

**Environmental Assessment
Interoperable Radio System Construction
Seneca Nation of Indians
Alleghany & Cattaraugus Territories, Seneca Nation
of Indians Reservation, Cattaraugus County, NY
2011-SS-00090 (13913)**

May 2013



FEMA

**U.S. Department of Homeland Security
Federal Emergency Management Agency
Region II, 26 Federal Plaza, NY, NY 10278**

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LIST OF ACRONYMS & ABBREVIATIONS

CFR	Code of Federal Regulations
DHS	Department of Homeland Security
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FIRM	Floodplain Insurance Rate Map
FONSI	Finding of No Significant Impact
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NYSDEC	New York State Department of Environmental Conservation
SPDES	State Pollutant Discharge Elimination System
THPO	Tribal Historic Preservation Office
OSHA	Occupational Safety and Health Administration
USDA	U.S. Department of Agriculture

1.0 INTRODUCTION

The Seneca Nation of Indians has applied for federal funding from the Department of Homeland Security-Federal Emergency Management Agency's (DHS-FEMA) Tribal Homeland Security Grant Program to construct a new Interoperable Radio System throughout the reservation in Cattaraugus County, NY. The Interoperable Radio System would include new repeaters on three existing structures, and two new radio towers. The current radio system provides approximately 50% mobile radio coverage across the Seneca Nation of Indians territory. The completed communications system is expected to provide 95% or greater hand held radio coverage across both the Cattaraugus and Allegany territories of the territory. The communications system would be used for both daily operations and emergency communications, and would improve the ability to respond to natural disasters, terrorist threats, and other emergency needs. The Seneca Nation of Indians serves as the grantee for the proposed funding. The proposed project is referenced as grant application 2011-SS-00090 (13913).

FEMA is required as a federal agency to evaluate the potential environmental impacts of its proposed action, and alternatives to the proposed action, in order to make an informed decision in defining a proposed project for implementation. FEMA must consider and incorporate, to the extent practicable, measures to avoid, minimize or mitigate adverse impacts to the human environment. The environmental analysis is conducted in compliance with the National Environmental Policy Act (NEPA), and its implementing regulations at 40 CFR Parts 1500-1508 and FEMA's regulations at 44 CFR Part 10. FEMA evaluates financial assistance projects prior to grant approval.

This Environmental Assessment serves as documentation of FEMA's analysis of the potential environmental impacts of the proposed radio system project, including analysis of project alternatives, and identification of impact minimization measures. The document serves as written communication of the environmental evaluation for public and interested party comment. Public involvement is a component of NEPA to inform an agency's determination of whether to prepare an Environmental Impact Statement (EIS) or issue a Finding of No Significant Impact (FONSI).

2.0 PURPOSE AND NEED

The purpose of the Homeland Security Grant Program is to provide for activities which enhance the ability of tribal nations to prevent, protect against, respond to, and recover from potential terrorist attacks and other hazards. The need for the project is to address safety and security vulnerabilities caused by lack of continuous communications capabilities on the Seneca Nation of Indians Reservation.

3.0 DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES CONSIDERED

The following alternatives are being considered:

3.1 ALTERNATIVE 1: NO ACTION

If no federally funded project were implemented, the Seneca Nation of Indians would not construct a new radio system. The population on the Reservation would continue to lack fully-functioning and well-connected emergency services, and their health and safety would continue to be at risk

3.2 ALTERNATIVE 2: CONSTRUCT INTEROPERABLE RADIO SYSTEM (PROPOSED ACTION)

The scope of work for the proposed project would include installing repeaters on two existing water tanks (Jimersontown and Steamsburg) and one existing radio tower (Irving/DPW Tower), along with the construction of two new radio towers at two different sites (Indian Hill and Sunfish Run). Two of the sites (Irving/DPW and Indian Hill) are located in the Cattaraugus Territory of the Seneca Nation of Indians Reservation, and three of the sites (Jimersontown, Steamsburg, and Sunfish Run) are located in the Allegheny Territory of the Reservation. See Appendix A for location maps.

At the Irving/DPW site, two repeaters, a multicoupler, and a combiner would be added to the existing tower located at 42.54140, -78.99560.

At the Jimersontown site, two repeaters and two antennae would be installed on the existing water tank located at 42.15129, -78.76545.

At the Steamburg site, two repeaters and two antennae would be installed on the existing water tank located at 42.09143, -78.88375.

At the Indian Hill site, two repeaters and two antennae would be installed on the existing water tower, and a new 180-foot self-supporting radio tower would be constructed next to the existing water tower. The location of the new tower would be at 42.47340, -78.97080.

At the Sunfish Run site, a 100-foot guyed radio tower would be constructed at 42.12500, -78.20300. This tower would connect the Jimersontown and Steamburg areas.

4.0 ENVIRONMENTAL SETTING AND POTENTIAL IMPACTS OF THE PROPOSED ACTION AND ALTERNATIVES CONSIDERED

4.1 GENERAL SITE DESCRIPTION

The project includes construction activities on five sites spread throughout the Seneca Nation of Indians reservation. Site location maps are presented in Appendix A. The sites are all generally rural, but located near small-scale residential zones. The Steamburg, Jimersontown, and Sunfish Run sites are all located near the Allegheny River, and the Indian Hill and Irving/DPW sites are located near Cattaraugus Creek.

Table 1 on Page 5 summarizes potential impacts of the No Action and Proposed Action alternatives, and the following sections provide a more detailed description of the affected environment and potential environmental impacts of the No Action and Proposed Action Alternatives. EPA and NYSDEC Environmental Mappers were reviewed to determine if the project site contained any listed air, water, waste, or land environmental contamination. No environmental concerns (air, water, land or waste) are listed within the project areas.

4.2 GEOLOGY, SOILS AND LAND USE

Cattaraugus County contains parts of two major physiographic regions; the Allegheny Plateau, which has rugged topography and steep, V-shaped incised valleys, and the Erie-Ontario Plain, which is generally flat. The Indian Hill site is located within the Erie-Ontario Plain region, and the Jimersontown, Steamburg, and Sunfish Run sites are located along the Allegheny River on the Allegheny Plateau.

The climate of the area is generally described as a humid continental climate, with cold, snowy winters, and hot wet summers. Cattaraugus County receives around 44 inches of rain per year and snowfall averages 105 inches per year.

Soils of the area with planned ground disturbance are mostly loams: gravelly loams at Indian Hill and silty loams at Sunfish Run. Some of the sites are located on soils classified as farmland soils of statewide importance, according to the U.S. Department of Agriculture (USDA)-Natural Resources Conservation Service's (NRCS) Web Soil Survey.

TABLE 1 Summary of Potential Environmental Impacts for Evaluated Alternatives

Resource	No Action Alternative	Proposed Action
Geology and Soils	No impact.	No significant impact.
Land Use	No impact.	No impact.
Air Quality	No impact.	No significant impact. Minor, temporary impact associated with dust and particulate matter during construction.
Water Quality	No impact.	No significant impact. Best Management Practices would be used during construction for sedimentation and erosion control.
Wetlands	No impact.	No impact.
Floodplain Management	No impact.	No Impact
Coastal Resources	No impact	No impact.
Biological Resources – Fish & Wildlife Habitat	No impact.	No significant impact.
Cultural Resources	No impact.	No Historic Properties Affected.
Visual Resources	No impact.	No significant impact
Socioeconomics	No impact	No disproportionate adverse impact
Environmental Justice	No impact.	No disproportionate adverse impact on neighboring low-income and minority populations.
Public Health & Safety	Negative impact due to continued vulnerability of population	Proposed action benefits
Public Services & Utility	No impact.	No significant impact. Proposed new construction would utilize existing utilities.
Transportation	No impact.	Negligible traffic increase during construction. Permanent facility would not impact traffic.
Noise	No impact.	Minor, temporary noise disturbance during construction.

