

**Environmental Assessment
Tower & Antenna System Construction
Chemung County
Elmira, Chemung County, NY
2010-SS-T0-0091 (14306)**

July 2013



FEMA

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

TABLE OF CONTENTS

1.0	INTRODUCTION.....	1
2.0	PURPOSE AND NEED.....	2
3.0	DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES CONSIDERED	2
3.1	Alternative 1: No Action.....	2
3.2	Alternative 2: Construct Tower and Antenna System (Proposed Action).....	2
4.0	ENVIRONMENTAL SETTING AND POTENTIAL IMPACTS OF THE PROPOSED ACTION AND ALTERNATIVES CONSIDERED	2
4.1	General Site Description	2
4.2	Geology, Soils and Land Use.....	3
4.3	Water resources and floodplain management	4
4.4	Biological resources	5
4.5	Air Quality	6
4.6	Transportation	6
4.7	Noise	7
4.8	Cultural Resources	7
4.9	Visual Resources.....	8
4.10	Socioeconomic	9
4.11	Safety	10
4.12	Climate Change.....	10
4.13	Cumulative Impacts	11
5.0	PERMITS AND CONDITIONS	11
6.0	PUBLIC INVOLVEMENT.....	13
7.0	CONCLUSION.....	13
8.0	LIST OF PREPARERS	14

LIST OF APPENDICES

Appendix A	Project Location Map
Appendix B	Resource Mapping
Appendix C	Correspondence

LIST OF ACRONYMS & ABBREVIATIONS

CFR	Code of Federal Regulations
DHS	Department of Homeland Security
EA	Environmental Assessment
EAB	Emerald Ash Borer
EIS	Environmental Impact Statement
EO	Executive Order
EOC	Emergency Operations Center
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FIRM	Floodplain Insurance Rate Map
FONSI	Finding of No Significant Impact
GPS	Global Positioning System
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NYCCR	New York Codes, Rules, & Regulations
NYSDEC	New York State Department of Environmental Conservation
SPDES	State Pollutant Discharge Elimination System
SHPO	State Historic Preservation Office
OSHA	Occupational Safety and Health Administration
UHF	Ultra-High Frequency
USDA	U.S. Department of Agriculture
USFWS	United States Fish & Wildlife Service
VHF	Very-High Frequency

1.0 INTRODUCTION

The Chemung County Emergency Management Office has applied for federal funding from the Department of Homeland Security-Federal Emergency Management Agency's (DHS-FEMA) Homeland Security Grant Program to construct a new tower and antenna system adjacent to the Elmira Regional Public Safety Training Facility at 311 West Center Street, Elmira, Chemung County, NY 14901. The tower and antenna system will consist of one 60-foot self-supporting tower capable of supporting Ultra-High Frequency (UHF), Very High Frequency (VHF) and solid radome dish antennas. The proposed tower is needed to provide communications to the County's back-up Emergency Operations Center (EOC). The primary EOC is located in the floodplain, approximately 100 yards from the Chemung River. A back-up location has been identified as a project need, as flooding is the greatest threat to the community. Presently the backup facility has no radio communication capability. The proposed tower would integrate the back-up location into the countywide police/fire/EMS radio system and will allow full operability of the radio system from that location. The communications system will be used for emergency communications and will improve the ability to respond to natural disasters, terrorist threats, and other emergency needs. The New York State Division of Homeland Security and Emergency Services serves as the grantee for the proposed funding, and the Chemung County Emergency Management Office serves as subgrantee. The proposed project is referenced as subgrant application 2010-SS-T0-0091 (14306).

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. 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. Furthermore, 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 communities 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 backup emergency communications capabilities in Chemung County.

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 Chemung County EOC would not construct a new radio tower. The population of Chemung County would continue to lack full-functioning and well-connected emergency services that possess no backup capabilities, and their health and safety would continue to be at risk

3.2 ALTERNATIVE 2: CONSTRUCT TOWER AND ANTENNA SYSTEM (PROPOSED ACTION)

The scope of work for the proposed project would consist of constructing one new radio tower next to the Regional Public Safety Training Center, 311 West Center St., Elmira, NY. The GPS coordinates for this site are 42.10442, -76.82065. The tower would be sixty feet tall, would be self-supporting with no guy wires, and would be capable of supporting UHF, VHF and solid radome dish antennas. See Appendix A for location maps.

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

4.1 GENERAL SITE DESCRIPTION

The tower will be located directly adjacent to the Elmira Regional Public Safety Training Facility at 311 West Center Street, Elmira, NY 14901. The latitude and longitude coordinates for

the site are 42.10442, -76.82065. Site location maps and photographs are presented in Appendix A. The proposed building site lies in the alluvial plain of the Chemung River and Newtown Creek, and is surrounded by a residential area and a community park. The site is currently open space, predominantly maintained lawn.

Table 1 below 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.

TABLE 1 Summary of Potential Environmental Impacts for Evaluated Alternatives

Resource	No Action Alternative	Proposed Action
Geology,Soils and Land Use	No impact.	No significant impact.
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
Biological Resources – Fish & Wildlife Habitat	No impact.	No impact.
Air Quality	No impact.	No significant impact. Minor, temporary impact associated with dust during construction.
Transportation	No impact	Negligible traffic increase during construction. Permanent facility would not impact traffic.
Noise	No impact.	Minor, temporary noise disturbance during construction.
Cultural Resources	No impact.	No Historic Properties Affected.
Visual Resources	No impact.	No significant impact on archaeological resources. No Adverse Effect visually on Historic Properties.
Socioeconomics	Potential negative effect due to lack of continuous communications.	Positive impact in improving communications for emergency situations.
Environmental Justice	No impact.	No adverse impact on neighboring low-income and minority populations.
Public Health & Safety	Negative impact due to continued vulnerability of population	Proposed action benefits human health and safety
Public Services & Utility	No impact.	No significant impact. Proposed new construction would utilize existing utilities.

4.2 GEOLOGY, SOILS AND LAND USE

The topography of Chemung County consists mostly of high, flat-topped hills and narrow valleys. Some of the larger valleys are broad, with Chemung River alluvial valley being the most prominent. The county as a whole lies within the Allegheny Plateau, and is characterized by underlying shale and sandstone bedrock, overlain by glacial till. The Chemung River passes

through the south and west of the county for approximately 38 miles, and travels in a broad valley surrounded by hills, broken only by the lateral streams flowing into the valley. The proposed construction site lies in one of these valleys, near where Newtown Creek flows into the Chemung River.

The climate of the area is generally described as a humid continental climate, with cold, snowy winters, and hot wet summers. Chemung County receives around 35 inches of rain per year and snowfall averages 44 inches per year.

Soils of the project area are characterized as well-drained alluvial soils. As the project area, inclusive of all project alternatives is mapped as “urban” on the Census Bureau Map, by regulation at 7CFR§658.2, development of soils/land in the area would not be subject to the Farmland Protection Policy Act.

Environmental Protection Agency (EPA) and New York State Department of Environmental Conservation (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.

4.2.1 Alternative 1 – the No Action Alternative

The No Action Alternative would have no potential effects on geology and soils because no construction will take place in a previously disturbed area.

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 will be minimal, only encompassing the tower structure footprint.

4.3 WATER RESOURCES AND FLOODPLAIN MANAGEMENT

The project site is located approximately 7,100 feet north of the Chemung River, and 5,800 feet west of Newtown Creek. The project site does not contain wetlands. According to the National Flood Insurance Program’s Flood Insurance Rate Map (FIRM) Panel Number 3601500005C,

dated 04/02/1997 the project site is located outside of the 100-year floodplain and is designated as Zone X.

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 Tower and Antenna System (PROPOSED ACTION)

The project site is located outside of the 100-year floodplain, and none of the construction activities or new facilities will have an adverse effect on, or be affected by, the floodplain.

4.4 BIOLOGICAL RESOURCES

Federal agencies must evaluate potential impacts to threatened and endangered species in accordance with the Endangered Species Act. There are no federally listed endangered or threatened species in Chemung County. Federal agencies must also evaluate potential impacts to bald and golden eagles and their habitat per the Bald and Golden Eagle Protection Act. The bald eagle, *Haliaeetus leucocephalus*, is listed as being present in Chemung County. In addition, 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.

4.4.1 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.

4.4.2 Alternative 2 - Construct Tower and Antenna System (PROPOSED ACTION)

FEMA has determined that the Proposed Action alternative would have no impact on federally listed threatened or endangered species, as none are listed as present in Chemung County. Bald eagles are listed as being present, and the site is located within the North Atlantic Migratory Flyway. On January 24, 2013, FEMA initiated an informal consultation with the United States Fish & Wildlife Service (USFWS) under both the Migratory Bird Treaty Act and the Bald & Golden Eagle Protection Act. FEMA found the project would have no adverse effect on

migratory birds or bald and golden eagles. Correspondence from the United States Fish & Wildlife Service is included in Appendix C, in which they concur with FEMA's determination of no adverse effect on bald and golden eagles and migratory bird species.

4.5 AIR QUALITY

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

4.5.1 Alternative 1 – the No Action Alternative

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

4.5.2 Alternative 2 - Construct Tower and Antenna System (PROPOSED ACTION)

Alternative 2 proposes construction of one radio tower. During construction, there will be a minor, temporary impact associated with dust and particulate matter. It is not anticipated that the additional tower, 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.

4.6 TRANSPORTATION

The project construction location is in a residential area near parklands with minimal traffic.

4.6.1 Alternative 1 – the No Action Alternative

There would be no construction activity with the no action alternative, and there would be no potential for increased traffic.

