

NEPA COMPLIANCE DOCUMENTS

Elon University
Proposed 199-foot Monopole Tower
Wireless Telecommunications Facility

Berkley Group, LLC

E. Haggard Avenue
Elon, North Carolina 27244
Alamance County

November 7, 2011



FCC NEPA CHECKLIST

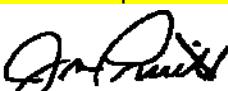
(47 CFR Subpart 1, Chapter 1, Sections 1.1301-1.1319)

Site Name: **Elon University**

Site Address: **E. Haggard Avenue, Elon, NC, Alamance 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: 
Printed Name and Title: Jon Pruitt, President

Date: November 7, 2011

*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.

National Environmental Policy Act

Summary of Procedures and Findings for a Proposed Wireless Telecommunications Facility

Berkley Group – Elon University

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. The US Fish & Wildlife Service Raleigh field office indicated that they would no longer review wireless tower projects 2009. Based on the assessment conducted, 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.

US Fish & Wildlife Service Consultation

Atlantic Environmental Services, Inc.
202 Fred Dean Road
Starr, SC 29684
864.907.6061
www.atlanticenservices.com
jonpruitt@wctel.net

USFWS Raleigh Office no tower review
From: Dale_Suiter@fws.gov
Sent: Thursday, February 19, 2009 7:44 AM
To: Jon Pruitt
Subject: Re: FW: tower site from July

Hi Jon

I don't remember getting this one, but that doesn't mean that we didn't. Anyway, our office (Raleigh Field Office) is not commenting on cell towers any longer. Our supervisor has decided that we should spend our time on bigger projects that have the potential to have greater impacts. Regardless, it is still the responsibility of the "developer" to ensure that their project will not affect listed species.

Thanks

Dale Suiter
Endangered Species Biologist
U.S. Fish and Wildlife Service
P.O. Box 33726
Raleigh, NC 27636-3726

phone - 919-856-4520 ext. 18
fax - 919-856-4556
email - Dale_Suiter@fws.gov

"Jon Pruitt"
<jonpruitt@wctel.net> To
02/18/2009 10:50 <dale_suiter@fws.gov> cc
PM FW: tower site from July Subject

Hi Dale...just wanted to see if your office is still commenting on towers

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



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Raleigh Field Office
Post Office Box 33726
Raleigh, North Carolina 27636-3726

January 9, 2006

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

Dear Mr. Pruitt:

Due to numerous inquiries concerning the potential impact of communication tower projects on federally listed threatened and endangered species, migratory birds and wildlife habitat, the Raleigh Field Office of the U.S. Fish and Wildlife Service (Service) is no longer able to review and respond to each individual tower site proposed for construction within our area of responsibility (see attached county list). Instead, we are providing information to assist the action agency, or their designated representative (tower owner or their consultant), in meeting their requirements under the Endangered Species Act, as amended (16 U.S.C. 1531 *et seq.*; ESA) and the Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*; MBTA). This information is intended to aid the applicant in determining when communication tower projects would and would not require concurrence from this office regarding potential impacts to federally listed species.

Generally, projects which involve the following actions are not likely to affect any federally listed threatened or endangered species, wetlands, or other resources under jurisdiction of the U.S. Fish and Wildlife Service:

- Projects that do not involve new construction activities,
- Construction of new towers or placement of antennae assemblies which are co-located with an existing structure (tower, building, water tank, smokestack, etc.),
- Construction of new towers in areas that are currently used for agricultural practices (farms) or in areas previously disturbed by commercial development,
- Routine maintenance of existing tower sites, such as painting, antenna or panel replacement, upgrading of existing equipment, etc.,
- Repair or replacement of existing towers and/or equipment, provided such activities do not significantly increase the existing tower mass and height, require the addition of guy wires, or increase the size or location of the existing pad site or equipment shelter, and/or
- Projects that receive a "no effect" determination as described below.

It is not necessary to contact the Raleigh Field Office about the actions listed above. For those proposed projects that do not meet these criteria (e.g., new tower sites on undeveloped land), we

offer the following information with regards to threatened and endangered species, migratory birds and wetlands.