4.2.1 Alternative 1 – the No Action Alternative

The No Action Alternative would have no potential effects on geology, soils or land use because no construction would take place.

4.2.2 Alternative 2 - Construct Interoperable Radio System (PROPOSED ACTION)

It is not anticipated that proposed construction would have any effect on the geologic stability of the properties. The area affected by ground disturbance would be minimal, only encompassing the tower structure and guy wire anchors. Best management practices would be used for construction to avoid and minimize sedimentation and erosion during construction. While the soils are classified as farmland soils, the total area of proposed conversion from undeveloped land to developed space is less than 2 acres and thereby exempt from the Farmland Protection Policy Act. Correspondence with NRCS is located in Appendix C.

4.3 WATER RESOURCES AND FLOODPLAIN MANAGEMENT

The Indian Hill site is located approximately 3,200 feet from Cattaraugus Creek, and the Sunfish Run site is located approximately 2,500 feet from the Allegheny River. Neither project site contains wetlands. The project sites are predominately forested.

According to the National Flood Insurance Program's Flood Insurance Rate Map (FIRM) Panel Number 3615910005B, dated 9/30/1988, the Sunfish Run, Steamburg, and Jimersontown project sites are located outside of the 100-year floodplain and are designated as Zone X. According to FIRM Panel 3615910003B, dated 9/30/1998, the Indian Hill project site is located outside of the 100-year floodplain and is designated as Zone X. According to FIRM Panel 3615910002B, dated 9/30/1998, the Irving/DPW project site is located outside of the 100-year floodplain and is designated as Zone X. See Appendix B for Flood Insurance Rate Maps.

4.3.1 Alternative 1 – the No Action Alternative

Because there would be no new construction under the No Action Alternative, there would be no change of impervious surfaces on the property. Additionally, there would be no potential effects to drainage patterns in the area, nor would there be any effects to the 100-year floodplain.

4.3.2 Alternative 2 - Construct Interoperable Radio System (PROPOSED ACTION)

All of the project sites are located outside of the 100-year floodplain. None of the construction or new facilities would have an adverse effect on, or be affected by, the floodplain. The proposed action would have no impact on wetlands.

4.4 COASTAL RESOURCES

None of the proposed sites are within the coastal zone as defined by New York Department of State, Office of Communities and Waterfronts.

4.4.1 Alternative 1 – the No Action Alternative

The No Action alternative would have no significant adverse effect on coastal resources.

4.4.2 Alternative 2 - Construct Interoperable Radio System (PROPOSED ACTION)

None of the proposed construction sites are within the coastal zone, so the proposed action would have no adverse effects on coastal resources.

4.5 BIOLOGICAL RESOURCES

Federal agencies must evaluate potential impacts to threatened and endangered species per the Endangered Species Act. There are two (2) federally listed threatened or endangered species found within Cattaraugus County: the clubshell mussel (*Pleurobema clava*) and the rayed bean mussel (*Villosa fabalis*). Federal agencies must also evaluate potential impacts to bald eagle and its habitat per the Bald Eagle Protection Act. The bald eagle, *Haliaeetus leucocephalus*, may be occasionally found in the project vicinity. Federal agencies must evaluate potential impacts to migratory bird habitat per the Migratory Bird Treaty Act. The site is within the North Atlantic Migratory Flyway.

Federal agencies must prevent the introduction and spread of invasive species in accordance with Executive Order (EO) 13112 Invasive Species. Cattaraugus County is designated within a quarantine zone for Emerald Ash Borer, an insect that infects and kills ash trees and has been devastating to forests in the northeast.

4.5.1 Alternative 1 – the No Action Alternative

The No Action alternative would have no impact on fish and wildlife habitat, including federally listed threatened or endangered species, state listed or protected species, bald eagles or migratory bird habitat. The No Action alternative would have no impact on invasive species.

4.5.2 Alternative 2 - Construct Interoperable Radio System (PROPOSED ACTION)

FEMA has determined that the proposed action would have minimal adverse impact on fish and wildlife habitat with the planned site development and vegetation removal. The proposed project locations do not support habitat for federally listed threatened or endangered species or the bald eagle; therefore, the proposed action would not adversely affect listed or otherwise protected species. The proposed project location does not support unique or sensitive habitat for migratory birds. Correspondence from the Seneca Nation Fish & Wildlife Service is included in Appendix C that confirms the determination of no effect on migratory bird species.

The proposed action would avoid potential adverse impacts related to the invasive Emerald Ash Borer through adherence to quarantine zone protocols established by the USDA and New York State Department of Agriculture and Markets. Any trees to be removed would be chipped on site or not transported outside of the tribal nation lands to restrict movement and possible spread of the insect. The introduction and spread of non-native plant materials would be minimized or avoided by reseeding or replanting of any construction-disturbed locations with native or non-invasive plant material as soon as practicable post site disturbance.

4.6 AIR QUALITY

All proposed project locations are in areas classified as attainment for all Clean Air Act criteria pollutants.

4.6.1 Alternative 1 – the No Action Alternative

The No Action Alternative would result in no effects to air quality.

4.6.2 Alternative 2 - Construct Interoperable Radio System (PROPOSED ACTION)

During construction, there would be a minor, temporary impact associated with dust and particulate matter. It is not anticipated that the additional towers, and their associated equipment, would result in increased stationary generators of air emissions, or long-term increases from additional vehicular traffic. Therefore, it is anticipated that the proposed action would not result in adverse impact to air quality.

4.7 TRANSPORTATION

All of the project construction locations are in rural areas with minimal vehicular traffic. The Sunfish Run, Jimersontown, and Steamsburg sites are located within a half-mile of Interstate 86, but are not directly connected to the Interstate.

4.7.1 Alternative 1 – the No Action Alternative

The no action alternative would result in no new construction; therefore there would be no potential for increased traffic.

4.7.2 Alternative 2 - Construct Interoperable Radio System (PROPOSED ACTION)

It is expected that there would be short-term increases to local traffic associated with construction vehicles. The radio facilities would not generate additional traffic during operation.

4.8 NOISE

The project site is located in rural areas throughout Cattaraugus County. Noise levels are generally extremely low.

4.8.1 Alternative 1 – the No Action Alternative

There would be no impact to noise levels under the No Action Alternative.

4.8.2 Alternative 2 - Construct Interoperable Radio System (PROPOSED ACTION)

Short-term noise impacts are anticipated due to operation of heavy construction equipment. There are no sensitive receptors that would be adversely affected by the temporary construction activities.

4.9 CULTURAL RESOURCES

The Seneca were the largest of six Native American nations which comprised the Iroquois Confederacy or Six Nations. The Seneca are known as the “Keeper of the Western Door” for they are the most western of the six Nations.

Primarily an agriculture nation historically, the Seneca were also skilled at warfare and known for their diplomacy skills within the Iroquois Confederacy of Nations. Today, the Seneca support themselves through a variety of efforts including casino gaming, hospitality and entertainment, construction management, and business ventures including a convenience store chain.

Historically, the Seneca have occupied territory throughout the Finger Lakes region of New York living in longhouses in villages that were fortified with wooden stake fences. Presently the Nation is comprised of four territories: Allegany Indian Territories (AIR), Cattaraugus Indian Territories (CIR), Oil Spring Indian Territories (OSIR) and Buffalo Creek and Niagara Falls Gaming Operations and is currently comprised of nearly 8,000 citizens living both on and off-territories.

