

# **NEPA COMPLIANCE DOCUMENTS**

## **North Lake** Proposed 190-foot Monopole Tower Wireless Telecommunications Facility

Berkley Group, LLC

Reames Road  
Charlotte, North Carolina 28216  
Mecklenburg County

November 17, 2010



Atlantic Environmental Services, Inc.

202 Fred Dean Road  
Mobile 864-907-6061

Starr, SC  
Fax 864-352-2886

29684  
[jonpruitt@wctel.net](mailto:jonpruitt@wctel.net)

## National Environmental Policy Act

### Summary of Procedures and Findings for a Proposed Wireless Telecommunications Facility

#### Berkley Group – North Lake

##### Background

The Federal Communications Commission (FCC), the agency responsible for licensing wireless telecommunication facilities and infrastructure, is required by the National Environmental Policy Act (NEPA) of 1969, to evaluate whether its actions “may or will have a significant impact on the quality of the human environment.” The FCC’s procedures for implementing NEPA are codified in Title 47 of the CFR, Part 1, Subpart I, Sections 1.1301 to 1.1319.

The Commission states that it “complies with NEPA by requiring our licensees to review their proposed actions for environmental consequences.” Specifically, the applicant or licensee must determine whether a proposed action will have a significant environmental effect to categories defined in section 1.1307. This section states that Commission actions with respect to the following types of facilities may significantly affect the environment and thus require the preparation of EAs by the applicant (see Secs. 1.1308 and 1.1311) and may require further Commission environmental processing (see Secs. 1.1314, 1.1315 and 1.1317):

- 1) Facilities that are to be located in an officially designated wilderness area
- 2) Facilities that are to be located in an officially designated wildlife preserve
- 3) Facilities that: (i) May affect listed threatened or endangered species or designated critical habitats; or (ii) are likely to jeopardize the continued existence of any proposed endangered or threatened species or likely to result in the destruction or adverse modification of proposed critical habitats, as determined by the Secretary of the Interior pursuant to the Endangered Species Act of 1973.
- 4) Facilities that 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. (See 16 U.S.C. 470w(5); 36 CFR 60 and 800.)
- 5) Facilities that may affect Indian religious sites.
- 6) Facilities to be located in a floodplain (See Executive Order 11988.)
- 7) Facilities whose construction will involve significant change in surface features (e.g., wetland fill, deforestation or water diversion). (In the case of wetlands on Federal property, see Executive Order 11990.)
- 8) a. Antenna towers and/or supporting structures that are to be equipped with high intensity white lights, which are to be located in residential neighborhoods as defined by the applicable zoning law. b. Facilities that will cause human exposure to radio frequency radiation in excess of applicable standards

The following NEPA Compliance Documents have been assembled to document compliance with the FCC’s procedures for implementing NEPA and determine whether the proposed action will have a significant environmental effect to categories defined in section 1.1307.

##### Procedures and Findings

To determine whether the proposed action will have a significant environmental effect to categories defined in section 1.1307, a site reconnaissance of the proposed project location and the publicly accessible surrounding area was conducted. In addition, readily available maps, literature resources, databases, and federal, state, local and tribal agencies or organizations were reviewed or consulted to obtain information pertaining to the potential environmental effects of the action. To determine whether the proposed action falls into **category 1, 2, or 3** above, the proposed project area was inspected in the field and reviewed on the appropriate USGS topographic map. The NC Natural Heritage Database was also reviewed. A biological assessment was conducted for a Section 7 informal consultation request to the US Fish & Wildlife Service. Based on the assessment conducted and the response from the USFWS, the proposed action is not expected to fall in to categories 1 through 3.

To determine whether the proposed action falls into **category 4** above, the proposed project area was inspected in the field and reviewed on the appropriate USGS topographic map. A professional cultural resource consultant was

subcontracted to conduct a field archaeological survey and research per Section 106 of the Historic Preservation Act at the NC State Historic Preservation Office (SCSHPO). **The NCSHPO made a determination of “no effect”.**

To determine whether the proposed action falls into **category 5** above, the proposed project area was inspected in the field and reviewed on the appropriate USGS topographic map. A determination of the appropriate tribal contacts was made using information from the NCSHPO, published tribal contact lists, and electronic databases. Notification of the proposed action was also posted on the FCC TCNS. In accordance with the TCNS, THPOs were provided with a reasonable time to respond and then sent a follow-up letter by email and called by telephone if no response was received. Per the FCC Declaratory Ruling of October 5, 2005, the Applicant made two attempts over a 40-day period to contact the tribes that have stated geographic preference for the project area. The interested tribes have responded with no concerns for the project. **Please note the notification requirements should inadvertent discoveries occur during construction.**

To determine whether the proposed action falls into **category 6** above, the proposed project area was inspected in the field and reviewed on the appropriate Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel. The review indicated that the proposed action **is located within the shaded floodplain** zone on the panel referenced on the following page and attached herewith.

To determine whether the proposed action falls into **category 7** above the proposed project area was inspected in the field and reviewed on the appropriate USGS topographic map and wetland inventory map. The onsite inspection and literature review indicates that the proposed action will not involve significant change in surface features.

To confirm whether the proposed action falls into **category 8** above, the proposed lighting and radiofrequency (RF) emissions and exposure data are to be confirmed by the applicant. The need for high intensity lighting and the potential for exceeding RF exposure limits are improbable based on the proposed tower height. Information provided by the applicant indicates the action is not in a residentially zoned area. RF exposure data is to be provided by the applicant's RF Engineer.

# FCC NEPA CHECKLIST

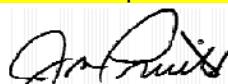
(47 CFR Subpart 1, Chapter 1, Sections 1.1301-1.1319)

Site Name: **North Lake**

Site Address: **Reames Road, Charlotte, NC, Mecklenburg County**

Category	Environmental Criteria	Potential Effect
		Yes/No
1	Is the proposed undertaking in or proposed to be in an officially designated wilderness area?	No
2	Is the proposed undertaking located in or proposed to be in an officially designated wildlife preserve?	No
3	Will the proposed undertaking likely affect threatened or endangered species or designated critical habitats? (Ref. 50 CFR Part 402)	No
4	Will the proposed undertaking affect districts, sites, buildings, structures, or objects significant in American history, architecture, archeology, engineering, or culture that are listed, or potentially eligible for listing in the National Register of Historic Places (NRHP)? (Ref. 36CFR Part 800 regulations implementing Section 106 of the National Historic Preservation Act)	No
5	Will the proposed undertaking affect Indian religious site(s)?	No
6	Will the proposed undertaking be located in a flood plain? (Ref. Executive Order 11990 and 40 CFR Part 6, Appendix A)	No
7	Will construction of the proposed undertaking involve significant change in surface features (e.g. wetlands, deforestation, or water diversion)? (Ref. Executive Order 1170 and 40 CFR Part 6, Appendix A)	No
8	Is the proposed undertaking located in a residential neighborhood and required to be equipped with high intensity white lights?	No
9*	a.) Will the proposed undertaking equal or exceed total power (of all channels) of 2000 Watts ERP (3280 Watts EIRP) and have antenna located less than 10 meters above ground level? Will the proposed facility fall outside the categorical exclusions contained in Table 1 of 47 CFR Section 1.1307(b)(1), and potentially cause exposure of workers or the general public to levels of radio frequency radiation in excess of the emission limits set forth in Section 1.1310?	No
	b.) Will the rooftop antenna project equal or exceed total power (of all channels) of 2000 Watts ERP (3280 Watts EIRP)?	NA

If any of the questions above are answered "yes", an Environmental Assessment should be prepared and submitted to the FCC prior to beginning construction.

Preparer's Signature: 

Date: November 17, 2010

Printed Name and Title: Jon Pruitt, President

Company: AES, Inc.

\*Radiofrequency emissions and exposure data has not been provided for the proposed facility at the date of this report. The negative determination indicated above is to be verified by Berkley Group prior to processing a license application. If the facility will exceed the limits listed by the Commission, this report should be revised and an Environmental Assessment should be prepared.

# US Fish & Wildlife Service Consultation



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Asheville Field Office  
160 Zillicoa Street  
Asheville, North Carolina 28801

October 21, 2010

Mr. Jon Pruitt  
Atlantic Environmental Services, Inc.  
202 Fred Dean Road  
Starr, SC 29684

Dear Mr. Pruitt:

We have reviewed your letter dated October 11, 2010, concerning the proposed construction of the North Lake communications tower off of Reames Road in Charlotte, Mecklenburg County, North Carolina. The following comments are provided in accordance with the Migratory Bird Treaty Act (16 U.S.C. 703, et seq.); section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543) (Act); and the National Environmental Policy Act (42 U.S.C. §4321 et seq.).

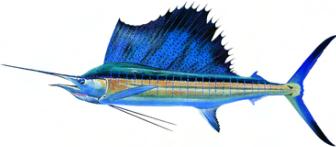
**Proposed Project.** As stated in your letter, the proposed tower will be about 190 feet high and will be of monopole design. The tower is not expected to have any lighting. The tower will be placed on an approximately 0.23-acre wooded tract.

**Endangered Species.** Based on the information provided in your letter, we concur with your conclusion that the proposed communications tower will not affect any federally listed endangered or threatened species, any formally designated critical habitat, or any species currently proposed for federal listing under the Act. Therefore, we believe the requirements of section 7 of the Act have been satisfied. We remind you that obligations under section 7 must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner not previously considered, (2) this action is subsequently modified in a manner that was not considered in this review, or (3) a new species is listed or critical habitat is determined that may be affected by the identified action.

