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*Environmental, Remediation, and Geological Consultants*

**DRAFT ENVIRONMENTAL ASSESSMENT**  
**Proposed MSWIN 20505 Stewart Wireless Communications Tower**  
**Stewart, Webster County, Mississippi**  
Environmental Engineers, Inc. Project No.: JSE01P0923

Prepared for:  
Towers of Mississippi  
Spanish Fort, Alabama

&

State of Mississippi  
Jackson, Mississippi

&

Federal Emergency Management Agency  
Washington, D.C.

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## **1.0 INTRODUCTION**

The State of Mississippi created the Mississippi Wireless Communication Commission (MWCC) by statute in 2005 to oversee the construction and operation of the Mississippi Wireless Integrated Network (MSWIN) project. MSWIN is wireless voice and data capable infrastructure, providing all users with a public-safety grade, statewide, interoperable, seamless roaming radio system. This 700 MHz Public Safety System is intended to provide highly reliable, fast access, private (within groups and individuals) communications to a wide variety of government and first-responder users within the State of Mississippi. MSWIN is funded largely by federal funds administered through the Department of Homeland Security and the Federal Emergency Management Agency.

The MSWIN network consists of over 140 tower sites to transmit and receive 700 MHz radio communications along with 6.7 GHz microwave connections to nearby towers to backhaul the communication to the closest switch. As part of the network, this tower will support a myriad of equipment that will provide emergency response communications for the population within approximately fifteen miles surrounding this proposed site.

System users vary from public safety, governmental executive and administrative personnel to road maintenance crews. In addition to routine communications, users will also depend on the network during life threatening conditions and emergency situations. Flooding, hurricanes, earthquakes, tornadoes, and other natural or man-made catastrophes often require effective wide-area, interoperable communications. Thus, communications within the State of Mississippi are most critical when they are most susceptible to failure. Consequently, a high degree of redundancy and fail-safe design is essential to this success of this project.

The proposed tower facility will be accessed via locked gate off of Union Church Road. The tower will have two parking spaces at the entrance of the fenced tower compound. The compound surrounding the tower and equipment will consist of a seven-foot tall security fence with an additional foot of barbed wire surrounding the site. The tower will be built to withstand extreme weather conditions and engineered and constructed to the latest tower standards of ANSI/TIA-222-G (class III supporting public safety and mission critical communications). All radio equipment on the tower will be operated in compliance with all requirements of frequency and power output as regulated by the Federal Communications Commission. Additionally, the gates and fence will have attached no trespassing and other notice and warning signs as may be required by applicable local and federal laws.



Routine operations of the tower facility will have limited vehicular traffic excepting maintenance and routine periodic inspections. Running water or sanitary facilities are not used at the facility. Power facilities are available and will be routed in during construction. The tower will not interfere with local residence or the use of the surrounding properties. The increase of vehicular traffic into the area is anticipated to be negligible. The tower and communication systems located thereon will not interfere with other communication systems in the area.

The tower is designed to allow other uses on the structure to promote collocation with up to three positions suitable for cellular telephone type wireless service providers. This further reduces the potential need for further towers in the area. In addition, the tower is designed to accommodate additional government communications equipment as the need to provide mission critical radio infrastructure increases in the future.

## **1.1 PURPOSE**

The purpose of the National Environmental Policy Act (NEPA) Checklist screening and Environmental Assessment (EA) is to provide information regarding the subject property required by the Federal Communication Commission (FCC), as described in Title 47 of the Code of Federal Regulations (CFR) Chapter I, Part 1, Subpart I titled *Procedures Implementing the National Environmental Policy Act (NEPA) of 1969*, Sections 1.1307(a)(1) through (8). In addition, this EA was prepared to address items required by the Federal Emergency Management Agency (FEMA) as part of its environmental and historical review process.

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.

NEPA requires that Federal agencies consider the environmental consequences of proposed actions before deciding to fund an action. The intent of NEPA is to protect, restore, or enhance the environment through well-informed decision making. The Council on Environmental Quality was established under NEPA to implement and oversee Federal policy in this process and implemented the procedural provisions of NEPA codified at 40 CFR 1500-1508. An Environmental Assessment (EA) related to a FEMA program must be prepared according to the requirements of the Stafford Act and 44 CFR Part 10. This EA has been prepared to evaluate the potential effects to the natural and human environment from construction of a new communications tower.



## 1.2 NEED

The proposed communications facility is part of the proposed Mississippi Wireless Integrated Network (MSWIN). This network is intended to facilitate seamless communications between federal, state, and local emergency personnel during natural or man-made disasters and/or emergencies.

## 1.3 ALTERNATIVES CONSIDERED

Four alternatives were considered for the Proposed Action (construction and operation of the proposed MSWIN 20505 Communications Facility). These alternatives included the Proposed Action, No-Action Alternative, collocation, and alternate technologies. These alternatives are described below.

### 1.3.1 Proposed Action

The Proposed Action consists of construction of a 480-foot guyed communications tower and associated equipment compound to facilitate installation and operation of wireless communications antennae to provide integrated emergency communications between federal, state, and local agencies. These antennae include microwave dishes that are to be used to send and receive information over long distances without the limitations associated with connection to land lines/cables (primarily interruptions in service due to damage to land lines/cables during emergencies or natural disasters).

### 1.3.2 No-Action Alternative

Under the No-Action Alternative the proposed project would not be constructed. No adverse environmental impacts are believed to be associated with the No-Action Alternative. However, the no-action alternative would result in a cost to the residents in the service area of this project associated with loss of integrated emergency communications service in the subject area. This cost must be compared to the potential adverse environmental impacts and social cost benefits associated with the Proposed Action.

Wireless communication systems provide a social benefit through increased ease of non-business communication. Roadway accidents, fires, and other emergency situations can be reported faster using wireless communications equipment. Wireless communications also provide critical assistance to emergency personnel during natural disasters (flood, hurricanes, tornadoes, etc.) and national emergencies.

### 1.3.3 Collocation

It is our understanding that the State of Mississippi and Towers of Mississippi explored collocation opportunities within the required service area for this project. However, no collocation opportunities meeting the technical requirements for the proposed project were identified.



### 1.3.4 Alternate Technologies

Among the possible alternatives to the MSWIN network are a) satellite communications, b) commercial cellular communications, and c) the existing State operated networks.

Satellite communications is commercially available and is currently used as a backup communications method in the event the primary systems fail. Satellite communications is cost prohibitive for the 30,000 users who would be a part of the MSWIN radio network.

Commercial cellular communication services are available in much of the service area MSWIN will provide, but not all of the State of Mississippi is covered by a single cellular operator. MSWIN will provide 97% radio coverage over the state, is more secure than commercial cellular service, is more survivable in the event of natural disasters, and is dedicated to public safety missions. Cellular is an adequate limited backup to the routine and emergency requirements of public safety, but is not adequate for daily operational usage and extreme emergency situations, as compared to the MSWIN system.

The existing State operated radio systems are aging and limited in their coverage reach. The field and dispatch radios are nearing obsolescence and are difficult to find new replacement parts for. The needs of a growing Mississippi will be met by the new technology the MSWIN network provides.

## 1.4 AFFECTED ENVIRONMENT

The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Stewart, Mississippi," dated 1966. The site is located in the northwest  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 35, Township 19 North, Range 8 East, Webster County, Mississippi, at latitude 33°28'18.485" north and longitude 89°25'34.699" west (Figure 1). The site consists of a proposed 100-foot by 100-foot lease area with three associated 30-foot by 500-foot guy anchor easements, and a proposed access road located off County Road 64 / Union Church Road near Stewart, Mississippi. The proposed access road is 693.94 feet in length. The site is a portion of grassed field and slopes moderately downward in all directions from the proposed tower compound. The northeastern guy anchor slopes downward toward the southeast; the southern guy anchor slopes downward toward the east-southeast; the western guy anchor slopes downward toward the west. Proposed activities by the State of Mississippi consist of installation of communications antennae and associated cable on a 480-foot guyed communications tower to be constructed and owned by Towers of Mississippi. The State of Mississippi will place support equipment on a concrete pad within the tower compound to be provided by Towers of Mississippi. A copy of the portion of the 2007 aerial photograph depicting the site layout has been included as Figure 2 and site photographs have been included as Figures 3 through 6. A copy of the site survey is included as Appendix A.



## 1.5 FCC ENVIRONMENTAL COMPLIANCE CHECKLIST

POTENTIAL ENVIRONMENTAL IMPACT	YES	NO
1. Will this facility be located in an officially designated wilderness area?	_____	<u>X</u>
2. Will this facility be located in an officially designated wildlife preserve?	_____	<u>X</u>
3. Will this facility affect listed threatened or endangered species or designated critical habitats?	_____	<u>X</u>
4. Is this facility likely to jeopardize the continued existence of any proposed threatened or endangered species or result in the destruction or adverse modification of proposed critical habitats?	_____	X
5. Will the facility affect districts, sites, buildings, structures, or objects that are listed or eligible for listing in the National Register of Historic Places?	_____	X
6. Will the facility affect Indian religious sites?	_____	<u>X</u>
7. Will the facility be located in a floodplain?	_____	<u>X</u>
8. Will the facility involve significant change in surface features (i.e. wetland fill, deforestation, diversion)?	_____	X
9. Will the facility be located in a residential area and equipped with high intensity white lights?	_____	<u>X</u>
10. Will the facility result in a potential exposure of workers or the general public to levels of radio frequency radiation in excess of the MPE?	_____	X

## 1.6 INFORMATION SOURCES

Completion of this Draft Environmental Assessment included utilization of the following sources:

1. Review of the portion of the 2007 aerial photograph depicting the site available through Maptech.
2. Review of the site survey prepared by SMW Engineering, Inc..
3. Review of information regarding National Scenic Trails and All-American Roads available on the Mississippi Department of Transportation Internet website.
4. Review of information regarding wild and scenic rivers in the vicinity of the proposed project available at Rivers.gov.
5. Review of the Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission.
6. Correspondence to and from the Department of the Army Corps of Engineers regarding potential impacts to jurisdictional wetlands by the proposed project.
7. A review of information available on the USFWS Internet website, at Nationalatlas.gov, and on Wilderness.net regarding officially designated wilderness areas or wildlife refuges.
8. Correspondence from the USFWS regarding threatened and endangered species on or near the site.

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9. Review of the FCC Form 620 prepared for the site by MRS Consultants, LLC and Environmental Engineers, Inc.
10. Correspondence from the Mississippi Department of Archives and History regarding historical resources and properties listed on or eligible for listing on the National Register of Historic Places on or near the site.
11. Review of the Tower Construction Notification System Notice of Organizations Which Were Sent Proposed Tower Construction Notification Information provided by the FCC.
12. Correspondence and conversations with representatives of the Alabama-Coushatta Tribe of Texas, Choctaw Nation of Oklahoma, Kialegee Tribal Town, Mississippi Band of Choctaw Indians, Seminole Tribe of Florida, and the Tunica-Biloxi Indians of Louisiana regarding wireless telecommunications projects.
13. Review of the FEMA Flood Insurance Rate Map regarding flood zone designations for the site.
14. Review of information available on the USFWS National Wetlands Inventory Internet website containing the site regarding potential jurisdictional wetlands on or adjacent to the site.
15. Information regarding the MSWIN system provided by Towers of Mississippi.
16. Information regarding site soils available through the United States Department of Agriculture (USDA) Web Soil Survey Internet website.
17. Correspondence to and from the USDA Natural Resource Conservation Service (NRCS) office in Jackson, Mississippi regarding impacts to prime farmland, unique farmland, and land of statewide or local importance.
18. A reconnaissance of the subject property.

## **2.0 WILDERNESS AREAS/PRESERVES**

The proposed communications facility will not adversely affect wilderness areas. Based on a review of information available through the Wilderness.net Internet website, two wilderness areas are located in Mississippi – Black Creek Wilderness and Leaf Wilderness. Each of these wilderness areas are located in the southeastern portion of the state and would not be affected by the proposed communications tower project. Maps showing the locations and boundaries of the Black Creek Wilderness and the Leaf Wilderness are included as Appendix B.

The proposed communications facility will not adversely affect any wildlife refuges. Based on a review of information available at the USFWS Internet website and at the Nationalatlas.gov Internet



website, the site is not located within the boundaries of, or adjacent to, any wildlife refuges. Maps showing the location of wildlife refuges in the state of Mississippi are included as Appendix C.

### **3.0 BIOLOGICAL RESOURCES**

#### **3.1 THREATENED AND ENDANGERED SPECIES**

The proposed communications facility will not adversely affect federally-listed threatened or endangered species. Information regarding the proposed wireless telecommunications tower was submitted to the USFWS by Environmental Engineers, Inc. The USFWS responded via letter dated October 28, 2009 stating “There are no federally, listed terrestrial species nor critical habitat for Webster County.” Copies of the correspondence to and the response from the USFWS are included as Appendix D.

#### **3.2 MIGRATORY BIRDS**

The United States Fish and Wildlife Service (USFWS) has developed voluntary recommendations regarding communications tower siting, construction, operation, and decommissioning. These recommendations include collocating of antennae on existing towers or other structures, limiting the height of new towers to less than 199 feet above ground level (AGL), if taller than 199 feet use of the minimum amount of pilot warning and obstruction avoidance lighting required (preferably white strobes), use of non-guyed towers (monopoles, self-supporting towers), consideration of cumulative impacts on migratory birds, locating towers within “antenna farms” where possible, use of the minimum lighting permissible, use daytime visual markers on guy wires, minimization of the footprint of the facility to avoid habitat loss, design of new towers to accommodate additional comparable antennae for at least two additional users, and down-shielding security lighting for on-ground facilities. A copy of the USFWS communications tower siting, construction, operation, and decommissioning recommendations are included in Appendix E.

A basic principal of radio communication coverage is increasing the height extends signal range. Effective coverage is a function of height so to lower each site to less than 199 feet increases the potential tower count over 300 to accomplish the coverage requirements, resulting in roughly 3,000,000 square feet of ground disturbance, or well over twice the current footprint disturbance requirements. Such an increase in ground impact risks a much greater adversity to terrestrial based habitat such as animals and plants, plus the additional carbon footprint produced by the increased development and construction activities.

Towers of Mississippi and the State of Mississippi considered collocation opportunities as an alternative to the proposed action. However, the technical loading requirements for this project are for all used structures to be engineered and constructed to the latest tower standards of ANSI/TIA-222-G (class III supporting public safety and mission critical communications). As this is the latest engineering standard and the Class III (public safety) level is the most rigorous engineering standard in the tower industry, there are no existing towers or other structures within the coverage area for this



project that can be modified to meet this standard and handle the loading requirements MSWIN will place on the tower.

The Federal Aviation Administration (FAA) has jurisdiction of all tower lighting and conducts aeronautical studies under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning the impact on arrival, departure, and en route procedures for aircraft operating under VFR/IFR conditions at existing and planned public use airports, as well as aeronautical facilities.

For purposes of MSWIN tower development, obstruction lighting may be one of three types:

- (1) Medium intensity flashing white obstruction lights (white strobes in both day and night (D-1 or D-2)); or
- (2) Dual lighting with red / medium intensity flashing white lights (white strobes in daylight and red strobes at night – E-1 or E-2); or
- (3) Marking and lighting with painted towers and red night beacons. This applies to towers over 500 feet in height (E-2 light system).

Based on information provided by Towers of Mississippi for this project, it is our understanding that medium intensity flashing white obstruction lights (day and night) will be installed on this tower.

Construction of a self-supporting tower is not practical to provide the required service. According to Towers of Mississippi, the cost of a self-support tower is roughly 2.5 times the cost of a guyed tower, and if all the remaining towers in the MSWIN project were constructed as self supporting towers the extended cost would well exceed an additional \$50-70 million in additional construction costs. Though not favored by USFWS, the impact area of this 480-foot guyed tower in the air is roughly 4,320 square feet whereas the impact area of a 480-foot self -supporting tower is much larger at 34,560 square feet (a 800% increase in the amount of airspace taken).

Bird flight diverters will not be installed on the proposed tower. According to Towers of Mississippi, bird flight diverters are expensive and difficult to maintain over the life of the tower. Adding daytime warning devices to the remainder of the towers in this project would exceed \$5 million in additional capital requirements.

As stated in Section 1.0, the proposed tower will be designed to accommodate equipment for up to three additional wireless communications providers thereby reducing the need for additional towers in the service area of the proposed project.

Security lighting at this facility will consist of motion-activated wall-mounted lights on the equipment shelter at the site.



## **4.0 CULTURAL RESOURCES**

### **4.1 NATIONWIDE PROGRAMMATIC AGREEMENT**

On March 7, 2005 the FCC implemented a Nationwide Programmatic Agreement (NPA) regarding Section 106 reviews (State Historic Preservation Officer and Indian tribal consultation) for wireless telecommunications tower sites. In summary, the NPA set forth rules regarding consultation with the State Historic Preservation Officer (SHPO) in each state where a proposed wireless telecommunications tower is to be constructed; consultation with Indian tribes and Native Hawaiian Organizations (NHOs) that would have been historically located in the area of the proposed wireless telecommunications tower or had indicated an interest in the geographical area containing the proposed wireless telecommunications tower; and involvement of the public and/or local government. As part of the process associated with the NPA the FCC developed the Tower Construction Notification System (TCNS) and FCC Form 620. The TCNS is described in Section 4.2 and FCC Form 620 is described in Section 4.3.

The NPA requires that a response be received from each Indian tribe or NHO that has indicated an interest in the state or geographical area containing the proposed tower. If no response is received from a particular Indian tribe or NHO within a reasonable time (typically 30 days), the NPA requires that the non-responding Indian tribe or NHO be contacted a second time in an effort to obtain a response. If the Indian tribe or NHO continues to be unresponsive to the initial or follow-up inquiries, the FCC must be contacted to consult with the non-responding Indian tribe or NHO.

### **4.2 FCC TOWER CONSTRUCTION NOTIFICATION SYSTEM**

The TCNS is an Internet-based notification system developed by the FCC that allows input of basic information regarding the proposed location, type, and height of a new wireless telecommunications tower. This information is then made available to Indian tribes and NHOs that have expressed an interest in the state or geographical location containing the proposed wireless telecommunications tower via electronic or regular mail. According to the FCC the TCNS can be used as the initial contact to Indian tribes or NHOs.

