

**ENVIRONMENTAL ASSESSMENT
FOR
MONTGOMERY COUNTY PROPOSED**

420-FOOT GUYED TELECOMMUNICATIONS TOWER

Prepared for:

MONTGOMERY, MONTGOMERY COUNTY, TEXAS

Prepared by:

**SHAFFER TOWER SERVICES
1239-B WEST 19TH STREET
HOUSTON, TEXAS 77008**

OCTOBER 15, 2009

TABLE OF CONTENTS

SECTION 1 INTRODUCTION 3

SECTION 2 - PROPOSED ACTION 4

SECTION 3 - EXISTING ENVIRONMENT 6

 RESOURCE 1 - NOISE 6

 RESOURCE 2 - AIR QUALITY 6

 RESOURCE 3 - GEOLOGY AND SOILS 8

 RESOURCE 4 - WATER RESOURCES 8

 RESOURCE 5 - BIOLOGICAL RESOURCES 11

 RESOURCE 6 - HISTORIC AND CULTURAL RESOURCES 13

 RESOURCE 7 - AESTHETIC AND VISUAL RESOURCES 14

 RESOURCE 9 - INFRASTRUCTURE 16

 RESOURCE 11 - HUMAN HEALTH AND SAFETY 18

SECTION 4 - ENVIRONMENTAL CONSEQUENCES 20

 RESOURCE 1 - NOISE 20

 RESOURCE 2 - AIR QUALITY 21

 RESOURCE 3 - GEOLOGY AND SOILS 23

 RESOURCE 4 - WATER RESOURCES 23

 RESOURCE 5 - BIOLOGICAL RESOURCES 24

 RESOURCE 6 - HISTORIC AND CULTURAL RESOURCES 26

 RESOURCE 7 - AESTHETIC AND VISUAL RESOURCES 27

 RESOURCE 8 - LAND USE 28

 RESOURCE 9 - INFRASTRUCTURE 29

 RESOURCE 10 - SOCIOECONOMIC RESOURCES 30

 RESOURCE 11 - HUMAN HEALTH AND SAFETY 30

SECTION 5 - FINDINGS AND CONCLUSIONS 31

FIGURES 32

 FIGURE 1: TOPOGRAPHIC MAP 32

 FIGURE 2: SITE MAP 33

 FIGURE 3: FLOOD MAP 34

 FIGURE 4: HISTORICAL MAP 35

APPENDIX A 36

 SECTION 106 36

APPENDIX B 39

 NEPA 39

SECTION 1 INTRODUCTION

PURPOSE AND NEED

The purpose of this project is to allow for the build out of a radio tower and communications shelter, back-up generator and associated equipment that would add to the existing infrastructure Montgomery County currently has contracted for acquisition and expansion of the multi-owner radio system to provide radio interoperability for first responders throughout the East Texas Region and beyond. This system will tie to the surrounding regional radio systems and enable first responders from inside and outside our jurisdiction to communicate via radio. Currently Walker County to the North and Harris County, Fort Bend County, Galveston County, and Brazoria County to the south are on the regional radio system. Montgomery County is sandwiched between Walker County and Harris County; this project will improve coverage for all entities on the Regional Radio System and would further allow for compliance with the Statewide Interoperability Plan by increasing interoperable communications in the region. In addition, the proposed new tower will improve communications for areas at high risk for natural disasters in the region and improve interoperability efforts in urban and metropolitan areas at high risk for threats of terrorism.

Montgomery County is located in the State of Texas within the Houston–Sugar Land–Baytown Metropolitan Area. In 2008, the U.S. Census Bureau estimated Montgomery County's population to be 429,953. There were 112,770 housing units at an average density of 108 per square mile (42/km²).

Montgomery County is currently faced with using a ten year old analog disparate radio system that provides no interoperability outside its jurisdictional lines except through gateway patching. Due to this, Montgomery County is the unfilled communication gap on the northern side of the Regional Radio System experiencing poor voice coverage on the outside boundaries of the County and within buildings in the County. With Montgomery County sharing Harris County's border to the north and the existing need to communicate with Harris County during natural disasters, daily law enforcement activities, etc., the need to become a partner in the Regional Radio System is necessary. This project has been selected over other options as the most interoperable and financially sound. Costs are reduced significantly by sharing systems and financial resources. Additionally, this project would allow for Montgomery County to partner with Harris County in the Regional Radio System and all users of the Regional Radio System would be compatible to communicate when necessary without unreliable patching. This project would address radio interoperability between Harris County and Montgomery County since both counties are at high risk for natural disasters and Harris County being at high risk for threats of terrorism.

SECTION 2 - PROPOSED ACTION

The Proposed Action is to construct a new transmitting and receiving telecommunications facility to accomplish the following goals:

- Increased coverage area for emergency responders connected through the system
- Updated equipment to support new frequencies to improve and expand voice and data coverage
- Facilitate reliable interoperable communications among first responder organizations
- Enhanced security and facility control
- Use cost-effective measures

The Proposed Action is identified as the Montgomery County tower telecommunication facility. The Montgomery County Tower is classified as a "New" Transmission and Receiving Site, which consists of the construction of a 420-foot telecommunications guyed tower with a 50-foot by 50-foot fenced compound with associated equipment. The total ground-disturbance area is 0.25 acres. The area surrounding the proposed Montgomery County tower telecommunication facility is a 50 foot by 50 foot vacant, wooded tract of land located within the West Montgomery County Park in Montgomery, Montgomery County, Texas.

Alternatives

Several project alternatives, including the proposed action, were investigated during the facility selection process as discussed below:

Proposed Action – Montgomery County Tower Site (Preferred Action)

Due to the higher topographic location of the proposed Montgomery County Tower site, increased coverage is greatly enhanced, no retrofitting would be required and the facility will be constructed in a manner to allow for future expansion needs. This additional Transmission and Receiving Site will enhance security and facility control, reliable interoperable communications, and significant increased coverage area for emergency responders.

The proposed tower site is a 50 foot by 50 foot vacant, wooded tract of land located within the West Montgomery County Park in Montgomery, Montgomery County, Texas. The proposed tower site is located at N30-25-27.8" Latitude and W95-41-04.1" Longitude (NAD83) The proposed telecommunications compound will include: one 12-foot by 26-foot equipment shelter with a back-up generator.

The proposed site topography provides natural height resulting in enhanced coverage with the proposed 420-foot guyed tower. The proposed site also provides additional area for expansion in the future. Ingress and egress would be more conducive to maintenance and future expansion construction work.

No Action

Under the No Action Alternative, current radio system coverage requirements will 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 will serve as the baseline for assessing the impacts of the other alternatives. The No Action Alternative would not address the needs for Montgomery County.

Alternatives Considered But Not Carried Forward

Multiple alternatives were examined to determine the range of reasonable alternatives to implement the Proposed Action. No existing facility that would require minimum structural retrofitting of the existing tower and other equipment upgrades is available. Additional lease options and security measures would need to also be taken to limit and control access for these other existing facilities. Due to the identified goals for the Proposed Action, significant upgrades and retrofitting would be required and long-term financial commitments to private tower operators would be mandated. Overall coverage expansion for services would fall short and become a limiting factor in the future needs of Montgomery County. Other alternatives did not meet the pre-screen requirements of Montgomery County as described in Section 2 and were not carried forward for detail analysis in this evaluation.

SECTION 3 - EXISTING ENVIRONMENT

The 11 resource areas are noise, air quality, geology and soils, water resources, biological resources, historic and cultural, land use, aesthetic and visual, infrastructure, socioeconomic resources, and human health and safety. This section describes the existing environment that may be affected by implementing the Proposed Action and serves as a baseline from which to identify and evaluate potential impacts. The description of the affected environment focuses on those resource areas that are potentially subject to impacts resulting from the Proposed Action. Aspects of the existing environment described in this section focus on 11 major resource areas that encompass the natural, human, and built environments.

Resource 1 - Noise

Noise is defined as unwanted sound that interferes with normal human activities or wildlife behavior, or may otherwise diminish environmental quality (EPA, 1974). Noise can come from a number of sources and at varying frequencies and may be continuous or intermittent, persistent or occasional. Noise and sound share the same physical aspects; however, noise is generally considered a disturbance, whereas sound is defined as a particular auditory effect produced by a given source (e.g., a motor running). How sound is interpreted, as either pleasant (e.g., birdsong) or unpleasant (e.g., jackhammer), depends upon the listener's current activity, past experience, and attitude toward the source. The measurement and perception of sound involve two physical characteristics: intensity and frequency. Intensity is a measure of the strength or magnitude of the sound vibrations and is expressed in terms of pressure. The higher the sound pressure, the more intense is the perception of that sound. The frequency of the sound is the number of times per second the sound oscillates. Sirens and screeches typify high frequency sounds, whereas low frequency sounds are characterized as a rumble or roar (EPA, 1974). The sound pressure range that can be detected comfortably by the human ear is extremely large and covers an intensity scale from 1 to 100,000,000 (EPA, 1974). Because of this wide range of sound intensity, representation using a linear index becomes difficult. As a result, a unit of A-weighted decibels (abbreviated dB or sometimes dBA)—a logarithmic measure of the magnitude of a sound as the average person hears it—is normally utilized. Humans do not hear very low or very high frequencies nearly as well as they hear middle frequencies. Using an A-weighting corrects these relative inefficiencies of the human ear at low or higher frequencies.

Existing Conditions

The project site exhibits typical noise patterns of a wooded area and roadway noise. Roadway noise is the collective sound energy emanating from motorized transportation comprising chiefly engine, tire, and aerodynamic and braking elements. The intensity of roadway noise is often caused by traffic operations (speed, truck mix, age of vehicle fleet), roadway surface type, tire types, roadway geometrics, terrain, and the structures or foliage in the area.

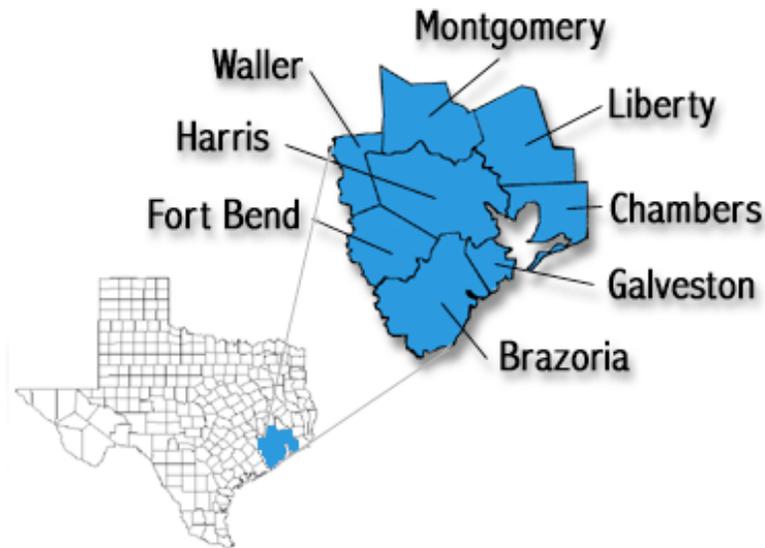
Resource 2 - Air Quality

Air quality is measured by the concentration of various pollutants in the atmosphere, usually expressed in units of parts per million (ppm) or micrograms per cubic meter ($\mu\text{g}/\text{m}^3$). Acceptable levels for six criteria pollutants in ambient air have been established as National Ambient Air Quality Standards (NAAQS). These standards were set by the federal Environmental Protection Agency (EPA) for the maximum levels of air pollutants that can exist in the outdoor air without

unacceptable effects on human health or the public welfare. The six criteria air pollutants include carbon monoxide (CO), nitrogen dioxide (NO₂), ozone (O₃), sulfur dioxide (SO₂), particulate matter (PM₁₀ and PM_{2.5}), and lead (Pb). PM₁₀ and PM_{2.5} are acronyms for particulate matter consisting of particles smaller than 10 and 2.5 micrometers, respectively.

Existing Conditions

Montgomery County meets federal air quality standards with the exception: eight-hour ground-level ozone in Houston-Galveston-Brazoria. Montgomery County is one of eight counties considered in the Houston-Galveston-Brazoria (HGB). The HGB area was previously classified as moderate nonattainment of the 1997 eight-hour ozone standard with a maximum attainment date of June 15, 2010. As part of Phase I of the United States Environmental Protection Agency's (EPA) implementation rule for the 1997 eight-hour ozone standard, the Texas Commission on Environmental Quality (TCEQ) was required to submit an eight-hour ozone SIP revision to the EPA by June 15, 2007, for a moderate nonattainment area. On September 18, 2008, the EPA granted the governors request to voluntarily reclassify the HGB ozone nonattainment area from a moderate to a severe nonattainment area for the 1997 ozone standard. The effective date of this reclassification is October 31, 2008.



The EPA set April 15, 2010, as the date for the state to submit a revised SIP addressing the severe ozone nonattainment requirements. The HGB areas new attainment date for the 1997 ozone standard is as expeditiously as practicable but no later than June 15, 2019. The HGB eight-hour ozone nonattainment area is unique and includes one of the most comprehensively controlled industrial complexes in the world.

Resource 3 - Geology and Soils

Geological resources are described as the geology, soils, and topography that characterize an area. The geology of an area refers specifically to the surface and near-surface materials of the earth and the processes that formed those materials. These resources are typically described in terms of regional or local geology, including mineral resources, earth materials, soil resources, and topography.

Descriptions of these resource areas include bedrock or sediment type and structure, unique geologic features, depositional or erosional environment, and age or history. Mineral resources include usable geological materials that have some economic or academic value. Soil resources include the unconsolidated, terrestrial materials overlying the bedrock or parent material and are typically described by their complex type, slope, and physical characteristics.

Soil resources also include prime and unique farmlands, which are protected under the Farmland Protection Policy Act of 1981 (FPPA) (P.L. 97-98, 7 U.S.C. §4201). The FPPA applies to prime and unique farmlands and those that are of State and local importance. "Prime farmland" is defined as land that has the best combination of physical and chemical characteristics for successfully producing crops. "Unique" farmland is defined as land that is used for the production of certain high-value crops, such as citrus, tree nuts, olives, and fruits. The Act requires Federal agencies to examine the potentially adverse effects to these resources before approving any action that would irreversibly convert farmlands to nonfarm uses. This examination is done in consultation with the Natural Resources Conservation Service (NRCS) of the U.S. Department of Agriculture (USDA).

Existing Conditions

According to the U.S.D.A. Natural Resource Conservation Service (USDA-NRCS), the soil consists of SuC - Woodville fine sandy loam, 1 to 5 percent slopes and Th Gowker sandy clay loam, overwash. Woodville fine sandy loam, 1 to 5 percent slopes The Woodville component makes up 100 percent of the map unit. Slopes are 1 to 5 percent. This component is on interfluves on coastal plains. The parent material consists of clayey marine deposits. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is somewhat poorly drained. Water movement in the most restrictive layer is low. Available water to a depth of 60 inches is high. Shrink-swell potential is high. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 1 percent. Nonirrigated land capability classification is 4e. This soil does not meet hydric criteria. Gowker sandy clay loam, overwash The Gowker component makes up 100 percent of the map unit. Slopes are 0 to 1 percent. The parent material consists of loamy alluvium of Holocene age derived from mixed sources. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is moderately low. Available water to a depth of 60 inches is high. Shrink-swell potential is moderate. This soil is frequently flooded. It is not ponded. A seasonal zone of water saturation is at 18 inches during January, February, March, April, May, October, November, and December. Organic matter content in the surface horizon is about 2 percent. This component is in the R086BY219TX Loamy Bottomland ecological site. Nonirrigated land capability classification is 5w. This soil does not meet hydric criteria.

Resource 4 - Water Resources

Water resources are streams, lakes, rivers, and other aquatic habitats in an area and include

surface water, groundwater, wetlands, floodplains, coastal resources, and wild and scenic rivers. Water resources—such as lakes, rivers, streams, creeks, canals, and drainage ditches—make up the surface hydrology of a given watershed. The term “waters of the United States” applies only to surface waters (including rivers, lakes, estuaries, coastal waters, and wetlands) used for commerce, recreation, industry, sources of fishing, and other purposes.

The Safe Drinking Water Act (SDWA) provides for the protection of public health by regulating the U.S. public drinking water supply (P.L. 93–23, 42 U.S.C. §300f). The SDWA aims to protect drinking water and its sources (e.g., rivers, lakes, reservoirs, springs, and groundwater wells) and authorizes EPA to establish national health-based standards for drinking water to protect against naturally occurring and man-made contaminants. Every public water system in the United States is protected by the SDWA. Under Section 1424(e) the SDWA prohibits Federal agencies from funding actions that would contaminate a sole-source aquifer or its recharge area. Any federally funded project (including those that are partially federally funded) with the potential to contaminate a designated sole-source aquifer is subject to review by EPA. EPA’s regulations implementing the SDWA requirements are found in 40 CFR 141–149. Federal SDWA groundwater protection programs are generally implemented at the State level.

The Clean Water Act (CWA), as amended, is the primary Federal law in the United States regulating water pollution (P.L. 92–500, 33 U.S.C. §1251). The CWA regulates water quality of all discharges into “waters of the United States.” Both wetlands and “dry washes” (channels that carry intermittent or seasonal flow) are considered “waters of the United States.” Administered by EPA, the CWA protects and restores water quality using both water quality standards and technology-based effluent limitations. The EPA publishes surface water quality standards and toxic pollutant criteria at 40 Code of Federal Regulations (CFR) Part 131.

The CWA also established the National Pollution Discharge Elimination System (NPDES) permitting program (Section 402) to regulate and enforce discharges into waters of the United States. The NPDES permit program focuses on point-source outfalls associated with industrial wastewater and municipal sewage discharges. Congress has delegated to many States the responsibility to protect and manage water quality within their legal boundaries by establishing water quality standards and identifying waters not meeting these standards. States also manage the NPDES system.

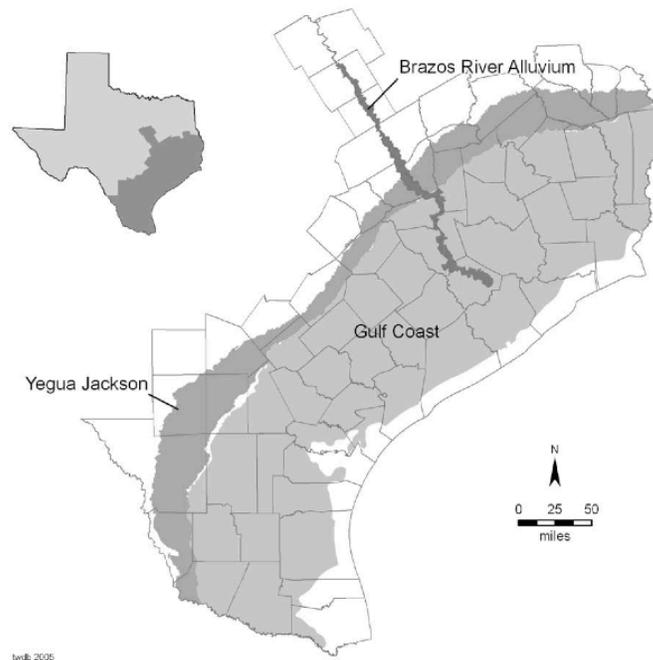
The Coastal Zone Management Act of 1972 (CZMA) (16 U.S.C. §1451) provides States with the authority to determine whether activities of governmental agencies are consistent with federally approved State Coastal Zone Management Plans (CZMP). The intent of the CZMA is to prevent any additional loss of living marine resources, wildlife, and nutrient-enriched areas; alterations in ecological systems; and decreases in undeveloped areas available for public use.

Federal statutes, executive orders (EO), State statutes, and State agency regulations and directives protect water quality and the beneficial uses of water resources. EO 11988 (Floodplain Management) and EO 11990 (Protection of Wetlands) mandate the control of activities that indirectly influence water quality.

EO 11988 (Floodplain Management) requires Federal agencies to determine whether a Proposed Action would occur within a floodplain and to take action to minimize occupancy and modification of floodplains. A floodplain is defined as the lowlands and flat areas adjoining inland and coastal waters, including flood-prone areas of offshore islands. At a minimum, areas designated as floodplains are susceptible to 100-year floods.

Existing Conditions

The major aquifer for Montgomery County is the Gulf Coast aquifer. The Gulf Coast aquifer forms a wide belt along the Gulf of Mexico from Florida to Mexico. In Texas, the aquifer provides water to all or parts of 54 counties and extends from the Rio Grande northeastward to the Louisiana-Texas border. Municipal and irrigation uses account for 90 percent of the total pumpage from the aquifer. The Greater Houston metropolitan area is the largest municipal user, where well yields average about 1,600 gal/min.