4.6.2 Alternative 2 - Construct Tower and Antenna System (PROPOSED ACTION)

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

4.7 NOISE

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

4.7.1 Alternative 1 – the No Action Alternative

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

4.7.2 Alternative 2 - Construct Tower and Antenna 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.

4.8 CULTURAL RESOURCES

4.8.1 Alternative 1 – the No Action Alternative

The No Action Alternative would have no potential direct or indirect effect on cultural resources because it would not involve the alteration of any structures nor would it impact anything in its viewshed.

4.8.2 Alternative 2 - Construct Tower and Antenna System (PROPOSED ACTION)

The Areas of Potential Effects (APEs) for the tower located at 311 West Center Street, Elmira, NY include the ground area disturbed by the 6 x 6 foot tower pad (direct effect) and the area from which the tower can be seen (or the viewshed where there is a potential for indirect visual effects created by the 60-foot tower). Both the potential for direct and indirect effects within the APE were assessed. The applicant completed a FCC 620 FORM for Section 106 compliance with the Nation Historic Preservation Act which includes consultation via the Federal Communication Commission's (FCCs) Tower Construction Notification website to all Tribal Nations that may have an interest within this area of New York. Nine Tribal Nations were consulted: Tonawanda Band of Seneca, Cayuga Nation, Tuscarora Nation, Keweenaw Bay Indian Community, Seneca-Cayuga Tribe of Oklahoma, Eastern Shawnee Tribe of Oklahoma, Wyandotte Nation Oklahoma, Shawnee Tribe Oklahoma, Seneca Nation of Indians and six

responded: Keweenaw Bay Indian Community, Seneca-Cayuga Tribe of Oklahoma, Eastern Shawnee Tribe of Oklahoma, Wyandotte Nation Oklahoma, Shawnee Tribe Oklahoma, Seneca Nation of Indians. The six nations that responded stated they did not have concerns for the project's impact on any known cultural resources, however all stated they would like to be consulted should (1) there be an archaeological discovery; (2) the project's scope of work change; or (3) any human remains are encountered (Please see Appendix C for all correspondence).

According to the NY State Historic Preservation Office (SHPO) GIS website, no known archaeological sites are located within or directly adjacent to the APE. Archaeological testing was completed by Public Archaeology Facility (PAF) of Binghamton University, Binghamton, New York, and no new archaeological sites were discovered within the APE and no historic or prehistoric material was encountered. PAF made a determination of No Effect, and NY SHPO concurred with that determination for direct effects

In addition, a visual impact assessment was conducted by PAF, which included an assessment of properties within a one-half mile radius of the center of the proposed tower location. According to the SHPO GIS website, three National Register of Historic Places listed or eligible structures are located within a one-half mile radius of the APE. These include Woodlawn Cemetery/Woodlawn National Cemetery, John W. Jones House, and Elmira College, Old Campus. Both PAF and NY SHPO concluded that while two of the properties, Woodlawn Cemetery/Woodlawn National Cemetery and the John W. Jones House would be exposed visually to the proposed tower, intervening structures and foliage reduce the visual impacts on them. Therefore PAF determined and NY SHPO's concurred to a finding of No Adverse Effect upon historic properties with respect to indirect visual impacts. Please see Appendix C for correspondence with NY SHPO, the FCC and all interested Tribal Nations.

4.9 VISUAL RESOURCES

4.9.1 Alternative 1 – the No Action Alternative

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

4.9.2 Alternative 2 - Construct Tower and Antenna System (PROPOSED ACTION)

The tower is located adjacent to a municipal park, but there are no state or national parks nearby, or any resources of significant aesthetic value. The tower will only be 60 feet high, and is surrounded by residential areas. The residential areas have trees in most of the yards and along the streets, so the tower will likely not be visible in the surrounding neighborhoods including by the three properties referred to in section 4.8.2 that are eligible for or listed on the National register of Historic Places. Consequently, the total impact to visual and aesthetic resources would be minimal.

4.10 SOCIOECONOMIC

The 2010 Census Data presented on the EPA Environmental Justice (EJ) mapper indicates that the project site is located near potentially sensitive Environmental Justice communities. In portions of the City of Elmira near the project site, 33.48% to 44.997% of the households are below the federal poverty level. The threshold established by EPA for EJ listing in New York is at or above 23.59% for populations below poverty. The minority population ranges from 4% to 42.8% in the project vicinity.

Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including a racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.

4.10.1 Alternative 1 – the No Action Alternative

The No Action Alternative will not have any impact of socioeconomic conditions of the area.

4.10.2 Alternative 2 - Construct Tower and Antenna 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 impact to the residents in the area. The project site will not have any adverse impacts on the community or its surroundings. While the nearby communities are potentially sensitive Environmental Justice communities, the proposed action will not result in disproportionate adverse impact to the community. The proposed action will result in no

appreciable permanent increases in noise, traffic, or emissions. Construction of this facility will have only positive impacts on public health or welfare, based on increased communications among emergency operations staff. The project will provide additional safety and security that will benefit all residents.

4.11 SAFETY

4.11.1 Alternative 1 – the No Action Alternative

The No Action Alternative would not address the vulnerabilities of local 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 in the community.

4.11.2 Alternative 2 - Construct Tower and Antenna System (PROPOSED ACTION)

The proposed action will increase safety, security, and response in the community. 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.

4.12 CLIMATE CHANGE

Climate change could potentially increase temperatures in the northeast and cause more severe weather incidents to occur with weather extremes, and is also projected to cause sea level rise. Consideration of climate change does not change the decision-making to implement the proposed project. The proposed facility would not significantly contribute to emissions or use of resources that could contribute to climate change. The proposed new facility would be designed to current codes and standards. The architect and/or engineer of the proposed project could take into account structural resiliency to withstand storms and seismic events for final design development. The architect and/or engineer could also take into consideration principles for energy saving and renewable materials such as promoted by Leadership and Energy and Environmental Design, New York State Energy Research and Development, and the Energy Star program for selecting appliances and utilities. For more information, visit the following websites:

- www.usgbc.org/leed/rating-systems/core-shell
- www.usgbc.org/resources/core-and-shell-v2009-checklist-xls
- www.nyserda.ny.gov/Energy-Efficiency-and-Renewable-Programs.aspx

-
- www.energystar.gov/index.cfm?c=pt_univ.eeps_sites_nyserda

4.13 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

Chemung County is responsible for obtaining all applicable local, state, and federal permits for project implementation prior to construction, and for adhering 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 subgrantee fulfilled its state requirement in accordance with the State Environmental Quality Review Act with completion of a Short Environmental Assessment Form in April 2013 and a related Chemung County Legislature Resolution in May 2013. The subgrantee must also adhere to the following grant 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 subgrantee 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 subgrantee and subgrantee 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. All archaeological findings will inform FEMA immediately and FEMA will consult with the State Historic Preservation Office (SHPO) and/or Tribal Historic Preservation Officer (THPO) or appropriate Tribal official. 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 subgrantee and its construction contractor(s) will conduct construction utilizing best management practices to limit noise, dust and sedimentation & erosion during construction.
 4. Occupational Safety and Health Administration (OSHA) standards shall be followed during construction to avoid adverse impacts to worker health and safety.
 5. Chemung 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 EA will be released for a 30-day public review and comment period. Availability of the document for comment will be advertised by Chemung County in the Star-Gazette and the Corning Leader. Hard copies of the EA will be made available for review at the Steele Memorial Library, Chemung County Clerk and the Chemung County Office of the Legislature. An electronic copy will be made available by request sent to the email address FEMAR2COMMENT@fema.dhs.gov. The public is invited to submit written comments by mail to:

FEMA Region II

Office of Environmental Planning & Historic Preservation

Attention: Chemung County Tower & Antenna System Project

26 Federal Plaza, RM1337F

New York, NY 10278-0002

or via email to FEMAR2COMMENT@fema.dhs.gov. If no substantive comments are received from the public and/or agency reviewers, the EA will be adopted as final and a FONSI will be issued by FEMA. If substantive comments are received, FEMA will evaluate and address comments as part of Final Environmental Assessment documentation.