4.9.1 Alternative 1 – the No Action Alternative

The No Action Alternative would have no potential effect on cultural resources because it would not involve the construction of any structures.

4.9.2 Alternative 2 - Construct Interoperable Radio System (PROPOSED ACTION)

The Seneca Nation of Indians consulted with their Tribal Historical Preservation Office (THPO) in January 2012 regarding their proposed project for interoperable radio system at four of the five project locations: Jimersontown, Steamburg, Indian Hill, and Sunfish Run. These four undertakings were reviewed because they had a potential to directly affect historic properties because of ground disturbance and/or indirectly affect historic properties within the viewshed of the towers. In correspondence dated February 7, 2013, THPO responded with the finding of No Historic Properties Affected. This correspondence can be found in Appendix C. Based on these findings and a consultation with the THPO, FEMA finds that the proposed project would not adversely affect any cultural resources.

4.10 VISUAL RESOURCES

4.10.1 Alternative 1 – the No Action Alternative

The No Action Alternative would have no potential effect on visual resources and aesthetics because it would not involve the construction of any structures.

4.10.2 Alternative 2 - Construct Interoperable Radio System (PROPOSED ACTION)

At the Irving/DPW site, the Jimersontown site, and the Steamburg site, the proposed equipment would be added to existing structures and would not have an added impact on visual and aesthetic resources. At the Indian Hill site, a new tower would be constructed immediately adjacent to an existing water tower. There are no state, regional, or city parks nearby, and site is surrounded by a forested area. It would not be generally visible to anyone traveling nearby. The Sunfish Run site is within 1.3 miles of Allegheny State Park, which lies across the river valley. The new tower would have no visual impact on the character of any surrounding communities. It is near both the towns of Salamanca and Steamburg, but both towns are located around a bend in the Allegheny River, and thus the tower would not be visible from either town. A cellular tower already exists 300 yards from the project site at a higher elevation, and the proposed radio

tower would only extend 25 feet above the treetops. The tower may be visible from Interstate 86, which lies across the Allegheny River valley, but due to the speed of vehicles traveling on the interstate, the visual impacts would be short in duration. Consequently, the total impact to visual and aesthetic resources would be minimal.

4.11 SOCIOECONOMIC

Data provided by NYSDEC indicate that the project sites are all within potentially sensitive Environmental Justice communities. The Sunfish Run, Jimersontown, and Steamsburg sites are located in a community with a population comprised of 83.88% minorities, with 18.62% of households below the federal poverty level. The Indian Hill site is located in a community with a population comprised of 95.35% minorities, with 21.79% of the households below the federal poverty level. The Irving/DPW site is located in a community with a population comprised of 88.58% minorities, with 29.15% of households below the federal poverty level.

Executive Order 12898 mandates that federal action should cause no disproportionate adverse impact on low income or minority populations

4.11.1 Alternative 1 – the No Action Alternative

The No Action Alternative would not have any impact on any socioeconomic groups in the area.

4.11.2 Alternative 2 - Construct Interoperable Radio System (PROPOSED ACTION)

Alternative 2 is not expected to have a noticeable impact on the environment or land use such that there would be any adverse environmental or human health impact to the residents in the area. The project sites are not within a residential area, nor would they have any adverse impacts on the community or its surroundings. While the communities are potentially sensitive Environmental Justice communities, the proposed action would not result in disproportionate adverse impact to the community. The proposed action would result in no appreciable permanent increases in noise, traffic, or emissions. Construction of this facility would have only positive impacts on public health or welfare, based on increased communications among emergency operations staff. The project would provide additional safety and security that would benefit all residents, and will have no disproportionate adverse impact on low income or minority populations.

4.12 SAFETY

4.12.1 Alternative 1 – the No Action Alternative

The No Action Alternative would not address the vulnerabilities of rural residents, as compared to the Proposed Action Alternative. This alternative has the potential to adversely impact the safety and welfare of the community by not enhancing and updating emergency operations on the Reservation.

4.12.2 Alternative 2 - Construct Interoperable Radio System (PROPOSED ACTION)

The proposed action would increase safety, security, and response across the Reservation. Increased and updated safety and security has the potential to result in a beneficial impact to the health and welfare of the public and environment.

4.13 CLIMATE CHANGE

Climate change could potentially increase temperatures in the northeast, cause more severe weather incidents to occur, and cause sea level rise. Consideration of climate change does not change the decision-making to implement the proposed project. The proposed new facility would be designed to current codes and standards, and the engineer of the proposed project would take into account structural resiliency to withstand storms and seismic events. Additionally, the proposed project will have no affect on climate change.

4.14 CUMULATIVE IMPACTS

Table 1 summarizes the potential environmental impacts of the No Action and Proposed Action alternative. Neither alternative would significantly adversely impact the environment due to the cumulative assessment of potential impacts. There are no known past or reasonably foreseeable future actions in the project vicinity that would change the cumulative impact determination for the proposed action.

5.0 PERMITS AND CONDITIONS

The Seneca Nation of Indians is responsible for obtaining all applicable local, State, Tribal and Federal permits and approvals for project implementation prior to construction, and to adhere to permit conditions. Any substantive change to the approved scope of work will require re-evaluation by FEMA for compliance with NEPA and other laws and executive orders. The grantee must also adhere to the following conditions during project implementation.

1. Excavated soil and waste materials will be managed and disposed of in accordance with applicable local, state and federal regulations. The grantee shall be responsible to comply with the NYSDEC State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharge from Construction Activity or other applicable SPDES permit, in accordance with NYS Environmental Conservation Law. If the NYSDEC General Permit for Stormwater Discharges is determined to cover the proposed action, the applicant shall provide DHS-FEMA a copy of the Stormwater Pollution Prevention Plan and a copy of the Notice of Intent Form at grant project close-out or other time identified by DHS-FEMA Grant Programs Directorate per grant administrative documentation guidance requirements. If an individual SPDES permit is determined to be required, the applicant shall provide a copy of the obtained permit, as well as supporting Stormwater Pollution Prevention Plan to DHS-FEMA at grant project close-out or other time identified by DHS-FEMA Grant Programs Directorate per grant administrative documentation guidance requirements. For more information regarding SPDES, visit <http://www.dec.ny.gov/chemical/43133.html>.
2. In the event that unmarked graves, burials, human remains, or archaeological deposits are uncovered, the grantee and grantee will immediately halt construction activities in the vicinity of the discovery, secure the site, and take reasonable measures to avoid or minimize harm to the finds. The grantee, through the grantee, will inform FEMA immediately of all archaeological findings, and FEMA will consult with the Tribal Historic Preservation Officer (THPO). Construction work cannot resume until FEMA completes consultation and appropriate measures have been taken to ensure that the project is in compliance with the National Historic Preservation Act and other applicable Federal and State regulations.
3. It is expected that the grantee and its construction contractor(s) will conduct construction utilizing best management practices to limit noise, dust and sedimentation & erosion during construction.