Information regarding the proposed wireless telecommunications tower was submitted to Indian tribes, NHOs, and SHPOs via the TCNS on October 2, 2009. The FCC assigned Notification I.D. #56600 to the notification submitted for this proposed wireless telecommunications tower. The FCC sent an electronic mail notification to our office on October 9, 2009 listing the Indian tribes, NHOs, and SHPOs that were contacted through the TCNS regarding the proposed tower. As noted in Section 4.1, the NPA requires that we obtain a response from each Indian tribe or NHO that has indicated an interest in the geographical area or state containing the site.



Environmental Engineers, Inc. used the list of Indian tribes that had defined their area of geographical interest on the FCC Internet web site, conversations with Tribal Historic Preservation Officers (THPOs), Internet web sites for many of the Indian tribes and Alaskan villages, and the *Encyclopedia of North American Indians* by Frederick E. Hoxie (published in 1996 by Houghton Mifflin) to determine which Indian tribes included in the TCNS list would be interested in this wireless telecommunications tower site. This review indicated that the following Indian tribes would have a potential interest in this wireless telecommunications tower site: Alabama-Coushatta Tribe of Texas, Choctaw Nation of Oklahoma, Kialegee Tribal Town, Mississippi Band of Choctaw Indians, Seminole Tribe of Florida, and the Tunica-Biloxi Indians of Louisiana. A description of the follow-ups to and responses from each of these Indian tribes are included in Sections 4.5.1 through 4.5.6. Copies of the TCNS notifications and list of Indian tribes, NHOs, and SHPOs are included in Appendix F.

### **4.3 FCC FORM 620**

MRS Consultants, LLC and Environmental Engineers, Inc. completed the FCC Form 620 required for submittal to those Indian tribes requesting additional information regarding the proposed wireless telecommunications tower and the SHPO. MRS Consultants, LLC personnel satisfy the United States Secretary of the Interior's Professional Qualification Standards. A copy of the FCC Form 620 prepared for this site is included in Appendix G.

### **4.4 STATE HISTORIC PRESERVATION OFFICER**

The FCC Form 620 was submitted to the Mississippi Department of Archives and History (MDAH) for review. Based on the review of this report, the MDAH responded via letter dated October 30, 2009 stating "...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 undertaking." Copies of the correspondence to and from the MDAH are included in Appendix H.

### **4.5 INDIAN TRIBAL CONSULTATION**

Environmental Engineers, Inc. followed up with each of the Indian tribes (as necessary) that we had identified through our review of the TCNS listing provided by the FCC for this site. Sections 4.5.1 through 4.5.6 describe our follow-up contacts to each of these Indian tribes and their responses.

#### **4.5.1 Alabama-Coushatta Tribe of Texas**

Mr. Bryant Celestine of the Alabama-Coushatta Tribe of Texas responded via electronic mail dated November 10, 2009 regarding TCNS #56600 stating "On behalf of Chief Oscola Clayton Sylestine and the Alabama-Coushatta Tribe, our appreciation is expressed on your efforts to consult us regarding TCNS #56600 in Webster County...Upon review of your October 20, 2009 submission, no known impacts to religious, cultural, or historical assets of the Alabama-Coushatta Tribe of Texas should occur in conjunction with this proposal. However, in the event of inadvertent discovery of human remains and/or archaeological artifacts during construction, activity in proximity to the location must



cease and appropriate authorities, including this office, notified without delay.” Copies of the correspondence to and from Mr. Celestine are included in Appendix I.

#### **4.5.2 Choctaw Nation of Oklahoma**

Ms. Caren Johnson of the Choctaw Nation of Oklahoma responded via electronic mail on December 3, 2009 stating that “The Choctaw Nation of Oklahoma has reviewed cell tower(s) FCC # 56600 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.” Copies of the correspondence to and the response from Ms. Johnson are included in Appendix I.

#### **4.5.3 Kialegee Tribal Town**

The TCNS listing (Appendix F) for this site included information from the Kialegee Tribal Town that states “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.” The TCNS notification for this site is dated October 9, 2009 and the end of the 30-day period indicated by the Kialegee Tribal Town was November 8, 2009. Environmental Engineers, Inc. has not received a response from the Kialegee Tribal Town as of the date of this report. Therefore, it is our understanding that additional consultation with the Kialegee Tribal Town is not necessary.

#### **4.5.4 Mississippi Band of Choctaw Indians**

The TCNS listing (Appendix F) for this site included information from the Mississippi Band of Choctaw Indians that stated “If the applicant/tower builder receives no response from the Mississippi Band of Choctaw Indians within 30 days after you have e-mailed the [FCC Form 620]...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...” The Mississippi Band of Choctaw Indians was notified via electronic mail dated October 20, 2009 and the end of the 30-day period indicated by the Mississippi Band of Choctaw Indians was November 19, 2009. Environmental Engineers, Inc. has not received a response from the Mississippi Band of Choctaw Indians as of the date of this report. Therefore, it is our understanding that additional consultation with the Mississippi Band of Choctaw Indians is not necessary. A copy of the electronic mail submitted to the Mississippi Band of Choctaw Indians is included in Appendix I.



#### 4.5.5 Seminole Tribe of Florida

Ms. Jennifer Pietarila of the Seminole Tribe of Florida (STOF) responded via TCNS on October 20, 2009 in response to TCNS #56600 stating, "The STOF-THPO concurs with your findings of 'no historic properties' for direct effects and 'no adverse effect' for visual effects. However, the STOF-THPO would like to be informed should any archaeological and/or historic resources be discovered inadvertently during the construction process." Copies of the correspondence to and from the Seminole Tribe of Florida are included in Appendix I.

#### 4.5.6 Tunica-Biloxi Indians of Louisiana

Mr. Earl Barbry of the Tunica-Biloxi Indians of Louisiana was contacted via electronic mail on May 3, 2005 regarding submittal of wireless telecommunications projects. Mr. Barbry responded via electronic mail on May 3, 2005 and indicated that he wanted to be notified regarding cell tower requests via electronic mail and that if he had not responded within 30 days of our contacting him, the project can proceed. We contacted Mr. Barbry regarding this site via electronic mail on October 20, 2009, and the end of the 30-day response period as indicated by Mr. Barbry was November 19, 2009. We have not received a response from Mr. Barbry as of the date of this report. Therefore, we have assumed that the Tunica-Biloxi Indians of Louisiana concur with the proposed project. Copies of the electronic mail to and from Mr. Barbry are included in Appendix I.

### 4.6 INADVERTENT DISCOVERY

**The personnel that will have a potential to be involved in land-disturbing activities must be instructed to stop work immediately and contact the Indian tribes that have indicated an interest in the project area and SHPO in the event of an inadvertent discovery of human remains or cultural materials. The Indian tribe, contact name, and telephone number for each of the interested Indian tribes and SHPO are included in the table below. A copy of this information must be provided to all personnel that would have a potential to be involved in land-disturbing activities at the site.**

Organization	Contact	Telephone Number
Mississippi Department of Archives and History - SHPO	Mr. Jim Woodrick	(601) 576-6940
Alabama-Coushatta Tribe of Texas	Mr. Bryant Celestine	(936) 563-1282
Choctaw Nation of Oklahoma	Mr. Terry Cole	(800) 522-6170 x2137
Kialegee Tribal Town	Mekko Jennie Lillard	(405) 452-5200
Mississippi Band of Choctaw Indians	Mr. Ken Carleton	(601) 650-7316
Seminole Tribe of Florida	Mr. Willard Steele	(863) 902-1113 x103
Tunica-Biloxi Indians of Louisiana	Mr. Earl Barbry, Jr.	(318) 253-0213 x6851

### 4.7 LOCAL GOVERNMENT/PUBLIC NOTICE

The Webster County Board of Supervisors was contacted regarding the proposed wireless communications tower via letter dated October 6, 2009. Mr. Russ Turner, Chancery Court Clerk,



responded via letter dated October 12, 2009 stating “To the best of my knowledge I see no potential effects on Historic Properties, regarding the construction of the proposed MSWIN 20505 C Stewart Communications Tower, Stewart, Webster County, Mississippi, being Environmental Engineers, Inc. project number (JSE01P10923).” A public notice was published in *Webster Progress Times* on October 8, 2009 requesting comment regarding potential impacts to historical or archaeological properties by the proposed wireless communications tower. No comments have been received as of the date of this report in response to the public notice. Copies of the correspondence to and from the Webster County Board of Supervisors/Chancery Court Clerk and a copy of the public notice are included in Appendix J.

## **5.0 FLOODPLAIN INFORMATION**

According to the Federal Emergency Management Agency’s (FEMA) Flood Insurance Rate Map (FIRM) “Panel 300 of 325, Webster County, Mississippi and Incorporated Areas” effective date January 6, 2010, the site is located in Zone X (no shading) which is described as areas outside the 0.2% annual chance floodplain. Therefore, the site is not located within a floodplain. It should be noted that the towers that comprise the MSWIN system are considered critical facilities and project design requirements include that the communications equipment at each facility be elevated at least five feet above the 500-year flood elevation (where mapped). In areas where the 500-year floodplain is not mapped, the equipment will be elevated a minimum of five feet above the 100-year base flood elevation. The FIRM depicting the site location does not include areas of 500-year flood; therefore, it is our understanding that the support equipment at this facility will be elevated at least five feet above the 100-year base flood elevation. The portion of the FEMA FIRM depicting the site is included as Figure 7.

## **6.0 WETLANDS AND SENSITIVE VEGETATION DELINEATION**

Information on the USFWS National Wetland Inventory Internet website was reviewed to determine if any wetlands were delineated on or near the site. No wetlands were depicted on or near the site. A copy of a portion of the Digital National Wetlands Inventory map containing the site has been included as Figure 8.

In addition, a site reconnaissance which included observations to determine if the subject site or immediately adjacent property contained any jurisdictional wetlands (as defined by the United States Army Corps of Engineers) was conducted on September 30, 2009 by Environmental Engineers, Inc. No potential jurisdictional wetland indicators were noted on the site at the time of our site reconnaissance.

Information regarding the proposed project was submitted to the Department of the Army Corps of Engineers for review. The Department of the Army responded via letter dated November 3, 2009 stating “Based upon the information provided and the information available to this office, it appears that a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act will not be required for the proposed work...This



determination of Department of the Army regulatory requirements was based upon a preliminary jurisdictional determination that there are no jurisdictional areas being impacted by the proposed work on the property subject to regulation pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or to Section 404 of the Clean Water Act.” Copies of the correspondence submitted to and response from the Department of the Army are included as Appendix K.

## **7.0 PRIME FARMLAND**

From the United States Department of Agriculture Natural Resource Conservation Service (NRCS) Internet website:

*The National Agricultural Land Study of 1980-81 found that millions of acres of farmland were being converted in the United States each year. The 1981 Congressional report, Compact Cities: Energy-Saving Strategies for the Eighties, identified the need for Congress to implement programs and policies to protect farmland and combat urban sprawl and the waste of energy and resources that accompanies sprawling development.*

*The Compact Cities report indicated that much of the sprawl was the result of programs funded by the Federal Government. With this in mind, Congress passed the Agriculture and Food Act of 1981 (Public Law 97-98) containing the Farmland Protection Policy Act (FPPA)—Subtitle I of Title XV, Section 1539-1549. The final rules and regulations were published in the Federal Register on June 17, 1994.*

*The FPPA is intended to minimize the impact Federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. It assures that—to the extent possible—Federal programs are administered to be compatible with state, local units of government, and private programs and policies to protect farmland. Federal agencies are required to develop and review their policies and procedures to implement the FPPA every two years.*

*For the purpose of FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance. Farmland subject to FPPA requirements does not have to be currently used for cropland. It can be forest land, pastureland, cropland, or other land, but not water or urban built-up land.*

According to information from the USDA’s Web Soil Survey Internet website, site soils are classified as Ora loam, five to eight percent slopes, eroded and Smithdale-Ora association, hilly.

Ora loam is a moderately well-drained on shoulders and side slopes. This soil consists of four inches of loam underlain by clay loam from four to 21 inches. The subsoil consists of sandy clay loam from 21 to 60 inches. This soil is classified as farmland of statewide importance.



Smithdale-Ora association, hilly soils consist of well drained soils on hillslopes. The surface layer of the Smithdale portion of this association consists of seven inches of sandy loam. The subsoil consists of clay loam from seven to 30 inches and loam from 30 to 80 inches. The Ora portion of this association is similar to that described above. Smithdale-Ora association is not classified as prime farmland.

EEI submitted information regarding the proposed project to the USDA NRCS office in Jackson, Mississippi via letter dated October 20, 2009. The NRCS responded via letter dated November 4, 2009 stating "Permanent conversion of farm land is not proposed; therefore a FPPA determination is not required." We have included copies of the soil information from the USDA Web Soil Survey Internet website and the correspondence to and from the NRCS as Appendix L.

## **8.0 LIGHTING**

The proposed tower will not be equipped with high intensity white lighting.

## **9.0 RADIO FREQUENCY RADIATION**

It is our understanding that the proposed antenna should comply with FCC requirements for RF related emissions established in 47 CFR Section 1.1307 provided that the antennas are mounted such that the height above ground level for the lowest point of the antennas is at least 10 meters.

## **10.0 ADDITIONAL ENVIRONMENTAL EVALUATION**

### **10.1 NATIONAL SCENIC AND HISTORIC TRAILS**

The proposed communications facility is located more than nine miles west-northwest of the Natchez Trace Parkway - a National Scenic Trail and All-American Road that traverses portions of Alabama, Mississippi, and Tennessee. The proposed communications facility is unlikely to adversely affect the Natchez Trace Parkway due to distance and vegetation between this roadway and the proposed communications facility. Copies of the map showing National Scenic Trails and All-American Roads in the vicinity of the site are included in Appendix M.

### **10.2 NATIONAL WILD AND SCENIC RIVERS**

A review of information available through the Rivers.gov Internet website indicates that one Wild and Scenic River is located in Mississippi. This Wild and Scenic River is a section of Black Creek located in the DeSoto National Forest in southeastern Mississippi. The proposed communications facility will not have an adverse affect on any designated Wild and Scenic River. Information regarding the Black Creek Wild and Scenic River is included as Appendix N.



## **11.0 CUMULATIVE IMPACTS**

Cumulative impacts are an incremental impact on either the natural environment or human environment by an action when added to past and anticipated future actions. No ongoing or proposed actions are known for the project area. As described in Section 1.0 of this document, the proposed tower is designed to allow collocation of up to three additional cellular-type service providers, thereby potentially reducing cumulative impacts.

## **12.0 PUBLIC PARTICIPATION**

### **12.1 LOCAL GOVERNMENT**

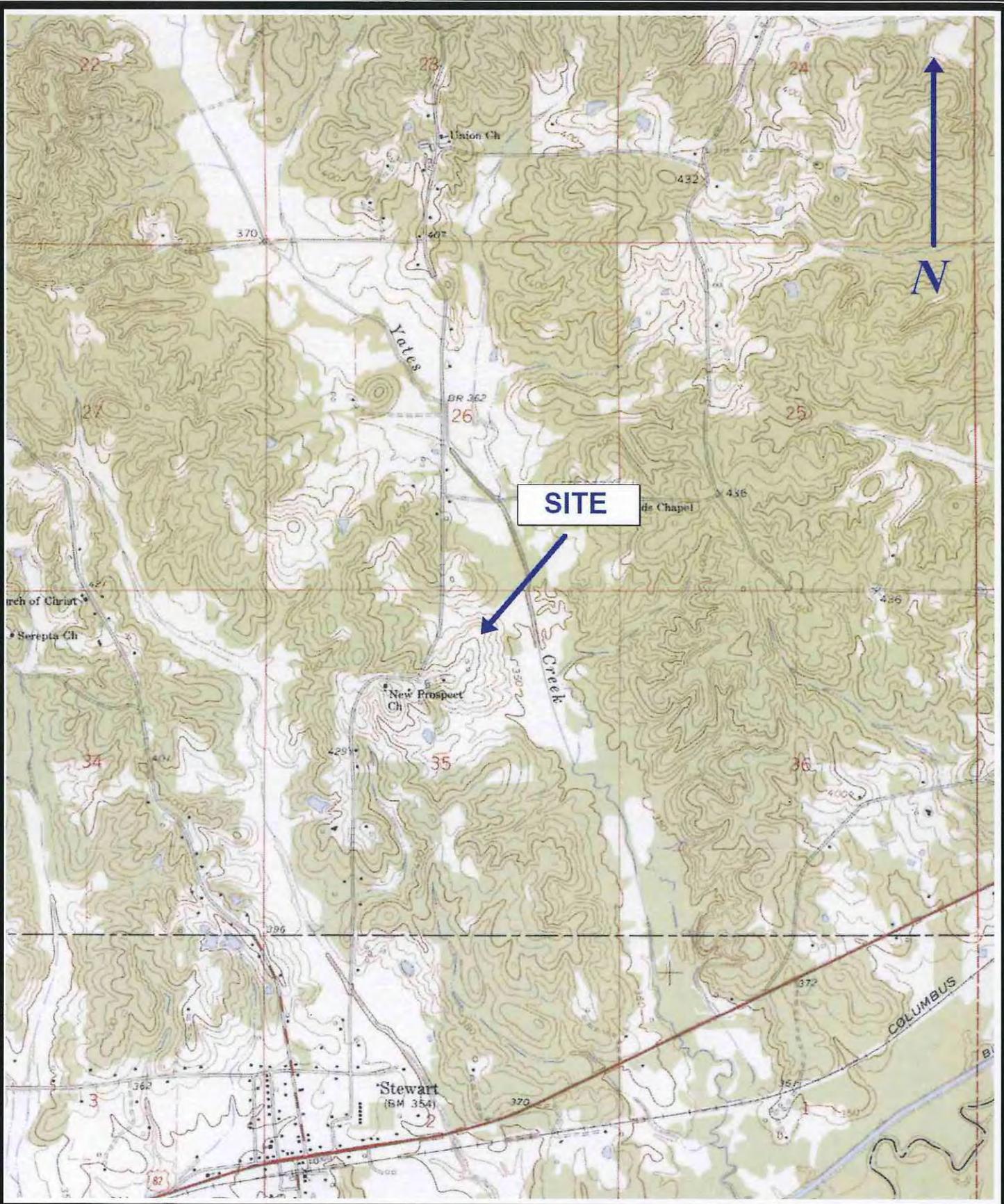
The Webster County Board of Supervisors was contacted regarding the proposed wireless communications tower via letter dated October 6, 2009. Mr. Russ Turner, Chancery Court Clerk, responded via letter dated October 12, 2009 stating “To the best of my knowledge I see no potential effects on Historic Properties, regarding the construction of the proposed MSWIN 20505 C Stewart Communications Tower, Stewart, Webster County, Mississippi, being Environmental Engineers, Inc. project number (JSE01P10923).”

