Finding of No Significant Impact for the proposed Coates Ranch 480-foot Guyed Telecommunications Tower

Introduction

The Pecos County Sheriff's Department proposes to acquire and install a 480-foot guyed telecommunications radio tower and associated equipment in Bakersfield, Texas. The Sheriff's Department applied to the PSIC Grant Program to build the proposed tower on an area known as Coates Ranch in the southwestern portion of the State. The Coates Ranch 480-foot Guyed Telecommunications Tower Environmental Assessment (EA) (September 8, 2010) provides an analysis of potential environmental impacts associated with the use of grant funds issued by the Public Safety Interoperable Communications (PSIC) Grant Program, administered by the National Telecommunications and Information Administration (NTIA) of the U.S. Department of Commerce.

Scope of the Environmental Assessment

The proposed Coates Ranch tower project would apply funds issued by the PSIC Grant Program. The PSIC Grant Program was developed to assist State, local, tribal, and nongovernmental agencies in developing interoperable communications as they leverage the newly available spectrum in the 700 megahertz (MHz) band. As a condition of the PSIC Grant Program, grantees must comply with all relevant Federal legislation, including the National Environmental Policy Act (NEPA) of 1969.

The NTIA has specified that PSIC grant funds must be used for projects that would improve communications in areas at high risk for natural disasters and in urban and metropolitan areas at high risk for terrorism threats, and should include pre-positioning or securing of interoperable communications for immediate deployment during emergencies or major disasters. Investments receiving PSIC grant funds can range from the installation of new large-scale infrastructure (i.e., telecommunications towers or facilities) to the acquisition of mobile and portable radio equipment. Under the categories outlined in the PSIC Grant Program's Programmatic EA (February 2009) and Finding of No Significant Impact (FONSI) (April 2009), the proposed Coates Ranch tower project is classified as a transmission and receiving site.

The proposed Coates Ranch tower site location would allow for the following:

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

The Coates Ranch EA examines the Proposed Action to develop a new telecommunications facility in Pecos County, Texas. The proposed Coates Ranch tower project would include the construction of a 480-foot guyed telecommunications radio tower and associated equipment within a 50-foot by 50-foot gravel leased parcel on privately owned property. In addition, a 12-foot by 16-foot equipment shelter, a standalone emergency backup generator and associated propane tank, and a control utility board would be installed. The total ground-disturbance is less than 0.25 acres. The planned utility connections would be made by connecting to existing overhead power lines extended from an existing electrical transmission pedestal located 300 feet east of the site. The EA analyses existing conditions and environmental consequences of the Proposed Action for 11 resource areas (noise, air quality, geology and soils, water resources, biological resources, historic and cultural resources, aesthetic and visual resources, land use, infrastructure, socioeconomic resources, and human health and safety).

Alternatives Considered

Alternative 1 – Coates Ranch Tower site (Preferred Alternative)

Alternative 1 (Preferred Alternative) would implement the Coates Ranch tower project in its entirety, consisting of a 480-foot guyed tower, a 12-foot by 16-foot equipment shelter a 12-foot by 16-foot equipment shelter, a standalone emergency backup generator and associated propane tank, and a control utility board. The proposed project would be located on privately owned property, the Coates Ranch, located within the rural mountainous rangeland of Pecos County. The planned utility connections would be made by connecting to existing overhead power lines extended from an existing electrical transmission pedestal located 300 feet east of the site. The existing utilities for power would utilize overhead electrical transmission lines extended from an existing electrical transmission pedestal located 300 feet east of the site. The total ground-disturbance is less than 0.25 acres. The proposed site topography provides natural height resulting in enhanced coverage with the proposed 480-foot guyed tower, greatly reducing the retrofits that would be required. The proposed site would be capable of supporting additional future expansion to help minimize the number of new towers needed. The proposed site is easily accessible via an existing road and is therefore more conducive to maintenance and future expansion. The proposed Coates Ranch tower project would enhance facility and facility control, reliable interoperable communications, and significant increased coverage for security and emergency service entities.

