Bay Springs, Mississippi," dated 1974. The site is located in the northwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 22, Township 1 North, Range 9 East, Smith County, Mississippi, at latitude 31°54'54.800" north and 89°21'38.845" west. The site is located off Highway 531 near Bay Springs, Mississippi 39422. The site consists of a proposed 100-foot by 100-foot communications tower compound with associated guy anchor easements, and a proposed access road. Proposed activities consist of construction of a 550-foot guyed communications tower, enclosing the compound in a fence, placement of support equipment within the compound, and covering the compound and access road with gravel. I have attached the FCC Form 620 prepared for this project by MRS Consultants, LLC and Environmental Engineers, Inc.

Environmental Engineers, Inc. appreciates the opportunity to provide this information. Please reference the Environmental Engineers, Inc. project number (JSE01P0818) in correspondence regarding this site. Thank you for your time and assistance and I look forward to your response. Please call us at (205) 629-3868 or email me at hfisher@envciv.com if you have any questions or comments. You can also send a response to us via facsimile at (877) 847-3060.

Sincerely,

Henry A. Fisher
Environmental Engineers, Inc.
11578 US Highway 411
Odenville, Alabama 35120
Tel (205) 629-3868
Fax (877) 847-3060

Henry Fisher

From: towernotifyinfo@fcc.gov
Sent: Tuesday, February 17, 2009 9:13 AM
To: towerinfo@envciv.com
Cc: towernotifyinfo@fcc.gov; dawnhutchins@semtribe.com
Subject: Reply to Proposed Tower Structure (Notification ID #48507) - Email ID #2129906

Dear Henry A Fisher,

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 Compliance Review Supervisor Dawn P Hutchins of the Seminole Tribe of Florida in reference to Notification ID #48507:

To Whom It May Concern,

The Seminole Tribe of Florida Tribal Historic Preservation Office (STOF-THPO) has received your email correspondence concerning the aforementioned project. The STOF-THPO concurs with your findings of "no historic properties". However, the STOF-THPO would like to be informed should any archaeological and/or historic resources be discovered inadvertently during the construction process. We thank you for the opportunity to review the information that has been sent to date regarding this project.

We look forward to working with you in the future.

Sincerely,
Dawn Hutchins
Compliance Review Supervisor
dawnhutchins@semtribe.com

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

Notification Received: 01/26/2009
Notification ID: 48507
Tower Owner Individual or Entity Name: Towers of Mississippi/State of Mississippi
Consultant Name: Henry A Henry
Street Address: 11578 U.S. Highway 411
City: Odenville
State: ALABAMA
Zip Code: 35120
Phone: 205-629-3868
Email: towerinfo@envciv.com

Structure Type: GTOWER - Guyed Tower
Latitude: 31 deg 54 min 54.8 sec N
Longitude: 89 deg 21 min 38.8 sec W
Location Description: off Hwy 531
City: Bay Springs

State: MISSISSIPPI

County: SMITH

Ground Elevation: 146.6 meters

Support Structure: 167.6 meters above ground level

Overall Structure: 167.6 meters above ground level

Overall Height AMSL: 314.2 meters above mean sea level

Henry Fisher

From: Earl Barbry, Jr. [earljj@tunica.org]
Sent: Tuesday, May 03, 2005 5:51 PM
To: Henry Fisher
Cc: Niki Jeter
Subject: Re: HELP! - I am stuck in FCC NPA!

Mr. Fisher,

Sorry about the delay. I would like to be notified of the cell tower requests, etc. by email. Also, should no comments be received from my department within the 30 day comment period, proceeding with the project can occur. I stand the same as the other Tribes regarding immediate work stoppage and contacting this office should inadvertent discovery occur.

Thank you for taking the time to contact me and getting my input into these matters. Let me know if this response is sufficient or if you need a letter on Tribal stationery mailed to you.

Should you need immediate assistance, and I am out of the office, speak to my Administrative Assistant, Ms. Amber (Niki) Jeter - dial the number below and hit 0 to speak to her.

Many thanks,

Earl J. Barbry, Jr., THPO
Tunica-Biloxi Tribe of Louisiana
318-253-0213 ext. 0851

Henry Fisher

From: Henry Fisher [hfisher@envciv.com]
Sent: Monday, February 09, 2009 10:24 AM
To: 'earlii@tunica.org'
Subject: Towers of Mississippi - State of Mississippi MSWIN 20601 B Communications Tower TCNS 48507

February 9, 2009

Mr. Earl Barbry
Tunica-Biloxi Indians of Louisiana

Subject:
TCNS 48507
Proposed MSWIN 20601 B Wireless Communications Tower
Bay Springs, Smith County, Mississippi
Environmental Engineers, Inc. Project No.: JSE01P0818

Dear Mr. Barbry:

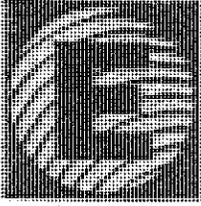
I am requesting comment on behalf of Towers of Mississippi and the State of Mississippi regarding potential impacts to Native American religious or cultural sites by construction of a wireless communications tower in Smith County, Mississippi. This project was also submitted through the FCC TCNS on January 26, 2009 (TCNS ID # 48507). The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Bay Springs, Mississippi," dated 1974. The site is located in the northwest ¼ of the northeast ¼ of Section 22, Township 1 North, Range 9 East, Smith County, Mississippi, at latitude 31°54'54.800" north and 89°21'38.845" west. The site is located off Highway S31 near Bay Springs, Mississippi 39422. The site consists of a proposed 100-foot by 100-foot communications tower compound with associated guy anchor easements, and a proposed access road. Proposed activities consist of construction of a 550-foot guyed communications tower, enclosing the compound in a fence, placement of support equipment within the compound, and covering the compound and access road with gravel.

Environmental Engineers, Inc. appreciates the opportunity to provide this information. Please reference the Environmental Engineers, Inc. project number (JSE01P0818) in correspondence regarding this site. Thank you for your time and assistance. Based on the electronic mail that you sent to our office on May 3, 2005 it is my understanding that we may assume that the Tunica-Biloxi Indians of Louisiana concurs with the proposed project if we have not received a comment from your office within 30 days of submittal of project information to your office via electronic mail. Please call us at (205) 629-3868 or email me at hfisher@envciv.com if you have any questions or comments. You can also send a response to us via facsimile at (877) 847-3060.

Sincerely,

Henry A. Fisher
Environmental Engineers, Inc.
11578 US Highway 411
Odenville, Alabama 35120
Tel (205) 629-3868
Fax (877) 847-3060

Appendix J



ENVIRONMENTAL ENGINEERS, INC.

11578 US Highway 411, Odenville, Alabama 35120

Environmental and Geological Consultants

February 3, 2009

Smith County Board of Supervisors
P.O. Box 160
Raleigh, MS 39153

Subject:

**Proposed MSWIN 20601 B Wireless Communications Tower
Bay Springs, Smith County, Mississippi**
Environmental Engineers, Inc. Project No.: JSE01P0818

To Whom It May Concern:

Pursuant to the requirements of the March 2005 Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission (NPA) we are requesting comment on behalf of Towers of Mississippi and the State of Mississippi regarding impact to historical or cultural sites listed on, or eligible for listing on the National Register of Historic Places (NRHP) by construction of a wireless communications tower in Smith County, Mississippi.

The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Bay Springs, Mississippi," dated 1974. The site is located in the northwest ¼ of the northeast ¼ of Section 22, Township 1 North, Range 9 East, Smith County, Mississippi, at latitude 31°54'54.800" north and 89°21'38.845" west (Figure 1). The site is located off Highway 531 near Bay Springs, Mississippi 39422. The site consists of a proposed 100-foot by 100-foot communications tower compound with associated guy anchor easements, and a proposed access road. Proposed activities consist of construction of a 550-foot guyed communications tower, enclosing the compound in a fence, placement of support equipment within the compound, and covering the compound and access road with gravel.

Environmental Engineers, Inc. appreciates the opportunity to provide this information. Please reference the Environmental Engineers, Inc. project number (JSE01P0818) in correspondence regarding this site. Please provide comment within thirty days of the date of this letter. Thank you for your time and assistance and we look forward to your response. Please call me at (205) 629-3868 or email me at towerinfo@envciv.com if you have any questions or comments. You can also send a response to us via facsimile at (877) 847-3060.

Sincerely,

ENVIRONMENTAL ENGINEERS, INC.