### **12.2 PUBLIC NOTICE**

A public notice was published in *Webster Progress Times* on October 8, 2009 requesting comment regarding potential impacts to historical or archaeological properties by the proposed wireless communications tower. No comments have been received as of the date of this report in response to the public notice. In addition, notice of availability of this draft Environmental Assessment will be published in *The Clarion Ledger*.



# Figures

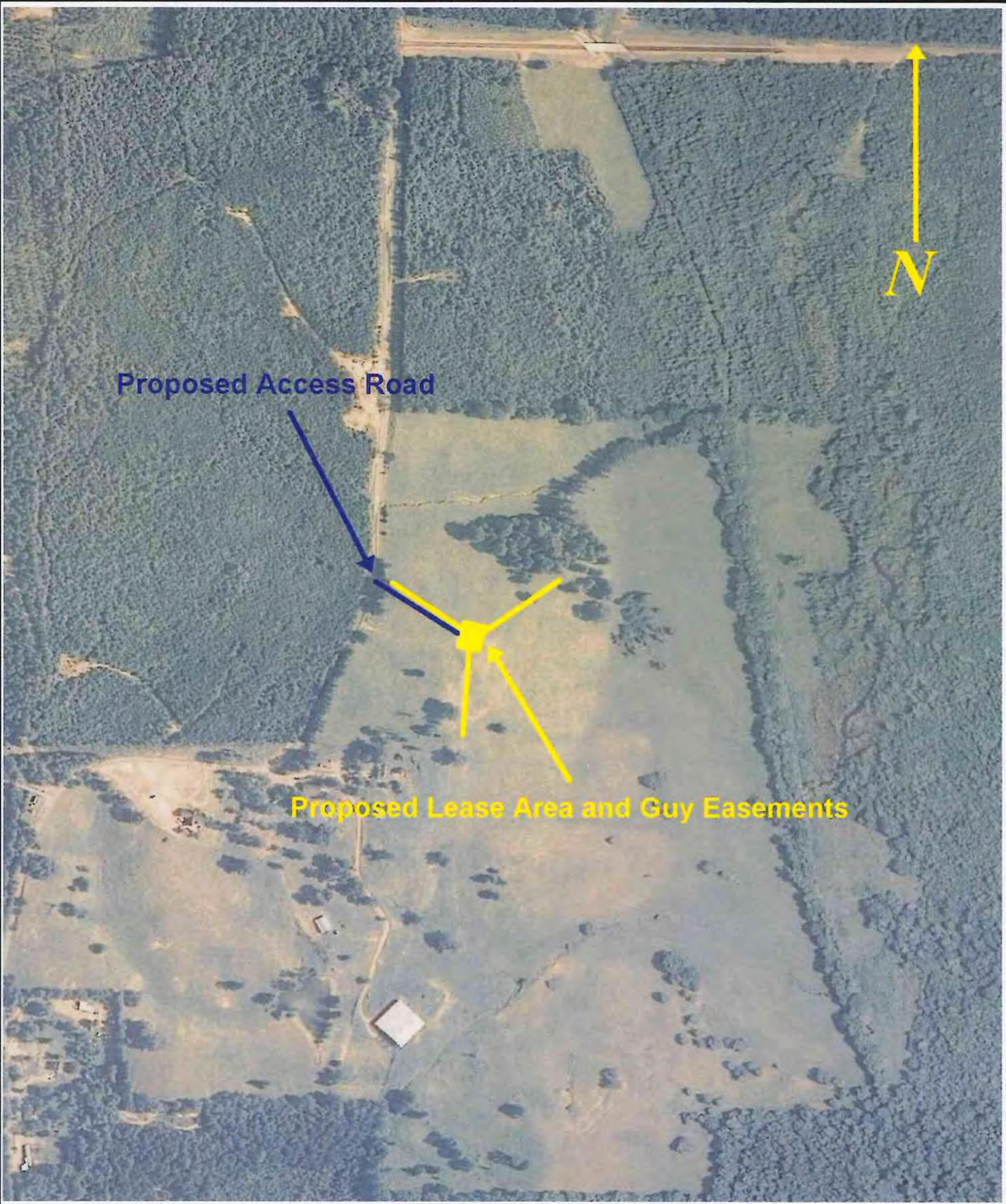


**Environmental Engineers, Inc.**

Subject:  
Draft Environmental Assessment  
Proposed MSWIN 20505 C Stewart Communications Tower  
Stewart, Webster County, Mississippi  
Project No.: JSE01P0923

Figure 1  
Site Location Map  
Scale: 1" = 2,000'





**Environmental Engineers, Inc.**

Subject:  
Draft Environmental Assessment  
Proposed MSWIN 20505 C Stewart Communications Tower  
Stewart, Webster County, Mississippi  
Project No.: JSE01P0923

Figure 2  
2007 Aerial Photograph

Scale: 1" = 1,000'





View from the center of the site toward the north.



View from the center of the site toward the east.

## Environmental Engineers, Inc.

Subject:  
Draft Environmental Assessment  
Proposed MSWIN 20505 C Stewart Communications Tower  
Stewart, Webster County, Mississippi  
Project No.: JSE01P0923

Figure 3  
Site Photographs





View from the center of the site toward the south.



View from the center of the site toward the west.

## Environmental Engineers, Inc.

Subject:  
Draft Environmental Assessment  
Proposed MSWIN 20505 C Stewart Communications Tower  
Stewart, Webster County, Mississippi  
Project No.: JSE01P0923

Figure 4  
Site Photographs





View of the entrance to the proposed site access road. View is towards the west.



View of the proposed northeast guy anchor location looking toward the site.

## Environmental Engineers, Inc.

Subject:  
Draft Environmental Assessment  
Proposed MSWIN 20505 C Stewart Communications Tower  
Stewart, Webster County, Mississippi  
Project No.: JSE01P0923

Figure 5  
Site Photographs





View along the southeastern guy anchor easement looking toward the site.



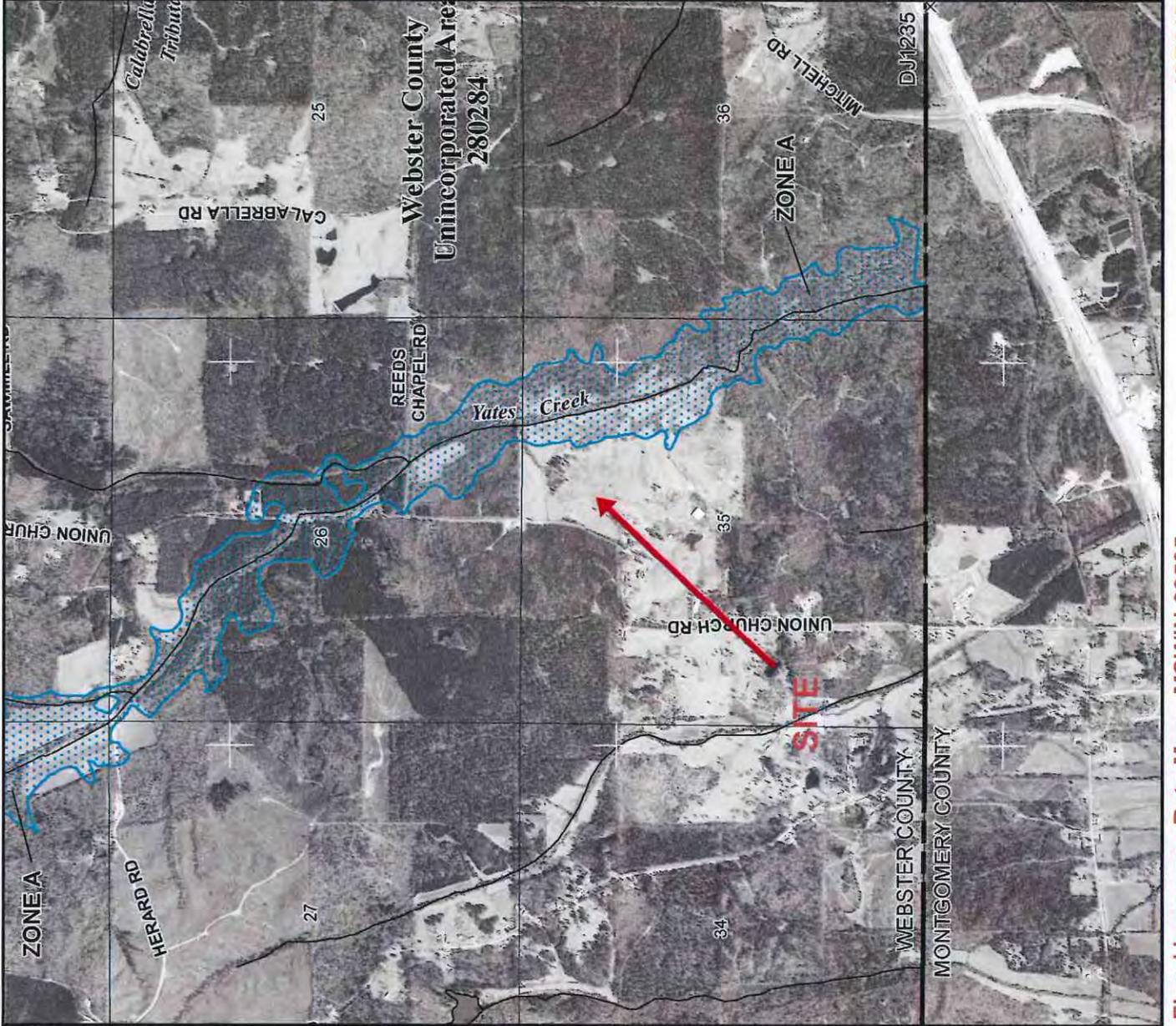
View along the western guy anchor easement looking toward the site.  
View includes the proposed access road.

## Environmental Engineers, Inc.

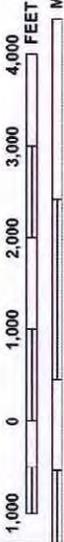
Subject:  
Draft Environmental Assessment  
Proposed MSWIN 20505 C Stewart Communications Tower  
Stewart, Webster County, Mississippi  
Project No.: JSE01P0923

Figure 6  
Site Photographs





MAP SCALE 1" = 2000'



NFIP  
NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0300C

**FIRM**  
FLOOD INSURANCE RATE MAP  
WEBSTER COUNTY,  
MISSISSIPPI  
AND INCORPORATED AREAS

PANEL 300 OF 325  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:  
COMMUNITY  
WEBSTER COUNTY  
NUMBER 280284  
PANEL 0300  
SUFFIX C

Notice to User: The Map Number shown below should be used when ordering maps. The community number shown below should be used on insurance applications for the subject community.

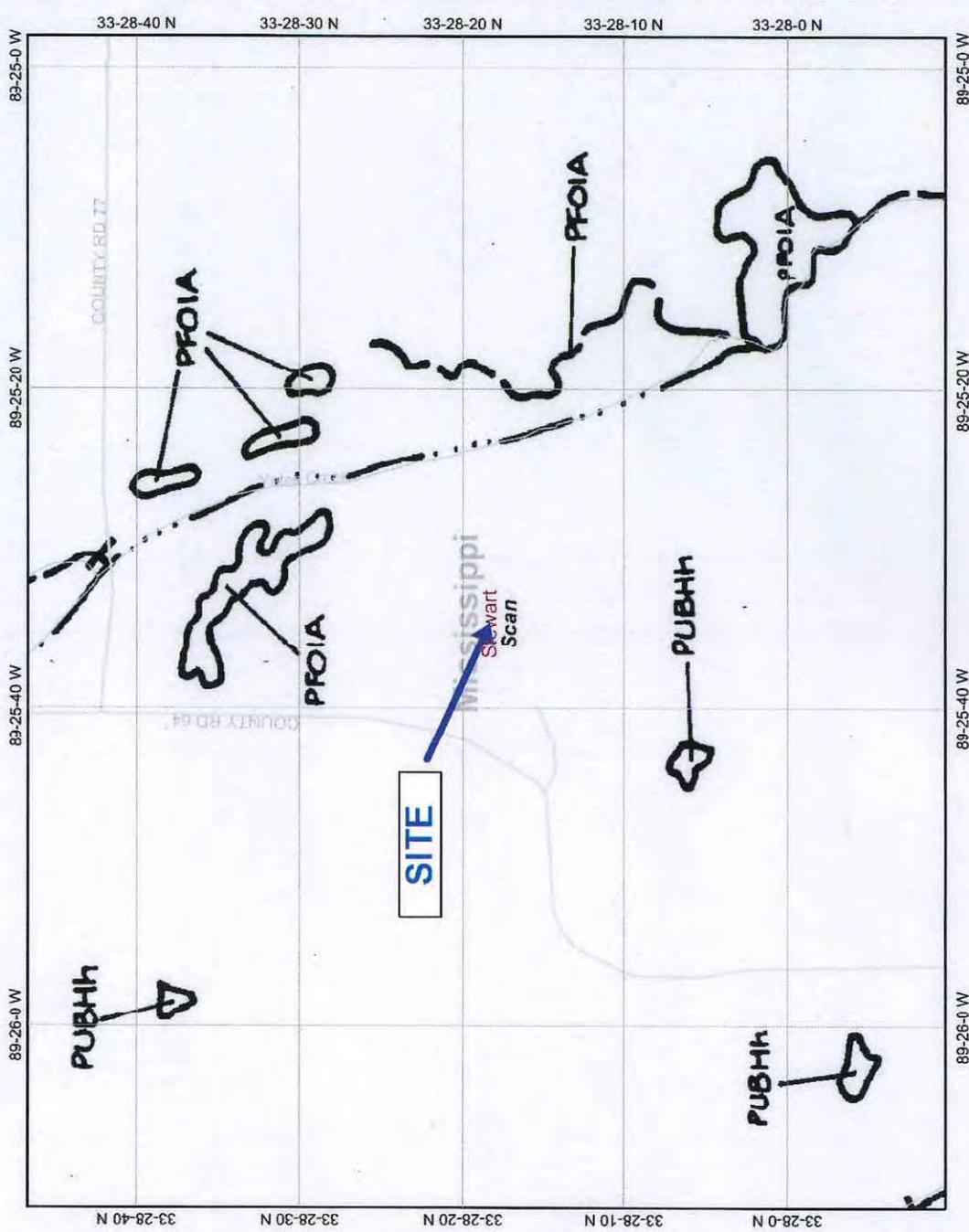


MAP NUMBER  
28155C0300C  
EFFECTIVE DATE  
JANUARY 6, 2010

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](http://www.msc.fema.gov)

# MSWIN 20505 C Stewart Tower

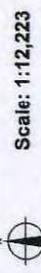


Map center: 33° 28' 19" N, 89° 25' 35" W



## Legend

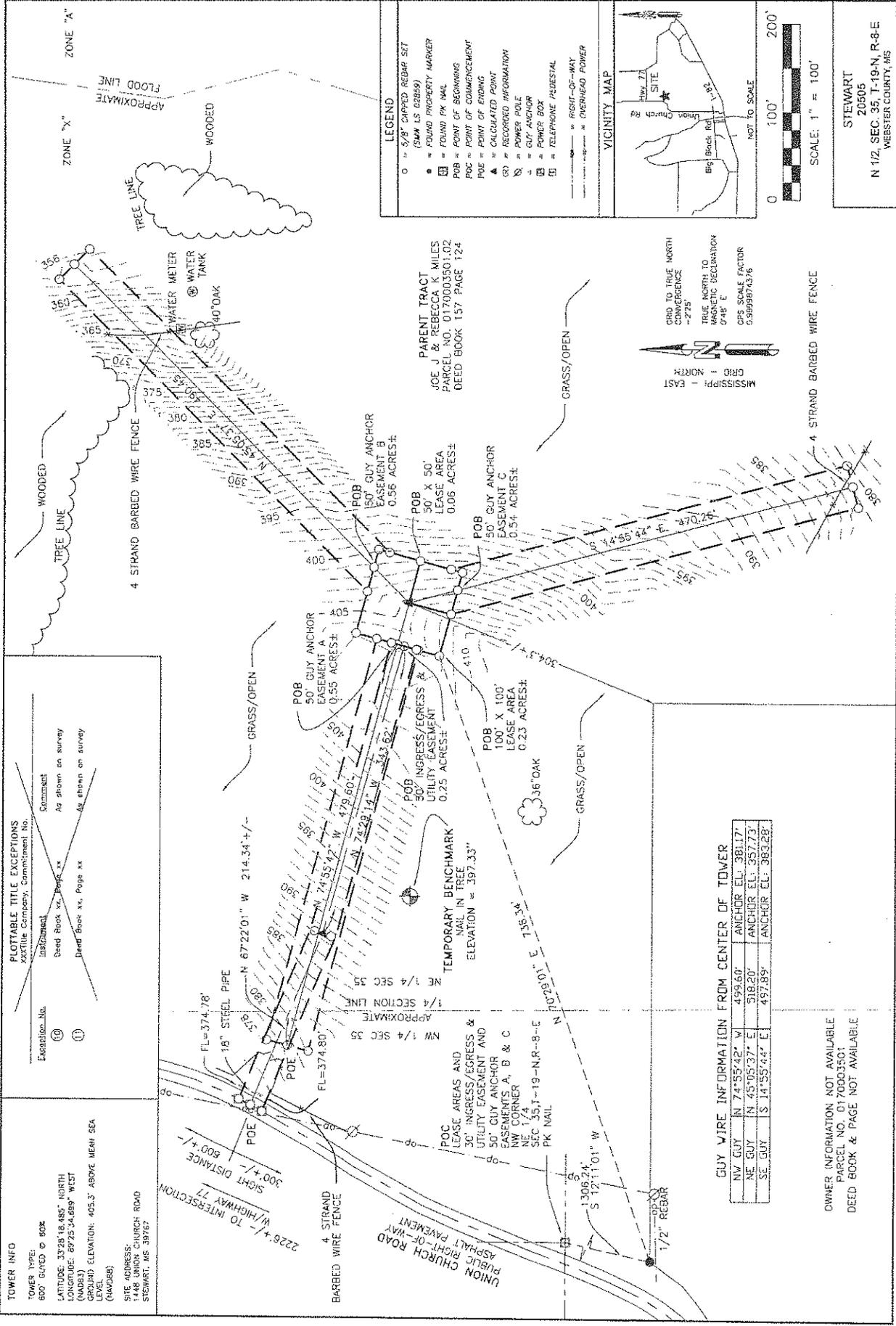
- Ohio\_wet\_scan
  - 0
  - 1
- Out of range
- Interstate
- Major Roads
- Other Road
- Interstate
- State highway
- US highway
- Roads
- Cities
- USGS Quad Index 24K
- Lower 48 Wetland Polygons
  - Estuarine and Marine Deepwater
  - Estuarine and Marine Wetland
  - Freshwater Emergent Wetland
  - Freshwater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



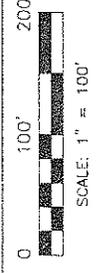
Scale: 1:12,223

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.

