

Draft Environmental Assessment

Astro Wade Communications Tower
Highlands, Harris County, Texas
Homeland Security Grant Program
Project # 2010-SS-T0-0008 (10204)

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FEMA

Federal Emergency Management Agency
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List of Acronyms and Abbreviations

BMP	Best Management Practices
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
dBA	Decibel Adjusted
DHS	Department of Homeland Security
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Endangered Species Act
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
NAAQS	National Ambient Air Quality Standard
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHO	Native Hawaiian Organizations
NHPA	National Historic Preservation Act
NO ₂	Nitrogen Dioxide
NPA	Nationwide Programmatic Agreement
NPDES	National Pollutant Discharge Elimination System
NWI	National Wetland Inventory
O ₃	Ozone
OSHA	Occupational Safety and Health Administration
Pb	Lead
PM ₁₀ and PM _{2.5}	Particulate matter
RF	Radio Frequency
SHPO	State Historic Preservation Officer
SO ₂	Sulfur Dioxide
TCEQ	Texas Commission on Environmental Quality
TCNS	Tower Construction Notification System
THPO	Tribal Historic Preservation Officer
USGS	United States Geological Survey
USFWS	United States Department of the Interior, Fish and Wildlife Service

TPWD
USACE
WOUS

Texas Parks and Wildlife Department
United States Army Corps of Engineers
Waters of the United States

1.0 INTRODUCTION

Harris County has been awarded, under the Federal Emergency Management Agency Homeland Security Program Grant (HSGP) funding application number 2010-SS-T0-0008 (10204) to construct a new 499-foot self supporting communications tower in the City of Highlands, Texas. This communications tower will provide critical assistance to emergency personnel during natural disaster and nations emergencies.

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.

The National Historic Preservation Act (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 NEPA. These regulations are included in Title 40 of the Code of Federal Regulations (CFR), Parts 1500–1508. An Environmental Assessment (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 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)

This EA provides a review of the potential environmental impacts associated with grant funds issued by the HSGP. The HSGP is a primary funding mechanism to assist state, local, tribal, and nongovernmental agencies in developing sustaining national preparedness capabilities. As a condition of the HSGP, HSGP grantees must comply with all relevant federal legislation; including NEPA therefore this project requires a site-specific EA.

2.0 Purpose and Need

Harris County's objective is to provide regional integrated emergency communications between federal, state, and local agencies, and commercial wireless carriers. The current public safety telecommunications infrastructure is insufficient to meet this need. This lack of radio coverage adversely impacts ability to maintain radio communication, which is directly related to ability to provide emergency services and respond to emergency events.

3.0 ALTERNATIVES

3.1 No Action Alternative

Under the No-Action Alternative the proposed project would not be constructed. No adverse environmental impacts are anticipated with the No-Action Alternative. Harris County would continue to rely on existing communication infrastructure which does not provide sufficient coverage throughout the region. This would leave emergency response unchanged and results in a lower level of overall public safety. The lack of adequate communication directly impacts command, control, rescue, event analysis, and other critical operations. The No Action Alternative would not address the needs for Harris County.

3.2 Proposed Action Alternative

The Proposed Action consists of construction of a 499-foot self support communications tower and associated equipment compound to facilitate installation and operation of wireless communications antennae to provide integrated emergency communications between federal, state, and local agencies, and commercial wireless carriers. The site is located south of E. Wallisville Road, and on the west of Wade Road in Highland, Texas at latitude 29.816080 and longitude -95.018578. The site will be within a secured compound on a ±90' by 90' lease property, located in an existing paved parking lot. The proposed foundation will be 51 feet long, 51 feet wide, and 8 feet deep. A 12-foot by 26-foot concrete shelter and foundation will be installed within the 60-foot long, 90-foot wide, and 6-foot high fenced area. All work will occur in paved parking lot of the Harris County Bridge and Road Department. The proposed tower will provide signal coverage for the Port of Houston and surrounding communities as well as Galveston Bay.

3.3 Alternatives Considered But Not Carried Forward

Alternatives to this tower location were considered and found to be either not available or not meeting the required radio frequency (RF) spectrum capabilities of this proposed facility.

The State of Texas Department of Public Safety and Sabre Industries explored collocation opportunities within the required service area for this project. However, no collocation opportunities meeting the technical requirements for the proposed project were identified.

No acceptable alternative technologies have been identified capable of replacing this tower site and associated equipment and capabilities to include RF engineering considerations. These alternatives will not be discussed any further in this EA.

4.0 AFFECTED ENVIRONMENT AND POTENTIAL IMPACTS

The site is depicted on the United States Geological Survey 7.5-minute Topographic Quadrangle "Highlands - Texas," dated 1995 (Figure 1). At the time of the site reconnaissance, the site is to be located at a developed commercial property on a paved parking lot. The site and access are generally level. Access to the site is provided by an existing paved drive and parking lot through the commercial property. Proposed activities by Sabre Industries consist of installation of 499-foot self support wireless communications tower, antennae and associated cable. A copy of the Google Maps aerial photograph depicting the site location (Figure 2) and Vicinity Map (Figure 3) has been included and site photographs have been provided in Appendix A. Site sketch is included as Figure 4.

4.1 Physical Resources

4.1.1 Geology and Soils

The Proposed Action is located on the geologic formation identified as the Beaumont Formation, area which is predominantly clay. The Beaumont Formation is typically located clay and mud deposited in flood basins, coastal lakes, and former stream channels on a deltaic plain (Geologic Atlas of Texas, Houston Sheet, 1982). The soil composition of the Astro Wade Tower site is listed as Addicks loam, 0 to 1 percent slopes, which consists of deep, poorly drained, moderately permeable soils that formed in thick loamy sediments. These soils are on coastal prairies of Pleistocene Age. (Soil Survey of Harris County, Texas, 1976).

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 forest land, pasture land, or other land that is not in current production.

The proposed project site is not considered prime farmland. 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 such as minimization of area of disturbance, silt fencing and/or straw bales, and proper staging of equipment.

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 Environmental Protection Agency (EPA) for the maximum levels of air pollutants that can exist in the outdoor air without unacceptable effects on human health or the public welfare (USEPA 1974). 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), Harris County is classified as in nonattainment and currently does not meet the NAAQS for all six criteria pollutants (TCEQ 2008). However, air permits are not required for the 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.

The proposed action will include short-term construction activities, including soil excavation and grading. These activities are likely to create fugitive dust; however best management practices (BMP) 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 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). USACE regulations for building or working in navigable WOUS are authorized by the Rivers and Harbors Act of 1899. These regulations go together with Section 404 of the Clean Water Act (CWA), which establishes the USACE permit program for discharging dredged or fill material into WOUS.

4.2.1 Surface 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 EPA, the CWA protects and restores water quality using both water quality standards and technology-based effluent limitations. The EPA publishes surface water quality standards and toxic pollutant criteria in 40 CFR, Part 131.

The CWA also established the National Pollution 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 system.

The nearest water bodies of water are Bear Lake located approximately 2.8 miles west and Highlands Reservoir 0.5 miles north of the site. Highlands Reservoir can be seen in the United States Geological Survey (USGS) Topographic Map (Figure 1).

Under the Proposed Action, potential impacts to surface or groundwater resources would be minimal, considering the distance of the nearby water resources from the proposed site and the relatively limited size of the Harris Tower footprint of less than 0.25 acres ground disturbance, construction activities are unlikely to result in a significant amount of erosion. Typically construction projects that exceed 1 acre require a NPDES permit. Harris County will confirm if a NPDES permit is required.

The proposed action will include short-term construction activities, including soil excavation and grading. The minor construction activity will incorporate best management practices 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, no water quality impacts are anticipated from operation of the facility.

Water quality would not 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.

Information on the U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) website was reviewed to determine if any wetlands were delineated on or near the site. No wetlands were depicted on or near the site. A copy of the NWI map containing the site has been included as Figure 5.

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 Floodplain

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 FIRM, panel number 48201C0735L dated June 18, 2007, for Harris County, Texas the project area is located within the 100 year floodplain and is designated as an AE Zone (Figure 6).

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 Astro Wade Communication Tower, Harris County, Texas. Much of this region of Harris County 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 involves the construction of a proposed communication tower. FEMA has determined that the Proposed Action Alternative is located in a 100-year floodplain, Zone AE (Areas of 100-year flood; base flood elevations and flood hazard factors determined), as depicted on FIRM Community Panel 48201C0735L, with the effective date June 18, 2007 (Figure 6).

Step 2 Early public notice (Preliminary Notice)

A public notice for the Proposed Action will be published in the regional newspaper, the Houston Chronicle newspaper, 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, the floodplain in the vicinity of the Propose Action site is extensive and no alternate sites meeting the technical requirements for the Propose Action were identified outside the floodplain. Therefore no practicable alternative outside of the floodplain exists that could concurrently accommodate the future needs of Harris 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. This tower is considered a critical facility because its intended to support emergence staff and first responders. Therefore, the communications equipment at the facility will be elevated at least three feet above the 500-year flood elevation (where mapped). In areas where the 500-year floodplain is not mapped, the equipment will be elevated a minimum of three feet above the 100-year base flood elevation. The FIRM depicting the site location does not include areas of 500-year flood; therefore, the support equipment at this facility will be elevated at least three feet above the 100-year base flood elevation. Elevating the equipment will minimize the environmental impacts associated with construction within the 100-year floodplain. The potential damages from a 100-year flood event are expected to be negligible.

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 Action will be designed to be compliant with FEMA recommendations for construction in flood hazard areas.

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, Harris 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

Harris 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 Astro Wade Communications Tower, Harris County is in compliance with 44 CFR §9.6 because there are no practicable alternatives outside the 100-year floodplain.

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

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 site is located approximately 1.5 miles outside and east of the delineated Texas Coastal Zone.

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 (ESA) 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 critical 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.

The USFWS Division of Endangered Species County Website listed two species and the Bald Eagle (*Haliaeetus leucocephalus*) in Harris County (USFWS 2012). These species include the Texas prairie dawn-flower (*Hymenoxys texana*), and the West Indian manatee (*Trichechus manatus*). Both species are listed as endangered. 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 site is located within the developed community of Harris County. Additionally, the tower construction is proposed on the paved parking lot of the Harris County Bridge and Road Department. Therefore, none of the habitats for these endangered species were observed on the site. Based on the current land use, existing habitat, and the proposed scope of work, FEMA has determined that the proposed project will have “No Effect” on threatened and endangered species.

Information regarding the proposed wireless telecommunications facility was submitted to the USFWS. The USFWS responded via e-mail dated June 14, 2011, providing USFWS guidelines for tower construction. Copies of the correspondence to and the response from the USFWS are included as Appendix B.

The Texas Parks and Wildlife Department (TPWD) was also consulted. No threatened or endangered species were noted to be affected by site development in their response which also included their tower construction recommendations (Appendix B).

4.4.2 Migratory Birds:

The USFWS have developed voluntary recommendations regarding communications tower siting, construction, operation, and decommissioning. These recommendations include collocating of antennae on existing towers or other structures, limiting the height of new towers

to less than 199 feet above ground level, if taller than 199 feet use of the minimum amount of pilot warning and obstruction avoidance lighting required (preferably white strobes), use of non-guyed towers (monopoles, self-supporting towers), consideration of cumulative impacts on migratory birds, locating towers within “antenna farms” where possible, use of the minimum lighting permissible, use daytime visual markers on guy wires, minimization of the footprint of the facility to avoid habitat loss, design of new towers to accommodate additional comparable antennae for at least two additional users, and down-shielding security lighting for on-ground facilities. A copy of the USFWS communications tower siting, construction, operation, and decommissioning recommendations are included in Appendix B. Additionally, a review by Dr. Gary Schnell, biologist, indicates no undue adverse affect on migratory birds. (Appendix B)

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

Sabre Industries considered collocation opportunities as an alternative to the proposed action. However, due to RF and siting requirements, a suitable alternative to this tower location was not found.

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

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

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

Sabre Industries has indicated that medium intensity flashing white obstruction lights (day and night) will be installed on this tower.

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

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

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

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.

Sabre Industries contacted and coordinated with local government agencies concerning proposed tower construction. A public notice was published in the Baytown Sun on March 29, 2011, requesting comment regarding potential impacts to historical or archaeological properties by the proposed wireless communications tower. No comments have been received as of the date of this report in response to the public notice. Copy of the public notice is included in Appendix B.

Federal Communications Commission (FCC) Form 620 with attachments was submitted to the State Historic Preservation Officer (SHPO) on May 9, 2011. A response dated May 26, 2011 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 and FEMA will consult with the SHPO or Tribal Historic Preservation Officer (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 National Historic Preservation Act (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

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

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

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

Information regarding the proposed wireless telecommunications tower was submitted to Indian tribes, NHOs, and SHPOs via the TCNS on March 18, 2011. The FCC assigned Notification I.D. #74553 to the notification submitted for this proposed wireless telecommunications tower. The FCC sent an electronic mail notification to our office on March 18, 2011, listing the Indian tribes, NHOs, and SHPOs that were contacted through the TCNS regarding the proposed tower. As noted above, the NPA requires that we obtain a response from each Indian tribe or NHO that has indicated an interest in the geographical area or state containing the site.

White Buffalo Environmental, Inc. used the list of Indian tribes that had defined their area of geographic interest on the FCC Internet web site, conversations with Tribal Historic Preservation Officers (THPOs), Internet web sites for many of the Indian tribes and Alaskan villages, to determine which Indian tribes included in the TCNS list would be interested in this wireless telecommunications tower site. This review indicated that the following Indian tribes

would have a potential interest in this wireless telecommunications tower site: Southern Ute Tribe, Comanche Nation, Wichita and Affiliated Tribes, Alabama-Coushatta Tribe of Texas, and Mescalero Apache Tribe. A description of the follow-ups to and responses from each of these Indian tribes are included below. Copies of the TCNS notifications and list of Indian tribes, NHOs, and SHPOs are included in Appendix B.

White Buffalo Environmental, Inc. completed the FCC Form 620 required for submittal to those Indian tribes requesting additional information regarding the proposed wireless telecommunications tower and the SHPO. A copy of the FCC Form 620 prepared for this site is included in Appendix B.

The FCC Form 620 was submitted to the Texas Historical Commission's SHPO for review. The SHPO responded via stamped letter with their response of "No Historic Properties Affected, Project May Proceed" dated May 26, 2011. Copies of the correspondence to and from the SHPO are included in Appendix B

White Buffalo Environmental, Inc. followed up with each of the Indian tribes (as necessary) that were identified through review of the TCNS listing provided by the FCC for this site. Sections below describe our follow-up contacts to each of these Indian tribes and their responses, which are located in Appendix B.

Neil B. Cloud of the Southern Ute Tribe responded via electronic mail on May 26, 2011, stating that the Southern Ute Tribe has reviewed cell tower TCNS # 74553, and that they "have no interest in this site. However, if the Applicant discovers archaeological remains or resources during construction, the Applicant should immediately stop construction and notify the appropriate Federal Agency and the Tribe. Copies of the correspondence to and from the Southern Ute Tribe are included in Appendix B.

Kelly Glancy, HPO Assistant, responded via letter dated May 19, 2011, stating they "have determined that there are no properties affected by this undertaking (Appendix B).

The TCNS listing (Appendix B) for this site included information from the Wichita and Affiliated Tribes that stated "If the applicant/tower builder receives no response from the Wichita and Affiliated Tribes within 30 days after notification through TCNS, the Wichita and Affiliated Tribes has no interest in participating in pre-construction review for the proposed site. The Applicant/tower builder, however, must immediately notify the Wichita and Affiliated Tribes in the event archaeological properties or human remains are discovered during construction..." White Buffalo Environmental, Inc. has not received a response from the Wichita and Affiliated Tribes as of the date of this report. Therefore, it is our understanding that additional consultation with the Wichita and Affiliated Tribes is not necessary.

Joshua Waffle of the Tonkawa Tribe responded via electronic mail dated March 28, 2011, stating that "...the Tonkawa Tribe has no known burial sites of the Tonkawa Indians. If any

remain or artifacts are discovered please contact the appropriate Agencies and our Tribal Facilities immediately.” Copies of the correspondence to and from the Tonkawa Tribe are included in Appendix B.