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4. Occupational Safety and Health Administration (OSHA) standards shall be followed during construction to avoid adverse impacts to worker health and safety.
 5. Cattaraugus County is currently identified as a quarantine zone for the invasive insect Emerald Ash Borer (EAB). It is required that woody tree and shrub material to be removed for the proposed action be chipped on site to chips of less than one inch in two dimensions or not transported whole outside the tribal lands in order to adhere with EO13112 Invasive Species, federal regulations at 7 CFR Part 301.53-1 through 301.53-9 and state regulations at 1 NYCRR Part 141. Invasive insects can devastate the forests of the northeast and it is recommended that communities in the northeast treat or handle wood materials in place to minimize the spread of these non-native insects. For more information concerning this environmental stewardship requirement, visit USDA-APHIS, New York State Department of Agriculture and Markets, and other websites concerning EAB:
 - http://www.aphis.usda.gov/plant_health/plant_pest_info/emerald_ash_b/
 - <http://www.agriculture.ny.gov/PI/eab.html>
 - http://www.nyis.info/?action=news_detail&event_id=306
 6. It is recommended that the grant applicant restore disturbed construction areas of the site with native seed and/or plant species to minimize soil erosion and sedimentation, as well as enhance environmental habitat quality of project area. It is recommended that disturbed soil areas be planted with native plant material, as soon as practicable after exposure, to avoid or minimize growth of undesired and potentially invasive plant species that can potentially take hold without competition of native plant materials. Local landscape plant nurseries and soil conservation offices can assist with identification of suitable native plants for site location type. The following websites may also be useful to identification of native plant material for the proposed project site:
 - <http://plants.usda.gov/java/>
 - <http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/plantsanimals/plants/>
 - <http://www.fs.fed.us/wildflowers/nativeplantmaterials/rightmaterials.shtml>

6.0 PUBLIC INVOLVEMENT

In accordance with NEPA, this Environmental Assessment (EA) Report was released for a 15-day public review and comment period, from April 26 – May 10, 2013. A public notice was

issued in the Gowanda News on April 21, 2013, the Seneca Nation of Indians Newsletter on April 26, 2013, the Salamanca Press on April 18, 2013, and the Buffalo News on April 17, 2013. Hard copies of the EA were made available for review at the SNI Library-Allegany at Broad Street Extension, Salamanca, NY 14779, the SNI Library-Cattaraugus at 3 Thomas Indian School Drive, Irving, NY 14081, the Seneca Allegany Administration Building at 90 Ohi:yo' Way, Salamanca, NY 14779, and the William Seneca Administration Building at 12837 Rte 438, Irving, NY 14081. An electronic copy was made available on the FEMA website at www.fema.gov/library. No public comments were received during the public comment period.

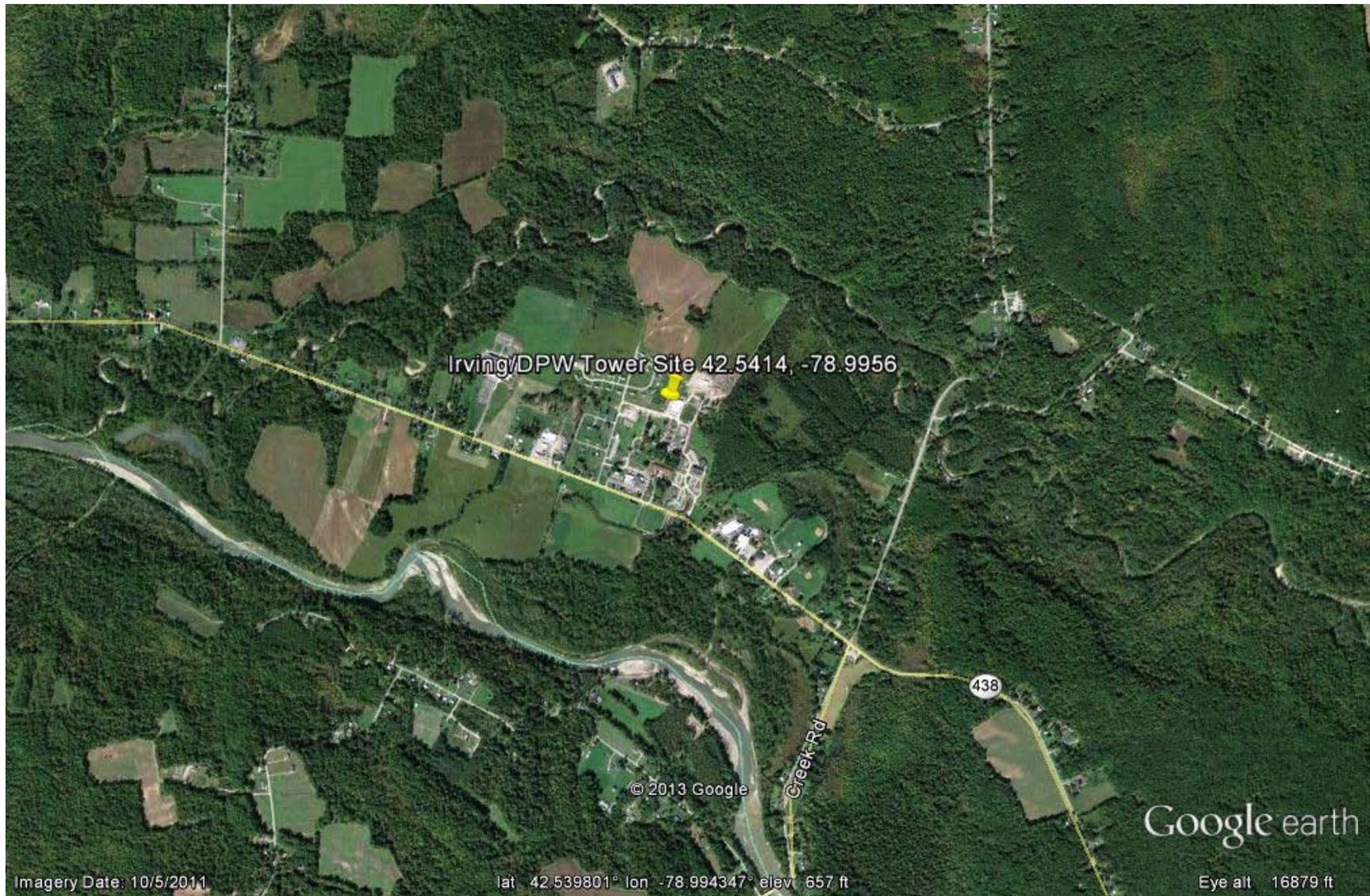
7.0 CONCLUSION

During the construction period, short-term impacts to soils, surface water, transportation, air quality, and noise are anticipated. Short-term impacts will be mitigated utilizing best management practices, proper equipment maintenance, and appropriate signage. At this time, it is anticipated that the proposed action, Alternative 2, would not have any significant impact upon the human environment. Upon closure of the public review period, FEMA issued a Finding of No Significant Impact (FONSI). The FONSI was made available on the FEMA website.

