



Draft Environmental Assessment

Holiday Beach Radio Tower
Project Number 0020289153
Aransas County, Texas

Homeland Security Grant Program (HSGP)
Project/Grant# 2010-SS-T0-0008 (10224)

April 2012



**Federal Emergency Management Agency
Department of Homeland Security**

500 C Street, SW
Washington, DC 20472

Table of Contents

1.0 INTRODUCTION	1
2.0 PURPOSE AND NEED	1
3.0 ALTERNATIVES	2
3.1 No Action Alternative	3
3.2 Proposed Action Alternative	2
3.3 Alternatives Considered But Not Carried Forward	4
4.0 AFFECTED ENVIRONMENT AND POTENTIAL IMPACTS	4
4.1 Physical Resources	4
4.1.1 Geology and Soils	4
4.1.2 Air Quality	5
4.2 Water Resources	6
4.2.1 Surface and Ground Water Quality	6
4.2.2 Wetlands	7
4.2.3 Floodplains	8
4.3 Coastal Resources	10
4.4 Biological Resources	11
4.4.1 Threatened and Endangered Species and Critical Habitat	11
4.4.2 Migratory Birds	12
4.5 Cultural and Historic Resources	16
4.5.1 Historic Properties	16
4.5.2 Tribal Coordination	18
4.6 Socioeconomic Resources	19
4.6.1 Environmental Justice	19
4.6.2 Noise	20
4.6.3 Traffic/Transportation Network	20
4.6.4 Utilities	21
4.6.5 Public Health and Safety	21
4.7 Summary Table	22
5.0 CUMULATIVE IMPACTS	25
6.0 PUBLIC INVOLVEMENT	26
7.0 REFERENCES	26
8.0 LIST OF PREPARERS	27

FIGURES

Figure 1: Vicinity Map

Figure 2: USGS Topographic Map

Figure 3: Site Plan

Figure 4: Geologic Map

Figure 5: Soil Survey

Figure 6: FEMA Floodplain Zones Map

Figure 7: USFWS-National Wetland Inventory Map

APPENDIX A – Site Photographs

APPENDIX B – Agency Correspondence

APPENDIX C – TCEQ Attainment of Air Quality Standards

List of Acronyms and Abbreviations

AGL	Above Ground Level
BMP	Best Management Practices
CCC	Coastal Coordination Council
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CO	Carbon Monoxide
CWA	Clean Water Act
CZMA	Coastal Zone Management Act
CZMP	State Coastal Zone Management Plans
DHS	Department of Homeland Security
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
FAA	Federal Aviation Administration
FCC	Federal Communications Commission
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FPPA	Farmland Protection Policy Act
FONSI	Finding of No Significant Impact
HSGP	Homeland Security Grant Program
MBTA	Migratory Bird Treaty Act
NAAQS	National Ambient Air Quality Standard
NAD83	North American Datum of 1983
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NO ₂	Nitrogen Dioxide
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
O ₃	Ozone
OSHA	Occupational Safety and Health Administration
Pb	Lead

PM10 and PM2.5	Particulate matter
SHPO	State Historic Preservation Officer
SO2	Sulfur Dioxide
TCEQ	Texas Commission on Environmental Quality
THPO	Tribal Historic Preservation Officer
USACE	United States Army Corps of Engineers
USEPA	Environmental Protection Agency
USFWS	United States Department of the Interior, Fish and Wildlife Service
USGS	United States Geological Survey
WOUS	Waters of the United States

1.0 INTRODUCTION

This Draft Environmental Assessment (EA) provides a review of the potential environmental impacts associated with grant funds issued by the Homeland Security Grant Program (HSGP). The HSGP is to assist state, local, tribal, and nongovernmental agencies in developing interoperable communications within the P25 VHF trunked system build-out. As a condition of the HSGP, HSGP grantees must comply with all relevant federal legislation; including the National Environmental Policy Act (NEPA), therefore this project requires a site-specific EA.

The Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) has specified that HSGP-funded projects must be used for projects that would improve communications in areas at high risk for natural disasters and in urban and metropolitan areas at high risk for threats of terrorism, and should include pre-positioning or securing of interoperable communications for immediate deployment during emergencies or major disasters. Investments that received HSGP funding range from large-scale infrastructure build outs such as tower construction to governance-related initiatives, but are not limited to multijurisdictional strategic planning. The Texas Department of Public Safety has been awarded funding under the HSGP to fund the Proposed Action. The funding grant number is 2010-SS-T0-0008 (10224).

The NEPA requires that federal agencies evaluate 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 President's Council on Environmental Quality (CEQ) has developed a series of regulations for implementing the NEPA. These regulations are included in Title 40 of the Code of Federal Regulations (CFR), Parts 1500–1508. An EA includes an evaluation of alternative means of addressing the purpose and need for federal action and a discussion of the potential environmental consequences of the proposed federal action. The EA provides the evidence and analysis to determine whether the proposed federal action will have a significant adverse effect on the human environment. An EA related to a FEMA program must be prepared according to the requirements of the Stafford Act and 44 CFR Part 10. This section of the Federal Code requires that the FEMA take environmental considerations into account when authorizing funding or approving actions. This EA was conducted in accordance with both CEQ and FEMA regulations for NEPA. FEMA will use the findings in this EA to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

2.0 PURPOSE AND NEED

The Aransas County's objective is to have complete communication coverage throughout the area. The current public safety telecommunications infrastructure is insufficient to meet this need. This lack of radio coverage adversely impacts the county's ability to maintain radio communication, which is directly related to ability to provide emergency services and respond to emergency events. The specific need addressed in this proposal is to provide sufficient system

capability to achieve radio coverage throughout Aransas County. The purpose of the HSGP is to improve interoperability and reliability in the nation's communications and information systems infrastructure by assisting public safety agencies in performing the following:

- Conducting statewide or regional planning and coordination
- Supporting the design and engineering of interoperable emergency communications systems
- Supporting the acquisition or deployment of interoperable communications equipment or systems
- Establishing and implementing a strategic technology reserve to pre-position or secure interoperable communications in advance so they may be immediately deployed in an emergency or major disaster

There is currently not an existing communications and information systems infrastructure which meets the coverage and security needs of Aransas County. As a result, there is a need for a communications and information system infrastructure which will:

1. Increase the coverage area for emergency responders connected through the communications and information systems of neighboring counties
2. Provide updated equipment to support new frequencies to improve and expand voice and data coverage
3. Facilitate reliable interoperable communications among first responder organizations
4. Enhanced security and facility control
5. Use cost-effective measures, via leasing agreements and systems sharing

3.0 ALTERNATIVES

NEPA requires the investigation and evaluation of reasonable project alternatives, including impacts to the natural and human environment as part of the planning process. This EA addresses three alternatives, the No Action Alternative, the Proposed Action Alternative, and Alternatives Considered But Not Carried Forward.

3.1 No Action Alternative

Under the No Action Alternative, Aransas County would continue to rely on existing communication infrastructure which does not provide sufficient coverage throughout the area or county. This would leave emergency response unchanged and results in a lower level of overall

public safety than the Proposed Action Alternative as Aransas County emergency responders would remain at risk due to lack of radio coverage. Lack of adequate communication directly impacts command, control, rescue, event analysis, and other critical operations. The No Action Alternative would not satisfy the purpose of the proposed project and would not satisfy the needs for Aransas County.

3.2 Proposed Action Alternative

The Proposed Action Alternative is the construction of a 175-foot self-supported lattice telecommunications tower with 20-foot antenna that will be located at 6779 Highway 35 North approximately 12 miles north of Rockport, Texas on Highway 35 in Aransas County, Texas at 28.16925 Latitude and -96.998306 Longitude, North American Datum of 1983 (NAD83) (Figure 1), and shown on the United States Geological Survey (USGS) Saint Charles Bay, Texas USGS Topographic Map (Figure 2). The Proposed Action will be installed directly adjacent to an existing Fire Station, and adjacent to an existing concrete slab for hose drying and existing parking lot. The area surrounding the proposed project is the residential development of Holiday Beach, Aransas County, Texas. Two cell towers are currently located approximately 936 feet to the north and 551 feet to the south of the Proposed Action site.

The proposed Holiday Beach Radio Tower site would consist of a 175-foot self-supporting lattice telecommunication tower with a 20-foot antennae and associated equipment to be located on 20-foot by 20-foot turf grassed covered parcel. The proposed tower construction also includes the installation of an emergency generator. The tower will be installed directly adjacent to the existing Holiday Beach Fire Station. Any operations of the tower will be conducted within this existing dwelling. An aerial photograph showing the site location is included (Figure 3).

The proposed Holiday Beach Radio Tower site will allow for the following:

- Increased coverage area for emergency responders connected through the communications and information systems of neighboring counties
- New technology which will support frequencies which improve/expand voice and/or data coverage
- Improved communications among security/emergency organizations
- Enhanced security and facility control
- The use of cost-effective measures, via leasing agreements and systems sharing

3.3 Alternatives Considered But Not Carried Forward

Alternative sites were examined for the Proposed Action. However, within this region, there are limited sites that are available and suitable for tower siting. None of these alternatives could concurrently accommodate the future needs of Aransas County and minimize impacts to the natural environment. Therefore, these alternatives were dismissed and are not discussed any further in this document.

4.0 AFFECTED ENVIRONMENT AND POTENTIAL IMPACTS

This section discusses the existing environmental conditions at the proposed site including descriptions of the physical, biological, and socioeconomic resources throughout the general area and the Proposed Action site. The characterization of existing conditions provides a baseline for assessing the potential environmental impacts from activities associated with the Proposed Action.

4.1 Physical Resources

4.1.1 Geology and Soils

The Proposed Action is located on the geologic formation identified as a barrier-strandplain grass-covered sand (Figure 4) of the Pleistocene systems (UTBEG, Hobbs Sheet, 1976). The soil composition of the Holiday Beach Radio Tower site is listed as Galveston-Mustang association, which consists of well drained to poorly drained, fine sand as shown in Figure 5. These soils are found on sand sheets. Slopes range from 0 to 3 percent (NRCS/USDA 2011).

The Proposed Action will not significantly impact geology or soils at the site. The minor construction activity will incorporate practices to minimize soil erosion during the construction/erection of the communication tower, including best management practices (BMP) such as minimization of area of disturbance, silt fencing and/or straw bales, and proper staging of equipment.

The Farmland Protection Policy Act (FPPA) (p.l. 97-98, Sec. 1539-1549; 7 U.S.C. 4201, et seq.) is intended to minimize the impact federal programs have on unnecessary and irreversible conversion of farmland to nonagricultural uses. FPPA assures that federal programs are administered to be compatible with various programs to protect farmland. For the purpose of

FPPA, farmland definition includes prime farmland, unique farmland, and land of statewide or local importance; it is important to note that these definitions include land such as forestland, pastureland, or other land that is not in current production. The proposed project site is not considered prime farmland by the United States Department of Agriculture, National Resources Conservation Service.

Geology and soils will not be impacted by the No Action Alternative as no construction activities would occur.

4.1.2 Air Quality

Air quality is measured by the concentration of various pollutants in the atmosphere, usually expressed in units of parts per million or micrograms per cubic meter. Acceptable levels for six criteria pollutants in ambient air have been established as National Ambient Air Quality Standards (NAAQS). These standards were set by the federal U.S. Environmental Protection Agency (USEPA) for the maximum levels of air pollutants that can exist in the outdoor air without unacceptable effects on human health or the public welfare. The six criteria air pollutants include carbon monoxide (CO), nitrogen dioxide (NO₂), ozone (O₃), sulfur dioxide (SO₂), particulate matter (PM₁₀ and PM_{2.5}), and lead (Pb). PM₁₀ and PM_{2.5} are acronyms for particulate matter consisting of particles smaller than 10 and 2.5 micrometers, respectively.