Henry A. Fisher, P.E.
Principal Engineer

Attachments: Site Location Map

Phone: (205) 629-3868 • Fax: (877) 847-3060

7007 2680 0002 3655 6131

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Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$5.32	

JSEB1R1818

Sent to: Smith County Bd of Supervisors
 Street, Apt. No., or PO Box No.
 City, State, ZIP+4

U.S. Form 3811, August 2004 PSN 7530-01-000-9000 Reverse for instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Smith County Bd of Supervisors
P.O. Box 160
Raleigh, MS 39153

2. Article Number
 (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature
Melissa Walker Agent Addressee

B. Received by (Printed Name)
Melissa Walker

C. Date of Delivery
2-5-09

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

7007 2680 0002 3655 6131

#2868

PROOF OF PUBLICATION

**The State of Mississippi,
County of Smith**

PERSONALLY CAME before me, the undersigned a Notary Public in and for SMITH COUNTY, MISSISSIPPI the OFFICE CLERK of the SMITH COUNTY REFORMER, a newspaper published in the Town of Raleigh, Smith County, in said State, who being duly sworn, deposes and says that the SMITH COUNTY REFORMER is a newspaper as defined and prescribed in §13-3-31 of the Mississippi Code 1972 Annotated and that the publication of a notice, of which the annexed is a copy, in the matter of

Project JSE0/P0818

has been made in said paper 1 times consecutively, to-wit:

On the 4 day of February 2009

On the ___ day of _____ 20__

On the ___ day of _____ 20__

On the ___ day of _____ 20__

Betty Stringer
OFFICE CLERK

SWORN to and subscribed before me,
this the 5th
day of February 2009

Mary Carole Bowers
NOTARY PUBLIC
id No. 2143
September 13, 2012
RANKIN COUNTY

Words

Cost

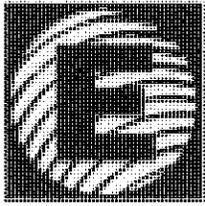
ENVIRONMENTAL ENGINEERS

FEB 07 2009

RECEIVED

Towers of Mississippi and the State of Mississippi, in accordance with requirements of Section V.B. of the March 2005 Nationwide Programmatic Agreement (NPA) for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission (FCC), are requesting comment regarding potential impacts to historical or archaeological properties listed on, or eligible for listing on the National Register of Historic Places (NRHP), by construction of a 550-foot guyed communications tower off Hwy 531, Bay Springs, Smith County, Mississippi, at latitude 31° 54' 54.8" north and longitude 89° 21' 38.8" west.
All comments should be submitted within 30 days of the publication of this notice referencing project JSE01P0818 and sent to the attention of Mr. Henry Fisher, Environmental Engineers, Inc., 11578 U.S. Highway 411, Odenville, AL 35120. Mr. Fisher may also be reached via email at towerinfo@enveiv.com, via telephone at (205) 629-3868, or via facsimile at (877) 847-3060.
(2868)
February 4

Appendix K



ENVIRONMENTAL ENGINEERS, INC.

11578 US Highway 411, Odenville, Alabama 35120

Environmental and Geological Consultants

November 3, 2009

Mr. David Lofton, Section Chief
U.S. Army Corps of Engineers, Vicksburg District
Permitting Section
Attention: CEMVK-OD-F
4155 Clay Street
Vicksburg, Mississippi 39183-3435

Subject:

Request for Project Review
Proposed MSWIN 20601 B Communications Tower
Bay Springs, Smith County, Mississippi
Environmental Engineers, Inc. Project No.: JSE01P0818

Dear Mr. Lofton:

Environmental Engineers, Inc. is requesting comment on behalf of Towers of Mississippi, the State of Mississippi, and the Federal Emergency Management Agency (FEMA) regarding construction of a wireless communications tower in Smith County, Mississippi. This project is being funded using a FEMA grant (2008-MS-MX-0001) and the State of Mississippi's expenditures at this site will include construction of a telecommunications facility, purchase and installation of 700 MHz RF equipment and microwave telecommunication backbone network, equipment shelter, network integration, acceptance testing, communication hardware optimization and system exercising and piloting of interoperability capabilities of the network.

The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Bay Springs, Mississippi," dated 1974. The site is located in the northwest ¼ of the northeast ¼ of Section 22, Township 1 North, Range 9 East, Smith County, Mississippi, at latitude 31°54'54.800" north and 89°21'38.845" west. The site consists of a 100-foot by 100-foot lease area with three associated guy anchor easements and a proposed access road. The site is located off of Highway 531 near Bay Springs, Mississippi. The proposed access road enters the site from the east. Proposed activities consist of construction of a 550-foot guyed communications tower, enclosing the compound in a fence, placement of support equipment within the compound, grading an access road, and covering the compound and access road with gravel. The proposed project is depicted on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) "Panel 150 of 175, Smith County, Mississippi and Incorporated Areas" effective date December 3, 1993, and is located in an area designated as Zone X (no shading) and is not located in a special flood hazard area. I have included a site location map, site photographs, and the portion of the 2007 aerial photograph depicting the site for your review.

Phone: (205) 629-3868 • Fax: (877) 847-3060

The responsible official for this project is:

Mr. Taylor Robinson
Towers of Mississippi
31560 Blakely Way
Spanish Fort, Alabama 36532
Telephone (205) 266-4466

Environmental Engineers, Inc. has been retained by Towers of Mississippi and the State of Mississippi to prepare an Environmental Assessment (EA) for the proposed project. Please reference the Environmental Engineers, Inc. project number (JSE01P0818) in correspondence regarding this site. Thank you for your time and assistance and we look forward to your response. Please contact me by telephone at (205) 629-3868, electronic mail at hfisher@envciv.com, or U.S. mail at the letterhead address if you have any questions or comments.

Sincerely,

ENVIRONMENTAL ENGINEERS, INC.

A handwritten signature in black ink, appearing to read 'H. Fisher', with a horizontal line extending to the right.

Henry A. Fisher, P.E.
Principal Engineer

Attachments Site Location Map, Site Photographs, Aerial Photograph

7007 2680 0002 3656 8509

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Total Postage & Fees	\$ 110.30	

Postmark Here
 JSEA PA 814, 816,
 817, 818, 819, 820,
 901, 902, 904, 908,
 909, 924

Sent To: Mr. David Lofton, Section Chief
 Street, Apt. No.,
 or PO Box No.
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Mr. David Lofton, Section Chief
 U.S. Army Corps of Engineers
 Vicksburg District - Permitting Section
 AHN: CEMVK-OD-F
 4155 Clay Street
 Vicksburg, MS 39183-3435

2. Article Number
 (Transfer from service label) 7007 2680 0002 3656 8509

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 Bessie Coleman Agent Addressee

B. Received by (Printed Name) Coleman Bessie C. Date of Delivery 11-6-09

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes



DEPARTMENT OF THE ARMY

VICKSBURG DISTRICT, CORPS OF ENGINEERS
4155 CLAY STREET
VICKSBURG, MISSISSIPPI 39183-3435

ENVIRONMENTAL ENGINEERS

NOV 23 2009

RECEIVED

REPLY TO
ATTENTION OF:

November 20, 2009

Operations Division

SUBJECT: Towers of Mississippi, Proposed MSWIN 20601 B
Communications Tower, Bay Springs, Smith County, Mississippi

Mr. Henry A. Fisher, P. E.
Environmental Engineers, Inc.
11578 US Highway 411
Odenville, Alabama 35120

Dear Mr. Fisher::

Your recent correspondence, subject as above, has been forwarded for action to the Mobile District, Corps of Engineers, since the proposed project falls within the geographic boundaries of their District.

Their contact information is:

U.S. Army Engineer District, Mobile
Attention: Regulatory Branch
Post Office Box 2288
Mobile, Alabama 36628
Telephone: (334) 690-2658

Sincerely,

A handwritten signature in cursive script that reads "Michael F. McNair".

Michael F. McNair, R.F.
Chief, Regulatory Branch

DEC 23 2009

RECEIVED

REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, MOBILE DISTRICT
CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

December 15, 2009

Inland Branch-South
Regulatory Division

SUBJECT: No Permit Required to construct new communications tower MSWIN 20601 B Bay Springs, Smith County, Mississippi. **File Number SAM-2009-01717-LET, Environmental Engineers, Inc. Project No.: JSE01P0818**

Mr. Taylor Robinson
Towers of Mississippi
31560 Blakeley Way
Spanish Fort, Alabama 36532

Dear Mr. Robinson:

This is in regard to your request for a Department of the Army (DA or Corps) review of the Towers of Mississippi MSWIN 20601 B Communications Tower project. The project would include the construction of an approximately 870 foot long access road and a telecommunications facility on a 100-foot by 100-foot lease area with three (3) associated guy anchor easements. The telecommunications facility would consist of a 550-foot guyed communications tower, enclosure of the compound within a fence, placement of support equipment within the compound, and surfacing the area within the compound and the access road with gravel. Specifically, the project would be located west of Mississippi Highway 531 and north of County Road 80 within the northwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 22, Township 1 North, Range 9 East at Latitude $31^{\circ} 54' 54.800''$ north and Longitude $89^{\circ} 21' 38.845''$ west, southwest of Bay Springs in Smith County, Mississippi. The project has been assigned file number SAM-2009-1717-LET, which should be referred to in all future correspondence regarding this project.

A desk review of the information submitted revealed that a Department of the Army permit pursuant to Section 404 of the Clean Water Act **will not** be required for your project. The site of the proposed MSWIN 20601 B Communications Tower and access road is located in a non-wetland or upland area based upon the U.S. Army Corps of Engineers' 1987 Wetland Delineation Manual and the Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region.

