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ENVIRONMENTAL | GEOTECHNICAL | WETLANDS | ECOLOGY | CULTURAL RESOURCES

Environmental Assessment

Proposed 180-Foot Overall Height
Monopole Telecommunications Facility

Capital Telecom Site - Port Orange, FL

4015 S. Williamson Blvd.
Port Orange, Volusia County,
Florida

ECA Project No. N-447



SUBMITTED TO:

Capital Telecom Acquisitions, LLC
1500 Mt. Kemble Avenue, Suite 203
Morristown, NJ 07960

PREPARED BY:

Environmental Corporation of America
1375 Union Hill Industrial Court, Suite A
Alpharetta, GA 30004



ENVIRONMENTAL CORPORATION OF AMERICA

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July 12, 2012

Capital Telecom Acquisitions, LLC
1500 Mt. Kemble Avenue, Suite 203
Morristown, NJ 07960

Attention: Mr. Marc Harris

Subject: **Environmental Assessment**
Proposed 180-Foot Monopole Telecommunications Facility
(Overall Height With Appurtenances)
Capital Telecom Site - Port Orange, FL
4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida
ECA Project Number: N-447

Dear Mr. Harris:

Environmental Corporation of America (ECA) is pleased to provide this Environmental Assessment report for the proposed Capital Telecom Acquisitions, LLC telecommunications facility in Port Orange, Volusia County, Florida. The federal undertaking includes construction of a telecommunications facility including a fenced compound within an 60-foot by 60-foot lease area, a proposed 180-foot tall monopole telecommunications structure (overall height) and an approximate 630-foot long by 15-foot wide access/utility easement.

A review of environmental and cultural resource issues revealed that the subject facility would be located in a federally designated Special Flood Hazard Area of the 100-year floodplain, Zone AH. Zone AH consists of areas of the 100-year floodplain where the base flood elevation (BFE) has been determined. No other FCC National Environmental Policy Act (NEPA) issues have been identified in connection with the subject facility.

Based on our professional opinion, no significant adverse environmental impacts would occur as a result of the undertaking (the construction and operation of the facility). We base our opinion on the following:

- The City of Port Orange, Florida is a National Flood Insurance Program participating community. According to the appropriate FEMA FIRM panel, the base flood elevation (BFE) at the subject site is 28 feet above mean sea level (AMSL) referenced to the National Geodetic Vertical Datum 1929 (NGVD 29). Federal standards require that buildings be constructed at least 1 foot above the BFE. For the subject facility, this

translates to an elevation of 29 feet AMSL (NGVD 29). However, when referenced to the North American Vertical Datum 1988 (NAVD 88), the BFE at the subject site is 27 feet AMSL. The elevation of the subject site is 26 feet AMSL (NAVD 88). In conclusion, the proposed equipment for the subject telecommunications facility would need to be built at a finished floor elevation at or above 28 feet AMSL (NAVD 88) or 1 foot above BFE. In our opinion, we find no adverse effect to federal floodplains.

Our finding is subject to review by the Federal Communications Commission (FCC). Upon review, the FCC will issue its finding. This finding will consist of an official agency position regarding environmental consequences of the undertaking.

We appreciate this opportunity to provide you with these professional services. If you have any questions regarding this report or the project in general, please call.

Sincerely yours,
Environmental Corporation of America

A handwritten signature in black ink that reads "Matt Beazley". The signature is fluid and cursive, with the first name "Matt" and last name "Beazley" clearly distinguishable.

Matthew Beazley
Project Scientist

A handwritten signature in blue ink. It features a stylized, looping initial "M" followed by a long, horizontal, slightly wavy line that extends to the right.

Marvin G. Webster, REP
Principal Scientist

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1.0 INTRODUCTION

Capital Telecom Acquisitions, LLC has proposed to construct a telecommunications facility at the subject site. The subject facility would consist of a 180-foot tall monopole telecommunications structure (overall height) and its associated ground level equipment.

A review of environmental and cultural resource issues revealed that the proposed facility would be located in a federally designated Special Flood Hazard Area of the 100-year floodplain, Zone AH. Areas located within Zone AH are defined as areas where the base flood elevation (BFE) has been determined. The BFE for the subject site is 27.2 feet above mean sea level (AMSL) (NAVD 88).

No other FCC National Environmental Policy Act (NEPA) issues have been identified in connection with the subject facility.

In accordance with 47 CFR, Section 1.1307, et. seq., this environmental assessment has been prepared to address environmental effects associated with the construction and operation of the subject facility.

1.1 Site Location

The site is located at 4015 S. Williamson Blvd. in Port Orange, Volusia County, Florida as shown on Figure 1 of Appendix A. The subject site is located on an 8-acre parent tract that contains an unfinished church.

1.2 Site Description

The subject site is situated in the northern corner of a larger parent tract of land containing an unfinished church and parking lot. The surrounding areas generally consist of grassed pasture and residential development. A site plan of the subject facility is included as Figure 2 of Appendix A.

2.0 SITE INFORMATION

2.1 Zoning

The parcel is zoned for Planned Commercial Development (PCD). Capital Telecom Acquisitions, LLC has submitted an application for a Building Permit. The Port Orange Community Development Department has granted a Building Permit for the proposed facility as shown in Appendix G.

2.2 Local Community

The Applicant is not aware of any concerns regarding environmental effects of the subject facility that have been expressed by planning or zoning officials or members of the local

community, other than the acknowledgement that the facility is located in a floodplain. The Applicant does not consider this acknowledgement as opposition.

2.3 Site Selection and Alternative Considered

The selection of wireless telecommunications facilities is based primarily on the established grid within a specific service area. Within the service area, antenna structures have been previously constructed at specific nodes. As such, there is limited flexibility when selecting the exact locations of new facilities to allow for factors such as acceptable coverage, available sites, and sites which are environmentally sensitive.

A number of possible candidate sites were evaluated and considered for acquisition to meet the carrier's radio frequency (RF) coverage objective. The factors considered included RF coverage objectives, existing land use considerations, environmentally sensitive sites, and the willingness of individual land owners to enter into a contract for sale or lease of a suitable parcel of real estate for construction of the subject facility. Based on these considerations, the subject property at 4015 S. Williamson Blvd. was selected as the preferred alternative.

During the analysis of the various candidates discussed in the preceding paragraph, it was discovered that the proposed facility is located in a floodplain. This determination was made using the appropriate Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Community Map Panel, 12127C0368G, dated April 15, 2002.

3.0 ENVIRONMENTAL ISSUES

In accordance with 47 CFR, Section 1.1307, the following issues must be addressed in an Environmental Assessment. Included in these regulations is the requirement to investigate each of the following items and provide a determination as to whether significant environmental impacts or effects are likely.

3.1 Wilderness Areas

The USGS Topographic Quadrangle Map, 7.5 Minute Series, Daytona Beach, FL (1952, revised 1993), and Nationalatlas.gov GIS mapper, Federal Lands and Wilderness Preservation System layers, indicate the project area is not located within an officially designated wilderness area.

3.2 Wildlife Preserves

The USGS Topographic Quadrangle Map, 7.5 Minute Series, Daytona Beach, FL (1952, revised 1993), and Nationalatlas.gov GIS mapper, Federal Lands and Wilderness Preservation System layers, indicate the project area is not located within an officially designated wildlife preserve.

3.3 Listed Threatened and Endangered Species and Critical Habitat

The USFWS has established a self-certification procedure for proposed cell towers less than 200-feet in height, with no guy wires or lighting, located in previously disturbed, urbanized or developed areas or areas that do not represent potential habitat for federally listed species, and at least 2,500 feet from any wood stork or other colonial wading bird active nesting colony. The USFWS has determined that projects that meet these criteria are unlikely to affect federally threatened, endangered, or candidate species. The proposed project would meet the criteria for self-certification and further consultation with the USFWS is not necessary.

3.4 Proposed Threatened or Endangered Species and Proposed Critical Habitat

Based on the information reviewed, there are no proposed threatened or endangered species or proposed critical habitats within the area of the subject site. It is our opinion that the undertaking would not jeopardize proposed Threatened or Endangered species or result in the destruction or adverse modification of a proposed Critical Habitat. The USFWS has established a self-certification procedure for proposed cell towers less than 200-feet in height, with no guy wires or lighting, located in previously disturbed, urbanized or developed areas or areas that do not represent potential habitat for federally listed species, and at least 2,500 feet from any wood stork or other colonial wading bird active nesting colony. The USFWS has determined that projects that meet these criteria are unlikely to affect proposed federally threatened or endangered species. The proposed project would meet the criteria for self-certification and further consultation with the USFWS is not necessary.

3.5 Migratory Birds

The project area and proposed tower structure appear to be located near one of the principal North American migratory bird migration routes. However, the proposed structure would be unlit and would not exceed the height of 180 feet and guy wires would not be used. Therefore, the proposed facility meets the USFWS recommendations for best practices as they relate to new communications structures. Based upon the design, and guidelines established by the North Florida Ecological Services Field Office of the USFWS, no significant impact to migratory birds is anticipated.

3.6 Sites of Historic and Archaeological Significance

The New Tower Submission Packet (FCC Form 620), Section 106 Review documentation was prepared for the proposed undertaking. The Section 106 Review documentation found that the proposed facility would have no effect on any Historic Properties (as described in the March 7, 2005 NPA). The Section 106 Review documentation was submitted to the Florida Division of Historical Resources on March 30, 2012. The Florida Division of Historical Resources responded in a letter dated April 6, 2012 concurring with our finding of “No Effect” for the proposed undertaking (See Appendix E). Therefore, according to Section VII.B.2 of the Nationwide Programmatic Agreement, we conclude that the proposed undertaking will have no effect on any Historic Properties.

3.7 Indian Religious Sites

According to the Tower Construction Notification System (TCNS), five Tribes were listed as having ancestral associations with lands within Volusia County, Florida. Initial notification was accomplished on March 23, 2012 and final clearance was received on May 15, 2012. Documentation is included in Appendix F.

3.8 Floodplains

According to the FEMA FIRM Community panel 12127C0368G, dated April 15, 2002, the subject facility is located within a Special Flood Hazard Area, Zone AH. Areas located within Zone AH are defined as areas where the base flood elevation (BFE) has been determined. The BFE for the subject site is 27 feet above mean sea level (AMSL) (NAVD 88). See Appendix B for documentation.

The subject facility would be located in the jurisdiction of the City of Port Orange, Florida, a National Flood Insurance Program participating community. Federal standards and the City of Port Orange require that finished floors of buildings and equipment cabinets be constructed at least one (1) foot above the BFE. The base flood elevation (BFE) at the subject site is 27 feet (NAVD 88) above mean sea level (AMSL). Since the FCC and the City of Port Orange, Florida require that buildings be constructed at least one (1) foot above the BFE, for the subject facility, this translates to an elevation of 28 feet (NAVD 88) AMSL or higher. Finished floor elevations of equipment within the proposed facility would be at least 28 feet AMSL (NAVD 88) or 1 foot above BFE (minimum), thereby meeting Federal and City of Port Orange standards for projects located within a Special Flood Hazard Area. A building permit is provided in Appendix G.

3.9 Surface Features

According to the National Wetlands Inventory (NWI) Map the subject site is not located within a wetland area. Therefore, it is our opinion that no jurisdictional waters or wetlands would be impacted by the proposed facility. See Appendix C for documentation.

3.10 High Intensity Lighting

High Intensity White Lights would not be deployed in conjunction with the undertaking.

3.11 Radio Frequency Radiation

For RF Exposure assessment, ECA has relied solely on the project RF Engineers to determine that antennas located at the facility would result in RF exposures levels which fall within the FCC categorical exclusions and are not subject to routine environmental evaluation under Section 1.1307(b) of the Commission's rules.

4.0 FINDINGS, ISSUES, AND RECOMMENDATIONS

Federal Floodplains

Findings: According to the FEMA FIRM Community panel 12127C0368G, dated April 15, 2002, the subject facility would be located within a Special Flood Hazard Area, Zone AH. Areas located within Zone AH are defined as areas within the base floodplain where base flood elevations (BFE) have been determined. According to the referenced FEMA FIRM Panel and the site survey (Appendix B), the BFE at the subject site is 28 feet AMSL (NGVD 29) or 27 feet AMSL (NAVD 88). Federal and City of Port Orange standards require that buildings be constructed at least 1 foot above BFE. For the proposed undertaking, this translates to an elevation of 29 feet AMSL (NGVD 29) or 28 feet AMSL (NAVD 88) or higher.

Issues: According to the FCC Environmental Rules, an Environmental Assessment must be prepared for facilities that are located within a Special Flood Hazard Area of the 100-year floodplain. FCC guidelines specify that avoiding adverse effects to floodplains may be accomplished by complying with local flood protection and building code ordinances within National Flood Insurance Program participating communities/jurisdictions.

Recommendation: The equipment for the proposed undertaking will be placed on an elevated steel platform with a topside elevation at or above 29 feet AMSL (NGVD 29) or 28 feet AMSL (NAVD 88) which translates to at least 1 foot above BFE. The City of Port Orange, Florida, a National Flood Insurance Program participating community has issued a building permit for the proposed facility (see Appendix G). In our opinion, we find no material impact to the flood storage capacity of the local floodplain. Therefore, we recommend that a finding of no significant impact (FONSI) be issued by the FCC relative to floodplains.

Other Items contained in 41 CFR 1.1307

Finding: No other findings of environmental significance were identified.

Issue: No further issues were identified.

Recommendation: No further action is recommended.

5.0 SUMMARY

In summary, it is our opinion that no adverse environmental impacts or effects would result from the proposed undertaking. We seek Commission concurrence with this finding.

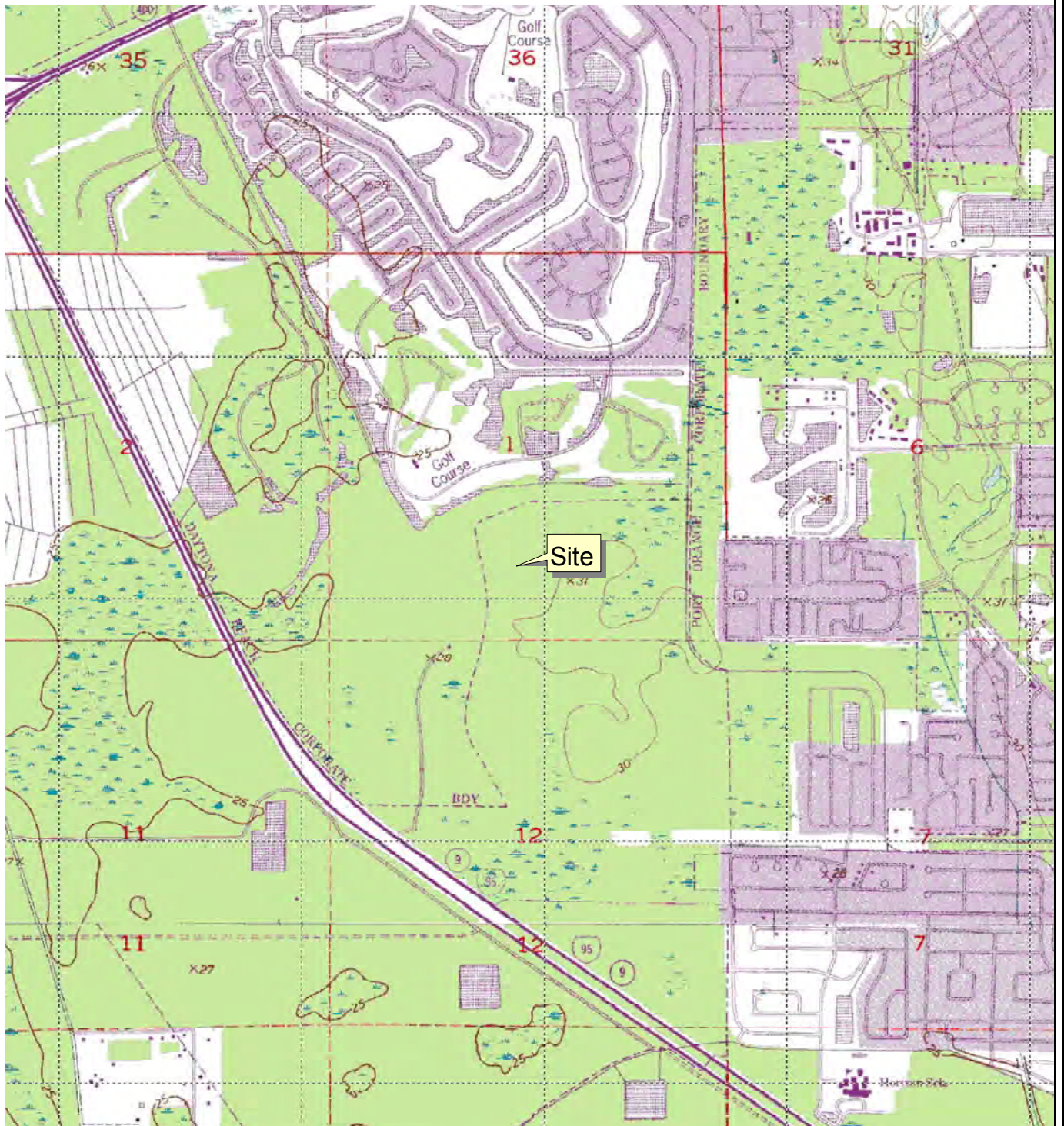
6.0 LIMITATIONS

This Environmental Assessment was conducted in accordance with generally accepted practices of the profession for such studies, conducted during the same time period and in the geographical area as this study. ECA has exercised the same degree of care and skill generally exercised by environmental professionals under similar circumstances and conditions. No other warranty is expressed or implied.

The observations, opinions and conclusions presented are not scientific certainties, but are solely opinions based upon the information available to us and our professional judgment based upon that information. The services provided herein are in no way intended to be legal advice and should not be relied upon in any way for legal interpretations.

APPENDIX A

Figures



2000 0 2000 Feet

Source: USGS Topographic Quadrangle Maps, 7.5 Minute Series, Daytona Beach, FL (1952, revised 1993) and Samsula, FL (1952, revised 1993).



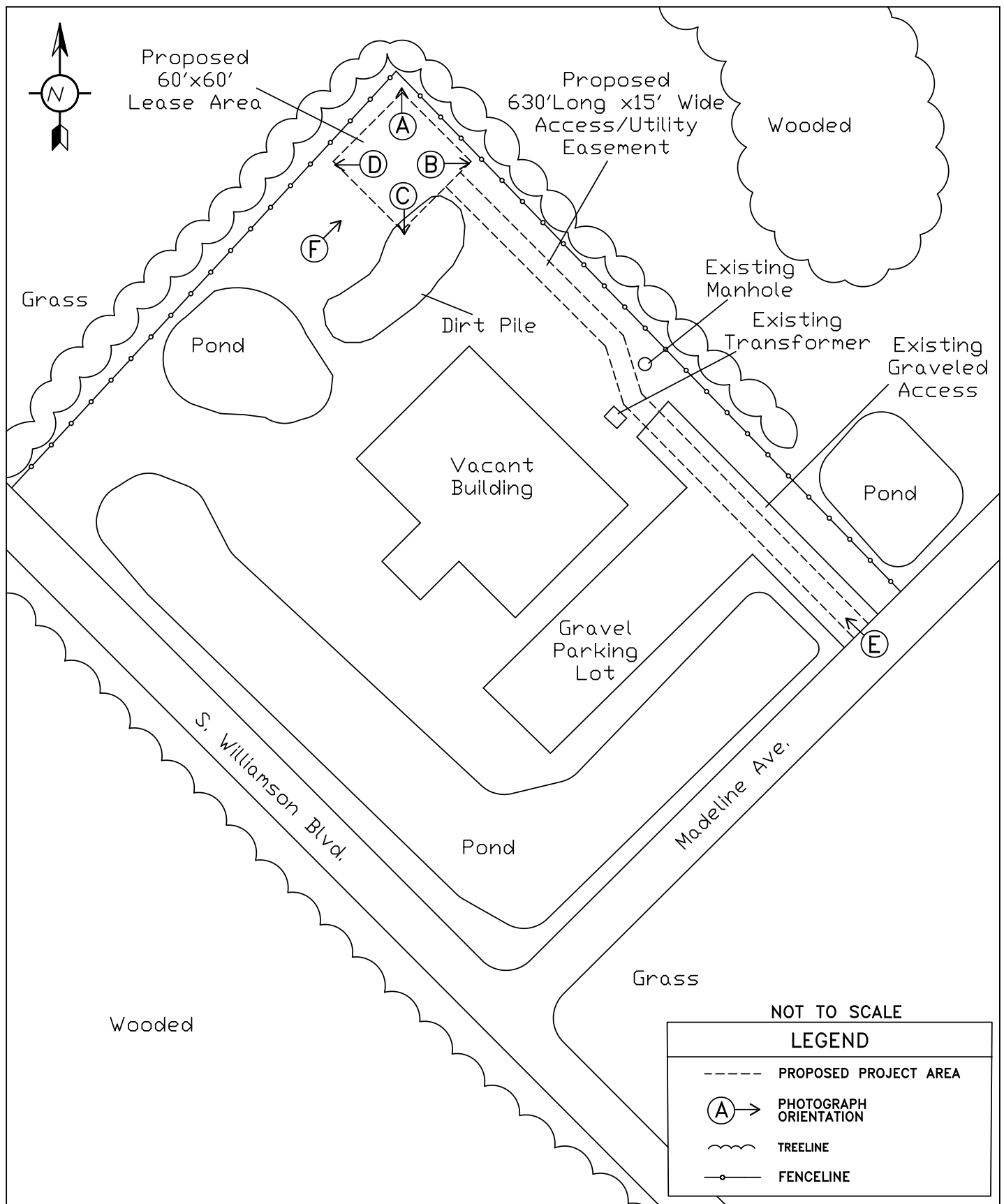
Capital Telecom Site - Port Orange, FL

4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida

Figure 1: Site Location Plan



ECA Proj. #: N-447



Capital Telecom Site – Port Orange, FL

4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida

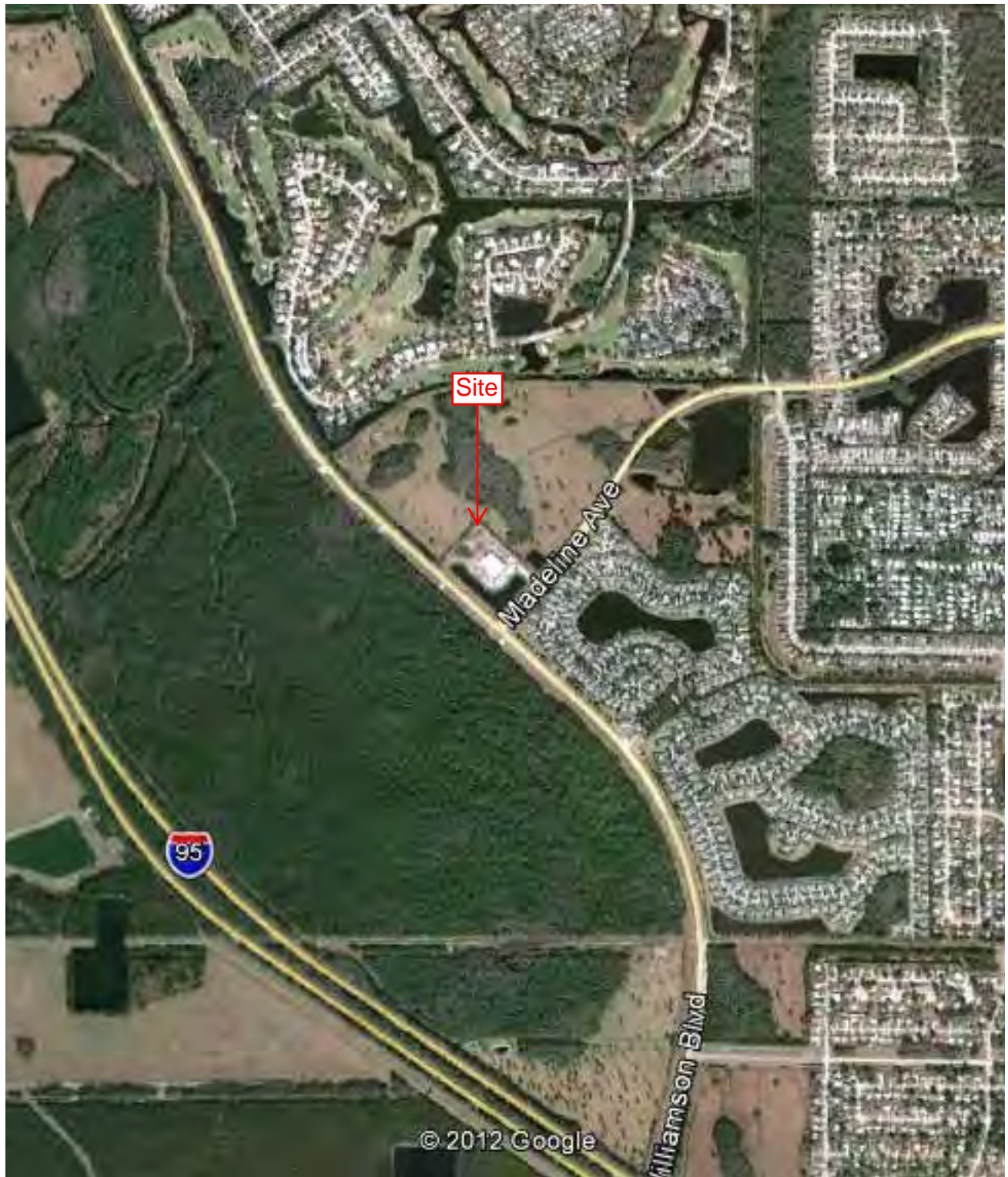
Figure 2: Site Vicinity Plan

SOURCE: ECA Site Visit, Survey, &
2012 Google Earth Image

DRAWN BY: MTB DATE: 3/28/2012
FILE NAME: F:\%N447.dwg



ECA Project #: N-447



Source: Google Earth 2012 Aerial Photograph

Capital Telecom Site - Port Orange, FL

4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida

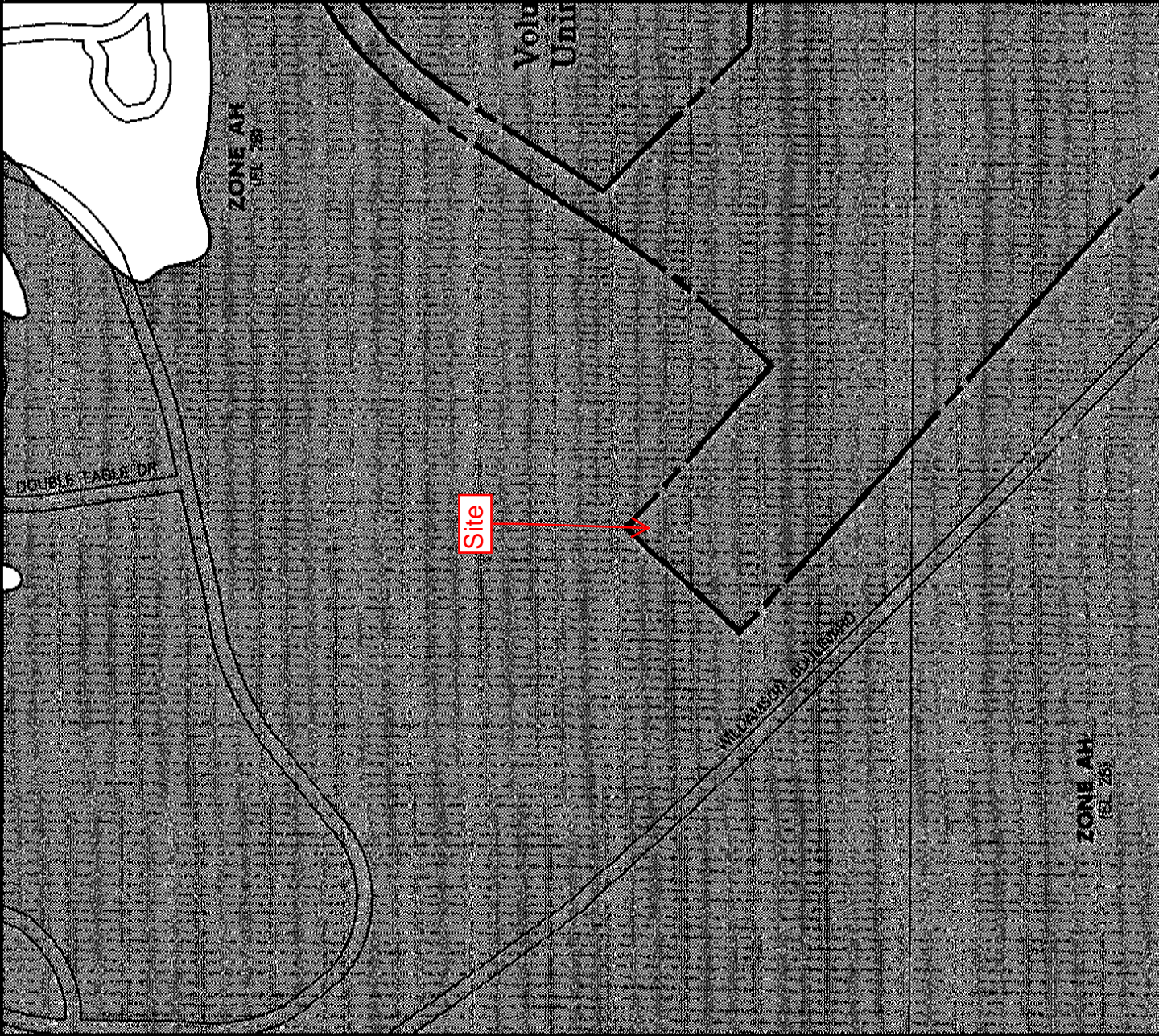
Figure 3: 2012 Google Earth Aerial Photograph



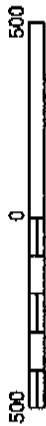
ECA Proj. # N-447

APPENDIX B

FEMA Flood Insurance Rate Map and Pertinent Documentation



APPROXIMATE SCALE



NATIONAL FLOOD INSURANCE PROGRAM

FIRM FLOOD INSURANCE RATE MAP VOLUSIA COUNTY, FLORIDA AND INCORPORATED AREAS

PANEL 368 OF 930

(SEE MAP INDEX FOR PANELS NOT PRINTED)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
DAYTONA BEACH CITY OF	12000	0000	0
PORT ORANGE CITY OF	02000	0000	0
VOLUSIA COUNTY	02000	0000	0

Notice to User: The MAP NUMBER shown below should be used when ordering a replacement map. The MAP NUMBER shown above should be used on insurance applications for the subject community.