**Migratory Birds.** We are concerned about the potential hazard this tower could pose to migratory birds. We would prefer that you collocate an antenna on an existing tower instead of constructing a new tower. However, if you choose to construct this tower as proposed, we request written permission for our employees and/or designees to access the property at the base

of the tower to inspect for avian mortality. Limited data exist for bird strikes to towers of this nature in this area, and one important way your company can greatly assist in improving our knowledge base is by working with us through cooperative agreements that include permission to gain access to standing towers of this type. Our access would occur at regular or random intervals and/or following weather events that are known to induce avian strikes.

If you have any questions regarding this matter, please contact Mr. Allen Ratzlaff of our staff at 828/258-3939, Ext. 229. Please reference our log number 4-2-11-007 in any correspondence pertaining to this matter.



## Atlantic Environmental Services, Inc.

202 Fred Dean Road  
Mobile 864-907-6061

Starr, SC  
Fax 864-352-2886

29684  
jonpruitt@wctel.net

Mr. Allen Ratzlaff  
U.S. Fish and Wildlife Service  
160 Zillicoa Street  
Asheville, North Carolina 28801

October 11, 2010

Subject:  
**Biological Assessment – Wireless Telecom Project**

Dear Mr. Ratzlaff:

On behalf of the Berkley Group, LLC, we are providing environmental services for wireless telecommunication facilities. We are submitting the following information for your review and concurrence regarding impacts to protected species for the purpose of completing FCC NEPA Environmental Compliance Checklists. The intent of the checklist is to establish the basis for NEPA compliance for the proposed tower facility.

The project is described as follows:

**North Lake** - The proposed project includes the **construction of a 190-foot monopole tower** in a lease area measuring approximately 100-feet by 100-feet. The project will be located in a hardwood area adjacent to a petroleum pipeline right-of-way on a parcel to be developed as an apartment complex in Charlotte, NC. The access road will follow the proposed asphalt drive of the apartment complex from Reames Road. The site lies in the USGS Derita quadrangle and the approximate coordinates are: Lat 35-20-19.4 Long 80-51-19. Lighting requirements have not been set for this tower by the FAA, though **no lighting** would be expected based on requirements for similar towers.

We have determined that the project is not located in officially designated wilderness areas or wildlife preserves. Based on these findings and current knowledge and research on these types of projects, it appears that this tower facility is “not likely to adversely affect” habitat or listed species or local or migrating avian species.

Mr. Jon Pruitt of Atlantic Environmental Services prepared this assessment. Mr. Pruitt holds a Master of Science degree in Environmental Systems Engineering and has seventeen years of experience in environmental assessment, engineering and compliance.

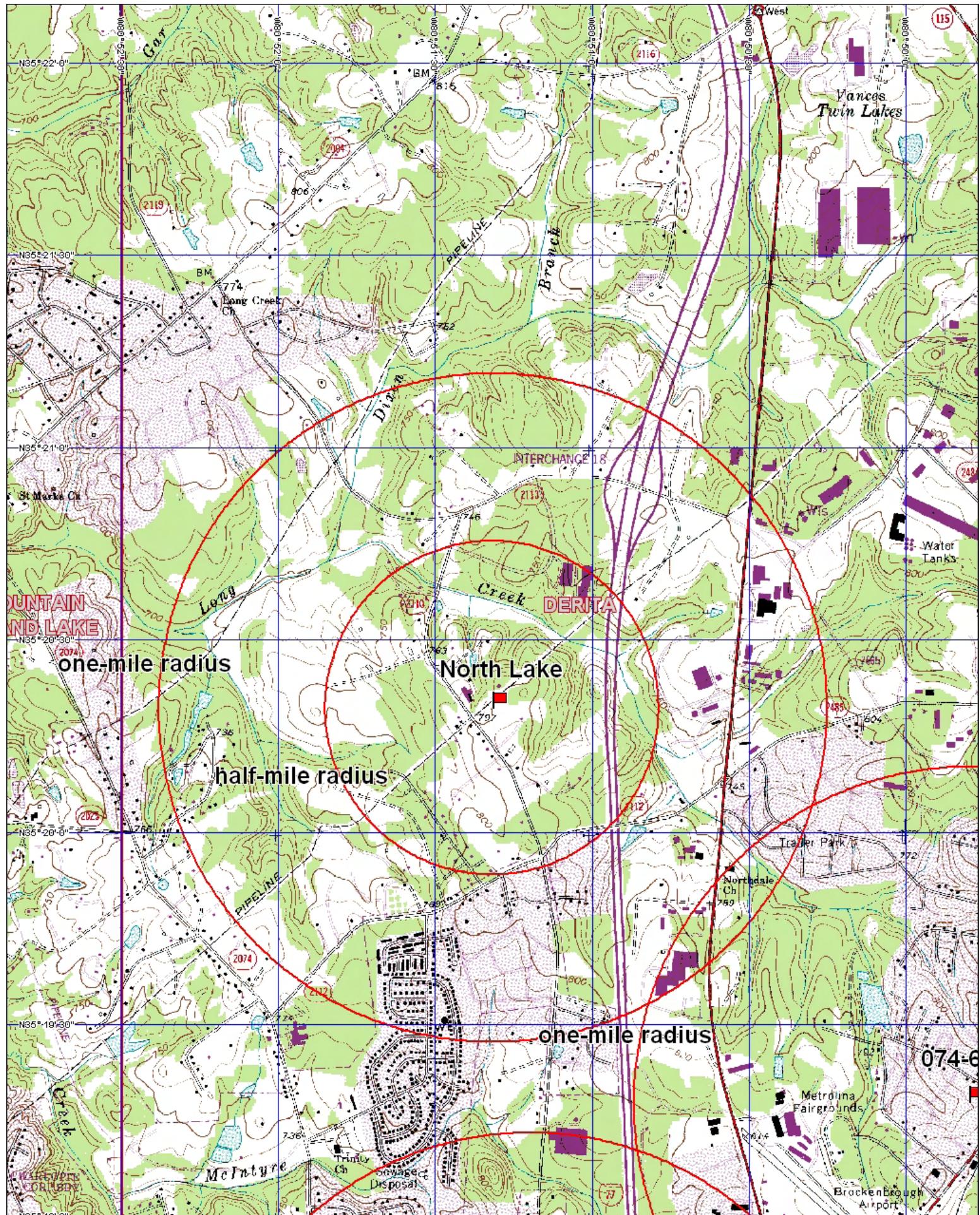
As the designated non-federal representative, the Berkley Group, LLC, requests your concurrence with this assessment at your earliest convenience. Please call me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Pruitt".

Jon Pruitt

Attachment



## Topographic Map Record Search Results

Records Returned: [Invertebrate Animal: 3] [Natural Community: 2] [Vascular Plant: 2] [Vertebrate Animal: 1] [Total: 8]

Name Category	Scientific Name	Common Name	State Status	Federal Status	State Rank	Global Rank	Topo Map	Topo Map Status
Invertebrate Animal	<a href="#">Lasmigona decorata</a>	Carolina Heelsplitter	E	E	S1	G1	Derita	Historical
Invertebrate Animal	<a href="#">Triaenodes marginatus</a>	a triaenode caddisfly	SR		S3	G5	Derita	Current
Invertebrate Animal	<a href="#">Villosa vaughaniana</a>	Carolina Creekshell	E	FSC	S2	G2	Derita	Current
Natural Community	<a href="#">Upland depression swamp forest</a>				S3	G3	Derita	Current
Natural Community	<a href="#">Xeric hardpan forest</a>				S3	G3G4	Derita	Current
Vascular Plant	<a href="#">Acnemispon helleri</a>	Carolina Birdfoot-trefoil	SR-T	FSC	S3	G3	Derita	Current
Vascular Plant	<a href="#">Helianthus schweinitzii</a>	Schweinitz's Sunflower	E	E	S3	G3	Derita	Current
Vertebrate Animal	<a href="#">Lanius ludovicianus</a>	Loggerhead Shrike	SC		S3B,S3N G4		Derita	Current

[Explanation of codes](#) [NC Topographic Map Index](#)

Results current as of Monday, 11 October 2010 @ 08:02:20 EDST

**North Carolina Natural Heritage Program**  
**Division of Natural Resources Planning and Conservation**  
**Department of Environment and Natural Resources**  
**1601 MSC**  
**Raleigh NC 27699-1601**





View the Site adjacent to pipeline right-of-way



Area of proposed access road where it crosses pipeline

# Section 106 – FCC Form 620

## New Tower (“NT”) Submission Packet

### FCC FORM 620

#### Introduction

The **NT Submission Packet** is to be completed by or on behalf of Applicants to construct new antenna support structures by or for the use of licensees of the Federal Communications Commission (“FCC”). **The Packet (including Form 620 and attachments) is to be submitted to the State Historic Preservation Office (“SHPO”) or to the Tribal Historic Preservation Office (“THPO”), as appropriate, before any construction or other installation activities on the site begin.** Failure to provide the Submission Packet and complete the review process under Section 106 of the National Historic Preservation Act (“NHPA”)<sup>1</sup> prior to beginning construction may violate Section 110(k) of the NHPA and the Commission’s rules.

The instructions below should be read in conjunction with, and not as a substitute for, the “Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission,” dated September 2004, (“Nationwide Agreement”) and the relevant rules of the FCC (47 C.F.R. §§ 1.1301-1.1319) and the Advisory Council on Historic Preservation (“ACHP”) (36 C.F.R. Part 800).<sup>2</sup>

#### Exclusions and Scope of Use

**The NT Submission Packet should not be submitted for undertakings that are excluded from Section 106 Review.** The categories of new tower construction that are excluded from historic preservation review under Section 106 of the NHPA are described in Section III of the Nationwide Agreement.