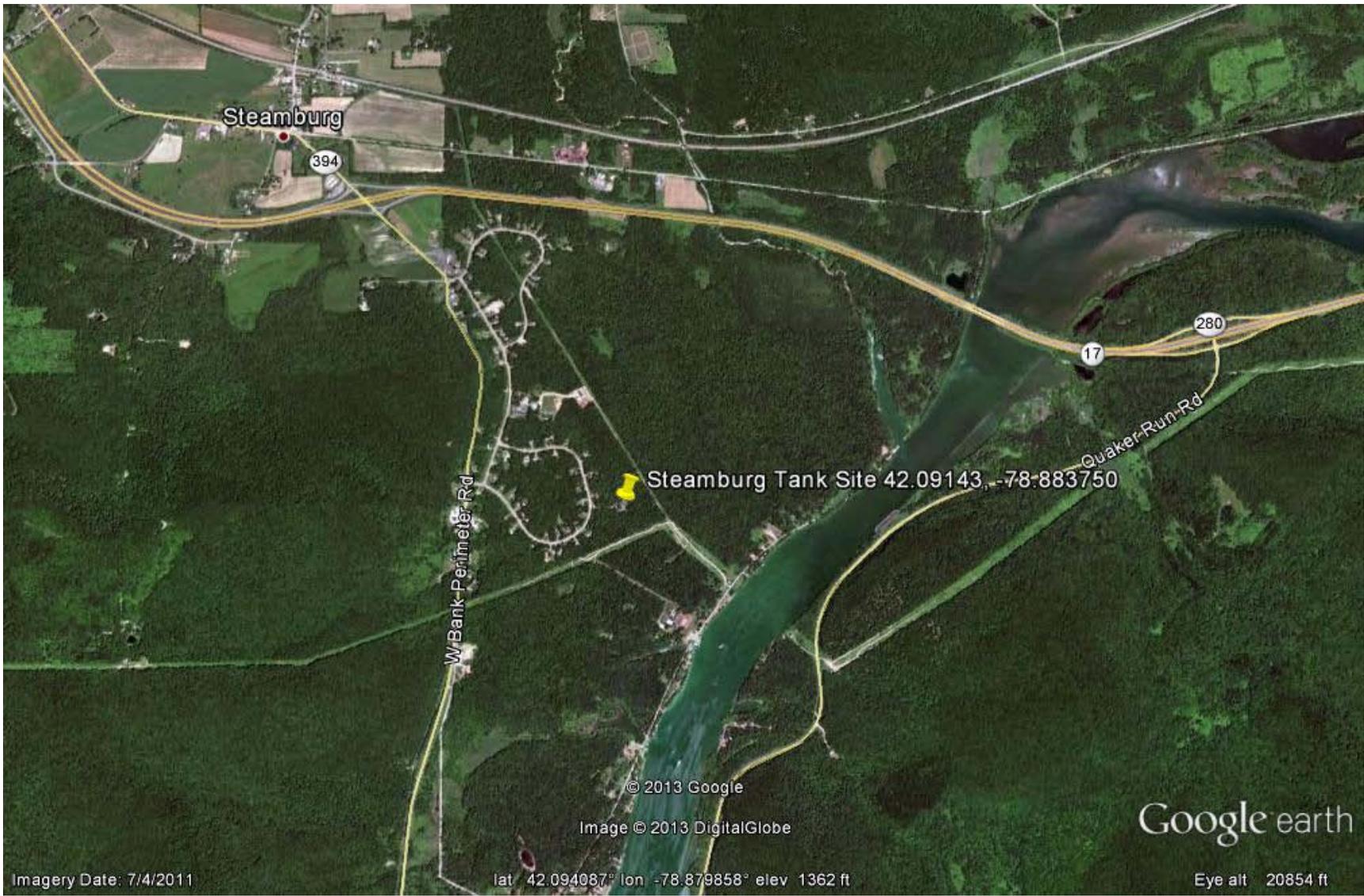
8.0 LIST OF PREPARERS

FEMA Region II
Office of Environmental Planning & Historic Preservation
Attention: Seneca Interoperable Radio System Project
26 Federal Plaza, RM1337F
New York, NY 10278-0002