MAP NUMBER
12177C0368 6

EFFECTIVE DATE:
APRIL 15, 2002



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using FIRM 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

LEGEND



SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD

ZONE A

No base flood elevations determined.

ZONE AE

Base flood elevations determined.

ZONE AH

Flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations determined.

ZONE AO

Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.

ZONE A99

To be protected from 100-year flood by Federal flood protection system under construction; no base flood elevations determined.

ZONE V

Coastal flood with velocity hazard (wave action); no base flood elevations determined.

ZONE VE

Coastal flood with velocity hazard (wave action); base flood elevations determined.

FLOODWAY AREAS IN ZONE AE



OTHER FLOOD AREAS



ZONE X

Areas of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year flood.

OTHER AREAS



ZONE X

Areas determined to be outside 500-year floodplain.

ZONE D

Areas in which flood hazards are undetermined, but possible.

UNDEVELOPED COASTAL BARRIERS*



APPROXIMATE SCALE



NATIONAL FLOOD INSURANCE PROGRAM

FIRM

FLOOD INSURANCE RATE MAP
VOLUSIA COUNTY,
FLORIDA
AND INCORPORATED AREAS

PANEL 368 OF 930

(SEE MAP INDEX FOR PANELS NOT PRINTED)

CONTAINS:

COMMUNITY:

DAYTONA BEACH CITY OF
PORT ORANGE CITY OF
VOLUSIA COUNTY

NUMBER:

12000

12000

12000

12000

PANEL:

12000

12000

12000

12000

SUFFIX:

0

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Notice to User: The MAP NUMBER shown below should be used when ordering additional copies of this map. The MAP NUMBER shown above should be used on insurance applications for the subject community.

MAP NUMBER
12127C0368 6



EFFECTIVE DATE:
APRIL 15, 2002

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using FIRM 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

APPENDIX C

Wetland Information



U.S. Fish and Wildlife Service

National Wetlands Inventory

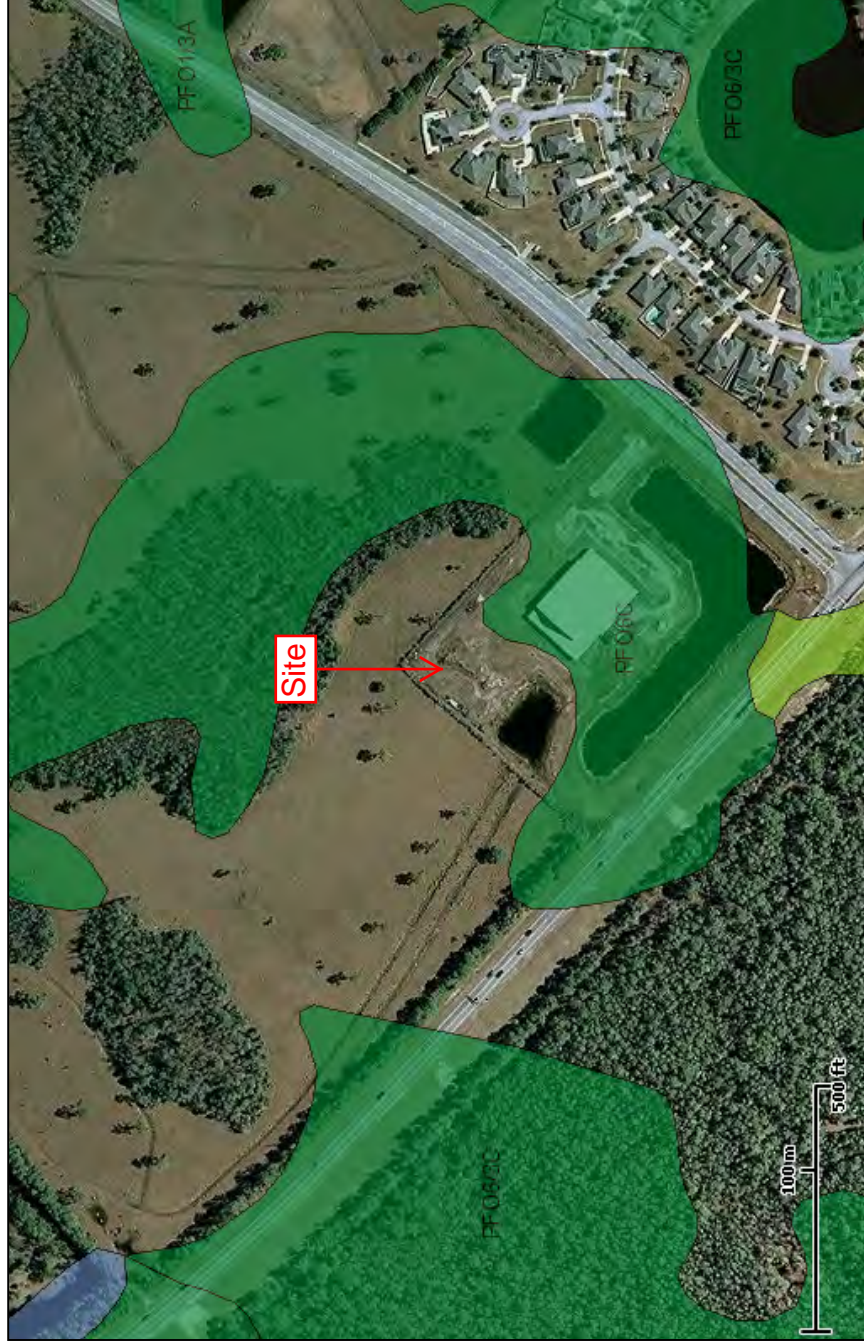
Mar 16, 2012

Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond
- Lake
- Riverine
- Other

Riparian

- Herbaceous
- Forested/Shrub



This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:

APPENDIX D

Protected Species Information



ENVIRONMENTAL CORPORATION OF AMERICA

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May 14, 2012

Capital Telecom Acquisitions, LLC
1500 Mt. Kemble Avenue, suite 203
Morristown, NJ 07960

Attention: Mr. Marc Harris

**Subject: Informal Biological Assessment
Proposed 180-Foot Monopole Telecommunications Structure
(Overall Height with Appurtenances)
Capital Telecom Site - Port Orange, FL
4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida
Daytona Beach, FL USGS Quadrangle
Latitude: N 29° 08' 17.6" Longitude: W 81° 03' 09.1"
ECA Project Number: N-447**

Dear Mr. Harris:

Environmental Corporation of America (ECA) is pleased to provide this report of our Informal Biological Assessment for the proposed project.

The North Florida Ecological Services Field Office of the US Fish and Wildlife Service (USFWS) has established a self-certification procedure for proposed cell towers less than 200-feet in height, with no guy wires or lighting, located in previously disturbed, urbanized or developed areas or areas that do not represent potential habitat for federally listed species, and at least 2,500 feet from any wood stork or other colonial wading bird active nesting colony (see Appendix C for USFWS guidance). USFWS has determined that projects that meet these criteria are unlikely to affect federally threatened, endangered, or candidate species. The proposed project would meet the criteria for self-certification and further consultation with the USFWS will not be necessary. This Informal Biological Assessment (IBA) documents our findings with respect to federally threatened and endangered species at the project site.

Background

The project area location is shown on Figure 1 of Appendix A. Figure 2 is a plan view that shows the site configuration. Figure 3 is a recent aerial photograph of the site area. Capital Telecom Acquisitions, LLC plans to construct a 180-foot monopole telecommunications structure (overall

height with appurtenances) within the project area. The telecommunications structure would not be lighted and no guy wires would be used.

The project area includes a 60-foot by 60-foot lease area and a proposed 630-foot long by 15-foot wide access/utility easement. The proposed lease area and access/utility easement is located on a larger parent tract that has been previously developed for a church. The lease area is specifically located in an undeveloped grassed lot adjacent to a large push pile. The proposed access/utility easement would traverse in a general northwesterly direction over an existing gravel drive and then across a grassed lot terminating at the proposed lease area. Photographs from near the center of the proposed lease area and of the easements are provided in Appendix B. Descriptions of the photographs are provided underneath each photograph and photograph locations are graphically depicted on Figure 2.

Based on our research and site inspection, no wetlands are located within the project area. Therefore, it appears that the proposed undertaking would not impact wetlands. However, the proposed project area does lie within zone AH of the 100-year floodplain.

Purpose

The purpose of this letter is to provide Capital Telecom Acquisitions, LLC with documentation of our investigations and findings relative to federally protected species within the project area

Review of Available Documentation and Site Inspection

ECA has reviewed the most current U.S. Fish and Wildlife Service *Federally Listed Species in Volusia County, Florida*. ECA has also reviewed information from the *Bald Eagle Nest Locator*, *The Wood Stork Core Foraging Areas Map*, and the *USFWS Online Critical Habitat Mapper*. In addition, ECA reviewed information from various sources pertaining to the habitat requirements of the listed species. Habitat at the site was evaluated during our March 26, 2012 site visit, which was conducted by Matthew Beazley of ECA.

Discussion of Findings

Because the proposed undertaking would not impact any wetlands or waters, aquatic and wetland species are not a concern for this undertaking. Species recognized by the U.S. Fish and Wildlife Service as inhabiting Volusia County, Florida are listed in Appendix C. Below is a table of the non-aquatic/non-wetland federally protected species listed by USFWS as occurring in Volusia County followed by a discussion of each.

Common Name	Scientific Name	Federal Status
Everglade Snail Kite	<i>Rostrhamus sociabilis plumbeus</i>	Endangered
Piping Plover	<i>Charadrius melodus</i>	Threatened
Florida Scrub-jay	<i>Aphelocoma coerulescens</i>	Threatened
Wood Stork	<i>Mycteria americana</i>	Endangered
Red-cockaded Woodpecker	<i>Picoides borealis</i>	Endangered

Eastern Indigo Snake	<i>Dymarchon corais couperi</i>	Threatened
Rugel's Pawpaw	<i>Deeringothamus rugelii</i>	Endangered
Okeechobee gourd	<i>Cucurbita okeechobeensis</i> <i>ssp.okeechobeensis</i>	Endangered

The Everglade snail kite (*Rostrhamus sociabilis plumbeus*) is listed as federally endangered in Volusia County. The Everglade snail kite is found in freshwater marshes and shallow vegetated edges of lakes. The project area is located in a grassed lot adjacent to a large push pile and would not provide suitable habitat for the Everglade snail kite.

The piping plover (*charadrius melodus*) is listed as federally threatened in Volusia County. The piping plover is found in dunes, sandy beaches, and inlet areas. The project area is located in a grassed lot adjacent to a large push pile and would not provide suitable habitat for the piping plover.

The Florida scrub-jay (*Aphelocoma coeruluscens*) is listed as federally threatened in Volusia County. The Florida scrub-jay lives only in the scrub and scrubby flatwoods habitats of Florida. The project area is located in a grassed lot adjacent to a large push pile and would not provide suitable habitat for this species.

The wood stork (*Mycteria americana*) is listed as federally endangered in Volusia County. The wood stork is a wading bird that typically nests in Cypress swamps. The project area would not provide suitable habitat for this species. In addition, the Wood Stork Core Foraging Areas Map was also reviewed for the project area. The project area is not located in or near a wood stork core foraging area.

The red-cockaded woodpecker (*Picoides borealis*) is listed as federally endangered in Volusia County. The red-cockaded woodpecker is found in open stands of pines, with a minimum age of 80 to 120 years. Dense stands are avoided. The project area is located in a grassed lot adjacent to a large push pile and would not provide suitable habitat for the red-cockaded woodpecker.

The eastern indigo snake (*Dymarchon corais couperi*) is listed as federally threatened in Volusia County. The eastern indigo snake is found in mesic flatwoods, upland pine forest, sandhills, and scrubby flatwoods, among other habitats. The project area is located in a grassed lot adjacent to a large push pile and would not provide suitable habitat for the eastern indigo snake.

The Rugel's pawpaw (*Deeringothamus rugelii*) is listed as federally endangered in Volusia County. Rugel's pawpaw is found in open slash pine or longleaf pine flatwoods with wiregrass and saw palmetto in the understory. The project area would not provide suitable habitat for this species.

The Okeechobee gourd (*Cucurbita okeechobeensis ssp.okeechobeensis*) is listed as federally endangered in Volusia County. The Okeechobee gourd is found in pond apple swamps and mucky soils on Lake Okeechobee shores and islands as well as floodplain forests along the St. Johns River. The project area would not provide suitable habitat for this species.

The Bald Eagle Nest Locator was reviewed for the project area. No bald eagle nests are located within ½-mile of the project area. The Wood Stork Core Foraging Areas Map was also reviewed for the project area. The project area is not located in or near a wood stork core foraging area. The colonial wading bird active nesting map referenced in the North Florida Ecological Services self-certification guidance is no longer available for online review. However, ECA found no obvious evidence to suggest that a colonial wading bird colony would be located in the immediate project vicinity.

Conclusions and Recommendations

Based on the information reviewed and our site inspections, ECA has found no evidence suggesting that federally threatened or endangered species inhabit the project area or the immediate project area (impact zone) or that designated critical habitat is present in the project area vicinity. Further, we have determined that the proposed undertaking is unlikely to jeopardize federally threatened and endangered species or to adversely modify critical habitat.

Closure

Matthew Beazley of ECA conducted the site visit and area inspection, collected the applicable information, and compiled this report. Mr. Ben Salter reviewed this report. Mr. Salter is a degreed Biologist. His resume is included in Appendix E.

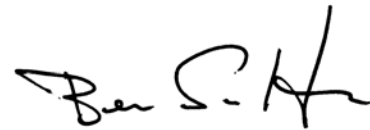
Mr. Salter has determined a finding of “no effect” has been made concerning federally protected endangered and threatened species. In addition, the proposed project meets the no effect criteria per the guidelines established by the North Florida Ecological Services Field Office of the USFWS.

Sincerely yours,

Environmental Corporation of America



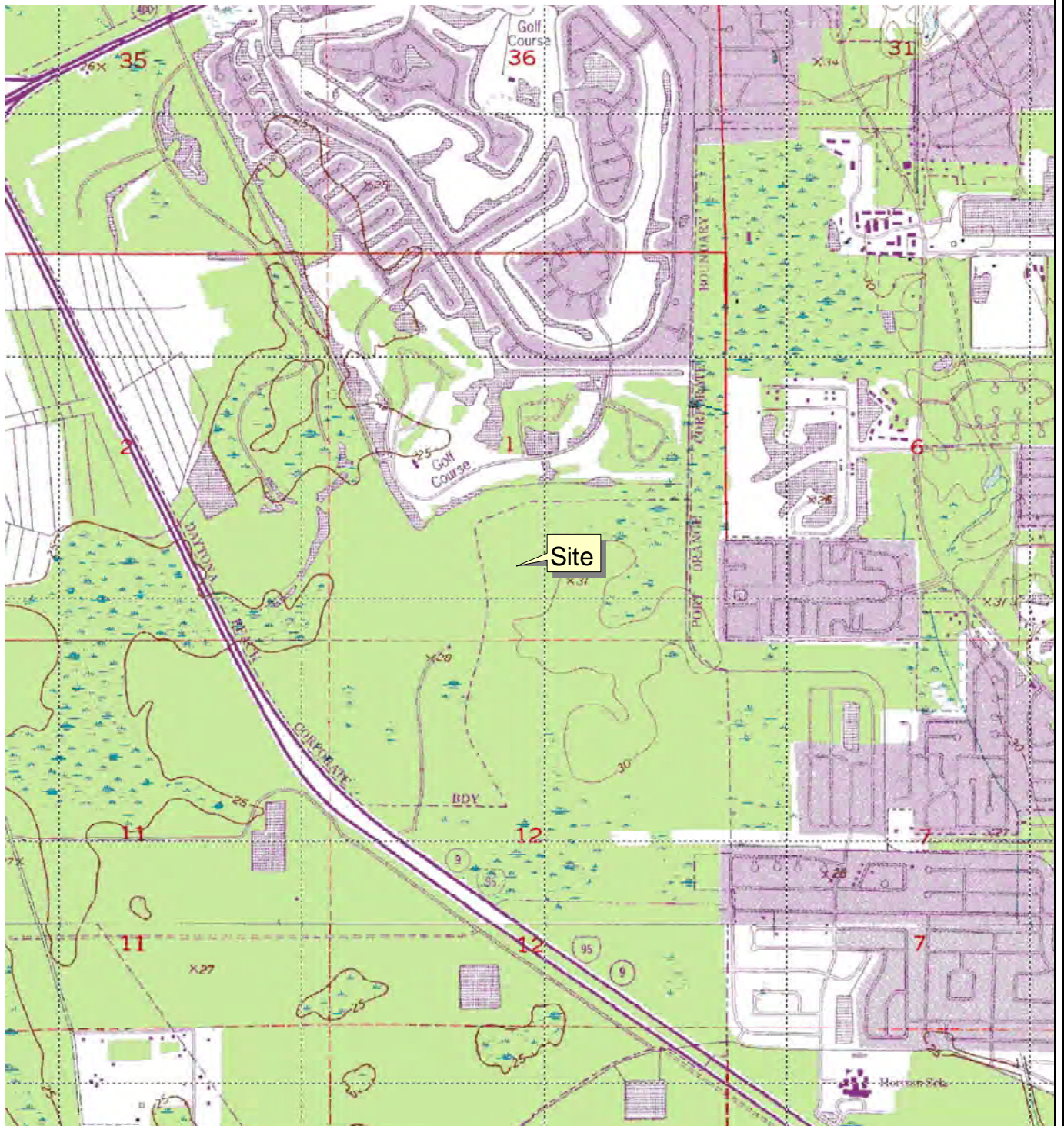
Matthew Beazley
Project Scientist



Ben Salter, REP
Principal Biologist

APPENDIX A

Figures



2000 0 2000 Feet

Source: USGS Topographic Quadrangle Maps, 7.5 Minute Series, Daytona Beach, FL (1952, photorevised 1993) and Samsula, FL (1952, photorevised 1993).



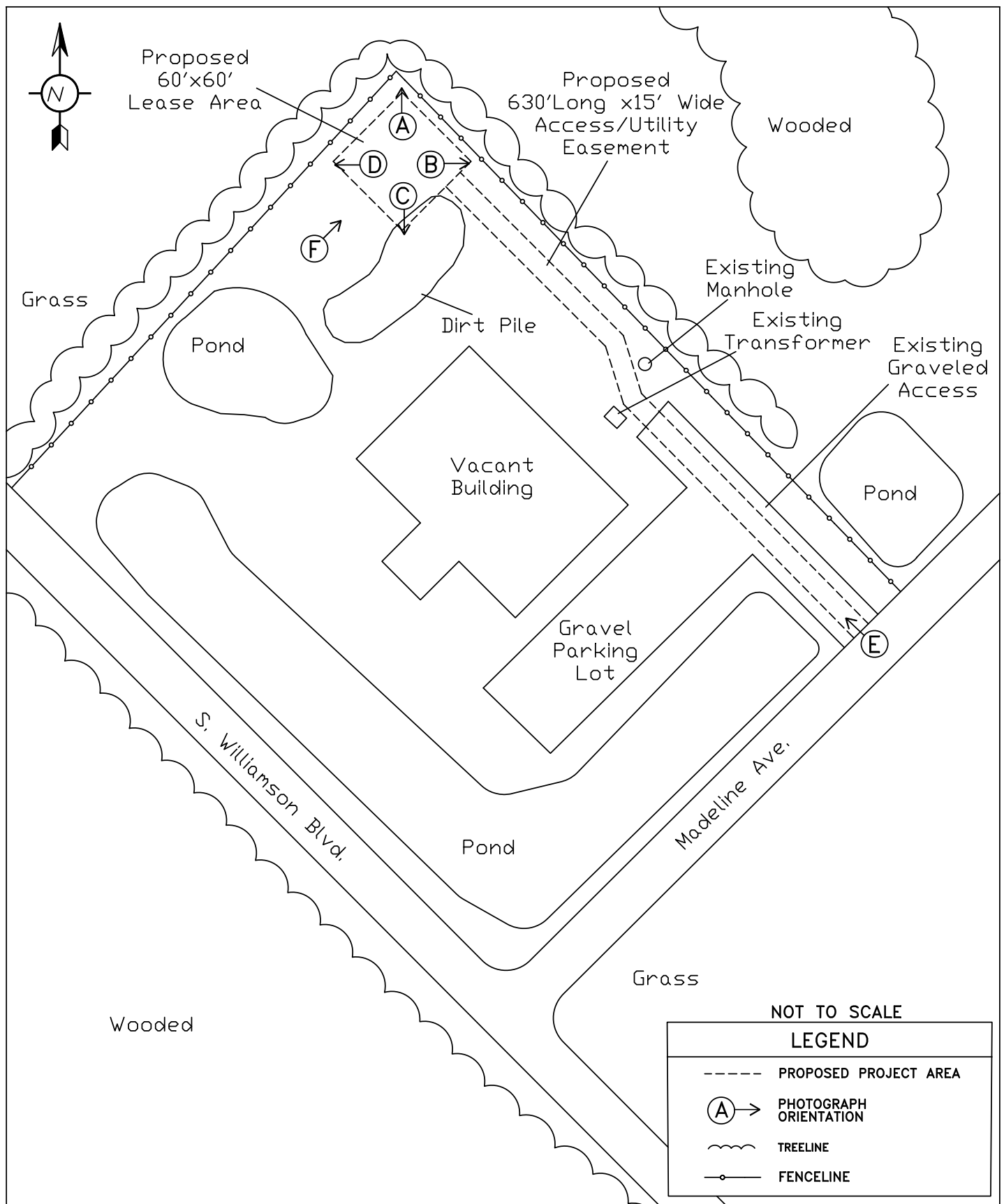
Capital Telecom Site - Port Orange, FL

4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida

Figure 1: Site Location Plan



ECA Proj. #: N-447



Capital Telecom Site – Port Orange, FL

4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida

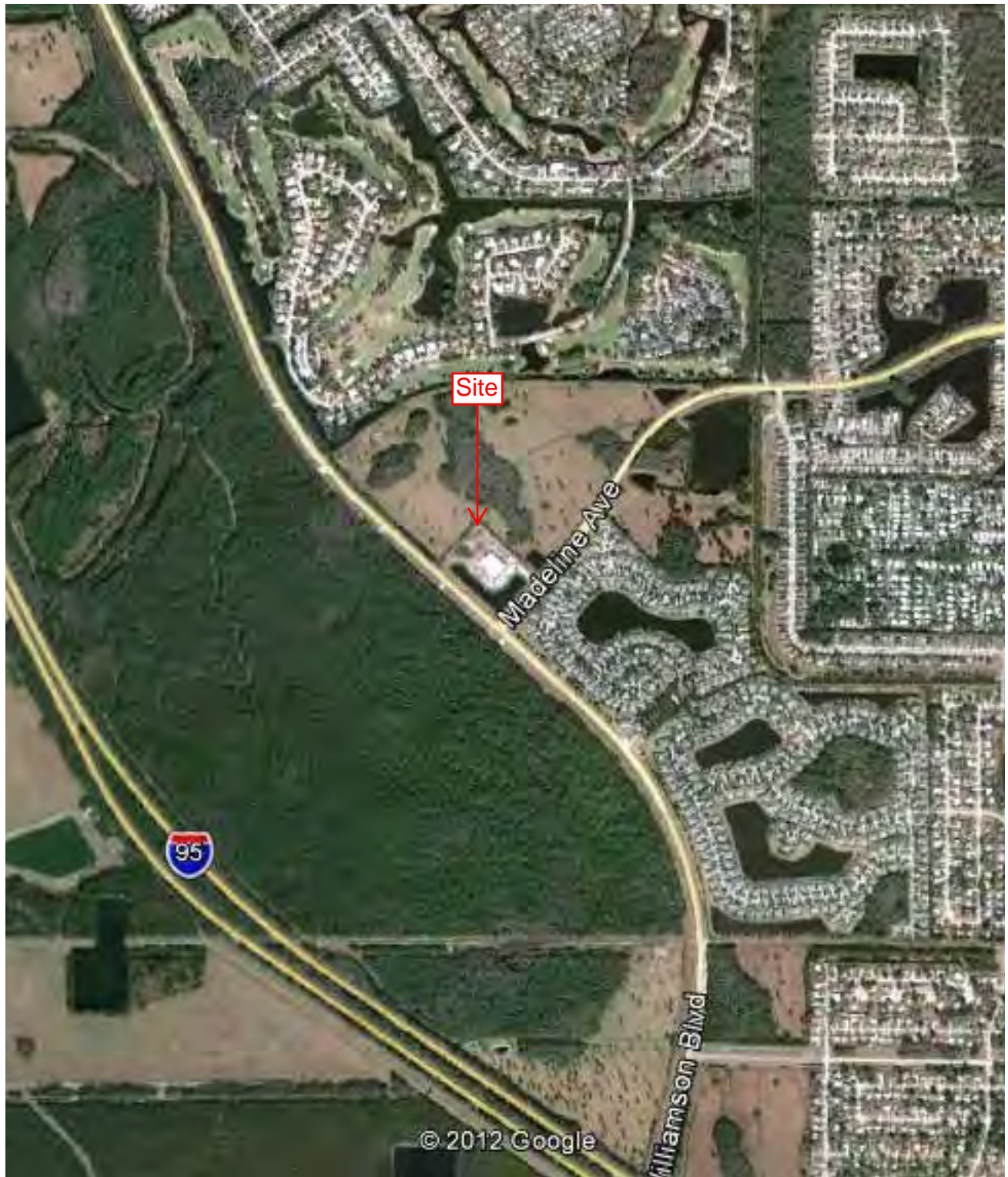
Figure 2: Site Vicinity Plan

SOURCE: ECA Site Visit, Survey, &
2012 Google Earth Image

DRAWN BY: MTB DATE: 3/28/2012
FILE NAME: F:\%N447.dwg



ECA Project #: N-447



Source: Google Earth 2012 Aerial Photograph

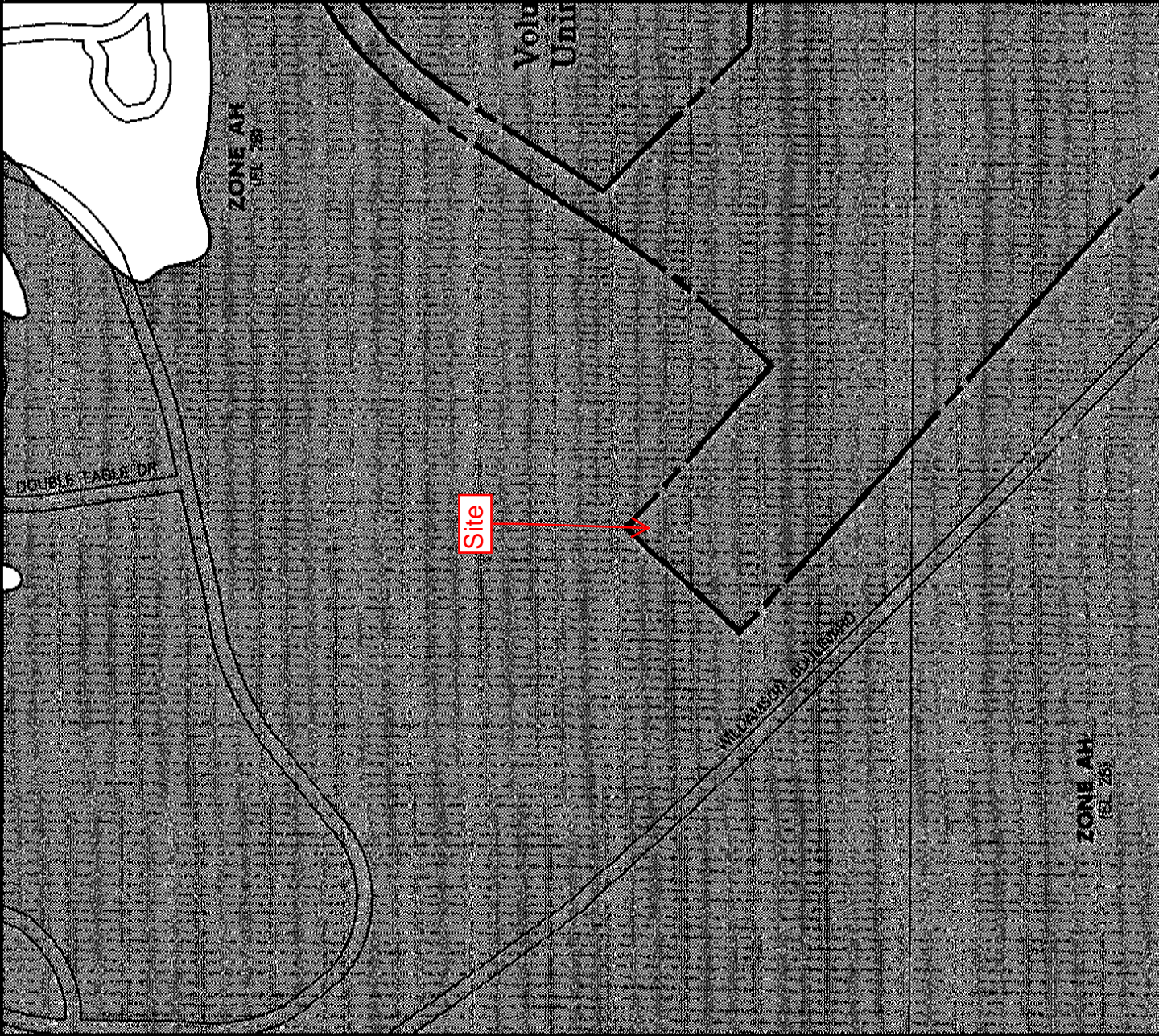
Capital Telecom Site - Port Orange, FL

4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida

Figure 3: 2012 Google Earth Aerial Photograph



ECA Proj. # N-447



NATIONAL FLOOD INSURANCE PROGRAM

FIRM

FLOOD INSURANCE RATE MAP

VOLUSIA COUNTY, FLORIDA

AND INCORPORATED AREAS

PANEL 368 OF 930

(SEE MAP INDEX FOR PANELS NOT PRINTED)

CONTAINS	COMMUNITY	NUMBER	PANEL	SUFFIX
DAVITA BEACH CITY OF	12000	0000	0000	0
PORT ORANGE CITY OF	02000	0000	0000	0
VOLUSIA COUNTY	02000	0000	0000	0

Notice to User: The MAP NUMBER shown below should be used when ordering a map. The MAP NUMBER shown below should be used on insurance applications for the subject community.