Where an undertaking is to be completed but no submission will be made to a SHPO or THPO due to the applicability of one or more exclusions, the Applicant should retain in its files documentation of the basis for each exclusion should a question arise as to the Applicant’s compliance with Section 106.

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<sup>1</sup> 16 U.S.C. § 470f.

<sup>2</sup> Section II.A.9. of the Nationwide Agreement defines a “historic property” as: “Any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian Organization that meet the National Register criteria.”

## NT SUBMISSION PACKET – FCC FORM 620

Approved by OMB  
3060-1039

Estimated Time Per Response:  
.5 to 10 hours

**The NT Submission Packet is to be used only for the construction of new antenna support structures.** Antenna collocations that are subject to Section 106 review should be submitted using the Collocation (“CO”) Submission Packet (FCC Form 621).

### **General Instructions: NT Submission Packet**

Fill out the answers to Questions 1-5 on Form 620 and provide the requested attachments. Attachments should be numbered and provided in the order described below.

For ease of processing, provide the Applicant’s Name, Applicant’s Project Name, and Applicant’s Project Number in the lower right hand corner of each page of Form 620 and attachments.<sup>3</sup>

#### **1. Applicant Information**

Full Legal Name of Applicant: Berkley Group, LLC

Name and Title of Contact Person: Bill Goddard - Project Manager

Address of Contact Person (including Zip Code): 10612-D Providence Road, PMB 742  
Charlotte, NC 28277

Phone: 704-708-6006 Fax: \_\_\_\_\_

E-mail address: wgoddard@carolina.rr.com

#### **2. Applicant's Consultant Information**

Full Legal Name of Applicant's Section 106 Consulting Firm:

Atlantic Environmental Services, Inc.

Name of Principal Investigator: Jon Pruitt

Title of Principal Investigator: President/Environmental Consultant

Investigator's Address: 202 Fred Dean Road

<sup>3</sup> Some attachments may contain photos or maps on which this information can not be provided.

Applicant's Name: Berkley Group, LLC  
Project Name: North Lake  
Project Number: NA

## NT SUBMISSION PACKET – FCC FORM 620

Approved by OMB  
3060-1039

Estimated Time Per Response:  
.5 to 10 hours

City: Starr State SC Zip Code 29684

Phone: 864-907-6061 Fax: 864-352-2886

E-mail Address: jonpruitt@wctel.net

Does the Principal Investigator satisfy the Secretary of the Interior's Professional Qualification Standards?<sup>4</sup> YES / NO

Areas in which the Principal Investigator meets the Secretary of the Interior's Professional Qualification Standards: \_\_\_\_\_

Other "Secretary of the Interior qualified" staff who worked on the Submission Packet (provide name(s) as well as well as the area(s) in which they are qualified):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sean Norris - Archaeologist  
\_\_\_\_\_

### 3. Site Information

a. Street Address of Site: Reames Road  
\_\_\_\_\_

City or Township: Charlotte  
\_\_\_\_\_

County / Parish: Mecklenburg State: NC Zip Code: 28216  
\_\_\_\_\_

b. Nearest Cross Roads: Prestbury Drive / Reames Road  
\_\_\_\_\_

c. NAD 83 Latitude/Longitude coordinates (to tenth of a second):

N 35 ° 20' 19.4"; W 80 ° 51' 19.0"

<sup>4</sup> The Professional Qualification Standards are available on the cultural resources webpage of the National Park Service, Department of the Interior: <[http://www.cr.nps.gov/local-law/arch\\_stnds\\_9.htm](http://www.cr.nps.gov/local-law/arch_stnds_9.htm)>. The Nationwide Agreement requires use of Secretary-qualified professionals for identification and evaluation of historic properties within the APE for direct effects, and for assessment of effects. The Nationwide Agreement encourages, but does not require, use of Secretary-qualified professionals to identify historic properties within the APE for indirect effects. See Nationwide Agreement, §§ VI.D.1.d, VI.D.1.e, VI.D.2.b, VI.E.5.

Applicant's Name: Berkley Group, LLC  
\_\_\_\_\_

Project Name: North Lake  
\_\_\_\_\_

Project Number: NA  
\_\_\_\_\_

## NT SUBMISSION PACKET – FCC FORM 620

Approved by OMB  
3060-1039

Estimated Time Per Response:  
.5 to 10 hours

d. Proposed tower height above ground level:<sup>5</sup> 199 feet; 60.67 meters

e. Tower type:

guyed lattice tower  self-supporting lattice  monopole

other (briefly describe tower) \_\_\_\_\_

### 4. Project Status:<sup>6</sup>

- a. [ ] Construction not yet commenced;
- b. [ ] Construction commenced on [date] \_\_\_\_\_; or,
- c. [ ] Construction commenced on [date] \_\_\_\_\_ and was completed on [date] \_\_\_\_\_.

### 5. Applicant's Determination of Effect:

#### a. Direct Effects (check one):

- i. [ ] No Historic Properties in Area of Potential Effects (“APE”) for direct effects;
- ii. [ ] “No effect” on Historic Properties in APE for direct effects;
- iii. [ ] “No adverse effect” on Historic Properties in APE for direct effects;
- iv. [ ] “Adverse effect” on one or more Historic Properties in APE for direct effects.

#### b. Visual Effects (check one):

- i. [ ] No Historic Properties in Area of Potential Effects (“APE”) for visual effects;
- ii. [ ] “No effect” on Historic Properties in APE for visual effects;
- iii. [ ] “No adverse effect” on Historic Properties in APE for visual effects;
- iv. [ ] “Adverse effect” on one or more Historic Properties in APE for visual effects.

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<sup>5</sup> Include top-mounted attachments such as lightning rods.

<sup>6</sup> Failure to provide the Submission Packet and complete the review process under Section 106 of the NHPA prior to beginning construction may violate Section 110(k) of the NHPA and the Commission's rules. See Section X of the Nationwide Agreement.

Applicant's Name: Berkley Group, LLC

Project Name: North Lake

Project Number: NA

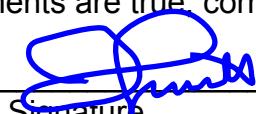
## NT SUBMISSION PACKET – FCC FORM 620

Approved by OMB  
3060-1039

Estimated Time Per Response:  
.5 to 10 hours

### Certification and Signature

I certify that all representations on this FCC Form 620 and the accompanying attachments are true, correct, and complete.



Signature

10/22/10

Date

Jon Pruitt

President/Environmental  
Consultant

Printed Name

Title

WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1) AND/ OR FORFEITURE (U.S. Code, Title 47, Section 503).

Applicant's Name: Berkley Group, LLC

Project Name: North Lake

Project Number: NA

## Attachment 1. Résumés/Vitae

# T. Jonathan Pruitt

## Environmental Consultant

Mr. Pruitt has seventeen years of environmental consulting experience. His master's degree studies in environmental systems engineering were concentrated in physiochemical treatment, waste management and risk assessment. He has been involved in a number of industrial and municipal wastewater treatment design projects and has completed numerous NEPA compliance reports and Phase I & II Environmental Site Assessments. He also has experience with wetlands delineation and permitting, industrial and municipal solid waste projects, construction management, as well as project management in Wireless Telecommunications and Land Development.

### Education

M.S. Environmental Systems Engineering, 1993  
Clemson University  
Clemson, SC

B. S. Ceramic Engineering, 1990  
Clemson University  
Clemson, SC

### Certifications

SC Licensed Grading & Utilities Contractor #110320

NC Licensed Grading & Utilities Contractor #66956

SCDHEC Level II UST Site Rehabilitation Contractor #300

Asbestos Consultant/Building Inspector, SC License #23344

40-hour HAZWOPER/Confined Space Trained

SC Budget & Control Board Qualified Firm for Environmental Studies

### Publications

“Beneficial Reuse in the Southeast”. *Industrial Wastewater*. March/April 1995, V. 3, No. 2.

### Project Experience

Mr. Pruitt has gained a unique level of experience throughout his career with responsibilities as a project engineer, project manager and currently as President and CEO of Atlantic Environmental Services, Inc. As a project engineer his design work was complemented by construction management experience that resulted in a clear understanding of the elements required for cost effective design and construction. As a project manager, Mr. Pruitt progressed to the level of overall project planning and execution. Critical experience gained in this stage included the skills to understand the needs of the client, organize the tasks at hand, coordinate the staff to provide the relevant expertise, and manage each of these through effective communication based on technical knowledge. As a business owner and principal investigator Mr. Pruitt employs all of the skills developed along this career path and approaches his projects with diligence, creativity, and enthusiasm.

Mr. Pruitt currently serves as the lead environmental consultant for completion of Phase I ESAs and National Environmental Compliance Act (NEPA) compliance for purchases or lease transactions in the wireless telecommunications industry. These projects have continued over the past ten years, with Mr. Pruitt completing assessments of over 1,000 properties ranging from industrial and commercial properties to undeveloped and agricultural properties.