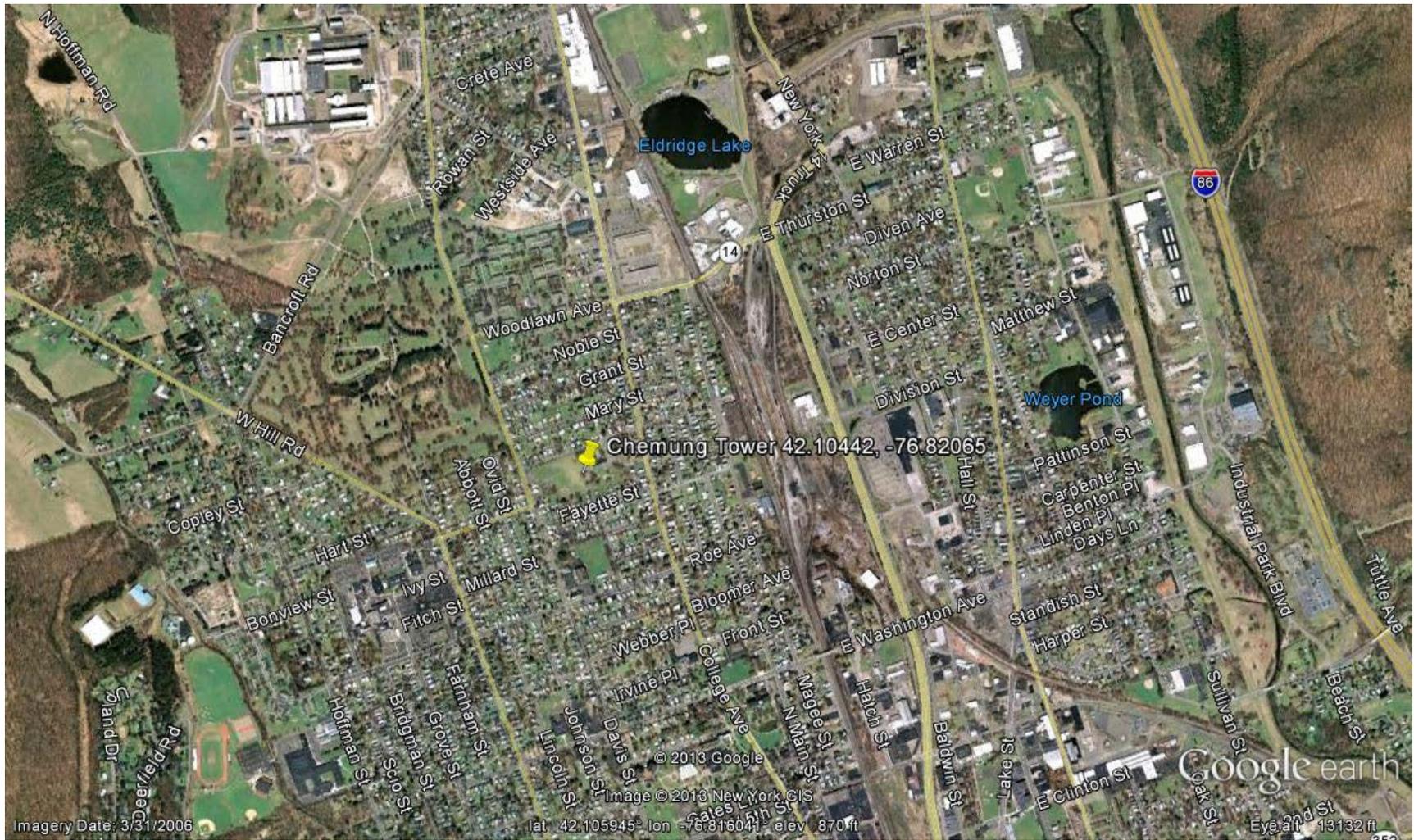
7.0 CONCLUSION

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. FEMA anticipates that a FONSI will be issued upon closure of the public review period. The FONSI will be made available on the FEMA website.

8.0 LIST OF PREPARERS

FEMA Region II
Office of Environmental Planning & Historic Preservation
13th Floor, 26 Federal Plaza
New York, NY 10278

Appendix A: Location Maps



Chemung County Tower EA

Appendix A: Chemung Tower Location Map

Appendix B: Flood Insurance Rate Maps

Appendix C: Correspondence



FEMA

January 24, 2013

Mr. David Stillwell
Field Supervisor
U.S. Fish and Wildlife Service
3817 Luker Road
Cortland, NY 13045

RE: Homeland Security Grant Program
Chemung County Emergency Management Office
60-foot Tower Installation
BGEPA and MBTA Consultations

Dear Mr. Stillwell,

The Federal Emergency Management Agency, Region II, is reviewing a grant application from the Chemung County Emergency Management Office in Chemung County, NY for Federal project funding under the Homeland Security Grant Program. The project will consist of installing one 60-foot self-supporting tower capable of supporting UHF, VHF and solid radome dish antennas next to the Elmira Regional Public Safety Training Facility at 311 West Center Street, Elmira, NY 14901. The GPS coordinates for this site are 42.10442, -76.82065.

According to the USFWS website that lists threatened and endangered species by county, bald eagles are listed as present in Chemung County. FEMA is requesting consultation under both the Bald and Gold Eagle Protection Act (16 U.S.C. 668-668d), and the Migratory Bird Treaty Act (16 U.S.C. 703-712; Ch 128, July 13, 1918, 40 Stat. 755).

The proposed tower will conform to many of the USFWS *Service Interim Guidelines For Recommendations On Communications Tower Siting, Construction, Operation, and Decommissioning*. The tower will be less than 199 feet tall and it will be self-supporting, with no guy wires or lighting. It will be located in an open field area with few trees, surrounded completely by residential neighborhoods with few trees. There are no wetlands areas nearby. No extra access roads or fencing will be installed. No new security lighting will be added.

Consequently, FEMA determines this action will have *no adverse effect* on migratory bird species, or bald and golden eagles, and is not likely to result in any take.

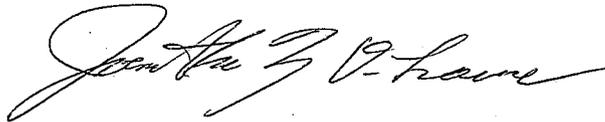
Project exhibits including a topographic map of the APE, a map of the project area, and site photographs are attached for your files.

We appreciate your continued cooperation in review of FEMA funded projects. Please forward your response to the following address within thirty (30) days:

Jonathan (Zack) DeLaune
Environmental and Historic Preservation
FEMA-Region II
26 Federal Plaza, 13th Floor
New York, NY 10278

If practicable, we would greatly appreciate an email copy of the concurrence to be emailed to my attention to expedite grant processing. If you have any questions or concerns, please contact by email jonathan.delaune@fema.dhs.gov or phone at 212-680-8802.

Sincerely,



for Megan Jadrosich
Regional Environmental Officer

Enclosures: Site Photos & Location Maps

From: [Sandra Doran](#)
To: [Delaune, Jonathan](#)
Cc: [Megan Patch](#)
Subject: RE: 2010-SS-T0-0091 (14306) - Chemung County Tower Project MBTA/BGEPA Consult
Date: Wednesday, March 06, 2013 2:09:53 PM
Attachments: [image002.png](#)
[image003.png](#)

Hi Jonathan,

We received your letter and reviewed your determination for eagles. Since there are no eagle nests in the vicinity of the project, we acknowledge your determination that the action will have no effect on bald eagles. If eagles are found within the vicinity of the project site, then we ask you to follow our Bald Eagle Management Guidelines on our website at <http://www.fws.gov/northeast/nyfo/es/step6.htm>

Any questions, please give me a call at the number below.

Sandie

Sandra Doran, Fish & Wildlife Biologist

Conservation Planning Assistance/Endangered Species Branch
U.S. Fish & Wildlife Service
New York Field Office (Region 5)
3817 Luker Rd.
Cortland, NY 13045
(607) 753-9334 (voice)
(607) 753-9699 (fax)
<http://nyfo.fws.gov> (web)
sandra_doran@fws.gov (email)

From: Megan_Patch@fws.gov [mailto:Megan_Patch@fws.gov]
Sent: Wednesday, March 06, 2013 8:37 AM
To: sandra_doran@fws.gov
Subject: Fw: 2010-SS-T0-0091 (14306) - Chemung County Tower Project MBTA/BGEPA Consult

----- Forwarded by Megan Patch/R5/FWS/DOI on 03/06/2013 08:36 AM -----

"Delaune, Jonathan"
<Jonathan.Delaune@fema.dhs.gov>

03/05/2013 03:41 PM

To "FW5ES_NYFO@fws.gov"
<FW5ES_NYFO@fws.gov>

cc

Subject 2010-SS-T0-0091 (14306) -
Chemung County Tower
Project MBTA/BGEPA
Consult

FEMA Region 2 sent out a consult letter for an MBTA/BGEPA consult over 30 days ago, and I just wanted to make sure that it had made it into the correct hands. Is there someone specific I can contact to follow up on this?

Thanks,

Zack DeLaune

EHP Specialist

FEMA Region II

Desk: (212) 680-8802

BB: (917) 587-3917

jonathan.delaune@fema.dhs.gov

(See attached file: Chemung Co USFWS consult.pdf)



New York State Office of Parks, Recreation and Historic Preservation

Division for Historic Preservation
P.O. Box 189, Waterford, New York 12188-0189
518-237-8643

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

May 8, 2013

Mack J. Cicora
Deputy Director-Operations
Chemung County Fire/EMO
103 Washington Street
Elmira, NY 14902-0588

Re: **FCC**
60' Communications Tower
311 West Center Street
Elmira, Chemung County
13PR01738

Dear Mr. Cicora:

Thank you for requesting consultation with the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland and 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 and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based upon our review of the submitted information, that includes a clearance for archeological disturbance, it is the SHPO's opinion the proposed 60' tower will have No Adverse Effect upon properties in or eligible for inclusion in the National Register of Historic Places.

If you have any questions regarding this letter or your project, please feel free to contact me. Ext. 3273.

Sincerely,

Kenneth Markunas
Historic Sites
Restoration Coordinator

BINGHAMTON UNIVERSITY

State University of New York



PUBLIC ARCHAEOLOGY FACILITY
NINA M. VERSAGGI, DIRECTOR
nversaggi@binghamton.edu

PO Box 6000
Binghamton, New York 13902-6000
607-777-4786, FAX 607-777-2288

March 15, 2013

Mark Cicora
Deputy Director-Operations
Chemung County Emergency Management
103 Washington Street
Elmira, NY 14902-0588

Re: Cultural Resource Screening Report (FCC 620), Elmira Cell Tower Project 06CP-03-TOWR,
Chemung County, New York

Dear Mark:

Attached please find the draft FCC 620 cultural resource screening report that Rich Kastl prepared for 311 W. Center Street. We have filled in all of the sections that pertain to our work. You will need to fill in other sections that address consultations and contacts that you have made.