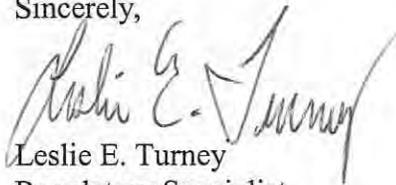
Please be advised that this jurisdictional determination reflects current policy regulation and is valid for a period of five (5) years from the date of this letter. If after the five-year period this jurisdictional determination has not been specifically revalidated by the U.S. Army Corps of Engineers, it shall automatically expire. Should you disagree with certain terms and/or conditions of this determination, the enclosed Notification of Applicant Options outlines the steps to take to file your objection.

The statements contained herein do not convey any property rights or any exclusive privileges, and do not authorize any injury to property or obviate the requirements to obtain other local, State, or Federal assents required by law for the activities discussed above.

If the scope of work or project location changes, you are urged to contact this office for a verification of this determination. Thank you for your cooperation with our permit program. If you have any questions or require further information concerning this matter, please contact me by e-mail at leslie.e.turney@usace.army.mil or by telephone at (251) 694-3873.

For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/RD/reg, and please take a moment to complete our customer satisfaction survey while you're there. Your responses are appreciated and will allow us to improve our services.

Sincerely,



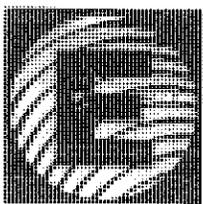
Leslie E. Turney
Regulatory Specialist
Inland Branch, South
Regulatory Division

Enclosures

Copy Furnished with Attachments:

Mr. Henry A. Fisher, P.E.
Environmental Engineers, Inc.
11578 U. S. Highway 411
Odenville, Alabama 35120

chat
11-18-09



ENVIRONMENTAL ENGINEERS, INC.

11578 US Highway 411, Odenville, Alabama 35120

Environmental and Geological Consultants

November 3, 2009

Mr. David Lofton, Section Chief
U.S. Army Corps of Engineers, Vicksburg District
Permitting Section
Attention: CEMVK-OD-F
4155 Clay Street
Vicksburg, Mississippi 39183-3435

JAM-2009-1717-LET
U.S. Army Corps of Engineers

A Department of the Army permit will not be required for your project as proposed

Robert E. Murray 14 Dec. 2009
PROJECT MANAGER DATE
REGULATORY DIVISION

Subject:
Request for Project Review
Proposed MSWIN 20601 B Communications Tower
Bay Springs, Smith County, Mississippi
Environmental Engineers, Inc. Project No.: JSE01P0818

Dear Mr. Lofton:

Environmental Engineers, Inc. is requesting comment on behalf of Towers of Mississippi, the State of Mississippi, and the Federal Emergency Management Agency (FEMA) regarding construction of a wireless communications tower in Smith County, Mississippi. This project is being funded using a FEMA grant (2008-MS-MX-0001) and the State of Mississippi's expenditures at this site will include construction of a telecommunications facility, purchase and installation of 700 MHz RF equipment and microwave telecommunication backbone network, equipment shelter, network integration, acceptance testing, communication hardware optimization and system exercising and piloting of interoperability capabilities of the network.

The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Bay Springs, Mississippi," dated 1974. The site is located in the northwest ¼ of the northeast ¼ of Section 22, Township 1 North, Range 9 East, Smith County, Mississippi, at latitude 31°54'54.800" north and 89°21'38.845" west. The site consists of a 100-foot by 100-foot lease area with three associated guy anchor easements and a proposed access road. The site is located off of Highway 531 near Bay Springs, Mississippi. The proposed access road enters the site from the east. Proposed activities consist of construction of a 550-foot guyed communications tower, enclosing the compound in a fence, placement of support equipment within the compound, grading an access road, and covering the compound and access road with gravel. The proposed project is depicted on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) "Panel 150 of 175, Smith County, Mississippi and Incorporated Areas" effective date December 3, 1993, and is located in an area designated as Zone X (no shading) and is not located in a special flood hazard area. I have included a site location map, site photographs, and the portion of the 2007 aerial photograph depicting the site for your review.

Phone: (205) 629-3868 • Fax: (877) 847-3060

Handwritten signature or initials at the bottom right of the page.

The responsible official for this project is:

Mr. Taylor Robinson
Towers of Mississippi
31560 Blakely Way
Spanish Fort, Alabama 36532
Telephone (205) 266-4466

SAM-2009-1717-LET
U.S. Army Corps of Engineers

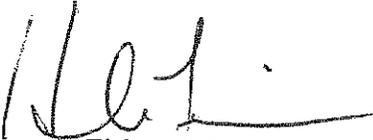
A Department of the Army permit will not be required for your project as proposed

Archi G. Tamm 14 Dec. 2009
PROJECT MANAGER DATE
REGULATORY DIVISION

Environmental Engineers, Inc. has been retained by Towers of Mississippi and the State of Mississippi to prepare an Environmental Assessment (EA) for the proposed project. Please reference the Environmental Engineers, Inc. project number (JSE01P0818) in correspondence regarding this site. Thank you for your time and assistance and we look forward to your response. Please contact me by telephone at (205) 629-3868, electronic mail at hfisher@envciv.com, or U.S. mail at the letterhead address if you have any questions or comments.

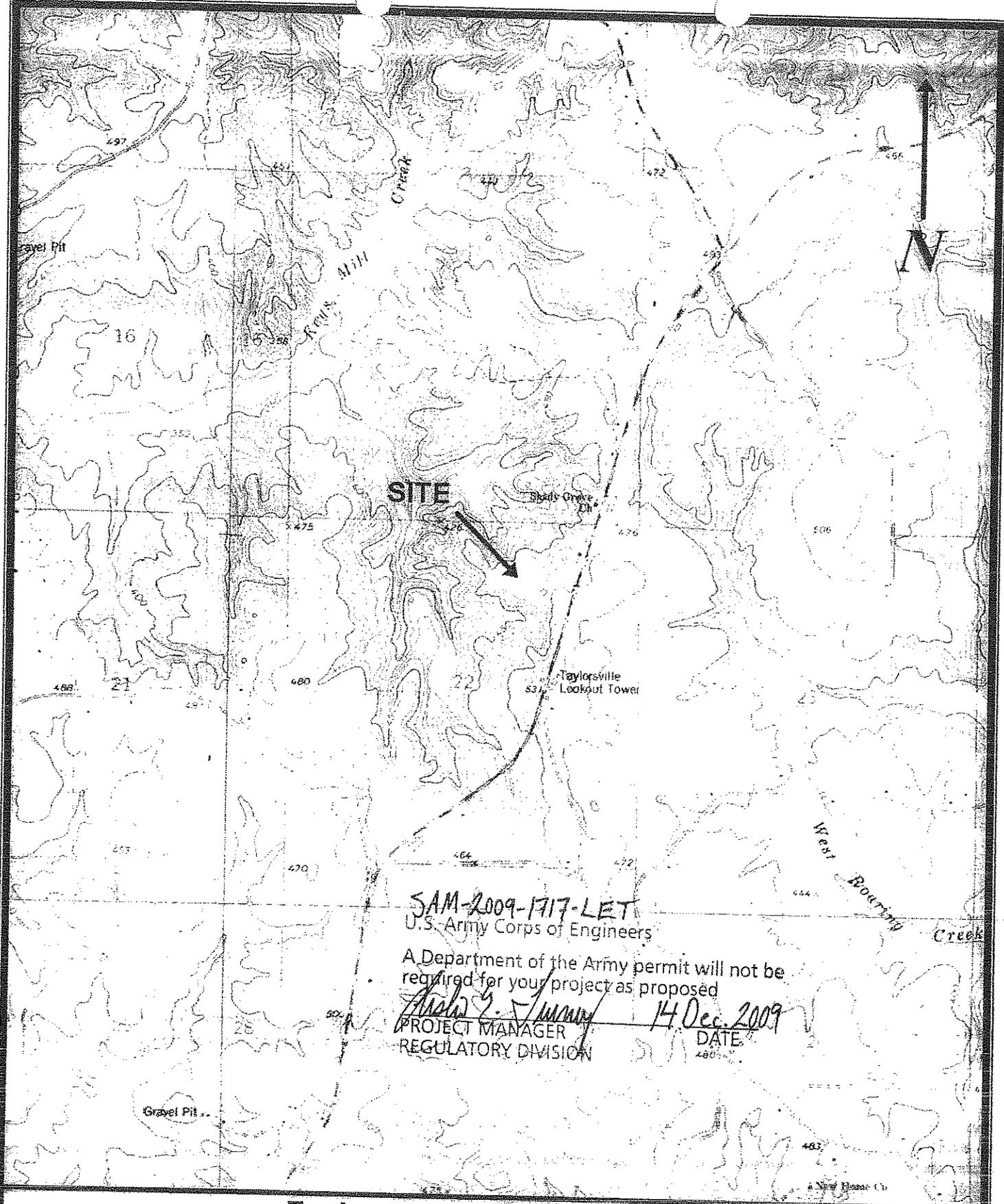
Sincerely,

ENVIRONMENTAL ENGINEERS, INC.