The aquifer consists of complex interbedded clays, silts, sands, and gravels of Cenozoic age, which are hydrologically connected to form a large, leaky artesian aquifer system. This system comprises four major components consisting of the following generally recognized water-producing formations. The deepest is the Catahoula, which contains ground water near the outcrop in relatively restricted sand layers. Above the Catahoula is the Jasper aquifer, primarily contained within the Oakville Sandstone. The Burkeville confining layer separates the Jasper from the overlying Evangeline aquifer, which is contained within the Fleming and Goliad sands. The Chicot aquifer, or upper component of the Gulf Coast aquifer system, consists of the Lissie, Willis, Bentley, Montgomery, and Beaumont formations, and overlying alluvial deposits. Not all formations are present throughout the system, and nomenclature often differs from one end of the system to the other. Maximum total sand thickness ranges from 700 feet in the south to 1,300 feet in the northern extent. Water quality is generally good in the shallower portion of the aquifer. Ground water containing less than 500 mg/l dissolved solids is usually encountered to a maximum depth of 3,200 feet in the aquifer from the San Antonio River Basin northeastward to Louisiana. From the San Antonio River Basin southwestward to Mexico, quality deterioration is evident in the form of increased chloride concentration and saltwater encroachment along the coast. Little of this ground water is suitable for prolonged irrigation due to either high salinity or alkalinity, or both. In several areas at or near the coast, including Galveston Island and the central and southern parts of Orange County, heavy municipal or industrial pumpage had previously caused an updip migration, or saltwater intrusion, of poor-quality water into the aquifer. Recent reductions in pumpage here have resulted in stabilization and, in some cases, even improvement

of ground-water quality. Years of heavy pumpage for municipal and manufacturing use in portions of the aquifer have resulted in areas of significant water-level decline. Declines of 200 feet to 300 feet have been measured in some areas of eastern and southeastern Harris and northern Galveston counties. Other areas of significant water-level declines include the Kingsville area in Kleberg County and portions of Jefferson, Orange, and Wharton counties. Some of these declines have resulted in compaction of dewatered clays and significant land surface subsidence. Subsidence is generally less than 0.5 foot over most of the Texas coast, but has been as much as nine feet in Harris and surrounding counties. As a result, structural damage and flooding have occurred in many low-lying areas along Galveston Bay in Baytown, Texas City, and Houston. Conversion to surface-water use in many of the problem areas has reversed the decline trend.

Resource 5 - Biological Resources

Biological resources are animals, plants, and their habitats that are native to an area, including threatened or endangered species. In general, biological resources can include native and introduced (non-native) plants that comprise the various habitats, animals present in such habitats, and natural areas that help support these plant and wildlife populations. Protected or sensitive biological resources include plant and animal species listed as threatened or endangered by U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), or a State. The following section describes categories of biological resources such as vegetation and associated habitats, wildlife, threatened and endangered species, and wetlands.

The Endangered Species Act (ESA) (16 U.S.C. §1531) requires Federal agencies to conserve endangered species by listing endangered and threatened species of plants and animals and designating the critical habitat for animal species. The ESA defines an endangered species as any species in danger of extinction throughout all or a significant area of its range and a threatened species as any species likely to become endangered in the near future. Under Section 7 of the ESA, Federal agencies, in consultation with USFWS or NMFS, must ensure their actions are not likely to jeopardize the continued existence of any endangered or threatened species (i.e., a listed species) or to result in the destruction or adverse modification of critical habitat, defined as a specific geographic area that is essential for the conservation of a threatened or endangered species and that may require special management and protection (USFWS, 2007). USFWS and NMFS are responsible for compiling official lists of threatened and endangered species. If a Proposed Action may adversely affect a listed species or critical habitat, the Federal agency must prepare a Biological Assessment (BA) and initiate a formal consultation with USFWS or NMFS. After reviewing the BA, USFWS or NMFS prepares a Biological Opinion stating whether the Proposed Action is likely to jeopardize the continued existence of a listed species or cause the destruction or adverse modification of critical habitat. The purpose of the consultation process is to ensure avoidance and minimization of potential adverse impacts on listed species or critical habitats. Formal consultation is not required if the Federal agency determines, and USFWS or NMFS concurs in writing, that the Proposed Action is not likely to adversely affect listed species. In addition, the ESA prohibits all persons subject to U.S. jurisdiction, including Federal agencies, from, among other things, “taking” endangered or threatened species. The “taking” prohibition includes any harm or harassment, and applies in the United States and on the high seas.

The Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. §703) was first enacted to implement the 1916 convention between the United States and Great Britain for the protection of birds migrating between the U.S. and Canada, offering much-needed protection to many bird species during a time when commercial trade in birds and their feathers was popular. The statute makes it

unlawful to pursue, hunt, take, capture, kill or sell birds listed in the statute as "migratory birds", and does not discriminate between live or dead birds and also grants full protection to any bird parts including feathers, eggs and nests. The MBTA is the primary law that affirms or implements the nation's commitment to four international conventions (with Canada, Japan, Mexico, and Russia) for the protection of a shared migratory bird resource. Each convention protects selected species of birds that are common to both countries (e.g., they occur in both countries at some point during their annual life cycle). The potential impact to property owners can exist when migratory birds seek respite within trees or on buildings considered private property.

EO 13186 (Responsibilities of Federal Agencies to Protect Migratory Birds) strengthens the protection of migratory birds and their habitats by directing Federal agencies to take certain actions that implement the MBTA. Specifically, Federal agency actions that have, or are likely to have, a measurable negative effect on migratory bird populations require development and implementation of an Memorandum of Understanding (MOU) with USFWS that promotes the conservation of migratory bird populations. The EO and MOUs are the regulatory basis for conservation actions or renewal of contracts, permits, delegations, or other third-party agreements associated with migratory birds. MOUs established under EO 13186 are published in the *Federal Register*.

USFWS's Division of Migratory Bird Management established several initiatives in the past decade to research collisions of birds with communication towers. In 1999, USFWS established the Communication Tower Working Group, composed of government, industry, and academic groups to study and determine tower construction approaches that prevent bird strikes.

EO 11990 (Protection of Wetlands) requires Federal agencies to provide leadership and take action to minimize the destruction, loss, or degradation of wetland habitat and to preserve and enhance the natural and beneficial values of wetland habitats in carrying out the agency's responsibilities. Wetland habitats generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.

Existing Conditions

The Proposed Action is located on a vacant cleared area. No burrows, nests, wetlands, or other signs of threatened and endangered species and/or habitat were readily observable. No presently known occurrences or observations of special species or natural communities have been documented in the vicinity of the proposed site. A visual inspection of the property revealed no potential habitat for federally listed or proposed threatened or endangered species.

The U.S. Fish & Wildlife Service (USFWS) has listed one endangered species and one as threatened in Montgomery County, the Bald Eagle, (*Haliaeetus leucocephalus*), and the red-cockaded woodpecker (*Picoides borealis*) Habitats for these species were compared to the habitat observed at the proposed Site, and none of the habitats were identified with a potential to be found on the Site.



Photo 1 Site view.



Photo 2 Adjoining property north (power line easement).



Photo 3 Adjoining property east (vacant, wooded land).



Photo 4 Barbed wire fencing.

Resource 6 - Historic and Cultural Resources

Historic and cultural resources are sites, structures, buildings, districts, or objects, associated with important historic events or people, demonstrating design or construction associated with a historically significant movement, or with the potential to yield historic or prehistoric data, that are considered important to a culture, a subculture, or a community for scientific, traditional, religious, or any other reason (NPS, 2008). Typically, historic and cultural resources are subdivided into the following categories:

- **Archaeological resources.** This includes prehistoric or historic sites where human activity has left physical evidence of that activity but few aboveground structures remain standing.
- **Architectural resources.** This includes buildings or other structures or groups of structures that are of historic or aesthetic significance.
- **Native resources.** These include resources of traditional, cultural, or religious significance to a Native American Tribe, Native Hawaiian, or Native Alaskan organization.

There are multiple Federal regulations that protect historic and cultural resources. The National Historic Preservation Act of 1966 (NHPA) (P.L. 89-665, 16 U.S.C. §470) directs the Federal Government to consider the effects of its actions on historic and cultural resources under Section 106 through a four-step compliance process. It is noteworthy, however, that the law does not necessarily mandate preservation but does mandate a carefully considered decision making process. The four steps of the Section 106 compliance process are the following:

1 **Establish whether the Proposed Action constitutes an undertaking.** Per 36 CFR 800.16, an undertaking is an action funded in whole or in part under the direct or indirect

jurisdiction of a Federal agency. If the Proposed Action is an undertaking, the appropriate State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO) and other consulting parties (stakeholders) are identified.

2 Identify National Register-listed or eligible properties. Eligible historic properties in the geographic area of the Proposed Action are identified and evaluated for significance, including properties potentially eligible or listed with the National Register of Historic Places (NRHP) that may be affected by the Proposed Action.

3 Assess affects of Proposed Action on eligible historic properties. If the assessment determines no historic properties or no adverse effect to eligible historic properties, the SHPO/THPO and other consulting parties are informed, and the compliance process stops at this step. If the assessment determines actual or potential adverse effect to eligible historic properties, the SHPO/THPO and other consulting parties are notified through a letter and supporting documentation.

4 Resolve adverse effects to eligible historic properties through consultation with the SHPO/THPO and Advisory Council on Historic Preservation (ACHP), as necessary.

Existing Conditions

Environmental Protection Agency (EPA) and State of Texas/tribal regulatory agency databases from Banks Information Solutions, Inc. was conducted. The databases were reviewed to identify the notifications, registrations, and documented environmental incidents regarding the subject Property and other surrounding properties within a designated radius. Information in this section is subject to the accuracy of the data provided by the information services company and the date at which the information is updated, and the scope herein did not include location of facilities listed as "unmappable." Review the National Native American Graves Protection and Repatriation Act (NAGPRA) records regarding the presence of tribes within the site area. NAGPRA provides a process for museums and Federal agencies to return certain Native American cultural items -- human remains, funerary objects, sacred objects, or objects of cultural patrimony -- to lineal descendants, and culturally affiliated Indian tribes and Native Hawaiian organizations.

According to the NAGPRA records, no tribes were identified in the site area.

Resource 7 - Aesthetic and Visual Resources

Effects to aesthetic and visual resources deal broadly with the extent to which development contrasts with the existing environment, architecture, historic or cultural setting, or land use, and the determination of effects is a judgment that must be made by a qualified professional. Visual resources are the natural and man-made features that give an area its visual character. Visual resources generally refer to the urban environment, whereas aesthetic resources typically include impacts to natural and scenic areas.

Visual resources are inherently difficult to assess, because they involve subjectivity. Often communities, historical societies, and their corresponding jurisdictional agencies are the arbiters of visual effects resulting from the Proposed Action.

There are no Federal statutory or regulatory requirements for visual resources and aesthetics. State, regional, or local requirements may apply. If the landscape were cultural or historic, or part of a National Historic Landmark, the impacts would need to be reviewed under NHPA Section 106. Similarly, potential visual impacts on scenic byways would need to be assessed under the National Scenic Byways Program (P.L. 105–178, 23 U.S.C. §162) and laws concerning State-

designated scenic byways. Consultation with the National Park Service may be required for potential impacts on the visual resources in State and national parks. Potential visual impacts for outdoor recreation sites and facilities covered by Section 6(f) of the Land and Water Conservation Fund Act (LWCFA) (P.L. 88–578, 16 U.S.C. §460) may need to be reviewed.

Existing Conditions

No unique viewsheds related to national or state designated scenic byways, cultural or historic resources, or National Historic Landmarks were identified based on desktop database review conducted by the Texas Historic Commission

*Environmental FirstSearch
Search Summary Report*

**Target Site: NW MONTGOMERY COUNTY
MONTGOMERY TX 77356**

FirstSearch Summary

Database	Sel	Updated	Radius	Site	1/8	1/4	1/2	1/2>	ZIP	TOTALS
NPL	Y	02-08-08	1.00	0	0	0	0	0	0	0
NPL Delisted	Y	02-08-08	0.50	0	0	0	0	-	0	0
CERCLIS	Y	02-08-08	0.50	0	0	0	0	-	0	0
NFRAP	Y	02-08-08	0.50	0	0	0	0	-	0	0
RCRA COR ACT	Y	04-01-08	1.00	0	0	0	0	0	0	0
RCRA TSD	Y	04-01-08	0.50	0	0	0	0	-	0	0
RCRA GEN	Y	04-01-08	0.25	0	0	0	-	-	0	0
Federal IC / EC	Y	02-08-08	0.50	0	0	0	0	-	0	0
ERNS	Y	12-31-07	0.25	0	0	0	-	-	0	0
Tribal Lands	Y	12-01-05	1.00	0	0	0	0	0	0	0
State/Tribal Sites	Y	06-15-07	1.00	0	0	0	0	0	0	0
State Spills 90	Y	06-15-07	0.25	0	0	0	-	-	0	0
State/Tribal SWL	Y	06-15-07	0.50	0	0	0	0	-	0	0
State/Tribal LUST	Y	06-06-07	0.50	0	0	0	0	-	0	0
State/Tribal UST/AST	Y	06-06-07	0.25	0	0	0	-	-	0	0
State/Tribal EC	Y	06-06-07	0.50	0	0	0	0	-	0	0
State/Tribal IC	Y	06-07-07	0.25	0	0	0	-	-	0	0
State/Tribal VCP	Y	03/18/08	0.50	0	0	0	0	-	0	0
State/Tribal Brownfields	Y	06-15-07	0.50	0	0	0	0	-	0	0
Floodplains	Y	09-01-98	0.50	0	0	0	3	-	0	3
State Other	Y	06-15-07	0.25	0	0	0	-	-	1	1
- TOTALS -				0	0	0	3	0	1	4

Notice of Disclaimer

Due to the limitations, constraints, inaccuracies and incompleteness of government information and computer mapping data currently available to Banks Environmental Data, certain conventions have been utilized in preparing the locations of all federal, state and local agency sites residing in Banks Environmental Data's databases. All EPA NPL and state landfill sites are depicted by a rectangle approximating their location and size. The boundaries of the rectangles represent the eastern and western most longitudes; the northern and southern most latitudes. As such, the mapped areas may exceed the actual areas and do not represent the actual boundaries of these properties. All other sites are depicted by a point representing their approximate address location and make no attempt to represent the actual areas of the associated property. Actual boundaries and locations of individual properties can be found in the files residing at the agency responsible for such information.

Waiver of Liability

Although Banks Environmental Data uses its best efforts to research the actual location of each site, Banks Environmental Data does not and can not warrant the accuracy of these sites with regard to exact location and size. All authorized users of Banks Environmental Data services proceeding are signifying an understanding of Banks Environmental Data searching and mapping conventions, and agree to waive any and all liability claims associated with search and map results showing incomplete and or inaccurate site locations.

Resource 8 - Land Use

The term "land use" refers to real property classifications that indicate either natural conditions or the types of human activity that occur, or are permitted, on a parcel. There is no nationally

recognized convention or uniform terminology for describing land use categories; definitions are typically promulgated at the local level in the form of zoning ordinances. As a result, the meanings of land use descriptions and definitions vary among jurisdictions.

Land use plans are usually established to ensure that development proceeds in an orderly fashion, encouraging compatible uses for adjacent land. There are many tools used in the planning process, including master plans, geospatial databases, and zoning ordinances. A master plan is generally written by a county or municipality to provide a long-term strategy for growth and development. The foremost factor affecting land use is compliance and compatibility with master plans and zoning regulations. Other relevant factors include existing land use at project sites, the types of land uses on adjacent properties and their proximity to a Proposed Action, the duration of a proposed activity, and project permanence as a change in land use.

The following general land use categories will be used when discussing potential impacts to land use for this document: low, medium, and high density residential; commercial; industrial; public, quasi-public, and institutional; agricultural; vacant land; and open space. The following section will describe each area and its characteristic development and compatibility issues. Areas of particular concern include Coastal Zone Management (CZM) areas and coastal barrier islands.

Existing Conditions

In general it is expected that siting of Proposed Action would be compatible with existing land use plans and zoning at and adjacent to the proposed site and would not impose an incompatible land use on an area. Commercial, industrial, and some public and quasi-public facilities, would be compatible. The Montgomery County site is located adjacent to a park currently under development, the project site is not located in a coastal zone or coastal barrier resources, and no local zoning rules prohibit the Proposed Action. Therefore, no significant impact would occur related to general land use compatibility with the Montgomery County site.

Resource 9 - Infrastructure

Infrastructure consists of the systems and physical structures that enable a population in a specified area to function. Infrastructure by definition includes a broad array of facilities (e.g., utility systems, streets, highways, railroads, airports, buildings and structures, and other manmade facilities). Individuals, businesses, governmental entities, and virtually all relationships between these groups depend upon this infrastructure for their most basic needs, as well as for critical and advanced needs (e.g., emergency response and health care).

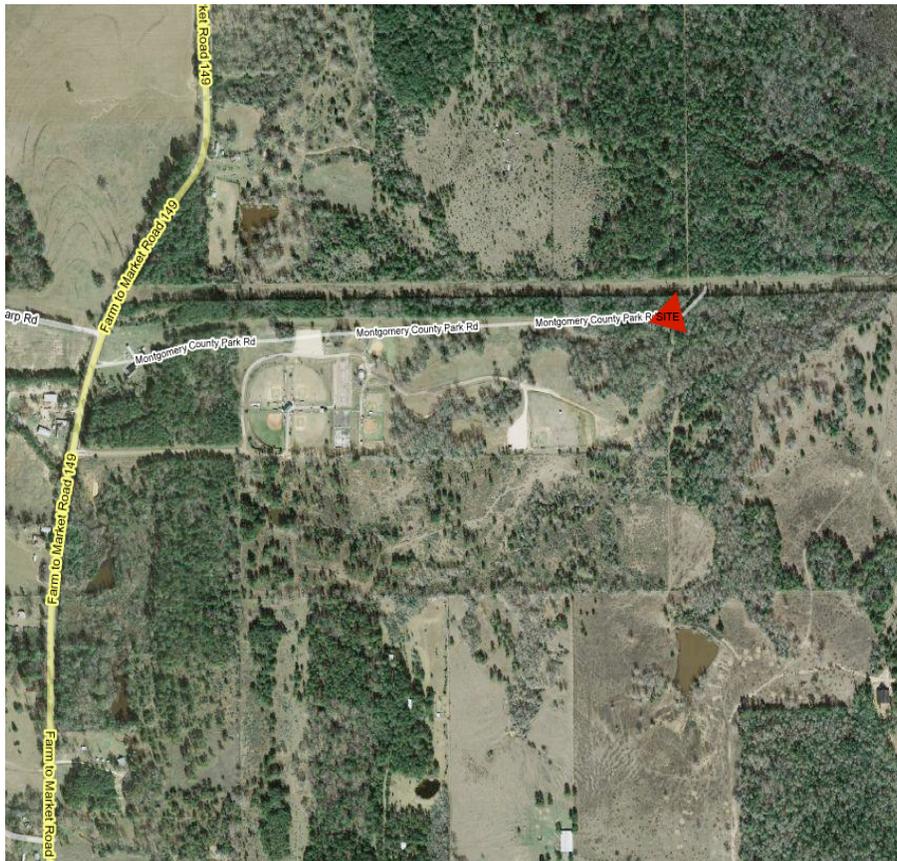
Infrastructure is entirely man-made, with a high correlation between the type and extent of infrastructure and the degree to which an area is characterized as “developed.” An essential component of economic growth to an area is the availability of infrastructure and its capacity to support growth. The infrastructure components to be discussed in this section include utilities (electricity and communications), solid waste, and the transportation network.

Public utilities can be privately or publicly owned. Public utilities are often governed by a Public Utilities Commission that regulates the rates and services of a public utility. In recent years, several laws have been passed focusing on energy conservation and production. The Energy Policy Act of 2005 (P.L. 109– 58) provides tax incentives and loan guarantees for energy production of various types. The Energy Independence and Security Act of 2007 (P.L. 110–140) expanded the production of renewable fuels and contains provisions for energy efficiency, smart grid, and carbon dioxide and incentives for plug-in hybrid electric vehicles to assist the electric power industry's efforts to reduce greenhouse gas emissions.

Regulations governing communications infrastructure include Part 17 Construction, Marking, and Lighting of Antenna Structures of the FCC regulations (47 CFR Chapter 1), which prescribes procedures for antenna structure registration and requires the Federal Aviation Administration (FAA) to conduct an aeronautical study of the navigation air space to determine appropriate tower marking and lighting requirements to achieve safe air space. Before the FCC authorizes the construction of new antenna structures or alteration in the height of existing antenna structures, an FAA determination of “no hazard” may be required. FAA notification is required for any new construction greater than 200 feet above the ground, and near an airport runway (taller than 100:1 for a horizontal distance of 20,000 feet, 50:1 for a horizontal distance of 10,000 feet, and 25:1 for a horizontal distance of 5,000 feet of a heliport). By checking the heights of proposed antennas and their proximity to airports, the FCC’s TOWAIR software system assists in determining if FAA notification is required. The FAA can vary marking and lighting recommendations when requested, provided that aviation safety is not compromised. In all cases, safe aviation conditions around the tower are the FCC’s primary concern, and safety concerns dictate the marking and lighting requirements. Navigation air space, which starts at 200 feet above the ground, decreases in elevation in close proximity to airports; the minimum height for required marking or lighting would decrease in these areas.

Existing Conditions

The Proposed Action area has a combination of utilities (electricity and communications) along with adequate transportation network of roads available in the area. No airports are located within 5 miles of the Proposed Action.



Resource 10 - Socioeconomic Resources

Socioeconomics comprise the basic attributes and resources associated with the human environment, including demographic, economic, and social assets of a community. Demographics focus on population trends and age. Economic metrics provide information on employment trends and industries. Housing, infrastructure, and services are also influenced by socioeconomic factors.

EO 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations) directs agencies to address environmental and human health conditions in minority and low-income communities. Environmental justice addresses the disproportionate and adverse effects of a Federal action on low-income or minority populations. The intent of EO 12898 and related directives and regulations is to ensure that low-income and minority populations do not bear a disproportionate burden of negative effects resulting from Federal actions. The general purposes of EO 12898 are the following:

- To focus the attention of Federal agencies on human health and environmental conditions in minority communities and low-income communities, with the goal of achieving environmental justice
- To foster nondiscrimination in Federal programs that substantially affect human health or the environment
- To give minority communities and low-income communities greater opportunities for public participation in, and access to, public information on matters relating to human health and the environment.

Existing Conditions

With regard to socioeconomic conditions of the proposed site, the Proposed Action area is not located in low-income or minority area.

