Finding of No Significant Impact (FONSI) for the Safety Drive Communications Facility, Maryland

Introduction

The State of Maryland proposes to construct a communications facility with a 348-foot (ft) self-supporting lattice tower, with no more than two 12-ft by 38-ft by10-ft equipment shelters with one backup generator, one 1,000 gallon liquid propane tank, and associated site improvements to facilitate ingress/egress of the site and equipment installation. The Environmental Assessment (EA) for the Construction and Operation of Public Health and Safety Communications Tower and Facilities, Centreville, Queen Anne's County, MD (dated December 2010), provides an analysis of potential environmental impacts associated with the use of grant funds issued by the Public Safety Interoperable Communications (PSIC) Grant Program, administered by the National Telecommunications and Information Administration (NTIA) of the U.S. Department of Commerce. This EA covers the proposed Safety Drive communications facility, which would be part of a Statewide 700 MHz communications system linking several State agency users (e.g., Maryland State Police, Maryland Department of Transportation, Maryland Transportation Authority, and Maryland Department of Natural Resources [DNR]), as well as multiple smaller Maryland resource agencies (e.g., Department of the Environment, Department of Juvenile Services, and Department of Public Safety and Correctional Services) to fill in local coverage gaps and ensure Public Safety Intranet (PSINET) connectivity in areas previously lacking adequate emergency coverage.

Scope of the Environmental Assessment (EA)

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

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

The proposed Safety Drive communications facility would allow for the following:

- Increased coverage area for emergency responders connected through the system,
- Facilitate reliable interoperable communications among first responder organizations,
- Expansion of the 700 MHz communications system throughout the State, and
- Enhanced simulcast coverage throughout the area.

This EA examines the Proposed Action to develop a new communications facility in eastern Maryland (Centreville, Queen Anne's County). The proposed Safety Drive communications facility would include one 348-ft self-supporting lattice type radio tower with a Federal Aviation Administration (FAA)-approved lighting system, with no more than two 12-ft by 38-ft by 10-ft equipment shelters with one backup generator, one 1,000 gallon liquid propane tank, and associated site improvements to facilitate ingress/egress of the site and equipment installation. The communications facility would use a standard FAA-approved E1 lighting system, which is a medium intensity white strobe during the daytime and a red beacon with red-side markers at night.

The proposed tower and facilities would require approximately 400 amp service, which would be provided with an approximately 60-ft underground electrical conduit connecting to an existing utility pole located in front of the site. The construction of proposed facilities would require a site approximately 10,000 square feet (SF) in size. In addition, a horseshoe-style gravel access road, approximately 4,000 SF, would be constructed to connect the site to Safety Drive. The underground electrical conduit would disturb approximately 360 SF. The total area of ground disturbance would equal approximately 14,360 SF, or 0.33 acres.

This EA analyses existing conditions and environmental consequences of the Proposed Action with four major resource areas: natural and physical environment, social environment, cultural environment, and infrastructure and waste management. Natural and physical resource areas analyzed in detail included air quality, noise, threatened and endangered species with migratory birds, vegetation and wildlife, and human health and safety. Analysis of the social environment included community facilities and services, land use planning and zoning, economy and employment, taxes and revenue, and aesthetics and visual resources. The cultural environment included analysis of the Area of Potential Effects (APE), archeological resources, and historic resources. Infrastructure and waste management included the analysis of transportation, telecommunications, electrical power and gas, and waste management.

Alternatives Considered

No Action Alternative. Under the No Action Alternative, the new communications tower and facilities at Safety Drive would not be constructed. The existing Safety Drive property would remain as it presently exists. The Proposed Action would not move forward with PSIC funds or any alternate funding sources. The No Action Alternative fails to meet the purpose and need as it cannot support the needs for improving interoperable communications. The No Action Alternative served as the baseline for assessing the impacts of the alternatives.

Proposed Action. The proposed Safety Drive communications facility in Centreville, Maryland would include one 348-ft self-supporting lattice type radio tower with an FAA-approved lighting system, and no more than two 12-ft by 38-ft by 10-ft equipment shelters with one backup generator, one 1,000 gallon liquid propane tank, and associated site improvements to facilitate ingress/egress of the site and equipment installation, and a horseshoe-style gravel access road (approximately 4,000 SF). The communications facility would use a standard FAA-approved E1

lighting system, which is a medium intensity white strobe during the day time and a red beacon with red-side markers at night.