As the applicant, you will need to fill in these sections:

- Your FCC number under item #3 (I highlighted it for you);
- Your TCNS number on page 3;
- We checked "yes" on page 3, since I believe that you mentioned you did the online tribal notification process? If that is not correct, then that needs to be done before this form is completed.
- We did not find archaeological sites within the APE, but there were three historic National Register listed properties. Rich Kastl used a preliminary GIS viewshed analysis to determine how much, if any, of the proposed tower would be visible from each property. Two of the three were visible to some degree. However, we felt that with the height of intervening buildings and trees, the adverse visual impact would be lessened. We are not sure if SHPO will agree with this, but that is what we recommended.
- On page 4, you will need to fill in this information and include any backup in Attachment 4.
- The same with other consulting parties on Page 11 and Attachments 5 and 6.

If you have any questions about completion of this form, please let me or Rich Kastl know. Thank you for this opportunity to work with you on these tower projects.

Sincerely,

Nina M. Versaggi, PhD RPA
Director

FCC Wireless Telecommunications Bureau
 New Tower ("NT") Submission Packet
 FCC Form 620

**ELMIRA CELL TOWER PROJECT 06CP-03-TOWR
 MCD 01540**

General Information

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

Applicant Information

3) FCC Registration Number (FRN):	0022014732
4) Name: Chemung County Emergency Management	

Contact Name

5) First Name: Mark	6) MI:	7) Last Name: Cicora	8) Suffix:
9) Title: Deputy Director-Operations			

Contact Information

10) P.O. Box:	and/or	11) Street Address: 103 Washington Street	
12) City: Elmira		13) State: NY	14) Zip Code: 14902-0588
15) Telephone Number: 607-737-2928		16) Fax Number: 607-737-2098	
17) E-mail Address: mcicora@co.chemung.ny.us			

Consultant Information

18) FCC Registration Number (FRN): 0020076360	
19) Name: Public Archaeology Facility	

Principal Investigator

20) First Name: Nina	21) MI: M.	22) Last Name: Versaggi	23) Suffix:
24) Title: Director			

Principal Investigator Contact Information

25) P.O. Box:	and/or:	26) Street Address: Binghamton University, Vestal Parkway East	
27) City: Binghamton		28) State: NY	29) Zip Code: 13902-6000
30) Telephone Number: 607-777-4786		31) Fax Number: 607-777-2288	
32) E-mail Address: : nversagg@binghamton.edu			

Professional Qualification

33) Does the Principal Investigator satisfy the Secretary of the Interior's Professional Qualification Standards?	(X) Yes () No
34) Areas of Professional Qualification: (X) Archaeologist () Architectural Historian () Historian () Architect () Other (Specify) _____	

Additional Staff

35) Are there other staff involved who meet the Professional Qualification Standards of the Secretary of the Interior?	(X) Yes () No
--	------------------

If "Yes" complete the following:

36) First Name: Richard	37) MI: A	38) Last Name: Kastl	39) Suffix:
40) Title: Project Director			
41) Areas of Professional Qualification: (X) Archaeologist () Architectural Historian () Historian () Architect () Other (Specify) _____			

This page may be copied to include additional staff.

Consultant Information Attachments required – See instructions for details.

See Attachment 1, p. 13 for Credentials

Site Information

Tower Construction Notification System

1) TCNS Notification Number: 93510

Site Information

2) Site Name: Elmira Cell Tower Project 06CP-03-TOWR

3) Site Address: 311 W. Center Street

4) City: Elmira

5) State: NY

6) Zip Code: 14902

7) County/Borough/Parish: Chemung County

8) Nearest Crossroads: West Center Street and Tompkins Street

9) NAD 83 Latitude (DD-MM-SS.S): 46° 6' 15.576"

(X) N or () S

10) NAD 83 Longitude (DD-MM-SS.S): 76° 49' 11.034"

() E or (X) W

Tower Information

11) Tower height above ground level (include top-mounted attachments such as lightning rods): 60 (X) Feet () Meters

12) Tower Type (Select One):

() Guyed lattice tower

(X) Self-supporting lattice

() Monopole

() Other (Describe):

Project Status

13) Current Project Status (Select One):

(X) Construction has not yet commenced

() Construction has commenced, but is not yet completed

Construction commenced on: ___/___/___

() Construction has been completed

Construction commenced on: ___/___/___

Construction completed on: ___/___/___

See Attachment 2 for Project Location and Plans

Determination of Effect

14) Direct Effects (Select One):

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

15) Visual Effects (Select One):

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

See Attachments 7-10 for information on Historic Properties Identified Within the APE for Visual and Direct Effects.

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2a) Tribes/ NHOs contacted through TCNS Notification Number: <u>93510</u> Number of Tribes/NHOs: _____	
2b) Tribes/ NHOs contacted through an alternate system: _____ Number of Tribes/NHOs: _____	

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name:

Contact Name

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

Dates and Response

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

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

See Attachment 3 for information on Tribal and NHO Involvement.

Historic Properties

Properties Identified

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

Historic Property

4) Property Name: Woodlawn Cemetery and Woodlawn National Cemetery
5) SHPO Site Number: 04NR05242

Property Address

6) Street Address: Walnut and Davis Streets, West Hill and Bancroft Roads		
7) City: Elmira	8) State: NY	9) Zip Code: 14902
10) County/Borough/Parish: Chemung County		

Status & Eligibility

11) Is this property listed on the National Register? Source: <u>Office of Parks, Recreation and Historic Preservation</u>	(X) Yes () No 8/20/2004
12) Is this property eligible for listing on the National Register? Source: _____	(X) Yes () No
13) Is this property a National Historic Landmark?	() Yes (X) No

<p>14) Direct Effects (Select One):</p> <p>(X) No Effect on this Historic Property in APE</p> <p>() No Adverse Effect on this Historic Property in APE</p> <p>() Adverse Effect on this Historic Property in APE</p>
<p>15) Visual Effects (Select One) :</p> <p>() No Effect on this Historic Property in APE</p> <p>(X) No Adverse Effect on this Historic Property in APE (<i>see Attachment 10, p. 17 and Figure 4, p. 21</i>)</p> <p>() Adverse Effect on this Historic Property in APE</p>

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

Historic Properties

Historic Property

4) Property Name: John W. Jones House
5) SHPO Site Number: 03NR05083

Property Address

6) Street Address: 1250 Davis Street		
7) City: Elmira	8) State: NY	9) Zip Code: 14902
10) County/Borough/Parish: Chemung County		

Status & Eligibility

11) Is this property listed on the National Register? Source: <u>Office of Parks, Recreation and Historic Preservation</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 6/16/2003
12) Is this property eligible for listing on the National Register? Source: _____	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
13) Is this property a National Historic Landmark?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

14) Direct Effects (Select One): <input checked="" type="checkbox"/> No Effect on this Historic Property in APE <input type="checkbox"/> No Adverse Effect on this Historic Property in APE <input type="checkbox"/> Adverse Effect on this Historic Property in APE
15) Visual Effects (Select One) : <input type="checkbox"/> No Effect on this Historic Property in APE <input checked="" type="checkbox"/> No Adverse Effect on this Historic Property in APE (<i>see Attachment 10, p. 17 and Figure 4, p. 21</i>) <input type="checkbox"/> Adverse Effect on this Historic Property in APE

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

Historic Properties

Historic Property

4) Property Name: Elmira College, Old Campus
5) SHPO Site Number: 90NR00143

Property Address

6) Street Address: Roughly bounded by College and W. Washington Aves, N. Main Street and Park Place		
7) City: Elmira	8) State: NY	9) Zip Code: 14902
10) County/Borough/Parish: Chemung County		

Status & Eligibility

11) Is this property listed on the National Register? Source: <u>Office of Parks, Recreation and Historic Preservation</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 7/10/1984
12) Is this property eligible for listing on the National Register? Source: _____	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
13) Is this property a National Historic Landmark?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

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

15) Visual Effects (Select One) : <input checked="" type="checkbox"/> No Effect on this Historic Property in APE (<i>see Attachment 10, p. 17 and Figure 4, p. 21</i>) <input type="checkbox"/> No Adverse Effect on this Historic Property in APE <input type="checkbox"/> Adverse Effect on this Historic Property in APE
--

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

Designation of SHPO/THPO

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

SHPO/THPO

Name: **SHPO- Philip Perazio (Archaeology) and Robert Englert (Survey and Evaluation Unit)**

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

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

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

Certification

I certify that all representations on this FCC Form 620 Submission Packet and the accompanying attachments are true, correct and complete.			
Party Authorized to Sign			
First Name: Nina	MI: M.	Last Name: Versaggi	Suffix:
Signature: <i>Nina M. Versaggi</i>			Date: April 9, 2013
FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID.			
WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINES AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312 (a) (1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).			

ATTACHMENT 1: Resumes/Vitae

Dr. Nina M. Versaggi (Director and Principal Investigator, Public Archaeology Facility)

Versaggi received her doctorate in Anthropology from SUNY-Binghamton in 1988, her MA from SUNY Binghamton in 1976 and her BA from Rutgers University in 1974. She has been active in professional archaeology since 1972 and is a *Registered Professional Archaeologist*. Professional positions held include Director of the Public Archaeology Facility since 1988, Partner in Compliance Survey Associates for 6 years, Guest Curator at the Roberson Museum and Science Center, and Post-doctoral Fellow at the Hartwick College Museums. She serves as principal investigator for all projects awarded to the Public Archaeology Facility, including the statewide Department of Transportation subcontract with the New York State Museum. She has authored numerous articles on New York State archaeology, including: *Hunter to Farmer: 10,000 Years of Susquehanna Valley Prehistory*, *Prehistoric Hunter-Gatherer Settlement Models: Interpreting the Upper Susquehanna Valley*, and *An Overview of Prehistoric Settlement Patterns and Landforms in the Northern Appalachians*. She is a former member of the board for the Preservation Association of the Southern Tier, and former President of the New York Archaeological Council (2005-2010) where she continues to chair the Professional Survey and Report Standards Committee. She serves as an Adjunct Associate Professor at Binghamton University.

