

ENVIRONMENTAL ASSESSMENT

Construction of a New Communications Tower near Russell Road

GARRETT COUNTY, MARYLAND

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STATE OF MARYLAND
DEPARTMENT OF INFORMATION TECHNOLOGY

**Maryland Department of
Information Technology**

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Executive Summary

The Maryland Department of Information Technology (DoIT) is proposing the installation of a communications tower near Russell Road in Barton, Garrett County, Maryland (39°33'39"N, 77°02'24"W). The tower will be 348-feet tall, with no guy wires, and will require two 12x38 foot equipment sheds, a propane tank, perimeter fencing, and a vehicle gate at the access road. Access to the project will be along an existing road for an adjacent strip mine, and electricity for the tower will be supplied by extending existing lines that currently run along Russell Road. The footprint of the project, including improvements to the access road, utilities, and conceptual stormwater management, will be approximately 3.44 acres in size. The proposed tower will improve interoperable communications among public safety agencies including the Maryland Department of Natural Resources, Maryland State Police, statewide Emergency Medical Services, state and local law enforcement agencies, and fire departments. The preferred alternative places the tower in a recently reclaimed area of an active strip mine and will cause no significant impact to the natural, social, and cultural environment. This site was chosen because of its relatively high elevation, ability to provide coverage to the town of Barton, private property owner permission and minimal environmental resources affected. DoIT researched other alternatives for the tower location; however there are no state-owned lands that meet these criteria in the vicinity.

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Chapter 1 – Purpose and Need and Alternatives Considered

The proposed action is the construction of a new communications tower in Garrett County, Maryland to improve interoperable communications among public safety agencies. The proposed tower will be 348-feet tall, with no guy wires, and will require two 12x38 foot equipment sheds, a back-up propane generator for use during power outages, perimeter fencing, and a vehicle gate at the access road. Access to the project will be along an existing road for an adjacent strip mine, and electricity for the tower will be supplied by extending existing lines that currently run along Russell Road. The footprint of the project or Limits of Disturbance (LOD), including improvements to the access road, utilities, and conceptual stormwater management, will be approximately 3.44 acres in size.

1.1 Purpose and Need

The purpose of the project is to create one link in a statewide network of communications towers that will improve interoperable communications among public safety agencies including the Maryland Department of Natural Resources, Maryland State Police, statewide Emergency Medical Services, state and local law enforcement, and fire departments. This project is needed to expand communications in this rural part of Garrett County, Maryland.

1.2 Alternatives

Several alternatives were considered, but only the preferred alternative met the coverage criteria. The preferred alternative is to place the 348-foot tall tower and two equipment shelters in Barton, Maryland (Garrett County) near Russell Road near the location of an active strip mine (Figures 1-3). This site was chosen because of its relatively high elevation, ability to provide coverage to the town of Barton, private property owner permission and minimal environmental resources affected. DoIT researched other alternatives for the tower location; however there are no state-owned lands that meet these criteria in the vicinity. Additional locations were considered on the mining property, however they were deemed unacceptable due to their topography and vicinity to mining operations. All alternatives other than the no-build alternative and the preferred alternative were eliminated from further consideration and are not discussed.

Chapter 2 – Existing Environment and Impacts

The area reviewed for environmental resources and impacts differed depending on the resource under consideration and available data. A study area with a 500-foot radius, which is greater than the area of proposed earth disturbance, was utilized for air quality, noise, natural resources, land use, zoning, infrastructure, and health and human safety. Historic and cultural resources were considered within an Area of Potential Effect (APE) for direct effects and an APE for visual effects, based on Federal Communications Commission (FCC) Nationwide Programmatic Agreement (March 2005) as well as Maryland Historical Trust's *Guidelines and Resources for FCC Applicants, Identification of Historic Resources*, as coordinated with the Maryland Historical Trust. The APE for direct effects is the area of potential ground disturbance, while the APE for visual effects is defined as 0.75 mile from the proposed tower for towers of this height. The study area was expanded to the United States Census Bureau's block group for demographic information. The block group was used because it is the smallest Census division for which data is readily available. The viewshed of the nearest populated area was also considered in the socioeconomic discussion (section 2.9) Due to the nature of the proposed project and scattered nature of emergency services in the area, emergency services are discussed on a regional level.

2.1 Noise

The study area is generally open space (Figure 3), but it includes an active strip mine, which generates noise. There are no buildings within the study area and the general public should not be accessing the area.

The no-build alternative will not affect noise levels at the site.

Construction of the tower will create elevated noise levels during construction due to the use of construction equipment. However, there are no residential structures or other buildings within approximately 2,500 feet, and construction activity is not unusual for the site. Best management practices will be employed to minimize the temporary noise impact during construction.

The communications tower will have a propane generator to supply backup power during emergencies that cause an interruption of the primary power supply. It is estimated that the generator will run for 12 to 16 hours per year for emergencies, maintenance, and testing. The proposed generator is small (75 kW), has a muffler, and will be in a closed shelter, which provides additional sound dampening. The limited duration of temporary operational activities would further reduce the noise impact from the proposed project. However, no sensitive receptors are present that would potentially be impacted by noise caused by use of the generator.

2.2 Air Quality

The Environmental Protection Agency (EPA) has established National Ambient Air Quality Standards (NAAQS) for seven pollutants: carbon monoxide, lead, nitrogen dioxide, particulate matter (PM₁₀), particulate matter (PM₂₅), ozone, and sulfur dioxide.

Garret County is currently a sparsely populated area with little industry. It is considered to be an “Attainment” area for all of the seven NAAQS pollutants as reflected in the EPA’s “Green Book Nonattainment Areas for Criteria Pollutants” (2009).

The study area includes both active and reclaimed strip mining operations. The mining operations are independently assessed, permitted, and monitored for air quality concerns.

The no-build alternative will not affect the air quality of the site.

The build alternative will result in temporary discharges into the air during construction (from construction equipment) and during operation when the backup generator is being used. The construction equipment will be stored onsite during construction activities, within the limits of disturbance. Standard state-wide construction air quality emissions controls will be employed to minimize emissions during construction. The emissions component of the proposed tower (backup generator) is expected to be limited in frequency and temporary in duration. Given the infrequent operation of the generator coupled with its use of a relatively clean-burning fuel source (propane as opposed to diesel or other petroleum-based fuel), the annual emissions from this generator would not be anticipated to cause a violation of NAAQS nor would it be anticipated to produce disagreeable odors.

2.3 Geology and Soils

2.3.1 Geology

The study area is located in the Appalachian Plateaus Province. This Province contains bedrock that is made of gently folded shale, siltstone, and sandstone. It also contains coal and limestone (Edwards 1981). The province includes the majority of Maryland’s coal and natural gas (Garrett County Comprehensive Plan 2008). The Appalachian Plateaus Province contains only one section within Maryland: the Allegheny Mountains Section. This section contains two regions, of which the study area is located in the Allegheny High Plateau Region. This region is characterized by middle to late Paleozoic formations and contains several districts. The study area is within the Frostburg District. This district runs from the crests of the Big Savage and Backbone Mountains on the west to the Upper Potomac Gorge on the east. It contains rock of the Monongahela Formation in the center of the valley which is underlain and flanked by rock of the Conemaugh and Allegheny Formations (Reger and Cleaves 2008). According to the United States Geological Survey (USGS) Integrated Geologic Map of the area (Figure 4), the study area is within the Conemaugh Formation of the Pennsylvanian Period. This formation includes the rocks between the Pittsburgh coal and the Upper Freeport coal, inclusive. It includes the Barton coal and several unnamed members of claystone, shale, siltstone, and sandstone, as well as other coal beds, redbeds, and fossiliferous marine shales (USGS 2005). The study area is located in the Pickell Hill area of Big Savage Mountain. The general area was previously mined for coal. Currently the area is being mined for limestone.

Neither the no-build alternative nor the proposed communications tower will impact the geology of the site.

2.3.2 Soils

Table 1 lists the soil map units in the study area (Figure 5). None of the map units are hydric, prime farmland, or farmland of statewide importance (NRCS Soil Data Mart). The area has been or is being strip-mined for limestone and was mined for coal prior to the limestone operation. Therefore, the mapped soils do not necessarily reflect current conditions.

Table 1. Soil Map Units in Study Area

Map Unit	Name	Drainage Class
DgC	Dekalb and Gilpin very stony loams, 0-15% slopes	well
DgD	Dekalb and Gilpin very stony loams, 15-25% slopes	well
GnC2	Gilpin channery silt loam, 10-20% slopes, moderately eroded	well
GnD2	Gilpin channery silt loam, 20-35% slopes, moderately eroded	well
WhB2	Wharton silt loam, 0-10% slopes, moderately eroded	moderately well

The no-build alternative will not impact soils. The proposed communications tower could have a minor impact on the soils; however, less than one acre of earth disturbance will occur during site construction. The site is a reclaimed strip mine, so the soils have already been disturbed and the proposed location is currently a flat area covered with gravel.

2.4 Water Resources

2.4.1 Surface Water

The study area straddles two subbasins of the Georges Creek watershed. The closest stream is an unnamed tributary to Mill Run, with Butcher Run and Laurel Run also receiving runoff from the study area. These tributaries eventually flow to Georges Creek, which is a tributary of the North Branch of the Potomac River (Figure 6).

A field view of the study area was conducted on September 24, 2009. No surface water resources were located within the study area, so neither the no-build nor the build alternative will directly impact surface water. Some impervious surface will be created as part of the proposed tower construction (anchoring the tower and the equipment sheds), but Maryland Stormwater Management Guidelines for State and Federal Projects will be followed during site design. The conceptual stormwater management plan will apply best management practices such as the installation of silt fence, grass swales with check dams, clearwater diversion channels, and a stormwater pocket pond/wetland to minimize any impacts to surface water (Figure 7).

2.4.2 Groundwater

The aquifers in the Appalachian Plateaus Province are known as “Appalachian sedimentary aquifers” because they occur in the joints and fractures of sedimentary rock

formations. They are typically unconfined to partially-confined in the upper one hundred feet and may be confined at deeper levels. The yield depends upon the number, size, and interconnectedness of the fractures in a particular area, resulting in variations in yield within the same formation. The sandstone formations tend to be the most productive. The coal beds can also be very productive, but the water quality from these sources is frequently poor. Siltstone and shale provide low yields, but are common in the area and can be used for households, small farms, and light industrial use. Limestone layers are seldom used as a water supply because the layers are frequently thin and contain shale. The water from these aquifers is typically suitable for most uses, but hard water and high metal concentrations (iron and manganese) can be an issue. In some areas, past coal mining has caused a low pH and high sulfate and iron concentrations (USGS 2008; Clearwater 2000).

Neither the no-build nor the build alternatives will impact groundwater.

2.4.3 Coastal Zone

The project is not within the Coastal Zone, so the Coastal Zone will not be impacted by either the build or no-build alternative.

2.4.4 Floodplains

The project is not within a 100-year floodplain. The closest mapped 100-year floodplain is along an unnamed tributary to Laurel Run, which is approximately a mile from the study area (Figure 6). No floodplains will be impacted by either the build or no-build alternative.

2.4.5 Wild and Scenic Rivers

The project is not near a wild or scenic river. The closest river with that designation is the Youghiogheny River, which is approximately 20 miles away (DNR 1998). Neither the no-build nor the build alternative will impact a wild or scenic river.

2.5 Biological Resources

2.5.1 Wildlife

The study area encompasses an active strip mine surrounded by recently reclaimed mine land. The reclaimed area is primarily a meadow with numerous young, recently planted trees. The southern portion of the study area includes a small area of mature woody vegetation; however, wildlife diversity is currently limited by relatively low habitat quality and heterogeneity. Species likely to occur at the site include habitat generalists, species that utilize edge habitats or open disturbed areas for foraging, and transient visitors from surrounding, less disturbed habitats.

Mammals likely to occur in or near the study area include the Virginia opossum, northern short-tailed shrew, white-footed mouse, meadow vole, eastern cottontail, woodchuck, eastern chipmunk, eastern gray squirrel, raccoon, eastern striped skunk, red fox, and

whitetail deer (Whitaker and Hamilton 1998). Bird species are likely to include the red-tailed hawk, mourning dove, blue jay, American crow, Carolina wren, American robin, gray catbird, European starling, song sparrow, and house sparrow. As the reclaimed land advances into early successional stages, it may provide nesting habitat for the bobolink, eastern meadowlark, American goldfinch, vesper sparrow, Henslow's sparrow, and whip-poor-will (USGS 2009). Reptile and amphibian diversity is expected to be low due to lack of aquatic and wetland habitat, as well as the open, homogeneous nature of the site. Species likely to be encountered include the eastern garter snake, northern black racer, eastern box turtle, and American toad (Conant and Collins 1998).

The no-build alternative will not affect wildlife in the area.

The proposed tower location is currently a level, graveled, non-vegetated area that provides minimal wildlife habitat, so construction of the tower will not impact terrestrial wildlife habitat. However, towers of the proposed height are known to be a hazard to migrating birds. Guyed towers and towers utilizing red lights are considered to be the most detrimental to migratory birds. Construction of a self-supporting tower (no guy wires) and use of current Federal Aviation Administration (FAA) lighting standards (blinking white lights of the lowest FAA permitted intensity) help to minimize bird strikes (personal communication: USFWS October 6, 2009). The proposed tower is self-supporting and will be lighted according to current FAA standards.