According to the Texas Commission on Environmental Quality (TCEQ 2008), Aransas County is classified as in attainment and currently meets NAAQS for all six criteria pollutants (Appendix C). The proposed project meets established NAAQS. Air permits are not required for new construction or refitting construction for telecommunication towers that include the following activities: building a road, preparing land to erect a tower, temporary small-scale ground disturbance typically associated with new and refitting tower construction (TCEQ 2008).

The Proposed Action will include short-term construction activities, including soil excavation and grading. These activities are likely to create fugitive dust; however BMPs would be used to minimize dust. These BMPs include spraying water to minimize dust, limiting the area of uncovered soil to the minimum needed for each activity, siting of staging areas to minimize fugitive dust, using a temporary gravel cover, limiting the number and speed of vehicles on the site, and covering trucks hauling dirt. BMPs for construction vehicle and equipment emissions include limiting vehicle idling time, and conducting proper vehicle maintenance. Air emissions from construction activities would be temporary and would cease once construction is completed. However, episodic impacts to air quality could occur from the proposed stand alone emergency backup generator. Impacts to air quality are anticipated to be minimal because the

emergency backup generator will run on propane fuel that produces negligible greenhouse gas emissions.

Air quality would not be impacted by the No Action Alternative as no construction activities would take place and no air emissions would occur.

4.2 Water Resources

The United States Army Corps of Engineers (USACE) is responsible for permitting and enforcement functions dealing with building into or discharging dredge or fill material into Waters of the United States (WOUS). The USACE regulations for building or working in navigable WOUS are authorized by the Rivers and Harbors Act of 1899. These regulations along with Section 404 of the Clean Water Act (CWA) establish the USACE permit program for discharging dredged or fill material or structures into WOUS or navigable waters.

Field reconnaissance performed in November, 2011, did not observe any wetlands or defined surface drainage features, such as rivers, creeks, ponds, etc., considered to be WOUS on or immediately adjacent to the subject property. See site photos (Appendix A).

4.2.1 Surface and Ground Water Quality

The CWA, as amended, is the primary federal law in the United States regulating water pollution (P.L. 92-500, 33 U.S.C. §1251). The CWA regulates water quality of all discharges into “waters of the United States.” Both wetlands and “dry washes” (channels that carry intermittent or seasonal flow) are considered “waters of the United States.” Administered by USEPA, the CWA protects and restores water quality using both water quality standards and technology-based effluent limitations. The USEPA publishes surface water quality standards and toxic pollutant criteria at 40 CFR Part 131.

The CWA also established the National Pollutant Discharge Elimination System (NPDES) permitting program (Section 402) to regulate and enforce discharges into WOUS. The NPDES permit program focuses on point-source outfalls associated with industrial wastewater and municipal sewage discharges. Congress has delegated to many states the responsibility to protect and manage water quality within their legal boundaries by establishing water quality standards and identifying waters not meeting these standards. States also manage the NPDES Program.

According to the USGS Saint Charles Bay, Texas Topographic Map dated 1970 (Figure 2), the Proposed Action is located in a residential developed grassland area of Aransas County, Texas. The site is approximately 13 feet above mean sea level. Average annual rainfall in this area is approximately 36 inches per year.

The Proposed Action is situated on a peninsula surrounded by Saint Charles Bay toward the east and Copano Bay toward the south and west. Both bays systems are located approximately 1-3 miles east, south and west of the site identified in the USGS Topographic Map (Figure 2).

Under the Proposed Action, potential impacts to surface or ground water resources would be minimal, considering that there are no nearby water resources from the proposed site and the relatively limited size of the Holiday Beach Radio Tower footprint of a maximum (400 square feet or 0.009 acres) ground disturbance, construction activities are unlikely to result in a significant amount of erosion.

The Proposed Action will include short-term construction activities, including soil excavation and grading. The minor construction activity will incorporate BMPs to minimize water quality impacts during the construction/erection of the communication tower; such as minimization of area of disturbance, silt fencing and/or straw bales, and proper staging of equipment. Once construction activities are completed, there would be no anticipated water quality impacts to either surface water or groundwater.

Neither surface nor ground water quality would be impacted by the No Action Alternative as no construction activities would take place and no impacts to water quality would occur.

4.2.2 Wetlands

Under the CWA (40 CFR § 230.3), wetlands are defined as “those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.” Potential wetlands under the jurisdiction of the USACE include waterways, lakes, streams, and natural springs.

A review of the United States Department of the Interior, Fish and Wildlife Service (USFWS) National Wetlands Inventory Data (USFWS NWI 1995), indicated that wetlands are not located on the site (Figure 7). According the National Wetlands Inventory Data, the nearest potential

wetlands are approximately 380 feet east of the Proposed Action. Furthermore, at the time of the site reconnaissance, there was no evidence of potential wetlands, or hydrophytic vegetation at the site. Based on the findings of this review, the Proposed Action will result in no effects to wetlands.

Wetlands would not be impacted by the No Action Alternative as no construction activities would take place and no impacts to wetlands would occur.

4.2.3 Floodplains

Floodplains provide numerous beneficial environmental functions including flood abatement, stream flow mediation, filtering, and water quality enhancement. Executive Order (EO) 11988, Floodplain Management, requires federal agencies to take action to minimize occupancy and modification of the floodplain. Specifically, EO 11988 prohibits federal agencies from funding construction in the 100-year floodplain (500-year floodplain for critical facilities) unless there are no practicable alternatives. Flood Insurance Rate Maps (FIRMs) are used to identify the regulatory 100-year Floodplain for the National Flood Insurance Program (NFIP).

Consistent with EO 11988, protection of floodplains and floodways is required, and through consultation of the NFIP's Flood Insurance Rate Map (FIRM), panel number 4854520081C dated March 14, 1985, for Holiday Beach, Aransas County, Texas the project area is located within the 100 year floodplain and is designated as an A12 Zone (Figure 6). This is an area that is defined as areas within the 100-year flood plain where base flood elevations have been determined. The flood elevation for the Proposed Action is 8 feet.

Aransas County received concurrence for the Proposed Action from the local agent for the FEMA for floodplains in the county (Appendix B). The Director of Aransas County's Environmental Health Department determined that the Lamar Fire Departments Holiday Beach Station is located in a FEMA Zone A12 (EI 8). The lower portion of the tower will consist of open supports without an enclosed area. This design will allow the free-flow of any raising water without any expected adverse effects.

In compliance with FEMA regulations implementing EO 11988, Floodplain Management, FEMA is required to carry out the Eight-step decision-making process for actions that are proposed in the floodplain per 44 CFR §9.6. EO 11988 requires federal agencies "to avoid to the extent possible the long and short term adverse impacts associated with the occupancy and modification of the floodplain and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative."

This Eight-step process is applied to the proposed Holiday Beach Communication Tower, Aransas County, Texas. Holiday Beach is located east of Copano Bay and west of Saint Charles Bay and much of the region is located in the 100-year floodplain. The steps in the decision making process are as follows:

Step 1 Determine if the Proposed Action Alternative is located in the Base Floodplain

The Proposed Action Alternative involves the construction of a proposed communication tower. FEMA has determined that the Proposed Action Alternative is located in a 100-year floodplain, Zone A12 (Areas of 100-year flood; base flood elevations and flood hazard factors determined), as depicted on FIRM Community Panel 4854520081C, with the effective date March 14, 1985 (FEMA 1985) (Figure 6).

Step 2 Early public notice (Preliminary Notice)

A public notice for the Proposed Alternative will be published in the regional newspaper, the Rockport Pilot, as part of the notice of availability for this EA.

Step 3 Identify and evaluate alternatives to locating in the base floodplain

Within this region there are limited sites that are available and suitable for tower siting. Therefore no practicable alternative outside of the floodplain exists that could concurrently accommodate the future needs of Aransas County and minimize impacts to the natural environment.

Step 4 Identify impacts of Proposed Action Alternative associated with occupancy or modification of the floodplain

Impact on natural function of the floodplain

The Proposed Alternative would not affect the functions and values of the 100-year floodplain nor would it impede or redirect flood flows. The Proposed Alternative would be located in a partially developed area with existing infrastructure. When compared to the extensive floodplain area, the Proposed Alternative will have little potential to impact the floodplain. Therefore, the Proposed Alternative should not result in an increased base discharge or increase the flood hazard potential to other structures.

Impact of the floodwater on the proposed facilities

The Proposed Alternative has been designed to minimize impacts from flooding. Per the project scope of work, the lower portion of the tower will consist of open supports without an enclosed area. This design will allow the free-flow of any rising water without any expected adverse effects. In a letter dated September 28, 2010, the Director of Aransas County's Environmental Health Department recommended proceeding with the project.

Step 5 Design or modify the Proposed Action Alternative to minimize threats to life and property and preserve its natural and beneficial floodplain values

In order to reduce the impact identified in Step 4 of flood hazards on the proposed new facilities, the Proposed Alternative will be designed to be compliant with FEMA recommendations for construction in flood hazard areas. In a letter dated September 28, 2010, the Director of Aransas County's Environmental Health Department recommended proceeding with the project.

The Applicant must follow all applicable local, state, and federal laws, regulations and requirements and obtain and comply with all required permits and approvals, prior to initiating work on this project. No staging of equipment or project activities shall begin until all permits are obtained.

Step 6 Re-evaluate the Proposed Action Alternative

Per the discussions above, the proposed site will be appropriately designed for the 100-year floodplain. The Proposed Alternative will not aggravate the current flood hazard because the project would not impede or redirect flood flows. The project will not disrupt floodplain values because it will not change water levels in the floodplain. Therefore, it is still practicable to construct the proposed project within the floodplain. Alternatives consisting of locating the project outside the floodplain or taking "no action" are not practicable.

Step 7 Findings and Public Explanation (Final Notification)

In accordance with 44 CFR §9.12, Aransas County must prepare and provide a final public notice 15 days prior to the start of construction activities. Documentation of the public notices will be forwarded to FEMA for inclusion in the permanent project files.

Step 8 Implement the action

Aransas County will incorporate into the design necessary mitigation efforts for building within a 100-year floodplain.

As a result of this Eight-step process, FEMA has determined that the Holiday Beach Communications Tower, Aransas County is in compliance with 44 CFR §9.6 because there are no practicable alternatives outside the 100-year floodplain.

4.3 Coastal Resources

The Coastal Zone Management Act of 1972 (CZMA) (16 U.S.C. §1451) provides states with the authority to determine whether activities of governmental agencies are consistent with federally

approved State Coastal Zone Management Plans (CZMP). The intent of the CZMA is to prevent any additional loss of living marine resources, wildlife, and nutrient-enriched areas; alterations in ecological systems; and decreases in undeveloped areas available for public use.

The Proposed Action is located in a developed turf-grass area of Aransas County, Texas within the Texas Coastal Management Zone. The applicant requested review of the Proposed Action by the Coastal Coordination Council (CCC) to determine if the Proposed Action will have an adverse impact on coastal natural resource areas within the coastal zone and is consistent with the goals and policies of the Texas Coastal Management Program. Based on the findings of their review, the CCC determined the Proposed Action will likely result in no effects to coastal management zones (Appendix B).

Under the No Action alternative, construction activities would not take place and there would be no potential impacts to coastal management zones.

4.4 Biological Resources

4.4.1 Threatened and Endangered Species and Critical Habitat

Under the Endangered Species Act of 1973, federal agencies must review Proposed Actions to ensure they are not likely to jeopardize the continued existence of a listed species or destroy or adversely modify its habitat.

As defined by the USFWS, “An “endangered” species is one that is in danger of extinction throughout all or a significant portion of its range. A “threatened” species is one that is likely to become endangered in the foreseeable future.” (<http://www.fws.gov/endangered/wildlife.html>)

In preparation of this Draft EA, a request for review was provided to the USFWS regarding the potential occurrence of species and/or habitat concerns at the proposed site. The USFWS Division of Endangered Species County Website listed 13 species in Aransas County (USFWS). This list of threatened and endangered species for Aransas County, confirmed by USFWS, is provided in Appendix B. Additionally, it should be noted that inclusion in the following lists does not necessarily imply occurrence of a species in the study area, but simply acknowledges the potential of occurrence.