# Appendix A

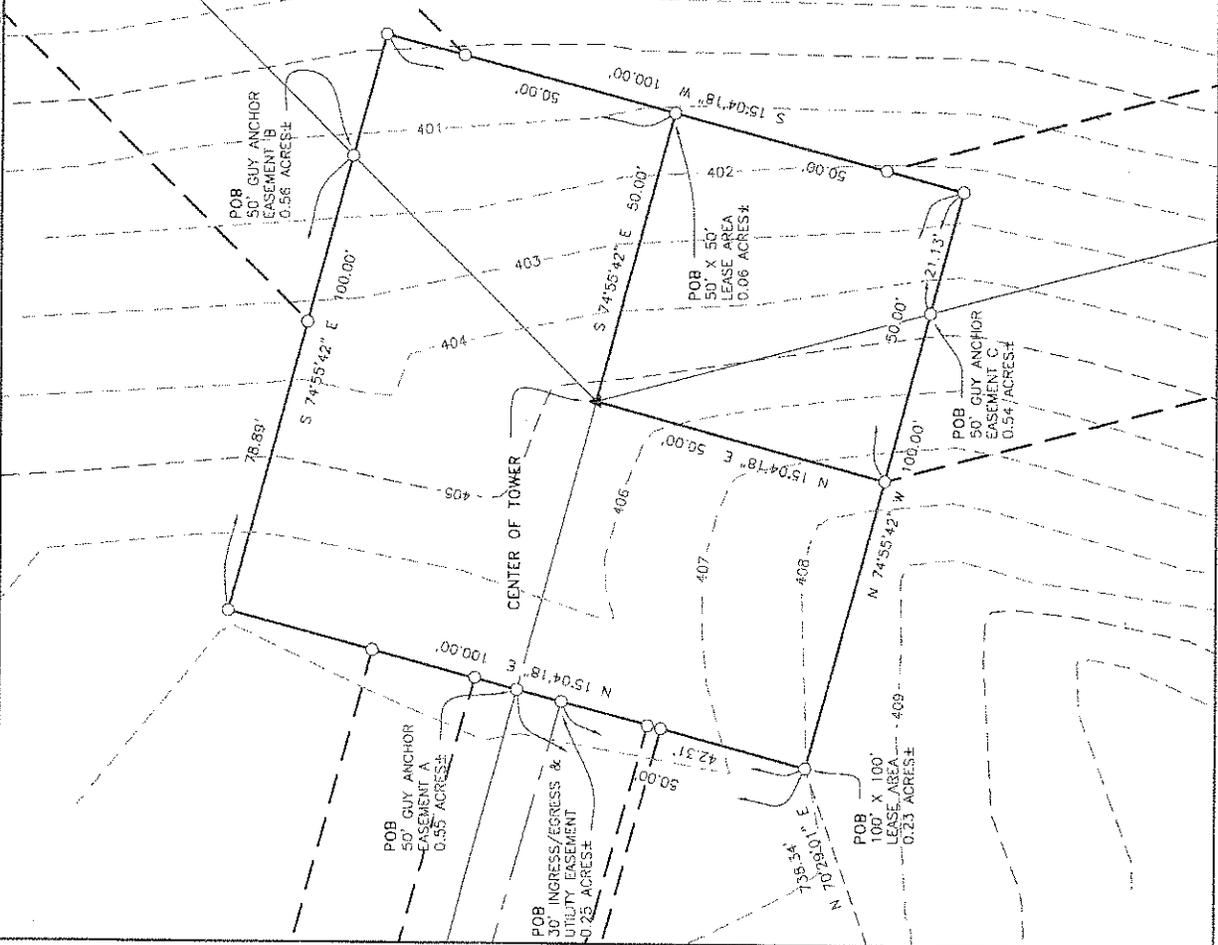


STEWART  
 20505  
 N 1/2, SEC. 35, T-19-N, R-6-E  
 WEBSTER COUNTY, MS

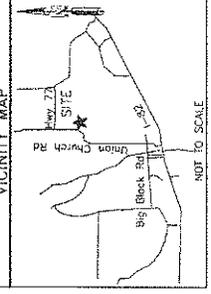


COMPOUND DETAIL

SCALE: 1" = 20'



VICINITY MAP



LEGEND

- = 5/8" CAPPED REBAR SET (SWM LS 02859)
- = FOUND PROPERTY MARKER
- ⊠ = FOUND PK NAIL
- POB = POINT OF BEGINNING
- POE = POINT OF COMMENCEMENT
- POB = POINT OF ENDING
- ▲ = CALCULATED POINT
- ⊕ = RECORDED INFORMATION
- ⊗ = POWER POLE
- ⊙ = COX ANCHOR
- ⊞ = POWER BOX
- ⊠ = TELEPHONE PEDISTAL
- = RIGHT-OF-WAY
- = OVERHEAD POWER

NO.	DATE	REVISION

PROJECT NO. 09-0033
 DRAWN BY: JS  
 CHECKED BY: AK  
 APPROVED BY: MS  
 DATE: 09/10/03  
 SCALE: AS SHOWN  
 SHEET 2 OF 4

**ENVIRONMENTAL ENGINEERS**  
 ENVIRONMENTAL ENGINEERS  
 11576 U.S. HIGHWAY 411  
 GREENVILLE, N.C. 27615  
 WWW.EEENGINEERS.COM  
 P.O. BOX 252-6925  
 MOBILE, ALABAMA 36624  
 SILE 100  
 1550 Woods of Purchase Drive  
 SIMM Engineering Group, Inc.

STEWART  
 20505  
 N 1/2, SEC. 35, T-19-N, R-8-E  
 WEBSTER COUNTY, MS





## **Appendix B**

[Home](#) > [Maps, Data, and Images](#) > [Maps](#) > [GIS Map](#)

## U.S. National Wilderness Preservation System Map

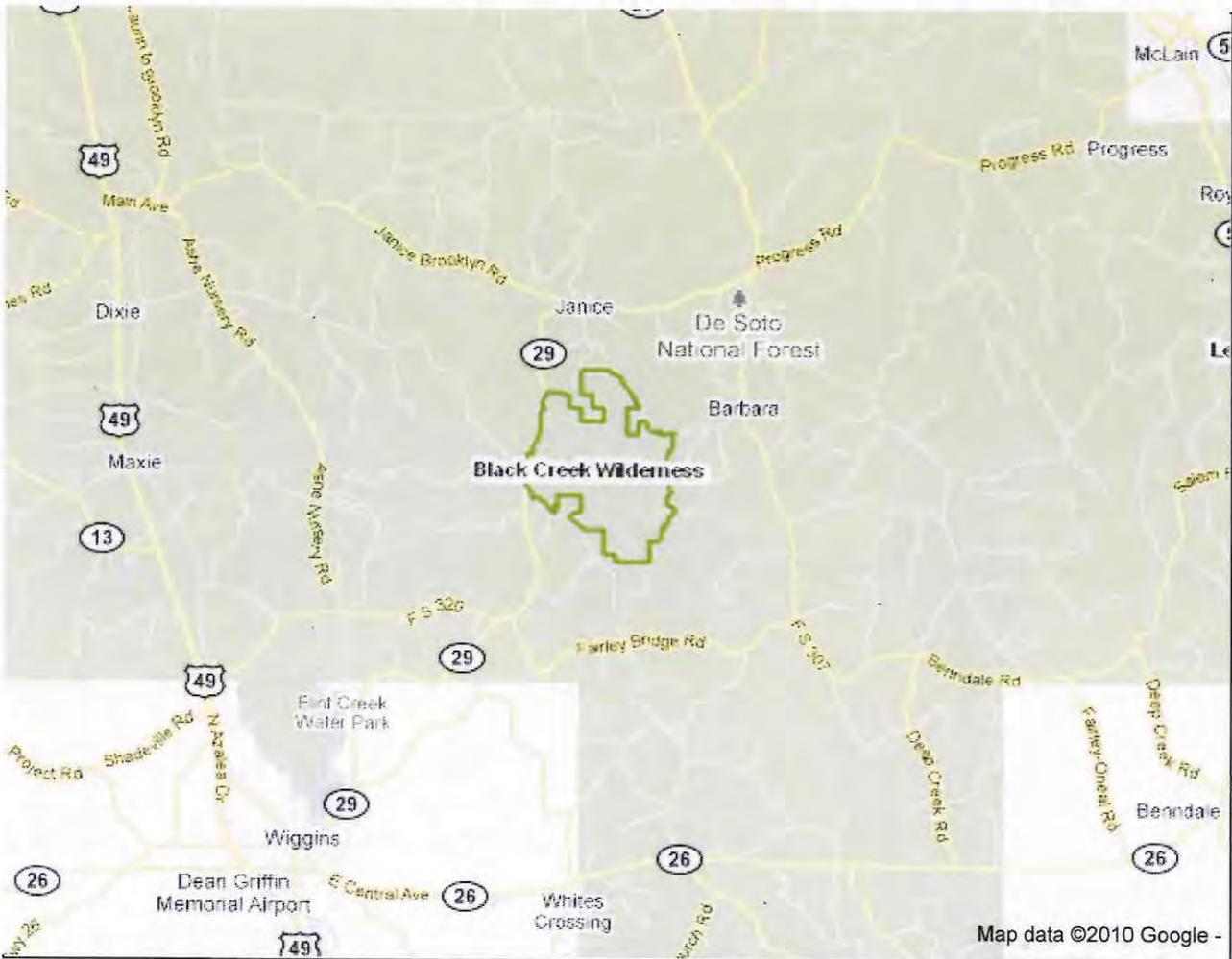
Click inside a wilderness polygon to open an information window (window may take a second to appear). Want to [give us feedback](#) on our map?

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
- ▼ Maps

- GIS Map (for fast Internet connections)
- Static Map (for slow Internet connections)

- Data
- Summary Reports
- Images

▶ Community Connections

Accessibility issues? View the above navigation links as a list.

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### 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](#).

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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

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=314>



# Appendix C



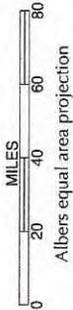
**nationalatlas.gov**  
Where We Are

**MISSISSIPPI**

### FEDERAL LANDS AND INDIAN RESERVATIONS

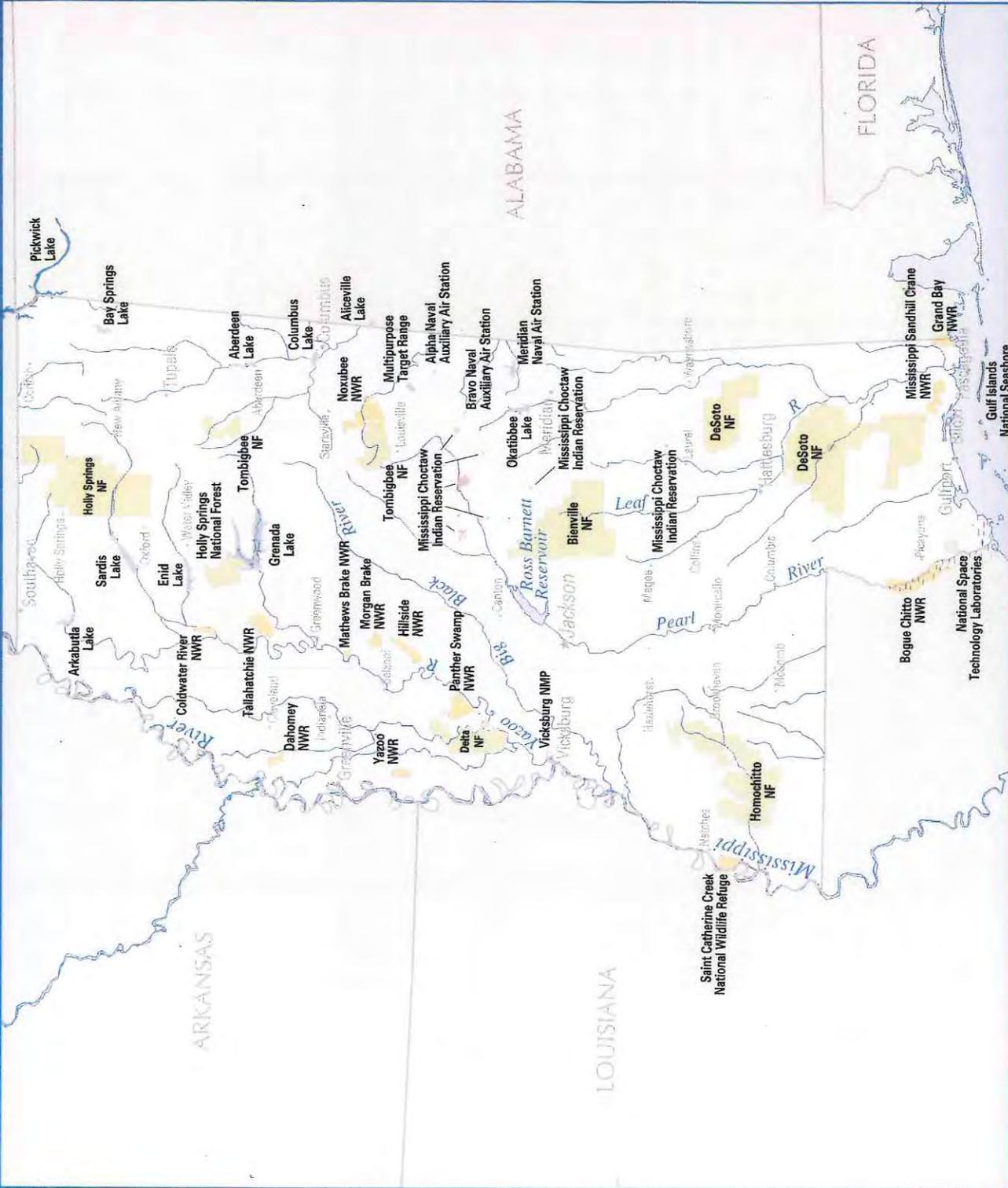
- Bureau of Indian Affairs
- Department of Defense (includes Army Corps of Engineers lakes)
- Fish and Wildlife Service / Wilderness
- Forest Service / Wilderness
- National Aeronautics and Space Administration
- National Park Service / Wilderness
- Tennessee Valley Authority

Some small sites are not shown, especially in urban areas.



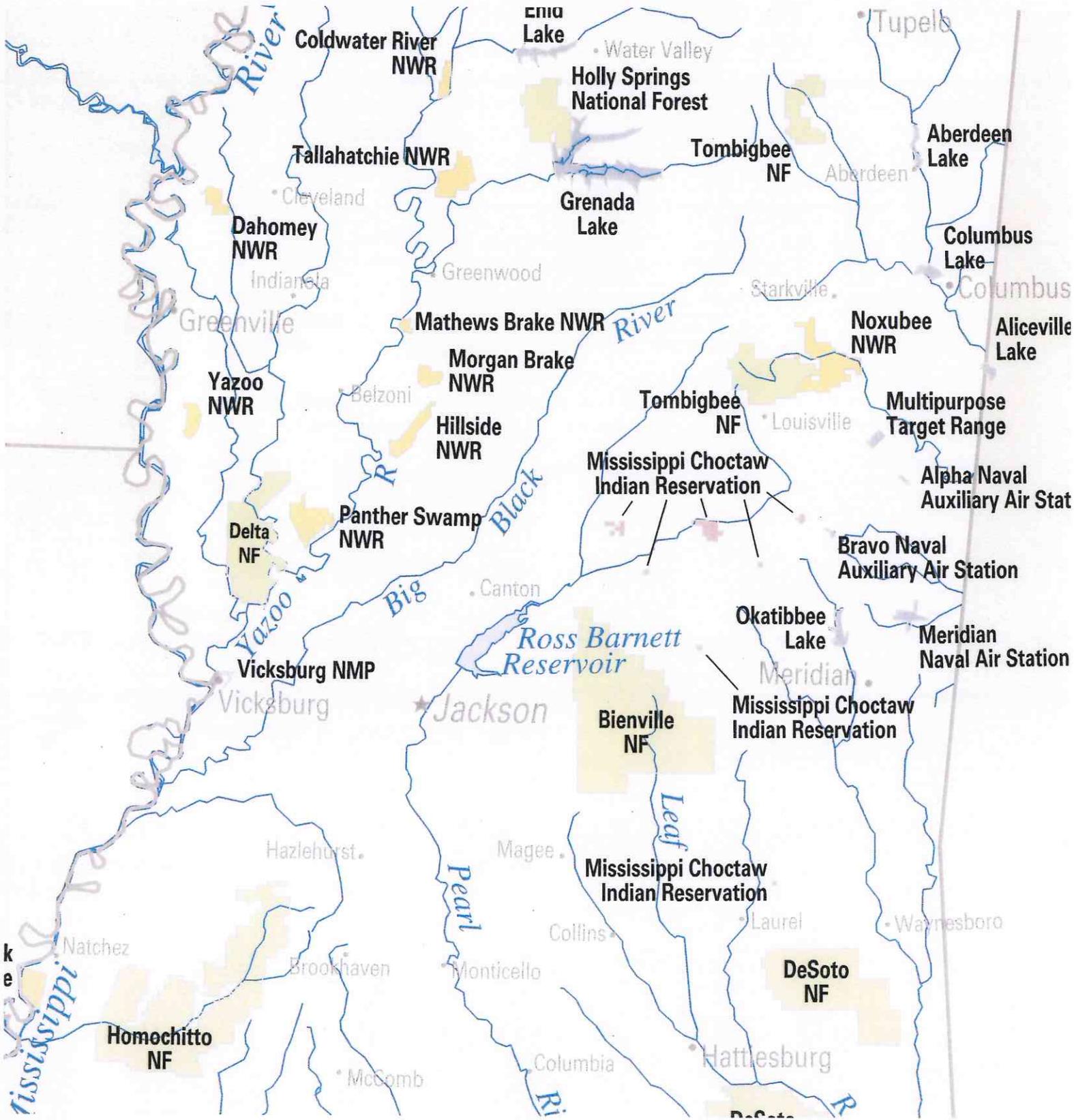
Abbreviations

- NF National Forest
- NMP National Military Park
- NWR National Wildlife Refuge



The National Atlas of the United States of America®

U.S. Department of the Interior  
U.S. Geological Survey



# Southeast Region

## Conserving the Nature of America

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- [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:](#)

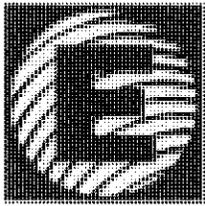
### Map of Mississippi



### 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, Remediation, and Geological Consultants*

October 26, 2009

Acting Supervisor  
United States Fish and Wildlife Service  
6578 Dogwood View Parkway  
Jackson, Mississippi 39213

Subject:

**Proposed MSWIN 20505 C Stewart Communications Tower**

**Stewart, Webster County, Mississippi**

Environmental Engineers, Inc. Project No.: JSE01P0923

To Whom It May Concern:

Environmental Engineers, Inc. is requesting comment from the U.S. Fish and Wildlife Service on behalf of Towers of Mississippi, the State of Mississippi, and the Federal Emergency Management Agency regarding impact to threatened or endangered species by construction of a wireless communications tower in Webster County, Mississippi. Information regarding this proposed tower location was previously submitted to your office via letter dated October 16, 2009 and was for a 600-foot guyed tower. The project is actually a proposed 650-foot guyed tower. I apologize for any inconvenience this may cause.