Resource 11 - Human Health and Safety

A safe environment is one in which there is no danger (or an optimally reduced, potential) for death, serious bodily injury or illness, or property damage. Human health and safety addresses workers' health and safety, and public safety during demolition and construction activities and during subsequent operations of those facilities. Construction site safety is largely a matter of adherence to regulatory requirements imposed for the benefit of employees and implementation of operational practices that reduce risks of illness, injury, death, and property damage. The health and safety of onsite military and civilian workers are safeguarded by numerous regulations designed to comply with standards issued by Occupational Safety and Health Administration (OSHA), EPA, and State agencies. These standards specify the amount and type of training required for industrial workers, the use of protective equipment and clothing, engineering controls, and maximum exposure limits for workplace stressors.

Existing Conditions

Safety hazards can often be identified and reduced or eliminated. Elements for an unsafe condition, accident-prone situation or environment include the presence of the hazard itself together with the exposed and possibly susceptible population. The degree of exposure depends primarily on the proximity of the hazard to the population. PSIC-funded activities that can be

hazardous include transportation, maintenance and repair, radiation exposure, and the creation of extremely noisy environments.

The proper operation, maintenance, and repair of vehicles and equipment carry important safety implications. Any facility or human-use area with a potentially explosive or other rapid oxidation process creates unsafe environments for nearby populations. Extremely noisy environments can also mask verbal or mechanical warning signals such as sirens, bells, or horns. For construction operations associated with any PSIC-funded projects, any waste material or waste stream generated that is contaminated with hazardous waste, asbestos-containing material, lead-based paint, or other undesirable components would be disposed of following hazardous waste management procedures.

The Proposed Action would require construction activities on a vacant, previously undeveloped parcel.

SECTION 4 - ENVIRONMENTAL CONSEQUENCES

Resource 1 - Noise

Noise analyses typically evaluate potential changes to the existing noise environment that would result from implementation of a Proposed Action.

Proposed Action

Construction-Related Impacts - Because of construction-related activities, there would be a temporary increase in localized noise generated during the Montgomery County Tower construction activities. Construction activities for new infrastructure may result in short-term, negligible adverse impacts. Noise from the Montgomery County Tower construction activities will vary depending on the distance from the source of the noise. The noise levels generated by construction equipment would vary substantially depending on the type of equipment used, operations schedule, and condition of the project area. In addition to daily variations in construction activities, major construction for new infrastructure would be accomplished in several different stages, with each stage having a specific equipment mix for the work to be accomplished. The use of heavy equipment during construction activities may result in short-term minor adverse impacts on the noise environment, especially if noise-sensitive populations are adjacent to a proposed site. Typically, construction-related noise generation would last only for the duration of construction activities and occur during normal working hours (i.e., 7:00 a.m. to 5:00 p.m.), when noise is tolerated better because of the masking effect of background noise, with equipment being shut off when not in use. Evening noise levels would likely drop to ambient noise levels of the project area.

Therefore, it is anticipated that noise impacts from the Proposed Action construction activities would be short-term and would not exceed typical noise levels. Noise levels dBA at 50 feet from the source greater would be no greater than 85 dBA for no more than four to six continuous hours per day over a 10 to 35 day period. Construction-related noise impacts from the Montgomery County Tower project would not be significant.

Operations-Related Impacts - After construction has concluded, the ambient noise level would return to its normal level. Temporary noise could be generated by climate control such as heating and air conditioning equipment or back-up generators at the project site. Back-up generators included in the Proposed Action provide electric power to communications equipment as needed. Electric generators at transmitting and receiving sites are typically powered by either diesel or spark ignition such as propane or natural gas engines. Noise from back-up generators is primarily composed of engine noise and exhaust noise.

The Montgomery County Tower will have a for a typical 50 kilowatt (kW) back-up generator fueled by diesel with noise levels less than 86 dbA from 23 feet from the source. The back-up generator at the Montgomery County Tower is not expected to cause the ambient noise levels to increase. It is anticipated that the use of the generator would be limited and would only occur during equipment maintenance and testing as a back-up for primary power equipment and during interruption of the primary (grid) power supply. It can be estimated that the generator would be operated for approximately 10 to 15 hours per year, based on manufacturer maintenance instructions and public safety agency standard operating procedures (SOP).

Because of the occasional and intermittent operation of the back-up generator, the Proposed

Action is not anticipated to cause adverse long-term impacts or measurably increase the ambient noise levels. Impacts to ambient noise levels resulting from the Proposed Action would not exceed typical operating noise levels and would be short-term. Therefore, there would be no significant long-term noise impacts.

No Action Alternative

Under the No Action Alternative, there would be no new construction. No adverse impacts on the ambient noise environment would occur under the No Action Alternative.

Resource 2 - Air Quality

Impacts to air quality can come from a variety of sources located at transmitting and receiving sites. During construction, sources of new emissions include construction vehicles and equipment and fugitive dust emissions resulting from ground-disturbing activities and demolition. Operations-related impacts to air quality from transmitting and receiving sites would occur as a result of the operation of back-up generators, which burn fossil fuels.

Proposed Action

Construction-Related Impacts - Air quality impacts during construction would originate from emission of construction vehicles, equipment, and fugitive dust stirred up during ground disturbing activities. Both would be temporary and of limited duration. Air quality impacts from construction activities vary depending on the construction activity, where the construction would occur, and the distance from the source of the emission.

The use of heavy equipment during construction activities may result in short-term minor adverse impacts on air quality on and near the proposed site. Typically, construction-related air quality impacts would last only for the duration of construction activities and occur during normal working hours (i.e., 7:00 a.m. to 5:00 p.m.), and would not result in increases in criteria air pollutants greater than exceedance levels. Therefore, it is anticipated that short-term negligible adverse impacts would be expected as a result of construction activities. There would be no significant impact to air quality from construction activities from the Proposed Action.

The minor emissions from construction can be further reduced or mitigated through the use of best management practices (BMP). BMPs for dust control include spraying water to minimize dust, limiting the area of uncovered soil to the minimum needed for each activity, siting of staging areas to minimize fugitive dust, using a soil stabilizer (chemical dust suppressor), mulching, using a temporary gravel cover, limiting the number and speed of vehicles on the site, and covering trucks hauling dirt. BMPs for construction vehicle and equipment emissions include limiting vehicle idling time, using low or ultra-low sulfur fuel (including biodiesel), conducting proper vehicle maintenance, and using electric- instead of gas-powered tools. The Montgomery County Tower will utilize these BMPs during construction activities and will also use locally available products and materials to reduce transportation-related emissions.

In addition the Montgomery County Tower will only require 0.25 acres of ground disturbance which is unlikely to result in any exceedance of air quality standards, regulated release of Hazardous Air Pollutants (HAP), or in more than a *de minimis* increase in emissions. The Proposed Action would have no significant impact to air quality from construction related activities.

Operations-Related Impacts - After the construction activities have concluded, the ambient air quality level would return to its normal level. Implementation of this Proposed Action would not result in the long-term operation of significant emission-generating sources, nor would it significantly increase or alter the existing levels of ambient air quality levels. Back-up generators may be a component of some emissions. Generators are commonly used to provide back-up electrical power for communications equipment during an emergency and would be operated as needed. Generator engines can run on gasoline, diesel, natural gas, or liquid propane. The Montgomery County Tower will utilize a typical 50-kilowatt (kW) back-up generator fueled by diesel. The Montgomery County Tower back-up generator will be certified to meet the Nonroad Standards set by the EPA (40 CFR §§ 89 and 90) for nonroad engines (manufacturers build and certify the generators to these standards and have models ready to purchase). The Montgomery County Tower back-up generator will only operate during an emergency (“lights out”) or for testing or maintenance being performed on the generator. Federal regulations limit the use of back-up generators to 500 hours per year.

Back-up generators would not be expected to cause the ambient air quality levels to increase because of their limited operation as emergency power sources. The use of the Montgomery County Tower diesel back-up power generator is not expected to result in increases in criteria air pollutants greater than defined exceedance levels. Therefore, it is not anticipated that any adverse long term impacts on the ambient air quality level would occur. There would be no significant impact to air quality from operations activities.

**STATEMENT OF EXHAUST EMISSIONS
2009 JOHN DEERE DIESEL FUELED GENERATOR**

The measured emission values provided here are proprietary to Generac and its' authorized dealers. This information may only be disseminated upon request, to regulatory governmental bodies for emissions permitting purposes or to specifying organizations as submittal data when expressly required by project specifications, and shall remain confidential and not open to public viewing. This information is not intended for compilation or sales purposes and may not be used as such, nor may it be reproduced without the expressed written permission of Generac Power Systems, Inc. The data provided shall not be meant to include information made public by Generac.

Generator Model:	SD050	Aspiration:	Turbocharged/Aftercooled
kWe Rating:	50	Engine Speed:	1800 RPM
Engine Family:	9JDXL03.0113	EPA Certificate #:	JDX-NRCI-09-02
Engine Model:	4024HF285B	CARB Certificate #:	U-R-004-0347
Rated Power kWm:	60	Tier:	Tier III

Certificates are available on the John Deere Website: www.deere.com/en_US/rg/servicesupport/emissions_certificates/certified/2009.html

**John Deere Emissions based on Rated kWm of specific Models.
(These values are Actual Exhaust Emissions during a 5 Mode Test at Rated kWm)**

CO	HC	NOx	PM	
1.1	0.1	4.2	0.20	Grams/kW-hr
0.8	0.0	3.2	0.15	Grams/bhp-hr

- The stated values are actual exhaust emission test measurements obtained from an engine representative of the type described above.
- Values based on 5-mode testing are official data of record as submitted to regulatory agencies for certification purposes. Testing was conducted in accordance with prevailing EPA & CARB protocols, which are typically accepted by SCAQMD and other regional authorities.
- No emission values provided above are to be construed as guarantees of emission levels for any given Generac generator unit.
- Generac Power Systems reserves the right to revise this information without prior notice.
- Consult state and local regulatory agencies for specific permitting requirements.
- The emission performance data supplied by the equipment manufacturer is only one element required toward completion of the permitting and installation process. State and local regulations may vary on a case-by-case basis and must be consulted by the permit applicant/equipment owner prior to equipment purchase or installation. The data supplied herein by Generac Power Systems cannot be construed as a guarantee of installability of the generating set.

No Action Alternative

Under the No Action Alternative, there would be no new construction. There would be no

increase in air quality impacts from the No Action Alternative.

Resource 3 - Geology and Soils

Impacts to geology and soils from transmitting and receiving sites would result from ground disturbing activities, such as excavation, grading, backfilling, trenching, and other activities.

Proposed Action

Construction-Related Impacts – Minor temporary impact may occur from the Montgomery County Tower construction site as a result of ground-disturbing activities, such as vegetation clearing, grading, and digging. There would be no significant permanent impact to geology or soil from construction related activities.

The Proposed Action is located according to the U.S.D.A. Natural Resource Conservation Service (USDA-NRCS) the soil at the subject Property consists of SuC - Woodville fine sandy loam, 1 to 5 percent slopes and Th Gowker sandy clay loam, overwash. Woodville fine sandy loam, 1 to 5 percent slopes The Woodville component makes up 100 percent of the map unit. Slopes are 1 to 5 percent. This component is on interfluvial coastal plains. The parent material consists of clayey marine deposits. Depth to a root restrictive layer is greater than 60 inches.

Considering the relatively limited size of the Montgomery County Tower footprint is 0.25 acres of ground disturbance, construction of a complete new facility is unlikely to result in a significant amount of erosion. Based on the review from the USDA soil classification for the Proposed Action, the soil types at the project site are not defined as prime or unique. The Proposed Action is not located on a unique geologic formation. There would be no significant impact to geology or soil from construction related activities.

Operations-Related Impacts -The operation of the Montgomery County Tower site would not involve any ground-disturbing activities or other activities that would affect geology and soils. There would be no impacts to geology and soils, including prime and unique farmlands.

No Action Alternative

Under the No Action Alternative, there would be no renovations to existing facility, nor would there be any new construction. There would be no impact to geology and soils as a result of the No Action Alternative.

Resource 4 - Water Resources

Impacts to water resources can result from several types of activities and procedures that would be in use at transmitting and receiving sites. Impacts would typically result from erosion caused by site runoff, direct contamination by chemicals used in the surrounding area that would be washed into a water body or absorbed into the water table, and building directly in or adjacent to a water resource such as a wetland. The use of erosion-control BMPs to reduce impacts is common practice and may improve water quality at a site. Development in floodplains poses a hazard both to human safety from flood events and to natural resources from the disruption of natural hydrologic patterns. Impacts to water resources resulting from the Proposed Action have been evaluated qualitatively.

Proposed Action

Surface Water and Groundwater

Construction-Related Impacts - Water quality impacts during the Montgomery County Tower construction would come from erosion and runoff resulting from soil disturbance for material storage, site access, site preparation, or road and driveway construction. Vehicle and equipment washing could also increase sediment reaching nearby streams. Vehicle and equipment refueling has the potential for spills of petroleum products. All these activities would be temporary and of limited scope.

Water quality impacts from the Montgomery County Tower construction activities would vary depending on the construction equipment used, soils where the construction would occur, and the distance between the proposed project site and the receiving waters.

The minor erosion and runoff from the Montgomery County Tower construction can be further reduced or mitigated through the use of BMPs. BMPs for erosion control include silt fencing or straw bales to control erosion, limiting the area of uncovered soil to the minimum needed for each activity, siting of staging areas to minimize erosion, replanting as soon as practicable, mulching, using temporary gravel cover, and limiting the number and speed of vehicles on the site.

Chemical, physical, or biological effects to water resources are not expected to result in the violation of water quality standards and criteria. There would be no significant impact to water quality from construction activities of the Montgomery County Tower site.

Operations-Related Impacts - Operations-related impacts would be limited to erosion that occurs before the site is fully re-vegetated or during refueling of the back-up generator. The use of pesticides or herbicides also has the potential to contaminate nearby waters.

BMPs from the construction stage would be continued until the site is fully re-vegetated. A spill plan will be developed and followed to guide the required response in the event of a spill if required. Chemical, physical, or biological effects to water resources are not expected to result in the violation of water quality standards and criteria. There would be no significant impact to water quality from operations activities.

Floodplains

U.S. Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map Panel No. 48339C0190F dated December 19, 1996 that indicates that the Property is not located within a flood hazard area.

The Proposed Action is not located within the 500-year floodplain, and there would be no impact to floodplains.

No Action Alternative

Under the No Action Alternative, there would be no new construction. There would be no risk of soil erosion or runoff from construction-related activities, nor would there be a risk of hazardous spills or other consequences from pesticides or fertilizers used to re-vegetate a disturbed site. Therefore, there would be no increase in impacts to either water resources or floodplains from the No Action Alternative.

Resource 5 - Biological Resources

Impacts to biological resources can result from several activities, including construction activities such as demolition, grading, excavation, and construction that could alter or destroy habitat, either temporarily or permanently. In addition, the continued presence of human activity on a

smaller scale could result in behavioral impacts to certain animal species that could affect feeding and reproductive patterns and habits.

Proposed Action

Wildlife, Wildlife Habitat, and Vegetation

Construction-Related Impacts - Short- and long-term minor to moderate adverse impacts on wildlife, habitats, and vegetation would be expected as a result of construction-related activities for the Montgomery County Tower under the Proposed Action. Construction activities for new infrastructure result in the disturbance of habitats and wildlife. Since the Montgomery County Tower is a semi-urbanized environment, it would be expected to have less potential for adverse impacts on native vegetation than activities conducted in rural areas that would generally have more wildlife and habitat present.

Construction-related activities will not have an impact on wildlife, habitat, and vegetation at the Montgomery County Tower project site due to clearing and grading of vegetated areas in preparation of new infrastructure construction. Short- or long-term minor impacts would largely be localized to the immediate project area. The significance of vegetation loss associated with the Montgomery County Tower project would be 0.25 acres and is not considered to be significant. Database searches for were made for wildlife, wildlife habitat, and vegetation in the proposed Montgomery County Tower construction site and findings are listed on Appendix B. An informal consultation letter was submitted to USF&WS on September 2, 2009. Since more than 30 days have passed, we assume concurrence of no effect from USF&WS.

Operations-Related Impacts -Routine maintenance activities at the Montgomery County Tower site would include mowing around associated site buildings and possibly along access roads. Mowing and pest control in these areas would maintain vegetation in early successional stages of community development and may prevent reestablishment of some plant species. Similarly, operations practices at the Montgomery County Tower site may lead to habitat degradation and mortality of some wildlife species such as amphibians and small mammals.

Following the completion of site development, potentially adverse impacts on wildlife species sensitive to disturbance could result from temporary noise generated by climate control such as heating and air conditioning equipment or the back-up generator at the project site. This temporary and low level, but recurring, disturbance might exclude wildlife species or promote colonization by tolerant species.

Operations-related activities would be expected to have no significant impact on wildlife, wildlife habitat, and vegetation.

Migratory Birds

Construction-Related Impacts – No adverse impacts on migratory birds would be expected as a result of construction-related activities from the Montgomery County Tower site. Impacts to migratory birds could occur during erection of towers, antennas, ventilation, and air conditioning (HVAC) equipment such as the use of portable cranes

Construction-related impacts would be expected to have no significant impact on migratory birds as the use of equipment such as cranes to erect towers, HVAC equipment, and antennas would not be used during limited periods and are short-term impacts.

Operations-Related Impacts - Long-term minor to moderate adverse impacts on migratory birds would be expected from the Montgomery County Tower site. Impacts on migratory birds would be expected as a result of collision with operating towers, antennas, and other tall structures, particularly during periods of low visibility and as a result of tower lighting that might be distracting to some species. The probability of collision is difficult to determine programmatically because of the range of variables that affect the potential for collision and the lack of conclusive data on the causes of collision.

Adverse impacts on birds resulting from collision generally occur during foggy or low cloud conditions at lighted towers supported by guy wires and present greater collision risk than freestanding towers or buildings. The Montgomery County Tower is a 420 feet guyed tower. Variables such as structure height above surrounding trees, design, lighting, seasons, adjacent land features, and migratory patterns would affect the potential and degree of adverse impacts on migratory birds.

Threatened and Endangered Species

Construction-Related Impacts - Since no threatened, endangered, and sensitive species habitat were observed at the Proposed Action project site or on the surrounding area, construction-related impacts would be expected to have no impact on threatened, endangered, and sensitive species habitats.

Operations-Related Impacts - Following the completion of site development, operations-related impacts from the Montgomery County Tower is not expected to occur. Overall, operations-related impacts would be expected to have no significant impact on threatened and endangered species.

Wetlands

Construction-Related Impacts - Since no wetland habitat was observed at the Proposed Action project site or on the surrounding area, construction-related impacts would be expected to have no impact on wetland habitats.

Operations-Related Impacts -Routine maintenance activities on the Montgomery County Tower site would include mowing and pest control around the Montgomery County Tower infrastructure and possibly along access roads. Since no wetland habitat was observed at the Proposed Action project site, operations-related impacts would be expected to have no impact on wetland habitats.

No Action Alternative

Under the No Action Alternative, there would be no new construction. No significant impacts on vegetation and wildlife, migratory birds, threatened and endangered species, or wetlands would occur under the No Action Alternative.

Resource 6 - Historic and Cultural Resources

Proposed Action

Construction-Related Impacts -Construction-related impacts to historic and cultural resources at and near the Montgomery County Tower site were assessed to determine if temporary impacts to viewsheds and present risk of permanent impact or harm to historic properties, primarily through ground-disturbing activities.

Environmental Protection Agency (EPA) and State of Texas/tribal regulatory agency databases

from Banks Information Solutions, Inc. was conducted. The databases were reviewed to identify the notifications, registrations, and documented environmental incidents regarding the subject Property and other surrounding properties within a designated radius. Information in this section is subject to the accuracy of the data provided by the information services company and the date at which the information is updated, and the scope herein did not include location of facilities listed as "unmappable." Review the National Native American Graves Protection and Repatriation Act (NAGPRA) records regarding the presence of tribes within the site area. NAGPRA provides a process for museums and Federal agencies to return certain Native American cultural items -- human remains, funerary objects, sacred objects, or objects of cultural patrimony -- to lineal descendants, and culturally affiliated Indian tribes and Native Hawaiian organizations.

According to the NAGPRA records, no tribes were identified in the site area.

No Action Alternative

Under the No Action Alternative, there would be no new construction. Therefore, there would be no impact to historic and cultural resources resulting from the No Action Alternative.

Resource 7 - Aesthetic and Visual Resources

Potential impacts on aesthetic and visual resources are likely to be greater in more natural (rural) settings than commercial or residential settings (urban and suburban) where development is more common. Impacts on aesthetic and visual resources may be short- or long-term, depending on whether the impact is related to construction activities or the feature that is being constructed.

Proposed Action

Construction-Related Impacts - Under the Proposed Action, the Montgomery County Tower impacts on aesthetics and visual resources from construction-related activities would include the grading of land, the construction of infrastructure necessary to operate the transmitting and receiving site, and the construction of the specific site facilities. The degree of visual disturbance depends on the existing landscape, project-specific construction activities, and each viewer's perception. The Montgomery County Tower project short-term impacts on aesthetic and visual resources resulting from construction-related activities would likely have no significant impact.

Operations-Related Impacts -Features that might create a permanent contrast with the existing environment would include the Proposed Action communications towers and buildings associated with the Montgomery County Tower site. A public notice was published on local newspaper (*Conroe The Courier page 7B*) on July 28, 2008 and no comments from the public were received or noted. Underground transmission lines (instead of overhead lines) will be used for power or communication to minimize visual operational impact. However, the degree of contrast depends on the existing landscape and each viewer's perception.

currently being
ed within the time and in

Address: New Caney Independent School District
21580 Loop 494
New Caney, TX 77357
Phone 281-577-8600

37845 July 21 & July 28, 2008

BETH S. HILBUN
for Cynthia L. Rampy
No., 03379400
press N. Houston, Ste. 100
Texas 77429
: (281) 955-9292
: (281) 955-9922

PUBLIC NOTICE

Shaffer Tower proposes to construct a 450-foot guyed wire radio tower to be located at West Montgomery County Park, Montgomery, Montgomery County, Texas. Shaffer Tower invites comments from any interested party regarding the likelihood that the proposed construction would adversely affect historical properties. Comments may be directed to EDC Environmental Services, Inc., 195 Southbelt Industrial Drive, Houston, Texas 77047 or 713-784-9393. Comments must be received by August 8, 2008

37888 July 28 & August 4, 2008

NOTICE OF PUBLIC HEARING

A Public Hearing will be held at the City Council Meeting on Tuesday, August 12, 2008 at 7:00 p.m. at Montgomery City Hall, 101 Old Plantersville Rd. for the purpose of receiving citizen input on the proposed amendment to the Zoning Ordinance.