The proposed communications tower and facilities would require approximately 400 amp service, which would be provided with an approximately 60-ft underground electrical conduit connecting to an existing utility pole located in front of the site. The construction of proposed facilities would require a site approximately 10,000 SF in size. The underground electrical conduit would disturb approximately 360 SF. The total area of ground disturbance would equal approximately 14,360 SF, or 0.33 acres.

Recommended Alternative
Alternative sites were initially screened through a review of area planning documents, property tax maps, and aerial photographs. Screening included identification of feasible sites for the proposed communications facility, potential site availability and impacts involved at each site, and concerns of interested parties. Initially, a site location on the Queen Anne's County Department of Emergency Services was selected for study. After site review and examination, this site was eliminated from consideration due to its inability to fulfill the evaluation factors used in site selection.

The Proposed Action, to implement the Safety Drive communications facility, is recommended for implementation and best meets the purpose and the need of the State of Maryland to strengthen the overall local and regional communications capabilities by providing adequate connectivity and duplicity of communications over the local, regional, and State-wide area. In addition, the Proposed Action allows the planned extension of the PSINET to link first responders and local agencies to one another, and eliminate coverage gaps throughout the State. This alternative would facilitate greater security, reliable interoperable communications, and significant increased simulcast capability for emergency responders. The No Action Alternative would not address the need for the State of Maryland as existing deficiencies would remain, and vital links with first responders and local agencies would not be provided thereby posing a greater risk to public safety in the event of an emergency or natural disaster.

Consultations
Coordination on fish and wildlife issues to meet the Section 7 requirements of the Endangered Species Act (ESA) was accomplished through correspondence with the U.S. Fish and Wildlife Service (USFWS). The USFWS indicated in a letter dated December 13, 2010 that, except for occasional transient individuals, no Federally-listed threatened or endangered species occur within the proposed project area; therefore, no further Section 7 coordination would be required. The USFWS also noted concerns regarding the potential impact of the tower on bald eagles, and referenced bald eagle protection guidelines. Furthermore, USFWS noted concerns about the potential for wetland loss in the Chesapeake Bay basin, and recommended avoiding wetland impacts. Coordination was also conducted with the Maryland DNR to determine the potential for impacts to State-listed rare, threatened or endangered species. In a letter dated August 30, 2010, Maryland DNR determined that there were no records of State-listed rare, threatened or endangered species within the boundaries of the proposed project site. However, Maryland DNR noted that the Dwarf Wedge Mussel (*Alasmidonta heterodon*) is documented as occurring in the vicinity of the proposed project location. This State- and Federally-listed endangered species is

very susceptible to changes in water quality; therefore the Maryland DNR recommended erosion and sedimentation control measures for all ground-disturbing activities. The closest surface water resource is Bridges Branch, located approximately 1 mile north of the site. The Safety Drive EA states that proper erosion and sedimentation plans would be developed and followed during construction.

The proposed project is not likely to result in significant environmental impacts. Coordination with appropriate Federal and State fish and wildlife agencies concluded that there were no potential direct adverse impacts to threatened or endangered species. Potential indirect impacts to any threatened or endangered species resulting from adverse impacts to water resources would be addressed through the development and implementation of erosion and sedimentation plans.

Coordination on historic and cultural resources issues was accomplished through correspondence with the Maryland State Historic Preservation Office (SHPO)/Maryland Historical Trust to determine whether the construction of the proposed communications facility may generate any short- or long-term indirect impacts to historic and cultural resources and may be located within the viewshed of any historic and cultural resources. A site visit concluded that there were three properties eligible for listing on the National Register of Historic Places (NRHP) and one listed property within the Area of Potential Effect (APE) for the project. The proposed project was determined to either have no significant adverse effect on any of these properties, as it would present a minor visual intrusion on the landscape. The Maryland SHPO/Maryland Historic Trust reviewed the materials submitted and concurred in a letter on July 7, 2010 with the determination that the proposed project would have no adverse effect on historic properties.