In addition, Mr. Pruitt has (1) performed automated stormwater semi-annual rain event sampling; (2) performed wastewater treatment system planning and design; (3) researched and compiled spill prevention control and countermeasure plans, emergency response plans, and process safety management plans; (4) provided compliance services for an industrial bio-solids land application project; (5) provided complete wetlands delineation and permitting services; (6) prepared preliminary engineering reports (PER) and designs for the upgrade of a wastewater treatment systems for textile wastes; (7) performed internal and on-site plant sewer studies and flow monitoring; (8) conducted treatability and waste minimization studies; (9) researched and compiled WWTP operations and maintenance manuals for textile dyeing and finishing facilities; (10) designed wastewater pump stations and force mains; (11) designed effluent monitoring buildings with automated flow measurement equipment; (12) prepared ground water monitoring plans for biosolids land application to include installation of monitoring wells and dedicated sampling pump systems.



### Atlantic Environmental Services, Inc.

Environmental Assessments – Wetlands Delineation and  
Permitting – Asbestos Inspection – Sitenwork and Utility  
Construction – Hi Performance Onsite Wastewater Systems  
– Land Clearing by In Place Mulching  
stabiligrid.com  
AtlanticEnvServices.com  
864-907-6061  
jonpruitt@wctel.net

## **SEAN NORRIS – PROJECT MANAGER**

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### **EDUCATION**

M.A., Anthropology/Forensic Anthropology, University of South Carolina, Columbia, 1998.

B.A., Anthropology and Psychology, University of Nebraska, Lincoln, 1996.

### **PROFESSIONAL REGISTRATIONS/CERTIFICATIONS**

Register of Professional Archaeologists (formerly SOPA), 2002

### **TECHNICAL SPECIALTIES**

- Physical Anthropology
- Human Osteology
- Prehistoric Archaeology
- Cultural Resource Management
- Native American Consultation
- Geographic Information Systems (GIS)

### **REPRESENTATIVE EXPERIENCE**

Mr. Norris has approximately 10 years of experience as an archaeologist and is the South Carolina Program Manager for TRC Garrow Associates, Inc. As Program Manager, he is responsible for overseeing all aspects of the archaeological program, from supervising the archaeological staff to ensuring that the highest quality of research and reporting is accomplished in a timely fashion. He has authored dozens of technical reports and serves as a Principal Investigator for cultural resource projects. Mr. Norris has a wide range of cultural resource management experience, including directing numerous archaeological survey, testing, and data recovery projects. He has conducted projects in the Northeast, Midwest, and Southeast United States as well as Puerto Rico and Egypt. He has successfully completed projects for regulated utilities and private sector clients as well as federal, state, and tribal government agencies.

## Attachment 2. Additional Site Information

**North Lake** - The proposed project includes the **construction of a 190-foot monopole tower** in a lease area measuring approximately 100-feet by 100-feet. The project will be located in a proposed apartment complex accessed from Reames Road, Charlotte, NC, in Mecklenburg County. The site lies in the USGS Derita quadrangle and the approximate coordinates are: Lat 35-20-19.4 Long 80-51-19.0.

## Attachment 3. Tribal and NHO Involvement

The applicant made notification via the FCC TCNS system on September 22, 2010 (ID 68394). Each THPO that has requested to participate or has provided a list of counties in their traditional territory that includes the subject county will receive a copy of this 620 Submission Packet and/or their specific submittal.

A determination of the appropriate tribal contacts was made using information from the appropriate SHPO, published tribal contact lists, and electronic databases (NACD, TCNS)).

The tribes that have expressed interest in the subject county or have replied to the TCNS or follow up letters sent after posting the proposed Site on the TCNS are as follows:

**Catawba Indian Nation Catawba Cultural Preservation Project (CCPP)** – requests a portion of this 620 Packet.

**Cherokee Nation** – requests a portion of this 620 Packet.

**Eastern Shawnee Tribe of Oklahoma** – responded through the TCNS stating no objections to the action if they did not respond through the TCNS within 30-days.

**Seminole Tribe of Florida** - requests a portion of this 620 Packet.

**Shawnee Tribe** – requests a portion of this 620 Packet.

**Tuscarora Nation** – Chief Leo Henry indicated by telephone that his tribal council has decided it has no objections to tower projects and states the following in the TCNS: Exclusions: If the Applicant/tower builder receives no response from the Tuscarora Nation within 30 days after notification through TCNS, the Tuscarora Nation has no interest in participating in pre-construction review for the site. The Applicant/tower builder, however, must IMMEDIATELY notify the Tuscarora Nation in the event archaeological properties or human remains are discovered during construction.

## **Attachment 4. Local Government**

The proposed project is under the jurisdiction of Mecklenburg County and has been approved by administrative review.

## **Attachment 5. Public Involvement**

Public involvement in this action will consist of a public hearing and zoning approval.

## **Attachment 6. Additional Consulting Parties**

No additional consulting parties have been invited to participate in the 106 process. No additional consulting parties have independently requested to participate.

## **Attachment 7. Areas of Potential Effects**

- a. The APE for direct effects includes a wooded area. The NCSHPO determines the APE for direct effects to be the immediate area of the tower as shown on the Communication Tower Review Form required by the NCSHPO and included in Attachment 10.
- b. The APE for visual effects includes a 1/2-mile radius around the proposed project site as determined by the NCSHPO.

## Attachment 8. Historic Properties Identified in the APE for Visual Effects

- a. Research at the NCSHPO archives indicated no historic properties in the Visual APE.
- b. No other historic properties have been identified.
- c. NA

## Attachment 9. Historic Properties Identified in the APE for Direct Effects

- a. No properties from 8a or 8b exist within the APE for direct effects. The NCSHPO has recommended no field testing.
- b. No properties have been identified in the APE for direct effects that are considered to be eligible for listing in the National Register. A field archaeological survey is included following this Attachment.
- c.



October 15, 2010

Mr. Jon Pruitt  
Atlantic Environmental Services, Inc.  
P.O. Box 462  
Starr, SC 29684

**Subject: Archaeological Survey of the Proposed North Lake Telecommunications Tower Site, Mecklenburg County, North Carolina.**

Dear Mr. Pruitt:

On October 15, 2010 TRC conducted an archaeological survey of the proposed North Lake cell tower site. The site is located approximately 460 m east of Reames Road and 200 m west of Interstate 77 in the city of Charlotte, Mecklenburg County, North Carolina (Figure 1). This work was done on behalf of Atlantic Environmental Services, Inc.

<b>Site ID:</b>	North Lake Tower
<b>Site Location:</b>	Mecklenburg County, North Carolina
<b>Map Reference:</b>	Derita 1993 USGS 7.5' Topographic Quadrangle
<b>Latitude:</b>	35 deg 20 min 19.4 sec N
<b>Longitude:</b>	80 deg 51 min 19 sec W
<b>Type:</b>	+/-190-foot Monopole Tower, including antenna and lightning rod

The proposed North Lake tower is a 190–foot monopole. The tower is to be located in a wooded area with little ground surface visibility (Figure 2). The site is immediately south of a gas pipeline right-of-way (Figure 3). This area is in the Piedmont physiographic province, which is characterized by steep ridges and trench valleys. The site is situated on a wooded terrace overlooking the Long Creek to the east, the pipeline to the north, and woodlands to the west and south. The proposed access will begin at the pipeline right-of-way and will follow the property boundary east to the tower site (Figure 4).

## **METHODS**

### **Literature Review**

Background research for this project was conducted at the North Carolina Department of Cultural Resources, State Historic Preservation Office (SHPO). With the tower being 190 feet in height a 0.5-mile search radius was examined as per the Federal Communication Commission's Nationwide Programmatic Agreement. A review of the North Carolina Archaeological Site files indicates that there are no archaeological sites at the tower location or within the 0.5-mile search radius. The nearest sites are approximately one mile north of the proposed tower location (see Figure 1). None of those sites are eligible for the National Register of Historic Places.

