

Finding of No Significant Impact for Proposed 100-foot Guyed Communications Tower at 3200 Mountain Road, Bakersville, NC (Mitchell County)

Introduction

The North Carolina (NC) Highway Patrol – Department of Crime and Public Safety proposes to replace an existing 100-foot (ft) guyed tower with a new 100-ft guyed tower in Mitchell County, North Carolina. The Proposed 100-foot Guyed Communications Tower at 3200 Mountain Road, Bakersville, NC (Mitchell County) Environmental Assessment (EA), further referenced as the Locust Knob EA, 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, to replace this tower and associated equipment.

Scope of the Environmental Assessment

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

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

The proposed Locust Knob communications tower project would allow for the following:

- Increased radio frequency (RF) coverage area for Federal, State, and local emergency first responders connected through the State Voice Interoperability Plan for Emergency Responders (VIPER) network,
- Facilitate reliable interoperable communications among first responder organizations, and
- Enhanced security and facility control.

The EA examines the Proposed Action to replace an existing 100-ft guyed tower with a new 100-ft guyed tower in Bakersville, Mitchell County, North Carolina. The proposed project would include the construction of a 100-ft guyed communications tower with an 11.5 ft x 19 ft equipment shelter and a standalone 40-kilowatt (kW) diesel powered emergency generator mounted on a 5.5 ft x 9.5 ft concrete foundation pad. All components would be contained within an existing fenced compound. The total ground disturbance would be approximately 1,760 square-feet (0.04 acres).

The EA analyzes existing conditions and environmental consequences of the Proposed Action for 11 resource areas: noise, air quality, geology and soils, water resources, biological resources, historic and cultural resources, aesthetic and visual resources, land use, infrastructure, socioeconomic resources, and human health and safety.

Alternatives Considered

Alternative 1 (Preferred Alternative). Alternative 1 (Preferred Alternative) is to implement the Locust Knob tower project in its entirety, consisting of a 100-ft guyed communications tower with an 11.5 ft x 19 ft equipment shelter and a standalone 40-kW diesel powered emergency generator mounted on a 5.5 ft x 9.5 ft concrete foundation pad. All components would be contained within an existing fenced compound. The total ground disturbance would be approximately 0.04 acres. The site would be located on an approximately 1.22-acre property, reportedly owned by the U.S. Forest Service (USFS). A proposed 12 ft wide access drive would proceed north from Sunset Mountain Road utilizing a series of “switchbacks” to traverse the steep terrain before reaching the proposed tower lease area located adjacent to the existing telecommunications equipment that is currently located on the parent property. The site is located within an existing tower farm and undeveloped forested land.

The proposed Locust Knob communications tower project would meet current RF coverage needs of the NC Highway Patrol in Mitchell County and surrounding areas. Due to the elevation of the proposed site, and the topographic features of the surrounding area, the site would provide RF coverage for central and northern Mitchell County as well as increased interoperability network opportunities for similar sites in the region. The proposed site would provide reliable interoperable communications and a significantly increased coverage area for emergency first responders. The elevation and topography of the proposed site provides a natural height advantage, resulting in enhanced coverage with the proposed 100-ft guyed tower. The site is strategically located, expanding the coverage radius for Mitchell County, as well as portions of the surrounding counties within the State.

No Action Alternative. Under the No Action Alternative, the current emergency services radio system coverage would not be met causing serious limitation on emergency response, funding for interoperable communications and information systems infrastructure would not be released, and infrastructure would neither be developed nor enhanced. The No Action Alternative would not address the needs for the NC Highway Patrol. The Proposed Action would not move forward using PSIC grant funds or any alternate funding sources. The No Action Alternative served as the baseline for assessing the impacts of the alternatives in the EA.