Threatened and Endangered Species

Section 7 of the Endangered Species Act requires that all federal agencies (or their designated non-federal representative), in consultation with the Service, insure that any action federally authorized, funded, or carried out by such agencies is not likely to jeopardize the continued existence of any federally listed endangered or threatened species. A biological assessment or evaluation may be prepared to fulfill that requirement and in determining whether additional consultation with the Service is necessary.

A county listing of all federally protected endangered and threatened species with known occurrences in North Carolina is now available on our web page at <http://nc-es.fws.gov/es/countyfr.html>. In addition to the federally protected species list, information on the species' life histories and habitats and information on completing a biological assessment or evaluation and can be found on our web page at <http://nc-es.fws.gov/es/es.html>. Please check the web site often for updated information or changes.

If your project contains suitable habitat for any of the federally listed species known to be present within the county where your project occurs, the proposed action has the potential to adversely affect those species. As such, we recommend that a qualified biologist conduct surveys to determine the species' presence or absence within the project area. The use of North Carolina Natural Heritage program data should not be substituted for actual field surveys. Please note that surveys for red cockaded woodpecker cavity trees should be conducted within a one-half mile radius of the proposed project site and that surveys for bald eagle nests should be conducted within a one mile radius of the proposed project site. Adjacent property owners within the survey area should be contacted before surveys are performed. Surveys for federally listed plant species should be conducted during the appropriate survey window as identified on our web site, http://nc-es.fws.gov/plant/optimal_survey_windows_for_plants.html.

If you determine that the proposed action will have no effect (i.e., no beneficial or adverse, direct or indirect effect) on federally listed species, then you are not required to contact our office for concurrence. However, you should maintain a complete record of the site assessment, including steps leading to your determination of effect, the qualifications of personnel conducting the assessment, habitat conditions, site photographs, and any other related articles. If you determine that the proposed action may affect (i.e., likely to adversely affect or not likely to adversely affect) a federally protected species, you should notify this office with your determination, the results of your surveys, survey methodologies, and an analysis of the effects of the action on listed species, including consideration of direct, indirect, and cumulative effects, before conducting any activities that might affect the species. The Service will either concur that your project is not likely to adversely affect federally protected species or recommend the initiation of the formal consultation process.

Migratory Birds

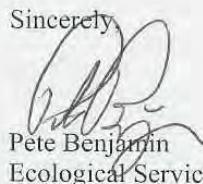
All native migratory birds (e.g., waterfowl, shorebirds, passerines, hawks, owls, vultures, falcons) are afforded protection under the Migratory Bird Treaty Act (40 Stat. 755; 16 U.S.C. 703-712). Communication towers and antennas may pose a hazard to migratory birds in flight and may pose a threat to nesting birds attracted to the site, depending on tower height, physical design, lighting, and site location. The Service has adopted draft guidelines for the siting, construction, and operation of communication towers that would minimize the potential for avian collisions. These draft guidelines are included with this letter and are also available on our web site at http://nc-es.fws.gov/es/Tower_guidelines.pdf. We recommend that they be implemented on all future communication tower projects.

Wetlands and Wildlife Habitat

Wetlands and riparian corridors are high priority fish and wildlife habitat and a resource of national concern. They serve as important sources of food, cover, and habitat for numerous species of resident and migratory fish and wildlife. Waterfowl and other migratory birds use wetlands and riparian corridors as stopover, feeding, and nesting areas. In addition, sustaining the integrity of wetland systems is an important mechanism for maintaining water quality conditions for aquatic resources. For these reasons, we strongly recommend that the sites selected for communications towers and other projects not impact wetlands and riparian areas, and be located as far as possible from these areas. Migratory birds tend to concentrate in or near wetlands and riparian areas and use these areas as migratory flyways and dispersal corridors, which could exacerbate the documented problem of birds being killed by flying into and striking the towers. If you anticipate unavoidable impacts to wetlands, you should contact the appropriate U.S. Army Corps of Engineers office to determine if a permit is required by that agency prior to commencement of construction activities.