No Action Alternative

The No Action alternative would not meet the current radio system coverage requirements causing serious limitations on security and emergency response, funding for interoperable communications and information systems infrastructure would not be released, and infrastructure would neither be developed nor enhanced. Ongoing maintenance activities would continue using the current funding sources; however, no new activities would be funded with PSIC grant funding. It is assumed that the project proposed for PSIC grant funding would not go forward with any alternative funding sources. The No Action Alternative served as the baseline for assessing the impacts of the alternatives in the EA.

Alternatives Considered but Not Carried Forward

Several alternatives were examined to determine the range of reasonable alternatives to implement the Proposed Action. A review of existing facilities in Pecos County did not locate any available facilities that would require minimum structural retrofitting of an existing tower and other equipment upgrades. The proposed site provides a technically appropriate area to locate the proposed tower. However, in Pecos County, there are an extremely limited number of sites available to pursue. Consideration of existing tower locations in the area and accounting for the future needs of Pecos County and surrounding areas did not meet the pre-screen requirements: increase coverage area for emergency responders, new technology to support frequencies which improve/expand voice and/or data coverage, improve communications among security/emergency organizations, enhance security and facility control, and use cost-effective measures, via leasing agreements and systems sharing. Therefore, these alternative locations were considered but not carried forward.

Recommended Alternative

Alternative 1 (Preferred Alternative) to acquire and install a new 480-foot guyed telecommunications tower and associated equipment at the Coates Ranch, Bakersfield, Texas site is recommended for implementation and best meets the purpose and the need of Pecos County. The Preferred Alternative would facilitate greater security and facility control, reliable interoperable communications, and significantly increase the coverage area for emergency responders. The No Action Alternative would not address the need for Pecos County.

Consultations

Coordination on fish and wildlife issues to meet the Section 7 requirements of the Endangered Species Act was accomplished through a preliminary review of protected species from the U.S. Fish and Wildlife Service (USFWS) Division of Endangered Species Web site. The review was conducted to identify listed and proposed threatened and endangered species, as well as critical habitats that may be located on or near the proposed Coates Ranch tower site. Based on a review of the USFWS Web site, five threatened or endangered species were identified within Pecos County, including one bird species: black-capped Vireo (*Vireo atricapilla*); two fish species: Leon Springs pupfish (*Cyprinodon bovines*) and Pecos gambusia (*Gambusia nobilis*); one flowering plant: Pecos (=puzzle, =paradox) sunflower (*Helianthus paradoxus*); and one snail: Pecos assiminea snail (*Assiminea pecos*). Two candidate species (snails) were also identified: Diamond Y Spring (*Pseudotryphia =Tryonia*) and the Gonzales springsnail (*Tryonia circumstriata =stocktonensis*). Habitats for these species were compared to the habitat present at the proposed site; none of the habitats were identified as having a potential to be found on the proposed site. A concurrence letter was submitted to USFWS on May 21, 2010. The USFWS agreed with the conclusions of the concurrence letter and stamped "no action" on August 2, 2010.