Bryant J. Celestine of the Alabama-Coushatta Tribe responded via TCNS on June 9, 2011, in response to TCNS #74553 stating, “No known impacts to religious, cultural, or historical assets of the Alabama-Coushatta Tribe of Texas are anticipated in conjunction with the proposal”. However, the Alabama-Coushatta Tribe would like to be informed should any archaeological and/or historic resources be discovered inadvertently during the construction process.” Copies of the correspondence to and from the Alabama-Coushatta Tribe of Texas are included in Appendix B.

Holly B Houghten of the Mescalero Apache Tribe responded via electronic mail on June 13, 2011, which state that “...it has been determined that the Mescalero Apache Tribe has no immediate concerns within the project area, and that the project will cause no adverse effects to cultural resources or areas of interest to the Mescalero Apache Tribe.” Copies of the electronic mail to and from the Tunica-Biloxi Indians of Louisiana are included in Appendix B.

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

See Tribal Correspondence in Appendix B for tribal contact information.

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

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 and 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 National Historic Preservation Act.

4.6 Socioeconomic Resources

The Proposed Action site is located within the developed community of Harris County in southeast Texas. The 2010 Census Data obtained from the U.S. Census Bureau, indicates that Harris County's population is 4,092,459 (Demographic Fact Finder 2011). The county has a land area of 1,778 square miles. According to the U.S. Census Bureau, the median household income (for the past 12 months) in Harris County was \$50,422, which is well above the U.S. Department of Health and Human Services 2011 Poverty Guidelines for the 48 Contiguous States and the District of Columbia current poverty level threshold of \$22,350 for a family of four. The 2010 Census numbers for Harris County also indicate minority populations comprised approximately 43.4% of the total population. Based on the data obtained from the 2010 Census Bureau, a minority population is present within the project area, but the population is not considered low-income.

Under the No Action alternative, the entire population of Harris County would result in a lower level of overall public safety.

4.6.1 Environmental Justice

Executive Order 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 Harris County and will address radio coverage issues throughout the county, thus benefitting the entire population. The proposed site is located in Highlands, Harris County, Texas (Figure 1). The area surrounding the proposed undertaking is paved. Based on the site location no displacement or impacts to residences, businesses, minority populations and low-income populations would be affected.

Under the No Action Alternative, Harris 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 Harris 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.

Under the No Action Alternative, Harris County would continue to rely on existing communication infrastructure, which does not provide sufficient coverage throughout the area. Lack of adequate communication directly impacts command, control, rescue, event analysis, and other critical operations.

4.6.2 Noise

Noise is generally referred to as unwanted sound which interferes with work, rest, communication, recreations, or sleep. During construction activities at the proposed Action area, there would be a temporary increase in localized noise. 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. Based on the EPA data, noise levels (dBA) at a distance of 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.). Construction-related noise impacts from the Harris Tower project would not be significant. Normal daily operation of the facility, once constructed, will not generate appreciable noise.

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 Harris Tower site is a 499-foot self support tower, the surface impact less than 0.25 acres in size of paved; 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. Existing roads would be used to the maximum extent possible. There would be no significant impact to transportation networks or traffic from construction-related activities. Once operational, only 1 to 2 vehicles or light trucks will access the facility per day and this is not anticipated to have an adverse impact on transportation and traffic in the vicinity of the site.

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 Harris Tower project activities would require additional short-term electric and communication services from available utility networks. 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 significant impact to utility services from construction-related activities with the Harris Tower site. Once operational, only minor electric and communication needs are anticipated at the facility and this is not anticipated to have an adverse impact on utility service in the vicinity of the site.

Under the No Action alternative, construction activities would not take place and there would be no potential 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 Harris Tower site because of the nature of construction work and the increased intensity of work at the proposed site. Construction and ground-disturbing activities would take place for approximately one week and would include slight grading and digging with the use of a bulldozer, using a pier drill rig for the tower foundation and equipment building footings, and the use of a mobile crane for erecting the tower. The impact of this increase would not be significant. Work areas surrounding construction activities would be fenced, access would be restricted to authorized personnel and appropriate signs would be posted to further minimize safety risks. In addition, implementation of worker safety rules, derived from Occupational Safety and Health Administration (OSHA) safety and health standards, will establish a uniform set of safety practices and procedures to protect workers. Construction-related impacts to human health and safety impacts would not be significant. No public access will be provided to the facility once operational and only authorized personnel,

with proper equipment and proper safety training will be allowed onto the facility for the day-to-day operations and maintenance.

Implementation of the Proposed Action will ultimately result in an increase in public safety as a result of increased access to emergency services and improved response times and response coordination among the various emergency services in Harris County and the surrounding counties.

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	No impacts to underlying geology are anticipated. Soils will be impacted by the proposed tower construction.	The minor construction activity will incorporate practices to minimize soil erosion during the construction/erection of the communication tower, including best management practices such as minimization of area of disturbance, silt fencing and/or straw bales, and proper staging of equipment.
Air Quality	Air quality impacts during construction would originate from emission of construction vehicles, equipment, and fugitive dust stirred up during ground disturbing activities. Both would be short-term, temporary and of limited duration. No impacts anticipated.	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 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.

Affected Environment/ Resource Area	Impacts	Mitigation/BMPs
Surface Water Quality	No impacts to surface water and groundwater are anticipated.	The minor construction activity will incorporate practices to minimize soil erosion during the construction/erection of the communication tower, including best management practices such as minimization of area of disturbance, silt fencing and/or straw bales, and proper staging of equipment.
Wetlands	No impacts to wetlands are anticipated	None
Floodplain	No adverse impacts to the floodplain are anticipated.	The support equipment at this facility will be elevated at least three feet above the 100-year base flood elevation of 34 feet.
Coastal Resources	No impacts to coastal management zones are anticipated.	None
Threatened and Endangered Species and Critical Habitat and Migratory Birds	No impacts to federally protected species are anticipated.	The proposed self standing tower will be designed to accommodate equipment for up to three additional wireless communications providers thereby reducing the need for additional towers in the service area of the proposed project.
Historic Properties	No impacts to historic properties are anticipated.	None
Tribal Coordination	No impacts to tribal lands are anticipated.	None
Environmental Justice	Beneficial impact to all populations in the community	None
Noise	Temporary short-term construction-related noise	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.).
Traffic/Transportation Network	No impacts are anticipated.	None

Affected Environment/ Resource Area	Impacts	Mitigation/BMPs
Utilities	No impacts are anticipated.	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.
Public Health and Safety	Construction activities during the construction phase of the proposed site could present safety risks to those performing the activities. No long-term negative safety impacts are anticipated.	Qualified construction personnel trained in the proper use of the appropriate equipment and safety precautions will be performing construction activities. Activities will be conducted in a safe manner and in accordance with standards specified in OSHA regulations.

5.0 CUMULATIVE IMPACTS

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

6.0 PUBLIC INVOLVEMENT

A public notice was published in the Baytown Sun on March 29, 2011 requesting comment regarding potential impacts to historical or archaeological properties by the proposed wireless communications tower. No comments have been received as of the date of this report in response to the public notice.

The availability of this EA will be advertised by public notice in the Houston Chronicle newspaper. 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 <https://www.fema.gov/environmental-documents-and-public-notice-in-region-vi>. 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). Flood Insurance Rate Map (FIRM), Coryell County, Community Panel Number 48099C0280. Accessed April 2011.

Google Earth, 2012 Aerial Photograph.

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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/>. Accessed May 2012.

U.S. Geological Survey (USGS). 1982. Highlands, Texas, 7.5-minute Quadrangle. Scale 1:24,000. U.S. Department of the Interior.

8.0 LIST OF PREPARERS

Stephen McFarlin, Lead Environmental Investigator, White Buffalo Environmental, Inc.

Government Contributors

Kevin Jaynes, Regional Environmental Officer, FEMA Region 6
Alan Hermely, Environmental Specialist, FEMA Region 6

FIGURES

Figure 1: Topographic Map

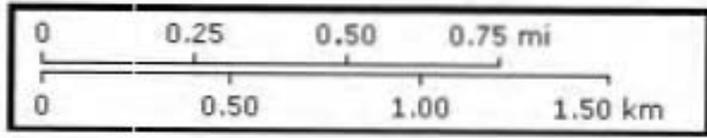
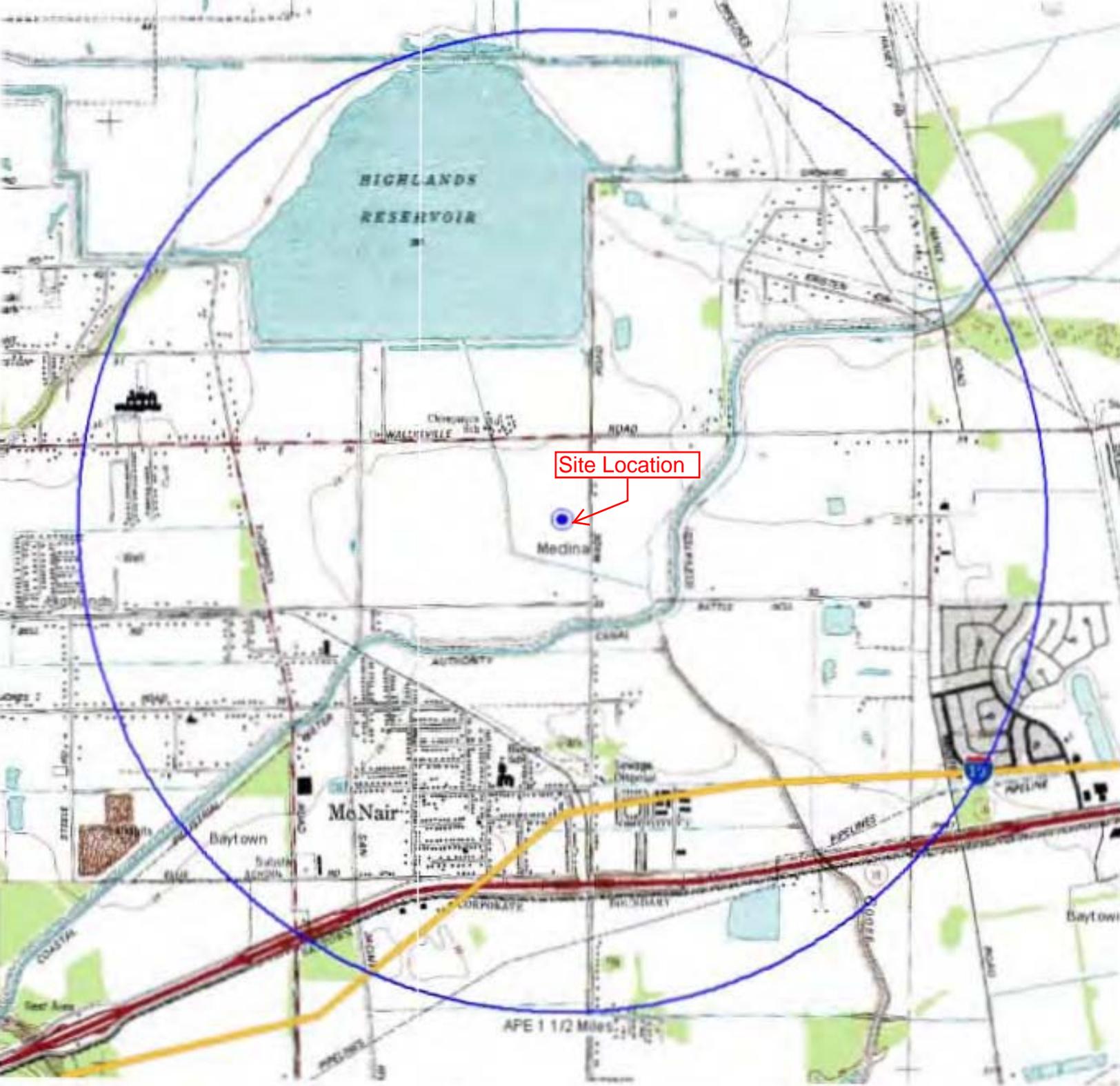
Figure 2: Google Aerial Map

Figure 3: Vicinity Map

Figure 4: Site Sketch

Figure 5: NWI Map

Figure 6: NFIP FIRM Map



Site:	Astro Wade
Latitude:	N 29° 48' 57.9"
Longitude:	W 95° 1' 6.08"
Location:	Highlands, Harris County, TX
Quadrangle:	Highlands, TX
Description:	Sec. 201-Blk A-682-Rice, S
Year:	1995