The Proposed Action is located within the developed community of Holiday Beach. Additionally, the tower construction is proposed on the turf-grass lot owned by Aransas County’s Lamar Fire

Department. Therefore, none of the habitats for these species were observed on the site. The USFWS correspondence and list of species is provided (Appendix B).

None of the characteristic habitats were identified on the tower site. No burrows, open water habitats, wetlands, trees, shrubs, nests, or other signs of threatened and endangered species habitat were readily observable at the time of the reconnaissance. For these reasons, it is anticipated that the proposed tower construction will not affect listed or species or critical habitats. As a result, FEMA has determined that the proposed project will have "No Effect" on threatened and endangered species.

Under the No Action alternative, construction activities would not take place and there would be no potential impacts to listed species or critical habitats.

4.4.2 Migratory Birds

The Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. §703) was first enacted to implement the 1916 convention between the United States and Great Britain for the protection of birds migrating between the U.S. and Canada, offering much-needed protection to many bird species during a time when commercial trade in birds and their feathers was popular. The statute makes it unlawful to pursue, hunt, take, capture, kill or sell birds listed in the statute as "migratory birds", and does not discriminate between live or dead birds and also grants full protection to any bird parts including feathers, eggs and nests. The MBTA is the primary law that affirms or implements the nation's commitment to four international conventions (with Canada, Japan, Mexico, and Russia) for the protection of a shared migratory bird resource. Each convention protects selected species of birds that are common to both countries (e.g., they occur in both countries at some point during their annual life cycle). The potential impact to property owners can exist when migratory birds seek respite within trees or on buildings considered private property.

USFWS's Division of Migratory Bird Management established several initiatives in the past decade to research collisions of birds with communication towers. In 1999, USFWS established the Communication Tower Working Group, composed of government, industry, and academic groups to study and determine tower construction approaches that prevent bird strikes.

Aransas County is located within the Central Flyway for migratory birds (USFWS 2011). Fall and spring migrants use the region for temporary stops during travel between the northern and southern hemispheres. BMPs should be implemented for avoiding harassment and harm to migratory birds during construction activities. Impacts on migratory birds could be expected as a

result of collision with operating towers, antennae, and other tall structures, particularly during periods of low visibility and as a result of tower lighting that might be distracting to some species. The probability of collision is difficult to determine programmatically due to the range of variables that affect the potential for collision and the lack of conclusive data on the causes of collision. The following 12 guidelines of the USFWS *Service Guidelines for Recommendations on Communications Tower Sites, Construction, Operation, and Decommissioning* were evaluated with regards to the proposed project.

1. Any company/applicant/licensee proposing to construction a new communications tower is strongly encouraged to co-locate the 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 co-locate on an existing tower.

Response: Aransas County requires eight antennae's for their law enforcement, fire, Emergency Medical Services, microwave for linking, two VHF, and an 800 MHz transmit and receive in order to perform their operations safely and effectively. Because communication towers are proprietary it is not feasible to consider leasing antennae space for each needed communication.

2. If collocation is not feasible and a new tower or towers are to be constructed, communications service providers are strongly encouraged to construct towers no more than 199 feet above ground level (AGL), using construction techniques which do not require guy wires (e.g., use a lattice structure, monopole, etc). Such towers should be unlighted if Federal Aviation Administration (FAA) regulations permit.

Response: The Proposed Action complies with this guideline. The Proposed Action involves a freestanding, 175-foot latticed tower with a 20-foot antenna.

3. If constructing multiple towers, providers should consider the cumulative impacts of all of those towers to migratory birds and threatened and endangered species as well as the impacts of each individual tower.

Response: The Proposed Action considers the construction of a single 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. Tower should not be sited in areas with a high incidence of fog, mist, and low ceilings.

Response: The proposed tower is located approximately 11 miles north of Rockport, Texas on Highway 35 North in Aransas County, Texas. There is a cell phone tower located approximately 936 feet to the north and another tower approximately 551 feet to the south of the proposed tower. There are no clusters of towers located within an approximate 25 to 30 mile radius of the proposed site.

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.

Response: The Proposed Action is less than 200 feet thus there are no lighting requirements.

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 site, should have daytime visual markers on the wires to prevent collisions by these diurnally moving species.

Response: The proposed tower will not contain guyed wires. The Proposed Action will consist of free standing 175-foot lattice tower with a 20-foot antenna.

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.

Response: A prefabricated equipment shelter will be placed within the footprint of the proposed tower adjacent to the base. Furthermore, an existing building and concrete slab associated with the Lamar Fire Department's Holiday Beach Station will be utilized for equipment storage,

maintenance and operations of the tower. It is recommended that construction materials, equipment and staging areas be located/stored within the proposed project footprint in order to avoid and/or minimize impacts to undisturbed native vegetation.

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. If this is not an option, seasonal restrictions on construction may be advisable in order to avoid disturbance during periods of high bird activity.

Response: Significant numbers of breeding, feeding, or roosting birds are not known to habitually use the proposed tower construction area. As previously mentioned, this area is within the developed community of Holiday Beach located on the Lamar Fire Station property. The fire station property consists of existing buildings, concrete slabs, and regularly mowed turf-grass. Relocation to an alternate site is not a viable option for the proposed project. The location of the proposed project is the most viable location for antenna height and space for emergency services. It is recommended that potential project disturbances, including noise, be minimized and, if possible, be scheduled to occur outside of periods of high bird activity.

9. In order to reduce the number of towers needed in the future, providers should be encouraged to design new towers structurally and electrically to accommodate the applicant/licensee's antennas and 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 un-guyed tower.

Response: The proposed tower will be primarily utilized by security and emergency service entities. Aransas County Emergency Services are currently upgrading all radio communication equipment to meet current Radio Interoperability (P25). The proposed tower is a key element to the entire system (law enforcement, fire, emergency medical response) as it will provide antenna height and space for all emergency services, thus ensuring first responder safety and reliable communications county wide.

10. Security lighting for on-ground facilities and equipment should be down-shielded to keep light within the boundaries of the site.

Response: Any lighting associated with the Proposed Action will contain down-shielded lighting in an attempt to keep light within the site boundary.

11. If a tower is constructed or proposed for construction, Service personnel or researchers from the Communication Tower Working Group should be allowed 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.

Response: It is recommended that Service personnel or researchers from The Communication Tower Working Group coordinate with the property owner, tower owner and local security and emergency service entities prior to accessing the proposed site.

12. Towers no longer in use or determined to be obsolete should be removed within 12 months of cessation of use.

Response: The proposed project is for a new 175-foot tower. The site does not contain any prior tower structures or equipment.

Adverse impacts on birds resulting from collision generally occur during low visibility conditions at lighted towers supported by guy wires. These present greater collision risk than freestanding towers or buildings. Whooping cranes winter at the nearby Aransas National Wildlife Refuge and surrounding areas from October 15 through April 15. To the applicant's knowledge there has been no whooping crane collisions reported from the two existing cell towers in Holiday Beach. Visibility for the Aransas County area, on average, is greater than ten miles. It is not anticipated that the Proposed Action will have adverse impacts on migratory birds.

Under the No Action alternative, construction activities would not take place and there would be no potential impacts to listed or migratory birds.

4.5 Cultural and Historic Resources

4.5.1 Historic Properties

Historic and cultural resources are sites, structures, buildings, districts, or objects, associated with important historic events or people, demonstrating design or construction associated with a historically significant movement, or with the potential to yield historic or prehistoric data, that are considered important to a culture, a subculture, or a community for scientific, traditional,

religious, or any other reason (THC Sites Atlas 2011). Typically, historic and cultural resources are subdivided into the following categories:

- **Archaeological resources.** This includes prehistoric or historic sites where human activity has left physical evidence of that activity but few aboveground structures remain standing.
- **Architectural resources.** This includes buildings or other structures or groups of structures that are of historic or aesthetic significance.
- **Native resources.** These include resources of traditional, cultural, or religious significance to a Native American Tribe, Native Hawaiian, or Native Alaskan organization.

There are multiple federal regulations that protect historic and cultural resources. The National Historic Preservation Act of 1966 (NHPA) (P.L. 89–665, 16 U.S.C. §470) directs the federal government to consider the effects of its actions on historic and cultural resources under Section 106 through a four-step compliance process. It is noteworthy, however, that the law does not necessarily mandate preservation but does mandate a carefully considered decision making process. The four steps of the Section 106 compliance process are the following:

1. **Establish whether the Proposed Action constitutes an undertaking.** Per 36 CFR 800.16, an undertaking is an action funded in whole or in part under the direct or indirect jurisdiction of a federal agency. If the Proposed Action is an undertaking, the appropriate State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO) and other consulting parties (stakeholders) are identified.
2. **Identify National Register-listed or eligible properties.** Eligible historic properties in the geographic area of the Proposed Action are identified and evaluated for significance, including properties potentially eligible or listed with the National Register of Historic Places (NRHP) that may be affected by the Proposed Action.
3. **Assess affects of Proposed Action on eligible historic properties.** If the assessment determines no historic properties or no adverse effect to eligible historic properties, the SHPO/THPO and other consulting parties are informed, and the compliance process stops at this step. If the assessment determines actual or potential adverse effect to

eligible historic properties, the SHPO/THPO and other consulting parties are notified through a letter and supporting documentation.

4. Resolve adverse effects to eligible historic properties through consultation with the SHPO/THPO and Advisory Council on Historic Preservation, as necessary.

Consultation with the Texas SHPO was conducted to determine whether the construction of the Holiday Beach Tower may generate any short-term or long-term indirect impacts to historic and cultural resources and within the viewshed of any historic and cultural resources. A public notice was listed in the "Rockport Pilot" on October 23, 2010 to allow for public comments on the effect of the proposed project on historic properties within the viewshed of the proposed tower. No comments pertaining to the public notice were received.

Federal Communications Commission (FCC) Form 620 with attachments was submitted to the SHPO on June 24, 2011. A response dated December 8, 2010 indicated that the SHPO concurred with the recommendations and determined that the proposed project should have no effect on properties listed, no further evaluation is required and the project may proceed (Appendix B).

In the event that archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted and the applicant shall stop all work immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. The applicant will inform FEMA immediately, FEMA will consult with the SHPO or THPO, and Tribes and work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the NHPA.

Under the No Action alternative, construction activities would not take place and there would be no potential impacts to cultural and historic resources.

4.5.2 Tribal Coordination

Section 106 of the NHPA also requires coordination with federally-recognized Native American Indian tribes who may have potential cultural interests in the project area, and acknowledges that tribes may have interests in geographic locations other than their seat of government. The

FCC has established a Tower Construction Notification System that allows for federally recognized Tribes and Native Hawaiian Organizations to respond to grantees via email.

The Comanche Nation and Native American Graves Protection and Repatriation Act groups were contacted. All of the groups indicated by letter, email or by telephone contact that they had no interest in the site (Appendix B).

Under the No Action alternative, construction activities would not take place and there would be no potential impacts to tribal resources

4.6 Socioeconomic Resources

Aransas County, Texas is located along the mid-coast of Texas. It is bordered on the north by Refugio and Calhoun Counties, on the east by Aransas Bay (and its secondary bays) and the Gulf of Mexico, on the south by San Patricio and Nueces Counties. In 2009, the U.S. Census Bureau estimated Aransas County's population to be 23,158 (USCB 2011). The county has a land area of 252 square miles.

4.6.1 Environmental Justice

EO 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations) requires that federal agencies focus on achieving environmental justice by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States.

The Proposed Action will result in significant upgrades to and enhancements of the interoperable communication capability within Aransas County and will address radio coverage issues throughout the county, better equipping emergency response thus benefitting the entire population.