MAP NUMBER
12177C0368 6

EFFECTIVE DATE:
APRIL 15, 2002

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using FIRM 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

LEGEND



SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD

ZONE A

No base flood elevations determined.

ZONE AE

Base flood elevations determined.

ZONE AH

Flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations determined.

ZONE AO

Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.

ZONE A99

To be protected from 100-year flood by Federal flood protection system under construction; no base flood elevations determined.

ZONE V

Coastal flood with velocity hazard (wave action); no base flood elevations determined.

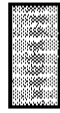
ZONE VE

Coastal flood with velocity hazard (wave action); base flood elevations determined.

FLOODWAY AREAS IN ZONE AE



OTHER FLOOD AREAS



ZONE X

Areas of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year flood.

OTHER AREAS



ZONE X

Areas determined to be outside 500-year floodplain.

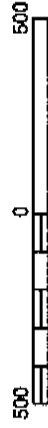
ZONE D

Areas in which flood hazards are undetermined, but possible.

UNDEVELOPED COASTAL BARRIERS*



APPROXIMATE SCALE



NATIONAL FLOOD INSURANCE PROGRAM

FIRM

FLOOD INSURANCE RATE MAP

VOLUSIA COUNTY,
FLORIDA
AND INCORPORATED AREAS

PANEL 368 OF 930

(SEE MAP INDEX FOR PANELS NOT PRINTED)

CONTAINS:

COMMUNITY:

DAYTONA BEACH CITY OF
PORT ORANGE CITY OF
VOLUSIA COUNTY

NUMBER:

12000

12000

12000

12000

PANEL:

12000

12000

12000

12000

SUFFIX:

0

0

0

0

Notice to User: The MAP NUMBER shown below should be used when ordering additional copies of this map. The MAP NUMBER shown above should be used on insurance applications for the subject community.

MAP NUMBER
12127C0368 6



EFFECTIVE DATE:
APRIL 15, 2002

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using FIRM 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



U.S. Fish and Wildlife Service

National Wetlands Inventory

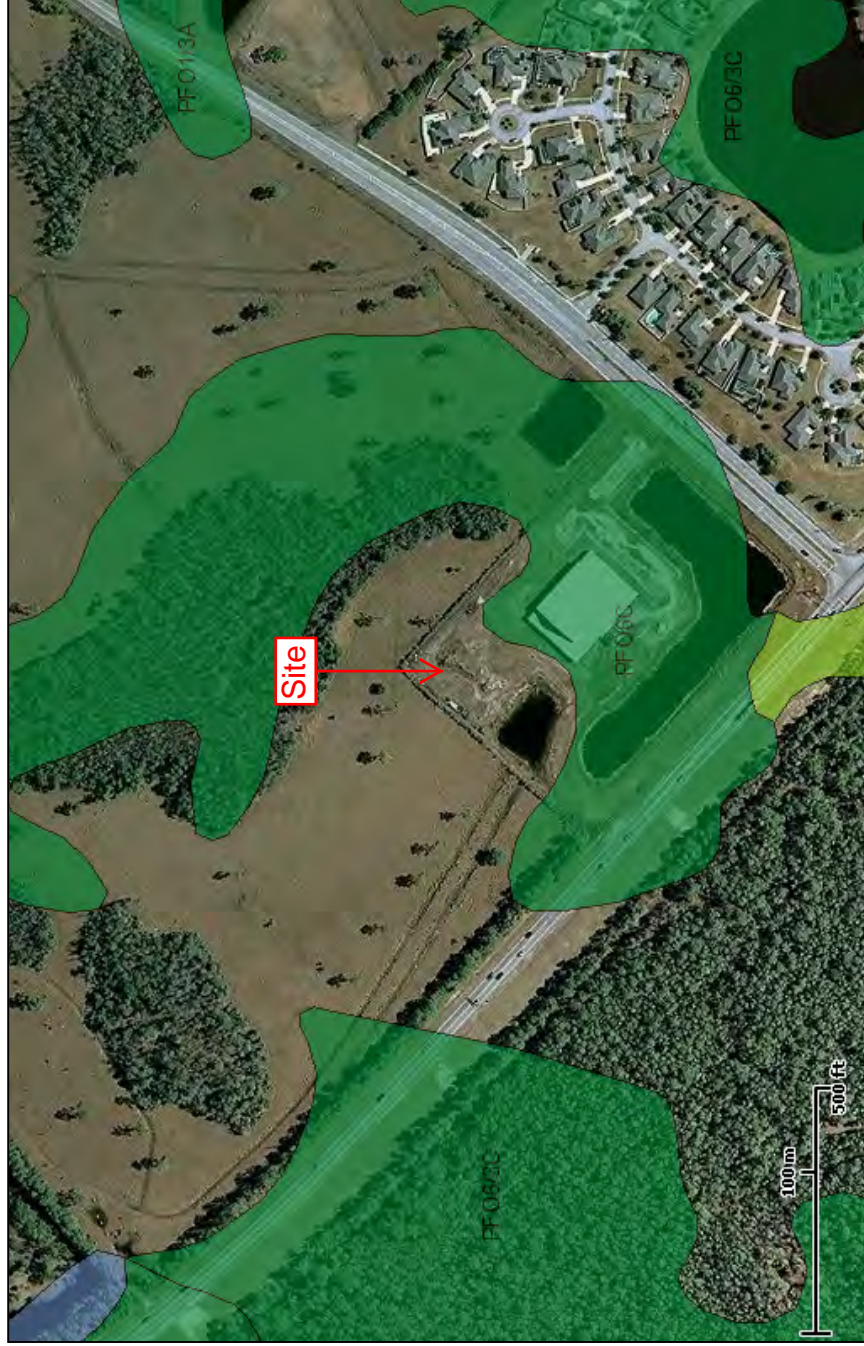
Mar 16, 2012

Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond
- Lake
- Riverine
- Other

Riparian

- Herbaceous
- Forested/Shrub




































This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:



MAP LEGEND

Area of Interest (AOI)		Area of Interest (AOI)
Soils		Soil Map Units
Special Point Features		Blowout
		Borrow Pit
		Clay Spot
		Closed Depression
		Gravel Pit
		Gravelly Spot
		Landfill
		Lava Flow
		Marsh or swamp
		Mine or Quarry
		Miscellaneous Water
		Perennial Water
		Rock Outcrop
		Saline Spot
		Sandy Spot
		Severely Eroded Spot
		Sinkhole
		Slide or Slip
		Sodic Spot
		Spoil Area
		Stony Spot
Special Line Features		Gully
		Short Steep Slope
		Other
Political Features		Cities
Water Features		Streams and Canals
Transportation		Rails
		Interstate Highways
		US Routes
		Major Roads
		Local Roads

MAP INFORMATION

Map Scale: 1:3,820 if printed on A size (8.5" x 11") sheet.
The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.
Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: UTM Zone 17N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Volusia County, Florida
Survey Area Data: Version 8, Apr 4, 2011

Date(s) aerial images were photographed: 11/6/2007

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Volusia County, Florida (FL127)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
20	EauGallie fine sand	5.8	9.0%
31	Malabar fine sand	0.6	0.9%
32	Myakka fine sand	9.5	14.6%
49	Pomona fine sand	14.5	22.5%
51	Pomona-St. Johns complex	34.3	53.0%
Totals for Area of Interest		64.6	100.0%

APPENDIX B

Photographs



A: Northerly View from Near the Center of the Proposed Facility



B: Easterly View from Near the Center of the Proposed Facility

Capital Telecom Site - Port Orange, FL

4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida

Photographs



ECA Proj. #: N-447



C: Southerly View from Near the Center of the Proposed Facility



D: Westerly View from Near the Center of the Proposed Facility

Capital Telecom Site - Port Orange, FL

4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida

Photographs



ECA Proj. #: N-447



E: Northwesterly View of the Proposed Access/Utility Easement



F: Northeasterly View of the Proposed Facility

Capital Telecom Site - Port Orange, FL

4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida

Photographs



ECA Proj. #: N-447

APPENDIX C

Protected Species Information



United States Department of the Interior

U. S. FISH AND WILDLIFE SERVICE

7915 BAYMEADOWS WAY, SUITE 200
JACKSONVILLE, FLORIDA 32256-7517

IN REPLY REFER TO:

CLEARANCE TO PROCEED WITH COMMUNICATION TOWER PROJECTS

Revised and Updated: March 12, 2010 (*Updated external internet site links only*)

Background

The U.S. Fish and Wildlife Service is the lead Federal Agency charged with the protection and conservation of Federal Trust Resources, such as threatened and endangered species and migratory birds, in accordance with section 7 of the Endangered Species Act of 1973, as amended (ESA) (87 Stat. 884; 16 U.S.C. 1531 et seq.), the Bald and Golden Eagle Protection Act, (16 U.S.C. 668-668d) (Eagle Act), and the Migratory Bird Treaty Act (40 Stat. 755; 16 U.S.C. 701 et seq.). Included in this mandate is the review of projects involving communication towers. The Federal Communications Commission (FCC) authorizes such projects, and as part of its authorization and obligations under the ESA and National Environmental Policy Act (NEPA), requires a project environmental impact review. Such projects primarily involve new tower construction, co-location of antennas on existing communication towers or other structures, and the repair, maintenance or relicensing of existing structures.

With the recent and continuing advances in cellular communication technology, and resulting widespread consumer demand for this service, the Jacksonville Ecological Services Field Office has experienced a significant increase in the number of requests for review of these projects. To fulfill our ESA statutory obligations in a timely and consistent manner, and to assist communication companies in addressing FCC and NEPA environmental impact review requirements, we provide the following guidance and clearance. The guidance is largely based on our agency's Interim Guidelines for Recommendations on Communication Tower Siting, Construction, Operation, and Decommissioning. This document is posted on our national web site, and may be reviewed and downloaded by accessing

<http://www.fws.gov/migratorybirds/issues/towers/comtow.html>.

Federally Listed Species Assessment

For new tower construction and related activities, applicants are responsible for conducting an initial assessment and possible site survey to determine if any federally listed species occur within, or in proximity to, the project footprint.

Our office web site, <http://www.fws.gov/northflorida> contains information on such species, including the location of wood stork (*Mycteria americana*) nesting colonies, as well as survey protocols for scrub-jays (*Aphelocoma coerulescens*) and sand skinks (*Neoseps reynoldsi*).

Information on known bald eagle (*Haliaeetus leucocephalus*) nests is available via a link on our web site or through http://myfwc.com/eagle/Eagle_Index.htm.

For projects located in suitable nesting or foraging habitat for the red-cockaded woodpecker (*Picoides borealis*) that are on public lands, contact the land owner/manager for location information. On private lands, go to http://www.fws.gov/rcwrecovery/recovery_plan.html for the survey protocol.

To further assist you with project analysis, we recommend that you consult the following additional electronic sources of information.

- The Florida Natural Areas Inventory website provides information on major feeding sites and congregations of large numbers of migratory and resident birds (<http://www.fnai.org/>);
- The Service's migratory bird website provides useful information concerning migratory birds, and for bald eagles - the National Bald Eagle Management Guidelines (<http://www.fws.gov/migratorybirds/>); and
- Locations of wading bird breeding colonies can be obtained at <http://myfwc.com/waders/>.

If the site assessment and/or survey reveals listed species within the project footprint, the project should be forwarded to our office for further evaluation and possible consultation.

Project Design & Maintenance

If an assessment or survey does not detect federally-listed species within the project footprint, we have determined that the following types of projects and project specifications are not likely to adversely affect federally listed species or have significant adverse impacts on migratory birds. **For projects that meet the criteria listed below, NO further coordination with the Service is necessary.** This guidance may also be used as a general clearance for all future projects meeting these criteria.

1. The construction of lattice or monopole design communication towers less than 200 feet in total height that do not contain guy wires. The tower must be located in previously disturbed, urbanized or developed areas or areas that do not represent potential habitat for federally listed species. In addition, the tower must be located at least 2500 feet from any known active wood stork or other wading bird nesting colony.
2. The construction of guyed communication towers between 200 and 400 feet tall, located as in (a) above, and provided the guy wires are equipped with bird diverter devices and the tower is lighted with a white or red strobe light operating at the minimum allowable intensity. This type of lighting is far less attractive to migratory birds than continuous or pulsating, incandescent red or white lights, regardless of

their intensity or frequency or duration of pulsation. The same provisions in (a) regarding bald eagle nests and wood stork and other wading bird breeding colonies, applies.

3. The co-location of a new antenna on an existing communication tower or mounting of a new antenna on an existing structure (e.g., light pole, billboard, water tower, building). Such work shall not increase the tower height above 400 feet, require the construction of a new access road, nor result in additional disturbance of the site; and
4. The repair, maintenance, or replacement of an existing communication tower, provided that the activity does not increase the height of the tower above 400 feet or increase its footprint into natural vegetative communities, and is conducted outside of the October 15 – May 1 nesting season of any bald eagle nesting on the structure.
Please Note: The bald eagle was removed from the protections of the ESA (delisted) in August 2007; however, a final Rule that implements a permit program designed to protect bald and golden eagle populations in the future was published in the *Federal Register* on September 11, 2009. These final regulations authorize the limited take of bald and golden eagles through the issuance of permits under the Eagle Act where the take to be authorized is associated with otherwise lawful activities. These regulations also establish permit provisions for intentional take of eagle nests where necessary to ensure public health and safety, and in other limited circumstances. Please refer to the following website link for more information and application procedures: <http://www.fws.gov/migratorybirds/baldeagle.htm>. For any questions regarding this rule or bald eagle protection issues, please contact Migratory Birds Division at the number referenced below. Note: Ospreys (*Pandion haliaetus*) frequently nest on communication towers, and the nesting in Florida may extend throughout all months of the year. Confirmed nests that are inactive (no eggs or young in nesting) have no special protections under the Migratory Bird Treaty Act, and although nest removal is allowed, we recommend nest removal only be undertaken if there are no alternatives to the required work. Where the proposed work is associated with an existing tower supporting an active osprey nest, refer to our national migratory bird website, and/or contact our Southeastern Regional Division of Migratory Birds in Atlanta, GA at (404)-679-7049 for further guidance prior to any work.

For existing towers that do **not** include any modification, footprint expansion or construction, **and** meet the criteria below, **no** further coordination with the Service is necessary. This includes those projects for relicensing of existing towers. Therefore, this guidance may also be used as a general clearance for all existing projects meeting these criteria.

1. The existing lattice or monopole design communication towers less than 200 feet in total height that do not contain guy wires.
2. The existing lattice communication towers or guyed communication towers between 200 and 400 feet tall provided the guy wires are equipped with bird diverter devices and the tower is lighted with white strobe lights with the maximum off period

between flashes (3 seconds is current maximum allowable). This type of lighting is far less attractive to migratory birds than continuous or pulsating, incandescent red or white lights, regardless of their intensity or frequency or duration of pulsation.

For those projects that do not meet these criteria our only available recommendations are:

1. Reduce the height of the tower,
2. Light the tower with a white or red strobe light operating at the minimum allowable intensity: as noted in item 2 above.

Our agency appreciates your cooperation in the protection of Federally-listed species in Florida.

Sincerely,

A handwritten signature in blue ink, appearing to read "David L. Hankla".

David L. Hankla
Field Supervisor



North Florida Ecological Service Office

Southeast Region

- [Welcome](#)
- [Our Strategic Plan](#)
- [Area of Responsibility](#)
- [Our Office Location](#)
- [Contact Us](#)
- [Current News Releases](#)
- [News Archives](#)
- [Landowner Tools](#)
- [Programs and Resources](#)
- [Partners for Fish and Wildlife](#)
- [Coastal Program](#)
- [Habitat Conservation Plans](#)
- [Federally-listed Species in Florida](#)
- [Students & Teachers](#)
- [Related Sites of Interest](#)
- [Key North Florida Species](#)
- [Bald Eagle](#)
- [Florida Manatee](#)
- [Eastern Indigo Snake](#)
- [Florida Scrub-Jay](#)
- [Sea Turtles](#)
- [Whooping Crane](#)
- [Wood Stork](#)
- [General Information](#)
- [Hunting-Fishing Licenses & Permits](#)
- [Injured/Nuisance Wildlife](#)
- [Wildlife Law Violations](#)
- [Other USFWS Resources](#)
- [Service Office Finder](#)
- [Office Directory](#)
- [Southeast Region Contacts](#)
- [Federal Register Notices](#)
- [Regional Five-Year Reviews](#)

Federally Listed Species in Volusia County, Florida

This information is provided as a guide to project planning, and is not a substitute for site-specific surveys. Such surveys may be needed to assess species' presence or absence, as well as the extent of project effects on listed species and/or designated critical habitat.

The following table lists those federally-listed species known to be present in the county.
Code Key: E = Endangered, T = Threatened, CH = Critical Habitat Designated, C = Candidate *

Category	Species Common Name	Species Scientific Name	Code
Mammals	West Indian (Florida) Manatee	<i>Trichechus manatus latirostris</i>	E/CH
Birds	Everglade Snail Kite	Rostrhamus sociabilis plumbeus	E
	Piping Plover	<i>Charadrius melodus</i>	T
	Florida Scrub-jay	<i>Aphelocoma coerulescens</i>	T
	Wood Stork	<i>Mycteria americana</i>	E
	Red-cockaded Woodpecker	<i>Picoides borealis</i>	E
Fish	None		
Reptiles	Gopher Tortoise	<i>Gopherus polyphemus</i>	C
	Eastern Indigo Snake	<i>Drymarchon corais couperi</i>	T
	Green Sea Turtle	<i>Chelonia mydas</i>	E
	Hawksbill Sea Turtle	<i>Eremochelys imbricata</i>	E
	Leatherback Sea Turtle	<i>Dermochelys coriacea</i>	E
	Kemp's ridley Sea Turtle	<i>Lepidochelys kempii</i>	E
	Loggerhead Sea Turtle	<i>Caretta caretta</i>	T
	Atlantic Salt Marsh Snake	<i>Nerodia clarkii</i> (=fasciata) taeniata	T
Mollusks	None		
Crustaceans	None		
Plants	Rugel's Pawpaw	<i>Deeringothamus rugelii</i>	E
	Okeechobee gourd	<i>Cucurbita okeechobeensis</i> ssp.okeechobeensis	E

► [Home](#) ► [Species: North Florida County](#) ► [Species: South Florida County](#) ► [Species: Panhandle County](#)

For a list of State species by county use the Florida Natural Areas Inventory's Tracking Lists at <http://www.fnai.org/trackinglist.cfm>

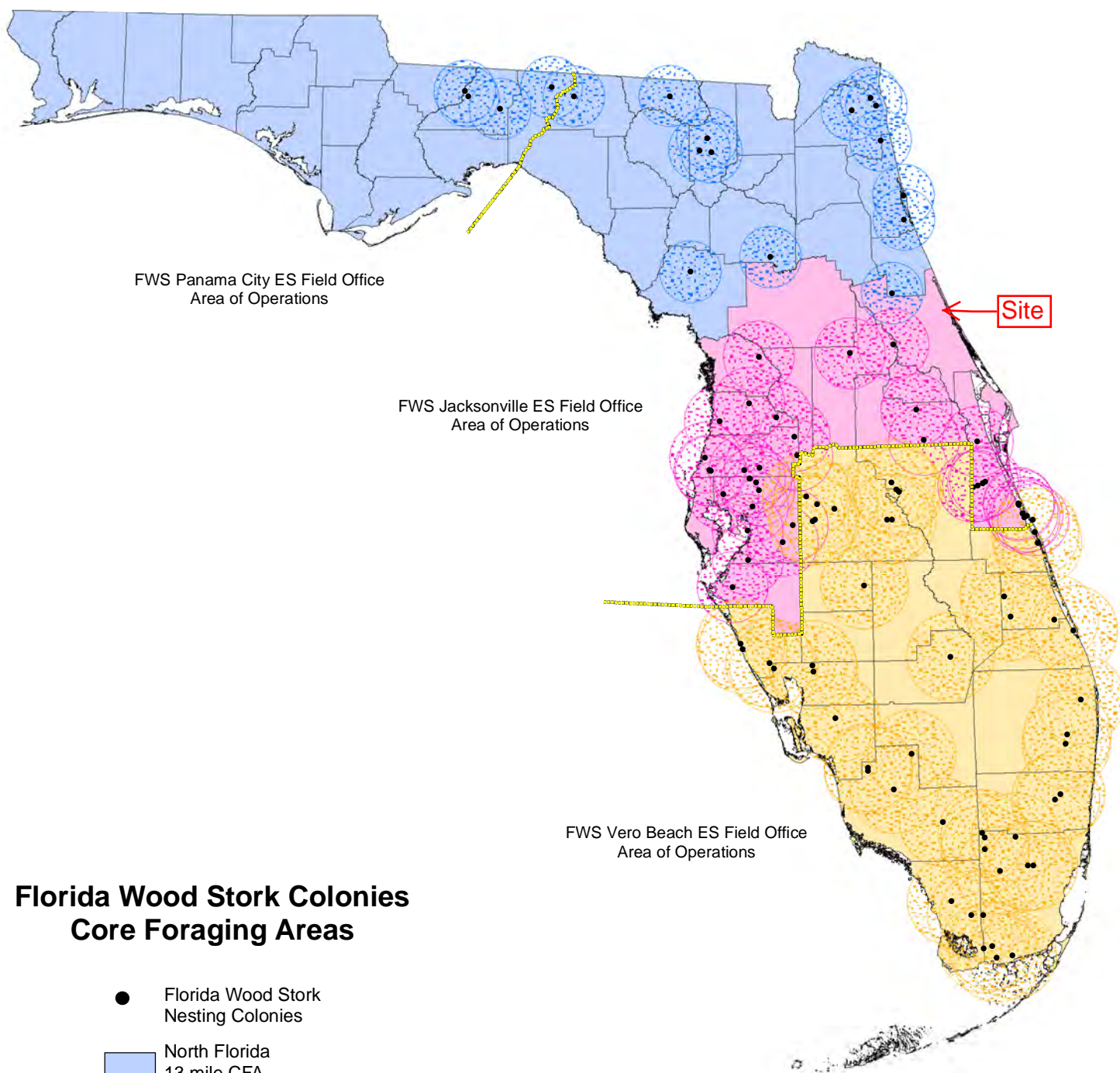
For State listed species details, please go to <http://myfwc.com/imperiledspecies/>

* [Candidate species](#) receive no statutory protection under the ESA. The FWS encourages cooperative conservation efforts for these species because they are, by definition, species that may warrant future protection under the ESA.

NOTE: Bald eagles were removed from the endangered species list in June 2007 because their populations recovered sufficiently. However, the protections under the Bald and Golden Eagle Act (Eagle Act) continue to apply. Please see the eagle information on our [Landowner Tools](#) page or our national website at <http://www.fws.gov/migratorybirds/baldeagle.htm> for information regarding new permit requirements under the Eagle Act.



Send comments on our web site or general questions to [North Florida office](#).
If you need special assistance please contact the [Public Affairs Officer](#).



Florida Wood Stork Colonies Core Foraging Areas

- Florida Wood Stork
Nesting Colonies
- North Florida
13 mile CFA
- Central Florida
15 mile CFA
- South Florida
18.6 mile CFA



0 25 50 100 Miles

The U.S. Fish and Wildlife Service gives no warranty, either expressed or implied, as to the accuracy, reliability, or completeness of this map.

