

Finding of No Significant Impact for Montgomery County Telecommunications Facility

Introduction

Montgomery County proposes to acquire and install a new telecommunications facility with a 420-foot guyed tower. The Draft Montgomery County 420-foot Guyed Telecommunications Facility Environmental Assessment (EA) provides an analysis of potential environmental impacts associated with the use of grant funds issued by the Public Safety Interoperable Communications (PSIC) Grant Program, administered by the National Telecommunications and Information Administration (NTIA) of the U.S. Department of Commerce. The Draft EA covers the proposed Montgomery County telecommunications facility and associated equipment.

Scope of the Environmental Assessment (EA)

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

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

The proposed Montgomery County project will allow for the following:

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

The Draft EA examines the Proposed Action to develop a new telecommunications facility in Montgomery County, Texas. The proposed Montgomery County project would include the construction of a 420-foot guyed telecommunications tower within a 50-foot by 50-foot fenced compound with associated equipment. The total ground-disturbance will be less than 0.25 acres. The proposed site will be situated on a vacant, wooded tract of land located within the West Montgomery County Park in Montgomery, Montgomery County, Texas. Existing utilities for electrical power will be slightly extended to allow for easier access. An existing access road will be used for construction and operational maintenance site access. The Draft EA analyses existing conditions and environmental consequences of the Proposed Action for 11 resource areas: noise, air quality, geology and soils, water resources, biological resources, historic and cultural, land use, aesthetic and visual, infrastructure, socioeconomic resources, and human health and safety.

Alternatives Considered

Alternative 1 (Preferred Alternative). Alternative 1 (Preferred Alternative) is to implement the Montgomery County Telecommunications Facility project in its entirety, consisting of a 420-foot guyed

tower with a 12-foot by 26-foot prefabricated equipment shelter and associated telecommunications equipment contained within a 50-foot by 50-foot chain-linked fenced compound. The proposed Montgomery County project will facilitate enhanced security and facility control, reliable interoperable communications, and significant increased coverage area for emergency responders. The site's higher topography will increase and enhance coverage with the proposed 420-foot guyed tower. The facility will be constructed in a manner to allow for future expansion needs and to reduce any retrofitting that would be required otherwise as the site provides additional area for expansion. In addition, the site's ingress and egress will be more conducive to maintenance and future expansion construction work. This additional transmission and receiving site will enhance security and facility control, reliable interoperable communications, and significantly increase the coverage area for emergency responders.

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

Recommended Alternative

Alternative 1 (Preferred Alternative) to acquire and install the new Montgomery County Tower Telecommunication Facility is recommended for implementation and best meets the purpose and the need of Montgomery County to facilitate reliable interoperable communications, significantly increase the coverage area for emergency responders, and greater security and facility control. The No Action Alternative would not address the need for Montgomery County.

Consultations

Coordination on fish and wildlife issues to meet the Section 7 requirements of the Endangered Species Act (ESA) was accomplished through a preliminary review of protected species from the U.S. Fish and Wildlife Service (USFWS) Division of Endangered Species Web site to identify listed and proposed threatened and endangered species, as well as critical habitats that may be located on or near the proposed Montgomery County tower site. Based on a review of the USFWS Web site and discussions with the USFWS Texas Ecological Services Houston Field Office, only the Red-Cockaded Woodpecker (*Picoides borealis*) was identified within Montgomery County. Habitats for this species were compared to the habitat present at the proposed Montgomery County tower site; the habitat was not identified as having a potential to be found on the proposed site. An informal consultation letter was submitted to USFWS Texas Ecological Services on September 2, 2009. The NTIA has reviewed the Proposed Action and Draft EA and determined that no effect to endangered species would occur. A written concurrence from USFWS for a no effect determination is not required.

Coordination on historic and cultural resources issues was accomplished through an informal consultation with the Texas State Historic Preservation Office (SHPO) to determine whether the construction of the proposed Montgomery County tower site and installation of associated communications infrastructure equipment may generate any short- or long-term indirect impacts to historic and cultural resources or may be located within the viewshed of any historic and cultural resources. The construction of the proposed Montgomery County project may indirectly impact the viewshed of architectural resources in the area if it is not aesthetically compatible with the character of the historic surroundings. A desktop assessment was conducted to determine if any historic and cultural resources were listed in the area of potential effect (APE). A public notice was issued related to impacts to historic and cultural resources in the legal notices section of the *Conroe The Courier* on July 28, 2008 and August 4, 2008. No public or agency comments were received. In addition, the Texas SHPO concurred with the Draft EA that the Proposed Action would

be expected to have no significant impact and the Proposed Action will not affect historic properties and the project may proceed.

Findings and Conclusions

The proposed Montgomery County project is not likely to result in any environmental impacts and does not involve any unusual risks or impacts to sensitive areas. The Proposed Action will require construction of a new transmitting and receiving 420-foot guyed telecommunications tower with ground disturbance activities (totaling 0.25 acres). In accordance with 47 Code of Federal Regulations (CFR) Section 1.1307(a) (1) through (8), an evaluation was made to determine whether any of the listed Federal Communications Commission (FCC) special interest items would be significantly affected if a tower structure and associated equipment control cabinets were constructed at the proposed site location. No FCC special interest items were identified.

NTIA Review

NTIA determined that the October 2009 Montgomery County 420-Guyed Telecommunication Tower Draft EA accurately assessed the potential individual and cumulative environmental impacts of the proposed telecommunication facility development including a 420-foot guyed telecommunications tower, and that the scope, alternatives considered, and content of the EA are adequate.

This Finding of No Significant Impact (FONSI) is based on the attached Draft EA which has been independently evaluated by the NTIA and determined to adequately and accurately discuss the environmental issues and impacts of the proposed project and provides sufficient evidence and analysis for determining that an environmental impact statement is not required.

Based on the best available information and NTIA's independent review, NTIA has decided to adopt the October 2009 Montgomery County 420-Guyed Telecommunication Tower Draft EA. The Draft EA is available for public review at <http://www.ntia.doc.gov/psic/>. This FONSI has therefore been prepared and is being submitted to document environmental review and evaluation in compliance with NEPA. The decision documents for the environmental review of the Proposed Action are attached.

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

11/20/09
Date

Laura M. Pettus
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Department of Commerce
National Telecommunications and Information Administration

RPM
Responsible Program Manager

ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENT

Description of proposal: Montgomery County Telecommunications Facility

Proponent: Texas SAA / Montgomery County

Location of current proposal: Montgomery, Montgomery County, Texas

Title of document being adopted: Montgomery County 420-Guyed Telecommunication Tower

Agency that prepared document being adopted: Montgomery County

Date adopted document was prepared: October 15, 2009

Description of document (or portion) being adopted: The proposed Montgomery County project will include the construction of a 420-foot guyed telecommunications tower within a 50-foot by 50-foot fenced compound with associated equipment. The total ground-disturbance will be 0.25 acres. The proposed site is situated on a vacant, wooded tract of land located within the West Montgomery County Park in Montgomery, Montgomery County, Texas. Existing utilities for electrical power will be slightly extended to allow for easier access. An existing access road will be used for construction and operational maintenance site access. The tower and site construction for this Proposed Action does not have any significant environmental impacts or extraordinary circumstances.

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

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

Name of agency adopting the document: National Telecommunications and Information Administration (NTIA)

Contact person if other than responsible official: N/A

Responsible Official: Laura M. Pettus

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DATE OF ISSUE: November 20, 2009

SIGNATURE:

Signed:

Laura M. Pettus

Date:

11/20/09