

Finding of No Significant Impact for Proposed Southern Pines 430-foot Self-Support Communications Tower

Introduction

The North Carolina (NC) Highway Patrol – Department of Crime and Public Safety proposes to construct a 430-foot (ft) self-support lattice tower in Moore County, North Carolina. The Proposed 430-foot Self-Support Communications Tower at South Gaines Street, Southern Pines, NC (Moore County) Environmental Assessment (EA), further referenced as the Southern Pines 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 construct this tower and associated equipment.

Scope of the Environmental Assessment (EA)

The proposed Southern Pines 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 Southern Pines tower project is classified as a transmission and receiving site.

The proposed Southern Pines tower project would allow for the following:

- Increased radio frequency (RF) coverage area for Federal, State, and local emergency first responders connected through the North Carolina Voice Interoperability Plan for Emergency Responders (VIPER) network,
- Updated equipment to support new frequencies to improve and expand voice and data coverage,
- Facilitate reliable interoperable communications among first responder organizations, and
- Enhanced security and facility control.

The EA examines the Proposed Action to construct the Southern Pines tower project in Southern Pines, Moore County, North Carolina. The proposed project would include the construction of 430-ft self-support lattice 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 the enclosed irregular-shaped, fenced compound. The total area of construction associated with the proposed communications compound is anticipated to be approximately 2,500 square-feet (sq-ft) or 0.06-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 Southern Pines tower project in its entirety, consisting of a 430-ft self-support lattice 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 a fenced compound. The total ground disturbance would be approximately 2,500 sq-ft or 0.06 acres. The site would be located on an approximately 9.91-acre property, reportedly owned by the town of Southern Pines. A proposed access and utility easement would use an existing earthen drive, which proceeds southwest from the terminus of South Gaines Street for approximately 700-ft until reaching the proposed communications compound area. The site is located within an undeveloped forested portion of the parent property. The proposed tower would be located north of an existing 212-ft guyed communications tower, south of an existing 415-ft guyed communications tower, and southwest of an approximately 415-ft guyed communications tower.

Due to the elevation of the proposed site, and the topographic features of the surrounding area, the proposed site would provide suitable RF coverage for Moore 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 would provide a natural height advantage, resulting in enhanced coverage with the proposed 430-ft self-support lattice tower. The site is strategically located, expanding the coverage radius for Moore County and the surrounding counties within North Carolina.

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. One alternative site examined was located within 4.75-acre property, reportedly owned by the U.S. National Guard. The property was occupied by a National Guard Armory located at the intersection of Morganton Road and Fire Lane. This alternative was dismissed as a feasible alternative due to land area constraints that would restrict the proposed emergency services tower height, as well as the close proximity to existing developed areas, including a local municipal park. The second alternative considered was located on a portion of property owned by Progress Energy. This alternative was dismissed as a feasible alternative due to land area constraints that would restrict the proposed emergency services tower height and the proposed tower compound lease area. In addition, this alternative did not satisfy the RF coverage needs for the State VIPER Emergency Services Communications System. Based on these concerns, these proposed alternatives were not carried forward as reasonable alternatives to the Proposed Action.

There were no viable collocation opportunities that would satisfy the RF coverage needs of the State VIPER Emergency Services Communications System. 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 Southern Pines tower project is recommended for implementation and best meets the purpose and the need of Moore 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 State VIPER network, and provide greater security and facility control. The No Action Alternative would not address the communications needs for Moore 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. The USFWS Web site and correspondence with the USFWS Raleigh Field Office identified three terrestrial endangered species for Moore County, North Carolina, including the Red-cockaded Woodpecker (*Picoides borealis*), American chaffseed (*Schwalbea americana*) and Michaux's sumac (*Rhus michauxii*). Based on a review of federally listed species and their critical habitats within a two mile radius of the proposed tower site, as obtained from the North Carolina Department of Environment and Natural Resources: Natural Heritage Program Online Virtual Workroom, and correspondence with the USFWS Raleigh Field Office, none of the identified listed species occur on the proposed tower site. 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 Raleigh Field Office concurred with the determination dated on May 4, 2011 that the Proposed Action is not likely to adversely affect any federally listed species.