Again, due to our existing project workload, the Raleigh Field Office is no longer able to respond to each request for concurrence that we receive on communication tower projects. If you do not receive a response from our office within 35 days of your letter being mailed to our office, you can assume that we concur with your findings. We hope that the information provided in this letter clarifies the consultation process while continuing to protect our trust resources. If you have any questions or comments, please contact Mr. Dale Suiter of this office at (919) 856-4520, extension 18.

Sincerely,



Pete Benjamin
Ecological Services Supervisor

Enclosures

**List of Counties in the U.S. Fish and Wildlife Service's
Raleigh Field Office Area of Responsibility**

Alamance	Lee
Beaufort	Lenoir
Bertie	Martin
Bladen	Montgomery
Brunswick	Moore
Camden	Nash
Carteret	New Hanover
Caswell	Northampton
Chatham	Onslow
Chowan	Orange
Columbus	Pamlico
Craven	Pasquotank
Cumberland	Pender
Currituck	Perquimans
Dare	Person
Duplin	Pitt
Durham	Randolph
Edgecombe	Richmond
Franklin	Robeson
Gates	Rockingham
Granville	Sampson
Greene	Scotland
Guilford	Tyrrell
Halifax	Vance
Harnett	Wake
Hertford	Warren
Hoke	Washington
Hyde	Wayne
Johnston	Wilson
Jones	

Section 106 – FCC Form 620

Atlantic Environmental Services, Inc.
202 Fred Dean Road
Starr, SC 29684
864.907.6061
www.atlanticenservices.com
jonpruitt@wctel.net

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”)¹ 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).²

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.

¹ 16 U.S.C. § 470f.

² 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.³

1. Applicant Information

Full Legal Name of Applicant: Berkley Group, LLC

Name and Title of Contact Person: Joann Fisher - Project Manager

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

Phone: 704-845-0625 Fax: _____

E-mail address: joannfischer@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

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

Applicant's Name: Berkley Group, LLC
Project Name: Elon University
Project Number: TCNS 73457

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?⁴ 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: North Park Drive

City or Township: Elon

County / Parish: Alamance State: NC Zip Code: 27244

b. Nearest Cross Roads: North Park Drive / E. Haggard Avenue

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

N 36 ° 06' 27.2"; W 79 ° 29' 24.0"

⁴ 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>. 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: Elon University

Project Number: TCNS 73457

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:⁵ 199 feet; 60.67 meters

e. Tower type:

guyed lattice tower self-supporting lattice monopole
 other (briefly describe tower) _____

4. Project Status:⁶

- 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.

⁵ Include top-mounted attachments such as lightning rods.

⁶ 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: Elon University

Project Number: TCNS 73457

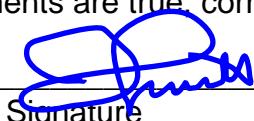
NT SUBMISSION PACKET – FCC FORM 620

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

9/16/11

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: Elon University
Project Number: TCNS 73457

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

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

Elon University - The proposed project includes the **construction of a 199-foot monopole tower** in a lease area measuring approximately 100-feet by 100-feet. The project will be located in a wooded area adjacent to newly constructed baseball fields accessed from North Park Drive, Elon, NC, in Alamance County. The site lies in the USGS Burlington quadrangle and the approximate coordinates are: Lat 36-06-27.2 Long 79-29-24.

Attachment 3. Tribal and NHO Involvement

The applicant made notification via the FCC TCNS system on February 2, 2011 (ID 73457). 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.

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 Alamance County and Elon University 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.



September 7, 2011

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

Subject: Archaeological Survey for Berkeley Group, LLC's Proposed Elon University Tower Site, Alamance County, North Carolina.

Dear Mr. Pruitt:

On September 2, 2011 TRC conducted an archaeological survey of Berkeley Group, LLC's proposed Elon University cell tower site. The site is located east of the campus of Elon University in Alamance County, North Carolina (Figure 1). This work was done on behalf of Atlantic Environmental Services, Inc.