Richard A. Kastl, M.A., RPA. Kastl received his MA in Anthropology from Southern Illinois University at Carbondale in 1978 and his BA in Anthropology from Northern Illinois University in 1974. He is a *Registered Professional Archaeologist*. He has worked in the museum profession as a curator and museum director between 1978 and 1989. He has worked in professional archaeology since joining the staff of the Public Archaeology Facility as architectural historian in 1989 and as Project Director. His research interests include GIS and remote sensing in Archaeology, Historic Archaeology, historic barns and farmsteads. He has taught as adjunct faculty for Penn State University/Wilkes-Barre and Elmira College. He has conducted an archaeological field school for Elmira College at the Quarry Farm Site between 1993 and 1997. He is the author of numerous cultural resource management reports, and currently directs projects for PAF's statewide highway contract with the State Museum, and other projects elsewhere in New York State.

ATTACHMENT 7-9: Historic Properties within the APE (Area of Potential Effect) for Visual and Direct Effects

Visual: The APE for visual effects includes a ½ mi radius from the center of the proposed tower location, as determined under Section VI.C.4.b for towers less than or equal to 200 ft in overall height. According to the SHPO GIS web site, three National Register listed or eligible structures are within ½ mile of the APE. See Attachment 10 for information on direct and visual impacts.

Direct: The APE for direct effects includes a 6 x 6 foot (1.8 x 1.8 m) pad for the tower. According to the SHPO GIS web site, no known archaeological sites are within or directly adjacent to the APE.

Direct Effects Testing: No new archeological sites were discovered in the APE. The field crew used shovels to excavate 2 shovel test pits (STPs) within the project area (Figure 2, Photo 1). STPs within the proposed compound were excavated at 1.8 m (6 ft) intervals inside the proposed tower pad. STPs were excavated to depths of 40 cm (16 in) below the surface. All soils were screened through ¼” mesh for any cultural remains (see tables below). Excavations continued to a minimum of 15 cm (6 in) into sterile subsoil unless stopped by rock. Site stratigraphy included an A-horizon consisting of a medium brown silt loam and a B-horizon consisting of a dark yellowish brown silt loam with gravel and rocks. Both horizons had inclusions of asphalt, ash, and brick. No historic or prehistoric material was encountered. No archaeological sites were designated.

STP RECORD

PA=PALE LT=LIGHT MD=MEDIUM DK=DARK BR=BROWN GR=GRAY YL=YELLOW OL=OLIVE TN=TAN RD=RED BK=BLACK
 WH=WHITE SI=SILT SA=SAND CL=CLAY LO=LOAM GVL=GRAVEL R=ROCKS W=WET SBW= STOPPED BY WATER
 P=PREHISTORIC H=HISTORIC N=NO CULTURAL MATERIAL DISC. = DISCARDED

STP	#	Lev	Beg	End	Soil Description	CM	Crew	Date
A	1	1	0	19	Md Br Si Lo; Coal Ash - Disc.	N	RK	4/3/13
A	1	2	19	40	Yl Br Si Lo W/ Gvl; Coal Ash - Disc.	N	RK	4/3/13
A	2	1	0	17	Md Br Si Lo; Asphalt, Brick, Glass, Coal Ash - Disc.	N	RK	4/3/13
A	2	2	17	40	Yl Br Si Lo W/ Gvl; Asphalt, Brick, Glass, Coal Ash - Disc.	N	RK	4/3/13

ATTACHMENT 10: Effects on Identified Properties

Visual effects were considered to the extent that the proposed 60 ft high tower will be visible from the National Register historic properties identified during this screening. This effect can be roughly gauged by using a digital elevation model (DEM) of the proposed area and calculating those areas that may be visible using ArcGIS. This program uses the DEM to calculate elevation from the National Register properties towards the proposed cell tower. The result is a raster that calculates as visible or not visible, based on this information. The results of this calculation are mapped and shown in Figures 4-6. These calculations are based on a clear field of view, with foliage and existing structures not considered. This would be the most that could be visible, if there were no intervening foliage or structures. In most cases, these two factors will considerably limit the field of view, beyond the topography.

1. Woodlawn Cemetery and Woodlawn National Cemetery

The proposed communications tower is partially visible from the Woodlawn Cemetery. Both cemeteries have an area of approximately 46.3 ha, of which approximately 7 ha (15%) of the eastern portion of Woodlawn Cemetery would possibly be exposed to a view of the tower. There are intervening structures and mature trees between the cemetery and the proposed 60 ft high tower. We propose that these obstructions within the viewshed further reduce the visual impacts to the historic property. Therefore, we recommend that there is no significant adverse effect on Woodlawn Cemetery, and no effect on the Woodlawn National Cemetery

2. John W. Jones House

Part of the John W. Jones House is visible from the proposed tower location. The property lot has approximately 0.8 ha, of which 0.6 ha (75%) would possibly be exposed to a view of the proposed tower location. However, this visual impact would be mitigated by intervening structures and foliage, making it possible to see the tower from the house, but not totally unobstructed. Therefore, we recommend that there is no adverse effect on the historic property.

3. Elmira College, Old Campus

The Elmira College, Old Campus is not visible from the proposed tower location. Therefore there is no effect on the property.

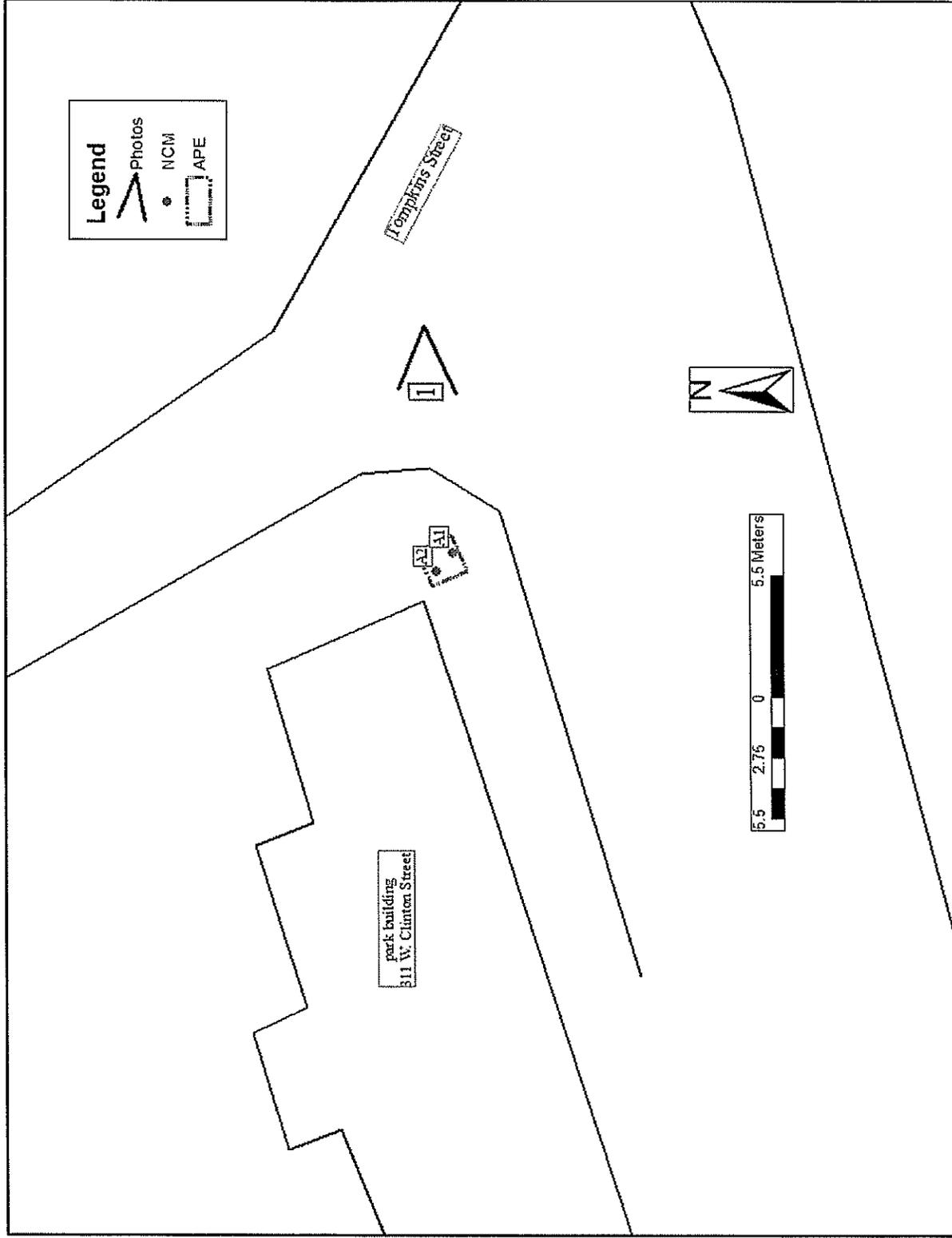


Figure 2. Approximate STP locations within the APE for Direct Effects. STPs were placed at 1.8 m (6 ft) intervals within the proposed tower pad. Both STPs were negative for cultural materials.

BINGHAMTON UNIVERSITY

State University of New York



PUBLIC ARCHAEOLOGY FACILITY
NINA M. VERSAGGI, DIRECTOR
nversaggi@binghamton.edu

PO Box 6000
Binghamton, New York 13902-6000
607-777-4786, FAX 607-777-2288

March 15, 2013

Mark Cicora
Deputy Director-Operations
Chemung County Emergency Management
103 Washington Street
Elmira, NY 14902-0588

Re: Cultural Resource Screening Report (FCC 620), Elmira Cell Tower Project 06CP-03-TOWR,
Chemung County, New York

Dear Mark:

Attached please find the draft FCC 620 cultural resource screening report that Rich Kastl prepared for 311 W. Center Street. We have filled in all of the sections that pertain to our work. You will need to fill in other sections that address consultations and contacts that you have made.

