

## **Finding of No Significant Impact (FONSI) for the Environmental Assessment for the Installation of Communications Tower in Berrien County – Berrien County Sheriff's Department (City of St. Joseph, Michigan)**

### **Introduction**

The State of Michigan proposes to construct a communications facility with a 265-foot self-supporting lattice tower. The Environmental Assessment (EA) for the Installation of Communications Tower in Berrien County – Berrien County Sheriff's Department (City of St. Joseph, Michigan), dated February 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. This EA covers the proposed Berrien County Sheriff's Department Communications Tower, which would link Berrien County with the Michigan Public Safety Communication System to better serve emergency services and the surrounding communities, and to communicate with two nuclear power plants (DC Cook Nuclear Plant in Bridgeman and Palisades Nuclear Plant in Covert) and associated first responders in the event of an emergency or evacuation.

### **Scope of the Environmental Assessment (EA)**

The proposed Berrien County Sheriff's Department (City of St. Joseph, Michigan) communications facility 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 existing Michigan Public Safety Communication System. 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 funds must be used for projects that would improve communications in areas at high risk for natural disasters, 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 funds can range from installation of new large-scale infrastructure (i.e., towers) to the acquisition of mobile and portable radios. Under the categories outlined in the PSIC Grant Program's Programmatic EA and FONSI (April 2009), the proposed Berrien County Sheriff's Department communications facility project is classified as a transmission and receiving site.

The proposed Berrien County Sheriff's Department communications facility project would allow for the following:

- Increased coverage area for emergency responders connected through the system,
- Facilitate reliable interoperable communications among first responder organizations (including two power plants), and
- Expansion of the existing Michigan Public Safety Communication System communications system throughout the State.

This EA examines the proposed action to develop a new communications facility to replace an existing 250-foot self-supporting painted lattice tower located on the existing property, approximately 150 feet from the proposed site in the City of St. Joseph (Berrien County). The

proposed site would be located on County-owned property occupied by the Berrien County Sheriff's Department (a.k.a., Berrien County Jail) located at 919 Port Street, City of St. Joseph, Michigan. The proposed project would include the construction of a 265-foot self-supporting lattice telecommunications tower to be placed within an approximate 371 square-foot (sq-ft) of previously disturbed maintained lawn for a fenced equipment compound, with an additional 300 sq-ft of land disturbance beneath an existing concrete drive for underground utility line routing from an existing equipment room to the proposed tower site. Total ground disturbance for the project would be approximately 671 sq-ft. The proposed project would tie into the existing power system located in the equipment room of the Berrien County Sheriff's Department building with power supplied by the local utility service. The equipment room will house one 75KVA transformer, two uninterruptible power supply (UPS) panels, a distribution panel, and an equipment rack. The project site is currently accessible through an existing on-site road network and access road.

The EA analyses existing conditions and environmental consequences of the Proposed Action and three alternatives within five major resource areas: physical environment, biological environment, hazardous materials, socioeconomics, and cultural resources. The physical environment resource areas analyzed in detail included geology, seismicity, and soils; water resources and water quality; floodplain management (Executive Order 11988); air quality; coastal zone management; and coastal barriers resources. Analysis of the biological environment included terrestrial and aquatic environment, wetlands (Executive Order 11990), and threatened and endangered species (including migratory birds). The hazardous materials analysis focused on hazardous materials and the Phase I site assessment. The socioeconomic analysis included zoning and land use, visual resources, noise, public services and utilities, traffic and circulation, environmental justice (Executive Order 12898), and safety and security. The cultural resources analysis included historic resources investigation, archeological resources, and tribal religious sites investigation.

### **Alternatives Considered**

**Alternative 1 – Replacement Tower at Berrien County Sheriff's Department (Preferred Alternative).** Alternative 1 is to construct a communications tower and compound at the existing Berrien County Sheriff's Department facility to replace an existing 250-foot painted lattice tower, built in 1980 and located approximately 150 feet from the proposed site. Located to optimize communications, the proposed site consists of a 265-foot self-supporting lattice tower within an approximate 371 sq-ft fenced compound. The proposed project would include installation of a 6-inch by 2-inch coaxial cable utility route line underneath 300 sq-ft of an existing access road. The new utility line would link one 75KVA transformer, two UPS panels, a distribution panel, and an equipment rack, that is proposed to be co-located in the existing Sheriff's Department equipment room. The new tower would support 14 side arm-mounted communication antennas (eight omni and six dipole) and six standard microwave dishes (one 2-inch and two 3-inch). The Sheriff's Department building was constructed in 1951, and is not eligible or listed on the National Register of Historic Places. The building is located approximately 20 feet from the proposed tower site, within an existing fenced, paved compound that is currently used by Berrien County as a law enforcement and correctional facility.