Appendix A: Location Maps

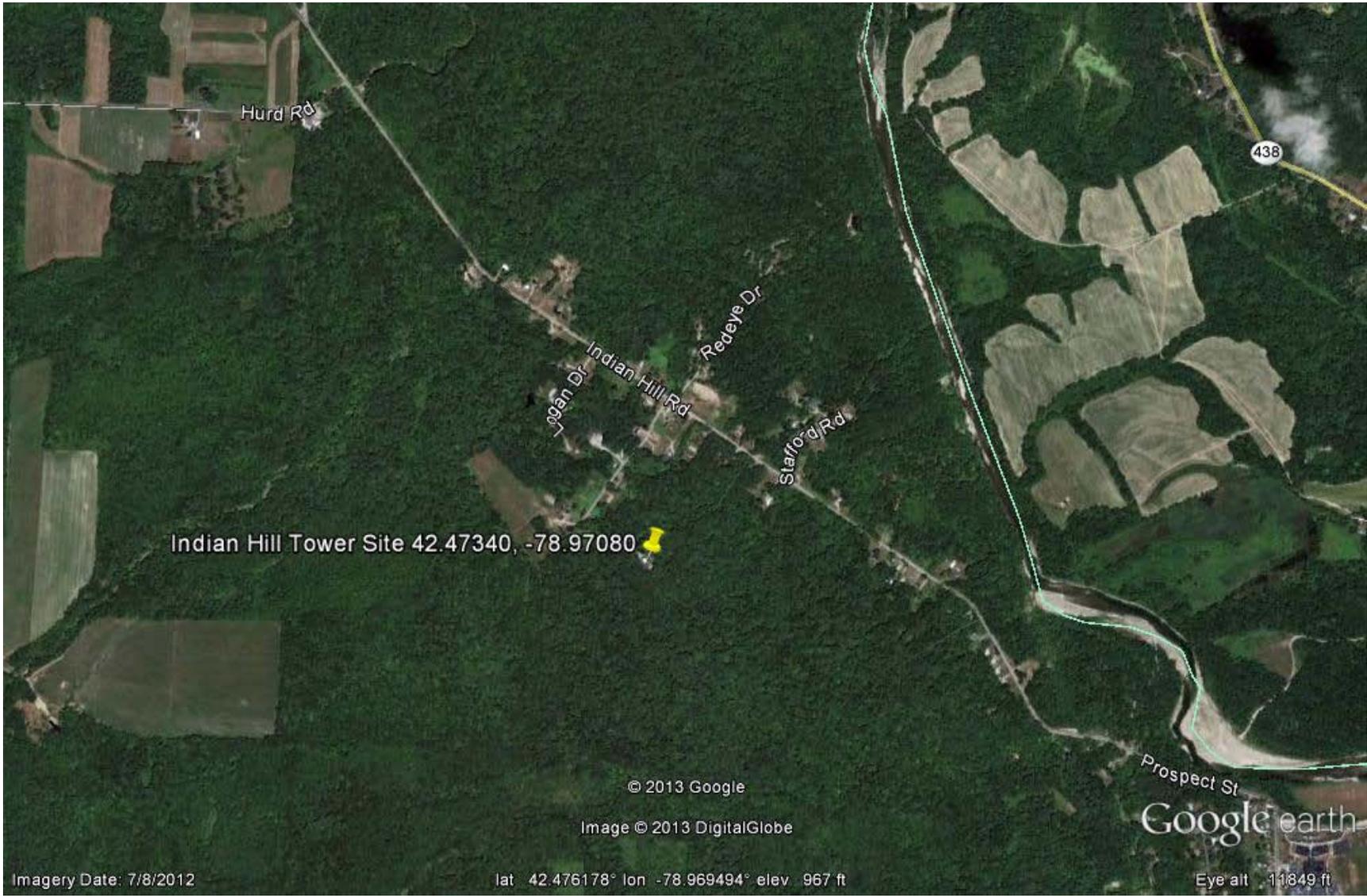






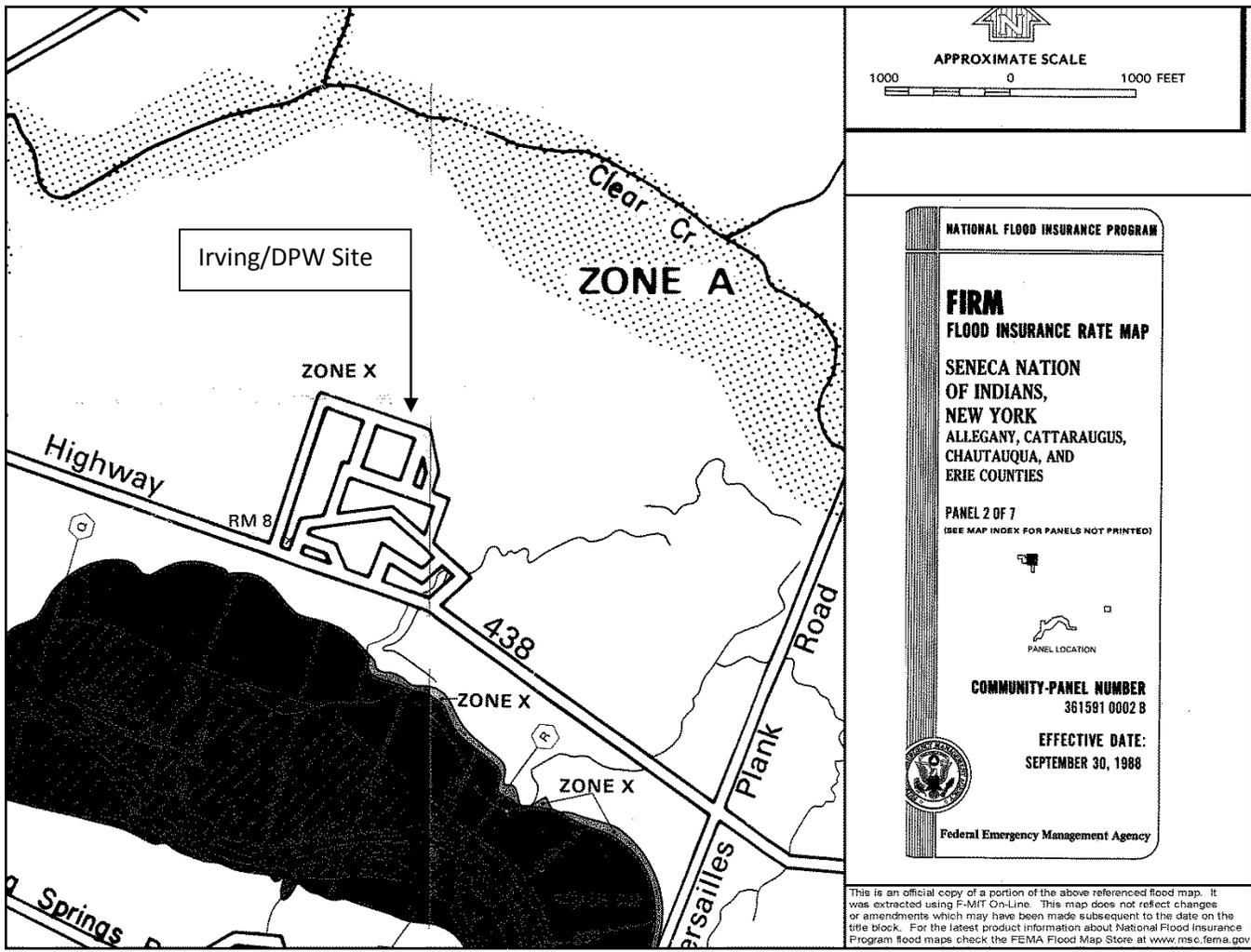
Seneca Nation Radio System EA

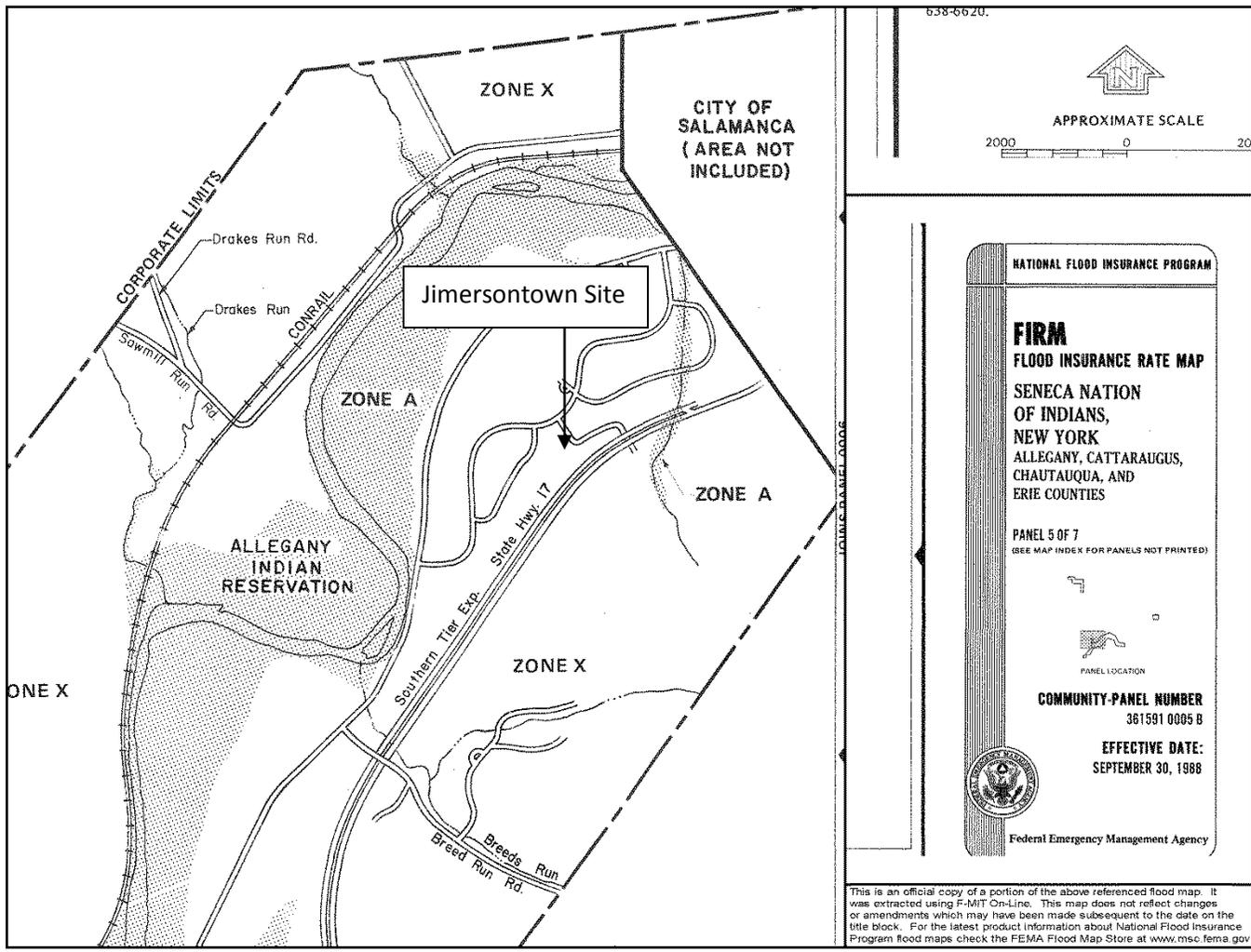
Appendix A, Figure 3: Steamburg Location Map