Henry A. Fisher, P.E.
Principal Engineer

Attachments Site Location Map, Site Photographs, Aerial Photograph



SAM-2009-1717-LET
 U.S. Army Corps of Engineers
 A Department of the Army permit will not be
 required for your project as proposed
Andrew G. Summary
 PROJECT MANAGER 14 Dec. 2009
 REGULATORY DIVISION DATE

Environmental Engineers, Inc.

Subject:
 Proposed MSWIN 20601 B Communications Tower
 Bay Springs, Smith County, Mississippi
 Project No.: JSE01P0818

Figure 1
 Site Location Map
 Scale: 1" = 2000'



2009-1717-LET
LETTER OF INTENT

PROJECT MANAGER
REGULATORY DIVISION
DATE 11/11/09

Environmental Engineers, Inc.

Subject:
Proposed NISWAN 30401 B Communications Tower
Ray Springs, East County, Mississippi
Project No. 0920100002

3007 Aerial Photograph

Scale: 1" = 500'

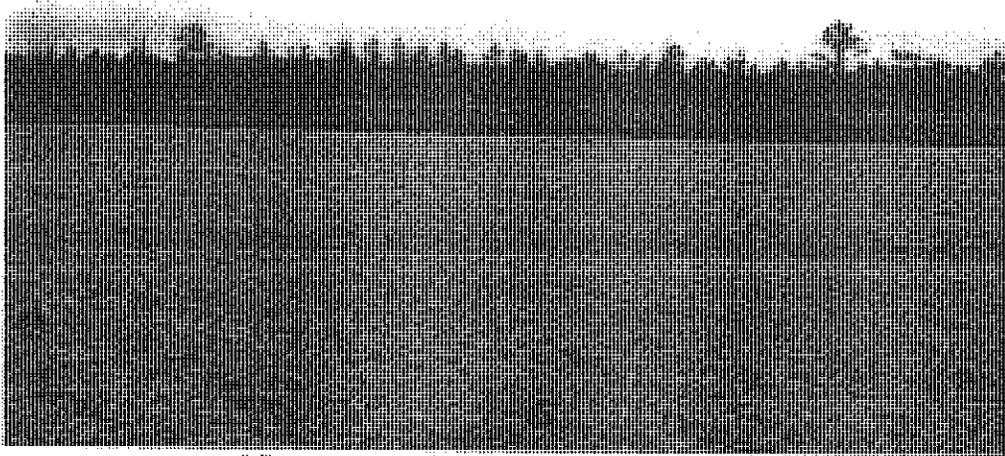


SAM-2009-1717-LET
U.S. Army Corps of Engineers

A Department of the Army permit will not be
required for your project as proposed

Mark E. Murray
PROJECT MANAGER
REGULATORY DIVISION

14 Dec. 2009
DATE



View across the site toward the north.



View across the site toward the east.

Environmental Engineers, Inc.

Subject:
Proposed MSWIN 20601 B Communications Tower
Bay Springs, Smith County, Mississippi
Project No.: JSE01P0818.

Figure 2
Site Photographs



SAM-2009-1717-LET
U.S. Army Corps of Engineers

A Department of the Army permit will not be required for your project as proposed

Mark L. Murray
PROJECT MANAGER
REGULATORY DIVISION

14 Dec. 2009
DATE



View across the site toward the south.



View across the site toward the west.

Environmental Engineers, Inc.

Subject:
Proposed MSWIN 20601 B Communications Tower
Bay Springs, Smith County, Mississippi
Project No.: JSE01P0818

Figure 3
Site Photographs



SAM-2009-1717-LET
U.S. Army Corps of Engineers

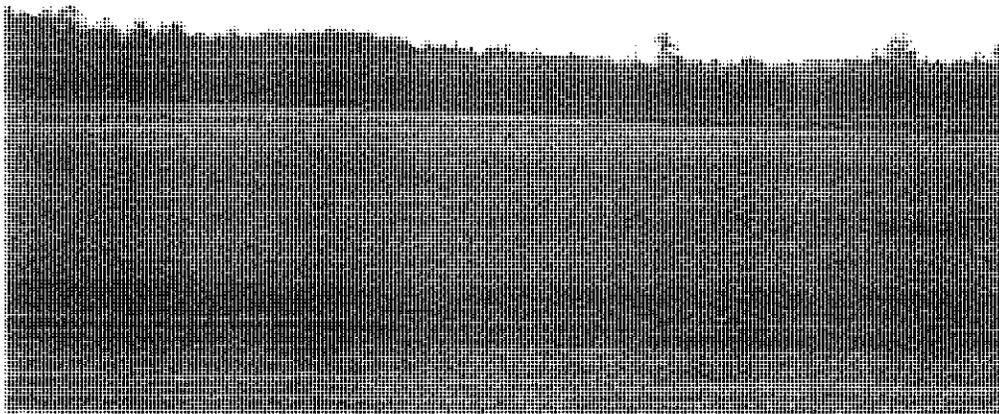
A Department of the Army permit will not be
required for your project as proposed

April S. Turner
PROJECT MANAGER
REGULATORY DIVISION

14 Dec 2009
DATE



View from the northern guy anchor toward the site.



View from the southeastern guy anchor toward the site.

Environmental Engineers, Inc.

Subject:
Proposed MSWIN 20601 B Communications Tower
Bay Springs, Smith County, Mississippi
Project No.: JSE01P0818

Figure 4
Site Photographs

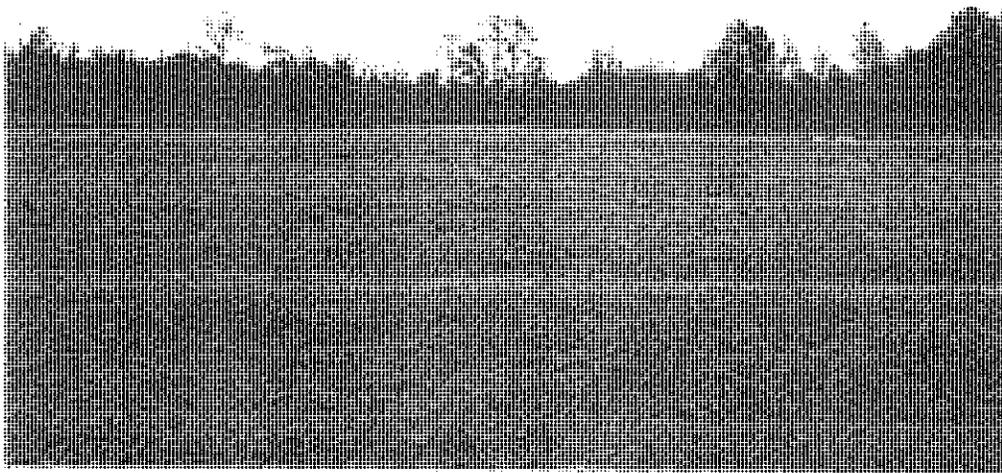


SAM-2009-1717-LET
U.S. Army Corps of Engineers

A Department of the Army permit will not be
required for your project as proposed

Paul L. Summy
PROJECT MANAGER
REGULATORY DIVISION

14 Dec 2009
DATE



View from the southwestern guy anchor toward the site.



View toward the site from the existing access gate.

Environmental Engineers, Inc.

Subject:
Proposed MSWIN 20601 B Communications Tower
Bay Springs, Smith County, Mississippi
Project No.: JSE01P0818

Figure 5
Site Photographs



SAM-2009-1717-LET
U.S. Army Corps of Engineers

A Department of the Army permit will not be required for your project as proposed

Paul E. Murray 14 Dec. 2009
PROJECT MANAGER DATE
REGULATORY DIVISION



View toward Highway 531 from the midpoint of the proposed access road. View includes the existing access gate.

Environmental Engineers, Inc.

Subject:
Proposed MSWIN 20601 B Communications Tower
Bay Springs, Smith County, Mississippi
Project No.: JSE01P0818

Figure 6
Site Photographs



APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 14 December 2009

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Mobile District CESAM-RD-I-S, Towers of Mississippi MSWIN 20601 B communications tower, SAM-2009-1717-LET

C. PROJECT LOCATION AND BACKGROUND INFORMATION: On the west side of MS Highway 531, north of Smith County Road 80.

State: Mississippi County/parish/borough: Smith City: southwest of Bay Springs

Center coordinates of site (lat/long in degree decimal format): Lat. 31.915222° **N**, Long. -89.36079° **W**.

Universal Transverse Mercator: Zone 16 X: 276817.37 Y: 3533474.78

Name of nearest waterbody: Unnamed tributary to Keys Mill Creek

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: None

Name of watershed or Hydrologic Unit Code (HUC): (8 digit) 03170004 Upper Leaf, MS

Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.

Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination. Date: 14 December 2009

Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There ~~are no~~ "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]

Waters subject to the ebb and flow of the tide.

Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

Explain:

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There ~~are no~~ "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

1. Waters of the U.S.

a. Indicate presence of waters of U.S. in review area (check all that apply):¹

TNWs, including territorial seas

Wetlands adjacent to TNWs

Relatively permanent waters² (RPWs) that flow directly or indirectly into TNWs

Non-RPWs that flow directly or indirectly into TNWs

Wetlands directly abutting RPWs that flow directly or indirectly into TNWs

Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs

Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs

Impoundments of jurisdictional waters

Isolated (interstate or intrastate) waters, including isolated wetlands

b. Identify (estimate) size of waters of the U.S. in the review area:

Non-wetland waters: linear feet: width (ft) and/or acres.

Wetlands: acres.

c. Limits (boundaries) of jurisdiction based on: ~~Not Applicable~~

Elevation of established OHWM (if known):

2. Non-regulated waters/wetlands (check if applicable):³

¹ Boxes checked below shall be supported by completing the appropriate sections in Section III below.

² For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).

³ Supporting documentation is presented in Section III.F.

Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.
Explain:

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1. TNW

Identify TNW: .

Summarize rationale supporting determination: .

2. Wetland adjacent to TNW

Summarize rationale supporting conclusion that wetland is "adjacent": .

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody⁴ is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

(i) General Area Conditions:

Watershed size: Pick List

Drainage area: Pick List

Average annual rainfall: inches

Average annual snowfall: inches

(ii) Physical Characteristics:

(a) Relationship with TNW:

Tributary flows directly into TNW.

Tributary flows through Pick List tributaries before entering TNW.

Project waters are Pick List river miles from TNW.

Project waters are Pick List river miles from RPW.

Project waters are Pick List aerial (straight) miles from TNW.

Project waters are Pick List aerial (straight) miles from RPW.

Project waters cross or serve as state boundaries. Explain:

Identify flow route to TNW⁵:

Tributary stream order, if known:

⁴ Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.

⁵ Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

(b) General Tributary Characteristics (check all that apply):

Tributary is: Natural
 Artificial (man-made). Explain:
 Manipulated (man-altered). Explain:

Tributary properties with respect to top of bank (estimate):

Average width: feet
Average depth: feet
Average side slopes: Pick List.

Primary tributary substrate composition (check all that apply):

Silts Sands Concrete
 Cobbles Gravel Muck
 Bedrock Vegetation. Type/% cover:
 Other. Explain:

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain:

Presence of run/riffle/pool complexes. Explain:

Tributary geometry: Pick List

Tributary gradient (approximate average slope): %

(c) Flow:

Tributary provides for: Pick List

Estimate average number of flow events in review area/year: Pick List

Describe flow regime:

Other information on duration and volume:

Surface flow is: Pick List. Characteristics:

Subsurface flow: Pick List. Explain findings:

Dye (or other) test performed:

Tributary has (check all that apply):

Bed and banks
 OHWM⁶ (check all indicators that apply):
 clear, natural line impressed on the bank the presence of litter and debris
 changes in the character of soil destruction of terrestrial vegetation
 shelving the presence of wrack line
 vegetation matted down, bent, or absent sediment sorting
 leaf litter disturbed or washed away scour
 sediment deposition multiple observed or predicted flow events
 water staining abrupt change in plant community
 other (list):
 Discontinuous OHWM.⁷ Explain:

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by: Mean High Water Mark indicated by:
 oil or scum line along shore objects survey to available datum;
 fine shell or debris deposits (foreshore) physical markings;
 physical markings/characteristics vegetation lines/changes in vegetation types.
 tidal gauges
 other (list):

(iii) Chemical Characteristics:

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).

Explain:

Identify specific pollutants, if known:

⁶A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.

⁷Ibid.

(iv) **Biological Characteristics. Channel supports (check all that apply):**

- Riparian corridor. Characteristics (type, average width):
- Wetland fringe. Characteristics:
- Habitat for:
 - Federally Listed species. Explain findings:
 - Fish/spawn areas. Explain findings:
 - Other environmentally-sensitive species. Explain findings:
 - Aquatic/wildlife diversity. Explain findings:

2. **Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW**

(i) **Physical Characteristics:**

(a) General Wetland Characteristics:

Properties:

Wetland size: acres

Wetland type. Explain:

Wetland quality. Explain:

Project wetlands cross or serve as state boundaries. Explain:

(b) General Flow Relationship with Non-TNW:

Flow is: **Pick List**. Explain:

Surface flow is: **Pick List**

Characteristics:

Subsurface flow: **Pick List**. Explain findings:

Dye (or other) test performed:

(c) Wetland Adjacency Determination with Non-TNW:

Directly abutting

Not directly abutting

Discrete wetland hydrologic connection. Explain:

Ecological connection. Explain:

Separated by berm/barrier. Explain:

(d) Proximity (Relationship) to TNW

Project wetlands are **Pick List** river miles from TNW.

Project waters are **Pick List** aerial (straight) miles from TNW.

Flow is from: **Pick List**.

Estimate approximate location of wetland as within the **Pick List** floodplain.

(ii) **Chemical Characteristics:**

Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain:

Identify specific pollutants, if known:

(iii) **Biological Characteristics. Wetland supports (check all that apply):**

- Riparian buffer. Characteristics (type, average width):
- Vegetation type/percent cover. Explain:
- Habitat for:
 - Federally Listed species. Explain findings:
 - Fish/spawn areas. Explain findings:
 - Other environmentally-sensitive species. Explain findings:
 - Aquatic/wildlife diversity. Explain findings:

3. **Characteristics of all wetlands adjacent to the tributary (if any)**

All wetland(s) being considered in the cumulative analysis: **Pick List**

Approximately () acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

Directly abuts? (Y/N)

Size (in acres)

Directly abuts? (Y/N)

Size (in acres)

Summarize overall biological, chemical and physical functions being performed:

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the *Rapanos* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. **Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D:
2. **Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:
3. **Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. **TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:
 - TNWs: linear feet width (ft), Or, acres.
 - Wetlands adjacent to TNWs: acres.
2. **RPWs that flow directly or indirectly into TNWs.**
 - Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial:
 - Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally:

Provide estimates for jurisdictional waters in the review area (check all that apply):

Tributary waters: linear feet width (ft).

Other non-wetland waters: acres.

Identify type(s) of waters:

3. **Non-RPWs⁸ that flow directly or indirectly into TNWs.**

- Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional waters within the review area (check all that apply):

Tributary waters: linear feet width (ft).

Other non-wetland waters: acres.

Identify type(s) of waters:

4. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**

- Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
 Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW:

- Wetlands directly abutting an RPW where tributaries typically flow "seasonally." Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW:

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

5. **Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.**

- Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

6. **Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional wetlands in the review area: acres.

7. **Impoundments of jurisdictional waters.⁹**

As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.

- Demonstrate that impoundment was created from "waters of the U.S.," or
 Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
 Demonstrate that water is isolated with a nexus to commerce (see E below).

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):¹⁰

- which are or could be used by interstate or foreign travelers for recreational or other purposes.
 from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
 which are or could be used for industrial purposes by industries in interstate commerce.
 Interstate isolated waters. Explain:
 Other factors. Explain:

Identify water body and summarize rationale supporting determination:

⁸See Footnote # 3.

⁹To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.

¹⁰Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Act Jurisdiction Following Rapanos.

Provide estimates for jurisdictional waters in the review area (check all that apply):

Tributary waters: linear feet width (ft).

Other non-wetland waters: acres.

Identify type(s) of waters:

Wetlands: acres.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):

If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.

Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.

Prior to the Jan 2001 Supreme Court decision in "SWANCC," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).

Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain:

Other: (explain, if not covered above): **Based upon review of available desktop resources, including project information submitted by Environmental Engineers, Inc. on behalf of the Towers of Mississippi and other information available to this office, that includes USGS 1:24,000 scale 7.5 minute topographic quadrangle maps, USFWS National Wetland Inventory maps, FEMA issued Flood Insurance Rate Maps available from the on-line Map Service Center of the FEMA website, 2007 color aerial photography, NCSS on-line Smith County, MS soil survey maps and data with color aerial photography, and project specific color digital photographs of the site, the proposed site for construction of the MSWIN 20601 B communications tower is located on upland property southwest of Bay Springs, MS.**

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

Non-wetland waters (i.e., rivers, streams): linear feet width (ft).

Lakes/ponds: acres.

Other non-wetland waters: acres. List type of aquatic resource:

Wetlands: acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):

Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).

Lakes/ponds: acres.

Other non-wetland waters: acres. List type of aquatic resource:

Wetlands: acres.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant:

Data sheets prepared/submitted by or on behalf of the applicant/consultant.

Office concurs with data sheets/delineation report.

Office does not concur with data sheets/delineation report.

Data sheets prepared by the Corps:

Corps navigable waters' study:

U.S. Geological Survey Hydrologic Atlas:

USGS NHD data.

USGS 8 and 12 digit HUC maps.

U.S. Geological Survey map(s). Cite scale & quad name: 1:24,000 7.5 Minute Bay Springs, MS.

USDA Natural Resources Conservation Service Soil Survey. Citation: Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey, Smith County, Mississippi. Available online at <http://websoilsurvey.nrcs.usda.gov/> accessed [12/14/2009].