As the applicant, you will need to fill in these sections:

- Your FCC number under item #3 (I highlighted it for you);
- Your TCNS number on page 3;
- We checked "yes" on page 3, since I believe that you mentioned you did the online tribal notification process? If that is not correct, then that needs to be done before this form is completed.
- We did not find archaeological sites within the APE, but there were three historic National Register listed properties. Rich Kastl used a preliminary GIS viewshed analysis to determine how much, if any, of the proposed tower would be visible from each property. Two of the three were visible to some degree. However, we felt that with the height of intervening buildings and trees, the adverse visual impact would be lessened. We are not sure if SHPO will agree with this, but that is what we recommended.
- On page 4, you will need to fill in this information and include any backup in Attachment 4.
- The same with other consulting parties on Page 11 and Attachments 5 and 6.

If you have any questions about completion of this form, please let me or Rich Kastl know. Thank you for this opportunity to work with you on these tower projects.

Sincerely,

Nina M. Versaggi, PhD RPA
Director

FCC Wireless Telecommunications Bureau
 New Tower ("NT") Submission Packet
 FCC Form 620

**ELMIRA CELL TOWER PROJECT 06CP-03-TOWR
 MCD 01540**

General Information

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

Applicant Information

3) FCC Registration Number (FRN):	0022014732
4) Name: Chemung County Emergency Management	

Contact Name

5) First Name: Mark	6) MI:	7) Last Name: Cicora	8) Suffix:
9) Title: Deputy Director-Operations			

Contact Information

10) P.O. Box:	and/or	11) Street Address: 103 Washington Street	
12) City: Elmira		13) State: NY	14) Zip Code: 14902-0588
15) Telephone Number: 607-737-2928		16) Fax Number: 607-737-2098	
17) E-mail Address: mcicora@co.chemung.ny.us			

Consultant Information

18) FCC Registration Number (FRN): 0020076360	
19) Name: Public Archaeology Facility	

Principal Investigator

20) First Name: Nina	21) MI: M.	22) Last Name: Versaggi	23) Suffix:
24) Title: Director			

Principal Investigator Contact Information

25) P.O. Box:	and/or:	26) Street Address: Binghamton University, Vestal Parkway East	
27) City: Binghamton		28) State: NY	29) Zip Code: 13902-6000
30) Telephone Number: 607-777-4786		31) Fax Number: 607-777-2288	
32) E-mail Address: : nversagg@binghamton.edu			

Professional Qualification

33) Does the Principal Investigator satisfy the Secretary of the Interior's Professional Qualification Standards?	(X) Yes () No
34) Areas of Professional Qualification: (X) Archaeologist () Architectural Historian () Historian () Architect () Other (Specify) _____	

Additional Staff

35) Are there other staff involved who meet the Professional Qualification Standards of the Secretary of the Interior?	(X) Yes () No
--	------------------

If "Yes" complete the following:

36) First Name: Richard	37) MI: A	38) Last Name: Kastl	39) Suffix:
40) Title: Project Director			
41) Areas of Professional Qualification: (X) Archaeologist () Architectural Historian () Historian () Architect () Other (Specify) _____			

This page may be copied to include additional staff.

Consultant Information Attachments required – See instructions for details.

See Attachment 1, p. 13 for Credentials

Site Information

Tower Construction Notification System

1) TCNS Notification Number: 93510

Site Information

2) Site Name: Elmira Cell Tower Project 06CP-03-TOWR

3) Site Address: 311 W. Center Street

4) City: Elmira

5) State: NY

6) Zip Code: 14902

7) County/Borough/Parish: Chemung County

8) Nearest Crossroads: West Center Street and Tompkins Street

9) NAD 83 Latitude (DD-MM-SS.S): 46° 6' 15.576"

(X) N or () S

10) NAD 83 Longitude (DD-MM-SS.S): 76° 49' 11.034"

() E or (X) W

Tower Information

11) Tower height above ground level (include top-mounted attachments such as lightning rods): 60 (X) Feet () Meters

12) Tower Type (Select One):

() Guyed lattice tower

(X) Self-supporting lattice

() Monopole

() Other (Describe):

Project Status

13) Current Project Status (Select One):

(X) Construction has not yet commenced

() Construction has commenced, but is not yet completed

Construction commenced on: ___/___/___

() Construction has been completed

Construction commenced on: ___/___/___

Construction completed on: ___/___/___

See Attachment 2 for Project Location and Plans

Determination of Effect

14) Direct Effects (Select One):

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

15) Visual Effects (Select One):

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

See Attachments 7-10 for information on Historic Properties Identified Within the APE for Visual and Direct Effects.

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2a) Tribes/ NHOs contacted through TCNS Notification Number: <u>93510</u> Number of Tribes/NHOs: _____	
2b) Tribes/ NHOs contacted through an alternate system: _____ Number of Tribes/NHOs: _____	

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name:

Contact Name

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

Dates and Response

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

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

See Attachment 3 for information on Tribal and NHO Involvement.

Historic Properties

Properties Identified

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

Historic Property

4) Property Name: Woodlawn Cemetery and Woodlawn National Cemetery
5) SHPO Site Number: 04NR05242

Property Address

6) Street Address: Walnut and Davis Streets, West Hill and Bancroft Roads		
7) City: Elmira	8) State: NY	9) Zip Code: 14902
10) County/Borough/Parish: Chemung County		

Status & Eligibility

11) Is this property listed on the National Register? Source: <u>Office of Parks, Recreation and Historic Preservation</u>	(X) Yes () No 8/20/2004
12) Is this property eligible for listing on the National Register? Source: _____	(X) Yes () No
13) Is this property a National Historic Landmark?	() Yes (X) No

<p>14) Direct Effects (Select One):</p> <p>(X) No Effect on this Historic Property in APE</p> <p>() No Adverse Effect on this Historic Property in APE</p> <p>() Adverse Effect on this Historic Property in APE</p>
<p>15) Visual Effects (Select One) :</p> <p>() No Effect on this Historic Property in APE</p> <p>(X) No Adverse Effect on this Historic Property in APE (<i>see Attachment 10, p. 17 and Figure 4, p. 21</i>)</p> <p>() Adverse Effect on this Historic Property in APE</p>

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

Historic Properties

Historic Property

4) Property Name: John W. Jones House
5) SHPO Site Number: 03NR05083

Property Address

6) Street Address: 1250 Davis Street		
7) City: Elmira	8) State: NY	9) Zip Code: 14902
10) County/Borough/Parish: Chemung County		

Status & Eligibility

11) Is this property listed on the National Register? Source: <u>Office of Parks, Recreation and Historic Preservation</u>	(<input checked="" type="checkbox"/>) Yes () No 6/16/2003
12) Is this property eligible for listing on the National Register? Source: _____	(<input checked="" type="checkbox"/>) Yes () No
13) Is this property a National Historic Landmark?	() Yes (<input checked="" type="checkbox"/>) No

<p>14) Direct Effects (Select One):</p> <p>(<input checked="" type="checkbox"/>) No Effect on this Historic Property in APE</p> <p>() No Adverse Effect on this Historic Property in APE</p> <p>() Adverse Effect on this Historic Property in APE</p>
<p>15) Visual Effects (Select One) :</p> <p>() No Effect on this Historic Property in APE</p> <p>(<input checked="" type="checkbox"/>) No Adverse Effect on this Historic Property in APE (<i>see Attachment 10, p. 17 and Figure 4, p. 21</i>)</p> <p>() Adverse Effect on this Historic Property in APE</p>

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

Historic Properties

Historic Property

4) Property Name: Elmira College, Old Campus
5) SHPO Site Number: 90NR00143

Property Address

6) Street Address: Roughly bounded by College and W. Washington Aves, N. Main Street and Park Place		
7) City: Elmira	8) State: NY	9) Zip Code: 14902
10) County/Borough/Parish: Chemung County		

Status & Eligibility

11) Is this property listed on the National Register? Source: <u>Office of Parks, Recreation and Historic Preservation</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 7/10/1984
12) Is this property eligible for listing on the National Register? Source: _____	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
13) Is this property a National Historic Landmark?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

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

15) Visual Effects (Select One) : <input checked="" type="checkbox"/> No Effect on this Historic Property in APE (<i>see Attachment 10, p. 17 and Figure 4, p. 21</i>) <input type="checkbox"/> No Adverse Effect on this Historic Property in APE <input type="checkbox"/> Adverse Effect on this Historic Property in APE
--

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

Designation of SHPO/THPO

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

SHPO/THPO

Name: **SHPO- Philip Perazio (Archaeology) and Robert Englert (Survey and Evaluation Unit)**

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

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

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

Certification

I certify that all representations on this FCC Form 620 Submission Packet and the accompanying attachments are true, correct and complete.			
Party Authorized to Sign			
First Name: Nina	MI: M.	Last Name: Versaggi	Suffix:
Signature: <i>Nina M. Versaggi</i>		Date: April 9, 2013	
FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID.			
WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINES AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312 (a) (1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).			