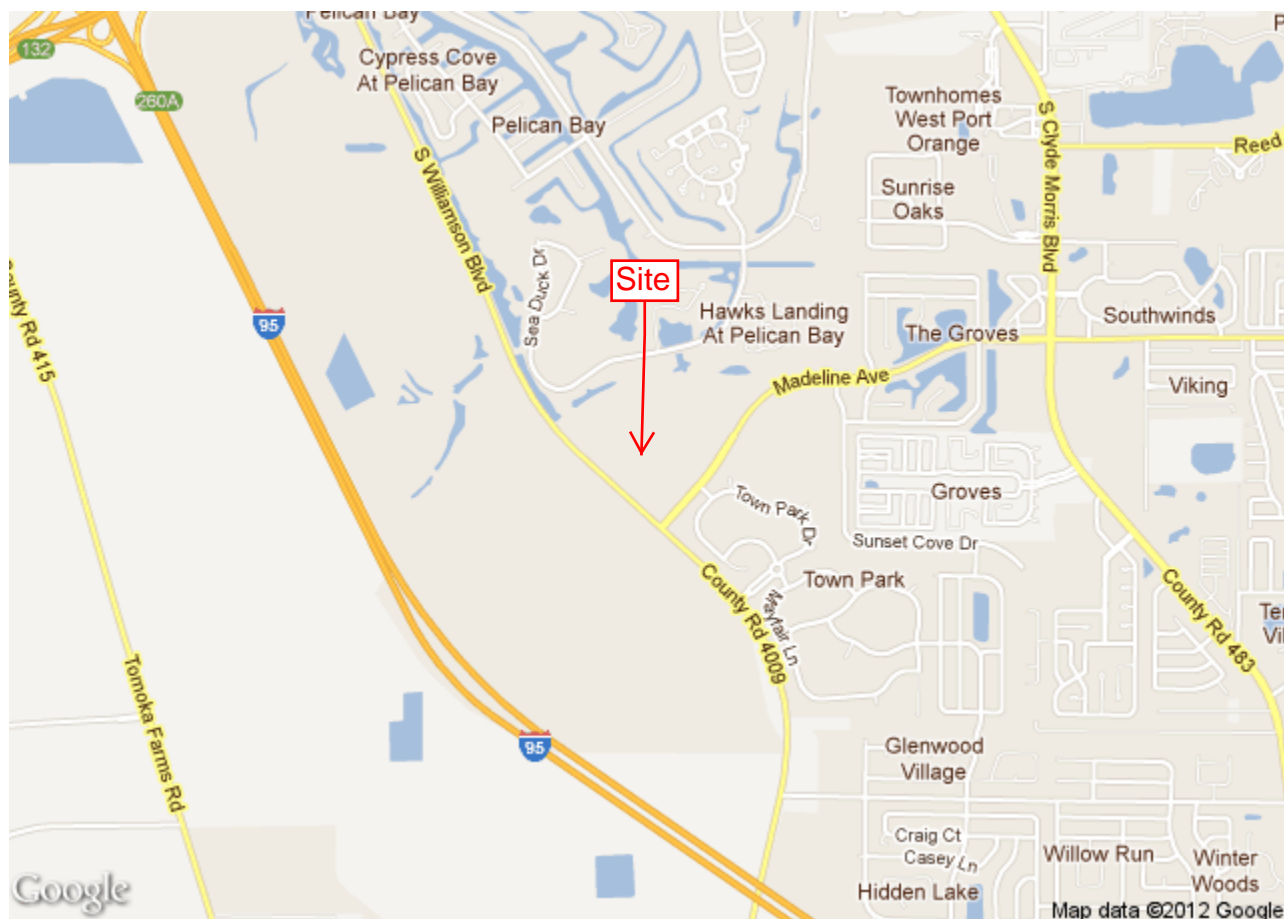


This report was generated using the bald eagle nest locator at <https://public.myfwc.com/FWRI/EagleNests/nestlocator.aspx> on 3/20/2012 11:15:23 AM.

Search Entered: Within 0.5 miles of latitude 29.138222222222 and longitude -81.052527777778; All Search Results

0 record(s) were found; 0 record(s) are shown

Bald Eagle Nest Map:



Bald Eagle Nest Data Search Results:

Results per page:

All ☒

"Y" denotes an active nest

"N" denotes an inactive nest

"-" denotes an unobserved nest

"U" denotes a nest that was visited but status was undetermined

"*" denotes a nest that was not surveyed

Capital Telecom Site (Port

Powered by ArcGIS Server



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APPENDIX D

Tower Site Evaluation Form

TOWER SITE EVALUATION FORM

1. Location (Provide maps if possible):

State: FL County: Volusia Latitude/Longitude/GPS Grid: N 29°08'17.6"
W 81°03'09.1"

Directions: From Daytona Beach take S. Ridgeway Avenue southeast for approximately 2 miles and then turn right onto Beville Road. After 4 miles turn left onto S. Williamson Blvd. and continue for approximately 1.7 miles. The proposed tower site location will be located in a grassed field to the north of the intersection of S. Williamson Blvd. and Madeline Avenue.

2. Elevation above mean sea level: ~29 feet
3. Will the equipment be co-located on an existing **FCC licensed tower** or other existing structure (building, billboard, etc.)? (y/n) No If yes, type of structure: _____

If yes, no further information is required.

4. If no, provide proposed specifications for new tower:

Height: 180' Construction type (lattice, monopole, etc.): Monopole

Guy-wired? (y/n) No No. Bands: N/A Total No. Wires: N/A

Lighting (Security & Aviation): N/A

If tower will be lighted or guy-wired, complete items 5-19. If not, complete only items 19 and 20.

5. Area of tower footprint in acres or square feet: _____
6. Length and width of access road in feet: _____
7. General description of terrain – mountainous, rolling hills flat to undulation, etc. Photographs of the site and surrounding area are beneficial:

8. Meteorological conditions (incidence of fog, low ceilings, etc.): _____
9. Soil type(s): _____

10. Habitat types and land use on and adjacent to the site, by acreage and percentage of total:

11. Dominant vegetative species in each habitat:_____

12. Average diameter breast height of dominant tree species in forested areas:_____

13. Will construction at this site cause fragmentation of a larger block of habitat into two or more smaller blocks? (y/n)_____ If yes, describe:_____

14. Is evidence of birds roosts or rookeries present? (y/n)____ If yes, describe:_____

15. Distance to nearest wetland area (forested swamp, march, riparian, marine, etc.), and coastline if applicable:_____

16. Distance to nearest telecommunications tower:_____

17. Potential for co-location of antennas on existing towers or other structures: _____

18. Have measures been incorporated to minimizing impacts to migratory birds? (y/n)_____

19. Has an evaluation been made to determine if proposed facility may affect listed or proposed endangered or threatened species or their habitat as required by FCC regulation at 47 CFR 1.1307(a)(3)? (y/n) Yes If, yes present findings: The proposed undertaking is unlikely to jeopardize federally threatened or endangered species.

20. Additional information required:

APPENDIX E

Qualified Biologist Resume



Ben Salter

Principal Scientist

1340 Patton Avenue, Suite K, Asheville, NC 28806

(828) 505-0755

ben.salter@eca-usa.com

EDUCATION

Western Carolina University

Master of Science, Biology, August 2004

Cullowhee, NC

Georgia College & State University

Bachelor of Science, Biology, December 1998

Chemistry Minor

Milledgeville, GA

Short Courses/Specialized Training

GA DOT Coastal Wetland Plant Identification w/ Dr. Bob Mohlenbrock, 2010

Airports Council International – North American NEPA Workshop, 2009

NC State Stream Restoration Design Principles, 2007

Southeastern Watershed Roundtable, 2006

Rosgen Level 1 – Applied Fluvial Geomorphology, 2006

VDEQ Stream Impact and Compensation Assessment Manual Workshop, 2006

VIMS Perennial Stream Workshop, 2005

VA Association of Wetlands Professionals Regulatory Update, 2005

Brunswick, GA

Kansas City, MO

Asheville, NC

Asheville, NC

Asheville, NC

Norfolk, VA

Gloucester, VA

Williamsburg, VA

PROFESSIONAL REGISTRATIONS

National Registry of Environmental Professionals, Registered Environmental Professional, 2007 to present

PROFESSIONAL EXPERIENCE

November 2007 – Present

Environmental Corporation of America

Asheville, NC

Position: Principal Scientist, Office Manager

Responsibilities:

Principal Scientist for Phase I ESA, NEPA, Ecological, and Wetlands related projects; Manager of ECA's Asheville, NC office; Responsible for client management, final review, oversight, and/or field effort for ecological and wetlands related projects, preparation of wetlands and ecological permitting documents; review of Phase I ESA, environmental, and NEPA documents.

April 2006 – November 2007

Blue Ridge Ecological

Waynesville, NC

Position: Principal Scientist, Partner

Responsibilities:

Partner/Principal Scientist in natural resource management firm focused on fisheries/lake management, watershed assessment, water quality monitoring, and biological assessment.

January 2005 – November 2007

Malcolm Pirnie, Inc.

Newport News, VA

Position: Project Environmental Scientist

Responsibilities:

Wetland and Stream Scientist, National Environmental Policy Act Specialist, and Environmental Scientist; Primary responsibilities included EA and EIS writer, wetland and stream field scientist, and environmental site assessor.

August 2002 – December 2004

Western Carolina University

Cullowhee, NC

Position: Research and Teaching Assistant

Responsibilities:

Fisheries Scientist and Biology/Ecology Laboratory Instructor

May 2003 – September 2003 **United States Forest Service**

Asheville, NC

Position: Biological Science Technician

Responsibilities:

Fisheries scientist for southern Appalachian brook trout project. Collected brook trout tissue samples in headwater streams throughout Western North Carolina and conducted genetic analysis for determining origin.

January 1999 – May 2001

Environmental Corporation of America

Alpharetta, GA

Position: Project Scientist/Manager

Responsibilities:

Project manager for various environmental projects including Phase I and II Environmental Assessments, FCC NEPA assessment, asbestos and lead-based paint inspection and abatement monitoring, cultural resource assessments, threatened and endangered species surveys, groundwater monitoring and remediation system installation, geotechnical investigation, construction materials testing, and telecommunications tower construction plan review.

JOURNAL PUBLICATIONS

Miller, JR, **EB Salter**, JB Anderson, PJ Lechler, SL Kondrad, PF Galbreath. 2005. Influence of Temporal Variations in Water Chemistry on the Pb Isotopic Compositions of Rainbow Trout (*Oncorhynchus mykiss*). Science of the Total Environment, 350, p. 204-224.

REPRESENTATIVE EXPERIENCE

USACE and NC DWQ Individual Section 404/401 Permits and CAMA Consistency

Proposed Telecommunications Facility, Carteret County, North Carolina

US Forest Service Biological Evaluation

Proposed Eastern Band of Cherokee Indians Snowbird Community Center, Nantahala National Forest, Robbinsville, North Carolina

Bureau of Land Management Biological Assessment

Right of Way Assignment Effects on *Sclerocactus glaucus*, Grand Junction, Colorado

Indiana Bat Roosting Habitat Surveys

Multitude of Proposed Telecommunications Tower Sites throughout the Southeastern United States

Environmental Impact Statement / Feasibility Study for Flood Damage Reduction and Ecosystem Restoration, US

Army Corps of Engineers and James River Water Development District, James River, South Dakota

Critical Habitat Consultation

Proposed Telecommunications Tower Facility, Norman, Oklahoma

US Department of Housing and Urban Development NEPA Environmental Assessment

Proposed Old #4 Sewer Line Replacement, Cherokee, North Carolina

US Army Corps of Engineers and Virginia Port Authority Environmental Impact Statement

Craney Island Dredged Material Disposal Area Expansion and Subsequent Virginia Port Authority Craney Island Terminal Construction, Portsmouth, Virginia

EPA 319 Watershed Management Plan

Chestatee-Chattahoochee RC&D Mud and Little Mud Creek, Habersham County, Georgia

USACE Wetland/Stream Delineations and USACE/State Section 404/401 Permitting

Alabama, Delaware, Georgia, Florida, Illinois, Louisiana, Mississippi, North Carolina, New York, Ohio, South Carolina, South Dakota, Virginia, and West Virginia

US Department of Justice NEPA Environmental Assessment

Proposed Eastern Band of Cherokee Indians Correctional Facility, Cherokee, NC

Wetlands Delineation

Over 2000 acres, City of Jacksonville Land Treatment System Expansion, Onslow County, North Carolina

Bureau of Indian Affairs NEPA Environmental Assessment

Mary Lambert Farm Road Improvement Project, Cherokee, North Carolina

FCC NEPA Evaluation and Environmental Assessment and USACE Section 404 Permitting

Proposed Telecommunications Facility, Mecklenburg County, North Carolina

US Economic Development Administration, NEPA Environmental Assessment

Proposed Eastern Band of Cherokee Indians Lower Soco Creek Sewer Line Replacement, Cherokee, North Carolina

Bureau of Indian Affairs NEPA Environmental Assessment

Old River Road Improvement Project, Cherokee, NC

US Forest Service NEPA Environmental Assessment

Proposed Eastern Band of Cherokee Indians Snowbird Community Center, Nantahala National Forest, Robbinsville, North Carolina

Multi-Day Active Osprey Nest Monitoring

Telecommunications Tower Activities, Wilmington Island, GA

Individual Permit Application and State Environmental Policy Act Documentation

City of Jacksonville Land Treatment System Expansion, Onslow County, North Carolina

USACE and FDEP Wetlands Individual Permit and Mitigation

Proposed Telecommunications Facility, Walton County, Florida

USACE and St. Johns River Water Management District Wetlands Permitting and Mitigation

Proposed Telecommunications Facility, Fellsmere, FL

USACE and St. Johns River Water Management District Wetlands Permitting and Mitigation

Proposed Telecommunications Facility, Jacksonville, FL

Bureau of Indian Affairs NEPA Environmental Assessment

Hunting Boy Branch Road Improvement Project, Graham County, North Carolina

Federal Communications Commission NEPA Investigations

Combined Project Manager and Project Principal Participation in Thousands of Projects Nationwide

Protected Species Evaluations/ USFWS and State Wildlife Agency Consultations

Combined Project Manager and Project Principal Participation in Thousands of Projects Nationwide

Intensive Survey for the Federally Threatened Dwarf-Flowered Heartleaf

Multiple Projects, Western North Carolina

Evaluation of Ecosystem Restoration and Flood Damage Reduction Measures on the Federally Endangered Topeka Shiner

James River Basin, South Dakota

Wetland Delineation and Mapping of Eastern Band of Cherokee Indians Reservation

Cherokee, North Carolina

Telecommunications Tower Osprey Nesting Survey

Greensboro, North Carolina

Phase I Environmental Site Assessments

Combined Project Manager and Project Principal Participation in Thousands of Projects Nationwide

Phase II Environmental Assessments, UST Removals, Groundwater Monitoring Events, and Petroleum and Chlorinated Solvent Remediation System Installations

Multiple Projects in Southeastern and Midwest United States

Water Quality Testing and Benthic and Fish Assessment

City of Hiawassee, Hiawassee, Georgia

Ecological Risk Assessment

Brown's Lake, Fort Eustis, Newport News, Virginia

Benthic, Geomorphology, and Water Quality Evaluation

Upper Occoquan Sewage Authority, Bull Run, Manassas, Virginia

Fisheries Assessment and Management Plan Development

Lake Lure, North Carolina

Fisheries Assessment and Management Plan Development

Lake Ravenel, Highlands, North Carolina

Brook Trout Genetic Typing, Population Estimate, Habitat Survey, and Restoration

Multiple Projects throughout Western North Carolina

VA Environmental Impact Reports

Multiple Projects for Virginia Port Authority and Virginia Department of Juvenile Justice

Evaluation of Lead Isotopic Composition of Freshwater Snails of Richland Creek Basin

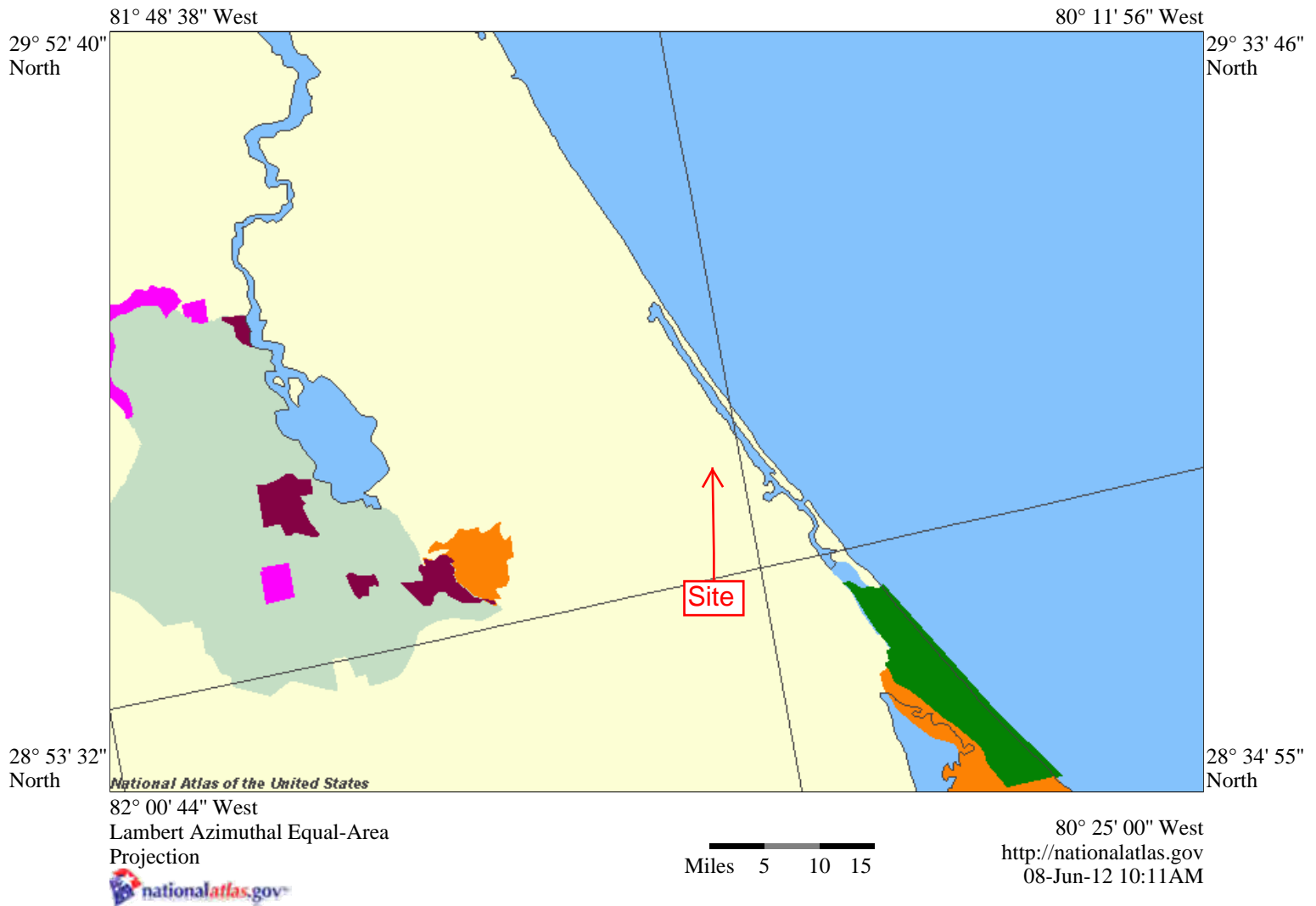
Masters Thesis, Waynesville, North Carolina

Asbestos and Lead-Based Paint Inspections, Abatement Monitoring, and Preparation of Abatement Specifications

Multiple Projects throughout Georgia

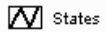
Geotechnical Investigations and Construction Material Testing

Cell Tower and Fiber Optic Communications Infrastructure – Multiple Projects Nationwide



Boundaries

States

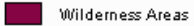
Source: [U. S. Geological Survey](http://www.usgs.gov)

States

Wilderness Preservation System Areas

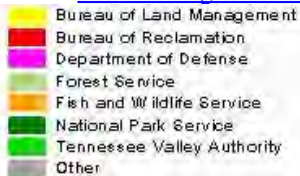
Source: [U. S. Geological Survey](http://www.usgs.gov)

Layer partially covered by another layer



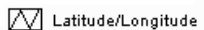
Wilderness Areas

Federal Lands

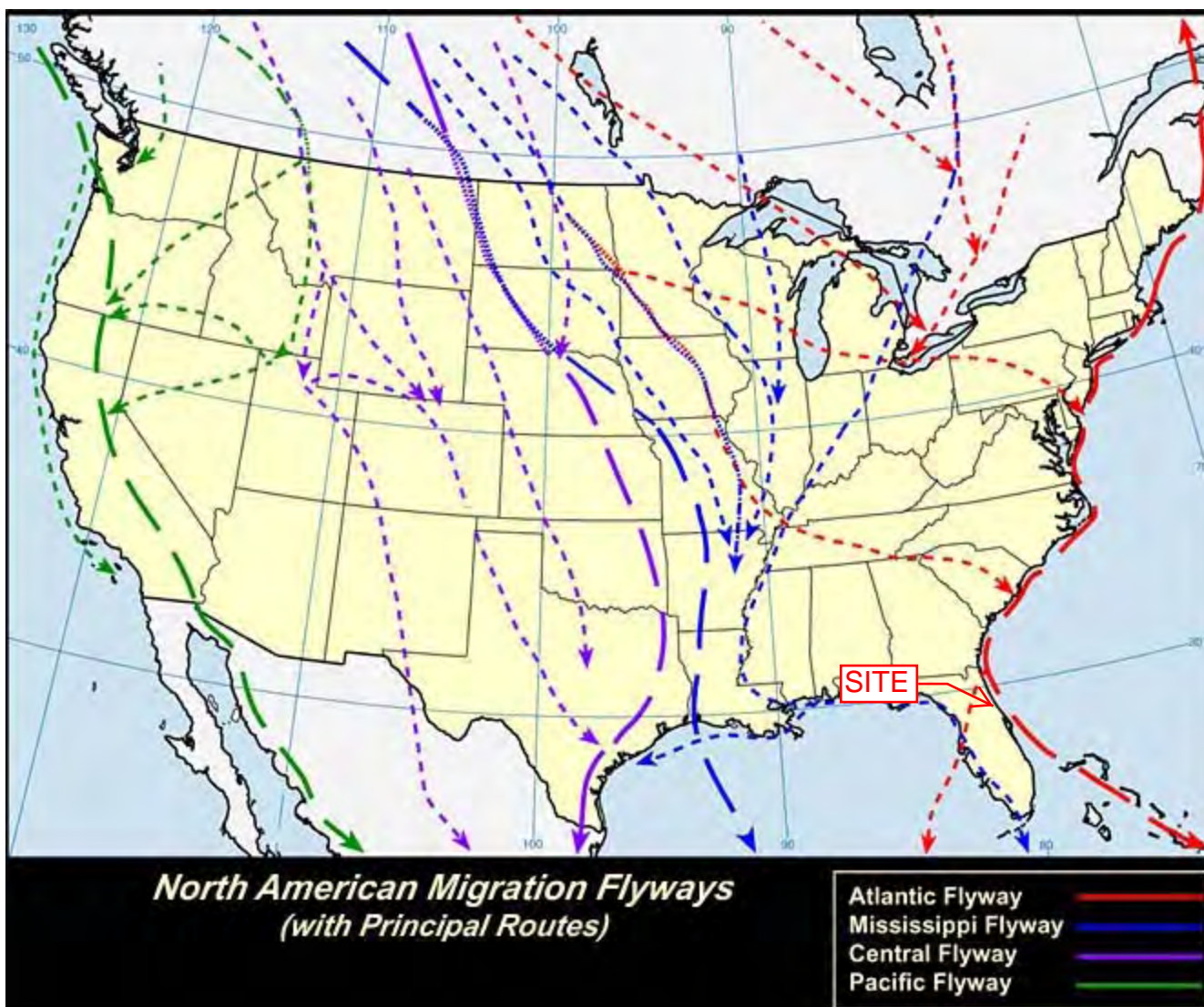
Source: [U. S. Geological Survey](http://www.usgs.gov)

Map Reference

Latitude/Longitude

Source: [U.S. Geological Survey](http://www.usgs.gov)

Latitude/Longitude



APPENDIX E

Historic and Archaeological Documentation



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

RECEIVED
APR 13 2012
BY: MTB- ECA

KEN DETZNER
Secretary of State

Mr. Matthew Beazley
Environmental Corp. of America
1375 Union Hill Industrial Court
Suite A
Alpharetta, GA 30004

April 6, 2012

RE: DHR Project File No.: 2012-1415 / Received by DHR: 4/2/2012
Federal Communication Commission
Capital Telecom Towers
Port Orange Tower
4015 S. Williamson Blvd.
Port Orange, Volusia County

Dear Mr. Beazley:

Our office reviewed the referenced project for possible impact to historic properties listed, or eligible for listing, in the National Register of Historic Places. The review was conducted in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, 36 CFR Part 800: Protection of Historic Properties, and the National Environmental Policy Act of 1969, as amended.

Based on the information provided, it is the opinion of this office that the proposed undertaking will have no effects directly and no effects visually on historic properties

If you have any questions concerning our comments, please contact Gail Shropshire, Site Specialist, by electronic mail gshropshire@dos.state.fl.us, or at 850.245.6333.

Sincerely,

Laura A. Kammerer
Deputy State Historic Preservation Officer
For Review and Compliance

DIVISION OF HISTORICAL RESOURCES

R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
Telephone: 850.245.6300 • Facsimile: 850.245.6436 • www.flheritage.com
Commemorating 500 years of Florida history www.fl500.com





ENVIRONMENTAL CORPORATION OF AMERICA

ENVIRONMENTAL | GEOTECHNICAL | WETLANDS | ECOLOGY | CULTURAL RESOURCES

Section 106 Review

TCNS ID 83966

Proposed 180-Foot Overall Height Monopole
Telecommunications Structure

Capital Telecom Site (Port Orange, FL)

4015 S. Williamson Blvd.
Port Orange, Volusia County,
Florida

ECA Project No. N-447



SUBMITTED TO:

Division of Historical Resources
Office of Compliance and Review
500 S. Bronough Street, Room 423
Tallahassee, FL 32399-0250

PREPARED BY:

Environmental Corporation of America
1375 Union Hill Industrial Court, Suite A
Alpharetta, GA 30004



ENVIRONMENTAL CORPORATION OF AMERICA

ENVIRONMENTAL | GEOTECHNICAL | WETLANDS | ECOLOGY | CULTURAL RESOURCES

March 30, 2012

Division of Historical Resources
Office of Compliance and Review
500 S. Bronough Street, Room 423
Tallahassee, FL 32399-0250

Attention: **Ms. Laura Kammerer**
Historic Preservation Supervisor

Subject: **Section 106 Review**
TCNS # 83966
Proposed 180-Foot Overall Height
Monopole Telecommunications Structure
Capital Telecom Site (Port Orange, FL)
4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida
ECA Project # N-447

Dear Ms. Kammerer:

Environmental Corporation of America's (ECA) client, Capital Telecom Acquisitions, LLC, is proposing to lease a 60-foot by 60-foot (18m by 18m) area for the construction of a telecommunications facility as described in the following FCC Form 620, New Tower (NT) Submission Packet. The facility would consist of a fenced compound surrounding a 180-foot (55m) overall height monopole telecommunications structure and associated ground-level support equipment. The facility would be accessible by an approximate 630-foot long by 15-foot wide (192m by 5m) access/utility easement.

ECA has identified and evaluated Historic Properties within the Area of Potential Effect (APE) for visual and direct effects as directed in Sections VI.D.1 and 2 of the Nationwide Programmatic Agreement, effective on March 7, 2005. We have found no properties listed in or eligible for the National Register of Historic Places (NRHP) within either APE.

A search of the Florida Master Site File (FMSF) identified no previously recorded historic structures within the ½-mile APE for visual effects.

An Archaeological Assessment was conducted within the APE for direct effects. During our research with the FMSF, we found no previously identified archaeological sites or surveys

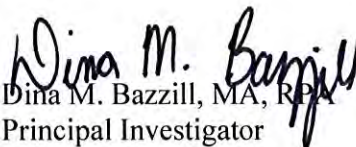
located within a ¾-mile background research radius of the project area. During our fieldwork, we discovered no archaeological sites and uncovered no archaeological cultural artifacts (see Attachment E-1c). Based on our findings, we recommend no further consultation under Section 106 Review of the National Historic Preservation Act for this proposed undertaking.

Based on this documentation, prepared in accordance with the Nationwide Programmatic Agreement effective March 7, 2005, ECA believes that this proposed facility would have no effect on any historic properties identified in accordance with the NPA. Therefore, we recommend a finding of "No Effect" for the proposed undertaking.

We are submitting this letter, on behalf of Capital Telecom Acquisitions, LLC, to seek concurrence with this finding and to comply with Federal Communications Commission (FCC) requirements as identified in 47 CFR 1.1307. We request your concurrence with our finding. Please contact our office with any questions or comments.