**Alternative 2 - Existing Tower at Berrien County Sheriff's Department.** Alternative 2 is to reinforce and install additional equipment on an existing tower at the Berrien County Sheriff's Department. The existing tower is a 250-foot self-supporting, painted lattice tower constructed in 1980. Existing equipment supporting the tower compound is located in the Sheriff's Department building. This alternative has a reduced communications coverage reliability compared to Alternative 1. Tower reinforcement would be necessary in order to support the additional 14 side arm-mounted communication antennas (eight omni and six dipole) and six standard microwave dishes (one 2-inch and two 3-inch), and associated coaxial cable. The installation of stiffening plates to increase stabilization and wind resistance of the structure may require additional maintenance and re-application in order to maintain safety and stability of the tower over time. In addition, modifications to the tower foundation may be necessary. Alternative 2 is located on the same County-owned property as Alternative 1.

**Alternative 3 – Benton Harbor Water Tower.** Alternative 3 is to install additional equipment on an existing 180-foot water tower at the intersection of 8<sup>th</sup> and Britain in Benton Harbor, Berrien County, Michigan. The existing water tower compound is operated by the City of Benton Harbor. The structure is supported by 10 legs encompassing 60 sq-ft beneath the tower. A pre-fabricated plastic storage shed underneath the water tower currently shelters radio equipment that supports two existing antennas on the tower. Alternative 3 would require the installation of an additional equipment shed (approximately 12 feet by 17 feet), and a concrete pad to support a 59 kW generator and a propane tank. Additional site restrictions for Alternative 3 include limitations in expansion of the site to accommodate new construction, restrictions on co-location of antennae, and proximity to densely populated and low-income residential areas. As with Alternative 2, Alternative 3 has a reduced communications coverage reliability compared to Alternative 1.

**No Action Alternative.** Under the No Action Alternative, Berrien County would not utilize the existing Berrien County Sheriff's Department tower site or the Benton Harbor Water Tower site. All existing property would remain as it presently exists, and no construction or installation of new equipment would occur. Berrien County would not prepare for disaster or a homeland security event (including the development of communication capabilities with two nuclear power plants) and would not provide communication interoperability for the entire public safety community. Berrien County's first responders would continue to operate with incompatible legacy voice communication systems across 39 municipalities. The Proposed Action would not move forward with PSIC funds or any alternate funding sources. The No Action Alternative served as the baseline for assessing the impacts of the alternatives.

### **Recommended Alternative**

Alternative 1 (Preferred Alternative) to implement the communications tower facility at the Berrien County Sheriff's Department compound and replace the existing tower is recommended for implementation and best meets the purpose and the need to strengthen the overall local and regional communications capabilities by linking Berrien County with the Michigan Public Safety Communication System to better serve emergency services and the surrounding communities and additional communications with the power plants and associated first responders in the event of an emergency or evacuation. The No Action Alternative would not address the need for Berrien County, as existing deficiencies would remain and vital links with the Michigan Public Safety Communication System, power plants, and first responders would not be provided thereby

posing a greater risk to public safety in the event of an emergency, natural disaster or need for an evacuation. Under Alternatives 2 and 3, the installation of additional antennas and dishes on existing towers would be restricted by the size and structure of the existing communication facilities and compromises the ability of either site to function effectively in an emergency situation.

### **Consultations**

Coordination on fish and wildlife issues to meet Section 7 requirements of the Endangered Species Act (ESA) was accomplished through online and verbal informal correspondence with the U.S. Fish and Wildlife Service (USFWS) and the Michigan Department of Natural Resources (DNR) Wildlife Division – Natural Heritage Program. The USFWS online database indicated that based on the habitat (or lack thereof) present at the site, no Federally-listed threatened or endangered species occur within the proposed project area (except for potential transient individuals). Additional verbal communications with the USFWS and use of the online consultation tool further clarified there would be “no effect;” therefore, no further Section 7 coordination with the USFWS was required. The USFWS noted concerns regarding the potential impact of the tower on migratory birds and recommended guidelines for lighting and marking to minimize bird strike fatalities. Lighting and markings would be conducted in a manner as to comply with the USFWS recommendations. Coordination with the Michigan DNR determined that “the project should have no impact on rare or natural features” within the boundaries of the proposed site. Information regarding recommendations for reducing impacts to migratory birds was also provided and included in the mitigation measures for tower construction.

Coordination on historic and cultural resources issues was accomplished through informal and formal consultation with the Michigan State Historic Preservation Office (SHPO) to determine whether the construction of the proposed project 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 Michigan SHPO’s initial review resulted in an “adverse effect” finding. However, after further consultation and a field review, the Michigan SHPO determined that the effects of the undertaking were determined not to meet the criteria for adverse effect, resulting in a final determination of no adverse effect on the Old St. Joseph Historic District. The Michigan SHPO concurred with the determination that the proposed project would have no effect on archeological resources and historic properties.