Under the No Action Alternative, Aransas County would continue to rely on existing communication infrastructure which does not provide sufficient coverage throughout the area. This would leave emergency response unchanged and results in a lower level of overall public safety than the Proposed Alternative as Aransas County emergency responders would remain at risk due to lack of radio coverage. Lack of adequate communication directly impacts command, control, rescue, event analysis, and other critical operations.

4.6.2 Noise

Because of construction-related activities, there would be a temporary increase in localized noise generated during the Holiday Tower construction activities. Construction activities for new infrastructure may result in short-term, negligible adverse impacts. Noise from the construction activities will vary depending on the distance from the source of the noise. The noise levels generated by construction equipment would vary substantially depending on the type of equipment used, operations schedule, and condition of the project area. In addition to daily variations in construction activities, major construction for new infrastructure would be accomplished in several different stages, with each stage having a specific equipment mix for the work to be accomplished. The use of heavy equipment during construction activities may result in short-term minor adverse impacts on the noise environment, especially if noise sensitive populations are adjacent to a proposed site. Typically, construction-related noise generation would last only for the duration of construction activities and occur during normal working hours (i.e., 7:00 a.m. to 5:00 p.m.), when noise is tolerated better because of the masking effect of background noise, with equipment being shut off when not in use. Evening noise levels would likely drop to ambient noise levels of the project area.

It is anticipated that noise impacts from the Proposed Action construction activities would be temporary and would not exceed typical noise levels. Noise levels dBA at 50 feet from the source would be no greater than 85 dBA for no more than four to six continuous hours per day over a 10 to 35 day period (USEPA 1974). To reduce noise levels during construction, construction activities would occur during normal working hours (i.e., 7:00 a.m. to 5:00 p.m.). The short-term use of the emergency generator during power interruptions will result in an elevated level on noise which would last until restoration of electrical power. Construction-related noise impacts from the Holiday Beach Tower project would not be significant.

Under the No Action alternative, construction activities would not take place and there would be no potential impacts to noise.

4.6.3 Traffic/Transportation Network

Construction-related activities, heavy equipment and materials that may be needed for site access and site preparation would not pose a significant impact to the transportation network or cause a significant increase in traffic for the area. Construction of the Proposed Action may require numerous truck trips to haul materials to the project site. The number of construction related trips and the frequency and duration of impacts would be dependent on the location, nature, and scale of the project. Since the Holiday Beach Tower site is a 175-foot latticed tower

with 20-foot antennae, the surface impact less than 0.25 acres in size of turf-grass; a significant amount of construction related traffic is not required to complete the project.

Potential impacts to transportation and traffic are expected to be low, provided appropriate planning and implementation actions are taken. The Proposed Action is located on Highway 35 North. Highway 35 will be utilized to access the site. There would be no significant impact to transportation networks or traffic from construction-related activities.

Under the No Action alternative, construction activities would not take place and there would be no potential impacts to traffic or transportation networks.

4.6.4 Utilities

The Holiday Beach Tower project activities would require additional short-term electric and communication services from available utility networks. The Proposed Action will utilize the existing electrical power lines located at the site. Construction-related impacts are not expected to lead to major shortages in supply, nor are they expected to require major changes to the system. Impacts to utilities would not be significant.

During construction-related activities, precautions would be taken to avoid damage to existing utility lines. All potential modifications to utility services would be evaluated. Coordination with potentially affected local and regional utility service providers would occur to avoid unnecessary damage or interruption of service. There would be no impacts to utility services from construction-related activities with the Holiday Beach Tower site.

Under the No Action alternative, construction activities would not take place and there would be no impacts to utilities.

4.6.5 Public Health and Safety

Under the Proposed Action, there would be a slight increase in workplace safety hazards during the construction phase of the Holiday Beach Tower site. Construction and ground-disturbing activities would take place for approximately two weeks and would include minor grading, tower base and footings installation, and tower erection. The construction site would be fenced and restricted to authorized personnel. Appropriate signs would be posted to further minimize safety risks. In addition, worker safety rules, based on Occupational Safety and Health Administration (OSHA) construction standards, will be established to protect workers. Therefore, construction-

related impacts to human health and safety would not be significant. Following construction, there would be no readily identifiable public health and safety concerns associated with the tower.

Under the No Action alternative, construction activities would not take place and there would be no potential impacts to public health and safety.

4.7 Summary Table

Affected Environment/Resource Area	Impacts	Mitigation/BMPs
Geology and Soils	Minor soil impacts will occur during construction. No impacts to underlying geology are anticipated.	The construction activity will incorporate practices to minimize soil erosion during the construction/erection of the communication tower, including best management practices (BMP) such as minimization of area of disturbance, silt fencing and/or straw bales, and proper staging of equipment.
Air Quality	<p>Air quality impact during construction would originate from emission of construction vehicles, equipment, and dust stirred up during ground disturbing activities. Both would be short-term, temporary and of limited duration. No impacts to air quality are anticipated.</p> <p>Episodic impacts to air quality could occur from the proposed stand alone emergency backup generator. Impacts to air quality are anticipated to be minimal because the</p>	Construction contractors will use BMPs. These BMPs include spraying water to minimize dust, limiting the area of uncovered soil to the minimum needed for each activity, siting of staging areas to minimize dust, limiting vehicle speed on site, and covering trucks hauling dirt. BMPs for construction vehicle and equipment emissions include limiting vehicle idling time, and conducting proper vehicle maintenance.

Affected Environment/Resource Area	Impacts	Mitigation/BMPs
	emergency backup generator will run on propane fuel that produces negligible greenhouse gas emissions	
Water Quality	No impacts to surface water or groundwater are anticipated.	None
Wetlands	Wetlands are not located on or near the proposed site. No impacts to wetlands are anticipated.	None
Floodplain	The proposed project will occur within a Zone A12 of the 100-year floodplain.	The proposed project has been designed to minimize impacts to and from the floodplain. The lower portion of the tower will consist of open supports without an enclosed area. This design will allow the free-flow of any rising water without any expected adverse effects. The Director of Aransas County's Environmental Health Department recommended proceeding with the project.
Coastal Resources	No impacts to coastal management zones are anticipated.	None
Threatened and Endangered Species and Critical Habitat	No Impacts to federally protected species are anticipated. The site is within the Central Flyway.	It is recommended that potential project disturbances, including noise, be minimized and, if possible, be scheduled to occur outside of periods of high bird activity.
Historic Properties	No impacts to historic properties are anticipated.	None

Affected Environment/Resource Area	Impacts	Mitigation/BMPs
Tribal Coordination	No impacts to tribal lands are anticipated.	None
Environmental Justice	No impacts to minority or low income populations are anticipated.	None
Noise	<p>Temporary, short-term construction related noise generation would last only for the duration of construction activities, would be temporary and would not exceed noise levels great than 85 dBA. No impacts are anticipated.</p> <p>The short-term use of the emergency generator during power interruptions will result in an elevated noise level.</p>	<p>Noise impacts from construction activities would be temporary and would not exceed typical noise levels. To reduce noise levels during construction, construction activities would occur during normal working hours (i.e., 7:00 a.m. to 5:00 p.m.). Construction-related noise impacts from the Holiday Beach Tower project would not be significant.</p> <p>The emergency generator will only be used until the restoration of electrical power.</p>
Traffic	Temporary, short-term construction related traffic would last only for the duration of construction activities and would be temporary.	Appropriate planning and implementation actions will be taken to minimize traffic impacts.
Utilities	Construction related impacts are not expected to lead to major shortages in supply, nor are they expected to require major changes to the system. No impacts are anticipated.	None
Public Health and Safety	Construction activities during the construction phase of the proposed site could present	There could be a slight increase in workplace safety hazards during the

Affected Environment/Resource Area	Impacts	Mitigation/BMPs
	safety risks to those performing the activities. No long-term negative safety impacts are anticipated.	construction phase of the proposed project. The construction site would be fenced and restricted to authorized personnel. Appropriate signs would be posted to further minimize safety risks. In addition, worker safety rules, based on OSHA construction standards, will be established to protect workers.

5.0 CUMULATIVE IMPACTS

Cumulative impacts represent the impact on either the natural or human environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or nonfederal) or persons undertake such actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

The Proposed Action would not have a significant impact on any resource area for those projects falling within the resource parameters described in the EA. The Proposed Action would have beneficial impact on human health and safety, because it would enable countywide improvements to public safety interoperable communications.

Under the No Action Alternative, no interoperable communications capability would occur. Existing interruption in public safety interoperable communications would persist, resulting in an adverse impact to human health and safety.

In accordance with 47 CFR Section 1.1307 (a) (1) through (8), an evaluation has been made to determine whether any of the listed FCC special interest items would be significantly affected if a tower structure and/or antenna and associated equipment control cabinets were constructed at the proposed site location. No FCC special interest items were identified.

6.0 PUBLIC INVOLVEMENT

In conjunction with coordination with the SHPO's office, a public notice was published in the "Rockport Pilot" on October 23, 2010 to allow for public comment (Appendix B). No comments pertaining to the public notice were received. The availability of this EA will be advertised by additional public notice in the local weekly newspaper, the Rockport Pilot. Copies of the EA will be available locally. The public comment period will extend for a period of fifteen (15) days. The EA can also be viewed and downloaded from FEMA's website at <http://www.fema.gov/plan/ehp/envdocuments/ea-region6.shtm>. If no substantive comments are received, the EA will become final and the initial public notice will also serve as the final public notice. The EA will then be archived on FEMA's website at <http://www.fema.gov/library/>.

7.0 REFERENCES

Federal Emergency Management Agency (FEMA). 1985. Flood Insurance Rate Maps (FIRMs), Aransas County, Community Panel 4854520081C, with the effective date March 14, 1985. Accessed November 2011

Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture (NRCS/USDA). Web Soil Survey. Available online at <http://websoilsurvey.nrcs.usda.gov/>. Accessed November 2011.

Texas Commission on Environmental Quality (TCEQ). 2008. Texas Attainment Status by Region. Available online at <http://www.tceq.state.tx.us/implementation/air/sip/siptexas.html>. Accessed November 2011.

Texas Historical Commission (THC) Sites Atlas, <http://atlas.thc.state.tx.us>, Accessed November 2011

U.S. Census Bureau (USCB), Demographic Reference Fact Finder, Aransas County, Texas. Available online at <http://factfinder.census.gov/home/saff/main.html>. Accessed November 2011.

U.S. Fish and Wildlife Service (USFWS), Texas <http://www.fws.gov/migratorybirds/Flyways.html> Accessed November 2011.

U.S. Fish and Wildlife Service (USFWS). Southwest Region T&E Lists, Texas.
<http://www.fws.gov/southwest/es/EndangeredSpecies/lists/ListSpecies.cfm>.

United States Department of the Interior, Fish and Wildlife Service, National Wetlands Inventory Data (USFWS NWI). 1995. Available online at <http://www.fws.gov/wetlands/data/>. Accessed November 2011.

University of Texas Bureau of Economic Geology (UTBEG), W.L. Fisher, Geologic Atlas of Texas, Hobbs, 1976.

U.S. Environmental Protection Agency (USEPA). 1974. Information levels of environmental noise requisite to protect public health and welfare with an adequate margin of safety. EPA 550/9-74-004. U.S. EPA, Washington, D.C.

8.0 LIST OF PREPARERS

Andrea N. Binion, Environmental Scientist, Belaire Environmental, Inc.

Charles E. Belaire, General Manager, Belaire Environmental, Inc.