Consultation with Federally-recognized Native American tribes was accomplished through correspondence with the Shawnee Tribe to determine whether the construction of the proposed communication facility would create any short- or long-term, direct, or indirect impacts to tribal resources. A letter, which included site information, a summary of historic properties identified in the APE, effects on identified properties, and visual documentation, was sent to the Tribal Historic Preservation Officer (THPO) on June 14, 2010, requesting comment on the project,. The proposed project was determined to have no adverse effect on historic properties. The THPO concurred in a letter via facsimile, dated June 23, 2010 with the determination that no known historic properties would be negatively impacted by construction of the tower site.

Findings and Conclusions

The proposed Safety Drive communications facility is not likely to result in any environmental impacts and does not involve any unusual risks or impacts to sensitive areas. The Proposed Action would require the construction of a 348-ft self-supporting lattice tower with an FAA-approved lighting system, and no more than two 12-ft by 38-ft by 10-ft equipment shelters with one backup generator, one 1,000 gallon liquid propane tank, and associated site improvements to facilitate ingress/egress of the site and equipment installation, which would include a horseshoe style gravel access road. The total area of ground disturbance would equal approximately 14,360 SF, or 0.33 acres. Coordination with appropriate Federal and State agencies concluded that there would be no adverse impacts to threatened or endangered species, nor would there be any adverse effect on historic properties as a result of the proposed action. Any potential for indirect

adverse impacts to threatened or endangered species would be addressed through the development and implementation of erosion and sedimentation plans.

NTIA Review

NTIA determined that the December 2010 Safety Drive EA adequately assessed the potential individual and cumulative environmental impacts of the proposed telecommunication facility development, including a 348-foot self-supporting lattice tower, shelters, associated equipment, and improved access road, and that the scope, alternatives considered, and content of the EA are adequate.

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

Based on the best available information and NTIA's independent review, NTIA has decided to adopt the December 2010 EA for the Construction and Operation of Public Health and Safety Communications Tower and Facilities, Centreville, Queen Anne's County, MD. This FONSI has therefore been prepared and is being submitted to document environmental review and evaluation in compliance with the NEPA of 1969. The decision documents for the environmental review of the Proposed Action are attached.

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

Laura M. Pettus — 2/14/11

Laura M. Pettus — Date

Responsible Program Manager

Department of Commerce, National Telecommunications and Information Administration

ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENT

Title of document being adopted: Environmental Assessment for the Construction and Operation of Public Health and Safety Communications Tower and Facilities, Centreville, Queen Anne's County, MD

Proponent: Maryland Department of Information Technology (MDoIT), Networks Division

Location of current proposal: Centreville, Queen Anne's County, Maryland

Agency that prepared document being adopted: MDoIT, Networks Division

Date adopted document was prepared: December 2010

Description of document (or portion) being adopted: The December 2010 Safety Drive EA provides an analysis of the Proposed Action to construct a new transmission and receiving site in eastern Maryland. The Proposed Action would require the construction of a 348-ft self-supporting lattice type radio tower with an Federal Aviation Administration (FAA)-approved lighting system, and no more than two 12-ft by 38-ft by 10-ft equipment shelters with one backup generator, one 1,000 gallon liquid propane tank, and associated site improvements to facilitate ingress/egress of the site and equipment installation, which would include a horseshoe style gravel access road. The total area of ground disturbance would equal approximately 14,360 SF, or 0.33 acres. The tower and site construction and equipment acquisition and installation for this Proposed Action do not have any significant environmental impacts or extraordinary circumstances.

The Department of Commerce has identified and adopted this document as being appropriate for National Telecommunications and Information Administration's (NTIA) purposes after independent review. The document meets its environmental review needs for approval under the Public Safety Interoperable Communications (PSIC) Grant Program and will accompany the proposal to the decision maker.

Name of agency adopting the document: NTIA

Responsible Official: Laura M. Pettus

Position/Title: Responsible Program Manager

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

Please contact: Laura Pettus **Phone:** (202) 482-4509 **Fax:** (202) 501-8013

e-mail: lpettus@ntia.doc.gov

DATE OF ISSUE: SIGNATURE:

Signed: Date:

Laura M. Pettus 2/14/11