Sincerely,
Environmental Corporation of America


Matthew Beazley, MA, RPA
Project Archaeologist


Dina M. Bazzill, MA, RPA
Principal Investigator

**FCC Wireless Telecommunications Bureau
New Tower ("NT") Submission Packet**

Approved by OMB

3060 – 1039

See instructions for
public burden estimates

General Information

1) (Select only one) (NE) NE – New UA – Update of Application WD – Withdrawal of Application	
2) If this application is for an Update or Withdrawal, enter the file number of the pending application currently on file.	File Number:

Applicant Information

3) FCC Registration Number (FRN):
4) Name: Capital Telecom Acquisitions, LLC

Contact Name

5) First Name: Marc	6) MI:	7) Last Name: Harris	8) Suffix:
9) Title:			

Contact Information

10) P.O. Box:	And /Or	11) Street Address: 1500 Mt. Kemble Avenue, Suite 203	
12) City: Morristown		13) State: NJ	14) Zip Code: 07960
15) Telephone Number: 973-425-0606		16) Fax Number:	
17) E-mail Address: MHarris@CapitalTelecomSites.com			

Consultant Information

18) FCC Registration Number (FRN): 0011662921
19) Name: Environmental Corporation of America

Principal Investigator

20) First Name: Dina	21) MI: M	22) Last Name: Bazzill	23) Suffix:
24) Title: MA, RPA-Principal Archaeologist / Principal Historian			

Principal Investigator Contact Information

25) P.O. Box:	And /Or	26) Street Address: 1375 Union Hill Industrial Court, Suite A	
27) City: Alpharetta		28) State: GA	29) Zip Code: 30004
30) Telephone Number: 770-667-2040 Ext. 111		31) Fax Number: 770-667-2041	
32) E-mail Address: dina.bazzill@eca-usa.com			

Professional Qualification

33) Does the Principal Investigator satisfy the Secretary of the Interior's Professional Qualification Standards?	(<input checked="" type="checkbox"/>) <u>Y</u> es () <u>N</u> o
34) Areas of Professional Qualification: (<input checked="" type="checkbox"/>) Archaeologist () Architectural Historian (<input checked="" type="checkbox"/>) Historian () Architect () Other (Specify) _____	

Additional Staff

35) Are there other staff involved who meet the Professional Qualification Standards of the Secretary of the Interior?	(<input checked="" type="checkbox"/>) <u>Y</u> es () <u>N</u> o
--	--

If "Yes", complete the following:

36) First Name: Matthew	37) MI:	38) Last Name: Beazley	39) Suffix:
40) Title: MA/RPA - Project Archaeologist			
41) Areas of Professional Qualification: (<input checked="" type="checkbox"/>) Archaeologist () Architectural Historian (<input checked="" type="checkbox"/>) Historian () Architect () Other (Specify) _____			

This page may be copied to include additional staff.**Consultant Information Attachments required – See instructions for details.**

Site Information

Tower Construction Notification System

1) TCNS Notification Number: **83966**

Site Information

2) Site Name: **Capital Telecom Site (Port Orange, FL)**

3) Site Address: **4015 S. Williamson Blvd.**

4) City: **Port Orange**

5) State: **FL**

6) Zip Code: **32129**

7) County/Borough/Parish: **Volusia**

8) Nearest Crossroads: **S. Williamson Blvd. & Madeline Ave.**

9) NAD 83 Latitude (DD-MM-SS.S): **29-08-17.6**

(☒) **N** or () **S**

10) NAD 83 Longitude (DD-MM-SS.S): **81-03-09.1**

() **E** or (☒) **W**

Tower Information

11) Tower height above ground level (include top-mounted attachments such as lightning rods): **180** (☒) Feet () Meters

12) Tower Type (Select One):

() Guyed lattice tower

() Self-supporting lattice

(☒) Monopole

() Other (Describe):

Project Status

13) Current Project Status (Select One):

(☒) Construction has not yet commenced

() Construction has commenced, but is not completed

Construction commenced on: ____/____/____

() Construction has been completed

Construction commenced on: ____/____/____

Construction completed on: ____/____/____

Site Information Attachments required – See instructions for details.

Determination of Effect**14) Direct Effects (Select One):**

- (☒) No Historic Properties in Area of Potential Effects (APE)
(☐) No Effect on Historic Properties in APE
(☐) No Adverse Effect on Historic Properties in APE
(☐) Adverse Effect on one or more Historic Properties in APE

15) Visual Effects (Select One):

- (☒) No Historic Properties in Area of Potential Effects (APE)
(☐) No Effect on Historic Properties in APE
(☐) No Adverse Effect on Historic Properties in APE
(☐) Adverse Effect on one or more Historic Properties in APE

Determination of Effect Attachments required – See instructions for details.

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects? (<input checked="" type="checkbox"/>) Yes () No	
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>83966</u>	Number of Tribes/NHOs: <u>5</u>
2b) Tribes/NHOs contacted through an alternate system: None	Number of Tribes/NHOs: <u>NA</u>

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: Coushatta Indian Tribe

Contact Name

5) First Name: Linda	6) MI: P	7) Last Name: Langley	8) Suffix:
9) Title: THPO			

Dates & Response

10) Date Contacted <u>3/23/12</u>	11) Date Replied _____
() No Reply	
() Replied/No Interest	
() Replied/Have Interest	
(<input checked="" type="checkbox"/>) Replied/Other <u>Requested Section 106 Review documentation and review fee</u>	

This page may be copied to include additional Tribes/NHOs contacted.

Tribal/NHO Involvement Attachments may be required – See instructions for details.

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects? (<input checked="" type="checkbox"/>) Yes () No	
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>83966</u>	Number of Tribes/NHOs: <u>5</u>
2b) Tribes/NHOs contacted through an alternate system: <u>None</u>	Number of Tribes/NHOs: <u>NA</u>

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <u>Miccosukee Tribe of Indians of Florida</u>

Contact Name

5) First Name: <u>Fred</u>	6) MI:	7) Last Name: <u>Dayhoff</u>	8) Suffix:
9) Title: <u>NAGPRA & Section 106 Representative</u>			

Dates & Response

10) Date Contacted <u>3/23/12</u>	11) Date Replied _____
() No Reply	
() Replied/No Interest	
() Replied/Have Interest	
(<input checked="" type="checkbox"/>) Replied/Other <u>Requested 30-Day Response Limit Agreement</u>	

This page may be copied to include additional Tribes/NHOs contacted.

Tribal/NHO Involvement Attachments may be required – See instructions for details.

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects? (<input checked="" type="checkbox"/>) Yes () No	
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>83966</u>	Number of Tribes/NHOs: <u>5</u>
2b) Tribes/NHOs contacted through an alternate system: <u>None</u>	Number of Tribes/NHOs: <u>NA</u>

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <u>Seminole Tribe of Florida</u>

Contact Name

5) First Name: <u>Elliott</u>	6) MI:	7) Last Name: <u>York</u>	8) Suffix:
9) Title: <u>Archaeological Data Analyst</u>			

Dates & Response

10) Date Contacted <u>3/23/12</u>	11) Date Replied _____
() No Reply	
() Replied/No Interest	
() Replied/Have Interest	
(<input checked="" type="checkbox"/>) Replied/Other <u>Requested Section 106 Review documentation and review fee</u>	

This page may be copied to include additional Tribes/NHOs contacted.

Tribal/NHO Involvement Attachments may be required – See instructions for details.

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects?		(<input checked="" type="checkbox"/>) Yes () No
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>83966</u>		Number of Tribes/NHOs: <u>5</u>
2b) Tribes/NHOs contacted through an alternate system: <u>None</u>		Number of Tribes/NHOs: <u>NA</u>

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: <u>Seminole Nation of Oklahoma</u>

Contact Name

5) First Name: <u>NA</u>	6) MI:	7) Last Name: <u>NA</u>	8) Suffix:
9) Title: <u>Historic Preservation Officer</u>			

Dates & Response

10) Date Contacted <u>3/23/12</u>	11) Date Replied _____
() No Reply	
() Replied/No Interest	
() Replied/Have Interest	
(<input checked="" type="checkbox"/>) Replied/Other <u>Requested 30-Day Response Limit Agreement</u>	

This page may be copied to include additional Tribes/NHOs contacted.

Tribal/NHO Involvement Attachments may be required – See instructions for details.

Tribal/NHO Involvement

1) Have Indian Tribes or Native Hawaiian Organizations (NHOs) been identified that may attach religious and cultural significance to historic properties which may be affected by the undertaking within the APEs for direct and visual effects? (<input checked="" type="checkbox"/>) Yes () No	
2a) Tribes/NHOs contacted through TCNS Notification Number: <u>83966</u>	Number of Tribes/NHOs: <u>5</u>
2b) Tribes/NHOs contacted through an alternate system: None	Number of Tribes/NHOs: <u>NA</u>

Tribe/NHO Contacted Through TCNS

3) Tribe/NHO FRN:
4) Tribe/NHO Name: Muscogee Creek Nation

Contact Name

5) First Name: Emman	6) MI:	7) Last Name: Spain	8) Suffix:
9) Title: Deputy THPO			

Dates & Response

10) Date Contacted <u>3/23/12</u>	11) Date Replied _____
() No Reply	
() Replied/No Interest	
() Replied/Have Interest	
(<input checked="" type="checkbox"/>) Replied/Other <u>Requested Initial Notification, Section 106 Review documentation, and review fee</u>	

This page may be copied to include additional Tribes/NHOs contacted.

Tribal/NHO Involvement Attachments may be required – See instructions for details.

Other Tribes/NHOs Contacted

Tribe/NHO Information

1) FCC Registration Number (FRN):
2) Name: NA

Contact Name

3) First Name:	4) MI:	5) Last Name:	6) Suffix:
7) Title:			

Contact Information

8) P.O. Box:	And /Or	9) Street Address:	
10) City:		11) State:	12) Zip Code:
13) Telephone Number:		14) Fax Number:	
15) E-mail Address:			
16) Preferred means of communication: () E-mail () Letter () Both			

Dates & Response

17) Date Contacted ____/____/____	18) Date Replied ____/____/____
() No Reply	
() Replied/No Interest	
() Replied/Have Interest	
() Replied/Other _____	

This page may be copied to include additional Tribes/NHOs.

Historic Properties

Properties Identified

1) Have any historic properties been identified within the APEs for direct and visual effect?	() <u>Yes</u> (<input checked="" type="checkbox"/>) <u>No</u>
2) Has the identification process located archaeological materials that would be directly affected, or sites that are of cultural or religious significance to Tribes/NHOs?	() <u>Yes</u> (<input checked="" type="checkbox"/>) <u>No</u>
3) Are there more than 10 historic properties within the APEs for direct and visual effect? If "Yes", you are required to attach a Cultural Resources Report in lieu of adding the Historic Property below.	() <u>Yes</u> (<input checked="" type="checkbox"/>) <u>No</u>

Historic Property

4) Property Name:
5) SHPO Site Number:

Property Address

6) Street Address:		
7) City:	8) State:	9) Zip Code:
10) County/Borough/Parish:		

Status & Eligibility

11) Is this property listed on the National Register? Source: _____	() <u>Yes</u> () <u>No</u>
12) Is this property eligible for listing on the National Register? Source: _____	() <u>Yes</u> () <u>No</u>
13) Is this property a National Historic Landmark?	() <u>Yes</u> () <u>No</u>

14) Direct Effects (Select One): () No Effect on this Historic Property in APE () No Adverse Effect on this Historic Property in APE () Adverse Effect on this Historic Property in APE
15) Visual Effects (Select One): () No Effect on this Historic Property in APE () No Adverse Effect on this Historic Property in APE () Adverse Effect on this Historic Property in APE

This page may be copied to include additional Historic Properties.
Historic Property Attachments required – See Instructions for details.

Local Government Involvement

Local Government Agency

1) FCC Registration Number (FRN):
2) Name: Port Orange Community Development Department

Contact Name

3) First Name:	4) MI:	5) Last Name:	6) Suffix:
7) Title: To Whom It May Concern			

Contact Information

8) P.O. Box:	And /Or	9) Street Address: 1000 City Center Circle	
10) City: Port Orange		11) State: FL	12) Zip Code: 32129
13) Telephone Number: 386-506-5600		14) Fax Number:	
15) E-mail Address:			
16) Preferred means of communication: () E-mail (<input checked="" type="checkbox"/>) Letter () Both			

Dates & Response

17) Date Contacted 3 / 20 / 12	18) Date Replied ____ / ____ / ____
(<input checked="" type="checkbox"/>) No Reply	
() Replied/No Interest	
() Replied/Have Interest	
() Replied/Other _____	

Additional Information

19) Information on local government's role or interest (optional):
--

This page may be copied to include additional local government agencies.
Local Government Attachments required – See instructions for details.

Other Consulting Parties

Other Consulting Parties Contacted

1) Has any other agency been contacted and invited to become a consulting party?	(<input checked="" type="checkbox"/>) Yes () No
--	---

Consulting Party

2) FCC Registration Number (FRN):
3) Name: Volusia County Genealogical Society

Contact Name

4) First Name:	5) MI:	6) Last Name:	7) Suffix:
8) Title: To Whom It May Concern			

Contact Information

9) P.O. Box: 2039	And /Or	10) Street Address:	
11) City: Daytona Beach		12) State: FL	13) Zip Code: 32115-2039
14) Telephone Number:		15) Fax Number:	
16) E-mail Address:			
17) Preferred means of communication: () E-mail (<input checked="" type="checkbox"/>) Letter () Both			

Dates & Response

18) Date Contacted 3 / 20 / 12	19) Date Replied ____ / ____ / ____
() No Reply	
() Replied/No Interest	
() Replied/Have Interest	
() Replied/Other _____	

Additional Information

20) Information on other consulting parties' role or interest (optional):

This page may be copied to include additional consulting parties.
Consulting Parties Attachments required – See instructions for details.

Other Consulting Parties

Other Consulting Parties Contacted

1) Has any other agency been contacted and invited to become a consulting party?	(<input checked="" type="checkbox"/>) Yes (<input type="checkbox"/>) No
--	---

Consulting Party

2) FCC Registration Number (FRN):
3) Name: Ormond Beach Historical Society

Contact Name

4) First Name:	5) MI:	6) Last Name:	7) Suffix:
8) Title: To Whom It May Concern			

Contact Information

9) P.O. Box:	And /Or	10) Street Address: 38 E. Granada Blvd.	
11) City: Ormond Beach		12) State: FL	13) Zip Code: 32176
14) Telephone Number:		15) Fax Number:	
16) E-mail Address:			
17) Preferred means of communication: (<input type="checkbox"/>) E-mail (<input checked="" type="checkbox"/>) Letter (<input type="checkbox"/>) Both			

Dates & Response

18) Date Contacted 3 / 20 / 12	19) Date Replied ____ / ____ / ____
(<input checked="" type="checkbox"/>) No Reply	
(<input type="checkbox"/>) Replied/No Interest	
(<input type="checkbox"/>) Replied/Have Interest	
(<input type="checkbox"/>) Replied/Other _____	

Additional Information

20) Information on other consulting parties' role or interest (optional):

This page may be copied to include additional consulting parties.
Consulting Parties Attachments required – See instructions for details.

Designation of SHPO/THPO

1) Designate the Lead State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO) based on the location of the tower.

SHPO/THPO

Name: Ms. Laura Kammerer - Historic Preservation Supervisor

2) You may also designate up to three additional SHPOs/THPOs if the APEs include multiple states. If the APEs include other countries, enter the name of the National Historic Preservation Agency and any state and provincial Historic Preservation Agency.

SHPO/THPO Name: _____

SHPO/THPO Name: _____

SHPO/THPO Name: _____

Designation of SHPO/THPO Attachments may be required – See instructions for details.

Certification

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

Party Authorized to Sign

First Name: Dina

MI: M

Last Name: Bazzill

Suffix: _____

Signature: Dina M. Bazzill - MA, RPA

Date: 3/29/12

FAILURE TO SIGN THIS APPLICATION MAY RESULT IN DISMISSAL OF THE APPLICATION AND FORFEITURE OF ANY FEES PAID.

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).

Attachment A

Consultant Information

Resume/Curriculum Vitae



Dina M. Bazzill, MA, RPA

Principal Archaeologist/Historian

1375 Union Hill Industrial Court, Suite A, Alpharetta, GA 30004

(770) 667-2040 Ext. 111

dina.bazzill@eca-usa.com

EDUCATION

East Carolina University

M.A., Maritime Studies

Graduated: May 2007

GPA: 3.89/4.0

Greenville, NC

Southwest Missouri State University

B.A., Anthropology, minor in Antiquities

Graduated: May 2004, Magna Cum Laude

GPA: 3.8/4.0

Springfield, MO

PROFESSIONAL CERTIFICATIONS

Secretary of the Interior's 36CFR61 Professional Qualification Standards for Archaeology and History since 2007

Register of Professional Archaeologist since 2007

Section 106 Training Certification from SRI Foundation, 2009

Advanced Section 106 Training Certification from the Advisory Council on Historic Preservation, 2009

NEPA Compliance and Cultural Resources Training Certification from the National Preservation Institute, 2009

Section 4 (f) Compliance for Historic Properties Training Certification from the National Preservation Institute, 2009

Identification and Management of Traditional Cultural Properties Training Certification from the National Preservation Institute, 2009

Tribal Consultation Training Certification from the SRI Foundation, 2010

RELATED EMPLOYMENT

June 2007 – Present

Environmental Corporation of America

Alpharetta, GA

Position: Principal Investigator

Responsibilities:

- Archaeological and historical research.
- Conducting archaeological and historical site assessments for Section 106 compliance.
- Authoring Section 106/archaeological assessment/phase one environmental impact reports for submission to clients, SHPO offices, tribes, consulting parties, and other state agencies.

REPRESENTATIVE EXPERIENCE

June 2007 - Present

Section 106 Cell Tower Evaluations

USA

Dina M. Bazzill, Principal Archaeologist/Historian

Goals: The scope of work for these projects has included over 100 archaeological and historic standing structures site assessments for the Section 106 review process in forty different states.

May/June 2011 **Chicago and North Western Railway Bridge Replacement: Phase I Underwater Archaeological Survey**

Oshkosh, WI

Dina M. Bazzill, Principal Archaeologist/Historian

Goals: The scope of work for this project included a Phase I side-scan sonar survey for the replacement of the Chicago and North Western Railway Line over the Fox River in Oshkosh, Winnebago County, Wisconsin. The side-scan sonar survey was performed by Jerry Guyer of Pirate's Cove Diving Inc. Dina M. Bazzill performed the necessary research, analyzed the side-scan sonar data, and prepared a report in conformance with Wisconsin Historical Society Guidelines.

Robbinsville, NC

Goals: The scope of work for this project included a survey for a proposed Eastern Band of Cherokee Indians Youth Center located on Forest Service land in Robbinsville, North Carolina. High probability landforms were tested as per Forest Service archaeological testing guidelines. Shovel tests were excavated at 65-foot intervals, where appropriate. Key staff members included Dina M. Bazzill, Field Director and John P. McCarthy, Principal Director. Dina M. Bazzill authored the report, with the assistance of John P. McCarthy.

Cherokee, NC

Goals: The scope of work for this project included a survey for a proposed jail located on the Eastern Band of Cherokee Indians reservation in Cherokee, North Carolina. The entire proposed property was systematically surveyed utilizing guidelines provided by the EBCI THPO office. Shovel tests were excavated at 65-foot intervals, where appropriate. Key staff members included Dina M. Bazzill, Project Archaeologist and John P. McCarthy, Principal Director. John P. McCarthy authored the report, with the assistance of Dina M. Bazzill.

Cherokee, NC

Goals: The scope of work for this project included a systematic survey for a proposed sewer line replacement located on the Eastern Band of Cherokee Indian Reservation in Cherokee, North Carolina. A pedestrian survey was conducted, and shovel tests were conducted as per EBCI THPO office guidelines. This entailed excavating shovel tests at 65-foot intervals, where appropriate. Crew members included Dina M. Bazzill, Field Director, who supervised Mary E. Seagrave, field technician, Dave McGlothlin, field technician, and Landon Abernethy, field technician. John P. McCarthy oversaw the fieldwork and the report preparations, with assistance from Dina M. Bazzill.

Lewis Creek, IN

Goals: The scope of work for this project included delineating a circa 1840 pioneer homestead located in Lewis Creek, Indiana in order to determine National Register of Historic Places eligibility. Dina M. Bazzill served as Principal Investigator and supervised Mary E. Seagrave, Project Archaeologist. Artifacts recovered from the field work were analyzed and photographed by Dina M. Bazzill. A Section 106 Review was prepared by Dina M. Bazzill and submitted to the Indiana State Historic Preservation Office for their review and comment.

Jamaica

Goals: The scope of work for this project included a preliminary tow board survey of Bluefields Bay, Jamaica. In addition, crew members investigated submerged artifacts identified by local fishermen. This Bay was a known center for commercial and illicit activity from the 17th to the 19th centuries. Results from the survey were assimilated into a comprehensive report on the cultural resources of the Bay and surrounding areas. Due to recent development interests in the area, this information is necessary to protect both submerged and terrestrial resources before they are lost to new development. Fieldwork for the preliminary survey was completed in May, and the report is pending.

Norcross, GA

Goals: The scope of work for this project includes a Phase I survey of a seven acre tract of land in the City of Norcross, Georgia. ECA evaluated archaeological and historic resources present within the survey area and advise the City of Norcross on how best to preserve these resources and utilize them for educational purposes. In addition, a comprehensive user friendly report was produced.

Nashville, TN

Goals: The scope of work for this project included placing 10-foot deep two trenches with the proposed APE for direct effects for a proposed cell tower located adjacent to the Harpeth River in Nashville, Tennessee. Backfill soil was selectively sampled and negative findings were recorded. A report summarizing the findings was prepared and accepted by the Tennessee Historical Commission, Division of Archaeology.



Matthew Beazley, MA, RPA

Project Archaeologist/Historian

1375 Union Hill Industrial Court, Suite A, Alpharetta, GA 30004

(770) 667-2040 Ext. 109

Matthew.beazley@eca-usa.com

EDUCATION

North Carolina State University

M.A., Liberal Studies, Anthropology emphasis, 2009

Raleigh, NC

Georgia College and State University

B.S., History, Photography minor, 2005

Milledgeville, GA

PROFESSIONAL CERTIFICATIONS

Registered Professional Archaeologist (RPA) 2010

Secretary of the Interior's 36CFR61 Professional Qualification Standards archaeology and history 2010

PROFESSIONAL EXPERIENCE

January 2010 – Present

Environmental Corporation of America

Alpharetta, GA

Position: Project Archaeologist/Historian

Responsibilities:

- Archaeological and historical research.
- Conducting archaeological and historical site assessments for Section 106 compliance.
- Authoring Section 106/archaeological assessment/phase one environmental assessment reports for submission to clients, SHPO offices, tribes, consulting parties, and other state agencies.
- Reviewing Section 106 reports.
- Authoring Fish and Wildlife species impact reports.
- Producing NEPA reports.

August 2005 – December 2009

Cultural Resources Assessment Group

Raleigh, NC

Position: Senior Archaeological Field Technician

Responsibilities/Training:

- Archaeological and Historic Research
- Cultural Resource Surveys
- Artifact analysis
- Use of AutoCAD, GIS, SketchUp, Photoshop, and Microsoft Office software
- Report writing and editing

June 2004 – July 2004

APVA Jamestown Fieldschool

Jamestown, VA

Position: Field student

June 2003 – July 2003

AAPP Fieldschool at Pompeii

Pompeii, Italy

Position: Field student

REPRESENTATIVE PROJECT EXPERIENCE

Project Manager/Archaeologist for investigations that have included National Register of Historic Places evaluation of over 200 historic structures and archaeological site assessments for the Section 106 review process under the terms of the Nationwide Programmatic Agreement in Texas, Oklahoma, Kansas, Delaware, Missouri, Illinois, Mississippi, Alabama, Idaho, Georgia, South Carolina, Tennessee, Pennsylvania, New Jersey, North Carolina, West Virginia, Wisconsin, Florida, and Virginia.

Midway & Cove Creek Rec. Area Cell Tower**Monroe, TN**

The scope of work for this project included an archaeological and historic standing structures site assessment for the Section 106 Review process and evaluation of five historic resources in the project vicinity.

Bert Adams Boy Scout Camp**Covington, GA**

The scope of work for this project included an archaeological and historic standing structures site assessment for the Section 106 Review process.

Crewes Cell Tower**Varina, VA**

The scope of work for this project included an archaeological and historic standing structures site assessment for the Section 106 Review process and evaluation of four historic Civil War Battlefields in the project vicinity.

Wilkes Barre Cell Tower**Plains, PA**

The scope of work for this project included an archaeological and historic standing structures site assessment for the Section 106 Review process.

St. Judes Church Cell Tower**Hopatcong, NJ**

The scope of work for this project included an archaeological and historic standing structures site assessment for the Section 106 Review process.

Moline Cell Tower**Moline, IL**

The scope of work for this project included an archaeological and historic standing structures site assessment for the Section 106 Review process.

Clarksville South Cell Tower**Clarksville, AR**

The scope of work for this project included an archaeological and historic standing structures site assessment for the Section 106 Review process.

Bracken Cell Tower**San Antonio, TX**

The scope of work for this project included an archaeological and historic standing structures site assessment for the Section 106 Review process.

Glasgow 1 Cell Tower**Newark, DE**

The scope of work for this project included an archaeological and historic standing structures site assessment for the Section 106 Review process and evaluation of four historic resources in the project vicinity.

Carolina Lakes Project**Fort Mill, SC**

Senior field technician for a cultural resources phase I survey of a 2,500 acre tract and subsequent phase III excavations of three sites of significance.

Doby's Bridge Project**York County, SC**

Senior field technician for a cultural resources phase I survey of a 600 acre tract and subsequent phase II testing of two sites of significance.

Wal-Mart development site monitoring**Charlotte, NC**

Monitoring of a sensitive site located within the property boundary over the course of two months as well as revisits to other sites located on the property.

Survey of the Gardendale Property**York County, SC**

Senior field technician for a phase I survey of a 450 acre property and subsequent phase II testing of one site.

PROFESSIONAL AFFILIATIONS

- The Archaeological Institute of America

Attachment B

Site Information

1: Photographs

The following photographs were taken using a digital camera from a height of 5'8".

- a:** Directional photographs taken from the Proposed Tower Site and of the associated access road.
- b:** Photographs of all listed or eligible properties within the Areas of Potential Effects, if any.
- c:** Photographs from listed or eligible properties within the Area of Potential Effects looking toward the proposed tower site, if any.
- d:** 2012 Aerial photograph showing APE for visual effects.