Rick McLester, Aransas County Emergency Management Coordinator, Aransas County, Texas

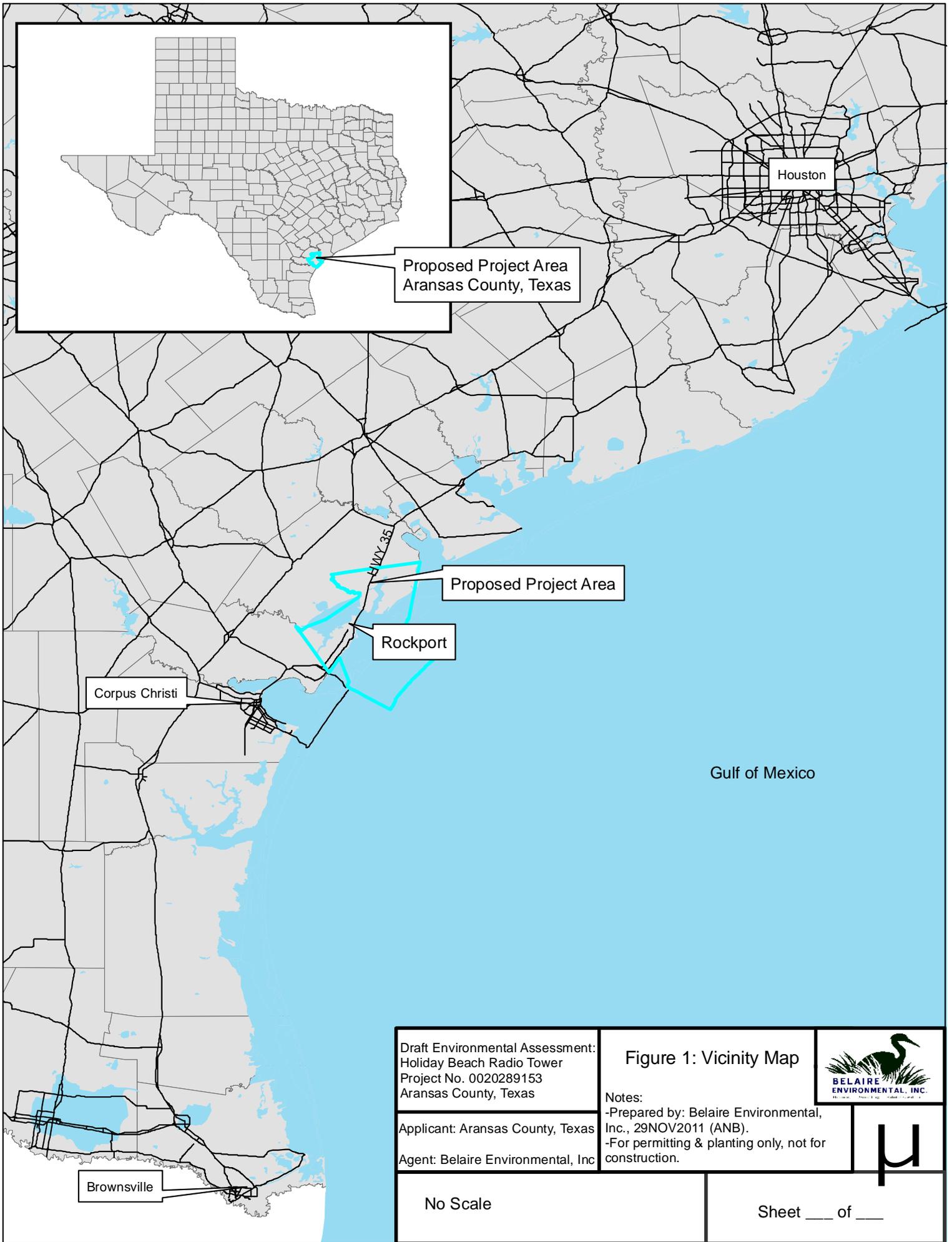
Government Contributors:

Kevin Jaynes, CHMM, Regional Environmental Officer, FEMA Region 6

Alan Hermely, Environmental Specialist, FEMA Region 6

FIGURES

Figure 1: Vicinity Map



Draft Environmental Assessment:
 Holiday Beach Radio Tower
 Project No. 0020289153
 Aransas County, Texas

Applicant: Aransas County, Texas
 Agent: Belaire Environmental, Inc

Figure 1: Vicinity Map

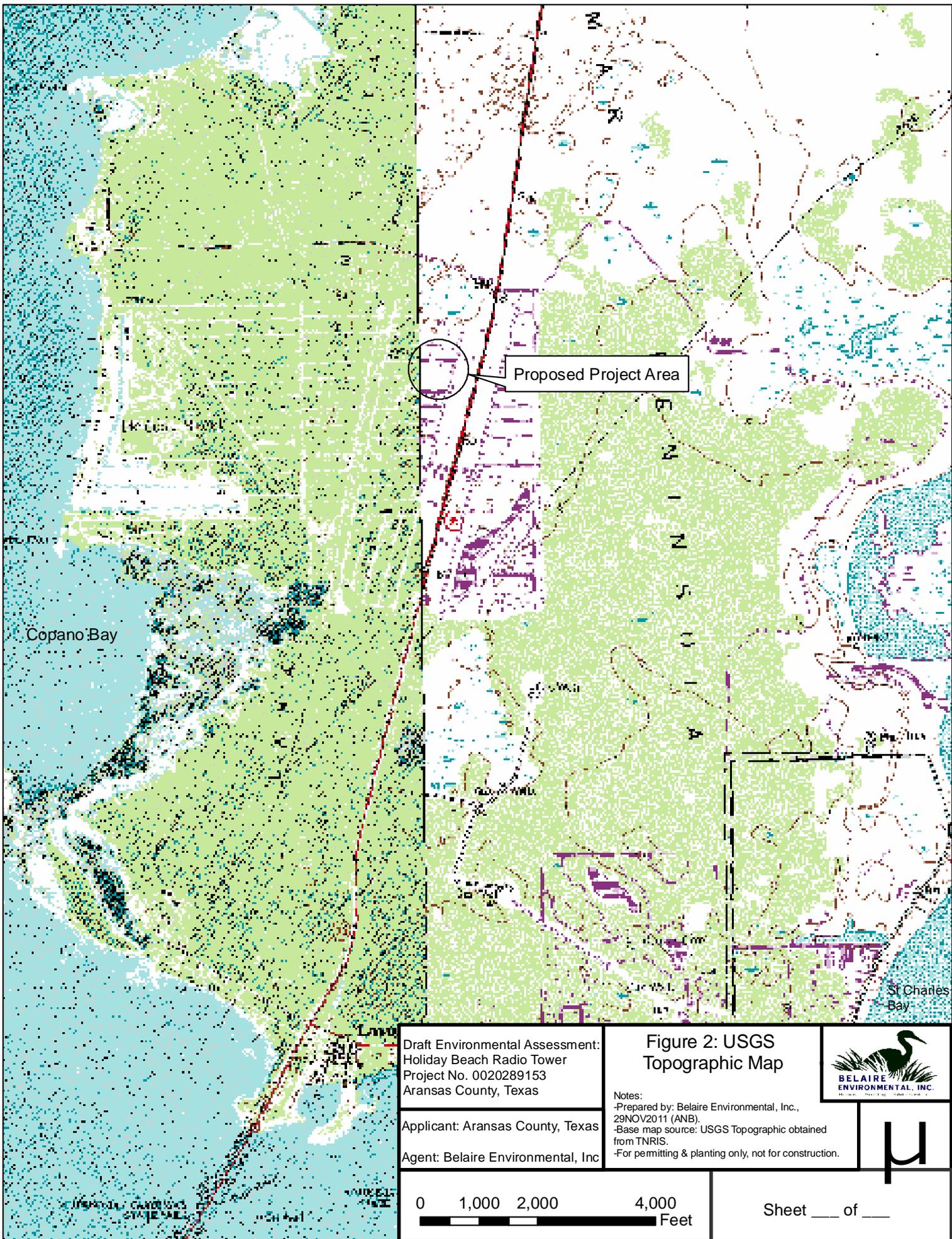
Notes:
 -Prepared by: Belaire Environmental, Inc., 29NOV2011 (ANB).
 -For permitting & planting only, not for construction.



No Scale

Sheet ___ of ___

Figure 2: U.S. Geological Survey Topographic Map



Draft Environmental Assessment:
 Holiday Beach Radio Tower
 Project No. 0020289153
 Aransas County, Texas

Applicant: Aransas County, Texas
 Agent: Belaire Environmental, Inc

Figure 2: USGS
 Topographic Map

Notes:
 -Prepared by: Belaire Environmental, Inc.,
 29NOV2011 (ANB).
 -Base map source: USGS Topographic obtained
 from TNRS.
 -For permitting & planting only, not for construction.



Sheet ___ of ___

Figure 3: Site Plan



Figure 4: Geologic Map



Legend

Geologic Atlas of Texas

ORIG_LABEL, UNIT_AGE, ROCKTYPE1

Qbb, Quaternary, sand

Qbc, Quaternary; Late Pleistocene, clay or mud

Qbb: Barrier Island Deposits, Quaternary age, Sand formation.

Project Area

Draft Environmental Assessment:
 Holiday Beach Radio Tower
 Project No. 0020289153
 Aransas County, Texas

Applicant: Aransas County, Texas

Agent: Belaire Environmental, Inc

**Figure 4: Geologic Map
 (Geologic Atlas of Texas)**



Notes:
 -Prepared by: Belaire Environmental, Inc.,
 29NOV2011 (ANB).
 -Base map source: 2009 satellite imagery obtained
 from TNRIS.
 -For permitting & planting only, not for construction.



Sheet ___ of ___

Figure 5: Soil Survey



Legend

 NRCS Soils Data

Leming loamy fine sand

Galveston-Mustang

Project Area within Galveston-Mustang soil association

HWY 35

Draft Environmental Assessment:
 Holiday Beach Radio Tower
 Project No. 0020289153
 Aransas County, Texas

Applicant: Aransas County, Texas

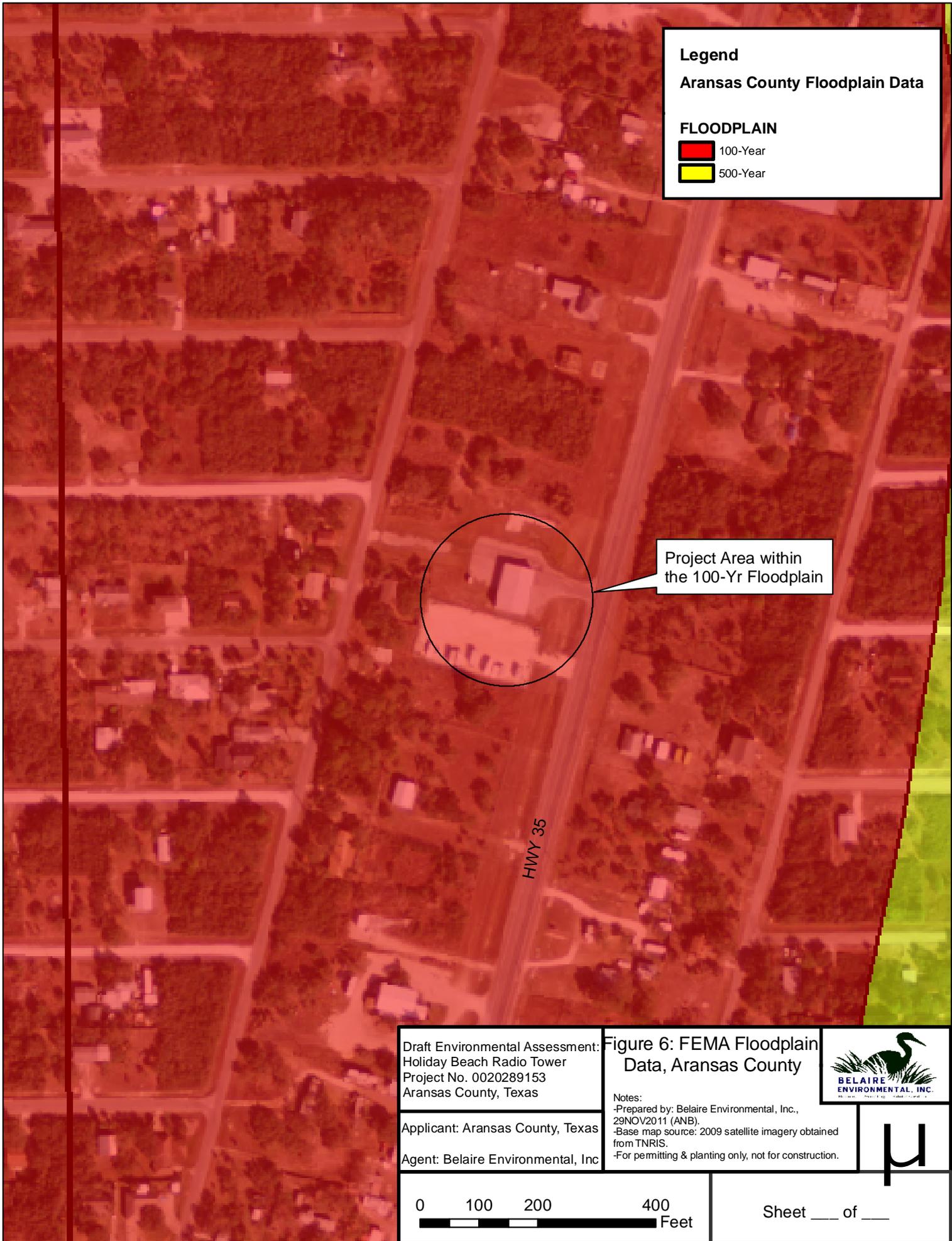
Agent: Belaire Environmental, Inc

Figure 5: USDA NRCS Soils Data

Notes:
 -Prepared by: Belaire Environmental, Inc., 29NOV2011 (ANB).
 -Base map source: 2009 satellite imagery obtained from TNRIS.
 -For permitting & planting only, not for construction.