National wetlands inventory map(s). Cite name: Bay Springs, MS (scanned data).

State/Local wetland inventory map(s):

FEMA/FIRM maps: Smith County, Mississippi and Incorporated Areas. Map No. 28129C0150 C, Map Effective Date: December 3, 1993.

100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)

Photographs: Aerial (Name & Date): 2007 color aerial photography submitted by Environmental Engineers, Inc. and color aerial photography available with downloaded NCSS web soil survey maps and data.

or Other (Name & Date): Site specific color digital photographs submitted by Environmental Engineers, Inc.

- Previous determination(s). File no. and date of response letter:
- Applicable/supporting case law:
- Applicable/supporting scientific literature:
- Other information (please specify):

B. ADDITIONAL COMMENTS TO SUPPORT JD:

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant : Towers of Mississippi - MSWIN 20602 B
communications tower

File Number: SAM-2009-1717-LET

Date: 14 Dec 2009

Attached is:

	INITIAL PROFFERED PERMIT (Standard Permit or Letter of Permission)	See Section below
	PROFFERED PERMIT (Standard Permit or Letter of Permission)	A
	PERMIT DENIAL	B
XX	APPROVED JURISDICTIONAL DETERMINATION	C
	PRELIMINARY JURISDICTIONAL DETERMINATION	D
		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at: <http://usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the District Engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the District Engineer. Your objections must be received by the District Engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the District Engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or, (c) not modify the permit, having determined that the permit should be issued as previously written. After evaluating your objections, the District Engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the District Engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the Division Engineer. This form must be received by the Division Engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the Division Engineer. This form must be received by the Division Engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION (JD): You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the Division Engineer. This form must be received by the Division Engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the Preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also, you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

LESLIE E. TURNEY
MOBILE DISTRICT CORPS OF ENGINEERS
CESAM-RD-I-S
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001
(251) 694-3873

If you only have questions regarding the appeal process you may also contact:

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.	Date:	Telephone number:
----------------------------------	-------	-------------------

Appendix L

Smith County, Mississippi

RuB—Ruston fine sandy loam, 2 to 5 percent slopes

Map Unit Setting

Elevation: 100 to 550 feet

Mean annual precipitation: 60 to 75 inches

Mean annual air temperature: 64 to 70 degrees F

Frost-free period: 270 to 335 days

Map Unit Composition

Ruston and similar soils: 95 percent

Description of Ruston

Setting

Landform: Coastal plains

Landform position (two-dimensional): Shoulder

Landform position (three-dimensional): Side slope

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Loamy fluviomarine deposits

Properties and qualities

Slope: 2 to 5 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water

(Ksat): Moderately high to high (0.60 to 2.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water capacity: Moderate (about 8.6 inches)

Interpretive groups

Land capability (nonirrigated): 3e

Typical profile

0 to 7 inches: Fine sandy loam

7 to 18 inches: Sandy clay loam

18 to 39 inches: Sandy loam

39 to 85 inches: Sandy clay loam

Data Source Information

Soil Survey Area: Smith County, Mississippi

Survey Area Data: Version 7, May 9, 2008

Smith County, Mississippi

RuC—Ruston fine sandy loam, 5 to 8 percent slopes

Map Unit Setting

Elevation: 100 to 550 feet

Mean annual precipitation: 60 to 75 inches

Mean annual air temperature: 64 to 70 degrees F

Frost-free period: 270 to 335 days

Map Unit Composition

Ruston and similar soils: 95 percent

Minor components: 2 percent

Description of Ruston

Setting

Landform: Coastal plains

Landform position (two-dimensional): Shoulder

Landform position (three-dimensional): Side slope

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Loamy fluviomarine deposits

Properties and qualities

Slope: 5 to 8 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water

(Ksat): Moderately high to high (0.60 to 2.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water capacity: Moderate (about 8.6 inches)

Interpretive groups

Land capability (nonirrigated): 3e

Typical profile

0 to 7 inches: Fine sandy loam

7 to 18 inches: Sandy clay loam

18 to 39 inches: Sandy loam

39 to 85 inches: Loam

Minor Components

Unnamed hydric soils (133dr)

Percent of map unit: 2 percent

Landform: Drainageways

Landform position (two-dimensional): Shoulder

Landform position (three-dimensional): Dip

Down-slope shape: Linear

Across-slope shape: Linear

Data Source Information

Soil Survey Area: Smith County, Mississippi
Survey Area Data: Version 7, May 9, 2008



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[Area of Interest \(AOI\)](#) |
 [Soil Map](#) |
 [Soil Data Explorer](#) |
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Map Unit Legend

Smith County, Mississippi (MS129)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
HeD	Heidel sandy loam, 8 to 15 percent slopes	83.2	23.6%
HeF	Heidel sandy loam, 15 to 35 percent slopes	158.2	45.0%
RuB	Ruston fine sandy loam, 2 to 5 percent slopes	67.2	19.1%
RuC	Ruston fine sandy loam, 5 to 8 percent slopes	31.8	9.0%
SdD	Smithdale fine sandy loam, 8 to 15 percent slopes	11.5	3.3%
Totals for Area of Interest		351.9	100.0%

Soil Map

Scale: 1:100000



Warning: Soil Map may not be valid at this scale.

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AAA

Area of Interest (AOI) | Soil Map | Soil Data Explorer | Shopping Cart (Free)

View Soil Information By Use: All Uses

Printable Version | Add to Shopping Cart

Intro to Soils | Suitabilities and Limitations for Use | Soil Properties and Qualities | Ecological Site Assessment

Search

Suitabilities and Limitations Ratings

Open All | Close All

Building Site Development

Construction Materials

Disaster Recovery Planning

Land Classifications

Conservation Tree and Shrub Group

Ecological Site ID

Ecological Site Name

Farmland Classification

View Description | View Rating

View Options

Map

Table

Description of Rating

Rating Options

Detailed Description

Advanced Options

View Description | View Rating

Forage Suitability Group ID (Component Table)

Hydric Rating by Map Unit

Irrigated Capability Class

Irrigated Capability Subclass

Nonirrigated Capability Class

Nonirrigated Capability Subclass

Soil Taxonomy Classification

Land Management

Military Operations

Recreational Development

Sanitary Facilities

Vegetative Productivity

Tables — Farmland Classification — Summary By Map Unit

Summary by Map Unit — Smith County, Mississippi

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
HeD	Heidel sandy loam, 8 to 15 percent slopes	Not prime farmland	83.2	23.6%
HeF	Heidel sandy loam, 15 to 35 percent slopes	Not prime farmland	158.2	45.0%
RuB	Ruston fine sandy loam, 2 to 5 percent slopes	All areas are prime farmland	67.2	19.1%
RuC	Ruston fine sandy loam, 5 to 8 percent slopes	All areas are prime farmland	31.8	9.0%
SdD	Smithdale fine sandy loam, 8 to 15 percent slopes	Not prime farmland	11.5	3.3%
Totals for Area of Interest			351.9	100.0%

Description — Farmland Classification

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

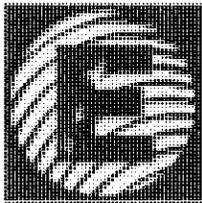
Rating Options — Farmland Classification

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower

Waste Management	
Water Management	 

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ENVIRONMENTAL ENGINEERS, INC.

11578 US Highway 411, Odenville, Alabama 35120

Environmental and Geological Consultants

November 3, 2009

Dr. Homer L. Wilkes, State Conservationist
U.S. Department of Agriculture, Natural Resources Conservation Service
100 W. Capital Street
Suite 1321 Federal Building
Jackson, MS 39269

Subject:

Request for Project Review

Proposed MSWIN 20601 B Communications Tower

Bay Springs, Smith County, Mississippi

Environmental Engineers, Inc. Project No.: JSE01P0818

Dear Dr. Wilkes:

Environmental Engineers, Inc. is requesting comment on behalf of Towers of Mississippi, the State of Mississippi, and the Federal Emergency Management Agency (FEMA) regarding construction of a wireless communications tower in Smith County, Mississippi. This project is being funded using a FEMA grant (2008-MS-MX-0001) and the State of Mississippi's expenditures at this site will include construction of a telecommunications facility, purchase and installation of 700 MHz RF equipment and microwave telecommunication backbone network, equipment shelter, network integration, acceptance testing, communication hardware optimization and system exercising and piloting of interoperability capabilities of the network.

The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Bay Springs, Mississippi," dated 1974. The site is located in the northwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 22, Township 1 North, Range 9 East, Smith County, Mississippi, at latitude $31^{\circ}54'54.800''$ north and $89^{\circ}21'38.845''$ west. The site consists of a 100-foot by 100-foot lease area with three associated guy anchor easements and a proposed access road. The site is located off of Highway 531 near Bay Springs, Mississippi. The proposed access road enters the site from the east. Proposed activities consist of construction of a 550-foot guyed communications tower, enclosing the compound in a fence, placement of support equipment within the compound, grading an access road, and covering the compound and access road with gravel. The proposed project is depicted on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) "Panel 150 of 175, Smith County, Mississippi and Incorporated Areas" effective date December 3, 1993, and is located in an area designated as Zone X (no shading) and is not located in a special flood hazard area. I have included a site location map, site photographs, and the portion of the 2007 aerial photograph depicting the site for your review.