The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Stewart, Mississippi," dated 1966. The site is located in the northwest  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 35, Township 19 North, Range 8 East, Webster County, Mississippi, at latitude  $33^{\circ}28'18.485''$  north and longitude  $89^{\circ}25'34.699''$  west. The site consists of a proposed 100-foot by 100-foot lease area with three associated 30-foot by 500-foot guy anchor easements, and a proposed access road located off County Road 64 / Union Church Road near Stewart, Mississippi. The site is a portion of grassed field and slopes moderately downward from the proposed tower compound. The northeastern guy anchor slopes downward toward the southeast; the southern guy anchor slopes downward toward the east-southeast; the western guy anchor slopes downward toward the west. Proposed activities consist of construction of a 650-foot guyed communications tower and associated compound, enclosing the compound in a fence, placement of support equipment within the compound, and covering the compound 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 (JSE01P0923) 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.

Anne B. Gilbert, P.E.  
Principal Engineer

Attachments Site Location Map and Site Photographs

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

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 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

7007 2680 0002 3656 3245

<p><b>SENDER: COMPLETE THIS SECTION</b></p> <ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> <p>1. Article Addressed to:          Acting Director          USF+MS          6578 Dogwood View Pkwy          Jackson, MS 39213</p> <p>2. Article Number  <i>(Transfer from service label)</i></p>	<p><b>COMPLETE THIS SECTION ON DELIVERY</b></p> <p>A. Signature  <input checked="" type="checkbox"/> <i>L. J. Davis</i> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by <i>(Printed Name)</i>  <i>D. Davis</i></p> <p>C. Date of Delivery  <i>10/19</i></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>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>4. Restricted Delivery? <i>(Extra Fee)</i> <input type="checkbox"/> Yes</p>
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7007 2680 0002 3656 3245



**United States Department of the Interior**

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



October 28, 2009

Ms. Anne Gilbert  
Environmental Engineers, Inc.  
11578 US Highway 411  
Odenville, Alabama 35120

ENVIRONMENTAL ENGINEERS

OCT 31 2009

RECEIVED

RE: Proposed Tower in Webster County, Mississippi, Project No: JSE01P0923

Dear Ms. Gilbert:

The U.S. Fish and Wildlife Service (Service) received your letter dated October 26, 2009, regarding the construction of a new telecommunication tower in Webster County, Mississippi. The proposal is for a 650-foot guyed wire telecommunications tower, three wire anchors, graveled and fenced equipment building compound, and access road located off of County Road 64 / Union Church Road near Stewart. 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).

There are no federally, listed terrestrial species nor critical habitat for Webster County. However, due to the adverse impact these towers can have on migratory birds, we would like to make several recommendations which can be found in the attached guidelines document.

If project plans change or if new information about listed species becomes available, consultation should be reinitiated. If you have any questions, please feel free to contact this office, telephone: (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](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:** Friday, October 02, 2009 9:10 AM  
**To:** towerinfo@envciv.com  
**Subject:** Proposed Tower Structure Info - Email ID #2312979

Dear Henry A Fisher,

Thank you for submitting a notification regarding your proposed construction via the Tower Construction Notification System. Note that the system has assigned a unique Notification ID number for this proposed construction. 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 construction you have proposed:

Notification Received: 10/02/2009

Notification ID: 56600

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](mailto:towerinfo@envciv.com)

Structure Type: GTOWER - Guyed Tower

Latitude: 33 deg 28 min 18.5 sec N

Longitude: 89 deg 25 min 34.7 sec W

Location Description: 1448 Union Church Road

City: Stewart

State: MISSISSIPPI

County: WEBSTER

Ground Elevation: 123.5 meters

Support Structure: 198.1 meters above ground level

Overall Structure: 198.1 meters above ground level

Overall Height AMSL: 321.6 meters above mean sea level

**Henry Fisher**

---

**From:** towernotifyinfo@fcc.gov  
**Sent:** Friday, October 09, 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 #2314499

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. Historic Preservation Officer Bryant J Celestine - Alabama-Coushatta Tribe of Texas - Livingston, TX - electronic mail

Details: The Alabama-Coushatta Tribe of Texas requests a review fee of \$300.00 for our services including internal file searches, elder consultations, and if necessary, travel expenses in the event a site visit is necessary to complete our determination regarding your proposal. Invoices will be forwarded to the email account we receive your Form 620 (or archaeological report, maps, and pertinent site information) from upon submission to celestine.bryant@actribe.org. Fee compensation instructions will also be included.

In the event an outstanding balance occurs, a detailed invoice will be submitted in place of our determination wherein your Section 106 obligations with our Tribe are not complete until we have forwarded our written response indicating our determination.

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

Details: 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.

3. Archaeological Data Analyst Jennifer L Pietarila - Seminole Tribe of Florida - Clewiston, FL - electronic mail

Details: The Seminole Tribe of Florida Tribal Historic Preservation Office requests that all correspondence be conducted via email and email attachments. We also would like to request a Form 620 or 621 be provided for every cell tower submitted to us for review. Should you have any questions, please feel free to contact me at jenniferpietarila@semtribe.com or 863-983-6549 Ext. 12217. Thank you.

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

Details: 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.]

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

Details: 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.

6. 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.

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

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

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

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

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

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

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: 10/02/2009  
Notification ID: 56600  
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: 33 deg 28 min 18.5 sec N  
Longitude: 89 deg 25 min 34.7 sec W  
Location Description: 1448 Union Church Road  
City: Stewart  
State: MISSISSIPPI  
County: WEBSTER  
Ground Elevation: 123.5 meters  
Support Structure: 198.1 meters above ground level  
Overall Structure: 198.1 meters above ground level

Overall Height AMSL: 321.6 meters above mean sea level

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

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

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

**General Information**

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

**Applicant Information**

3) FCC Registration Number (FRN):
4) Name: Towers of Mississippi/State of Mississippi

**Contact Name**

5) First Name: Taylor	6) MI:	7) Last Name: Robinson	8) Suffix:
9) Title:			

**Contact Information**

10) P.O. Box:	And /Or	11) Street Address: 31560 Blakeley Way	
12) City: Spanish Fort		13) State: AL	14) Zip Code: 36527
15) Telephone Number: (205) 266-4466		16) Fax Number: ( )	
17) E-mail Address: trobinson@vulcancompany.com			

**Consultant Information**

18) FCC Registration Number (FRN): 0019057413
19) Name: MRS Consultants, LLC.

**Principal Investigator**

20) First Name: Beth	21) MI: A	22) Last Name: Ryba	23) Suffix:
24) Title: Cultural Resource Specialist			

**Principal Investigator Contact Information**

25) P.O. Box: 3146	And /Or	26) Street Address:	
27) City: Tuscaloosa		28) State: AL	29) Zip Code: 35403
30) Telephone Number: (205) 759-1621		31) Fax Number: (205) 759-1621	
32) E-mail Address: earyba@earthlink.net			

**Professional Qualification**

33) Does the Principal Investigator satisfy the Secretary of the Interior's Professional Qualification Standards?	<input checked="" type="checkbox"/> <u>Yes</u> <input type="checkbox"/> <u>No</u>
34) Areas of Professional Qualification: <input checked="" type="checkbox"/> Archaeologist <input type="checkbox"/> Architectural Historian <input type="checkbox"/> Historian <input type="checkbox"/> Architect <input type="checkbox"/> Other (Specify) _____	

**Additional Staff**

35) Are there other staff involved who meet the Professional Qualification Standards of the Secretary of the Interior?	<input type="checkbox"/> <u>Yes</u> <input checked="" type="checkbox"/> <u>No</u>
--	---

If "Yes", complete the following:

36) First Name:	37) MI:	38) Last Name:	39) Suffix:
40) Title:			
41) Areas of Professional Qualification: <input type="checkbox"/> Archaeologist <input type="checkbox"/> Architectural Historian <input type="checkbox"/> Historian <input type="checkbox"/> Architect <input type="checkbox"/> Other (Specify) _____			

**This page may be copied to include additional staff.**

**Consultant Information Attachments required – See instructions for details.**

### Site Information

#### Tower Construction Notification System

1) TCNS Notification Number: 56600

#### Site Information

2) Site Name: Stewart

3) Site Address: Union Church Road (CR 64)

4) City: Stewart

5) State: MS

6) Zip Code: 39762

7) County/Borough/Parish: Webster

8) Nearest Crossroads: Union Church Road & CR 77

9) NAD 83 Latitude (DD-MM-SS.S): 33-28-18.48

N or  S

10) NAD 83 Longitude (DD-MM-SS.S): 89-25-34.69

E or  W

#### Tower Information

11) Tower height above ground level (include top-mounted attachments such as lightning rods): 650 (  ) Feet (  ) Meters

12) Tower Type (Select One):

Guyed lattice tower

Self-supporting lattice

Monopole

Other (Describe):

#### Project Status

13) Current Project Status (Select One):

Construction has not yet commenced

Construction has commenced, but is not completed

Construction commenced on: \_\_\_\_/\_\_\_\_/\_\_\_\_

Construction has been completed

Construction commenced on: \_\_\_\_/\_\_\_\_/\_\_\_\_

Construction completed on: \_\_\_\_/\_\_\_\_/\_\_\_\_

Site Information Attachments required – See instructions for details.

**Determination of Effect**

14) Direct Effects (Select One):

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

15) Visual Effects (Select One):

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

**Determination of Effect Attachments required – See instructions for details.**

### Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?		( <input checked="" type="checkbox"/> ) Yes ( <input type="checkbox"/> ) No
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>56600</u>	Number of Tribes/NHOs: <u>6</u>	
2b) Tribes/NHOs contacted through an alternate system: None	Number of Tribes/NHOs: <u>None</u>	

#### Tribal/NHO Contacted Through TCNS

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

#### Contact Name

5) First Name: Bryant	6) MI: J	7) Last Name: Celestine	8) Suffix:
9) Title: Historic Preservation Officer			

#### Dates & Response

10) Date Contacted <u>10 / 9 / 09</u>	11) Date Replied <u>    /    /    </u>
( <input checked="" type="checkbox"/> ) No Reply	
( <input type="checkbox"/> ) Replied/No Interest	
( <input type="checkbox"/> ) Replied/Have Interest	
( <input type="checkbox"/> ) Replied/Other _____	

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

### Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	( <input checked="" type="checkbox"/> ) Yes ( <input type="checkbox"/> ) No
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>56600</u>	Number of Tribes/NHOs: <u>6</u>
2b) Tribes/NHOs contacted through an alternate system: None	Number of Tribes/NHOs: <u>None</u>

#### Tribal/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: Choctaw Nation of Oklahoma

#### Contact Name

5) First Name: Terry	6) MI: D	7) Last Name: Cole	8) Suffix:
9) Title: Director of Cultural Resources and THPO			

#### Dates & Response

10) Date Contacted <u>10 / 9 / 09</u>	11) Date Replied <u>    /    /    </u>
<input checked="" type="checkbox"/> No Reply <input type="checkbox"/> Replied/No Interest <input type="checkbox"/> Replied/Have Interest <input type="checkbox"/> Replied/Other _____	

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

### Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	( <input checked="" type="checkbox"/> ) Yes ( <input type="checkbox"/> ) No
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>56600</u> Number of Tribes/NHOs: <u>6</u>	
2b) Tribes/NHOs contacted through an alternate system: <u>None</u>	Number of Tribes/NHOs: <u>None</u>

### Tribal/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <u>Kialegee Tribal Town</u>

### Contact Name

5) First Name: <u>Jennie</u>	6) MI:	7) Last Name: <u>Lillard</u>	8) Suffix:
9) Title: <u>MEKKO and Acting Tribal Administrator</u>			

### Dates & Response

10) Date Contacted <u>10 / 9 / 09</u>	11) Date Replied <u>    /    /    </u>
( <input checked="" type="checkbox"/> ) No Reply	
( <input type="checkbox"/> ) Replied/No Interest	
( <input type="checkbox"/> ) Replied/Have Interest	
( <input type="checkbox"/> ) Replied/Other _____	

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

**Tribal/NHO Involvement**

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?		<input checked="" type="checkbox"/> Yes (    ) <input type="checkbox"/> No
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>56600</u>	Number of Tribes/NHOs: <u>6</u>	
2b) Tribes/NHOs contacted through an alternate system: None	Number of Tribes/NHOs: <u>None</u>	

**Tribal/NHO Contacted Through TCNS**

3) Tribe/NHO FRN:
4) Tribe/NHO Name: Mississippi Band of Choctaw Indians

**Contact Name**

5) First Name: Kenneth	6) MI: H	7) Last Name: Carleton	8) Suffix:
9) Title: THPO			

**Dates & Response**

10) Date Contacted <u>10 / 9 / 09</u>	11) Date Replied _____ / _____ / _____
<input checked="" type="checkbox"/> No Reply <input type="checkbox"/> Replied/No Interest <input type="checkbox"/> Replied/Have Interest <input type="checkbox"/> Replied/Other _____	

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

### Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	( <input checked="" type="checkbox"/> ) Yes ( <input type="checkbox"/> ) No
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>56600</u> Number of Tribes/NHOs: <u>6</u>	
2b) Tribes/NHOs contacted through an alternate system: <u>None</u>	Number of Tribes/NHOs: <u>None</u>

#### Tribal/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <u>Seminole Tribe of Florida</u>

#### Contact Name

5) First Name: <u>Jennifer</u>	6) MI: <u>L</u>	7) Last Name: <u>Pietariia</u>	8) Suffix:
9) Title: <u>Archaeological Data Analyst</u>			

#### Dates & Response

10) Date Contacted <u>10 / 9 / 09</u>	11) Date Replied <u>    /    /    </u>
( <input checked="" type="checkbox"/> ) No Reply	
( <input type="checkbox"/> ) Replied/No Interest	
( <input type="checkbox"/> ) Replied/Have Interest	
( <input type="checkbox"/> ) Replied/Other _____	

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

### Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	( <input checked="" type="checkbox"/> ) <u>Yes</u> ( <input type="checkbox"/> ) <u>No</u>
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>56600</u> Number of Tribes/NHOs: <u>6</u>	
2b) Tribes/NHOs contacted through an alternate system: <u>None</u>	Number of Tribes/NHOs: <u>None</u>

#### Tribal/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <p style="text-align: center;">Tunica-Biloxi Indians of Louisiana</p>

#### Contact Name

5) First Name: <u>Earl</u>	6) MI: <u>J</u>	7) Last Name: <u>Barbry</u>	8) Suffix: <u>Jr.</u>
9) Title: <u>THPO</u>			

#### Dates & Response

10) Date Contacted <u>10 / 9 / 09</u>	11) Date Replied <u>    /    /    </u>
<input checked="" type="checkbox"/> No Reply <input type="checkbox"/> Replied/No Interest <input type="checkbox"/> Replied/Have Interest <input type="checkbox"/> Replied/Other _____	

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

### Other Tribes/NHOs Contacted

**Tribe/NHO Information**

1) FCC Registration Number (FRN): None
2) Name: None

**Contact Name**

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

**Contact Information**

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

**Dates & Response**

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

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

## Historic Properties

### Properties Identified

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

### Historic Property

4) Property Name: See attached cultural resource report prepared by MRS Consultants, LLC
5) SHPO Site Number:

### Property Address

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

### Status & Eligibility

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

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

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

## Local Government Involvement

### Local Government Agency

1) FCC Registration Number (FRN):
2) Name: Webster County Board of Supervisors

### Contact Name

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

### Contact Information

8) P.O. Box: 368	<b>And /Or</b>	9) Street Address:
10) City: Walthall	11) State: MS	12) Zip Code: 39771
13) Telephone Number: (    )	14) Fax Number: (    )	
15) E-mail Address:		
16) Preferred means of communication:  (    ) E-mail ( <input checked="" type="checkbox"/> ) Letter (    ) Both		

### Dates & Response

17) Date Contacted <u>10</u> / <u>6</u> / <u>09</u>	18) Date Replied <u>10</u> / <u>12</u> / <u>09</u>
(    ) No Reply	
(    ) Replied/No Interest	
(    ) Replied/Have Interest	
( <input checked="" type="checkbox"/> ) Replied/Other <u>No effects on historic properties</u>	

### Additional information

19) Information on local government's role or interest (optional):
--

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

### Other Consulting Parties

#### Other Consulting Parties Contacted

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

#### Consulting Party

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

#### Contact Name

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

#### Contact Information

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

#### Dates & Response

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

#### Additional Information

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

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

### Designation of SHPO/THPO

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

**SHPO/THPO**

Name: <u>H.T. Holmes, Mississippi Department of Archives and History</u>
--

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

SHPO/THPO Name: _____
SHPO/THPO Name: _____
SHPO/THPO Name: _____

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

### Certification

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

**Party Authorized to Sign** MRS Consultants, LLC. Principal Investigator

First Name: <u>Beth</u>	MI: <u>A</u>	Last Name: <u>Ryba</u>	Suffix:
Signature: 			Date: <u>09</u> / <u>25</u> / <u>09</u>

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

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

ATTACHMENT 1  
Vitae are On File

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 notification to Native American tribes/organizations was submitted through the FCC Tower Construction Notification System (TCNS). See the attached TCNS list for details.

### **Attachment 4. Local Government**

Correspondence was submitted to the local government agency with jurisdiction over the project area for comment regarding potential impacts to historical or cultural sites by the proposed action. See the attached correspondence for more information.