**Figure 6: Federal Emergency Management Agency
Floodplain Zones Map**



Legend
Aransas County Floodplain Data

FLOODPLAIN

- 100-Year
- 500-Year

Project Area within the 100-Yr Floodplain

HWY 35

Draft Environmental Assessment:
 Holiday Beach Radio Tower
 Project No. 0020289153
 Aransas County, Texas

Applicant: Aransas County, Texas

Agent: Belaire Environmental, Inc

Figure 6: FEMA Floodplain Data, Aransas County

Notes:
 -Prepared by: Belaire Environmental, Inc., 29NOV2011 (ANB).
 -Base map source: 2009 satellite imagery obtained from TNRIS.
 -For permitting & planting only, not for construction.



**Figure 7: U.S. Fish and Wildlife Service
National Wetland Inventory Map**



Legend

NWI Data

NWI_Classification

- Open Water
- Palustrine Marsh
- Upland

Project Area located within NWI uplands

Project Area

HWY 35

Draft Environmental Assessment:
 Holiday Beach Radio Tower
 Project No. 0020289153
 Aransas County, Texas

Applicant: Aransas County, Texas
 Agent: Belaire Environmental, Inc

Figure 7: National Wetland Inventory (NWI) Data

Notes:
 -Prepared by: Belaire Environmental, Inc., 29NOV2011 (ANB).
 -Base map source: 2009 satellite imagery obtained from TNRS.
 -For permitting & planting only, not for construction.



APPENDIX A
Site Photographs

Appendix A: Site Photographs
Holiday Beach Radio Tower
Aransas County, Texas
November 2011

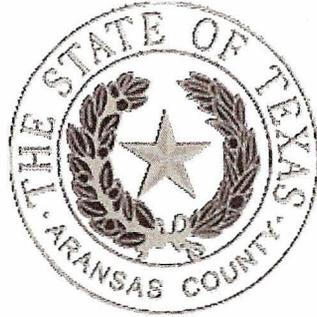


Appendix A: Site Photographs
Holiday Beach Radio Tower
Aransas County, Texas
November 2011



APPENDIX B
Agency Correspondence

APPENDIX B
Federal Emergency Management Agency
Floodplain Concurrence



ENVIRONMENTAL HEALTH DEPARTMENT
1931 FM 2165
ROCKPORT, TX 78382
(361) 790-0121 FAX (361) 790-0157

Arturo O. Mendez
Grant Coordinator
Texas Homeland Security/
State Administrative Agency

September 28, 2010

Mr. Mendez,

Our study has revealed the Holiday Beach Fire Station is located in a FEMA Zone A12 (E1 8). As discuss with Mr. McLester the lower portion of the tower will consist of open supports without an enclosed area. This design will allow the free-flow of raising water without any expected adverse effects. Mr. McLester has my recommendation to continue as plan.

If you have any questions please contact Morgan Hill or myself at the above number. I may also be contacted via my cell at 361-205-4857.

Sincerely,


J. S. Jackson, CFM
Director

APPENDIX B
Texas Coastal Management Plan

TEXAS



GENERAL LAND OFFICE

JERRY PATTERSON, COMMISSIONER

November 28, 2011

Andi Binion
Belaire Environmental, Inc.
P.O. Box 741
Rockport, TX 78381

Re: Aransas County Emergency Management HSGP – Tower Construction

Dear Ms. Binion:

Based on information provided to the Texas Coastal Management Program on the above project, it has been determined that it will likely not have adverse impacts on coastal natural resource areas (CNRAs) in the coastal zone. However, siting and construction should avoid and minimize impacts to CNRAs. If a U. S. Army Corps of Engineers permit is required, it will be subject to consistency review under the Texas Coastal Management Program.

If you have any questions or concerns, please contact me at (512) 475-1552 or at andrea.finch@glo.texas.gov

Sincerely,

A handwritten signature in cursive script that reads 'Andrea Finch'.

Andrea Finch
Consistency Review Coordinator
Texas General Land Office

Stephen F. Austin Building • 1700 North Congress Avenue • Austin, Texas 78701-1495

Post Office Box 12873 • Austin, Texas 78711-2873

512-463-5001 • 800-998-4GLO

www.glo.state.tx.us

APPENDIX B
U.S. Fish and Wildlife Service Coordination

**Re: Proposed Communications Tower, Aransas County, Texas**

Tuesday, November 29, 2011 3:41 PM

From: "Andi Binion" <ab_bei@sbcglobal.net>**To:** "Dawn Whitehead" <dawn_whitehead@fws.gov>**Cc:** "Mary Orms" <mary_orms@fws.gov>, "Charlie & Sandy Belaire" <estuary123@aol.com>

Good Afternoon Ms. Whitehead and Ms. Orms:

I thought I would check to ensure you received the below submittal on November 17. Have had a chance to review the information for any species and/or habitat concerns related to the construction of the proposed communications tower at the Holiday Beach Fire Station?

Thanks very much for your help,

Andi

Andi Binion
Belaire Environmental, Inc.
(361) 729-1241 ext. 2# (Phone)
(361) 205-7655 (Mobile)
(361) 729-1441 (Fax)
ab_bei@sbcglobal.net
www.belaireenv.com

--- On **Thu, 11/17/11**, Andi Binion <ab_bei@sbcglobal.net> wrote:

From: Andi Binion <ab_bei@sbcglobal.net>
Subject: Proposed Communications Tower, Aransas County, Texas
To: "Dawn Whitehead" <dawn_whitehead@fws.gov>
Cc: "Mary Orms" <mary_orms@fws.gov>, "Charlie & Sandy Belaire" <estuary123@aol.com>
Date: Thursday, November 17, 2011, 4:14 PM

Dear Ms. Whitehead,

Aransas County Emergency Management was awarded a grant by the Department of Homeland Security Grant Program (HSGP). The HSGP is to assist State, local, tribal, and nongovernmental agencies in developing interoperable communications within the P25 VHF trunked system build-out. As a condition of the HSGP, HSGP grantees must comply with all relevant Federal legislation; including the National Environmental Policy Act (NEPA), therefore this project requires a site-specific Environmental Assessment.

The Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) has specified that HSGP-funded projects must be used for projects that would improve communications in areas at high risk for natural disasters and in urban and metropolitan areas at high risk for threats of terrorism, and should include pre-positioning or securing of interoperable communications for immediate deployment during emergencies or major disasters.

As a result of the grant, Aransas County proposes to construct a 195-ft latticed communications tower at the Lamar Fire Departments, Holiday Beach Station. The site is located at 6779 Hwy 35 North within the limits of the Holiday Beach community. The proposed tower will be constructed behind the fire station building on a turf grass area. I have attached site photos and an overview map for your review. There are two existing communications towers located to the north and south of the proposed tower.

Following discussion with the FEMA, Aransas County has begun the process of preparing an Environmental Assessment for the proposed action. Belaire Environmental, Inc. has been contracted to collect and analyze information under direction of FEMA. The site is highly developed and disturbed and located within the Holiday Beach community therefore, it is not expected that significant impacts to local species of concern will result from the construction of the tower.

Please review this information and reply as to whether there are any species or habitat related concerns that the USFWS has regarding this site at this time. I have also attached a list of species for Aransas County for confirmation.

Thank you,

Andi Binion

Andi Binion
Belaire Environmental, Inc.
(361) 729-1241 ext. 2# (Phone)
(361) 205-7655 (Mobile)
(361) 729-1441 (Fax)
ab_bei@sbcglobal.net
www.belaireenv.com



Ecological Services

"Conserving the Nature of America"

Southwest



SOUTHWEST HOME

SOUTHWEST ES HOME

Welcome
 Contacts
 Photo Gallery

ELECTRONIC LIBRARY

CONTAMINANTS

ENDANGERED SPECIES

Mexican Wolf
 Mexican Spotted Owl
 Houston Toad
 Willow Flycatcher

PROPOSED LISTINGS

Dunes Sagebrush Lizard

PARTNERSHIPS

WIND ENERGY

WETLANDS

ES FIELD OFFICES

Arizona
 New Mexico
 Oklahoma
 Texas

Last updated: November 1, 2011

[Back to Start](#)

List of species by county for Texas:

Counties Selected: Aransas

Select one or more counties from the following list to view a county list:

Anderson
 Andrews
 Angelina
 Aransas
 Archer

[View County List](#)

Aransas County

Common Name	Scientific Name	Species Group	Listing Status	Species Image	Species Distribution Map	Critic Habit
brown pelican	<i>Pelecanus occidentalis</i>	Birds	DM			
green sea turtle	<i>Chelonia mydas</i>	Reptiles	E, T			
Gulf Coast jaguarundi	<i>Herpailurus (=Felis) yagouaroundi cacomitli</i>	Mammals	E			
hawksbill sea turtle	<i>Eretmochelys imbricata</i>	Reptiles	E			
Kemp's ridley sea turtle	<i>Lepidochelys kempii</i>	Reptiles	E			
leatherback sea turtle	<i>Dermochelys coriacea</i>	Reptiles	E			
loggerhead sea turtle	<i>Caretta caretta</i>	Reptiles	T			
Mountain plover	<i>Charadrius montanus</i>	Birds	PT			
northern aplomado falcon	<i>Falco femoralis septentrionalis</i>	Birds	E			
ocelot	<i>Leopardus (=Felis) pardalis</i>	Mammals	E			
piping Plover	<i>Charadrius melodus</i>	Birds	E, T			Fin
West Indian Manatee	<i>Trichechus manatus</i>	Mammals	E			
whooping crane	<i>Grus americana</i>	Birds	E, EXPN			



Re: Proposed Communications Tower, Aransas County, Texas

Thursday, December 15, 2011 8:31 AM

From: "Mary_Orms@fws.gov" <Mary_Orms@fws.gov>

To: "Andi Binion" <ab_bei@sbcglobal.net>

Cc: "Charlie & Sandy Belaire" <estuary123@aol.com>, "Rick McLester" <rmclester@aransascounty.org>

Mr. Binion,

Thank you for the clarification. Based on the information provided, you have determined that the proposed action would have no effect on federally listed species. Therefore, the Service believes your agency has complied with section 7(a)(2) of the Endangered Species Act by making a determination. No further action is required from this office.