ATTACHMENT 1: Resumes/Vitae

Dr. Nina M. Versaggi (Director and Principal Investigator, Public Archaeology Facility)

Versaggi received her doctorate in Anthropology from SUNY-Binghamton in 1988, her MA from SUNY Binghamton in 1976 and her BA from Rutgers University in 1974. She has been active in professional archaeology since 1972 and is a *Registered Professional Archaeologist*. Professional positions held include Director of the Public Archaeology Facility since 1988, Partner in Compliance Survey Associates for 6 years, Guest Curator at the Roberson Museum and Science Center, and Post-doctoral Fellow at the Hartwick College Museums. She serves as principal investigator for all projects awarded to the Public Archaeology Facility, including the statewide Department of Transportation subcontract with the New York State Museum. She has authored numerous articles on New York State archaeology, including: *Hunter to Farmer: 10,000 Years of Susquehanna Valley Prehistory*, *Prehistoric Hunter-Gatherer Settlement Models: Interpreting the Upper Susquehanna Valley*, and *An Overview of Prehistoric Settlement Patterns and Landforms in the Northern Appalachians*. She is a former member of the board for the Preservation Association of the Southern Tier, and former President of the New York Archaeological Council (2005-2010) where she continues to chair the Professional Survey and Report Standards Committee. She serves as an Adjunct Associate Professor at Binghamton University.

Richard A. Kastl, M.A., RPA. Kastl received his MA in Anthropology from Southern Illinois University at Carbondale in 1978 and his BA in Anthropology from Northern Illinois University in 1974. He is a *Registered Professional Archaeologist*. He has worked in the museum profession as a curator and museum director between 1978 and 1989. He has worked in professional archaeology since joining the staff of the Public Archaeology Facility as architectural historian in 1989 and as Project Director. His research interests include GIS and remote sensing in Archaeology, Historic Archaeology, historic barns and farmsteads. He has taught as adjunct faculty for Penn State University/Wilkes-Barre and Elmira College. He has conducted an archaeological field school for Elmira College at the Quarry Farm Site between 1993 and 1997. He is the author of numerous cultural resource management reports, and currently directs projects for PAF's statewide highway contract with the State Museum, and other projects elsewhere in New York State.

ATTACHMENT 7-9: Historic Properties within the APE (Area of Potential Effect) for Visual and Direct Effects

Visual: The APE for visual effects includes a ½ mi radius from the center of the proposed tower location, as determined under Section VI.C.4.b for towers less than or equal to 200 ft in overall height. According to the SHPO GIS web site, three National Register listed or eligible structures are within ½ mile of the APE. See Attachment 10 for information on direct and visual impacts.

Direct: The APE for direct effects includes a 6 x 6 foot (1.8 x 1.8 m) pad for the tower. According to the SHPO GIS web site, no known archaeological sites are within or directly adjacent to the APE.

Direct Effects Testing: No new archeological sites were discovered in the APE. The field crew used shovels to excavate 2 shovel test pits (STPs) within the project area (Figure 2, Photo 1). STPs within the proposed compound were excavated at 1.8 m (6 ft) intervals inside the proposed tower pad. STPs were excavated to depths of 40 cm (16 in) below the surface. All soils were screened through ¼” mesh for any cultural remains (see tables below). Excavations continued to a minimum of 15 cm (6 in) into sterile subsoil unless stopped by rock. Site stratigraphy included an A-horizon consisting of a medium brown silt loam and a B-horizon consisting of a dark yellowish brown silt loam with gravel and rocks. Both horizons had inclusions of asphalt, ash, and brick. No historic or prehistoric material was encountered. No archaeological sites were designated.

STP RECORD

PA=PALE LT=LIGHT MD=MEDIUM DK=DARK BR=BROWN GR=GRAY YL=YELLOW OL=OLIVE TN=TAN RD=RED BK=BLACK
 WH=WHITE SI=SILT SA=SAND CL=CLAY LO=LOAM GVL=GRAVEL R=ROCKS W=WET SBW= STOPPED BY WATER
 P=PREHISTORIC H=HISTORIC N=NO CULTURAL MATERIAL DISC. = DISCARDED

STP	#	Lev	Beg	End	Soil Description	CM	Crew	Date
A	1	1	0	19	Md Br Si Lo; Coal Ash - Disc.	N	RK	4/3/13
A	1	2	19	40	Yl Br Si Lo W/ Gvl; Coal Ash - Disc.	N	RK	4/3/13
A	2	1	0	17	Md Br Si Lo; Asphalt, Brick, Glass, Coal Ash - Disc.	N	RK	4/3/13
A	2	2	17	40	Yl Br Si Lo W/ Gvl; Asphalt, Brick, Glass, Coal Ash - Disc.	N	RK	4/3/13

ATTACHMENT 10: Effects on Identified Properties

Visual effects were considered to the extent that the proposed 60 ft high tower will be visible from the National Register historic properties identified during this screening. This effect can be roughly gauged by using a digital elevation model (DEM) of the proposed area and calculating those areas that may be visible using ArcGIS. This program uses the DEM to calculate elevation from the National Register properties towards the proposed cell tower. The result is a raster that calculates as visible or not visible, based on this information. The results of this calculation are mapped and shown in Figures 4-6. These calculations are based on a clear field of view, with foliage and existing structures not considered. This would be the most that could be visible, if there were no intervening foliage or structures. In most cases, these two factors will considerably limit the field of view, beyond the topography.

1. Woodlawn Cemetery and Woodlawn National Cemetery

The proposed communications tower is partially visible from the Woodlawn Cemetery. Both cemeteries have an area of approximately 46.3 ha, of which approximately 7 ha (15%) of the eastern portion of Woodlawn Cemetery would possibly be exposed to a view of the tower. There are intervening structures and mature trees between the cemetery and the proposed 60 ft high tower. We propose that these obstructions within the viewshed further reduce the visual impacts to the historic property. Therefore, we recommend that there is no significant adverse effect on Woodlawn Cemetery, and no effect on the Woodlawn National Cemetery

2. John W. Jones House

Part of the John W. Jones House is visible from the proposed tower location. The property lot has approximately 0.8 ha, of which 0.6 ha (75%) would possibly be exposed to a view of the proposed tower location. However, this visual impact would be mitigated by intervening structures and foliage, making it possible to see the tower from the house, but not totally unobstructed. Therefore, we recommend that there is no adverse effect on the historic property.

3. Elmira College, Old Campus

The Elmira College, Old Campus is not visible from the proposed tower location. Therefore there is no effect on the property.

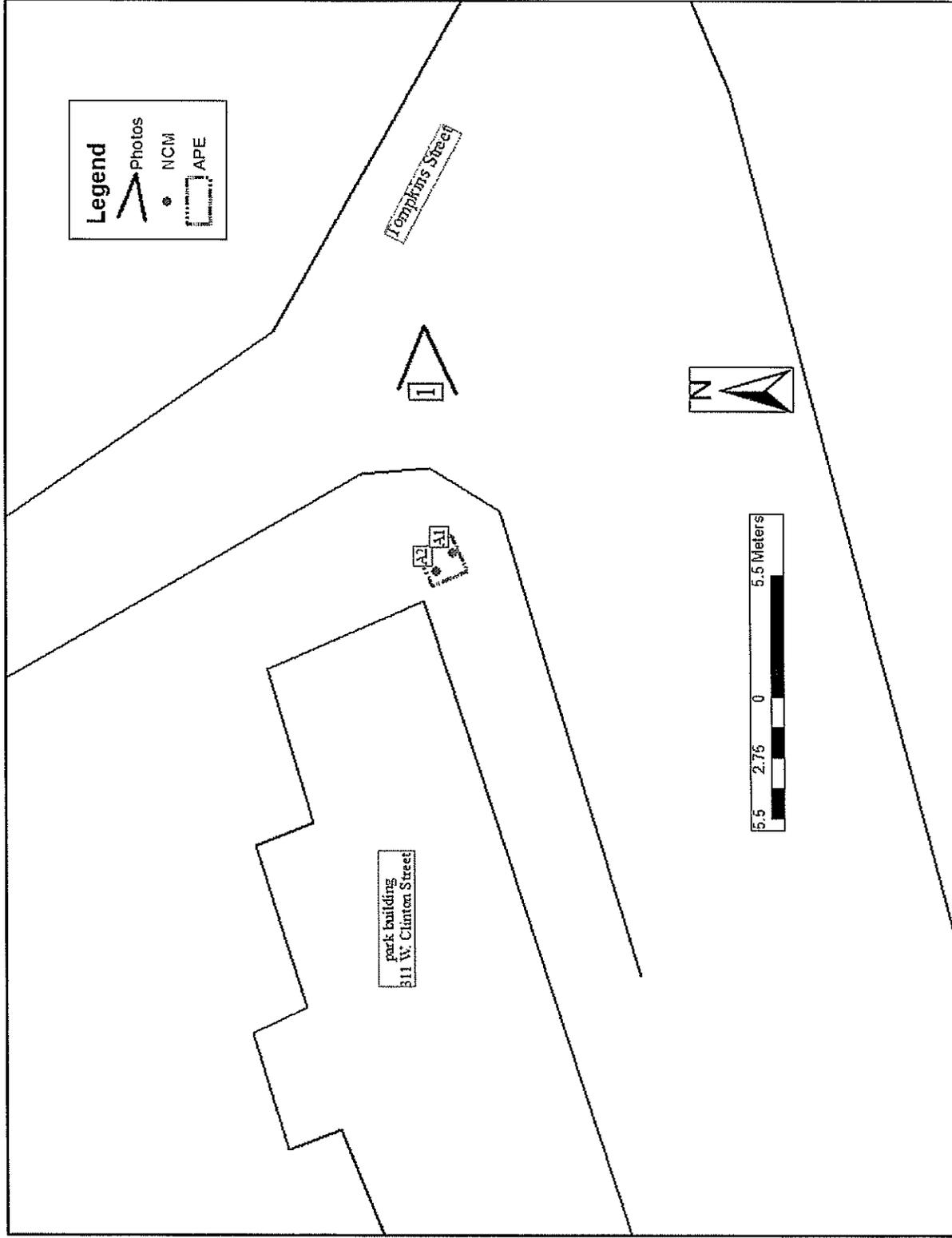


Figure 2. Approximate STP locations within the APE for Direct Effects. STPs were placed at 1.8 m (6 ft) intervals within the proposed tower pad. Both STPs were negative for cultural materials.