THE PUBLIC IS INVITED AND ENCOURAGED TO PARTICIPATE

RING to advise the public
nistered by the Office of
ws and comments.

AS FOLLOWS:

ing lease near Tri
Houston County.
hogs. \$3,000 entire
3 gun max
936-788-48

ATTN: DE HUNTER

High fenced ran
too many de
4 doe-\$400 or S
Youth hunt 1 mar
3 doe-\$500. We
MLD permits
doesn't come off
tag. Junction,
Call Ken 325-34

ATTN: DE HUNTER

Bring the kit
Paying adults ca
a child along at r
charge. Wheat f
water. Only 8 mil
town. Motel rox
Restaurants Clc
Junction, TX. \$
day. 2 day mln
Call Ken 325-34

The long-term impacts resulting from the permanent placement of Montgomery County Tower site would likely have no significant impact.

No Action Alternative

Under the No Action Alternative, there would be no new construction. There would be no impact to aesthetic or visual resources resulting from the No Action Alternative.

Resource 8 - Land Use

Impacts to land use can occur when incompatible land uses are placed adjacent to one another. PSIC-funded transmitting and receiving projects would not be compatible with all land use types and should be carefully sited, in accordance with local master plans, planning initiatives, local zoning, and coastal land use restrictions. Transmitting and receiving sites are most compatible with industrial, commercial, or public and quasi-public land uses, such as utilities, because of the basic intended function of these sites and the associated activities by which their operation is characterized. Compatibility with land use planning is derived from the function or purpose such as operation of the site; construction activities do not have any substantive bearing on impacts to land use planning. Therefore, only impacts from operations will be discussed in this section.

Proposed Action

General Land Use Compatibility for the Montgomery County Tower site would not be compatible with all types of land uses. In general it is expected that siting of Proposed Action would be compatible with existing land use plans and zoning at and adjacent to the proposed site and would not impose an incompatible land use on an area. Commercial, industrial, and some public and quasi-public facilities, would be compatible.

The Proposed Action is located next to a recreational park currently under construction, the project site is not located in a coastal zone or coastal barrier resources, and no local zoning rules prohibit the Proposed Action, and no development permits are required for this site. Therefore, no

significant impact would occur related to general land use compatibility with the Montgomery County Tower site.

No Action Alternative

Under the No Action Alternative, there would be no new construction. Therefore, there would be no impacts to general land use compatibility, coastal zone, or coastal barrier resources resulting from the No Action Alternative.

Resource 9 - Infrastructure

Impacts to infrastructure are typically observed as disruptions in service and utilities, either short- or long-term, resulting from increases in demand that may overwhelm the capacity of the local area to absorb them. Engagement in a planning process to ensure that system capacity will be able to meet projected increases in demand is the most effective way to avoid impacts to infrastructure, although resources may not always be available to implement upgrades.

Proposed Action

Utilities

Construction-Related Impacts -For the Montgomery County Tower project which is located in a rural area involving new construction, construction-related activities would require additional short-term electric and communication services from available utility networks. Construction-related impacts are not expected to lead to major shortages in supply, nor are they expected to require major changes to the system. Impacts to utilities would not be significant.

During construction-related activities related to the Proposed Action, precautions would be taken to avoid damage to existing utility lines. All potential modifications to utility services would be evaluated. Coordination with potentially affected local and regional utility service providers would occur to avoid unnecessary damage or interruption of service. There would be no significant impact to utility services from construction related activities with the Montgomery County Tower site.

Operations-Related Impacts - The Proposed Action would not be expected to cause noticeable impacts to local utility services across all category types. Operations impacts are not expected to lead to major shortages in supply, nor are they expected to require major changes to the services. There would be no significant impact to utility services from operations-related activities of the Montgomery County Tower site.

Transportation Network

Construction-Related Impacts - For the Montgomery County Tower site construction-related activities, heavy equipment and materials that may be needed for site access and site preparation, would not pose a significant impact to the transportation network. Construction of the Proposed Action may require numerous truck trips to haul materials to a project site or to dispose of waste materials. The number of construction-related trips and the frequency and duration of impacts would be dependent on the location, nature, and scale of the project. Since the Montgomery County Tower site surface impact is 0.25 acres in size, a significant amount of construction related traffic is not required to complete the project. During the construction period, the movement of heavy equipment and materials to a project site during construction may cause a relatively short-term increase in the level of service along local roadways.

Potential impacts to transportation are expected to be low, provided appropriate planning and

implementation actions are taken. Existing roads would be used to the maximum extent possible. There would be no significant impact to transportation networks from construction-related activities.

Operations-Related Impacts - Due to limited footprint of the Montgomery County Tower site, 0.25 acres, small number of daily trips by medium-duty vehicles and/or personal vehicles will be required. Transportation activities during operations would not be expected to cause noticeable impacts to local transportation networks. There would be no significant impact to transportation networks from operations-related activities.

No Action Alternative

Under the No Action Alternative, there would be no new construction. There would be no impact to utilities or the transportation network resulting from the No Action Alternative.

Resource 10 - Socioeconomic Resources

Impacts to socioeconomic resources are assessed in terms of the effects of expenditures on the overall local economy and the impact of in-migration on demographics, employment, the availability of housing, and the ability of a jurisdiction to provide services such as education and public safety. In addition, disproportionate impacts to low-income or minority populations would result in adverse environmental justice impacts.

Proposed Action

The implementation of PSIC-funded project may result in an increase in jobs as a result of the construction of the Montgomery County Tower site, but the increase is not expected to be significant in Montgomery County, Texas.

Although increases in employment would be expected as a result of the implementation of PSIC-funded project, increases are not expected to be significant. There would, therefore, be no expected in-migration and therefore no impacts expected to demographics, the supply of housing, or other local entities to provide public services.

No Action Alternative

Under the No Action Alternative, there would be no new construction. Under this alternative, there would be no increase in economic activity and job creation related to implementation of the program. Therefore, there would be no impacts to demographics, the availability of housing, the availability of services, or environmental justice.

Resource 11 - Human Health and Safety

Impacts to human health and safety can come from a wide range of activities. Workplace and construction site safety can adversely impact health and safety, as well as the generation, handling, storage, use, or disposal of hazardous or toxic materials.

Proposed Action

Construction-Related Impacts -Under the Proposed Action, there would be a slight increase in workplace safety hazards during the construction phase of Montgomery County Tower site because of the nature of construction work and the increased intensity of work at the proposed project site. The impact of this increase would not be significant. Work areas surrounding construction activities would be fenced, and appropriate signs would be posted to further

minimize safety risks. In addition, implementation of worker safety rules, derived from OSHA safety and health standards, will establish a uniform set of safety practices and procedures to protect workers. Construction-related impacts to human health and safety impacts would not be significant.

Operations-Related Impacts -Under the Proposed Action, fuels needed to power back-up generators would have to be stored on site in above-ground or vaulted tanks, to minimize the risk of soil contamination in the event of a leak. BMPs for the handling, storage, use, and disposal of fuels such as propane would include regularly monitoring and inspecting tanks for leaks. Depending on the size of the storage tank, a spill prevention, contingency, and countermeasure (SPCC) plan may need to be developed.

The Montgomery County Tower site would be fenced, and access would be restricted to authorized personnel to minimize risks to human health and safety. There would be no significant adverse impacts to human health and safety resulting from operation of Montgomery County Tower site under the Proposed Action.

The implementation of Proposed Action would enable public safety agencies to improve interoperable communications and communicate more effectively in an emergency or crisis situation. This would result in an operations-related beneficial impact to human health and safety.

No Action Alternative

Under the No Action Alternative, there would be no new construction. Current interoperability gaps would continue, compromising the ability of first responders to respond effectively and rapidly to emergency situations. There would be adverse impacts to human health and safety as a result of the No Action Alternative.

SECTION 5 - FINDINGS AND CONCLUSIONS

Findings

The Proposed Action will require construction of a new transmitting and receiving site involving a telecommunications tower over 200 feet and ground-disturbance totaling 0.25 acres.

The Proposed Action will not involve any unusual risks or impacts to sensitive areas identified in Section 4. The No Action Alternative would result in adverse impacts to human health and safety, and no interoperable communications capability would occur. Existing gaps in public safety interoperable communications would persist. Therefore, the Proposed Action would warrant the issuance of a FONSI to cover those actions for which no significant impact has been determined.

In accordance with 47 CFR Section 1.1307 (a) (1) through (8), an evaluation has been made to determine whether any of the listed FCC special interest items would be significantly affected if a tower structure and/or antenna and associated equipment control cabinets were constructed at the proposed site location. No FCC special interest items were identified that would require that an EA to be prepared.

Consequences of the Proposed Action

The Proposed Action would not have a significant impact on any resource area for those projects falling within the 11 resource areas described in Sections 3 and 4. The Proposed Action would have beneficial impact on human health and safety, because it would enable countywide improvements to public safety interoperable communications.

FIGURES

Figure 1: Topographic Map

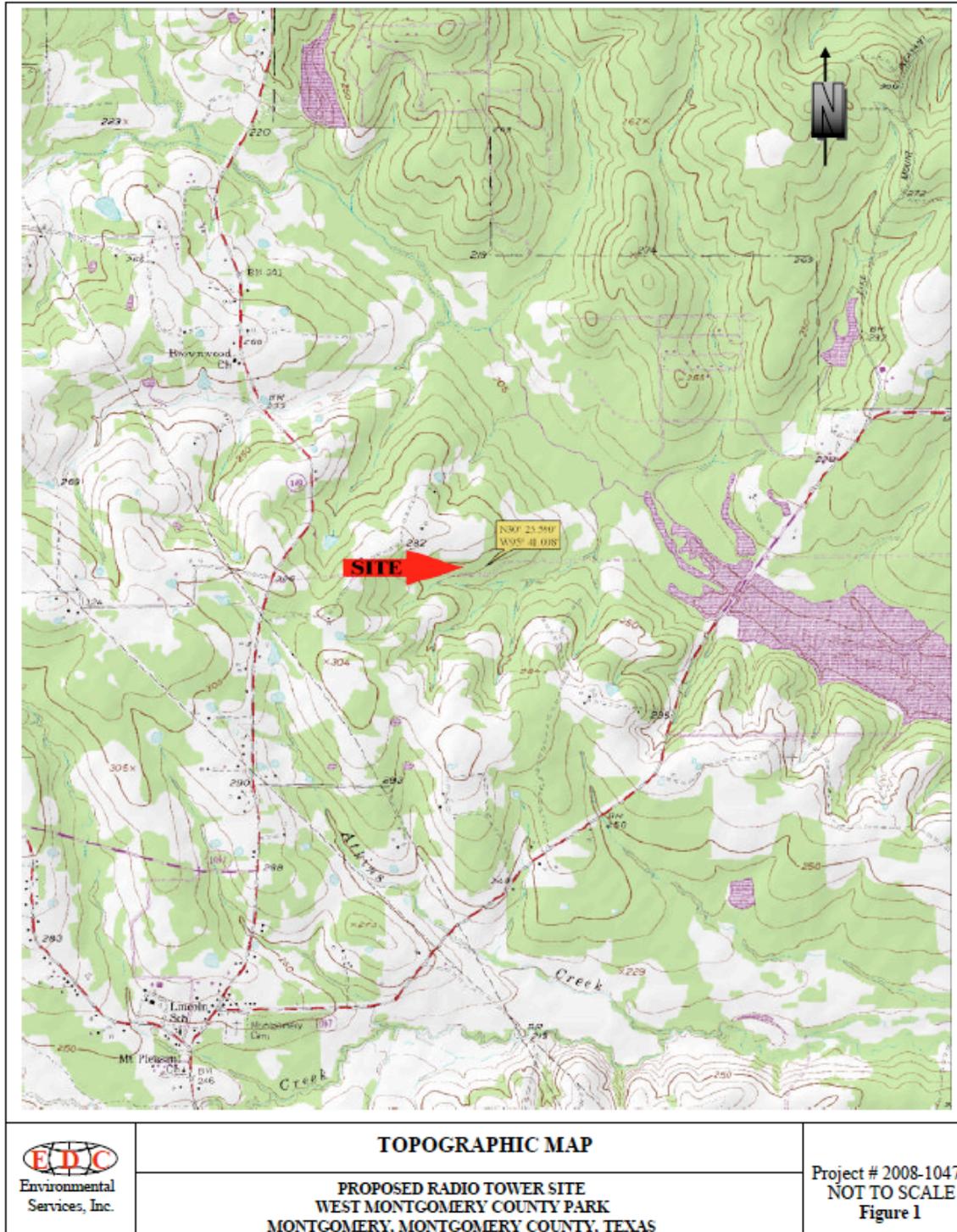


Figure 2: Site Map

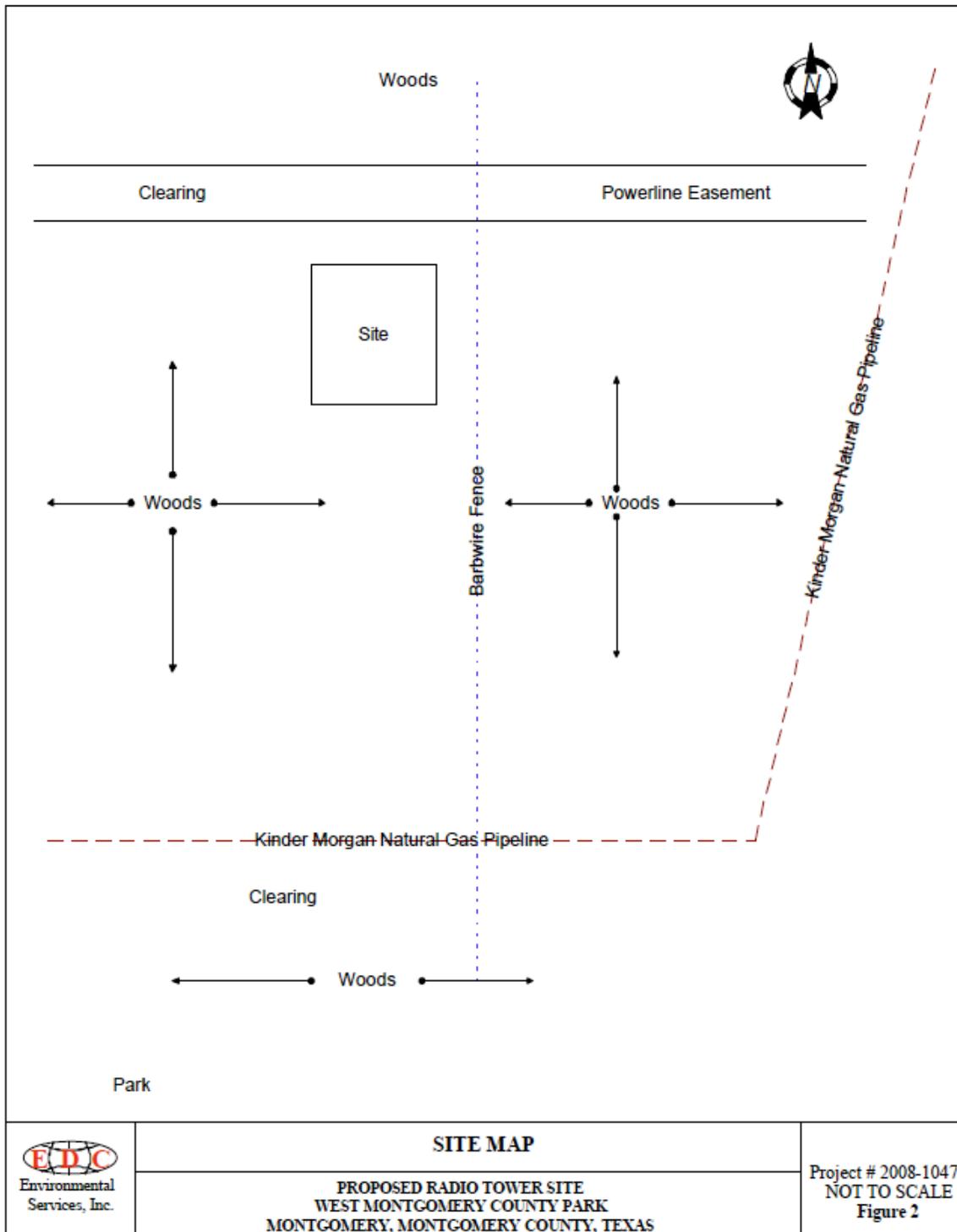
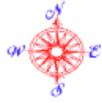


Figure 3: Flood Map



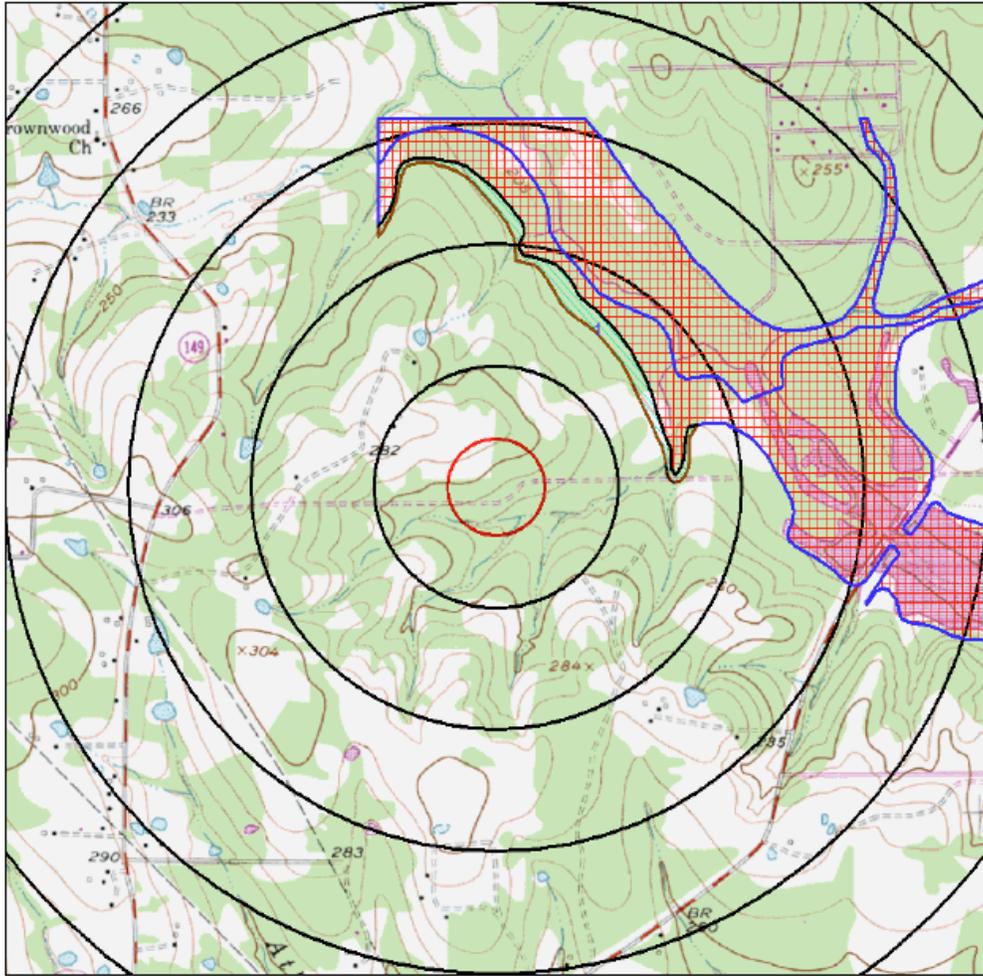
Environmental FirstSearch

Topo : 1.00 Mile Radius

Single Map



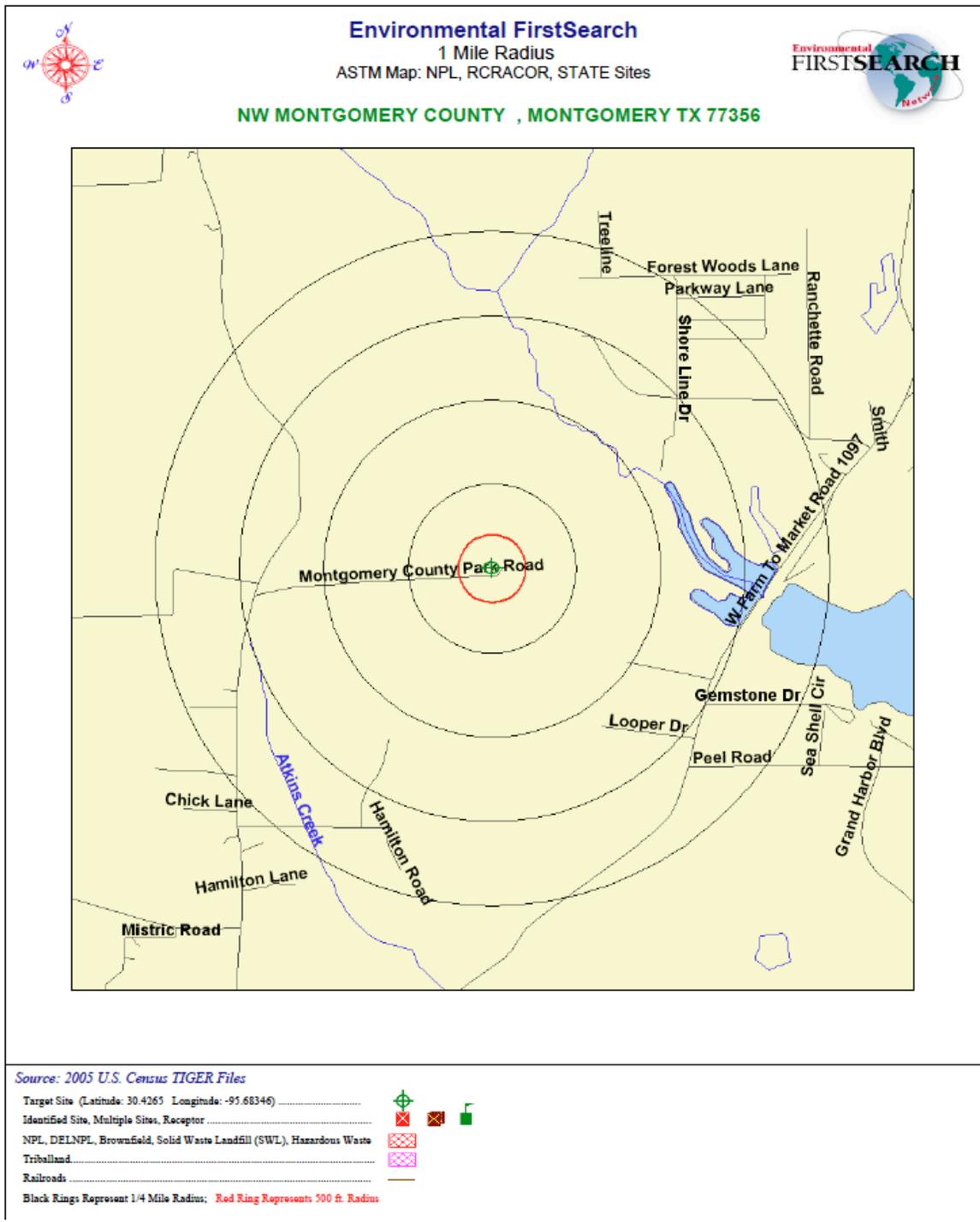
NW MONTGOMERY COUNTY , MONTGOMERY TX 77356



Source:
 Target Site (Latitude: 30.4265 Longitude: -95.68346) [Symbol]
 Identified Site, Multiple Sites, Receptor [Symbol]
 NPL, DELNPL, Brownfield, Solid Waste Landfill (SWL) or Hazardous Waste [Symbol]
 Tribal Land [Symbol]
 Map Name: MONTGOMERY Date Created: 1959-- Date Revised: 1976--
 Map Reference Code: 30095-D6-TF-024
 Black Rings Represent 1/4 Mile Radii; Red Ring Represents 500 ft. Radius

Floodplains: 100 Year, 500 Year [Symbol]

Figure 4: Historical Map



Appendix A

Section 106



ENVIRONMENTAL SERVICES, INC.