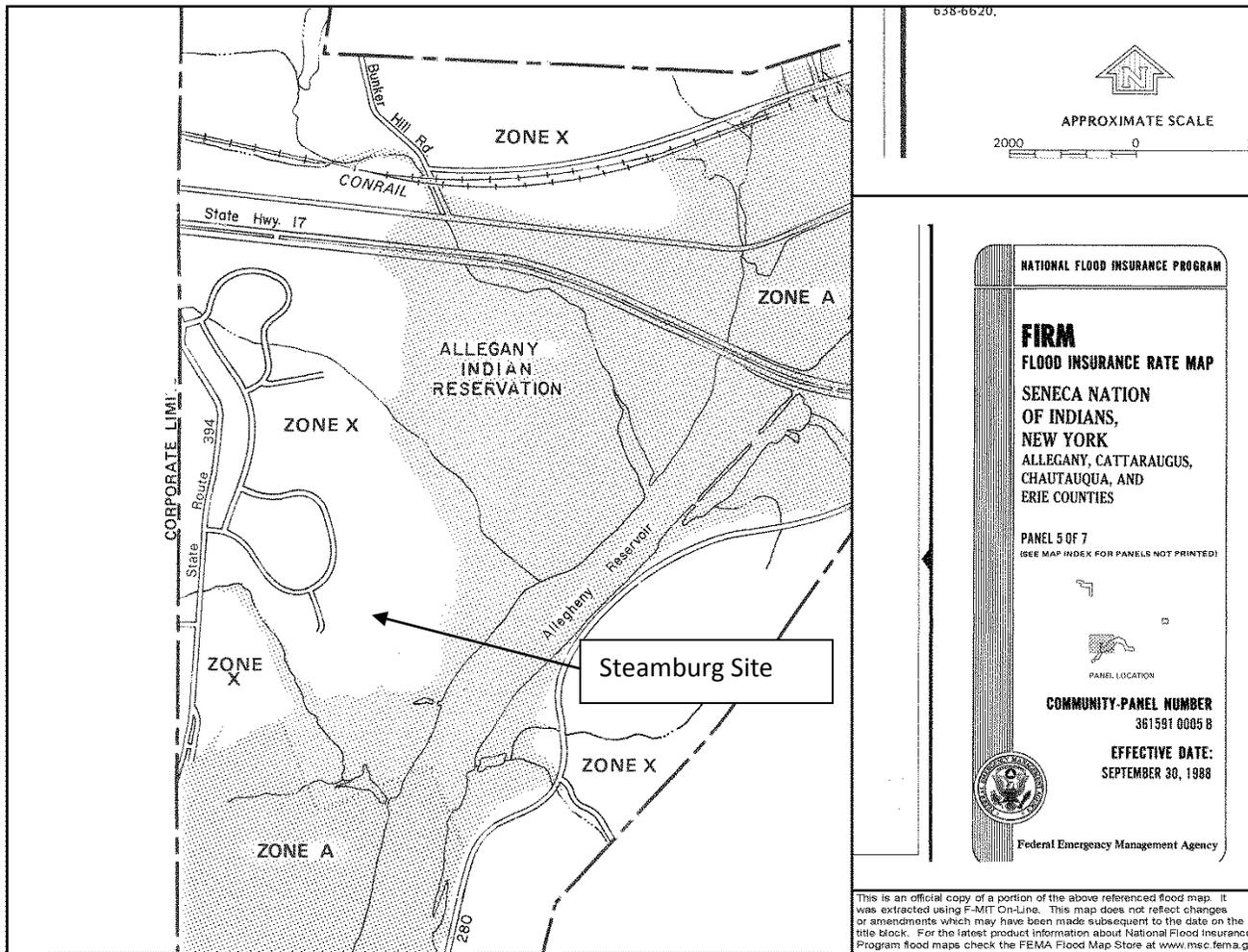


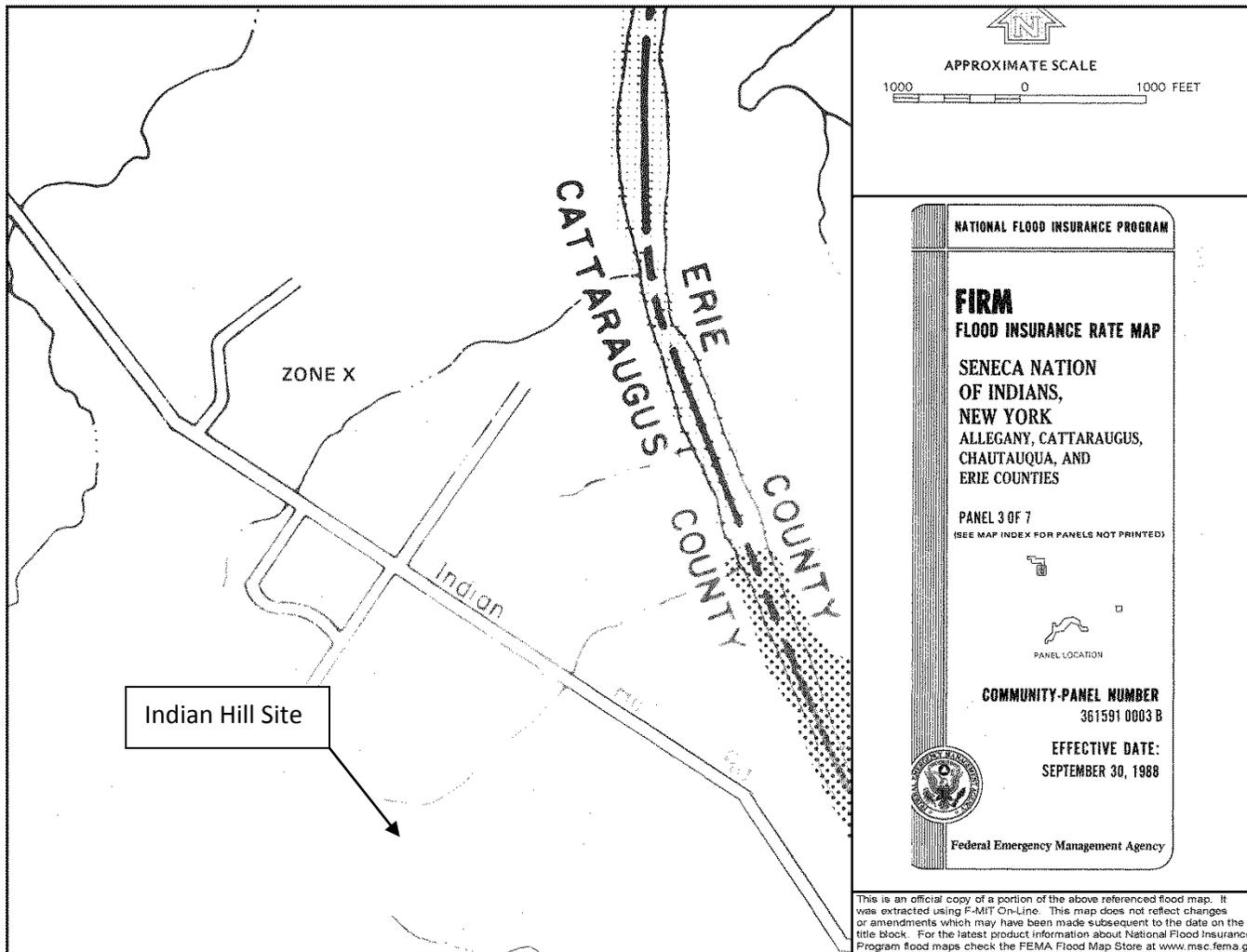


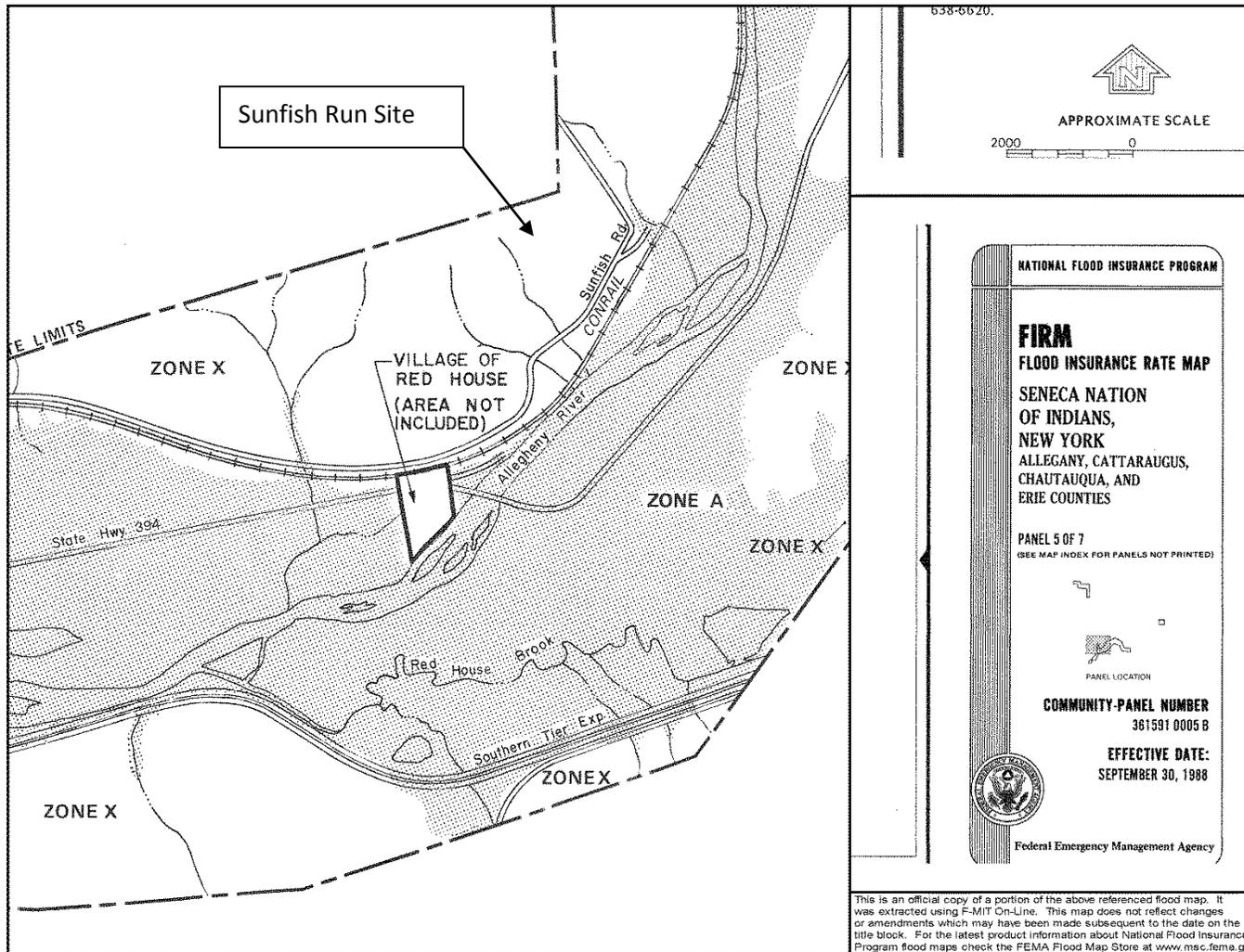
Appendix B: Flood Insurance Rate Maps











Appendix C: Correspondence



Natural Resources Conservation Service
The Galleries of Syracuse
441 S. Salina Street, Suite 354
Syracuse, NY 13202-2450

Telephone: (315) 477-6506
Email: kathryn.duncan@ny.usda.gov

October 18, 2012

Jonathan DeLaune
FEMA
26 Federal Plaza, 13th Floor
New York, NY 10278

Re: Seneca Nation of Indians Interoperable Radio System Construction, Cattaraugus County
NRCS FPPA review

Dear Mr. DeLaune,

I received your request with the information needed to complete a Farmland Conversion Impact Rating (AD-1006) for the project cited above on October 17, 2012. After reviewing the documentation, the project is exempt from the Farmland Protection Policy Act (FPPA) provision.

Although the project does contain a small amount of soils designated as statewide important, the project is exempt because the area affected is less than 2 acres and therefore, is not subject to the Act.

In that case, an AD-1006 for the FPPA is not required for this project.

If you have any questions about this determination please feel free to contact me.

A handwritten signature in black ink that reads "Kathryn Duncan". The signature is written in a cursive, flowing style.

Kathryn Duncan
Cartographer





Seneca Nation of Indians

Fish & Wildlife Department

3689 Center Rd, Salamanca, NY, 14779
Allegany Territory
716-945-6421



August 10, 2012

The Seneca Nation Fish and Wildlife Department was contacted by the Seneca Nation Emergency Management to do a Bird Flyway Zone analysis of the following radio antenna and radio tower sites:

Jimerson Water Tower

Steamburg Water Tower

Sunfish Rd radio Tower site

Indian Hill radio Tower site

After checking all of these sites, no evidence or indications were found that these sites would interfere with either indigenous or migratory flyways. All the sites have been used for raised structures in the past, especially the Water tower sites. The Sunfish site already has a cell tower on it, approximately 300 yards up hill and much higher than the proposed radio tower to be install. The radio tower will be at a lower elevation on the hill, and be only 25 feet above the tree canopy.

Thank you,

William Miller

Seneca Nation Fish & Wildlife Department

February 7, 2013

Michael Gates, Emergency Manager
Seneca Nation of Indians
12837 Rt. 438
Irving, NY 14081

Re: SNI Interoperable Radio System-Jimtown water tank, Steamburg water tank, and Indian Hill water tank