Figure 1
Topographic
Map

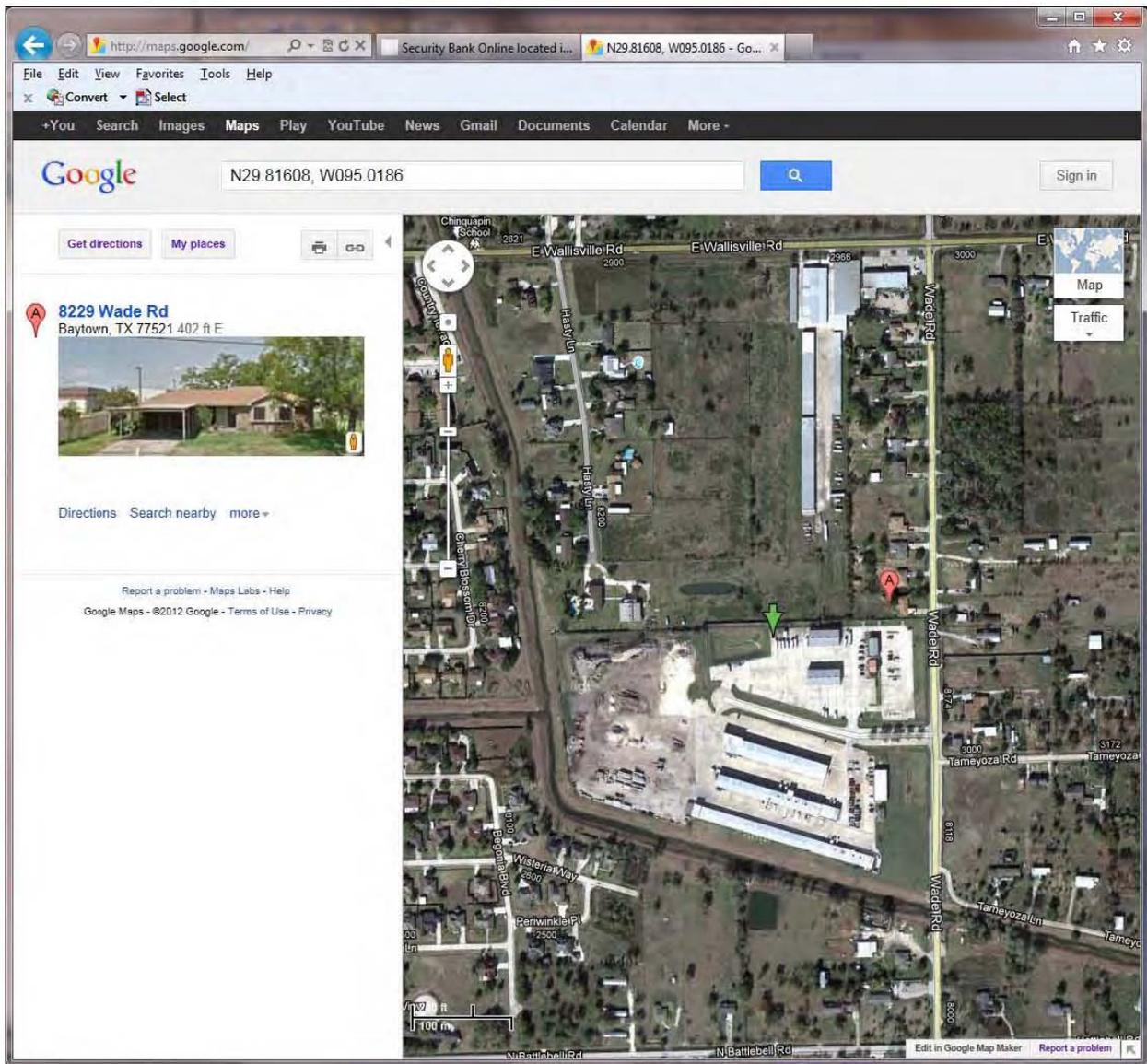


Figure 2
Google Aerial
Map

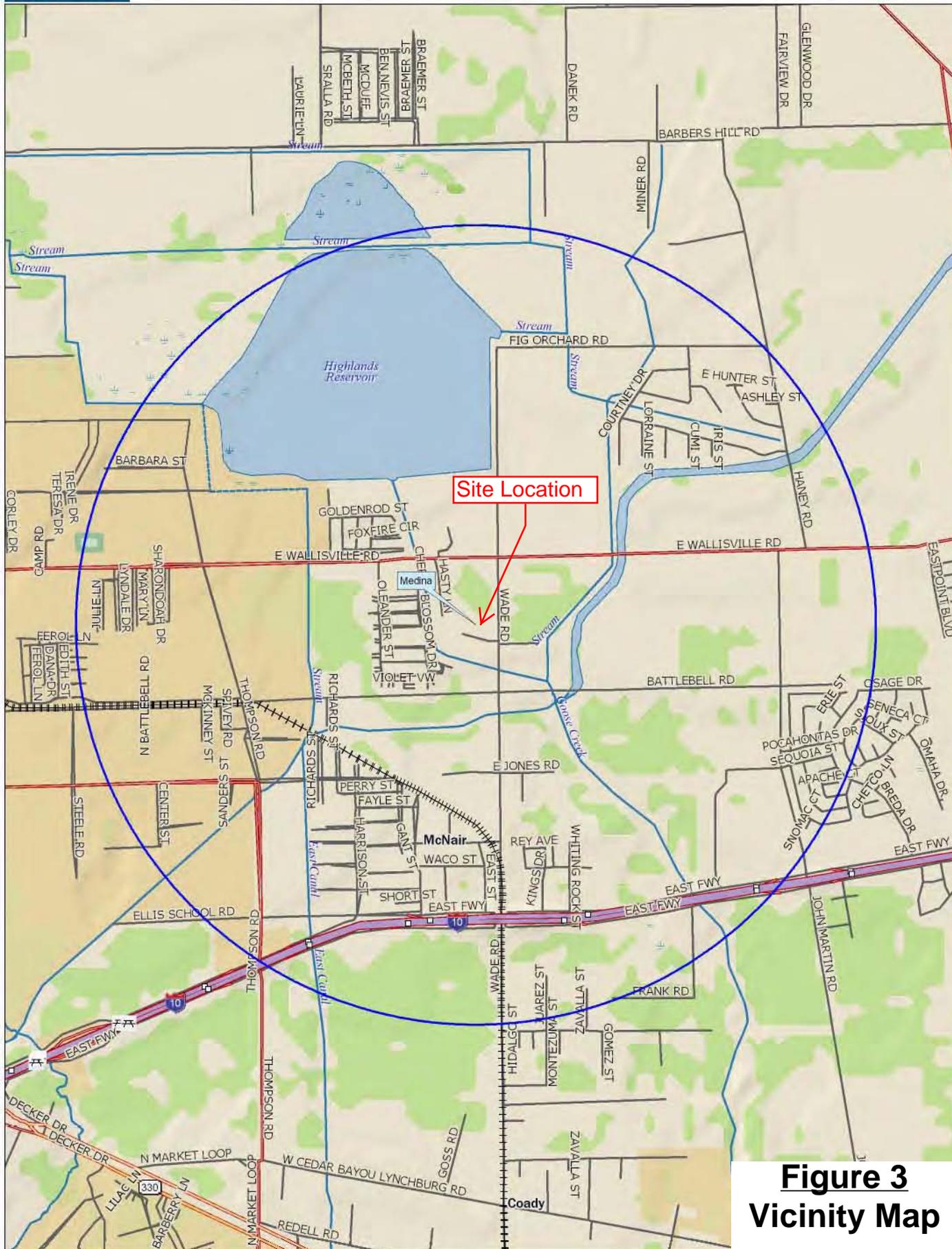
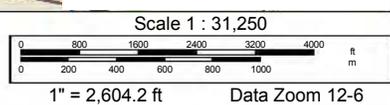


Figure 3
Vicinity Map

Data use subject to license.

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www.delorme.com



Astro Wade Site
8103 Wade Rd, Highland TX

NORTH

Wade Road

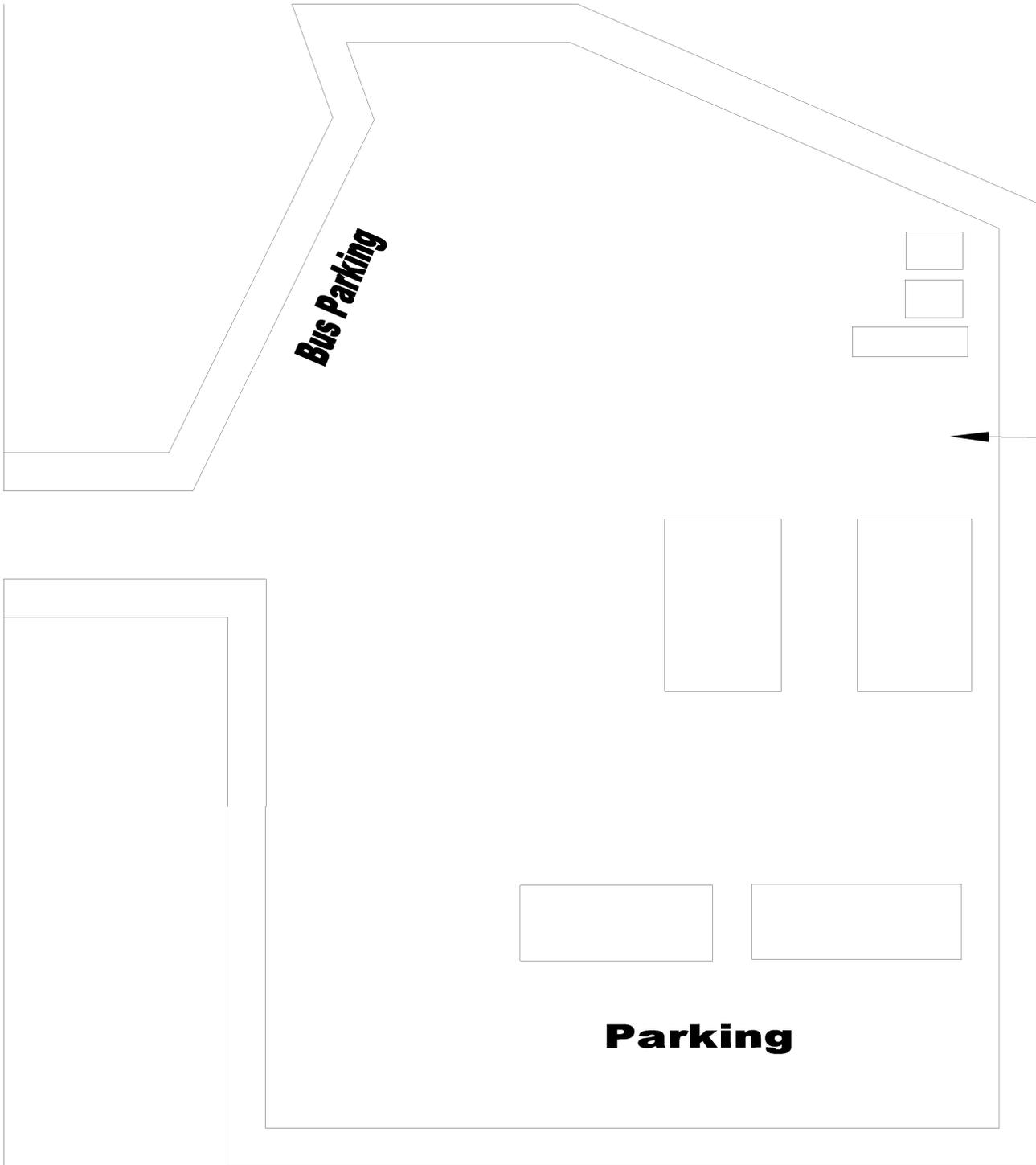
Bus Parking

Projected Site location

Parking

Figure 4
Site Sketch

Not drawn to scale

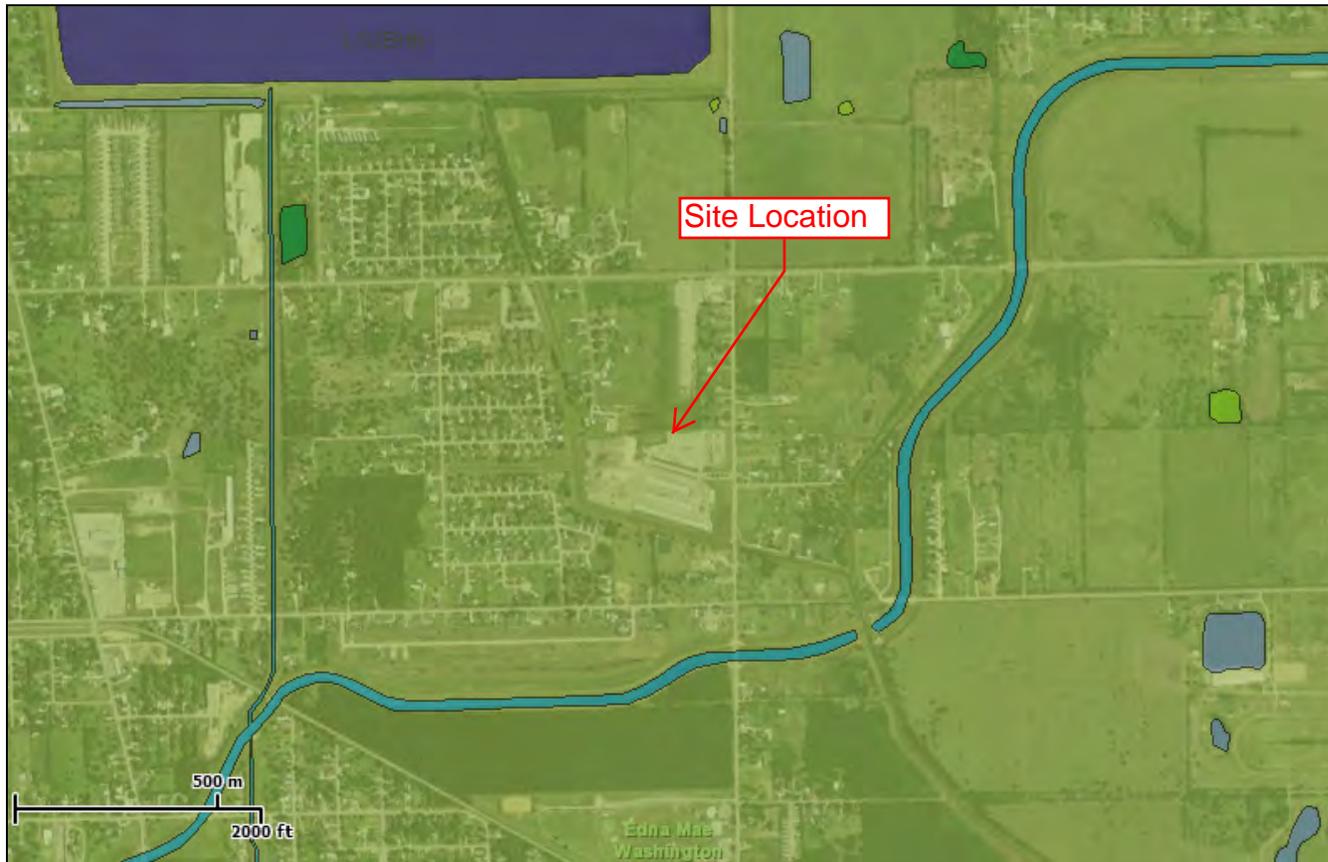




U.S. Fish and Wildlife Service National Wetlands Inventory

Medina Tower Site

May 1, 2012



Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond
- Lake
- Riverine
- Other

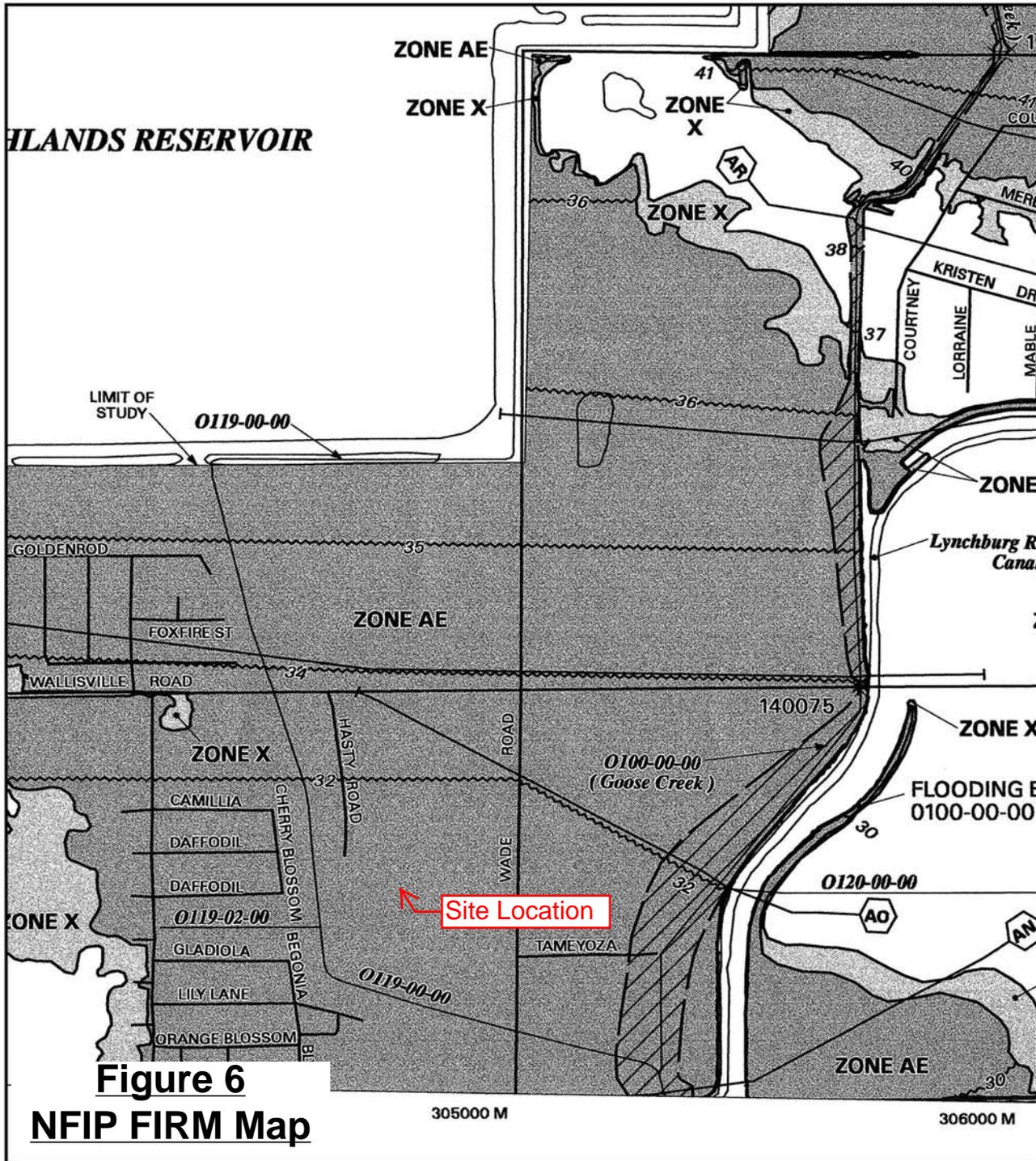
Status

- Digital
- Scan
- Non-Digital
- No Data

User Remarks:
Not in a Wetland

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Figure 5
NWI Map



- Flood Elevation is the water surface elevation of the 1% A...
- ZONE A** No base flood elevations determined.
 - ZONE AE** Base flood elevations determined.
 - ZONE AH** Flood depths of 1 to 3 feet (usu elevations determined).
 - ZONE AO** Flood depths of 1 to 3 feet (usu average depths determined. For area

PANEL 0735L

FIRM
FLOOD INSURANCE RATE MAP
HARRIS COUNTY,
TEXAS
AND INCORPORATED AREAS

PANEL 735 OF 1150
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
HARRIS COUNTY, UNINCORPORATED AREAS	480287	0735	L

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number above should be used on insurance applications for the subject community.