195 SOUTHBELT INDUSTRIAL DRIVE
(713) 784-9393

HOUSTON, TEXAS 77047
FAX (713) 784-1988

June 13, 2008

Charles Peveto
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711-2276

Re: Proposed Radio Tower Site
West Montgomery County Park
Montgomery, Montgomery County, Texas
EDC-ES Project No. 2008-1047

Dear Sir:

EDC is conducting an Environmental Assessment in compliance with Federal Communications Commission (FCC) regulations 47 CFR § 1.1301 et seq., of a telecommunications tower facility location for cellular communications.

The subject property is a 50 foot by 50 foot vacant, wooded tract of land located within the West Montgomery County Park in Montgomery, Montgomery County, Texas. Shaffer Tower Services proposes to construct a 450 ft. guyed wire radio tower. Access to the subject property is via Montgomery County Park Road.

According to Geo-Search's NEPA Checklist there are no listings of historical buildings or markers. According to the USGS there is no cemetery located within a 1-mile radius.

Among the requirements of 47 CFR ' 1.1307, Sections 1.1307 (a) (4) provides that the report address whether the facilities may affect districts, sites, buildings, structures or objects, significant in American history, architecture, archeology, engineering or culture, that are listed, or are eligible for listing, in the National Register of Historic Places. Section 1.1307 (a) (5) also asks whether the facilities may affect Indian religious sites.

We will appreciate your advising whether the antenna tower on the above referenced property will affect the concerns listed in the regulations, including § 1.1307 (a) (1), (2), (3) and (5). To assist you in locating the site, enclosed for your reference are (i) a copy of the site location marked in the indicated digital topographical map , (ii) aerial photos and (iii) Site Map.

If you have any questions, please call me at (713) 784-9393 or fax me at (713) 784-1988.

Thank You

Sincerely,



Shean P. Valentine
Project Assistant

Encl. USGS Digital Topographical Map
Site Photos

Proposed Radio Tower Site
West Montgomery County Park
Montgomery, Montgomery County, Texas
EDC-ES Project No. 2008-1047



TEXAS
HISTORICAL
COMMISSION

The State Agency for Historic Preservation

RICK PERRY, GOVERNOR

JOHN L. NAU, III, CHAIRMAN

F. LAWRENCE OAKS, EXECUTIVE DIRECTOR

11 September 2008

Shean P. Valentine
EDC Environmental Services, Inc.
195 Southbelt Industrial Drive
Houston, Texas 77047

*Re: Project review under Section 106 of the National Historic Preservation Act
of 1966
Proposed telecommunications sites in West Montgomery Park, Montgomery
County, Texas (FCC)*

Dear Ms. Valentine,

Thank you for submitting the information we requested on the above-referenced project. This letter serves as official comment from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC). We have determined "No Historic Properties Affected: Project May Proceed," and no further consultation with our office is necessary at this time.

If you have any questions regarding this review or the Section 106 process for FCC projects, please contact Linda Henderson at linda.henderson@thc.state.tx.us or 512/463-5851.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Lawrence Oaks".

For F. Lawrence Oaks, State Historic Preservation Officer

Appendix B

NEPA

SITE SUMMARY

***NW Montgomery County
Montgomery, TX 77356***

***Latitude: 30.426500000
Longitude: -95.683461000
Centroid Zip Code: 77356***

***USGS Quadrangle: Montgomery
County: Montgomery***

Disclaimer - The information provided in this report was obtained from a variety of public sources. GeoSearch cannot ensure and makes no warranty or representation as to the accuracy, reliability, quality, errors occurring from data conversion or the customer's interpretation of this report. This report was made by GeoSearch for exclusive use by its clients only. Therefore, this report may not contain sufficient information for other purposes or parties. GeoSearch and its partners, employees, officers and independent contractors cannot be held liable for actual, incidental, consequential, special or exemplary damages suffered by a customer resulting directly or indirectly from any information provided by GeoSearch.



2705 Bee Caves Rd, Suite 330 · Austin, Texas 78746 · phone: 888-396-0042 · fax: 512-472-9967

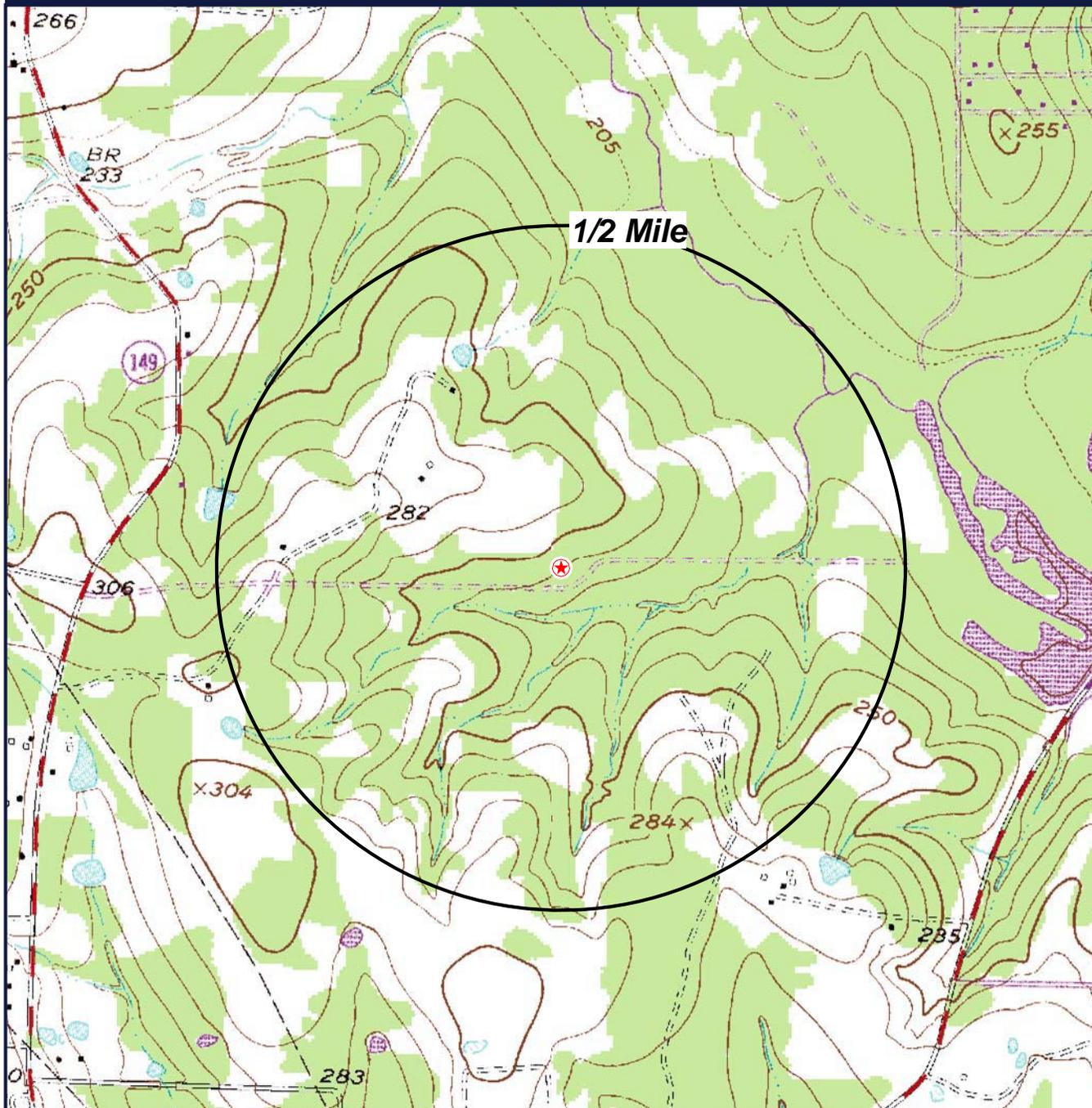
DATABASE FINDINGS SUMMARY

DATABASE	ACRONYM	LOCA- TABLE	UNLOCA- TABLE	SEARCH RADIUS
<u>FCC & FAA:</u>				
ANTENNA STRUCTURE REGISTRATION	ASR	0	0	0.500 miles
AM RADIO TOWERS	AMTOWERS	0	0	0.500 miles
DIGITAL OBSTACLE FILE	DOF	0	0	0.500 miles
CELLULAR TOWERS	CELLTOWERS	0	0	0.500 miles
<u>HISTORICAL SITES:</u>				
REGISTER OF HISTORIC PLACES	HSTPLACES	0	0	0.500 miles
TEXAS HISTORICAL MARKERS	TXHSTMRKS	0	0	0.500 miles
NATIONAL HISTORIC LANDMARKS	HSTLNDMKS	0	0	0.500 miles
HISTORIC BUILDINGS (HABS/HAER)	HSTBLDGS	0	0	0.500 miles
INDIAN RESERVATIONS/INDIAN COUNTRY	INDIANRES	0	0	0.500 miles
HISTORIC CEMETERIES IN TEXAS	TXHISTCEM	0	0	0.500 miles
<u>NATURAL AREAS:</u>				
WILDERNESS PRESERVATIONS	PRESRVTNS	0	0	0.500 miles
NATIONAL WILDLIFE REFUGE SYSTEM	REFUGES	0	0	0.500 miles
NATIONAL WILD AND SCENIC RIVERS SYSTEM	RIVERS	0	0	0.500 miles
COASTAL BARRIER RESOURCES SYSTEM	COASTAL	0	0	0.500 miles
NATURAL LANDMARKS	NTRLNDMKS	0	0	0.500 miles
<u>SENSITIVE RECEPTORS:</u>				
CEMETERIES	CEMETERIES	0	0	0.500 miles
A.H.A. HOSPITALS	HOSPITALS	0	0	0.500 miles
CHURCHES	CHURCHES	0	0	0.500 miles
NURSING HOMES	NURSINGHOMES	0	0	0.500 miles
DAYCARES	DAYCARES	0	0	0.500 miles
SCHOOLS	SCHOOLS	0	0	0.500 miles
<u>SPECIAL STATUS SPECIES:</u>				
SPECIAL STATUS SPECIES	TXNDD	2	0	1.500 miles
MANAGED AREAS	TXMNGDAREAS	1	0	1.500 miles
TOTAL		3	0	
FEDERAL EMERGENCY MANAGEMENT AGENCY MAP	FEMA			PANEL# 48339C0195C
NATIONAL WETLANDS INVENTORY MAP	NWI			MONTGOMERY, TX



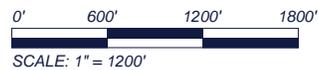
2705 Bee Caves Rd, Suite 330 · Austin, Texas 78746 · phone: 888-396-0042 · fax: 512-472-9967

NATURAL AREAS SITE MAP



★ TARGET PROPERTY (TP)

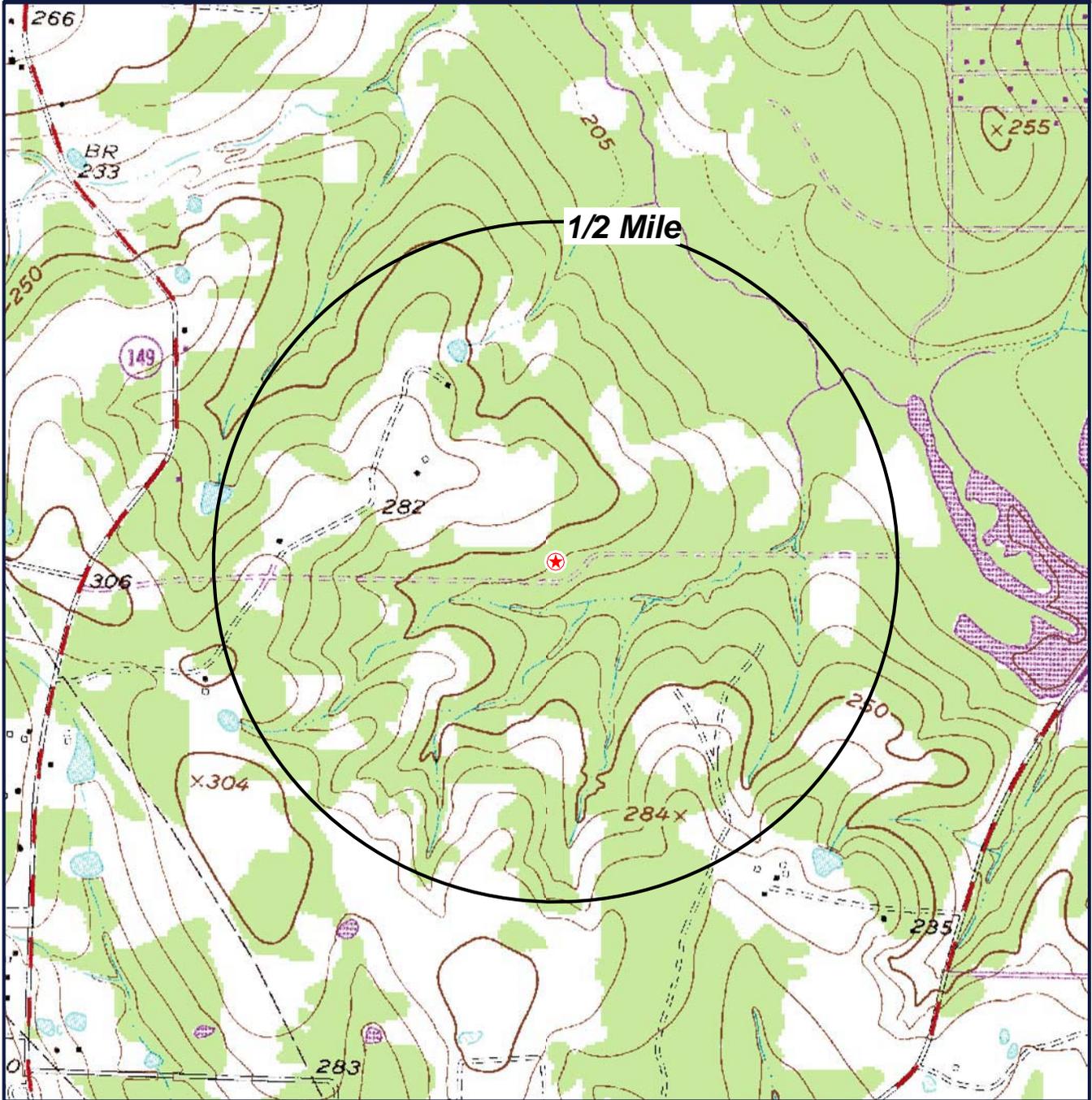
Project #: 2008-1047
Quadrangle(s): Montgomery
NW Montgomery County
Montgomery, TX
77356



GeoSearch

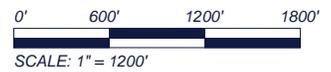
2705 Bee Caves Rd, Suite 330 - Austin, Texas 78746 - phone: 866-396-0042 - fax: 512-472-9967

CULTURAL AND HISTORICAL SITE MAP



★ TARGET PROPERTY (TP)

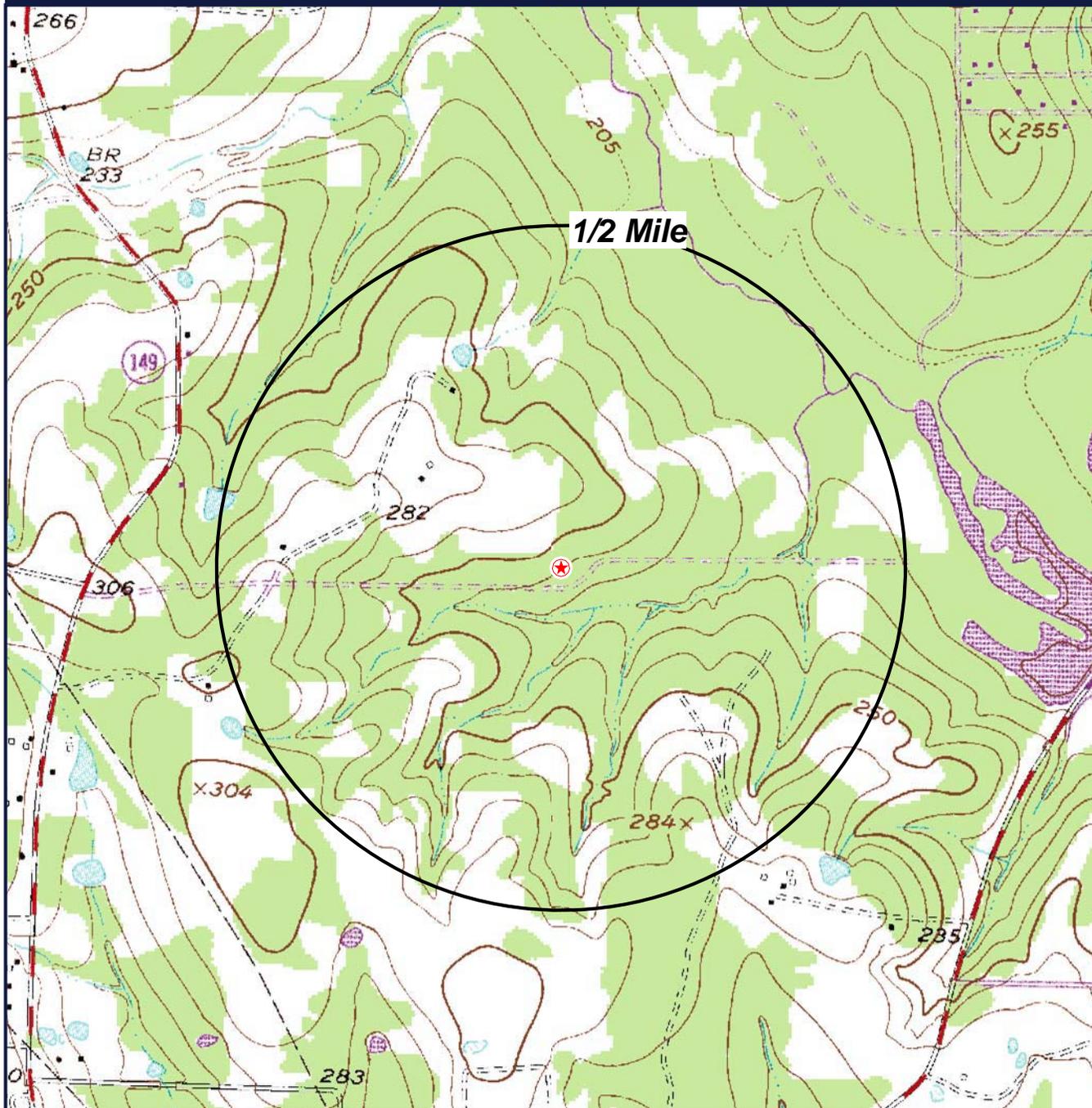
Project #: 2008-1047
Quadrangle(s): Montgomery
NW Montgomery County
Montgomery, TX
77356