A: Northerly View from Near the Center of the Proposed Facility



B: Easterly View from Near the Center of the Proposed Facility

Capital Telecom Site - Port Orange, FL

4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida

Attachment B-1a: Photographs
Page 3 of 11



ECA Proj. #: N-447



C: Southerly View from Near the Center of the Proposed Facility



D: Westerly View from Near the Center of the Proposed Facility

Capital Telecom Site - Port Orange, FL

4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida

Attachment B-1a: Photographs
Page 4 of 11



ECA Proj. #: N-447



E: Northwesterly View of the Proposed Access/Utility Easement



F: Northeasterly View of the Proposed Facility

Capital Telecom Site - Port Orange, FL

4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida

Attachment B-1a: Photographs
Page 5 of 11



ECA Proj. #: N-447



G: View of Shovel Test Pit 1 (STP1)



H: Profile View of Shovel Test Pit 1 (STP1)

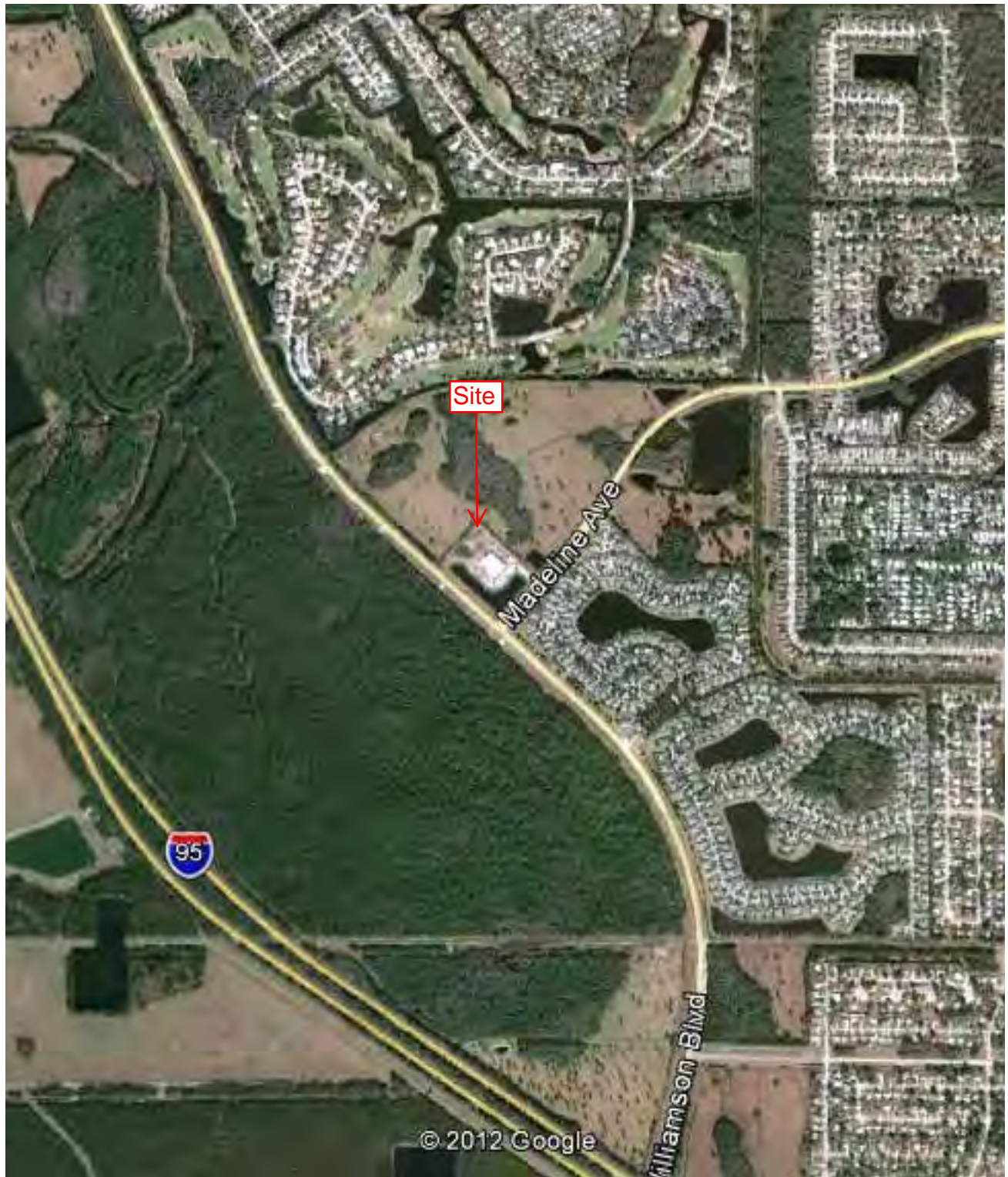
Capital Telecom Site - Port Orange, FL

4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida

Attachment B-1a: Photographs
Page 6 of 11



ECA Proj. #: N-447



Source: Google Earth 2012 Aerial Photograph

Capital Telecom Site - Port Orange, FL

4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida

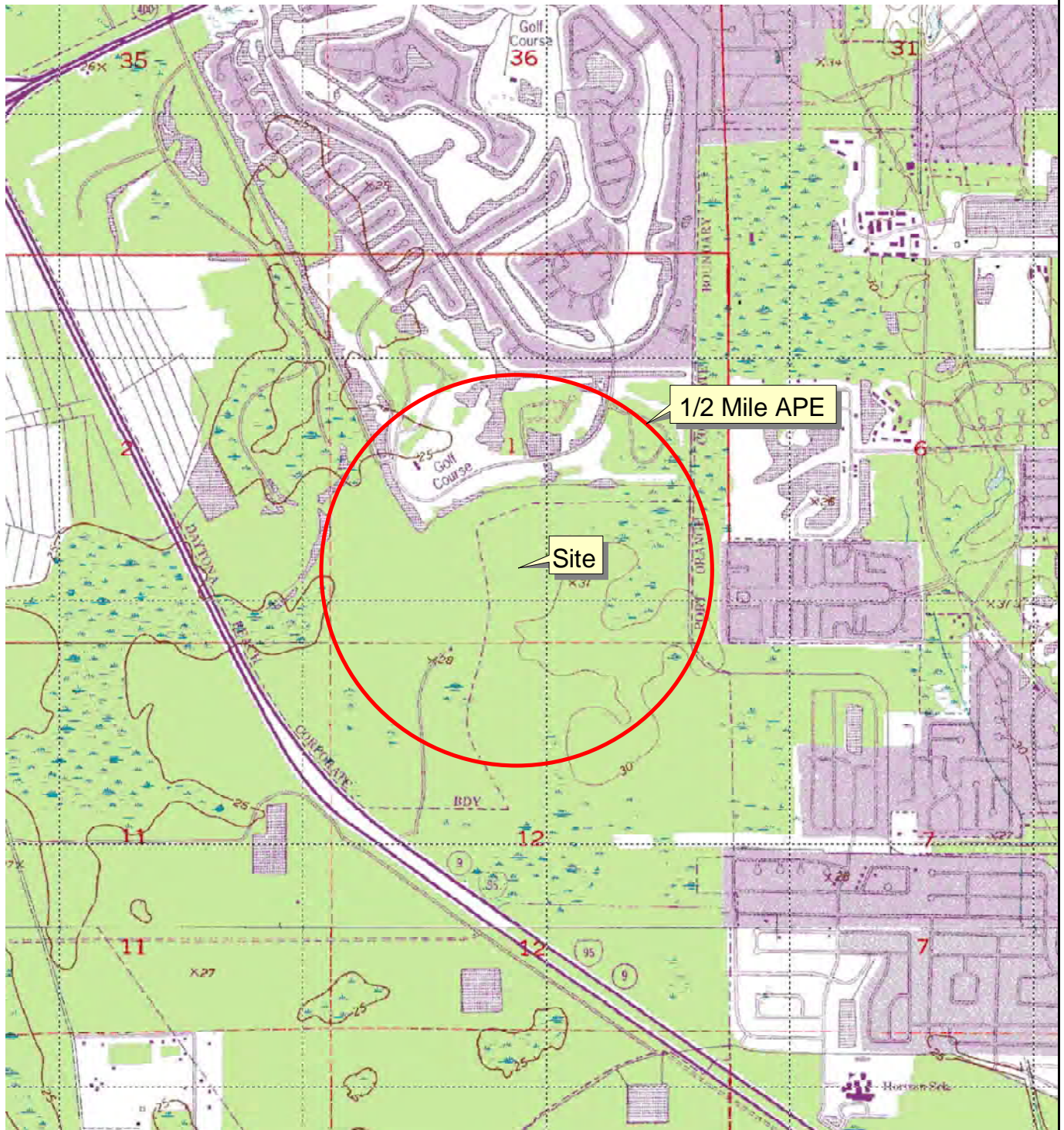
Attachment B-1d: 2012 Google Earth Aerial Photograph
Page 7 of 11



ECA Proj. # N-447

2: Maps

- a:** 7.5-Minute topographic map showing the Area of Visual Effects and the location of any identified historic properties
- b:** 7.5-Minute topographic map showing the Area of Direct Effects including any new access roads or other easements
- c:** Site Vicinity Plan showing the location of the proposed tower site, any new access roads, easements, additional structures, utility lines, fences, and excavations.



2000 0 2000 Feet

Source: USGS Topographic Quadrangle Maps, 7.5 Minute Series, Daytona Beach, FL (1952, photorevised 1993) and Samsula, FL (1952, photorevised 1993).



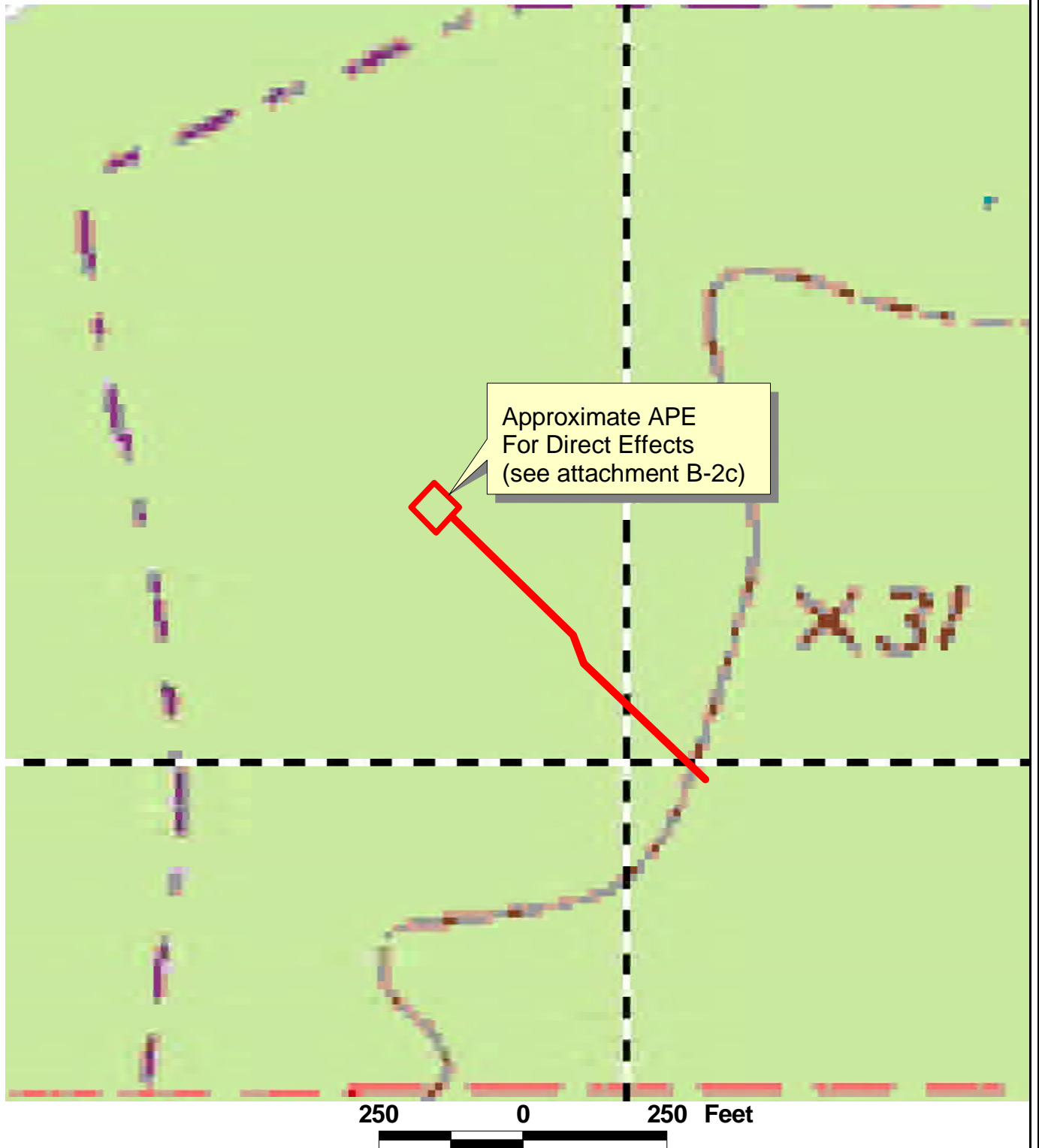
Capital Telecom Site - Port Orange, FL

4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida

Attachment B-2a: Area of Visual Effects
Page 9 of 11



ECA Proj. #: N-447



Source: USGS Topographic Quadrangle Maps, 7.5 Minute Series, Daytona Beach, FL (1952, photorevised 1993) and Samsula, FL (1952, photorevised 1993).



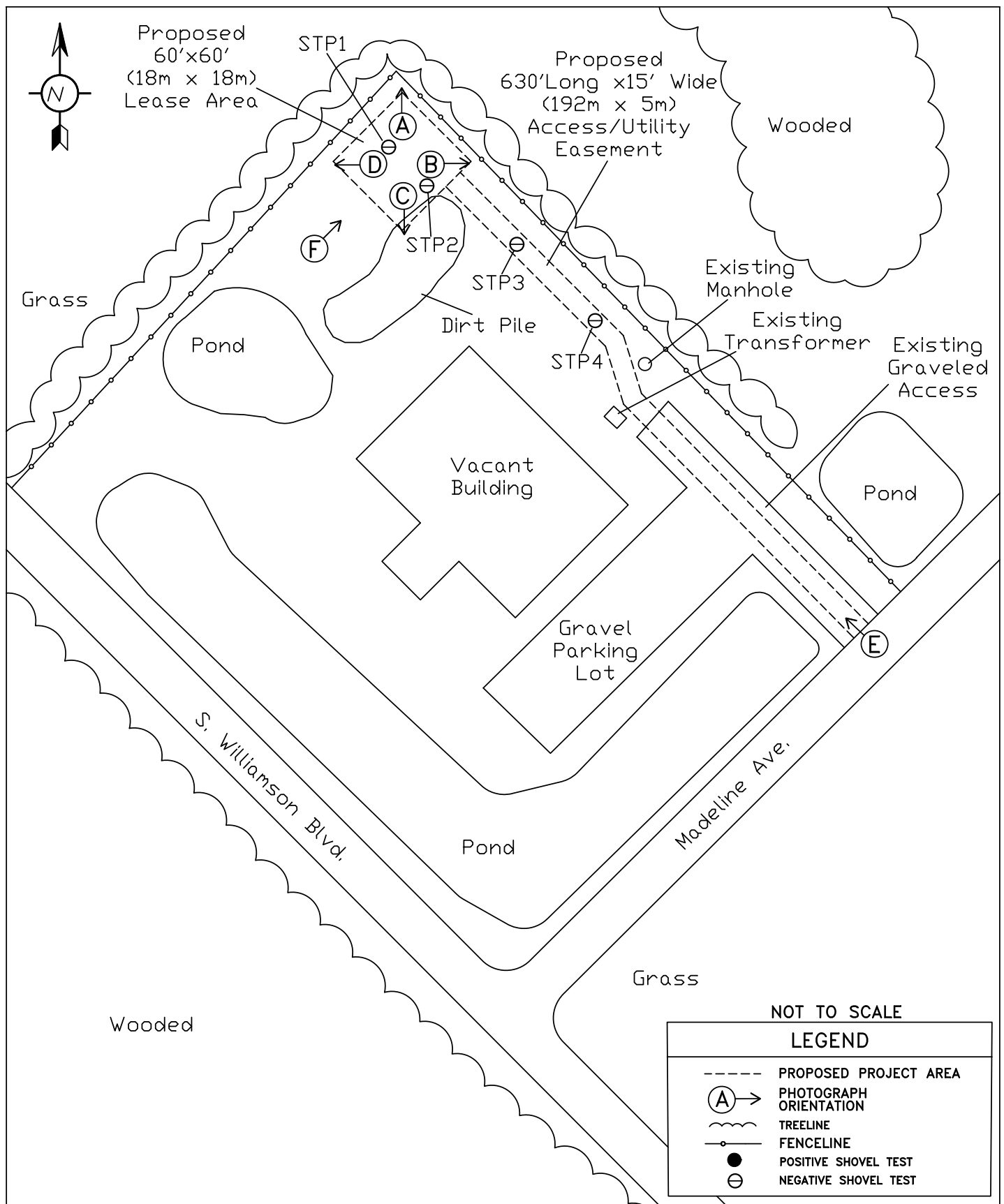
Capital Telecom Site - Port Orange, FL

4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida

Attachment B-2b: Area of Direct Effects
Page 10 of 11



ECA Proj. #: N-447



Capital Telecom Site – Port Orange, FL

4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida

Attachment B-2c: Site Vicinity Plan
Page 11 of 11

SOURCE: ECA Site Visit, Survey, &
2012 Google Earth Image

DRAWN BY: MTB DATE: 3/28/2012
FILE NAME: F:\%N447.dwg



ECA Project #: N-447

Attachment C

Determination of Effect

1: Areas of Potential Effects

a: Direct Effects

The APE for direct effects is limited to the site of the proposed tower and surrounding easements, as described in the Nationwide Programmatic Agreement.¹ For this particular undertaking, the area of disturbance would include the proposed 60-foot by 60-foot (18m by 18m) lease area, an approximate 630-foot long by 15-foot wide (192m by 5m) access/utility easement. The general APE for direct effects is shown in Attachment B-2b and Attachment B-2c.

b: Visual Effects

The APE for visual effects is the geographic area or areas within which the facility may directly or indirectly cause alterations in the character or use of Historic Properties.² Unless otherwise noted, the area of potential effect for visual effect is as described in the Nationwide Programmatic Agreement:

- If the proposed tower is 200 feet or less in overall height, the APE is ½ mile in radius from the proposed tower.
- If the proposed tower is more than 200 feet in height and no more than 400 feet in height, the APE is ¾-mile in radius from the proposed tower.
- If the proposed tower is more than 400 feet in height, the APE is 1 ½ miles in radius from the proposed tower.³

The APE for visual effects is shown in Attachment B-2a: Area of Visual Effect.

2: Mitigation of Effect

a: Copies of correspondence and summaries of oral communications with SHPO/THPO and any consulting parties including descriptions of alternatives that have been considered in order to avoid, minimize, or mitigate any adverse effects

Not Applicable

¹ Section VI.C.2 of the Nationwide Programmatic Agreement (WT Docket No. 03-128; FCC-222).

² Section II.3 of the Nationwide Programmatic Agreement (WT Docket No. 03-128; FCC-222).

³ Section VI.C.4.a-c of the Nationwide Programmatic Agreement (WT Docket No. 03-128; FCC-222).

Attachment D

Tribal and NHO Involvement

ECA made notification through the FCC Tower Construction Notification System (TCNS) in order to identify Indian Tribes and NHOs that may attach religious and cultural significance to Historic Properties that may be affected by the tower project within the APE for direct or visual effects.

ECA identified five federally recognized tribes that may be interested in participating in the Section 106 Review process in the county where the undertaking would occur. Any Tribe listed on the TCNS that does not respond within 14 and 30 days of initial notification will receive a follow up letter. Any Tribes requesting to be involved in the Section 106 Review consultation process will be provided a copy of this submission packet and will be provided an opportunity to comment on the proposed undertaking.

Copies of all relevant documents received to date, including correspondence, are provided in the following pages.

TRIBAL INVOLVEMENT
TCNS #83966 – INITIAL CONTACT March 23, 2012

INDIAN TRIBE OR NATION	SECOND TRIBAL CONTACT DATE	RESPONSE RECEIVED FROM TRIBE	REFER TO FCC	TRIBAL CLEARANCE
COUSHATTA INDIAN TRIBE		3/23/12 – via TCNS, Requested Section 106 Review documentation and review fee	NA	
MICCOSUKEE TRIBE OF INDIANS OF FLORIDA	NA	3/23/12 – via TCNS, Requested 30-Day Response Limit Agreement	NA	Will Clear 4/22/12
SEMINOLE TRIBE OF FLORIDA		3/23/12 – via TCNS, Requested Section 106 Review documentation and review fee	NA	
SEMINOLE NATION OF OKLAHOMA	NA	3/23/12 – via TCNS, Requested 30-Day Response Limit Agreement	NA	Will Clear 4/22/12
MUSCOGEE CREEK NATION		3/23/12 – via TCNS, Requested Initial Notification, Section 106 Review documentation, and review fee	NA	

* Federal Communications Commission Declaratory Ruling – October 6, 2005

-----Original Message-----

From: towernotifyinfo@fcc.gov [<mailto:towernotifyinfo@fcc.gov>]

Sent: Monday, March 19, 2012 2:16 PM

To: tribal notify

Subject: Proposed Tower Structure Info - Email ID #2990305

Dear Dina M Bazzill,

Thank you for submitting a notification regarding your proposed construction via the Tower Construction Notification System. Note that the system has assigned a unique Notification ID number for this proposed construction. You will need to reference this Notification ID number when you update your project's Status with us.

Below are the details you provided for the construction you have proposed:

Notification Received: 03/19/2012

Notification ID: 83966

Tower Owner Individual or Entity Name: Environmental Corporation of America

Consultant Name: Dina M Bazzill

Street Address: 1375 Union Hill Industrial Court
Suite A

City: Alpharetta

State: GEORGIA

Zip Code: 30004

Phone: 770-667-2040

Email: tribal.notify@eca-usa.com

Structure Type: POLE - Any type of Pole

Latitude: 29 deg 08 min 17.6 sec N

Longitude: 81 deg 03 min 9.1 sec W

Location Description: 4015 S. Williamson Blvd.

City: Port Orange

State: FLORIDA

County: VOLUSIA

Ground Elevation: 9.1 meters

Support Structure: 54.9 meters above ground level

Overall Structure: 54.9 meters above ground level

Overall Height AMSL: 64 meters above mean sea level

-----Original Message-----

From: towernotifyinfo@fcc.gov [<mailto:towernotifyinfo@fcc.gov>]
Sent: Friday, March 23, 2012 3:01 AM
To: tribal notify
Cc: kim.pristello@fcc.gov; diane.dupert@fcc.gov
Subject: NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER
CONSTRUCTION NOTIFICATION INFORMATION - Email ID #2991453

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. THPO Linda P Langley Dr - Coushatta Indian Tribe - Elton, LA - electronic mail and regular mail

2. NAGPRA & Section 106 Representative Fred Dayhoff - Miccosukee Tribe of Indians of Florida - Miami, FL - regular mail

Attachment D
Page 4 of 8

Applicant's Name: Capital Telecom Acquisitions, LLC
Project Name: Port Orange, FL
Project Number: N-447

Details: Please DO NOT contact me prior to the end of the 30-day period to inquire about the proposed site. I really need this time to review the TCNS notifications.

If, however, the proposed site is on undisturbed land, and you are aware of something that may be of interest to our Tribe, please feel free to telephone me or send documentation to me prior to the end of the 30-day period. Please send this information to me via regular mail or via UPS. Please do not use Federal Express, since they deliver to a general mailbox for our Tribe. Please send via reg. mail or UPS to:

Fred Dayhoff
NAGPRA & Section 106 Representative
Miccosukee Tribe of Indians of Florida
P.O. Box 440021
Tamiami Station
Miami, Florida 33144

At the end of the 30 days, if there is an inadvertent find during construction, IMMEDIATELY contact me at 239-695-4360 (phone). If the number is busy, immediately send a Fax to my attention at 239-695-4344 (fax).

Thank you.
Fred Dayhoff
NAGPRA & Section 106 Representative
Miccosukee Tribe of Indians of Florida
zaydah@MiccosukeeTribe.com

If the applicant/tower builder receives no response from the Miccosukee Tribe of Indians of Florida within 30 days after notification through TCNS, the Miccosukee Tribe of Indians of Florida has no interest in participating in pre-construction review for the proposed site. The Applicant/tower builder, however, must immediately notify the Miccosukee Tribe of Indians of Florida in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

3. Archaeological Data Analyst Elliott York - Seminole Tribe of Florida - Clewiston, FL - electronic mail

Details: Effective on June 3rd, 2011, the Seminole Tribe of Florida (STOF) is charging an administrative review fee of \$300 per tower. Upon receipt of the 620/621 form with attachments requested STOF will issue an invoice. Consultants will need to provide company name, primary contact person, mailing address (or e-mail), and business phone for invoice purposes. Please specify whether you would prefer the invoice physically mailed or e-mailed to you. The determination will be given upon payment of the review fee. Checks should be made payable to Seminole Tribe of Florida and mailed to: Seminole Tribe of Florida, Accounts Receivable, 6300 Stirling Road, Hollywood, FL 33024. Please include the TCNS numbers and invoice number on the memo line of the check in order for us to track your project payment. For requests involving multiple towers, a single check in the sum of \$300 per tower is acceptable.

The following additional items should be submitted for each review request: 620/621 form with attachments associated with cultural resources to include archaeological assessment/report that includes methodology, findings and field survey results, and project area geomorphology and soils. Please limit

submittal of architectural surveys (unless embedded with archaeological information), engineering/construction drawings, and excessive photos. All correspondence shall be conducted via email and email attachments.

Should you have any questions, please feel free to contact elliotttork@semtribe.com or (863) 983-6549 ext. 12216. Thank you.

4. Historic Preservation Officer Seminole Nation - Seminole Nation of Oklahoma - Wewoka, OK - electronic mail
Details: If the Applicant/tower builder receives no response from the Seminole Nation of Oklahoma within 30 days after notification through TCNS, the Seminole Nation of Oklahoma has no interest in participating in pre-construction review for the site. The Applicant/tower builder, however, must IMMEDIATELY notify the Seminole Nation of Oklahoma in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

5. Deputy THPO Emman Spain - Muscogee Creek Nation - Okmulgee, OK - electronic mail and regular mail
Details: ****PLEASE NOTE OUR NEW REQUIREMENT****: Because the TCNS Details do not provide enough information for us to conduct a proper assessment on behalf of the Muscogee Creek Nation (MCN) of Oklahoma, we, instead, require that you submit with your original notification (***NEW REQUIREMENT***), the following as EMAIL attachments: 1) a copy of the 620/621 Form, 2) photos, 3) a map that clearly shows the proposed site location, and 4) a copy of the archaeological assessment or survey.

Please treat this request for additional information 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.

EFFECTIVE 01/01/2012

****PLEASE NOTE OUR NEW REVIEW FEES****: Due to the high volume of 620/621 review requests, it has become necessary for the MCN to initiate an increase for the Cultural Resource Review service fee. Please contact MCN for details. Upon attaching all attachments as outlined above the completed 620/621 form and receipt of the review fee, a letter of decision will be sent if all the requirements are met. However, if you do not receive a response within 25 days from the date the payment and the completed 620/621 forms were sent to us, please contact us by phone or email to confirm review status.

Thank you.
Emman Spain, Deputy THPO
Muscogee Creek Nation
918-732-7835
mcn-tcns@muscogeenation-nsn.gov

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. SHPO Lee Warner - Alabama Historical Commission - Montgomery, AL - electronic mail

7. Deputy SHPO Elizabeth Ann Brown - Alabama Historical Commission - Montgomery, AL - electronic mail

8. Deputy SHPO Compliance Review Laura A Kammerer - Div of Historical Resources, Dept of State - Tallahassee, FL - electronic mail

9. Historic Preservationist Samantha Earnest - Florida Division of Historical Resources - Tallahassee, FL - electronic mail

10. Greg A Griffith - Washington State Department of Archaeology and Historic Preservation - Olympia, WA - 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: 03/19/2012
Notification ID: 83966
Tower Owner Individual or Entity Name: Environmental Corporation of America
Consultant Name: Dina M Bazzill
Street Address: 1375 Union Hill Industrial Court
Suite A
City: Alpharetta
State: GEORGIA
Zip Code: 30004
Phone: 770-667-2040
Email: tribal.notify@eca-usa.com

Structure Type: POLE - Any type of Pole
Latitude: 29 deg 8 min 17.6 sec N
Longitude: 81 deg 3 min 9.1 sec W
Location Description: 4015 S. Williamson Blvd.
City: Port Orange
State: FLORIDA
County: VOLUSIA
Ground Elevation: 9.1 meters
Support Structure: 54.9 meters above ground level
Overall Structure: 54.9 meters above ground level
Overall Height AMSL: 64.0 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

Attachment E

Historic Properties

Method of Identification:

The following sources and records were reviewed to identify Historic Properties within the Area of Potential Effect (APE) for visual and direct effects:

- i. Properties listed in the National Register;
- ii. Properties formally determined eligible for listing by the Keeper of the National Register;
- iii. Properties that the SHPO/THPO certifies are in the process of being nominated to the Nation Register;
- iv. Properties previously determined eligible as part of a consensus determination of eligibility between the SHPO/THPO and a Federal Agency or local government representing the Department of Housing and Urban Development (HUD); and
- v. Properties listed in the SHPO/THPO Inventory that the SHPO/THPO has previously evaluated and found to meet the National Register Criteria, and that are identified accordingly in the SHPO/THPO Inventory.¹

¹ Section VI.D.1.a.i-v of the Nationwide Programmatic Agreement (WT Docket No. 03-128; FCC-222)

1: Historic Properties Identified in the APE for Direct Effects

a: Historic Properties identified within the APE for direct effects

If any Historic Properties were identified, see *Historic Properties* pages within the FCC Form 620, Page 7.

b: Historic Properties within the APE, not listed in “a”, that ECA Considers to be Eligible for Listing in the National Register as a result of ECA’s research.

ECA has identified no Historic Properties within the area for direct effects.

c: Description of techniques and methodology used to identify Historic Properties within the APE for direct effects.

See *Archaeological Assessment*, Attachment E-1c.

2: Historic Properties Identified in the APE for Visual Effects

- a: Historic Properties Identified in the APE for visual effects that are listed in the National Register, have been formally determined eligible by the Keeper of the National Register, or have been evaluated and found to meet NR criteria for listing by the SHPO/THPO and are identified as such in the SHPO/THPO inventory.**

If any historic resources were identified, see *Historic Properties* pages within the FCC Form 620, Page 7 **or** if more than ten identified historic resources see *Cultural Resource Report*, Attachment E-2a.