Alternatives Considered But Not Carried Forward

Two alternative sites were examined to determine the range of reasonable alternatives to implement the Proposed Action. Both alternative sites were located within the 1.22-acre parent property, reportedly owned by the USFS. One alternative site involved the placement of a proposed 180-ft self-supporting emergency services tower at the location that is currently occupied by a USFS Fire Tower. Under this alternative, the Fire Tower would have to be demolished and removed. During consultation with the NCHistoric Preservation Office (NC SHPO), this alternative site resulted in an adverse effect determination due to the proposed removal of the Fire Tower, thus the Proposed Action was abandoned as a reasonable alternative. The second alternative reviewed involved the placement of a proposed 180-ft self-supporting emergency services tower adjacent to the aforementioned USFS Fire Tower within a graveled parking turnaround associated with the existing tower farm. However, due to building restraints and additional concerns expressed by the NC SHPO associated with the proximity to the existing Fire Tower, this site was also abandoned as a reasonable alternative. Based on these concerns, these proposed alternatives were not carried forward as reasonable alternatives to the Proposed Action.

Additionally, a self-supporting communications tower in the vicinity was examined to determine the collocation potential for the NC VIPER System antennas, microwave dishes, and associated equipment. However, analyses of the existing towers determined that there were no viable collocation opportunities that would satisfy the RF coverage needs of the NC VIPER Emergency Services Communications System. Based on these factors, collocating equipment onto existing towers was not carried forward as a reasonable alternative to the Proposed Action.

Recommended Alternative

Alternative 1 (Preferred Alternative) to construct the proposed Locust Knob communications project is recommended for implementation and best meets the purpose and the need of Mitchell County and the NC Highway Patrol to improve and facilitate reliable interoperable communications, significantly increase the RF coverage area for emergency first responders through the NC VIPER network, and provide greater security and facility control. The No Action Alternative would not address the communications needs for Mitchell County.

Consultations

Coordination on fish and wildlife issues to meet the Section 7 requirements of the Endangered Species Act was accomplished through a preliminary review of protected species from the U.S. Fish and Wildlife Service (USFWS) Division of Endangered Species web site to identify listed and proposed threatened and endangered species, as well as critical habitats that may be located on or near the proposed site. Based on a review of the USFWS web site and correspondence with the USFWS Asheville Field Office, four endangered species were identified for Mitchell County, North Carolina, including the Carolina northern flying squirrel (*Glaucomys sabrinus coloratus*), the Indiana bat (*Myotis sodalis*), the Appalachian elktoe (*Alasmidonta raveneliana*) and the Sprucefir moss spider (*Microhexura montivaga*). Site surveys were conducted at the proposed site; no burrows, nests, wetlands, coastal areas or other signs of threatened and endangered species and/or critical habitat were readily observable. Habitats for the species were compared to the habitats present at the proposed site; the species' habitats were not identified as having a potential to be present on the proposed site. The USFWS Asheville Field Office concurred with the determination dated on January 5, 2011 that the Proposed Action may affect, but is not likely to adversely affect, any federally listed species.

Coordination on historic and cultural resources issues was accomplished with the NC SHPO and the NC Office of State Archeology to determine whether the construction of the proposed site may generate any short- or long-term indirect impacts to historic and cultural resources or may be located within the viewshed of any historic and cultural resources. An archaeological evaluation was conducted to assess the potential direct effects the Proposed Action may have on archaeological resources. The archaeological evaluation was conducted at the NC SHPO office and the NC Office of State Archeology to view the pertinent U.S. Geological Survey 7.5-minute topographic map (Bakersville) to assess the potential significant impacts to architectural, historic, or archeological sites in the vicinity of the tower site. In addition, an archaeological evaluation was conducted and concluded that no archaeological resources eligible for inclusion in the National Register of Historic Places would be affected by the Proposed Action.

Letters were submitted to the NC Department of Cultural Resources-Environmental Review Coordinator and NC Department of Cultural Resources: Office of State Archaeology-Project Registrar related to any potential impacts to historical or archaeological resources within a 0.5 mile area of potential effect (APE) of the site. Letters were sent to the Mitchell County Historical Association and the Mitchell County Building Inspections Office on April 9, 2009, inviting them to be a consulting party regarding any potential impact to historical or archaeological resources in the area. In addition, the North Carolina SHPO and the appropriate Tribal Historic Preservation Officers (THPOs) of the Federally Recognized Native American Tribes with known ancestral rights to Mitchell County were consulted to determine the effect from the Proposed Action. Concurrence from all appropriate Native American Tribes was received regarding the Proposed Action. A public notice was issued related to impacts to historic and cultural resources in *Mitchell News* on July 21, 2010. Additional concurrence was received for the 0.5 mile APE from the NC Department of Cultural Resources-Environmental Review Coordinator (NC SHPO) on July 14, 2010 that the Proposed Action would "not adversely effect" historic properties.