GeoSearch

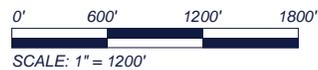
2705 Bee Caves Rd, Suite 330 - Austin, Texas 78746 - phone: 866-396-0042 - fax: 512-472-9967

FCC & FAA SITE MAP



★ TARGET PROPERTY (TP)

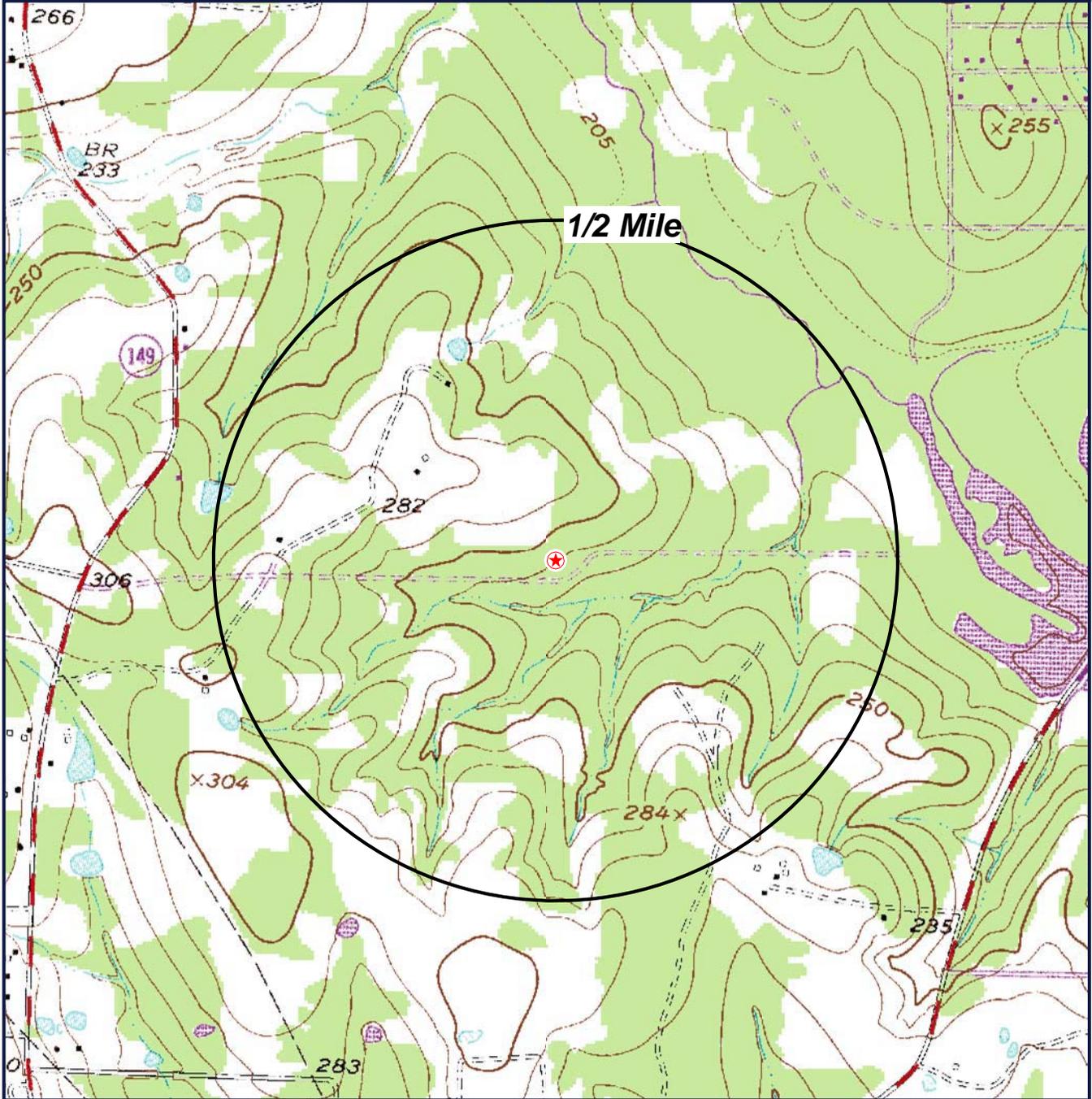
Project #: 2008-1047
Quadrangle(s): Montgomery
NW Montgomery County
Montgomery, TX
77356



GeoSearch

2705 Bee Caves Rd, Suite 330 - Austin, Texas 78746 - phone: 866-396-0042 - fax: 512-472-9967

SENSITIVE RECEPTORS SITE MAP



★ TARGET PROPERTY (TP)

Project #: 2008-1047
Quadrangle(s): Montgomery
NW Montgomery County
Montgomery, TX
77356

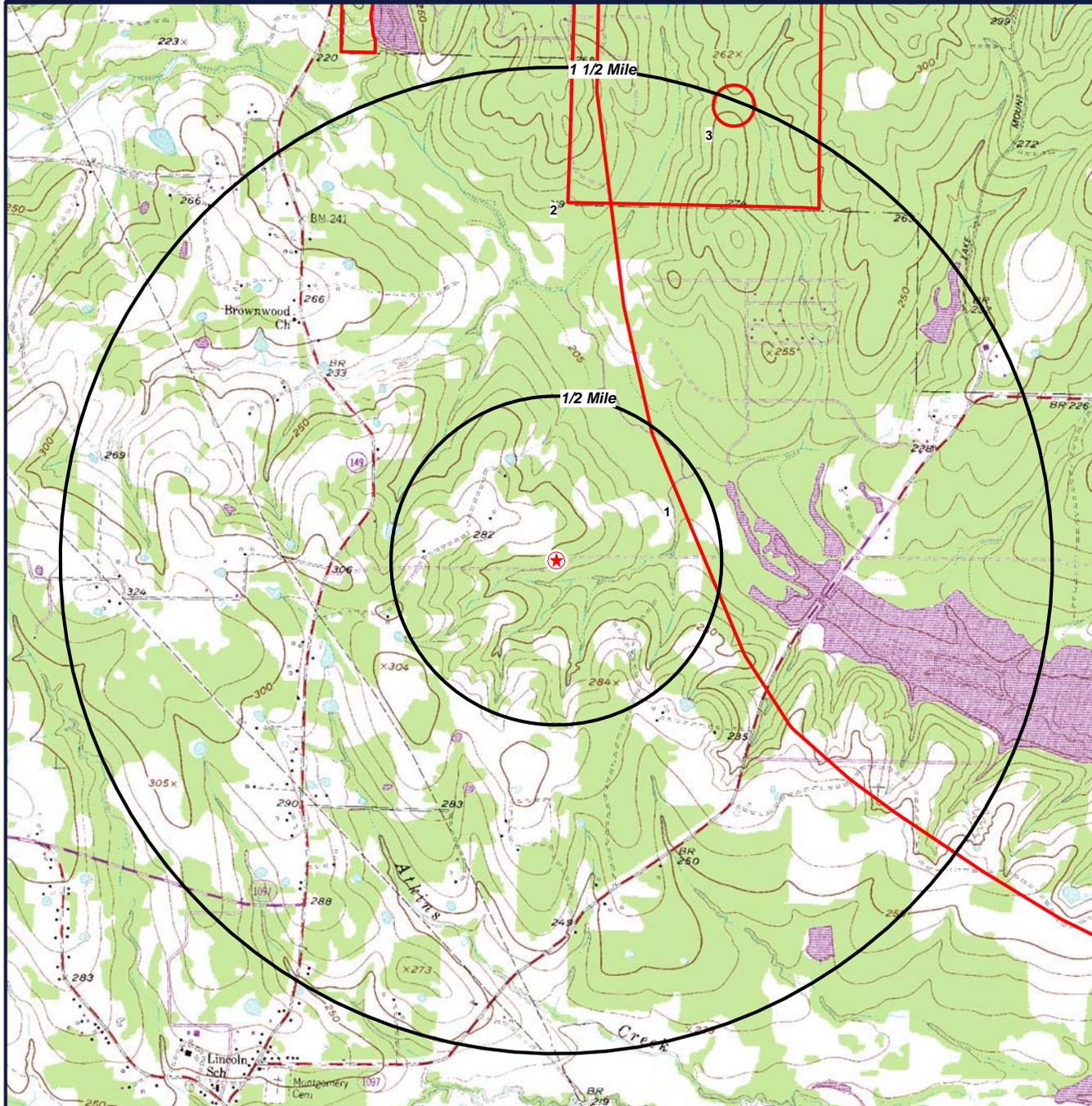


0' 600' 1200' 1800'
SCALE: 1" = 1200'

GeoSearch

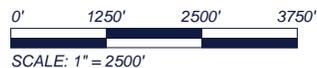
2705 Bee Caves Rd, Suite 330 - Austin, Texas 78746 - phone: 866-396-0042 - fax: 512-472-9967

SPECIAL STATUS SPECIES SITE MAP



- ★ TARGET PROPERTY (TP)
- ENVIRONMENTAL OCCURRENCE: LOCAL (black box), PRIVATE (purple box)
- ANIMAL (red box)
- PLANT (yellow box)
- PLANT COMMUNITY (grey box)
- OTHER FEATURES (blue box)
- MANAGED AREAS:
 - FEDERAL (red box)
 - STATE (blue box)

Project #: 2008-1047
Quadrangle(s): Montgomery
NW Montgomery County
Montgomery, TX
77356



2705 Bee Caves Rd, Suite 330 - Austin, Texas 78746 - phone: 866-396-0042 - fax: 512-472-9967

SPECIAL STATUS SPECIES (TXNDD)

MAP ID# 1

ID NUMBER: 2592

NAME: HALIAEETUS LEUCOCEPHALUS

COMMON NAME: BALD EAGLE

FEDERAL STATUS:

PROPOSED TO BE DELISTED (NOTE: LISTING STATUS RETAINED WHILE PROPOSED)

STATE STATUS:

LISTED THREATENED

GLOBAL RANK:

APPARENTLY SECURE GLOBALLY

STATE RANK:

RARE OR UNCOMMON IN STATE, TYPICALLY 21 TO 100 OCCURRENCES; QUALIFIER INDICATING BASIC RANK REFERS TO THE BREEDING POPULATION IN THE STATE; RARE OR UNCOMMON IN STATE, TYPICALLY 21 TO 100 OCCURRENCES; QUALIFIER INDICATING BASIC RANK REFERS TO THE NON-BREEDING POPULATION IN THE STATE

TRACKING: YES

OCCURRENCE: 110

LAST OBSERVED: 2001

FIRST OBSERVED: 2001

SURVEYED: NOT REPORTED

NOTATIONS: TPWD NEST #170-6A, #170-7A. NEST #170-6A: IN 2001 ACTIVE NEST PRODUCED TWO YOUNG; NEST #170-7A: IN 2001,
ACTIVE NEST PRODUCED 0 YOUNG

MANAGED AREAS (TXMNGDAREAS)

MAP ID# 2

ID NUMBER: **M0064**

NAME: **SAM HOUSTON NATIONL FOREST WMA**

MANAGED AREA TYPE: **FEDERAL**

ESTABLISHED: **10/31/1936**

SIZE: **161508 ACRES**

MANAGER: **CHRIS GREGORY**

MANAGER INSTITUTION: **TEXAS PARKS & WILDLIFE DEPARTMENT**

DESCRIPTION: **FISHING, TRAPPING, AND PUBLIC HUNTING OF CERTAIN SPECIES ARE PERMITTED. OUTDOOR RECREATION INCLUDING CAMPING, HIKING, BICYCLING, AND WILDLIFE VIEWING.**

SPECIAL STATUS SPECIES (TXNDD)

MAP ID# 3

ID NUMBER: 2615

NAME: **PICOIDES BOREALIS**

COMMON NAME: **RED-COCKADED WOODPECKER**

FEDERAL STATUS:

LISTED ENDANGERED

STATE STATUS:

LISTED ENDANGERED

GLOBAL RANK:

VERY RARE AND LOCAL THROUGHOUT RANGE OR FOUND LOCALLY IN RESTRICTED RANGE, TYPICALLY 21 TO 100 VIABLE OCCURRENCES

STATE RANK:

IMPERILED IN STATE, VERY RARE, VULNERABLE TO EXTIRPATION, TYPICALLY 6 TO 20 VIABLE OCCURRENCES; QUALIFIER INDICATING BASIC RANK REFERS TO THE BREEDING POPULATION IN THE STATE

TRACKING: **YES**

OCCURRENCE: **202**

LAST OBSERVED: **1979-1980**

FIRST OBSERVED: **NOT REPORTED**

SURVEYED: **NOT REPORTED**

NOTATIONS: **REPORTED NESTING WOODPECKER COLONY**

NOTES FOR COUNTY LISTS OF TEXAS' SPECIAL STATUS SPECIES

The Texas Parks and Wildlife (TPWD) county lists **include**:

Vertebrates, Invertebrates, and Vascular Plants on the special species lists of the Texas Biological and Conservation Data System. These special species lists are comprised of all species, subspecies, and varieties that are federally listed; proposed to be federally listed; have federal candidate status; are state listed; or carry a global conservation status indicating a species is imperiled, very rare, or vulnerable to extirpation.

Colonial Waterbird Nesting Areas and Migratory Songbird Fallout Areas are contained on the county lists for coastal counties only.

The TPWD county lists **exclude**:

Natural Plant Communities such as Little Bluestem-Indiangrass Series (native prairie remnant), Water Oak-Willow Oak Series (bottomland hardwood community), Saltgrass-Cordgrass Series (salt or brackish marsh), Sphagnum-Beakrush Series (seepage bog).

Other Significant Features such as non-coastal bird rookeries, migratory bird information, bat roosts, bat caves, invertebrate caves, and prairie dog towns.

These lists will never be all inclusive for all rare species distributions. In order to keep the lists to a reasonable length, historic ranges for some state extirpated species, full historic distributions for some extant species, accidentals and irregularly appearing species, and portions of migratory routes for particular species are not included.

The **revised date** on each county list reflects the last date any changes or revisions were made for that county and reflects current listing statuses and taxonomy.

Species that appear on county lists do not all share the same probability of occurrence within a county. Some species are migrants or wintering residents only. Additionally, a few species may be historic or considered extirpated within a county. Species considered extirpated within the state are so flagged on each list.

This information is for your assistance only; due to continuing data updates, **please do not reprint or redistribute the information, instead refer all requesters to our office to obtain the most current information available.**

THE TEXAS BIOLOGICAL AND CONSERVATION DATA SYSTEM

The Texas Biological and Conservation Data System (TXBCD), established in 1983, is the Department's most comprehensive source of information on rare, threatened, and endangered plants and animals, exemplary natural communities, and other significant features. Though it is not allinclusive, the TXBCD is constantly updated, providing current or additional information on statewide status and locations of these unique elements of natural diversity.

The TXBCD gathers biological information from museum and herbarium collection records, peer reviewed publications, experts in the scientific community, organizations, qualified individuals, and on-site field surveys conducted by TPWD staff on public lands or private lands with written permission. TPWD staff botanists, zoologists, and ecologists perform field surveys to locate and verify specific occurrences of high-priority biological elements and collect accurate information on their condition, quality, and management needs.

The TXBCD can be used to help evaluate the environmental impacts of routing and siting options for development projects. It also assists in impact assessment, environmental review, and permit review.

Given the small proportion of public versus private land in Texas, the TXBCD does not include a representative inventory of rare resources in the state. Although it is based on the best data available to TPWD regarding rare species, these data cannot provide a definitive statement as to the presence, absence, or condition of special species, natural communities, or other significant features in any area. Nor can these data substitute for on-site evaluation by qualified biologists. The TXBCD information is intended to assist the user in avoiding harm to species that may occur.

Please use the following citation to credit the TXBCD as the source for this county level information:

Texas Biological and Conservation Data System. Texas Parks and Wildlife, Wildlife Diversity Branch. County Lists of Texas' Special Species. [county name(s) and revised date(s)].

For information on obtaining a project review form or a site-specific review of a project area for rare species, and for updated county lists, please call (512) 912-7011.

ANNOTATED COUNTY LISTS OF RARE SPECIES

BIRDS

Common Name: **AMERICAN PEREGRINE FALCON**

Scientific Name: **FALCO PEREGRINUS ANATUM**

Federal Status: **Delisted**

State Status: **Listed Endangered**

Description

YEAR-ROUND RESIDENT AND LOCAL BREEDER IN WEST TEXAS, NESTS IN TALL CLIFF EYRIES; ALSO, MIGRANT ACROSS STATE FROM MORE NORTHERN BREEDING AREAS IN US AND CANADA, WINTERS ALONG COAST AND FARTHER SOUTH; OCCUPIES WIDE RANGE OF HABITATS DURING MIGRATION, INCLUDING URBAN, CONCENTRATIONS ALONG COAST AND BARRIER ISLANDS; LOW-ALTITUDE MIGRANT, STOPOVERS AT LEADING LANDSCAPE EDGES SUCH AS LAKE SHORES, COASTLINES, AND BARRIER ISLANDS.

Common Name: **ARCTIC PEREGRINE FALCON**

Scientific Name: **FALCO PEREGRINUS TUNDRIUS**

Federal Status: **Delisted**

State Status: **Listed Threatened**

Description

MIGRANT THROUGHOUT STATE FROM SUBSPECIES' FAR NORTHERN BREEDING RANGE, WINTERS ALONG COAST AND FARTHER SOUTH; OCCUPIES WIDE RANGE OF HABITATS DURING MIGRATION, INCLUDING URBAN, CONCENTRATIONS ALONG COAST AND BARRIER ISLANDS; LOW-ALTITUDE MIGRANT, STOPOVERS AT LEADING LANDSCAPE EDGES SUCH AS LAKE SHORES, COASTLINES, AND BARRIER ISLANDS.

Common Name: **BALD EAGLE**

Scientific Name: **HALIAEETUS LEUCOCEPHALUS**

Federal Status: **Delisted**

State Status: **Listed Threatened**

Description

FOUND PRIMARILY NEAR RIVERS AND LARGE LAKES; NESTS IN TALL TREES OR ON CLIFFS NEAR WATER; COMMUNALLY ROOSTS, ESPECIALLY IN WINTER; HUNTS LIVE PREY, SCAVENGES, AND PIRATES FOOD FROM OTHER BIRDS

Common Name: **HENSLOW'S SPARROW**

Scientific Name: **AMMODRAMUS HENSLOWII**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Rare, But With No Regulatory Listing Status**

Description

WINTERING INDIVIDUALS (NOT FLOCKS) FOUND IN WEEDY FIELDS OR CUT-OVER AREAS WHERE LOTS OF BUNCH GRASSES OCCUR ALONG WITH VINES AND BRAMBLES; A KEY COMPONENT IS BARE GROUND FOR RUNNING/WALKING

Last Revised Date: 8/8/2007 7:57:00 AM

Source: Texas Parks & Wildlife



2705 Bee Caves Rd, Suite 330 · Austin, Texas 78746 · phone: 888-396-0042 · fax: 512-472-9967

ANNOTATED COUNTY LISTS OF RARE SPECIES

BIRDS

Common Name: **PEREGRINE FALCON**

Scientific Name: **FALCO PEREGRINUS**

Federal Status: **Delisted**

State Status: **Listed Endangered/ Threatened**

Description

BOTH SUBSPECIES MIGRATE ACROSS THE STATE FROM MORE NORTHERN BREEDING AREAS IN US AND CANADA TO WINTER ALONG COAST AND FARTHER SOUTH; SUBSPECIES (F. P. ANATUM) IS ALSO A RESIDENT BREEDER IN WEST TEXAS; THE TWO SUBSPECIES' LISTING STATUSES DIFFER, THUS THE SPECIES LEVEL SHOWS THIS DUAL LISTING STATUS; BECAUSE THE SUBSPECIES ARE NOT EASILY DISTINGUISHABLE AT A DISTANCE, REFERENCE IS GENERALLY MADE ONLY TO THE SPECIES LEVEL; SEE SUBSPECIES FOR HABITAT.