- b: Historic Properties, not listed in part “a,” that are in the APE for visual effects that were identified through the comments of Indian Tribes, NHOs, local government, or members of the public.**

See *Historic Properties* pages within the FCC Form 620, Page 7.

- c: Properties listed in part “a,” which ECA considers no longer eligible for inclusion in the National Register**

Not applicable.

Attachment E-1c

Archaeological Assessment

CONFIDENTIAL NOTICE: Attachment E-1c and Attachment H may contain information on historic and/or prehistoric archaeological cultural resources. This information is to be regarded as strictly confidential and is not for public dissemination or distribution and is not to be published in the public domain or provided to any unauthorized parties.

Archaeological Assessment

TCNS ID # 83966

Proposed 180-Foot Overall Height Monopole Telecommunications Structure

Within a 60-Foot by 60-Foot (18m by 18m) Lease Area

Capital Telecom Site (Port Orange, FL)

4015 S. Williamson Blvd.

Port Orange, Volusia County, Florida

Submitted to

Ms. Laura Krammerer

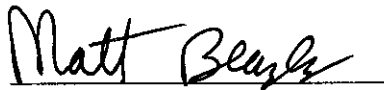
Division of Historical Resources

Office of Compliance and Review

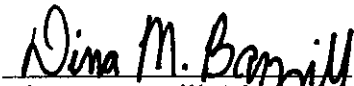
500 S. Bronough Street, Room 423

Tallahassee, FL 32399-0250

By



Matthew Beazley, MA, RPA
Project Archaeologist



Dina M. Bazzill, MA, RPA
Principal Investigator

March 30, 2012

ENVIRONMENTAL CORPORATION OF AMERICA
1375 UNION HILL INDUSTRIAL COURT, SUITE A
ALPHARETTA, GEORGIA 30004

ECA Project #: N-447

Executive Summary

Environmental Corporation of America (ECA) has completed an Archaeological Assessment for the federal undertaking at the project area. The project area includes a proposed 60-foot by 60-foot (18m by 18m) lease area and an approximate 630-foot long by 15-foot wide (192m by 5m) access/utility easement, of which the initial 300 feet (100m) consists of a previously disturbed area that contains a gravel/overgrown grass mixture. The facility would include a 180-foot (55-meter) overall height monopole telecommunications structure and associated ground level support equipment. The project area is located at 4015 S. Williamson Blvd., Port Oragne, Volusia County, Florida.

This archaeological assessment was conducted in order to ascertain whether the proposed undertaking, on the project site, might directly or indirectly affect cultural resources, if any such resources exist. Through our review of available cultural records and databases, no previously identified archaeological sites or surveys were discovered within our standard $\frac{3}{4}$ -mile background search radius. During the course of the Phase I intensive field survey portion of this archaeological assessment, no archaeological sites were discovered and no archaeological cultural resources were encountered.

We conclude that the undertaking would not affect any historic or prehistoric archaeological resources that are listed in or eligible for listing in the National Register of Historic Places. Therefore, for archaeological cultural resources, we recommend a finding of No Effect for the proposed undertaking at the project area.

*An Archaeological Assessment of a Proposed
60-Foot by 60-Foot (18m by 18m) Lease Area
Port Orange, Volusia County, Florida*

Background

Environmental Corporation of America was contracted by Capital Telecom Acquisitions, LLC to perform an archaeological assessment as part of the Section 106 Review process for a proposed telecommunications facility. The proposed facility would be located at 4015 S. Williamson Blvd., Port Orange, Volusia County, Florida. The purpose of our work was to determine whether any archaeological cultural resources might exist within the project area.

The proposed project area is located within the limits of the Daytona Beach, FL United States Geological Survey (USGS) 7.5-minute Topographic Quadrangle Map², as shown in Attachment B-2a. Attachment B-2c is a site vicinity plan that shows the site configuration. Attachment B-1d is a recent aerial photograph³ of the site area. The proposed facility would be located at an approximate elevation of 29 feet Above Mean Sea Level (AMSL).

The proposed undertaking is located in a grassed area on a larger parent tract containing a vacant building with a gravel parking lot and two small ponds. The compound would be accessible by a proposed approximate 630-foot long by 15-foot wide (192-meter by 5-meter) access easement, of which the initial 300 feet (100-meters) consists of a previously disturbed area that contains a gravel/overgrown grass mixture. The proposed telecommunications compound would be located within a 60-foot by 60-foot (18-meter by 18-meter) lease area with the center located at approximately N29° 08' 17.6" W81° 03' 09.1" (UTM: Zone 17 494891E 3223301N; T16S R32E S1). Photographs of the project area are provided in Attachment B-1a. Descriptions of the photographs are provided beneath each photograph.

² USGS, *7.5-minute Topographic Quadrangle Maps for Daytona Beach, FL, (1952, photorevised 1993)*

³ Google Earth 2012 Aerial Photograph

Geologically, the Property is located within the Coastal Plain Physiographic Province of Florida, which is characterized karst topography containing interbedded sand and clay deposits and limestone. Soils in the Coastal Plain are the result of deposition of sediments in a former marine environment.

According to the USDA Web Soil Survey, soils found within the project area are Pomona fine sand and Pomona-St. Johns complex. The Pomona series consist of very deep, poorly and very poorly drained, slowly permeable soils on broad low ridges on the Lower Coastal Plain. They formed in sandy and loamy marine sediments. The St. Johns series consist of very deep, very poorly drained, moderately permeable soils on broad flats and depressional areas of the Lower Coastal Plain.

The Area of Potential Effect (APE) is defined as “the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if any such properties exist”⁴. For the purposes of this work, the APE for direct effects is the actual physical impact area. The impact area includes the proposed approximate 60-foot by 60-foot (18-meter by 18-meter) lease area, the proposed approximately 630-foot long by 15-foot wide (192-meter by 5-meter) access/utility easement, and all immediately adjacent areas.

Literature and Documents Search

National Register of Historic Places

The National Register of Historic Places (NRHP)⁵ is the Nation’s official list of cultural resources worthy of preservation. Authorized under the National Historic Preservation Act of 1966, the National Register is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect historic and archaeological resources. Properties listed in the National Register include districts, sites, buildings, structures, and objects that are

⁴ 47 CFR Part 1 *Nationwide Programmatic Agreement for Review Under the National Historic Preservation Act: Final Rule*, January 4, 2005; Federal Register Vol.70, No. 2, Page 582.

⁵ National Register Information System, retrieved from <http://www.nps.gov/nr/>.

significant in American history, architecture, archaeology, engineering, and culture. The National Park Service, which is part of the U.S. Department of the Interior, administers the National Register. ECA conducted a review of the National Register of Historic Places to determine whether any listed archaeological sites were located within a ¾-mile radius of the project site. The document search revealed no sites within this radius.

Florida Master Site File

The Florida Master Site File (FASF)⁶ is the official repository for information about known archaeological sites from all periods within the state of Florida. It has become the primary source for documentation about Florida Archaeology. The FASF contains many different types of information about archaeological sites, including locations, cultural periods, and information relating to the National Register of Historic Places. The document search of these files revealed no previously recorded archaeological sites or surveys within a ¾-mile background research radius for the project area.

Field Methods

The Phase I intensive field survey implemented standard survey techniques and was performed by Matthew Beazley, MA, RPA, of ECA on March 26, 2012. A pedestrian survey was conducted throughout the 60-foot by 60-foot (18-meter by 18-meter) proposed lease area and along the length of the approximate 630-foot long by 15-foot wide (192-meter by 5-meter) proposed access/utility easement. An approximate 300-foot long (91-meters) portion of the proposed access/utility easement overlies an existing gravel drive.

ECA determined that four shovel tests would be an adequate sampling of the 60-foot by 60-foot (18-meter by 18-meter) proposed lease area and along the non-existing portion of the approximate 630-foot long by 15-foot wide (192-meter by 5-meter) proposed access/utility easement. Four shovel tests were determined to be an adequate sampling because the initial 300 feet (91-meters) consists of a previously disturbed area that contains a gravel/overgrown grass

⁶ Florida Department of Archives and History

mixture, followed by approximately 330 feet (101-meters) of grass. The subsurface tests consisted of a shovel test pits measuring approximately 20 inches by 20 inches (51cm), excavated to a depth of 40 inches (102cm) or until the sterile subsoil, bedrock, or the water table was encountered. The locations of the shovel tests are shown in Attachment B-2c. Photographs G through H in Attachment B-1a show an overview and profile of Shovel Test Pit One. All excavated soils were screened through a six-millimeter wire mesh screen to isolate any cultural artifacts.

Field Survey Results

Visual inspection revealed that the project area is currently grassed with a large push pile to the south of the proposed lease area. A sewer line and storm drains appear to either run along the length of the proposed access/utility easement or bisect it. The entire parent tract of land appears to have been cleared and graded possibly during construction of the now vacant building to the south of the proposed lease area. The proposed lease area would be accessible from the north side of Madeline Avenue via a proposed approximate 630-foot long by 15-foot wide (192-meter by 5-meter) access/utility easement, of which the initial 300 feet (91-meters) consists of a previously disturbed area that contains a gravel/overgrown grass mixture, followed by approximately 330 feet (101-meters) of grass. Ground visibility within the project area was approximately 50% due to sparse grass coverage. The A horizon and portions of the E horizon were not present in any of the shovel test pits.

STP1 was located in the northwest half of the proposed compound. Soil from 0 to 11 inches (0 to 25cm) consisted of sand with a Munsell color of 10YR7/1 (light gray). Soil from 11 to 35 inches (25 to 89cm) consisted of sand with a Munsell color of 5YR3/1 (very dark gray). Soil from 35 to 40 inches (89 to 102cm) consisted of sand with a Munsell color of 7.5YR3/2 (dark brown). Excavation was halted at 40 inches (102cm). The results for STP2, STP3, and STP4 were similar and are somewhat consistent with the description for the Pomona soil series. However, the A horizon and top portions of the E horizon appear to be absent. No archaeological or cultural materials were found; no other evidence of archaeological resources was observed.

Laboratory Methods and Collection Curation

For archaeological sites identified within the State of Florida, ECA will curate all photographs, field notes, maps and documentation pertinent to the archaeological assessment at the Curation Lab of the Bureau of Archaeological Research, Tallahassee, Florida. This repository meets Department of the Interior curation standards as defined under 36CFR Part 79.

Recommendations

During the course of this archaeological assessment no historic or prehistoric artifacts, or other evidence of archeological resources, were located within the APE for direct effects. We believe that no National Register eligible archaeological cultural resources will be affected by the proposed project. Therefore, we recommend a finding of No Effect for the proposed undertaking as it relates to archaeology. We request your concurrence with our finding.

Closure

We are submitting this report on behalf of Capital Telecom Acquisitions, LLC to seek concurrence with our finding and to comply with Federal Communications Commission (FCC) requirements as identified in 47 CFR 1.1307. Matthew Beazley, MA, RPA, of ECA conducted the research, performed the fieldwork, and authored this assessment. Dina M. Bazzill, MA, RPA, Principal Investigator, reviewed this assessment. We request your concurrence with our finding. Please contact our office with questions or comments or if additional information is required.

Attachment F

Local Government Involvement

Contact Information

- a: List of all government agencies contacted and a summary of contact including copies of relevant documents.**

Please see the *Local Government* pages of the FCC Form 620 for a list of agencies contacted. Documentation of our correspondence follows this page.

- b: Local government agencies that will be contacted, but have not as of this date.**

Not Applicable



ENVIRONMENTAL CORPORATION OF AMERICA

March 20, 2012

Port Orange Community Development Department
1000 City Center Circle
Port Orange, FL 32129

**Subject: Proposed 180-Foot Overall Height
Monopole Telecommunications Structure
Capital Telecom Site (Port Orange, FL)
4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida
ECA Project #: N-447**

To Whom It May Concern,

Capital Telecom Acquisitions, LLC is proposing to construct a 180-foot overall height monopole telecommunications structure at 4015 S. Williamson Blvd., Port Orange, Volusia County, Florida. In accordance with the Federal Communications Commission regulation at 47 C.F.R. 1.1307(a)(4), we are providing notice to you and seeking any comments that you may have regarding the effect of the proposed action described above on **Historic Properties** in your community. A map is included for your reference. Based on your level of interest in the proposed project, you may wish to become a consulting party. ***This notice is not intended to supplant any local zoning or permitting requirements, but is necessary before we can request review of the proposed action by the State Historic Preservation Office.***

We welcome any comments that you may have regarding any **Historic Properties** that could be potentially affected by the proposed action. Please direct your comments to Dina Bazzill, Environmental Corporation of America, 1375 Union Hill Industrial Court, Suite A, Alpharetta, Georgia 30004, 770-667-2040 x111. Because we would like to submit their project to the SHPO for review as soon as possible, we request that you provide any documents that you may have within 30 days. Thank you for your cooperation.

Sincerely,

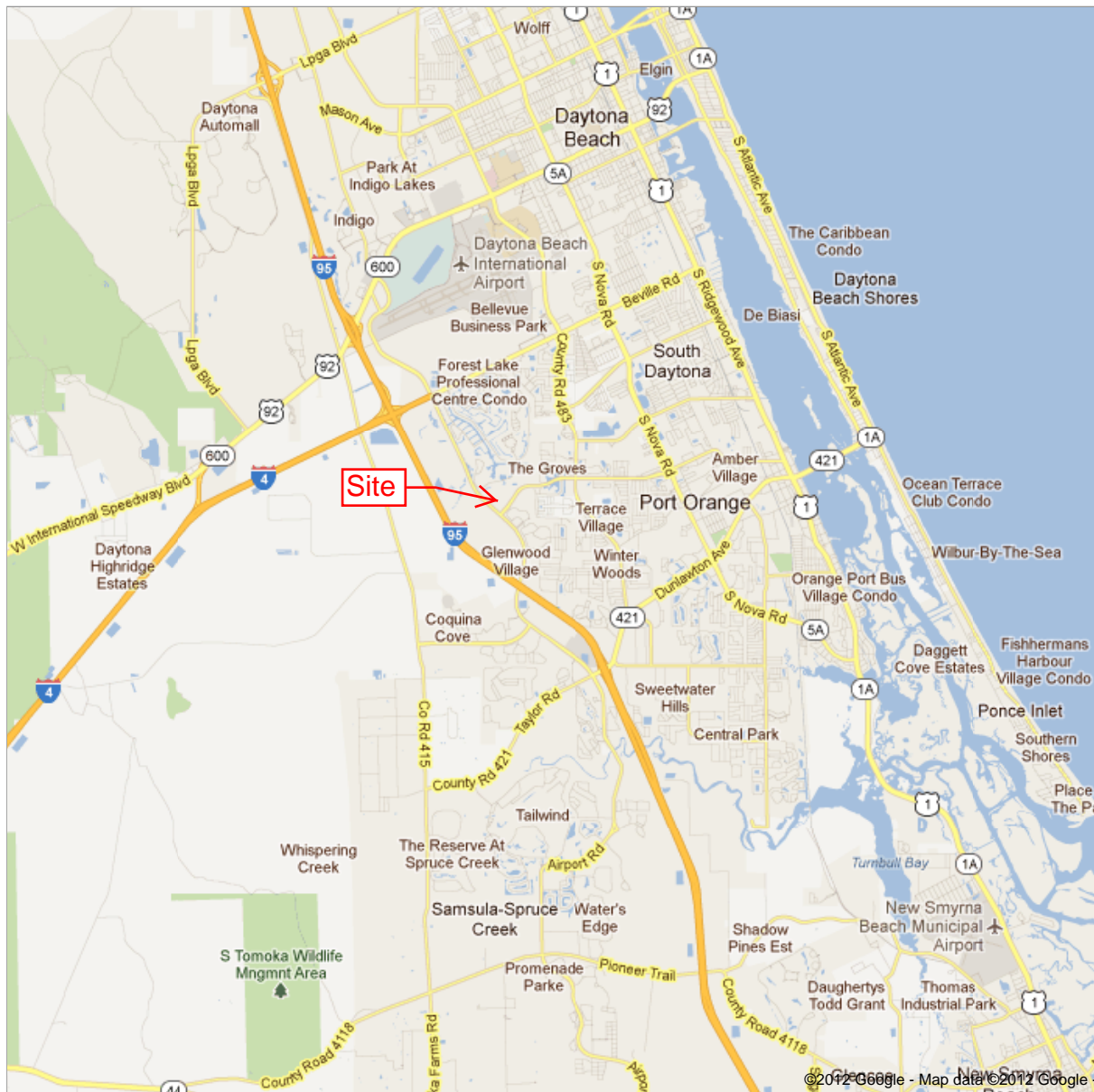
Matthew Beazley, MA, RPA
Project Archaeologist



Get Google Maps on your phone



Text the word "GMAPS" to 466453



Attachment G

Consulting Parties

Public Involvement by Legal Notices, Letters, or Public Meetings

Copies of all relevant documents, including correspondence and legal notices, are provided in the following pages.



ENVIRONMENTAL CORPORATION OF AMERICA

March 20, 2012

Volusia County Genealogical Society, Inc
PO Box 2039
Daytona Beach, FL 32115-2039
Attn: John Woodard, President

**Subject: Proposed 180-Foot Overall Height
Monopole Telecommunications Structure
Capital Telecom Site (Port Orange, FL)
4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida
ECA Project #: N-447**

Dear Mr. Woodard,

Capital Telecom Acquisitions, LLC is proposing to construct a 180-foot overall height monopole telecommunications structure at 4015 S. Williamson Blvd., Port Orange, Volusia County, Florida. In accordance with the Federal Communications Commission regulation at 47 C.F.R. 1.1307(a)(4), we are providing notice to you and seeking any comments that you may have regarding the effect of the proposed action described above on **Historic Properties** in your community. A map is included for your reference. Based on your level of interest in the proposed project, you may wish to become a consulting party. ***This notice is not intended to supplant any local zoning or permitting requirements, but is necessary before we can request review of the proposed action by the State Historic Preservation Office.***

We welcome any comments that you may have regarding any **Historic Properties** that could be potentially affected by the proposed action. Please direct your comments to Dina Bazzill, Environmental Corporation of America, 1375 Union Hill Industrial Court, Suite A, Alpharetta, Georgia 30004, 770-667-2040 x111. Because we would like to submit their project to the SHPO for review as soon as possible, we request that you provide any documents that you may have within 30 days. Thank you for your cooperation.

Sincerely,

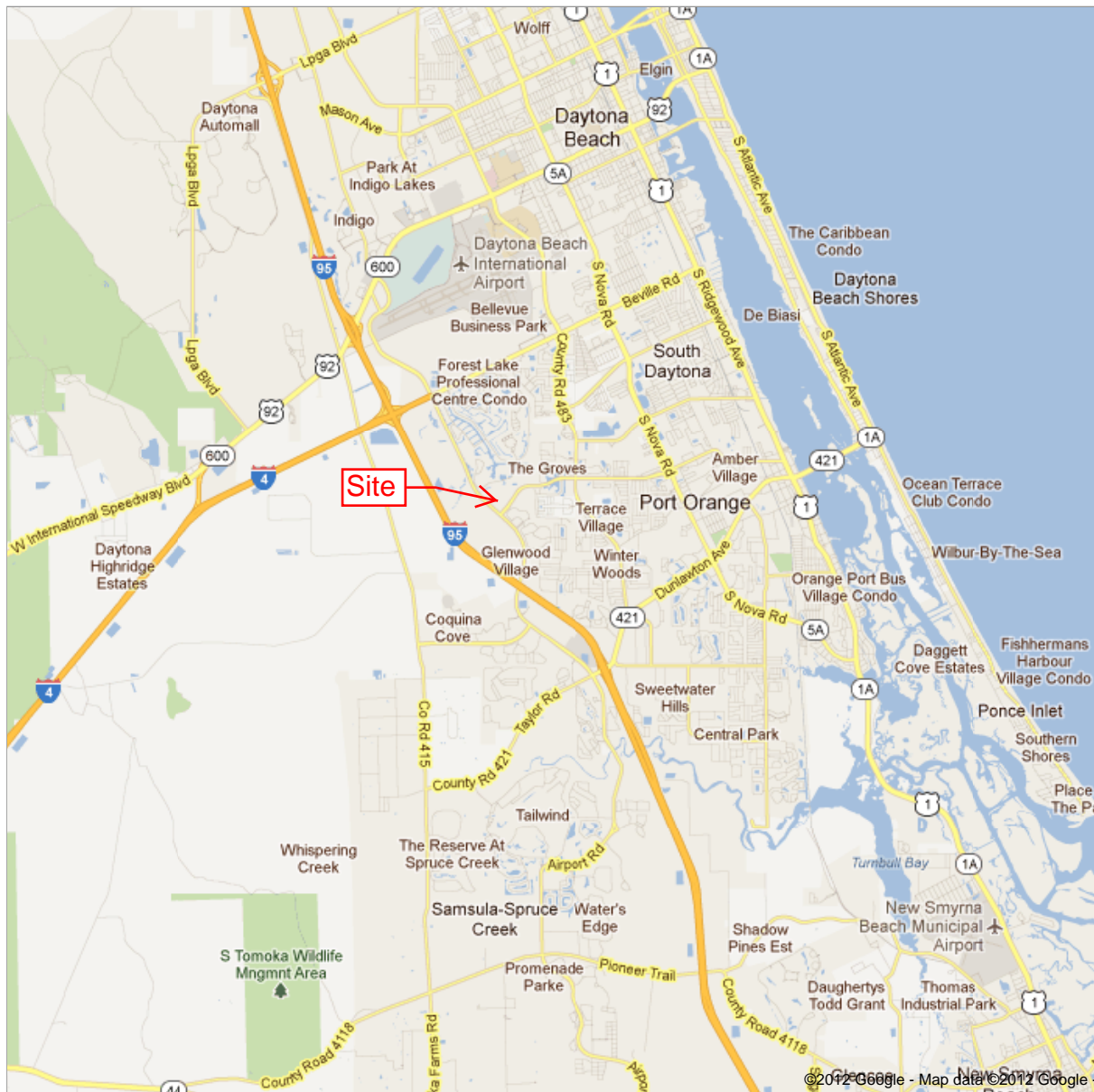
Matthew Beazley, MA, RPA
Project Archaeologist



Get Google Maps on your phone



Text the word "GMAPS" to 466453





ENVIRONMENTAL CORPORATION OF AMERICA

March 20, 2012

Ormond Beach Historical Society
38 E Granada Blvd.
Ormond Beach, FL 32176

**Subject: Proposed 180-Foot Overall Height
Monopole Telecommunications Structure
Capital Telecom Site (Port Orange, FL)
4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida
ECA Project #: N-447**

To Whom It May Concern,

Capital Telecom Acquisitions, LLC is proposing to construct a 180-foot overall height monopole telecommunications structure at 4015 S. Williamson Blvd., Port Orange, Volusia County, Florida. In accordance with the Federal Communications Commission regulation at 47 C.F.R. 1.1307(a)(4), we are providing notice to you and seeking any comments that you may have regarding the effect of the proposed action described above on **Historic Properties** in your community. A map is included for your reference. Based on your level of interest in the proposed project, you may wish to become a consulting party. ***This notice is not intended to supplant any local zoning or permitting requirements, but is necessary before we can request review of the proposed action by the State Historic Preservation Office.***

We welcome any comments that you may have regarding any **Historic Properties** that could be potentially affected by the proposed action. Please direct your comments to Dina Bazzill, Environmental Corporation of America, 1375 Union Hill Industrial Court, Suite A, Alpharetta, Georgia 30004, 770-667-2040 x111. Because we would like to submit their project to the SHPO for review as soon as possible, we request that you provide any documents that you may have within 30 days. Thank you for your cooperation.

Sincerely,

Matthew Beazley, MA, RPA
Project Archaeologist

Matthew Beazley

From: NJ Legal [legal@news-jrnl.com]
Sent: Tuesday, March 20, 2012 3:00 PM
To: Matthew Beazley
Subject: RE: I need to publish a legal notice
Importance: High

Attachments: Payment Receipt 988994.pdf

---Attached is the PDF for the Payment receipt. Once this has published I will mail you out your signed and notarized proof of publication along with your paid invoice.

Thanks so much!

Kelley Meehan

NJ Legal

Classified Legals

Office: 386-681-2322 **Fax:** 386-255-7840

legal@news-jrnl.com

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From: Matthew Beazley [mailto:matthew.beazley@eca-usa.com]
Sent: Tuesday, March 20, 2012 11:52 AM
To: NJ Legal
Subject: I need to publish a legal notice

Hello,

I need to publish a legal notice for a proposed cell tower site in Port Orange, FL. Can you please give me an estimate for the below notice? I only need it to run for one day.

Capital Telecom Acquisitions, LLC proposes to construct a 180-foot overall height monopole telecommunications facility. The facility would be located at 4015 S. Williamson Blvd., Port Orange, Volusia County, Florida. Capital Telecom Acquisitions, LLC invites comments from any interested party on the impact the facility may have on any Historic Properties. Comments may be sent to Environmental Corporation of America, ATTN: Dina Bazzill, 1375 Union Hill Industrial Court, Suite A, Alpharetta, Georgia 30004. Comments must be received within 30 days. For questions please call Dina Bazzill 770-667-2040 x111.

Thank You,

Matthew Beazley, MA, RPA
 Environmental Corporation of America
 1375 Union Hill Industrial Court
 Alpharetta, GA 30004
 770-667-2040 x 109 (office)
 770-667-2041 (fax)
matthew.beazley@eca-usa.com
www.eca-usa.com

[Alpharetta, GA / Asheville, NC / Chicago, IL / Nashville, TN / West Palm Beach, FL](#)

Attachment G

Page 5 of 5

3/28/2012

Attachment H

Designation of SHPO/THPO

SHPO/THPO Specific Forms

The following pages include copies of all additional forms specific to the Section 106 Review process for the lead SHPO/THPO reviewing this filing.

Ent D (FMSF only) ____/____/____



Survey Log Sheet

Florida Master Site File
Version 4.1 1/07

Survey # (FMSF only) _____

Consult *Guide to the Survey Log Sheet* for detailed instructions.

Identification and Bibliographic Information

Survey Project (name and project phase) Port Orange, FL

Report Title (exactly as on title page) Proposed 180-Foot (Overall Height) Monopole Telecommunications Structure
Within a 60-Foot by 60-Foot Lease Area

Report Author(s) (as on title page— individual or corporate; last names first) Environmental Corp. of America
Beazley, Matthew & Bazzill, Dina M.

Publication Date (year) 2012 Total Number of Pages in Report (count text, figures, tables, not site forms) 65

Publication Information (Give series and no. in series, publisher and city. For article or chapter, cite page numbers. Use the style of *American Antiquity*.)
ECA Proj. N-447; TCNS 83966

Supervisor(s) of Fieldwork (whether or not the same as author(s); last name first) Bazzill, Dina M.

Affiliation of Fieldworkers (organization, city) Environmental Corp. of America, Alpharetta GA

Key Words/Phrases (Don't use the county, or common words like *archaeology*, *structure*, *survey*, *architecture*. Limit each word or phrase to 25 characters.) Monopole, telecommunications, lease area, Capital Telecom Aquisitions, LLC

Survey Sponsors (corporation, government unit, or person who is directly paying for fieldwork)

Name Capital Telecom Aquisitions, LLC

Address/Phone 1500 Mt. Kemble Avenue, Suite 203, Morristown, NJ 07960 973-425-0606

Recorder of *Log Sheet* Matthew Beazley Date *Log Sheet* Completed 03 / 30 / 12

Is this survey or project a continuation of a previous project? ☒ No ☐ Yes: Previous survey #(s) (FMSF only) _____

Mapping

Counties (List each one in which field survey was done - do not abbreviate; use supplement sheet if necessary) Volusia

USGS 1:24,000 Map(s) : Map Name/Date of Latest Revision (use supplement sheet if necessary): _____

Daytona Beach, FL (1952, photorevised 1993) and Samsula, FL (19452, photorevised 1993)

Description of Survey Area

Dates for Fieldwork: Start 03 / 26 / 12 End 03 / 26 / 12 Total Area Surveyed (fill in one) _____ hectares .299 acres

Number of Distinct Tracts or Areas Surveyed _____

If Corridor (fill in one for each): Width _____ meters _____ feet Length _____ kilometers _____ miles

Research and Field Methods

Types of Survey (check all that apply): ☒ archaeological ☐ architectural ☐ historical/archival ☐ underwater ☐ other: _____

Preliminary Methods (✓ Check as many as apply to the project as a whole.)