MAP NUMBER
48201C0735L

MAP REVISED:
JUNE 18, 2007


Federal Emergency Management Agency

Figure 6
NFIP FIRM Map

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

APPENDIX A
Site Photographs

Medina
8103 Wade Rd.
Highland, Harris County, TX
77562



View looking to the north from the site.



View looking to the east from site.

Medina
8103 Wade Rd.
Highland, Harris County, TX
77562



View looking to the south from site.



View looking to the west from site.

APPENDIX B
Correspondence

- Landtech Survey letter dated March 1, 2011
- USFWS E-mail dated June 14, 2011
- TPWD response dated June 16, 2011
- Dr. Gary D. Schnell Consulting Biologist letter dated April 27, 2012
- Form 620 Submission to Texas SHPO dated May 9, 2011
 - TCNS Notice of Organizations Which Were Sent Proposed TCN Information
 - Publisher's Affidavit Dated March 29, 2011 from Baytown Sun
 - Texas SHPO response dated May 26, 2011
 - Alabama-Coushatta Tribe E-mail dated June 9, 2011
 - Comanche Nation Historic Preservation Office letter dated May 19, 2011
 - Mescalero Apache Tribe E-mail dated June 13, 2011
 - Southern Ute Tribe E-mail dated May 26, 2011
 - Tonkawa Tribe E-mail dated March 28, 2011



LANDTECH CONSULTANTS, INC.

Civil Engineering • Land Surveying

March 1, 2011

Andy Van Roekel
Sabre Towers and Poles
2101 Murray St.
Sioux City, IA 51111

Dear Mr. Roekel,

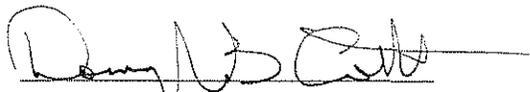
The position of the center of the proposed tower is located at:

North $29^{\circ} 48' 57.90''$

West $095^{\circ} 01' 06.08''$

Elevation 31.69 ft., NAVD 88

As per directions of Harris County representative Mr. Jim Birdwell, Radio Systems Supervisor.


Douglas B. Cottle, R.P.L.S. 6149



Steve McFarlin

From: Kelsey_Gocke@fws.gov
Sent: Tuesday, June 14, 2011 2:23 PM
To: Cheryl.perkins@whitebuffalo.com
Subject: USFWS guidance on proposed telecommunications tower.
Attachments: Sec 7 form letter revised.pdf

Thank you for your letter dated May 9, 2011, requesting recommendations concerning Sabre Industries, Inc's proposal to build a 499' self-support tower. The proposed project is located at 8103 Wade Rd in Highlands, Harris County, Texas.

The U.S. Fish and Wildlife Service (Service) is concerned about the impacts of communication and transmission towers on migratory birds such as waterfowl, shorebirds, passerines, hawks, owls, vultures, and falcons. Specifically, the Service is concerned about bird collisions with such towers and associated guy wires. Documentation shows that bird mortality has occurred when migratory birds congregate at night around towers with aviation warning lights. During these events, birds have collided with guy wires, each other, the ground, and have died from exhaustion. Although lighting is an important issue when it involves bird mortality, tower height, physical design, and site location should also be considered to reduce impacts on migratory birds.

To minimize impacts to migratory birds, the Service has developed the following guidelines on communication tower siting, construction, operation and decommissioning. These guidelines are based on the best information available at this time, and are the most prudent and effective measures for avoiding bird strikes at towers. We believe that they will provide significant protection for migratory birds pending completion of the Communication Tower Working Group's recommendations. As new information becomes available, the guidelines will be updated accordingly.

1. Any company/applicant/licensee proposing to construct a new communications tower is strongly encouraged to collocate 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 collocate on an existing tower.
2. If collocation is not feasible and a new tower or towers are to be constructed, communication service providers are strongly encouraged to construct towers no more than 199 feet above ground level, 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 regulations permit.
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.
4. If at all possible, new towers should be sited within existing "antenna farms" (clusters of towers). Towers should not be sited in or near wetlands, other known bird concentration areas (e.g., State or Federal refuges, staging areas, rookeries), in known migratory or daily movement flyways, or in habitat of threatened or endangered species. Towers should not be sited in areas with a high incidence of fog, mist, and low ceilings.

5. If taller (>199 feet AGL) towers requiring lights for aviation safety must be constructed, the minimum amount of pilot warning and obstruction avoidance lighting required by the FAA should be used. Unless otherwise required by the FAA, only white (preferable) or red strobe lights should be used at night, and these should be the minimum number, minimum intensity, and minimum number of flashes per minute (longer duration between flashes) allowable by the FAA. The use of solid red or pulsating red warning lights at night should be avoided. Current research indicates that solid or pulsating (beacon) red lights attract night-migrating birds at a much higher rate than white strobe lights. Red strobe lights have not yet been studied.

6. Tower designs using guy wires for support which are proposed to be located in known raptor or waterbird concentration areas or daily movement routes, or in major diurnal migratory bird movement routes or stopover sites, should have daytime visual markers on the wires to prevent collisions by these diurnally moving species. (For guidance on markers, see *Avian Power Line Interaction Committee (APLIC). 1994. Mitigating Bird Collisions with Power Lines: The State of the Art in 1994. Edison Electric Institute, Washing, D.C., 78 pp, and Avian Power Line Interaction Committee (APLIC). 1996. Suggested Practices for Raptor Protection on Power Lines. Edison Electric Institute/Raptor Research Foundation, Washington, D.C., 128 pp. Copies can be obtained by contacting the Edison Electric Institute at 1-800/EEI-5453).*

7. Towers and associated facilities should be sited, designed and constructed so as to avoid or minimize habitat loss within and adjacent to the tower "footprint." However, a larger tower footprint is preferable to the use of guy wires in construction. Road access and fencing should be minimized to reduce or prevent habitat fragmentation and disturbance, and to reduce above ground obstacles to birds in flight.

8. If significant numbers of breeding, feeding, or roosting birds are known to habitually use the proposed tower construction area, relocation to an alternate site should be 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.

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/licensees 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 unguyed tower.

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

11. 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.

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

Our comments are provided in accordance with the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.). Attached is our office's information letter on the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16

U.S.C. 1531 et seq.). If you have any questions or, if we can be of further assistance, please contact me at the contact information provided below.

Kelsey Gocke
U.S. Fish & Wildlife Service
17629 El Camino Real, Suite 211
Houston, Texas 77058-3051
281-286-8282 ext. 224
fax 281-488-5882



Life's better outside.®

June 16, 2011

Steve McFarlin
Buffalo Environmental Inc.
6321 East 102nd Street Suite C
Tulsa, Oklahoma 74137

Commissioners

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Chairman
San Antonio

T. Dan Friedkin
Vice-Chairman
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Mark E. Bivins
Amarillo

Ralph H. Duggins
Fort Worth

Antonio Falcon, M.D.
Rio Grande City

Karen J. Hixon
San Antonio

Dan Allen Hughes, Jr.
Beeville

Margaret Martin
Boerne

S. Reed Morian
Houston

Lee M. Bass
Chairman-Emeritus
Fort Worth

RE: Proposed construction of a 499 foot-self support telecommunications tower and associated equipment, Harris County.

Dear Mr. McFarlin:

This letter is in response to your request for review of the proposed telecommunications tower site reference identification: **Medina – Highlands, Harris County, TX**. Texas Parks and Wildlife Department (TPWD) staff reviewed the site of the proposed tower and it is not located within a TPWD Wildlife Management Area or State Park. The following recommendations are provided to assist the project sponsor in minimizing impacts to wildlife resources.

Please be aware that a written response to a TPWD recommendation or informational comment received by a state governmental agency on or after September 1, 2009 may be required by state law. For further guidance, see the Texas Parks and Wildlife Code, Section 12.0011 which can be found online at <http://www.statutes.legis.state.tx.us/Docs/PW/htm/PW.12.htm#12.0011>. For tracking purposes, please refer to TPWD project number 16169 in any return correspondence.

Co-location

Recommendation: TPWD recommends that communication equipment be located on existing towers or other suitable structures to avoid constructing new towers. When a new tower is constructed, staff recommends that the new tower be designed to house more than one provider.

Co-location design type would reduce future impacts in the area. Depending on tower load factors, 6-10 providers may co-locate on an existing tower. New towers should be designed structurally and electrically to accommodate the applicant's antennas and number of towers needed in the future.

Migratory Birds

Recommendation: If possible, new towers should be located within existing "antenna farms," preferably in areas not used by migratory birds or listed species. When possible avoid lighting towers in order to minimize the cumulative impacts to migratory birds. Communication towers have the potential to adversely impact bird species. Current research indicated that night-migrating birds are attracted to solid or pulsating red warning lights.

Steve McFarlin
June 16, 2011
Page 2 of 4

For more information regarding the use of lighting at this facility, please refer the attachment entitled *Guidelines Recommended by the U.S. Fish and Wildlife Service for Communications Tower Siting, Construction, Operation, and Decommissioning*.

Construction activities should occur outside the March – August migratory bird nesting season of each year the project is authorized and lasting for the life of the project.

Construction activities include (but are not limited to) removal of nests or nest structures, tree felling as well as vegetation clearing, trampling or maintenance. Additional information regarding the Migratory Bird Treaty Act may be obtained from the U.S. Fish and Wildlife Service (FWS) Southwest Regional Office (Region 2) at (505) 248-6879.

Rare and Protected Species

Parks and Wildlife Code

Texas has listed additional animal species not protected by the Endangered Species Act as “State-Threatened” (ST). Any take (incidental or otherwise) of ST animals is prohibited. However, state law only protects the species, and not its habitat. The ST species may only be handled/relocated by permitted individuals authorized by TPWD. There are penalties and restitution values associated with unauthorized take of state-listed species. ***Protection of State-Listed Species - Texas Parks and Wildlife Department Guidelines*** is attached.

Determining the actual presence of a species in a given area depends on many variables including daily and seasonal activity cycles, environmental activity cues, preferred habitat, transiency and population density (both wildlife and human). The absence of a species can be demonstrated only with great difficulty and then only with repeated negative observations, taking into account all the variable factors contributing to the lack of detectable presence.

The Texas Natural Diversity Database (TXNDD) is intended to assist users in avoiding harm to rare species or significant ecological features. Given the small proportion of public versus private land in Texas, the TXNDD does not include a representative inventory of rare resources in the state. Absence of information in the database does not imply that a species is absent from that area. Although it is based on the best data available to TPWD regarding rare species, the data from the TXNDD do not provide a definitive statement as to the presences, absence or condition of special species, natural communities, or other significant features within your project area. These data are not inclusive and **cannot be used as presence/absence data**. They represent species that could potentially be in your project area. This information cannot be substituted for on-the-ground surveys. The TXNDD is updated continuously based on new, updated and undigitized records; for questions regarding a record, please contact txnnd@tpwd.state.tx.us.

Review of the TXNDD revealed the following occurrences of rare and protected species within 5 miles of the proposed project:

Species of Concern

Threeflower broomweed (*Thurovia triflora*)

TPWD County Lists

The TPWD county lists for rare species may be obtained from the following link: <http://gis.tpwd.state.tx.us/TpwEndangeredSpecies/DesktopDefault.aspx>. These lists provide information regarding rare species that have potential to occur within each county. Rare species could potentially be impacted if suitable habitat is present at or near the project site.

Recommendation: TPWD recommends using the county lists of rare species, the portions of the proposed project with potential to support rare species should be field surveyed to determine the extent and quality of the suspect habitat and potential impacts.

Recommendation: If rare species or their habitat would be impacted by the proposed project, TPWD recommends that the applicant should coordinate with TPWD and the USFWS, as appropriate, to determine avoidance, minimization, and mitigation strategies.

Recommendation: TPWD recommends that construction crews should be informed of the rare species that have potential to occur in the project county and should avoid disturbance to sensitive species if encountered during construction. Only personnel with a TPWD scientific collection permit are allowed to handle and move state listed species. For further information on the required permit please contact Chris Maldonado at (512) 389-4647.

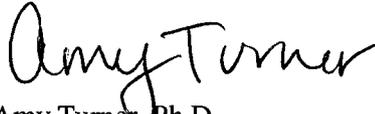
Comment. Further consultation with TPWD would be warranted upon detection of a Texas listed rare, threatened, or endangered species within or near the proposed project at any time prior to or during construction.

TPWD strives to respond to requests for project review within the 45 day comment period. Responses may be delayed due to workload and lack of staff. Failure to meet the 45 day review timeframe does not constitute a concurrence from TPWD that the proposed project will not adversely impact fish and wildlife resources.

Steve McFarlin
June 16, 2011
Page 4 of 4

TPWD advises review and implementation of these recommendations. If you have any questions, please contact me at (361) 576-0022.

Sincerely,

A handwritten signature in black ink that reads "Amy Turner". The signature is written in a cursive style with a large, prominent "A" and "T".

Amy Turner, Ph.D.
Wildlife Habitat Assessment Program
Wildlife Division

/ajh:16169

Attachments

Guidelines Recommended by the U.S. Fish and Wildlife Service (FWS) For Communications Tower Siting, Construction, Operation, and Decommissioning

1. Collocation of the communications equipment on an existing communication tower or other structure (e.g., billboard, water tower, or building mount) is strongly recommended. Depending on tower load factors, from 6 to 10 providers may collocate on an existing tower.
2. If collocation is not feasible and a new tower or towers are to be constructed, it is strongly recommended that the new towers are not more than 199 feet above ground level (AGL) and that construction techniques 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.
3. If constructing multiple towers, the cumulative impacts of all the towers to migratory birds and threatened and endangered species, as well as the impacts of each individual tower, should be considered.
4. If at all possible, new towers should be sited within existing "antenna farms" (clusters of towers). Towers should not be sited in or near wetlands, other known bird concentration areas (e.g., state or Federal refuges, staging areas, rookeries), in known migratory or daily movement flyways, or in habitat of threatened or endangered species. Towers should not be sited in areas with a high incidence of fog, mist, and low ceilings.
5. If taller (>199 feet AGL) towers requiring lights for aviation safety must be constructed, the minimum amount of pilot warning and obstruction avoidance lighting required by the FAA should be used. Unless otherwise required by the FAA, only white (preferable) or red strobe lights should be used at night, and these should be the minimum number, minimum intensity, and minimum number of flashes per minute (longest duration between flashes) allowable by the FAA. The use of solid red or pulsating red warning lights at night should be avoided. Current research indicates that solid or pulsating (beacon) red lights attract night-migrating birds at a much higher rate than white strobe lights. Red strobe lights have not yet been studied.
6. Tower designs using guy wires for support, which are proposed to be located in known raptor or waterbird concentration areas, daily movement routes, major diurnal migratory bird movement routes or stopover sites, should have daytime visual markers on the wires to prevent collisions by these diurnally moving species. (For guidance on markers, see *Avian Power Line Interaction Committee (APLIC). 1994. Mitigating Bird Collisions with Power Lines: The State of the Art in 1994. Edison Electric Institute, Washington, D.C., 78 pp.* and *Avian Power Line Interaction Committee (APLIC). 1996. Suggested Practices for Raptor Protection on Power Lines. Edison Electric Institute/Raptor Research Foundation, Washington, D.C., 128 pp.* Copies can be obtained via the Internet at <http://www.eei.org/resources/pubcat/enviro/> or by calling 1-800/334-5453).
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

Protection of State-Listed Species
Texas Parks and Wildlife Department Guidelines

Protection of State-Listed Species

State law prohibits any take (incidental or otherwise) of state-listed species. State-listed species may only be handled by persons possessing a **Scientific Collecting Permit** or a **Letter of Authorization** issued to relocate a species.