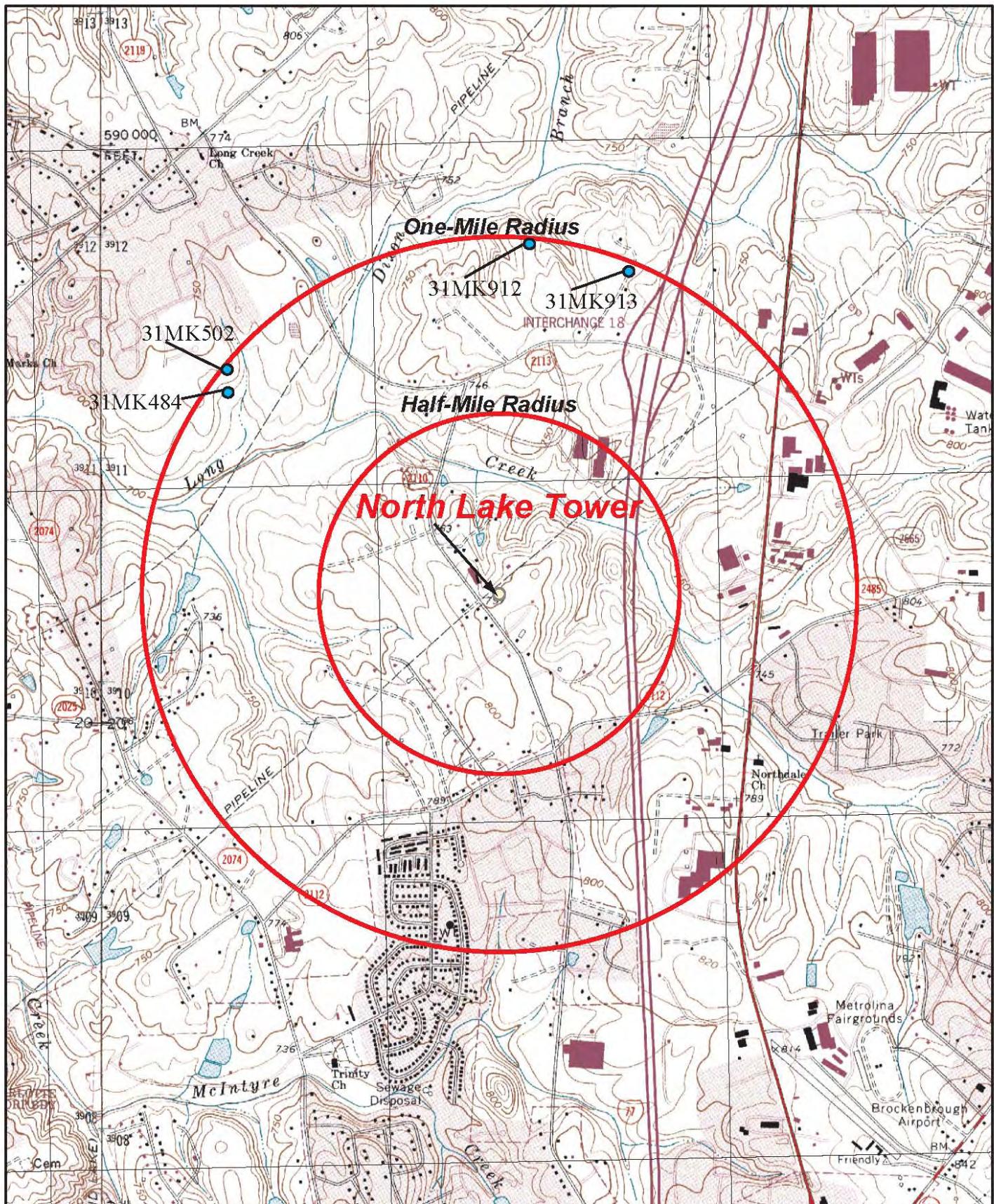


Figure 1.

Figure 1.  
North Lake  
Cell Tower Site

Base Map: Derita (1993)

Base Map: Denali (1995)  
USGS Topographic Quadrangle

Scale 1:24000

0 0.25 0.5 Miles

0 0.25 0.5 Kilometers



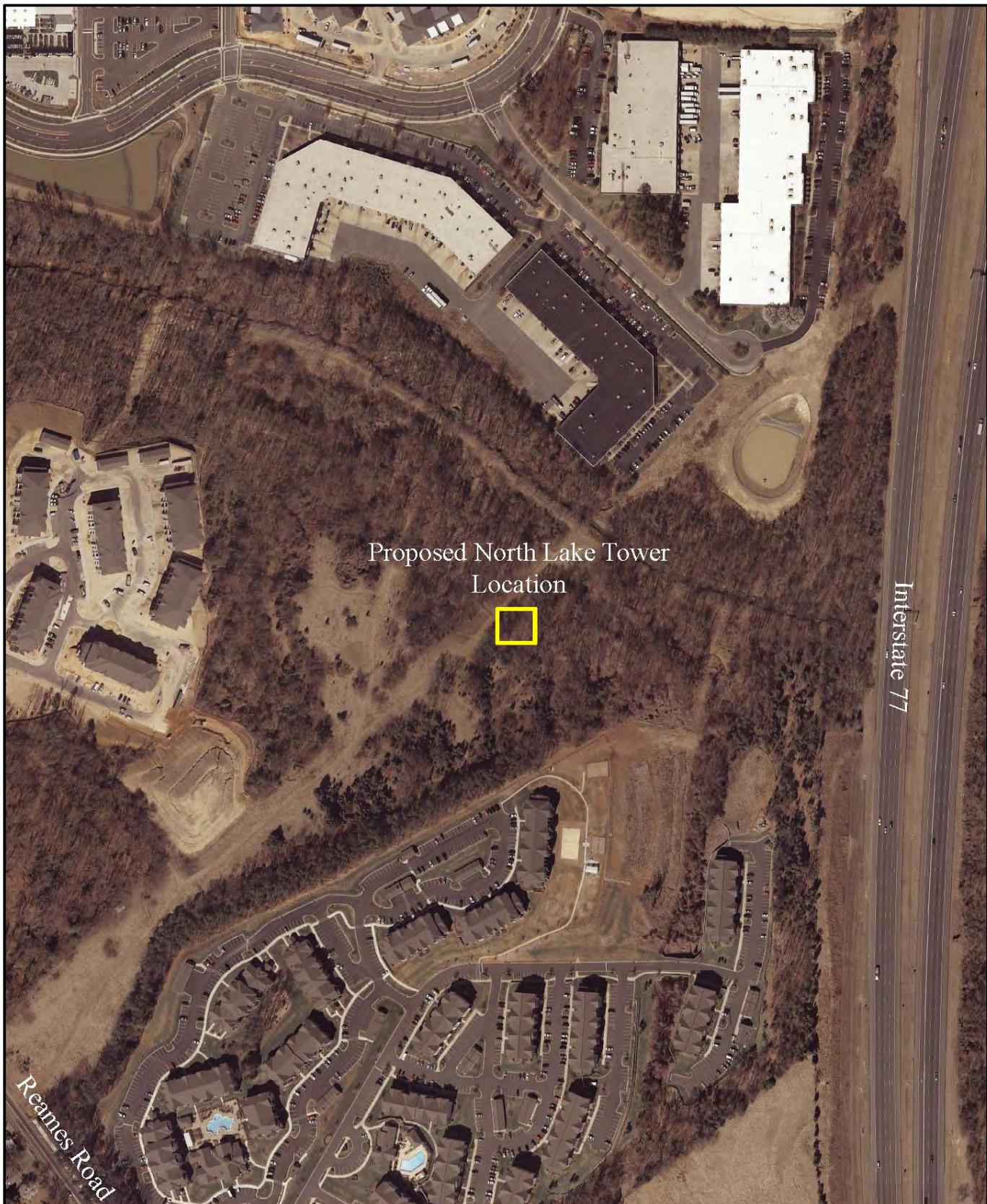


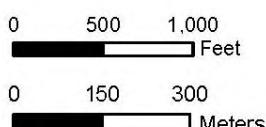
Figure 2.

North Lake Cell Tower Site

Base Map: Derita (2006)

Aerial Orthophotograph

Scale 1:12000





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Figure 3. Proposed North Lake Tower site, facing south.

A background and literature search indicates that there are no historic structures or districts within a 0.5-mile radius of the tower site.

### **Field Survey**

On October 15, 2010, an archaeological survey was conducted of the proposed Long View tower location. TRC Archaeologist Sean Norris, M.A. RPA, conducted the survey. The archaeological survey was carried out using a combination of surface inspection and shovel testing techniques. All shovel tests were approximately 30 cm in diameter and excavated to sterile subsoil. Soil was screened through 0.25-inch hardware mesh, and artifacts, if encountered, were bagged according to provenience. Notes were kept in a field journal and on standard TRC shovel testing forms.

## ***RESULTS***

For the purposes of the archaeological survey, the project area consisted of a  $30 \times 30$ -m (100 × 100- foot) area containing the proposed tower site and the proposed access road. The proposed tower location lies within a wooded area immediately south of a gas pipeline right-of-way. The proposed access to the tower will be west of the site, beginning at the pipeline right-of-way and going east for approximately 400 feet.



Figure 4. Proposed access road area. Facing east to tower location.

Five shovel tests were excavated within the 30-x-30 m proposed tower site. Shovel tests were excavated to approximately 20 cm in depth. The site slopes to the east towards Long Creek. Three additional shovel tests were excavated along the proposed access road. The soil from these shovel tests was comparable to the soils on the tower location. No artifacts were recovered from the proposed access road.

## **SUMMARY AND ASSESSMENT OF EFFECTS**

An archaeological survey of the proposed North Lake cell tower project area revealed no new archaeological sites. Additionally, there are no previously recorded archaeological or architectural sites nearby or within the proposed tower site. Therefore, it is TRCs recommendation that no archaeological sites will be affected no historic resources will be adversely affected by the proposed undertaking. If you have any questions, please do not hesitate to contact me at 803-933-9991.

Sincerely,



Sean Norris, M.A., RPA  
Program Manager, Archaeology

## Attachment 10. Effects on Identified Properties

- a. The applicant believes that the proposed undertaking would have no effect on historic properties based on the determination of the NCSHPO. The NCSHPO Communication Tower Review Form are included following this Attachment.
- b. Correspondence with the SHPO/THPO concerning this undertaking prior to submission of this 620 Submission Packet has consisted of THPO contacts through the TCNS and follow up letters as detailed in Attachment 3.
- c. No alternatives have been considered since the undertaking is not expected to affect historic properties.

## Communications Tower Review Form

**I. Applicant Information:**

Preparer/Company: AES- Jon Pruitt (by Circa, Inc.)/Berkley Group  
 Address: PO Box 462, Starr, SC 29684  
 Phone/Fax/E-mail: 864-907-6061/864-352-2886 jonpruitt@wctel.net

For North Carolina HPO  
Use Only

CT to 1889

**II. Tower Information:** (Attach copy of USGS map or photocopy of quad on reverse; Include 1 and 2 mile radius around site)

Raw Land (New)  Co-Location Applicant's Identification # North Lake  
 Address: Reames Road, Charlotte, NC  
 County: Mecklenburg FCC Registration No. not assigned  
 Tower type and height: 190-foot monopole (+/- 199 w/ lightning rod) Quad Name: Derita

**III. Identification of Historic Properties:**

List sites by site number and status: NR = National Register listed; SL = Study List; DOE = Determination of Eligibility;  
 LD = Local Designation; UA = Unassessed

Archaeology

# of recorded sites in immediate area of tower: 0

Architecture

# of recorded sites within 1/2-mile radius: 2

MK 1548  
MK 1550

**IV. Additional Information/Investigation Needed:**

Survey

Photo Reconnaissance

Testing of sites

Balloon Test

Recommended by/on: John M. M. 10/12/10  
 (Office of State Archaeology)

Recommended by/on: \_\_\_\_\_  
 (Survey & Planning Branch)

**V. Recommendations/Final Determination:**

Recommendations for additional work are shown above.