**SENECA-CAYUGA TRIBE
OF OKLAHOMA**

June 19, 2013

Chemung County
103 Washington ST.
P.O. Box 588
Elmira NY 14902-0588

23701 S. 655 ROAD
Grove, OK 74344
(918) 787-5452 Phone
(918) 787-5521 Fax
866-787-5452 Toll Free

RE: TCNS #93510

Dear Mr. Mark J. Cicora Jr.:

The Seneca Cayuga Tribe received notification regarding the above referenced project. The Seneca Cayuga Tribe is committed to protecting sites important to Tribal Heritage, Culture and Religion. Furthermore the Tribe is particularly concerned with historical sites that may contain but not limited to the burial(s) of human remains and associated funerary objects.

As described in your correspondence, and upon research of our database(s) and files, we find our people occupied and visited this area historically and prehistorically. However, the particular site location of this project does not endanger known sites of interest to the Seneca Cayuga Tribe. Please continue the project as planned. Although with known village sites within Chemung County and surrounding areas, please be aware should this project inadvertently uncover an archeological site or object(s) we request that you immediately contact the Seneca Cayuga Tribe of Oklahoma, as well as the appropriate state agencies (within 24 hours). We also ask that all construction and ground disturbing activity stop until the Tribe and State agencies are consulted.

Thank you, for contacting the Seneca Cayuga Tribe, we appreciate your cooperation. Should you have any further questions or comments please contact, Paul Barton; Tribal Historic Preservation Officer.

Sincerely,

Paul Barton, Tribal Historic Preservation Officer (THPO)
Seneca Cayuga Tribe of Oklahoma
23701 South 655 Rd
Grove, OK 74344
(918) 787-7979
pbarton@sctribe.com



SHAWNEE TRIBE
 HISTORIC PRESERVATION DEPARTMENT
 29 SOUTH HIGHWAY 69A
 MIAMI, OKLAHOMA 74354
 918 ^ 542 ^ 2441 PHONE 918 ^ 542 ^ 9915 FAX

FACSIMILE COVER PAGE

 To Mark FROM KIM JUMPER
 FIRM/AGENCY: Chemung Cty. DATE/TIME: 6/27/13
 FAX NUMBER: 607-737-2098 NO. OF PAGES, INCLUDING COVER: 1
 PHONE NUMBER: _____ MEMO: 93510

Message: The Shawnee Tribe's Tribal Historic Preservation Officer concurs that no known historic properties will be negatively impacted by construction of this tower site (see memo line above for ICNS number/s). The Shawnee Tribe's archives do not reveal any issues of concern at this tower location. In the event that archaeological materials are encountered later during construction, use, or maintenance of this tower location, please re-notify us at that time as we would like to resume consultation under such a circumstance.

The Shawnee Tribe's Environmental and Natural Resources Department takes this opportunity to express its concerns that telecommunication towers can have a potentially destructive impact on bats and migratory birds, particularly those that migrate at night, including species listed as threatened and endangered by both states and the federal government, as well as other species. The Shawnee Tribe suggests that this tower be constructed in accordance with the guidelines available from the US Fish and Wildlife Service to reduce the adverse effects of telecommunication towers on migratory birds. These guidelines may be found at www.fws.gov/migratorybirds/issues/tower/commtower.html

The Shawnee Tribe's Environmental and Natural Resources Department is further concerned that the proliferation of cell towers may play a role in honey bee Colony Collapse Disorder. We acknowledge that cell phone technology may not be to blame, especially by itself, as other potential causative factors for the decline have been noted, such as insecticides, tracheal and varroa mites (an immunosuppressant), other parasites, pesticides used on hives to eliminate parasites, genetically modified plants, *Nosema* fungus, Israeli Acute Paralysis Virus (IAPV) perhaps introduced from Australia in 2004, Kashmir Bee Virus (KBV), climate change, and drought.

Finally, the Shawnee Tribe's Environmental and Natural Resources Department requests that cell tower sites, whenever remotely feasible, be restored to native vegetation. In all cases, habitat restoration can protect a variety of species, even in small project areas. The large number of cell tower sites provides an as yet unrealized opportunity for region-wide habitat restoration. The Tribe urges the cell phone industry to provide a model for native habitat restoration for other industries.

Please do not hesitate to call us for additional comment.

Cicora, Mark

From: Algonquin Consultants, Inc. <algonquin@neok.com>
Sent: Tuesday, May 28, 2013 10:25 AM
To: Cicora, Mark
Subject: RE: WYANDOTTE NATION REF TCNS #93510

The Wyandotte Nation is satisfied with the efforts that have been conducted to be sure that no cultural resources will be affected by construction of this tower. We also do not have any additional information that suggests that cultural resources will be harmed by its construction. The Nation therefore will not object to its construction.

However, in the event that archaeological materials, including human remains, are discovered during construction or later ground-disturbing maintenance activities at this location, please re-open consultation at that time. Please forward our concerns regarding any such future, unanticipated discoveries and our contact information to the appropriate parties.

We urge everyone involved with cell tower development that towers, antennae, and ancillary structures be constructed in accordance with the best practices available for minimizing impact on the environment in general, and especially on bird, bat, and other species who might suffer deleterious effects from cell towers. Please also consider revegetating with native species whenever possible.

We do appreciate your efforts to consult with us.

Regards,

Rebecca Hawkins, Archaeologist
for Sherri Clemons, THPO
Wyandotte Nation

Cicora, Mark

From: Algonquin Consultants, Inc. <algonquin@neok.com>
Sent: Tuesday, May 28, 2013 10:24 AM
To: Cicora, Mark
Subject: RE: EASTERN SHAWNEE TRIBE OF OKLAHOMA REF TCNS #93510

The Eastern Shawnee Tribe of Oklahoma thanks you for the efforts that you have made to consult with us. Based on our own information and that which you have provided, we are satisfied that it is unlikely that any significant cultural resources related to our own past occupation of the region will be affected by construction of this tower. We thus will not object to its construction.

Should any precontact archaeological materials, including human remains, be discovered either during construction or future ground-disturbing activities at this tower location, please consult with us again at such time. As well, please alert appropriate parties regarding our concerns for future discoveries and the need to contact us in the event that precontact cultural materials are encountered.

We further request that contractors and developers follow best practices available for minimizing impact from both construction and use of cell towers on the environment. We are particularly concerned about the wellbeing of bird, bat, and other species who might experience negative impacts from cell towers. Please re-vegetate construction areas with native plant species whenever possible.

Thank you for consulting with us.

Respectfully,

Rebecca Hawkins, Archaeologist
for Robin Dushane, THPO
Eastern Shawnee Tribe of Oklahoma

From: Cicora, Mark [mailto:mcicora@co.chemung.ny.us]
Sent: Friday, May 24, 2013 2:07 PM
To: Algonquin Consultants, Inc.
Subject: RE: EASTERN SHAWNEE TRIBE OF OKLAHOMA REF TCNS #93510

Rebecca,

Thank you once again for waiving the fees for both **the Eastern Shawnee tribe of Oklahoma** and the **Wyandotte Nation OK**. I finally received the report from the New York State SHPO. They agree with our archeological and historical survey conducted by Dr. Versaggi at the University of Binghamton, that there is no impact on either tribe. Please find in the enclosed .pdf file the requested information. I have only included parts of the FCC 620 that are pertinent to the information requested as well as the letter from the state SHPO. Also included is a Word document with photos of the tower location, and views outward in all directions from the tower location.

Please let me know if any other information is needed for your approval.

Thank you again, and I await approval after your review.

Sincerely,

Mark

Mark Cicora
Deputy Director-Operations
Chemung County Emergency Management
103 Washington St
Elmira, NY 14902-0588
(607)737-2928



*Keweenaw Bay Indian Community
Tribal Historic Preservation Office
and Language Program*

16429 Beartown Road
Baraga, Michigan 49908-9210
thpo@kbic-nsn.gov, jgoyen@kbic-nsn.gov, gloonsfoot@kbic-nsn.gov
Phone: 906-353-6278, Phone: 906-353-4178, Fax: 906-353-7540

June 3, 2013

RE: TCNS Notification ID# 93510.

Ahnhii Boozhoo (Hello!, Greetings!);

The KBIC Tribal Historic Preservation Office has identified no properties of interest regarding religious or cultural sites documented at this time in your proposed location. If the scope of work changes in any way, or if artifacts or human remains are discovered, please notify the KBIC THPO immediately.

Please forward any future consultation requests for review of project proposals pursuant to Section 106 of the National Historic Preservation Act to KBIC THPO, Keweenaw Bay Indian Community Tribal Historic Preservation Office or through email at gloonsfoot@kbic-nsn.gov or jgoyen@kbic-nsn.gov and keep us informed of future projects as we continue our efforts to identify and document historic, archaeological and traditional cultural sites in the area so we can assist in making an appropriate determination.

Chi-Miigwech (Big Thank You)

Gary F. Loonsfoot, Jr., Director of Cultural Resources
Juliet K. Goyen, THPO/NAGPRA Technician

Miigwech!

Gary F. Loonsfoot, Jr., Juliet K. Goyen & Rachel R. L. Sutherland

"If you take care of the language, the spirit-keeper of the language will take care of you."