2.5.2 Vegetation

The study area consists primarily of active and recently reclaimed strip mine with a small area of mature vegetation. The reclaimed strip mine is primarily meadow with young, planted trees. Common herbaceous vegetation includes timothy, orchard grass, Queen Anne's lace, curled dock, white clover, common ragweed, goldenrods, and bushy aster. Various tree species have been planted in the area including black locust, various oaks, and other hardwoods.

The no-build alternative will not impact any vegetation. The proposed build alternative will not impact vegetation, either, because the proposed area of ground disturbance is currently gravel and not vegetated.

2.5.3 Threatened and Endangered Species

In September 2009, letters were sent to the Maryland Department of Natural Resources (MDNR) Wildlife and Heritage Service, MDNR Environmental Review Unit, and the US Fish and Wildlife Services (USFWS) requesting information on state or federally listed rare, threatened, or endangered species within the study area. The USFWS and MDNR Wildlife and Heritage Service indicated that no federally listed species are known to occur in the project impact area. A response was not received from MDNR Environmental Review Unit, although the project will not impact any streams capable of supporting anadromous fish or finfish populations.

2.5.4 Wetlands

A search for “Waters of the United States,” including wetlands, was conducted within 200 feet of the proposed tower location on September 24, 2009. No wetlands or other jurisdictional features were found during the search; therefore, neither the no-build nor the build alternative will impact wetlands.

2.6 Historic and Cultural Resources

An Area of Potential Effect (APE) for direct effects and an APE for visual effects were created for the project based on the Federal Communications Commission (FCC) Nationwide Programmatic Agreement (March 2005) and Maryland Historical Trust’s (MHT) *Guidelines and Resources for FCC Applicants, Identification of Historic Resources*. The APE for direct effects is the area of potential ground disturbance, while the APE for visual effects is defined as 0.75 mile from the proposed tower for towers of this height.

A survey of the proposed tower site was conducted on September 11, 2009. The archeological sensitivity of the property proposed for the tower location was assessed during this time. It was determined that the study area has a low to no sensitivity for historic and archeological resources. In reaching this conclusion, the site’s current conditions, aerial photography showing a ¾-mile buffer around the proposed location, the subject property’s soil characteristics and other environmental factors were studied. In addition, data from the MHT relevant to recorded archeological sites on or near the subject property was reviewed. Based on the analysis of recent land use, the project site is highly disturbed by activities related to strip mining and subsequent rehabilitation. It is unlikely that any archeological deposits that may have existed previously within the study area would have survived or retained any integrity of deposition considering the recent land alteration. No further investigation for archeological resources within the study area is recommended.

Site investigations also concluded that only one above-ground property 50 years of age or older is located within 0.75 mile from the proposed tower site (Figure 8). The ca.-1896 Paul Colmer Farm was documented and evaluated for eligibility for listing using a Determination of Eligibility Form. The property is recommended not eligible for listing in the National Register of Historic Places. The results of the historic and cultural resources investigations were sent to the Maryland Historical Trust on October 19, 2009. Concurrence from MHT was received on November 19, 2009 (see Appendix C).

Based on the results of the historic and cultural resources investigations, there are no historic properties located within the APEs for the project, so none will be impacted by the no-build or the build alternative.

2.7 Land Use and Zoning

The 2002 land use map shows the study area to be a combination of forest and agricultural land (Figure 9). However, the current land use is active and recently reclaimed strip mine. The county does not have a zoning plan for the area, but the 2008

Garrett County Comprehensive Plan proposed land use mapping places the location in the “Rural” category (Figure 10). This category is intended for residential and non-residential uses at low densities, and the proposed communications tower is compatible with this designation. The no-build alternative is also compatible with the land use of the area.

2.8 Infrastructure

The proposed tower location is in a sparsely populated area of Garrett County, within an active strip mine. There is currently no infrastructure at the proposed tower location. Russell Road, a Garrett County road, used to pass through the study area, immediately adjacent to the proposed tower location. Due to the mining operation, this road was relocated to outside the study area. There is still an access road to the pad site that can be utilized for construction. The area is not within public water or sewer service areas (Garrett County Comprehensive Plan 2008).

The no-build alternative will not impact infrastructure in the area. If the proposed project is completed, it will create a piece of infrastructure where one does not currently exist: the communications tower itself. In addition, the tower will require electricity via a new direct buried extension of approximately 1,400 feet along the access road shoulder, connecting it to existing Allegheny Power lines running along Russell Road.

2.9 Socioeconomic Resources

2.9.1 Demographics

Table 2 shows population statistics for the state of Maryland, Garrett County, and the study area block group (Figure 11). There are approximately 1,400 persons within the study area block group, with slightly higher percentage of females (50.8 percent) than males (49.2 percent). Approximately 10 percent of the population is 65 years of age or older. These percentages are comparable to those of the state and county.

No forecast for future population of the study area block group is available; however, the *2008 Garrett County Comprehensive Plan* discusses population and housing according to watershed. The study area is within the Georges Creek watershed. The comprehensive plan estimates a modest increase in housing units from 66 in 2005 to 74 in 2030, an increase of 8 housing units. This number is an indication that the population of the area is expected to increase very little over the next 30 years. The large amount of protected public land in the vicinity (Figure 12) has a limiting effect on its growth.

The no-build alternative will not impact the demographics of the area.

Table 2: Population Characteristics, 2000.

Characteristic		State of Maryland	Garrett County	Study Area Block Group
Total Population		5,296,486	27,509	1,398
Projected Population for 2030		6,729,500	33,400	n/a
Percent Male / Percent Female		47.5/52.5	49.1/50.9	49.2/50.8
Percent of Population 65 Years and Older		11.8	15.0	10.1
Percent of Population in Poverty ¹		8.5	13.3	7.3
Median Household Income		\$52,868	\$32,238	\$46,429
Percent of Population with One or More Disabilities		17.6	20.0	16.6
Racial Distribution	White	64.0	98.8	98.1
	Black	27.9	0.4	0.7
	American Indian	0.3	>0.1	>0.1
	Asian/Pacific Islander	4.0	0.2	0.3
	Other	1.8	>0.1	0.1
	Two or More Races	2.0	0.4	0.8
Percent of Population of Hispanic Origin ²		4.3	0.4	0.6
Percent Minority		36.0	1.2	1.9

Source: U.S. Census Bureau Census 1990 and Census 2000

¹Poverty and Income data based on 1999 census sample data

²Hispanic populations can be of any race

The build alternative will increase the safety of the residents, thereby, increasing their quality of life and potentially increasing the retention and attrition rates of residents. However, the increase in interoperable communication among safety agencies is unlikely to produce a noticeable change in the demographics.

2.9.2 Environmental Justice

Executive Order (EO) 12898, Federal Actions to Address Environmental Justice in Minority and Low-Income Populations, was signed on February 11, 1994. The EO requires the assessment of disproportionately high and adverse human health and environmental effects on minority and/or low-income populations resulting from proposed federal actions. The EO reaffirms the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and emphasizes the incorporation of those provisions into existing planning and environmental processes.

“Minority” is defined as a person identified as:

- African-American (a person having origins in any of the black racial groups of Africa);
- Hispanic (a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish-culture origin, regardless of race);
- Asian-American (a person having origins in any of the original peoples of the Far East, South East Asia, the Indian subcontinent, or the Pacific Islands); or

- American Indian and Alaska Native (a person having origins in any of the original peoples of North America and who maintains cultural identification through tribal affiliation or community recognition).

“Low income” is defined as a person whose median household income is at or below the income level set by the Department of Health and Human Services (DHHS) poverty guidelines. The poverty guidelines issued by DHHS are abstracted from the original poverty thresholds updated each year by the United States Census Bureau.

Minority Populations

As identified through U.S. Census data and summarized in Table 2, the study area block group has a very small minority population (1.9 percent). The percentage minority population of the block group is similar than that of Garrett County (1.2), but much lower than that of the state (38.0). Because the minority population is so much lower than that of the state and comparable to that of the county, no minority-based environmental justice concerns exist in the study area. In addition, there are no houses within close proximity to the proposed tower location.

Low-Income Populations

As summarized in Table 2, the median household income for the study area block group (\$46,429) is almost \$6,500 lower than that of the state (\$52,868), but it is more than \$14,000 higher than that of the county (\$32,238). In addition, the percent of the population in the study area block group that is living below the poverty level (7.3) is lower than that of the state (8.5) and the county (13.3). Consequently, no low income populations were identified in the study area. In addition, there are no houses within close proximity to the proposed tower location.

As no environmental justice communities were identified within the study area, neither the no-build nor the build alternative will impact an environmental justice community.

2.9.3 Economics

The *2008 Garrett County Comprehensive Plan* discusses real estate, tourism, agriculture, forestry, and mining as the key industry sectors of the county’s economy. According to the plan, Garrett County is transitioning from an economy based on resources (manufacturing, agriculture, and mining) to one that is more diverse. However, the plan identifies the future land use of the study area as Rural and does not include it in a priority funding area. The amount of public land in the area has an effect on the economics of the area, as these lands are protected from development. However, public lands can provide for economic opportunities based on outdoor recreation.

The no-build alternative will not impact the economics of the area.

The build alternative could have a small, positive effect on the economics of the area. The construction of the tower has the potential to provide work for a local contractor, though the state is required to use a bid system and cannot give preference to a local firm.

As with the demographics, improved safety agency coordination has the potential to entice companies already considering the area to move their business there. However, this potential is unlikely to create a noticeable change in the economy.

2.9.4 Aesthetic and Visual Resources

The proposed tower is located in the Pickle Hill area of Big Savage Mountain. The surrounding area is primarily undeveloped forest with park land, state forest, and wildlife management areas predominating. There are small towns in Allegany County along Georges Creek in the valley between Big Savage Mountain and Dans Mountain, such as Barton, Moscow, and Nikep. The closest town is approximately two miles from the study area (Figure 2).

The no-build alternative will not impact the aesthetic and visual resources of the area.

The proposed tower location is at a high elevation, so it has the potential to be visible for a long distance. However, the surrounding area is primarily undeveloped with small towns along Georges Creek. The same mountainous topography that will allow the tower to be seen for a great distance will also protect the aesthetics of the area, as the mountains will serve to block the view of the tower from many locations. Because much of the land in the area is designated as state forest, park, or wildlife management area, it is protected from development. These areas are currently forested and the trees will serve to block the view of the tower from them much of the time.

2.9.5 Emergency Services

The area is served by fire and/or emergency management services (EMS) stations in Garrett County, which are staffed primarily by volunteers. Due to the proximity to Allegany County (Maryland) and Mineral County (West Virginia), secondary emergency support is received from fire departments in these counties. There is one hospital in Garrett County: Garrett County Memorial Hospital in Oakland (Garrett County Comprehensive Plan 2008). There are also two hospitals in Cumberland, Maryland, which is in Allegany County but closer to the study area than Oakland. One of these, Western Maryland Health System Memorial Campus, is designated as the area-wide trauma center (Allegany County Government). Law enforcement is provided by the Garrett County Sheriff's Office and the Maryland State Police. The Sheriff's office is located in Oakland with a satellite office in Grantsville. Additional office space is available in Friendsville and Accident for emergencies. The Maryland State Police barracks is located north of McHenry at the Garrett County Public Safety Center. The Maryland State Fire Marshal Regional Office and MDNR Natural Resources Police are also located in this complex (Garrett County Comprehensive Plan 2008). In addition, a Maryland State Police helicopter is stationed at the Cumberland Regional Airport (Allegany County Government). Though the airport is surrounded on three sides by Allegany County, Maryland, it is technically in West Virginia (Figure 13).

The no-build alternative will have no effect on the area's emergency services.

The build alternative will have a positive impact on the emergency services of the area, as it will enhance communication among state, county, and local emergency responders including the Maryland Department of Natural Resources; Maryland State Police; statewide EMS; Garrett County Sheriffs Office; Alleghany County Department of Public Safety, Homeland Security, and Bureau of Police; Maryland State Fire Marshall; local fire departments; and local EMS. The 2006 Garrett County Emergency Medical Services SWOT Task Force *Final Report* notes “radio dead spots” as a weakness in the current Garrett County EMS system. The installation of the proposed tower will correct this deficiency.

2.10 Human Health and Safety

The proposed tower location is within an active strip mine site that has been previously gated to prevent access by the general public. There are currently no houses in close proximity to the site. Electromagnetic fields radiated from the tower will be well within permissible limits given in Federal Communication Commission Office of Engineering and Technology Bulletin 65 of August 1997. Hazardous waste concerns were investigated by utilizing the U.S. Environmental Protection Agency’s (EPA) EnviroMapper website. No hazardous waste concerns were identified at the site.

The no-build alternative will have no impact on human health and safety.