The proposed communication tower will NOT affect historic properties in the area of potential effect.

Renee Gledhill-Earley  
 Renee Gledhill-Earley, Environmental Review Coordinator

10.15.10  
 Date

cc: FCC

February, 2001

OCT 08 2010

## Attachment 11. Photographs

- a. Photographs of the proposed location are included in Attachment 9.
- b. Photographs of all listed and eligible properties, if any, are included in Attachment 9.
- c. Photographs from all listed and eligible properties, if any, looking toward the proposed tower site are included in Attachment 9.
- d. Aerial photographs, if available, are included in Attachment 9.

## Attachment 12. Maps

- a. A USGS topo map of the APEs is included in Attachment 9.
- b. The location and details of the proposed tower site are included in Attachments 9.
- c. Locations of historic properties, if any, are shown on maps included in Attachment 9.

# Section 106 – SHPO/THPO FCC Form 620 and TCNS Responses

## Communications Tower Review Form

## I. Applicant Information:

Preparer/Company: AES- Jon Pruitt (by Circa, Inc.)/Berkley Group  
 Address: PO Box 462, Starr, SC 29684  
 Phone/Fax/E-mail: 864-907-6061/864-352-2886 jonpruitt@wctel.net

For North Carolina HPO  
Use Only

CT to 1889

## II. Tower Information: (Attach copy of USGS map or photocopy of quad on reverse; Include 1 and 2 mile radius around site)

Raw Land (New)  Co-Location Applicant's Identification # North Lake  
 Address: Reames Road, Charlotte, NC  
 County: Mecklenburg FCC Registration No. not assigned  
 Tower type and height: 190-foot monopole (+/- 199 w/ lightning rod) Quad Name: Derita

## III. Identification of Historic Properties:

List sites by site number and status: NR = National Register listed; SL = Study List; DOE = Determination of Eligibility;  
 LD = Local Designation; UA = Unassessed

Archaeology

# of recorded sites in immediate area of tower: 0

Architecture

# of recorded sites within 1/2-mile radius: 2

MK 1548  
MK 1550

## IV. Additional Information/Investigation Needed:

Survey

Photo Reconnaissance

Testing of sites

Balloon Test

Recommended by/on: John M. M. 10/12/10  
 (Office of State Archaeology)

Recommended by/on: \_\_\_\_\_  
 (Survey & Planning Branch)

## V. Recommendations/Final Determination:

Recommendations for additional work are shown above.

The proposed communication tower will NOT affect historic properties in the area of potential effect.

Renee Gledhill-Earley  
 Renee Gledhill-Earley, Environmental Review Coordinator

10.15.10  
 Date

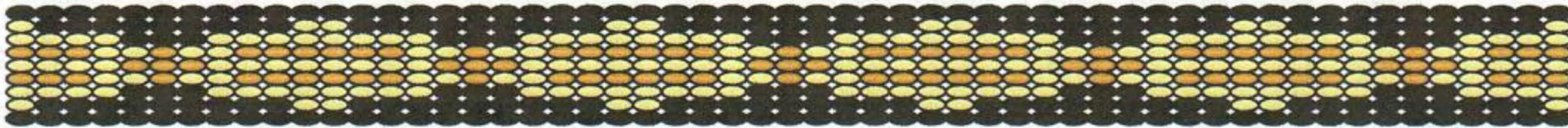
cc: FCC

February, 2001

OCT 08 2010

Catawba Indian Nation  
Tribal Historic Preservation Office  
1536 Tom Steven Road  
Rock Hill, South Carolina 29730

Office 803-328-2427  
Fax 803-328-5791



November 11, 2010

Attention: Jon Pruitt  
Atlantic Environmental Services, Inc.  
202 Fred Dean Road  
Starr, SC 29684

Re. THPO # TCNS# Project Description  
2011-13-1 68394 Berkley Group – North Lake

Dear Mr. Pruitt,

The Catawba have no immediate concerns with regard to traditional cultural properties, sacred sites or Native American archaeological sites within the boundaries of the proposed project areas. **However, the Catawba are to be notified if Native American artifacts and / or human remains are located during the ground disturbance phase of this project.**

If you have questions please contact Caitlin Totherow at 803-328-2427 ext. 226, or e-mail [caitlinh@ccppcrafts.com](mailto:caitlinh@ccppcrafts.com).

Sincerely,

*Caitlin Totherow*  
Wenonah G. Haire  
Tribal Historic Preservation Officer

From: Richard Allen [Richard-Allen@cherokee.org]  
Sent: Monday, October 25, 2010 12:32 PM  
To: 'Jon Pruitt'  
Subject: RE: Request for Review TCNS 68394 - Berkley Group North Lake

The Cherokee Nation has no knowledge of any historic, cultural or sacred sites within the affected area. Should any ground disturbance reveal an archaeological site or human remains, we ask that the all activity cease immediately and the Cherokee Nation and other appropriate agencies be contacted immediately.

Thank you,

Dr. Richard L. Allen  
Policy Analyst  
Cherokee Nation  
P.O. Box 948  
Tahlequah, Oklahoma 74465  
(918) 453-5466 (office)  
(918) 822-2707 (cell)  
(918) 458-5898 (fax)

From: Jon Pruitt [mailto:[jonpruitt@wctel.net](mailto:jonpruitt@wctel.net)]  
Sent: Friday, October 22, 2010 11:25 AM  
To: Richard Allen  
Subject: Request for Review TCNS 68394 - Berkley Group North Lake

Archaeological Survey attached. Please reply by return email or through the TCNS at your earliest convenience.

Thanks!

Jon Pruitt  
Atlantic Environmental Services, Inc.  
202 Fred Dean Road  
PO Box 462  
Starr, SC 29684  
864-907-6061

From: towernotifyinfo@fcc.gov  
Sent: Friday, October 15, 2010 4:52 PM  
To: jonpruitt@wctel.net  
Cc: tcns.fccarchive@fcc.gov  
Subject: Reply to Proposed Tower Structure (Notification ID: 68394) - Email ID #2623796

Dear Bill Goddard,

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this email is to inform you that an authorized user of the TCNS has replied to a proposed tower construction notification that you had submitted through the TCNS.

The following message has been sent to you from Administrative Assistant Jo Ann Beckham of the Eastern Shawnee Tribe of Oklahoma in reference to Notification ID #68394:

October 15, 2010

To Whom It May Concern:

Thank you for notice of the referenced project(s). The Eastern Shawnee Tribe of Oklahoma is currently unaware of any documentation directly linking Indian Religious Sites to the proposed construction. In the event any items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) are discovered during construction, the Eastern Shawnee Tribe request notification and further consultation.

The Eastern Shawnee Tribe has no objection to the proposed construction. At present, the Eastern Shawnee Tribe does not wish to participate as a consulting party on the above referenced project(s). However, if any human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, the construction should stop immediately, and the appropriate persons, including state and tribal NAGPRA representatives contacted.

Sincerely,  
Jo Ann Beckham, Administrative Assistant Eastern Shawnee Tribe of Oklahoma

From: towernotifyinfo@fcc.gov  
Sent: Friday, October 22, 2010 4:33 PM  
To: jonpruitt@wctel.net  
Cc: tcns.fccarchive@fcc.gov; jenniferpietarila@semtribe.com  
Subject: Reply to Proposed Tower Structure (Notification ID: 68394) - Email ID #2631745

Dear Bill Goddard,

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this email is to inform you that an authorized user of the TCNS has replied to a proposed tower construction notification that you had submitted through the TCNS.

The following message has been sent to you from Archaeological Data Analyst Jennifer L Pietarila of the Seminole Tribe of Florida in reference to Notification ID #68394:

To Whom It May Concern,

The Seminole Tribe of Florida Tribal Historic Preservation Office (STOF-THPO) has received your email correspondence concerning the aforementioned project. The STOF-THPO concurs with your findings of "no historic properties" for direct effects and "no effect" for visual effects. However, the STOF-THPO would like to be informed should any archaeological and/or historic resources be discovered inadvertently during the construction process. We thank you for the opportunity to review the information that has been sent to date regarding this project.

We look forward to working with you in the future.

Sincerely,  
W.S. Steele,  
Tribal Historic Preservation Officer

For your convenience, the information you submitted for this notification is detailed below.

Notification Received: 09/22/2010



**SHAWNEE TRIBE  
HISTORIC PRESERVATION DEPARTMENT  
29 SOUTH HIGHWAY 69A  
MIAMI, OKLAHOMA 74354  
918^542^2441 PHONE 918^542^9915 FAX**

**FACSIMILE COVER PAGE**

To: Jon From: Kim Jumper  
FIRM/AGENCY: AES DATE/TIME: 10/26/10  
FAX NUMBER: 864-352-2880 NO. OF PAGES, INCLUDING COVER: 1  
PHONE NUMBER:  MEMO: 68394

**Message:** The Shawnee Tribe's Tribal Historic Preservation Officer concurs that no known historic properties will be negatively impacted by construction of this tower site (see memo line above for TCNS number/s). The Shawnee Tribe's archives do not reveal any issues of concern at this tower location. In the event that archaeological materials are encountered later during construction, use, or maintenance of this tower location, please re-notify us at that time as we would like to resume consultation under such a circumstance.