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> Florida Archives (Gray Building) | <input type="checkbox"/> library research- <i>local public</i> | <input type="checkbox"/> local property or tax records | <input type="checkbox"/> other historic maps |
| <input type="checkbox"/> Florida Photo Archives (Gray Building) | <input type="checkbox"/> library-special collection - <i>nonlocal</i> | <input type="checkbox"/> newspaper files | <input checked="" type="checkbox"/> soils maps or data |
| <input type="checkbox"/> Site File property search | <input type="checkbox"/> Public Lands Survey (maps at DEP) | <input type="checkbox"/> literature search | <input type="checkbox"/> windshield survey |
| <input checked="" type="checkbox"/> Site File survey search | <input type="checkbox"/> local informant(s) | <input type="checkbox"/> Sanborn Insurance maps | <input checked="" type="checkbox"/> aerial photography |
| <input type="checkbox"/> other (describe): _____ | | | |

Archaeological Methods (✓ Check as many as apply to the project as a whole.)

- | | | |
|--|---|--|
| <input type="checkbox"/> Check here if NO archaeological methods were used. | | |
| <input type="checkbox"/> surface collection, controlled | <input type="checkbox"/> other screen shovel test (size: _____) | <input type="checkbox"/> block excavation (at least 2x2 M) |
| <input checked="" type="checkbox"/> surface collection, <u>un</u> controlled | <input type="checkbox"/> water screen (finest size: _____) | <input type="checkbox"/> soil resistivity |
| <input checked="" type="checkbox"/> shovel test-1/4" screen | <input type="checkbox"/> posthole tests | <input type="checkbox"/> magnetometer |
| <input type="checkbox"/> shovel test-1/8" screen | <input type="checkbox"/> auger (size: _____) | <input type="checkbox"/> side scan sonar |
| <input type="checkbox"/> shovel test 1/16" screen | <input type="checkbox"/> coring | <input type="checkbox"/> unknown |
| <input type="checkbox"/> shovel test-unscreened | <input type="checkbox"/> test excavation (at least 1x2 M) | |
| <input type="checkbox"/> other (describe): _____ | | |

Historical/Architectural Methods (✓ Check as many as apply to the project as a whole.)

- | | | | |
|---|---|---|---|
| <input checked="" type="checkbox"/> Check here if NO historical/architectural methods were used. | | | |
| <input type="checkbox"/> building permits | <input type="checkbox"/> demolition permits | <input type="checkbox"/> neighbor interview | <input type="checkbox"/> subdivision maps |
| <input type="checkbox"/> commercial permits | <input type="checkbox"/> exposed ground inspected | <input type="checkbox"/> occupant interview | <input type="checkbox"/> tax records |
| <input type="checkbox"/> interior documentation | <input type="checkbox"/> local property records | <input type="checkbox"/> occupation permits | <input type="checkbox"/> unknown |
| <input type="checkbox"/> other (describe): _____ | | | |

Scope/Intensity/Procedures Section 106 Review - Pedestrian survey & Phase I Archeological Survey

Survey Results (cultural resources recorded)

Site Significance Evaluated? ☒ Yes ☐ No If Yes, circle NR-eligible/significant site numbers below.Site Counts: Previously Recorded Sites 0 Newly Recorded Sites 0

Previously Recorded Site #'s with Site File Update Forms (List site #'s without "8." Attach supplementary pages if necessary) _____

Newly Recorded Site #'s (Are you sure all are originals and not updates? Identify methods used to check for updates, i.e., researched Site File records. List site #'s without "8." Attach supplementary pages if necessary.) _____

Site Form Used: ☐ Site File Paper Form ☐ SmartForm II Electronic Recording Form**REQUIRED: ATTACH PLOT OF SURVEY AREA ON PHOTOCOPIES OF USGS 1:24,000 MAP(S)**

DO NOT USE

SITE FILE USE ONLY

DO NOT USE

BAR Related

- | | |
|-------------------------------|---------------------------------------|
| <input type="checkbox"/> 872 | <input type="checkbox"/> 1A32 # _____ |
| <input type="checkbox"/> CARL | <input type="checkbox"/> UW |

BHP Related

- | |
|--|
| <input type="checkbox"/> State Historic Preservation Grant |
| <input type="checkbox"/> Compliance Review: CRAT # _____ |



This record search is for informational purposes only and does NOT constitute a project review. This search only identifies resources recorded at the Florida Master Site File and does NOT provide project approval from the Division of Historical Resources. Contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333 for project review information.

March 14, 2012



Matthew Beazley, M.A., R.P.A.
Archaeologist
Environmental Corporation of America
1375 Union Hill Industrial Court
Alpharetta, GA 30004
Phone: 770.667.2040
Email: matthew.beazley@eca-usa.com

In response to your inquiry of March 14, 2012, the Florida Master Site File lists no previously recorded cultural resources in the following sections of Volusia County:

T16S R32E Sections 1, 2, & 12

When interpreting the results of this search, please consider the following information:

- **This search area may contain *unrecorded* archaeological sites, historical structures or other resources even if previously surveyed for cultural resources.**
- **Federal, state and local laws require formal environmental review for most projects. This search DOES NOT constitute such a review. If your project falls under these laws, you should contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333.**

Please do not hesitate to contact us if you have any questions regarding the results of this search.

Sincerely,

Zan Rothrock
Archaeological Data Analyst
Florida Master Site File
Oscar.Rothrock@DOS.MyFlorida.com

Bibliography

Federal Communications Commission Federal Register, 47 CFR Part 1, Nationwide Programmatic Agreement for Review Under the National Historic Preservation Act; Final Rule, WT Docket No. 03-128; FCC 04-222, January 4, 2005.

Florida Archaeological Site Files at the Florida Dept of Historical Resources.

Google Earth 2012 Aerial Photograph

National Register Information System, retrieved from
<http://www.nr.nps.gov/>

Natural Resources Conservation Service, Soil Survey retrieved from
<http://websoilsurvey.nrcs.usda.gov>

United States Geological Survey, 7.5-minute Topographic Quadrangle Maps for *Daytona Beach, FL* (1952, photorevised 1993) and *Samsula, FL* (1952, photorevised 1993).

APPENDIX F

Native American Documentation

TRIBAL INVOLVEMENT
TCNS #83966 – INITIAL CONTACT March 23, 2012

INDIAN TRIBE OR NATION	SECOND TRIBAL CONTACT DATE	RESPONSE RECEIVED FROM TRIBE	REFER TO FCC	TRIBAL CLEARANCE
COUSHATTA INDIAN TRIBE	3/30/12 - sent Section 106 Review documentation and review fee via mail	5/3/12 – via mailed letter requested Section 106 Review documentation and review fee; 5/15/12 – Cleared via letter	NA	5/15/12
MICCOSUKEE TRIBE OF INDIANS OF FLORIDA	NA	3/23/12 – via TCNS, Requested 30-Day Response Limit Agreement	NA	4/22/12
SEMINOLE TRIBE OF FLORIDA	3/30/12 - sent Section 106 Review documentation and review fee via mail	3/23/12 – via TCNS, Requested Section 106 Review documentation and review fee; 4/16/12 – Cleared via TCNS	NA	4/16/12
SEMINOLE NATION OF OKLAHOMA	NA	3/23/12 – via TCNS, Requested 30-Day Response Limit Agreement	NA	4/22/12
MUSCOGEE CREEK NATION	3/30/12 - sent Section 106 Review documentation and review fee via mail	3/23/12 – via TCNS, Requested Initial Notification, Section 106 Review documentation, and review fee; 5/4/12 – Cleared via letter and TCNS	NA	5/4/12

TCNS Notification Statements

Matthew Beazley

From: Tribal Notify [tribal.notify@eca-usa.com]
Sent: Monday, March 19, 2012 2:18 PM
To: Andrew Tankel; Amy Williams; Andrew Tankel; Autumn Dubois; Ben Salter; Dave McGlothlin; Eric Johnson; Grant Burnham; Kelby Williams; Mary Seagrave; Matthew Beazley; Michelle Taylor; Mitch Clark; Dina Bazzill; Randy Heath; Mark Montes
Subject: FW: Proposed Tower Structure Info - Email ID #2990305

-----Original Message-----

From: towernotifyinfo@fcc.gov [mailto:towernotifyinfo@fcc.gov]
Sent: Monday, March 19, 2012 2:16 PM
To: tribal notify
Subject: Proposed Tower Structure Info - Email ID #2990305

Dear Dina M Bazzill,

Thank you for submitting a notification regarding your proposed construction via the Tower Construction Notification System. Note that the system has assigned a unique Notification ID number for this proposed construction. You will need to reference this Notification ID number when you update your project's Status with us.

Below are the details you provided for the construction you have proposed:

Notification Received: 03/19/2012

Notification ID: 83966

Tower Owner Individual or Entity Name: Environmental Corporation of America

Consultant Name: Dina M Bazzill

Street Address: 1375 Union Hill Industrial Court
Suite A

City: Alpharetta

State: GEORGIA

Zip Code: 30004

Phone: 770-667-2040

Email: tribal.notify@eca-usa.com

Structure Type: POLE - Any type of Pole

Latitude: 29 deg 08 min 17.6 sec N

Longitude: 81 deg 03 min 9.1 sec W

Location Description: 4015 S. Williamson Blvd.

City: Port Orange

State: FLORIDA

County: VOLUSIA

Ground Elevation: 9.1 meters

Support Structure: 54.9 meters above ground level

Overall Structure: 54.9 meters above ground level

Overall Height AMSL: 64 meters above mean sea level

Matthew Beazley

From: Tribal Notify [tribal.notify@eca-usa.com]
Sent: Friday, March 23, 2012 8:39 AM
To: Andrew Tankel; Amy Williams; Andrew Tankel; Autumn Dubois; Ben Salter; Dave McGlothlin; Eric Johnson; Grant Burnham; Kelby Williams; Mary Seagrave; Matthew Beazley; Michelle Taylor; Mitch Clark; Dina Bazzill; Randy Heath; Mark Montes
Subject: FW: NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #2991453

-----Original Message-----

From: towernotifyinfo@fcc.gov [mailto:towernotifyinfo@fcc.gov]
Sent: Friday, March 23, 2012 3:01 AM
To: tribal notify
Cc: kim.pristello@fcc.gov; diane.dupert@fcc.gov
Subject: NOTICE OF ORGANIZATION(S) WHICH WERE SENT PROPOSED TOWER CONSTRUCTION NOTIFICATION INFORMATION - Email ID #2991453

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. THPO Linda P Langley Dr - Coughatta Indian Tribe - Elton, LA - electronic mail and regular mail

2. NAGPRA & Section 106 Representative Fred Dayhoff - Miccosukee Tribe of Indians of Florida - Miami, FL - regular mail

Details: Please DO NOT contact me prior to the end of the 30-day period to inquire about the proposed site. I really need this time to review the TCNS notifications.

If, however, the proposed site is on undisturbed land, and you are aware of something that may be of interest to our Tribe, please feel free to telephone me or send documentation to me prior to the end of the 30-day period. Please send this information to me via regular mail or via UPS.

Please do not use Federal Express, since they deliver to a general mailbox for our Tribe. Please send via reg. mail or UPS to:

Fred Dayhoff
NAGPRA & Section 106 Representative
Miccosukee Tribe of Indians of Florida
P.O. Box 440021
Tamiami Station
Miami, Florida 33144

At the end of the 30 days, if there is an inadvertent find during construction, IMMEDIATELY contact me at 239-695-4360 (phone). If the number is busy, immediately send a Fax to my attention at 239-695-4344 (fax).

Thank you.

Fred Dayhoff
NAGPRA & Section 106 Representative
Miccosukee Tribe of Indians of Florida
zaydah@MiccosukeeTribe.com

If the applicant/tower builder receives no response from the Miccosukee Tribe of Indians of Florida within 30 days after notification through TCNS, the Miccosukee Tribe of Indians of Florida has no interest in participating in pre-construction review for the proposed site. The Applicant/tower builder, however, must immediately notify the Miccosukee Tribe of Indians of Florida in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

3. Archaeological Data Analyst Elliott York - Seminole Tribe of Florida - Clewiston, FL - electronic mail

Details: Effective on June 3rd, 2011, the Seminole Tribe of Florida (STOF) is charging an administrative review fee of \$300 per tower. Upon receipt of the 620/621 form with attachments requested STOF will issue an invoice.

Consultants will need to provide company name, primary contact person, mailing address (or e-mail), and business phone for invoice purposes. Please specify whether you would prefer the invoice physically mailed or e-mailed to you. The determination will be given upon payment of the review fee.

Checks should be made payable to Seminole Tribe of Florida and mailed to:
Seminole Tribe of Florida, Accounts Receivable, 6300 Stirling Road, Hollywood, FL 33024.
Please include the TCNS numbers and invoice number on the memo line of the check in order for us to track your project payment. For requests involving multiple towers, a single check in the sum of \$300 per tower is acceptable.

The following additional items should be submitted for each review request:
620/621 form with attachments associated with cultural resources to include archaeological assessment/report that includes methodology, findings and field survey results, and project area geomorphology and soils. Please limit submittal of architectural surveys (unless embedded with archaeological information), engineering/construction drawings, and excessive photos. All correspondence shall be conducted via email and email attachments.

Should you have any questions, please feel free to contact elliotttyork@semtribe.com or (863) 983-6549 ext. 12216. Thank you.

4. Historic Preservation Officer Seminole Nation - Seminole Nation of Oklahoma - Wewoka, OK - electronic mail

Details: If the Applicant/tower builder receives no response from the Seminole Nation of Oklahoma within 30 days after notification through TCNS, the Seminole Nation of Oklahoma has no interest in participating in pre-construction review for the site. The Applicant/tower builder, however, must IMMEDIATELY notify the Seminole Nation of Oklahoma in the event archaeological properties or human remains are discovered during construction, consistent with Section IX of the Nationwide Programmatic Agreement and applicable law.

5. Deputy THPO Emman Spain - Muscogee Creek Nation - Okmulgee, OK - electronic mail and regular mail

Details: ****PLEASE NOTE OUR NEW REQUIREMENT****: Because the TCNS Details do not provide enough information for us to conduct a proper assessment on behalf of the Muscogee Creek Nation (MCN) of Oklahoma, we, instead, require that you submit with your original notification (***NEW REQUIREMENT***), the following as EMAIL attachments: 1) a copy of the 620/621 Form, 2) photos, 3) a map that clearly shows the proposed site location, and 4) a copy of the archaeological assessment or survey.

Please treat this request for additional information 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.

EFFECTIVE 01/01/2012

****PLEASE NOTE OUR NEW REVIEW FEES****: Due to the high volume of 620/621 review requests, it has become necessary for the MCN to initiate an increase for the Cultural Resource Review service fee. Please contact MCN for details. Upon attaching all attachments as outlined above the completed

620/621 form and receipt of the review fee, a letter of decision will be sent if all the requirements are met. However, if you do not receive a response within 25 days from the date the payment and the completed 620/621 forms were sent to us, please contact us by phone or email to confirm review status.

Thank you.

Emman Spain, Deputy THPO

Muscogee Creek Nation

918-732-7835

mcn-tcns@muscogeenation-nsn.gov

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. SHPO Lee Warner - Alabama Historical Commission - Montgomery, AL - electronic mail

7. Deputy SHPO Elizabeth Ann Brown - Alabama Historical Commission - Montgomery, AL - electronic mail

8. Deputy SHPO Compliance Review Laura A Kammerer - Div of Historical Resources, Dept of State - Tallahassee, FL - electronic mail

9. Historic Preservationist Samantha Earnest - Florida Division of Historical Resources - Tallahassee, FL - electronic mail

10. Greg A Griffith - Washington State Department of Archaeology and Historic Preservation - Olympia, WA - 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: 03/19/2012
Notification ID: 83966
Tower Owner Individual or Entity Name: Environmental Corporation of America
Consultant Name: Dina M Bazzill
Street Address: 1375 Union Hill Industrial Court
Suite A
City: Alpharetta
State: GEORGIA
Zip Code: 30004
Phone: 770-667-2040
Email: tribal.notify@eca-usa.com

Structure Type: POLE - Any type of Pole
Latitude: 29 deg 8 min 17.6 sec N
Longitude: 81 deg 3 min 9.1 sec W
Location Description: 4015 S. Williamson Blvd.
City: Port Orange
State: FLORIDA
County: VOLUSIA
Ground Elevation: 9.1 meters
Support Structure: 54.9 meters above ground level
Overall Structure: 54.9 meters above ground level
Overall Height AMSL: 64.0 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

**Follow-Up Letters
To Tribes**

Environmental Corp. of America
1375 Union Hill Industrial Ct, Ste A
Alpharetta, GA 30004



Phone: 770-667-2040 x. 109
Fax No.: 770-667-2041

From: Matthew Beazley

To: Michael Tarpley
Coushatta Tribe of Louisiana
Coushatta Heritage Department
P.O. Box 10
Elton, Louisiana 70532

TRANSMITTAL COVER SHEET

Date: March 30, 2012

Subject: Section 106 Review
TCNS # 83966
Proposed 180-Foot Overall Height
Monopole Telecommunications Structure
Capital Telecom Site (Port Orange, FL)
4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida
ECA Project # N-447

Notes: Dear Mr. Tarpley,

As indicated in your TCNS response, the Coushatta Tribe of Louisiana would like to become a consulting party for the above referenced site. As requested, I have attached the Section 106 Review documentation and review fee. Please call or email (matthew.beazley@eca-usa.com) if you need any further information or if you have any questions. Thank you.

Sincerely,

Matthew Beazley, MA, RPA
Project Archaeologist/Manager

Environmental Corp. of America
1375 Union Hill Industrial Ct, Ste A
Alpharetta, GA 30004



Phone: 770-667-2040 x. 109
Fax No.: 770-667-2041

From: Matthew Beazley, MA, RPA

To: Mr. Elliott York
Seminole Tribe of Florida
Attn: Accounts Receivable
6300 Stirling Road
Hollywood, FL 33024

Phone: 863-983-6549

TRANSMITTAL COVER SHEET

Date: March 30, 2012

Subject: Section 106 Review
TCNS # 83966
Proposed 180-Foot Overall Height
Monopole Telecommunications Structure
Capital Telecom Site (Port Orange, FL)
4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida
ECA Project # N-447

Notes: Dear Mr. York,

As indicated in your TCNS response, the Seminole Tribe of Florida would like to become a consulting party for the above referenced site. As requested, I have attached the review fee and the Section 106 Review documentation. Please call or email (matthew.beazley@eca-usa.com) if you need any further information or if you have any questions. Thank you.

Sincerely,



Matthew Beazley, MA, RPA
Project Archaeologist

Environmental Corp. of America
1375 Union Hill Industrial Ct, Ste A
Alpharetta, GA 30004



Phone: 770-667-2040 x. 109
Fax No.: 770-667-2041

From: Matthew Beazley

To: Mr. Ted Isham
Muscogee Creek Nation
Cultural Preservation Office
P.O. Box 580
Okmulgee, OK 74447

TRANSMITTAL COVER SHEET

Date: March 30, 2012

Subject: Section 106 Review
TCNS # 83966
Proposed 180-Foot Overall Height
Monopole Telecommunications Structure
Capital Telecom Site (Port Orange, FL)
4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida
ECA Project # N-447

Notes: Dear Mr. Isham,

As indicated in your TCNS response, the Muscogee Creek Nation would like to become a consulting party for the above referenced site. As requested, I have attached the Section 106 Review documentation and review fee. Please call or email (matthew.beazley@eca-usa.com) if you need any further information or if you have any questions. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Matt Beazley". The signature is stylized with a cursive-like flow.

Matthew Beazley, MA, RPA
Project Archaeologist

Responses Received From Tribes



COUSHATTA TRIBE OF LOUISIANA

HERITAGE DEPARTMENT

Ms. Dina Bazzill
Environmental Corporation of America
1375 Union Hill Industrial Court, Suite A
Alpharetta, GA 30004

April 19, 2012

Re: Proposal to construct telecommunication tower.
Tower Owner: Environmental Corporation of America
TCNS# 83966
Address: 4015 S. Williamson Blvd.
Location: Port Orange, Volusia County, Florida


Dear Ms. Bazzill:

Please accept this correspondence as our introduction and notice of The Coushatta Tribe's interest in your projects. As of this time, we are hereby requesting consulting party status on any proposed projects that the Federal Communications Commission undertakes in the areas of cultural importance to the Coushatta Tribe of LA.

We wish to remind the Federal Communications Commission that it is their duty to consult with Indian tribes on a government-to-government basis and not that of the contractor. In addition, it is their duty to acknowledge that Indian tribes and Native Hawaiian organizations possess special expertise in assessing the eligibility of historic properties that may have religious and cultural significance to them. If tribal representatives need to travel to proposed construction sites, then per diem and lodging compensation shall be provided by the Federal Communications Commission or the contractor.

As contractors, you are aware of expenses that are incurred in providing professional services. The Coushatta Tribe of Louisiana is providing professional services in responding to these requests for clearance. **Our administrative filing fee is \$350.00 and you will find enclosed invoice # 03.12.043 for said amount. Please make check payable to the Coushatta Tribe of LA – ANA Heritage Account.**

To expedite this process, we are requesting the following information: New or existing tower site, site name & number, legal description or physical address of site, photographs in contour directions, topographic or quadrangle maps, height and type of tower and the complete FCC Form 620 or 621 survey report along with payment of the administrative fee. All this information will enable us to review our internal documents and make an accurate decision concerning this site. Thank you for your time and cooperation.


Michael Tarpley
Deputy THPO
Coushatta Tribe of Louisiana

RECEIVED
MAY 03 2012

BY: MTB-ECA

KOWASSAATON NATHIHILKAS—LET US SPEAK KOASATI



COUSHATTA TRIBE

OF LOUISIANA

HERITAGE DEPARTMENT

RECEIVED
MAY 15 2012

BY: MTB-EGA

05/03/2012


Dina Bazzill
Environmental Corporation of America
1375 Union Hill Industrial Court, Suite A
Alpharetta, GA 30004

Dear Ms. Dina Bazzill:

We received your payment of \$350.00 in check number 030171 for the Site assigned to TCNS # 83966 & Invoice # 03.12.043 for the construction of a communication tower located on 4015 S. Williamson Blvd., Port Orange, Volusia County, Florida. I have enclosed receipt numbered 03.12.043 for your accounts receivable records.

At this time, we know of no known sacred and/or ceremonial sites in the immediate area. However, if any cultural resources, such as, bone, pottery, flakes or stone tools, etc, are found during the construction please contact us immediately.

Sincerely,


Mike Tarpley
Deputy THPO
Enclosures

KOWASSAATON NATHIHILKAS—LET US SPEAK KOASATI

Matthew Beazley

From: Tribal Notify [tribal.notify@eca-usa.com]
Sent: Monday, April 16, 2012 4:01 PM
To: Andrew Tinkel; Amy Williams; Andrew Tinkel; Autumn Dubois; Ben Salter; Dave McGlothlin; Eric Johnson; Grant Burnham; Kelby Williams; Mary Seagrave; Matthew Beazley; Michelle Taylor; Mitch Clark; Dina Bazzill; Randy Heath; Mark Montes
Subject: FW: Reply to Proposed Tower Structure (Notification ID: 83966) - Email ID #3008034

-----Original Message-----

From: towernotifyinfo@fcc.gov [mailto:towernotifyinfo@fcc.gov]
Sent: Monday, April 16, 2012 3:55 PM
To: tribal notify
Cc: tcns.fccarchive@fcc.gov; elliotttyork@semtribe.com
Subject: Reply to Proposed Tower Structure (Notification ID: 83966) - Email ID #3008034

Dear Dina M Bazzill,

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 Elliott York of the Seminole Tribe of Florida in reference to Notification ID #83966:

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 has no objection to your findings at this time. 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,
Paul N. Backhouse, Ph.D.
Acting Tribal Historic Preservation Officer

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

Notification Received: 03/19/2012
Notification ID: 83966
Tower Owner Individual or Entity Name: Environmental Corporation of America
Consultant Name: Dina M Bazzill
Street Address: 1375 Union Hill Industrial Court
Suite A
City: Alpharetta
State: GEORGIA
Zip Code: 30004
Phone: 770-667-2040
Email: tribal.notify@eca-usa.com

Structure Type: POLE - Any type of Pole
Latitude: 29 deg 8 min 17.6 sec N
Longitude: 81 deg 3 min 9.1 sec W
Location Description: 4015 S. Williamson Blvd.
City: Port Orange
State: FLORIDA
County: VOLUSIA
Ground Elevation: 9.1 meters
Support Structure: 54.9 meters above ground level
Overall Structure: 54.9 meters above ground level
Overall Height AMSL: 64.0 meters above mean sea level



RECEIVED
MAY 04 2012
BY: MTB-E4

*Creek Nation of Oklahoma
Cultural and Historic Preservation*

May 4, 2012

Matthew Beazley
Environmental Corp. of America
1375 Union Hill Industrial Court
Suite A
Alpharetta, GA 30004

**RE: TCNS # 83966
Capital Telecom Site (Port Orange, FL)
4015 S. Williamson Blvd.
Port Orange, Volusia County, Florida
ECA Project # N-447**

Dear Mr. Beazley,

In keeping with the Federal Communications Commission (FCC), the National Environmental Policy Act (NEPA), and Section 106 of the National Historic Preservation Act (NHPA), 36 CFR Part 800, this letter is to acknowledge that the Muscogee (Creek) Nation has received notice of the proposed construction of a 180-ft monopole on 60-ft by 60-ft lease area with 630-ft long by 15-ft wide access/utility easement at the above referenced location.

After reviewing all pertinent information, at this time we are unaware of any religious or culturally significant sites at this exact location. Therefore, we recommend a finding of "Use Caution" for the proposed undertaking.

Furthermore, due to the historic presence of our people within the project area inadvertent discoveries of human remains may occur, even in areas of existing or prior development. Should this occur, all appropriate authorities and this office should be immediately notified.

Should further information or comment be required please do not hesitate to contact me at (918) 732-7835, FAX: (918) 758-0649, or by E-mail: bchisholm@muscogeenation-nsn.gov. Thank you.

Sincerely,

Bonnie Chisholm
Muscogee (Creek) Nation

Matthew Beazley

From: Tribal Notify [tribal.notify@eca-usa.com]
Sent: Friday, May 04, 2012 4:49 PM
To: Andrew Tankel; Amy Williams; Andrew Tankel; Autumn Dubois; Ben Salter; Dave McGlothlin; Eric Johnson; Grant Burnham; Kelby Williams; Mary Seagrave; Matthew Beazley; Michelle Taylor; Mitch Clark; Dina Bazzill; Randy Heath; Mark Montes
Subject: FW: Reply to Proposed Tower Structure (Notification ID: 83966) - Email ID #3021181

-----Original Message-----

From: towernotifyinfo@fcc.gov [mailto:towernotifyinfo@fcc.gov]
Sent: Friday, May 04, 2012 4:46 PM
To: tribal notify
Cc: tcns.fccarchive@fcc.gov; mcn-tcns@muscogeenation-nsn.gov
Subject: Reply to Proposed Tower Structure (Notification ID: 83966) - Email ID #3021181

Dear Dina M Bazzill,

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 Deputy THPO Emman Spain of the Muscogee Creek Nation in reference to Notification ID #83966:

In keeping with the Federal Communications Commission (FCC), the National Environmental Policy Act (NEPA), and Section 106 of the National Historic Preservation Act (NHPA), 36 CFR Part 800, this letter is to acknowledge that the Muscogee (Creek) Nation has received notice of the proposed construction of a 180-ft monopole on 60-ft by 60-ft lease area with 630-ft long by 15-ft wide access/utility easement at the above referenced location.

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Should further information or comment be required please do not hesitate to contact me at (918) 732-7835, FAX: (918) 758-0649, or by E-mail: mcn-tcns@muscogeenation-nsn.gov. Thank you.

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

Notification Received: 03/19/2012
Notification ID: 83966
Tower Owner Individual or Entity Name: Environmental Corporation of America
Consultant Name: Dina M Bazzill
Street Address: 1375 Union Hill Industrial Court
Suite A
City: Alpharetta

State: GEORGIA
Zip Code: 30004
Phone: 770-667-2040
Email: tribal.notify@eca-usa.com

Structure Type: POLE - Any type of Pole
Latitude: 29 deg 8 min 17.6 sec N
Longitude: 81 deg 3 min 9.1 sec W
Location Description: 4015 S. Williamson Blvd.
City: Port Orange
State: FLORIDA
County: VOLUSIA
Ground Elevation: 9.1 meters
Support Structure: 54.9 meters above ground level
Overall Structure: 54.9 meters above ground level
Overall Height AMSL: 64.0 meters above mean sea level

APPENDIX G

Building Permit