Additional coordination included outreach to Native American Tribes and to the National Resources Conservation Service (NRCS). Native American Tribes were notified through the Federal Communications Commission (FCC) Tower Construction Notification System (TCNS) in May 2009 to request a determination whether or not the proposed project would affect any religious or archeological sites in the vicinity of the project site to the following tribal organizations: The Prairie Band Potawatomi Nation, the Citizen Potawatomi Nation, Sac and Fox Tribe of Mississippi, the Huron Potawatomi, the Keweenaw Bay Indian Community, the Pokagon Band of Potawatomi Indians, the Hannahville Indian Community, the Sokaogon Chippewa Community, the Miami Tribe of Oklahoma, the Ottawa Tribe of Oklahoma, the Shawnee Tribe of Oklahoma, the Menominee Indian Tribe of Wisconsin and the Turtle Mountain Band of Chippewa. Responses from the Tribes listed above did not indicate any issues with the proposed project. Consultations with the Ottawa and Shawnee Tribes indicated concurrence that no known historical properties would be impacted. No responses were received

the Huron Potawatomi, the Hannahville Indian Community the Pokagon Band of Potawatomi Indians or the Hannahville Indian Community. The FCC submitted a Proposed Construction of Communications Facilities Notification of Final Contact to the non-responsive tribes in June 2009 and indicated if no statements of interest were received within 20 days, obligations under Section IV of the National Programmatic Agreement with regard to these Tribes would be complete. No statements of interest were received; therefore, obligations under Section IV of the National Programmatic Agreement were assumed to be complete and no known tribal archaeological or religious sites would be impacted.

Consultation with NRCS determined that the project sites were not located in coastal zone areas or within prime agricultural lands. Therefore, no adverse effects from the Proposed Action on Native American Tribes, coastal zone areas or prime and unique farmlands are anticipated.

### **Findings and Conclusions**

The Proposed Action 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 transmitting and receiving 265-foot self-supporting lattice tower with ground disturbance activities (totaling 671 sq-ft) to replace an existing 250-foot painted self-supporting lattice tower. The Proposed Action was found to have no significant impacts to any resource impacts examined. Coordination with appropriate Federal and State agencies, including extensive coordination with the Michigan SHPO, concluded that there were no potential adverse impacts to threatened or endangered species, or archeological or historic resources. Potential impacts to migratory birds would be addressed through recommended mitigation regarding lighting and tower marking.

### **NTIA Review**

NTIA determined that the February 2010 EA for the Installation of Communications Tower in Berrien County – Berrien County Sheriff's Department (City of St. Joseph, Michigan) adequately assessed the potential individual and cumulative environmental impacts of the proposed telecommunication facility development, including a 265-foot self-supporting lattice tower and its associated utility connection and equipment, and that the scope, alternatives considered, and content of the EA are adequate.

This Finding of No Significant Impact (FONSI) is based on the attached EA which has been independently evaluated by the NTIA. The NTIA determined that the EA adequately and accurately addresses 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 February 2010 EA for the installation of a communications tower at the Berrien County Sheriff's Department Facility (919 Port Street, City of St. Joseph, Berrien County, Michigan). 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.

Laura M. Pettus

3/15/10

Laura M. Pettus

Date

Responsible Program Manager

Department of Commerce, National Telecommunications and Information Administration

## ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENT

**Description of proposal:** Installation of Communications Tower in Berrien County – Berrien County Sheriff's Department

**Proponent:** County of Berrien, Michigan

**Location of current proposal:** 919 Port Street, St. Joseph, Berrien County, Michigan

**Title of document being adopted:** Environmental Assessment for Installation of Communications Tower in Berrien County – Berrien County Sheriff's Department

**Agency that prepared document being adopted:** County of Berrien, Michigan

**Date adopted document was prepared:** February 2010

**Description of document (or portion) being adopted:** The February 2010 EA for the Installation of Communications Tower in Berrien County – Berrien County Sheriff's Department provides an analysis of the Proposed Action to install a new transmission and receiving facility at the existing Sheriff's Department building. The proposed facility would include the construction of a 265-foot self-supporting lattice telecommunications tower to be placed within an approximate 371 square-foot (sq-ft) fenced equipment compound, with an additional 300 sq-ft of land disturbance beneath an existing concrete foundation for routing of underground utilities to the site. The tower and site construction and equipment acquisition/installation for this Proposed Action does not have any significant environmental impacts or extraordinary circumstances.

**The Department of Commerce has identified and adopted this document as being appropriate for NTIA's purposes after independent review. The document meets its environmental review needs for approval under the PSIC Grant Program and will accompany the proposal to the decision maker.**

**Name of agency adopting the document:** NTIA

**Responsible Official:** Laura M. Pettus

**Position/Title:** Program Manager/Communications Program Specialist

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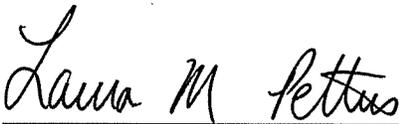
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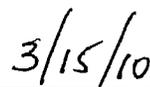
**DATE OF ISSUE:** March 16, 2010

**SIGNATURE:**

Signed:

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