Applicant:	Berkeley Group, LLC
Site ID:	Elon University (TCNS # 73457)
Site Location:	Alamance County, North Carolina
Map Reference:	Salisbury 1987 USGS 7.5' Topographic Quadrangle
Latitude:	36 deg 06 min 29.0 sec N
Longitude:	79 deg 29 min 24.8 sec W
Type:	+/-199-foot Monopole Tower, including antenna and lightning rod

The proposed Elon University tower is a 199-foot monopole that may include a whip antenna or lightning rod. The tower is to be located in a wooded area with little ground surface visibility. 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 an unnamed tributary of the Haw River to the north and west, newly constructed recreation fields are to the east and an apartment complex and Elon University School of Health Sciences Building (Gerald L. Francis Center) is to the south (Figures 2 and 3). The proposed access will begin at a newly constructed road that extends westward from the Health Sciences Building parking lot and extends approximately 100 feet north to the tower site.

METHODS

Literature Review

Background research was conducted at North Carolina Department of Cultural Resources, State Historic Preservation Office (SHPO). No previously recorded archaeological sites are within the proposed tower site. A review of the North Carolina Archaeological Site files indicates one archaeological site within a 0.5-mile radius of the tower site (see Figure 1).

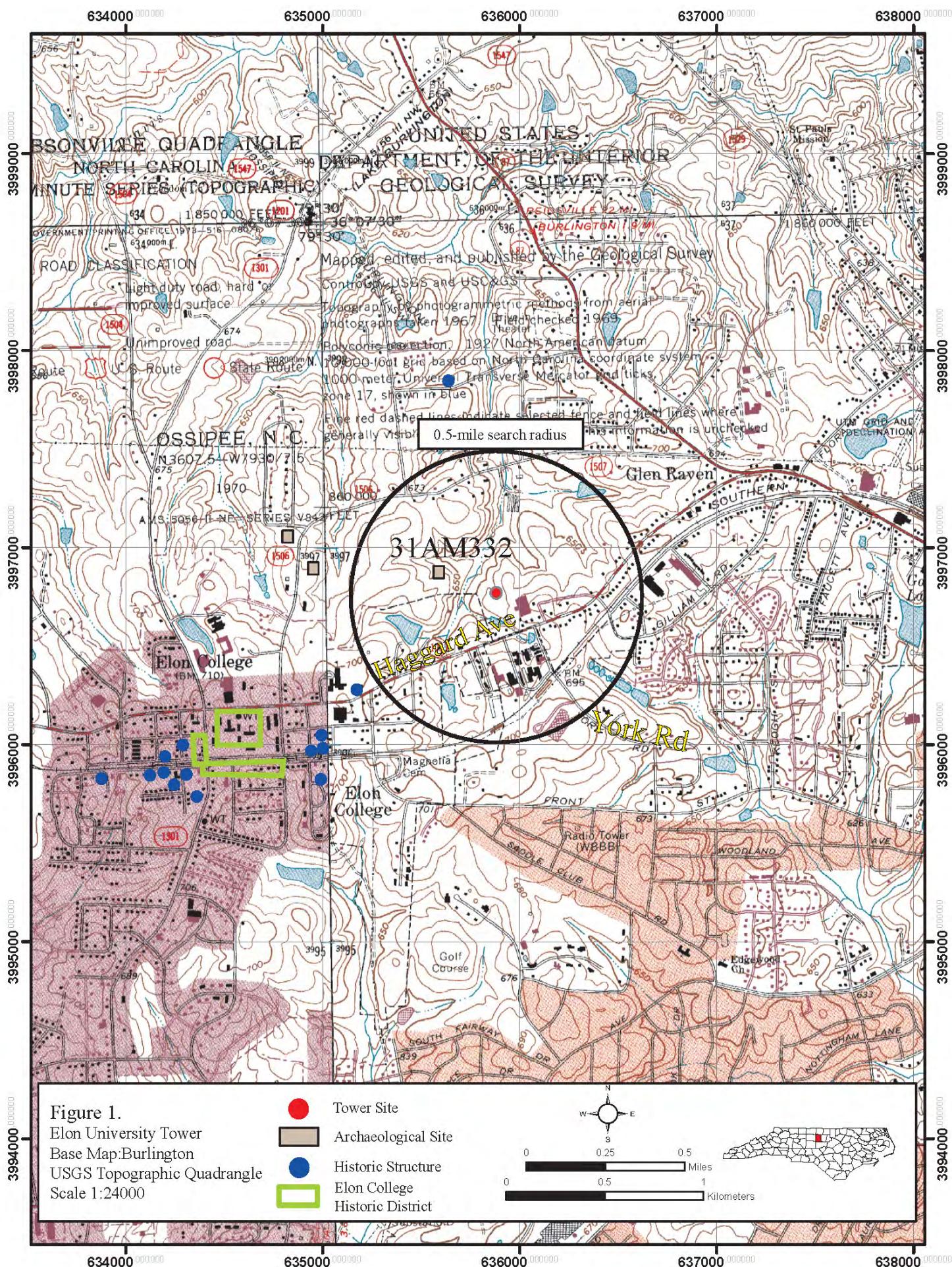


Figure 1.

Figure 1.
Elon University Tower

Base Map:Burlington

USGS Topographic Quadrangle

Scale 1:24000



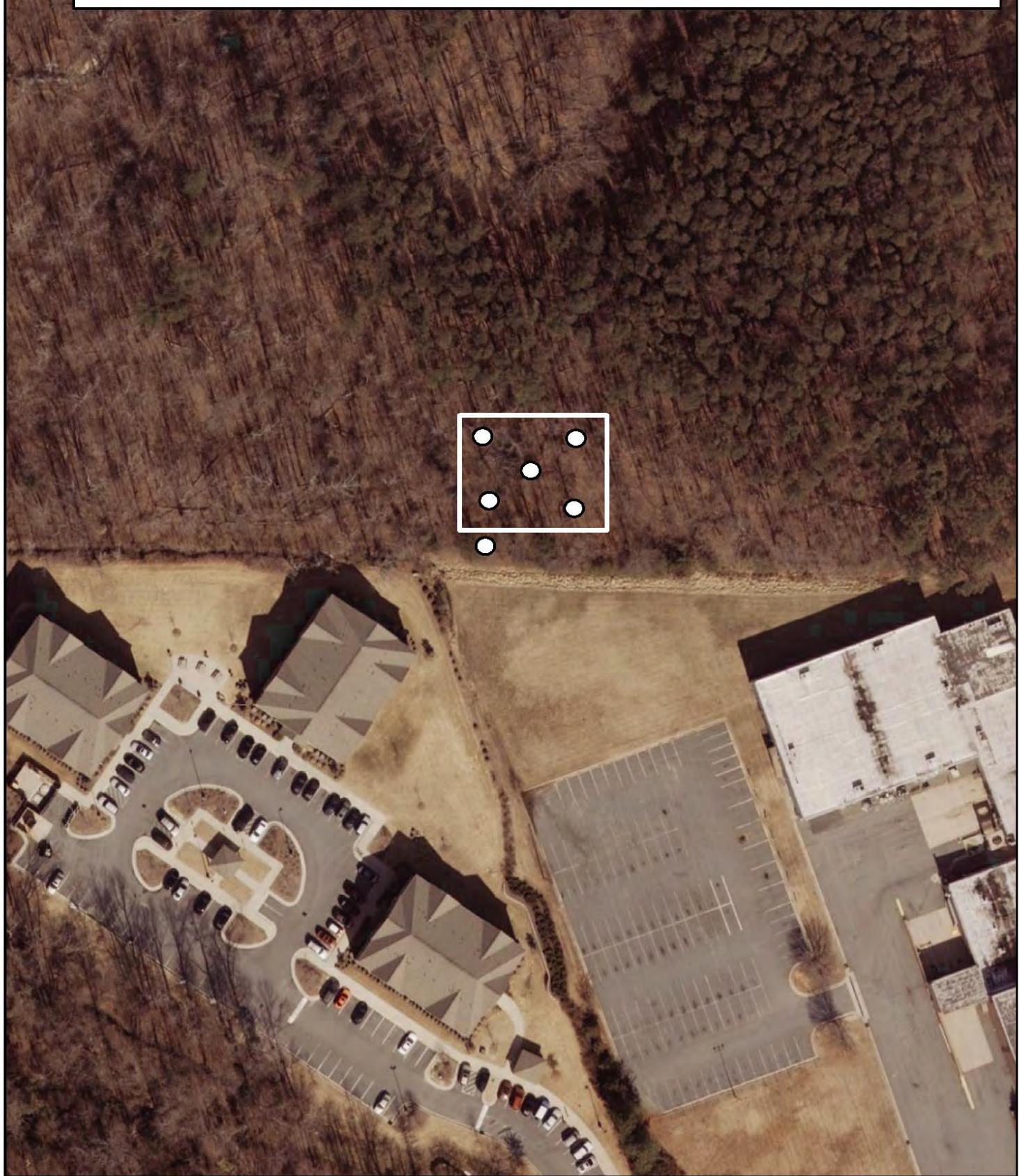
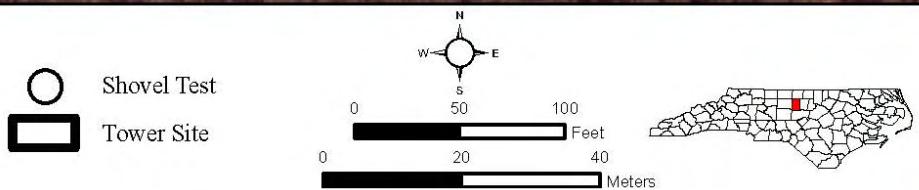
A scale bar indicating a distance of 0.5 miles. It features a black segment followed by a white segment, with the text "0.5 Miles" to its right. An illustration of a road with a car is at the end of the bar.