### **Attachment 5. Public Involvement**

A notice requesting comment regarding potential impacts to historical or archaeological properties by the proposed action was published. Please see the attached information for details regarding the public notice.

### **Attachment 6. Additional Consulting Parties (Where Applicable)**

Correspondence was submitted to additional consulting parties for comment regarding potential impacts to historical or cultural sites by the proposed action. See the attached correspondence for more information. (Please note that no correspondence is included where additional consulting parties were not identified for a project.)

## Henry Fisher

---

**From:** towernotifyinfo@fcc.gov  
**Sent:** Friday, October 02, 2009 9:10 AM  
**To:** towerinfo@envciv.com  
**Subject:** Proposed Tower Structure Info - Email ID #2312979

Dear Henry A Fisher,

Thank you for submitting a notification regarding your proposed construction via the Tower Construction Notification System. Note that the system has assigned a unique Notification ID number for this proposed construction. 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 construction you have proposed:

Notification Received: 10/02/2009

Notification ID: 56600

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](mailto:towerinfo@envciv.com)

Structure Type: GTOWER - Guyed Tower

Latitude: 33 deg 28 min 18.5 sec N

Longitude: 89 deg 25 min 34.7 sec W

Location Description: 1448 Union Church Road

City: Stewart

State: MISSISSIPPI

County: WEBSTER

Ground Elevation: 123.5 meters

Support Structure: 198.1 meters above ground level

Overall Structure: 198.1 meters above ground level

Overall Height AMSL: 321.6 meters above mean sea level

56600 TOM/MS

**Henry Fisher**

---

**From:** towernotifyinfo@fcc.gov  
**Sent:** Friday, October 09, 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 #2314499

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. Historic Preservation Officer Bryant J Celestine - Alabama-Coushatta Tribe of Texas - Livingston, TX - electronic mail

Details: The Alabama-Coushatta Tribe of Texas requests a review fee of \$300.00 for our services including internal file searches, elder consultations, and if necessary, travel expenses in the event a site visit is necessary to complete our determination regarding your proposal. Invoices will be forwarded to the email account we receive your Form 620 (or archaeological report, maps, and pertinent site information) from upon submission to celestine.bryant@actribe.org. Fee compensation instructions will also be included.

In the event an outstanding balance occurs, a detailed invoice will be submitted in place of our determination wherein your Section 106 obligations with our Tribe are not complete until we have forwarded our written response indicating our determination.

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

Details: 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.

3. Archaeological Data Analyst Jennifer L Pietarila - Seminole Tribe of Florida - Clewiston, FL - electronic mail

Details: The Seminole Tribe of Florida Tribal Historic Preservation Office requests that all correspondence be conducted via email and email attachments. We also would like to request a Form 620 or 621 be provided for every cell tower submitted to us for review. Should you have any questions, please feel free to contact me at jenniferpietarila@semtribe.com or 863-983-6549 Ext. 12217. Thank you.

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

Details: 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.]

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

Details: 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.

6. 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.

7. SHPO Lee Warner - Alabama Historical Commission - Montgomery, AL - electronic mail
8. Deputy SHPO Elizabeth Ann Brown - Alabama Historical Commission - Montgomery, AL - electronic mail
9. SHPO Cathie Matthews - Department of Arkansas Heritage - Little Rock, AR - electronic mail
10. Deputy SHPO Ken Grunewald - Department of Arkansas Heritage - Little Rock, AR - electronic mail
11. SHPO Elbert Hilliard - Mississippi Dept of Archives & History - Jackson, MS - regular mail
12. Deputy SHPO Kenneth H P'Pool - Division of Historic Preservation - Jackson, MS - electronic mail

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: 10/02/2009  
Notification ID: 56600  
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: 33 deg 28 min 18.5 sec N  
Longitude: 89 deg 25 min 34.7 sec W  
Location Description: 1448 Union Church Road  
City: Stewart  
State: MISSISSIPPI  
County: WEBSTER  
Ground Elevation: 123.5 meters  
Support Structure: 198.1 meters above ground level  
Overall Structure: 198.1 meters above ground level

Overall Height AMSL: 321.6 meters above mean sea level

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

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

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



RUSSELL S. "RUSS" TURNER  
CHANCERY COURT CLERK  
P.O. BOX 398  
WEBSTER COUNTY COURTHOUSE  
WALTHALL, MS 39771  
(662) 258-4131

October 12, 2009

Environmental Engineer, Inc.  
Henry A. Fisher  
11578 US Highway 411  
Odenville, Alabama 35120

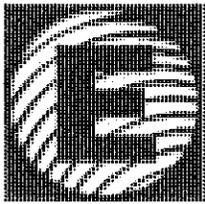
RE: Proposed Construction of New Communications Towers

Dear Mr. Fisher:

To the best of my knowledge I see no potential effects on Historic Properties, regarding the construction of the proposed MSWIN 20505 C Stewart Communications Tower, Stewart, Webster County, Mississippi, being Environmental Engineers, Inc. project number (JSE01P0923).

Sincerely,

Russ Turner



**ENVIRONMENTAL ENGINEERS, INC.**

**11578 US Highway 411, Odenville, Alabama 35120**

*Environmental and Geological Consultants*

October 6, 2009

Mr. Robert Hill, President  
Webster County Board of Supervisors  
P.O. Box 368  
Walthall, Mississippi 39771

Subject:

**Proposed MSWIN 20505 C Stewart Communications Tower**  
**Stewart, Webster County, Mississippi**  
Environmental Engineers, Inc. Project No.: JSE01P0923

Dear Mr. Hill:

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) and Section 106 of the National Historic Preservation Act (NHPA) we are requesting comment on behalf of Towers of Mississippi, the State of Mississippi, and the Federal Emergency Management Agency (FEMA) 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 Webster County, Mississippi.

The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Stewart, Mississippi," dated 1966. The site is located in the northwest  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 35, Township 19 North, Range 8 East, Webster County, Mississippi, at latitude  $33^{\circ} 28' 18.5''$  north and longitude  $89^{\circ} 25' 34.7''$  west. The site consists of a proposed 100-foot by 100-foot lease area with associated guy anchor easements, and a proposed access road located at 1448 Union Church Road, Stewart, Webster County, Mississippi 39767. Proposed activities consist of construction of a 650-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. I have enclosed the portion of the USGS topographic map depicting the site location for your review.

Environmental Engineers, Inc. appreciates the opportunity to provide this information. Please reference the Environmental Engineers, Inc. project number (JSE01P0923) 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 [hfisher@envciv.com](mailto: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,

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 3656 3078

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Postage	\$	10/6/09 Postmark Here JSEC1P0932 JSEC1P0933
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 5.54	

Sent To: Mr Robert Hill, President  
 Street, Apt. No., or PO Box No.  
 City, State, ZIP+4

PS Form 3811, August 2004 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee  <i>x Monique Sims</i></p> <p>B. Received by (Printed Name) <i>Monique Sims</i> C. Date of Delivery <i>10-9-09</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No        If YES, enter delivery address below:</p>
<p>1. Article Addressed to:  <i>Mr. Robert Hill, President        Webster County Bd of Supervisors        P.O. Box 368        Walthall, MS 39771</i></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 3656 3078</p>

RECEIVED

# PROOF OF PUBLICATION

## THE STATE OF MISSISSIPPI COUNTY WEBSTER

Before the undersigned authority of said county and state personally appeared Brenda Perry, County of Webster, State of Mississippi, Webster Progress Times, being duly sworn, both depose and say that the publication of the notice hereto affixed has been made in said newspaper for 1 Consecutive week(s), to-wit:

Vol. 82, No. 40, on the 8 day of October,  
Vol. \_\_\_\_\_, No. \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_,  
Vol. \_\_\_\_\_, No. \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_,  
Vol. \_\_\_\_\_, No. \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_,  
Vol. \_\_\_\_\_, No. \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_,  
Vol. \_\_\_\_\_, No. \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_.

Sworn to and subscribed to this the 9 day of October 2009  
me the undersigned Notary Public of said County and State.

SUSAN D. ADCOCK  
Mississippi Statewide Notary Public  
My Commission Expires January 14, 2010

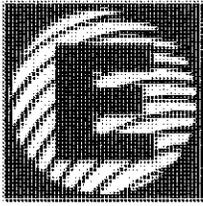


Printer's fee \$3.00

By: Susan D. Adcock  
Brenda Perry

Towers of Mississippi, the State of Mississippi, and the Federal Emergency Management Agency (FEMA) in accordance with Section 106 of the National Historic Preservation Act (NHPA) 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 650 foot guyed communications tower at 1448 Union Church Road, Stewart, Webster County, Mississippi, 39767, at latitude 33° 28' 18.5" north and longitude 89° 25' 34.7" west.  
All comments should be submitted within 30 days of the publication of this notice referencing project JSE01P0923 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.  
Publication Date:  
10/8

## Appendix H



**ENVIRONMENTAL ENGINEERS, INC.**

**11578 US Highway 411, Odenville, Alabama 35120**

*Environmental and Geological Consultants*

October 20, 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 20505 C Stewart Communications Tower  
Stewart, Webster County, Mississippi**

Environmental Engineers, Inc. Project No.: JSE01P0923

Dear Mr. Woodrick:

Environmental Engineers, Inc. is requesting a Section 106 review, on behalf of Towers of Mississippi, the State of Mississippi, and the Federal Emergency Management Agency (FEMA) 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 (JSE01P0923) 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

Ship Date: 20OCT09  
ActWgt: 1.0 LB  
CAD: 4760346/INET9090  
Account#: S \*\*\*\*\*

Delivery Address Bar Code



Ref # JSE01P917, 922, 923  
Invoice #  
PO #  
Dept #

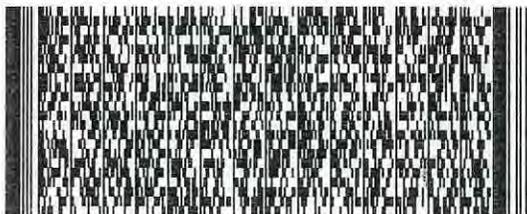
SHIP TO: (601) 359-6940 BILL SENDER

**Mr. Jim Woodrick**  
**MS Dept of Archives & History**  
**100 S STATE ST**

**JACKSON, MS 39201**

TRK# 7960 4914 5678  
0201

**WED - 21OCT A2**  
**STANDARD OVERNIGHT**



**XX JANA**

**39201**  
**MS-US**  
**MEM**



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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.

**Warning:** Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

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 ServiceGuide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

**Cheryl Johnson**

**From:** TrackingUpdates@fedex.com  
**Sent:** Wednesday, October 21, 2009 8:48 AM  
**To:** cjohnson@envciv.com  
**Subject:** FedEx Shipment 796049145678 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: JSE01P917, 922, 923  
 Ship (P/U) date: Oct 20, 2009  
 Delivery date: Oct 21, 2009 8:42 AM  
 Sign for by: D.SMITH  
 Delivered to: Receptionist/Front Desk  
 Service type: FedEx Standard Overnight  
 Packaging type: FedEx Envelope  
 Number of pieces: 1  
 Weight: 2.00 lb.  
 Special handling/Services: Deliver Weekday

Tracking number: 796049145678

Shipper Information	Recipient Information
HENRY FISHER	Mr. Jim Woodrick
ENVIRONMENTAL ENGINEERS, INC	MS Dept of Archives & History
11578 U.S. Highway 411	100 S STATE ST
Odenville	JACKSON
AL	MS
US	US
35120	39201

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Thank you for your business.

10/21/2009

October 30, 2009

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

ENVIRONMENTAL ENGINEERS

NOV 14 2009  
RECEIVED

RE: Proposed MSWIN 20505 C Stewart Communications Tower, Stewart (EE Project No. JSE01P0923), MDAH Project Log #10-138-09, Webster County

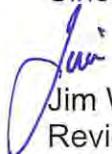
Dear Henry:

We have reviewed your October 20, 2009, cultural resources assessment request and September 28, 2009, cultural resources survey and assessment by Beth Ryba, Principal Investigator, received on October 21, 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 directed or visually affected. Therefore, we have no reservations with the undertaking.

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,

  
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:** Tuesday, October 20, 2009 1:05 PM  
**To:** 'Bryant J. Celestine'  
**Subject:** Proposed MSWIN 20505 C Stewart Communications Tower TCNS 56600  
**Attachments:** FCC Form 620 Proposed MSWIN 20505 Tower TCNS 56600.pdf

Mr. Bryant J. Celestine  
Alabama-Coushatta Tribe of Texas

Subject:  
**TCNS 56600**  
**Proposed MSWIN 20505 C Stewart Communications Tower**  
**Stewart, Webster County, Mississippi**  
**Environmental Engineers, Inc. Project No.: JSE01P0923**

Dear Mr. Celestine:

I am requesting comment on behalf of Towers of Mississippi, the State of Mississippi, and the Federal Emergency Management Agency (FEMA) regarding potential impacts to Native American religious or cultural sites by construction of a wireless communications tower in Webster County, Mississippi. This project was also submitted through the FCC TCNS on October 2, 2009 (TCNS ID # 56600).

The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Stewart, Mississippi," dated 1966. The site is located in the northwest ¼ of the northeast ¼ of Section 35, Township 19 North, Range 8 East, Webster County, Mississippi, at latitude 33° 28' 18.5" north and longitude 89° 25' 34.7" west. The site consists of a proposed 100-foot by 100-foot lease area with associated guy anchor easements, and a proposed access road located at 1448 Union Church Road, Stewart, Webster County, Mississippi 39767. Proposed activities consist of construction of a 650-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. 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 (JSE01P0923) 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](mailto: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:** Bryant J. Celestine [celestine.bryant@actribe.org]  
**Sent:** Tuesday, November 10, 2009 3:44 PM  
**To:** 'Henry Fisher'  
**Subject:** RE: Proposed MSWIN 20505 C Stewart Communications Tower TCNS 56600

Dear Mr. Fisher:

On behalf of Chief Oscola Clayton Sylestine and the Alabama-Coushatta Tribe, our appreciation is expressed on your efforts to consult us regarding TCNS #56600 in Webster County.

Our Tribe maintains ancestral associations within the state of Mississippi despite the absence of written documentation to completely identify Tribal activities, villages, trails, or burial sites. However, it is our objective to ensure significances of Native American ancestry, especially of the Alabama-Coushatta Tribe are administered with the utmost regard.

Upon review of your October 20, 2009 submission, no known impacts to religious, cultural, or historical assets of the Alabama-Coushatta Tribe of Texas should occur in conjunction with this proposal. However, in the event of inadvertent discovery of human remains and/or archaeological artifacts during construction, activity in proximity to the location must cease and appropriate authorities, including this office, notified without delay.

Should you require further assistance, please do not hesitate to contact us.

Sincerely,

Bryant J. Celestine  
Historic Preservation Officer  
Alabama-Coushatta Tribe of Texas  
571 State Park Rd 56  
Livingston, Texas 77351  
936 - 563 - 1181  
[celestine.bryant@actribe.org](mailto:celestine.bryant@actribe.org)

## Henry Fisher

---

**From:** Henry Fisher [hfisher@envciv.com]  
**Sent:** Tuesday, October 20, 2009 1:08 PM  
**To:** 'Caren Johnson'  
**Subject:** Proposed MSWIN 20505 C Stewart Communications Tower TCNS 56600  
**Attachments:** FCC Form 620 Proposed MSWIN 20505 Tower TCNS 56600.pdf

Mr. Terry Cole  
Choctaw Nation of Oklahoma

Subject:  
**TCNS 56600**  
**Proposed MSWIN 20505 C Stewart Communications Tower**  
**Stewart, Webster County, Mississippi**  
**Environmental Engineers, Inc. Project No.: JSE01P0923**

Dear Mr. Cole:

I am requesting comment on behalf of Towers of Mississippi, the State of Mississippi, and the Federal Emergency Management Agency (FEMA) regarding potential impacts to Native American religious or cultural sites by construction of a wireless communications tower in Webster County, Mississippi. This project was also submitted through the FCC TCNS on October 2, 2009 (TCNS ID # 56600).

The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Stewart, Mississippi," dated 1966. The site is located in the northwest ¼ of the northeast ¼ of Section 35, Township 19 North, Range 8 East, Webster County, Mississippi, at latitude 33° 28' 18.5" north and longitude 89° 25' 34.7" west. The site consists of a proposed 100-foot by 100-foot lease area with associated guy anchor easements, and a proposed access road located at 1448 Union Church Road, Stewart, Webster County, Mississippi 39767. Proposed activities consist of construction of a 650-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. 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 (JSE01P0923) 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](mailto: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:** Thursday, December 03, 2009 10:44 AM  
**To:** Henry Fisher  
**Subject:** RE: Proposed MSWIN 20505 C Stewart Communications Tower TCNS 56600

December 3, 2009

Mr. Henry Fisher:

The Choctaw Nation of Oklahoma has reviewed cell tower(s) FCC # **56600** 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:** Tuesday, October 20, 2009 1:08 PM  
**To:** Caren Johnson  
**Subject:** Proposed MSWIN 20505 C Stewart Communications Tower TCNS 56600

Mr. Terry Cole  
Choctaw Nation of Oklahoma

Subject:  
TCNS 56600  
Proposed MSWIN 20505 C Stewart Communications Tower  
Stewart, Webster County, Mississippi  
Environmental Engineers, Inc. Project No.: JSE01P0923

Dear Mr. Cole:

I am requesting comment on behalf of Towers of Mississippi, the State of Mississippi, and the Federal Emergency Management Agency (FEMA) regarding potential impacts to Native American religious or cultural sites by construction of a wireless communications tower in Webster County, Mississippi. This project was also submitted through the FCC TCNS on October 2, 2009 (TCNS ID # 56600).

The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Stewart, Mississippi," dated 1966. The site is located in the northwest ¼ of the northeast ¼ of Section 35, Township 19 North, Range 8 East,

Webster County, Mississippi, at latitude 33° 28' 18.5" north and longitude 89° 25' 34.7" west. The site consists of a proposed 100-foot by 100-foot lease area with associated guy anchor easements, and a proposed access road located at 1448 Union Church Road, Stewart, Webster County, Mississippi 39767. Proposed activities consist of construction of a 650-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. 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 (JSE01P0923) 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](mailto: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

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This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure. If you have received this message in error, you are hereby notified that we do not consent to any reading, dissemination, distribution or copying of this message. If you have received this communication in error, please notify the sender immediately and destroy the transmitted information. Please note that any view or opinions presented in this email are solely those of the author and do not necessarily represent those of the Choctaw Nation.