Common Name: **PIPING PLOVER**

Scientific Name: **CHARADRIUS MELODUS**

Federal Status: **Listed Threatened**

State Status: **Listed Threatened**

Description

WINTERING MIGRANT ALONG THE TEXAS GULF COAST; BEACHES AND BAYSIDE MUD OR SALT FLATS

Common Name: **RED-COCKADED WOODPECKER**

Scientific Name: **PICOIDES BOREALIS**

Federal Status: **Listed Endangered**

State Status: **Listed Endangered**

Description

CAVITY NESTS IN OLDER PINE (60+ YEARS); FORAGES IN YOUNGER PINE (30+ YEARS); PREFERS LONGLEAF, SHORTLEAF, AND LOBLOLLY

Common Name: **WHITE-FACED IBIS**

Scientific Name: **PLEGADIS CHIHI**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Listed Threatened**

Description

PREFERS FRESHWATER MARSHES, SLOUGHS, AND IRRIGATED RICE FIELDS, BUT WILL ATTEND BRACKISH AND SALTWATER HABITATS; NESTS IN MARSHES, IN LOW TREES, ON THE GROUND IN BULRUSHES OR REEDS, OR ON FLOATING MATS

ANNOTATED COUNTY LISTS OF RARE SPECIES

BIRDS

Common Name: **WOOD STORK**

Scientific Name: **MYCTERIA AMERICANA**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Listed Threatened**

Description

FORAGES IN PRAIRIE PONDS, FLOODED PASTURES OR FIELDS, DITCHES, AND OTHER SHALLOW STANDING WATER, INCLUDING SALT-WATER; USUALLY ROOSTS COMMUNALLY IN TALL SNAGS, SOMETIMES IN ASSOCIATION WITH OTHER WADING BIRDS (I.E. ACTIVE HERONRIES); BREEDS IN MEXICO AND BIRDS MOVE INTO GULF STATES IN SEARCH OF MUD FLATS AND OTHER WETLANDS, EVEN THOSE ASSOCIATED WITH FORESTED AREAS; FORMERLY NESTED IN TEXAS, BUT NO BREEDING RECORDS SINCE 1960

Last Revised Date: 8/8/2007 7:57:00 AM

Source: Texas Parks & Wildlife



2705 Bee Caves Rd, Suite 330 · Austin, Texas 78746 · phone: 888-396-0042 · fax: 512-472-9967

ANNOTATED COUNTY LISTS OF RARE SPECIES

FISHES

Common Name: **CREEK CHUBSUCKER**

Scientific Name: **ERIMYZON OBLONGUS**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Listed Threatened**

Description

TRIBUTARIES OF THE RED, SABINE, NECHES, TRINITY, AND SAN JACINTO RIVERS; SMALL RIVERS AND CREEKS OF VARIOUS TYPES; SELDOM IN IMPOUNDMENTS; PREFERS HEADWATERS, BUT SELDOM OCCURS IN SPRINGS; YOUNG TYPICALLY IN HEADWATER RIVULETS OR MARSHES; SPAWNS IN RIVER MOUTHS OR POOLS, RIFFLES, LAKE OUTLETS, UPSTREAM CREEKS

Common Name: **PADDLEFISH**

Scientific Name: **POLYODON SPATHULA**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Listed Threatened**

Description

PREFERS LARGE, FREE-FLOWING RIVERS, BUT WILL FREQUENT IMPOUNDMENTS WITH ACCESS TO SPAWNING SITES; SPAWNS IN FAST, SHALLOW WATER OVER GRAVEL BARS; LARVAE MAY DRIFT FROM RESERVOIR TO RESERVOIR

ANNOTATED COUNTY LISTS OF RARE SPECIES

INSECTS

Common Name: **A MAYFLY**

Scientific Name: **TRICORYTHODES CURVATUS**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Rare, But With No Regulatory Listing Status**

Description

AR, OK, TX; MAYFLIES DISTINGUISHED BY AQUATIC LARVAL STAGE; ADULT STAGE GENERALLY FOUND IN BANKSIDE VEGETATION

Common Name: **A MAYFLY**

Scientific Name: **PLAUDITUS GLOVERI**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Rare, But With No Regulatory Listing Status**

Description

NY, SC, TX; MAYFLIES DISTINGUISHED BY AQUATIC LARVAL STAGE; ADULT STAGE GENERALLY FOUND IN BANKSIDE VEGETATION

Common Name: **GULF COAST CLUBTAIL**

Scientific Name: **GOMPHUS MODESTUS**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Rare, But With No Regulatory Listing Status**

Description

MEDIUM RIVER, MODERATE GRADIENT, AND STREAMS WITH SILTY SAND OR ROCKY BOTTOMS; ADULTS FORAGE IN TREES, MALES PERCH NEAR RIFFLES TO WAIT FOR FEMALES, LARVAE OVERWINTER; FLIGHT SEASON LATE APR - LATE JUN

Common Name: **TEXAS EMERALD DRAGONFLY**

Scientific Name: **SOMATOCHLORA MARGARITA**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Rare, But With No Regulatory Listing Status**

Description

EAST TEXAS PINEWOODS; SPRINGFED CREEKS AND BOGS; SMALL SANDY FORESTED STREAMS WITH MODERATE CURRENT

ANNOTATED COUNTY LISTS OF RARE SPECIES

MAMMALS

Common Name: **LOUISIANA BLACK BEAR**

Scientific Name: **URSUS AMERICANUS LUTEOLUS**

Federal Status: **Listed Threatened**

State Status: **Listed Threatened**

Description

POSSIBLE AS TRANSIENT; BOTTOMLAND HARDWOODS AND LARGE TRACTS OF INACCESSIBLE FORESTED AREAS

Common Name: **PLAINS SPOTTED SKUNK**

Scientific Name: **SPILOGALE PUTORIUS INTERRUPTA**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Rare, But With No Regulatory Listing Status**

Description

CATHOLIC; OPEN FIELDS, PRAIRIES, CROPLANDS, FENCE ROWS, FARMYARDS, FOREST EDGES, AND WOODLANDS; PREFERS WOODED, BRUSHY AREAS AND TALLGRASS PRAIRIE

Common Name: **RAFINESQUE'S BIG-EARED BAT**

Scientific Name: **CORYNORHINUS RAFINESQUII**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Listed Threatened**

Description

ROOSTS IN CAVITY TREES OF BOTTOMLAND HARDWOODS, CONCRETE CULVERTS, AND ABANDONED MAN-MADE STRUCTURES

Common Name: **RED WOLF**

Scientific Name: **CANIS RUFUS**

Federal Status: **Listed Endangered**

State Status: **Listed Endangered**

Description

EXTIRPATED; FORMERLY KNOWN THROUGHOUT EASTERN HALF OF TEXAS IN BRUSHY AND FORESTED AREAS, AS WELL AS COASTAL PRAIRIES

Common Name: **SOUTHEASTERN MYOTIS BAT**

Scientific Name: **MYOTIS AUSTRORIPARIUS**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Rare, But With No Regulatory Listing Status**

Description

ROOSTS IN CAVITY TREES OF BOTTOMLAND HARDWOODS, CONCRETE CULVERTS, AND ABANDONED MAN-MADE STRUCTURES

Last Revised Date: 8/8/2007 7:57:00 AM

Source: Texas Parks & Wildlife



2705 Bee Caves Rd, Suite 330 · Austin, Texas 78746 · phone: 888-396-0042 · fax: 512-472-9967

ANNOTATED COUNTY LISTS OF RARE SPECIES

MOLLUSKS

Common Name: **CREEPER (SQUAWFOOT)**

Scientific Name: **STROPHITUS UNDULATUS**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Rare, But With No Regulatory Listing Status**

Description

SMALL TO LARGE STREAMS, PREFERS GRAVEL OR GRAVEL AND MUD IN FLOWING WATER; COLORADO, GUADALUPE, SAN ANTONIO, NECHES (HISTORIC), AND TRINITY (HISTORIC) RIVER BASINS

Common Name: **FAWNSFOOT**

Scientific Name: **TRUNCILLA DONACIFORMIS**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Rare, But With No Regulatory Listing Status**

Description

SMALL AND LARGE RIVERS ESPECIALLY ON SAND, MUD, ROCKY MUD, AND SAND AND GRAVEL, ALSO SILT AND COBBLE BOTTOMS IN STILL TO SWIFTLY FLOWING WATERS; RED (HISTORIC), CYPRESS (HISTORIC), SABINE (HISTORIC), NECHES, TRINITY, AND SAN JACINTO RIVER BASINS.

Common Name: **LITTLE SPECTACLECASE**

Scientific Name: **VILLOSA LIENOSA**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Rare, But With No Regulatory Listing Status**

Description

CREEKS, RIVERS, AND RESERVOIRS, SANDY SUBSTRATES IN SLIGHT TO MODERATE CURRENT, USUALLY ALONG THE BANKS IN SLOWER CURRENTS; EAST TEXAS, CYPRESS THROUGH SAN JACINTO RIVER BASINS

Common Name: **LOUISIANA PIGTOE**

Scientific Name: **PLEUROBEMA RIDDELLII**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Rare, But With No Regulatory Listing Status**

Description

STREAMS AND MODERATE-SIZE RIVERS, USUALLY FLOWING WATER ON SUBSTRATES OF MUD, SAND, AND GRAVEL; NOT GENERALLY KNOWN FROM IMPOUNDMENTS; SABINE, NECHES, AND TRINITY (HISTORIC) RIVER BASINS

Common Name: **PISTOLGRIP**

Scientific Name: **TRITOGONIA VERRUCOSA**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Rare, But With No Regulatory Listing Status**

Description

STABLE SUBSTRATE, ROCK, HARD MUD, SILT, AND SOFT BOTTOMS, OFTEN BURIED DEEPLY; EAST AND CENTRAL TEXAS, RED THROUGH SAN ANTONIO RIVER BASINS

Last Revised Date: 8/8/2007 7:57:00 AM

Source: Texas Parks & Wildlife



2705 Bee Caves Rd, Suite 330 · Austin, Texas 78746 · phone: 888-396-0042 · fax: 512-472-9967

ANNOTATED COUNTY LISTS OF RARE SPECIES

MOLLUSKS

Common Name: **ROCK POCKETBOOK**

Scientific Name: **ARCIDENS CONFRAGOSUS**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Rare, But With No Regulatory Listing Status**

Description

MUD, SAND, AND GRAVEL SUBSTRATES OF MEDIUM TO LARGE RIVERS IN STANDING OR SLOW FLOWING WATER, MAY TOLERATE MODERATE CURRENTS AND SOME RESERVOIRS, EAST TEXAS, RED THROUGH GUADALUPE RIVER BASINS

Common Name: **SANDBANK POCKETBOOK**

Scientific Name: **LAMPSILIS SATURA**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Rare, But With No Regulatory Listing Status**

Description

SMALL TO LARGE RIVERS WITH MODERATE FLOWS AND SWIFT CURRENT ON GRAVEL, GRAVEL-SAND, AND SAND BOTTOMS; EAST TEXAS, SULFUR SOUTH THROUGH SAN JACINTO RIVER BASINS; NECHES RIVER

Common Name: **TEXAS PIGTOE**

Scientific Name: **FUSCONAIA ASKEWI**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Rare, But With No Regulatory Listing Status**

Description

RIVERS WITH MIXED MUD, SAND, AND FINE GRAVEL IN PROTECTED AREAS ASSOCIATED WITH FALLEN TREES OR OTHER STRUCTURES; EAST TEXAS RIVER BASINS, SABINE THROUGH TRINITY RIVERS AS WELL AS SAN JACINTO RIVER

Common Name: **WABASH PIGTOE**

Scientific Name: **FUSCONAIA FLAVA**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Rare, But With No Regulatory Listing Status**

Description

CREEKS TO LARGE RIVERS ON MUD, SAND, AND GRAVEL FROM ALL HABITATS EXCEPT DEEP SHIFTING SANDS; FOUND IN MODERATE TO SWIFT CURRENT VELOCITIES; EAST TEXAS RIVER BASINS, RED THROUGH SAN JACINTO RIVER BASINS; ELSEWHERE OCCURS IN RESERVOIRS AND LAKES WITH NO FLOW

ANNOTATED COUNTY LISTS OF RARE SPECIES

REPTILES

Common Name: **ALLIGATOR SNAPPING TURTLE**

Scientific Name: **MACROCHELYS TEMMINCKII**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Listed Threatened**

Description

PERENNIAL WATER BODIES; DEEP WATER OF RIVERS, CANALS, LAKES, AND OXBOWS; ALSO SWAMPS, BAYOUS, AND PONDS NEAR DEEP RUNNING WATER; SOMETIMES ENTERS BRACKISH COASTAL WATERS; USUALLY IN WATER WITH MUD BOTTOM AND ABUNDANT AQUATIC VEGETATION; MAY MIGRATE SEVERAL MILES ALONG RIVERS; ACTIVE MARCH-OCTOBER; BREEDS APRIL-OCTOBER

Common Name: **LOUISIANA PINE SNAKE**

Scientific Name: **PITUOPHIS RUTHVENI**

Federal Status: **Candidate For Listing; Formerly Category 1 Candidate**

State Status: **Listed Threatened**

Description

MIXED DECIDUOUS-LONGLEAF PINE WOODLANDS; BREEDS APRIL-SEPTEMBER

Common Name: **TEXAS HORNED LIZARD**

Scientific Name: **PHRYNOSOMA CORNUTUM**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Listed Threatened**

Description

OPEN, ARID AND SEMI-ARID REGIONS WITH SPARSE VEGETATION, INCLUDING GRASS, CACTUS, SCATTERED BRUSH OR SCRUBBY TREES; SOIL MAY VARY IN TEXTURE FROM SANDY TO ROCKY; BURROWS INTO SOIL, ENTERS RODENT BURROWS, OR HIDES UNDER ROCK WHEN INACTIVE; BREEDS MARCH-SEPTEMBER

Common Name: **TIMBER/CANEBRAKE RATTLESNAKE**

Scientific Name: **CROTALUS HORRIDUS**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Listed Threatened**

Description

SWAMPS, FLOODPLAINS, UPLAND PINE AND DECIDUOUS WOODLANDS, RIPARIAN ZONES, ABANDONED FARMLAND; LIMESTONE BLUFFS, SANDY SOIL OR BLACK CLAY; PREFERS DENSE GROUND COVER, I.E. GRAPEVINES OR PALMETTO

ANNOTATED COUNTY LISTS OF RARE SPECIES

PLANTS

Common Name: **CORRELL'S FALSE DRAGON-HEAD**

Scientific Name: **PHYSOSTEGIA CORRELLII**

Federal Status: **Rare, But With No Regulatory Listing Status**

State Status: **Rare, But With No Regulatory Listing Status**

Description

**WET SOILS INCLUDING RIVERBANKS, STREAMSIDES, CREEKBEDS, ROADSIDE DITCHES AND IRRIGATION CHANNELS;
FLOWERING JUNE-JULY**

Last Revised Date: 8/8/2007 7:57:00 AM

Source: Texas Parks & Wildlife



2705 Bee Caves Rd, Suite 330 · Austin, Texas 78746 · phone: 888-396-0042 · fax: 512-472-9967

NEPA RECORD DEFINITIONS

AMTOWERS	Am Radio Structures	Federal
-----------------	---------------------	---------

The FCC maintains a database of the AM Radio Structures. The AM Broadcast Stations database contains stations that are full time stations using a non-directional antenna.

ASR	Antenna Structure Registration	Federal
------------	--------------------------------	---------

The ASR database is maintained by the FCC and includes new and existing towers that pose a flight hazard to aircraft, either by location or height.

COASTAL	Coastal Barrier Resource System	Federal
----------------	---------------------------------	---------

Coastal barriers are landforms that protect the mainland from the full impact from wind, wave and tidal energies. The Coastal Barrier Resources System (CBRS) database is maintained by the Federal Emergency Management Agency (FEMA). The CBRS laws are defined based on maps drawn by the Department of Interior (DOI) that depict the boundaries of the individual coastal areas. The purpose of these laws were to minimize loss of human life by discouraging development in high risk areas, reduce wasteful expenditure of Federal resources, and to protect the natural resources associated with coastal barriers. The U.S. Fish and Wildlife Services are responsible for maintaining the official maps of the CBRS and should be contacted if further information is needed.

DOF	Digital Obstacle File	Federal
------------	-----------------------	---------

The FAA Digital Obstacle File is maintained by the FAA and National Oceanic and Atmospheric Administration. These man-made structures may affect air navigation therefore both the verified and unverified data is recorded in this database.

HOSPITALS	American Hospital Association Hospitals	Federal
------------------	---	---------

The American Hospital Association (AHA) is the national organization that represents and serves all types of hospitals, health care networks, and their patients and communities.

HSTBLDGS	Historic Buildings (habs/haer)	Federal
-----------------	--------------------------------	---------

This database includes buildings that are significant examples of the history of American engineering and architecture. Information is collected and entered into the National Historic American Building inventory, this database is maintained by the National Park Service (NPS).

HSTLNDMKS	National Historic Landmarks	Federal
------------------	-----------------------------	---------

This National Park Service (NPS) database is a list of historic places that have tremendous importance in maintaining the heritage of the United States. The Secretary of the Interior decides on designation if the site possesses national significance.



2705 Bee Caves Rd, Suite 330 · Austin, Texas 78746 · phone: 888-396-0042 · fax: 512-472-9967

NEPA RECORD DEFINITIONS

HSTPLACES	National Register Of Historic Places	Federal
------------------	--------------------------------------	---------

This database maintained by the National Park Service (NPS) contains a variety of places including districts, sites, building, structures and objects. These places are chosen because they are significant in American history. Information is collected for each of the sites and is compiled into the National Register of Historic Places.

INDIANRES	Indian Reservations	Tribal
------------------	---------------------	--------

The Department of Interior and Bureau of Indian Affairs maintains this database that includes American Indian Reservations, off-reservation trust lands, public domain allotments, Alaska Native Regional Corporations and Recognized State Reservations.

NTRLNDMKS	Natural Landmarks	Federal
------------------	-------------------	---------

This database contains the best remaining examples of natural beauty in the nation both ecologically and geologically. Sites meeting the standards for designation as Natural Landmarks are entered into the National Registry of Natural Landmarks, which is maintained by the National Park Service (NPS).

NURSINGHOMES	Nursing Homes	Federal
---------------------	---------------	---------

The Nursing Home Compare database is provided by the U.S. Department of Health and Human Services. The primary purpose of this database is to provide detailed information about the past performance of every Medicare and Medicaid certified nursing home in the country.

PRESRVTNS	Wilderness Preservations	Federal
------------------	--------------------------	---------

This National Park Service (NPS) database includes National Wilderness Preservations. These are areas of underdeveloped Federal land that retain their natural character and are aesthetically pleasing. These wilderness areas are free from permanent human influence and therefore protected and managed to maintain their natural integrity.

REFUGES	National Wildlife Refuge System	Federal
----------------	---------------------------------	---------

The National Wildlife Refuge System Inventory is a database that is maintained by the U.S. Fish and Wildlife Services. Refuges are a system of Federal lands and waters chosen specifically for their value to the wildlife. These refuges are managed to protect the wildlife and habitat resources.

RIVERS	National Wild And Scenic Rivers System	Federal
---------------	--	---------

In accordance to the National Wild and Scenic Rivers Act, the Nationwide Rivers Inventory was designed to provide a listing of wild and scenic rivers located in the United States and Puerto Rico. These rivers are free-flowing, have remarkable outdoor value, and are in need of environmental protection. This database was prepared for the National Park Service by the USGS with additional



2705 Bee Caves Rd, Suite 330 · Austin, Texas 78746 · phone: 888-396-0042 · fax: 512-472-9967

NEPA RECORD DEFINITIONS

support from various agencies.

CELLTOWERS	Cellular Towers	Federal
-------------------	-----------------	---------

The Cellular database is maintained by the FCC. Licensees use cellular radiotelephone service (commonly referred to as cellular) spectrum to provide a mobile telecommunications service for hire to the general public using cellular systems. Currently, cellular licensees must provide analog service, but may also provide digital service as well. Cellular licensees that operate digital networks may also offer advanced two-way data services. The Commission and other wireless industry representatives often refer to these services as "Mobile Telephone Services" and "Mobile Data Services."

CEMETERIES	Cemeteries	State
-------------------	------------	-------

This listing of cemeteries was provided by the United States Census Bureau.

CHURCHES	Churches	State
-----------------	----------	-------

This listing of churches was provided by the United States Census Bureau.

DAYCARES	Day Care Operations In Texas	State
-----------------	------------------------------	-------

The Texas Department of Family and Protective Services maintains this listing of Day Care Operations.

HGACCEMETERIES	Houston Galveston Area Council Cemeteries	State
-----------------------	---	-------

This database contains cemetery locations in the Houston-Galveston Area Council region and originates from ESRI data.

HGACHOSPITALS	Houston Galveston Area Council Hospitals	State
----------------------	--	-------

The Houston-Galveston Area Council obtained this listing of hospitals within the region from the 2007 InfoUSA database. Locations were manually edited by the HGAC and then checked against hospital data provided by the City of Houston for reliability purposes.

HGACLEARNCTRS	Houston Galveston Area Council Learning Centers	State
----------------------	---	-------

This listing of learning center locations is provided by the Houston Galveston Area Council Human Services (Workforce) Department.

HGACLIBRARIES	Houston Galveston Area Council Libraries	State
----------------------	--	-------

The Houston-Galveston Area Council obtained this listing of public libraries within the region from the 2007 InfoUSA database. Locations were manually edited by the HGAC and then checked



2705 Bee Caves Rd, Suite 330 · Austin, Texas 78746 · phone: 888-396-0042 · fax: 512-472-9967

NEPA RECORD DEFINITIONS

against library data provided by the City of Houston for reliability purposes.

HGACMUSEUMS	Houston Galveston Area Council Museums	State
--------------------	--	-------

The Houston-Galveston Area Council obtained this listing of museums within the region from the 2007 InfoUSA database. Locations were manually edited by the HGAC for reliability purposes.

HGACPARKS	Houston Galveston Area Council Parks	State
------------------	--------------------------------------	-------

This listing of parks was provided by the Houston-Galveston Area Council. Park boundaries were queried from the StratMap feature class, manually edited for query reliability, and clipped to the HGAC region. Harris County parks were updated based on the most recent data from the Harris County Public Infrastructure Department, Architecture and Engineering Division.

HGACSCHOOLS	Houston Galveston Area Council Schools	State
--------------------	--	-------

The Houston-Galveston Area Council obtained this listing of schools within the region from the 2007 InfoUSA database. Locations were manually edited by the HGAC and then checked against school data provided by the City of Houston for reliability purposes.

HGACTRAUMACTRS	Houston Galveston Area Council Trauma Centers	State
-----------------------	---	-------

The Houston-Galveston Area Council obtained this listing of trauma centers within the region from the 2007 InfoUSA database. Locations were manually edited by the HGAC for reliability purposes.

HGACUNIVCOLLEGES	Houston Galveston Area Council Universities And Colleges	State
-------------------------	--	-------

The Houston-Galveston Area Council obtained this listing of Universities and Colleges within the region from the 2007 InfoUSA database. Locations were manually edited by the HGAC for reliability purposes.

SCHOOLS	Private And Public Schools	State
----------------	----------------------------	-------

This listing of schools was provided by the United States Census Bureau.

TXHISTCEM	Historic Cemeteries In Texas	State
------------------	------------------------------	-------

The Texas Historical Commission (THC) maintains this database of historic cemeteries. The database contains the precise location of only a small portion of the approximately 50,000 historic cemeteries in Texas. This information is scattered in various sources and is not complete. In some cases only a verbal description gathered by volunteer preservationists exists. Determining the exact location of a cemetery is critical to preservation efforts.