0 0.5 1 Kilometers



Figure 2.

Elon University Tower
Base Map: 2010 Digital
Aerial Photograph
Scale 1:1000



Site 31AM332 is of an undetermined prehistoric time period. The site consists of an isolated find of a rhyolite flake (Joy 1992). The site has been recommended not eligible for the National Register of Historic Places (NRHP).



Figure 3. Proposed Elon University Tower site facing west.

Background research identified no historic resources within a 0.5-mile radius of the tower location. The Elon College Historic District (31AM501) and the Elon College Historic District Expansion (31AM1471) are within a 1.0-mile radius of the tower site. With a tower height under 200 feet these districts and other previously recorded historic resources in the Elon area will not be affected.

Field Survey

On September 2, 2011, an archaeological survey was conducted of the proposed Elon University 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 30×30 -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 north of the Elon University School of Health Sciences Building (Gerald L. Francis Center). The proposed access to the tower will extend north from an existing paved road to the tower location (Figure 4).



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

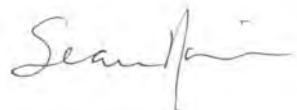
Five shovel tests were excavated within the 30-x-30 m proposed tower site. Soils in the area were shallow and rocky with shovel tests being excavated to approximately 30 cm in depth. Soils consisted of approximately 10 cm of grayish brown silty loam overlaying rocky loamy clay subsoil. No artifacts were recovered in any of the shovel tests. One additional shovel test was excavated along the proposed access road. The soil from this shovel test was comparable to the soils found at the tower location. No artifacts were recovered from the proposed access road.

A visual reconnaissance of the surrounding area identified no structures over 40 years of age within a 0.5-mile radius of the tower location.

SUMMARY AND ASSESSMENT OF EFFECTS

An archaeological survey of the proposed Elon University cell tower project area revealed no new archaeological sites. Additionally, there are no previously recorded archaeological sites nearby or within the proposed tower site. Therefore, it is TRCs recommendation that no archaeological sites historic resources will be 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

REFERENCES

Joy, Deborah
1992: Archaeological Investigations for the Elon College Bypass, Alamance County, North Carolina.
North Carolina Department of Transportation.