Mary Orms
 U.S. Fish and Wildlife Service
 Corpus Christi Ecological Services Field Office
 c/o Texas A&M University at Corpus Christi
 6300 Ocean Drive, Unit 5837
 Corpus Christi, TX 78412-5837
 Phone: (361) 994-9005 Ext: 246
 Fax: (361) 994-8262

To Mary_Orms@fws.gov

cc Charlie & Sandy Belaire <estuary123@aol.com>, Rick McLester <rmclester@aransascounty.org>
 Subject Re: Proposed Communications Tower, Aransas County, Texas

Andi Binion <ab_bei@sbcglobal.net>
 12/14/2011 08:20 AM

Good Morning Mary:
 Can you please let me know the status of your review? I appreciate your help with this matter.
 Sincerely,
 Andi Binion

Andi Binion
 Belaire Environmental, Inc.
 (361) 729-1241 ext. 2# (Phone)
 (361) 205-7655 (Mobile)
 (361) 729-1441 (Fax)
ab_bei@sbcglobal.net
www.belaireenv.com

--- On **Fri, 12/9/11, Andi Binion <ab_bei@sbcglobal.net>** wrote:

From: Andi Binion <ab_bei@sbcglobal.net>
 Subject: Re: Proposed Communications Tower, Aransas County, Texas
 To: Mary_Orms@fws.gov
 Cc: "Charlie & Sandy Belaire" <estuary123@aol.com>, "Rick McLester" <rmclester@aransascounty.org>
 Date: Friday, December 9, 2011, 1:40 PM

Good Afternoon Mary:
 Just checking in to see if you have had an opportunity to review the information below? Will FWS submit a letter advising if the information submitted below is sufficient and that there are no species and/or habitat concerns associated with the project?
 Please let me know if you need any additional information from us.

Thanks very much,
Andi

Andi Binion
Belaire Environmental, Inc.
(361) 729-1241 ext. 2# (Phone)
(361) 205-7655 (Mobile)
(361) 729-1441 (Fax)
ab_bei@sbcglobal.net
www.belaireenv.com

--- On **Mon, 12/5/11, Andi Binion <ab_bei@sbcglobal.net>** wrote:

From: Andi Binion <ab_bei@sbcglobal.net>
Subject: Re: Proposed Communications Tower, Aransas County, Texas
To: Mary_Orms@fws.gov
Cc: "Charlie & Sandy Belaire" <estuary123@aol.com>
Date: Monday, December 5, 2011, 5:19 PM

Mary,
The proposed latticed (non-guyed) structure was chosen for its ability to accommodate a microwave dish and antenna's. The microwave dish on the tower must be situated accordingly on the tower so that it will link to emergency services communications in Rockport-Fulton. The proposed latticed tower is designed to handle such antennas, microwave dishes along with other loads such as antenna feed lines and high winds.

Monopoles generally range from 75 to 150 feet high. Above 150 feet, the pole may be too large to be cost effective and may not provide the stability to keep some antennas aligned correctly under adverse conditions. They are typically used for cellular applications. Generally, monopoles are more expensive than latticed self-supporting towers. Cost comparisons indicate a monopole costs 45% more than the proposed latticed tower. Because the stability of the monopole cannot be guaranteed in high winds thus affecting the position of the microwave dish and their higher costs; the monopole is not a feasible option for the proposed tower.

Please let me know if this adequately answers your question or if you need additional information. Also, does FWS intend to respond to this email chain or submit a letter stating that there are no species or habitat concerns associated with the proposed project? Thank you very much for your assistance with this project.

Sincerely,
Andi Binion

Andi Binion
Belaire Environmental, Inc.
(361) 729-1241 ext. 2# (Phone)
(361) 205-7655 (Mobile)
(361) 729-1441 (Fax)
ab_bei@sbcglobal.net
www.belaireenv.com

--- On **Thu, 12/1/11, Andi Binion <ab_bei@sbcglobal.net>** wrote:

From: Andi Binion <ab_bei@sbcglobal.net>
Subject: Re: Proposed Communications Tower, Aransas County, Texas
To: Mary_Orms@fws.gov
Cc: "Rick McLester" <rmclester@aransascounty.org>, "Charlie & Sandy Belaire" <estuary123@aol.com>
Date: Thursday, December 1, 2011, 12:04 PM

Mary,
Thanks for your response. I have forwarded your question below to the the applicant and will let you know.
~Andi

Andi Binion
Belaire Environmental, Inc.
(361) 729-1241 ext. 2# (Phone)
(361) 205-7655 (Mobile)
(361) 729-1441 (Fax)
ab_bei@sbcglobal.net
www.belaireenv.com

--- On Thu, 12/1/11, Mary_Orms@fws.gov <Mary_Orms@fws.gov> wrote:

From: Mary_Orms@fws.gov <Mary_Orms@fws.gov>
Subject: Re: Proposed Communications Tower, Aransas County, Texas
To: "Andi Binion" <ab_bei@sbcglobal.net>
Date: Thursday, December 1, 2011, 10:46 AM

Andi,

Don't really have a problem with location and height, but was wondering if this could be a monopole without guywires instead of lattice.

Mary Orms
U.S. Fish and Wildlife Service
Corpus Christi Ecological Services Field Office
c/o Texas A&M University at Corpus Christi
6300 Ocean Drive, Unit 5837
Corpus Christi, TX 78412-5837
Phone: (361) 994-9005 Ext: 246
Fax: (361) 994-8262

To Dawn Whitehead <dawn_whitehead@fws.gov>
Mary Orms <mary_orms@fws.gov>, Charlie & Sandy
cc Belaire <estuary123@aol.com>
Subject Proposed Communications Tower, Aransas County,
Texas

Andi Binion <ab_bei@sbcglobal.net>
11/17/2011 04:14 PM

Dear Ms. Whitehead,
Aransas County Emergency Management was awarded a grant by the Department of Homeland Security Grant Program (HSGP). The HSGP is to assist State, local, tribal, and nongovernmental agencies in developing interoperable communications within the P25 VHF trunked system build-out. As a condition of the HSGP, HSGP grantees must comply with all relevant Federal legislation; including the National Environmental Policy Act (NEPA), therefore this project requires a site-specific Environmental Assessment.

The Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) has specified that HSGP-funded projects must be used for projects that would improve communications in areas at high risk for natural disasters and in urban and metropolitan areas at high risk for threats of terrorism, and should include pre-positioning or securing of interoperable communications for immediate deployment during emergencies or major disasters.

As a result of the grant, Aransas County proposes to construct a 195-ft latticed communications tower at the Lamar Fire Departments, Holiday Beach Station. The site is located at 6779 Hwy 35 North within the limits of the Holiday Beach community. The proposed tower

will be constructed behind the fire station building on a turf grass area. I have attached site photos and an overview map for your review. There are two existing communications towers located to the north and south of the proposed tower.

Following discussion with the FEMA, Aransas County has begun the process of preparing an Environmental Assessment for the proposed action. Belaire Environmental, Inc. has been contracted to collect and analyze information under direction of FEMA. The site is highly developed and disturbed and located within the Holiday Beach community therefore, it is not expected that significant impacts to local species of concern will result from the construction of the tower.

Please review this information and reply as to whether there are any species or habitat related concerns that the USFWS has regarding this site at this time. I have also attached a list of species for Aransas County for confirmation.

Thank you,
Andi Binion

Andi Binion
Belaire Environmental, Inc.
(361) 729-1241 ext. 2# (Phone)
(361) 205-7655 (Mobile)
(361) 729-1441 (Fax)
ab_bei@sbcglobal.net
www.belaireenv.com

[attachment "Site Photos.pdf" deleted by Mary Orms/R2/FWS/DOI] [attachment "Site Overview_NWI.pdf" deleted by Mary Orms/R2/FWS/DOI] [attachment "USFWS_T&E Species.pdf" deleted by Mary Orms/R2/FWS/DOI]

APPENDIX B
Texas Historical Commission Concurrence

TEXAS HISTORICAL COMMISSION
real places telling real stories

8 December 2010

Rick McLester
Emergency Operations Coordinator
Aransas County
301 North Live Oak Street
Rockport, Texas 78382

Re: *Project review under Section 106 of the National Historic Preservation Act of 1966*
Proposed emergency communications tower, 6779 State Hwy 35 North, Rockport, Aransas County, Texas
(DHS/FEMA/FCC)

Dear Mr. McLester,

Thank you for submitting information on the above-referenced project, a 195-foot tall self-supporting lattice tower. This letter serves as official comment from Texas' State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC).

THC staff led by architectural historian Linda Henderson and archeologist Bill Martin reviewed the materials and determined "No Historic Properties Affected: Project May Proceed." No further coordination with our office is needed for this project.

We appreciate your working with our agency in identifying and protecting the state's historic and cultural resources. Please contact us at linda.henderson@thc.state.tx.us or 512/463-5851 with any questions.

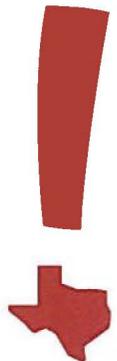
Sincerely,



Linda Henderson

For:

Mark Wolfe, State Historic Preservation Officer



APPENDIX B
Tribal Coordination



COUNTY OF ARANSAS

Office of Emergency Management Coordinator
301 North Live Oak
Rockport, Texas 78382

Rick McLester

TEL (361) 790-0100

March 21, 2011

Neil B. Cloud, NAGPRA Coordinator
P.O. Box 737, Mail Stop #73
116 Capote Drive
Ignacio, Colorado 81137

Commanche Nation Office of Historic Preservation
C/O Kelly Glancy THPO/NAGPRA Assistant
P.O. Box 908
Lawton, Oklahoma 73502

RE: Radio Tower Construction

Dear Sir and Madame:

Per notification requirements, Aransas County, Texas, is sending you information regarding our desire to have installed a 175-ft. radio antenna tower, located at the Holiday Beach Fire Station, 6779 Highway 35 North, Rockport, Texas 78382. We have included for your review FCC Form 620, one aerial topographical map. Ground pictures of three sides of the location. The south view (not included) borders a fenced storage area and a survey of the property.

If you require any additional information, please do not hesitate to contact me either by phone (361) 790-0100 or by email at rmclester@aransascounty.org. It is my understanding that if we do not hear from you regarding this matter within 30 days, we are to assume you have no interest in this location.

Sincerely,

Rick McLester

Encls.

Comanche Nation Office of Historic Preservation



Rick McLester, OEM Coordinator
County of Aransas
301 North Live Oak
Rockport, Texas 78382

April 13, 2011

Re: FCC Registration Number (FRN): 0020289153

Dear Mr. McLester:

In response to your request, the above referenced project has been reviewed by staff of this office. Based on the information provided to this office and a file search within the Comanche Nation Site Files, we have determined that there are **no properties** affected by this undertaking.

If you require additional information or are in need of further assistance, please contact this office at (580) 595-9960 or 9618.

This review is performed in order to locate, record, and preserve the Comanche Nation and State's prehistoric and historic cultural heritage, in cooperation with the State Historic Preservation Office.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Arterberry", with a long horizontal stroke extending to the right.