2705 Bee Caves Rd, Suite 330 · Austin, Texas 78746 · phone: 888-396-0042 · fax: 512-472-9967

NEPA RECORD DEFINITIONS

TXHSTMRKS	Texas Historical Markers	State
------------------	--------------------------	-------

The Texas Historical Commission (THC) maintains a database of all state listed historical markers. These markers are placed at a site that has some historical significance, local or statewide, but no restriction is placed on the use of the property or site. Information is collected by the applicant and upon approval is then entered into the THC's database.

TXMNGDAREAS	Managed Areas	State
--------------------	---------------	-------

Areas identified for conservation, such as State or Federal lands, nature preserves and parks. These areas have been shown to contain evidence of element occurrences found in the Natural Diversity Database.

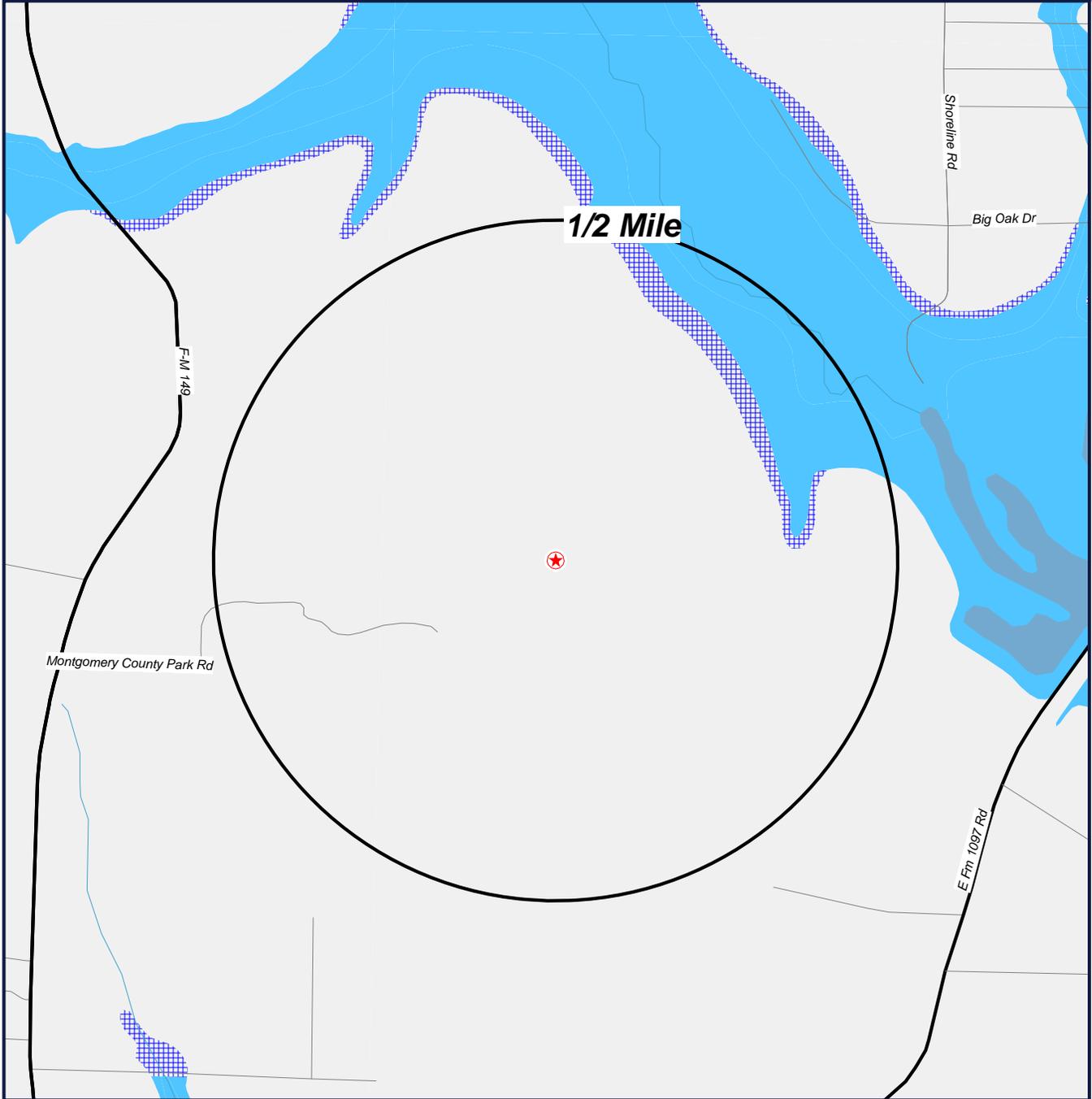
TXNDD	Special Status Species	State
--------------	------------------------	-------

The Texas Natural Diversity Database (TXNDD) was established in 1983 and is the Texas Parks and Wildlife Department's (TPWD) most comprehensive source of information on rare, threatened, and endangered plants, animals, invertebrates, exemplary natural communities, and other significant features. The TXNDD is continually updated, providing current or additional information on statewide status and locations of these unique elements of natural diversity. The TXNDD does not include a representative inventory of rare resources in the state due to the small proportion of public versus private land. Although it is based on the best data available to TPWD regarding rare species, these data cannot provide a definitive statement as to the presence, absence, or condition of special species, natural communities, or other significant features in any area. Nor can these data substitute for on-site evaluation by qualified biologists.



2705 Bee Caves Rd, Suite 330 · Austin, Texas 78746 · phone: 888-396-0042 · fax: 512-472-9967

FEMA MAP



TARGET PROPERTY (TP)

- | | | | |
|--|------------|--|-----------|
| | ZONE A | | ZONE X |
| | ZONE AE | | ZONE X500 |
| | ZONE AH | | |
| | ZONE ANI | | |
| | ZONE D | | |
| | ZONE UNDES | | |
| | ZONE V | | |
| | ZONE VE | | |

Project #: 2008-1047
NW Montgomery County
Montgomery, TX
77356

Panel #: 48339C0195C



GeoSearch

2705 Bee Caves Rd, Suite 330 - Austin, Texas 78746 - phone: 866-396-0042 - fax: 512-472-9967

FEDERAL EMERGENCY MANAGEMENT AGENCY REPORT

FEMA - Federal Emergency Management Agency

The information used in this report is derived from the Federal Emergency Management Agency (FEMA). The Q3 Flood Data is developed by electronically scanning the current effective map panels of existing paper Flood Insurance Rate Maps (FIRMs). Certain key features are digitally captured and then converted into area features, such as floodplain boundaries. Q3 Flood Data captures certain key features from the existing paper FIRMs, including:

- 100-year and 500-year (1% and 0.2% annual chance) floodplain areas, including Zone V areas, certain floodway areas (when present on the FIRM), and zone designations
- Coastal Barrier Resources Act (COBRA) areas
- FIRM panel areas, including panel number and suffix

This data was last updated between 1996 and 2000 and is available in select counties throughout the United States.

FEMA Flood Zone Definitions Relevant to Map

A Zone A

An area inundated by 100 year flooding. No BFEs (base flood elevations) determined.

X Zone X

An area that is determined to be outside the 100 and 500 year floodplains.

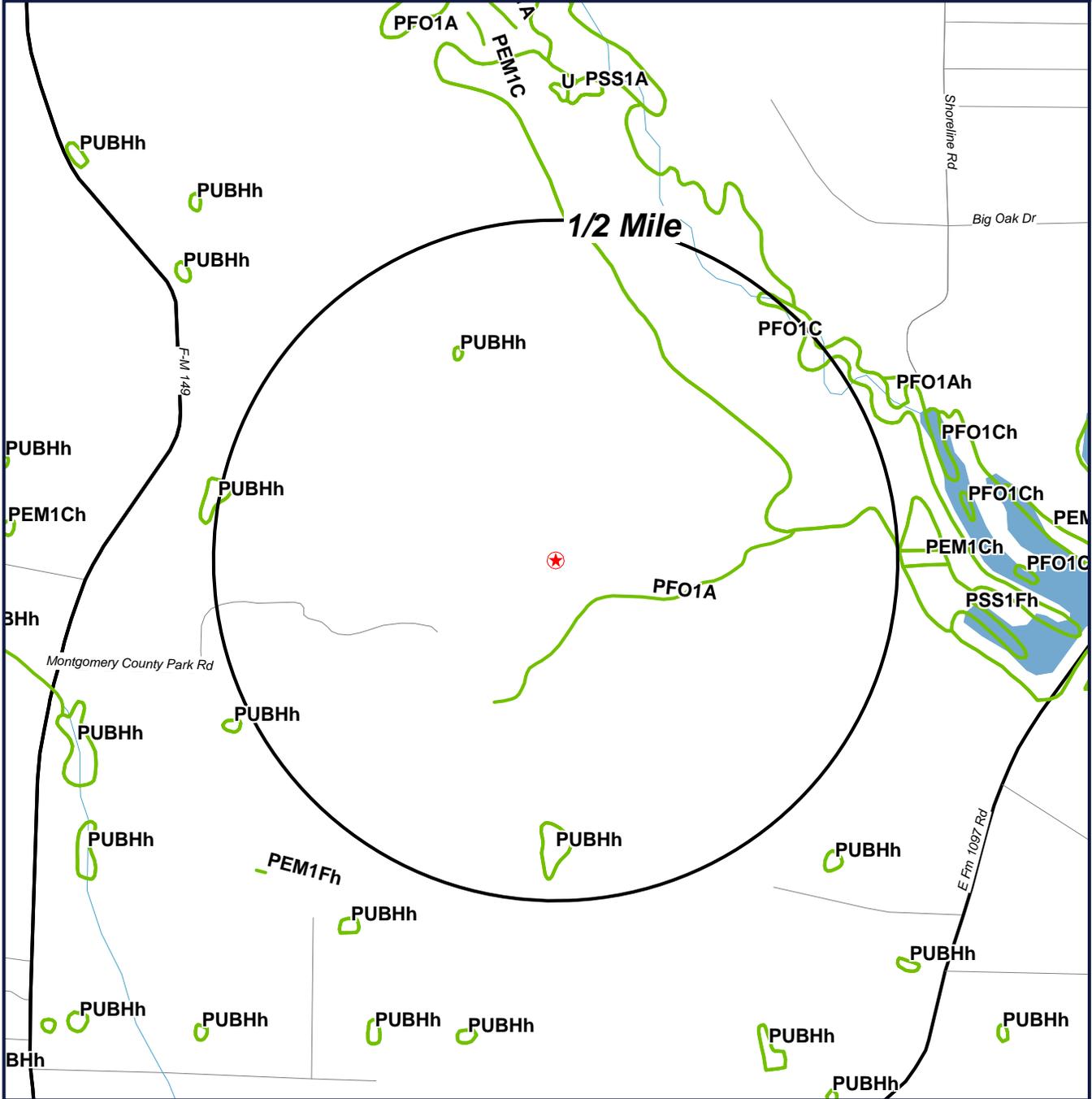
X500 Zone X500 (0.2% Annual Chance)

An area inundated by 500-year flooding; an area inundated by 100-year flooding with average depths of less than 1 foot or with drainage areas less than 1 square mile; or an area protected by levees from 100-year flooding.



2705 Bee Caves Rd, Suite 330 · Austin, Texas 78746 · phone: 888-396-0042 · fax: 512-472-9967

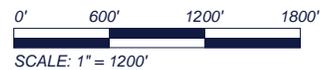
NWI MAP



★ TARGET PROPERTY (TP)

□ NWI BOUNDARY

Project #: 2008-1047
NW Montgomery County
Montgomery, TX
77356



GeoSearch

2705 Bee Caves Rd, Suite 330 - Austin, Texas 78746 - phone: 866-396-0042 - fax: 512-472-9967

NATIONAL WETLANDS INVENTORY REPORT

NWI - National Wetlands Inventory

The US NWI digital data bundle is a set of records of wetlands location and classification as defined by the U.S. Fish & Wildlife Service. This dataset is one of a series available in 7.5 minute by 7.5 minute blocks containing ground planimetric coordinates of wetlands point, line, and area features and wetlands attributes. When completed, the series will provide coverage for all of the contiguous United States, Hawaii, Alaska, and U.S. protectorates in the Pacific and Caribbean. The digital data as well as the hardcopy maps that were used as the source for the digital data are produced and distributed by the U.S. Fish & Wildlife Service's National Wetlands Inventory project. Currently, this data is only available in select counties throughout the United States.

NWI Definitions Relevant to Map

L1UBHh

SYSTEM: **LACUSTRINE**
SUBSYSTEM: **LIMNETIC**
CLASS: **UNCONSOLIDATED BOTTOM**
WATER REGIME: **PERMANENTLY FLOODED**
SPECIAL MODIFIER: **DIKED/IMPOUNDED**

PFO1A

SYSTEM: **PALUSTRINE**
CLASS: **FORESTED**
SUBCLASS: **BROAD-LEAVED DECIDUOUS**
WATER REGIME: **TEMPORARILY FLOODED**

PFO1C

SYSTEM: **PALUSTRINE**
CLASS: **FORESTED**
SUBCLASS: **BROAD-LEAVED DECIDUOUS**
WATER REGIME: **SEASONALLY FLOODED**

PUBHh

SYSTEM: **PALUSTRINE**
CLASS: **UNCONSOLIDATED BOTTOM**
WATER REGIME: **PERMANENTLY FLOODED**
SPECIAL MODIFIER: **DIKED/IMPOUNDED**

U

SYSTEM: **UNKNOWN**



2705 Bee Caves Rd, Suite 330 · Austin, Texas 78746 · phone: 888-396-0042 · fax: 512-472-9967



SHAFFER TOWER SERVICES, INC.

September 2, 2009

U. S. Fish & Wildlife Service
Ecological Services Field Office
711 Stadium Drive, Suite 252
Arlington, TX 76011

Reference: Montgomery County, Texas Telecommunications Tower

To Whom It May Concern:

We have been asked to perform a NEPA review on behalf of the Montgomery County, Texas for the construction of a new telecommunications tower. In accordance with 47 CFR Section 1.1307, an evaluation has been made to determine whether any of the listed FCC special interest items would be significantly affected if a tower structure and/or antenna and associated equipment control cabinets were constructed at the proposed site location.

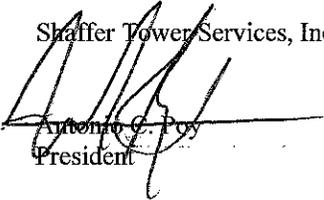
The proposed tower site is a 50 foot by 50 foot vacant, wooded tract of land located within the West Montgomery County Park in Montgomery, Montgomery County, Texas. The proposed tower site is located at N30-25-27.8" Latitude and W95-41-04.1" Longitude (NAD83). The proposed telecommunications compound will include: one 12-foot by 26-foot equipment shelter with a back-up generator. The tower site is located on a vacant cleared area. No burrows, nests, wetlands, or other signs of threatened and endangered species and/or habitat were readily observable. No presently known occurrences or observations of special species or natural communities have been documented in the vicinity of the proposed site.

The U.S. Fish & Wildlife Service (USFWS) has listed one endangered species and one as threatened in Montgomery County, the Bald Eagle, (*Haliaeetus leucocephalus*), and the red-cockaded woodpecker (*Picoides borealis*) Habitats for these species were compared to the habitat observed at the proposed Site, and none of the habitats were identified with a potential to be found on the Site. A visual inspection of the property revealed no potential habitat for federally listed or proposed threatened or endangered species.

There is no expectation that the proposed construction of a new telecommunications tower will affect listed or protected species. Your agency review and confirmation would be appreciated.

Sincerely,

Shaffer Tower Services, Inc.



Antonio G. Poy
President



SHAFFER TOWER SERVICES, INC.



Photo 1 Site view.



Photo 2 Adjoining property north (power line easement).

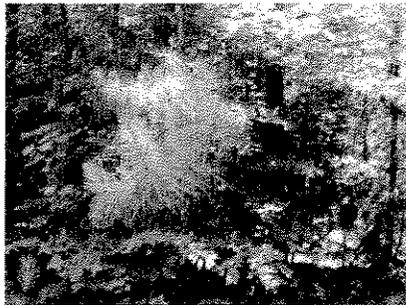
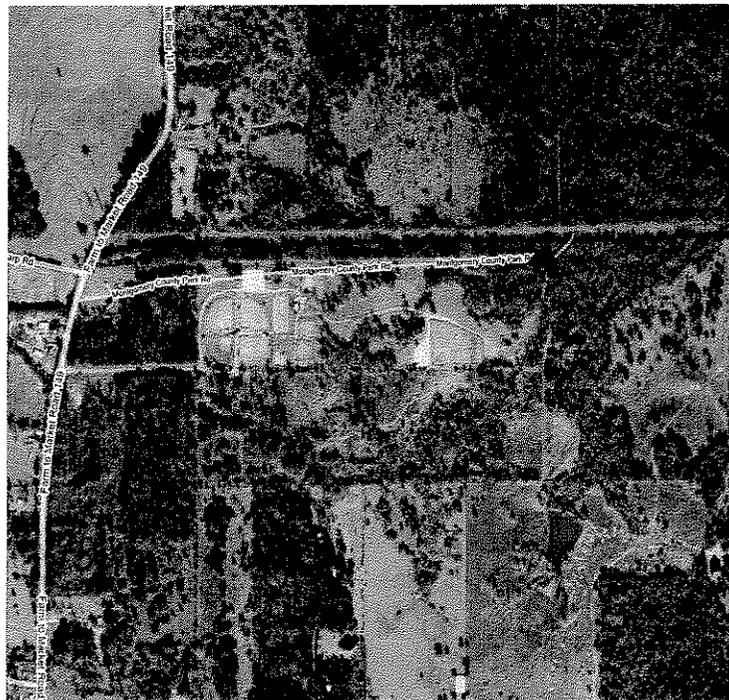


Photo 3 Adjoining property east (vacant, wooded land).



Photo 4 Barbed wire fencing.





SHAFFER TOWER SERVICES, INC.



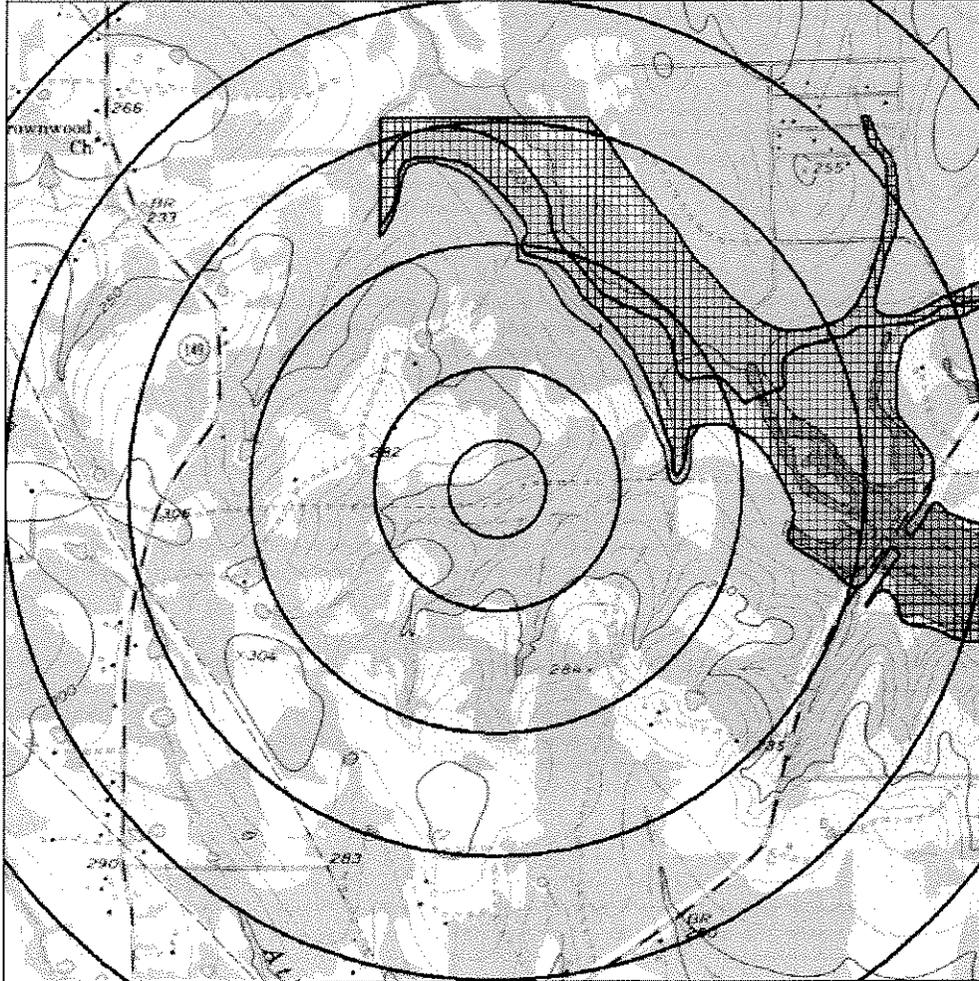
Environmental FirstSearch

Topo : 1.00 Mile Radius

Single Map



NW MONTGOMERY COUNTY , MONTGOMERY TX 77356



Source:

Target Site (Latitude: 30.4285 Longitude: -95.62346)

Identified Sites, Multiple Sites, Recorder

NPC, BRYNER, Brownfield, Solid Waste Landfill (SWL) or Hazardous Waste

Tribal Land

Map Name: MONTGOMERY Date Created: 1999 Date Revised: 1976

Map Reference Code: 10285-D6-TE-024

Black Rings Represent 1/4 Mile Radius; Red Ring Represents 1/2 Mile Radius



Floodplains: 100 Year, 500 Year