The build alternative has the potential to impact human health and safety. The construction of the tower could result in worker injuries, simply because it is a construction project. Occupational Safety and Health Administration (OSHA) guidelines will be followed to reduce the potential for construction-related worker injuries. The proposed tower location will be fenced in the vicinity of the tower and associated buildings, and a vehicle gate will be installed along the access road. There are no houses or other buildings in the immediate vicinity, so the tower construction should pose no threat to the health and safety of the general public. The active strip mine is far enough from the proposed site that it should not pose a threat to workers constructing the tower. There is a stockpile area used by the mining operation immediately adjacent to the proposed tower location. If this stockpile is being used during the tower construction, additional safety measures and coordination may be required. EPA policies will be adhered to during and after construction for any hazardous materials used for the tower construction, operation, or maintenance.

The proposed tower is to be part of a state-wide communications tower network that will provide for improved interoperable communications among public safety agencies. The build alternative, by improving communications between these agencies would positively impact the health and safety of humans in the area.

Chapter 3 – Indirect and Cumulative Impacts

The National Environmental Policy Act (NEPA), Council on Environmental Quality [40 CFR 1508.25(c)] regulations require that the indirect and cumulative effects of a project be evaluated along with direct impacts. *Indirect Impacts* are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the patterns of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems. *Cumulative Impacts* are defined as impacts on the environment that result from the incremental impact of the action when added to past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such actions.

3.1 Indirect Impacts

The area is rural and sparsely populated, and the increase in interoperable communication between the safety agencies will not produce a noticeable change in the area's environment, including demographics. Therefore, there are no indirect impacts associated with the proposed communications tower.

3.2 Cumulative Impacts

As the population of the state grows, it is reasonable to expect that the population of this area of Garrett County will also grow. Eventually it will become more developed, and the development will be concentrated in the areas that are not state park, forest, or wildlife management area. Because of the preponderance of public lands near the proposed tower location, it is likely that the area around the tower will eventually be developed. However, the "2008 Garrett County Comprehensive Plan" estimates only an additional eight housing units will be built in the Georges Creek watershed between 2005 and 2030. Therefore, the cumulative impacts to the environment will be minor.

Chapter 4 – Findings and Conclusions

A communication tower in Barton, MD is proposed to improve interoperable communications among public safety agencies including the Maryland Department of Natural Resources, Maryland State Police, statewide Emergency Medical Services, state and local law enforcement agencies, and fire departments. The preferred alternative places the tower in a recently reclaimed area of an active strip mine. This site was chosen because of its relatively high elevation, ability to provide coverage to the town of Barton, private property owner permission and minimal environmental resources affected. The project will include a 348-foot tall communications tower, two 12x38 foot equipment sheds, propane tank, perimeter fencing, access road, and a vehicle gate. The limit of disturbance totals 3.44 acres of land and will cause no significant adverse impact to the natural, social, and cultural environment of the area. It has the potential to improve interoperable communications among public safety agencies, thereby improving the quality of life of area residents.

Chapter 5 – List of Preparers

Jessica Klinefelter

Education:
Professional Experience:

**Project Manager / Senior
Environmental Scientist**

M.S., Wildlife Biology
13 years

Mark Zimmerman

Education:
Professional Experience:

Senior Environmental Scientist

M.S., Fisheries Science; M.S., Biology
20 years

Nathaniel Weinstock

Education:
Experience:

Senior Noise and Air Quality Specialist

B.S., Public Service
10 years

Emma Young

Education:
Professional Experience:

Architectural Historian

M.A., Historical Preservation
6 years

Judson Kratzer

Education:
Professional Experience:

Principle Investigator

M.A., Public History
30 years

Anna McAninch

Education:
Professional Experience:

Environmental Scientist

B.S., Biology
7 years

Mara Kaminowitz

Education:
Professional Experience:

GIS Specialist

M.A., Geology
3.5 years

James Ashby

Education:
Professional Experience:

Environmental Scientist

B.S., Biology
4 years

Chapter 6 – References

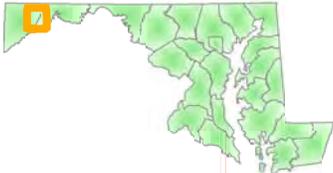
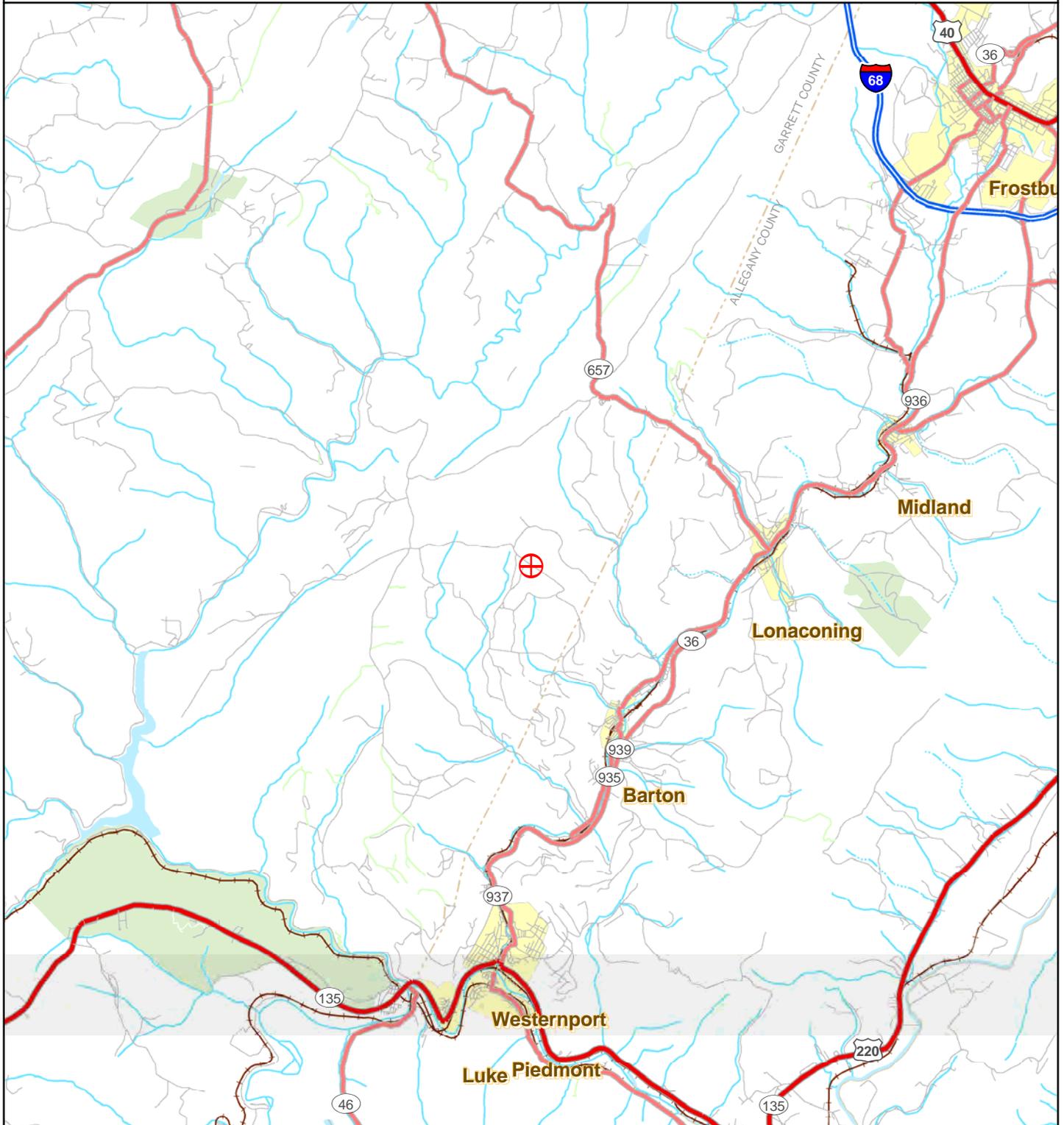
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Appendix A: Figures

Figure 1 Project Location Proposed Communications Tower

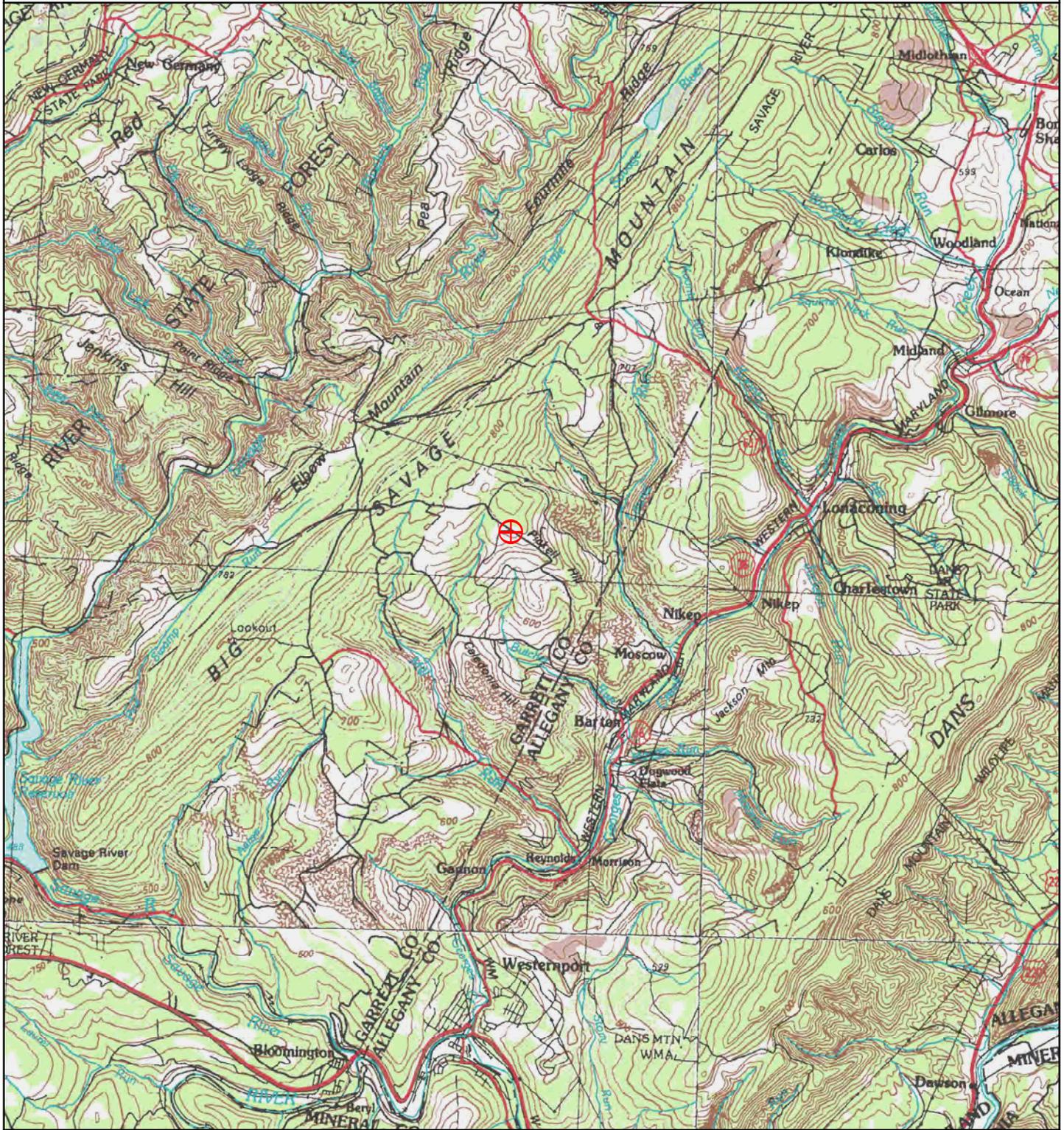
North of Russell Road
Barton, Garrett County, MD