## Henry Fisher

---

**From:** Henry Fisher [hfisher@envciv.com]  
**Sent:** Tuesday, October 20, 2009 1:10 PM  
**To:** 'Carleton, Ken'; 'choctawhp@gmail.com'  
**Subject:** Proposed MSWIN 20505 C Stewart Communications Tower TCNS 56600  
**Attachments:** FCC Form 620 Proposed MSWIN 20505 Tower TCNS 56600.pdf

Mr. Ken Carleton  
Mississippi Band of Choctaw Indians

Subject:  
**TCNS 56600**  
**Proposed MSWIN 20505 C Stewart Communications Tower**  
**Stewart, Webster County, Mississippi**  
**Environmental Engineers, Inc. Project No.: JSE01P0923**

Dear Mr. Carleton:

I am requesting comment on behalf of Towers of Mississippi, the State of Mississippi, and the Federal Emergency Management Agency (FEMA) regarding potential impacts to Native American religious or cultural sites by construction of a wireless communications tower in Webster County, Mississippi. This project was also submitted through the FCC TCNS on October 2, 2009 (TCNS ID # 56600).

The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Stewart, Mississippi," dated 1966. The site is located in the northwest ¼ of the northeast ¼ of Section 35, Township 19 North, Range 8 East, Webster County, Mississippi, at latitude 33° 28' 18.5" north and longitude 89° 25' 34.7" west. The site consists of a proposed 100-foot by 100-foot lease area with associated guy anchor easements, and a proposed access road located at 1448 Union Church Road, Stewart, Webster County, Mississippi 39767. Proposed activities consist of construction of a 650-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. I have attached the FCC Form 620 prepared for this project by MRS Consultants, LLC and Environmental Engineers, Inc.

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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:** Tuesday, October 20, 2009 1:10 PM  
**To:** 'Jennifer Pietarila'  
**Subject:** Proposed MSWIN 20505 C Stewart Communications Tower TCNS 56600  
**Attachments:** FCC Form 620 Proposed MSWIN 20505 Tower TCNS 56600.pdf

Ms. Jennifer Pietarila  
Seminole Tribe of Florida

Subject:  
**TCNS 56600**  
**Proposed MSWIN 20505 C Stewart Communications Tower**  
**Stewart, Webster County, Mississippi**  
**Environmental Engineers, Inc. Project No.: JSE01P0923**

Dear Ms. Pietarila:

I am requesting comment on behalf of Towers of Mississippi, the State of Mississippi, and the Federal Emergency Management Agency (FEMA) regarding potential impacts to Native American religious or cultural sites by construction of a wireless communications tower in Webster County, Mississippi. This project was also submitted through the FCC TCNS on October 2, 2009 (TCNS ID # 56600).

The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Stewart, Mississippi," dated 1966. The site is located in the northwest ¼ of the northeast ¼ of Section 35, Township 19 North, Range 8 East, Webster County, Mississippi, at latitude 33° 28' 18.5" north and longitude 89° 25' 34.7" west. The site consists of a proposed 100-foot by 100-foot lease area with associated guy anchor easements, and a proposed access road located at 1448 Union Church Road, Stewart, Webster County, Mississippi 39767. Proposed activities consist of construction of a 650-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. 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 (JSE01P0923) 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](mailto: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, October 20, 2009 3:03 PM  
**To:** towerinfo@envciv.com  
**Cc:** tcns.fccarchive@fcc.gov; jenniferpietarila@semtribe.com  
**Subject:** Reply to Proposed Tower Structure (Notification ID: 56600) - Email ID #2325565

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 Archaeological Data Analyst Jennifer L Pietarila of the Seminole Tribe of Florida in reference to Notification ID #56600:

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" for direct effects and "no adverse effect" for visual effects. 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,  
W.S. Steele,  
Tribal Historic Preservation Officer

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

Notification Received: 10/02/2009  
Notification ID: 56600  
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](mailto:towerinfo@envciv.com)

Structure Type: GTOWER - Guyed Tower  
Latitude: 33 deg 28 min 18.5 sec N  
Longitude: 89 deg 25 min 34.7 sec W  
Location Description: 1448 Union Church Road  
City: Stewart

State: MISSISSIPPI

County: WEBSTER

Ground Elevation: 123.5 meters

Support Structure: 198.1 meters above ground level

Overall Structure: 198.1 meters above ground level

Overall Height AMSL: 321.6 meters above mean sea level

**Henry Fisher**

**From:** Earl Barbry, Jr. [earlji@tunica.org]  
**Sent:** Tuesday, May 03, 2005 5:51 PM  
**To:** Henry Fisher  
**Cc:** Niki Jeter  
**Subject:** Re: HELPI - 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. 6851

## Henry Fisher

---

**From:** Henry Fisher [hfisher@envciv.com]  
**Sent:** Tuesday, October 20, 2009 1:02 PM  
**To:** 'earlii@tunica.org'  
**Subject:** Proposed MSWIN 20505 C Stewart Communications Tower TCNS 56600

Mr. Earl Barbry  
Tunica-Biloxi Indians of Louisiana

Subject:  
**TCNS 56600**  
**Proposed MSWIN 20505 C Stewart Communications Tower**  
**Stewart, Webster County, Mississippi**  
**Environmental Engineers, Inc. Project No.: JSE01P0923**

Dear Mr. Barbry:

I am requesting comment on behalf of Towers of Mississippi, the State of Mississippi, and the Federal Emergency Management Agency (FEMA) regarding potential impacts to Native American religious or cultural sites by construction of a wireless communications tower in Webster County, Mississippi. This project was also submitted through the FCC TCNS on October 2, 2009 (TCNS ID # 56600).

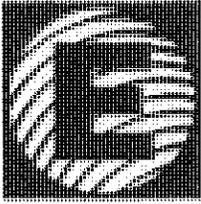
The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Stewart, Mississippi," dated 1966. The site is located in the northwest  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 35, Township 19 North, Range 8 East, Webster County, Mississippi, at latitude 33° 28' 18.5" north and longitude 89° 25' 34.7" west. The site consists of a proposed 100-foot by 100-foot lease area with associated guy anchor easements, and a proposed access road located at 1448 Union Church Road, Stewart, Webster County, Mississippi 39767. Proposed activities consist of construction of a 650-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.

Environmental Engineers, Inc. appreciates the opportunity to provide this information. Please reference the Environmental Engineers, Inc. project number (JSE01P0923) 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](mailto: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*

October 6, 2009

Mr. Robert Hill, President  
Webster County Board of Supervisors  
P.O. Box 368  
Walthall, Mississippi 39771

Subject:

**Proposed MSWIN 20505 C Stewart Communications Tower**  
**Stewart, Webster County, Mississippi**  
Environmental Engineers, Inc. Project No.: JSE01P0923

Dear Mr. Hill:

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) and Section 106 of the National Historic Preservation Act (NHPA) we are requesting comment on behalf of Towers of Mississippi, the State of Mississippi, and the Federal Emergency Management Agency (FEMA) 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 Webster County, Mississippi.

The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Stewart, Mississippi," dated 1966. The site is located in the northwest ¼ of the northeast ¼ of Section 35, Township 19 North, Range 8 East, Webster County, Mississippi, at latitude 33° 28' 18.5" north and longitude 89° 25' 34.7" west. The site consists of a proposed 100-foot by 100-foot lease area with associated guy anchor easements, and a proposed access road located at 1448 Union Church Road, Stewart, Webster County, Mississippi 39767. Proposed activities consist of construction of a 650-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. I have enclosed the portion of the USGS topographic map depicting the site location for your review.

Environmental Engineers, Inc. appreciates the opportunity to provide this information. Please reference the Environmental Engineers, Inc. project number (JSE01P0923) 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 [hfisher@envciv.com](mailto: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,

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 3656 3078

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54

10/6/09  
Postmark Here  
JSE01P0922  
JSE01P0923

Sent To Mr Robert Hill, President  
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. Robert Hill, President  
Webster County Bd of Supervisors  
P.O. Box 368  
Walthall, MS 39771

2. Article Number  
(Transfer from service label)

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
Monique Sims  Agent  Addressee

B. Received by (Printed Name) Monique Sims C. Date of Delivery 10-9-09

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 3656 3078



RUSSELL S. "RUSS" TURNER  
CHANCERY COURT CLERK  
P.O. BOX 398  
WEBSTER COUNTY COURTHOUSE  
WALTHALL, MS 39771  
(662) 258-4131

October 12, 2009

Environmental Engineer, Inc.  
Henry A. Fisher  
11578 US Highway 411  
Odenville, Alabama 35120

RE: Proposed Construction of New Communications Towers

Dear Mr. Fisher:

To the best of my knowledge I see no potential effects on Historic Properties, regarding the construction of the proposed MSWIN 20505 C Stewart Communications Tower, Stewart, Webster County, Mississippi, being Environmental Engineers, Inc. project number (JSE01P0923).

Sincerely,

A handwritten signature in cursive script that reads "Russ Turner".

Russ Turner

OCT 13 2009

RECEIVED

# PROOF OF PUBLICATION

## THE STATE OF MISSISSIPPI COUNTY WEBSTER

Before the undersigned authority of said county and state personally appeared Brenda Perry, County of Webster, State of Mississippi, Webster Progress Times, being duly sworn, both depose and say that the publication of the notice hereto affixed has been made in said newspaper for 1 Consecutive week(s), to-wit:

Vol. 82, No. 40, on the 8 day of October,  
Vol. \_\_\_\_\_, No. \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_,  
Vol. \_\_\_\_\_, No. \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_,  
Vol. \_\_\_\_\_, No. \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_,  
Vol. \_\_\_\_\_, No. \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_,  
Vol. \_\_\_\_\_, No. \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_,

Sworn to and subscribed to this the 9 day of October 2009  
me the undersigned Notary Public of said County and State.

SUSAN D. ADCOCK  
Mississippi Statewide Notary Public  
My Commission Expires January 14, 2010



Printer's fee 73.00

By: Susan D. Adcock  
Brenda Perry

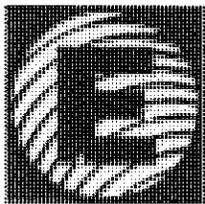
Towers of Mississippi, the State of Mississippi, and the Federal Emergency Management Agency (FEMA) in accordance with Section 106 of the National Historic Preservation Act (NHPA) are requesting comment regarding potential impacts to historical or archaeological properties listed on, or eligible for listing on the National Register of Historic Places (NRHP), by construction of a 650 foot guyed communications tower at 1448 Union Church Road, Stewart, Webster County, Mississippi, 39767, at latitude 33° 28' 18.5" north and longitude 89° 25' 34.7" west.

All comments should be submitted within 30 days of the publication of this notice referencing project JSE01P0923 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.

Publication Date:

10/8

# Appendix K



**ENVIRONMENTAL ENGINEERS, INC.**

**11578 US Highway 411, Odenville, Alabama 35120**

*Environmental, Remediation, and Geological Consultants*

October 20, 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 20505 C Stewart Communications Tower  
Stewart, Webster County, Mississippi**

Environmental Engineers, Inc. Project No.: JSE01P0923

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 Webster 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 "Stewart, Mississippi," dated 1966. The site is located in the northwest  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 35, Township 19 North, Range 8 East, Webster County, Mississippi, at latitude  $33^{\circ} 28' 18.5''$  north and longitude  $89^{\circ} 25' 34.7''$  west. The site consists of a proposed 100-foot by 100-foot lease area with associated guy anchor easements, and a proposed access road located at 1448 Union Church Road, Stewart, Webster County, Mississippi 39767. Proposed activities consist of construction of a 650-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 located in "Zone C" of the Flood Insurance Rate Map Community Panel No. 280284 0225 B which bears an effective date of September 18, 1985 and is not 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 (JSE01P0923) 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](mailto: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 long horizontal flourish extending to the right.

Henry A. Fisher, P.E.  
Principal Engineer

Attachments Site Location Map, Site Photographs, Aerial Photograph

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PS Form 3800, August 2006 See Reverse for Instructions

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- 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  
 Attn: CEMVK-OD-F  
 4155 Clay Street  
 Vicksburg, MS 39183-3435

2. Article Number  
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 Signature  
 Agent  
 Addressee

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4. Restricted Delivery? *(Extra Fee)*  Yes

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## DEPARTMENT OF THE ARMY

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

REPLY TO  
ATTENTION OF:

November 3, 2009

ENVIRONMENTAL ENGINEERS

NOV 05 2009

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Operations Division

SUBJECT: Towers of Mississippi, the State of Mississippi, and the Federal Emergency Management Agency (FEMA), MSWIN 20505 C Stewart Communications Tower, Stewart, Webster County, Mississippi, Environmental Engineers, Inc. Project No. JSE01P0923

Mr. Henry A. Fisher  
Environmental Engineers, Incorporated  
11578 US Highway 411  
Odenville, Alabama 35120

Dear Mr. Fisher:

We received your correspondence, subject as above, on October 23, 2009. For ease of reference, we have assigned your correspondence identification number MVK-2009-1439. Please refer to this number should you write or call us about your request.

If you have any questions about the status of your request, please call this office at (601) 631-5064 or (601) 631-7071.

Sincerely,

A handwritten signature in black ink that reads "Michael F. McNair".

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



## DEPARTMENT OF THE ARMY

VICKSBURG DISTRICT, CORPS OF ENGINEERS

4155 CLAY STREET

VICKSBURG, MISSISSIPPI 39183-3435

ENVIRONMENTAL ENGINEERS

REPLY TO  
ATTENTION OF:

November 3, 2009

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Operations Division

SUBJECT: Towers of Mississippi, Construction of MSWIN 20505 C  
Stewart Communications Tower, Stewart, Webster County,  
Mississippi; Environmental Engineers, Incorporated, Project  
Number JSE01P0923

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

Dear Mr. Robinson:

This letter is in response to the October 20, 2009, letter from Mr. Henry A. Fisher of Environmental Engineers, Incorporated, concerning possible regulatory requirements for the proposed plans for the construction of MSWIN 20505 C communications tower and access road located near Stewart, in Webster County, Mississippi.

Based upon the information provided (enclosure 1) and the information available to this office, it appears that a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act will not be required for the proposed work. In the event that project plans are changed, or if you anticipate any additional construction, please contact this office for a reevaluation of permit requirements and refer to identification no. MVK-2009-1439 when submitting the information.

This determination of Department of the Army regulatory requirements was based upon a preliminary jurisdictional determination that there are no jurisdictional areas being impacted by the proposed work on the property subject to regulation pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or to Section 404 of the Clean Water Act. An appeals form for this preliminary jurisdictional determination has been enclosed for your review (enclosure 2).

This determination of Department of the Army regulatory requirements does not convey any property rights, either in real estate or material or any exclusive privileges, and does not authorize any injury to property or invasion of rights or local laws or regulations, or obviate the requirement to obtain State or local assent required by law for the activity discussed herein.

If we may be of any further assistance in this matter, please contact Mr. Chad Phillips of this office, telephone (601) 631-5146, fax (601) 631-5459, or e-mail address: [regulatory@usace.army.mil](mailto:regulatory@usace.army.mil).

The Vicksburg District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete the Customer Service Survey found on our web site at <http://per2.nwp.usace.army.mil/survey.html>. If it is more convenient for you, please complete and return the enclosed postage-paid post card (enclosure 3).

I am forwarding a copy of this letter to Mr. Henry A. Fisher, Environmental Engineers, Incorporated, 11578 U.S. Highway 411, Odenville, Alabama 35120.

Sincerely,



David Lofton  
Chief, Permit Section  
Regulatory Branch

Enclosures

FP



**ENVIRONMENTAL ENGINEERS, INC.**

**11578 US Highway 411, Odenville, Alabama 35120**

*Environmental, Remediation, and Geological Consultants*

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October 20, 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 20505 C Stewart Communications Tower**  
**Stewart, Webster County, Mississippi**  
Environmental Engineers, Inc. Project No.: JSE01P0923

Dear Mr. Lofton:

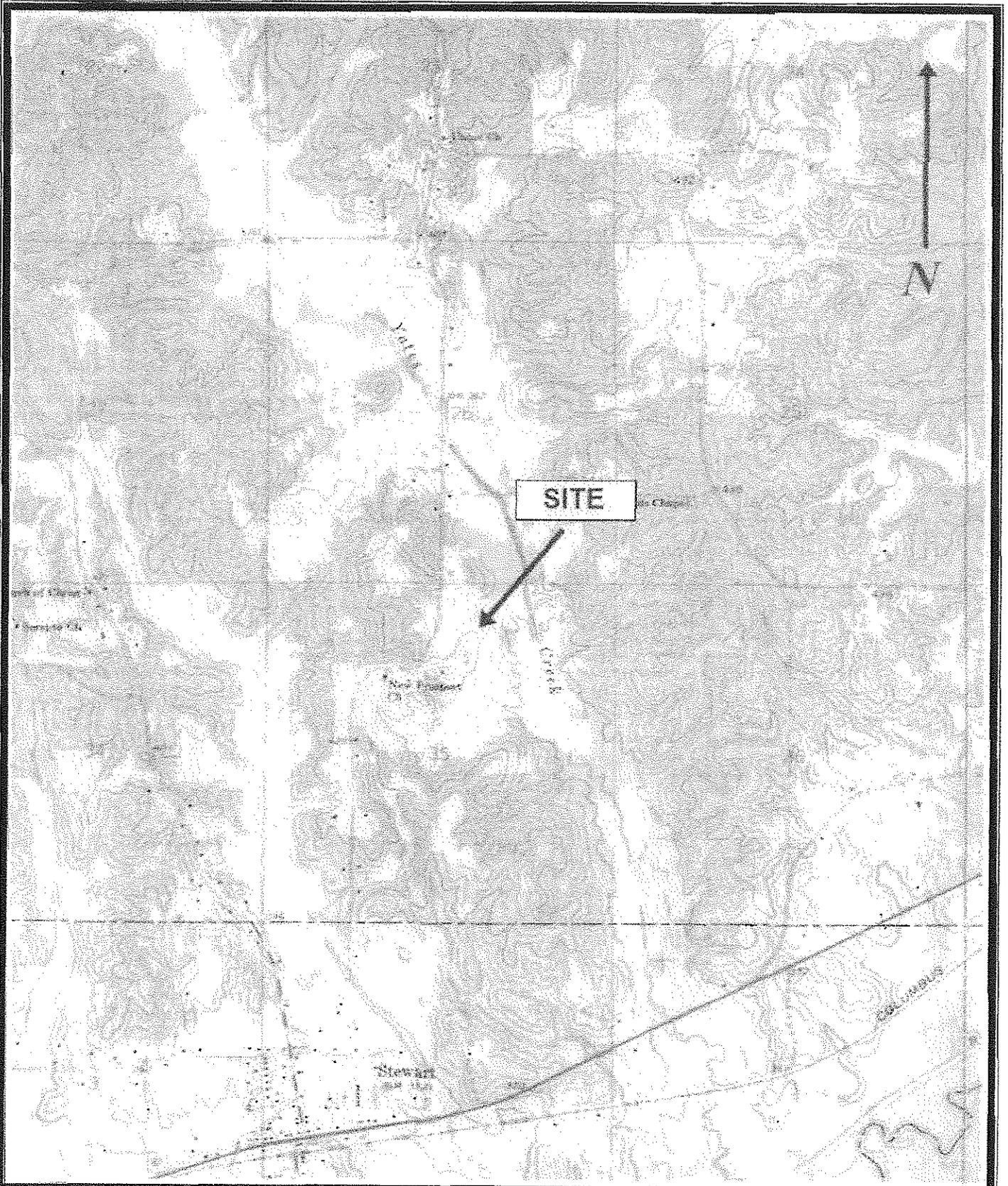
Environmental Engineers, Inc. is requesting comment on behalf of Towers of Mississippi, the State of Mississippi, and the Federal Emergency Management Agency (FEMA) regarding construction of a wireless communications tower in Webster County, Mississippi. This project is being funded using a FEMA grant (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 "Stewart, Mississippi," dated 1966. The site is located in the northwest ¼ of the northeast ¼ of Section 35, Township 19 North, Range 8 East, Webster County, Mississippi, at latitude 33° 28' 18.5" north and longitude 89° 25' 34.7" west. The site consists of a proposed 100-foot by 100-foot lease area with associated guy anchor easements, and a proposed access road located at 1448 Union Church Road, Stewart, Webster County, Mississippi 39767. Proposed activities consist of construction of a 650-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 located in "Zone C" of the Flood Insurance Rate Map Community Panel No. 280284 0225 B which bears an effective date of September 18, 1985 and is not 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**