Phone: (205) 629-3868 • Fax: (877) 847-3060

Environmental Engineers, Inc. has been retained by Towers of Mississippi and the State of Mississippi to prepare an Environmental Assessment (EA) for the proposed project. Please reference the Environmental Engineers, Inc. project number (JSE01P0818) in correspondence regarding this site. Thank you for your time and assistance and we look forward to your response. Please contact me by telephone at (205) 629-3868, electronic mail at hfisher@envciv.com, or U.S. mail at the letterhead address if you have any questions or comments.

Sincerely,

ENVIRONMENTAL ENGINEERS, INC.



Henry A. Fisher, P.E.
Principal Engineer

Attachments Site Location Map, Site Photographs, Aerial Photograph

United States Department of Agriculture



Natural Resources Conservation Service
Suite 1321, Federal Building
100 West Capitol Street
Jackson, MS 39269

November 17, 2009

Henry A. Fisher, P.E.
Principal Engineer
Environmental Engineers, Inc.
11578 US Highway 411
Odenville, AL 35120

ENVIRONMENTAL ENGINEERS

NOV 21 2009

RECEIVED

Dear Mr. Fisher:

This is in response to your letter dated November 3, 2009, regarding the Proposed MSWIN 20601 B Communications Tower in the City of Bay Springs in Smith County, Mississippi.

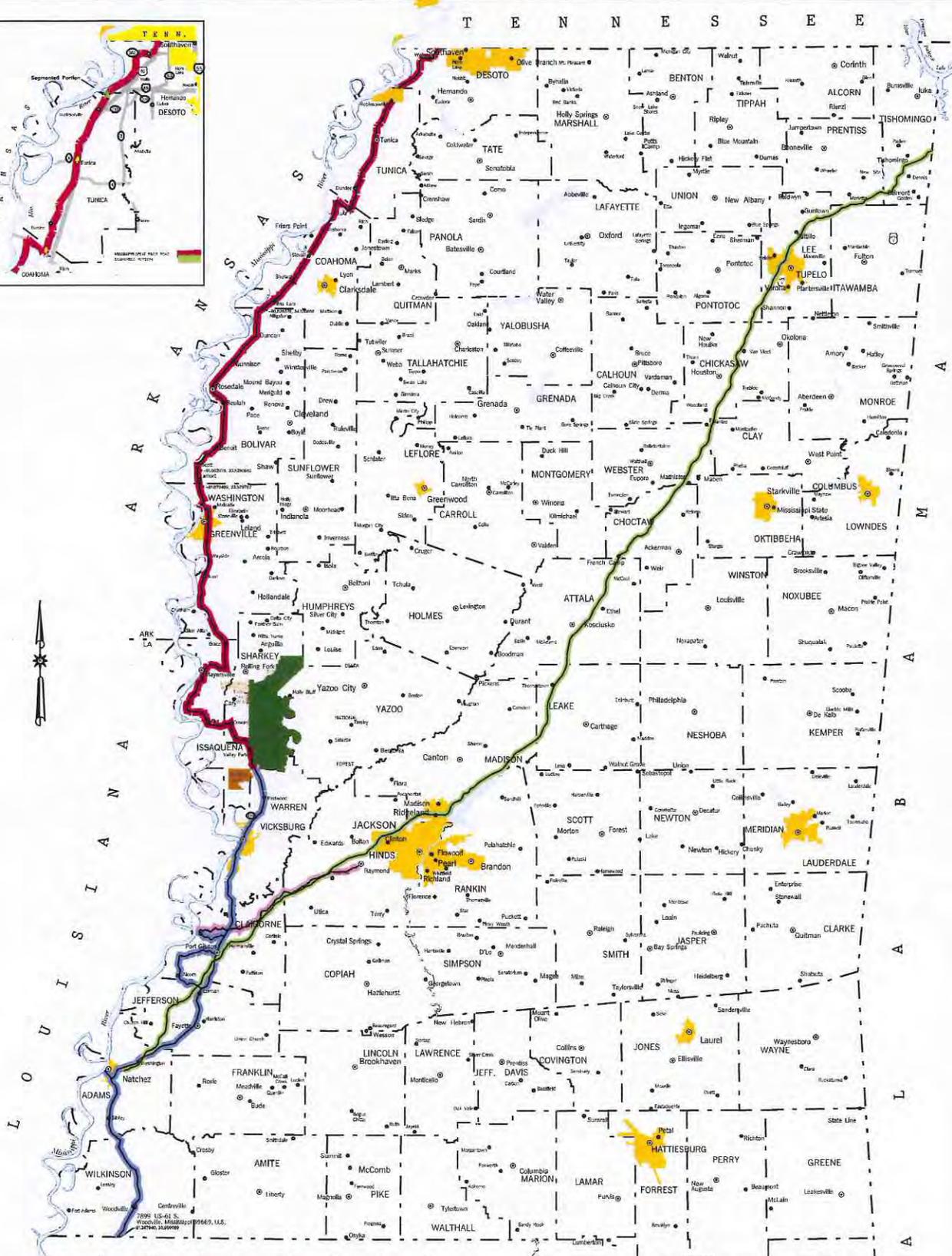
The proposed project will not have any permanent adverse effect on prime farmland. Therefore no FPPA determination is required.

Sincerely,

A handwritten signature in black ink that reads "Delaney B. Johnson".

Delaney B. Johnson
State Soil Scientist

Appendix M

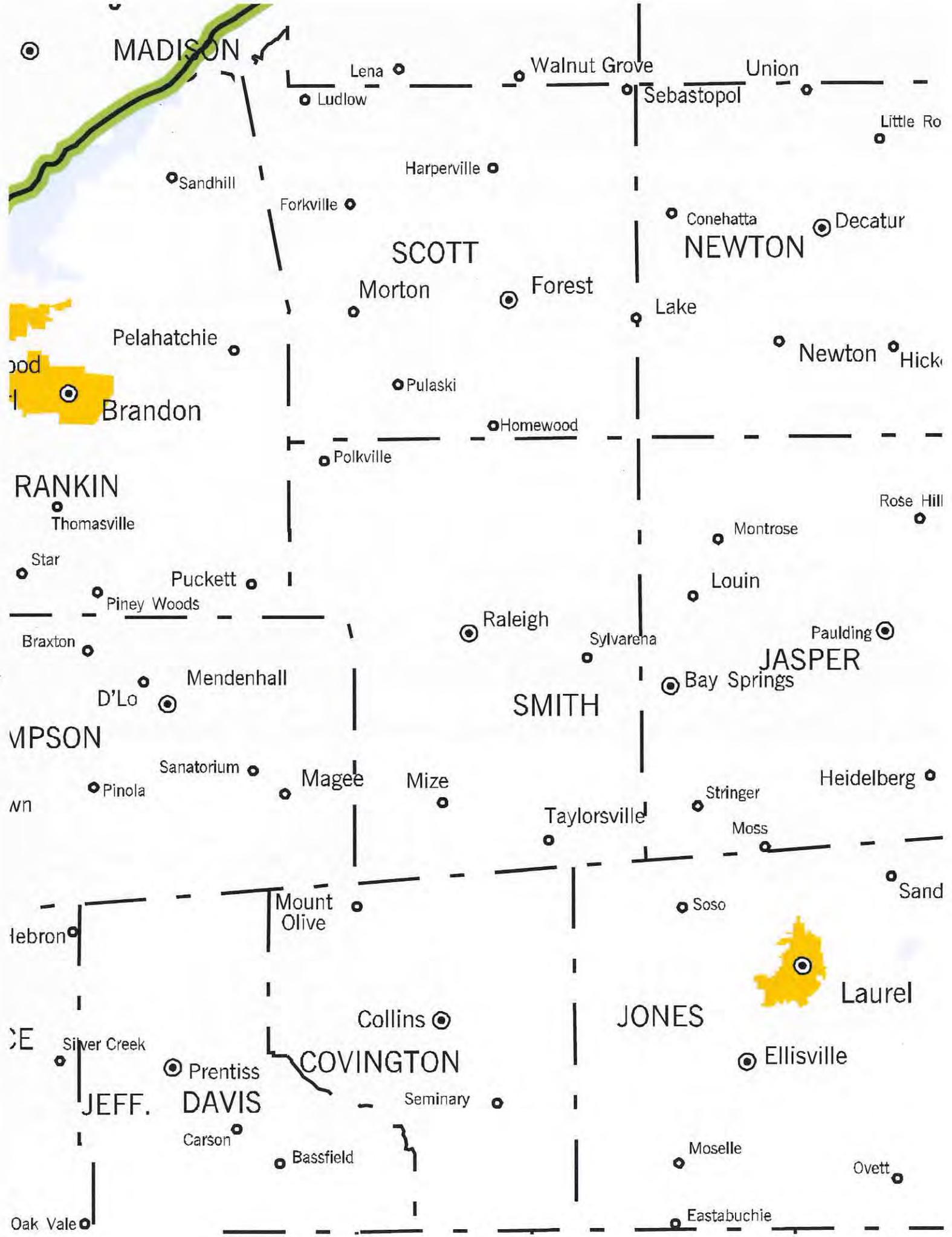


MISSISSIPPI SCENIC BYWAYS

- MISSISSIPPI DELTA GREAT RIVER ROAD
- LOWER MISSISSIPPI HISTORIC BYWAY
- GRAND GULF - RAYMOND SCENIC BYWAY
- NATCHEZ TRACE
- HIGHWAY 67 SCENIC BYWAY
- HIGHWAY 605 SCENIC BYWAY



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 MISSISSIPPI DEPARTMENT OF TRANSPORTATION, 2005
 PLANNING DIVISION



Appendix N

Search

National Wild & Scenic Rivers



National System	Management	Information	Publications	Site Navigation	Rivers & Trails	Contact Us
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Black Creek

Mississippi

DeSoto National Forest
 654 West Frontage Road
 Wiggins, Mississippi 39577

Designated Reach: October 30, 1986. The segment from Fairley Bridge Landing upstream to Moody's Landing.