Dear Mr. Gates:

The above mentioned project has been reviewed by THPO in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended. It is the opinion of this office that the project will have "No Effect" on historic or cultural resources. In the event of any inadvertent discovery during the course of construction please stop construction immediately and contact our office. If you have any questions please call 716-945-1790.

Sincerely,

Andrew J. Myers, MA, Tribal Archaeologist
Seneca Nation of Indians



SENECA NATION OF INDIANS
TRIBAL HISTORIC PRESERVATION OFFICE

90 OHI:YO' WAY
SALAMANCA, NY 14779
PHONE: (716) 945-1790 FAX: (716) 945-8133



August 6, 2012

Michael Gates, Emergency Manager
Seneca Nation of Indians
12837 Rte. 438
Irving, NY 14081

Re: SNI Interoperable Radio System
Sunfish Road
Allegany Territory

Dear Mr. Gates,

Thank you for requesting the comments of the Tribal Historic Preservation Office (THPO). The above mentioned project has been reviewed in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended. These comments are those of the THPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to the Seneca Nation/Allegany Territory that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act.

It has been determined that the proposed project will have "No Effect" on Historic/Cultural Resources. In the event of an inadvertent discovery, please stop construction immediately and contact our office.

If you have any questions or concerns, please call 716-945-1790, ext. 3580 or cell phone 716-244-1735.

Thank You, (Nya:weh),


Lana Watt
Tribal Historic Preservation Officer

cc: file



Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76137

Aeronautical Study No.
 2012-AEA-510-OE

Issued Date: 02/21/2012

Mike Gates
 Seneca Nation of Indians
 12837 Route 438
 Irving, NY 14081

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Antenna Tower Indian Hill
 Location: Gowanda, NY
 Latitude: 42-28-24.10N NAD 83
 Longitude: 78-58-15.10W
 Heights: 985 feet site elevation (SE)
 190 feet above ground level (AGL)
 1175 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)
- Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

This determination expires on 08/21/2013 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION

OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (718) 553-4542. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2012-AEA-510-OE.

Signature Control No: 157643858-159290399

(DNE)

Katie Venticinque
Specialist

Attachment(s)
Frequency Data

cc: FCC