The Shawnee Tribe's Environmental and Natural Resources Department takes this opportunity to express its concerns that telecommunication towers can have a potentially destructive impact on bats and migratory birds, particularly those that migrate at night, including species listed as threatened and endangered by both states and the federal government, as well as other species. The Shawnee Tribe suggests that this tower be constructed in accordance with the guidelines available from the US Fish and Wildlife Service to reduce the adverse effects of telecommunications towers on migratory birds; these guidelines may be found at: [www.fws.gov/migratorybirds/issues/towers/comtow.html](http://www.fws.gov/migratorybirds/issues/towers/comtow.html).

The Shawnee Tribe's Environmental and Natural Resources Department is further concerned that the proliferation of cell towers may play a role in honey bee Colony Collapse Disorder. We acknowledge that cell phone technology may not be to blame, especially by itself, as other potential causative factors for the decline have been noted, such as insecticides, tracheal and varroa mites [an immunosuppressant], other parasites, pesticides used on hives to eliminate parasites, genetically modified plants, Nosema fungus, Israeli Acute Paralysis Virus (IAPV) perhaps introduced from Australia in 2004, Kashmir Bee Virus [KBV], climate change, and drought.

Finally, the Shawnee Tribe's Environmental and Natural Resources Department requests that cell tower sites, whenever remotely feasible, be restored to native vegetation. In all cases, habitat restoration can protect a variety of species, even in small project areas. The large number of cell tower sites provides an as yet unrealized opportunity for region-wide habitat restoration. The Tribe urges the cell phone industry to provide a model for native habitat restoration for other industries.

Please do not hesitate to call us for additional comment.

OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #2603776

From: towernotifinfo@fcc.gov  
Sent: Friday, October 01, 2010 3:01 AM  
To: jonpruitt@wctel.net  
Cc: kim.pristello@fcc.gov; diane.dupert@fcc.gov  
Subject: NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #2603776

Dear Sir or Madam:

Thank you for using the Federal Communications Commission's (FCC) Tower Construction Notification System (TCNS). The purpose of this electronic mail message is to inform you that the following authorized persons were sent the information you provided through TCNS, which relates to your proposed antenna structure. The information was forwarded by the FCC to authorized TCNS users by electronic mail and/or regular mail (letter).

Persons who have received the information that you provided include leaders or their designees of federally-recognized American Indian Tribes, including Alaska Native Villages (collectively "Tribes"), Native Hawaiian Organizations (NHOs), and State Historic Preservation Officers (SHPOs). For your convenience in identifying the referenced Tribes and in making further contacts, the City and State of the Seat of Government for each Tribe and NHO, as well as the designated contact person, is included in the listing below. We note that Tribes may have Section 106 cultural interests in ancestral homelands or other locations that are far removed from their current Seat of Government. Pursuant to the Commission's rules as set forth in the Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings Approved by the Federal Communications Commission (NPA), all Tribes and NHOs listed below must be afforded a reasonable opportunity to respond to this notification, consistent with the procedures set forth below, unless the proposed construction falls within an exclusion designated by the Tribe or NHO. (NPA, Section IV.F.4).

The information you provided was forwarded to the following Tribes and NHOs who have set their geographic preferences on TCNS. If the information you provided relates to a proposed antenna structure in the State of Alaska, the following list also includes Tribes located in the State of Alaska that have not specified their geographic preferences. For these Tribes and NHOs, if the Tribe or NHO does not respond within a reasonable time, you should make a reasonable effort at follow-up contact, unless the Tribe or NHO has agreed to different procedures (NPA, Section IV.F.5). In the event such a Tribe or NHO does not respond to a follow-up inquiry, or if a substantive or procedural disagreement arises between you and a Tribe or NHO, you must seek guidance from the Commission (NPA, Section IV.G). These procedures are further set forth in the FCC's Declaratory Ruling released on October 6, 2005 (FCC 05-176).



1. Chief Leo R Henry - Tuscarora Nation - Via: Lewiston, NY - regular mail  
Details: If the Applicant/tower builder receives no response from the Tuscarora Nation within 30 days after notification through TCNS, the Tuscarora Nation has no interest in participating in pre-construction review for the site. The Applicant/tower builder, however, must IMMEDIATELY notify the Tuscarora Nation in the event archaeological properties or human remains are discovered during construction.



2. Archaeological Data Analyst Jennifer L Pietariila - Seminole Tribe of Florida - Clewiston, FL - electronic mail  
Details: The Seminole Tribe of Florida Tribal Historic Preservation Office requests that all correspondence be conducted via email and email attachments.

OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #2  
We also would like to request a Form 620 or 621 be provided for every cell tower submitted to us for review. Should you have any questions, please feel free to contact me at jenniferpietari@semtribe.com or 863-983-6549 Ext. 12217. Thank you.



3. Policy Analyst Richard L. Allen - Cherokee Nation - Tahlequah, OK - electronic mail

Details: The TCNS Details do not provide me enough information to conduct a proper assessment of the projects on behalf of the Cherokee Nation. Therefore, I request that I be sent a brief summary of the Phase I findings [please try to limit the summary to between 1-10 pages], a topo of the area, and relevant photos. Please send these by email to rallen@cherokee.org. Please treat this request for additional material as a routine supplement to the TCNS Details Notification for each of your projects that fall within our Tribe's areas of geographic interest. Consequently, if you do not receive a response from me within 30 days from the date on which you e-mailed the supplemental items to me, you may move forward with the 20-Day Letter procedures pursuant to the FCC's guidelines. Thank you. -- Dr. Richard L. Allen



4. Administrative Assistant Jo Ann Beckham - Eastern Shawnee Tribe of Oklahome - Seneca, MO - electronic mail

Details: If you, the Applicant and/or tower constructor, do not receive a response from us, the Eastern Shawnee Tribe of Oklahome, within 30 days from the date of the TCNS notification, then you may conclude that we do not have an interest in the site. However, if archeological resources or remains are found during construction, you must immediately stop construction and notify us of your findings in accordance with the FCC's rules. (See 47 C.F.R. § 1.1312(d))



5. THPO Kim Jumper - Shawnee Tribe - Miami, OK - regular mail

Details: THIS IS YOUR OFFICIAL NOTICE THAT THE SHAWNEE TRIBE IS INTERESTED IN CONSULTING ON ALL PROJECTS BUILT IN OUR AREAS OF GEOGRAPHIC INTEREST.

ATTENTION, NEW INFORMATION: Our procedures were updated on 14 January 2008. Please call Kim Jumper, THPO, at 918-542-2441, so that she can send you a copy.

If your tower is a co-location, please fax us this information to let us know. We cannot always tell from the TCNS web site that a tower is a co-location. We require a written response from you to let us know that it is a co-location. If a co-location project includes some new ground disturbance (such as from an expanded compound or access road, or construction of an ancillary structure), the Shawnee Tribe treats such a project the same as any other non co-location project.

Our correct mailing/physical address is: 29 South Highway 69A. Our correct phone number is (918-542-2441) and our historic preservation fax line is (918-542-9915). THPO Kim Jumper manages all cell tower consultation.

As of 26 June 2006, all of the faxed responses of our final comments on a tower site will contain an original Shawnee Tribe signature. Each final comment fax is signed individually. Copies may be compared, for authentication, against the original in our files. If a final comment fax does not contain a signature, it is not valid. ALL FINAL COMMENTS FROM THE SHAWNEE TRIBE ARE WRITTEN; FINAL COMMENTS ARE NEVER PROVIDED VERBALLY. IF THE SHAWNEE TRIBE IS CREDITED WITH HAVING GIVEN A VERBAL RESPONSE, THAT RESPONSE IS NOT VALID.

If you receive notification through the TCNS listing the Shawnee Tribe, that is an indication that the Shawnee Tribe is interested in consulting on the tower for which that notification was received. Please consider that our official indication of interest to you. The Shawnee Tribe considers the Tower Construction Notification System's weekly e-mail to be the first notification that we receive that a tower will be constructed in an area of our concern. We do not view the TCNS notifications as completion of 106 consultation obligations.

The Shawnee Tribe has developed streamlined consultation procedures for cell tower developers and their subcontractors. If you do not have a copy of the procedures - most recently updated on 14 January 2008 - please contact us, as you must follow these procedures to consult with us on cell tower projects. Call us at 918-542-2441 or fax us at 918-542-9915. It is the tower builder's responsibility to make sure that you have our most recent consultation procedures.

PLEASE DO NOT SEND US INFORMATION, QUERIES, OR COMMENTS ELECTRONICALLY. SINCE 1 DECEMBER 2005, WE HAVE NOT HANDLED ANY CELL TOWER CONSULTATION, INQUIRIES, OR CORRESPONDENCE VIA E-MAIL.