Classification/Mileage: Scenic — 21.0 miles; Total — 21.0 miles.

This scenic southern river features deep, black water and contrasting white sand bars as it follows a meandering course through Mississippi's coastal plain. The river and area provide a variety of opportunities for backpacking and fishing and six launch points provide for canoeing.



Kid's Page



GIS & Maps



WSR Display

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Black Creek Wild and Scenic River, Mississippi

Created on: 1/1/2007
 Last updated: 11/13/2009 11:19:17
 Site has changed since last visit!

National Wild & Scenic Rivers







National System	Management	Information	Publications	Site Navigation	Rivers & Trails	Contact Us
---------------------------------	----------------------------	-----------------------------	------------------------------	---------------------------------	-------------------------------------	----------------------------

Designated Wild & Scenic Rivers

Rivers that pass through several states may have segments in each state designated. For example, the Klamath River has designations in California and Oregon. Many rivers also have numerous tributaries designated (e.g., Washington's Skagit River). Multiple listings of some rivers indicate more than one segment of the river is designated (e.g., the Missouri River in Nebraska).

Alabama

- [Black Warrior River \(Sipsey Fork\)](#)

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Alaska

- [Alagnak River](#) — [National Park Service Site](#)
- [Alatna River](#)
- [Andreafsky River](#)
- [Aniakchak River](#)
- [Beaver Creek](#) — [Bureau of Land Management Site](#)
- [Birch Creek](#) — [Bureau of Land Management Site](#)
- [Charley River](#) — [National Park Service Site](#)
- [Chilikadrotna River](#)
- [Delta River](#) — [Bureau of Land Management Site](#)
- [Fortymile River](#) — [Bureau of Land Management Site](#)
- [Gulkana River](#) — [Bureau of Land Management Site](#)
- [Ivishak River](#)
- [John River](#)
- [Kobuk River](#)
- [Koyukuk River \(North Fork\)](#)
- [Mulchatna River](#)
- [Noatak River](#)
- [Nowitna River](#)
- [Salmon River](#)
- [Selawik River](#)
- [Sheenik River](#)
- [Tinayguk River](#)
- [Tiikakila River](#)
- [Unalakleet River](#) — [Bureau of Land Management Site](#)
- [Wind River](#)

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Arizona

- [Fossil Creek](#)
- [Verde River](#) — [U.S. Forest Service Site](#)

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Arkansas

- [Big Piney Creek](#)
- [Buffalo River](#)
- [Cossatot River](#)
- [Hurricane Creek](#)
- [Little Missouri River](#)
- [Mulberry River](#)
- [North Sylamore Creek](#)
- [Richland Creek](#)



Cossatot River, Arkansas

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California

- [Amargosa River](#)
- [American River \(Lower\)](#)
- [American River \(North Fork\)](#) — [Bureau of Land Management Site](#)
- [Bautista Creek](#)
- [Big Sur River](#)
- [Black Butte River](#)
- [Cottonwood Creek](#)
- [Eel River](#)
- [Feather River](#)
- [Fuller Mill Creek](#)
- [Kern River](#)
- [Kings River](#)
- [Klamath River](#) — [U.S. Forest Service Site](#)
- [Merced River](#) — [Bureau of Land Management Site](#)
- [Owens River Headwaters](#)
- [Palm Canyon Creek](#)
- [Piru Creek](#)
- [San Jacinto River \(North Fork\)](#)
- [Sespe Creek](#)
- [Sisquoc River](#)
- [Smith River](#)
- [Trinity River](#)
- [Tuolumne River](#) — [Bureau of Land Management Site](#)

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Colorado

- [Cache la Poudre River](#)

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Connecticut

- [Eightmile River](#)
- [Farmington River \(West Branch\)](#) — [Farmington River Committee Site](#)

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Delaware

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Florida

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- [Wekiva River](#)

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Georgia

- [Chattooga River](#) (See also North Carolina, South Carolina — [U.S. Forest Service Site](#), [Chattooga Net](#))

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Idaho

- [Battle Creek](#)
- [Big Jacks Creek](#)
- [Bruneau River](#)
- [Bruneau River \(West Fork\)](#)
- [Clearwater River \(Middle Fork\)](#)
- [Cottonwood Creek](#)
- [Deep Creek](#)
- [Dickshooter Creek](#)

- [Duncan Creek](#)
- [Jarbidge River](#)
- [Little Jacks Creek](#)
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- [Owyhee River \(North Fork\)](#)
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- [Rapid River](#)
- [Saint Joe River](#)
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Illinois

- [Vermilion River — State of Illinois Site](#)

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Louisiana

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Maine

- [Allagash River — State of Maine Site](#)

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Massachusetts

- [Westfield River — Westfield River Wild & Scenic Advisory Committee Site](#)
- [Sudbury, Assabet and Concord Rivers](#)
- [Taunton River](#)

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Michigan

- [Au Sable River](#)
- [Bear Creek](#)
- [Black River](#)
- [Carp River](#)
- [Indian River](#)
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- [Ontonagon River](#)
- [Paint River](#)
- [Pere Marquette River](#)
- [Pine River](#)
- [Presque Isle River](#)
- [Sturgeon River \(Hiawatha National Forest\)](#)
- [Sturgeon River \(Ottawa National Forest\)](#)
- [Tahquamenon River \(East Branch\)](#)
- [Whitefish River](#)
- [Yellow Dog River](#)

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Minnesota

- [St. Croix River \(Lower\)](#) (See also Wisconsin) — [National Park Service Site](#)
- [St. Croix River \(Upper\)](#) (See also Wisconsin) — [National Park Service Site](#)
- [St. Croix River \(Lower\)](#) (See also Wisconsin)

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Mississippi

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Missouri

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Montana

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- [Missouri River](#) — [Bureau of Land Management Site](#)

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Nebraska

- [Missouri River](#) (See also South Dakota) — [National Park Service Site](#)
- [Missouri River](#) (See also South Dakota) — [National Park Service Site](#)
- [Niobrara River](#) — [National Park Service Site](#)

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New Hampshire

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New Jersey

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New Mexico

- [Jemez River \(East Fork\)](#)
- [Pecos River](#)
- [Rio Chama](#) — [Bureau of Land Management Site](#)
- [Rio Grande](#) — [Bureau of Land Management Site](#)

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New York

- [Delaware River \(Upper\)](#) (See also Pennsylvania) — [National Park Service Site](#)

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North Carolina

- [Chattooga River](#) (See also Georgia, South Carolina) — [U.S. Forest Service Site](#), [Chattooga Net](#)
- [Horsepasture River](#)
- [New River](#) — [State of North Carolina Site](#)
- [Lumber River](#) — [State of North Carolina Site \(Lumber River State Park\)](#)
- [Wilson Creek](#)

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Ohio

- [Big and Little Darby Creeks — State of Ohio Site](#)
- [Little Beaver Creek — State of Ohio Site](#)
- [Little Miami River — State of Ohio Site](#)

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Oregon

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- [Chetco River — U.S. Forest Service Site](#)
- [Clackamas River](#)
- [Clackamas River \(South Fork\)](#)
- [Collawash River](#)
- [Crescent Creek](#)
- [Crooked River — Bureau of Land Management Site](#)
- [Crooked River \(North Fork\)](#)
- [Deschutes River — Bureau of Land Management Site](#)
- [Donner und Blitzen River](#)
- [Eagle Creek \(Mt. Hood National Forest\)](#)
- [Eagle Creek \(Wallowa-Whitman National Forest\)](#)
- [Elk River — U.S. Forest Service Site](#)
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- [Fish Creek](#)
- [Grande Ronde River — Bureau of Land Management Site](#)
- [Hood River \(East Fork\)](#)
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- [Illinois River — U.S. Forest Service Site](#)
- [Imnaha River](#)
- [John Day River — Bureau of Land Management Site](#)
- [John Day River \(North Fork\)](#)
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