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 is 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/Berkley Group
Address: PO Box 462, Starr, SC 29684
Phone/Fax/E-mail: 864-907-6061/864-352-2886 jonpruitt@wctel.net

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 # Elon
Address: E. Haggard Avenue, Elon, NC
County: Alamance FCC Registration No. not assigned
Tower type and height: 195-foot monopole (+/- 199 w/ lightning rod) Quad Name: Burlington (Gibsonville to the west)

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: 0

IV. Additional Information/Investigation Needed:

Survey
 Testing of sites DAA 9/1/11
Recommended by/on: DAA 9/1/11
(Office of State Archaeology)

Photo Reconnaissance
 Balloon Test
Recommended by/on: ok
(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

cc: FCC

Date

February, 2001

9-2-11

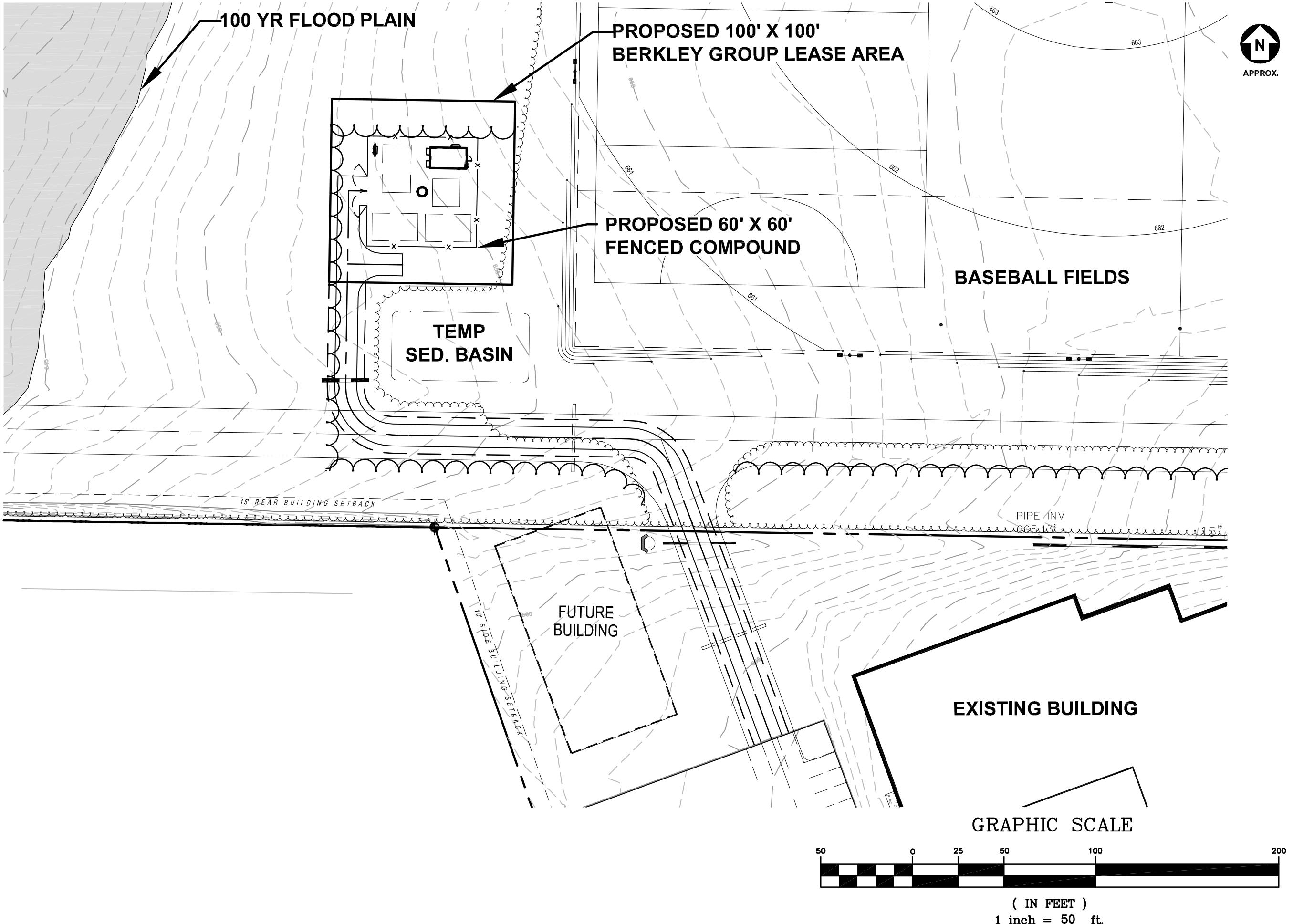
AUG 23 2011

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 this Attachment.
- c. Locations of historic properties, if any, are shown on maps included in Attachment 9.