Proposed Tower Location

Figure 2 USGS Map Proposed Communications Tower

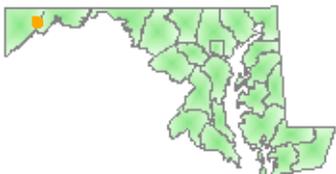
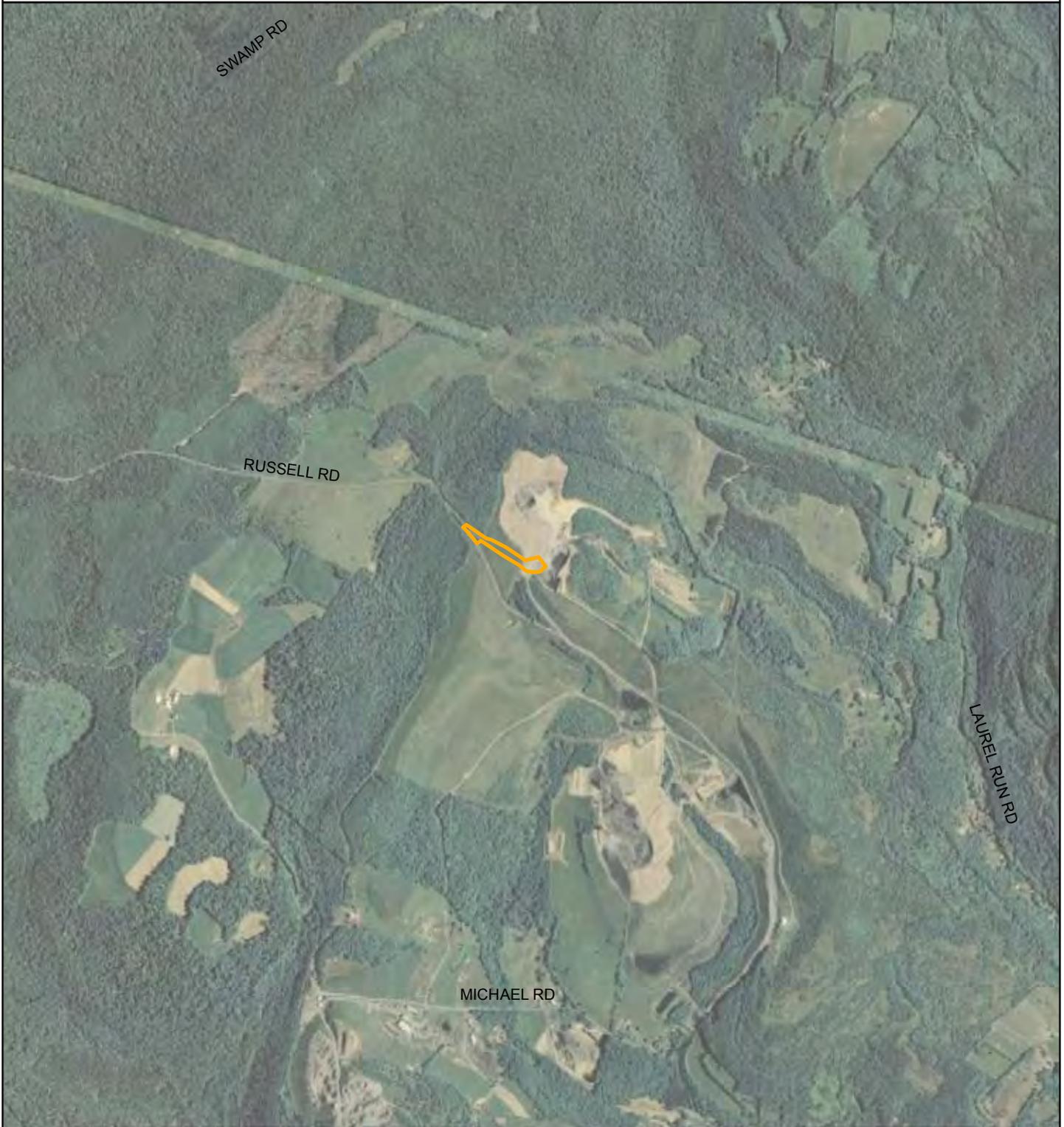
North of Russell Road
Barton, Garrett County, MD



Proposed Tower Location

Figure 3
Aerial Photograph
Proposed Communications Tower

North of Russell Road
Barton, Garrett County, MD



 Limits of Disturbance

Figure 4 Geologic Map Proposed Communications Tower

North of Russell Road
Barton, Garrett County, MD

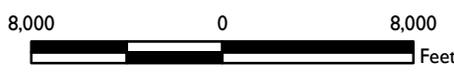
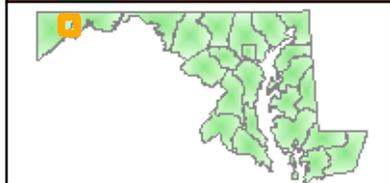
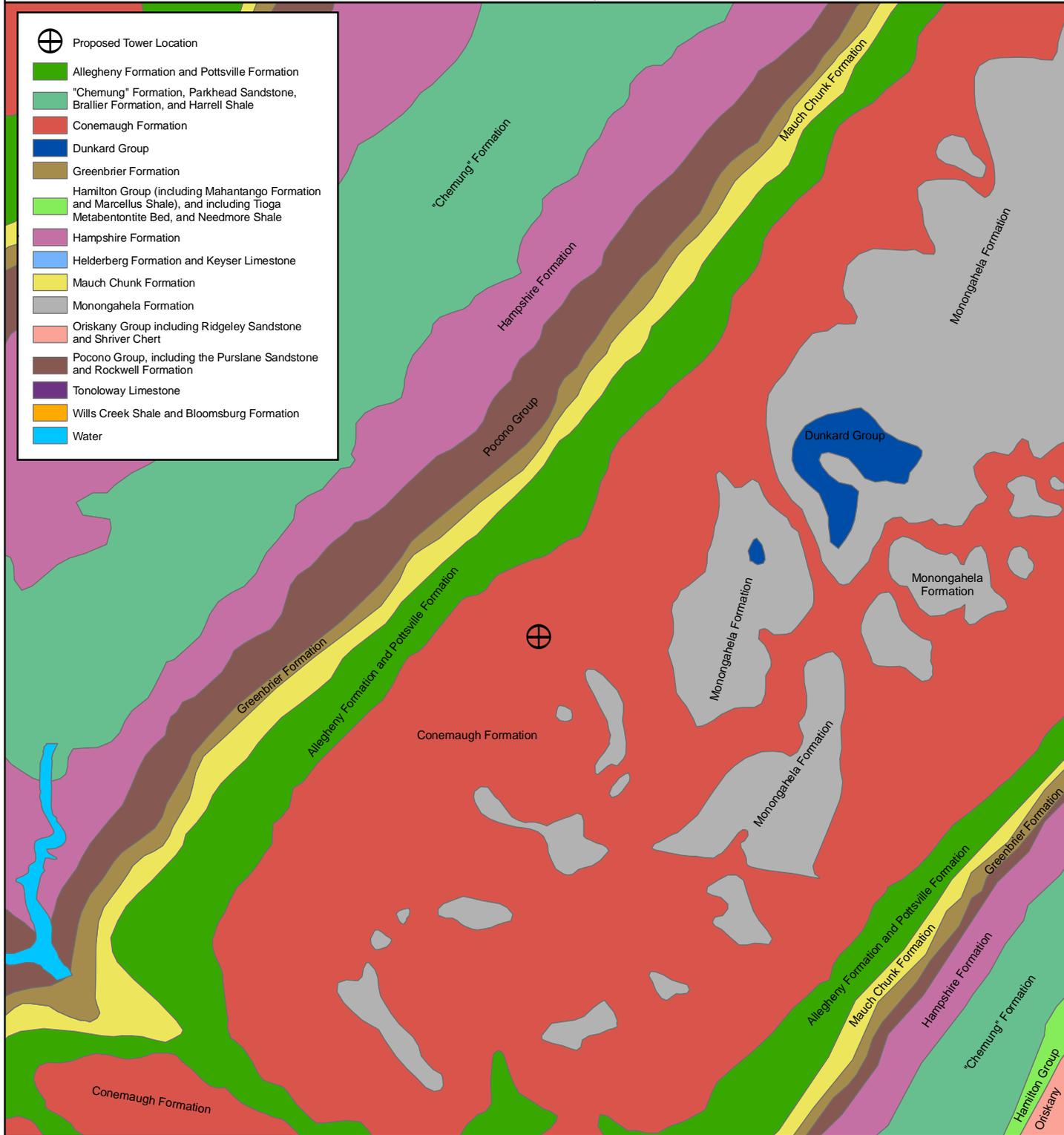
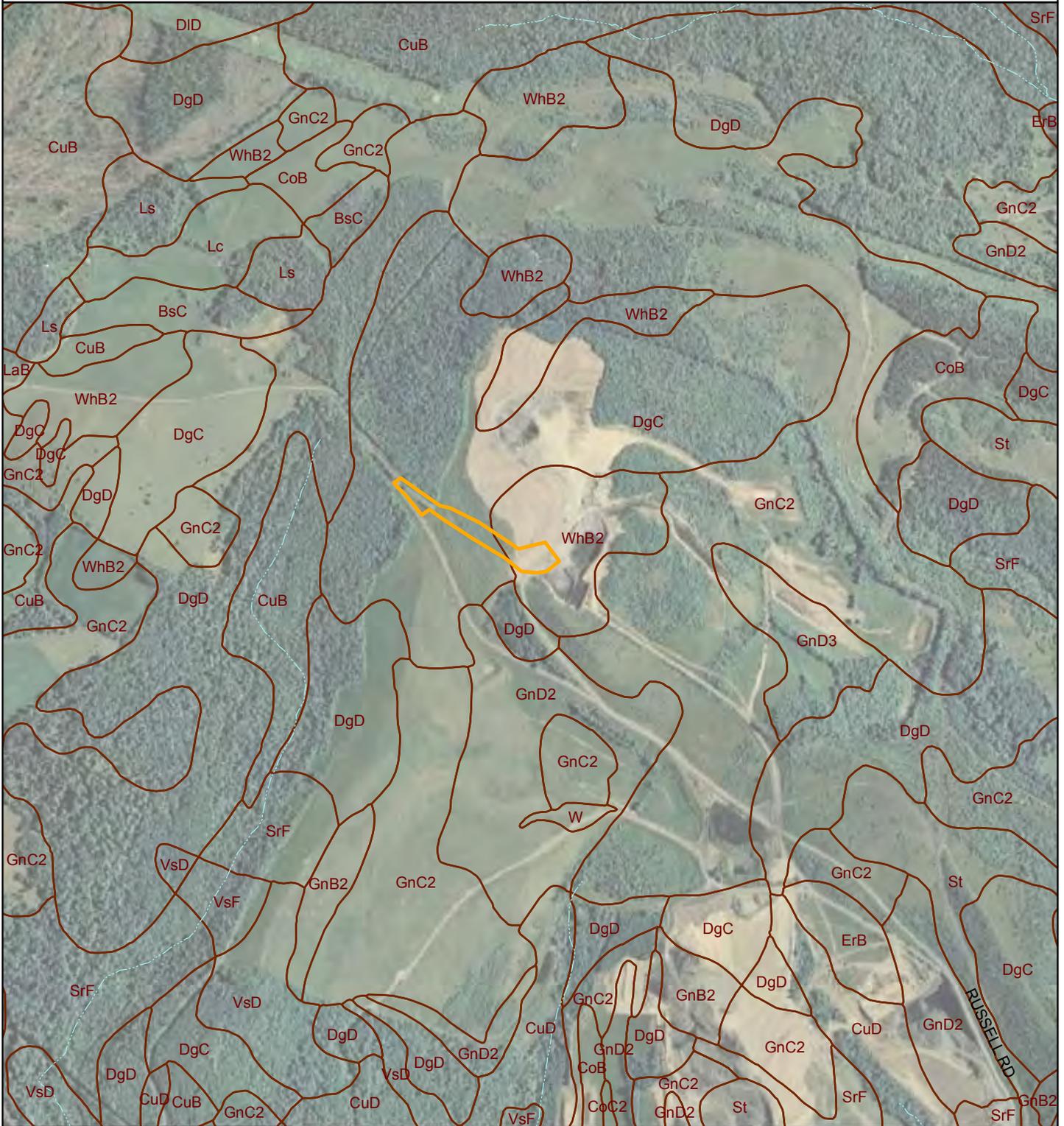


Figure 5 Soil Map Proposed Communications Tower

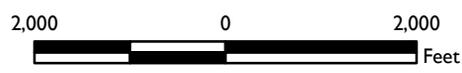
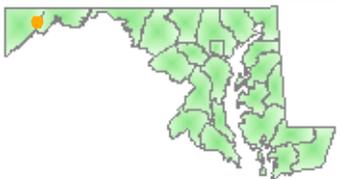
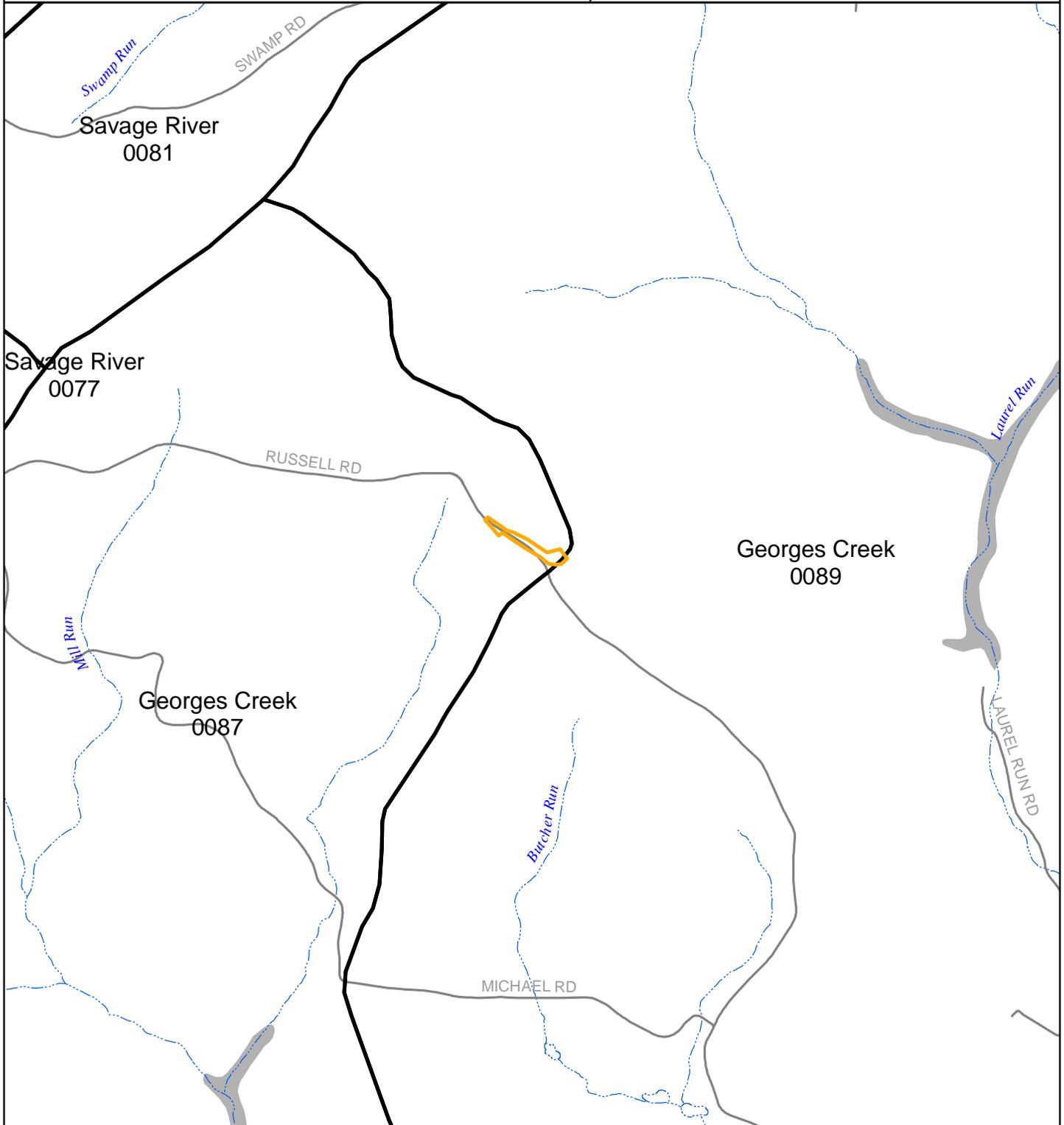
North of Russell Road
Barton, Garrett County, MD