- **Section 68.002 of the Texas Parks and Wildlife (TPW) Code** states that species of fish or wildlife indigenous to Texas are endangered if listed on the United States List of Endangered Native Fish and Wildlife or the list of fish or wildlife threatened with statewide extinction as filed by the director of Texas Park and Wildlife Department. Species listed as Endangered or Threatened by the Endangered Species Act are protected by both Federal and State Law. The State of Texas also lists and protects additional species considered to be threatened with extinction within Texas.
- **Animals** - Laws and regulations pertaining to state-listed endangered or threatened animal species are contained in **Chapters 67 and 68 of the Texas Parks and Wildlife (TPW) Code and Sections 65.171 - 65.176 of Title 31 of the Texas Administrative Code (TAC)**. State-listed animals may be found at **31 TAC §65.175 & 176**.
- **Plants** - Laws and regulations pertaining to endangered or threatened plant species are contained in **Chapter 88 of the TPW Code and Sections 69.01 - 69.9 of the TAC**. State-listed plants may be found at **31 TAC §69.8(a) & (b)**.

Prohibitions on Take of State Listed Species

Section 68.015 of the TPW Code states that no person may capture, trap, take, or kill, or attempt to capture, trap, take, or kill, endangered fish or wildlife.

Section 65.171 of the Texas Administrative Code states that except as otherwise provided in this subchapter or **Parks and Wildlife Code, Chapters 67 or 68**, no person may take, possess, propagate, transport, export, sell or offer for sale, or ship any species of fish or wildlife listed by the department as endangered or threatened.

"Take" is defined in **Section 1.101(5) of the Texas Parks and Wildlife Code** as:

"Take," except as otherwise provided by this code, means collect, hook, hunt, net, shoot, or snare, by any means or device, and includes an attempt to take or to pursue in order to take.

Penalties

The penalties for take of state-listed species (**TPW Code, Chapter 67 or 68**) are:

- 1ST Offense = Class C Misdemeanor:
\$25-\$500 fine
- One or more prior convictions = Class B Misdemeanor
\$200-\$2,000 fine and/or up to 180 days in jail.
- Two or more prior convictions = Class A Misdemeanor
\$500-\$4,000 fine and/or up to 1 year in jail.

Restitution values apply and vary by species. Specific values and a list of species may be obtained from the TPWD Wildlife Habitat Assessment Program.

Element Occurrence Record

Scientific Name: *Thurovia triflora*

Occurrence #: 11 Eo Id: 7357

Common Name: threeflower broomweed

TX Protection Status:

Global Rank: G2G3

State Rank: S2S3

Location Information:

Watershed Code:

Watershed Description:

12040104

Buffalo-San Jacinto

County Code:

County Name:

Mapsheet Code:

Mapsheet Name:

State:

TXHRRS

Harris

29095-G1

Highlands

TX

Directions:

21 MILES EAST OF HOUSTON

Survey Information:

First Observation: 1897

Survey Date:

Last Observation: 1897-10-10

Eo Type:

EO Rank:

EO Rank Date:

Observed Area (acres):

Comments:

General

Description:

Comments: ANNOTATED BY DR. MEREDITH A. LANE, 1980, AS GUTIERREZIA TRIFLORA

Protection

Comments:

Management

Comments:

Data:

EO Data: IN FRUIT

Site:

Managed Area:

Managed Area Name:

Managed Area Type:

Reference:

Element Occurrence Record

Full Citation:

Specimen:

University of Texas at Austin Herbarium. 1897. F.W. Thurow (s.n.), Specimen # 149892 TEX. 10 October 1897.

**Code Key for Printouts from
Texas Parks and Wildlife Department
Texas Natural Diversity Database (TXNDD)**

This information is for your assistance only; due to continuing data updates, vulnerability of private land to trespass and of species to disturbance or collection, **please refer all requesters to our office to obtain the most current information available.** Also, please note, identification of a species in a given area does not necessarily mean the species currently exists at the point or area indicated.

LEGAL STATUS AND CONSERVATION RANKS

FEDERAL STATUS (as determined by the US Fish and Wildlife Service)

LE	Listed Endangered
LT	Listed Threatened
PE	Proposed to be listed Endangered
PT	Proposed to be listed Threatened
PDL	Proposed to be Delisted (Note: Listing status retained while proposed)
SAE, SAT	Listed Endangered on basis of Similarity of Appearance, Listed Threatened on basis of Similarity of Appearance
DL	Delisted Endangered/Threatened
C	Candidate. USFWS has substantial information on biological vulnerability and threats to support proposing to list as threatened or endangered. Data are being gathered on habitat needs and/or critical habitat designations.
C*	C, but lacking known occurrences
C**	C, but lacking known occurrences, except in captivity/cultivation
XE	Essential Experimental Population
XN	Non-essential Experimental Population
Blank	Species is not federally listed

TX PROTECTION (as determined by the Texas Parks and Wildlife Department)

E	Listed Endangered
T	Listed Threatened
Blank	Species not state-listed

GLOBAL RANK (as determined by NatureServe)

G1	Critically imperiled globally, extremely rare, typically 5 or fewer viable occurrences
G2	Imperiled globally, very rare, typically 6 to 20 viable occurrences
G3	Very rare and local throughout range or found locally in restricted range, typically 21 to 100 viable occurrences
G4	Apparently secure globally
G5	Demonstrably secure globally
GH	Of historical occurrence through its range
GU	Possibly in peril range-wide, but status uncertain
G#G#	Ranked within a range as status uncertain
GX	Apparently extinct throughout range
Q	Rank qualifier denoting taxonomic assignment is questionable
#?	Rank qualifier denoting uncertain rank
C	In captivity or cultivation only
G#T#	"G" refers to species rank; "T" refers to variety or subspecies rank

STATE (SUBNATIONAL) RANK (as determined by the Texas Parks and Wildlife Department)

S1	Critically imperiled in state, extremely rare, vulnerable to extirpation, typically 5 or fewer viable occurrences
S2	Imperiled in state, very rare, vulnerable to extirpation, typically 6 to 20 viable occurrences
S3	Rare or uncommon in state, typically 21 to 100 viable occurrences
S4	Apparently secure in State
S5	Demonstrably secure in State
S#S#	Ranked within a range as status uncertain
SH	Of historical occurrence in state and may be rediscovered
SU	Unrankable – due to lack of information or substantially conflicting information
SX	Apparently extirpated from State
SNR	Unranked – State status not yet assessed
SNA	Not applicable – species id not a suitable target for conservation activities
?	Rank qualifier denoting uncertain rank in State

Gary D. Schnell | Consulting Biologist
4106 Coventry Lane | Norman, Arkansas 73072
voice evening: 405.364.0677 | *voice day:* 405.325.5050 | *fax:* 405.325.7699 | *e-mail:* gschnell@ou.edu

27 April 2012

To: Stephen B. McFarlin
White Buffalo Environmental, Inc
5530 S. 79th East Place, Suite 5
Tulsa, Oklahoma 74145

From: Gary D. Schnell, Ph.D.
Consulting Biologist



Topic: Assessment of Biological Impact of Wireless Communication Tower at Medina Site

A proposed communication tower at the Medina site in Harris County, Texas, is evaluated. The site (29°48'57.9"N, 95°01'6.08"W) is in Highlands, Texas, and located at 8103 Wade Road (Sec 201-BlkA-682-Rice, S).

I have reviewed documents and photographs concerning the site and conducted an assessment of the potential impact of this tower on the biota of the area. The evaluation included evaluation of potential effects on migratory birds. This letter report outlines the findings of my assessment.

Tower and Site Characteristics

The proposed tower is to be a self-supporting tower 499 feet in height. It would have appropriate aviation lights. The tower would be in a fenced parking lot used for busses and other vehicles. The site currently is paved. No trees are nearby and a mowed area primarily of Bermuda grass is located to the north. A small pond is present 100 yards to the northeast and a channelized canal 600 yards to the west and south. Highlands Reservoir is 915 yards to the north.

Federally Listed Threatened and Endangered Species

Two federally listed threatened or endangered species have been designated as occurring in Harris County: the Gulf moccasinshell mussel (endangered); and the purple bankclimber mussel (threatened). Clearly, the presence of the tower within Highland in a paved parking lot would have no effect on these species

Migratory Birds

In terms of impacts on migratory birds, I judge there will be no notable effect. Previous assessments have suggested that towers 300 feet or less pose no significant threat to migrating birds. The proposed tower is substantially taller at 499 feet. However, there is no evidence of significant numbers of breeding, feeding, or roosting birds nearby, and the tower would not result in fragmentation of natural habitats. No migratory birds considered to be federally threatened or endangered have been reported for the county. Importantly, the tower will be self-supporting and will not have guyed wires. The site is now a paved parking lot, and no significant habitat for wildlife is found nearby.

Fog and low cloud ceilings sometimes occur in the region and this can result in night bird migrants flying at lower altitudes. It is my professional judgment that the design of the tower and the proposed site for the tower pose no significant hazard for migrating birds. First, the tower is self-supporting without guy wires; typically, the substantial majority of mortality at towers occurs when night migrants collide with guy wires and not the tower itself. Second, the proposed tower site is in an already developed area in that the tower would be based in what is a current parking lot; close by one finds a residential neighborhood. While night migrants do pass directly over cities and towns, it is not thought that they concentrate flights there. Third, there are no known concentration points for night migrants in the vicinity of the proposed site, and the habitats surrounding the site are not likely to be selected by night migrants as stopover locations. Thus, it is highly unlikely that night migrants routinely would be at low altitudes even if they were in the vicinity of the proposed tower.

Overall Assessment of Potential Biological Impact of Project

I see no reason to expect any substantial direct or indirect negative impacts on bird species (migratory or non-migratory), bat species, or other wildlife would result from a wireless, self-supporting communication tower being constructed at the Medina site.



May 9, 2011

State Historic Preservation Office
Attn: Linda Henderson
P.O. Box 12276
Capital Station
Austin, TX 78711-2276

Re: Section 106 Review for proposed cell tower- Medina, Harris County, Highland, TX

Linda:

Please find enclosed a Form 620 Submission Packet for the above referenced Sabre Industries, Inc. construction project.

Respectfully Submitted,

Steve McFarlin

Enclosures: Form 620

NT SUBMISSION PACKET – FCC FORM 620

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

New Tower (“NT”) Submission Packet FCC FORM 620 Introduction

The NT Submission Packet is to be completed by or on behalf of Applicants to construct new antenna support structures by or for the use of licensees of the Federal Communications Commission (“FCC”). The Packet (including Form 620 and attachments) is to be submitted to the State Historic Preservation Office (“SHPO”) or to the Tribal Historic Preservation Office (“THPO”), as appropriate, before any construction or other installation activities on the site begin. Failure to provide the Submission Packet and complete the review process under Section 106 of the National Historic Preservation Act (“NHPA”) ¹ prior to beginning construction may violate Section 110(k) of the NHPA and the Commission’s rules.

The instructions below should be read in conjunction with, and not as a substitute for, the “Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission,” dated September 2004, (“Nationwide Agreement”) and the relevant rules of the FCC (47 C.F.R. §§ 1.1301-1.1319) and the Advisory Council on Historic Preservation (“ACHP”) (36 C.F.R. Part 800). ²

Exclusions and Scope of Use

The NT Submission Packet should not be submitted for undertakings that are excluded from Section 106 Review. The categories of new tower construction that are excluded from historic preservation review under Section 106 of the NHPA are described in Section III of the Nationwide Agreement.

Where an undertaking is to be completed but no submission will be made to a SHPO or THPO due to the applicability of one or more exclusions, the Applicant should retain

¹ 16 U.S.G. § 470f.

² Section II.A.9. of the Nationwide Agreement defines a “historic property” as: “Any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian Organization that meet the national Register criteria.”

Applicant’s Name Sabre Industries, Inc.
Project Name: Medina

NT SUBMISSION PACKET – FCC FORM 620

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

in its files documentation of the basis for each exclusion should a question arise as to the Applicant's compliance with Section 106.

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

General Instructions: NT Submission Packet

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

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

1. Applicant Information

Full Legal Name of Applicant: Sabre Industries, Inc.

Name and Title of Contact Person: Lila Lee O'Conner, Site Development Manager

Address of Contact Person: 555 Enterprise Drive, Edmond, OK 73013

Phone: 405-802-4156 Fax: 405-216-9555

E-mail address: LOconnor@cellxionwireless.com

2. Applicant's Consultant Information

Full Legal Name of Applicant's Section 106 Consulting Firm: White Buffalo Environmental, Inc.

Name of principal investigator: Steve McFarlin

Title of Principal Investigator: Certified Environmental Inspector/Manger

Address: 6321 E. 102nd St. S., Ste. C, Tulsa, OK 74137

Phone: (918) 660-0999 Fax: (918) 665-0890

E-mail Address: sbmcfarlin@sbcglobal.net

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

Applicant's Name Sabre Industries, Inc.

Project Name: Medina

NT SUBMISSION PACKET – FCC FORM 620

Approved by OMB
3060-1039

Estimated Time Per Response:
.5 to 10 hours

Does the Principal Investigator satisfy the Secretary of the Interior’s Professional Qualification Standards?⁴ No.

Areas in which the Principal Investigator meets the Secretary of the Interior’s Professional Qualification Standards: N/A

Other “Secretary of the Interior qualified” staff who worked on the Submission Packet (provide name(s) as well as the area(s) in which they are qualified): Cojeen Archeological Services, LLC

3. Site Information

a. Street Address of Site: 8103 Wade Rd.

City or Township: Highland, TX

County / Parish: Harris State: TX Zip Code: 77562

b. Nearest Cross Roads: E. Wallisville Rd. & Wade Rd.

c. NAD 83 Latitude/Longitude coordinates (to tenth of a second):
N 29 48 57.9/ W 95 1’ 6.08”

d. Proposed tower height above ground level:⁵ 499 feet _____ meters

e. Tower type:

guyed lattice tower self-supporting lattice monopole

other (briefly describe tower) _____

⁴ The Professional Qualification Standards are available on the cultural resources webpage of the National Park Service, Department of the Interior: <http://www.cr.nps.gov/local-law/arch_stnds_9.htm>.

The Nationwide Agreement requires use of Secretary-qualified professionals for identification and evaluation of historic properties within the APE for direct effects, and for assessment of effects. The Nationwide Agreement encourages, but does not require, use of Secretary-qualified professionals to identify historic properties within the APE for indirect effects. See Nationwide Agreement, §§ VI.D.1.d, VI.D.1.e, VI.D.2.b, VI.E.5.

⁵ Include top-mounted attachments such as lightning rods.

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

Applicant’s Name Sabre Industries, Inc.

Project Name: Medina

NT SUBMISSION PACKET – FCC FORM 620

Approved by OMB
3060-1039

Estimated Time Per Response:
.5 to 10 hours

4. Project Status: ⁶

- a. Construction not yet commenced;
- b. Construction commenced on [date] _____; or,
- c. Construction commenced on [date] _____ and was completed on [date] _____.

5. Applicant’s Determination of Effect:

a. Direct Effects (check one):

- i. No Historic Properties in Area of Potential Effects (“APE”) for direct effects;
- ii. “No effect” on Historic Properties in APE for direct effects;
- iii. “No adverse effect” on Historic Properties in APE for direct effects;
- iv. “Adverse effect” on one or more Historic Properties in APE for direct effects.

b. Visual Effects (check one):

- i. No Historic Properties in Area of Potential Effects (“APE”) for visual effects;
- ii. “No effect” on Historic Properties in APE for visual effects;
- iii. “No adverse effect” on Historic Properties in APE for visual effects;
- iv. “Adverse effect” on one or more Historic Properties in APE for visual effects.

Certification and Signature

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



Signature

5/9/2011
Date

Stephen B. McFarlin

Consultant

Applicant’s Name Sabre Industries, Inc.
Project Name: Medina

NT SUBMISSION PACKET – FCC FORM 620

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

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

Applicant's Name Sabre Industries, Inc.
Project Name: Medina

NT SUBMISSION PACKET – FCC FORM 620

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

Attachments

Provide the following attachments in this order and numbered as follows:

Attachement 1. Résumés / Vitae.