Section 106 – SHPO & THPO Responses

Atlantic Environmental Services, Inc.
202 Fred Dean Road
Starr, SC 29684
864.907.6061
www.atlanticenservices.com
jonpruitt@wctel.net

Communications Tower Review Form



I. Applicant Information:

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

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 # Elon
Address: E. Haggard Avenue, Elon, NC
County: Alamance FCC Registration No. not assigned
Tower type and height: 195-foot monopole (+/- 199 w/ lightning rod) Quad Name: Burlington (Gibsonville to the west)

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: 0

IV. Additional Information/Investigation Needed:

Survey
 Testing of sites DAA 9/1/11
Recommended by/on: DAA 9/1/11
(Office of State Archaeology)

Photo Reconnaissance
 Balloon Test
Recommended by/on: ok
(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

cc: FCC

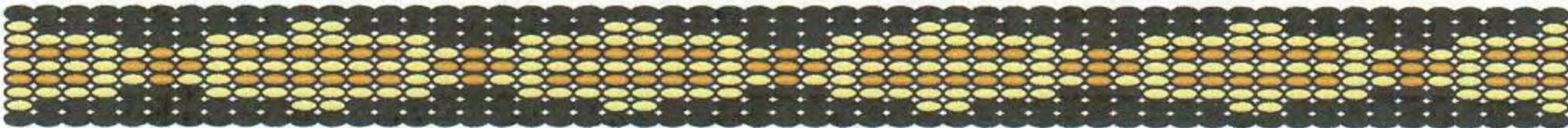
9-2-11
Date

February, 2001

AUG 23 2011

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

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



October 11, 2011

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

Re. THPO # TCNS# Project Description
2011-13-10 73457 Berkley Group – Elon University

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.

Sincerely,

Caitlin Totherow
Wenonah G. Haire
Tribal Historic Preservation Officer

From: Richard Allen <Richard-Allen@cherokee.org>
Sent: Friday, October 28, 2011 4:15 PM
To: 'Jon Pruitt'
Subject: RE: TCNS 73457

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]
Sent: Friday, September 23, 2011 1:25 PM
To: Richard Allen
Subject: TCNS 73457

Please see the attached field survey and respond via email or the TCNS at your earliest convenience. Thanks!

Jon Pruitt
Atlantic Environmental Services, Inc.
864-907-6061
www.atlanticenvservices.com



**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: 9/29/11
FAX NUMBER: 864-352-2886 NO. OF PAGES, INCLUDING COVER: 1
PHONE NUMBER: MEMO: 73457
ELON.

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.

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.

From: towernotifyinfo@fcc.gov
Sent: Friday, February 11, 2011 3:03 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 #2723175

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. 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



3. Administrative Assistant Jo Ann Beckham - Eastern Shawnee Tribe of Oklahoma

- 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 Oklahoma, 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))



4. 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 notification 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.

 **✓. THPO and Executive 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 the 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 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 note: Our research/processing fee is currently \$150. This fee will be changing effective January 1, 2011 to \$250.

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.

6. Environmental Review Coordinator Renee GledhillEarley - NC State Historic Preservation Office - Raleigh, NC - electronic mail

7. 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.

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: 02/02/2011

Notification ID: 73457

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: jonpruitt@wctel.net

Structure Type: POLE - Any type of Pole

Latitude: 36 deg 6 min 27.2 sec N

Longitude: 79 deg 29 min 24.0 sec W

Location Description: Haggard Ave (Elon)

City: Elon

State: NORTH CAROLINA

County: ALAMANCE

Ground Elevation: 198.1 meters

Support Structure: 59.4 meters above ground level

Overall Structure: 60.7 meters above ground level

Overall Height AMSL: 258.8 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://wireless.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

Atlantic Environmental Services, Inc.
202 Fred Dean Road
Starr, SC 29684
864.907.6061
www.atlanticenservices.com
jonpruitt@wctel.net