Findings and Conclusions

The proposed Locust Knob communications tower project is not likely to result in any environmental impacts and does not involve any unusual risks or impacts to sensitive areas. The Proposed Action would require construction of a replacement transmitting and receiving 100-ft guyed communications tower and associated equipment with ground disturbance activities (totaling 0.04 acres). In accordance with 47 Code of Federal Regulations (CFR) Section 1.1307(a) (1) through (8), an evaluation was made to determine whether any of the listed Federal Communications Commission (FCC) special interest items would be significantly affected if a tower structure and associated equipment control cabinets were constructed at the proposed site location. No FCC special interest items were identified.

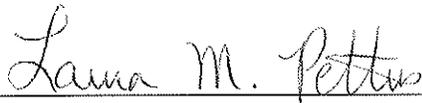
NTIA Review

NTIA determined that the April 2011 Proposed 100-foot Guyed Communications Tower at 3200 Mountain Road, Bakersville, NC (Mitchell County) EA accurately assessed the potential individual and cumulative environmental impacts of the proposed development including a 100-ft guyed communications tower and that the scope, alternatives considered, and content of the EA are adequate.

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

Based on the best available information and NTIA's independent review, NTIA has decided to adopt the April 2011 EA for the Proposed 100-foot Guyed Communications Tower at 3200 Mountain Road, Bakersville, NC (Mitchell County). The EA is available for public review at http://www.ntia.doc.gov/psic/NEPA_sub3.html. This FONSI has therefore been prepared and is being submitted to document environmental review and evaluation in compliance with NEPA. The decision documents for the environmental review of the Proposed Action are attached.

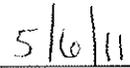
I have considered the information contained in the EA, and supporting documentation, which is the basis for this FONSI. Based on the information in the EA and this FONSI document, I agree that the Proposed Action as described above, and in the EA, would have no significant impact on the environment.



Laura M. Pettus

Responsible Program Manager

Department of Commerce, National Telecommunications and Information Administration



Date

ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENT

Title of document being adopted: Proposed 100-foot Guyed Communications Tower at 3200 Mountain Road, Bakersville, NC (Mitchell County) Environmental Assessment

Proponent: North Carolina (NC) State Administrative Agency

Location of current proposal: 3200 Mountain Road, Bakersville, Mitchell County, North Carolina

Agency that prepared document being adopted: NC Highway Patrol – Department of Crime and Public Safety

Date adopted document was prepared: April 5, 2011

Description of document (or portion) being adopted: The proposed Locust Knob project would include a 100-foot (ft) guyed communications tower with an 11.5 ft x 19 ft equipment shelter and a standalone 40-kilowatt diesel powered emergency generator mounted on a 5.5 ft x 9.5 ft concrete foundation pad. All components would be contained within an existing fenced compound. The total ground disturbance would be approximately 0.04 acres. The site would be located on an approximately 1.22-acre property, reportedly owned by the U.S. Forest Service. A proposed 12 ft wide access drive would proceed north from Sunset Mountain Road along an existing gravel drive until reaching the proposed lease area within the existing tower farm currently located on the parent property. The site is located within an existing tower farm and undeveloped forested land. The tower and site construction for this Proposed Action do not have any significant environmental impacts or extraordinary circumstances.

The document is available to be read at: http://www.ntia.doc.gov/psic/NEPA_sub3.html

The Department of Commerce has identified and adopted this document as being appropriate for National Telecommunications and Information Administration's (NTIA) 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: Responsible Program Manager

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Signed:

Laura M. Pettus

Date:

5/6/11