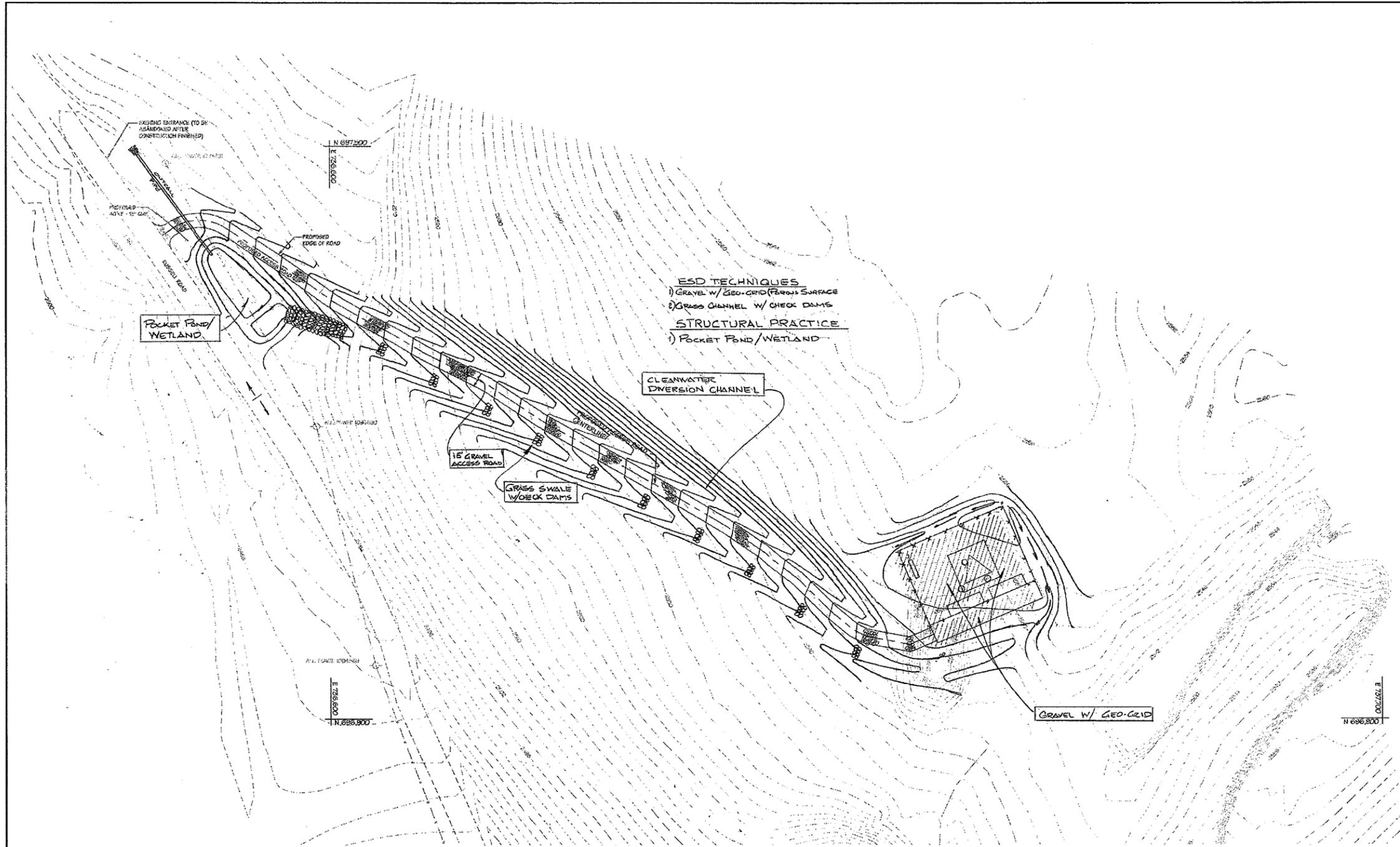
-  Soil
-  Limits of Disturbance

Figure 6
Watersheds and 100-Year Floodplains
Proposed Communications Tower

North of Russell Road
Barton, Garrett County, MD



-  Limits of Disturbance
-  12-Digit Watershed
-  Floodplain
-  Stream



**STORMWATER MANAGEMENT
 CONCEPT EXHIBIT PLAN**

Scale: 1"=50'

DATA SOURCES:

DATE	BY	REVISIONS

CENTURY
 ENGINEERING
 CONSULTING ENGINEERS - PLANNERS
 10710 Gilroy Road, Hunt Valley, MD 21081
 Phone: 443.589.2400 Fax: 443.589.2401
 www.centuryeng.com

**Figure 7:
 Stormwater Management
 Concept Plan**



PROFESSIONAL CERTIFICATION

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

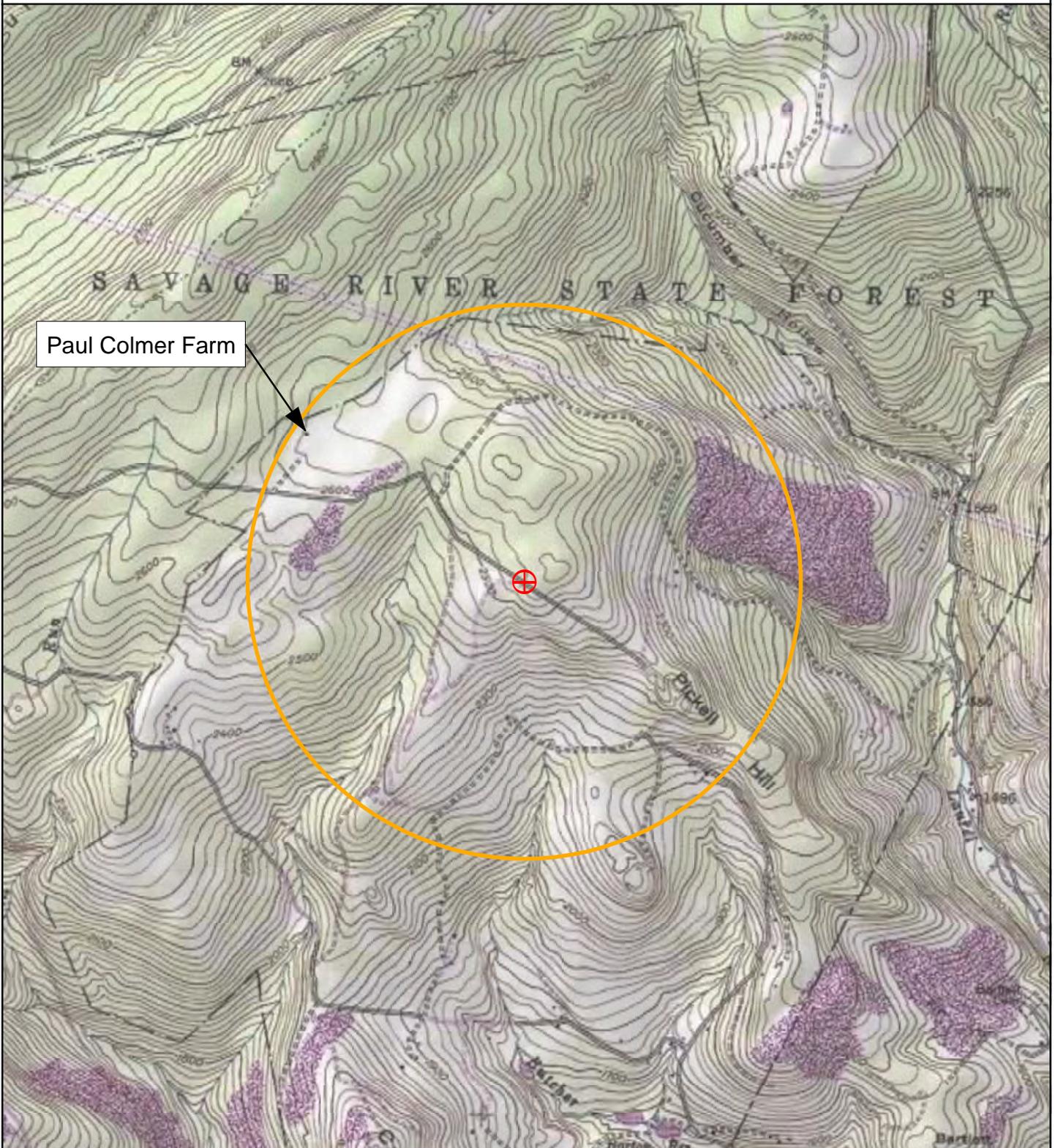
License Number: _____ Expiration Date: _____

ISSUE DATES		BASE:	
REVIEW:	3-30-10	DRAWN:	_____
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PERMIT:	_____	CHECKED BY:	_____
CONSTRUCTION:	_____	DATE CHECKED:	_____
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PROJECT NO.:	090095.01		

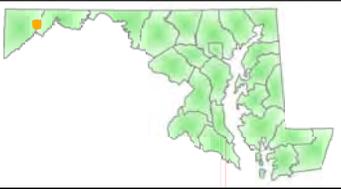
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Figure 8 Paul Colmer Farm Proposed Communications Tower