Provide a current copy of the résumé or curriculum vitae for the Principal Investigator and any researcher or other person who contributed to, reviewed, or provided significant input into the research, analysis, writing or conclusions presented in the Submission Packet for this proposed facility.

Attachment 2. Additional Site Information

Describe any additional structures, access roads, utility lines, fences, easements, or other construction planned for the site in conjunction with the proposed facility.

Attachment 3. Tribal and NHO Involvement

At an early stage in the planning process, the Nationwide Agreement requires the Applicant to gather information from appropriate Indian Tribes or Native Hawaiian Organizations (“NHOs”) to assist in the identification of historic properties of religious and cultural significance to them. Describe measures taken to identify Indian tribes and NHOs that may attach religious and cultural significance to historic properties that may be affected by the undertaking within the Areas of Potential Effects (“APE”) for direct and visual effects. If such Indian tribes or NHOs were identified, list them and provide a summary of contacts by either the FCC, the Applicant, or the Applicant’s representative. Provide copies of relevant documents, including correspondence. If no such Indian tribes or NHOs were identified, please explain.

Attachment 4. Local Government

- a. Has any local government agency been contacted and invited to become a consulting party pursuant to Section V.A. of the Nationwide Agreement? If so, list the local government agencies contacted. Provide a summary of***

Applicant’s Name Sabre Industries, Inc.
Project Name: Medina

NT SUBMISSION PACKET – FCC FORM 620

Approved by OMB

3060-1039

Estimated Time Per Response:

.5 to 10 hours

contacts and copies of any relevant documents (e.g., correspondence or notices).

- b. If a local government agency will be contacted but has not been to date, explain why and when such contact will take place.*

Attachment 5. Public Involvement

Describe measures taken to obtain public involvement in this project (e.g., notices, letters, or public meetings). Provide copies of relevant documentation.

Attachment 6. Additional Consulting Parties

List additional consulting parties that were invited to participate by the Applicant, or independently requested to participate. Provide any relevant correspondence or other documents.

Attachment 7. Areas of Potential Effects

- a. Describe the APE for direct effects and explain how this APE was determined.*
- b. Describe the APE for visual effects and explain how this APE was determined.*

Attachment 8. Historic Properties Identified in the APE for Visual Effects

- a. Provide the name and address (including U.S. Postal Service ZIP Code) of each property in the APE for visual effects that is listed in the National Register, has been formally determined eligible for listing by the Keeper of the National Register, or is identified as considered eligible for listing in the records of the SHPO/THPO, pursuant to Section VI.D.1.a. of the Nationwide Agreement.⁷*

⁷ Section VI.D.1.a. of the Nationwide Agreement requires the Applicant to review publicly available records to identify within the APE for visual effects: i) properties listed in the National Register; ii) properties formally determined eligible for listing by the Keeper of the National Register; iii) properties that the SHPO/THPO certifies are in the process of being nominated to the National Register; iv) properties previously determined eligible as part of a consensus determination of eligibility between the SHPO/THPO and a Federal Agency or local government representing the Department of Housing and Urban Development (HUD); and, v) properties listed in the SHPO/THPO Inventory that the SHPO/THPO has previously evaluated and found to meet the National Register criteria, and that are identified accordingly in the SHPO/THPO Inventory.

Applicant's Name Sabre Industries, Inc.

Project Name: Medina

NT SUBMISSION PACKET – FCC FORM 620

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Estimated Time Per Response:

.5 to 10 hours

- b. Provide the name and address (including U.S. Postal Service ZIP Code) of each Historic Property in the APE for visual effects, not listed in Attachment 8a, identified through the comments of Indian Tribes, NHOs, local governments, or members of the public. Identify each individual or group whose comments led to the inclusion of a Historic Property in this attachment. For each such property, describe how it satisfies the criteria of eligibility (36 C.F.R. Part 63).*
- c. For any properties listed on Attachment 8a that the Applicant considers no longer eligible for inclusion in the National Register, explain the basis for this recommendation.*

Attachment 9. Historic Properties Identified in the APE for Direct Effects

- a. List all properties identified in Attachment 8a or 8b that are within the APE for direct effects.*
- b. Provide the name and address (including U.S. Postal Service ZIP Code) of each property in the APE for direct effects, not listed in Attachment 9a, that the Applicant considers to be eligible for listing in the National Register as a result of the Applicant's research. For each such property, describe how it satisfies the criteria of eligibility (36 C.F.R. Part 63). For each property that was specifically considered and determined not to be eligible, describe why it does not satisfy the criteria of eligibility.*
- c. Describe the techniques and the methodology, including any field survey, used to identify historic properties within the APE for direct effects.⁸ If no archeological field survey was performed, provide a report substantiating that: i) the depth of previous disturbance exceeds the proposed construction depth (excluding footings and other anchoring mechanisms) by at least 2 feet; or, ii) geomorphological evidence indicates that cultural resource-bearing soils do not occur within the project area or may occur but at depths that exceed 2 feet below the proposed construction depth.⁹*

⁸ Pursuant to Section VI.D.2.a. of the Nationwide Agreement, Applicants shall make a reasonable and good faith effort to identify above ground and archeological historic properties, including buildings, structures, and historic districts, that lie within the APE for direct effects. Such reasonable and good faith efforts may include a field survey where appropriate.

⁹ Under Section VI.D.2.d. of the Nationwide Agreement, an archeological field survey is required even if one of these conditions applies, if an Indian tribe or NHO provides evidence that supports a high probability of the presence of intact archeological Historic Properties within the APE for direct effects.

Applicant's Name Sabre Industries, Inc.

Project Name: Medina

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.5 to 10 hours

Attachment 10. Effects on Identified Properties

For each property identified as a Historic Property in Attachments 8 and 9:

- a. Indicate whether the Applicant believes the proposed undertaking would have a) no effect; b) no adverse effect; or, c) an adverse effect. Explain how each such assessment was made. Provide supporting documentation where necessary.*
- b. Provide copies of any correspondence and summaries of any oral communications with the SHPO/THPO.*
- c. Describe any alternatives that have been considered that might avoid, minimize, or mitigate any adverse effects. Explain the Applicant's conclusion regarding the feasibility of each alternative.*

Attachment 11. Photographs

Except in cases where no Historic Properties were identified within the Areas of Potential Effects, submit photographs as described below. Photographs should be in color, marked so as to identify the project, keyed to the relevant map (see Item 12 below) or text, and dated; the focal length of the lens should be noted. The source of any photograph included but not taken by the Applicant or its consultant (including copies of historic images) should be identified on the photograph.

- a. Photographs taken from the tower site showing views from the proposed location in all directions. The direction (e.g., north, south, etc.) should be indicated on each photograph, and, as a group, the photographs should present a complete (360 degree) view of the area around the proposed tower.*
- b. Photographs of all listed and eligible properties within the Areas of Potential Effects.*
- c. If any listed or eligible properties are visible from the proposed tower site, photographs looking at the tower site from each historic property. The approximate distance in feet (meters) between the site and the historic property should be included.*
- d. Aerial photos of the APE for visual effects, if available.*

Applicant's Name Sabre Industries, Inc.
Project Name: Medina

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Attachment 12. Maps

Include one or more 7.5-minute quad USGS topographical maps that:

- a. Identify the Areas of Potential Effects for both direct and visual effects. If map is copied from the original, include a key with name of quad and date.*
- b. Show the location of the proposed tower site and any new access roads or other easements including excavations.*
- c. Show the locations of each property listed in Attachments 8 and 9.*
- d. Include keys for any symbols, colors, or other identifiers.*

Attribution and Bibliographic Standards. *All reports included in the Submission Packet should be footnoted and contain a bibliography of the sources consulted.*

- a. Footnotes may be in a form generally accepted in the preparer's profession so long as they identify the author, title, publisher, date of publication, and pages referenced for published materials. For archival materials/documents/letters, the citation should include author, date, title or description and the name of the archive or other agency holding the document.*
- b. A bibliography should be appended to each report listing the sources of information consulted in the preparation of the report. The bibliography may be in a form generally accepted in the preparer's profession.*

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The FCC is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this form. We will use the information provided in the application to determine whether approving this application is in the public interest. If we believe there may be a violation or potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; (b) any employee of the FCC; or (c) the United States Government is a party to a proceeding before the body or has an interest in the proceeding. In addition, all information provided in this form will be available for public inspection.

If you owe a past due debt to the federal government, any information you provide may also be disclosed to the Department of Treasury Financial Management Service, other federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide this information to these agencies through the matching of computer records when authorized.

If you do not provide the information requested on this form, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Your response is required to obtain the requested authorization.

Applicant's Name Sabre Industries, Inc.
Project Name: Medina

NT SUBMISSION PACKET – FCC FORM 620

Approved by OMB

3060-1039

Estimated Time Per Response:

.5 to 10 hours

We have estimated that each response to this collection of information will take an average of .50 to 10 hours. Our estimate includes the time to read the instructions, look through existing records, gather and maintain the required data, and actually complete and review the form or response. If you have any comments on this estimate, or on how we can improve the collection and reduce the burden it causes you, please write the Federal Communications Commission, AMD-PERF, Paperwork Reduction Project (3060-1039), Washington, DC 20554. We will also accept your comments via the Internet if you send them to Judith-B.Herman@fcc.gov. Please DO NOT SEND COMPLETED APPLICATIONS TO THIS ADDRESS. Remember - you are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number of if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-1039

Applicant's Name Sabre Industries, Inc.

Project Name: Medina

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

Attachment 1. Resumes /Vitae

- a. *Resume for Consultant, Stephen B. McFarlin, CEI follows.*

Applicant's Name Sabre Industries, Inc.
Project Name: Medina

Stephen B. McFarlin

Objective	Utilize education and work experience to the betterment of the community and corporate entity while balancing the needs of both for a more productive environment.		
Education	1980	Central State Univ.	Edmond, OK
	BA Political Science		
Professional experience	1980-1982	Self Employed	Oklahoma City, OK
	Petroleum Land Man		
	<ul style="list-style-type: none">Identify land owners, contact, negotiate leasing		
	1982-1994	United State Marine Corps	Various Stations
	Officer/Pilot		
	<ul style="list-style-type: none">Pilot: AV-8B, A-4M, TA-4, T-2, T-34C AircraftSquadron Administrative Officer, in charge of day to day administrative and manpower needs for a squadron of over 200 Marines.Ground Safety Officer, in charge of ground safety and workplace issues such as OSHA compliance, non-aircraft safety standards and practices for a squadron.Squadron scheduling officer – Daily pilot schedulingAdvance jet training instructor – Daily instruction of flight students in the advanced training syllabus.		
	1994-1998	Self Employed	Tulsa, OK
	Corporate Development		
	<ul style="list-style-type: none">Working with corporation, business brokers, and individuals in corporate development issues such as financing, long term planning, and business placement.		
	1998-Present	White Buffalo Environmental	Tulsa, OK
	Owner/President		
	<ul style="list-style-type: none">Assumed continuation of operating environmental service company, forming a new entity.Specializing in real estate Phase I environmental assessments and NEPA determinations, oil and gas property environmental compliance such as Spill Plans Control and Countermeasures and reporting compliance.		

Professional
memberships

Environmental Assessment Association
National Environmental, Safety and Health Training Association

Accreditations

Certified Environmental Inspector (1999)
Commercial Pilot (1986)
Airline Transport Pilot (1994)

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Estimated Time Per Response:

.5 to 10 hours

Attachment 2. Additional Site Information

Describe any additional structures, access roads, utility lines, fences, easements, or other construction planned for the site in conjunction with the proposed facility.

1. *Additional equipment/structures such as fencing, utility lines and equipment housing will be located at the site.*
2. *Take exit 787 from Crosby Lynchburg Rd. from 1-10 in Highlands, TX. Pass Crosby Lynchburg Rd. and then turn north onto S. Main St. Head north for 2 miles on S. Main St. Turn and head east on E. Wallisville Rd. Turn south on Wade Rd. Travel 1/3 mile. Turn west onto property.*

Applicant's Name Sabre Industries, Inc.

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.5 to 10 hours

Attachment 3. Tribal and NHO Involvement

FCC Tower Construction Notification number is TCNS #74553. Any adverse tribal comments will be forwarded to SHPO.

Applicant's Name Sabre Industries, Inc.
Project Name: Medina

Steve McFarlin

From: towernotifyinfo@fcc.gov
Sent: Friday, March 18, 2011 2:01 AM
To: sbmcfarlin@sbcglobal.net
Cc: kim.pristello@fcc.gov; diane.dupert@fcc.gov
Subject: NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #2756577

Dear Sir or Madam:

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

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

The information you provided was forwarded to the following Tribes and NHOs who have set their geographic preferences on TCNS. If the information you provided relates to a proposed antenna structure in the State of Alaska, the following list also includes Tribes located in the State of Alaska that have not specified their geographic preferences. For these Tribes and NHOs, if the Tribe or NHO does not respond within a reasonable time, you should make a reasonable effort at follow-up contact, unless the Tribe or NHO has agreed to different procedures (NPA, Section IV.F.5). In the event such a Tribe or NHO does not respond to a follow-up inquiry, or if a substantive or procedural disagreement arises between you and a Tribe or NHO, you must seek guidance from the Commission (NPA, Section IV.G). These procedures are further set forth in the FCC's Declaratory Ruling released on October 6, 2005 (FCC 05-176).

1. NAGPRA Coordinator Neil B Cloud - Southern Ute Tribe - Ignacio, CO - electronic mail and regular mail

Details: Under the following 6 conditions, the Southern Ute Indian Tribe does not need to review the proposed tower (PLEASE NOTE THAT THE FORM 620 IS MANDATORY IF THE PROPOSED TOWER NEEDS TO BE REVIEWED):

The Southern Ute Indian Tribe does NOT need to review proposed extensions to increase the height of already existing towers.

The Southern Ute Indian Tribe does NOT need to review proposed collocations on already existing towers.

The Southern Ute Indian Tribe does NOT need to review proposed structures that are to be placed on rooftops.

The Southern Ute Indian Tribe does NOT need to review proposed structures that are within a city's limits, if the proposed structure is to be located on a disturbed road that has already been gravelled.

The Southern Ute Indian Tribe does NOT need to review proposed structures that are to be placed on pastures that have already been plowed or cultivated.

The Southern Ute Indian Tribe does NOT need to review proposed structures that are merely extensions in height of an already existing structure.

For all other proposed areas, the Southern Ute Indian Tribe DOES NEED a copy of the Form 620. Please send the Form 620 via regular mail and be sure to INCLUDE THE FAX # of the company in order to receive a reply:

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

If the applicant/tower builder receives no response from the Southern Ute Indian Tribe within 30 days AFTER YOU HAVE SENT THE FORM 620 to the Tribe (including color photographs and resumes), then the Southern Ute Indian Tribe has no interest in participating in pre-construction review for the site.

2. THPO Assistant Kelly Glancy - Comanche Nation - Lawton, OK - regular mail

Details: Under the following conditions, the Comanche Nation does not need to review proposed projects that involve pre-existing above-ground feature additions or modifications unless there is an increase in height: the proposed project is within the city limits and proposed to be located on a previously disturbed site that has been previously evaluated by the Comanche Nation.

If the proposed project does not meet the aforementioned conditions, the Comanche Nation Historic Preservation Office requires photographs of the proposed site taken from all 4 directions (north, south, east and west). Additionally, we do not require, but request that you provide us with an aerial view of the proposed site whenever possible.

We also require a legal description of the proposed site (such as the section, range, township, etc.), and request that you provide us with any existing reports or surveys relating to the proposed site.

We no longer accept email requests. Therefore, please send these materials to the Comanche Nation Historic Preservation Office, C/O Kelly Glancy, P.O. Box 908, Lawton, Oklahoma 73502 via regular or express mail, with a \$500 review fee per project (payable to the Comanche Nation Historic Preservation Office). Please note on the cashier's check/money order (or an attachment), the TCNS Number/Project Name that the review fee is provided for. Upon receipt of review fee, the Comanche Nation Office of Historic Preservation will promptly respond to your review request. Thank you!