Jimmy Arterberry
Tribal Historic Preservation Officer
Comanche Nation

Comanche Nation Office of Historic Preservation



Invoice

Date: April 13, 2011

Company Name: Rick McLester, OEM Coordinator
County of Aransas
Address: 301 North Live Oak
Rockport, Texas 78382

FCC Registration Number (FRN): 0020289153

<u>Description</u>	<u>Amount</u>	<u>Total</u>
<i>Administrative Review Fee</i>	<i>\$500.00</i>	<i>\$500.00</i>

Total Due \$500.00

**** Please make/remit payment to:***

**Comanche Nation Historic Preservation Office
6 SW 'D' Avenue, Suite 'A'
Lawton, Oklahoma 73502**

APPENDIX B
Public Notice

PUBLISHER'S AFFIDAVIT

**STATE OF TEXAS
COUNTY OF ARANSAS**

BEFORE ME, the undersigned authority, on this day personally appeared Mike Probst, known to me, who being duly sworn on oath deposes and says he is the Publisher of *The Rockport Pilot*, a newspaper published at Rockport, County of Aransas, Texas, and that the attached is a true and correct copy of advertisement which was published in said newspaper in 1 issues thereof on the following dates:

23rd Day of October 2010
____ Day of _____ 2010

Legal

PUBLIC NOTICE

Aransas County, utilizing Homeland Security Grant funding, will be erecting a 175 ft Radio Communication Tower located adjacent to the Holiday Beach Fire Station, 6779 Hwy 35 N, Aransas County. Anyone having concerns or questions regarding this Radio Tower's impact to sites or structures of Historical significant, please contact Aransas County by phone @ 361-790-0100 or by email @ rmclester@aransas-county.org or by mail @ Aransas County, 301 N Live Oak St., Rockport, Texas 78382.



Publisher, Mike Probst

Subscribed and sworn to before me this the 23rd day of October, 2010.

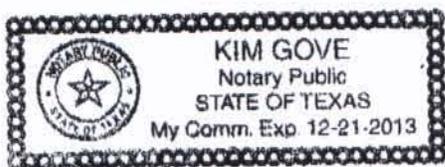
Kim Gove

Notary Public, Aransas County, TX

Kim Gove

Printed Name

My Commission expires: 12/21/13



Printer's Fee: \$ 30.60

P.O.# (if applicable) _____

APPENDIX C
Texas Commission on Environmental Quality
Attainment of Air Quality Standards

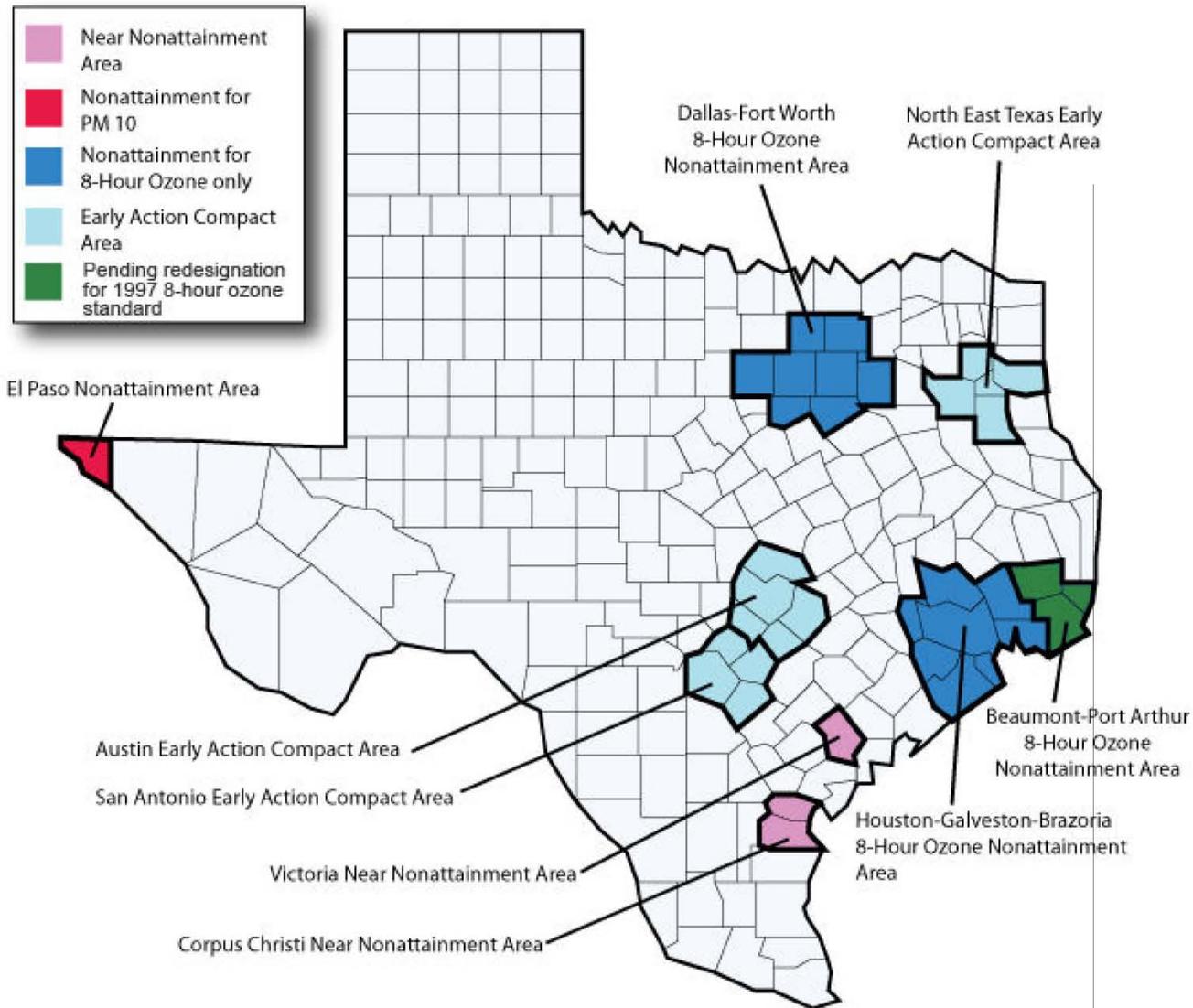


Update of Air Quality in Texas

Susana M. Hildebrand, P.E.
Chief Engineer



Attainment of Air Quality Standards





SITE SEARCH:

please enter search phrase

Go

SUBJECT INDEX

- [Air](#) ▸ [Water](#) ▸ [Waste](#)
- [Search TCEQ Data](#)
- [Agency Organization Map](#)

[Air Quality Maps](#)

[Data Reports](#)

[AutoGC](#)

[Water Data](#)

[Site Info](#)

Corpus Christi Metropolitan Area



Good

Moderate

Unhealthy for Sensitive Groups

Unhealthy

Very Unhealthy

Hazardous

How clean is the air in your metropolitan area? The U. S. Environmental Protection Agency (EPA) has provided a scale called the Air Quality Index (AQI) for rating air quality. This scale is based on the [National Ambient Air Quality Standards](#) (NAAQS) and is described in the Code of Federal Regulations, Part 58, Appendix G. This report is based on the AQI standards.

Interpreting the AQI

Reporting for November 30, 2011 as of 4:13 pm CST														
November 30 2011 <input type="button" value="Select a Different Date"/>														
Monitoring Sites in the Corpus Christi Metro Area	Air Quality	Critical Pollutant	Air Quality Index Rating											
			Ozone				Carbon Monoxide		Sulfur Dioxide		PM-10 (Std Cond)		PM-2.5 (Lcl Acpt)	
			1-Hour		8-Hour		8-Hour		24-Hour †		24-Hour †		24-Hour †	
			AQI	ppb	AQI	ppb	AQI	ppm	AQI	ppb	AQI	ug/m3	AQI	ug/m3
Nueces County	Good	O3	*	51	27	32			5	3			6	2.0
Corpus Christi Huisache C98/A155	Good	SO2							5	3				
Corpus Christi Tuloso C21	Good	O3	*	43	26	31			1	1				
Corpus Christi West C4	Good	O3	*	51	27	32			1	1			6	2.0
Dona Park C635/AF199/F299	Good	SO2							2	1				
FHR Easement C632	Good	SO2							2	1				
Holly Road C660	Good	O3	*	47	27	32								
Inner Harbor C631	Good	SO2							0	0				
J.I. Hailey C630	Good	SO2							1	1				
Port Grain Elevator C629	Good	SO2							0	0				
Solar Estates C633	Good	SO2							1	1				
Violet C664 ¹	++			§		§								
Kleberg County	Good	PM2.5 (Lcl)acpt											22	6.9
National Seashore C314	Good	PM2.5 (Lcl)acpt											22	6.9
San Patricio County	Good	O3	*	52	30	35								
Aransas Pass C659	Good	O3	*	52	30	35								

Ingleside C685	Good	O3	*	47	27	32								
Odem C686	Good	O3	*	44	26	31								
Taft C687	Good	O3	*	46	28	33								
PM-10 is measured at standard pressure and temperature conditions.														
PM-2.5 Acceptable is measured at local pressure and temperature conditions.														
† This is an average since midnight for the current day and does not represent an entire day's worth of data.														
†† No AQI has been calculated for this site. This can happen early in the morning before enough valid ozone or carbon monoxide hourly samples have been collected to create an eight-hour average and should clear up once enough samples are collected. If there are no measurements for any parameter, this indicates a data collection problem. Once this problem is resolved, the data will be filled in and a AQI will be calculated (if possible).														
¹ This monitoring site is not reporting one or more parameters.														
§ No data of this type was collected on November 30, 2011 for this site, or there were not enough valid hourly samples collected on this date to meet data completeness requirements of a minimum of 18 valid hourly samples in a day, or there have not been enough valid carbon monoxide hourly samples collected to create an eight-hour average.														
* There is no AQI associated with hourly ozone averages less than 0.125 ppm (125 ppb).														

PLEASE NOTE: Data in this table is collected from TCEQ air monitoring sites, local agencies, and private monitoring networks. Site information is available for each specific site by clicking on the site name. This data has not been verified by the TCEQ or the responsible entity and may change. While this is the most current data, it is not official until it has been certified by the appropriate technical staff. This table is updated hourly. [Click here](#) for information about all the monitoring sites.

The table above lists the current peak concentrations for each pollutant, the corresponding Air Quality Index (AQI) category, and the AQI ratings for each of the NAAQS pollutants that are measured real-time. The table is updated each hour and covers the period from midnight through the indicated ending time for today's data or from midnight to midnight on other days. Listings are provided for each monitoring site within the Corpus Christi metropolitan area where pollutant levels are monitored by the TCEQ. Critical pollutant concentrations for ozone and sulfur dioxide are shown in parts per billion (ppb), carbon monoxide measurements are shown in parts per million (ppm), and particulate matter (PM-10 and PM-2.5) concentrations are shown in micrograms per cubic meter (ug/m3).

The AQI for ozone is based on either the peak eight-hour running average since midnight OR the peak one-hour measurement since midnight. The AQI's for sulfur dioxide, PM-10, and PM-2.5 are based on a 24-hour average sampled from midnight to midnight, and the AQI for carbon monoxide is based on the peak eight-hour running average since midnight. On most days the critical pollutant is ozone. Ozone one-hour average concentrations of 125 ppb or higher exceed the old NAAQS (AQI rating of 106 or higher). The new NAAQS for ozone is based on eight-hour averages and applies in all areas that are classified as attainment for the old one-hour NAAQS. An eight-hour average of 75 ppb exceeds the new NAAQS for ozone. All areas currently classified as nonattainment for the old one-hour standard will still be required to achieve attainment of the one-hour standard (Houston-Galveston-Brazoria, Dallas-Fort Worth, El Paso, and Beaumont-Port Arthur).

PLEASE NOTE: This data has not been verified by the TCEQ and may change. This is the most current data, but it is not official until it has been certified by our technical staff. Data is collected from TCEQ ambient monitoring sites and may include data collected by other outside agencies. This data is updated hourly. All times shown are in Local Standard Time.

[Web Policies](#) | [Disclaimer](#) | [Site Help](#)

[Rules, Policy & Legislation](#) | [Permits, Licenses & Registrations](#) | [Compliance, Enforcement & Cleanups](#)
[Drinking Water & Water Availability](#) | [Reporting](#) | [Environmental Quality](#) | [Assistance, Education & Participation](#) | [Pollution Prevention & Recycling](#) | [Contracts, Funding & Fees](#) | [TCEQ Home](#)

[About TCEQ](#) | [Contact Us](#)

Last Modified November 30, 2011

©2002-2004 Texas Commission on Environmental Quality.