North of Russell Road
Barton, Garrett County, MD



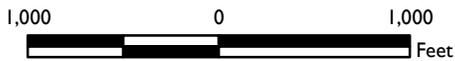
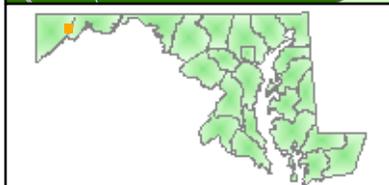
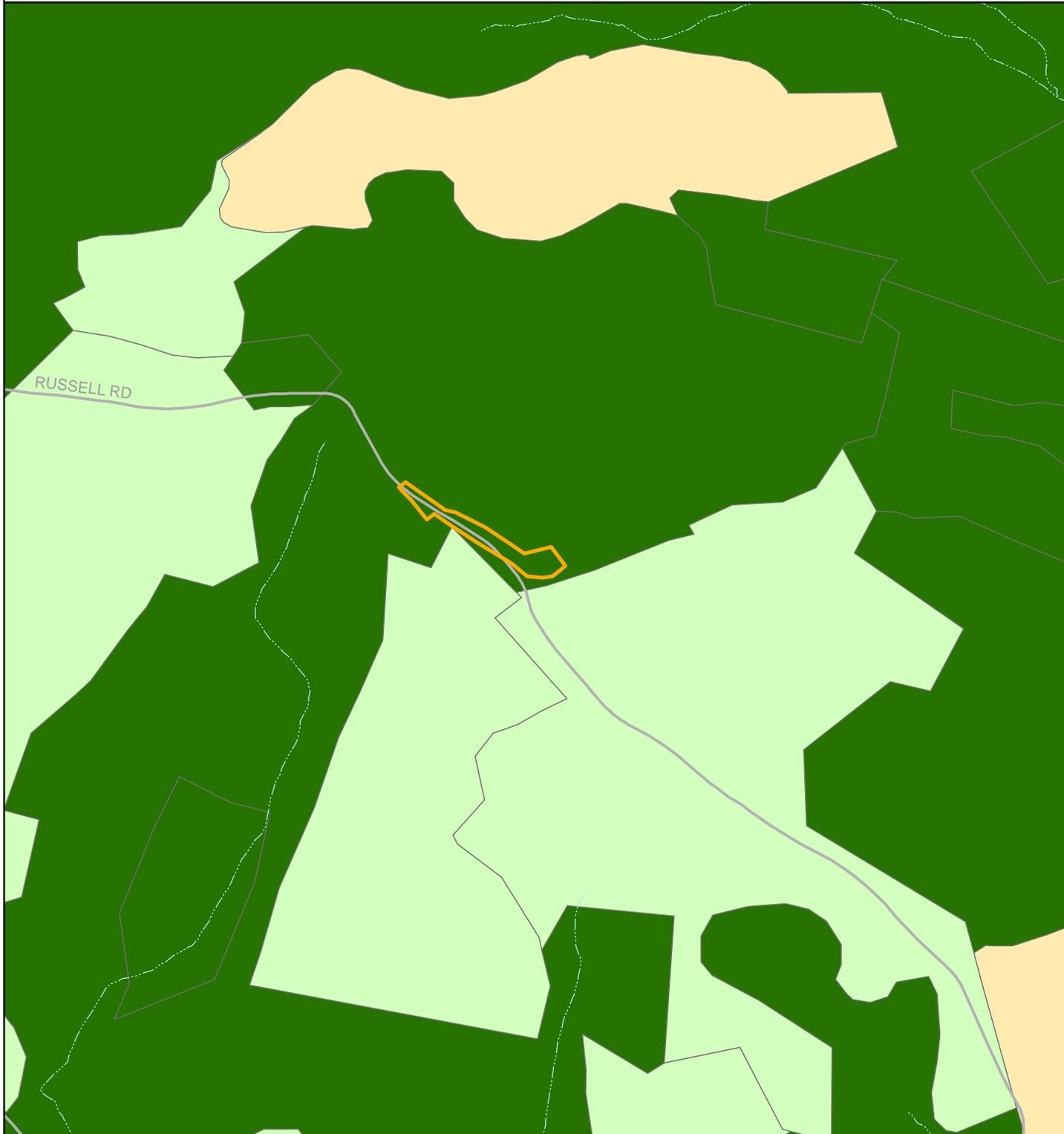
Paul Colmer Farm



-  Tower Location
-  3/4 mile Buffer

Figure 9
2002 Land Use
Proposed Communications Tower

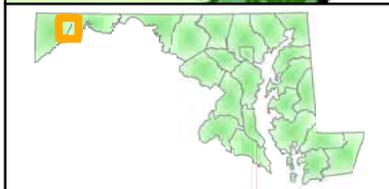
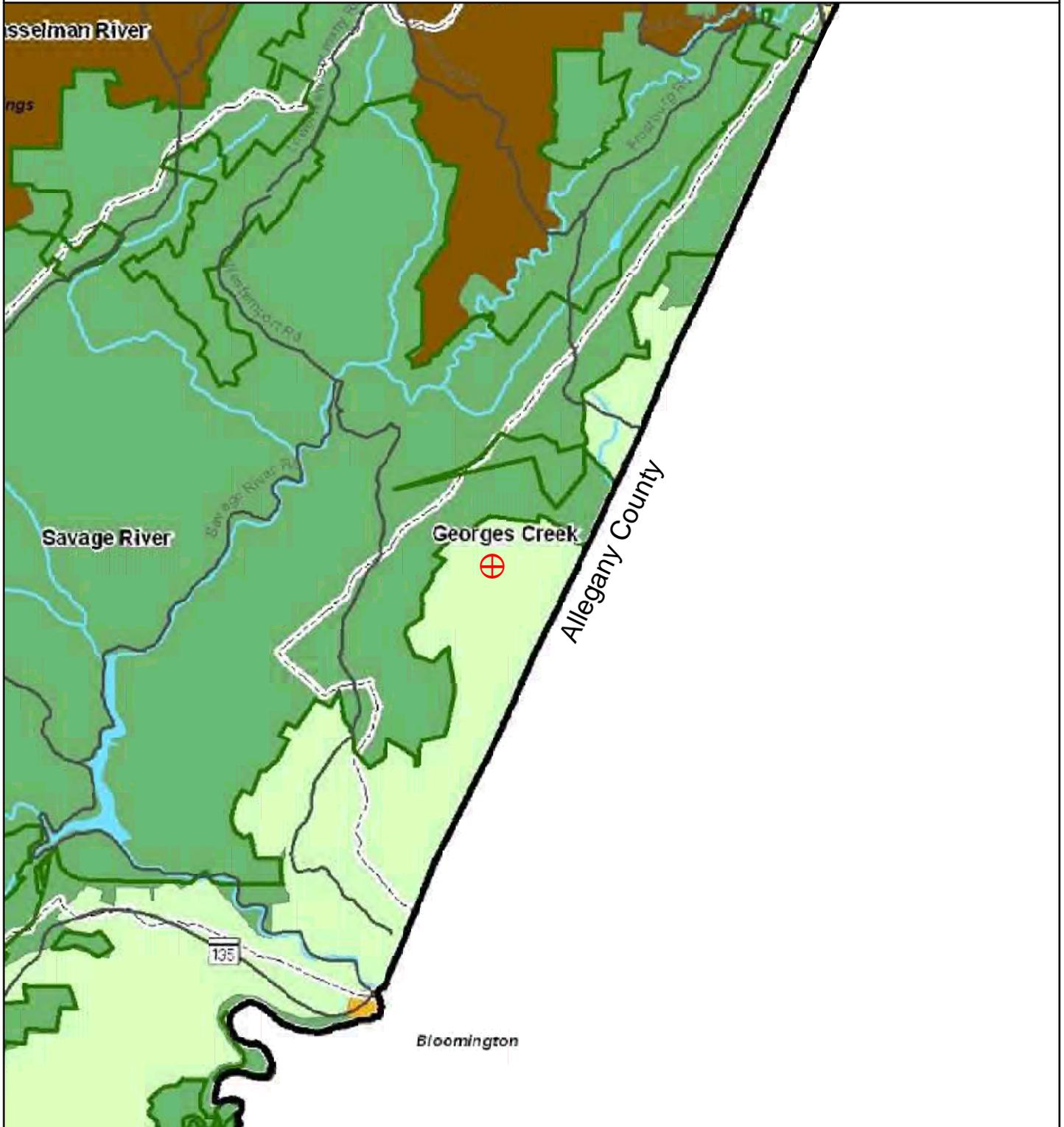
North of Russell Road
Barton, Garrett County, MD



- Limits of Disturbance
- Forest
- Agricultural
- Bare Ground & Extractive Activity

Figure 10 Proposed Land Use Proposed Communications Tower

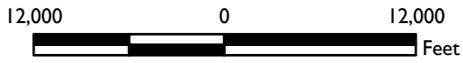
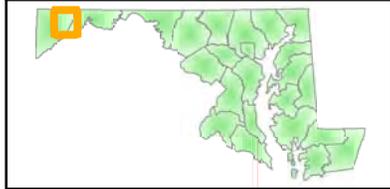
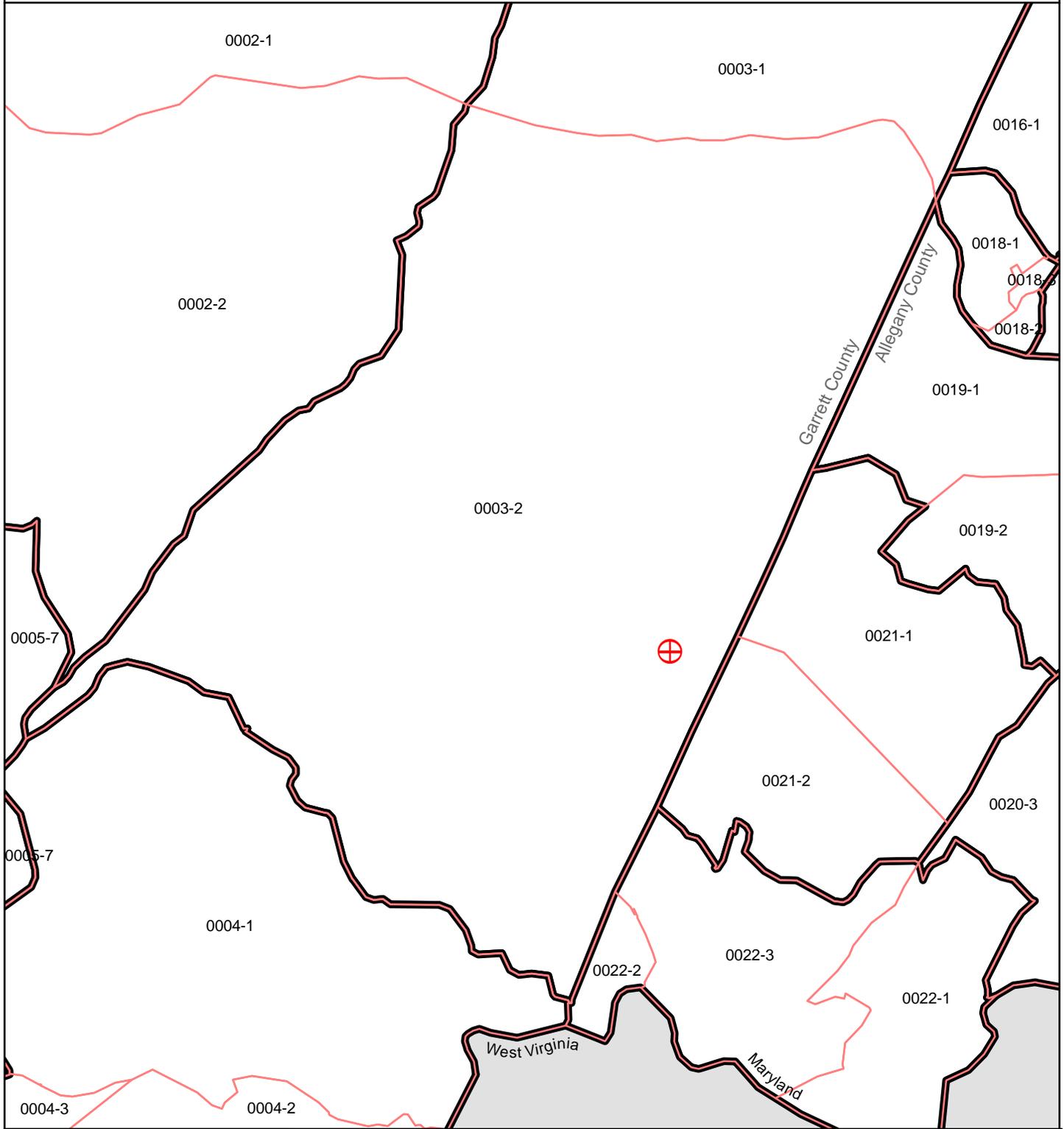
North of Russell Road
Barton, Garrett County, MD



-  Proposed Tower Location
-  Rural
-  Rural Resource
-  Agricultural Resource
-  Town Residential

Figure 11 Census Tract Map Proposed Communications Tower

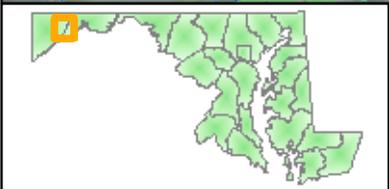
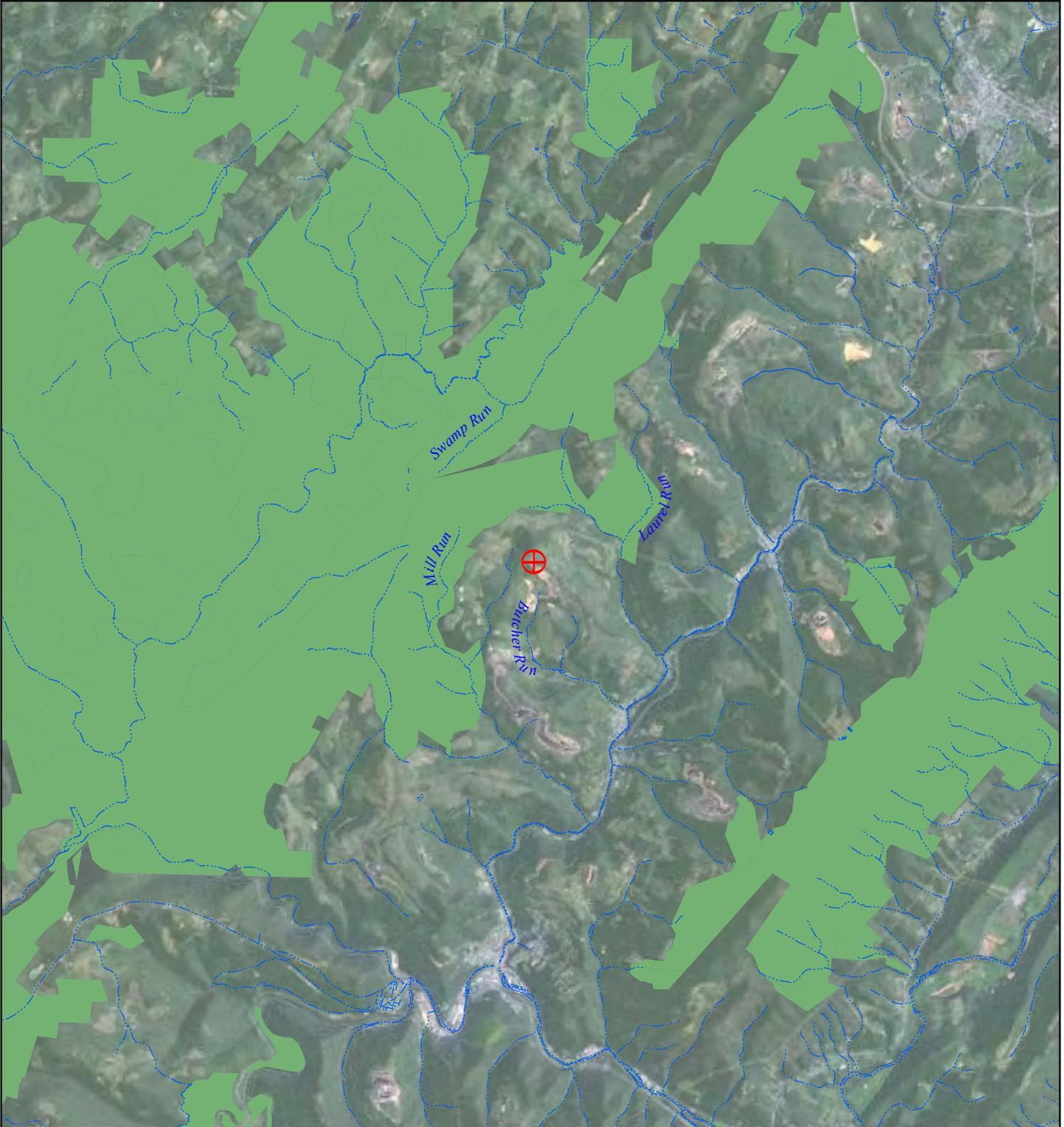
North of Russell Road
Barton, Garrett County, MD