Sincerely,
Jimmy Arterberry, THPO

3. TCNS Representative & GAP Technician Jason Prince - Wichita and Affiliated Tribes - Anadarko, OK - electronic mail and regular mail

If the applicant/tower builder receives no response from the Wichita and Affiliated Tribes within 30 days after notification through TCNS, the Wichita and Affiliated Tribes has no interest in participating in pre-construction review for the proposed site. The Applicant/tower builder, however, must immediately notify the Wichita and Affiliated Tribes in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

4. Tribal Administrator Joshua Waffle - Tonkawa Tribe - Tonkawa, OK - electronic mail

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

Details: Please consider this notification as our interest for consultation regarding your proposal. The Alabama-Coushatta Tribe of Texas requests an administrative fee of \$300.00 for our services including internal file searches, elder consultations, and if necessary, travel expenses for a site visit to complete our determination regarding your proposal. TAKE NOTE of the following procedures as this will assist our efforts to provide your firm with the most efficient process in returning our determinations:

1. Submit your Form 620 or 621 by email to celestine.bryant@actribe.org. Each submission is logged and within 10 days of receipt, an invoice will be returned to the email account we receive your supplemental information. IF YOU HAVE NOT RECEIVED THIS BY 15DAYS, PLEASE INQUIRE.

2. INCLUDE your invoice number on your payment and submit according to the Invoice instructions. We cannot track your payment by project number so please do not submit without an invoice number.

3. Within 20 days of your original submission, you will receive an email response from our Office relating to our determinations for your proposal. This may occur despite a delay in fee payment. If you have not received our determination within 25 days, PLEASE INQUIRE.

4. IN THE EVENT OF AN OUTSTANDING BALANCE, a detailed invoice will be submitted in place of our determination. In this manner, your Section 106 obligations without Tribe ARE NOT complete until we have forwarded our written response indicating our determination.

5. If the applicant/tower builder decides to withdraw a proposal, please advise our office as soon as possible to avoid an outstanding balance in the future and any unnecessary research by our office.

Thank you, Bryant J. Celestine - Historic Preservation Officer

6. Tribal Historic Preservation Officer Holly B Houghten - Mescalero Apache Tribe - Mescalero, NM - electronic mail and regular mail

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

The information you provided was also forwarded to the additional Tribes and NHOs listed below. These Tribes and NHOs have NOT set their geographic preferences on TCNS, and therefore they are currently receiving tower notifications for the entire United States. For these Tribes and NHOs, you are required to use reasonable and good faith efforts to determine if the Tribe or NHO may attach religious and cultural significance to historic properties that may be affected by its proposed undertaking. Such efforts may include, but are not limited to, seeking information from the relevant SHPO or THPO, Indian Tribes, state agencies, the U.S. Bureau of Indian Affairs, or, where applicable, any federal agency with land holdings within the state (NPA, Section IV.B). If after such reasonable and good faith efforts, you determine that a Tribe or NHO may attach religious and cultural significance to historic properties in the area and the Tribe or NHO does not respond to TCNS notification within a reasonable time, you should make a reasonable effort to follow up, and must seek guidance from the Commission in the event of continued non-response or in the event of a procedural or substantive disagreement. If you determine that the Tribe or NHO is unlikely to attach religious and cultural significance to historic properties within the area, you do not need to take further action unless the Tribe or NHO indicates an interest in the proposed construction or other evidence of potential interest comes to your attention.

None

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

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

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

9. SHPO Bob L Blackburn - Oklahoma Historical Society - Oklahoma City, OK - regular mail

10. Historian Linda Henderson - Texas Historical Commission - Austin, TX - electronic mail

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

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

Notification Received: 03/10/2011

Notification ID: 74553

Tower Owner Individual or Entity Name: Sabre

Consultant Name: Stephen B McFarlin
Street Address: 6321 E. 102nd St. S. Ste C
City: Tulsa
State: OKLAHOMA
Zip Code: 74137
Phone: 918-660-0999
Email: sbmcfarlin@sbcglobal.net

Structure Type: UTOWER - Unguyed - Free Standing Tower
Latitude: 29 deg 48 min 57.9 sec N
Longitude: 95 deg 1 min 6.0 sec W
Location Description: 8103 Wade Rd.
City: Highlands
State: TEXAS
County: HARRIS
Ground Elevation: 9.4 meters
Support Structure: 152.1 meters above ground level
Overall Structure: 152.1 meters above ground level
Overall Height AMSL: 161.5 meters above mean sea level

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

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

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

Thank you,
Federal Communications Commission

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

Attachment 4. Local Government

Sabre Industries, Inc. will notify land use authorities as a function of any zoning and/or permitting processes required by the local government.

Applicant's Name Sabre Industries, Inc.
Project Name: Medina

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3060-1039
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Attachment 5. Public Involvement

Public notice was made in The Baytown Sun Newspaper, inviting the public to comment on this proposed tower.

Applicant's Name Sabre Industries, Inc.
Project Name: Medina

Invitation to Comment on a Proposed Wireless Telecommunications Facility

Interested persons re invited to comment on the wireless telecommunications facility proposed to be constructed at 8103 Wade Rd., Highland, Harris County, Texas, Sec. 201-BIKA-682-Rice S. with respect to impacts on historic properties located at or near this facility, if any. The facility will consist of 499' self-support tower. Comments regarding potential effects to historic properties should be submitted by mail to White Buffalo Environmental, Inc. 6321 E. 102nd St.S., Ste C., Tulsa, OK 74137, or by calling (918)-660-9999. Questions about this facility or this notice may also be directed to that address or phone number. This notice is provided in accordance with the regulations of the Federal Communications Commission, 47 C.F.R. Part 1, Subpart I and Appendices B and C.

The Baytown Sun
1301 Memorial Drive
Baytown, Texas 77520
281-422-8302

AFFIDAVIT OF PUBLICATION

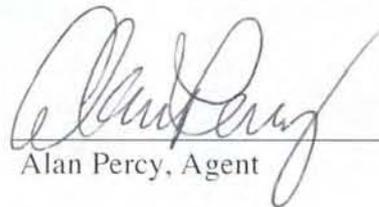
White Buffalo
Attn: Cheryl

6321 E. 102nd Str.S., Ste C
Tulsa, Ok 74137-7044

COUNTY OF HARRIS
STATE OF TEXAS

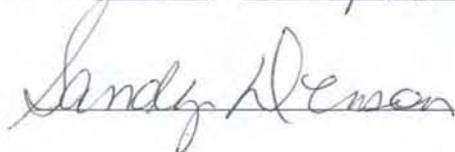
Reference: Invitation To Comment

Before me, the undersigned authority, on this day personally appeared, Alan Percy who being duly sworn, deposes and says that he is an agent of the Baytown Sun: that said newspaper is regularly published in Harris County and generally circulated in Harris and Chambers Counties, Texas: that the attached notice was published on the following date.


Alan Percy, Agent

Printed: March 29, 2011

Subscribed and sworn before me this 6 of April 2011 AD



NT SUBMISSION PACKET – FCC FORM 620

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

Attachment 6. Additional Consulting Parties

Applicant's Name Sabre Industries, Inc.
Project Name: Medina

Attachment 7. Areas of Potential Effects (APE)

- a. *The APE for direct effects as defined by Section III.C.4.a.111.¹⁰ was determined by plotting a 1 1/2 mile radius from the Cell Tower Site on a the USGS topographical map of the site. Since the proposed tower site is not located on a known Historic property or in a Historic District as identified by the database search,¹¹ there are no direct effects as defined by as defined by Section III.C.4.a.112.¹²*
- b. *Since the proposed tower is 499' in height, the APE for visual effects, as defined by Section III.C.4.a.112, is a 1 1/2 mile radius around the tower site¹³. This APE for visual effects was determined by using the DeLorme Global Positioning System and plotting a 1 1/2 mile radius from the proposed cell tower. There were no historic properties found within the APE.*

¹⁰ See pages 41 and 42, Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act Review Process, Federal Communications Commission, FCC 04-222, January 4, 2005

¹¹ Review of Wikipedia National Register of Historic Places website, revealed no historical site within APE.

¹² See page 42, Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act Review Process, Federal Communications Commission, FCC 04-222, January 4, 2005

¹³ See page 42, Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act Review Process, Federal Communications Commission, FCC 04-222, January 4, 2005.

Applicant's Name Sabre Industries, Inc.

Project Name: Medina

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

***Attachment 8. Historic Properties Identified in the
APE for Visual Effects***

- a. *There are no properties within the APE for visual effects.*¹⁴

Applicant's Name Sabre Industries, Inc.
Project Name: Medina

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Approved by OMB

3060-1039

Estimated Time Per Response:

.5 to 10 hours

***Attachment 9. Historic Properties Identified in the APE
for Direct Effects***

- a. *There are no properties within the APE for direct effects.*¹⁵

Applicant's Name Sabre Industries, Inc.
Project Name: Medina

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

Attachment 10. Effects on Identified Properties

- a. *There are no historic properties within the APE for Visual or Direct Effects.*

Applicant's Name Sabre Industries, Inc.
Project Name: Medina

Attachment 11. Photographs

Except in cases where no Historic Properties were identified within the Areas of Potential Effects, submit photographs as described below. Photographs should be in color, marked so as to identify the project, keyed to the relevant map (see Item 12 below) or text, and dated; the focal length of the lens should be noted. The source of any photograph included but not taken by the Applicant or its consultant (including copies of historic images) should be identified on the photograph.

- a. *There are no historic properties within APE, therefore, no historic properties photographs are submitted.*
- b. *Site cardinal directions photographs attached.*

Applicant's Name Sabre Industries, Inc.
Project Name: Medina

Medina
8103 Wade Rd.
Highland, Harris County, TX
77562



View looking to the north from the site.



View looking to the east from site.

Medina
8103 Wade Rd.
Highland, Harris County, TX
77562



View looking to the south from site.



View looking to the west from site.

NT SUBMISSION PACKET – FCC FORM 620

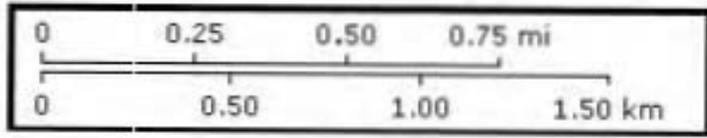
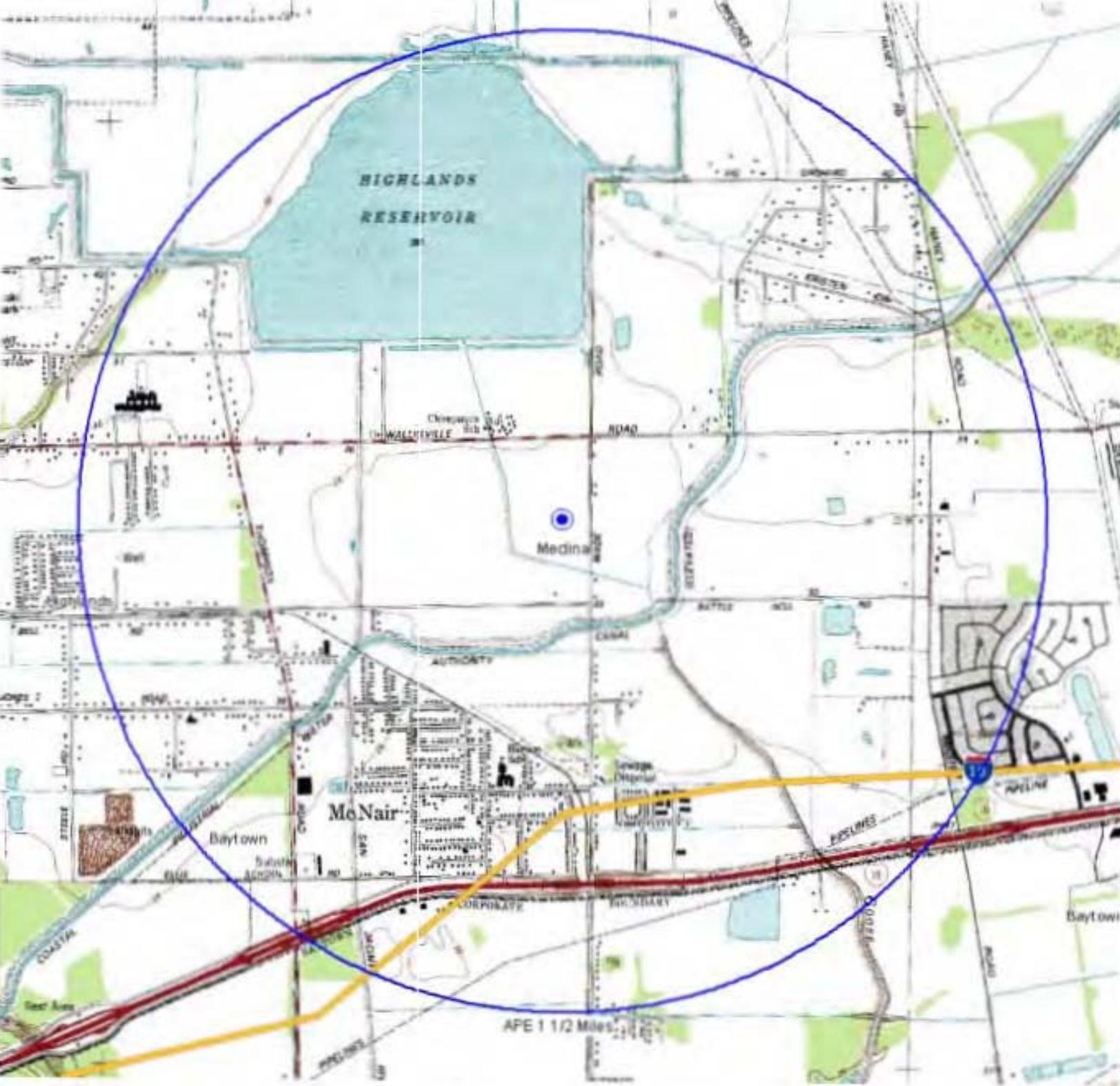
Approved by OMB
3060-1039
Estimated Time Per Response:
.5 to 10 hours

Attachment 12. Maps

- a. Identify the Areas of Potential Effects for both direct and visual effects. If a map is copied from the original, include a key with name of quad and date.*
- b. Show the location of the proposed tower site and any new access roads or other easements including excavations.*
- c. Show the locations of each property listed in Attachments 8 and 9.*
- d. Include keys for any symbols, colors, or other identifiers.*

- 1.** *The 1 1/2 mile APE is identified on the USGS 7.5 Minute Quadrangle Map attached.*

Applicant's Name Sabre Industries, Inc.
Project Name: Medina



Site:	Medina
Latitude:	N 29° 48' 57.9"
Longitude:	W 95° 1' 6.08"
Location:	Highlands, Harris County, TX
Quadrangle:	Highlands, TX
Description:	Sec. 201-Blk A-682-Rice, S
Year:	1995

WHITE
BuffALOTM
ENVIRONMENTAL INC.



May 9, 2011

State Historic Preservation Office
Attn: Linda Henderson
P.O. Box 12276
Capital Station
Austin, TX 78711-2276

Re: Section 106 Review for proposed cell tower- Medina, Harris County, Highland, TX

Linda:

Please find enclosed a Form 620 Submission Packet for the above referenced Sabre Industries, Inc. construction project.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Steve B. McFarlin".

Steve McFarlin

Enclosures: Form 620

NO HISTORIC
PROPERTIES AFFECTED
PROJECT MAY PROCEED

by for Mark Wolfe
State Historic Preservation Officer
Date 26 May 2011

Invitation to Comment on a Proposed Wireless Telecommunications Facility

Interested persons re invited to comment on the wireless telecommunications facility proposed to be constructed at 8103 Wade Rd., Highland, Harris County, Texas, Sec. 201-BIKA-682-Rice S. with respect to impacts on historic properties located at or near this facility, if any. The facility will consist of 499' self-support tower. Comments regarding potential effects to historic properties should be submitted by mail to White Buffalo Environmental, Inc. 6321 E. 102nd St.S., Ste C., Tulsa, OK 74137, or by calling (918)-660-9999. Questions about this facility or this notice may also be directed to that address or phone number. This notice is provided in accordance with the regulations of the Federal Communications Commission, 47 C.F.R. Part 1, Subpart I and Appendices B and C.