MVK-2009-1439

KKC



**Environmental Engineers, Inc.**

Subject:  
NEPA Checklist  
Proposed MSWIN 20505 C Stewart Communications Tower  
Stewart, Webster County, Mississippi  
Project No.: JSE01P0923

Figure 1  
Site Location Map  
Scale: 1" = 2,000'



# Appendix L

## Webster County, Mississippi

### OrC2—Ora loam, 5 to 8 percent slopes, eroded

#### Map Unit Setting

*Mean annual precipitation:* 53 to 62 inches

*Mean annual air temperature:* 61 to 66 degrees F

*Frost-free period:* 250 to 310 days

#### Map Unit Composition

*Ora and similar soils:* 100 percent

#### Description of Ora

##### Setting

*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:* 18 to 42 inches to fragipan

*Drainage class:* Moderately well drained

*Capacity of the most limiting layer to transmit water*

*(Ksat):* Moderately high (0.20 to 0.60 in/hr)

*Depth to water table:* About 24 to 36 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Available water capacity:* Low (about 4.0 inches)

##### Interpretive groups

*Land capability (nonirrigated):* 3e

##### Typical profile

*0 to 4 inches:* Loam

*4 to 21 inches:* Clay loam

*21 to 48 inches:* Sandy clay loam

*48 to 60 inches:* Sandy clay loam

## Data Source Information

Soil Survey Area: Webster County, Mississippi

Survey Area Data: Version 7, Jan 19, 2010

## Webster County, Mississippi

### SOE—Smithdale-Ora association, hilly

#### Map Unit Setting

*Mean annual precipitation:* 53 to 62 inches  
*Mean annual air temperature:* 61 to 66 degrees F  
*Frost-free period:* 250 to 310 days

#### Map Unit Composition

*Smithdale and similar soils:* 44 percent  
*Ora and similar soils:* 26 percent  
*Minor components:* 5 percent

#### Description of Smithdale

##### Setting

*Landform:* Hillslopes  
*Landform position (two-dimensional):* Backslope  
*Landform position (three-dimensional):* Side slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Loamy fluviomarine deposits

##### Properties and qualities

*Slope:* 12 to 35 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:* High (about 9.2 inches)

##### Interpretive groups

*Land capability (nonirrigated):* 7e

##### Typical profile

*0 to 7 inches:* Sandy loam  
*7 to 30 inches:* Clay loam  
*30 to 83 inches:* Loam

#### Description of Ora

##### Setting

*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:* 8 to 12 percent

*Depth to restrictive feature:* 18 to 42 inches to fragipan  
*Drainage class:* Moderately well drained  
*Capacity of the most limiting layer to transmit water*  
*(Ksat):* Moderately high (0.20 to 0.60 in/hr)  
*Depth to water table:* About 24 to 36 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water capacity:* Low (about 4.0 inches)

**Interpretive groups**

*Land capability (nonirrigated):* 4e

**Typical profile**

*0 to 4 inches:* Loam  
*4 to 21 inches:* Clay loam  
*21 to 48 inches:* Sandy clay loam  
*48 to 60 inches:* Sandy clay loam

**Minor Components**

**Unnamed hydric soils (133dr)**

*Percent of map unit:* 5 percent  
*Landform:* Drainageways  
*Landform position (three-dimensional):* Dip  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear

**Data Source Information**

Soil Survey Area: Webster County, Mississippi  
Survey Area Data: Version 7, Jan 19, 2010



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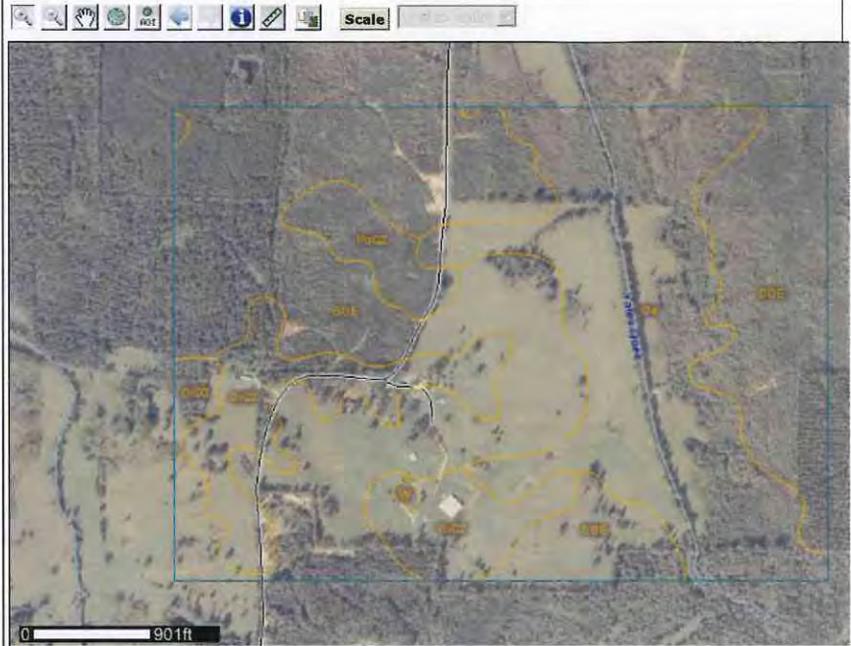
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Map Unit Legend

**Webster County, Mississippi (MS155)**

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Oa	Oaklimeter silt loam	113.4	27.5%
OrC2	Ora loam, 5 to 8 percent slopes, eroded	52.7	12.8%
OrD2	Ora loam, 8 to 12 percent slopes, eroded	4.2	1.0%
PoC2	Providence silt loam, 5 to 8 percent slopes, eroded	13.8	3.4%
SOE	Smithdale-Ora association, hilly	226.7	55.0%
TaC2	Tippah silt loam, 5 to 8 percent slopes, eroded	0.5	0.1%
W	Water	0.7	0.2%
<b>Totals for Area of Interest</b>		<b>412.0</b>	<b>100.0%</b>

Soil Map



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| A | A | A

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

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

Search

Suitabilities and Limitations Ratings

Open All

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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 - Webster County, Mississippi

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
Oa	Oaklimeter silt loam	Prime farmland if protected from flooding or not frequently flooded during the growing season	113.4	27.5%
OrC2	Ora loam, 5 to 8 percent slopes, eroded	Farmland of statewide importance	52.7	12.8%
OrD2	Ora loam, 8 to 12 percent slopes, eroded	Not prime farmland	4.2	1.0%
PoC2	Providence silt loam, 5 to 8 percent slopes, eroded	Farmland of statewide importance	13.8	3.4%
SOE	Smithdale-Ora association, hilly	Not prime farmland	226.7	55.0%
TaC2	Tippah silt loam, 5 to 8 percent slopes, eroded	Farmland of statewide importance	0.5	0.1%
W	Water	Not prime farmland	0.7	0.2%
<b>Totals for Area of Interest</b>			<b>412.0</b>	<b>100.0%</b>

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.

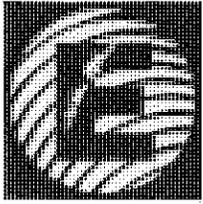
Rating Options - Farmland Classification

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, Remediation, and Geological Consultants*

October 20, 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 20505 C Stewart Communications Tower**

**Stewart, Webster County, Mississippi**

Environmental Engineers, Inc. Project No.: JSE01P0923

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 Webster 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.

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**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 (JSE01P0923) 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](mailto: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

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Return Receipt Fee (Endorsement Required)		Postmark Here JSE01 P0919
Restricted Delivery Fee (Endorsement Required)		JSE01 P0921 JSE01 P0922
Total Postage & Fees	\$	7.34 JSE01 P0923

Sent To: Mr. Homer L. Wilkes, State Conservator  
 Street, Apt. No., or PO Box No.  
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

7007 2680 0002 3656 3788

<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature  <input checked="" type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)          J. Ward</p> <p>C. Date of Delivery          6/23/09</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:          Mr. Homer L. Wilkes, State Conservator          US Dept. of Agriculture, NRCS          100 W. Capital Street          Suite 1321 Federal Building          Jackson, MS 39269</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>	
		7007 2680 0002 3656 3788	

United States Department of Agriculture



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

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November 4, 2009

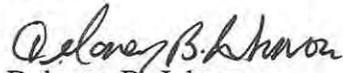
Henry A. Fisher, P.E.  
Principal Engineer  
Environmental Engineers, Inc.  
11578 US Highway 411  
Odenville, AL 35120

Dear Mr. Fisher:

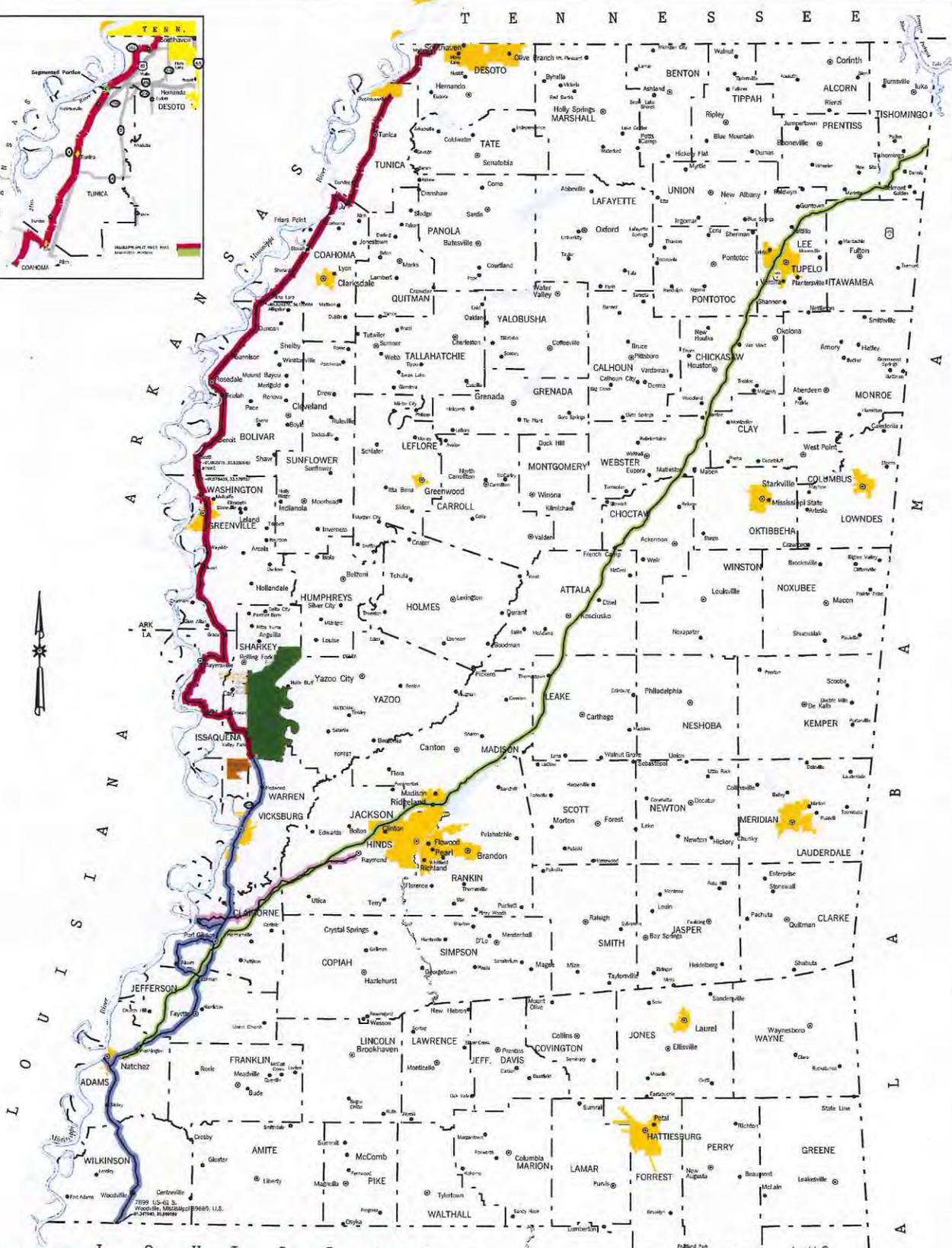
This is in response to your letter dated October 20, 2009, regarding the Proposed MSWIN 20505 C Stewart Communications Tower in Stewart in Webster County, Mississippi.

Permanent conversion of farm land is not proposed; therefore a FPPA determination is not required.

Sincerely,

  
Delaney B. Johnson  
State Soil Scientist

# Appendix M

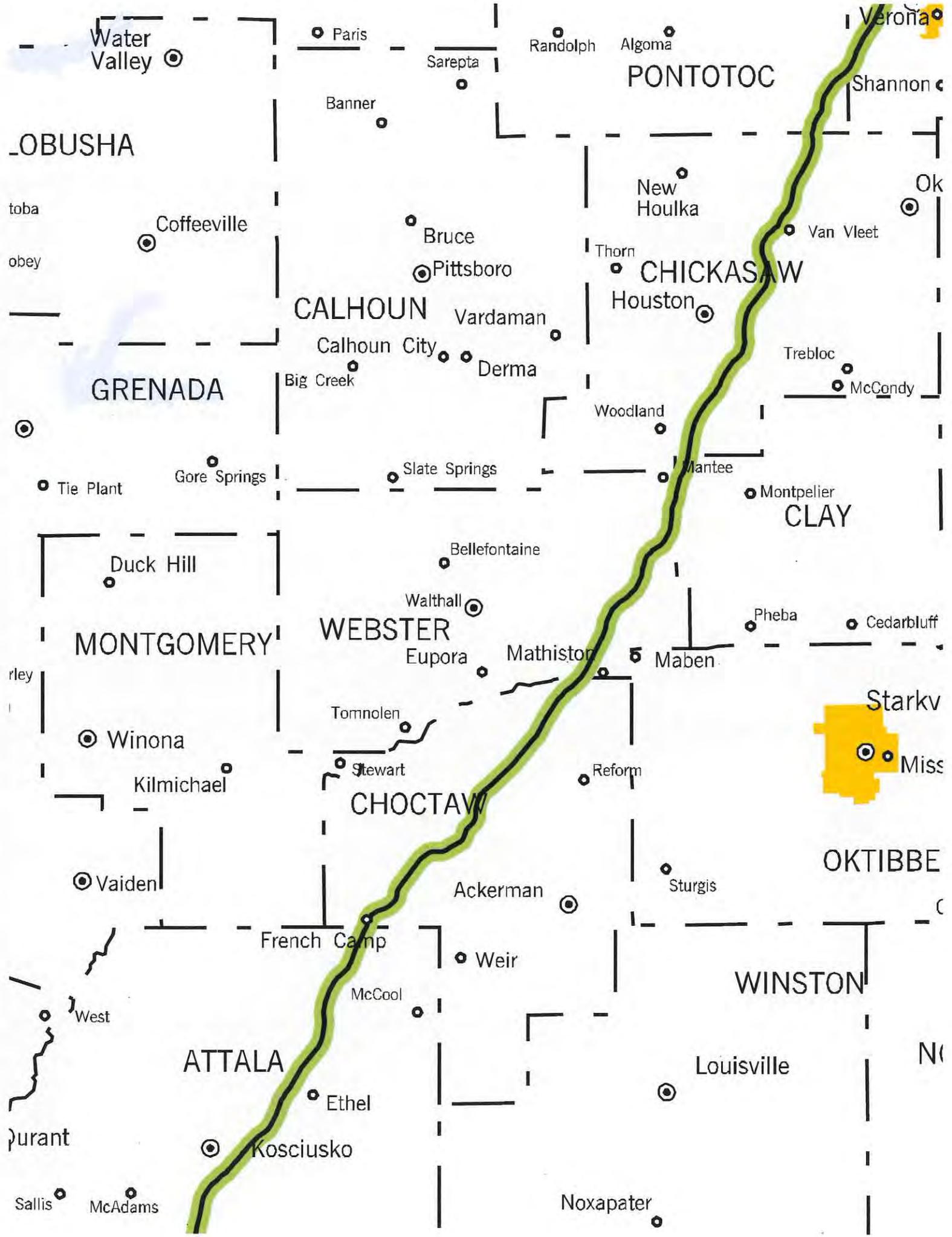


# MISSISSIPPI SCENIC BYWAYS

- 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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 PLANNING DIVISION





# Appendix N

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# National Wild & Scenic Rivers



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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.



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Black Creek Wild and Scenic River, Mississippi

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# National Wild & Scenic Rivers







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## 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).

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