Pecos County is located within a portion of the Central Flyway for migratory birds. Fall and spring migrants use the region for temporary stops during travel between the northern and southern hemispheres. Best management practices would be implemented to avoid harassment and harm to migratory birds during construction activities. Construction impacts would be expected to have no significant impact on migratory birds as the use of construction-related equipment would occur during limited periods and would be considered short-term impacts. Long-term minor to moderate adverse impacts on migratory birds could be expected from the proposed tower due to its location in Pecos County, which is within a portion of the Central Flyway for migratory birds. Impacts on migratory birds could be expected as a result of a collision with operating towers, antennae, and other tall structures, particularly during periods of low visibility and as a result of tower lighting that might be distracting to some species. The probability of collision is difficult to determine programmatically because of a range of variables that affect the potential for collision and the lack of conclusive data on the causes of collision. Adverse impacts on birds resulting from tower collisions generally occur during foggy or low cloud conditions at lighted towers supported by guy wires; these towers present a greater collision risk than freestanding/self-supprting towers or buildings. The proposed Coates Ranch tower is a 480-foot guyed tower. Variables such as structure height, design, lighting, seasons, adjacent land features, and migratory patterns would affect the potential and degree of adverse impacts on migratory birds. The potential impact of the tower on migratory birds would be mitigated using the recommended USFWS guidelines for lighting and marking to minimize bird strike fatalities. It is assumed that lighting and marking would be conducted in a manner as to comply with the USFWS recommendations.

Coordination on historic and cultural resources issues was accomplished through an informal consultation with the Texas State Historic Preservation Office (SHPO) to determine whether the construction of the proposed Coates Ranch tower and installation of associated equipment may generate any short- or long-term indirect impacts to historic and cultural resources and may be located within the viewshed of any historic and cultural resources. The construction of the proposed tower may indirectly impact the viewshed of architectural resources in the area if it is not aesthetically compatible with the character of the historic surroundings. The proposed project is located on an existing graveled parcel, at 3,000 feet elevation, in the rural mountainous rangeland of Pecos County in west Texas with no structures located in the area. Letters were sent on April 9, 2010 to authorized Federal Communication Commission's (FCC) Tower Construction Notification System (TCNS) users including leaders of Federally-recognized American Indian Tribes in the area; no tribal concerns were received.

A desktop assessment was conducted to determine if any historic and cultural resources were listed in the area of potential effect. Historic, cultural, or tribal resources were not identified on or within 1.5 miles of the proposed site based on a review of information available from the National Register of Historic Places (NRHP), the Texas SHPO, the Texas Archaeological Site Files, and the Texas Historic Commission – Site Atlas. A public notice was published in the Fort Stockton Pioneer on April 20, 2010 to allow for public comments related to the proposed project on historic properties within the viewshed of the proposed tower; no comments were received. On May 12, 2010, the Texas SHPO concurred that there are no historic properties affected by the Proposed Action and the project may proceed.

Findings and Conclusions

The proposed Coates Ranch tower project is not likely to result in any environmental impacts and does not involve any unusual risks or impacts to sensitive areas. The Proposed Action would require construction of a new 480-foot guyed telecommunications tower and associated equipment with ground disturbance activities totaling less than 0.25 acres. In accordance with 47 Code of Federal Regulations Section 1.1307 (a) (1) through (8), an evaluation was made to determine whether any of the listed Federal Communications Commission (FCC) special interest items would be significantly affected if a tower structure and associated equipment control cabinets were constructed at the proposed site location. No FCC special interest items were identified.

NTIA Review

NTIA determined that the September 2010 Coates Ranch Tower EA adequately assessed the potential individual and cumulative environmental impacts of the proposed telecommunications facility development including a 480-foot guyed telecommunications tower, and that the scope, alternatives considered, and content of the EA are adequate.

This FONSI is based on the attached EA which has been independently evaluated by the NTIA and determined to adequately and accurately discuss the environmental issues and impacts of the proposed project and provides sufficient evidence and analysis for determining that an environmental impact statement is not required.

Based on the best available information and NTIA's independent review, NTIA has decided to adopt the September 2010 Coates Ranch Tower EA. The EA is available for public review at http://www.ntia.doc.gov/psic/. This FONSI has therefore been prepared and is being submitted to document environmental review and evaluation in compliance with the NEPA of 1969. The decision documents for the environmental review of the Proposed Action are attached.

I have considered the information contained in the EA, which is the basis for this FONSI. Based on the information in the EA and this FONSI document, I agree that the Proposed Action as described above, and in the EA, would have no significant impact on the environment.

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Date