The Baytown Sun
1301 Memorial Drive
Baytown, Texas 77520
281-422-8302

AFFIDAVIT OF PUBLICATION

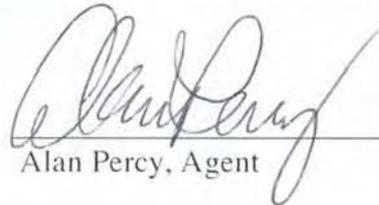
White Buffalo
Attn: Cheryl

6321 E. 102nd Str.S., Ste C
Tulsa, Ok 74137-7044

COUNTY OF HARRIS
STATE OF TEXAS

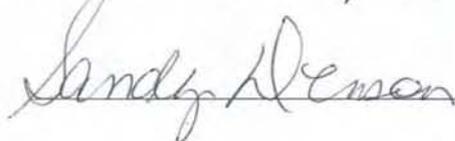
Reference: Invitation To Comment

Before me, the undersigned authority, on this day personally appeared, Alan Percy who being duly sworn, deposes and says that he is an agent of the Baytown Sun: that said newspaper is regularly published in Harris County and generally circulated in Harris and Chambers Counties, Texas: that the attached notice was published on the following date.


Alan Percy, Agent

Printed: March 29, 2011

Subscribed and sworn before me this 6 of April 2011 AD



Steve McFarlin

From: towernotifyinfo@fcc.gov
Sent: Friday, March 18, 2011 2:01 AM
To: sbmcfarlin@sbcglobal.net
Cc: kim.pristello@fcc.gov; diane.dupert@fcc.gov
Subject: NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #2756577

Dear Sir or Madam:

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

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

The information you provided was forwarded to the following Tribes and NHOs who have set their geographic preferences on TCNS. If the information you provided relates to a proposed antenna structure in the State of Alaska, the following list also includes Tribes located in the State of Alaska that have not specified their geographic preferences. For these Tribes and NHOs, if the Tribe or NHO does not respond within a reasonable time, you should make a reasonable effort at follow-up contact, unless the Tribe or NHO has agreed to different procedures (NPA, Section IV.F.5). In the event such a Tribe or NHO does not respond to a follow-up inquiry, or if a substantive or procedural disagreement arises between you and a Tribe or NHO, you must seek guidance from the Commission (NPA, Section IV.G). These procedures are further set forth in the FCC's Declaratory Ruling released on October 6, 2005 (FCC 05-176).

1. NAGPRA Coordinator Neil B Cloud - Southern Ute Tribe - Ignacio, CO - electronic mail and regular mail

Details: Under the following 6 conditions, the Southern Ute Indian Tribe does not need to review the proposed tower (PLEASE NOTE THAT THE FORM 620 IS MANDATORY IF THE PROPOSED TOWER NEEDS TO BE REVIEWED):

The Southern Ute Indian Tribe does NOT need to review proposed extensions to increase the height of already existing towers.

The Southern Ute Indian Tribe does NOT need to review proposed collocations on already existing towers.

The Southern Ute Indian Tribe does NOT need to review proposed structures that are to be placed on rooftops.

The Southern Ute Indian Tribe does NOT need to review proposed structures that are within a city's limits, if the proposed structure is to be located on a disturbed road that has already been gravelled.

The Southern Ute Indian Tribe does NOT need to review proposed structures that are to be placed on pastures that have already been plowed or cultivated.

The Southern Ute Indian Tribe does NOT need to review proposed structures that are merely extensions in height of an already existing structure.

For all other proposed areas, the Southern Ute Indian Tribe DOES NEED a copy of the Form 620. Please send the Form 620 via regular mail and be sure to INCLUDE THE FAX # of the company in order to receive a reply:

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

If the applicant/tower builder receives no response from the Southern Ute Indian Tribe within 30 days AFTER YOU HAVE SENT THE FORM 620 to the Tribe (including color photographs and resumes), then the Southern Ute Indian Tribe has no interest in participating in pre-construction review for the site.

2. THPO Assistant Kelly Glancy - Comanche Nation - Lawton, OK - regular mail

Details: Under the following conditions, the Comanche Nation does not need to review proposed projects that involve pre-existing above-ground feature additions or modifications unless there is an increase in height: the proposed project is within the city limits and proposed to be located on a previously disturbed site that has been previously evaluated by the Comanche Nation.

If the proposed project does not meet the aforementioned conditions, the Comanche Nation Historic Preservation Office requires photographs of the proposed site taken from all 4 directions (north, south, east and west). Additionally, we do not require, but request that you provide us with an aerial view of the proposed site whenever possible.

We also require a legal description of the proposed site (such as the section, range, township, etc.), and request that you provide us with any existing reports or surveys relating to the proposed site.

We no longer accept email requests. Therefore, please send these materials to the Comanche Nation Historic Preservation Office, C/O Kelly Glancy, P.O. Box 908, Lawton, Oklahoma 73502 via regular or express mail, with a \$500 review fee per project (payable to the Comanche Nation Historic Preservation Office). Please note on the cashier's check/money order (or an attachment), the TCNS Number/Project Name that the review fee is provided for. Upon receipt of review fee, the Comanche Nation Office of Historic Preservation will promptly respond to your review request. Thank you!

Sincerely,
Jimmy Arterberry, THPO

3. TCNS Representative & GAP Technician Jason Prince - Wichita and Affiliated Tribes - Anadarko, OK - electronic mail and regular mail

If the applicant/tower builder receives no response from the Wichita and Affiliated Tribes within 30 days after notification through TCNS, the Wichita and Affiliated Tribes has no interest in participating in pre-construction review for the proposed site. The Applicant/tower builder, however, must immediately notify the Wichita and Affiliated Tribes in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

4. Tribal Administrator Joshua Waffle - Tonkawa Tribe - Tonkawa, OK - electronic mail

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

Details: Please consider this notification as our interest for consultation regarding your proposal. The Alabama-Coushatta Tribe of Texas requests an administrative fee of \$300.00 for our services including internal file searches, elder consultations, and if necessary, travel expenses for a site visit to complete our determination regarding your proposal. TAKE NOTE of the following procedures as this will assist our efforts to provide your firm with the most efficient process in returning our determinations:

1. Submit your Form 620 or 621 by email to celestine.bryant@actribe.org. Each submission is logged and within 10 days of receipt, an invoice will be returned to the email account we receive your supplemental information. IF YOU HAVE NOT RECEIVED THIS BY 15DAYS, PLEASE INQUIRE.

2. INCLUDE your invoice number on your payment and submit according to the Invoice instructions. We cannot track your payment by project number so please do not submit without an invoice number.

3. Within 20 days of your original submission, you will receive an email response from our Office relating to our determinations for your proposal. This may occur despite a delay in fee payment. If you have not received our determination within 25 days, PLEASE INQUIRE.

4. IN THE EVENT OF AN OUTSTANDING BALANCE, a detailed invoice will be submitted in place of our determination. In this manner, your Section 106 obligations without Tribe ARE NOT complete until we have forwarded our written response indicating our determination.

5. If the applicant/tower builder decides to withdraw a proposal, please advise our office as soon as possible to avoid an outstanding balance in the future and any unnecessary research by our office.

Thank you, Bryant J. Celestine - Historic Preservation Officer

6. Tribal Historic Preservation Officer Holly B Houghten - Mescalero Apache Tribe - Mescalero, NM - electronic mail and regular mail

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

The information you provided was also forwarded to the additional Tribes and NHOs listed below. These Tribes and NHOs have NOT set their geographic preferences on TCNS, and therefore they are currently receiving tower notifications for the entire United States. For these Tribes and NHOs, you are required to use reasonable and good faith efforts to determine if the Tribe or NHO may attach religious and cultural significance to historic properties that may be affected by its proposed undertaking. Such efforts may include, but are not limited to, seeking information from the relevant SHPO or THPO, Indian Tribes, state agencies, the U.S. Bureau of Indian Affairs, or, where applicable, any federal agency with land holdings within the state (NPA, Section IV.B). If after such reasonable and good faith efforts, you determine that a Tribe or NHO may attach religious and cultural significance to historic properties in the area and the Tribe or NHO does not respond to TCNS notification within a reasonable time, you should make a reasonable effort to follow up, and must seek guidance from the Commission in the event of continued non-response or in the event of a procedural or substantive disagreement. If you determine that the Tribe or NHO is unlikely to attach religious and cultural significance to historic properties within the area, you do not need to take further action unless the Tribe or NHO indicates an interest in the proposed construction or other evidence of potential interest comes to your attention.

None

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

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

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

9. SHPO Bob L Blackburn - Oklahoma Historical Society - Oklahoma City, OK - regular mail

10. Historian Linda Henderson - Texas Historical Commission - Austin, TX - electronic mail

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

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

Notification Received: 03/10/2011

Notification ID: 74553

Tower Owner Individual or Entity Name: Sabre

Consultant Name: Stephen B McFarlin
Street Address: 6321 E. 102nd St. S. Ste C
City: Tulsa
State: OKLAHOMA
Zip Code: 74137
Phone: 918-660-0999
Email: sbmcfarlin@sbcglobal.net

Structure Type: UTOWER - Unguyed - Free Standing Tower
Latitude: 29 deg 48 min 57.9 sec N
Longitude: 95 deg 1 min 6.0 sec W
Location Description: 8103 Wade Rd.
City: Highlands
State: TEXAS
County: HARRIS
Ground Elevation: 9.4 meters
Support Structure: 152.1 meters above ground level
Overall Structure: 152.1 meters above ground level
Overall Height AMSL: 161.5 meters above mean sea level

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

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

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

Thank you,
Federal Communications Commission

Steve McFarlin

From: Bryant J. Celestine [celestine.bryant@actribe.org]
Sent: Thursday, June 09, 2011 3:46 PM
To: cheryl.perkins@whitebuffalo.com
Subject: RE: TCNS 74553 Medina, Harris County, Highlands, TX

Dear Ms. Perkins:

On behalf of Mikko Oscola Clayton Sylestine and the Alabama-Coushatta Tribe, our appreciation is expressed on your efforts to consult us regarding TCNS #74553 (Medina) in Harris County.

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

Upon review of your May 9, 2011 submission, no known impacts to religious, cultural, or historical assets of the Alabama-Coushatta Tribe of Texas are anticipated in conjunction with this proposal. In the event of inadvertent discovery of human remains and/or archaeological artifacts, activity in proximity to the location must cease and appropriate authorities, including our office, notified without delay for additional consultations.

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

Sincerely,

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

Comanche Nation Office of Historic Preservation



Cheryl Perkins
White Buffalo Environmental Inc.
6321 East 102nd Street, Suite C
Tulsa, OK 74137

May 19, 2011

Re: TCNS # 74553 (Project Name: Medina)

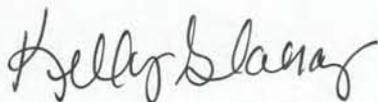
Dear Ms. Perkins:

In response to your request, the above referenced project has been reviewed by staff of this office. Based on the information provided and a 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,



Kelly Glancy, HPO Assistant
Tribal Historic Preservation Office
Comanche Nation

Steve McFarlin

From: towernotifyinfo@fcc.gov
Sent: Monday, June 13, 2011 1:59 PM
To: sbmcfarlin@sbcglobal.net
Cc: tcns.fccarchive@fcc.gov; holly@mathpo.org
Subject: Reply to Proposed Tower Structure (Notification ID: 74553) - Email ID #2822256

Dear Stephen B McFarlin,

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

The following message has been sent to you from Tribal Historic Preservation Officer Holly B Houghten of the Mescalero Apache Tribe in reference to Notification ID #74553:

After review of this communications project, it has been determined that the Mescalero Apache Tribe has no immediate concerns within the project area, and that the project will cause no adverse effects to cultural resources or areas of interest to the Mescalero Apache Tribe. If, however, the Applicant discovers archeological remains or resources during construction, the Applicant should stop construction and notify the appropriate Federal Agency and Tribe(s).

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

Notification Received: 03/10/2011
Notification ID: 74553
Tower Owner Individual or Entity Name: Sabre
Consultant Name: Stephen B McFarlin
Street Address: 6321 E. 102nd St. S. Ste C
City: Tulsa
State: OKLAHOMA
Zip Code: 74137
Phone: 918-660-0999
Email: sbmcfarlin@sbcglobal.net

Structure Type: UTOWER - Unguyed - Free Standing Tower
Latitude: 29 deg 48 min 57.9 sec N
Longitude: 95 deg 1 min 6.0 sec W
Location Description: 8103 Wade Rd.
City: Highlands
State: TEXAS
County: HARRIS
Ground Elevation: 9.4 meters
Support Structure: 152.1 meters above ground level
Overall Structure: 152.1 meters above ground level
Overall Height AMSL: 161.5 meters above mean sea level

Steve McFarlin

From: towernotifyinfo@fcc.gov
Sent: Thursday, May 26, 2011 4:30 PM
To: sbmcfarlin@sbcglobal.net
Cc: tcns.fccarchive@fcc.gov
Subject: Reply to Proposed Tower Structure (Notification ID: 74553) - Email ID #2811033

Dear Stephen B McFarlin,

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

The following message has been sent to you from NAGPRA Coordinator Neil B Cloud of the Southern Ute Tribe in reference to Notification ID #74553:

We have no interest in this site. However, if the Applicant discovers archaeological remains or resources during construction, the Applicant should immediately stop construction and notify the appropriate Federal Agency and the Tribe.

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

Notification Received: 03/10/2011
Notification ID: 74553
Tower Owner Individual or Entity Name: Sabre
Consultant Name: Stephen B McFarlin
Street Address: 6321 E. 102nd St. S. Ste C
City: Tulsa
State: OKLAHOMA
Zip Code: 74137
Phone: 918-660-0999
Email: sbmcfarlin@sbcglobal.net

Structure Type: UTOWER - Unguyed - Free Standing Tower
Latitude: 29 deg 48 min 57.9 sec N
Longitude: 95 deg 1 min 6.0 sec W
Location Description: 8103 Wade Rd.
City: Highlands
State: TEXAS
County: HARRIS
Ground Elevation: 9.4 meters
Support Structure: 152.1 meters above ground level
Overall Structure: 152.1 meters above ground level
Overall Height AMSL: 161.5 meters above mean sea level

Steve McFarlin

From: towernotifyinfo@fcc.gov
Sent: Monday, March 28, 2011 1:58 PM
To: sbmcfarlin@sbcglobal.net
Cc: tcns.fccarchive@fcc.gov; jwaffle@tonkawatribe.com
Subject: Reply to Proposed Tower Structure (Notification ID: 74553) - Email ID #2765296

Dear Stephen B McFarlin,

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

The following message has been sent to you from Tribal Administrator Joshua Waffle of the Tonkawa Tribe in reference to Notification ID #74553:

The following site(s) have been reviewed and to date (Monday, March 28, 2011) with current resources, the Tonkawa Tribe has no known burial sites of the Tonkawa Indians. If any remains or artifacts are discovered please contact the appropriate Agencies and our Tribal Facilities immediately. If the Tonkawa Tribes databases change in regards to the statement in this letter, a Tribal Representative will contact you.

Respectfully,
Joshua Waffle
Tribal Administrator Tonkawa Tribe
Ph 580 628 2561 124
Fx 580 628 3375
Cl 580 491 1209
jwaffle@tonkawatribe.com

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

Notification Received: 03/10/2011
Notification ID: 74553
Tower Owner Individual or Entity Name: Sabre
Consultant Name: Stephen B McFarlin
Street Address: 6321 E. 102nd St. S. Ste C
City: Tulsa
State: OKLAHOMA
Zip Code: 74137
Phone: 918-660-0999
Email: sbmcfarlin@sbcglobal.net

Structure Type: UTOWER - Unguyed - Free Standing Tower
Latitude: 29 deg 48 min 57.9 sec N
Longitude: 95 deg 1 min 6.0 sec W
Location Description: 8103 Wade Rd.
City: Highlands
State: TEXAS
County: HARRIS
Ground Elevation: 9.4 meters
Support Structure: 152.1 meters above ground level

Overall Structure: 152.1 meters above ground level
Overall Height AMSL: 161.5 meters above mean sea level