Coordination on historic and cultural resources issues was accomplished with the NC State Historic Preservation Office (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 (Southern Pines) 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; no artifacts, features, or structural remains were observed either on the surface or within the three shovel tests conducted. The archaeological evaluation concluded that no archaeological resources eligible for inclusion in the National Register of Historic Places would be affected by the Proposed Action.

A consultation letter was submitted to the NC Department of Cultural Resources-Environmental Review Coordinator (NC SHPO) related to any potential impacts to historical or archaeological resources within a 1.5 mile area of potential effect (APE) of the site. Letters were also sent to the Aberdeen Historic Preservation Commission, Pinehurst Historic Preservation Commission, Southern Pines Historic Commission, Moore County Historical Association, and the Town of Southern Pines Planning Department on April 11, 2011, 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 of the Federally Recognized Native American Tribes with known ancestral rights to Moore 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 *The Pilot* on April 15, 2011. Additional concurrence was received for the 1.5 mile APE from the NC Department of Cultural Resources-Environmental Review Coordinator (NC SHPO) on April 7, 2011 that the Proposed Action would "not adversely effect" historic properties.

Findings and Conclusions

The proposed Southern Pines 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 transmitting and receiving 430-ft self-support lattice communications tower and associated equipment with ground disturbance activities (totaling 0.06 acres). In accordance with 47 Code of Federal Regulations Section 1.1307(a) (1) through (8), an evaluation was made to determine whether any of the listed Federal Communications Commission (FCC) special interest items would be significantly affected if a tower structure and associated equipment control cabinets were constructed at the proposed site location. No FCC special interest items were identified.

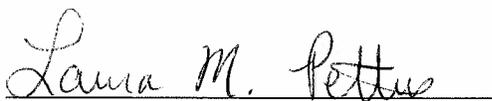
NTIA Review

NTIA determined that the May 2011 Proposed 430-foot Self-Support Communications Tower in Southern Pines, NC (Moore County) EA accurately assessed the potential individual and cumulative environmental impacts of the proposed development including a 430-ft self-support lattice 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 May 2011 EA for the Proposed 430-foot Self-Support Communications Tower in Southern Pines, NC (Moore 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.

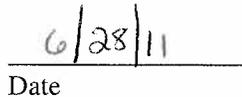
I have considered the information contained in the EA, and supporting documentation, which is the basis for this FONSI. Based on the information in the EA and this FONSI document, I agree that the Proposed Action as described above, and in the EA, would have no significant impact on the environment.



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 430-foot Self-Support Communications Tower in Southern Pines, NC (Moore County) EA

Proponent: North Carolina (NC) State Administrative Agency

Location of current proposal: South Gaines Street, Southern Pines (Moore County), North Carolina

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

Date adopted document was prepared: May 18, 2011

Description of document (or portion) being adopted: The proposed Southern Pines project would include a 430-ft self-support lattice 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 a fenced compound. The total ground disturbance would be approximately 2,500 sq-ft or 0.06 acres. The site would be located on an approximately 9.91-acre property, reportedly owned by the town of Southern Pines. A proposed access and utility easement would use an existing earthen drive, which proceeds southwest from the terminus of South Gaines Street for approximately 700-ft until reaching the proposed communications compound area. The site is located within an undeveloped forested portion of the parent property. 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

Address: NTIA, Room 4812, 1401 Constitution Avenue, NW, Washington, DC 20230

Contact: Laura Pettus

Phone: (202) 482-4509 **Fax:** (202) 501-8013 **e-mail:** lpettus@ntia.doc.gov

Signed:

Date:

Laura M. Pettus

6/28/11