-  Proposed Tower Location
-  Block Group
-  Census Tract

Figure 12 State Forests, Parks, and Wildlife Management Areas

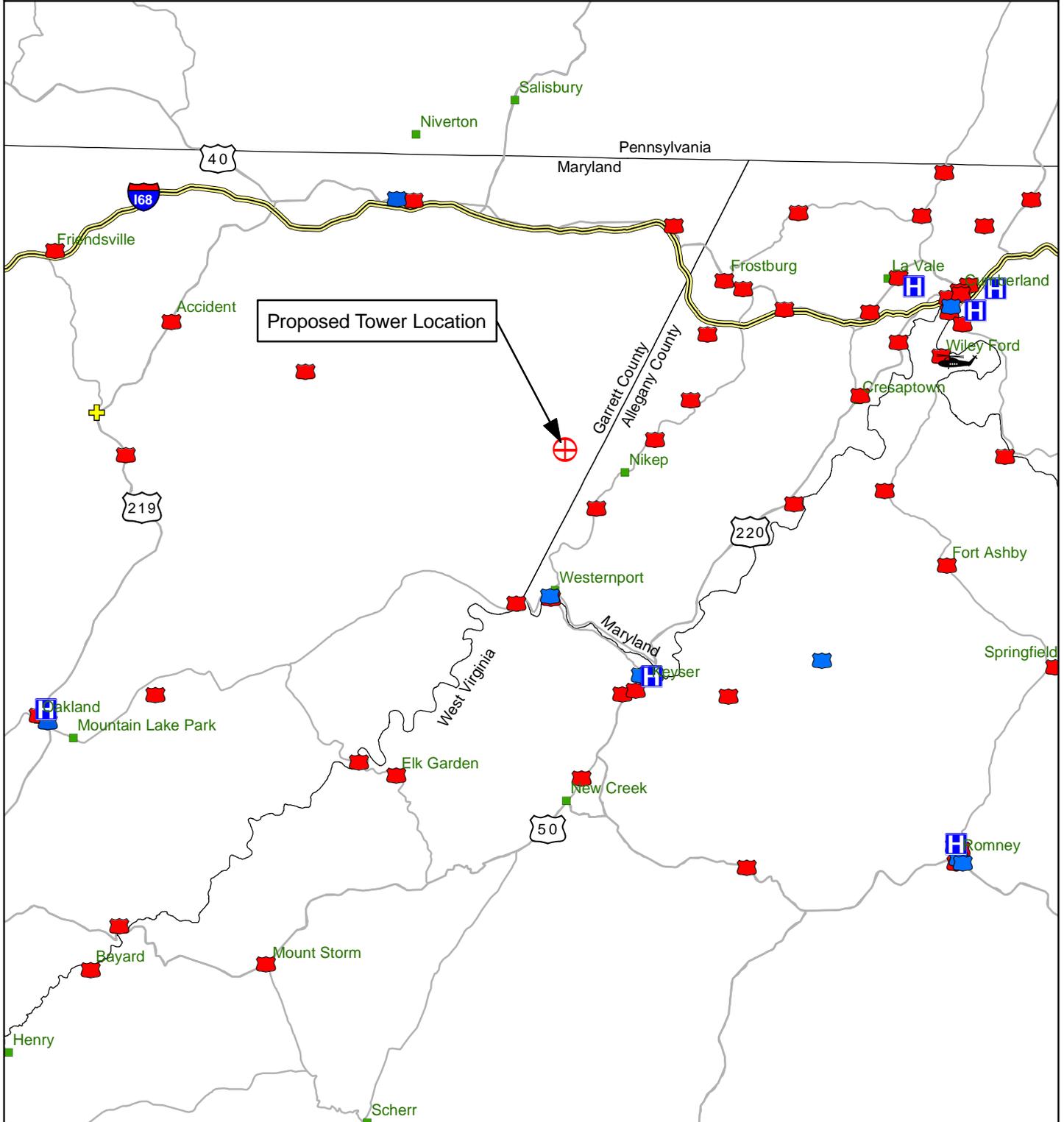
North of Russell Road
Barton, Garrett County, MD



-  Proposed Tower Location
-  Stream
-  DNR-Owned Lands

Figure 13 Emergency Services Proposed Communications Tower

North of Russell Road
Barton, Garrett County, MD



- City/Town
- Fire/EMS
- H Hospital
- Law Enforcement
- + Garrett County Public Safety Center
- State Police Helicopter

Appendix B: Photographs



Photograph 1: View looking north from proposed communications tower location.



Photograph 2: View looking northeast from proposed communications tower location, showing stockpile area from mining operation.



Photograph 3: View looking east from proposed communications tower location.



Photograph 4: View looking southeast from proposed communications tower location.



Photograph 5: View looking south from proposed communications tower location.



Photograph 6: View looking southwest from proposed communications tower location.



Photograph 7: View looking west from proposed communications tower location.



Photograph 8: View northwest from proposed communications tower location.

Appendix C: Correspondence



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor
John R. Griffin, Secretary
Eric Schwaab, Deputy Secretary

November 2, 2009

Jessica Klinefelter
A.D. Marble and Company
10989 Red Run Blvd., Suite 209
Owings Mills, MD 21117

RE: Environmental Review for MD DOIT – Communications Tower, north of Russell Road, Garrett County, MD.

Dear Ms. Klinefelter:

The Wildlife and Heritage Service has determined that there are no State or Federal records for rare, threatened or endangered species within the boundaries of the project site as delineated. As a result, we have no specific comments or requirements pertaining to protection measures at this time. This statement should not be interpreted however as meaning that rare, threatened or endangered species are not in fact present. If appropriate habitat is available, certain species could be present without documentation because adequate surveys have not been conducted.

Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at (410) 260-8573.

Sincerely,

Lori A. Byrne,
Environmental Review Coordinator
Wildlife and Heritage Service
MD Dept. of Natural Resources

ER# 2009.1690



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401
410/573-4575



October 6, 2009

A. D. Marble & Company
10989 Red Run Blvd., Suite 209
Owings Mills, MD 21117

RE: North of Russell Road, Garrett County

Dear: Jessica Klinefelter

This responds to your letter, received September 22, 2009, requesting information on the presence of species which are federally listed or proposed for listing as endangered or threatened within the vicinity of the above reference project area. We have reviewed the information you enclosed and are providing comments in accordance with section 7 of the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

Except for occasional transient individuals, no federally proposed or listed endangered or threatened species are known to exist within the project impact area. Therefore, no Biological Assessment or further Section 7 coordination with the U.S. Fish and Wildlife Service is required. Should project plans change, or if additional information on the distribution of listed or proposed species becomes available, this determination may be reconsidered.

This response relates only to federally protected threatened or endangered species under our jurisdiction. For information on the presence of other rare species, you should contact Lori Byrne of the Maryland Wildlife and Heritage Division at (410) 260-8573.

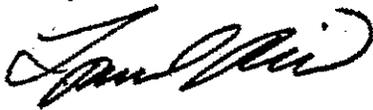
An additional concern of the Service is wetlands protection. Federal and state partners of the Chesapeake Bay Program have adopted an interim goal of no overall net loss of the Basin's remaining wetlands, and the long term goal of increasing the quality and quantity of the Basin's wetlands resource base. Because of this policy and the functions and values wetlands perform, the Service recommends avoiding wetland impacts. All wetlands within the project area should be identified, and if construction in wetlands is proposed, the U.S. Army Corps of Engineers, Baltimore District, should be contacted for permit requirements. They can be reached at (410) 962-3670.

A final concern of the Service is the potential impact of communications towers on migratory birds. Communications towers may not be visible to migrating birds in poor weather conditions (e.g., low cloud ceiling, fog, rain, or poor visibility), and have caused massive bird kills when nocturnal migrating species are attracted by the lights of the towers. Wire strikes by diurnal species such as large wading birds, waterfowl, and raptors have also been documented. Communications towers with guy wires and/or lights are therefore known threats to migratory birds, which are Federal trust resources that the Service is authorized to protect. The "take" (i.e., killing) of migratory birds by any person without authorization may constitute a violation of the Migratory Bird Treaty Act of 1918.

The Service does have a migratory bird policy and offers recommendations on reducing migratory bird collisions with communications towers. Towers that are over 200 feet high and have lights or guy wires are more likely to cause death or injury to migratory birds than shorter structures. We encourage you to reference these materials at <http://migratorybirds.fws.gov/issues/towers/comtow.html> and incorporate as many of the design recommendations as possible. A hard copy of the policy and recommendations is also available upon request. Enclosed are the Chesapeake Bay Field Office Recommendations to Reduce Migratory Bird Collisions with Communications Towers, and a Migratory Bird Fact Sheet.

We appreciate the opportunity to provide information relative to fish and wildlife issues, and thank you for your interests in these resources. If you have any questions or need further assistance, please contact Devin Ray at (410) 573-4531.

Sincerely,

A handwritten signature in black ink, appearing to read "Leopoldo Miranda". The signature is fluid and cursive, with a large initial "L" and "M".

Leopoldo Miranda
Field Supervisor

Enclosures

Migratory Birds

All native migratory birds (e.g., waterfowl, shorebirds, passerines, hawks, owls, vultures, falcons) are afforded protection under the Migratory Bird Treaty Act of 1918 (40 Stat. 755; 16 U.S.C. 703-712). Migratory Birds are a federal trust resource responsibility, and the U.S. Fish and Wildlife Service (Service) considers migratory bird concentration areas as environmentally significant.

Communication towers and antennas may pose a collision hazard to migratory birds in flight and may pose a threat to nesting birds attracted to the site, depending on tower height, physical design, lighting, and site location. To avoid potential cumulative adverse impacts to migratory birds, the Service prefers and recommends concealing antennas or attaching new antennas to existing structures. Antennas have been concealed on rooftops; flagpoles; bell, cross, and clock towers; road signs; silos; water towers; monopole towers; and custom projects. Where attachment to an existing (non-tower) structure is not feasible, new transmitters should be co-located on existing towers to avoid construction of new towers. If this is not feasible and tower construction is deemed necessary, tower design should allow for multiple transmitters to be co-located on a single new tower, under 200 feet in height and constructed without lights or guy wires.

Occurrences of mortality from birds colliding with towers under foggy daytime conditions are documented in scientific literature. Occurrences are also documented of birds congregating around towers with aviation warning lights while migrating at night during inclement weather. During these events, birds circling the towers have been killed from colliding with guy wires, other birds, and the ground, and have died from exhaustion. Therefore, to protect migrating birds, communication towers and associated facilities should be sited away from bird concentration areas, which include: traditional migratory flight corridors (e.g., ridges, shorelines, river valleys); stopover or resting areas (e.g., land bounding large bodies of water, wetlands, forests, and natural grasslands); bird reserves (e.g., National Wildlife Refuges, State Wildlife Management Areas, private sanctuaries); and seasonal flight paths (e.g., between feeding and nesting or roosting areas). Some of the primary bird concentration areas of concern in the Maryland/ Delaware/ District of Columbia area include the Chesapeake Bay and coast, Potomac River corridor, Delaware Bay and coast, Delaware River corridor, and the Atlantic Coast. Also, the Service maintains five National Wildlife Refuges in Maryland (Chesapeake Marshlands, Eastern Neck, Martin, Susquehanna, Patuxent Research Refuge) and two National Wildlife Refuges in Delaware (Bombay Hook, Prime Hook). More information about National Wildlife Refuges is provided below.