6. THPO and Director Dr. Wenonah G. Haire - Catawba Indian Nation Cultural Preservation Project - Rock Hill, SC - electronic mail and regular mail  
Details: The Catawba Indian Nation Tribal Historic Preservation Office requests that you send us by regular mail the following information needed to complete our research for your proposed project:

Project Name \_\_\_\_\_

Project Number \_\_\_\_\_

- \_\_\_\_ 1. The name, complete address, phone number, fax number and e-mail address of the project manager.
- \_\_\_\_ 2. The project location plotted on a topo map.
- \_\_\_\_ 3. The project name, address and location; street or highway, city, county, state.
- \_\_\_\_ 4. A brief description of the proposed project. Please include the size of the proposed project site and the size of the area where ground-disturbing activities will be taking place and the type of disturbance anticipated.
- \_\_\_\_ 5. A brief description of current and former land use. We are primarily interested in ground disturbance and do not need detailed information or photographs of historic structures in the project area.
- \_\_\_\_ 6. A list of all recorded archaeological sites within one half (1/2) mile of the project area.
- \_\_\_\_ 7. A list of all eligible and potentially eligible National Register of Historic Places sites within one half (1/2) mile of the proposed project area.
- \_\_\_\_ 8. If there has been an archaeological survey done in the area, a copy of that report.
- \_\_\_\_ 9. It is not necessary to send original color photos if you can provide high-resolution color copies.
- \_\_\_\_ 10. A letter of concurrence from the appropriate State Historic

OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #2  
Preservation Office.

If you use the FCC Form 620, please do not send Attachments 1 through 6. They are not necessary for our determination. We do not have an interest in projects that require no ground disturbance.

Please send these requested materials in hard copy format. Send to:

CIN-THPO  
1536 Tom Steven Road  
Rock Hill, S.C. 29730

The information you provided was also forwarded to the additional Tribes and NHOs listed below. These Tribes and NHOs have NOT set their geographic preferences on TCNS, and therefore they are currently receiving tower notifications for the entire United States. For these Tribes and NHOs, you are required to use reasonable and good faith efforts to determine if the Tribe or NHO may attach religious and cultural significance to historic properties that may be affected by its proposed undertaking. Such efforts may include, but are not limited to, seeking information from the relevant SHPO or THPO, Indian Tribes, state agencies, the U.S. Bureau of Indian Affairs, or, where applicable, any federal agency with land holdings within the state (NPA, Section IV.B). If after such reasonable and good faith efforts, you determine that a Tribe or NHO may attach religious and cultural significance to historic properties in the area and the Tribe or NHO does not respond to TCNS notification within a reasonable time, you should make a reasonable effort to follow up, and must seek guidance from the Commission in the event of continued non-response or in the event of a procedural or substantive disagreement. If you determine that the Tribe or NHO is unlikely to attach religious and cultural significance to historic properties within the area, you do not need to take further action unless the Tribe or NHO indicates an interest in the proposed construction or other evidence of potential interest comes to your attention.

None

The information you provided was also forwarded to the following SHPOs in the State in which you propose to construct and neighboring States. The information was provided to these SHPOs as a courtesy for their information and planning. You need make no effort at this time to follow up with any SHPO that does not respond to this notification. Prior to construction, you must provide the SHPO of the State in which you propose to construct (or the Tribal Historic Preservation Officer, if the project will be located on certain Tribal lands), with a Submission Packet pursuant to Section VII.A of the NPA.

7. Environmental Review Coordinator Renee Gedhill Earley - NC State Historic Preservation Office - Raleigh, NC - electronic mail

8. Deputy SHPO David Brook - Historic Preservation Office - Raleigh, NC - electronic mail

If you are proposing to construct a facility in the State of Alaska, you should contact Commission staff for guidance regarding your obligations in the event that Tribes do not respond to this notification within a reasonable time.

OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #2  
Please be advised that the FCC cannot guarantee that the contact(s) listed above opened and reviewed an electronic or regular mail notification. The following information relating to the proposed tower was forwarded to the person(s) listed above:

Notification Received: 09/22/2010  
Notification ID: 68394  
Tower Owner Individual or Entity Name: Berkley Group, LLC  
Consultant Name: Bill Goddard  
Street Address: 10612-D Providence Road, PMB 742  
City: Charlotte  
State: NORTH CAROLINA  
Zip Code: 28277  
Phone: 704-708-6006  
Email: jonpruit@wctel.net

Structure Type: UTOWER - Unguyed - Free Standing Tower  
Latitude: 35 deg 20 min 19.4 sec N  
Longitude: 80 deg 51 min 19.0 sec W  
Location Description: Reames Road (Site Name = North Lake)  
City: Charlotte  
State: NORTH CAROLINA  
County: MECKLENBURG  
Ground Elevation: 234.7 meters  
Support Structure: 57.9 meters above ground level  
Overall Structure: 60.7 meters above ground level  
Overall Height AMSL: 295.4 meters above mean sea level

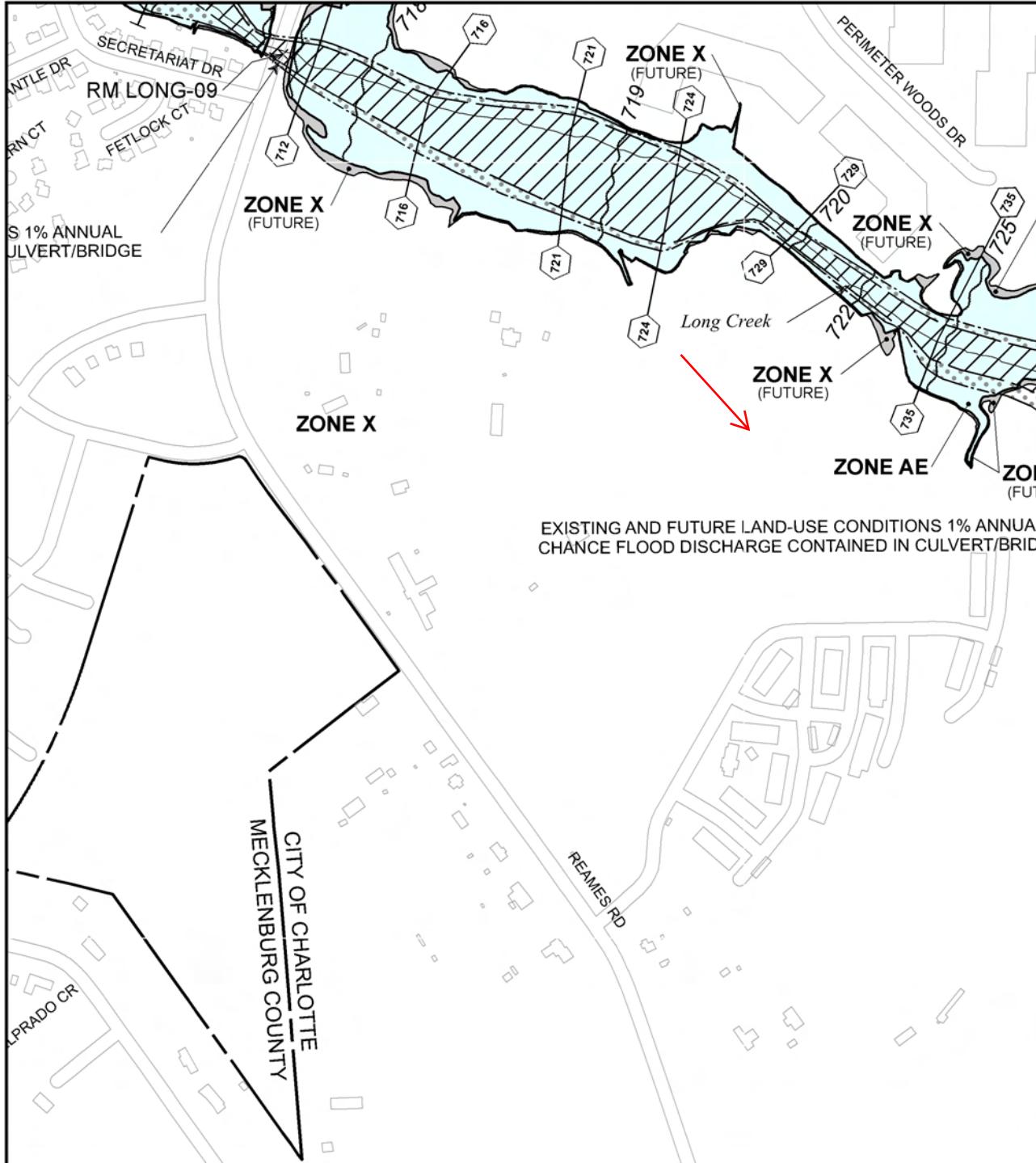
If you have any questions or comments regarding this notice, please contact the FCC using the electronic mail form located on the FCC's website at:

<http://www.fcc.gov/outreach/notification/contact-fcc.html>.

You may also call the FCC Support Center at (877) 480-3201 (TTY 717-338-2824). Hours are from 8 a.m. to 7:00 p.m. Eastern Time, Monday through Friday (except Federal holidays). To provide quality service and ensure security, all telephone calls are recorded.

Thank you,  
Federal Communications Commission

# FEMA Map



411

GRID NORTH  
MAP SCALE 1" = 500' (1 : 6,000)

PANEL 4548J

**FIRM**  
FLOOD INSURANCE RATE MAP  
**NORTH CAROLINA**

**PANEL 4548**

(SEE LOCATOR DIAGRAM OR MAP INDEX FOR FIRM PANEL LAYOUT)

**CONTAINS:**

<u>COMMUNITY</u>	<u>CID No.</u>	<u>PANEL</u>	<u>SUFFIX</u>
CHARLOTTE, CITY OF	370159	4548	J
HUNTERSVILLE, TOWN OF	370478	4548	J
MECKLENBURG COUNTY	370158	4548	J

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

**EFFECTIVE DATE**      **MAP NUMBER**  
**MARCH 2, 2009**      **3710454800J**



State of North Carolina  
Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)