Birds, other than nocturnal birds such as owls, generally have poor night vision. To allow birds to detect and avoid tower guy wires, the Service recommends increasing the visibility of tower guy wires to birds, particularly at night. Increased visibility should be accomplished without the use of artificial lighting (i.e., through manufacturing, the use of reflective paint or other materials, attaching large balls, or the use of other available technology).

As communication technology advances and tower-based technology becomes obsolete, the Service recommends decommissioning those towers that are no longer needed, particularly towers within bird concentration areas. Tower decommissioning, including removal, should be provided for in any application for license submitted to the FCC.

Information on tower kills, including mechanisms, studies, literature, bibliographies, legislation, links, and summaries by state, is provided on the following website: <http://www.towerkill.com>. Information regarding the affects of lighted structures on migrating birds can be found in the 1996 publication by the World Wildlife Fund and the Fatal Light Awareness Program, entitled; *Collision Course: the hazard of lighted structures and windows to migrating birds*. In addition, the Service's Office of Migratory Bird Management maintains a partial bibliography of over 125 citations (1960-1998) on bird kills at towers and other man-made structures. The bibliography may be accessed at the following website: <http://www.fws.gov/r9mbmo/issues/tower.html>.

National Wildlife Refuges

The Service administers a national system of wildlife refuges. Seven National Wildlife Refuges have been established within Maryland and Delaware, each with a role in protecting the diversity of our Nation's flora and fauna and the natural habitats upon which our native species depend. The National Wildlife Refuge System Administration Act of 1966 (80 Stat. 927; 16 U.S.C. 668dd-668ee) provides guidelines and directives for administration and management of all areas in the refuge system. In order for a commercial cellular tower or antenna facility to be constructed within a National Wildlife Refuge (i.e., Bombay Hook [DE], Prime Hook [DE], Chesapeake Marshlands, Eastern Neck, Martin, Susquehanna, and Patuxent Research Refuge), a compatibility determination would be required before a Special Use Permit from the Service's Division of Refuges and Wildlife could be granted.

For further information, please contact:

U.S. Fish and Wildlife Service
Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, Maryland 21401
Phone:(410) 573-4550
Fax:(410) 269-0832

Chesapeake Bay Field Office (USFWS) Recommendations to Reduce Migratory Bird Collisions with Communications Towers

1. Entities proposing to construct a new communications tower are strongly encouraged to co-locate the equipment on an existing tower or structure (*e.g.*, church steeples, flagpoles, bell and clock towers, road signs, silos, water towers, billboards, light poles, bridges, electrical transmission poles, or buildings).
2. If co-location on existing structures is not feasible, then unlit, unguyed structures, with minimal vertical and aerial cross-sectional dimensions are encouraged. To date, this has been accomplished using unguyed monopoles or a lattice structure (preferably with the smallest aerial cross section practical) less than 200 feet above ground level (AGL).
3. If possible, new towers should be located within existing “antenna farms” (clusters of towers). Towers should not be sited in or near wetlands, other known migratory bird concentration areas (*e.g.*, state or Federal refuges, staging areas, rookeries), in known migratory or daily movement flyways, or in habitat of threatened or endangered species. Towers should not be sited in areas with a high incidence of fog, mist, and low ceilings.
4. If the Federal Aviation Administration (FAA) requires that a tower must be lit for reasons of aviation safety, then the minimum required amount of pilot warning and obstruction avoidance lighting should be used. Unless otherwise required by the FAA only white strobe lights should be used at night, and these should be the minimum number, intensity, and flashes per minute (longest duration between flashes) allowable by the FAA. The use of solid red or pulsating red warning lights at night should be avoided. Current research indicates that solid or pulsating (beacon) red lights adversely affect night-migrating birds at a much higher rate than white strobe lights.

If a proposed tower less than 200 ft AGL is required to be lit for aviation safety reasons (*e.g.*, near an airport or along a flight corridor for emergency aircraft), then alternative sites should be sought, unless the alternative sites would have substantially greater environmental impacts than the proposed site.

5. Tower designs using guy wires for support which are proposed to be located in known raptor or waterbird concentration areas or daily movement routes, or in major diurnal migratory bird movement routes or stopover sites, should have daytime visual markers on the wires to prevent collisions by these diurnally moving species. (For guidance on markers, see *Avian Power Line Interaction Committee (APLIC). 1994. Mitigating Bird Collisions with Power Lines: The State of the Art in 1994. Edison Electric Institute, Washington, D.C., 78 pp*, and *Avian Power Line Interaction Committee (APLIC). 1996. Suggested Practices for Raptor Protection on Power Lines. Edison Electric Institute/Raptor Research Foundation, Washington, D.C., 128 pp*. Copies can be obtained via the Internet at <http://www.eei.org/resources/pubcat/enviro/>, or by calling 1-800/334-5453).

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

7. If substantial numbers of breeding, feeding, or roosting birds are known to occur within the proposed footprint of the tower construction, then the tower should be relocated to an alternative site with lower wildlife activity. Seasonal restrictions should be adopted to avoid “taking” of birds, eggs, or active nests, in those cases where no alternative site is possible.

8. To reduce the number of towers needed in the future, new towers should be designed structurally and electrically to accommodate the applicant’s antennas and comparable antennas for at least three additional users, unless this design would require the addition of lights or guy wires to an otherwise unlighted and/or unguyed tower or would increase the footprint of appendant structures.

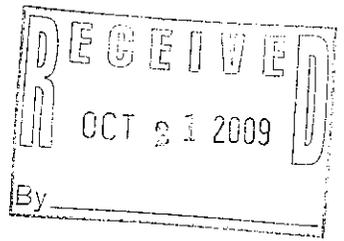
9. Security lighting for on-ground facilities and equipment should be down-shielded to keep light within the boundaries of the site.

10. If a tower is constructed, or proposed for construction, Service personnel and/or researchers from the Communications Towers Working Group or their designees should be allowed access to the site to evaluate bird use, to conduct dead-bird searches, to place net catchments below the towers, or to place radar, infrared, thermal imagery, or acoustical monitoring equipment as necessary to assess and verify bird presence, mortality, or migration near the site and to gain information on the impacts of various tower sizes, configurations, and lighting systems.

11. Towers no longer in use or determined to be obsolete should be removed within 12 months of cessation of use. Tower removal should be bonded or covered by revenues put aside during the first ten years or less after licensing.



A.D. MARBLE & COMPANY
SINCE 1985



200904089

October 20, 2009

Ms. Elizabeth Cole, Administrator
Project Review and Compliance
Maryland Historical Trust
100 Community Place
Crownsville, MD 21032-2023

S
DoIT
EJC/ARA

RE: Project No. DoIT-1004
Barton Vicinity Communications Facility Project
East Side of Russell Road, Garrett County, Maryland
USGS Barton 7.5' Quadrangle

Dear Ms. Cole:

On behalf of the Maryland Department of Information Technology (DoIT), this letter serves to inform the Maryland Historical Trust (MHT) of A.D. Marble & Company's finding that there are no historic properties located within the Area of Potential Effects (APE) for direct effects and no historic properties located within the APE for visual effects for Project No. DoIT-1004. The project involves the construction of a 348-ft., self-supporting, lattice tower and two 12-ft. x 38-ft. equipment shelters, each complete with backup generator and an LP fuel tank on the east side of Russell Road, Garrett County, Maryland, in the vicinity of Barton.

The project location map is included as Attachment 1.

All work was performed in accordance with the Federal Communication Commission's (FCC) Nationwide Programmatic Agreement for Review of Effects on Historic Properties For Certain Undertakings Approved by the Federal Communications Commission (NPA) (effective March 7, 2005). In addition, work was performed in accordance with the Guidelines outlined as part of the *Public Safety Interoperable Communications (PSIC) Grant Program* (February 2009), MHT's *Standards and Guidelines for Architectural and Historical Investigations in Maryland* (MHT 2000), and *General Guidelines for Compliance-Generated Determinations of Eligibility (DOEs)* (MHT 2002). Cultural resource evaluations were conducted in accordance with the National Historic Preservation Act of 1966 (Public Law 89-655) (as amended), the Advisory Council's Guidelines set forth in 36 CFR 800 for the Protection of Historic Properties, the National Environmental Policy Act of 1966 (Public Law 91-190), and the Maryland Historical Trust Act of 1985, as amended (State Finance and Procurement Articles 5A-325 and 5A-326 of the Annotated Code of Maryland).

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The work was conducted by qualified individuals who exceed the Secretary of Interior's Professional Qualification Standards.

Area of Potential Effect (APE)

The APE for direct effects includes the proposed tower site located on the east side of Russell Road in area of active strip mining. The APE for direct effects includes the area of potential ground disturbance and any property that will be physically impacted by the undertaking. The APE for visual effects includes the area located within a ¾-mile radius from the tower site. During fieldwork, A.D. Marble staff verified that this APE was appropriate for this site due to the topography and surrounding vegetation.

Attachment 2 shows the APE for direct and visual effects on the USGS Barton 7.5' Topographic Quadrangle.

Identification Methods and Results

In order to develop a comprehensive historic context on the development of the study area and to utilize previous studies conducted on historic resources, A.D. Marble staff completed research to identify all previously surveyed properties prior to the initiation of fieldwork. A search of the files and library resources of the MHT was undertaken as part of this effort. Relevant historic maps were also reviewed. These maps were analyzed to identify the location and dates of development in the study area, including transportation corridors, residential developments, and commercial areas. In addition, current aerial photographs were analyzed and a site investigation was undertaken in September 2009 in order to identify any property 50 years of age or older within the APE for visual effects.

A.D. Marble staff determined that there are no historic properties or archeological sites located within the APE for direct effects. Four previously identified properties are located within the APE for visual effects; however, three of the four properties were demolished as part of strip mining activity since the previous study. The demolished properties include the Charles Magruder House (G-I-C-069), which was determined not eligible by MHT in 1996. An addendum to each existing Maryland Inventory of Historic Properties Forms was prepared for the other two previously identified but unevaluated properties: Raymond Crawford House (C-I-C-68) and the Russell House (G-I-C-094). A Determination of Eligibility (DOE) Form was prepared for the Paul Colmer Farm (G-I-C-067) as part of the current study, which concluded that the ca.-1896 frame dwelling is not eligible for listing in the National Register of Historic Properties (Attachment 4). No additional aboveground structures, 50 years of age or older, were identified within the APE for visual effects. Therefore, it is concluded that there are no historic properties located within the APE for direct effects and no historic properties located within the APE for visual effects for the Barton Communications Facility Project (DoIT-1004).

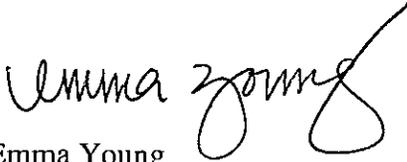
*Please note that because of the time for photograph processing, the 5 x 7 black-and-white archivally processed photograph prints and associated electronic .TIF files will follow this submittal within 30 days. However, to facilitate the review of the Paul Colmer DOE Form, a set of photograph pages have been provided with this submittal.

Review Request

Please review the attached maps and FCC Form 620 (Attachments 1, 2, and 3). By carbon copy, we invite the Garrett County Department of Planning and Land Development, who wishes to participate in the Section 106 process, to provide comments. Pursuant to the requirements of the implementing regulations found at 36 CFR Part 800, we seek their assistance in identifying historic preservation issues as they relate to this specific project (see 36 CFR 800.2 (c) (4) and (6) and 800.3 (f) for information regarding the identification and participation of consulting parties, and 800.4 and 800.5 regarding the identification of historic properties and assessment of effects).

We request your concurrence and any comments from the Garrett County Department of Planning and Land Development by *Friday, November 30, 2009* that there are no historic properties located within the project's APE for direct and visual effects. If a response is not received by that date, it is assumed that MHT and the Garrett County Department of Planning and Land Development have concurred with the findings presented in this documentation package.

Sincerely,
A.D. Marble & Company

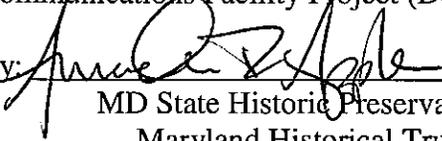


Emma Young
Architectural Historian
For Denis McElligott, Maryland Department of Information Technology

Attachments: 1) Project Location Map
2) Area of Potential Effect, USGS Map
3) FCC Form 620, with attachments
4) Determination of Eligibility Form, Paul Colmer Farm (G-I-C-067), with attachments

Cc: Denis McElligott, Maryland Department of Information Technology
John Nelson, Garrett County Department of Planning and Land Development
ADM Project File

The Maryland Historical Trust has reviewed the Submission Packet for MHT Log No. Z00904089 and concurs with the FCC Applicant's determination that there are *no historic properties located within the Area of Potential Effect for direct effects* and *no historic properties located within the Area of Potential Effect for visual effects* for the Maryland Department of Information Technology proposed Barton Communications Facility Project (DoIT-1004).

By:  MD State Historic Preservation Office
Maryland Historical Trust

11/19/09 Date